

**SCHEDULE "C"****SPECIAL EXCEPTIONS FOR SPECIFIC LANDS**

1. Notwithstanding Section 6.5.3 of this Bylaw, within the lands zoned Downtown D5 Zone, identified on Map 910 of Schedule "A" – Zoning Maps and described as 47 Caroline Street North, a multiple dwelling is permitted subject to the following:
  - a. The height of the building shall not exceed 18.0 metres in height;
  - b. A minimum front yard of 2.9 metres shall be required for the fourth, fifth and sixth floors;
  - c. A minimum northerly side yard of 3.2 metres shall be required for the fourth, fifth and sixth floors;
  - d. A minimum southerly side yard of 3.0 metres shall be required for the second, third, fourth, fifth and sixth floors;
  - e. A minimum rear yard of 2.1 metres shall be provided and maintained for the first and second floors;
  - f. A minimum rear yard of 3.5 metres shall be required for the second, third, fourth, fifth and sixth floors;
  - g. A maximum gross floor area of 4,800 square metres shall be permitted;
  - h. A minimum of 14% of the ground area of the lot shall be provided and maintained as landscaped area; and,
  - i. A minimum of 24% of the lot area shall be provided and maintained as amenity area on the second and fourth floors.  
(By-law 18-114, May 9, 2018)
2. Notwithstanding Section 8.2.1 of this By-law, within the lands zoned Community Institutional (I2) Zone, identified on Map 910 of Schedule "A" and described as 147 Cannon Street West and 79 Bay Street North (Sir John A. McDonald Secondary School – District Energy), a utility plant for the generation and transmission of heat, steam and electricity shall also be permitted.  
(By-law 18-114, May 9, 2018)
3. Notwithstanding Section 7.1.3 d) of this By-law, a building accessory to Lawn Bowling/Bocce Court(s) shall be permitted to a maximum gross floor area of 38 square metres (Lisgar Park).  
(June 14, 2006, By-law 06-166)

4. Notwithstanding section 8.1.3.1 i) and Section 6.5.3.4 of this By-law, the following Maximum Capacity shall be permitted for the respective property.
  - i) 12 Melville Street, as identified on Map 861 of Schedule "A" – Zoning Maps, 24 residents
  - ii) 46 West Avenue South, as identified on Map 995 of Schedule "A" – Zoning Maps, 20 residents
  - iii) 160 Park Street South, as identified on Map 952, 994 of Schedule "A" – Zoning Maps, 20 residents
  - iv) 65 East Avenue South, as identified on Map 995, 996 of Schedule "A" – Zoning Maps, 20 residents
  - v) 7 Blake Street, as identified on Map 997, 1041 of Schedule "A" – Zoning Maps, 40 residents

(By-law 07-101, March 28, 2007)  
(By-law 18-114, May 9, 2018)
  
5. Notwithstanding section 8.2.3.1 g) of this By-law, the Maximum Capacity for 1320-1322 King Street East shall be 64 residents.  
(By-law 07-101, March 28, 2007)
  
6. Notwithstanding Sections 9.1.1 and 9.1.3 of this By-law, within the boundaries of the lands affected by this subsection and zoned Research and Development (M1) Zone, identified on Maps 950a and 992a of Schedule "A" – Zoning Maps, the following shall apply:
  - a. The existing railway use shall also be permitted, including any new use, building or structure accessory thereto, and subject to the planting strip in subsection c) below not required for such use.
  - b. The building height shall not exceed a height of 22.0 metres when located within 60.0 metres of a Residential zone; and,
  - c. A 6.0 metre planting strip shall be required along that portion of the property line abutting a railway right-of-way.  
(By-law 07-043, February 15, 2007)
  
7. Notwithstanding Sections 9.1.1 and 9.1.3 of this By-law, within the boundaries of the lands affected by this subsection and zoned Research and Development (M1) Zone, identified on Maps 949, 950 and 991 of Schedule "A" – Zoning Maps, the following shall also apply:
  - a. A Museum shall also be permitted; and,
  - b. Educational Establishment and Multiple Dwelling uses shall also be permitted, subject to the following regulations:

- i. The Maximum Gross Floor Area for Educational Establishment shall be limited to 14,000 square metres and Multiple Dwelling shall be limited to 5,750 square metres;
  - ii. Notwithstanding (i) above, the Maximum Gross Floor Area for Educational Establishment(s) may be increased beyond the 14,000 square metres, to a maximum of 46,500 square metres, provided that any additional gross floor area for such educational use shall be limited to a maximum of 33% of the total gross floor area of all existing buildings, which are used for other permitted M1 uses, located on the said lands, save and except for the following uses:
    - 1. Educational Establishments;
    - 2. Multiple Dwelling(s);
    - 3. Commercial Parking Facilities; and,
    - 4. Warehouse (as a primary use).
  - iii. Notwithstanding (i) above, the Maximum Gross Floor Area for Multiple Dwelling(s) may be increased beyond the 5,750 square metres, to a maximum of 11,500 square metres, provided that any additional gross floor area for such multiple dwelling use shall be limited to a maximum of 8% of the total gross floor area of all existing buildings, which are used for other permitted M1 uses, located on the said lands, save and except for the following uses:
    - 1. Educational Establishments;
    - 2. Multiple Dwelling(s);
    - 3. Commercial Parking Facilities; and,
    - 4. Warehouse (as a primary use).
  - iv. Multiple dwellings shall be restricted to locating in a maximum of 2 buildings.
  - v. Notwithstanding (ii) and (iii) above, the combined total gross floor area accommodating both Educational Establishment and Multiple Dwelling uses shall not exceed 46,500 square metres.
8. Notwithstanding Sections 8.3.2.1 and 8.3.2.2 of this By-law, on those lands zoned Major Institutional (I3) Zone, identified on Maps 1291 and 1344 of Schedule "A" – Zoning Maps and described as 1321, 1329, 1335, 1339, 1343, 1347, 1349, and 1355 Upper Wellington Street, the following special provisions shall also apply:

- a. A maximum of 121 dwelling units shall also be permitted within one or more buildings;
  - b. Minimum Lot Frontage – 19.0 metres;
  - c. Section 8.3.2.2 c) shall not apply; and,
  - d. Section 8.3.2 shall not apply to the existing single detached dwelling and no further additions shall be permitted.  
(By-law 07-330, November 14, 2007)
9. Notwithstanding Sections 9.1.1, 9.1.2 and 9.1.3 of By-law 05-200, on those lands zoned Research and Development (M1) Zone, identified on Maps 908 and 950 of Schedule "A" – Zoning Maps and described as 501 Main Street West, the following special provisions shall also apply:
- a. The following uses shall also be permitted:
    - i. The primary production of asphalt and/or concrete;
    - ii. Recycling of concrete, asphalt products and bricks;
    - iii. Crushing, screening, processing, outdoor storage/ stockpiling, and the sale of rock, sand, gravel, used concrete, used asphalt, concrete products and bricks;
    - iv. Outdoor storage of equipment used for road building which shall include but not be limited to detour signs, barricades, and/or traffic cones;
    - v. Outdoor storage of machinery and equipment used for a permitted use; and,
    - vi. Uses accessory thereto.
  - b. Maximum Building Gross Floor Area - 250 square metres;
  - c. Maximum envelope to accommodate an asphalt plant structure or concrete ready mix plant shall not exceed 5000 square metres;
  - d. Maximum Building Height – 25.0 m;
  - e. Notwithstanding sub-section (d) above, no building or structure greater than 15 metres in height, shall be located within 40.0 metres of Main Street West; and,
  - f. Section 4.1.9, of By-law 05-200, shall not apply.  
(OMB – November 21, 2007)

10. Notwithstanding Sections 9.3.1, 9.3.3(i)(i) and 5.6(c) of this By-law, on those lands zoned Prestige Business Park (M3,10) Zone, as identified on map No. 1499 of Schedule "A" – Zoning Maps, and described as 260 Nebo Road (Hamilton), the following special requirements shall apply:
- (a) A Medical Office(s) and a Medical Clinic shall be permitted, only on the ground floor of the building existing on the date of the passing of the By-law being the 30<sup>th</sup> day of November, 2011;
  - (b) A minimum 4.3 metre wide Landscaped Area shall be provided and maintained abutting Lancing Drive, except for points of ingress and egress; and,
  - (c) A minimum of 1 parking space for each 29 square metres of gross floor area, which accommodates such use, shall be provided for a Medical Clinic or Medical Office(s).  
(By-law 11-291, November 30, 2011)
12. Within the lands zoned Major Institutional (I3) Zone, identified on Maps 871 and 913 of Schedule "A" and described as 460 Wentworth Street North, the following special provisions shall apply:
- a) Notwithstanding Section 5 of this By-law, a minimum of 30 parking spaces shall be provided for the Community Centre on site and a street or laneway shall also be considered a right-of-way.
  - b) For the purposes of this By-law, a driveway shall be permitted to lead directly from a private right-of-way.
  - c) Notwithstanding Section 8.3.1 the following uses shall not be permitted:
    - Hospital
    - Lodging House
    - Long Term Care Facility
    - Medical Clinic
    - Multiple Dwelling
    - Place of Worship
    - Residential Care Facility
    - Retirement Home
  - d) In addition to Section 8.3.1 of this By-law, the following uses shall be permitted:
    - Bicycle Repair Shop
    - Second Hand Goods Exchange and Sales

Museum

Retail

Outdoor Farm Market

- e) Notwithstanding Section 8.3.2.1, the following regulations shall apply:

- i) Location and Size of Bicycle Repair Shop, Second Hand Goods Exchange and Sales, Museum and Retail:

- a) Shall only be located within the building existing on the date of the passing of this By-law, being the 10th day of July 2008;
- b) Shall be limited to a maximum GFA of 85 square metres for each use; and,
- c) Shall be operated as a non-for-profit establishment.

- ii) Open Air Market

- a) Shall only be permitted in the parking area adjacent to Wentworth Street North and shall not occupy more than 9 parking spaces.

- f) Notwithstanding Section 8.3.2.3 of this By-law, the following regulations shall apply:

- a) Minimum Lot Area: i) 50 square metres for each dwelling unit; and,

- c) Minimum Front Yard: i) 3.0 metres.

(By-law 08-173, July 10, 2008)

13. Within the lands zoned Open Space and Parks (P4) Zone, identified on Map 447 of Schedule "A" and described as part of 392 Dundas Street East, being Block 3 on Schedule "A" of this By-law, the following special provisions shall apply:

- a) In addition to the uses permitted within Section 7.4, of By-law 05-200, the subject property shall also be permitted to be used as an access driveway for properties municipally known as 50, 52, 53 and 56 George Street.

(By-law 10-181 – OMB Approval))

14. Within the lands zoned Open Space and Parks (P4) Zone, identified on Map 447 of Schedule "A" and described as part of 392 Dundas Street East, being Block 5 on Schedule "A" of this By-law, the following provision shall apply:

- a) In addition to the uses permitted within Section 7.4, of By-law 05-200, the subject property shall also be permitted to be used as an emergency access.

(By-law 10-181, OMB Approval)

15. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map 951 of Schedule "A" and described as 153 George Street, the following special provisions shall apply:
- (a) Notwithstanding Section 8.1-2, g) of this By-law, the minimum rear yard setback for all 3 storey (10.5 m in height) structures shall be 4.5m; the minimum rear yard setback for all 2 storey structures shall be 3m; and, the minimum rear yard setback for all single storey structures shall be 1.2m.
  - (b) Notwithstanding section 8.1-2 i) of this By-law, the Maximum Capacity for a Residential Care Facility shall not exceed 24 residents.
  - (c) Notwithstanding Section 8.1-2 j) ii) of this By-law, the existing Residential Care Facility may be expanded to accommodate not more than 24 residents.
  - (d) Notwithstanding section 8.1-2 k) and Section 5 of this By-law, a minimum of 2 parking spaces shall be provided.
  - (e) Notwithstanding Section 5.1 a) v) of this By-law, parking spaces and aisles shall not be located within 1.5m of a street line.
  - (f) Notwithstanding Section 5.2 a) of this By-law, no visual barrier shall be provided along the lot line of the parking area which abuts a Residential Zone.

(By-law 08-286, December 10, 2008)

16. Notwithstanding Section 5.6(d) of Zoning By-law 05-200, those lands zoned Neighbourhood Institutional "I1-16" Zone, as identified on Map Nos. 1174, 1175, 1228 and 1229 of Schedule "A" – Zoning Maps and described as 265 Wilson Street East, be amended to provide for the following special requirement:

Parking Regulations

- a) That a minimum of 71 parking spaces shall be provided and maintained for the Place of Worship, existing on the date of the passing of this By-law being the 12<sup>th</sup> day of November 2008.

(By-law 08-266, November 12, 2008)

17. Within the lands zoned Neighbourhood Institutional (I1) Zone and Community Institutional (I2) Zone, identified on Maps 886, 906, 907, 947, 948, 949, 988, 989 and 990 of Schedule "A" and described as addresses:

|                        |                        |
|------------------------|------------------------|
| 2 Bond Street North    | 235 Bowman Street      |
| 266 Bowman Street      | 7 Butty Place          |
| 125 Cline Avenue South | 215 Cline Avenue North |

|                          |                         |
|--------------------------|-------------------------|
| 80 Ewen Road             | 84 Ewen Road            |
| 900 King Street West     | 1140 King Street West   |
| 143 Lower Horning Road   | 150 Lower Horning Road  |
| 1152 Main Street West    | 1155 Main Street West   |
| 1349 Main Street West    | 1355 Main Street West   |
| 100 Macklin Street North | 96-100 North Oval       |
| 99 North Oval            | 201 Paradise Road North |
| 69 Sanders Boulevard     | 125 Rifle Range Road    |
| 200 Whitney Avenue       | 261 Whitney Avenue      |
| 28 Wilmont Court         |                         |

as it relates to the following permitted uses:

- Duplex Dwelling
- Semi-Detached Dwelling
- Single Detached Dwelling

the following special provisions shall apply:

- a) notwithstanding Sections 8.1.3.3 g) and 8.2.3.3 g), of By-law 05-200, no building or structure shall exceed 2 storeys or 9.0 metres in height;
- b) no building or structure shall have a gross floor area greater than the area within the zone of the lot on which it is situate, multiplied by the floor area ratio factor of 0.45;
- c) notwithstanding Section 2, of By-law 05-200, for the purposes of this By-law gross floor area is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:
  - i) an attached garage;
  - ii) a detached garage; and,
  - iii) the floor area occupied by heating, air conditioning and laundry equipment.
- d) for purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9;
- e) notwithstanding Section 5.6 c), of By-law 05-200 and for the purposes of this By-law, parking shall be calculated based on the following:



|                          |   |
|--------------------------|---|
| Duplex Dwelling          | 1 for each dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 for each additional habitable room. |
| Semi-Detached Dwelling   |   |
| Single Detached Dwelling |   |

where "habitable room" means any room of a residential building, used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods.

(By-law 08-227, September 24, 2008)

18. Within the lands zoned Community Institutional (I2) Zone, identified on Map 953 of Schedule "A" and described as 99 Ferguson Avenue North (Dr. Edgar Davey Elementary School), the following special provisions shall apply:

- a) That notwithstanding Section 8.2.1 of this By-law, a Community Centre shall also be permitted;
- b) That notwithstanding Section 8.2.3.2 b) the Maximum Building Height shall be in accordance with Figure 1 of Schedule "F" – Special Figures of Zoning By-law 05-200;
- c) That notwithstanding Section 3 of this By-law, the definition of the Front Lot Line shall mean the lot line abutting Ferguson Avenue North;
- d) That Section 5.1a) v) and Section 5.1a) vi) of this By-law shall not apply;
- e) That Section 5.2 a) of this By-law shall not apply; and,
- f) That notwithstanding Section 5.6a) ii. a) of this By-law, a minimum of 39 parking spaces shall be provided and maintained for an Elementary school and Community Centre.

(By-law 09-027, February 11, 2009)

(By-law 18-114, May 9, 2018)

19. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map 447 of Schedule "A" to By-law 05-200 and described as part of 392 Dundas Street East, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to this By-law, the following special provisions shall apply:

- a) That notwithstanding Section 8.1.1 of By-law 05-200, only the following uses shall be permitted:

Day Nursery;  
 Educational Establishment consisting only of an Elementary School;  
 Museum;  
 Place of Worship;  
 Residential Care Facility; and,  
 Retirement Home.

- b) That notwithstanding Section 8.1.3.3 (b) i) of By-law 05-200, the maximum Building Height for an Elementary School shall be 13.5 metres.
  - c) That notwithstanding Section 4.3 (a) of By-law 05-200, frontage on a street shall not be required for an Elementary School.
  - d) That for the purposes of this By-law, the north-westerly lot line abutting the future road allowance shall be deemed to be the front lot line.  
 (By-law 09-066, April 1, 2009)
20. Notwithstanding Sections 8.2.1 and 4.8.1 of this By-law, within the lands zoned Community Institutional (I2) Zone, identified on Map No. 947 of Schedule "A" to By-law 05-200, and described as 69 Sanders Boulevard, the following special provisions shall apply:
- (a) In addition to the permitted uses in Section 8.2.1, a lodging house for the accommodation of a maximum of 50 residents shall be permitted only within the building existing on the date of passing of the By-law.
  - (b) That for purposes of this By-law, the lot line fronting onto Main Street West shall be deemed to be the front lot line, and the lot line fronting onto Sanders Boulevard shall be deemed to be the rear lot line.
  - (c) That for the purposes of this By-law, vehicular ingress and egress shall not be permitted from Sanders Boulevard.
  - (d) That notwithstanding Section 4.8.1(a), buildings accessory to the lodging house shall also be permitted in the front yard, but shall not be located within 40 metres of the front lot line.
  - (e) That notwithstanding Section 4.8.1(b), all buildings accessory to the lodging house shall not exceed a total gross floor area of 30 square metres.  
 (By-law 09-114, May 27, 2009)
21. Within the lands zoned Neighbourhood Institutional (I1, 21) Zone, identified on Map 1337 of Schedule "A", and described as 625 Garner Road East, the following special provisions shall apply:

- (a) Notwithstanding Section 8.1.3.2 b) i) of this By-law, the Maximum Building Height shall be 13.5m.  
(By-law 09-161 July 9, 2009)
22. Notwithstanding Sections 5.6 and 8.2.1 of this By-law, within the lands zoned Community Institutional (I2) Zone, identified on Map No. 994 of Schedule "A" to By-law 05-200, and described as 280 Bay Street South, the following special provisions shall apply:
- (a) In addition to the permitted uses in Section 8.2.1, a multiple dwelling with a maximum of three units within the building existing at the time of the passing of the By-law.
- (b) A minimum Side Yard setback of 1.0 metre shall be permitted; and,
- (c) notwithstanding Section 5.6c) of By-law 05-200, and for the purposes of this By-law, no parking spaces shall be required for a multiple dwelling with a maximum of three units within the building existing at the time of the passing of the By-law.  
(By-law 09-181, August 13, 2009)
23. Within the lands zoned Conservation/Hazard (P5,23) Zone, identified on Map 1406 of Schedule "A" and described as 22 Green Mountain Road West, the following special provisions shall apply:
- (a) No person shall erect, or use any land, building, or structure, in whole or part, within a Conservation/Hazard Land (P5) Zone for any purpose other than that listed in Section (b) below;
- (b) Permitted Use – Archaeological Conservation which, for the purpose of this By-law, shall mean the preservation of an archaeological resource or resources in place.  
(By-law No. 10-327, OMB approval December 9, 2010)
24. That notwithstanding Section 8.2.3.1 (d) of this By-law, on those lands zoned Community Institutional (I2) Zone, on Maps 1285, 1231 and 1232 of Schedule "A", the maximum building height for any building or structure shall be 15.0 metres.  
(By-law 09-250, December 9, 2009)
25. In addition to Section 9.11.1, on those lands zoned Airport Prestige Business (M11) Zone, identified on Maps 1388 and 1389 of Schedule "A" – Zoning Maps and described as 618 Garner Road East, a golf driving range and accessory uses and structures shall also be permitted.  
(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

26. In addition to Section 9.11.1, on those lands zoned Airport Prestige Business (M11) Zone, identified on Maps 1387, 1388, 1438, 1439 and 1487 of Schedule "A" – Zoning Maps and described as the south west corner of Garner Road East and Highway No.6, a banquet facility and conference or convention centre may also be permitted.  
(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)
27. Notwithstanding Section 8.3.1, on those lands zoned Major Institutional (I3) Zone, identified on Maps 1337, 1389, 1390 and 1440, of Schedule "A" – Zoning Maps, and described as lands located at the south-east corner of Smith Road and Garner Road East, be amended to provide for the following special requirements.
- a) all residential uses shall be prohibited;
  - b) Notwithstanding clause a), a multiple dwelling or lodging home may be permitted on the same lot as and in conjunction with an educational establishment in accordance with Section 8.3.2.2 c) and provided the multiple dwelling or lodging home is used for students from the educational establishment .  
(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)
28. Notwithstanding Section 9.11.3 c) ii) and e), on those lands zoned Airport Prestige Business (M11) Zone, identified on Maps 1493 and 1494 of Schedule "A" – Zoning Maps, any building or structure used for Manufacturing shall be setback a minimum 20.0 metres from Twenty Road West.  
(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)
29. Notwithstanding Section 2.5f) of this By-law, within the lands zoned Conservation/Hazard Land (P5, 29) Zone, Modified, identified on Maps 1404, 1454, and 1455, the lands so zoned may be used for the purpose of calculating lot area and setbacks for development on the lots or blocks on which the P5 lands are part of.  
(By-law 11-092, March 23, 2011)
31. Notwithstanding Sections 9.3.1; 9.3.3(i)(i) and (ii) and 5.6(c), only as it relates to an "Office", on those lands zoned Prestige Business Park (M3) Zone, on Map 1502 of Schedule "A" – Zoning Maps, the following provisions shall apply:
- (i) Landscaped Area and Planting Requirements      A minimum 1.17 metre wide landscape area and planting strip shall be provided and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress

- |      |   |  |
|------|---|--|
| (ii) | Office (within building at time of passage of by-law) | A minimum of eleven (11) parking spaces shall be provided and maintained, with one space being Barrier Free. |
|------|---|--|

(By-law 10-281, June 28, 2011)

32. Notwithstanding Sections 4.6 d), 5.1 a) i) to v), 5.6 c) i), and 8.1.3.1 d), h), i), j) of this By-law, within the lands zoned Neighbourhood Institutional (11, 32) Zone, Modified, identified on Maps 901 and 943, the following special provisions shall only apply to a residential care facility:

- |    |   |              |
|----|---|--------------|
| a. | Subsection 8.1.3.1 j) i) shall not apply to a residential care facility on the lands subject to this special provision.   |              |
| b. | Maximum number of residents in a residential care facility:   | 36 residents |
| c. | Maximum building height:  | 11.5 metres  |
| d. | Minimum front yard setback:   | 3.0 metres   |
| e. | Minimum yard for a porch or deck adjacent to southerly lot line:  | 0.6 metres   |
| f. | Minimum Number of Parking Spaces: 10 spaces   |              |
| g. | Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street shall not be located within 2.0 metres from a street line, and subject to a 2.0 metre wide planting strip being provided and permanently maintained between the streetline and the said parking spaces or aisle. |              |

(By-law 10-258, October 13, 2010)

33. Notwithstanding Section 5.6 c) ii) of this By-law, within the lands zoned Neighbourhood Institutional (11, 33) Zone, Modified, identified on Maps 901 and 943, the minimum required parking spaces for the existing place of worship shall be 67. Where an addition, alteration, or expansion of an existing building is proposed, the additional parking requirements of Subsection 5.6 c) shall only apply to the increased gross floor area of the building.

(By-law 10-258, October 13, 2010)

34. In addition to Section 9.11.1, on those lands zoned Airport Prestige Business (M11) Zone, identified on Map 1388 of Schedule "A" – Zoning Maps and described as 534 Garner Road East, a restaurant shall also be permitted.

(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

35. In addition to Section 9.11.1 and 9.11.2 i) and ii), on those lands zoned Airport Prestige Business (M11) Zone, identified on Maps 1493, 1494, 1540 and 1541 of Schedule "A" – Zoning Maps a garden centre, and outdoor display and outdoor storage shall also be permitted.

(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

36. Notwithstanding Section 9.11.1, on those lands zoned Airport Prestige Business (M11) Zone, identified on Map 1443 and 1492 of Schedule "A" – Zoning Maps and described as lands located on the future Garth Street extension between Twenty Road West south to the future collector road, the following uses shall not be permitted:

- a) warehousing;
- b) transportation terminal;
- c) private power generation; and,
- d) utility activities.

(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

37. Notwithstanding Section 9.11.2 i) and ii), on those lands zoned Airport Prestige Business (M11) Zone, identified on Map 1629 of Schedule "A" – Zoning Maps, the following provisions shall apply:

- a. Outdoor display and/or storage shall be permitted in accordance with the following regulations:

- |      |  |  |
|------|--|--|
| i)   | Location of Outdoor Display and Outdoor Storage              | Shall not be permitted in any front yard or minimum side yard.   |
| ii)  | Yard Abutting a Street                                       | 15 metres;   |
| iii) | Minimum Yard Abutting a Residential or an Institutional Zone | 15 metres;   |
| iv)  | Visual Barrier   | Shall be provided along that portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone, in accordance with Section 4.19 of this By-law. |

(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

38. Notwithstanding Sections 8.1.1 and 8.1.3 of this By-law, within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map No. 445 of Schedule "A"

to By-law 05-200, and described as 273 Parkside Drive, the following special provisions apply:

a) **PERMITTED USES**

Only the following uses shall be permitted:

- (i) Single-Detached Dwelling
- (ii) A Social Services Establishment, which shall be limited to a Youth Centre

b) **REGULATIONS FOR A SINGLE DETACHED DWELLING**

- (i) Minimum Lot Width 7.8 metres for a corner lot.
- (ii) All other regulations in accordance with Section 8.1.3.3

c) **REGULATIONS FOR A YOUTH CENTRE**

- (i) Minimum Lot Width 7.8 metres.
- (ii) Minimum Front Yard 2.5 metres
- (iii) Minimum Flankage Yard 2.0 metres measured along the hypotenuse of the daylighting corner  
2.5 metres for the flankage side yard.
- (iv) Maximum Building Height 11 metres.
- (v) Parking Notwithstanding Table 5.6 a), a Social Services Establishment which is comprised of only a Youth Centre, shall req1 space per 125 square metres of gross floor area.

(By-law 11-055, February 9, 2011)

39. Notwithstanding Section 8.3.1 of this By-law, on those lands zoned Major Institutional (I3) Zone, identified on Maps 1386, 1387, 1437 and 1438 of Schedule "A" – Zoning Maps and described as; 70 Garner Road East, only the following uses shall be permitted only in conjunction with the place of worship:

- a. offices for a religious organization;
- b. conference and convention centre;

- c. lodging house for short term accommodation in conjunction with the educational establishment;
- d. recreation; and,
- e. educational establishment for a religious organization.

(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

41. That notwithstanding Sections 8.1.3.1(d), 5.1(a)(v), 5.2(a) and 5.6(c) of this By-law, on those lands zoned Neighbourhood Institutional (I1, 41) Zone, on Map 1145 of Schedule "A" – Zoning Maps and described as 202 and 208 Barton Street (Stoney Creek) the following regulations shall also apply:

- (a) A minimum front yard of 4.0 metres shall be provided and maintained;
- (b) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be permitted 0.0 metres from a street line, and no planting strip is required between the street line and the said parking spaces or aisle;
- (c) A minimum 1.5 metre wide planting strip and a minimum 2.0 metre high board-on-board fence and maximum 3.0 metre high board-on-board fence shall be provided and maintained along the southerly rear lot line; and,
- (d) Parking shall be provided for a Place of Worship at a ratio of 1 parking space for every 10.75 square metres of gross floor area, inclusive of a basement or cellar, to accommodate such use.

(By-law 11-318, December 14, 2011)

42. Notwithstanding Sections 3, 5.1 a) ii), 5.2.1 b), and 7.3.3 a), b), and d) of this By-law, within the lands zoned City Wide Park (P3) Zone, Modified, identified on Maps 956 and 998 of Schedule "A" - Zoning Maps and described as 75 Balsam Avenue North and 160 Beechwood Avenue, the following special provisions shall apply:

- a. For the purposes of Special Exception No. 42, the following definition shall apply:

Planting Strip Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer, and may include a sidewalk.

- b. Minimum Side and Rear Yard                      0 metres.
- c. Maximum Building Height,                      40.0 metres.  
Exclusive of any Attached  
Stadium Lighting



- |    |  |   |
|----|--|---|
| d. | Maximum Size for Retail  | Shall not apply to retail uses located within stadium building.   |
| e. | Location of Loading Facilities   | Shall be permitted in a yard abutting a street.   |
| f. | Location of Parking Facilities for School Located at 77 Melrose Avenue North | Shall be permitted on the subject lands notwithstanding that the lot to accommodate the parking facilities is not located in the same zone as the school. |

(By-law No. 11-208, August 11, 2011)

43. Within the lands zoned Major Institutional (I3, 43) Zone, Modified, identified on Map 1447 of Schedule "A" and described as 1620 Upper Wentworth Street and 401 Rymal Road West, the following special provisions shall apply:
- a) Notwithstanding Sections 8.3.2.1 c) and 8.3.2.2 b) of this By-law, a maximum building height of 37 metres shall be permitted for the Retirement Home/Multiple Dwelling portion of the building.
  - b) Notwithstanding Section 8.3.2.1 b) of this By-law, the minimum required side yard shall be of 0.65 metres.
  - c) Notwithstanding Section 8.3.2.2 c) of this By-law, an Educational Establishment shall not be required on the same lot as a medical clinic or multiple dwelling.
  - d) Notwithstanding the definition of Lot as noted in Section 3, and notwithstanding any change in land ownership or any severance, partition or division of the property subject to this special provision shall be considered one lot for the purposes of the Zoning By-law.
  - e) Notwithstanding section 5.1 d) of this By-law, parking lot may be located between the building façade and the front lot line facing Upper Wentworth Street.
  - f) Notwithstanding Section 5.6 a) of this By-law, parking for a retirement home shall be provided at the rate of one parking space for every three bachelor unit or one-bedroom unit.

- g) Notwithstanding Sections 3 and 5.1 v) of this By-law, walkways and retaining walls may be permitted within the required 3.0 metre planting strip.

(By-law 12-083, March 28, 2012)

(By-law 17-113, June 14, 2017)

44. In addition to the uses permitted in Section 9.3: Industrial Zones, on those lands zoned Prestige Business Park (M3, 44) Zone, as identified on Map 612 of Schedule "A" – Zoning Maps, also described as 70 Innovation Drive, an Indoor Sports Facility and accessory uses, having a maximum Gross Floor Area of 1,785 square metres within the existing building, is also permitted.

(By-law 11-292, November 30, 2011)

45. In addition to Section 7.5.1, on those lands zoned Conservation/Hazard Lands (P5) Zone, identified on Maps 1441, 1442, 1490 and 1491 of Schedule A- Zoning Maps and described as 550 Glancaster Road, the existing single detached dwelling, including any additions thereto, shall also be permitted.

(OMB Settlement December 11, 2011)

46. In addition to Sections 9.9.1 and 9.9.2 of Zoning By-law 05-200, on those lands zoned Airport Reserve (M9) Zone, as identified on Map 1671 of Schedule "A" - Zoning Maps, and described as 2826 Upper James Street, be amended to provide for the following special requirements:

a. The following uses shall also be permitted:

- i) Existing single detached dwelling;
- ii) ~~personal service~~;
- iii) landscape contracting establishment;
- iv) transportation depot; and,
- v) repair service

b. The following regulations shall also apply:

- |  |  |
|--|--|
| i) Additional Requirements for the Existing Single Detached Dwelling | <ol style="list-style-type: none"> <li>1. The existing single detached dwelling may be increased in size to a maximum gross floor area of 240 square metres.</li> <li>2. Maximum Height – 10.7 metres</li> <li>3. Minimum front yard – 7.5 metres</li> <li>4. Minimum side yards – 3.0 metres</li> <li>5. Minimum rear yard – 10.7 metres</li> </ol> |
|--|--|

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

- |   |  |
|---|--|
| <p>ii) Additional Requirements for Personal Service, Landscape Contracting Establishment, Transportation Depot and Repair Service</p> | <ol style="list-style-type: none"> <li>1. No new buildings shall be constructed to accommodate the Personal Service, Landscape Contracting Establishment, Transportation Depot and Repair Service.</li> <li>2. Notwithstanding b)ii) 1. above, Repair Service shall be permitted within a building accessory to a residential dwelling.</li> </ol> |
| <p>iii) Additional Requirements for Accessory Buildings</p>   | <ol style="list-style-type: none"> <li>1. Shall not be permitted within the front yard.</li> <li>2. A building accessory to a Single Detached Dwelling shall be limited to a maximum gross floor area of size of 36 square metres and a maximum height of 4.5 metres.</li> </ol>   |
| <p>iv) Home Business Regulations</p>  | <ol style="list-style-type: none"> <li>1. In accordance with the requirements of Section 4.21.</li> </ol>  |

(OMB Settlement December 11, 2011)  
(By-law No. 24-137, July 12, 2024)

47. In addition to Sections 9.11.1 of Zoning By-law 05-200, on those lands zoned Airport Prestige Business (M11)Zone, as identified on Map 1585 and 1629 of Schedule "A" - Zoning Maps, and lands on the east side of Upper James Street south of Dickenson Road, be amended to provide for the following special requirements:

a. The following uses shall also be permitted:

- i) financial Establishment;
- ii) motor Vehicle Rental Establishment;
- iii) motor Vehicle Washing Establishment;
- iv) **personal Service**;
- v) restaurant; and,
- vi) retail.
- vii) Motor Vehicle Dealership

b. The following regulations shall also apply:

|    |   |    |   |
|----|---|----|---|
| i) | Additional.<br>Requirements for<br>Personal Service<br>and Retail | 1. | Personal Service and Retail<br>uses shall<br>be limited to a maximum gross<br>floor area<br>of 500<br>. |
|----|---|----|---|

(OMB Settlement December 11, 2011)

(By-law No.17-245, July 4, 2017)

(By-law No. 24-137, July 12, 2024)

49. Notwithstanding 9.3.3 b) ii) of Zoning By-law 05-200, on those lands zoned Prestige Business Park (M3) Zone, as identified on Map Nos. 1635, 1636, 1677 and 1678 of Schedule "A" – Zoning Maps, and described being located at the south-west corner of Twenty Road East and Glover Road, be amended to provide that Section 9.3.3 b) ii) shall not apply and that Section 9.3.3 b) shall not apply only for a structure(s) for security purposes.

(By-law 11-277, November 16, 2011)

(By-law 12-132, June 13, 2012)

50. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 113 of Schedule "A" – Zoning Maps and described as 2 Station Street, a Feed Mill shall also be permitted.

(By-law No. 15-173, July 10, 2015)

51. Notwithstanding Section 12.4.1 and in addition to Section 12.4.2, on those lands zoned Settlement Commercial (S2) Zone, identified on Maps 113, 114, and 122 of Schedule "A" – Zoning Maps and described as addresses:

|                      |                  |
|----------------------|------------------|
| 2012 Governors Road  | Map 114          |
| 2024 Governors Road  | Map 114          |
| 2030 Governors Road  | Map 114          |
| 2038 Governor's Road | Maps 113 and 114 |

|                           |                  |
|---------------------------|------------------|
| 1045 Highway No. 52 North | Maps 113 and 114 |
|---------------------------|------------------|

The following uses shall be prohibited:

- i) Catering Service;
- ii) Medical Clinic; and,
- iii) Restaurant.

(By-law No. 15-173, July 10, 2015)

52. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 60, 113, 114 and 122 of Schedule "A" – Zoning Maps and described as addresses:

|                                 |                  |
|---------------------------------|------------------|
| 2192 Governors Road             | Maps 113 and 122 |
| 2208 Governors Road             | Map 122          |
| 2170 Governors Road             | Maps 113 and 122 |
| Part of 49 Inksetter Road       | Maps 113 and 114 |
| Part of 37 Highway No. 52 North | Map 113          |
| 122 Highway No. 52 North        | Map 113          |
| 102 Highway No. 52 North        | Map 113          |
| Part of 393 Concession 5 West   | Map 60           |
| 395 Concession 5 West           | Map 60           |
| Part of 971 Highway 6           | Map 60           |

The Minimum Lot Area shall be 1.0 hectare.

(By-law No. 15-173, July 10, 2015)

53. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 42, 43, and 65 of Schedule "A" – Zoning Maps and described as addresses:

|                                |                |
|--------------------------------|----------------|
| 1330 Old Highway No. 8         | Map 65         |
| Part of 1340 Old Highway No. 8 | Map 65         |
| 1847 Concession 8 West         | Map 42         |
| 1851 Concession 8 West         | Map 42         |
| 1881 Concession 8 West         | Map 42         |
| 1883 Concession 8 West         | Map 42         |
| Part of 1492 Kirkwall Road     | Maps 42 and 43 |
| Part of 1500 Kirkwall Road     | Maps 42 and 43 |
| 1561 Kirkwall Road             | Map 42         |
| 1566 Kirkwall Road             | Map 42         |
| 1572 Kirkwall Road             | Map 42         |
| 1576 Kirkwall Road             | Map 42         |
| 1582 Kirkwall Road             | Map 42         |
| 1586 Kirkwall Road             | Map 42         |

The Minimum Lot Area shall be 0.5 hectares.

(By-law No. 15-173, July 10, 2015)

54. Notwithstanding Section 12.3.3 a) and Section 12.3.3 b), on those lands zoned Settlement Residential (S1) Zone, identified on Map 195 of Schedule "A" – Zoning Maps and described as addresses:

|                             |         |
|-----------------------------|---------|
| Part of 1052 Golf Club Road | Map 195 |
| 1078 Golf Club Road         | Map 195 |
| 1088 Golf Club Road         | Map 195 |
| 1102 Golf Club Road         | Map 195 |
| 1128 Golf Club Road         | Map 195 |
| 1136 Golf Club Road         | Map 195 |
| 1142 Golf Club Road         | Map 195 |
| 1152 Golf Club Road         | Map 195 |
| 1164 Golf Club Road         | Map 195 |
| 1184 Golf Club Road         | Map 195 |
| 1204 Golf Club Road         | Map 195 |
| 1214 Golf Club Road         | Map 195 |
| 1232 Golf Club Road         | Map 195 |
| 1242 Golf Club Road         | Map 195 |
| 1248 Golf Club Road         | Map 195 |
| 1260 Golf Club Road         | Map 195 |
| 1278 Golf Club Road         | Map 195 |
| 520 Woodburn Road           | Map 195 |
| 550 Woodburn Road           | Map 195 |
| 568 Woodburn Road           | Map 195 |
| 575 Woodburn Road           | Map 195 |
| 584 Woodburn Road           | Map 195 |
| 585 Woodburn Road           | Map 195 |
| 595 Woodburn Road           | Map 195 |
| 602 Woodburn Road           | Map 195 |
| 618 Woodburn Road           | Map 195 |
| 1095 Woodburn Road          | Map 195 |
| 1120 Woodburn Road          | Map 195 |
| 1130 Woodburn Road          | Map 195 |
| 1144 Woodburn Road          | Map 195 |
| 1182 Woodburn Road          | Map 195 |
| 1196 Woodburn Road          | Map 195 |
| 1208 Woodburn Road          | Map 195 |
| 1220 Woodburn Road          | Map 195 |
| 1230 Woodburn Road          | Map 195 |
| 1242 Woodburn Road          | Map 195 |
| 1259 Woodburn Road          | Map 195 |

|                            |         |
|----------------------------|---------|
| 1268 Woodburn Road         | Map 195 |
| 1291 Woodburn Road         | Map 195 |
| 1299 Woodburn Road         | Map 195 |
| Part of 1320 Woodburn Road | Map 195 |
| 1327 Woodburn Road         | Map 195 |
| 1333 Woodburn Road         | Map 195 |
| 1339 Woodburn Road         | Map 195 |
| 1344 Woodburn Road         | Map 195 |
| 1354 Woodburn Road         | Map 195 |
| Part of 1355 Woodburn Road | Map 195 |
| Part of 1375 Woodburn Road | Map 195 |

a) The following regulations shall apply:

- i) Minimum Lot Area 0.8 hectares
- ii) Maximum Lot Width 76.0 metres

(By-law No. 15-173, July 10, 2015)

(By-law No. 18-219, August 17, 2018)

55. In addition to Section 12.3.3 d), on those lands zoned Settlement Residential (S1) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as 318 Carlisle Road, the following special provision shall also apply:

- a) The minimum side yard setback, from all boundaries of the abutting cemetery to the west, for all structures and above-ground and in-ground swimming pools shall be 4.5 metres.

(By-law No. 15-173, July 10, 2015)

56. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as 298 Carlisle Road, permitted uses are restricted to the existing Multiple Dwelling.

(By-law No. 15-173, July 10, 2015)

57. In addition to Section 12.4.1 and notwithstanding Section 12.4.3 c), on those the lands zoned Settlement Commercial (S2) Zone, identified on Map 18 of Schedule "A" – Zoning Maps and described as 454 Carlisle Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:

- i) Tree Care Service Establishment

- b) For the purposes of Special Exception 57, the following definition shall apply:

Tree Care Service Establishment: Shall mean a business which includes the maintenance, fertilizing and removal of trees, shrubs and evergreens, and includes arboricultural training.

c) The following regulation shall apply:

i) Minimum Interior Side Yard 2.31 metres.

(By-law No. 15-173, July 10, 2015)

58. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 49 of Schedule "A" – Zoning Maps and described as 941 Centre Road, the following special provisions shall also apply:

a) The following use shall also be permitted:

Motor Vehicle Sales and Service Establishment

b) For the purposes of Special Exception No. 58 the following definition shall apply:

|   |   |
|---|---|
| Motor Vehicle Sales and Service Establishment | Shall mean a use within a building or structure, or part thereof, where new and/or used motor vehicles are stored or displayed for the purpose of sale, rental or leasing and may include a building for the storage and sale of accessories and lubricants for motor vehicles and an associated Motor Vehicle Service Station. |
|---|---|

(By-law No. 15-173, July 10, 2015)

59. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 25 of Schedule "A" – Zoning Maps and described as 835 Regional Road No. 97, a Medical Clinic with a maximum gross floor area of 98.0 square metres shall also be permitted.

(By-law No. 15-173, July 10, 2015)



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

60. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 35, 79, and 80 of Schedule "A" – Zoning Maps and described as addresses:

|                                 |                |
|---------------------------------|----------------|
| Part of 694 Old Highway 8       | Map 80         |
| Part of 706 Old Highway 8       | Map 80         |
| 724 Old Highway 8               | Map 80         |
| 726 Old Highway 8               | Map 80         |
| 730 Old Highway 8               | Map 80         |
| Part of 732 Old Highway 8       | Maps 79 and 80 |
| 734 Old Highway 8               | Map 80         |
| 762 Old Highway 8               | Maps 79 and 80 |
| 768 Old Highway 8 (check re P6) | Maps 79 and 80 |
| 1587 Brock Road                 | Map 35         |
| Part of 870 Concession 8 West   | Map 35         |
| Part of 874 Concession 8 West   | Map 35         |
| Part of 877 Concession 8 West   | Map 35         |
| Part of 878 Concession 8 West   | Map 35         |

The Minimum Lot Area shall be 0.9 hectares.

(By-law No. 15-173, July 10, 2015)

61. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Map 65 of Schedule "A" – Zoning Maps and described as

|                            |        |
|----------------------------|--------|
| 1244 Old Highway 8         | Map 65 |
| Part of 1250 Old Highway 8 | Map 65 |
| Part of 1254 Old Highway 8 | Map 65 |
| 1266 Old Highway 8         | Map 65 |
| 1270 Old Highway 8         | Map 65 |
| 1272 Old Highway 8         | Map 65 |

The Minimum Lot Area shall be 1.4 hectares.

(By-law No. 15-173, July 10, 2015)

62. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 390 Freelton Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:  
retirement home
- b) The maximum number of dwelling units within the retirement

home shall be 29.

(By-law No. 15-173, July 10, 2015)

63. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 120 of Schedule "A" – Zoning Maps and described as 89 Lynden Road, the Medical Clinic within the existing building shall also be permitted.  
(By-law No. 15-173, July 10, 2015)

64. In addition to Section 12.1.1 and notwithstanding Section 5.2 e), on those lands zoned Agriculture (A1) Zone, identified on Maps 73 and 85 of Schedule "A" – Zoning Maps and described as 250 Concession 4 Road West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

agricultural promotion centre shall be permitted only accessory to the principal use of the lands for agricultural purposes.

- b) For the purposes of Special Exception No. 64 the following definition shall apply:

|                               |   |
|-------------------------------|---|
| Agricultural Promotion Centre | Shall mean a lot, building or structure, or part thereof, used as an education, resource and presentation centre (consisting of classrooms, presentation facilities; including broadcasting webinars, activity and interpretation centre, and meeting and conference rooms), office, restaurant and hospitality facility, commercial kitchen, cidery, accessory retail uses for products grown/produced primarily on site (including butcher), and related parking. |
|-------------------------------|---|

- c) The following regulations shall apply to the use identified in a) above:

|    |                          |   |
|----|--------------------------|---|
| i) | Maximum Gross Floor Area | 1,600.0 square metres of which, a Maximum Gross Floor Area for a restaurant shall be 500.0 square metres and a Maximum Gross Floor Area for |
|----|--------------------------|---|

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |   |  |
|-------|---|--|
|       |   | accessory retail shall be 450.0 square metres;   |
|       |   |  |
| ii)   | Parking   | Minimum parking requirement of 1 space per 20.0 square metres of Gross Floor Area to a maximum of 95 spaces; |
|       |   |  |
| iii)  | Maximum Gross Floor Area for Retail   | 558.0 square metres.   |
|       |   |  |
| iv)   | No livestock building or structure, including associated manure storage facility shall be located within 500 metres of the southerly most property line.  |  |
|       |   |  |
| v)    | No outdoor tents or marquees for events shall be permitted.   |  |
|       |   |  |
| vi)   | A visual barrier shall be provided on the north and west side of any parking area and the north side of the agritourism buildings, to be comprised of a continuous planting of suitable trees or shrubs, with a minimum 3.0 metre wide planting area appropriate for healthy plant growth, such trees to have a minimum height of 1.8 metres. |  |
|       |   |  |
| vii)  | Permeable pavers and/or gravel shall be permitted for all parking and loading spaces, except the main driveway.   |  |
|       |   |  |
| viii) | No part of the land on which a patio or courtyard is situated shall be used as a place of entertainment for the purpose of providing entertainment or amusement including live or recorded music or dance facilities.   |  |

(By-law No. 15-173, July 10, 2015)

65. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as part of 2340 Wilson Street West, one accessory dwelling unit may be permitted with a commercial use.

(By-law No. 15-173, July 10, 2015)

66. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as 2318 Wilson Street West, a Motor Vehicle Dealership shall also be permitted.

(By-law No. 15-173, July 10, 2015)

(By-law 22-084, April 13, 2022)

67. Notwithstanding Sections 12.3.3 a) and e), on those lands zoned Settlement Residential (S1) Zone, identified on Map 142 of Schedule "A" – Zoning Maps and described as 31, 47, 63, 79 and 95 Poplar Street, the following regulations shall apply:

|     |                   |   |
|-----|-------------------|---|
| i)  | Minimum Lot Area  | 0.75 hectares;  |
|     |                   |   |
| ii) | Minimum Rear Yard | 30.0 metres for all buildings, structures, pools, sheds or any other accessory structure. |

(By-law No. 15-173, July 10, 2015)

68. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 51 of Schedule "A" – Zoning Maps and described as part of 519 Parkside Drive, a temporary sales office for home sales shall also be permitted.

(By-law No. 15-173, July 10, 2015)

69. Notwithstanding Section 12.2.3.1 c), on those lands zoned Rural (A2) Zone, identified on Map 38 of Schedule "A" – Zoning Maps and described as part of 1142 Centre Road, a minimum side yard of 2.0 metres shall be permitted for an agricultural building.

(By-law No. 15-173, July 10, 2015)

70. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Maps 49, 61 and 62 of Schedule "A" – Zoning Maps and described as part of 715 Centre Road, a cemetery shall also be permitted.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

71. Notwithstanding Section 12.3.3 a) and b), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 94, 95, 106 and 107 of Schedule "A" – Zoning Maps and described as addresses:

|                    |        |
|--------------------|--------|
| 392 Moxley Road    | Map 94 |
| 394 Moxley Road    | Map 94 |
| 396 Moxley Road    | Map 94 |
| 404 Moxley Road    | Map 94 |
| 361 Brock Road     | Map 94 |
| 383 Old Brock Road | Map 94 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                    |                      |
|--------------------|----------------------|
| 387 Old Brock Road | Map 94               |
| 2 Short Road       | Map 95               |
| 622 Harvest Road   | Map 95               |
| 632 Harvest Road   | Map 95               |
| 5 Kirby Ave        | Maps 94 and 106      |
| 293 Brock Road     | Maps 94, 106 and 107 |

a) The following regulations shall apply:

|      |                      |               |
|------|----------------------|---------------|
| i)   | Minimum Lot Area     | 0.6 hectares; |
| ii)  | Minimum Lot Width    | 36.0 metres;  |
| iii) | Maximum Lot Coverage | 10%.          |

(By-law No. 15-173, July 10, 2015)

72. Notwithstanding Section 12.3.3 a) and b), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 94 and 95 of Schedule "A" – Zoning Maps and described as addresses:

|                    |        |
|--------------------|--------|
| 397 Old Brock Road | Map 94 |
| 399 Old Brock Road | Map 94 |
| 430 Old Brock Road | Map 94 |
| 436 Old Brock Road | Map 94 |
| 594 Harvest Road   | Map 95 |

a) The following regulations shall apply:

|     |                   |               |
|-----|-------------------|---------------|
| i)  | Minimum Lot Area  | 0.8 hectares; |
| ii) | Minimum Lot Width | 35.0 metres.  |

(By-law No. 15-173, July 10, 2015)

73. Notwithstanding Section 12.3.3 d), on those lands zoned Settlement Residential (S1) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as 24 Mountain View Road, the following regulations shall apply:

|     |                             |             |
|-----|-----------------------------|-------------|
| i)  | Minimum northerly side yard | 1.5 metres; |
| ii) | Minimum southerly side yard | 1.2 metres. |

(By-law No. 15-173, July 10, 2015)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

74. Notwithstanding Section 12.3.3 e), on those lands zoned Settlement Residential (S1) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as 68, 70, 72 and 74 Oak Avenue, the minimum rear yard for all buildings and septic systems shall be 30.0 metres.  
(By-law No. 15-173, July 10, 2015)
75. Notwithstanding Section 12.3.3 d) and e), on those lands zoned Settlement Residential (S1) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as addresses:

|                         |         |
|-------------------------|---------|
| 73 Oak Avenue           | Map 106 |
| 75 Oak Avenue           | Map 106 |
| 76 Oak Avenue           | Map 106 |
| Part of 172 Weir's Lane | Map 106 |
| Part of 176 Weir's Lane | Map 106 |
| Part of 178 Weir's Lane | Map 106 |
| 184 Weir's Lane         | Map 106 |
| 186 Weir's Lane         | Map 106 |
| 190 Weir's Lane         | Map 106 |
| 194 Weir's Lane         | Map 106 |
| 198 Weir's Lane         | Map 106 |
| 224 Weir's Lane         | Map 106 |
| 228 Weir's Lane         | Map 106 |

The Minimum Rear Yard and Minimum Side Yard shall be 30.0 metres from the Brow of the Niagara Escarpment.

(By-law No. 15-173, July 10, 2015)

76. Notwithstanding Sections 12.3.3 d) and e), on those lands zoned Settlement Residential (S1) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as:

|                     |         |
|---------------------|---------|
| 37 Jameson Drive    | Map 106 |
| 38 Jameson Drive    | Map 106 |
| 43 Jameson Drive    | Map 106 |
| 49 Jameson Drive    | Map 106 |
| 55 Jameson Drive    | Map 106 |
| 15 Hauser Place     | Map 106 |
| 16 Hauser Place     | Map 106 |
| 21 Hauser Place     | Map 106 |
| 22 Hauser Place     | Map 106 |
| 57 Marshboro Avenue | Map 106 |
| 58 Marshboro Avenue | Map 106 |
| 64 Marshboro Avenue | Map 106 |
| 70 Marshboro Avenue | Map 106 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                     |         |
|---------------------|---------|
| 75 Marshboro Avenue | Map 106 |
|---------------------|---------|

a) The following regulations shall apply:

|      |  |     |  |
|------|--|-----|--|
| i)   | Minimum Rear Yard  | i)  | 15.0 metres for 57 and 75 Marshboro Avenue;  |
|      |  |     |  |
|      |  | ii) | 10.0 metres for remaining lots identified as SE76.   |
| ii)  | Minimum Side Yard  | i)  | 1.8 metres;  |
|      |  |     |  |
|      |  | ii) | Notwithstanding i) above, the Minimum Side Yard for 57 and 75 Marshboro Avenue which abuts 69 Marshboro Avenue shall be 15.0 metres. |
|      |  |     |  |
| iii) | The installation of underground lawn watering and irrigation systems and the filling of swimming pools from well water supplies is prohibited. |     |  |

(By-law No. 15-173, July 10, 2015)

77. Notwithstanding Section 12.3.3 a) and b), on those lands zoned Settlement Residential (S1) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as addresses:

|                      |        |
|----------------------|--------|
| 403 Old Brock Road   | Map 94 |
| 105 Midsummer's Lane | Map 94 |

a) The following regulations shall apply:

|     |                   |                |
|-----|-------------------|----------------|
| i)  | Minimum Lot Area  | 0.63 hectares; |
|     |                   |                |
| ii) | Minimum Lot Width | 35.0 metres.   |

(By-law No. 15-173, July 10, 2015)

78. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as part of 154 Highway 8, the following special provision shall also apply:

a) The following uses shall also be permitted:

- i) Motor Vehicle Collision Repair Establishment;
- ii) Lawn Maintenance Establishment; and,
- iii) Wholesale Establishment.

(By-law No. 15-173, July 10, 2015)

79. Notwithstanding Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as 151 Highway No. 8, the following special provisions shall apply:

a) The following uses shall be permitted:

- i) Single Detached Dwelling existing on the date of the passing of this By-law
- ii) Construction, Haulage and Swimming Pool Contracting Establishment existing on the date of the passing of this By-law.

b) Notwithstanding Sections 12.4.3 d), h) and i), the following regulations shall apply to the Construction, Haulage and Swimming Pool Contracting Establishment:

- i) Minimum Rear Yard 6.64 m
- ii) No Planting strip is required.
- iii) A Visual Barrier shall be maintained along the length of the rear lot line and along the side lot lines for a distance of 30 m from the rear lot line.

c) That for the purposes of this By-law, the lot line abutting Highway No. 8 shall be deemed to be the front lot line.

d) That in addition to Section 4.21, the following regulations shall apply to a Home Business:

i) Maximum Floor Area                      50.2 sq m

e) Notwithstanding Section 4.8.1 f), the following minimum westerly side yard setbacks shall apply:



i) Existing Frame Shed 3.0 m

ii) Existing Concrete Bin 4.0 m

(By-law No. 16-300, November 9, 2016)

80. In addition to Sections 7.4.1 and 7.4.2, on those lands zoned General Open Space (P4) Zone, identified on Map 85 of Schedule "A" – Zoning Maps, described as part of 167 Highway No. 5 West, the following special provisions shall also apply:

a) Accessory restaurant and retail uses are restricted to an existing building; and,

b) The maximum gross floor area for retail shall be 500.0 square metres.

(By-law No. 15-173, July 10, 2015)

81. Notwithstanding Sections 12.2.3.7 a) and b), on those lands zoned Rural (A2) Zone, identified on Maps 8 and 9 of Schedule "A" – Zoning Maps and described as 20, 25, 40, 45, 60, 65, 80, 85, 100, 105, 120, 125 and 140 Chesswood Trail and part of 137 Campbellville Road, the following regulations shall apply:

a) Minimum Lot Area 1.22 hectares; and,

b) Minimum Lot Width 33.5 metres.

(By-law No. 15-173, July 10, 2015)

82. Notwithstanding Section 12.2.3.7 b) and Section 7.6.2.2 b), on those lands zoned Rural (A2) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Map 6 of Schedule "A" – Zoning Maps, described as 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18 and 19 Timberrun Court, the following special provision shall apply:

a) Minimum Lot Width 5.0 metres.

(By-law No. 15-173, July 10, 2015)

83. Notwithstanding Sections 4.5 and in addition to 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 35, 36, 46 and 47 of Schedule "A" – Zoning Maps, and described as part of 771 Safari Road, a maximum of 5 single detached dwellings shall be permitted on one lot.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

84. Notwithstanding Sections 4.5 and in addition to 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 179 and 192 of Schedule "A" – Zoning

Maps, and described as part of 1511 Nebo Road, a maximum of 2 single detached dwellings shall be permitted on one lot.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

85. Notwithstanding Sections 4.5, and in addition to 12.2.1, 7.7.1 and 7.8.1, on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 46 and 47 of Schedule "A" – Zoning Maps, and described as part of 784 Safari Road, a maximum of 4 single detached dwellings shall be permitted on one lot.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

86. Notwithstanding Sections 4.5 and in addition to 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 122 and 131 of Schedule "A" – Zoning Maps, and described as part of 1341, 1375 and 1399 Powerline Road West, a maximum of 3 single detached dwellings shall be permitted on one lot.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

87. Notwithstanding Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 93 of Schedule "A" – Zoning Maps and described as 1028 Highway 5 West, the following special provisions shall apply:

a) Only the following uses shall be permitted:

- i) Craftsperson shop;
- ii) Dry Cleaning Distribution Establishment;
- iii) Dwelling Unit;
- iv) Office;
- v) Repair Service;
- vi) Retail;
- vii) Tradesperson shop; and,
- viii) Veterinary Service.

b) A maximum of one dwelling unit is permitted. The dwelling unit shall be restricted to the second storey of the Existing building.

(By-law No. 15-173, July 10, 2015)

88. In addition to Sections 12.2.1, 7.4.1, 7.6.1, 7.7.1 and 7.8.1, on those lands zoned Rural (A2) Zone, General Open Space (P4) Zone, Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 42 and 54 of Schedule "A" – Zoning Maps and described as 1386 - 1965 Cooper Road (African Lion Safari), the following uses shall also be permitted:

- i) Park for the keeping and raising of any domesticated and/or wild animals, reptiles or birds for educational, entertainment, recreational or scientific purposes; and,

- ii) Existing accessory single detached dwellings for employees.

(By-law No. 15-173, July 10, 2015)

89. In addition to Sections 12.2.1 and 12.2.3, on those lands zoned Rural (A2) Zone, identified on Map 15 of Schedule "A" – Zoning Maps, described as part of 1085 and 1091 Concession 10 West, the following special provisions shall also apply:

- a) The following uses shall also be permitted

- i) A manufactured and mobile home park with a maximum of 100 units;
- ii) An existing private lodge; and,
- iii) One Existing Single Detached Dwelling.

- b) The following regulations shall apply to the manufactured and mobile home park:

|       |   |                                      |
|-------|---|--------------------------------------|
| i)    | Minimum Lot Area  | 3.0 hectares;                        |
| ii)   | Maximum Lot Coverage for non-residential buildings within the manufactured and mobile home park | 5 percent of the total lot area.     |
| iii)  | Minimum Lot Width   | 200.0 metres;                        |
| iv)   | Maximum Height  | 11.0 metres;                         |
| v)    | Minimum Front Yard  | 15.0 metres;                         |
| vi)   | Minimum Rear Yard   | 15.0 metres;                         |
| vii)  | Minimum Interior Side Yard  | 15.0 metres;                         |
| viii) | Minimum Planting Strip  | 6.0 metres width along each lot line |
| ix)   | Minimum Flankage Yard   | 15.0 metres;                         |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|    |                               |            |
|----|-------------------------------|------------|
| x) | Minimum Landscaped Open Space | 30 percent |
|----|-------------------------------|------------|

- c) The following regulations shall apply to each individual manufactured and mobile home site:

|       |                               |                        |
|-------|-------------------------------|------------------------|
| i)    | Minimum Lot Area              | 370.0 square metres;   |
| ii)   | Minimum Lot Width             | 12.0 metres;           |
| iii)  | Minimum Front Yard            | 3.0 metres             |
| iv)   | Minimum Rear Yard             | 3.0 metres             |
| v)    | Minimum Interior Side Yard    | 1.5 metres             |
| vi)   | Minimum Flankage Yard         | 3.0 metres             |
| vii)  | Maximum Lot Coverage          | 35 percent;            |
| viii) | Minimum Landscaped Open Space | 10 percent;            |
| ix)   | Open Storage                  | Shall not be permitted |

(By-law No. 15-173, July 10, 2015)

(By-law No. 21-189, October 13, 2021)

90. In addition to Sections 12.2.1 and 12.2.3, on those lands zoned Rural (A2) Zone, identified on Map 10 of Schedule "A" – Zoning Maps, described as addresses:

|                                       |        |
|---------------------------------------|--------|
| 404 Concession 12 East                | Map 10 |
| 1 and 2 Ashgrove Court                | Map 10 |
| 1 to 19 Valley Ridge Lane (inclusive) | Map 10 |
| 21 and 23 Valley Ridge Lane           | Map 10 |
| 1 to 8 Woodspring Court (inclusive)   | Map 10 |
| 10 Woodspring Court                   | Map 10 |
| 18 and 23 Needlepine Drive            | Map 10 |

- a) The following uses shall also be permitted:
- i) A manufactured and mobile home park with a maximum of 76 units;
  - ii) A maximum of five existing rental cabins; and,

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

iii) One Existing Single Detached Dwelling.

b) The following regulations shall apply to the manufactured and mobile home park:

|       |   |                                      |
|-------|---|--------------------------------------|
| i)    | Minimum Lot Area  | 3.0 hectares;                        |
| ii)   | Maximum Lot Coverage for non-residential buildings within the manufactured and mobile home park | 5 percent of the total lot area.     |
| iii)  | Minimum Lot Width   | 13.7 metres;                         |
| iv)   | Maximum Height  | 11.0 metres;                         |
| v)    | Minimum Front Yard  | 15.0 metres;                         |
| vi)   | Minimum Rear Yard   | 15.0 metres;                         |
| vii)  | Minimum Interior Side Yard  | 15.0 metres;                         |
| viii) | Minimum Planting Strip  | 6.0 metres width along each lot line |
| ix)   | Minimum Flankage Yard   | 15.0 metres;                         |
| x)    | Minimum Landscaped Open Space   | 8 percent                            |

c) The following regulation shall apply to each individual manufactured and mobile home site:

|      |                            |                      |
|------|----------------------------|----------------------|
| i)   | Minimum Lot Area           | 370.0 square metres; |
| ii)  | Minimum Lot Width          | 12.0 metres;         |
| iii) | Minimum Front Yard         | 3.0 metres           |
| iv)  | Minimum Rear Yard          | 3.0 metres           |
| v)   | Minimum Interior Side Yard | 1.5 metres           |

|       |                               |                         |
|-------|-------------------------------|-------------------------|
| vi)   | Minimum Flankage Yard         | 3.0 metres              |
| vii)  | Maximum Lot Coverage          | 35 percent;             |
| viii) | Minimum Landscaped Open Space | 10 percent              |
| ix)   | Open Storage                  | Shall not be permitted. |

(By-law No. 15-173, July 10, 2015)

(By-law No. 21-189, October 13, 2021)

91. In addition to Sections 12.2.1, 12.2.3, 7.6.1, 7.6.2, 7.7.1, 7.7.2, 7.8.1 and 7.8.2, on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 33, 34, 44 and 45 of Schedule "A" – Zoning Maps, described as 1264 and 1294 Concession 8 West, the following special provisions shall also apply:

- a) The following use shall also be permitted:

- i) A manufactured and mobile home park with a maximum of 475 units, subject to the following:
1. All units shall have a maximum of 1 bedroom.
  2. In addition to 1. above, a minimum of 25% of the total dwelling units shall have a maximum gross floor area of 111.0 square metres.

- b) The following regulations shall apply to the manufactured and mobile home park:

|      |   |                                  |
|------|---|----------------------------------|
| i)   | Minimum Lot Area  | 3.0 hectares;                    |
| ii)  | Maximum Lot Coverage for non-residential buildings within the Manufactured and Mobile Home Park | 5 percent of the total lot area. |
| iii) | Minimum Lot Width   | 200.0 metres;                    |
| iv)  | Maximum Height  | 11.0 metres;                     |
| v)   | Minimum Front Yard  | 15.0 metres;                     |

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|       |                               |                                       |
|-------|-------------------------------|---------------------------------------|
| vi)   | Minimum Rear Yard             | 15.0 metres;                          |
| vii)  | Minimum Interior Side Yard    | 15.0 metres;                          |
| viii) | Minimum Planting Strip        | 30.0 metres width along each lot line |
| ix)   | Minimum Flankage Yard         | 15.0 metres;                          |
| x)    | Minimum Landscaped Open Space | 30 percent                            |

- c) The following regulations shall apply to each individual manufactured and mobile home site:

|       |                               |                        |
|-------|-------------------------------|------------------------|
| i)    | Minimum Lot Area              | 370.0 square metres;   |
| ii)   | Minimum Lot Width             | 12.0 metres;           |
| iii)  | Minimum Front Yard            | 3.0 metres;            |
| iv)   | Minimum Rear Yard             | 3.0 metres;            |
| v)    | Minimum Interior Side Yard    | 1.5 metres;            |
| vi)   | Minimum Flankage Yard         | 3.0 metres;            |
| vii)  | Maximum Lot Coverage          | 35 percent;            |
| viii) | Minimum Landscaped Open Space | 10 percent             |
| ix)   | Open Storage                  | Shall not be permitted |

(By-law No. 15-173, July 10, 2015)

(By-law No. 21-189, October 13, 2021)

92. In addition to Sections 12.1.1, 12.1.3, 7.6.1 and 7.6.2, on those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 53 and 65 of Schedule "A" – Zoning Maps, described as part of 1429 Sheffield Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) A mobile home park with a maximum of 186 units;
  - ii) seasonal campground;
  - iii) Community Hall; and,
  - iv) Existing Single Detached Dwellings.
- b) The following regulations shall apply to the mobile home park and sites:
  - i) A maximum area of 12.14 hectares shall be permitted for the mobile home park;
  - ii) A minimum area of 300.0 square metres shall be permitted for each mobile home site;
  - iii) A minimum frontage of 10.0 metres shall be permitted for each mobile home site;
  - iv) Measured from the building face, every dwelling and mobile home shall be separated from any other dwelling or mobile home by a minimum of:
    - 1. Side to side: 3.0 metres;
    - 2. End to side: 2.4 metres; and,
    - 3. End to end: 1.8 metres.
  - v) All sites shall have frontage on a road with 6.0 metres of clear width.
- c) The following regulations shall apply to the seasonal campground:
  - i) The maximum area shall be 0.4 hectares;
  - ii) A maximum of 12 sites shall be permitted for recreational vehicles or tents.
- d) The following regulations shall apply to an individual seasonal camping site:
  - i) The minimum area shall be 200.0 square metres;
  - ii) The minimum frontage shall be 7.5 metres;
  - iii) The maximum coverage shall be 35 percent;
  - iv) The minimum front yard setback shall be 3.0 metres;
  - v) Measured from the building face, every recreational vehicle shall be separated from any other recreational vehicle or mobile home by a minimum of:



1. Side to side: 3.0 metres;
2. End to side: 2.4 metres; and,
3. End to end: 1.8 metres.

- vi) All sites shall have a frontage on a road with 6.0 metres of clear width.

(By-law No. 15-173, July 10, 2015)

(By-law No. 21-189, October 13, 2021)

93. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 166 of Schedule "A" – Zoning Maps and described as 54 and 62 Upper Centennial Parkway, a Salvage Yard shall also be permitted and in accordance with the provisions of Section 12.7.3.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

94. In addition to Sections 12.1.1 and 12.1.3, on those lands zoned Agriculture (A1) Zone, identified on Map 82 of Schedule "A" – Zoning Maps, described as part of 1161 Concession 4 West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) A mobile home park with a maximum of 15 units;
- ii) Seasonal Campground; and,
- iii) One existing Single Detached Dwelling.

- b) The following regulations shall apply to the mobile home park:

|      |  |                                       |
|------|--|---------------------------------------|
| i)   | Minimum Lot Area   | 3.0 hectares;                         |
| ii)  | Maximum Lot Coverage for non-residential buildings within the mobile home park | 5 percent of the total lot area.      |
| iii) | Maximum Height   | 11.0 metres;                          |
| iv)  | Minimum Front Yard   | 15.0 metres;                          |
| v)   | Minimum Rear Yard  | 15.0 metres;                          |
| vi)  | Minimum Interior Side Yard   | 15.0 metres;                          |
| vii) | Minimum Planting Strip   | 30.0 metres width along each lot line |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |                               |              |
|-------|-------------------------------|--------------|
| viii) | Minimum Flankage Yard         | 15.0 metres; |
|       |                               |              |
| ix)   | Minimum Landscaped Open Space | 30 percent   |

- c) The following regulations shall apply to each individual mobile home site:

|       |                               |                        |
|-------|-------------------------------|------------------------|
| i)    | Minimum Lot Area              | 370.0 square metres;   |
|       |                               |                        |
| ii)   | Minimum Lot Width             | 12.0 metres;           |
|       |                               |                        |
| iii)  | Minimum Front Yard            | 3.0 metres;            |
|       |                               |                        |
| iv)   | Minimum Rear Yard             | 3.0 metres;            |
|       |                               |                        |
| v)    | Minimum Interior Side Yard    | 1.5 metres;            |
|       |                               |                        |
| vi)   | Minimum Flankage Yard         | 3.0 metres;            |
|       |                               |                        |
| vii)  | Maximum Lot Coverage          | 35 percent;            |
|       |                               |                        |
| viii) | Minimum Landscaped Open Space | 10 percent             |
| ix)   | Open Storage                  | Shall not be permitted |

(By-law No. 15-173, July 10, 2015)

(By-law No. 21-189, October 13, 2021)

95. In addition to Sections 7.7.1 and 7.7.2, on those lands zoned Conservation/Hazard Land – Rural (P7) Zone identified on Map 16 of Schedule "A" – Zoning Maps, described as part of 9 and 33 Concession 12 East, the following special provisions shall also apply:

- a) The following use shall also be permitted:
- i) A manufactured and mobile home park with a maximum of 7 units.
- b) The following regulations shall apply to the Manufactured and Mobile Home Park:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |   |                                      |
|-------|---|--------------------------------------|
| i)    | Minimum Lot Area  | 3.0 hectares;                        |
| ii)   | Maximum Lot Coverage for non-residential buildings within the Manufactured and Mobile Home Park | 5 percent of the total lot area.     |
| iii)  | Minimum Lot Width   | 13.7 metres;                         |
| iv)   | Maximum Height  | 11.0 metres;                         |
| v)    | Minimum Front Yard  | 15.0 metres;                         |
| vi)   | Minimum Rear Yard   | 15.0 metres;                         |
| vii)  | Minimum Interior Side Yard  | 15.0 metres;                         |
| viii) | Minimum Planting Strip  | 6.0 metres width along each lot line |
| ix)   | Minimum Flankage Yard   | 15.0 metres;                         |
| x)    | Minimum Landscaped Open Space   | 8 percent                            |

- c) The following regulation shall apply to each individual Manufactured and Mobile Home site:

|      |                            |                      |
|------|----------------------------|----------------------|
| i)   | Minimum Lot Area           | 370.0 square metres; |
| ii)  | Minimum Lot Width          | 12.0 metres;         |
| iii) | Minimum Front Yard         | 3.0 metres           |
| iv)  | Minimum Rear Yard          | 3.0 metres           |
| v)   | Minimum Interior Side Yard | 1.5 metres           |
| vi)  | Minimum Flankage Yard      | 3.0 metres           |
| vii) | Maximum Lot Coverage       | 35 percent;          |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |                               |                         |
|-------|-------------------------------|-------------------------|
|       |                               |                         |
| viii) | Minimum Landscaped Open Space | 10 percent              |
| ix)   | Open Storage                  | Shall not be permitted. |

(By-law No. 15-173, July 10, 2015)

(By-law No. 21-189, October 13, 2021)

96. In addition to Sections 12.1.1, 12.1.3 and Section 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 71 of Schedule "A"- Zoning Maps and described as part of 682 Concession 5 West, the following special provisions shall also apply:

- a) The following use shall also be permitted:

a topsoil preparation and supply business shall also be permitted in addition to the existing stone structure (the former dwelling) and silo.

- b) For the purposes of Special Exception 96 the following definition shall apply:

|   |   |
|---|---|
| topsoil preparation and supply business | Shall mean a business in which soil, manure, and mulches are screened, mixed and/or stored on site for distribution off premises. |
|---|---|

- c) The following special provisions shall apply to the use identified in a) above:

|    |   |   |
|----|---|---|
| a) | Maximum floor area for a maintenance building   | 700 square metres                               |
|    |   |   |
| b) | Minimum front yard (excluding a single detached dwelling)   | 145 metres                                      |
|    |   |   |
| c) | Minimum setback from the westerly lot line, northerly lot line and any Conservation/Hazard Land - Rural (P8) Zone | 30 metres                                       |
|    |   |   |
| d) | Parking   | A) In accordance with Section 5 of this By-law. |
|    |   |   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|    |   |    |  |
|----|---|----|--|
|    |   | B) | Notwithstanding A)<br>above, a minimum of 10<br>spaces shall be<br>required. |
|    |   |    |  |
| e) | A landscaped berm having a height of one (1) metre shall be provided along the entire 30 metre setback from the P8 Zone |    |  |

(By-law No. 15-173, July 10, 2015)

97. In addition to Section 12.7.1 and notwithstanding Section 12.7.3 on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 83 of Schedule "A" – Zoning Maps, described as the Northwest corner of Concession 4 West and Brock Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) Aggregate Storing;
- ii) Crushing and Screening of Aggregate;
- iii) Concrete Mix Manufacturing;
- iv) Concrete Product Manufacturing;
- v) Recycling of Concrete;
- vi) Repair and refurbishment of Construction and/or Aggregate machinery and equipment; and,
- vii) Accessory Uses, which may include but no be limited to business, professional or administrative offices, outdoor storage, retailing or wholesaling of goods produced on the premises.

- b) The following regulations shall apply to the uses identified in a) above:

|      |                         |   |
|------|-------------------------|---|
| i)   | Maximum Building Height | 15 metres   |
| ii)  | Maximum Lot Coverage    | 50 percent  |
| iii) | Minimum Front Yard      | 7.5 metres  |
| iv)  | Minimum Rear Yard       | A) 7.5 metres<br>B) Notwithstanding A)<br>above, the minimum<br>required rear yard shall<br>be 10 metres abutting |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |                                      |   |  |
|-------|--------------------------------------|---|--|
|       |                                      | a Residential Zone or use   |  |
| v)    | Minimum Side Yard                    | A) 3.0 metres<br>B) Notwithstanding A) above, the minimum required side yard shall be 10 metres abutting a Residential Zone or use  |  |
| vi)   | Minimum Flankage Yard                | 10 metres   |  |
| vii)  | Minimum yard for accessory buildings | 15 metres   |  |
| viii) | Minimum Planting Strip               | A 7.5 metre planting strip is required along the entire front lot line, flankage lot line and adjacent to any lot line which abuts a residential use. The required planting strip shall be bermed throughout to a minimum height of one (1) metre, and shall contain trees and shrubs with a minimum height of one (1) metre on planting. |  |
| ix)   | Parking                              | A)  | In accordance with Section 5 of this By-law.                                     |
|       |                                      | B)  | Notwithstanding A) above, 1 space for each 50 square metres of gross floor area. |
| x)    | Outdoor Storage                      | Shall not be permitted in any required Front or Flankage Yard   |  |

(By-law No. 15-173, July 10, 2015)

98. Notwithstanding Sections 12.1.1, 12.1.3.2 g), 7.6 and 7.7, on those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land – Rural (P6) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 17, 23, 73, 78, 119, 130, 144, 186 and 189 of Schedule "A" – Zoning Maps and described as addresses:

|                                  |         |
|----------------------------------|---------|
| 1733 Centre Road                 | Map 17  |
| 1469 Sawmill Road                | Map 186 |
| Part of 135 Weir Road            | Map 119 |
| Part of 636 Millgrove Side Road  | Map 73  |
| Part of 2621 Powerline Road West | Map 130 |
| Part of 416 Highway 52 South     | Map 144 |
| 1854 Trinity Road South          | Map 186 |
| 1332 Regional Road 97            | Map 23  |
| Part of 1031 Lynden Road         | Map 78  |
| 226 Carluke Road East            | Map 189 |

The following special provisions shall also apply:

- a) The following use shall also be permitted:

Kennel

- b) The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.6 b) through f).
- c) For the property located at 1469 Sawmill Road, the following regulations shall also apply to a Kennel:
- i) A maximum of 12 animal runs are permitted.
  - ii) Notwithstanding Section 12.2.3.6 b) ii), minimum setback for animal runs shall be 24.0 metres from all lot lines.
  - iii) A visual barrier shall be provided and maintained at the entrance to the kennel and between any location where the kennel faces an abutting property.
- d) For the property located at 416 Trinity Road South, the following regulations shall also apply to a Kennel:
- i) A kennel is only permitted within an existing accessory building
  - ii) Dog runs must be enclosed and shall not exceed 4.5 metres in length

- iii) A 1.5 metre wide planting strip shall be provided along any lot line abutting the residential use located at 424 Trinity Road South
- iv) Notwithstanding Section 12.2.3.6 b) ii), outdoor animal play areas shall be located a minimum of 30 metres from any lot line abutting a residential use
- v) A solid fence 1.8 metres in height is required around the perimeter of all dog runs
- vi) Max 75 dogs and 25 cats.
- e) Notwithstanding Sections 12.2.3.6 b) i) and c), for the property located at 226 Carluke Road East, the following regulations shall also apply to a Kennel:

|     |                          |   |
|-----|--------------------------|---|
| i)  | Minimum Setbacks         | Any buildings or structures associated with a Kennel shall be setback a minimum of 10.0 metres from any lot line. |
| ii) | Maximum Gross Floor Area | 1,600.0 square metres   |

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

99. In addition to Sections 12.1.1 and 12.2.1, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 9, 32, 36, 38, 49, 57, 61, 84, 105, 138, 139, 141, 145, 152, 162, 166, 167, 168 and 177 of Schedule "A" – Zoning Maps, described as addresses:

|  |                |
|--|----------------|
| 241 and 245 Campbellville Road                           | Map 9          |
| 1149 Westover Road                                       | Map 57         |
| 1774 Valens Road   | Map 32         |
| 1552 Highway 6   | Map 36         |
| 420 and 424 Highway 5 West                               | Map 84         |
| 265 Middletown Line and<br>1117 2nd Concession Road West | Map 105        |
| Part of 329 6th Concession Road East                     | Maps 38 and 49 |
| 575 Shaver Road  | Map 145        |
| 3203 Jerseyville Road West                               | Map 141        |
| 2869 Upper James Street                                  | Map 177        |
| 218 Glover Road  | Map 138        |



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                                     |         |
|-------------------------------------|---------|
| Part of 907 Highway 8               | Map 138 |
| 1455 Highway 8                      | Map 139 |
| Part of 10 Bridgman Lane            | Map 139 |
| 218 Mud Street East                 | Map 167 |
| 653 Mud Street East                 | Map 168 |
| Part of 41 5th Concession Road East | Map 61  |
| 63 Regional Road 20                 | Map 166 |
| 583 Tapleystown Road                | Map 152 |
| 2149 Upper James Street             | Map 162 |

a) A Place of Worship shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through g).

b) Notwithstanding Section 12.1.3.1b), for the Place of Worship located at 2149 Upper James Street, a minimum northerly side yard of 2.0 m shall be provided.

c) Parking shall be provided in accordance with Section 5.6c)ii).

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

100. In addition to Sections 12.1.1 and 12.2.1, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 17, 65, 81, 84, 166, 193, 201, 202, 203 and 205 of Schedule "A" – Zoning Maps, described as addresses:

|                               |                  |
|-------------------------------|------------------|
| 1346 4th Concession Road West | Map 81           |
| 280 10th Concession Road East | Map 17           |
| Part of 1624 Centre Road      | Map 17           |
| 1279 Seaton Road              | Map 65           |
| Part of 542 Ofield Road North | Map 84           |
| 6025 White Church Road        | Map 203          |
| 2121 Regional Road 56         | Maps 193 and 205 |
| 55 Regional Road 20           | Map 166          |
| 3975 Highway 6                | Maps 201 and 202 |

a) An Educational Establishment shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through g).

b) Parking shall be provided in accordance with Section 5.6c)ii)

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

101. Notwithstanding Sections 4.21 a) ix) and b) vi), on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 23, 33, 58, 65, 73, 157 and 191 of Schedule "A" – Zoning Maps, described as addresses:

|                              |                |
|------------------------------|----------------|
| 2290 Safari Road             | Map 65         |
| 2174 Nebo Road               | Map 191        |
| 689 Highway 6                | Map 73         |
| 1474 Regional Road 97        | Maps 23 and 33 |
| 912 6th Concession Road West | Map 58         |
| 2436 Wilson Street West      | Map 157        |

The existing Craftsperson Shop with accessory retail is permitted within existing buildings.

(By-law No. 15-173, July 10, 2015)

102. In addition to Sections 12.1.1 and 12.2.1, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 48, 58, 59, 90, 173 and 182 of Schedule "A" – Zoning Maps, described as addresses:

|   |                |
|---|----------------|
| 360 Regional Road 20                              | Map 182        |
| Part of 952 Brock Road                            | Map 59         |
| Part of 988 Brock Road                            | Map 59         |
| 829 6th Concession Road West                      | Maps 58 and 59 |
| Part of 1002 6 <sup>th</sup> Concession Road West | Map 58         |
| Part of 1235 & 1287 Trinity Road South            | Map 173        |
| 696 Woodhill Road                                 | Map 90         |
| Part of 494 6 <sup>th</sup> Concession Road West  | Map 48         |

The following special provisions shall also apply:

- a) the existing Tradesperson's Shop shall also be permitted within existing buildings.
- b) In addition to a) above, for the property located at 360 Regional Road 20, the following regulations apply:
  - i) Minimum parking setback – 1.5 metres from a rear lot line and 7.5 metres from any lot line which abuts a street or a lot used primarily for residential purposes;
  - ii) A planting strip with a minimum width of 1.5 metres shall be provided adjacent to any lot line which abuts a lot used primarily for residential purposes.
- c) Notwithstanding a) above, for the property located at 1235 and 1287 Trinity Road South, the following regulations apply:

- i) The maximum gross floor area of the existing building to be used in conjunction with the Tradesperson Shop shall not exceed 350 square metres.
- ii) Open storage shall be permitted to a maximum area of 465 square metres.
- iii) The total lot area to be used in connection with the Tradesperson Shop shall not exceed 2, 815 square metres.
- iv) All outdoor storage and parking associated with the Tradesperson Shop shall be setback a minimum of 128 metres from Trinity Road.
- d) In addition to a) above, for the properties located at 952 Brock Road, 829 6<sup>th</sup> Concession Road West and 1002 6<sup>th</sup> Concession Road West, open storage shall be prohibited.
- e) In addition to a) above, for the property located at 494 6<sup>th</sup> Concession Road West, outdoor storage shall be limited to a 37 square metre area to the east of the accessory building and shall be screened by a 1.8 m high wood privacy fence.

(By-law No. 15-173, July 10, 2015)

103. In addition to Sections 12.1.1, 12.2.1 and 12.6.1 and notwithstanding Section 12.6.3, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing Rural Commercial (E1) Zone, identified on Maps 18, 36, 47, 49, 50, 61, 71 and 73 of Schedule "A" – Zoning Maps, described as addresses:

|                                     |                |
|-------------------------------------|----------------|
| 6 8th Concession Road East          | Maps 36 and 47 |
| 831 Centre Road                     | Map 49         |
| 850 Centre Road                     | Map 49         |
| 437 Parkside Drive                  | Map 50         |
| Part of 557 Carlisle Road           | Map 18         |
| Part of 22 5th Concession Road East | Map 61         |
| 717 Brock Road                      | Map 71         |
| Part of 624 Millgrove Side Road     | Map 73         |
| 35 Parkside Drive                   | Map 73         |
| 643 Robson Road                     | Map 50         |

The following special provisions shall also apply:

- a) For the properties at 6 8<sup>th</sup> Concession Road East and 643 Robson Road, the existing landscape contracting establishment shall also be permitted.
- b) For the property located at 831 Centre Road, a landscape operation shall also be permitted and shall be subject to the following regulations:
  - i) A maximum gross floor area of 310.8 square metres shall be permitted for the landscaping shop;
  - ii) A maximum gross floor area of 378.9 square metres shall be permitted for the office associated with the landscaping operation; and,
  - iii) In accordance with Section 12.2.3.1 b), c), d), e) and f).
- c) For the property located at 850 Centre Road, a landscaping operation shall also be permitted and shall be subject to the following regulations:
  - i) A maximum gross floor area of 260.0 square metres shall be permitted for the landscaping operation; and,
  - ii) In accordance with Section 12.2.3.1 b), c), d), e) and f).
- d) For the property located at 437 Parkside Drive, a landscaping operation shall also be permitted and shall be subject to the following regulations:
  - i) A maximum gross floor area of 50.7 square metres shall be permitted for the landscaping shop; and,
  - ii) In accordance with Section 12.2.3.1 b), c), d), e) and f).
- e) For the property located at Part of 557 Carlisle Road, a landscape contractor shall also be permitted and shall be subject to the following regulations:
  - i) A maximum gross floor area of 196.0 square metres shall be permitted for the landscape shop; and,
  - ii) In accordance with Section 12.2.3.1 b), c), d), e) and f).

- f) For the property located at Part of 22 5<sup>th</sup> Concession Road East, a landscaping business shall also be permitted and shall be subject to the following regulations:
  - i) A maximum gross floor area of 350.0 square metres shall be permitted for the landscape business; and,
  - ii) In accordance with Section 12.2.3.1 b), c), d), e) and f).
- g) For the property located at 717 Brock Road, a landscaping operation shall also be permitted and shall be subject to the following regulations:
  - i) A maximum gross floor area of 235.0 square metres shall be permitted for the landscape business;
  - ii) All landscaping equipment shall be stored within the landscape shop;
  - iii) The open storage of materials shall be limited to an area that is 31.7 metres wide by 15.24 metres deep behind the landscaping shop on the west side of the property;
  - iv) A 2.0 metre high solid privacy fence shall be erected along the south lot line; and,
  - v) In accordance with Section 12.2.3.1 b), c), d), e) and f).
- h) For the property located at Part of 624 Millgrove Side Road, a lawn maintenance and snow plowing business shall also be permitted and shall be subject to the following regulations:
  - i) A maximum gross floor area of 53.5 square metres shall be permitted for the lawn maintenance and snow plowing operation; and,
  - ii) In accordance with Section 12.1.3.1 b), c), d), e) and f).
- i) For the property located at 35 Parkside Drive, a lawn care and tree feeding business shall also be permitted and shall be subject to the following regulations:
  - i) A maximum gross floor area of 37.16 square metres shall be permitted for the lawn care and tree feeding business; and,

ii) In accordance with Section 12.2.3.1 b), c), d), e) and f).

(By-law No. 15-173, July 10, 2015, As amended by OMB Decision PL151130 dated March 13, 2017)

104. In addition to Sections 12.1.1, 12.2.1 and 12.6.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing Rural Commercial (E1) Zone, identified on Maps 49, 61, 73, 84, 85, 166, 182 and 190 of Schedule "A" – Zoning Maps, described as addresses:

|                              |                |
|------------------------------|----------------|
| Part of 340 Regional Road 20 | Map 182        |
| Part of 334 Highway 5 West   | Map 84         |
| 3750 Highway 6               | Map 190        |
| 8 5th Concession Road East   | Maps 61 and 73 |
| 855 Centre Road              | Map 49         |
| Part of 163 Highway 5 West   | Map 85         |
| Part of 2 Highland Road East | Map 166        |

- a) The following use shall also be permitted:

Garden Centre

- b) The following regulations shall also apply to the use identified in a) above:

- i) The Garden Centre located at 340 Regional Road 20 shall be in accordance with Section 12.1.3.1 b), c), d) e) and g);
- ii) The Garden Centre located at 163 Highway No. 5 West, the following regulations shall apply:

1. In accordance with Section 12.2.3.1 b), and d).
2. Notwithstanding Section 12.2.3.1 c), the minimum side yard setback shall be 11 metres.
3. Notwithstanding Section 12.2.3.1 f), outdoor storage existing on the date of the passing of this by-law shall be permitted.
4. Notwithstanding Section 12.2.3.1 g), accessory buildings shall be permitted 0.4 metres from the required side yard.

(By-law No. 18-259, September 12, 2018)

(By-law No. 21-189, October 13, 2021)

iii) The Garden Centre located at 8 5th Concession Road East and 855 Centre Road, the following regulations shall apply:

1. Maximum gross floor area shall be 30 percent of the total floor area of the greenhouses on the same lot;
2. Open storage shall only be used for a retail sales and display area; and,
3. In accordance with Section 12.2.3.1 b), c), d) and g).

(By-law No. 15-173, July 10, 2015)

105. In addition to Sections 12.1.1, 12.2.1, 12.6.1 and 12.7.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone, Existing Rural Commercial (E1) Zone, Existing Rural Industrial (E2) Zone, Conservation/Hazard Land – Rural (P6) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 15, 32, 36, 37, 48, 49, 60, 72, 84, 91, 95, 132, 139, 156, 157, 181, 182 and 209 of Schedule "A" – Zoning Maps, described as addresses:

|   |                |
|---|----------------|
| 1618 Regional Road 97                     | Map 32         |
| 242 8th Concession Road East              | Map 37         |
| 1050 Regional Road 56                     | Map 181        |
| 628 Ofield Road North                     | Maps 72 and 84 |
| 1361 Edgewood Road                        | Map 36         |
| 510 4 <sup>th</sup> Concession Road West  | Map 72         |
| 113 6th Concession Road East              | Map 49         |
| 4663 Highway 6                            | Map 209        |
| 460 Regional Road 20                      | Map 182        |
| Part of 1413 Highway 8                    | Map 139        |
| 1597 4 <sup>th</sup> Concession Road West | Map 91         |
| 3058 Wilson Street West                   | Map 156        |
| Part of 1062 Gore Road                    | Map 15         |
| Part of 278 Highway 52 North              | Map 132        |
| 590 Highway 5 West                        | Maps 84 and 95 |
| 1092 Highway 6                            | Map 48         |
| 1489 Highway 6                            | Map 36         |
| Part of 1451 Highway No. 8                | Map 139        |
| 2623 Wilson Street West                   | Map 157        |
| 5 6 <sup>th</sup> Concession Road East    | Map 60         |
| 1129 Highway 5 W                          | Map 93         |

a) The following use shall also be permitted:

Motor Vehicle Service Station

- b) The following special provisions shall also apply to the Motor Vehicle Service Stations located at 1618 Regional Road 97, 242 8th Concession Road East, 1050 Regional Road 56, 628 Ofield Road North, 1361 Edgewood Road, 113 6th Concession Road East, 1062 Gore Road and 278 Highway 52 North:
  - i) The sale of fuel is prohibited;
- c) The regulations pertaining the use identified in a) above shall be in accordance with Section 12.6.3 b) through k).
- d) Notwithstanding Section 12.6.3 i), the following special provision shall also apply to the Motor Vehicle Service Stations located at 242 8<sup>th</sup> Concession Road East and 628 Ofield Road North;
  - i) Open storage is prohibited;
- e) In addition to a) above and notwithstanding the definition of Motor Vehicle Service Station and Section 12.6.3 i), for the property located at 1050 Regional Road 56, the following special provisions shall also apply:
  - i) The following use shall also be permitted:  
  
the sale of four (4) motor vehicles accessory to the Motor Vehicle Service Station
  - ii) The following regulations shall also apply:
    - A) Servicing of commercial tractors is also permitted;
    - B) Maximum area of open storage – 425 square metres;
    - C) Open storage areas shall be fenced with a solid wood fence with a maximum height of 1.8 metres;
    - D) Access is restricted to one driveway;
- f) Notwithstanding the definition of Motor Vehicle Service Station, for the property located at 510 4<sup>th</sup> Concession Road West, the servicing of Commercial Motor Vehicles is also permitted.

(By-law No. 15-173, July 10, 2015)



106. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 84 of Schedule "A" – Zoning Maps and described as part of 495 Ofield Road North, the following special provisions shall also apply:

- a) The following use shall also be permitted:

Garden Centre, where the processing, rental and sales of landscape and garden supplies shall be allowed.

- b) For the purposes of Special Exception 106, the sale of the following goods shall be permitted, but not limited to: aggregates, soil, mulch, compost; fertilizer, organic pest and weed control products; plant materials; bricks, natural and precast wall stone; tools, hardware and wheelbarrows; irrigation, piping supplies; mason ring/concrete supplies; pool and pond supplies; garden sheds, lumber and cedar shakes; lighting and electrical supplies and night lighting for the purposes of landscaping; ceramic, clay and natural pots; accessory open storage; bird baths and feeders.

(By-law No. 15-173, July 10, 2015)

107. In addition to Section 12.7.1 and 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 15 and 82 of Schedule "A" – Zoning Maps, described as addresses:

|                           |        |
|---------------------------|--------|
| 622 - 624 Middletown Line | Map 82 |
| 2089 Highway 6            | Map 15 |

The following special provisions shall also apply:

- a) The following use shall also be permitted:

- i) Salvage Yard;
- ii) Warehouse;
- iii) For the property located at 2089 Highway 6, a Motor Vehicle Service Station and Transport Terminal shall also be permitted.

- b) The following regulation shall also apply:

- i) For the property located at 622 - 624 Middletown Line, a continuous solid fence with a height of 2 metres must completely enclose the Salvage Yard.

(By-law No. 15-173, July 10, 2015)

108. Notwithstanding Section 7.4.2, on those lands zoned Open Space (P4) Zone, identified on Maps 81 and 92 of Schedule "A" – Zoning Maps, described as part of 592 Westover Road, the following regulations shall apply to the dwelling accessory to the Golf Course:

|      |                                 |              |
|------|---------------------------------|--------------|
| i)   | Minimum Front Yard              | 375.0 metres |
| ii)  | Minimum Exterior Side Yard      | 200.0 metres |
| iii) | Minimum Rear Yard               | 465.0 metres |
| iv)  | Maximum Distance from Clubhouse | 130.0 metres |
| v)   | Maximum Gross Floor Area        | 120.0 metres |

(By-law No. 15-173, July 10, 2015)

109. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 36, 84, 85 and 150 of Schedule "A" – Zoning Maps, described as addresses:

|                                      |         |
|--------------------------------------|---------|
| Part of 1480 Highway 6               | Map 36  |
| 567 Highway 5 West                   | Map 84  |
| Part of 244 Upper Centennial Parkway | Map 150 |

(By-law No. 15-237, October 14, 2015)

The following special provisions shall also apply:

- a) The following use shall also be permitted:

Restaurant

- b) For the Restaurant located at 567 Highway 5 West, the following regulations shall apply:

- i) Notwithstanding Section 12.6.3 c), the minimum easterly side yard shall be 1.7 m.
- ii) In addition to Section 12.6.1, one dwelling unit shall be permitted on the second floor.

(By-law No. 15-173, July 10, 2015)

110. Notwithstanding Sections 12.2.3.7 d) and e), on those lands zone Rural (A2) Zone, identified on Map 73 of Schedule "A" – Zoning Maps, described as addresses:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                      |        |
|----------------------|--------|
| 547 Highway 6        | Map 73 |
| 557 Highway 6        | Map 73 |
| 559 Highway 6        | Map 73 |
| 561 Highway 6        | Map 73 |
| 569 Highway 6        | Map 73 |
| 2 Woodsworth Avenue  | Map 73 |
| 5 Woodsworth Avenue  | Map 73 |
| 11 Woodsworth Avenue | Map 73 |
| 14 Woodsworth Avenue | Map 73 |
| 16 Woodsworth Avenue | Map 73 |
| 17 Woodsworth Avenue | Map 73 |
| 20 Woodsworth Avenue | Map 73 |
| 1 Garwood Avenue     | Map 73 |
| 2 Garwood Avenue     | Map 73 |
| 11 Garwood Avenue    | Map 73 |
| 14 Garwood Avenue    | Map 73 |
| 16 Garwood Avenue    | Map 73 |
| 17 Garwood Avenue    | Map 73 |
| 18 Garwood Avenue    | Map 73 |
| 20 Garwood Avenue    | Map 73 |

The following special provisions shall apply:

- a) The following regulations shall apply to a Single Detached Dwelling:

|      |                            |            |
|------|----------------------------|------------|
| i)   | Minimum Front Yard         | 7.5 metres |
| ii)  | Minimum Interior Side Yard | 1.8 metres |
| iii) | Minimum Flankage Yard      | 3.0 metres |

(By-law No. 15-173, July 10, 2015)

111. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 61 and 84 of Schedule "A" – Zoning Maps, described as addresses:

|                            |        |
|----------------------------|--------|
| Part of 367 Highway 5 West | Map 84 |
| 845 Highway 6              | Map 61 |

The following special provisions shall also apply:

- a) The following use shall also be permitted:

flea market

- b) In addition to a) above, for the property located at part of 367 Highway 5 West, a Warehouse shall also be permitted.

(By-law No. 15-173, July 10, 2015)

112. In addition to Sections 12.1.1, 12.2.1 and 12.7.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing Rural Industrial (E2) Zone, identified on Maps 79, 177, 181, 182 and 190 of Schedule "A" – Zoning Maps, described as addresses:

|                               |                  |
|-------------------------------|------------------|
| 8399 Airport Road East        | Maps 177 and 190 |
| 185 Hendershot Road           | Maps 181 and 182 |
| 1842 5th Concession Road West | Map 79           |

- a) The following use shall also be permitted:

Warehouse

- b) The following regulations shall also apply to the use identified in a) above:

- c) For the warehouse operation located at 8399 Airport Road:

- A) The warehouse areas must be fully enclosed and the buildings related to the warehouse operation shall not exceed a maximum gross floor area of 1,984 square metres and shall be set back a minimum of 6.0 metres from all lot lines;
- B) One dwelling unit shall be permitted within a building also containing the office and an enclosed storage area related to the warehouse operation;
- C) The retail sale of packing materials and supplies may be permitted as an accessory use to the warehouse;
- D) A minimum of 18 parking spaces shall be provided;
- E) Notwithstanding Section 5.2 e), required parking areas may also be constructed with gravel surface which is permanently maintained and provided with adequate drainage; and,

F) A 3.0 wide landscaped area shall be provided along the westerly side lot line together with a chain link fence.

d) For the warehouse operation located at 185 Hendershot Road, the warehouse areas must be fully enclosed.

e) For the warehouse operation located at 1842 5th Concession Road West, in accordance with Section 12.1.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

113. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 218 of Schedule "A" – Zoning Maps, described as 4255 Hall Road, the following special provisions shall also apply:

a) The following uses shall also be permitted:

- i) Veterinary Service within the existing buildings; and,
- ii) Kennel.

b) The following regulations shall also apply to the uses identified in a) above:

- i) The veterinary service shall have a maximum of three practitioners;
- ii) The veterinary service must be fully enclosed;
- iii) The following regulations apply to the existing Kennel:
  - A) Maximum floor area – 376.0 square metres.
  - B) The kennel must be used for the training of dogs only. The keeping and boarding of dogs and/or domestic pets; dog sport competition events and dog shows are prohibited.
  - C) No animals shall be kept in any open area and no buildings or structures associated with a kennel may be located within 90 metres of any residential use on any adjacent lot.

(By-law No. 15-173, July 10, 2015)

114. In addition to Sections 7.4.1 and 7.6.1, on those lands zoned Open Space (P4) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 38, 167, 172, 182 and 183 of Schedule "A" – Zoning Maps, described as addresses:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                                      |                        |
|--------------------------------------|------------------------|
| Part of 1317 Alberton Road           | Map 172                |
| Part of 373 7th Concession Road East | Map 38                 |
| 559, 575 and 599 Regional Road 20    | Maps 167, 182, and 183 |

The existing rifle range and a trapshooting range shall also be permitted and shall be in accordance with Section 7.4.2.

(By-law No. 15-173, July 10, 2015)

115. In addition to Sections 7.2.1, 7.4.1, 7.6.1, 7.7.1, 7.8.1 and 12.2.1 on those lands zoned City Wide Park (P2) Zone, Open Space (P4) Zone, Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone, Conservation/Hazard Land – Rural (P8) Zone and Rural (A2) Zone, identified on Maps 10, 17, 34, 45, 111, 120 and 151 of Schedule "A" – Zoning Maps, described as addresses:

|                               |                  |
|-------------------------------|------------------|
| 395 10th Concession Road East | Maps 10 and 17   |
| 1218 8th Concession Road West | Maps 34 and 45   |
| 206 Lynden Road               | Maps 111 and 120 |
| 226 Lynden Road               | Map 111          |
| 166 Green Mountain Road       | Map 151          |

A private club or lodge shall also be permitted and shall be in accordance with Section 7.4.2.

(By-law No. 15-173, July 10, 2015)

116. Notwithstanding Section 4.3 a), on those lands zoned Agriculture (A1) Zone, Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 77, 78, 131, 142, 143 and 156 of Schedule "A" – Zoning Maps, described as addresses:

|                            |                |
|----------------------------|----------------|
| 292 Sunny Ridge Road       | Map 156        |
| 994 Settlers Road          | Maps 77 and 78 |
| 2854 Jerseyville Road West | Map 142        |

The following special provisions shall also apply:

- a) The properties shall be deemed to be lots.
- b) The following regulations shall also apply:
  - i) For the property located at 2854 Jerseyville Road West, the eastern lot line is deemed to be the front lot line.

- ii) For the property located at 994 Settlers Road, the northern lot line is deemed to be the front lot line

(By-law No. 15-173, July 10, 2015)  
(By-law No. 19-133-LPAT, May 14, 2019)

117. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps and described as 497 Millgrove Side Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:

private school

- b) The following regulations shall also apply to the use identified in a) above:

- i) Maximum Lot Area                      3.25 hectares  
(By-law No. 15-237, October 14, 2015)

- ii) In accordance with Section 12.1.3.1 b) through h).

- iii) Parking in accordance with Section 5.6c)iii)

(By-law No. 15-173, July 10, 2015)  
(By-law No. 19-062, March 27, 2019)

118. Within the lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Conservation / Hazard Land – Rural (P6) Zone, identified on Maps 53, 65, 92, 93, 100, 103, 104, 109, 112, 113, 114, 128, 129, 130, 140, 141, 175, 179, 180, 188, 191, 193, 194, 200, 201, 203, 206, 207, 213, 214, 215, 219, 223, 224, and 225 of Schedule "A" – Zoning Maps, and described as:

| Property Address                 | Map Number |
|----------------------------------|------------|
| Part of 2330 Guyatt Road         | 193, 194   |
| 1433 Guyatt Road                 | 206        |
| 2860 Kirk Road                   | 213        |
| 1115 Hendershot Road             | 194        |
| 9305 Chippewa Road West          | 201        |
| 3316 Highway 56                  | 213        |
| Part of 1400 Seaton Road         | 53         |
| Part of 1270 Trinity Church Road | 179        |
| 3316 Golf Club Road              | 180        |
| 6175 White Church Road           | 203        |
| 3157 Hendershot Road             | 214        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                                     |                    |
|-------------------------------------|--------------------|
| 2147 Woodburn Road                  | 207, 215           |
| 1280 Hendershot Road                | 194                |
| 1240 Seaton Road                    | 65                 |
| 6363 White Church Road East         | 191, 203           |
| Part of 1700 Hall Road              | 219, 223           |
| Part of 435 Lynden Road             | 129, 141           |
| 2505 Highway No. 5 West             | 100, 109           |
| Part of 3291 Jerseyville Road West  | 141                |
| 160 Norsworthy Road                 | 188, 200           |
| 701 Lynden Road                     | 129                |
| Part of 3667 Indian Trail Road      | 128, 140, 141      |
| Part of 4500 Governor's Road        | 128                |
| 1280 Hendershot Road                | 194                |
| 345 Bell Road                       | 224, 225           |
| 6266 Chippewa Road                  | 203                |
| Part of 186 Binbrook Road           | 215                |
| Part of 49 Inksetter Road           | 113, 114           |
| 1230 Sodom Road                     | 92, 93             |
| 5200 Berry Road                     | 225                |
| Part of 2040 Hall Road              | 219, 223           |
| 3600 Guyatt Road                    | 193                |
| 2274 Power Line Road                | 130                |
| 2350 Westbrook Road                 | 207, 215           |
| 280 Butter Road West                | 175                |
| Part of 1557 Concession 2 Road West | 103, 104, 112, 113 |
| 2069 Binbrook Road                  | 214                |
| 9350 Haldibrook Road                | 201, 209           |
| 1640 Trinity Church Road            | 192                |
| 5015 Tyneside Road                  | 210, 211           |

The following special provisions shall apply:

- a) Notwithstanding Subsections 12.1.1, 12.2.1 and 7.6.1, and in addition to Subsections 12.1.2 and 12.2.2, the following use shall be prohibited:

Single Detached Dwelling  
Residential Care Facility

- b) In addition to Clause a), the following special provisions shall also apply:



- i) In addition to Subsection 12.1.2, for the lands located at 1433 Guyatt Road, the housing of livestock shall be prohibited within barns existing on May 13, 2009.
- ii) In addition to Subsection 12.1.2, for the lands located at 2860 Kirk Road, the housing of livestock shall be prohibited within barns existing on May 14, 2008.
- iii) In addition to Subsection 12.1.2, for the lands located at 2147 Woodburn Road, the housing of livestock shall be prohibited within barns existing on December 14, 2005.
- iv) Notwithstanding Subsection 12.1.3.1 c), for the lands located at 3316 Highway 56, the minimum side yard for agricultural buildings and structures shall be 10.2 metres.
- v) Notwithstanding Subsection 12.2.3.1 a), for the lands located at 49 Inksetter Road, the minimum lot area shall be 37 hectares.
- vi) Notwithstanding Subsection 12.2.3.1 a), for the lands located at 1226 Sodom Road, the minimum lot area shall be 18 hectares.
- vii) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 5200 Berry Road, the minimum lot area shall be 37 hectares.
- viii) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 280 Butter Road, the minimum lot area shall be 39 hectares.
- ix) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 3600 Guyatt Road, the minimum lot area shall be 21 hectares.
- x) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 2274 Power Line Road West, the minimum lot area shall be 23 hectares.
- xi) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 6330 Chippewa Road East, the minimum lot area shall be 36 hectares.

- c) The following regulation shall also apply for the property located at 3316 Highway 56:  
  
The minimum side yard for the agricultural buildings and structures shall be 10.2 metres.
- d) The following regulations shall also apply for the property located at 2069 Binbrook Road:
  - i) Notwithstanding Subsection 12.1.1, a Residential Care Facility shall be prohibited on the subject lands.
  - ii) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 2069 Binbrook Road, the minimum lot area shall be 34.0 hectares.
- e) The following regulations shall also apply for the property located at 9350 Haldibrook Road:
  - i) Notwithstanding Subsection 12.1.3.1 a), the minimum lot area shall be 32.0 hectares.
- e) The following regulations shall also apply for the property located at 1650 Trinity Church Road:
  - i) Notwithstanding Subsection 12.1.3.1 a), the minimum lot area shall be 35.8 hectares.
- f) The following regulations shall also apply for the property located at 5015 Tyneside Road:
  - i) Notwithstanding Subsection 12.1.1 a) Single Detached Dwelling and Residential Care Facility shall be prohibited on the subject lands.

(By-law No. 15-173, July 10, 2015, As amended by OMB Decision PL150805 dated May 3, 2016)

(By-law No. 21-189, October 13, 2021, By-law No. 21-040, March 21, 2021)

(By-law No. 22-113, May 11, 2022)

(By-law No. 22-114, May 11, 2022)

(By-law No. 22-166, July 08, 2022)

119. Notwithstanding Sections 12.1.1, 12.2.1 and 7.6.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 202 and 212 of Schedule "A" – Zoning Maps and described as 3555 Fletcher Road and 8588 Chippewa Road, no uses shall be permitted.

(By-law No. 15-173, July 10, 2015)

120. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 35 of Schedule “A” – Zoning Maps and described as 1436 Brock Road, a medical clinic shall also be permitted within an existing building and shall be in accordance with Section 12.2.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

121. In addition to Section 12.2.1 and notwithstanding Section 5.6 c), on those lands zoned Rural (A2) Zone, identified on Map 59 of Schedule “A” – Zoning Maps and described as part of 988 Brock Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:

saw mill

- b) The following regulations shall also apply to the use identified in a) above:

- |                 |   |
|-----------------|---|
| i) Open Storage | A minimum setback of 25.0 metres from the front lot line; |
|-----------------|---|

- ii) Parking Minimum 15 spaces.

- iii) In accordance with Section 12.2.3.1 b), c), d), e) and g).

(By-law No. 15-173, July 10, 2015)

122. Notwithstanding Sections 4.5 a) and 5.6 c) and in addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 36 of Schedule “A” – Zoning Maps, described as part of 1345 Highway 6, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) Existing commercial storage operation; and,

- ii) Two Existing Dwelling Units, subject to the following:

1. One Existing Dwelling Unit shall be accessory and used for maintenance or security purposes only.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

b) The following regulations shall apply to the use identified in a) i) above:

i) Open Storage

1. Shall be restricted to the storage of major recreational equipment;
2. Shall be located a minimum of 12.0 metres from any lot line;
3. Maximum area devoted to open storage shall be 25% of the gross floor area of the commercial storage buildings or 2970.0 square metres, whichever is less.

ii) Planting Strip

1. Minimum 5.0 metre wide planting strip along the front lot line, flankage lot line and any lot line abutting a residential use;
2. In addition to ii) 1. above, a minimum 3.0 metre planting strip shall be required along all other lot lines;
3. All plantings must have a minimum height of 0.8 metres.

iii) Parking

1. Minimum of 4 parking spaces;

2. In addition to iii) 1. above, 1 barrier free parking space shall be provided.

- iv) No driving aisle or maneuvering space is permitted between a commercial storage building and any adjacent residential use.
- v) No windows or doors shall be located along the wall of any commercial storage building abutting a residential use

(By-law No. 15-173, July 10, 2015)

123. Notwithstanding Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as part of 870-880 Highway 5 West, the following special provision shall also apply:

- a) Only the following use shall be permitted:
  - i) Establishment for the rendering and recycling of food and meat by-products and the extracting of oil from fish or animal matter and the processing of oil products.

(By-law No. 15-173, July 10, 2015)

124. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as part of 870-880 Highway 5 West, the following special provision shall also apply:

- a) Only the following use shall be permitted:
 

water treatment facilities accessory to the rendering and manufacturing use located on the same lot.
- b) The regulations pertaining the use identified in a) above shall be in accordance with Section 12.2.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

125. In addition to Section 12.1.1 on those lands zoned Agriculture (A1) Zone, identified on Maps 82, 83 and 93 of Schedule "A" – Zoning Maps, described as 967 Highway 5 West and 966 4th Concession Road West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) Animal oriented events such as rodeos and exhibitions;
  - ii) Casino
  - iii) Commercial Entertainment;
  - iv) Flea Markets;
  - v) Auctions;
  - vi) Horse Racetrack and Racing of Animals;
  - vii) Horse Breeding;
  - viii) Park;
  - ix) Public Assembly events such as meetings, cultural and educational gatherings; and,
  - x) Seasonal Campground
- b) The regulations pertaining the uses identified in a) above shall be in accordance with Section 12.1.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

(By-law No. 18-219, August 17, 2018)

126. In addition to Section 7.4.1, on those lands zoned Open Space (P4) Zone, identified on Map 67 of Schedule "A" – Zoning Maps and described as 1049 Kirkwall Road, a museum shall also be permitted.

(By-law No. 15-173, July 10, 2015)

127. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 38 of Schedule "A" – Zoning Maps and described as 369, 381, 383 and 385 and part of 377 Concession 6 East, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) aircraft maintenance and storage;
  - ii) Building and Lumber Supply Establishment;
  - iii) Manufacturing;
  - iv) Motor Vehicle Service Station, excluding the sale of fuel;
  - v) Office;
  - vi) Tradesperson's Shop;
  - vii) Warehouse; and,
  - viii) Water bottling plant.

(By-law No. 15-173, July 10, 2015)

128. In addition to Sections 12.6.1 on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 61 and 129 of Schedule "A" – Zoning Maps, described as addresses:

|                         |         |
|-------------------------|---------|
| 780 Highway No. 6       | Map 61  |
| Part of 847 Lynden Road | Map 129 |

- a) The following use shall also be permitted:

**Veterinary Service**

(By-law No. 15-173, July 10, 2015)

129. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 8 and 15 of Schedule "A" – Zoning Maps and described as 1012 Gore Road, a warehouse for the storage and distribution of chemicals shall also be permitted.

(By-law No. 15-173, July 10, 2015)

130. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 73 of Schedule "A" – Zoning Maps and described as 197 4th Concession Road West, an Equipment and Machinery Sales, Rental and Service Establishment shall also be permitted.

(By-law No. 15-173, July 10, 2015)

131. Notwithstanding Section 7.4.1 and the definition of Golf Course within Section 3, on those lands zoned General Open Space (P4) Zone, identified on Map 113 of Schedule "A" – Zoning Maps and described as 71 Highway 52, an accessory dwelling for maintenance and/or security purposes is prohibited.

(By-law No. 15-173, July 10, 2015)

132. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 91 of Schedule "A" – Zoning Maps and described as part of 621 Highway 8, the following special provisions shall also apply:

- a) The following uses shall also be permitted within the existing building:
- i) Restaurant; and,
  - ii) Retail.
- b) The following regulations shall apply to the uses identified in a) above:

|      |                                     |                         |
|------|-------------------------------------|-------------------------|
| i)   | Open Storage                        | Shall not be permitted; |
|      |                                     |                         |
| ii)  | Maximum Parking area                | 3300.0 square metres;   |
|      |                                     |                         |
| iii) | Maximum Gross Floor Area for Retail | 558.0 square metres.    |
|      |                                     |                         |

(By-law No. 15-173, July 10, 2015)

133. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 48 and 60 of Schedule "A" – Zoning Maps and described as 1031 Highway 6, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) Existing assembly and distribution business.
- b) The following regulations shall apply to the use identified in a) above:

|     |  |                         |
|-----|--|-------------------------|
| i)  | Open Storage   | Shall not be permitted; |
|     |  |                         |
| ii) | In accordance with Section 12.2.3.1 b), c), d), e) and g). |                         |

(By-law No. 15-173, July 10, 2015)

134. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 38 and 39 of Schedule "A" – Zoning Maps and described as 442 6th Concession Road East, general contracting, including servicing of equipment and vehicles and associated open storage, shall also be permitted and shall be in accordance with Section 12.1.3.1 b), c), d), e) and g).

(By-law No. 15-173, July 10, 2015)

135. In addition to Sections 12.2.1 and 12.2.2, on those lands zoned Rural (A2) Zone, identified on Maps 93 and 94 of Schedule "A" – Zoning Maps and described as 952 Highway 5 West, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) wholesale and retail sale of nursery stock, related pre-packaged fertilizer and chemical fertilizers.
- b) The following use shall also be prohibited:



- i) blending and bulk fertilizer storage.
- c) The regulations pertaining the use identified in a) above, shall be in accordance with Section 12.2.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

136. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 35 of Schedule "A" – Zoning Maps and described as 1407 Brock Road, a propane distribution depot, a refreshment vehicle and a retail establishment shall also be permitted.

(By-law No. 15-173, July 10, 2015)

137. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 102 of Schedule "A" – Zoning Maps and described as part of 1890 Highway 5 West, the following special provision shall also apply:

- a) The following uses shall also be permitted:
  - i) Manufacturing; and,
  - ii) Retail establishment for the sale of sporting goods.

(By-law No. 15-173, July 10, 2015)

138. In addition to Sections 12.7.1 and 7.6.1, on those lands zoned Existing Rural Industrial (E2) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 102 and 111 of Schedule "A" – Zoning Maps and described as part of 1890 Highway 5 West, a landfill for the dumping of foundry waste and/or flue dust shall also be permitted.

(By-law No. 15-173, July 10, 2015)

139. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 48 of Schedule "A" – Zoning Maps and described as part of 1099 Highway 6, the following special provision shall also apply:

- a) The following uses shall also be permitted:
  - i) Manufacturing
  - ii) Motor Vehicle Service Station; and,
  - iii) Transport Terminal.

(By-law No. 15-173, July 10, 2015)

140. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 61 of Schedule "A" – Zoning Maps and described as part of 823 Highway 6,

a patio furniture outlet and a retail establishment for the sale of antiques and crafts shall also be permitted shall be in accordance with Section 12.2.3.1 b) through h).  
(By-law No. 15-173, July 10, 2015)

141. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 36 and 150 of Schedule "A" – Zoning Maps and described as addresses:

|   |         |
|---|---------|
| 1363 Highway 6                            | Map 36  |
| 1464, 1470 and 1474 Highway 6             | Map 36  |
| 268, 270 and 274 Upper Centennial Parkway | Map 150 |

A Motor Vehicle Service Station and a Restaurant shall also be permitted.

(By-law No. 15-173, July 10, 2015)

142. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 187 of Schedule "A" – Zoning Maps and described as part of 2194 Shaver Road, a bakery shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

143. Notwithstanding Sections 7.4.1 and 12.2.1 and in addition to Section 12.2.3, on those lands zoned Open Space (P4) Zone and Rural (A2) Zone, identified on Maps 79, 144 and 158 of Schedule "A" – Zoning Maps, and described as addresses:

|                                |                  |
|--------------------------------|------------------|
| 812 and 814 Old Highway 8      | Map 79           |
| Part of 630 Trinity Road South | Maps 144 and 158 |

- a) Only the following uses shall be permitted:

- i) Fairgrounds owned and operated by an Agricultural Society and shall permit only the following:

Agriculture  
A Fair or Circus  
Agricultural Education Programs  
Animal Shows and Training  
Community Garden  
Conference and Convention Centre in existing building  
Recreation  
Auctions  
Farmer's Market

- ii) In addition to a) i) above, for the property located at 812 and 814 Old Highway 8, the following accessory uses to the Fairgrounds use shall also be permitted:

paint-ball  
 racquet courts  
 skating or curling surfaces  
 (By-law No. 15-237, October 14, 2015)  
 (By-law No. 21-189, October 13, 2021)

- b) For the property at 812 and 814 Old Highway 8, Section 7.4.2 shall apply to the uses identified in a) i) and ii) above.  
 (By-law No. 15-237, October 14, 2015)
- c) For the property at 630 Trinity Road South, the following regulations shall apply to the uses identified in a) i) above:

|      |                      |  |   |
|------|----------------------|--|---|
| i)   | Maximum lot coverage | 5 percent  |   |
|      |                      |  |   |
| ii)  | Maximum height       | 16.0 metres  |   |
|      |                      |  |   |
| iii) | Minimum setback      | A.   | 7.0 metres from the southerly lot line;                                     |
|      |                      |  |   |
|      |                      | B.   | 30.0 metres from a Conservation/Hazard Land – Rural (P7) Zone boundary line |
|      |                      |  |   |
| iv)  | Landscaped Area      | 38.0 metres wide, shall be provided and maintained along the westerly lot line abutting the property at 1772 Wilson Street West;                           |   |
|      |                      |  |   |
| v)   | Parking              | A parking area containing a minimum of 1,042 spaces (284 parking spaces on a paved surface and 758 parking spaces on a gravel surface) shall be permitted. |   |

(By-law No. 15-173, July 10, 2015)

144. In addition to Sections 12.7.1 and 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified as Map 166 on Schedule "A" – Zoning Maps and described as 130 Upper Centennial Parkway, the following special provisions shall also apply:

- a) The following use shall also be permitted:

warehousing operation

- b) The following regulations shall apply to the use identified in a) above:

- i) No parking space located adjacent to Highland Road shall be permitted to be used for the parking of rental trucks or rental trailers;
- ii) A maximum of 10 rental trucks and 5 rental trailers shall also be permitted.

(By-law No. 15-173, July 10, 2015)

145. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 132 of Schedule "A" – Zoning Maps and described as part of 145 Highway 52 North, the following special provisions shall also apply:

- a) The following use shall also be permitted:

liquid petroleum transfer business

- b) The following regulations shall apply to the use identified in a) above:

|     |  |
|-----|--|
| i)  | A maximum of five tanker trucks may be stored on the site.     |
|     |  |
| ii) | In accordance with Section 12.2.3.1 b), c), d), e), g) and h). |

(By-law No. 15-173, July 10, 2015)

146. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified as Map 166 on Schedule "A" – Zoning Maps and described as 146 Upper Centennial Parkway, the existing outdoor storage and rental of construction and industrial equipment shall also be permitted.

(By-law No. 15-173, July 10, 2015)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

147. In addition to Section 12.1.1 and notwithstanding and Section 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 188 of Schedule "A" – Zoning Maps and described as part of 58 Carluke Road West, the following special provisions shall also apply:

- a) The following use shall also be permitted

Bakery

- b) For the purposes of Special Exception 147, the following definition shall apply:

Bakery Shall mean the milling of grain grown on the subject lands and on lands in the surrounding agricultural community, production of bread and other related products, and shall include ancillary uses of storage, warehouse and office facilities in connection with this operation.

- c) The following regulations shall apply to the use identified in a) above:

|      |                          |                       |  |
|------|--------------------------|-----------------------|--|
| i)   | Maximum Gross Floor Area | 36,510 square metres; |  |
| ii)  | Maximum Lot Coverage     | 40%                   |  |
| iii) | Minimum Front Yard       | A.                    | 50.0 metres;   |
|      |                          | B.                    | Notwithstanding A. above, 35.0 metres shall be provided for buildings existing as of April 26, 2006. |
| iv)  | Minimum Side Yard        | 13.0 metres;          |  |
| v)   | Minimum Flankage Yard    | 13.0 metres;          |  |
| vi)  | Minimum Rear Yard        | A.                    | 7.6 metres   |
|      |                          | B.                    | Notwithstanding A. above, 3.0 metres for the existing temporary storage building.                    |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |                 |   |
|-------|-----------------|---|
|       |                 |   |
| vii)  | Planting Strip  | A minimum 3.0 metre wide planting strip shall be provided and maintained along the boundary line adjacent to Fiddler's Green Road, except for the driveway area |
|       |                 |   |
| viii) | Parking         | 123 spaces, plus one additional space for every 140.0 square metres of gross floor area in excess of 18, 720 square metres shall be required.                   |
|       |                 |   |
| ix)   | Outdoor Storage | Shall be subject to regulations c) iii), iv), v) and vi) above.<br>(By-law No. 15-237, October 14, 2015)  |

(By-law No. 15-173, July 10, 2015)

148. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as 2692 Wilson Street West, a Hotel shall also be permitted.  
(By-law No. 15-173, July 10, 2015)
149. In addition to Section 12.6.1 on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 120 and 129 of Schedule "A" – Zoning Maps and described as 4206 Governor's Road, a variety or grocery store, a post office, and one dwelling unit shall also be permitted within an existing building.  
(By-law No. 15-173, July 10, 2015)
150. In addition to Section 9.12.1, on those lands zoned Extractive Industrial (M12) Zone, identified on Map 146 of Schedule "A" – Zoning Maps and described as part of 658 Fiddlers Green Road, the following special provisions shall also apply:
- a) The following uses shall also be permitted:
    - i) The operations and equipment storage of an excavation contractor; and,
    - ii) Transportation Depot and Truck Terminal.

- b) The permitted uses identified in a) above shall be in accordance with the provisions of Section 12.7.3.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

151. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 205 of Schedule "A" – Zoning Maps and described as part of 2187 Regional Road 56, a motor vehicle storage, sales and repair operation, Motor Vehicle Service Station and an office for a travel agency shall also be permitted.

(By-law No. 15-173, July 10, 2015)

(By-law No. 15-286, December 9, 2015)

152. In addition to Sections 12.6.1 and 5.6 c) and notwithstanding Section 12.6.2, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 223 of Schedule "A" – Zoning Maps and described as 2060 Haldibrook Road the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) Car Compound;
- ii) Garden Centre;
- iii) Motor Vehicle Service Station;
- iv) Repair Service; and,
- v) Small Engine Retail.

- b) For the purposes of Special Exception No. 152 the following definition shall apply:

|              |   |
|--------------|---|
| Car Compound | Shall mean an area of land not exceeding 560 square metres in area enclosed by a solid fence having a minimum height of 1.8 metres to be used only for the temporary storage of motor vehicles, but shall not include a Motor Vehicle Wrecking Establishment, a Salvage Yard or the collection, storage or sale of junk, salvage, partially or completely dismantled automobiles, other motor vehicles or trailers. |
|--------------|---|

- c) The following regulations shall apply to the use identified in a) iii) above:

|     |                   |              |
|-----|-------------------|--------------|
| i)  | Minimum Lot Width | 45.0 metres; |
| ii) | Minimum Lot Depth | 60.0 metres; |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |                         |     |  |
|-------|-------------------------|-----|--|
|       |                         |     |  |
| iii)  | Maximum Lot Coverage    |     | 30 percent;  |
|       |                         |     |  |
| iv)   | Minimum Front Yard      |     | 14.0 metres;   |
|       |                         |     |  |
| v)    | Minimum Side Yard       |     | 14.0 metres;   |
|       |                         |     |  |
| vi)   | Minimum Rear Yard       |     | 14.0 metres  |
|       |                         |     |  |
| vii)  | Maximum Building Height |     | 10.7 metres;   |
|       |                         |     |  |
| viii) | Parking                 | i)  | No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1.5 metres of any rear lot line, or within 3 metres of any street line or the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes; |
|       |                         |     |  |
|       |                         | ii) | The maximum number of outside parking spaces and/or the maximum capacity of outside parking areas associated with the uses permitted in this special exception shall be ten (10) motor vehicles. All other parking on the subject lot shall be wholly enclosed and/or screened from view with a solid fence having a minimum height of 1.8 metres.                   |
|       |                         |     |  |



|       |   |  |
|-------|---|--|
| ix)   | Planting Strip  | A minimum width of 3 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes; |
| x)    | Landscaped Area   | a minimum width of 3 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such area shall be continuous except for the required driveway(s).  |
| xi)   | Notwithstanding any other provisions of this by-law, light standards, fuel pump islands, fuel pumps, attendant's kiosks and canopies may be located in any required minimum yard at a distance of not less than 4.5 metres from any street line but no part of a required daylighting triangle shall be construed to be part of a required minimum yard for the purpose of this Clause. |  |
| xii)  | The width of an entrance or exit ramp shall not be less than 9 metres or more than 10.7 metres measured along the street line, subject to the requirements of the authority having jurisdiction for the abutting street.  |  |
| xiii) | No entrance or exit ramp shall be located within 3 metres of the side or rear lot line that abuts an adjoining lot, except where there is a shared access between the abutting lots.  |  |

(By-law No. 15-173, July 10, 2015)

(By-law No. 21-189, October 13, 2021)

153. In addition to Sections 12.1.1 and 5.3 b), on those lands zoned Agriculture (A1) Zone, identified on Maps 77 and 78 of Schedule "A" – Zoning Maps and described as part of 996 Settlers Road, the following special provisions shall also apply:

a) The following use shall also be permitted:

existing building and house moving business

- b) The following regulations shall apply to the use identified in a) above:

|      |  |  |
|------|--|--|
| i)   | Outdoor Storage  | Shall not exceed an area of 1,400.0 square metres.                                   |
| ii)  | Commercial Motor Vehicles                                      | A Maximum of three commercial motor vehicles shall be parked/stored on the property. |
| iii) | In accordance with Section 12.1.3.1 b), c), d), e), g) and h). |  |

(By-law No. 15-173, July 10, 2015)

154. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 211 and 217 of Schedule "A" – Zoning Maps and described as part of 5364 Tyneside Road, a storage and wholesaling establishment for metal products shall also be permitted.

(By-law No. 15-173, July 10, 2015)

155. In addition to Section 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 166 on Schedule "A" – Zoning Maps and described as 19 Highland Road East, Part of 154 Upper Centennial Parkway and Part of 146 Upper Centennial Parkway, the following special provision shall also apply:

- a) Maximum height for Outdoor storage and vehicle parking or storage shall be 2.5 metres within 15.0 metres of any lot line that abuts a street, measured from the average grade along such lot lines.

(By-law No. 15-173, July 10, 2015)

156. In addition to Section 12.7.1 and notwithstanding Section 12.7.3 c), on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 182 of Schedule "A" – Zoning Maps, described as 380 and part of 400 Regional Road 20, the following special provisions shall also apply:

- a) The following use shall also be permitted:

cheese processing operation

- b) The following regulation shall apply to the use identified in a) above, for the property located at 380 Regional Road 20:

- i) Minimum side yard shall be 7.5 metres.

(By-law No. 15-173, July 10, 2015)

157. In addition to Section 12.6.1 and notwithstanding Sections 12.6.3 b) and g) on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 183 of Schedule "A" – Zoning Maps, described as 622, 626, 630 and 634 South Townline Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) Garden Centre;
- ii) Small scale retailing of agricultural products not grown primarily on site; and,
- iii) Veterinary Service.

- b) The following special provisions shall apply to the uses identified in a) above:

- i) Minimum front yard shall be 30.0 metres;
- ii) Maximum number of employees permitted shall be 3;
- iii) A landscape area having a minimum width of 6.0 metres shall be provided and maintained along any lot line adjacent to Regional Road 20;
- iv) A landscape area having a minimum width of 3 metres; and a fence having a minimum height of 1.8 metres and a maximum height of 2.1 metres shall be provided and maintained along any portion of any lot line adjacent to a commercial use.

(By-law No. 15-173, July 10, 2015)

158. In addition to Sections 12.7.1 and 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 202 and 203 of Schedule "A" – Zoning Maps and described as 3320 Miles Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:

pipe storage, processing and distribution operation

- b) The following regulation shall also apply to the use identified in a) above:

- i) The height of the pipes in the outdoor storage area measured from ground level shall not exceed 2.3 metres;
- ii) An earth berm with a minimum height of 1.8 metres and a planting strip along the top of the berm consisting of evergreens with a minimum height of 1.5 metres shall be provided along any lot line adjacent to a street or a residential use.

(By-law No. 15-173, July 10, 2015)

159. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 218 of Schedule "A" – Zoning Maps and described as part of 4080 Hall Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:

Existing Holistic Wellness Centre

- b) For the purposes of Special Exception 159 the following definition shall apply:

|                          |  |
|--------------------------|--|
| Holistic Wellness Centre | Shall mean a centre, open to the public on an out-patient basis, specializing in the practice of holistic medicine and therapy by not more than seven drugless practitioners, including, but not limited to chiropractors, reflexologists, massage therapists, and herbalists. The use, in addition to therapeutic and related remedies, shall rely on herbs and other natural products, which are produced primarily on site. |
|--------------------------|--|

(By-law No. 15-173, July 10, 2015)

160. In addition to Section 7.4.1 and Section 7.4.2, on those lands zoned General Open Space (P4) Zone, identified on Maps 162 and 177 of Schedule "A" – Zoning Maps and described as 2633 Upper James Street, the following special provisions shall also apply:

- a) The following use shall also be permitted:

Existing go-kart track

- b) The following regulation shall apply to the use identified in a) above:

161. Notwithstanding Section 7.4.1 and Section 7.4.2, on those lands zoned General Open Space (P4) Zone, identified on Map 204 of Schedule “A” – Zoning Maps and described as part of 4300 Binbrook Road, the following special provisions shall also apply:

- December 15, 2020

- ix) The internal vehicular road system shall be a minimum of 7.5 metres in width;
- x) No buildings or structures are permitted for an agricultural use.

(By-law No. 15-173, July 10, 2015)

162. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 182 of Schedule "A" – Zoning Maps and described as 230, 240 and 250 Regional Road 20, the following special provisions shall also apply:

- a) The following use shall also be permitted:

Barnboard and Beam Business

- b) For the purposes of Special Exception 162 the following definition shall apply:

Barnboard and  
Beam Business

Shall mean a business involving the dismantling of old barns, the sorting and storing of barnboards and beams, a sawmill operation where the boards are cut and planed to create antique flooring, and the storage of timber for future sale.

(By-law No. 15-173, July 10, 2015)

163. In addition to Section 7.3.1, on those lands zoned City Wide Park (P3) Zone, identified on Map 204 of Schedule "A" – Zoning Maps and described as part of 4300 Binbrook Road, a municipal administration office shall also be permitted.

(By-law No. 15-173, July 10, 2015)

164. In addition to Section 7.4.2, on those lands zoned Open Space (P4) Zone, identified on Map 177 of Schedule "A" – Zoning Maps and described as 8475 English Church Road East, the following additional provisions shall apply:

- a) A clubhouse shall be set back a minimum of 200.0 metres from English Church Road East and Upper James Street, and a minimum of 900.0 metres from the adjacent livestock building and manure storage facility on the lands to the east described as 8149 English Church Road East;

- b) Minimum yards for all golf tees, fairways, greens and practice areas shall be 30.0 metres from any lot line that abuts a public street or a lot used for residential or institutional purposes;
- c) A landscaped area with a minimum width of 10.0 metres shall be provided adjacent to any lot line that abuts a public street or a lot used for residential or institutional purposes.

(By-law No. 15-173, July 10, 2015)

165. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 182 of Schedule "A" – Zoning Maps and described as 443 Regional Road 20, a Restaurant and banquet centre shall also be permitted.

(By-law No. 15-173, July 10, 2015)

166. Notwithstanding Section 5.6 c) and 12.7.3 on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 167 of Schedule "A" – Zoning Maps and described as 432 Highland Road East, an Agriculture Processing Establishment – Stand Alone shall be subject to the following regulations:

- a) Minimum flankage yard shall be as per the existing building, but in no case less than 10.0 metres
- b) Maximum flankage yard 115.0 metres;
- c) Minimum front yard 85.0 metres;
- d) Maximum front yard 200.0 metres;
- e) Maximum coverage permitted within the building envelope established through a), b), c), and d) above shall be 30 percent;
- f) Maximum coverage permitted for accessory buildings within the established building envelope shall be 5 percent;
- g) Maximum height 7.5 metres;
- h) Any accessory retail uses must be located on the ground floor of the principal building and must not exceed 20 percent of the gross floor area of that building;
- i) One parking space is required for every 28.0 square metres of gross floor area devoted to accessory retail uses;
- j) One parking space is required for every 100.0 square metres of gross floor area devoted to the agricultural-related use;

- k) No parking space or lot shall be located closer than 30.0 metres from the front lot line or 10 metres from the flankage lot line;
- l) Open air operations, outdoor storage, and outdoor display of goods or materials other than operative motor vehicles, trucks, or operative agricultural equipment are prohibited.

(By-law No. 15-173, July 10, 2015)

167. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 944 Highway 8, the processing, wholesaling, warehousing, storage of agricultural and food products and associated buildings and structures shall also be permitted.

(By-law No. 15-173, July 10, 2015)

168. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 934 and 936 Highway 8 and 190 Glover Road:

- a) The following uses shall also be permitted:
  - i) Place of Worship;
  - ii) Day Nursery; and,
  - iii) Educational Establishment.
- b) The following regulations shall apply to the uses identified in a) above:
  - i) In accordance with Section 12.1.3.1b) through g); and,
  - ii) Parking shall be provided in accordance with Section 5.6c)ii).

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

169. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 166 on Schedule "A" – Zoning Maps and described as part of 154 Upper Centennial Parkway, the sales and rental of golf equipment and snow and ice removal equipment shall also be permitted.

(By-law No. 15-173, July 10, 2015)

170. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 35 on Schedule "A" – Zoning Maps and described 793 8th Concession Road West, the existing custom workshop for the sale, service and distribution of water pumps, tanks and related accessories shall also be permitted.

(By-law No. 15-173, July 10, 2015)



171. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 120, 160, 194 and 206 on Schedule "A" – Zoning Maps and described as addresses:

|                             |                  |
|-----------------------------|------------------|
| Part of 909 Courtland Drive | Map 160          |
| Part of 3826 Governors Road | Map 120          |
| 2040 Guyatt Road            | Maps 194 and 206 |

- a) The following use shall also be permitted:

farmer's market

- b) The regulations pertaining the use identified in a) above, shall be in accordance with Section 12.1.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

172. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 36 on Schedule "A" – Zoning Maps and described as part of 20 and 24 Carlisle Road, a trailer manufacturing business shall also be permitted.

(By-law No. 15-173, July 10, 2015)

173. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 50 and 62 on Schedule "A" – Zoning Maps and described as 407 and 411 Parkside Drive, an extraction and refining operation of abrasive material for industrial cleaning shall also be permitted.

(By-law No. 15-173, July 10, 2015)

174. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 31 on Schedule "A" – Zoning Maps and described as part of 1817 and 1829 Regional Road 97, a bakery, pallet manufacturing operation and welding operation shall also be permitted.

(By-law No. 15-173, July 10, 2015)

175. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 66 on Schedule "A" – Zoning Maps and described as part of 1074 Highway 8, the existing outdoor storage operation shall also be permitted.

(By-law No. 15-173, July 10, 2015)

176. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 70 and 202 on Schedule "A" – Zoning Maps and described as part of 8155 Chippewa Road and 971 5th Concession Road West, Manufacturing shall also be permitted.

(By-law No. 15-173, July 10, 2015)

177. In addition to Section 12.1.1 and notwithstanding Section 12.1.3.1 e) i), on those lands zoned Agricultural (A1) Zone, identified on Maps 65, 88 and 100 on Schedule "A" – Zoning Maps and described as 2387 4th Concession Road West and part of 1188 Highway 8, the following special provisions shall also apply:

- a) The following use shall also be permitted:

Agricultural Processing Establishment – Stand Alone

- b) The following regulations shall apply to the use identified in a) above:

|     |   |
|-----|---|
| i)  | In accordance with Section 12.1.3.1 b) through h).  |
| ii) | Notwithstanding b) i) above and Section 12.1.3.1 e) i), for the property at 1188 Highway 8, the Maximum Lot Coverage shall be 35 percent. |

(By-law No. 15-173, July 10, 2015)

178. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 190 on Schedule "A" – Zoning Maps and described as 3727 and 3737 Highway 6, warehousing and sales of flooring products such as ceramic, marble and vinyl flooring, and related products shall also be permitted.

(By-law No. 15-173, July 10, 2015)

179. Within the lands zoned Major Institutional (I3, 179) Zone, identified on Map Nos. 412, 413, and 445 of Schedule "A" – Zoning Maps and described as 329, 337 and part of 345 Parkside Drive, the following special provisions shall apply:

- a) Notwithstanding Section 8.3.1, only the following uses shall be permitted:

- i) Long Term Care Facility
- ii) Multiple Dwelling
- iii) Retirement Home

- b) The uses listed in a) above, shall be permitted in accordance with the following restriction:

- i) The maximum combined Lot Coverage of any Multiple Dwelling, Retirement Home or combination thereof, shall not exceed 50%.

- c) Notwithstanding Section 8.3.2.1 b), c and d), and Section 8.3.2.2 a) and b), the following regulations shall apply to

the uses listed in a) above:

- i) Minimum Setback from the Side Lot Line 7.5 metres
  - ii) Minimum Setback from the Rear Lot Line 7.5 metres
  - iii) Maximum Building Height 11.0 metres
- d) In addition to Section 8.3.2.1 and Section 8.3.2.2, the following regulations shall apply to the uses listed in a) above:
- i) Minimum Setback from the Front Lot Line 15.0 metres
  - ii) Minimum setback from the Flankage Lot Line 15.0 metres
  - iii) A Minimum Planting Strip of 3.0 m adjacent to a street line shall be provided and maintained.
- e) Access shall be permitted through a zone that does not permit the uses listed in a) above.

(By-law No. 15-173, July 10, 2015)  
 (By-law No. 19-062, March 27, 2019)  
 (By-law No. 24-137, July 12, 2024)

180. Notwithstanding Section 12.7.1 and in addition to Section 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 166 of Schedule "A" – Zoning Maps and described as part of 92 Highland Road East, the following special provisions shall also apply:

- a) Only the following use shall be permitted:

Abattoir and/or a meat packaging operation which may include an accessory retail outlet, warehousing and wholesaling.

- b) The following additional regulation shall apply:

Any new buildings or additions shall be a minimum of 48.0 metres from any existing dwelling.

(By-law No. 15-173, July 10, 2015)

181. In addition to Section 12.1.1 and notwithstanding Section 12.1.3.2 c), on those lands zoned Agriculture (A1) Zone, identified on Map 182 of Schedule "A" – Zoning

Maps and described as part of 341 Regional Road 20, the following special provisions shall apply:

- a) The following uses shall also be permitted:
  - i) Garden Centre; and,
  - ii) A maximum of two Home Industries per lot.
- b) The following regulations shall apply to the uses identified in a) above:
  - i) A minimum 9.0 metre wide landscape strip shall be provided and maintained along the westerly lot line;
  - ii) A minimum 6.0 metre wide landscape strip shall be provided and maintained along the southerly lot line except for points of ingress and egress;
  - iii) A minimum flankage side yard of 45.0 metres shall be required;
  - iv) Accessory outdoor storage will not be permitted in the flankage side yard or the front yard.
  - v) In accordance with Section 12.1.3.1 b), d), e), g) and h).

(By-law No. 15-173, July 10, 2015)

182. In addition to Section 12.1.1 and notwithstanding Section 12.1.3.2 c), on those lands zoned Agriculture (A1) Zone, identified as Map 182 on Schedule "A" – Zoning Maps and described as part of 341 Regional Road 20, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - A maximum of two Home Industries per lot
- b) The following regulations shall apply to the use identified in a) above:
  - i) A minimum 6.0 metre wide landscape strip shall be provided and maintained along the easterly zone boundary and southerly lot line except for points of ingress and egress;
  - ii) Accessory outdoor storage will not be permitted in the front yard.

iii) In accordance with Section 12.1.3.1 b), c), d), e), g) and h).  
(By-law No. 15-173, July 10, 2015)

183. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 189 and 190 on Schedule "A" – Zoning Maps and described as 3840 Highway 6, the existing motor vehicle body shop, and the sale of motor vehicles, recreational vehicles and recreational trailers shall also be permitted.

(By-law No. 15-173, July 10, 2015)

184. In addition to Section 12.6.1 and notwithstanding Section 12.6.3 i), on those lands zoned Existing Rural Commercial (E1) Zone, identified as Map 180 on Schedule "A" – Zoning Maps and described as 603 Fletcher Road, the existing wholly enclosed equipment rental operation shall also be permitted.

(By-law No. 15-173, July 10, 2015)

185. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 113 of Schedule "A" – Zoning Maps and described as 153 Highway 52, a Veterinary Service use, in conjunction with a Veterinary Service-Farm Animal use, comprising the entire existing area of the barn and paddock, shall also be permitted.

(By-law No. 15-173, July 10, 2015)

186. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 71 of Schedule "A" – Zoning Maps and described as part of 692 Concession 5 West, the following special provisions shall also apply:

a) The following use shall also be permitted:

- i) Existing custom workshop and garage door contracting business.

b) The following regulations shall apply to the use identified in a) above:

|     |  |                         |
|-----|--|-------------------------|
| i)  | Open Storage   | Shall not be permitted. |
| ii) | In accordance with Section 12.2.3.1 b), c), d), e), g) and h). |                         |

(By-law No. 15-173, July 10, 2015)

187. Notwithstanding Section 12.7.1 and the definition of a Motor Vehicle Service Station found in Section 3 of this By-law, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as 400 Brock Road, the following special provisions shall also apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

a) Only the following uses shall be permitted:

- i) Manufacturing;
- ii) Motor Vehicle Collision Repair Establishment;
- iii) Motor Vehicle Service Station where the sale of fuel is prohibited;
- iv) Motor Vehicle Dealership;
- v) Towing Establishment;
- vi) Bulk Fuel and Oil Storage Establishment; and,
- vii) Transport Terminal.

b) The following uses shall be prohibited:

- i) Abattoir; and,
- ii) Open Storage.

(By-law No. 15-173, July 10, 2015)

(By-law 22-084, April 13, 2022)

188. Notwithstanding Sections 12.7.1 and 12.7.3 and in addition to Section 5.6 c), on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 223 and 224 of Schedule "A" – Zoning Maps and described as part of 1500 Haldibrook Road the following special provisions shall also apply:

a) Only the following uses shall be permitted:

- i) Waste Disposal Facility; and,
- ii) Waste Processing Facility.

b) The following regulations shall apply to the uses identified in a) above:

|      |                              |  |
|------|------------------------------|--|
| i)   | Maximum Lot Coverage         | 5 percent;   |
| ii)  | Minimum Yards                | 60.0 metres;   |
| iii) | Maximum Height               | 10.7 metres;   |
| iv)  | Minimum Parking requirements | 1) Parking spaces shall be provided on the same lot on which the principal use is located, sufficient in number to accommodate |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|     |                               |    |  |
|-----|-------------------------------|----|--|
|     |                               |    | the employees of, and the visitors to, the permitted waste disposal facility and landfill site; and,   |
|     |                               |    |  |
|     |                               | 2) | No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 30 metres of any lot line.                      |
|     |                               |    |  |
| v)  | Minimum Loading Spaces        | 1) | Off-street loading spaces shall be provided on the same lot on which the principal use is located, sufficient in number to provide for the needs of the permitted waste disposal facility and landfill site; and |
|     |                               |    |  |
|     |                               | 2) | No loading space or part thereof shall be located and no land shall be used for loading purposes within 30 metres of any lot line.   |
|     |                               |    |  |
| vi) | Minimum Fencing Requirements: |    | A fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every boundary of the existing solid waste disposal and landfill operation.                                |

(By-law No. 15-173, July 10, 2015)

189. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 48 and 139 of Schedule "A" – Zoning Maps and described as 1134 Highway 6 and part of 1421 Highway No. 8, Retail shall also be permitted.  
(By-law No. 15-173, July 10, 2015)

190. In addition to Section 12.6.1 and notwithstanding the definition of a Major Recreational Equipment Sales, Rental and Service Establishment found in Section 3 of this By-law, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 142 of Schedule "A" – Zoning Maps and described as 2782 Jerseyville Road West, a Major Recreational Equipment Sales, Rental and Service Establishment shall also be permitted, including the sales and service of motorcycles, recreational equipment and the storage of domestic fuel.

(By-law No. 15-173, July 10, 2015)

(By-law No. 24-137, July 12, 2024)

191. In addition to Section 7.4.1 and notwithstanding Section 7.4.2 b), on those lands zoned Open Space (P4) Zone, identified on Map 66 of Schedule "A" – Zoning Maps and described as part of 1144 Cooper Road, the following special provisions shall apply:

- a) The following uses shall also be permitted:

- i) Private club or lodge; and,
- ii) Airport.

- b) The following regulation shall also apply:

- i) Maximum height of an accessory building or structure shall be 7.0 metres.

(By-law No. 15-173, July 10, 2015)

192. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 31 of Schedule "A" – Zoning Maps and described as part of 1802 and 1824 Regional Road 97, a Livestock Assembly Point shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

193. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 92 of Schedule "A" – Zoning Maps and described as part of 1289 Highway 5 West,

- a) The following uses shall also be permitted:

- i) Motor Vehicle Service Station;
- ii) Restaurant;
- iii) Towing Establishment; and,
- iv) Truck Depot.

- b) The following regulation shall also apply:



- i) The septic tank and driveway access for the uses in the Existing Rural Industrial (E2) Zone shall be located within the portion of the property zoned Rural (A2) Zone.

(By-law No. 15-173, July 10, 2015)

194. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 189 and 190 of Schedule "A" – Zoning Maps and described as 3868 Highway 6, a marine equipment sales, service and storage establishment shall also be permitted.

(By-law No. 15-173, July 10, 2015)

195. Notwithstanding Sections 4.8.1 d) and 4.8.2 c), on those lands zoned Agriculture (A1) Zone and Settlement Residential (S1) Zone, identified on Maps 18, 27, 79 and 210 of Schedule "A" – Zoning Maps, the following maximum accessory building heights shall apply to the addresses as follows:

| Property                | Map(s)         | Maximum Accessory Building Height |
|-------------------------|----------------|-----------------------------------|
| 23 Vanstraalen Street   | Maps 18 and 27 | 5.5 metres                        |
| 757 Old Highway 8       | Map 79         | 6.0 metres                        |
| Part of 4427 Miles Road | Map 210        | 7.6 metres                        |

(By-law No. 15-237, October 14, 2015)

- a) In addition to the above and notwithstanding Section 4.8, for the property located at 4427 Miles Road, an accessory structure with habitable rooms shall also be permitted.
- b) In addition to the above and notwithstanding Section 4.8.1 b), for the property located at 757 Old Highway 8, a maximum gross floor area of 332.0 square metres for an accessory building shall be permitted.

(By-law No. 15-237, October 14, 2015)

(By-law No. 15-173, July 10, 2015)

196. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 61 of Schedule "A" – Zoning Maps and described as 100 Concession 5 Road East, a compressor station and accessory uses for the transportation and distribution of petroleum resources shall also be permitted.

(By-law No. 15-173, July 10, 2015)

197. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 71 of Schedule "A" – Zoning Maps and described as 910 Brock Road, a Day Nursery shall also be permitted and shall be in accordance with Section 12.2.3.7 c), d), e), f), i) and j).

(By-law No. 15-173, July 10, 2015)

198. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 78 of Schedule "A" – Zoning Maps and described as part of 921 Lynden Road, a wholesale warehouse for the distribution of dental supplies shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).  
(By-law No. 15-173, July 10, 2015)

199. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as part of 1064 and 1070 Highway 8, a recreational vehicle dealership and motor vehicle dealership shall also be permitted.  
(By-law No. 15-173, July 10, 2015)

200. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 929 Highway 8, three dwelling units and buildings accessory thereto and the teaching of voice and music within the main residence as an accessory use thereto shall also be permitted and shall be in accordance with Section 12.1.3.3 c), d), e), f), i) and j).  
(By-law No. 15-173, July 10, 2015)

201. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as 648 Alberton Road, the following special provisions shall apply:

- a) The following use shall also be permitted:

seed storage and distribution business

- b) The following regulations shall apply to the use identified in a) above:

- i) A minimum of 2 parking spaces shall be provided;

- ii) A maximum gross floor area of 980.0 square metres shall be permitted.

- iii) In accordance with Section 12.1.3.1 b), c), d), f), g) and h).

(By-law No. 15-173, July 10, 2015)

202. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 201 of Schedule "A" – Zoning Maps and described as 4262 Highway 6, the following uses shall also be permitted:

- a) Existing commercial use (meat store);  
b) Existing single detached dwelling; and,

- c) Existing barn, as an accessory building to either or both a) and b) above.

(By-law No. 15-173, July 10, 2015)

203. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 146 of Schedule "A" – Zoning Maps and described as part of 558 Fiddler's Green Road, heating fuel storage shall also be permitted.

(By-law No. 15-173, July 10, 2015)

204. In addition to Section 12.1.1 and Section 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 179 of Schedule "A" – Zoning Maps and described as part of 6065 Dickenson Road East, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) an equestrian centre, which may include, horses, stables and indoor riding arenas with viewing area, and ancillary uses, including administration facilities;
- ii) a restaurant;
- iii) short term overnight accommodation facilities to be used in association with equestrian activities;
- iv) parking area and buildings and structure accessory thereto.

- b) The following regulations shall apply to the uses identified in a) above:

- i) On-site parking spaces shall be provided at the minimum standard of one (1) parking space for every three (3) horse stalls plus one (1) parking space for every two (2) employees plus one (1) parking space for every four (4) persons that can be accommodated in the restaurant at any one time (maximum designed capacity).
- ii) The maximum gross floor area of the restaurant, including the kitchen, storage and public areas, shall be 242.0 square metres.
- iii) The maximum gross floor area of the short term overnight accommodation facilities shall be 242.0 square metres and the maximum designed capacity shall be 16 beds.

- iv) In accordance with Section 12.1.3.1 b) through h).

(By-law No. 15-173, July 10, 2015)

205. In addition to Section 7.4.2 and notwithstanding Section 7.4.2 a), on those lands zoned Open Space (P4) Zone, identified on Map 187 of Schedule "A" – Zoning Maps and described as the South East corner of Carluke Road West and Shaver Road, the following special provisions shall apply:

- a) The minimum required front yard to a monument shall be 10.0 metres;
- b) The minimum required side and rear yard to a monument shall be 3.0 metres;

(By-law No. 15-173, July 10, 2015)

206. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.1 and 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 202 of Schedule "A" – Zoning Maps and described as part of 8360 Leeming Road, the following special provisions shall apply:

- a) The following uses shall also be permitted:
  - i) an equestrian centre, which may include a horse stable, an indoor riding arena with a viewing area, an outdoor riding arena with a viewing area, an outdoor riding area and track, and ancillary uses including administration and classroom facilities;
  - ii) a restaurant;
  - iii) short term overnight accommodation facilities to be used in association with equestrian activities;
  - iv) parking area and buildings and structure accessory thereto.
- b) The following regulations shall apply to the use identified in a) i) above:

|    |  |  |
|----|--|--|
| i) | No stable, barn or other building used to house animals, and no feed lot area or manure storage area shall be located: | 1. closer than 48.0 metres to the front lot line or any street line; |
|    |  | 2. closer than 60.0 metres to any other lot line; or                 |
|    |  | 3. closer than 150.0 metres to any                                   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|      |   |  |
|------|---|--|
|      |   | Residential or Institutional Zone, or to any residential or institutional use, except the residential uses on the subject lands.                                 |
| ii)  | No horse training track shall be located:   | 1. closer than 3.0 metres to the front lot line or street line;  |
|      |   | 2. closer than 30.0 metres (100 feet) to any other lot line; or  |
|      |   | 3. closer than 30 metres to any Residential or Institutional Zone, or to any residential or institutional use, except the residential uses on the subject lands. |
| iii) | No other buildings shall be located closer than 15.0 metres to any lot line or street line. |  |

- c) The following regulations shall apply to the use identified in a) ii) and iii) above:

|      |  |
|------|--|
| i)   | The maximum gross floor area of the restaurant, including the kitchen, storage and public areas, shall be 280.0 square metres, and the maximum density capacity shall be 100 persons.                                |
| ii)  | The maximum gross floor area of the short term overnight accommodation facilities, including bedrooms, washroom and common areas, shall be 745.0 square metres, and the maximum design capacity shall be 50 persons. |
| iii) | In accordance with Section 12.1.3.1 b) through g).   |

- d) The following regulations shall apply to the uses identified in a) i), ii) and iii) above:

|  |  |  |
|--|--|--|
| On-site parking spaces shall be provided at the minimum standard of: |  |  |
|  |  |  |
| i)   | One (1) parking space for each three (3) horse stalls; plus  |  |
|  |  |  |
| ii)  | One (1) parking space for each 28.0 square metres or fraction thereof of total gross floor area devoted to short term overnight accommodation facilities; plus |  |
|  |  |  |
| iii)   | One (1) parking space for each 9.3 square metres or fraction thereof of total public floor area devoted to a restaurant facility; plus                         |  |
|  |  |  |
| iv)  | One (1) parking space for each two (2) employees.  |  |
|  |  |  |

(By-law No. 15-173, July 10, 2015)

207. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 904 Highway 8, a convenience food store and an accessory dwelling unit shall also be permitted.

(By-law No. 15-173, July 10, 2015)

208. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 66 of Schedule "A" – Zoning Maps and described as 1100 Highway 8, the following special provision shall apply:

- a) The following uses shall also be permitted:

- i) Motor Vehicle Service Station; and,
- ii) Restaurant.

(By-law No. 15-173, July 10, 2015)

209. In addition to Section 12.2.1 and notwithstanding Sections 12.2.3.5 a), b), c) and e), on those lands zoned Rural (A2) Zone, identified on Map 105 of Schedule "A" – Zoning Maps and described as part of 381 Highway 8, the following special provisions shall apply:

- a) The following uses shall also be permitted:

- i) Warehouse; and,

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- ii) Agricultural Processing Establishment – Stand Alone, including accessory Retail.

- b) The following regulations shall apply to the uses identified in a) above:

|      |   |            |
|------|---|------------|
| i)   | Shall be subject to the regulations contained within Section 12.2.3.1 b), c), d) and g).          |            |
| ii)  | Maximum Lot Coverage  | 50 percent |
| iii) | In addition, the use identified within a) ii) above shall also be subject to Section 12.2.3.5 d). |            |

(By-law No. 15-173, July 10, 2015)

210. Notwithstanding Sections 12.2.3.6 b) i) and c), on those lands zoned Rural (A2) Zone, identified on Maps 59 and 71 of Schedule "A" – Zoning Maps and described as 905 and 929 Brock Road, the following special provisions shall apply:

- a) The following regulations shall apply to a Kennel:

|     |                          |   |
|-----|--------------------------|---|
| i)  | Minimum Setbacks         | Any buildings or structures associated with a Kennel shall be setback a minimum of 20.0 metres from any lot line. |
| ii) | Maximum Gross Floor Area | 2,800.0 square metres   |

(By-law No. 15-173, July 10, 2015)

211. Notwithstanding Section 7.6.2.3 a) i), on those lands zoned Conservation/Hazard Land – Rural (P6) Zone, identified on Map 6 of Schedule "A" – Zoning Maps and described as part of 15 Timberrun Court, a Single Detached Dwelling on a vacant lot shall also be permitted.

(By-law No. 15-173, July 10, 2015)

212. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 90 of Schedule "A" – Zoning Maps and described as 556 Woodhill Road, Manufacturing shall also be permitted.

(By-law No. 15-173, July 10, 2015)

213. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Map 42 of Schedule "A" – Zoning Maps and described as part of 1605 Kirkwall Road, the Minimum Lot Area shall be 0.55 hectares.

(By-law No. 15-173, July 10, 2015)

214. Notwithstanding Sections 4.5 and 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 131, 132, 143 and 144 of Schedule "A" – Zoning Maps, and described as part of 1440 and 1450 Jerseyville Road West, a maximum of 2 single detached dwellings shall be permitted on one lot.  
(By-law No. 15-173, July 10, 2015)

215. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.2 g) and 5.6 c) and the definition of a Kennel, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps and described as part of 548 Millgrove Side Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) Kennel, Accessory to an agricultural use; and,
  - ii) Accessory Retail for a Kennel, occupying no greater than 5 percent of the gross floor area.
- b) For the purposes of Special Exception No. 215 the following definition shall apply:

|        |   |
|--------|---|
| Kennel | Shall mean any lot, building or structure used at any time for the breeding, raising, keeping, training, grooming or boarding of four or more cats. |
|--------|---|

- c) The following regulations shall apply to a Kennel:

|      |   |                   |
|------|---|-------------------|
| i)   | Maximum of 120 cats;  |                   |
| ii)  | The maximum gross floor area for all buildings and structures devoted to a Kennel use shall be 300.0 square metres; |                   |
| iii) | Minimum Front Yard  | 15.0 metres;      |
| iv)  | Maximum Front Yard  | 17.0 metres;      |
| v)   | Minimum parking requirements for a Kennel   | 4 parking spaces; |

(By-law No. 15-173, July 10, 2015)



216. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 58 of Schedule "A" – Zoning Maps and described as part of 850 Concession 6 West, the following special provisions shall also apply:

a) The following uses shall also be permitted:

- i) Motor Vehicle Service Station, including body and fender repairs; and,
- ii) Motor Vehicle Dealership.

(By-law 22-084, April 13, 2022)

b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).

(By-law No. 15-173, July 10, 2015)

217. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 24 and 25 of Schedule "A" – Zoning Maps and described as part of 963 Regional Road 97, the following special provisions shall also apply:

a) The following uses shall also be permitted:

- i) Motor Vehicle Service Station;
- ii) Motor Vehicle Dealership, excluding sale of new motor vehicles; and,
- iii) Salvage yard.

(By-law No. 22-084, April 13, 2022)

b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).

(By-law No. 15-173, July 10, 2015)

218. In addition to Section 12.7.1, on those lands zoned Existing Industrial (E2) Zone, identified on Maps 84, 94 and 95 of Schedule "A" – Zoning Maps and described, in part, as 600 Highway 5 West, the following special provisions shall also apply:

a) The following uses shall also be permitted:

- i) an aggregate processing area;
- ii) ready mix concrete plant;
- iii) lime manufacturing plant;
- iv) vehicle maintenance facilities;
- v) parking, office and shipping facilities; and,
- vi) accessory uses including aggregate storage, berms, aggregate recycling facilities, crushing and screening, washing, stockpiling, ponds, water management, maintenance shop, laboratory

facilities, emission control devices, conveyors, and outdoor storage.

- b) Section 12.7.3 (g) and (i) shall not apply to the subject lands.
- c) Notwithstanding Section 12.7.3 e), the minimum rear yard for the lands located at 600 Highway 5 West shall be 3.0 m.
- d) Notwithstanding Section 12.7.3 f), the maximum building height shall be 25.0 m.

(By-law No. 15-173, July 10, 2015)

219. In addition to Section 9.12.1, on those lands zoned Extractive Industrial (M12) Zone, identified on Maps 70, 71, 82 and 83 of Schedule "A" – Zoning Maps and described as part of 685 Brock Road and 807 Brock Road, concrete and asphalt mix manufacturing shall also be permitted and shall be in accordance with Section 9.12.3.4.

(By-law No. 15-173, July 10, 2015)

220. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 36 of Schedule "A" – Zoning Maps and described as 609 Safari Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) automobile repair shop, including accessory motor vehicle sales; and,
  - ii) custom workshop.
- b) The following regulations shall apply to the uses identified in a) above:
  - i) The maximum gross floor area for the automobile repair shop shall be 185.8 square metres.
  - ii) The maximum gross floor area for the custom workshop shall be 371.6 square metres.

- iii) In accordance with Section 12.2.3.1 b), c), d), e), and g).

(By-law No. 15-173, July 10, 2015)

221. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 24 and 25 of Schedule "A" – Zoning Maps and described as part of 955 Regional Road 97, the following special provisions shall also apply:

- a) The following use shall also be permitted:

trucking operation

- b) The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).

(By-law No. 15-173, July 10, 2015)

222. Notwithstanding Section 7.8.1 and Section 7.8.2, on those lands zoned Conservation/Hazard Land – Rural (P8) Zone, identified on Map 152 of Schedule "A" – Zoning Maps and described as part of 490 Fifth Road East, the following special provisions shall also apply:

- a) The following use shall also be permitted:

Single Detached Dwelling

- b) The following regulations shall apply to use identified in a) above:

|      |   |  |
|------|---|--|
| i)   | Minimum front yard                          | 7.5 metres from the boundary of the "P8, 222" Zone               |
|      |   |  |
| ii)  | Minimum side yard                           | 7.5 metres from the boundary of the "P8, 222" Zone               |
|      |   |  |
| iii) | Minimum rear yard                           | 7.5 metres from the boundary of the "P8, 222" Zone               |
|      |   |  |
| iv)  | Outside storage                             | No outside storage shall be permitted                            |
|      |   |  |
| v)   | Minimum parking requirements                | 2 spaces, one of which may be located in the required front yard |
|      |   |  |
| vi)  | Maximum building height                     | 11 metres  |
|      |   |  |
| vii) | Minimum elevation for any building openings | 193.15 metres geodetic   |

(By-law No. 15-173, July 10, 2015)

223. Notwithstanding Section 7.8.1 and Section 7.8.2, on those lands zoned Conservation/Hazard Land – Rural (P8) Zone, identified on Map 152 of Schedule

"A" – Zoning Maps and described as part of 520 Fifth Road East, the following special provisions shall also apply:

- a) The following use shall also be permitted:

Single Detached Dwelling

- b) The following regulations shall apply to use identified in a) above:

|      |   |  |
|------|---|--|
| i)   | Minimum front yard                          | 10.0 metres from the boundary of the "P8, 223" Zone              |
| ii)  | Minimum side yard                           | 10.0 metres from the boundary of the "P8, 223" Zone              |
| iii) | Minimum rear yard                           | 10.0 metres from the boundary of the "P8, 223" Zone              |
| iv)  | Outside storage                             | No outside storage shall be permitted                            |
| v)   | Minimum parking requirements                | 2 spaces, one of which may be located in the required front yard |
| vi)  | Maximum building height                     | 11 metres  |
| vii) | Minimum elevation for any building openings | 193.15 metres geodetic   |

(By-law No. 15-173, July 10, 2015)

224. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 84 of Schedule "A" – Zoning Maps and described as 557 Highway No. 5, the following uses shall also be permitted:

- a) Commercial Motor Vehicle Sales, Rental and Service Establishment;
- b) fruit and vegetable market;
- c) Garden Centre;
- d) Motor Vehicle Dealership;
- e) Manufacturing; and,
- f) Restaurant.

(By-law No. 15-173, July 10, 2015)

(By-law 22-084, April 13, 2022)

225. Within the lands zoned City Wide Park (P3) Zone, identified on Map 26 of Schedule "A" – Zoning Maps, and described as part of 159 – 165 Carlisle Road, the following special provisions shall also apply:
- a) Notwithstanding Subsection 7.3.1, only the following uses shall be permitted:
    - i. Recreation
    - ii. Single Detached Dwelling, existing on the date of passing of this By-law (July 10, 2015)  
(By-law No. 18-219, August 17, 2018)
226. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps and described as part of 533 Millgrove Side Road, the following special provisions shall also apply:
- a) The following uses shall also be permitted:
    - i) A second dwelling unit within the existing building;
    - ii) gift shop;
    - iii) restaurant;
    - iv) place of assembly;
    - v) fruit or vegetable market, selling produce grown on the property and/or local farms; and,
    - vi) An ancillary petting zoo.
  - b) The uses identified in a) above shall be subject to the regulations contained within Section 12.1.3.1 b) through h).  
(By-law No. 15-173, July 10, 2015)
227. In addition to Sections 12.2.2 and 12.2.3, on those lands zoned Rural (A2) Zone, identified on Map 204 of Schedule "A" – Zoning Maps and described as part of 3075 Tisdale Road, the following special provisions shall also apply:
- a) The following use shall also be permitted:  
  
Place of Worship
  - b) The following regulation shall also apply to the use identified in a) above:
    - i) The minimum setback for any buildings or structures shall be 16.0 metres from the barn on the abutting property to the north.

- ii) Maximum Gross Floor Area 1,340 square metres
- iii) Minimum Landscaped Open Space 10 percent
- iv) Minimum Planting Strip 3.0 metre width across all lot lines adjacent to a street except for point of ingress and egress.
- v) Parking shall be provided in accordance with Section 5.6c ii).

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

228. In addition to the Section 12.7.1 and notwithstanding Section 12.7.3 i), on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 92 of Schedule "A" – Zoning Maps and described as 466 Highway 52, 489 Highway 8 and 1379 Highway 5 West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) Accessory Outdoor Storage;
  - ii) Commercial Motor Vehicle Sales, Rental and Service Establishment;
  - iii) Concrete Batching Plant;
  - iv) Manufacturing;
  - v) Office;
  - vi) the blending, sale and storage of fertilizers;
  - vii) the sale and servicing of lawn and garden and industrial equipment; and,
  - viii) Transport Terminal.
- b) In addition to a) above, for the property located at 1379 Highway 5 West, the following uses shall also be permitted:
  - i) fuel depot;
  - ii) Motor Vehicle Collision Repair Establishment;
  - iii) Towing Establishment; and,
  - iv) Warehouse.
- c) For the purposes of Special Exception 228 the following definition shall apply:

Concrete Batching Plant Shall mean a plant where dry materials are weighted, batched and distributed to trucks as part of the process to produce concrete. The dry material may be mixed with the water in the truck or mixed with water in a stationary mixer prior to being distributed to the truck.

- d) Section 12.7.3 i) shall not apply to the subject lands.

(By-law No. 15-173, July 10, 2015)

229. In addition to Section 12.1.1 and Section 7.7.1, on those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Map 45 of Schedule "A" – Zoning Maps and described as part of 1233 Safari Road, a Medical Clinic with a maximum of one health care professional shall also be permitted within a Single Detached Dwelling.

(By-law No. 15-173, July 10, 2015)

230. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 91 of Schedule "A" – Zoning Maps and described as 634 Valens Road, a lumber supply establishment shall also be permitted.

(By-law No. 15-173, July 10, 2015)

231. In addition to Section 12.6.1 and notwithstanding Section 12.6.3, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 190 of Schedule "A" – Zoning Maps and described as 3761 Highway No. 6, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) Motor Vehicle Sales and Rental Establishment;
- ii) Motor Vehicle Service Station; and,
- iii) Restaurant.

- b) For the purposes of Special Exception 231 the following definition shall apply:

|  |  |
|--|--|
| Motor Vehicle Sales and Rental Establishment | The use of land, building or structure, or part thereof, where Motor Vehicles or parts for such vehicles are stored and displayed for the purpose of sale, lease, or rental. |
|--|--|

- c) The following regulations shall apply to the uses identified in a) above:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |                                     |  |
|-------|-------------------------------------|--|
| i)    | Maximum Height                      | 10.7 metres;   |
| ii)   | Maximum Lot Coverage                | 23 percent;  |
| iii)  | Minimum Front Yard Setback          | 14.0 metres;   |
| iv)   | Minimum Rear Yard Setback           | 18.0 metres;   |
| v)    | Minimum Northerly Side Yard Setback | 1.5 metres;  |
| vi)   | Minimum Southerly Side Yard Setback | 6.0 metres;  |
| vii)  | Minimum Parking Requirements        | In accordance with the requirements of Section 5 of this By-law;   |
| viii) | Minimum Loading Requirements        | In accordance with the requirements of Section 5 of this By-law;   |
| ix)   | Minimum Landscaping Requirements    | A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such area shall be continuous except for the required driveway(s); |
| x)    | Outside Storage                     | Outside storage shall not be permitted. Notwithstanding the foregoing, the parking of Motor Vehicles awaiting repair at a Motor Vehicle Service Station shall be permitted outside on the premises.                                      |

(By-law No. 15-173, July 10, 2015)



232. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 49 of Schedule "A" – Zoning Maps and described as 937 Centre Road, a Commercial School shall also be permitted.  
(By-law No. 15-173, July 10, 2015)

233. Notwithstanding Section 12.4.3, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as 1442 Centre Road, permitted uses shall only be permitted within the Existing building.  
(By-law No. 15-173, July 10, 2015)

234. Notwithstanding Section 12.2.3.7 a), on those lands zoned Rural (A2) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 10 and 17 of Schedule "A" – Zoning Maps and described 1, 2, 5, 6, 9, 10, 14, 15, 17, 18, 21 and 22 Stonebury Place, the following special provision shall also apply:

- a) The following regulation shall apply for a Single Detached Dwelling:

|    |                  |        |
|----|------------------|--------|
| i) | Minimum Lot Area | 1.0 ha |
|----|------------------|--------|

(By-law No. 15-173, July 10, 2015)

235. Notwithstanding Section 12.2.3.7 a) and Section 12.2.3.7 b), on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P7) and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 20, 21, 30 and 31 of Schedule "A" – Zoning Maps and described as 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 40, 44, 48 and 52 Pioneer Way and 2030, 2048 and 2058 Concession 10 West, the following special provision shall apply:

- a) The following regulations shall apply for a Single Detached Dwelling:

|     |                   |             |
|-----|-------------------|-------------|
| i)  | Minimum Lot Area  | 0.6 ha      |
|     |                   |             |
| ii) | Minimum Lot Width | 36.0 metres |
|     |                   |             |

(By-law No. 15-173, July 10, 2015)

236. Notwithstanding Section 7.4.1, Section 7.4.2, Section 7.6.1 and Section 7.6.2, on those lands zoned Open Space (P4) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 205 and 213 of Schedule "A" – Zoning Maps and described as part of 2527 Binbrook Road, the following special provisions shall apply:

- a) Only the following use shall be permitted:

Golf Course with a maximum of 18 holes

b) The following regulations shall apply to the use identified in a) above:

|      |  |  |
|------|--|--|
| i)   | Minimum clubhouse setback from Regional Road 56  | 150.0 metres;  |
| ii)  | Minimum setback for all golf tees, fairways, greens and practice areas from any lot line | 30.0 metres;   |
| iii) | Minimum landscaped area width adjacent to a residential use                              | 10.0 metres;   |
| iv)  | Buffering, screening and/or fencing  | Shall be provided adjacent to every lot line that abuts an agricultural use; |
| v)   | Principal public access to the Golf Course facilities                                    | Shall be restricted to Regional Road 56.                                     |

(By-law No. 15-173, July 10, 2015)

237. In addition to Section 12.5.1, on those lands zoned Settlement Institutional (S3) Zone, identified on Map 62 of Schedule "A" – Zoning Maps and described as part of 715 Centre Road, a convent shall also be permitted.

(By-law No. 15-173, July 10, 2015)

238. Notwithstanding Section 7.2.1 and Section 7.2.2, on those lands zoned Community Park (P2) Zone, identified on Map 95 of Schedule "A" – Zoning Maps and described as part of 71 Tews Lane, no development shall be permitted.

(By-law No. 15-173, July 10, 2015)

239. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 84 and 95 of Schedule "A" – Zoning Maps and described as 419, 433, 437, 441, 451, 459, 465 and 477 Ofield Road South and 588 Highway No. 5 West, the following special provisions shall also apply:

a) The following uses shall also be permitted:

- i) Building and Lumber Supply Establishment;
- ii) Commercial Motor Vehicle Sales, Rental and Service Establishment;

- iii) Equipment and Machinery Sales, Rental and Service Establishment;
- iv) Existing Social Services Establishment;
- v) Manufacturing;
- vi) Office;
- vii) Transport Terminal; and,
- viii) Warehouse.

- b) Notwithstanding Sections 12.7.3 (f) and (i), the following regulations shall apply to the property located at 588 Highway No. 5 West:

|      |  |             |
|------|--|-------------|
| i)   | Maximum height of silo   | 24.4 metres |
|      |  |             |
| ii)  | Maximum height of all other buildings and structures   | 18.2 metres |
|      |  |             |
| iii) | Open storage shall be permitted in the front yard at a minimum horizontal distance of 9.14 m from the front lot line and no planting strip shall be required for the open storage areas. |             |

(By-law No. 15-173, July 10, 2015)

240. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 5 and 9 of Schedule "A" – Zoning Maps and described as 341 Mountsberg Road, the following special provisions shall apply:

- a) The following use shall also be permitted:

Existing Accessory Building

- b) The following regulations shall also apply for the Existing Accessory Building:

|     |                    |              |
|-----|--------------------|--------------|
| i)  | Minimum Front Yard | 10.0 metres; |
|     |                    |              |
| ii) | Maximum Height     | 10.0 metres. |
|     |                    |              |

- c) For the purposes of Special Exception 240 the following definition shall apply:

Existing Accessory Building  
structure which:

Shall mean a detached building or

- (i) is used for an accessory use;
- (ii) cannot contain food preparation facilities;
- (iii) cannot be used for human habitation; and
- (iv) includes a detached garage, detached carport and deck.

(By-law No. 15-173, July 10, 2015)

241. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 182 of Schedule "A" – Zoning Maps and described as part of 340 Regional Road 20, the following special provisions shall also apply:

- a) The following use shall also be permitted:

landscape contracting operation

- b) The following regulations shall apply to the use identified in a) above:

|      |   |   |
|------|---|---|
| i)   | Maximum Gross Floor Area                                | 618.0 square metres                             |
| ii)  | Outside Storage   | Shall not exceed an area of 8,094 square metres |
| iii) | Minimum Lot Area being used for Agricultural production | 22.2 hectares                                   |

(By-law No. 15-173, July 10, 2015)

242. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.1 and 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 196 of Schedule "A" – Zoning Maps and described as part of 420 Westbrook Road, the following special provisions shall apply:

- a) The following uses shall also be permitted as accessory uses to the Agricultural operation on the other lands included within the existing lot:

- i) Sale of produce and trees grown on site;
- ii) Sale of farm and garden supplies;
- iii) Sale and repair of farm machinery;

- b) The following regulations shall apply to the uses identified in a) above:

|     |                  |               |
|-----|------------------|---------------|
| i)  | Minimum Frontage | 30.0 metres;  |
| ii) | Maximum Flankage | 200.0 metres; |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |  |  |
|-------|--|--|
|       |  |  |
| iii)  | Maximum Area                                       | 0.6 hectares;  |
|       |  |  |
| iv)   | Minimum Yard Adjacent to a Street                  | 15.0 metres;   |
|       |  |  |
| v)    | Minimum Building Setback from Other Boundary Lines | 7.5 metres;  |
|       |  |  |
| vi)   | Maximum Lot Coverage                               | 25 percent   |
|       |  |  |
| vii)  | Maximum Building Height                            | 10.7 metres;   |
|       |  |  |
| viii) | Minimum Parking Requirements                       | 1. One (1) parking space for every 45 square metres of gross floor area, with a minimum of ten (10) parking spaces shall be provided on-site.  |
|       |  |  |
|       |  | 2. All parking areas shall be setback a minimum distance of 3.0 metres from all streets and boundary lines.  |
|       |  |  |
| ix)   | Minimum Landscaping Requirements                   | 1. A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of the subject lands that abuts Highway No. 20 and Westbrook Road. |
|       |  |  |
|       |  | 2. All portions of the subject lands not covered by buildings or structures or not used for driveways, parking, loading, outside   |

|     |                             |   |
|-----|-----------------------------|---|
|     |                             | storage and/or display, walkways or cultivation, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.   |
| x)  | Outside Display and Storage | The outside display and/or storage of the permitted goods, materials and equipment shall be setback a minimum distance of 15.0 metres from any street line and shall be setback a minimum distance of 7.5 metres from all other boundary lines. |
| xi) | Access                      | Shall be restricted to Westbrook Road.  |

(By-law No. 15-173, July 10, 2015)

243. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 62 of Schedule "A" – Zoning Maps and described as part of 619 Centre Road, a stormwater management pond shall also be permitted.

(By-law No. 15-173, July 10, 2015)

244. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.1 and 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 190 of Schedule "A" – Zoning Maps and described as Part of Lot 8, Concession 5 (Glanford), the following special provisions shall apply:

- a) The following uses shall also be permitted:

- i) A general office facility for a sod company;
- ii) Minor repair, maintenance and storage of sod-related agricultural equipment;

- b) The following regulations shall apply to the uses identified in a) above:

|    |                    |              |
|----|--------------------|--------------|
| i) | Minimum Front Yard | 45.0 metres; |
|    |                    |              |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|      |  |   |
|------|--|---|
| ii)  | Maximum Gross Floor Area of the building | 929.0 square metres;  |
|      |  |   |
| iii) | Maximum Building Height                  | 7.5 metres;   |
|      |  |   |
| iv)  | Minimum Parking Requirements             | 1. No parking space or part thereof shall be located and no land shall be used for the temporary parking of any motor vehicle at a distance of less than 22.5 metres from Airport Road and 7.5 metres from any other lot lines.                       |
|      |  |   |
|      |  | 2. The minimum number of parking spaces shall be one (1) space for each 46.0 square metres of gross floor area.   |
|      |  |   |
| v)   | Minimum Landscaping Requirements         | 1. A landscaped area having a minimum width of 22.5 metres shall be provided and thereafter maintained adjacent to Airport Road (except the driveway).  |
|      |  |   |
|      |  | 2. All portions of the lot not covered by buildings or structures or not used for driveways, storage, parking, walkways or agricultural crops, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance. |
|      |  |   |

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|     |                              |   |
|-----|------------------------------|---|
| vi) | Outside Storage Requirements | 1. No outside storage shall be permitted at a distance of less than 45.0 metres from Airport Road.  |
|     |                              |   |
|     |                              | 2. All outside storage shall be screened with a solid fence with a minimum height of 1.8 metres and/or planting strip consisting of coniferous trees having a minimum initial height of 1.5 metres. |

(By-law No. 15-173, July 10, 2015)

245. In addition to Section 7.4.1, on those lands zoned Open Space (P4) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 58 12th Concession Road East, the following special provision shall apply:

a) Only the following use shall be permitted:

i) private sewage treatment plant with dispersal fields and water distribution system.

(By-law No. 15-173, July 10, 2015)

246. In addition to Section 7.4.1 and notwithstanding Section 7.4.2 and Section 5, on those lands zoned Open Space (P4) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 58 12th Concession Road East, the following special provisions shall also apply:

a) For the purposes of Special Exception 246, a Seasonal Campground may include as ancillary uses a residential dwelling for a manager of the park, a recreational building or pavilion, excluding outdoor entertainment facilities and amphitheater, with a convenience store, an administrative office, utility buildings for maintenance equipment and accessory sport fields without lighting.

b) For the purposes of Special Exception 246, the following definition shall apply:

|          |  |
|----------|--|
| Seasonal | The occupancy of individual camping sites shall be permitted only during the period between April 15 <sup>th</sup> to October 31 <sup>st</sup> . |
|----------|--|



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

c) The following regulations shall apply to a Seasonal Campground:

|       |  |  |
|-------|--|--|
| i)    | The total number of recreational camping sites shall not exceed 100. |  |
| ii)   | Minimum Lot Area   | 4.0 ha;  |
| iii)  | Maximum Lot Area   | 13.1 ha;   |
| iv)   | Maximum Lot Coverage   | 0.5%;  |
| v)    | Minimum Front Yard   | A seasonal trailer site shall not be permitted within 94.0 metres of the front property line;  |
| vi)   | Minimum Rear Yard  | 1. A seasonal trailer site shall not be permitted within 45.0 metres of the rear property line and shall include a 15.0 metre wide naturalized planting strip.                       |
|       |  | 2. A building for recreation or entertainment purposes or park offices, garbage enclosures and visitors parking shall not be permitted within 90.0 metres of the rear property line. |
| vii)  | Minimum Side Yard  | A seasonal trailer site shall not be permitted within 7.6 metres of the side property line.  |
| viii) | Parking  | 1. One parking space per seasonal trailer site and 0.25 spaces per   |

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|     |                                 |   |
|-----|---------------------------------|---|
|     |                                 | seasonal trailer site for visitors.   |
|     |                                 |   |
|     |                                 | 2. Visitor parking shall be provided in one or more designated parking areas on the property.           |
|     |                                 |   |
|     |                                 | 3. Parking spaces for camping sites or visitors shall have minimum dimensions of 2.6 X 5.5 metres.      |
|     |                                 |   |
| ix) | Open Storage                    | No open storage shall be permitted.   |
|     |                                 |   |
| x)  | Planting Strip                  | 1. A planting strip shall not be required along the front property line.                                |
|     |                                 |   |
|     |                                 | 2. A minimum 15.0 metre wide naturalized planting strip shall be provided along the rear property line. |
|     |                                 |   |
| xi) | Minimum Width of Internal Roads | 6.0 metres for two way travel.  |

(By-law No. 15-173, July 10, 2015)

247. Notwithstanding Section 7.8.1, on those lands zoned Conservation/Hazard Land – Rural (P8) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 57 and 58 12th Concession Road East, the following special provision shall apply:

a) Only the following use shall be permitted:

- i) Conservation; and,
- ii) Any buildings or structures associated with flood or erosion control, drainage or watercourse protection.

(By-law No. 15-173, July 10, 2015)

248. In addition to Section 12.2.1 and Section 12.2.2 and notwithstanding Section 5, on those lands zoned Rural (A2) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 57 12th Concession Road East, the following special provisions shall apply:

- a) The following uses shall also be permitted:
  - i) mobile home park;
  - ii) clubhouse, accessory to the mobile home park, which may include as ancillary uses to the park, administrative offices, a convenience store, a hotel consisting of 20 suites, a restaurant and tavern, a dining area, games room, fitness and leisure facilities including a pool, hot tub, sauna, showers, and fitness room;
  - iii) One manager's suite and two staff apartments, adjacent to the existing clubhouse;
  - iv) Maintenance, utility and storage buildings; and,
  - v) Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.
- b) The use permitted in a) i) above, shall be subject to the removal of Holding Provisions "H9" and "H10".
- c) The uses permitted in a) ii), iii), iv) and v) above, shall be subject to the removal of Holding Provision "H9" only.
- d) The following regulations shall apply to the uses identified in a):

|      |   |                     |
|------|---|---------------------|
| i)   | The total number of mobile home sites shall not exceed 150. |                     |
|      |   |                     |
| ii)  | Minimum Lot Area  | 3.0 ha;             |
|      |   |                     |
| iii) | Maximum Lot Area  | 19.4 ha;            |
|      |   |                     |
| iv)  | Minimum Park and Place of Recreation Area                   | 12.4 % of Lot Area; |
|      |   |                     |
| v)   | Maximum Lot Coverage for Clubhouse                          | 1.5 % of the Lot;   |
|      |   |                     |
| vi)  | Minimum Lot Frontage  | 106.0 metres;       |
|      |   |                     |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|       |                    |  |
|-------|--------------------|--|
| vii)  | Maximum Height     | 1. Existing Buildings shall be recognized;   |
|       |                    |  |
|       |                    | 2. No new buildings or additions shall exceed 11.0 metres.   |
|       |                    |  |
| viii) | Minimum Front Yard | 1. 15.0 metres for new mobile home units;  |
|       |                    |  |
|       |                    | 2. Existing club house and attached residential suits shall not be located closer than 25.0 metres from the front property line. |
|       |                    |  |
| ix)   | Minimum Rear Yard  | 1. 15.0 metres for all new buildings;  |
|       |                    |  |
|       |                    | 2. 8.5 metres for Existing buildings.  |
|       |                    |  |
| x)    | Minimum Side Yard  | 1. 15.0 metres for all new buildings;  |
|       |                    |  |
|       |                    | 2. 6.5 metres for Existing buildings.  |
|       |                    |  |
| xi)   | Parking            | 1. One parking space per mobile home site and 0.25 spaces per mobile home site for visitor's parking;                            |
|       |                    |  |
|       |                    | 2. Visitor parking shall be located only within a designated parking area on the property.                                       |
|       |                    |  |
|       |                    | 3. Parking spaces shall have minimum   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|      |                                 |                                     |
|------|---------------------------------|-------------------------------------|
|      |                                 | dimensions of 2.6 X 5.5 metres.     |
|      |                                 |                                     |
| xii) | Minimum Width of Internal Roads | 3.0 metres for one way travel only. |

- e) The following regulations shall apply to each individual mobile home site:

|      |                      |   |
|------|----------------------|---|
| i)   | Minimum Lot Area     | 234.0 square metres;  |
|      |                      |   |
| ii)  | Minimum Lot Frontage | 4.1 metres;   |
|      |                      |   |
| iii) | Maximum Lot Coverage | 1. Existing mobile home units, garages, carports, and accessory structures shall be recognized;   |
|      |                      | 2. Replacement mobile home units and all other buildings or structures shall not exceed the lesser of 144.0 square metres or 50% of the total lot area. |
|      |                      |   |
| iv)  | Minimum Front Yard   | 1. Front Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;  |
|      |                      |   |
|      |                      | 2. 1.5 metres for replacement mobile home units.  |
|      |                      |   |
| v)   | Minimum Rear Yard    | 1. Rear Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;   |
|      |                      |   |

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|       |                               |  |
|-------|-------------------------------|--|
|       |                               | 2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) ix) above. |
| vi)   | Minimum Interior Side Yard    | 1. Interior Side Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;       |
|       |                               | 2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) x) above.  |
| vii)  | Minimum Flankage Yard         | 1. Flankage Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;            |
|       |                               | 2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) x) above.  |
| viii) | Minimum Landscaped Open Space | 10%  |
| ix)   | Open Storage                  | No open storage shall be permitted.  |

(By-law No. 15-173, July 10, 2015)

(By-law No. 21-189, October 13, 2021)

249. In addition to Sections 12.2.1 and 12.7.1, on those lands zoned Rural (A2) Zone and Existing Rural Industrial (E2) Zone, identified on Map 48 of Schedule "A" – Zoning Maps and described as part of 1046, 1055, 1056 and 1064 Highway 6, the following uses shall also be permitted:

- a) Commercial Motor Vehicle Sales, Rental and Service Establishment;
- b) Manufacturing; and,
- c) Warehouse.
- d) The following regulations shall apply to the uses identified in a) above:
  - i) In accordance with Section 12.7.3.

(By-law No. 15-173, July 10, 2015)  
(By-law No. 19-062, March 27, 2019)

250. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 120 of Schedule "A" – Zoning Maps and described as part of 1974 Concession 2 West, the following provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) Private School.
- b) Sections 12.1.3.1b) through g) shall apply for a Private School; and,
- c) Parking shall be provided in accordance with Section 5.6 c)iii).

(By-law No. 15-173, July 10, 2015)  
(By-law No. 19-062, March 27, 2019)

251. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 120 of Schedule "A" – Zoning Maps and described as part of 1974 Concession 2 West, a pet cemetery shall also be permitted and shall be subject to Section 12.1.3.1 b) through g).

(By-law No. 15-173, July 10, 2015)

252. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 70 on Schedule "A" – Zoning Maps and described as 1072 5th Concession Road West, a towing operation shall also be permitted.

(By-law No. 15-173, July 10, 2015)

253. In addition to Sections 12.1.1, 12.2.1, 12.3.1, 12.6.1, 7.4.1, 7.6.1 and 7.7.1 on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone, Settlement Residential

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

(S1) Zone, Existing Rural Commercial (E1) Zone, Open Space (P4) Zone, Conservation/Hazard Land – Rural (P6) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 25, 27, 35, 39, 45, 46, 47, 48, 49, 50, 58, 60, 61, 66, 69, 70, 71, 72, 73, 80, 82, 84, 110, 111, 112, 113, 122, 131, 132, 141, 143, 144, 146, 156, 173 and 186 on Schedule "A" – Zoning Maps and described as addresses:

| Property                           | Map(s)         | Special Exception Area  |
|------------------------------------|----------------|---|
| Part of 3517 Indian Trail          | Map 141        | 6,520 square metres (0.65 Ha)   |
| Part of 534 Concession 5 West      | Maps 60 and 72 | 19,205 square metres (1.92 Ha) and set back 137 metres from Concession 5 West   |
| Part of 1431 Centre Road           | Map 27         | 1,690 square metres (0.17 Ha) and set back 44 metres from Centre Road   |
| Two Parts of 183 Orkney Road       | Map 112        | 9,153 square metres (0.91 Ha)<br>Part 1 – 562 square metres (0.05 Ha) and set back 36 metres from Orkney Road<br>Part 2 – 8,591 square metres (0.86 Ha) and set back 20 metres from Orkney Road       |
| Part of 682 Ofield Road North      | Map 72         | 1,630 square metres (0.16 Ha) and set back 150 metres from Concession 4 West  |
| Part of 1 Karendale Crescent       | Map 25         | 986 square metres (0.1 Ha)  |
| Part of 1299 Highway 6 North       | Map 47         | 1,411 square metres (0.14 Ha)   |
| Two Parts of 912 Beeforth Road     | Map 39         | 10,971 square metres (1.1 Ha)<br>Part 1 – 2,973 square metres (0.3 Ha) and set back 67 metres from Beeforth Road<br>Part 2 – 7,998 square metres (0.80 Ha) and set back 243 metres from Beeforth Road |
| Part of 262 Lynden Road            | Map 111        | 2,413 square metres (0.24 Ha)   |
| Part of 313 Sunnyridge Road        | Map 156        | 1,920 square metres (0.19 Ha) and set back 59 metres from Sunnyridge Road   |
| Part of 561 Concession 5 Road West | Map 60         | 4,705 square metres (0.47 Ha) and set back 25 metres from Concession 5 West   |



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property                                 | Map(s)           | Special Exception Area   |
|--|------------------|--|
| Part of 658 Concession 5 Road West       | Map 71           | 17,789 square metres (1.78 Ha)   |
| Part of 72 Shelton Lane                  | Map 72           | 20,290 square metres (2.03 Ha)   |
| Part of 728 Highway 6                    | Map 73           | 6,934 square metres (0.69 Ha) and set back 118 metres from Highway 6   |
| Part of 996 Jerseyville Road West        | Maps 132 and 144 | 29,393 square metres (2.94 Ha) and set back 229 metres from Jerseyville Road West  |
| Part of 98 Concession 7 Road East        | Map 48           | 1,353 square metres (0.14 Ha) and set back 144 metres from Concession 7 East   |
| Part of 877 Westover Road                | Map 69           | 1,851 square metres (0.19 Ha) and set back 20 metres from Westover Road  |
| Part of 148 Concession 6 Road East       | Maps 49          | 5,788 square metres (0.58 Ha) and set back 125 metres from Concession 6 Road East  |
| Part of 11 Parkside Drive                | Map 73           | 15,475 square metres (1.55 Ha)   |
| Part of 631 Robson Road                  | Map 50           | 5,810 square metres (0.58 Ha) and set back 85 metres from Robson Road  |
| Part of 1650 Powerline Road West         | Map 131          | 2,841 square metres (0.28 Ha) and set back 126 metres from Power Line Road West  |
| Two Parts of 1420 Concession 2 Road West | Map 113          | 9,862 square metres (0.99 Ha)<br>Part 1 – 4,137 square metres (0.41 Ha)<br>Part 2 – 5,725 square metres (0.57 Ha) and set back 154 metres from Concession 2 West |
| Part of 751 Middletown Road              | Map 82           | 1,019 square metres (0.1 Ha) and set back 86 metres from Middletown Road   |
| Part of 460 Highway 5 West               | Map 84           | 7,756 square metres (0.78 Ha) and set back 17 metres from Highway 5 West   |
| Part of 1326 Butter Road West            | Maps 173 and 186 | 22,101 square metres (2.21 Ha) and set back 65 metres from Butter Road West and 192 metres from Trinity Road South   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property                            | Map(s)         | Special Exception Area  |
|-------------------------------------|----------------|---|
| Part of 1441 Jerseyville Road West  | Map 132        | 1,354 square metres (0.14 Ha) and set back 113 metres from Jerseyville Road West                                    |
| Part of 510 Ofield Road North       | Map 84         | 1,869 square metres (0.19 Ha) and set back 162 metres from Ofield Road North and 174 metres from Highway No. 5 West |
| Part of 65 Concession 6 Road East   | Map 48         | 1,220 square metres (0.12 Ha) and set back 176 metres from Concession 6 East  |
| Part of 797 Concession 8 Road West  | Map 35         | 307 square metres (0.03 Ha) and set back 48 metres from Concession 8 West   |
| Part of 940 Concession 5 Road West  | Map 70         | 1,702 square metres (0.17 Ha) and set back 57 metres from Concession 5 West   |
| Part of 1182 Brock Road             | Map 46         | 1,373 square metres (0.14 Ha) and set back 76 metres from Brock Road  |
| Part of 143 Concession 6 Road East  | Map 49         | 868 square metres (0.09 Ha) and set back 33 metres from Concession 6 East   |
| Part of 1049 Concession 6 Road West | Map 58         | 1,503 square metres (0.15 Ha) and set back 118 metres from Concession 6 West  |
| Part of 181 Concession 6 Road East  | Map 49         | 40,658 square metres (4.07 Ha) and set back 557 metres from Concession 6 Road East                                  |
| Part of 136 Concession 5 Road East  | Map 61         | 20,446 square metres (2.04 Ha)  |
| Part of 598 Middletown Road         | Maps 82 and 93 | 20,464 square metres (2.05 Ha) and set back 46 metres from Concession 4 West and 102 metres from Middletown Road    |
| Part of 367 Highway 5 West          | Map 84         | 8,800 square metres (0.88 Ha) and set back 74 metres from Highway 5 West  |
| Part of 888 Beeforth Road           | Map 39         | 6,078 square metres (0.61 Ha) and set back 160 metres from Beeforth Road  |
| Part of 44 Garner Road East         | Map 146        | 1,979 square metres (0.20 Ha) and set back 123 metres from Garner   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property   | Map(s)  | Special Exception Area   |
|--|---------|--|
|  |         | Road West and 182 metres from Fiddler's Green Road<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 1765 Sawmill Road  | Map 173 | 1,250 square metres (0.12 Ha) and set back 24 metres from Sawmill Road<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 3363 Jerseyville Road West   | Map 141 | 5,494 square metres (0.55 Ha) and set back 175 metres from Jerseyville Road West<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 2288 Troy Road   | Map 110 | 776 square metres (0.08 Ha)<br>(By-law No. 15-238, October 14, 2015)   |
| Part of 1288 Brock Road  | Map 46  | 1,109 square metres (0.11 Ha)  |
| Part of 1434 Middletown Road   | Map 45  | 2,691 square metres (0.27 Ha) and set back 74 metres from Middletown Road<br>(By-law No. 15-238, October 14, 2015)   |
| Two Parts of 2532 Governors Road   | Map 122 | 13,857 square metres (1.38 Ha)<br>Part 1 – 3,998 square metres (0.40 Ha) and set back 89 metres from Governors Road<br>Part 2 – 9,859 square metres (0.98 Ha) and set back 310 metres from Governors Road<br>(By-law No. 15-238, October 14, 2015) |
| Part of 1911 Jerseyville Road West   | Map 143 | 2,209 square metres (0.22 Ha)<br>(By-law No. 15-238, October 14, 2015)   |
| Part of 1480 Concession 2 Road West  | Map 113 | 925 square metres (0.09 Ha) and set back 49 metres from Concession 2 Road West<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 627 Concession 6 Road West   | Map 47  | 9,350 square metres (0.93 Ha) and set back 149 metres from Concession 6 Road West<br>(By-law No. 15-238, October 14, 2015)   |
| Part of property on southwest corner of Concession 5 Road West and Valens Road | Map 80  | 18,196 square metres (1.82 Ha)<br>(By-law No. 15-238, October 14, 2015)  |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property                                   | Map(s) | Special Exception Area   |
|--|--------|--|
| Part of 861 Brock Road                     | Map 71 | 2,679 square metres (0.27 Ha)<br>Part 1 – 1,760 square metres (0.17 Ha) and set back 44 metres set back metres from Brock Road<br>Part 2 – 919 square metres (0.09 Ha) and set back 49 metres from Brock Road<br>(By-law No. 15-238, October 14, 2015)     |
| Part of 1117 Highway 8                     | Map 66 | 8,400 square metres (0.84 Ha)<br>(By-law No. 15-238, October 14, 2015)   |
| Part of 1414 Concession 4 Road West        | Map 92 | 1,735 square metres (0.17 Ha) and set back 328 metres from Concession 4 Road West<br>(By-law No. 15-238, October 14, 2015)   |
| Two Parts of 928 Regional Road 97          | Map 25 | 1,298 square metres (1.38 Ha)<br>Part 1 – 931 square metres (0.09 Ha) and set back 57 set back metres from Regional Road 97<br>Part 2 – 367 square metres (0.98 Ha) and set back 129 metres from Regional Road 97<br>(By-law No. 15-238, October 14, 2015) |
| Part of 43 Concession 7 Road East          | Map 48 | 2,429 square metres (0.24 Ha) and set back 47 metres from Concession 7 Road East<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 470 Concession 5 Road West         | Map 60 | 3,242 square metres (0.32 Ha) and set back 61 metres from Concession 5 Road West<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 85 Concession 6 Road East          | Map 49 | 1,687 square metres (0.17 Ha) and set back 65 metres from Concession 6 Road East<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 240 and 246 Concession 6 Road East | Map 49 | 3,811 square metres (0.38 Ha) and set back 78 metres from Concession 6 Road East<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 435 Concession 4 Road West         | Map 72 | 2,271 square metres (0.23 Ha) and set back 52 metres from Concession 4 Road West<br>(By-law No. 15-238, October 14, 2015)  |
| Part of 609 Robson Road                    | Map 50 | 2,353 square metres (0.23 Ha) and set back 71 metres from Robson Road  |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property                           | Map(s) | Special Exception Area  |
|------------------------------------|--------|---|
|                                    |        | (By-law No. 15-238, October 14, 2015)   |
| Part of 414 Concession 5 Road West | Map 60 | 2,126 square metres (0.21 Ha) and set back 39 metres from Concession 5 Road West<br>(By-law No. 15-238, October 14, 2015) |
| Part of 1017 Highway 6             | Map 60 | 7,992 square metres (0.8 Ha) and set back 72 metres from Highway 6<br>(By-law No. 15-238, October 14, 2015)               |

The following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
landscape contracting establishment
- b) For the purposes of Special Exception No. 253 the following definition shall apply:  
  

|                                     |  |
|-------------------------------------|--|
| Landscape Contracting Establishment | Shall mean the use of land building or structure, or part thereof for the storage of soil, composted materials and other soil amendments, mulch, rock, screening and other similar materials along with the provision of landscape design services and off-site landscape installation services; storage of landscaping and horticultural maintenance equipment; composting and mixing of soil and soil amendments; and Accessory storage of snow removal equipment. |
|-------------------------------------|--|
- c) Notwithstanding a) above, for the property located at 534 Concession 5 West, two landscape contracting establishments shall be permitted.
- d) Notwithstanding a) above, for the property located at 996 Jerseyville Road West, multiple landscape contracting establishments shall be permitted.
- e) In addition to a) above, for the property located at 367 Highway 5 West, a flea market shall also be permitted.
- f) The following regulations shall apply to the use identified in a), c) and d) above:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|      |                  |  |
|------|------------------|--|
| i)   | Minimum Setbacks | All buildings or structures shall be setback a minimum of 15.0 metres from any lot line.   |
| ii)  | Outdoor Storage  | Shall be setback a minimum of 30.0 metres from any lot line and screened by a visual barrier in accordance with Section 4.19 of this By-law. |
| iii) | Access           | Access shall be permitted through a zone that does not permit the use.   |

(By-law No. 15-173, July 10, 2015)

(By-law No. 15-238, October 14, 2015)

254. In addition to Section 12.1.1 and Section 12.6.1 and notwithstanding Section 12.6.3f), on those lands zoned Existing Rural Commercial (E1) Zone and Agriculture (A1) Zone, identified on Map 168 on Schedule "A" – Zoning Maps and described as 735 Mud Street East, a salvage yard shall also be permitted with an aggregate maximum gross floor area of 5,349 square metres in three buildings, and a maximum height of 7.3 m.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

255. Notwithstanding Section 12.4.3, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 65 of Schedule "A" – Zoning Maps and described as 1292 Old Highway 8, permitted uses shall be restricted to Office.

(By-law No. 15-173, July 10, 2015)

256. In addition to Section 12.2.1 and Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone and Rural (A2) Zone, identified on Maps 48 and 60 of Schedule "A" – Zoning Maps and described as 992 Highway 6, an Agricultural Processing Establishment for the packaging, treating and storing of produce grown on or off the premises shall be permitted, and in accordance with the provisions of Section 12.6.3.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

257. In addition to Section 7.6.1, Section 7.7.1, and Section 7.8.1 and notwithstanding Section 7.6.2, Section 7.7.2, and Section 7.8.2, on those lands zoned Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone, and Conservation/Hazard Land – Rural (P8) Zone identified on Maps 6 and 10 of Schedule "A" – Zoning Maps and described as part of 353 Concession 11 East, part of 385 Concession 11 East, part of 475 Concession 11 East, part of

515 Concession 11 East and part of Part Lot 2, Lot 3 Concession 11, the following special provisions shall apply:

- a) The following use shall be prohibited:

Mineral Aggregate Operation

- b) The following regulations shall apply:

No new buildings or structures shall be permitted.

(By-law No. 15-173, July 10, 2015)

258. In addition to Section 12.2.2, on those lands zoned Rural (A2) Zone identified on Map 10 of Schedule "A" – Zoning Maps and described as part of 353 Concession 11 East, part of 385 Concession 11 East, part of 475 Concession 11 East, and part of Part Lot 2, Lot 3 Concession 11, the following special provisions shall apply:

- a) The following use shall be prohibited:

Mineral Aggregate Operation

(By-law No. 15-173, July 10, 2015)

259. In addition to Section 7.6.1 on those lands zoned Conservation Hazard Land – Rural (P6) Zone, identified on Maps 6 and 10 of Schedule "A" – Zoning Maps and described as part of 515 Concession 11 East, the following special provisions shall apply:

- a) The following use shall be prohibited:

Mineral Aggregate Operation

- b) The following use shall be permitted:

Single Detached Dwelling and accessory uses, in accordance with Sections 7.6.2.3 and 4.8.2.

(By-law No. 15-173, July 10, 2015)

260. Notwithstanding Section 12.1.3.3 d), on those lands zoned Agriculture (A1) Zone, identified on Map 76 of Schedule "A" – Zoning Maps and described as 2530 Concession 6 Road West, a Minimum Front Yard of 6.4 metres shall be permitted for a Single Detached Dwelling.

(By-law No. 15-173, July 10, 2015)

261. Notwithstanding Section 12.3.3 b), on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described

as 25 Park Avenue, a Minimum Lot Width of 20 metres shall be permitted for a Single Detached Dwelling.

(By-law No. 15-173, July 10, 2015)

262. In addition to Section 12.1.3.1 j), on those lands zoned Agriculture (A1) Zone, identified on Map 76 of Schedule "A" – Zoning Maps and described as 1709 Highway 5 West, the following special provisions shall also apply:

a) A Farm Labour Residence may be permitted in the form of a Single Detached Dwelling which is not of temporary construction.

b) Subsection 12.1.3.1 j) ii) 1 shall not apply.

(By-law No. 15-173, July 10, 2015)

263. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 60 of Schedule "A" – Zoning Maps and described as part of 524 Concession 6 Road West, Manufacturing shall also be permitted and in accordance with the provisions of Section 12.7.3.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

264. Notwithstanding Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 81 of Schedule "A" – Zoning Maps and described as part of 1419-1421 Concession 4 Road West, the following uses shall also be permitted:

- a) Manufacturing;
- b) motor vehicle repair shop;
- b) sawmill; and,
- c) welding shop.

(By-law No. 15-173, July 10, 2015)

265. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described as part of 18 Short Road, the following uses shall also be permitted within the existing building:

- a) Tradesperson's Shop; and,
- b) storage.

(By-law No. 15-173, July 10, 2015)

266. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described as part of 18 Short Road, the following uses shall also be permitted within the existing building:



- a) Craftsperson Shop;
- b) Office;
- c) Personal Service;
- d) retail store; and,
- e) one residential unit.

(By-law No. 15-173, July 10, 2015)

(By-law No. 24-137, July 12, 2024)

267. In addition to a Single Detached Dwelling as identified within Section 4.7, on those lands zoned Agriculture (A1) Zone, identified on Map 65 of Schedule "A" – Zoning Maps and described as 1190 Highway No. 8, Section 4.7 shall also apply to any other permitted uses within the Agriculture (A1) Zone.

(By-law No. 15-173, July 10, 2015)

268. Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 169 of Schedule "A" – Zoning Maps and described as part of 913 Mud Street, a contractor's establishment shall also be permitted and in accordance with the provisions of Section 12.7.3.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

269. Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 83 of Schedule "A" – Zoning Maps and described as 565 Brock Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) Aggregate, concrete and asphalt storage and recycling;
  - ii) Topsoil preparation; and,
  - iii) Accessory repair, maintenance and storage of Commercial Motor Vehicles associated with the uses in i) and ii) above.
- b) The following regulation shall also apply:
  - i) An earth berm with a minimum height of 2.0 metres and a planting strip along the top of the berm consisting of evergreens with a minimum height of 1.5 metres shall be provided along the front property line from the north east corner of the property and extending 115 metres south. The earth berm shall be setback 6.0 metres from the front property line.
  - ii) The uses identified in a) above shall be in accordance with the provisions of Section 12.7.3.

(By-law No. 15-173, July 10, 2015)

(By-law No. 19-062, March 27, 2019)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

270. Notwithstanding Sections 12.2.3.6 b) i) and c) and the definition of a Kennel, on those lands zoned Rural (A2) Zone, identified on Map 71 of Schedule "A" – Zoning Maps and described as 899 Brock Road, the following special provisions shall apply:

- a) For the purposes of Special Exception No. 270 the following definition shall apply:

|        |   |
|--------|---|
| Kennel | Shall mean a commercial establishment for the training of domestic animals. |
|--------|---|

- b) The following regulations shall apply to a Kennel:

|     |                          |   |
|-----|--------------------------|---|
| i)  | Minimum Setbacks         | Any buildings or structures associated with a Kennel shall be setback a minimum of 20.0 metres from any lot line. |
| ii) | Maximum Gross Floor Area | 2,800.0 square metres   |

(By-law No. 15-173, July 10, 2015)

271. Notwithstanding Sections 12.2.3.1 m) i) and ii), on those lands zoned Rural (A2) Zone, identified on Maps 35 and 36 of Schedule "A" – Zoning Maps and described as part of 780 Concession 8 Road West, a maximum gross floor area of 21,500.0 square metres shall be permitted for all buildings and structures associated with a Cannabis Growing and Harvesting Facility.

(By-law No. 15-173, July 10, 2015)

(By-law No. 18-266, September 12, 2018)

272. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 161 and 176 of Schedule "A" – Zoning Maps and described as addresses:

|                      |         |
|----------------------|---------|
| 0 Airport Road       | Map 176 |
| 9705 Airport Road    | Map 176 |
| 9879 Airport Road    | Map 176 |
| 0 White Church Road  | Map 176 |
| 0 Glancaster Road    | Map 176 |
| 2115 Glancaster Road | Map 176 |
| 1867 Glancaster Road | Map 176 |
| 9890 Airport Road    | Map 176 |
| 1731 Glancaster Road | Map 176 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                      |                  |
|----------------------|------------------|
| 1691 Glancaster Road | Map 176          |
| 1665 Glancaster Road | Map 176          |
| 1659 Glancaster Road | Map 176          |
| 1651 Glancaster Road | Map 176          |
| 1645 Glancaster Road | Map 176          |
| 1635 Glancaster Road | Map 176          |
| 1629 Glancaster Road | Map 176          |
| 1603 Glancaster Road | Maps 161 and 176 |
| 1370 Glancaster Road | Map 176          |
| 1292 Glancaster Road | Maps 161 and 176 |
| 1208 Glancaster Road | Map 161          |

- a) Only the following uses shall be permitted:
- i) Airport;
  - ii) Airport Storage, Maintenance and Operation Facilities; and,
  - iii) Uses Existing at the Effective Date of this By-law.
- b) The use identified in a) i) above shall be subject to the regulations of Section 13.1.2.
- c) The following regulations shall apply to the uses identified in a) ii) and iii) above:

|      |                                |   |   |
|------|--------------------------------|---|---|
| i)   | Minimum Yard Abutting a Street | A.  | 3.0 metres;   |
|      |                                | B.  | Notwithstanding A. above, a minimum yard of 6.0 metres shall be required where a property abuts Highway No. 6 or Glancaster Road. |
| ii)  | Maximum Building Height        | In accordance with the requirements of Section 4.17 of this By-law. |   |
| iii) | Landscaped Area                | A.  | Minimum 3.0 metre wide Landscaped Area shall be provided and maintained abutting a  |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|     |  |  |   |
|-----|--|--|---|
|     |  |  | street, except for point of ingress and egress;   |
|     |  |  |   |
|     |  | B.   | In addition to A. above, for properties adjacent to Highway No. 6, a minimum 6.0 metre wide Landscaped Area shall be provided and maintained.                 |
|     |  |  |   |
| iv) | Location and Screening of Outdoor Storage and Outdoor Assembly | A.   | Outdoor Storage and Outdoor Assembly shall not be permitted in a required Front Yard or a Required Flankage Yard;   |
|     |  |  |   |
|     |  | B.   | Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area;  |
|     |  |  |   |
|     |  | C.   | Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this By-law. |
|     |  |  |   |
| v)  | Parking  | In accordance with the requirements of Section 5 of this By-law. |   |
|     |  |  |   |
| vi) | Accessory Buildings  | In accordance with the requirements of b) i) and ii) above.      |   |

(By-law No. 15-236, October 14, 2015)

273. Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 176 and 189 of Schedule "A" – Zoning Maps and described as part of 2004 Glancaster Road, the following special provisions shall also apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- a) The following use shall also be permitted

wire basket making and moss products business, and use accessory thereto

- b) The following regulations shall apply to the use identified in a) above:

|      |                            |  |   |
|------|----------------------------|--|---|
| i)   | Front Lot Line             | Shall be the lot line abutting the road allowances of Glancaster Road and Carluke Road East.   |   |
| ii)  | Minimum Front Yard         | 12 metres  |   |
| iii) | Minimum Side and Rear Yard | 7.5 metres   |   |
| iv)  | Maximum Lot Coverage       | 13 percent, but shall not exceed 8,900 square metres   |   |
| v)   | Maximum Building Height    | 10.5 metres  |   |
| vi)  | Outdoor Storage            | A.   | Shall only be permitted in side, front or rear yards;                     |
|      |                            | B.   | Shall be located a minimum of 5.0 metres from the westerly side lot line. |
| vii) | Minimum Landscaping        | A minimum 3.0 metre wide planting strip shall be provided and maintained abutting a street, except for points of ingress and egress. |   |

(By-law No. 15-236, October 14, 2015)

(By-law No. 20-203, September 30, 2020)

274. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 176 of Schedule "A" Zoning Maps and described as part of 493 Butter Road East, the following special provisions shall also apply:

- a) The following use shall also be permitted:

Restoration and storage of Antique Motor Vehicles within the building existing at the date of adoption of By-law 15-173

- b) For the purposes of Special Exception 274, the following definitions shall apply:

Antique Motor Vehicle                      Shall mean a motor vehicle the date of manufacture of which is more than fifteen (15) years ago.

Restoration                                      Shall mean the returning of motor vehicles to their original production condition, including, without limiting the meaning of this paragraph, tires, external appearance and mechanical operation.

(By-law No. 15-236, October 14, 2015)

275. Notwithstanding Sections 7.4.1 and 7.4.2 d), on those lands zoned Open Space (P4) Zone, identified on Map 160 of Schedule "A" Zoning Maps and described as 330 Book Road East, the following special provisions shall also apply:

- a) Only the following use shall be permitted:

pet cemetery

- b) The following regulation shall apply to the use identified in a) above:

|    |         |   |
|----|---------|---|
| i) | Parking | A minimum six parking spaces shall be provided. |
|----|---------|---|

(By-law No. 15-236, October 14, 2015)

276. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 146 of Schedule "A" Zoning Maps and described as 587 Fiddler's Green Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:

sale, repair and storage of fencing materials and rental related equipment

- b) For the purposes of Special Exception 276, the following definition shall apply:

fencing material

Shall include wood, wire, plastic, steel or such similar materials used in the construction of privacy screens and/or fences.

c) The following regulations shall apply to the use identified in a) above:

|      |                      |   |
|------|----------------------|---|
| i)   | Maximum Lot Coverage | 20 percent  |
| ii)  | Minimum Front Yard   | 30.0 metres   |
| iii) | Minimum Side Yard    | 6.0 metres  |
| iv)  | Minimum Rear Yard    | 11.0 metres   |
| v)   | Parking              | A minimum 25 parking spaces shall be provided.  |
| vi)  | Loading Areas        | All loading areas, including loading ramps and docks, shall be located in the rear yard only. |

(By-law No. 15-236, October 14, 2015)

277. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 146 of Schedule "A" Zoning Maps and described as 591 Fiddler's Green Road, the following special provisions shall also apply:

a) The following uses shall also be permitted:

- i) nursery; and,
- ii) retail garden centre which shall include land, buildings and structures used for the growing or selling of nursery stock, and/or flowers, tropical plants, bedding plants, fertilizer, peat moss, soil mixtures, seeds, bulbs, planting pots, gardening literature, plant hangers, landscaping ornaments, rocks, garden implements including gardening equipment.

b) The following regulation shall apply to the uses identified in a) above:

|      |                      |             |
|------|----------------------|-------------|
| i)   | Maximum Lot Coverage | 20 percent  |
| ii)  | Minimum Front Yard   | 30.5 metres |
| iii) | Minimum Side Yard    | 6.0 metres  |

|     |                   |             |   |
|-----|-------------------|-------------|---|
|     |                   |             |   |
| iv) | Minimum Rear Yard | 10.6 metres |   |
|     |                   |             |   |
| v)  | Parking           | A.          | Minimum of one parking space for every 28.0 square metres, or fraction thereof, of floor area devoted to retailing of products; |
|     |                   |             |   |
|     |                   | B.          | No parking space shall be located within 1.5 metres of any lot line.  |

(By-law No. 15-236, October 14, 2015)

278. Notwithstanding Sections 12.2.1, 12.2.3.1 i) and 12.2.3.2 g) ii), on those lands zoned Rural (A2) Zone, identified on Map 134 of Schedule "A" Zoning Maps and described as part of 944 Garner Road East, the following special provisions shall also apply:

a) The following uses shall also be permitted:

Farm Market  
outdoor seasonal retail

b) For the purposes of Special Exception 278, the following definition shall apply:

|             |  |
|-------------|--|
| Farm Market | Shall mean a building or structure where fresh fruit and vegetables, flowers and plants grown and other products derived from the Agricultural operation on the same property as well as other farms are offered for sale. |
|-------------|--|

c) The following regulations shall apply to the uses identified in a) above:

|     |   |                       |
|-----|---|-----------------------|
| i)  | Maximum Gross Floor Area for Farm Market                        | 1,050.0 square metres |
| ii) | Maximum Gross Floor Area for Agricultural Brewery/Cidery/Winery | 925.0 square metres   |



|      |  |                     |
|------|--|---------------------|
| iii) | Maximum Gross Floor Area for outdoor seasonal retail | 435.0 square metres |
|------|--|---------------------|

(By-law No. 15-236, October 14, 2015)

(By-law No. 21-189, October 13, 2021)

279. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 134 of Schedule "A" Zoning Maps and described as 876 and part of 880 Garner Road East, the following special provisions shall also apply:

a) The following uses shall also be permitted:

- i) Cemetery; and,
- ii) Place of Worship.

b) The uses identified in a) above shall be in accordance with the provisions of Section 12.2.3.1.

(By-law No. 15-236, October 14, 2015)

(By-law No. 19-062, March 27, 2019)

280. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 134 of Schedule "A" Zoning Maps and described as 992 Garner Road East, the following special provisions shall also apply:

a) The following use shall also be permitted:

landscape business

b) Notwithstanding a) above, only agricultural uses, which include the plant growing operation of the landscape business, shall be permitted on the southerly most 52.4 metres of the subject lands.

c) For the purposes of Special Exception No. 280 the following definitions shall apply:

|                    |   |
|--------------------|---|
| Landscape Business | Shall mean a property that is used for a landscape contractor's business, which may also include a plant growing operation and an accessory snow removal business. This landscape contractor's business may include building, structures and the outdoor storage of goods and equipment such as |
|--------------------|---|

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                         |  |
|-------------------------|--|
|                         | landscaping materials and associated machinery. Wood chipping shall be prohibited.   |
| Plant Growing Operation | Shall mean the use of land and/or buildings (e.g., polyhouses, greenhouses and/or accessory buildings) for plant propagation and the growing of plants and nursery stock. The plant material may either be transplanted outdoors on the subject lands or be transplanted onto other properties as part of the service of the landscape business. The plants and nursery stock shall not be sold in a nursery or garden centre manner from the subject lands. |

d) The following regulations shall apply to the use identified in a) above:

|     |                             |  |
|-----|-----------------------------|--|
| i)  | Minimum Front Yard          | 90.0 metres  |
| ii) | Minimum Side and Rear Yards | A. Greenhouses and polyhouses shall have a minimum side yard and rear yard of 4.5 metres.  |
|     |                             | B. An accessory storage building for the plant growing operation, with a maximum gross floor area of 90.0 square metres, shall have a minimum side yard and rear yard of 8.0 metres. |
|     |                             | C. Buildings associated with the landscape business and the plant growing operation, other than those specifically   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|      |                          |    |   |
|------|--------------------------|----|---|
|      |                          |    | identified in A. and B. above, shall be setback a minimum distance of 15.0 metres from any side and/or rear lot line.   |
| iii) | Maximum Gross Floor Area | A. | The maximum gross floor area of all buildings associated with the landscape business, excluding the plant growing operation, shall be 400.0 square metres.  |
|      |                          | B. | The maximum ground floor area of all buildings on the subject lands shall be 1,100 square metres.   |
| iv)  | Landscaping Requirements | A. | A planting strip with a minimum width of 2.0 metres and a closed board fence with a minimum height of 1.5 metres shall be provided along the portion of any side lot line that is adjacent to a parking area(s) and/or outdoor storage area(s). |
|      |                          | B. | The existing berm planted with evergreen trees located in the front of the existing metal clad frame building and the existing cedar hedge located along the east lot line, shall continue to be provided.                                      |
|      |                          | C. | A berm with a minimum width of 5.0 metres planted with evergreen  |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

|  |  |  |  |
|--|--|--|--|
|  |  |  | trees shall be provided 65.0 metres south of the front lot line commencing at the easterly side lot line and extending generally perpendicular from this lot line for a minimum distance of 15.0 metres. |
|--|--|--|--|

(By-law No. 15-236, October 14, 2015)

281. Notwithstanding Sections 4.8.1 a), 4.8.1 d) and 5.1 b) iii), on those lands zoned Settlement Residential (S1) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as part of 348 Carlisle Road, following the following special provisions shall apply:

- a) The accessory building connected to the principle dwelling by a breezeway may be permitted in the front yard;
- b) That the maximum height of an accessory building shall be 5.8 metres; and,
- c) Section 5.1 b) iii) shall not apply.

(By-law No. 15-237, October 14, 2015)

282. Notwithstanding Sections 7.7.2.2 a) and 5.1 b) iii), on those lands zoned Conservation/Hazard Land – Rural (P7) Zone, identified on Map 144 of Schedule "A" – Zoning Maps and described as part of 186 Highway 52 South, the following special provisions shall apply:

- a) A swimming pool shall be permitted; and,
- b) Section 5.1 b) iii) shall not apply.

(By-law No. 15-237, October 14, 2015)

283. In addition to Section 12.6.1 and notwithstanding Section 5.6 c), on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps, described as 261 Highway 5 West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) Motor Vehicle Service Station; and,
  - ii) take-out restaurant with Drive Through Facility.

(By-law No. 15-237, October 14, 2015)

284. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 73 of Schedule "A" – Zoning Maps, described as 11 Parkside Drive, the following special provisions shall also apply:

a) The following uses shall also be permitted:

Place of Worship

b) The following regulations shall apply to the uses identified in a) above:

|      |  |   |
|------|--|---|
| i)   | Maximum Gross Floor Area   | 1,500 square metres   |
| ii)  | Minimum Landscape Open Space                                     | 10 percent  |
| iii) | Minimum Planting Strip   | 3.0 metre width across all lot lines adjacent to a street except for point of ingress and egress. |
| iv)  | Parking shall be provided in accordance with Section 5.6 c) ii). |   |

(By-law No. 15-237, October 14, 2015)

(By-law No. 19-062, March 27, 2019)

285. Notwithstanding Section 7.4, on those lands zoned Open Space (P4) Zone, identified on Maps 46 and 143 of Schedule "A" – Zoning Maps and described as part of 1288 Brock Road and part of 1911 Jerseyville Road West, a Single Detached Dwelling shall also be permitted and shall be limited to one per lot.

(By-law No. 15-237, October 14, 2015)

286. Notwithstanding Section 4.3 a), on those lands zoned Rural (A2) Zone, identified on Maps 134 and 147 of Schedule "A" Zoning Maps and described as 828 and 830 Garner Road East, the following special provisions shall also apply:

a) The properties shall be deemed to be lots.

b) The following regulation shall also apply:

The westerly lot line shall be deemed to be the front lot line.

(By-law No. 15-236, October 14, 2015)

287. Notwithstanding Sections 4.8.1 a), 5.1 b) i), 5.1 b) iii), 5.1 b) ix), 5.2 b) and 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as 374 Moxley Road, the following special provisions shall apply:

- a) The minimum lot area shall be 0.27 ha;
- b) The minimum parking space size for a parking space in the garage shall be 2.5 m in width by 5.5 in length; and,
- c) Sections 4.8.1 a), 5.1 b) i), 5.1 b) iii), and 5.1 b) ix) shall not apply.  
(By-law No. 15-237, October 14, 2015)

288. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 49 of Schedule "A" – Zoning Maps, described as 917 Centre Road, a Warehouse within the existing buildings shall also be permitted.  
(By-law No. 15-286, December 9, 2015)

289. Notwithstanding Sections 11.1.1 and 11.1.2, on those lands zoned Mixed Use (TOC1) Zone, identified on Maps 909, 947, 948, and 949 of Schedule "A" – Zoning Maps and described as:

|                                |         |
|--------------------------------|---------|
| 1445 Main Street West          | Map 947 |
| 1289 Main Street West          | Map 948 |
| 1050 and 1058 Main Street West | Map 949 |
| 648 King Street West           | Map 909 |

The existing motor vehicle related use shall also be permitted.  
(By-law No. 16-265, October 12, 2016)

290. Notwithstanding Sections 11.1.1, 11.1.2, 11.1.3, 11.1.4, 11.1.5, 11.1.6, 11.1.7 and 11.1.8, on those lands zoned Mixed Use (TOC 1) Zone, identified on Map 909 of Schedule "A" – Zoning Maps and described as:

|                      |         |
|----------------------|---------|
| 426 King Street West | Map 909 |
| 430 King Street West | Map 909 |
| 431 King Street West | Map 909 |
| 434 King Street West | Map 909 |
| 435 King Street West | Map 909 |
| 440 King Street West | Map 909 |
| 449 King Street West | Map 909 |
| 455 King Street West | Map 909 |
| 453 King Street West | Map 909 |
| 451 King Street West | Map 909 |
| 458 King Street West | Map 909 |
| 462 King Street West | Map 909 |
| 463 King Street West | Map 909 |
| 466 King Street West | Map 909 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                            |         |
|----------------------------|---------|
| 467 King Street West       | Map 909 |
| 470 King Street West       | Map 909 |
| 473 King Street West       | Map 909 |
| 483 King Street West       | Map 909 |
| 491 King Street West       | Map 909 |
| 505 King Street West       | Map 909 |
| 545 King Street West       | Map 909 |
| 547 King Street West       | Map 909 |
| 554 King Street West       | Map 909 |
| 560 King Street West       | Map 909 |
| 570 King Street West       | Map 909 |
| 573 King Street West       | Map 909 |
| 575 King Street West       | Map 909 |
| 579 King Street West       | Map 909 |
| 581 King Street West       | Map 909 |
| 595 King Street West       | Map 909 |
| 610 King Street West       | Map 909 |
| 612 King Street West       | Map 909 |
| 615 King Street West       | Map 909 |
| 619 King Street West       | Map 909 |
| 621 King Street West       | Map 909 |
| 631 King Street West       | Map 909 |
| 7 Pearl Street North       | Map 909 |
| 13 Pearl Street North      | Map 909 |
| 15 Pearl Street North      | Map 909 |
| 12 Pearl Street South      | Map 909 |
| 14 Pearl Street South      | Map 909 |
| 11 Strathcona Avenue North | Map 909 |
| 13 Strathcona Avenue North | Map 909 |
| 15 Strathcona Avenue North | Map 909 |
| 2 Strathcona Avenue South  | Map 909 |
| 6 Strathcona Avenue South  | Map 909 |
| 8 Strathcona Avenue South  | Map 909 |
| 8 Locke Street North       | Map 909 |
| 14 Locke Street South      | Map 909 |

The following special provisions shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- 1) **PERMITTED USES**
  - Catering Service
  - Commercial School
  - Community Garden
  - Craftsperson Shop
  - Day Nursery
  - Dwelling Unit(s)
  - Financial Establishment
  - Laboratory
  - Medical Clinic
  - Multiple Dwelling
  - Office
  - Personal Service
  - Repair Service
  - Restaurant
  - Retail
  - Studio
  - Tradesperson's Shop
  - Transportation Depot
  - Urban Farm
  - Urban Farmer's Market
  - Veterinary Service
  
- 2) **PROHIBITED USES**

Notwithstanding Section 11.2.1, the following uses are prohibited, even as an accessory use:

  - Commercial Driving School
  - Drive-Through Facility
  
- 3) **REGULATIONS**
  - a) Maximum Building Setback from a Street Line      2.0 metres except where a visibility triangle is required for driveway access;
  - b) Minimum Rear Yard      7.5 metres;
  - c) Minimum Interior Side Yard      1.5 metres, except 3.0 metres abutting a Residential or Institutional Zone.
  - d) Building Height      i) Minimum 7.5 metres; and,



- ii) Maximum 22.0 metres.
- e) Maximum Total Gross Floor Area for an Individual Office and Medical Clinic 500.0 square metres per unit.
- f) Maximum Total Gross Floor Area for Commercial Uses 10,000.0 square metres;
- g) Screening Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
- h) Restriction of Residential Uses within a Building The following uses shall only be permitted above the ground floor, except for access, accessory office and utility areas:  
  
Day Nursery  
Dwelling Units  
Multiple Dwelling
- i) Visual Barrier Requirement A visual barrier shall be required along any side or rear lot line abutting a Downtown D5 Zone or Downtown D6 Zone, Institutional Zone or Residential Zone property line in accordance with the requirements of Section 4.19 of this By-law.
- j) Outdoor Storage
  - i) No outdoor storage of goods, materials, or equipment shall be permitted;
  - ii) Notwithstanding i) above, the display of goods or materials for retail purposes that are accessory to a retail use shall only be permitted in the front yard or flankage yard.

- |    |                             |  |
|----|-----------------------------|--|
| 4) | <b>ACCESSORY BUILDINGS</b>  | In accordance with the requirements of Sections 4.8 of this By-law.  |
| 5) | <b>PARKING</b>              | In accordance with the requirements of Section 5 of this By-law.   |
| 6) | <b>URBAN FARM</b>           | i) In accordance with the requirements of Subsection 4.26 (c) of this By-law.<br><br>ii) In addition to i) above, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building. |
| 7) | <b>COMMUNITY GARDEN</b>     | In accordance with the requirements of Subsection 4.27 of this By-law.   |
| 8) | <b>URBAN FARMERS MARKET</b> | In accordance with the requirements of Section 4.28 of this By-law.  |

(By-law No. 16-265, October 12, 2016)

(By-law No. 24-137, July 12, 2024)

291. Notwithstanding Sections 11.1.1, 11.1.2, 11.1.3 a) i), ii) and 11.1.3 d) i), ii), and iii), on those lands zoned Mixed Use (TOC1) Zone, identified on Maps 908 and 909 of Schedule "A" – Zoning Maps and described as 50 Dundurn Street South, the following special provisions shall apply:

a) The existing Drive-Through Facility shall also be permitted.

b) The following regulations shall apply:

- |     |   |   |
|-----|---|---|
| i)  | Maximum Building Setback from a Street Line | 2.0 metres;   |
| ii) | Building Height                             | 1. Minimum 7.5 metres.<br><br>2. Maximum 42.0 metres. |

(By-law No. 16-265, October 12, 2016)

292. Notwithstanding Section 8.1.1, on those lands zoned Neighbourhood Institutional (I1) Zone, identified on Maps 906, 948, 953, 954, 995, 996, and 1043 of Schedule "A" – Zoning Maps and described as:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                       |          |
|-----------------------|----------|
| 20 East Avenue South  | Map 996  |
| 420 King Street East  | Map 954  |
| 1150 Main Street West | Map 948  |
| 1349 Main Street West | Map 948  |
| 1355 Main Street West | Map 948  |
| 1153 Main Street East | Map 1043 |

The following special provisions shall apply:

a) The following uses shall also be permitted:

- i) Community Garden
- ii) Urban Farm

b) The following uses shall be prohibited:

- i) Semi-Detached Dwelling
- ii) Single Detached Dwelling
- iii) Street townhouse Dwelling

c) The following regulations shall also apply:

**i) URBAN FARMS**

In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building.

**ii) COMMUNITY GARDENS**

In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principle building.

293. Notwithstanding Section 8.2.1, on those lands zoned Community Institutional (I2) Zone, identified on Maps 907, 908, 948, 949, 954, 996 1043 and 1089 of Schedule "A" – Zoning Maps and described as:

|                       |          |
|-----------------------|----------|
| 700 Main Street West  | Map 908  |
| 1284 Main Street East | Map 1043 |

30 Wentworth Street North

Map 996

The following special provisions shall apply:

a) The following uses shall also be permitted:

- i) Community Garden
- ii) Urban Farm

b) The following uses shall be prohibited:

- i) Semi-Detached Dwelling
- ii) Single Detached Dwelling
- iii) Street townhouse

c) The following regulations shall also apply:

- i) URBAN FARMS** In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building.
- ii) COMMUNITY GARDENS** In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principle building.

(By-law No. 16-265, October 12, 2016)

294. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as 255, 257 and 259 Main Street West, the following special provisions shall apply:

a) Notwithstanding Subsection 10.5.1, only the following uses shall be permitted:

- i) Craftsperson Shop
- ii) Day Nursery
- iii) Educational Establishment
- iv) Financial Establishment
- v) Hotel
- vi) Medical Clinic

- vii) Multiple Dwelling
- viii) Office
- ix) Personal Service
- x) Place of Worship
- xi) Residential Care Facility
- xii) Restaurant, within an Existing building
- xiii) Retail, within an Existing building
- xiv) Retirement Home
- xv) Studio

- b) Notwithstanding Subsection 10.5.3 d), the Maximum Building Height shall be 14.0 metres.

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

295. Notwithstanding Sections 11.1.3 a) i) and ii), on those lands zoned Mixed Use (TOC1) Zone, identified on Maps 909 and 951 of Schedule "A" – Zoning Maps and described as:

|                       |         |
|-----------------------|---------|
| 354 King Street West  | Map 909 |
| 363 King Street West  | Map 909 |
| 368 King Street West  | Map 909 |
| 370 King Street West  | Map 909 |
| 374 King Street West  | Map 909 |
| 378 King Street West  | Map 909 |
| 391 King Street West  | Map 909 |
| 393 King Street West  | Map 909 |
| 403 King Street West  | Map 909 |
| 407 King Street West  | Map 909 |
| 413 King Street West  | Map 909 |
| 415 King Street West  | Map 909 |
| 417 King Street West  | Map 909 |
| 423 King Street West  | Map 909 |
| 21 Queen Street North | Map 909 |
| 23 Queen Street North | Map 909 |
| 4 Queen Street South  | Map 909 |
| 2 Ray Street South    | Map 909 |
| 10 Ray Street South   | Map 909 |
| 12 Ray Street South   | Map 909 |
| 14 Ray Street South   | Map 909 |

The following regulation shall apply:

Maximum Building                      2.0 metres;  
Setback from a Street  
Line

(By-law No. 16-265, October 12, 2016)

296. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 947 and 948 of Schedule "A" – Zoning Maps and described as:

|                         |                  |
|-------------------------|------------------|
| 13 Leland Street        | Map 948          |
| 15 Leland Street        | Map 948          |
| 23 Leland Street        | Maps 947 and 948 |
| 80 Sussex Street        | Map 948          |
| 82 Sussex Street        | Map 948          |
| 86 Sussex Street        | Map 948          |
| 90 Sussex Street        | Map 948          |
| 94 Sussex Street        | Map 948          |
| 98 Sussex Street        | Map 948          |
| 102 Sussex Street       | Map 948          |
| 43 Forsyth Avenue South | Map 948          |
| 47 Forsyth Avenue South | Map 948          |
| 51 Forsyth Avenue South | Map 948          |
| 50 Dalewood Avenue      | Map 948          |
| 75 Traymore Avenue      | Map 948          |
| 77 Traymore Avenue      | Map 948          |
| 81 Traymore Avenue      | Map 948          |
| 83 Traymore Avenue      | Map 948          |
| 99 Traymore Avenue      | Map 948          |
| 103 Traymore Avenue     | Map 948          |
| 107 Traymore Avenue     | Map 948          |
| 111 Traymore Avenue     | Map 948          |
| 115 Traymore Avenue     | Map 948          |

- i) In addition to Subsection 11.1.1 and notwithstanding Subsection 11.1.2 i), a Single Detached Dwelling shall also be permitted.
- ii) The following regulations shall apply for a Single Detached Dwelling:
  - a) No building or structure shall have a gross floor area greater than the area within the Zone of the lot on which it is situated, multiplied by the floor area ratio factor of 0.45;

- b) Notwithstanding the Section 3, as it relates to the definition of Gross Floor Area, for the purposes of this Special Exception the Gross floor Area shall be the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:
  - 1. An attached garage;
  - 2. A detached garage; and,
  - 3. The floor occupied by heating, air conditioning and laundry equipment.
- c) For the purpose of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9;
- d) Where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3 metres above grade.
- e) Notwithstanding Section 11.1.3 d) of this By-law, no building or structure shall exceed 9.0 metres in height.

(By-law No. 16-265, October 12, 2016)

(By-law No. 18-219, August 17, 2018)

297. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as:

| Property Address      | Map Number |
|-----------------------|------------|
| 131 George Street     | 951        |
| 133 George Street     | 951        |
| 137 George Street     | 951        |
| 250 Main Street West  | 951        |
| 252 Main Street West  | 951        |
| 260 Main Street West  | 951        |
| 264 Main Street West  | 951        |
| 34 Queen Street South | 951        |
| 36 Queen Street South | 951        |
| 54 Queen Street South | 951        |

The following special provisions shall apply:

- a) Notwithstanding Subsection 10.5.3 d), the Maximum Building Height shall be 14.0 metres.

The following special provisions shall apply for 235 Main Street West:

- b) Notwithstanding Subsections 10.5.1, a Commercial Parking Facility shall be prohibited.
- c) In addition to Section 3: Definitions, the definition of Planting Strip shall also include the following:

- |                |  |
|----------------|--|
| Planting Strip | <p>A. A garbage storage shed, visual barrier, intake/exhaust grills having a total maximum area of 5.5 square metres and the existing metal shed and concrete wall existing on March 28, 2012 shall be permitted in a planting strip.</p> <p>B. A minimum 1.0 metre wide planting strip shall be provided for every parking area adjoining a Residential Zone.</p> |
|----------------|--|

- d) In addition to Subsection 5.1 a) v), the boundary of the parking area shall not be less than 1.0 metre from a Residential Zone.

(By-law No. 17-240, November 8, 2017)  
 (By-law No. 19-062, March 27, 2019)  
 (By-law 20-230, October 28, 2020)

298. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 909 and 951 of Schedule "A" – Zoning Maps and described as:

| Property Address  | Map Number |
|---|------------|
| 358 Jackson Street West                                   | 951        |
| 65 Locke Street South                                     | 951        |
| 80 Locke Street South                                     | 951        |
| 85 Locke Street South                                     | 951        |
| 87, 89 Locke Street South, and<br>348 Jackson Street West | 951        |
| 90 Locke Street South                                     | 951        |
| 96 Locke Street South                                     | 951        |
| 324 Main Street West                                      | 951        |



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address              | Map Number  |
|-------------------------------|-------------|
| 334 Main Street West          | 951         |
| 336 Main Street West          | 951         |
| 338 Main Street West          | 951         |
| 340 Main Street West          | 951         |
| 342 Main Street West          | 951         |
| 344 Main Street West          | 951         |
| 352 Main Street West          | 909 and 951 |
| 353 Main Street West          | 951         |
| 358 Main Street West          | 909 and 951 |
| 358 Main Street West          | 909 and 951 |
| 359 Main Street West          | 951         |
| 360 Main Street West          | 909 and 951 |
| 364 Main Street West          | 909 and 951 |
| 365 Main Street West          | 951         |
| 368 Main Street West          | 909 and 951 |
| 369 Main Street West          | 951         |
| 370 Main Street West          | 909 and 951 |
| 374 Main Street West          | 909 and 951 |
| 377 Main Street West          | 951         |
| 379 Main Street West          | 951         |
| 381 Main Street West          | 951         |
| 383 Main Street West          | 951         |
| 385 Main Street West          | 951         |
| 388 Main Street West          | 909         |
| 389 Main Street West          | 951         |
| 391 Main Street West          | 951         |
| 399 Main Street West          | 909 and 951 |
| 401, 405 Main Street West     | 909 and 951 |
| 415 Main Street West          | 909 and 951 |
| 418 Main Street West          | 909         |
| 420 Main Street West          | 909         |
| 428 Main Street West          | 909         |
| 433 Main Street West          | 909 and 951 |
| 443 Main Street West          | 909         |
| 447 Main Street West          | 909         |
| 68 Margaret Street            | 909         |
| 69 Margaret Street            | 909         |
| 72 Margaret Street            | 909         |
| 74 Margaret Street            | 909         |
| Part of 52 Pearl Street South | 951         |
| 9 Poulette Street             | 951         |
| 54 Strathcona Avenue South    | 909         |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address           | Map Number |
|----------------------------|------------|
| 56 Strathcona Avenue South | 909        |
| 59 Strathcona Avenue South | 909        |
| 61 Strathcona Avenue South | 909        |
| 63 Strathcona Avenue South | 909        |
| 65 Strathcona Avenue South | 909        |
| 67 Strathcona Avenue South | 909        |

The following special provisions shall apply:

- a) Notwithstanding Subsection 10.5.1, only the following uses shall be permitted:
- i) Craftsperson Shop
  - ii) Day Nursery
  - iii) Educational Establishment
  - iv) Financial Establishment
  - v) Hotel
  - vi) Medical Clinic
  - vii) Multiple Dwelling
  - viii) Office
  - ix) Personal Service
  - x) Place of Worship
  - xi) Residential Care Facility
  - xii) Retirement Home
  - xiii) Studio
- b) In addition to Clause a), for the property located 443 Main Street West a drive-through facility in conjunction with a Restaurant within the Existing building shall also be permitted.

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

299. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described:

| Property Address     | Map Number |
|----------------------|------------|
| 261 Main Street West | 951        |
| 265 Main Street West | 951        |
| 267 Main Street West | 951        |
| 269 Main Street West | 951        |
| 271 Main Street West | 951        |
| 275 Main Street West | 951        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address          | Map Number |
|---------------------------|------------|
| 276 Main Street West      | 951        |
| 277 Main Street West      | 951        |
| 278 Main Street West      | 951        |
| 279 Main Street West      | 951        |
| 280 Main Street West      | 951        |
| 282 Main Street West      | 951        |
| 283 Main Street West      | 951        |
| 284 Main Street West      | 951        |
| 286 Main Street West      | 951        |
| 287 Main Street West      | 951        |
| 291 Main Street West      | 951        |
| 299 Main Street West      | 951        |
| 301 Main Street West      | 951        |
| 302 Main Street West      | 951        |
| 303 Main Street West      | 951        |
| 304 Main Street West      | 951        |
| 305 Main Street West      | 951        |
| 307 Main Street West      | 951        |
| 309 Main Street West      | 951        |
| 310 Main Street West      | 951        |
| 311, 313 Main Street West | 951        |
| 315, 317 Main Street West | 951        |
| 319 Main Street West      | 951        |
| 321 Main Street West      | 951        |
| 323 Main Street West      | 951        |
| 327 Main Street West      | 951        |
| 329 Main Street West      | 951        |
| 331 Main Street West      | 951        |
| 333 Main Street West      | 951        |
| 53 Pearl Street South     | 951        |
| 55 Pearl Street South     | 951        |
| 75 Pearl Street South     | 951        |
| 67 Ray Street South       | 951        |
| 68 Ray Street South       | 951        |

The following special provisions shall apply:

- a) Notwithstanding Subsection 10.5.1, only the following uses shall be permitted:
  - i) Craftsperson Shop
  - ii) Day Nursery

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- iii) Educational Establishment
- iv) Financial Establishment
- v) Hotel
- vi) Medical Clinic
- vii) Multiple Dwelling
- viii) Office
- ix) Personal Service
- x) Place of Worship
- xi) Residential Care Facility
- xii) Restaurant, within an Existing building
- xiii) Retail, within an Existing building
- xiv) Retirement Home
- xv) Studio

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

300. Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone, District Commercial (C6) Zone, and Arterial Commercial (C7) Zone, identified on Maps 950, 956, 957, 998, 999, 1046, 1184 and 1238 of Schedule "A" – Zoning Maps and described as:

| Property Address    | Map Number |
|---------------------|------------|
| 194 Avondale Street | 956        |
| 196 Avondale Street | 956        |
| 197 Avondale Street | 956        |
| 198 Avondale Street | 956        |
| 199 Avondale Street | 956        |
| 200 Avondale Street | 956        |
| 201 Avondale Street | 956        |
| 203 Avondale Street | 956        |
| 204 Avondale Street | 956        |
| 205 Avondale Street | 956        |
| 206 Avondale Street | 956        |
| 207 Avondale Street | 956        |
| 208 Avondale Street | 956        |
| 209 Avondale Street | 956        |
| 210 Avondale Street | 956        |
| 212 Avondale Street | 956        |
| 214 Avondale Street | 956        |
| 216 Avondale Street | 956        |
| 217 Avondale Street | 956        |
| 218 Avondale Street | 956        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address                 | Map Number  |
|----------------------------------|-------------|
| 219 Avondale Street              | 956         |
| 220 Avondale Street              | 956         |
| 221 Avondale Street              | 956         |
| 222 Avondale Street              | 956         |
| 223 Avondale Street              | 956         |
| 224 Avondale Street              | 956         |
| 226 Avondale Street              | 956         |
| 228 Avondale Street              | 956         |
| 230 Avondale Street              | 956         |
| 235 Avondale Street              | 956         |
| 797 Barton Street East           | 956         |
| 799 Barton Street East           | 956         |
| 889 Barton Street East           | 956         |
| 891 Barton Street East           | 956         |
| 893 Barton Street East           | 956         |
| 895 Barton Street East           | 956         |
| 897 Barton Street East           | 956         |
| 901 Barton Street East           | 956         |
| 903 Barton Street East           | 956         |
| 905, 907 Barton Street East      | 956         |
| 909, 911 Barton Street East      | 956         |
| 913 Barton Street East           | 956         |
| 915 Barton Street East           | 956         |
| 954 Barton Street East           | 956 and 957 |
| 970 Barton Street East           | 957 and 999 |
| Part of 973 Barton Street East   | 957         |
| 975, 981, 983 Barton Street East | 957         |
| 984 Barton Street East           | 957 and 999 |
| 985 Barton Street East           | 957         |
| 986 Barton Street East           | 957 and 999 |
| 991 Barton Street East           | 957         |
| 999 Barton Street East           | 957 and 999 |
| 1015 Barton Street East          | 957 and 999 |
| 1850 Barton Street East          | 1046        |
| 1860 Barton Street East          | 1046        |
| 1870 Barton Street East          | 1046        |
| 1880 Barton Street East          | 1046        |
| 1890 Barton Street East          | 1046        |
| 1900 Barton Street East          | 1046        |
| 1910 Barton Street East          | 1046        |
| 1920 Barton Street East          | 1046        |
| 1930 Barton Street East          | 1046        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address          | Map Number             |
|---------------------------|------------------------|
| 1940 Barton Street East   | 1046                   |
| 1950 Barton Street East   | 1046                   |
| 1960 Barton Street East   | 1046                   |
| 1970 Barton Street East   | 1046                   |
| 1980 Barton Street East   | 1046                   |
| 1990 Barton Street East   | 1046                   |
| 190 Cavell Avenue         | 956                    |
| 192 Cavell Avenue         | 956                    |
| 193 Cavell Avenue         | 956                    |
| 194 Cavell Avenue         | 956                    |
| 196 Cavell Avenue         | 956                    |
| 198 Cavell Avenue         | 956                    |
| 120 Chatham Street        | 950                    |
| 204 Gage Avenue North     | 956                    |
| 208 Gage Avenue North     | 956                    |
| 210 Gage Avenue North     | 956                    |
| 212 Gage Avenue North     | 956                    |
| 214 Gage Avenue North     | 956                    |
| 216 Gage Avenue North     | 956                    |
| 218 Gage Avenue North     | 956                    |
| 220 Gage Avenue North     | 956                    |
| 230 Gage Avenue North     | 956                    |
| 200 Glendale Avenue North | 957, 998 and 999       |
| 240 Glendale Avenue North | 998 and 999            |
| 242 Glendale Avenue North | 998 and 999            |
| 244 Glendale Avenue North | 998 and 999            |
| 246 Glendale Avenue North | 998, 956 and 999       |
| 248 Glendale Avenue North | 956, 957, 998, and 999 |
| 250 Glendale Avenue North | 956 and 957            |
| 1 Gordon Street           | 956                    |
| 3, 5, 7 Gordon Street     | 956                    |
| 9 Gordon Street           | 956                    |
| 10 Gordon Street          | 956                    |
| 11 Gordon Street          | 956                    |
| 12 Gordon Street          | 956                    |
| 13 Gordon Street          | 956                    |
| 14 Gordon Street          | 956                    |
| 16 Gordon Street          | 956                    |
| 17 Gordon Street          | 956                    |
| 18 Gordon Street          | 956                    |
| 19 Gordon Street          | 956 and 957            |
| 20 Gordon Street          | 956                    |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address  | Map Number    |
|-------------------|---------------|
| 21 Gordon Street  | 956 and 957   |
| 22 Gordon Street  | 956           |
| 23 Gordon Street  | 957           |
| 24 Gordon Street  | 956 and 957   |
| 25 Gordon Street  | 957           |
| 26 Gordon Street  | 956 and 957   |
| 28 Gordon Street  | 956 and 957   |
| 30 Gordon Street  | 957           |
| 32 Gordon Street  | 957           |
| 34 Gordon Street  | 957           |
| 36 Gordon Street  | 957           |
| 38 Gordon Street  | 957           |
| 40 Gordon Street  | 957           |
| 42 Gordon Street  | 957           |
| 44 Gordon Street  | 957           |
| 46 Gordon Street  | 957           |
| 48 Gordon Street  | 957           |
| 50 Gordon Street  | 957           |
| 51 Gordon Street  | 957           |
| 53 Gordon Street  | 957           |
| 132 Hester Street | 1238          |
| 138 Hester Street | 1238          |
| 141 Hester Street | 1184 and 1238 |
| 143 Hester Street | 1184 and 1238 |
| 146 Hester Street | 1238          |
| 151 Hester Street | 1238          |
| 152 Hester Street | 1238          |
| 158 Hester Street | 1238          |
| 160 Hester Street | 1238          |
| 8 Lincoln Street  | 957           |
| 10 Lincoln Street | 957           |
| 11 Lincoln Street | 957           |
| 12 Lincoln Street | 957           |
| 13 Lincoln Street | 957           |
| 14 Lincoln Street | 957           |
| 15 Lincoln Street | 957           |
| 16 Lincoln Street | 957           |
| 17 Lincoln Street | 957           |
| 18 Lincoln Street | 957           |
| 19 Lincoln Street | 957           |
| 20 Lincoln Street | 957           |
| 21 Lincoln Street | 957           |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address              | Map Number  |
|-------------------------------|-------------|
| 22 Lincoln Street             | 957         |
| 23 Lincoln Street             | 957         |
| 25 Lincoln Street             | 957         |
| 26 Lincoln Street             | 957         |
| 27 Lincoln Street             | 957         |
| 29 Lincoln Street             | 957         |
| 32, 34, 36, 38 Lincoln Street | 957         |
| 33 Lincoln Street             | 957         |
| 16 Linden Street              | 956 and 957 |
| 18 Linden Street              | 957         |
| 30 Linden Street              | 957         |
| 2 Lloyd Street                | 956         |
| 4 Lloyd Street                | 956         |
| 6 Lloyd Street                | 956         |
| 8 Lloyd Street                | 956         |
| 10 Lloyd Street               | 956         |
| 12 Lloyd Street               | 956         |
| 20 Lloyd Street               | 956         |
| 26 Lloyd Street               | 956         |
| 32 Lloyd Street               | 956         |
| 34 Lloyd Street               | 956         |
| 36 Lloyd Street               | 956         |
| 38 Lloyd Street               | 956         |
| 40 Lloyd Street               | 956         |
| 42 Lloyd Street               | 956         |
| 44 Lloyd Street               | 956         |
| 46 Lloyd Street               | 956         |
| 50 Lloyd Street               | 956         |
| 52 Lloyd Street               | 956         |
| 54 Lloyd Street               | 956         |
| 56 Lloyd Street               | 956         |
| Part of 221 Melvin Avenue     | 1046        |
| 295 Melvin Avenue             | 1046        |
| 291 Rosslyn Avenue North      | 957         |
| 1012 Upper Wellington Street  | 1238        |
| 1020 Upper Wellington Street  | 1238        |
| 1028 Upper Wellington Street  | 1238        |
| 1042 Upper Wellington Street  | 1238        |
| Part of 335 Woodward Avenue   | 1046        |

The following special provisions shall apply:



- a) In addition to Subsections 10.2.1, 10.3.1, 10.5.1, 10.6.1, and 10.7.1, existing industrial uses shall also be permitted.

(By-law No. 17-240, November 8, 2017)

- 301. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1258, 1259, 1311, and 1312 of Schedule "A" – Zoning Maps and described as 1310 and 1360 South Service Road, 400 Winona Road, and 395 Fifty Road, the following special provisions shall apply:

- a) In addition to Subsection 10.6.1, the following uses shall also be permitted:

- i) Post Office
- ii) Kennel

- b) In addition to Subsection 10.6.1.1, the following restrictions shall also apply:

- i) The maximum Gross Leasable Floor Area for all commercial uses shall be 41,200 square metres; and
- ii) The maximum Gross floor area permitted for a single department store shall be 17,000 square metres, of which the maximum gross floor area for the sale and display of food shall be 4,180 square metres.

(By-law No. 17-240, November 8, 2017)

(By-law No. 21-189, October 13, 2021)

- 302. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Maps 1239 and 1292 of Schedule "A" – Zoning Maps and described as 883 and 999 Upper Wentworth Street and 508, 520 and 524 Limeridge Road East, shown as Figure 25 of Schedule "F" – Special Figures, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions and for the purpose of Special Exception 302:

- i) Front Lot Line shall mean the lot line of the lot abutting Upper Wentworth Street.
- ii) Commercial recreation or commercial entertainment may include an Amusement arcade.

- b) In addition to Section 3: Definitions, for the purpose of Special Exception No. 302, the following definition shall apply:

|                         |   |
|-------------------------|---|
| Motor Vehicle Show Room | Shall mean an establishment located within a building where motor vehicles are displayed for the purpose of sale or leasing, and may include service bays, accessory retailing of souvenir merchandise and storage of motor vehicles and shall not include a Motor Vehicle Service Station. |
|-------------------------|---|

- c) In addition to Subsection 10.4.1, following uses shall also be permitted:

- i) Motor Vehicle Showroom
- ii) Educational Establishment

- d) For the purposes of Special Exception No. 302 the following special regulations shall apply to **Areas A to E**, as shown on Figure 25 of Schedule "F" – Special Figures

- i) In addition to Section 4.19 and notwithstanding Subsections 5.2b) and 5.2f), the following regulations shall apply:

- 1) Parking Space Size Dimension      A minimum parking space size of 2.6 metres by 5.5 metres shall be provided
- 2) Barrier Free Space Size Dimension      A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.

- e) For the purposes of Special Exception No. 302 the following special regulations shall apply to **Areas A to D** as shown on Figure 25 of Schedule "F" – Special Figures

- i) Notwithstanding Subsection 10.4.3d) i), a minimum building height of 6.0 metres shall be provided for any commercial building having a maximum Gross Floor Area of 1,000 square metres and fronting on Upper Wentworth Street or Limeridge Road East containing only one or more of the following uses
- 1) Financial Establishment
  - 2) Personal Service
  - 3) Restaurant
  - 4) Retail

- ii) Notwithstanding 10.4.3d) i), for a commercial building greater than 1,000 square metres of Gross Floor Area, the minimum building height shall be 7.5 metres;
- iii) The ground floor façade facing a front lot line and access driveway to the site shall be greater than or equal to 50% of the measurement of the width identified for Area A1 to D in Figure 25 for buildings greater than 1,000 square metres and shall exclude access driveways and lands within a required yard.
- iv) In addition to Clauses e) i) and ii) and notwithstanding Subsection 5.1 a) v), the following regulations shall also apply to Area A:
  - 1) Notwithstanding Subsection 10.4.3g) ii), parking spaces and aisles may be permitted within 2.0 m of the front lot line for Area A.
  - 2) A 2.0 metre planting strip shall be provided and maintained for Area A where parking spaces or aisles abut Upper Wentworth Street.
  - 3) Subsection 10.4.3 a) shall not apply.
- f) For the purposes of Special Exception No. 302 the following special regulations shall apply to **Area E** as shown on Figure 25 of Schedule "F" – Special Figures:
  - i) In addition to 10.4.3 d) i), the following heights shall apply:
 

|  |                   |
|--|-------------------|
| 1) Commercial Building                   | No minimum        |
| 2) Office Building                       | Minimum 11 metres |
| 3) Residential Building                  | Minimum 11 metres |
| 4) Mixed commercial/residential Building | Minimum 11 metres |
  - ii) Subsections 10.4.3 a), 10.4.3. g)ii), and 10.4.3. g)iii) shall not apply.
  - iii) In addition to Subsection 10.4.3 k)ii), display of goods and materials for retail purposes accessory to a retail use, shall be permitted in any yard.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

iv) Subsection 10.4.3 k)ii) and clause f)iii) shall not apply to motor vehicles.

iv) In addition to Section 4.19 and notwithstanding Subsection 10.4.3 j), the following regulation shall apply:

- |                   |   |
|-------------------|---|
| 1) Visual Barrier | The chain link fence existing on the date of the passing of the By-law and located along the eastern boundary shall also be considered as a Visual Barrier. |
|-------------------|---|

(By-law No. 17-240, November 8, 2017)

(By-law 22-084, April 13, 2022)

303. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1445 and 1494 of Schedule "A" – Zoning Maps and described as:

| Property Address        | Map Number    |
|-------------------------|---------------|
| 1821 Upper James Street | 1445          |
| 1853 Upper James Street | 1445 and 1494 |
| 1861 Upper James Street | 1445 and 1494 |
| 1879 Upper James Street | 1494          |
| 1885 Upper James Street | 1494          |
| 1899 Upper James Street | 1494          |
| 1915 Upper James Street | 1494          |
| 1927 Upper James Street | 1494          |
| 1937 Upper James Street | 1494          |
| 1947 Upper James Street | 1494          |
| 1955 Upper James Street | 1494          |
| 1977 Upper James Street | 1494          |
| 8518 Twenty Road East   | 1494          |

The following special provisions shall apply:

- a) Notwithstanding Subsection 10.7.1 and in addition to Subsection 10.7.2, the following uses shall be prohibited:
- i) Commercial Entertainment
  - ii) Commercial Recreation

The following special provisions shall also apply for the property located at 1955 Upper James Street:

- b) In addition to Subsection 10.7.1, the following uses shall also be permitted:
- i) Labour Association Hall
  - ii) Place of Worship
- c) Notwithstanding the definition of Place of Worship under Section 3: Definitions, the following shall apply:

|                  |   |
|------------------|---|
| Place of Worship | A building used by any religious organization for public worship or other ecclesiastical functions and may include accessory or ancillary uses including but not be limited to an assembly hall, auditorium, convent, monastery, rectory, cemetery, day nursery and educational or recreational uses. |
|------------------|---|

- c) Notwithstanding Subsections 5.2b), 5.2f), 5.5 a), 5.5 c) and 10.7.3 b), c), the following regulations shall apply only to a Place of Worship:
- i) Minimum Northerly Side Yard
    - 1. 1.9 metres for westerly side of building; and,
    - 2. 4.6 metres for easterly side of building.
  - ii) Minimum Southerly Side Yard      2.8 metres for the easterly building
  - iii) Minimum Rear Yard      16.0 metres
  - iv) Landscaped Area
    - 1. A landscaped area in the form of a 2.0 metre wide planting strip and a board fence shall be provided between the parking area and the northerly side yard, except for that portion of land between the front lot line and the existing westerly building.
    - 2. A landscaped area with a minimum width of 3.7 metres shall be provided along the street line, and it shall be continuous except for driveways

required for access to such parking area.

- v) Minimum Number of Parking Spaces 51, including 1 barrier free parking space
- vi) Parking Space Size Dimension A minimum parking space size of 2.6 metres by 5.5 metres shall be provided.
- vii) Barrier Free Space Size Dimension A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-062, March 27, 2019)

304. Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 482, 860, 903, 912, 947, 956, 958, 1039, 1042, 1085, 1136, 1175, 1234, 1238, 1251, 1287, 1291, 1302, 1389, 1398, 1502 and 1956 of Schedule "A" – Zoning Maps and described as:

| Property Address  | Map Number    |
|---|---------------|
| 925 Barton Street East                                    | 956           |
| 19 Flamboro Street  | 482           |
| 473-489 Upper Wellington Street                           | 1039 and 1085 |
| 139 and 141 Oak Avenue                                    | 912           |
| 902 Main Street East                                      | 1042          |
| 386 Upper Gage Avenue and 63 East 39 <sup>th</sup> Street | 1136          |
| 283 and 289 Highway No. 8                                 | 1251          |
| 889 Upper Paradise Road                                   | 1234 and 1287 |
| 200 King Street West                                      | 860           |
| 121 King Street West                                      | 860           |
| 134, 138 King Street West                                 | 860           |
| 16 Foundry Street   | 860           |
| 1 Osler Drive   | 903           |
| 1655 Main Street West                                     | 947           |
| 407, 413 Wilson Street East                               | 1175          |
| 82 King Street East                                       | 1302 and 1249 |
| 605 Garner Road East                                      | 1389          |
| 136-146 Upper Mount Albion Road                           | 1502          |
| 3194 Regional Road 56                                     | 1956          |
| 517 Kenilworth Avenue North                               | 958           |

|                                 |               |
|---------------------------------|---------------|
| 209 and 221 Limeridge Road East | 1238 and 1291 |
| 902 Main Street East            | 1042          |
| 92 Stapleton Avenue             | 958           |
| 1368 Upper Gage Avenue          | 1398          |

The following special provisions shall apply:

- a) In addition to Subsections 10.2.1, 10.3.1, 10.5.1, 10.5a.1, the existing motor vehicle related use shall also be permitted.
- b) In addition to Subsections 10.3.1 and 10.5a.1, for the lands located at 136-146 Upper Mount Albion Road and 19 Flamboro Street, a Motor Vehicle Washing Establishment shall also be permitted.
- c) In addition to Subsection 10.5a.1, for the lands located at 3194 Regional Road 56, a Motor Vehicle Gas Bar shall also be permitted.
- d) In addition to Subsection 10.3.1, for the lands located at 1 Osler Drive, a Motor Vehicle Service Station and a Motor Vehicle Rental Establishment shall also be permitted.
- e) Notwithstanding Subsections 5.2b) and 5.2f), for lands located at 386 Upper Gage Avenue, the following special Parking regulations shall also apply:
  - i) Parking Space Size Dimension      A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
  - ii) Barrier Free Parking Space Size Dimension      A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
- f) In addition to Subsection 10.5.1 for lands located at 925 Barton Street East, the existing Motor Vehicle Service Station and Motor Vehicle Collision Repair Establishment shall also be permitted.

(By-law No. 17-240, November 8, 2017)  
 (By-law No. 22-071, April 13, 2022)

(By-law 22-084, April 13, 2022)

305. Within the lands zoned District Commercial (C6) Zone, identified on Map 1748 of Schedule "A" – Zoning Maps and described as 3234A Homestead Drive, the following special provision shall apply:

- a) In addition to Subsection 10.6.1, existing Manufacturing use shall also be permitted.

(By-law No. 17-240, November 8, 2017)

306. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 860 of Schedule "A" – Zoning Maps and described as being located at 16 Foundry Street, the following special provision shall apply:

- a) In addition to Subsection 10.5.1, a Tradesperson Shop shall also be permitted.

(By-law No. 17-240, November 8, 2017)

307. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 911 and 912 of Schedule "A" – Zoning Maps, and described as 268, 270, 272, 276 Wellington Street North and 240 Barton Street East, the following special provisions shall apply:

- a) No visual barrier shall be required along the rear lot line between a Commercial Parking Facility and the existing dwelling at 266 Wellington Street North.

- b) Subsection 10.5a.1.1 i) 3. A. shall not apply.

- c) Notwithstanding Subsections 5.1a)v), 5.2b), 5.2f), and 10.5a.3) i), the following regulations shall apply to a Commercial Parking Facility:

- |    |                             |  |
|----|-----------------------------|--|
| i) | Planting Strip Requirements | <p>1. Minimum width of 1.2 metres shall be provided and maintained at the rear lot line.</p> <p>2. A planting strip may be obstructed by a visual barrier and may be obstructed by an existing building of the adjacent property located at 266 Wellington Street North.</p> |
|----|-----------------------------|--|



- |      |   |   |
|------|---|---|
|      |   | 3. Minimum width of 2.0 metres shall be provided and maintained along a lot line abutting a street.                             |
| ii)  | Distance of Parking Lot from Street       | A parking lot, excluding driveways extending directly from the street, shall not be located within 2.0 metres of a street line. |
| iii) | Parking Space Size Dimension              | A minimum parking space size of 2.6 metres by 5.5 metres shall be provided.   |
| iv)  | Barrier Free Parking Space Size Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.                              |

(By-law No. 17-240, November 8, 2017)

308. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1084, 1132 and 1133 of Schedule "A" – Zoning Maps and described as 657, 659, 661, 663, 665, 667, 673, 675, 677 Upper James Street, the following special provisions shall apply:
- a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions of this By-law, the definition of the Front Lot Line shall mean any lot line of the lot abutting Upper James Street.
  - b) Notwithstanding Subsections 4.19, 5.2b), 5.2f), 5.6 c), 10.6.3 a), b), c), and i), the following regulations shall apply:
    - i) Minimum Front Yard 2.3 metres.
    - ii) Minimum Rear Yard 7.3 metres.
    - iii) Minimum Side Yard 4.9 metres (southerly side yard) with further eave projection.
    - iv) Parking Requirement 1 space per 27 square metres of Gross Leasable Floor Area for any permitted commercial use.

- |      |   |  |
|------|---|--|
| v)   | Parking Space Size Dimension              | A minimum parking space size of 2.5 metres by 5.5 metres shall be provided.  |
| vi)  | Barrier Free Parking Space Size Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.                                   |
| vii) | Visual Barrier                            | Maximum height of 2.6 metres Noise Attenuation Wall provided along the portion of the Easterly lot line abutting a Residential Zone. |
- c) Notwithstanding Subsection 5.2.1 c), loading doors and associated loading facilities shall also be permitted in the rear yard abutting a Residential Zone or Institutional Zone and 1.5 metres away from the rear lot line.

(By-law No. 17-240, November 8, 2017)

309. Notwithstanding Sections 5.1 a)v)b), 5.2.1 c) and 5.6 e) iii., on those lands zoned Mixed Use (TOC1) Zone, identified on Map 1090, of Schedule "A" – Zoning Maps and described as 1440 Main Street East, the following special provisions shall apply to the existing building and associated parking areas:
- a) A 1.2 metre wide planting strip shall be provided and maintained along Main Street East.
  - b) Loading doors shall be permitted in a required yard abutting a residential use or Residential Zone.
  - c) A planting strip of not less than 1.4 metres in width shall be provided and maintained along the westerly side lot line adjoining a residential use or Residential Zone, except where a building, structure or accessory building is located.
  - d) A parking ratio of 1 space for every 24m<sup>2</sup> of gross floor area shall be provided for the Medical Clinic use.
  - e) The boundary of every parking area on the surface of a lot adjoining a Residential Zone shall be located not less than 1.4 metres from the adjoining Residential Zone boundary.

310. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 907 and 949 of Schedule "A" – Zoning Maps and described as 906 Main Street West and 122 Longwood Road South, the following special provisions shall apply:

- a) The Front Lot Line shall be deemed to be the Lot line abutting Main Street West; and,
- b) The lands described as 906 Main Street West and 122 Longwood Road South shall be considered one lot for zoning purposes.
- c) Subsection 11.1.3c) shall not apply to the westerly interior side lot line.

(By-law No. 18-219, August 17, 2018)

(By-law No. 19-062, March 27, 2019)

311. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 912 of Schedule "A" - Zoning Maps and described as 448 Barton Street East, the following special provisions shall apply:

- a) In addition to Subsection 10.5a.1, the existing Manufacturing use shall also be permitted.

(By-law No. 17-240, November 8, 2017)

312. Within those lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1911 and 1934 of Schedule "A" - Zoning Maps, and described as 2550, 2640, 2651, and 2654 Regional Road 56, the following special provision shall apply:

- a) In addition to Subsection 10.5.1, a fairground shall also be permitted.

(By-law No. 17-240, November 8, 2017)

313. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Maps 1241, 1248, 1249, and 1252 of Schedule "A" – Zoning Maps and described as:

| Property Address             | Map Number    |
|------------------------------|---------------|
| 454 – 458 Highway 8          | 1252          |
| 30, 32, 36 Lake Avenue Drive | 1248 and 1249 |
| 796 Upper Gage Avenue        | 1241          |

The following special provisions shall apply:

- a) In addition to Subsection 10.2.1, a Funeral Home shall also be permitted.

- b) In addition to Clause a), a Parking Lot accessory to a Funeral Home shall also be permitted at 30 Lake Avenue Drive.

(By-law No. 17-240, November 8, 2017)

314. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1260 of Schedule "A" – Zoning Maps and described as 3 and 15 Lockport Way, the following special provisions shall apply:

- a) In addition to Subsection 10.3.1, the following uses shall also be permitted:
  - i) Commercial Recreation
  - ii) Place of Assembly
  - iii) Equipment and Machinery Sales
  - iv) Rental and Service Establishment
  - v) Funeral Home
  - vi) Commercial Entertainment
  - vii) Museum
  - viii) Place of Worship

(By-law No. 17-240, November 8, 2017)

315. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1499, 1505, 1506, 1546, 1635 and 1636 of Schedule "A" – Zoning Maps and described as 1170, 1188 and 1205 Rymal Road East, 267, 275 - 283 and 293 Upper Centennial Parkway and 5365 Twenty Road East, the following special provisions shall apply:

- a) In addition to Subsection 10.7.1, the following uses shall also be permitted:
  - i) Retail
  - ii) Office
  - iii) Personal Service
- b) In addition to Subsection 10.7.1 and Clause a) and notwithstanding Clause a) ii), for the lands located at 267, 275, 277, 279, 283 and 293 Upper Centennial Parkway, the following uses shall also be permitted:
  - i) Financial Establishment
  - ii) Medical Clinic
  - iii) Office, provided it is located above the ground floor
- c) In addition to Subsection 10.7.1 and Clause a), for the lands located at 5365 Twenty Road East, the following uses shall also be permitted:

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- i) Custom Workshop
- ii) Day Nursery
- iii) Financial Establishment
- iv) Manufacturing, except for the uses listed below which shall be prohibited, even as an accessory use:

Beverage Distillation

Breweries

Concrete Crushing

Manufacturing of Asbestos, Phosphate or Sulphur Products

Primary Production of Chemicals, Synthetic Rubber, Plastic, Asphalt or Cement, not including mixing, blending, treatment or similar process

Processing or Refining of Petroleum or Coal

Processing, Milling or Packaging of Animal Feed

Rock Crushing

Salvage Yard

Slaughtering, Eviscerating, Rendering or Cleaning of Meat, Poultry or Fish or by-products thereof

Smelting of Ore or Metal

Tanning or Chemical Processing of Pelts or Leather

Vulcanizing or Rubber or Rubber Products

Explosives Manufacturing

Pulp and Paper Mills

- v) Medical Clinic

- d) Notwithstanding Subsections 5.1 a) v) b), 5.6c) and 10.7.3a), b), c), and d), for the lands located at 267, 275, 277, 279, 283 and 293 Upper Centennial Parkway, the following regulations shall apply:

- i) Minimum Front Yard 3.0 metres
- ii) Maximum Front Yard 6.0 metres
- iii) Minimum Side Yard 3.0 metres
- iv) Minimum Rear Yard 1.0 metres
- v) Maximum Height 15.0 metres
- vi) Minimum Landscape Open Space
  - 1. A landscape strip having a minimum width of 3.0 metres shall be provided adjacent to any street

except for points of ingress and egress.

2. A landscape strip having a minimum width of at least 3.0 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.

|      |                              |  |
|------|------------------------------|--|
| vii) | Minimum Parking Requirements | A minimum of one parking space per 28 square metres of gross floor area or fraction thereof shall be required. |
|------|------------------------------|--|

|       |                              |                                    |
|-------|------------------------------|------------------------------------|
| viii) | Minimum Loading Requirements | 1 loading space shall be required. |
|-------|------------------------------|------------------------------------|

|     |   |  |
|-----|---|--|
| ix) | A minimum of 40 percent of the ground floor façade shall be composed of windows and doors for the buildings fronting Mud Street West and Upper Centennial Parkway |  |
|-----|---|--|

|    |   |  |
|----|---|--|
| x) | The minimum combined width of the ground floor façade of all buildings located along Mud Street West shall be equal to 40 percent or more of the measurement of the front lot line, and shall be subject to a maximum building setback of 6.0 metres. |  |
|----|---|--|

|     |   |  |
|-----|---|--|
| xi) | The minimum combined width of the ground floor façade of all buildings located along Upper Centennial Parkway shall be equal to 40 percent or more of the measurement of the side lot line, and shall be subject to a maximum building setback of 6.0 metres. |  |
|-----|---|--|

e) Notwithstanding Subsections 5.1 a) v) b) and 10.7.3 a), for the lands located at 5365 Twenty Road East, the following regulations shall also apply:

|    |                      |             |
|----|----------------------|-------------|
| i) | Minimum Lot Frontage | 45.0 metres |
|----|----------------------|-------------|

|     |                   |             |
|-----|-------------------|-------------|
| ii) | Minimum Lot Depth | 75.0 metres |
|-----|-------------------|-------------|

- iii) Minimum Lot Area      0.4 hectares
- iv) Minimum Front Yard    15.0 metres
- v) Minimum Landscaping Requirements
  - A. A landscaped area having a minimum width of 7.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Zone where the adjoining land is used for residential or institutional purposes.
  - B. All portions of any lot not covered by buildings or structures or not used for driveways, storage, parking, loading or walkways, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.

(By-law No. 17-240, November 8, 2017)

316. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1039 and 1085 of Schedule "A" – Zoning Maps and described as 488 Upper Wellington Street, the following special provisions shall apply:
- a) In addition to Subsection 10.5a.1, only one of the following uses shall also be permitted.
    - i) Townhouse Dwellings
    - ii) Multiple Dwellings
  - b) In addition to Clause i), a maximum of 12 townhouse dwelling units shall be permitted or a maximum of 18 multiple dwelling units shall be permitted.

- c) Notwithstanding Subsections 5.1a) v) a), 10.5a.3 a), and d) ii) and iii), the following regulations shall apply:
- i) Minimum Lot Area      3,600 square metres
  - ii) Maximum Height      11.0 metres or two storeys
  - iii) Yard abutting  
Northerly Lot Line      A yard having a minimum depth of 3 metres in the case of multiple dwellings or 6 metres in the case of townhouse dwellings shall be provided and maintained along the northerly lot line.
  - iv) Location of Parking  
Spaces      Parking spaces shall be separated from the street by a building or structure, or by a planting strip having a minimum of 3.0 metres in the case of multiple dwellings, or 6.0 metres in the case of townhouse dwellings, except for any areas used for vehicular access.

(By-law No. 17-240, November 8, 2017)

317. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1040, 1044, 1934 of Schedule "A" – Zoning Maps and described as:

| Property Address            | Map Number |
|-----------------------------|------------|
| 473 Concession Street       | 1040       |
| 130 Kenilworth Avenue North | 1044       |
| 2660, 2668 Binbrook Road    | 1934       |
| 2651 Regional Road 56       | 1934       |

The following special provision shall apply:

- a) In addition to Subsection 10.5a.1 and notwithstanding Section 10.5a.2 ii), the following uses shall also be permitted:
  - i) Drive-Through Facility



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- b) Notwithstanding Subsections 5.2b) and 5.2f), 5.6c) for the lands located at 2660, 2668 Binbrook Road and 2651 Regional Road 56, the following special regulations shall also apply:
- i) **Parking Space Size Dimension** A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
  - ii) **Barrier Free Parking Space Size Dimension** A minimum barrier free parking space size dimension of 4.0 metres by 5.5 metres shall be provided.
  - iii) **Parking Requirements**
    - 1. 1 space per residential unit; and,
    - 2. 1 space per 31.5 square metres of Gross Floor Area for any commercial use.

(By-law No. 17-240, November 8, 2017)

318. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1342, 1343, 1394 and 1395 of Schedule "A" – Zoning Maps and described as:

| Property Address                 | Map Number          |
|----------------------------------|---------------------|
| 20 Rymal Road East               | 1394                |
| 25 Rymal Road West               | 1394                |
| 35 Rymal Road West               | 1394                |
| 41 Rymal Road West               | 1394                |
| 49 Rymal Road East               | 1394 and 1395       |
| 55 Rymal Road East               | 1394 and 1395       |
| 57 Rymal Road West               | 1394                |
| 71 Rymal Road West               | 1394                |
| 79 Rymal Road West               | 1394                |
| 1367 Upper James Street          | 1343                |
| 1379 Upper James Street          | 1343                |
| 1389 Upper James Street          | 1343                |
| 1405 Upper James Street          | 1342 and 1343       |
| 1425 Upper James Street          | 1342 and 1343       |
| 1451, 1471 Upper James Street    | 1342, 1343 and 1395 |
| 1495 Upper James Street          | 1342, 1394 and 1395 |
| 1505 and 1515 Upper James Street | 1394 and 1395       |
| 1527 Upper James Street          | 1394                |

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| Property Address                       | Map Number    |
|--|---------------|
| 1545 Upper James Street                | 1394 and 1395 |
| 1565 Upper James Street                | 1394 and 1395 |
| 1587, 1591 and 1599 Upper James Street | 1394          |
| 1595 Upper James Street                | 1394          |
| 1616 Upper James Street                | 1394          |

The following special provisions shall apply:

- a) In addition to Subsection 10.5.1 and notwithstanding Subsection 10.5.2, the following uses shall also be permitted:
  - i) Commercial Motor Vehicle Sales, Rental and Service Establishment
  - ii) Equipment and Machinery Sales, Rental and Service Establishment
  - iii) Garden Centre
  - iv) Major Recreational Equipment Sales, Rental and Service Establishment
  - v) Motor Vehicle Dealership
  - vi) Motor Vehicle Rental Establishment
  - vii) Surveying, Engineering, Planning or Design Business
  - viii) Warehouse
- b) Notwithstanding the definition of Planting Strip and Landscaped Area in Section 3: Definitions and notwithstanding Subsections 4.19, 10.5.3 i), and in addition to Subsection 10.5.3 j) for lands located at 55 Rymal Road East, the following regulations shall also apply:
  - i) For the purposes of Special Exception No. 318 the following definitions shall also apply:

Planting Strip                      Means an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a visual barrier or buffer, and shall include light standards.

Landscaped Area                      1) Shall mean an area of land provided and maintained on the same lot on which the building or structure is situated and shall include light standards and

signage. No part of the Landscaped Area shall be other than:

- i) Fully and completely open and exposed to natural light and air and unobstructed above the surface;
    - ii) Used exclusively for scenic, recreational or like uses; and,
    - iii) Not less than 50% of which shall be natural earth comprised of the natural planting of grass lawns, trees, shrubs and flowers in such manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot, and may include a planting strip.
  - 2) In addition to the regulations of 3(k)(i), signage in a landscaped area shall only be permitted in the front yard.
  - 3) And shall not include area used for parking space, manoeuvring space, access or egress driveways or any other vehicular purpose of any kind, nor any area occupied by an accessory building, nor any open space beneath, within or on the roof of any building except where permitted in a zone.
- ii) In addition to Subsection 5.1a) v), for every parking lot and loading space on a lot adjoining at Residential Zone, a Landscaped Area with a Planting Strip of not less than 1.5 metres in width between the parking

lot and the lot line abutting a Residential use, and a visual barrier being 2.0 metres in height, shall be provided and maintained.

- c) Notwithstanding Sections 10.5.3a), b), c), d), and k), the following regulations shall apply only to the uses listed in Clause a):

Minimum Front Yard 18.0 metres  
Setback

- |      |   |      |  |
|------|---|------|--|
| i)   | Minimum Rear Yard   | i)   | 6.0 metres; and,   |
|      |   | ii)  | 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.   |
| ii)  | Minimum Side Yard   | i)   | 1.5 metres; and,   |
|      |   | ii)  | 4.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.   |
| iii) | Building Height   |      | Maximum 14.0 metres.   |
| iv)  | Subsections 10.5.3g) ii), iii), iv), and vi) shall not apply. |      |  |
| v)   | Outdoor Storage   | i)   | The display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in the front, side, and rear yard; |
|      |   | ii)  | Notwithstanding Clause i), an outdoor storage area shall not be located on a planting strip, or required parking or loading area; and,     |
|      |   | iii) | An Outdoor storage area shall be located a of minimum 6.0 metres from  |

a Residential or Institutional Zone or lot containing a residential use, or a lot line fronting onto a street, and shall be screened or fenced from view.

- iv) An outdoor storage area attached to a building shall not exceed 500 square metres, or an area equivalent to 5% of the Gross Floor Area, whichever is lesser.

(By-law No. 17-240, November 8, 2017)  
(Amended by By-law 19-233, September 25, 2019)

319. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1452, 1453, 1501, 1502 of Schedule "A" – Zoning Maps and described as Heritage Green, shown as Figure 8 of Schedule "F" – Special Figures, the following special provisions shall apply:

- a) In addition to Section 3: Definitions, the following definitions shall also apply:

|   |  |
|---|--|
| Dwelling Group                          | Means a group of more than one maisonette, townhouse or apartment or any combination thereof.  |
| Maisonette                              | Shall mean a back to back townhouse dwelling.  |
| Live/Work Unit                          | Shall mean a dwelling unit having a residence and business in the same location which consists of a ground floor commercial unit having a maximum of 50 square metres of gross floor area and an upper level residential unit. Commercial uses in a "Live / Work Unit" shall be limited to a personal service shop, a professional office, and a retail store. |
| Wholesale and Retail Warehouse Facility | Shall mean a large scale building, with a minimum Gross Floor Area of 4,645  |

square metres, which distributes a broad range of goods or distributes high volumes of a specific type of merchandise and functions in a warehouse format where most goods are stored, displayed and offered for sale in one and the same area, but excludes department stores and supermarkets.

**Warehouse Membership Club**

Shall mean a building with a minimum Gross Floor Area of 4,645 square metres, occupied by a single user, where the principal use is the sale of food and non-food products which are generally stored, displayed and offered for sale in one and the same area in a warehouse format and where customers, whether retail or wholesale, are generally required to be members of the club, but excludes department stores and supermarkets.

- b) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area A** as shown on Figure 8 of Schedule "F" – Special Figures:
- A) In addition to Subsection 10.5.1, the following uses shall also be permitted:
- i) Building or Contracting Supply Establishment
  - ii) Building and Lumber Supply Establishment
  - iii) Home Improvement Supply Establishment
  - iv) Warehouse Membership Club
  - v) Wholesale and Retail Warehouse Facility
- B) In addition to Subsection 10.5.2, the following use shall also be prohibited:
- i) Food Store
- C) Notwithstanding Subsections 5.6c), 10.5.3 a), c), d), g)ii) and iii), the following Regulations shall apply:

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- |      |   |   |
|------|---|---|
| i)   | Maximum Lot Coverage  | 25 percent  |
| ii)  | Minimum and Maximum Setback   | <p>A. Minimum 6.0 metres from the south lot line;</p> <p>B. Minimum 6.0 metres from east lot line (for Wholesale and Retail Warehouse Facility, Warehouse Membership Club, Building Supply Outlet in an enclosed building);</p> <p>C. Maximum 2.0 metres from the east lot line (for all other uses).</p> |
| iii) | Maximum Building Height   | 12.0 metres.  |
| iv)  | Additional Regulations for buildings fronting on Upper Mount Albion | <p>A. Minimum built frontage shall not be less than 30% of the total distance of the street frontage within 210.0 metres of Paramount Drive.</p> <p>B. Maximum building depth shall be 25.0 metres within 210.0 metres of Paramount Drive.</p>  |
| v)   | Built Form  | Each use, other than an accessory use, shall be contained in a building having all of its customer access doors opening directly outdoors and shall not open onto another store or unenclosed corridor.   |

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- vi) Landscaped Area
  - A. Minimum Landscaped Open Space shall be 15% of the lot area, a portion which shall include the following where appropriate:
    - 1. A planting strip having a minimum width of 6.0 metres shall be provided adjacent to any public street, except for points of ingress and egress, and between the street and any building along the east lot line; and,
    - 2. A minimum width of 7.5 metres shall be provided adjacent to the north and west property lines.
- vii) Parking
  - A. 4.5 spaces for each 93.0 square metres; and,
  - B. No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6.0 metres from the east and south lot lines or closer than 7.5 metres from the north and west lot lines.
- viii) Additional Regulations for Wholesale and Retail Warehouse Facility,



Warehouse  
Membership Club,  
Building Supply  
Outlet in an enclosed  
building and  
Retail Establishments

- A. 28,335 square metres  
Maximum Total Gross  
Floor area;
- B. In addition to Clause A.,  
14,500 square metres  
Maximum Gross Floor  
Area per unit;
- C. In addition to Clause A.,  
1,860 square metres  
Minimum Gross Floor Area  
per unit; and,
- D. Notwithstanding Clause 1.,  
for every square metre of  
office space built in excess  
of 2,272 square metres in  
Area A, an equal amount of  
retail space will be  
permitted to a maximum of  
2,272 square metres.

c) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area B** as shown on Figure 8 of Schedule "F" – Special Figures:

- 1. Notwithstanding Subsection 10.5.1, the permitted uses shall be limited to the following:
  - i) Art Galleries
  - ii) Commercial Recreation
  - iii) Commercial School
  - iv) Commercial Entertainment
  - v) Conference or Convention Centre
  - vi) Convenience Food Stores
  - vii) Day Nursery
  - viii) Dry Cleaning or Laundering Establishments

- ix) Financial Establishment
- x) Libraries
- xi) Medical Clinics
- xii) Offices
- xiii) Personal Service
- xiv) Private Club or Lodge
- xv) Restaurant.

2. Notwithstanding Subsections 5.1.a) v), 10.5.3a), b), c) and g) v) the following regulations shall apply:

- i) Maximum Lot Coverage 25%
- ii) Minimum Gross Floor Area for Office 1,000 square metres.
- iii) Maximum Front Yard 2.0 metres shall be provided for those buildings along Upper mount Albion Road.
- iv) Minimum Side Yard 6.0 metres shall be provided along Paramount Drive.
- v) Maximum Side Yard 3.0 metres along the proposed street.
- vii) Minimum Rear Yard 6.0 metres shall be provided along Winterberry Drive.
- viii) Landscape Requirements A planting strip having a minimum width of 6.0 metres shall be provided adjacent to any street, except for points of ingress and egress, and between the street and any building along Upper Mount Albion Road and the north limits of Area B as shown in Figure 8 of Schedule "F".

- |  |  |
|--|--|
| ix) Parking  | In addition to Section 5 of this By-law, no parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6.0 metres from any street line. |
| x) Additional Regulations for buildings fronting on Upper Mount Albion | The minimum built frontage shall be 20% of the total distance of the street frontage in any one block.   |
| xi) Built Form   | Each use, other than an accessory use, shall be contained in a building having all of its customer access doors opening directly outdoors and shall not open onto another store or unenclosed corridor.                                    |
- d) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area C** as shown on Figure 8 of Schedule "F" – Special Figures:
1. Notwithstanding Subsection 10.5.1, the permitted uses shall be limited to the following:
    - i) Day Nursery
    - ii) Financial Establishment
    - iii) Home Business
    - iv) Multiple Dwelling
    - v) Office
    - vi) Personal Service Establishment
    - vii) Restaurant
    - viii) Studio

2. Notwithstanding Subsections 5.6 c), 10.5.3a), b). c), d), e), f), h), and k) ii), the following regulations shall apply:

|       |  |   |
|-------|--|---|
| i)    | Minimum Lot Area                       | 1,200 square metres   |
| ii)   | Minimum Lot Frontage                   | 20.0 metres   |
| iii)  | Maximum Lot Coverage                   | 30 percent  |
| iv)   | Maximum Gross Floor Area               | 600.0 square metres   |
| v)    | Maximum Front Yard                     | 3.0 metres  |
| vi)   | Minimum Interior Side Yard             | 3.0 metres  |
| vii)  | Maximum Exterior Side Yard             | 3.0 metres  |
| viii) | Minimum Rear Yard                      | 9.0 metres  |
| ix)   | Maximum Building Height                | 13.5 metres or 3 storeys  |
| x)    | Restriction of Commercial Uses         | No commercial uses are permitted except where contained jointly with multiple dwelling units in the same building.                                  |
| xi)   | Maximum Residential Density            | 80 units per hectare.   |
| xii)  | Minimum Amenity Area per Dwelling Unit | A. 14.0 square metres per Bachelor Unit;<br><br>B. 18.0 square metres per One Bedroom Unit;<br><br>C. 53.0 square metres per Two Bedroom Unit; and, |

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- |       |                               |  |
|-------|-------------------------------|--|
|       |                               | D. 88.0 square metres per Three Bedroom Unit.  |
|       |                               | E. 125.0 square metres per Four Bedroom Unit   |
| xiii) | Minimum Landscaped Open Space | <p>A. A Landscaped Area shall not be less than 50 percent of the lot area of which at least 25 percent shall be in one area other than the front yard;</p> <p>B. A portion of the landscaped area shall be a planting strip having a minimum width of 3.0 metres provided adjacent to any street, except for points of ingress and egress, and between the street and any building along Upper Mount Albion Road and the south lot line.</p> |
| xiv)  | Outdoor Storage               | Outdoor Storage shall be prohibited.   |
| xv)   | Parking                       | <p>A. In accordance with Section 5 of this By-law;</p> <p>B. Notwithstanding A. above, 1.5 spaces shall be provided per dwelling unit.</p>   |
- e) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area D** as shown on Figure 8 of Schedule "F" – Special Figures:
1. For lands located in Area D-1, D-2, and D-3, notwithstanding Subsection 10.5.1, permitted uses shall be limited to the following:

- i) Dwelling Groups
  - ii) Home Business
  - iii) Live/Work Units
  - iv) Multiple Dwelling
  - v) Townhouses
  
- 2. For lands located in Area D-4, notwithstanding Subsection 10.5.1, permitted uses shall be limited to the following:
  - i) Dwelling Groups
  - ii) Home Business
  - iii) Live/Work Units
  - iv) Multiple Dwelling
  - v) Townhouses
  
- 3. Notwithstanding the definition of Front Lot Line in Section 3: Definitions of this By-law, the definition of the Front Lot Line shall mean any lot line of the lot abutting Artfrank Drive.
  
- 4. Notwithstanding Subsections 4.6d), 10.5.3a), b), c), d), g) ii) and iii), and h), the following regulations shall apply:
 

|      |  |   |
|------|--|---|
| i)   | Minimum Yard Depth from Daylight Triangle                      | 1.5 metres from the hypotenuse of the daylight triangle   |
| ii)  | Yard Projection of a Balcony                                   | A balcony may project a maximum of 4.5 metres into any required rear yard and 1.6 metres into any required side yard. |
| iii) | Maximum Setback Abutting a Street                              | 6.6 metres, except that the maximum setback from the south lot line shall not apply to a Multiple Dwelling.           |
| iv)  | Minimum Interior Side Yard for Townhouses and Dwelling Groups: | 3.0 metres, except that a minimum 9.0 metres shall be provided and maintained for the easterly townhouse              |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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block adjacent to lands zoned Mixed Use Medium Density (C5, SE 319) Zone, with a Special Exception, known municipally as 182 and 188 Upper Mount Albion Road.

- v) Side Yard for Multiple Dwellings
  - 1. Minimum Interior 9.0 metres
  - 2. Maximum Exterior 6.7 metres
- vi) Minimum Rear Yard for Multiple Dwellings 8.8 metres
- vii) Maximum Density 200 units per hectare
- viii) Maximum Building Height of Townhouse, Maisonette, Live/Work Units, and/or Dwelling Groups located in Area D-4 3 storeys or 13.5 metres
- ix) Maximum Building Height for Apartment Buildings

Area D-1: 7 storeys or 24.1 metres, however the building shall be stepped in from both ends of the building a minimum of 3.0 metres for each storey above 16 metres of building height.

Area D-2: 12 Storeys or 40.6 metres

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- Area D-3: 8 storeys or 27.4 metres
- x) Privacy Areas Notwithstanding the yard requirements above, each maisonette and townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 2.5 metres.
- xi) Minimum Landscape Area 39.0 percent
- xii) Subsection 10.5.3h) shall not apply.
5. Notwithstanding Subsections 5.2b)i), ii), and iii), 5.2f), and 5.6c) the following regulations shall apply:
- i) Minimum Parking Space Size Dimensions For other than 90 degree perpendicular parking spaces and for parking spaces within private residential garages designed to accommodate one motor vehicle, the parking space shall not be less than 2.6 metres in width or less than 5.5 metres in length exclusive of any land used for access, manouvering, driveways, or a similar purpose.
- ii) Projections into Parking Spaces In addition to Clause i), a single step, hose bibs, electrical devices and/or ductwork and closet enclosures may project not more than 0.3 metres into



- the required length or width of a parking space.
- iii) **Barrier-Free Parking Requirements**  
At least 1 percent of the required parking spaces, with a minimum of one parking space, on any parking lot having more than 10 parking spaces shall have a minimum rectangular dimension of 4.4 metres by 5.5 metres.
  - iv) **Parking Restrictions in Residential Zones**  
Parking spaces shall have a width of not less than 2.6 metres and a length of not less than 5.5 metres and barrier free parking spaces shall have a width of not less than 4.4 metres and a length of not less than 5.5 metres, exclusive of any land used to permit ingress or egress to said parking spaces, manouvering areas, driveways or aisles. One parking space within a private residential garage shall not be less than 2.6 metres in width or less than 5.5 metres in length.
  - v) **Parking Requirement for Townhouse / Maisonette Dwellings**  
2.1 spaces per unit, which includes visitor spaces.
  - vi) **Parking Requirement for Bachelor / One Bedroom Multiple Dwelling Units**  
1.55 spaces per unit, which includes visitor spaces.
  - vii) **Parking Requirement for Two Bedroom Multiple Dwelling Units**  
1.8 spaces per unit, which includes visitor spaces.

- |       |   |   |
|-------|---|---|
| viii) | Parking Requirement for Three Bedroom Multiple Dwelling Units | 2.05 spaces per unit, which includes visitor spaces.  |
| ix)   | Parking Location  | Where there is a grouping of three or more parking spaces, no parking shall be provided closer than 0.9 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within an underground garage. |
- f) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area E** as shown on Figure 8 of Schedule "F" – Special Figures:
1. Notwithstanding Subsection 10.5.1, permitted uses shall be limited to the following:
    - i) Home Business
    - ii) Multiple Dwelling
    - iii) Stormwater management facility
  2. Notwithstanding Subsections 5.1a) v), 5.6 c), 10.5.3 a), b), c), d), and h), the following regulations shall apply:
 

|      |                       |                     |
|------|-----------------------|---------------------|
| i)   | Minimum Lot Area      | 4,000 square metres |
| ii)  | Minimum Lot Frontage  | 45.0 metres         |
| iii) | Minimum Front Yard    | 7.5 metres          |
| iv)  | Minimum Side Yard     | 7.5 metres          |
| v)   | Minimum Flankage Yard | 9.0 metres          |
| vi)  | Minimum Rear Yard     | 7.5 metres          |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |  |   |
|-------|--|---|
| vii)  | Increased Yards  | Notwithstanding iii) – vi) above, Front yard, side yard and rear yard requirements shall each be increased by 1.0 metre for each 3.0 metres or part thereof by which the building exceeds a height of 15 metres.  |
| viii) | Maximum Lot Coverage   | 35 percent  |
| ix)   | Maximum Residential Density                                    | 100 dwelling units per hectare  |
| x)    | Maximum Building Height  | 25 metres   |
| xi)   | Minimum Landscaped Open Space                                  | <p>A. The landscaped area shall not be less than 50 percent of the lot area of which at least 25 percent shall be in one area which is not the front yard</p> <p>B. A planting strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress.</p> |
| xii)  | Minimum Distance between Residential Buildings on the Same Lot | 21.0 metres   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |   |   |
|-------|---|---|
| xiii) | Minimum Amenity<br>Areas per Dwelling<br>Type | <p>A. 1.5 square metres per bachelor unit;</p> <p>B. 2.0 square metres per one bedroom unit;</p> <p>C. 3.0 square metres per two bedroom unit;</p> <p>D. 4.0 square metres per three bedroom unit;</p> <p>E. 4.0 square metres per four bedroom unit; and,</p> <p>F. In addition to Clauses A.-E., not less than 10 percent of the total of the amenity areas shall be provided inside the applicable multiple dwelling building, and such inside area shall not be less than 93.0 square metres.</p> |
| xiv)  | Parking                                       | <p>A. 1.25 parking spaces and 0.35 visitor parking spaces for each bachelor or one bedroom multiple dwelling unit;</p> <p>B. 1.5 parking spaces and 0.35 visitor parking spaces for each two bedroom multiple dwelling unit;</p> <p>C. 1.75 parking spaces and 0.35 visitor parking spaces for each multiple dwelling unit</p>  |

having three or more bedrooms;

- D. No common parking space shall be located closer than 3.0 metres from a single detached, semi-detached or duplex residential zone; and,
- E. At least 60 percent of the required tenant parking shall be underground and/or within the multiple dwelling.

Underground parking shall not be bound by setback requirements; however underground parking above grade shall be setback a minimum of 3.0 metres from any lot line.

- g) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area F** as shown on Figure 8 of Schedule "F" – Special Figures:

- 1. Notwithstanding Subsection 10.5.1, permitted uses are limited to the following:
  - i) Botanical Gardens
  - ii) Cemeteries
  - iii) Conservation Uses
  - iv) Fishing Preserves
  - v) Golf Courses
  - vi) Hazard Lands
  - vii) Nature Trails
  - viii) Public and Private Parks
  - ix) Public Greenhouses
  - x) Wildlife Management Areas

xi) Woodlots

2. Notwithstanding Subsections 10.5.3a), b) and c), the following regulations shall apply:

- |      |                         |  |
|------|-------------------------|--|
| i)   | Maximum Lot Coverage    | 20 percent;                                  |
| ii)  | Minimum Front Yard      | 15.0 metres;                                 |
| iii) | Minimum Side Yard       | 15.0 metres;                                 |
| iv)  | Minimum Rear Yard       | 15.0 metres;                                 |
| v)   | Minimum Landscaped Area | 75 percent of the lot area;                  |
| vi)  | Outdoor Storage         | No outdoor storage shall be permitted.       |
| vii) | Parking                 | In accordance with Section 5 of this By-law. |

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-062, March 27, 2019)

(By-law No. 24-137, July 12, 2024)

320. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1434 and 1435 of Schedule "A" – Zoning Maps and described as 1060, 1080, 1090, 1096, 1100, 1110, 1122, 1130, 1136, 1142, 1144, 1146 and 1147 Wilson Street West and 1051 Garner Road West, the following special provisions shall apply:

- a) In addition to Subsection 10.6.2, the following uses shall also be prohibited:
  - i) Welding and Sheet Metal Shop.
- b) In addition to Subsection 10.6.1, the following uses shall also be permitted:
  - i) Home Improvement Supply Establishment
  - ii) Building and Lumber Supply Establishment
- c) In addition to Subsection 10.6.3 f) the maximum gross floor area for all buildings shall be 38,000 square metres, including any garden centre which

is located in a permanent building or structure, but excludes Hotel, Motor Vehicle Gas Bar and Motor Vehicle Car Washing Establishment.

- d) Subsections 10.6.3 g) ii) and iii) shall not apply for individual new buildings with a maximum gross floor area of 500 square metres.
- e) Notwithstanding Subsection 10.6.3 j), the following outdoor storage regulations shall apply:
  - i) Outdoor storage shall not be permitted in any minimum yard abutting a street;
  - ii) Outdoor storage shall be located a minimum of 3 metres from any side or rear yard not abutting a street;
  - iii) Outdoor storage shall be screened from view from any street by way of a minimum 1.5 metre decorative, solid board fence, or a minimum 3 metre planting strip; and,
  - iv) Outdoor storage areas shall not exceed an area equal to 4% of the gross floor area of the building to which it is accessory.

(By-law No. 17-240, November 8, 2017)

321. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1295 of Schedule "A" - Zoning Maps and described as 902 Mohawk Road East, the following special provision shall apply:

- a) Notwithstanding Subsection 10.3.1 and in addition to Subsection 10.3.2, a Restaurant shall be prohibited.

(By-law No. 17-240, November 8, 2017)

322. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 912 of Schedule "A" – Zoning Maps and described as 401.5 Barton Street East, the following special provision shall apply:

- a) Notwithstanding Subsection 10.5a.1, existing residential uses shall also be permitted on the ground floor.

(By-law No. 17-240, November 8, 2017)

323. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1306 of Schedule "A" – Zoning Maps and described as 604 Highway No. 8, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.2.1, the permitted uses shall be located within the existing heritage building and shall be limited to the following:
  - i) Medical clinic
  - ii) Professional office
  - iii) One (1) accessory dwelling unit, provided such use is located together with a permitted commercial use within the same heritage building and is not located on the ground floor or in the cellar or basement
  
- b) Notwithstanding Subsections 10.2.3b), d) and j), the following regulations shall apply:
  - i) Existing heritage building      The external appearance and height, comprising of the entire north, west and east facades and hip roof, and all associated building material and architectural features of the two-and-one-half storey heritage structure, shall be preserved and maintained. These materials and features include, but are not limited to, the high stone foundation, wrap-around verandah, entranceways and doors, windows and leaded glass, stone sills and lintels, brickwork, chimneys, cross gables and hip roof and all associated decorative woodwork existing on November 27, 2002.
  
  - ii) Landscaped strip      The minimum landscaped strip along the east property line and the rear lot line, between the east property line and detached garage, shall be 2.5 metres.
  
  - iii) Minimum Rear Yard Setback      1.5 metres.

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-062, March 27, 2019)

324. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1436 of Schedule "A" – Zoning Maps and described as 21 Panabaker Drive, the following special provisions shall apply:

- a) In addition to Subsection 10.2.1, the following uses shall also be permitted:



- i) Establishments providing Education or Instructional Services
  - ii) Gymnasiums or Health Clubs excluding body rub parlours
  - iii) Medical and Dental laboratories
  - iv) Printing Establishment
  - v) Retail, excluding adult-oriented video rental outlets and similar retail outlets
  - vi) Service shop
  - vii) Sub-Post Office
- b) In addition to Subsection 3, for the purpose of Special Exception No. 324 the following definition shall apply:
- Sub-Post Office                      Means a Government of Canada postal sub-station or a commercial parcel pick-up and delivery service.
- c) Notwithstanding Subsections 5.6 c) and 10.2.3 h), the following regulations shall also apply:
- i) A fast food restaurant shall not exceed more than 40% of the total Gross Floor Area.
  - ii) Gymnasiums or Health Clubs, excluding Body Rub Parlours, shall not exceed more than 40% of the total Gross Floor Area.
  - iii) A Medical Clinic shall not exceed more than 40% of the total Gross Floor Area.
  - iv) Medical and Dental Laboratories shall not exceed more than 35% of the total Gross Floor Area.
  - v) A Restaurant shall not exceed more than 25% of the total Gross Floor Area.
  - vi) A minimum of 1 parking space for every 22 square metres of Gross Floor Area for all permitted uses shall be provided.

(By-law No. 17-240, November 8, 2017)

325. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1247 of Schedule "A" – Zoning Maps and described as 2791 King Street East, the following special provisions shall apply:

- a) In addition to Subsection 10.2.1, an existing parking lot in conjunction with an existing medical clinic located at 2803 King Street East shall also be permitted.
- b) Notwithstanding 5.2b), 5.2f) and 5.2i), the following regulations shall also apply:
  - i) **Parking Space Size Dimension**      A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
  - ii) **Barrier Free Parking Space Size Dimension**      A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
  - iii) **Minimum Aisle Width**      A minimum aisle width with a 90 degree angle to a parking space shall be 5.5 metres.

(By-law No. 17-240, November 8, 2017)

326. Within the lands zoned District Commercial (C6) Zone, identified on Maps 549, 581, 582, 612 of Schedule "A" – Zoning Maps and described as Clappison's Corner, shown as Figure 9 of Schedule "F" – Special Figures, the following special provisions shall apply:

- a) In addition to Subsection 10.6.1, the following uses shall also apply:
  - i) Automotive Convenience Centre
  - ii) Commercial Entertainment
  - iii) Commercial Recreation
  - iv) Commercial School
  - v) Conference or Convention Centre
  - vi) Day Nursery
  - vii) Dry Cleaning Distribution Station
  - viii) Dry Cleaning Establishment
  - ix) Financial Institution
  - x) Funeral Home
  - xi) Hotel
  - xii) Industrial Research and Development Establishment
  - xiii) Medical Clinic

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- xiv) Mini Storage uses within a wholly enclosed building(s) with no associated outdoor storage
  - xv) Motel
  - xvi) Motor Vehicle Gas Bar
  - xvii) Motor Vehicle Service Station
  - xviii) Motor Vehicle Washing Establishment
  - xix) Office
  - xx) Outdoor Storage Areas associated with Garden Centre and Home Improvement/Building Supplies Establishment
  - xxi) Personal Service
  - xxii) Printing Establishment
  - xxiii) Restaurant
  - xxiv) Retail
  - xxv) Warehouse
  - xxvi) Wholesale and Retail Warehouse Facility
  - xxvii) Wholesale Membership Club
  - xxviii) Veterinary Service
- b) Notwithstanding Subsections 10.6.3a), b), c) i), d), f), and g) ii), iii), iv), v), and in addition to Subsection 10.6.3 i) and j), the following regulations shall apply:
- i) Minimum Lot Frontage 30 metres.
  - ii) Minimum Lot Area – Restaurant 1,240 square metres.
  - iii) Minimum Lot Area – All Other Uses 1,500 square metres.
  - iv) Maximum Lot Coverage 30% except a lot with only Business, Professional, or Administrative Office use or uses shall be permitted a maximum lot coverage of 50%.
  - v) Yard Abutting a streetline other than a Provincial Highway 3.0 metres.
  - vi) Minimum Yard Abutting a Provincial Highway 14.0 metres.
  - vii) Minimum Interior Side Yard 3.0 metres, but 15 metres where abutting any Open Space or Conservation Management Zone

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- within By-law 05-200 or By-law 90-45-Z.
- viii) Minimum Rear Yard not abutting a streetline or Provincial Highway 6.0 metres.
  - ix) Maximum Height 15.0 metres.
  - x) Minimum Planting Strip
    1. 6.0 metres width across all lot lines abutting a street except 3.0 metres where a building is located adjacent to a street.
    2. Applicable only to Block B on Figure 9 of this By-law, a transformer is permitted to be located within the required Planting Strip.
  - xi) Provision of Visibility Triangle
 

Notwithstanding the regulations in Clauses i) to ix), a minimum 15 metre by 15 metre landscaped triangle shall be provided and maintained for corner lots with one streetline on Dundas Street East, and a minimum 12 metre by 12 metre landscaped triangle shall be provided and maintained for corner lots in all other cases, which shall be suitably landscaped and designed to provide an attractive appearance. The required 15 metre by 15 metre landscaped triangle shall also include a gateway feature which shall be defined through site plan approval.
  - xii) Maximum Total Gross Floor Area for all uses excluding Motel, Hotel, Community Centre and Public Uses Blocks 1 and 2 Combined. 71,000 square metres.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |   |  |
|-------|---|--|
| xiii) | Maximum Total Gross Floor Area for all uses excluding Motel, Hotel, Community Centre and Public Uses Block 3. | 7,000 square metres.   |
| xiv)  | Maximum Total Gross Floor Area for all uses excluding Motel, Hotel, Community Centre and Public Uses Block 4  | 30,000 square metres.  |
| xv)   | Maximum Total Gross Floor Area for all uses excluding Motel, Hotel, Community Centre and Public Uses Block 5  | 31,000 square metres.  |
| xvi)  | Regulation on Door Openings   | Each use other than accessory uses shall be contained in a building having all of its customer access doors opening directly outdoors and shall not open onto another store or an unenclosed corridor.   |
| xvii) | Open Storage requirements   | <ol style="list-style-type: none"> <li>1. Refuse containers are permitted to be located in an exterior side yard for Block B of Figure 9.</li> <li>2. All outdoor storage, including a garden centre and a home improvement / building supplies area, shall be permitted provided that they are screened from view.</li> </ol> |

- |        |  |  |
|--------|--|--|
| xviii) | Limitation on Mini-Storage Use                                     | For Blocks C, D, and E only, notwithstanding i) above, only one Mini-Storage use shall be permitted and only if setback of 150 metres from both Highway No. 5 (Dundas Street East) and from Highway No. 6. For lands located within Blocks A and B, only one Mini-Storage use shall be permitted and only if setback a minimum of 150 metres from Highway No. 5 (Dundas Street East) and setback a minimum of 100 metres from Highway No. 6. |
| xix)   | Minimum Yard for Motor Vehicle Gas Bar Canopies from the lot line. | 3.5 metres.  |
- c) Notwithstanding Subsections 5.2c), 5.2 f), 5.2.1 b) and 5.6 c), the following special parking and loading regulations shall apply:
- |     |   |   |
|-----|---|---|
| i)  | Minimum Parking Requirements not including Motel, Hotel, Community Centre, Exhibition Conference Hall, and Public Use | <ol style="list-style-type: none"> <li>1. 5.0 spaces per 100 square metres of Gross Floor Area.</li> <li>2. Notwithstanding Clause 1., a minimum 1.0 space per 30 square metres of Gross Floor Area for Block B of Figure 9.</li> <li>3. Notwithstanding Clause 1, 347 parking spaces shall be provided for Block B on Figure 9.</li> </ol> |
| ii) | Loading Requirements  | For Block B of Figure 9, for a building or structure with a total floor area of over 7,000 square metres, 3 loading spaces shall be provided and maintained, and that loading spaces are permitted to be located within an exterior side yard.  |

- |      |   |  |
|------|---|--|
| iii) | Parking Space<br>Size Dimension                 | A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.              |
| iv)  | Barrier Free<br>Parking Space Size<br>Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided. |
- d) In addition to Subsection 3: Definitions, for the purposes of Special Exception No. 326, the following definition shall apply:
- |                                  |  |
|----------------------------------|--|
| Warehouse<br>Membership Club     | A building with a minimum Gross Floor Area of 7,000 square metres, occupied by a single user, where the principal use is the sale of food and non-food products which are generally stored, displayed and offered for sale in one and the same area in a warehouse format and where customers, whether retail or wholesale, are generally required to be members of the club, but excludes department stores and supermarkets.   |
| Automotive<br>Convenience Centre | Shall mean a single building, containing more than one individual outlet, with a minimum Gross Floor Area of 465 square metres and a maximum of 1,050 square metres and which contains a gas bar and/or car wash on the same lot and which building is designed, developed, and maintained by the owner of the lot and the use of which may include a combination of individual outlets which may include a maximum of 1 convenience retail outlet and a maximum of 2 restaurants (including standard, convenience and fast food), regardless of whether such outlets are separately leased and have customer access from inside or outside the Automotive Convenience Centre. |
- e) That the remaining Subsections in 10.6 shall also apply.

(By-law No. 17-240-OLT-05, March 14, 2022)

327. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1552 and 1597 of Schedule "A" - Zoning Maps and described as:

| Property Address                          | Map Number    |
|---|---------------|
| 135, 139 and 143 Upper Centennial Parkway | 1552 and 1597 |
| 151 Upper Centennial Parkway              | 1552          |

The following special provisions shall apply:

- a) In addition to Subsection 10.7.1 and notwithstanding Subsection 10.7.2, the following uses shall also be permitted:
- i) Beverage Making Establishment
  - ii) Catering Service
  - iii) Commercial School
  - iv) Communications Establishment
  - v) Craftsperson Shop
  - vi) Day Nursery
  - vii) Dwelling Units(s)
  - viii) Financial Establishment
  - ix) Laboratory
  - x) Medical Clinic
  - xi) Multiple Dwelling
  - xii) Office
  - xiii) Personal Service
  - xiv) Place of Assembly
  - xv) Retail
  - xvi) Social Services Establishment
  - xvii) Studio
  - xviii) Urban Farmers Market
- b) The regulations pertaining to the uses identified in Clause a) shall be in accordance with Subsection 10.7.3.
- c) Notwithstanding Clause b), the uses identified in Clauses a) vii) and a) xi), shall also be subject to the following regulation:

Restriction of Uses  
within a Building

The following uses shall only be permitted above the ground floor except for access, accessory office and utility areas, and shall not, as a stand-alone use or in combination, occupy more than 50% of the total gross floor area:

Dwelling Unit(s)  
Multiple Dwelling



**Office**

(By-law No. 17-240, November 8, 2017)

328. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1388 of Schedule "A" – Zoning Maps and described as part of 515, 523, 527 and 535 Garner Road East, the following special provision shall apply:

- a) Notwithstanding Subsection 10.2.3 h), the maximum gross floor area for commercial uses shall be 1,800.0 square metres.

(By-law No. 17-240, November 8, 2017)

329. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1178 and 1179 of Schedule "A" – Zoning Maps and described as 1173 and 1203 Old Golf Links Road, the following special provisions shall apply:

- a) Notwithstanding Subsections 10.5.3 a), b), c), d) and g) and 5.1 a) v), the following regulations shall apply:
  - i) Maximum Lot Coverage 60%;
  - ii) Minimum Front Yard Setback 15.0 metres, except 5.0 metres to a canopy, 1.5 metres to a below-grade parking structure, and 1.5 metres to an above-grade parking structure;
  - iii) Minimum Side Yard Setback 1.5 metres, except 1.5 metres to a below-grade parking structure, and 6.5 metres to an above-grade parking structure;
  - iv) Minimum Rear Yard Setback 1.5 metres, except 0.3 metres to a below-grade parking structure, and 0.9 metres to an above-grade parking structure;
  - v) Maximum Height 22.0 metres and 6 storeys.
  - vi) Parking Regulation A minimum of 301 parking spaces shall be provided and maintained for a Hotel containing a maximum of 113 units and Offices with a

maximum gross floor area of  
7,397 square metres;

vii) Parking Location

No parking space shall be located  
closer to a street line or a lot line  
not abutting a street than 0.3  
metres.

(By-law No. 17-240, November 8, 2017)

330. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Maps 1448 and 1497 of Schedule "A" – Zoning Maps and described as 741 Rymal Road East, the following special provisions shall apply:

a) Notwithstanding Subsections 10.2.1, 10.2.3 f), g) and h), only a mixed-use building comprised of residential units above commercial uses on the ground floor shall be permitted, subject to the following special provisions:

i) Permitted Residential Uses:

A. One dwelling unit for each 180.0 square metres of area of the lot which the building is situated, provided that the building does not exceed 2 storeys in height, and the gross floor area (GFA) of the building used for dwelling units shall be at least equivalent to the Commercial GFA and shall not exceed 455.0 square metres.

ii) Permitted Commercial Uses:

- A. Commercial School
- B. Office
- C. Financial Establishment
- D. Day Nursery
- E. Private Club, Lodge, Fraternity or Sorority House or Labour Union Hall
- F. Restaurant which shall not include an outdoor commercial patio, and/or any dancing or other entertainment except music
- G. Retail
- H. Photographer's or Artist's Studio, but not including a motion picture studio

b) Notwithstanding the height requirement in Subsection 4.19, Subsections 10.2.1 a) and I), and in addition to Subsections 10.2.3 k), the following regulations shall also apply:

- |      |                                  |  |
|------|----------------------------------|--|
| i)   | Storage                          | Storage or goods to be manufactured, assembled, or sold upon the premises shall be permitted only within the cellar of the building. |
| ii)  | Minimum Front Yard               | 6.0 metres   |
| iii) | Access                           | No vehicular ingress or egress shall be permitted from the subject lands onto Eva Street and/or Eaglewood Drive.                     |
| iv)  | Garbage Areas                    | Any garbage areas shall be contained entirely within the principal building.   |
| v)   | Visual Barrier<br>Minimum Height | 2.1 metres   |

(By-law No. 17-240, November 8, 2017)

331. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Maps 1242 and 1295 of Schedule "A" – Zoning Maps and described as 788 Upper Ottawa Street, the following special provisions shall apply:

- a) Notwithstanding Subsections 5.2b), 5.2f), 10.2.3 a), b) ii), c) ii) and d), the following regulations shall apply:
- |      |   |   |
|------|---|---|
| i)   | Minimum Front Yard                          | 0.0 metres;   |
| ii)  | Minimum Setback<br>from Residential<br>Zone | 9.0 metres;   |
| iii) | Maximum Building<br>Height                  | 3-storeys and / or 13.0 metres;   |
| iv)  | Minimum Loading<br>Requirements             | No loading space shall be required.   |
| v)   | Restriction of Uses<br>within a Building    | <ol style="list-style-type: none"> <li>1. Commercial uses shall only be permitted on the ground floor of a mixed-use building; and,</li> <li>2. Residential units, to a minimum of 4 dwelling units and a maximum of 8 dwelling units, shall be required</li> </ol> |

above any use permitted on the ground floor.

- |       |   |  |
|-------|---|--|
| vi)   | Access Driveway                           | An access driveway shall be located not less than 1.5 metres from the common boundary with a Residential Zone. |
| vii)  | Parking Space Size Dimension              | A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.                          |
| viii) | Barrier Free Parking Space Size Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.             |

(By-law No. 17-240, November 8, 2017)

332. Within lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 909 of Schedule "A" - Zoning Map and described as part of Part of 100 and 120 Ray Street North, and 337 and 339 York Boulevard, following special provisions shall also apply:

- a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions, the following definition shall apply:

Front Lot Line: Shall mean any lot line of the lot abutting York Boulevard.

- b) Notwithstanding Subsection 10.5.3 d) ii) the maximum height shall be 53.0 metres.

(By-law No. 17-240, November 8, 2017)

333. Within those lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1389 of Schedule "A" – Zoning Maps and described as 587 Garner Road East, the following special provisions shall apply:

- a) In addition to Subsection 10.2.1, a retail showroom for a spa and pool business with accessory offices and storage areas shall also be permitted.
- b) In addition to Subsection 10.2.3, the maximum floor area for the use identified in Clause a) shall be 610.0 square metres.

- c) Notwithstanding Subsection 4.8, accessory buildings existing as of February 8, 2012 shall be permitted.

(By-law No. 17-240, November 8, 2017)

334. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1259 of Schedule "A" – Zoning Maps and described as 1365 and 1367 Baseline Road, the following special provisions shall apply:

- a) In addition to Subsection 10.3.1, Commercial Recreation shall also be permitted.
- b) In addition to Subsection 10.3.2, a Drive-Through Facility shall also be prohibited.
- c) Notwithstanding Subsections 5.2b), 5.2f), 5.6c), 10.3.3 a), d), and j), the following regulations shall apply:
  - i) Minimum Front Yard 4.0 metres;
  - ii) Minimum Flankage Side Yard 1.3 metres;
  - iii) Maximum Building Height 11.5 metres;
  - iv) Minimum Landscape Open Space
    - A. The landscaped area shall not be less than 30 percent of the lot area;
    - B. A landscaped strip having a minimum width of 1.3 metres and an average width of 3.0 metres shall be provided and maintained along North Service Road, and a landscape strip having a minimum width of 4.0 metres shall be provided and maintained along Baseline Road, except for points of ingress and egress;

- C. A landscape strip having a minimum width of 2.0 metres with a minimum 1.8 metre high board-on-board fence shall be provided and maintained adjacent to every portion of any lot line that abuts any zone other than a Commercial or Industrial Zone.
- |       |   |  |
|-------|---|--|
| v)    | Minimum Barrier Free Parking Requirements | A minimum of 2 of the required spaces shall be barrier free spaces.  |
| vi)   | Minimum Loading Requirements              | A minimum of one loading space shall be provided and maintained.   |
| vii)  | Restriction of Uses within a Building     | No commercial uses are permitted, except on the ground floor where contained jointly with apartment dwelling unit(s) in the same building, provided that the gross floor area of the building used for commercial purposes does not exceed the floor area being used for residential purposes, including residential common areas. |
| viii) | Parking Space Size Dimension              | A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.  |
| ix)   | Barrier Free Parking Space Size Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.   |

(By-law No. 17-240, November 8, 2017)

335. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1594 of Schedule "A" – Zoning Maps and described as 1962, 1970 and 1976 Rymal Road East, the following special provisions shall apply:

a) In addition to Subsection 10.3.1 and notwithstanding Subsections 10.3.2, the following uses shall also be permitted:

- i) Drive-Through Facility
- ii) Nursery school
- iii) Service Shop

b) Notwithstanding the definition of Front Lot Line in Section 3: Definitions, and Subsections 10.3.3 a), b), c), d), g) and i) and 5.6 c), the following regulations shall also apply:

- i) Maximum Lot Coverage 30%
- ii) Total Maximum Gross Leasable Floor Area 2,500 square metres
- iii) Maximum Gross Leasable Floor Area for each individual establishment Not more than one half of the total gross leasable floor area provided on the site.
- iv) Maximum Gross Floor Area for a Medical Clinic 555.0 square metres
- v) Minimum Front Yard 7.5 metres
- vi) Minimum Interior Side Yard 3.0 metres
- vii) Minimum Exterior Side Yard 4.5 metres
- viii) Minimum Rear Yard 10.0 metres
- ix) The lot line that abuts Rymal Road East shall be deemed to be the front lot line.
- x) Maximum Height 14.0 metres

- |                                      |  |
|--------------------------------------|--|
| xi) Minimum Number of Parking Spaces | One (1) space for each 18.0 square metres of gross floor area or fraction thereof. |
|--------------------------------------|--|

(By-law No. 17-240, November 8, 2017)

336. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1199, 1200 and 1450 of Schedule "A" – Zoning Maps and described as:

| Property Address   | Map Number |
|--|------------|
| 621, 625 Barton Street and 311, 315, 327, 331 Fruitland Road | 1199, 1200 |
| 1120 Stone Church Road East                                  | 1450       |

The following special provision shall apply:

- a) In addition to Subsection 10.6.1, a Warehouse shall also be permitted.

(By-law No. 17-240, November 8, 2017)

337. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1911 and 1912 of Schedule "A" – Zoning Maps and described as 10 Fall Fair Way, Part of 39 Garinger Crescent and 2490 Regional Road 56 the following special provisions shall apply:

- a) In addition to Subsection 10.6.1 and notwithstanding Section 10.6.2, a Garden Centre shall also be permitted.

(By-law No. 17-240, November 8, 2017)

338. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1595, 1596, 1639 and 1640 of Schedule "A" – Zoning Maps and described as 2100, 2120, 2130, 2140, 2150, 2160, 2170, 2172, 2176, 2180, and 2190 Rymal Road East, the following special provisions shall apply:

- a) In addition to Subsection 10.5.1 and notwithstanding Subsection 10.5.2, the following uses shall also be permitted:
- i) Block townhouse dwelling
  - ii) Duplex dwelling
  - iii) Long Term Care Facility
  - iv) Semi-detached dwelling
  - v) Triplex dwelling
  - vi) Garden Centre



## vii) Motor Vehicle Rental Establishment

- b) In addition to Subsection 4.25 b) and Notwithstanding the definition of Front Lot Line in Section 3: Definitions and Subsections 5.1 a)v), 5.2 b), 5.2 f), 5.2h), 5.6 c), 10.5.3 a), b), c), d), g) ii) and iii) and v), i) and k), the following regulations shall apply to all Commercial uses:

- i) Minimum Front Yard      7.5 metres
- ii) For the purposes of Special Exception No. 338, the lot line that abuts Rymal Road shall be deemed to be the front lot line.
- iii) Minimum Side Yard      3 metres except:
  - 1. 7.5 metres abutting a side lot line which is the boundary of any Residential or Institutional Zone or where ground floor residential use or an institutional use is located on the adjoining land; and
  - 2. 7.5 metres on a corner lot for the side yard abutting the flankage street.
- iv) Minimum Rear Yard      7.5 metres, except where a rear yard abuts a street, Residential or Institutional Zone, a ground floor residential use or institutional use, the minimum yard shall be 9 metres.
- v) Maximum Height      10.7 metres
- vi) Minimum Landscaping Requirements
  - A. A landscaped area in the form of a planting strip having a minimum width of 4.5 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential or Institutional Zone or any Zone where the adjoining land use is used for

residential or institutional purposes.

B. A landscaped area having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such landscaped area shall be continuous except for the required driveway(s).

C. Notwithstanding Clause B., a landscaped area in the form of a planting strip having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of a lot line that abuts Terry Berry Way and Bellagio Avenue.

(By-law No. 17-240-OLT-05, March 14, 2022)

vii) Outside Storage and Display

A. Outside storage shall not be permitted in any front yard, however, the outside display of vehicles or plants accessory to the principal use on the subject lot may be permitted in the front yard.

B. Outside storage and display areas shall not be permitted less than 4.5 metres from any street and/or the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

C. Outside storage areas shall be screened from view and enclosed with a fence having a minimum height of 1.8 metres.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |  |   |
|-------|--|---|
| viii) | Maximum Gross Leasable Floor Area  | 47,940 square metres  |
| ix)   | Gross Leasable Floor Area (GLFA) for individual retail stores  | <p>A. Retail Stores (Minimum) – 1,860 square metres;</p> <p>B. Retail Stores (Maximum) – 17,650 square metres; and,</p> <p>C. Notwithstanding Clause 1., a maximum a maximum GLFA of 11,200 square metres for retail stores between 460 and 1,860 square metres shall be permitted, in addition to not more than 20% of the 11,200 square metre maximum GFLA for retail stores having a minimum of 110 square metres.</p> |
| x)    | Minimum Parking Requirements   | <p>A. A minimum of 4.6 parking spaces for each 100 square metres of gross floor area of fraction thereof shall be provided and maintained.</p> <p>B. No parking space shall be less than 2.6 metres in width by 5.5 metres in length.<br/>(By-law No. 17-240-OLT-05, March 14, 2022)</p>  |
| xi)   | Minimum Aisle Width  | The aisle giving access to a parallel parking space shall have a minimum width of 3.6 metres for one-way traffic, and a minimum width of 6.0 metres for two-way traffic; and,   |
| xii)  | Barrier Free Parking Space Size Dimension  | <p>A minimum barrier free parking space size dimension of 4.4 in width metres by 5.5 metres in length shall be provided.<br/>(By-law No. 17-240-OLT-05, March 14, 2022)</p>   |
| xiii) | A minimum driveway width of 4.0 metres shall be provided and maintained for a drive-through and no drive-through lane, |   |

stacking lane or pick-up window, shall be located between the building and a street.

- xiv) Notwithstanding the definition of a Lot, those lands zoned Mixed Use Medium Density (C5, 338) Zone, Modified shall be considered as one lot, notwithstanding any consolidation or division of the same.
  - xv) For buildings constructed after July 9, 2009, a maximum 3.0 metre front yard setback, which area shall be provided and maintained as a landscape area, shall apply to not less than 37.5% or more of the measurement of the front lot line.
- c) Notwithstanding Subsections 4.6 a), d), e), 5.6 c), 10.5.3 a), b), d) and h), the following regulations shall apply to the uses identified in Clause a) i), ii), iv) and v):
- i) Maximum Density 50 dwelling units per hectare
  - ii) Minimum Landscaped Area 40 percent of the lot area, which may include the required privacy area
  - iii) Minimum Lot Frontage 45.0 metres and 4.5 metres for an individual townhouse unit.
  - iv) Minimum Lot Area 0.3 hectares and 80 square metres for an individual townhouse.
  - v) Minimum Front Yard 4.5 metres
  - vi) Minimum Interior Side and Rear Yards 1.2 metres for end units
  - vii) Minimum Rear Yard 7.0 metres
  - viii) Minimum Separation Distance Between Buildings
    - 1. 2.4 metres between end walls, except 10.0 metres between end walls separated by a private road;
    - 2. 15.0 metres between front walls;
    - 3. 12.0 metres between rear walls;

4. 12.5 metres between front and side walls;
  5. 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,
  6. 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.
- ix) Permitted Encroachments
1. Unenclosed porched, both covered and uncovered, may project a maximum 2.5 metres into the required front yard and/or 6.0 metres into the required side yard.
  2. Stairs used to provide access to porches, both covered and uncovered, may project a maximum of 0.6 metres beyond the limits of the porch into the required front yard and/or side yard.
  3. Window projections with or without foundations, and architectural elements without a foundation such as, but not limited to, fireplaces, chimneys, pilasters, and corbels, may project a maximum of 0.61 metres beyond the front, end or rear walls.
  4. Balconies, canopies, awnings and fruit cellars may project a maximum of 2.0 metres into the required front or rear yard and/or 0.6 metres into the required side yard.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

5. Decks may project 3.5 metres beyond the rear wall.
- x) Maximum Driveway Width      The maximum driveway width shall be the distance between the exterior walls of the garage.
- xi) Garage Projections      1. The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:
- a) The main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and
- b) The second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.
- xii) Minimum Garage Setback      5.8 metres from the limits of a private road
- xiii) Maximum Height      12.6 metres
- xiv) Visual Barrier      A visual barrier shall be required along any lot line abutting a Residential Zone.
- xv) Minimum Privacy Area      A minimum of 30.0 square metres per townhouse dwelling unit shall be provided adjacent to the unit.
- xvi) Minimum Amenity Area      A minimum of 5 square metres per dwelling unit shall be provided and thereafter maintained, and may be provided in a common element condominium.

xvii) Dwelling Unit  
Placement

1. Not more than eight (8) dwelling units shall be attached in a continuous row; and,
2. Not more than four (4) attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling a minimum of 1.0 metres or without varying the exterior design and materials of the front face or wall of the dwelling.

xviii) Minimum  
Parking Requirements

1. Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;
2. Each dwelling unit shall have one (1) of the two (2) required parking spaces located within an attached private garage and the second parking space shall be provided contiguous to the unit; however, both parking spaces may be located underground or in a parking structure;
3. A minimum of two (2) parking spaces per dwelling unit shall be provided plus 0.25 visitor parking spaces for each dwelling unit; and
4. No parking space or area, save and except a space or area contiguous to a dwelling unit, shall be located closer to a street line than 6.0 metres, and not be closer than 3.0 metres to any Residential Zone or where the adjoining land use is used for residential purposes, unless such parking is located within a below-grade communal parking structure.

- xix) For the purposes of the lot frontage, lot area, front yard, and side yard requirements only, a condominium road shall be deemed to be a public street.
- xx) Visitor parking may be provided in a common element condominium.
- d) Notwithstanding Subsections 5.6c), 10.5.3 a), b), c), d), g)ii) and iii), and h), the following regulations shall apply to Multiple Dwellings, Retirement Homes and the use identified in Clause a) iii):
  - i) Maximum Lot Area 5.25 hectares
  - ii) Maximum Density for Multiple Dwellings 50 dwelling units per hectare
  - iii) Minimum Parking Requirements
    - A. Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;
    - B. A minimum of 1.5 spaces per dwelling shall be provided for a Multiple Dwelling and 0.4 spaces per unit for a Long Term Care Facility and Retirement Home; and,
    - C. No parking space or area, shall be located closer to a street line than 6.0 metres and not be closer than 3.0 metres to any Residential Zone or where the adjoining land use is used for residential purposes, unless such parking is located within a below-grade communal parking structure.
  - iv) Minimum Lot Frontage 30 metres
  - v) Minimum Lot Area 0.4 hectares



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |                                      |  |
|-------|--------------------------------------|--|
| vi)   | Maximum Lot Coverage                 | 25 percent   |
| vii)  | Minimum Front Yard                   | 9 metres   |
| viii) | Minimum Side and Rear Yards          | 9 metres   |
| ix)   | Minimum Floor Area per Dwelling Unit | <p>A. Bachelor Unit – 45 square metres</p> <p>B. One Bedroom Unit – 60 square metres</p> <p>C. Two Bedroom Unit – 75 square metres</p> <p>D. Three or More Bedrooms – 85 square metres</p> |
| x)    | Maximum Height                       | 10.7 metres  |
| xi)   | Minimum Amenity Area                 | A minimum of 5 square metres per dwelling unit shall be provided and thereafter maintained.  |
| xii)  | Minimum Landscaped Area              | 40 percent of the lot area excluding the amenity area.   |

(By-law No. 17-240, November 8, 2017)

(By-law No. 17-240-OLT-05, March 14, 2022)

339. Within the those lands zoned Arterial Commercial (C7) Zone, identified on Map 1048 of Schedule "A" – Zoning Maps and described as 45 Goderich Road, the following special provisions shall apply:

- a) In addition to Subsection 10.7.1, the following uses shall also be permitted:
- i) Medical Clinic
  - ii) Office
  - iii) Retail

(By-law No. 17-240, November 8, 2017)

(By-law No. 22-084, April 13, 2022)

340. Within the lands zoned Community Commercial (C3) Zone, identified on Map 958 of Schedule "A" – Zoning Maps and described as 360 Beach Road, the following special provisions shall apply:

- a) In addition to Subsection 10.3.1, all permitted uses shall be contained within the building existing as of April 11, 2012.
- b) In addition to Subsection 10.3.1, the following uses shall also be permitted:
  - i) Kennel, with no outside cages or runs
  - ii) Funeral Home
- c) In addition to Subsection 10.3.2, the following uses shall also be prohibited:
  - i) Motor Vehicle Gas Bar
  - ii) Motor Vehicle Service Station
  - iii) Motor Vehicle Washing Establishment
  - iv) Commercial Parking Facility
- d) Notwithstanding Subsections 5.2b), 5.2f), and 5.6c), the following regulations shall also apply:
 

|      |  |  |
|------|--|--|
| i)   | Parking Space<br>Size Dimension              | A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.              |
| ii)  | Barrier Free Parking<br>Space Size Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided. |
| lii) | Parking Space<br>Requirement                 | 1 space per 33 square metres of Gross Leasable Floor Area for any permitted commercial use.        |

(By-law No. 17-240, November 8, 2017)

341. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1433 and 1434 of Schedule "A" – Zoning Maps and described as 120 and 128 Portia Drive, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.7.1, the following uses shall be permitted up to a maximum aggregate gross floor area of 11,788 square metres:

- i) Veterinary Service
  - ii) Building and Lumber Supply Establishment
  - ii) Convenience Retail in conjunction with a Motor Vehicle Gas Bar
  - iv) Catering Service
  - v) Conference or Convention Centre
  - vi) Craftsperson Shop
  - vii) Home Furnishing Retail Establishment
  - viii) Home Improvement Supply Establishment
  - ix) Hotel
  - x) Motor Vehicle Gas Bar
  - xi) Motor Vehicle Dealership
  - xii) Commercial Parking Facility
  - xiii) Commercial Recreation
  - iv) Major Recreational Equipment Sales, Rental and Service Establishment
  - v) Rental Establishment
  - vi) Restaurant
- b) Notwithstanding Subsection 10.7.1, the following uses shall be permitted up to a maximum aggregate gross floor area of 10,525 square metres, provided the permitted uses contained in Clause a) and this section shall not exceed an aggregate gross floor area of 11,788 square metres:
- i) Financial Institution
  - ii) Office
  - iii) Brewers Retail Store
  - iv) Personal Service
  - v) Travel Agency
  - vi) Farmer's Market
  - vii) Gymnasium
  - viii) Insurance Office
  - ix) Library, Museum, and Art Gallery
  - x) Liquor Control Board of Ontario Stores
  - xi) Drug Store
  - xii) Retail Store
  - xiii) Convenience Retail Store
- c) In addition to Subsection 10.7.2, the following uses shall also be prohibited:
- i) Movie Theatre(s)
  - ii) Department Store
  - iii) Warehouse Membership Club
  - iv) Residential Uses

d) Notwithstanding Subsections 5.1a) v), 5.6 c), 10.7.3 a), b) and c), the following regulations shall also apply:

- |      |  |   |
|------|--|---|
| i)   | Minimum Front Yard                       | 1.5 metres, except 3.0 metres when providing for a planting strip under subsection v).  |
| ii)  | Minimum Side Yard                        | 1.5 metres, except where an interior side yard abuts a private vehicular turnaround, a 0.0 metre side yard shall be permitted.  |
| iii) | Minimum Rear Yard                        | 10 metres.  |
| iv)  | Minimum Parking Requirement for all uses | 3.5 spaces for each 93 square metres of gross floor area.   |
| v)   | Planting Strip Requirements              | 3.0 metres strip shall be provided adjacent to each lot line which abuts a public street or lot containing a dwelling comprising one or two dwelling units, and shall permit the location of principal buildings, walkways and sidewalks, retaining walls, curbs, signs, and light standards within the required landscaping strip. |

vi) Notwithstanding Section 10.7.3a), the Minimum Building Setback from a Street Line for a Warehouse shall be 250.0 metres.

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-039, February 27, 2019, NOT FINAL AND BINDING)

342. Notwithstanding Section 11.3.2 e) ii), on those lands zoned Multiple Residential (TOC3) Zone, identified on Map 908 of Schedule "A" – Zoning Maps and describes as part of 690 Main Street West, a maximum building height of 35.0 metres shall be permitted."

(By-law 16-265, October 12, 2016)

343. Within the lands zoned Community Commercial (C3) Zone, identified on Maps 1339 and 1340 of Schedule "A" – Zoning Maps and described as 1160 Upper Paradise Road, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.3.3 j), a planting strip of not less than 6.0 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a Residential Zone or use.

(By-law No. 17-240, November 8, 2017)

344. Within the land zoned District Commercial (C6) Zone, identified on Map 1748 of Schedule "A" – Zoning Maps and described as 3250 Homestead Drive, the following special provisions shall apply:

- a) In addition to Subsection 10.6.2, the following use shall also be prohibited:
  - i) Financial Establishment
- b) In addition to Subsection 10.6.1, the following use shall also be permitted:
  - i) A maximum of 12 residential units shall be permitted within the principal building, provided they are located above the permitted ground floor commercial.
- c) In addition to Subsection 5.2.1 and notwithstanding Subsections 5.1a) v), 5.2b), 5.2f), 10.6.3 a), c), g), h), i) and j), the following regulations shall also apply:
  - i) Maximum Lot Coverage      37%
  - ii) Minimum Front Yard      6.7 metres
  - iii) Minimum Side Yard      0.0 metres on a corner lot for the side yard abutting the flankage street.
  - iv) Parking      No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 2.6 metres from any rear lot line, or 1.0 metres from any street line, or 2.0 metres from the boundary of any Residential or Institutional Zone or any Zone where the adjoining lands are used for residential or institutional purposes.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |   |  |
|-------|---|--|
| v)    | Parking Space Size Dimension              | A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.  |
| vi)   | Barrier Free Parking Space Size Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.   |
| vii)  | Minimum Loading Requirements              | A minimum of one loading space shall be provided and maintained for the entire development with a minimum dimension of 2.6 metres wide x 5.5 metres long.  |
| viii) | Minimum Landscaping Requirements          | <ol style="list-style-type: none"> <li>1. A landscaped area, in the form of a planting strip having a minimum width of 1.8 metres and a fence having a minimum height of 1.8 metres, shall be provided and maintained adjacent to any lot line that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes;</li> <li>2. Notwithstanding Clause 1., the required minimum 1.8 metre planting strip shall be comprised of Eastern White Cedars (<i>Thuja Occidentalis</i>) with a minimum size of 200 or 250 cm W.B., and a board on board fence with a minimum height of 1.8 metres, along the rear lot line abutting 3 Longview Drive;</li> <li>3. A landscaped area having a minimum width of 3.0 metres shall be provided and maintained along every portion of any lot line that abuts Homestead Drive, and 0.0</li> </ol> |

metres shall be provided along any portion abutting the building along Longview Drive, and a minimum of 1.0 metres for all other portions abutting Longview Drive.

- ix) Any garbage enclosure shall only be provided and maintained within the interior of the building.
- x) A minimum of 50% of the ground floor façade along Longview Drive shall be composed of windows and doors.
- xi) Residential and visitor's parking areas shall be physically and functionally separated from the commercial parking area.
- xii) No balconies shall be permitted on the west façade of the proposed development.

(By-law No. 17-240, November 8, 2017)

345. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 903 of Schedule "A" – Zoning Maps and described as 15 and 17 Ogilvie Street, the following special provision shall apply:

- a) In addition to Subsection 10.5.1, a Semi-Detached Dwelling shall also be permitted.

(By-law No. 17-240, November 8, 2017)

346. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1399 and 1450 of Schedule "A" – Zoning Maps and described as 1381 and 1395 Upper Ottawa Street, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.6.3 c), a minimum westerly side yard of 3.1 metres shall be provided and maintained;
- b) Notwithstanding Subsection 10.6.3 b), a minimum rear yard of 3.1 metres shall be provided and maintained; and,
- c) Notwithstanding Subsection 5.2b), every parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 5.5 metres long.

(By-law No. 17-240, November 8, 2017)

347. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1956 of Schedule "A" – Zoning Maps and described as 3200 Regional Road 56, the following special provisions shall apply:

- a) Notwithstanding Subsections 10.5a.1, only the following uses shall be permitted:
  - i) Commercial School
  - ii) Day Nursery
  - iii) Financial Establishment
  - iv) Office
  - v) Personal Service
  - vi) Restaurant
  - vii) Retail
  - viii) Residential units on the ground floor have 50% of the floor area combined with permitted commercial uses having 50% of the floor area
- b) In addition to Clause a), residential units shall be required above any commercial use permitted on the ground floor.
- c) In addition to Clause a), the Commercial School shall only be permitted in the cellar of the existing building.
- d) In addition to Subsection 5.2.1 and notwithstanding Subsections 4.19, 5.1 a)v), 5.2b), 5.2f), 5.6 c), 10.5a.3) c), i) and k), the following regulations shall apply:
  - i) Minimum Front Yard 3.0 metres;
  - ii) Minimum Side Yard 3.0 metres, except 7.5 metres abutting a side lot line which is the boundary of any Residential Zone, or where a ground floor residential use is located on the adjoining lands.
  - iii) Minimum Parking Requirements
    - A. Parking spaces shall be provided at a rate of 1.25 spaces per residential dwelling unit, and 1 space per every 60 square metres of gross floor area for commercial uses;



- |       |                                   |   |
|-------|-----------------------------------|---|
|       |                                   | B. Visitor parking shall be shared with the commercial parking space.   |
| iv)   | Minimum Loading Requirements      | One (1) loading space shall be required and shared for the residential and commercial uses.   |
| v)    | Minimum Landscaping Requirements  | <p>A. A landscaped area in the form of a planting strip having a minimum width of 6.0 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every part of any lot line that abuts a Residential use;</p> <p>B. A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such landscaped area shall be continuous except for required driveway(s).</p> |
| vi)   | Parking Space Size Dimension      | A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.   |
| vii)  | Barrier Free Space Size Dimension | A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.  |
| viii) | Outside Storage and Display       | A. Outside storage and display areas shall not be permitted less than 6.0 metres from any street and/or the boundary of any Residential Zone or any Zone where the adjoining land is used for residential;  |

- B. Outside storage areas shall be screened from view and enclosed with a fence having a minimum height of 1.8 metres.

(By-law No. 17-240, November 8, 2017)  
(By-law No. 24-137, July 12, 2024)

348. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 994 of Schedule "A" – Zoning Maps and described as 151 John Street South, the following special provisions shall apply:

- a) In addition to Subsection 10.5.1, a Multiple Dwelling within the existing building containing no more than 16 dwelling units shall also be permitted; and,
- b) Notwithstanding Subsection 5.6, zero (0) parking spaces shall be required.

(By-law No. 17-240, November 8, 2017)

349. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1501 and 1502 of Schedule "A" – Zoning Maps and described as 512 Highland Road West, the following special provisions shall apply:

- a) In addition to Subsection 10.6.1, the following use shall also be permitted:
  - i) Retail, including one Supermarket
- b) Notwithstanding the definition of Retail in Section 3: Definitions and Subsections 4.6, 4.25 c) ii), 5.1 a) v), 5.2 b), 5.2 f), 5.6 c) and, 10.6.3 a), b), c), e), f), g) ii), g) iii), g) vi), g) vii) 1),, the following regulations shall apply:

- i) Total Minimum Gross Leasable Floor Area 2,000.0 square metres
- ii) Total Maximum Gross Leasable Floor Area 19,500.0 square metres
- iii) Maximum Gross Leasable Floor Area for one Supermarket 5,100.0 square metres
- iv) Maximum Gross Leasable Floor Area for one Retail Department 6,000.0 square metres

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- Store shall not be permitted prior to the year 2018
- v) Minimum Yard Abutting the Westerly Lot Line along the Trinity Church Road Extension 11.0 metres
  - vi) Minimum Yard Abutting the Northerly Lot Line along Stone Church Road East 6.0 metres
  - vii) Minimum Yard Abutting the Easterly Lot Line along Upper Mount Albion Road 6.0 metres
  - viii) Minimum Yard Abutting the Southerly Lot Line along Highland Road West 6.0 metres
  - ix) Minimum Landscaped Area
    - A. A landscaped strip, having a minimum width of 3.0 metres, shall be provided and maintained adjacent to any public street, except for points of ingress and egress.
    - B. A landscaped strip, having a minimum width of 6.0 metres, shall be provided and maintained along the westerly lot line (future Trinity Church Road Extension).
    - C. An outdoor patio may be permitted to encroach into the required front yard and landscape strip.
  - x) Minimum Commercial Parking Requirements 4 spaces per 93 square metres of gross floor area

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

- |       |                                   |  |
|-------|-----------------------------------|--|
| xi)   | Minimum Parking Space Size        | No parking space shall be less than 2.6 metres in width by 5.5 metres in length.   |
| xii)  | Barrier Free Space Size Dimension | A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.   |
| xiii) | Built form for New Development    | <p>The minimum combined width of the ground floor façade of all buildings located within 20 metres of the Upper Mount Albion Road lot line shall be equal to 40% or more of the measurement of the front lot line, and shall be subject to the following:</p> <p>A. A maximum building setback of 6.0 metres shall apply;</p> <p>B. All principal entrances shall be accessible from the building façade with direct access from the public sidewalk; and,</p> <p>C. No parking, driveways, drive through lanes, stacking lanes, or aisles shall be located between the building façade and the public street.</p> |

(By-law No. 17-240, November 8, 2017)

(By-law No. 21-189, October 13, 2021)

350. In addition to the uses permitted in Section 9.6.1, on those lands zoned Light Industrial (M6) Zone, identified on Maps 870, 871, 913, 914, 915, 916, 956, 957, 958, 959, 1000, 1001 and 1002 of Schedule "A" – Zoning Maps and described as addresses:

|  |                             |
|--|-----------------------------|
| 480 Kenilworth Avenue North                  | (Maps 958, 959, 1000, 1001) |
| 560 Ottawa Street North                      | (Maps 915, 916, 957, 958)   |
| 464 Rennie Street                            | (Map 1002)                  |
| 245 Lottridge Street                         | (Maps 913, 914, 956)        |
| 495 Wentworth Street North                   | (Maps 870, 871)             |
| 217-223 Lottridge Street, 103 Clinton Street | (Map 956)                   |

the existing Waste Management Facility shall also be permitted.

(By-law 10-128, May 26, 2010)

351. Notwithstanding Section 9.5.3 h), on those lands zoned General Industrial (M5) Zone, identified on Maps 871, 914, 959, 960, 1001 and 1002 of Schedule "A" – Zoning Maps and described as addresses:

|                      |                             |
|----------------------|-----------------------------|
| 77 Brant Street      | (Map 871)                   |
| 15 Biggar Avenue     | (Map 914)                   |
| 1640 Brampton Street | (Maps 959, 960, 1001, 1002) |

the existing Waste Management Facility shall also be permitted.

(By-law 10-128, May 26, 2010)

352. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1147 and 1198 of Schedule "A" – Zoning Maps and described as 331-337 Leaside Avenue, the existing Waste Management Facility shall also be permitted.

(By-law 10-128, June 28, 2011)

353. Notwithstanding Section 9.2.3 g), on those lands zoned General Business Park (M2) Zone, identified on Map 1201 of Schedule "A" – Zoning Maps and described as 350 Jones Road, the existing Waste Management Facility shall also be permitted.

(By-law 10-128, May 26, 2010)

354. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1634, 1676 and 1677 of Schedule "A" – Zoning Maps and described as addresses:

|               |                         |
|---------------|-------------------------|
| 899 Nebo Road | (Maps 1634, 1676, 1677) |
| 900 Nebo Road | (Maps 1676)             |

a Waste Processing Facility and a Waste Transfer Facility shall also be permitted.

(by-law 10-128, June 28, 2011)

355. In addition Section 9.6.1 and Section 9.6.3, on those lands zoned Light Industrial (M6) Zone, identified on Maps 871 and 913 of Schedule "A" – Zoning Maps and described as 70 Brant Street and 6 Hillyard Street, a Waste Processing Facility shall also be permitted, subject to the following special provisions:

- a. the Waste Processing Facility shall be limited to the processing of latex paint; and,

- b. the Waste Processing Facility shall only be permitted within the existing building.  
(By-law 10-128, May 26, 2010)
356. Notwithstanding Section 9.2.3 g), on those lands zoned General Business Park (M2) Zone, identified on Map 1147 of Schedule "A" – Zoning Maps and described as 384-390 Millen Road, a Waste Processing Facility shall also be permitted.  
(By-law 10-128, May 26, 2010)
357. In addition to the uses permitted in Section 9.6.1, on those lands zoned Light Industrial (M6) Zone, identified on Maps 914 and 956 of Schedule "A" – Zoning Maps and described as 239 Lottridge Street, the existing Hazardous Waste Management Facility shall also be permitted.  
(By-law 10-128, May 26, 2010)
358. In addition to the uses permitted in Section 9.5.1, on those lands zoned General Industrial (M5) Zone, identified on Maps 871, 913 and 914 of Schedule "A" – Zoning Maps and described as addresses:
- |                    |                      |
|--------------------|----------------------|
| 227 Brant Street   | (Maps 871, 913, 914) |
| 52 Imperial Street | (Map 914)            |
- the existing Hazardous Waste Management Facility shall also be permitted.  
(By-law 10-128, May 26, 2010)
359. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1498 and 1499 of Schedule "A" – Zoning Maps and described as 1650 Upper Ottawa Street, the existing Hazardous Waste Management Facility shall also be permitted.  
(By-law 10-128, June 28, 2011)
360. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 1481 and 1528 of Schedule "A" – Zoning Maps and described as 1574 Wilson Street West, Units 1, 2 and 3, the existing Hazardous Waste Management Facility shall also be permitted.  
(By-law 10-128, June 28, 2011)
361. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1050, 1051, 1096 and 1097 of Schedule "A" – Zoning Maps and described as 144-190 South Service Road, Units 162-178, a Hazardous Waste Management Facility shall also be permitted.  
(By-law 10-128, June 28, 2011)
362. In addition to the uses permitted in Section 9.3.1 and Section 9.5.1, on those lands zoned Prestige Business Park (M3) Zone and General Industrial (M5) Zone,

identified on Maps 1048, 1499 and 1546 of Schedule "A" – Zoning Maps and described as addresses:

|                   |                   |
|-------------------|-------------------|
| 37 Kilbride Road  | (Maps 1499, 1546) |
| 460 Kenora Avenue | (Map 1048)        |

a Waste Management Facility shall also be permitted.  
(By-law 10-128, June 28, 2011)

363. In addition to the uses permitted in Section 9.1.1, Section 9.2.1 and Section 9.3.1, on those lands zoned Research and Development (M1) Zone, General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 950, 1096, 1482 and 1501 of Schedule "A" – Zoning Maps and described as addresses:

|                     |            |
|---------------------|------------|
| 95 Frid Street      | (Map 950)  |
| 1330 Sandhill Drive | (Map 1482) |
| 30 Harlowe Road     | (Map 1501) |
| 456 Grays Road      | (Map 1096) |

a Gymnastics Studio shall also be permitted.  
(By-law 10-128, June 28, 2011)

364. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1147 and 1198 of Schedule "A" – Zoning Maps and described as 371-383 Barton Street, a Restaurant shall also be permitted.

(By-law 10-128, June 28, 2011)

365. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1450 and 1451 of Schedule "A" – Zoning Maps and described as 45 Nebo Road, a Pet Food Store shall also be permitted.

(By-law 10-128, June 28, 2011)

366. In addition to the uses permitted in Section 9.6.1 and notwithstanding Section 9.6.2 ii), on those lands zoned Light Industrial (M6) Zone, identified on Maps 956, 957, 1003 and 1047 of Schedule "A" – Zoning Maps and described as addresses:

|                   |                   |
|-------------------|-------------------|
| 734 Rennie Street | (Maps 1003, 1047) |
| 29 Linden Street  | (Maps 956, 957)   |

the existing Place of Worship shall also be permitted.  
(By-law 10-128, May 26, 2010)

367. In addition to Section 9.2.3, on those lands zoned General Business Park (M2) Zone, identified on Map 1200 of Schedule "A" – Zoning Maps and described as 30

Sunnyhurst Avenue, an accessory garage to the existing single detached dwelling shall also be permitted, subject to the following Regulations:

- a. Maximum Size 67.0 square metres
- b. Minimum Side Yard 1.2 metres
- c. Minimum Rear Yard 7.0 metres
- d. Maximum Building Height
  - i) 5.5 metres;
  - ii) In addition to i) above, the maximum height of the underside of any fascia eaves, overhang or the lower ends of the roof joists, rafters or trusses shall be 3.0 metres.
- e. Location Restriction The accessory garage shall not be permitted in the required Front Yard.

(By-law 10-128, June 28, 2011)

368. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1499 of Schedule "A" – Zoning Maps and described as 1275 Rymal Road East and 230 Lancing Drive, the following uses shall also be permitted:

- a. Medical Office
- b. Home Furnishings Retail Establishment
- c. Restaurant

(By-law 10-128, June 28, 2011, By-law 11-276 November 16, 2011)

369. In addition to the uses permitted in Section 9.2.1, Section 9.3.1 and Section 9.4.1 and notwithstanding Section 9.3.2 ii) and 9.4.2 ii), on those lands zoned General Business Park (M2) Zone, Prestige Business Park (M3) Zone and Business Park Support (M4) Zone, identified on Maps 1096, 1145, 1450, 1451, 1452, 1501, 1547, 1548 and 1592 of Schedule "A" – Zoning Maps and described as addresses:

|                                  |            |
|----------------------------------|------------|
| 1338 Stone Church Road East      | (Map 1451) |
| 1545 Stone Church Road East      | (Map 1452) |
| 1150 Stone Church Road East      | (Map 1450) |
| 60 Harlowe Road, Units 12 and 13 | (Map 1501) |
| 75 Harlowe Road                  | (Map 1501) |



|                          |                         |
|--------------------------|-------------------------|
| 1562 Rymal Road East     | (Maps 1547, 1548, 1592) |
| 2799 Barton Street East  | (Maps 1096, 1145)       |
| 1439 Upper Ottawa Street | (Map 1450)              |

a Place of Worship shall also be permitted.

(By-law 10-128, June 28, 2011)

370. In addition to the uses permitted in Section 9.3.1 and notwithstanding Section 9.3.2 ii), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1500, 1501, 1547, and 1548 of Schedule "A" – Zoning Maps and described as 250 Pritchard Road, a Place of Worship shall also be permitted.

(By-law 10-128, June 28, 2011)

371. In addition to the uses permitted in Section 9.6.1 and notwithstanding Section 9.6.2 i), 9.6.3 k), 9.6.3 l) and 9.6.3 m), on those lands zoned Light Industrial (M6) Zone, identified on Maps 870 and 871 of Schedule "A" – Zoning Maps and described as 495 Wentworth Street North, the following special provisions shall also apply:

a. The following uses shall also be permitted:

- i) Salvage Yard shall also be permitted; and,
- ii) Waste Management Facility, excluding any food, human, biodegradable or compostable materials.

b. Sections 9.6.3 k), 9.6.3 l), 9.6.3 m) and 9.6.3 p) shall not apply as it relates to a Salvage Yard and Waste Management Facility

(By-law 10-128, March 25, 2011)

372. Notwithstanding Section 5.2.1 a), Section 5.6 c) only as it relates to the parking requirement for Manufacturing and Section 9.3.3 c) ii), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1591 and 1635 of Schedule "A" – Zoning Maps and described as 863 Nebo Road, the following special provisions shall apply:

a. Loading doors and associated loading facilities shall be permitted within a Front Yard, subject to being screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and,

b. Parking for Manufacturing                      A minimum of 199 parking spaces shall be provided and maintained.

c. Subsection 9.3.3 b) ii) shall not apply.

(Zoning By-law No. 10-128, June 28, 2011)

(Zoning By-law No. 23-079, May 10, 2023)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

373. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 1146, 1147, 1198 and 1199 of Schedule "A" – Zoning Maps and described as addresses:

299 Barton Street (Mountain View Public School) (Map 1146)  
 481 Barton Street, 340-346 Leaside Avenue (Mohawk College of Applied Arts and Technology - STARRT Institute) (Maps 1147, 1198 and 1199)

an Educational Establishment shall also be permitted.

(By-law 10-128, June 28, 2011)

374. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1203, 1204, 1257, 1258 and 1452 of Schedule "A" – Zoning Maps and described as addresses:

1599 Stone Church Road East (Map 1452)  
 395 Lewis Road (Maps 1203, 1204, 1257, 1258)

a Home Furnishings Retail Establishment shall also be permitted.

(By-law 10-128, June 28, 2011)

375. Within the lands zoned Prestige Business Park (M3 Zone), General Industrial (M5) Zone and Light Industrial (M6) Zone, identified on Maps 829, 870, 871, 912, 913, 914, 915, 956, 957, 958, 959, 1147, 1198, 1199, and 1256 of Schedule "A" – Zoning Maps and described as:

| Property Address  | Map Number              |
|---|-------------------------|
| 1-18, 20, 22-37, 39, 41, 43 Albemarle Street  | 915, 956, 957           |
| 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street  | 914, 915, 956, 957      |
| 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 59, 61, 63, 65, 67, 69, 73, 75, 77, 79, 81, 83, 89, 91, 93, 104, 105, 107-113, 116-118, 120, 122, 124, 126, 128, 130, 132, 136, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160-164, 166, 167, 169, 172, 173, 175-177, 179-182, 184, 186, 188, 190, 192, 194, 195, 203, 205, 207, 211, 213, 215, 217, 219, 221, 223, 227, 229, 233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road | 914, 956, 957, 958, 959 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|   |               |
|---|---------------|
| 3, 8-10, 12-15, 20, 22 Beatty Avenue  | 958           |
| 2, 4, 8, 16 Birmingham Street   | 914           |
| 450, 517, 520, 539, 553, 555, 561, 563, 569,<br>571, 573, 577 Burlington Street East  | 971           |
| 29, 43, 110, 112, 114, 116, 118, 120, 122, 140,<br>142, 144, 146, 148, 150, 152, 154, 156, 158,<br>160, 162, 164, 166 Burton Street   | 870, 912      |
| 83, 85, 87, 89, 91-105 Cheever Street   | 912           |
| 3, 16, 18, 20, 22, 24, 32, 36 Clark Avenue  | 870, 912      |
| 5-7, 21, 23, 25, 27, 29-31, 33, 35, 37, 39, 40,<br>45,<br>47-49 Depew Street  | 915, 957      |
| 12-22, 24-28, 30, 31, 33 Dickson Street   | 871           |
| 6, 8, 10, 16 Douglas Avenue   | 912           |
| 350, 353, 360, 362, 364, 366, 368, 373, 375,<br>377, 391, 393, 395 Emerald Street North   | 870, 912      |
| 304, 322, 332, 334, 337, 342, 344, 348, 350,<br>352, 357 Gage Avenue North  | 914, 956      |
| 3, 17, 20, 22, 25, 27, 29, 31, 33, 35, 37, 39, 41,<br>43-58, 60, 62, 64, 66, 69, 70, 72-79, 81-84, 86,<br>87-95, 97, 99, 101-103, 105, 107, 109, 113,<br>115 Gertrude Street          | 914, 915, 957 |
| 5, 59, 61, 63, 65-71, 73-75, 78, 79, 81, 91, 93,<br>95, 97-99, 101-103, 105, 107, 109, 111, 113,<br>115-119, 121, 123, 125, 127, 129, 131, 133,<br>135, 137, 139, 141 Hillyard Street | 871, 913      |
| 1, 3, 5, 7, 9, 11, 13, 15-17, 19-21, 23, 25, 34,<br>36,<br>38, 40, 42 Land Street   | 915, 957      |
| 1, 4-12, 14-16, 18, 19, 21-24, 26-28, 30-37<br>Lyndhurst Street   | 915, 957      |
| 2, 6, 8, 10, 16, 20, 22, 24-27, 30, 31, 35, 36,<br>38-<br>41, 43, 45 Macallum Street  | 870, 871      |
| 17, 23, 25, 27, 29, 31 McKinstry Street   | 871           |
| 333 McNeilly Road   | 1256          |
| 52, 56, 58, 60, 64 Munroe Street  | 913           |
| 66, 67, 69-71, 73-76, 78, 82, 84, 86, 88, 98,<br>99,<br>102-104, 106-110, 112-131, 133-135, 137,<br>139,<br>141, 143, 152, 163, 167, 171 Niagara Street                               | 829, 871      |
| 2, 4, 10, 12, 20, 26, 28, 32 Northcote Street   | 957           |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|   |                         |
|---|-------------------------|
| 1 Norton Street   | 914                     |
| 5 Roadway   | 871, 914, 915, 956, 957 |
| 1, 2, 4, 6, 8 Roosevelt Avenue  | 958                     |
| 1, 3, 5-20, 22-25, 27-29, 31, 33, 35-37<br>Rowanwood Street   | 957                     |
| 15, 17, 20-27, 29-36, 38, 40, 48, 50, 52, 56,<br>58,<br>60, 64, 65, 71, 73, 75, 77, 79, 81, 83, 85, 87,<br>89,<br>91, 93, 95, 97, 99, 103, 107, 109, 111, 113,<br>115,<br>117-119, 170, 175 Shaw Street | 912, 913                |
| 366, 390, 400 Victoria Avenue North   | 870, 912                |
| 335, 517, 519, 521, 527, 529, 531, 533, 536,<br>540, 560, 562, 564, 566, 568, 570, 572, 574,<br>578, 580, 582, 584, 600, 610, 612, 618<br>Wentworth Street North  | 829, 871, 912, 913      |
| 2, 4, 6, 8, 10-25, 27, 28, 30, 32, 34, 36, 38, 40<br>44, 46-48, 50 Whitfield Avenue   | 914                     |

The following special provisions shall apply:

- a) In addition to Subsections 9.3.1, 9.5.1 and 9.6.1, and notwithstanding Subsections 9.5.2 and 9.6.2 ii), the legally established residential uses existing on the date of passing of this By-law (May 26, 2010) shall also be permitted.
- b) In addition to clause a), an Additional Dwelling Unit may be permitted within a legally established single detached dwelling, semi-detached dwelling, street townhouse, or block townhouse dwelling existing as of May 26, 2010 and shall be in accordance with Section 4.33 of the By-law.
- c) Notwithstanding Subsections 9.3.3, 9.5.3 and 9.6.3, the following regulations shall apply to the use permitted in Clause a):
  - i) Minimum Front Yard 6.0 metres
  - ii) Maximum Building Height 14.0 metres
  - iii) Minimum Side Yard 0.6 metres
  - iv) Minimum Rear Yard 7.5 metres
  - v) Accessory buildings shall be subject to Subsection 4.8.1

(By-law No. 18-219, August 17, 2018)  
 (By-law No. 19-062, March 27, 2019)  
 (By-law No. 21-071, May 12, 2021)  
 (By-law No. 22-084, April 13, 2022)  
 (By-law No. 22-132, June 08, 2022)  
 (By-law No. 24-137, July 10, 2024)

376. Notwithstanding Section 9.3.3 b) and Section 9.3.3 i), within the boundaries of the lands affected by this subsection and zoned Prestige Business Park (M3) Zone, identified on Maps 1434 and 1483 of Schedule "A" – Zoning Maps, the following special provisions shall also apply:

- a. Garner Road West shall be deemed to be the front lot line;
- b. Minimum Yard Abutting Osprey Drive 3.0 metres
- c. Landscaped Area Abutting Osprey Drive
  - i) Minimum 3.0 metre width shall be provided and maintained, except for points of ingress and egress;
  - ii) In addition to i) above, where a parking space, aisle or driveway is located in a yard abutting Osprey Drive, a minimum 3.0 metre wide Planting Strip shall be required and maintained between the said parking space, aisle or driveway and Osprey Drive, except for points of ingress and egress.

(By-law 10-128, June 28, 2011)

377. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1482 of Schedule "A" – Zoning Maps and described as 1492 Wilson Street West, the following uses shall also be permitted:

- a. Restaurant
- b. Financial Establishment

(By-law 10-128, June 28, 2011)

378. In addition to the uses permitted in Section 7.5.1 and Section 9.3.1, on those lands zoned Conservation/Hazard Land (P5) Zone and Prestige Business Park (M3) Zone, identified on Maps 1481 and 1482 of Schedule "A" – Zoning Maps and described as 1505 Wilson Street West, a Golf Course shall also be permitted.  
(By-law 10-128, June 28, 2011)
379. Notwithstanding Section 5.1 a) v), Section 5.2.1 b), Section 9.3.2 ii), Section 9.3.3 c), Section 9.3.3 j), Section 9.3.3 l) and Section 9.3.3 m), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1546 and 1591 of Schedule "A" – Zoning Maps and described as 583-595 Nebo Road and 615 Nebo Road, the following special provisions shall apply:
- a. A manufacturing operation involving the primary production of concrete and the recycling of concrete shall also be permitted;
  - b. Section 5.1 a) v), Section 5.2.1 b), Section 9.3.3 c), Section 9.3.3 j), Section 9.3.3 l) and Section 9.3.3 m) shall not apply to the use identified in a. above.  
(By-law 10-128, June 28, 2011)
380. Notwithstanding Section 9.3.3 b) and Section 9.3.3 i), within the boundaries of the lands affected by this subsection and zoned Prestige Business Park (M3) Zone, identified on Maps 1481 and 1482 of Schedule "A" – Zoning Maps, the following special provisions shall also apply:
- a. Wilson Street shall be deemed to be the front lot line;
  - b. Minimum Yard Abutting Sandhill Drive 3.0 metres
  - c. Landscaped Area Abutting Sandhill Drive
    - i) Minimum 3.0 metre width shall be provided and maintained, except for points of ingress and egress;
    - ii) In addition to i) above, where a parking space, aisle or driveway is located in a yard abutting Sandhill Drive, a minimum 3.0 metre wide Planting Strip shall be required and maintained between the said parking space, aisle or driveway and Sandhill Drive, except for points of ingress and egress.
- (By-law 10-128, June 28, 2011)

381. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1434 and 1483 of Schedule "A" – Zoning Maps and described as 1034 Garner Road West, the following uses shall also be permitted:
- a. Restaurant
  - b. the existing Dwelling Unit.
- (By-law 10-128, June 28, 2011)
382. In addition Section 9.2.1 and Section 9.2.3, on those lands zoned General Business Park (M2) Zone, identified on Map 1529 of Schedule "A" – Zoning Maps and described as 611 Tradewind Drive, an Office shall also be permitted, provided that the maximum gross floor area shall not be 10,000 square metres or greater.
- (By-law 10-128, May 26, 2010)
383. *Deleted.*
- (By-law 10-128, June 28, 2011)  
(By-law No. 22-084, April 13, 2022)
384. *Deleted.*
- (By-law 10-128, June 28, 2011)  
(By-law No. 22-084, April 13, 2022)
385. Notwithstanding Section 9.6.2 i), on those lands zoned Light Industrial (M6) Zone, identified on Map 859 of Schedule "A" – Zoning Maps and described as 32-40 Head Street, the Primary Production of Chemicals as part of the existing Manufacturing use shall also be permitted.
- (By-law 10-128, May 26, 2010)
386. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 580, 581, 611 and 612 of Schedule "A" – Zoning Maps and described as 27 Highway 5 West, Recreation shall also be permitted.
- (By-law 10-128, June 28, 2011)
387. In addition to the uses permitted in Section 9.6.1 and notwithstanding Section 9.6.2 i), Section 9.6.3 k) i) and Section 9.6.3 m) v), on those lands zoned Light Industrial (M6) Zone, identified on Maps 871 and 913 of Schedule "A" – Zoning Maps and described as 80 Brant Street, the following special provisions shall also apply:
- a. A Salvage Yard shall also be permitted;
  - b. Section 9.6.3 k) i) and Section 9.6.3 m) v) shall not apply.
- (By-law 10-128, June 28, 2011, By-law 11-276, November 16, 2011)

388. Notwithstanding Section 9.3.3 b) and Section 9.3.3 i), within the boundaries of the lands affected by this subsection and zoned Prestige Business Park (M3) Zone, identified on Maps 515 and 549 of Schedule "A" – Zoning Maps, the following special provisions shall also apply:

- a. Minimum Yard Abutting a Street 3.0 metres
- b. Landscaped Area
  - i) Minimum 3.0 metre width shall be provided and maintained, except for points of ingress and egress;
  - ii) In addition to i) above, where a parking space, aisle or driveway is located in a yard abutting a street, a minimum 3.0 metre wide Planting Strip shall be required and maintained between the said parking space, aisle or driveway and a street, except for points of ingress and egress.

(By-law 10-128, June 28, 2011)

389. On those lands zoned General Business Park (M2) Zone, identified on Maps 580 and 611 of Schedule "A" – Zoning Maps and described as 91 Highway 5 West (Coreslab), the following special provisions shall also apply:

- a. In addition to Section 9.2.3 c), the following Landscaped Area regulations shall also apply:
  - i) Minimum 5.0 metre width shall be provided and maintained along the northerly lot line;
  - ii) Minimum 5.0 metre width shall be provided and maintained along the westerly lot line from the rear lot line south to a distance of 408 metres;
  - iii) Minimum 50.0 metre width, including a minimum 7.5 metre high berm, shall be provided and maintained along the easterly lot line from the rear lot line south to a distance of 243 metres; and,



- iv) Minimum 10.0 metre width, including a minimum 3.5 metre high noise wall, shall be provided and maintained along the easterly lot line from the southerly limit of the Landscaped Area as required in a. iii) above, south to a distance of 165 metres.

- b. In addition to Section 9.2.3 d), the following regulation shall also apply:

|                 |  |
|-----------------|--|
| Outdoor Storage | Upon removal of the "H" Holding symbol, the lands within 20.0 metres of the westerly limit of the Landscaped Area, as required in a. iii) above, shall only be used for the outdoor storage of operational assets of the permitted Manufacturing use, to a maximum height of 3.0 metres. |
|-----------------|--|

- c. In addition to Section 9.2.3, the following regulation shall also apply:

|                    |   |
|--------------------|---|
| Easterly Side Yard | Minimum 300 metres for all Buildings and Structures within 408 metres of the northerly rear lot line. |
|--------------------|---|

- d. An accessory crushing operation shall only be permitted on the west side of the existing Building or Structure.

(By-law 10-128, May 26, 2010)

- 390. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1500 and 1501 of Schedule "A" – Zoning Maps and described as 320 Anchor Road, a Correction Facility shall also be permitted.

(By-law 10-128, June 28, 2011)

- 391. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451 and 1500 of Schedule "A" – Zoning Maps and described as 4-6 Dartnall Road, the existing Garden Centre shall also be permitted.

(By-law 10-128, June 28, 2011)

- 392. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1500 of Schedule "A" – Zoning Maps and described as 10 Dartnall Road, the existing Retail and existing Farm Product Supply Dealer shall also be permitted.

(By-law 10-128, June 28, 2011)

393. In addition to the uses permitted in Section 9.3.1 and notwithstanding Section 9.3.2 ii), on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1500 of Schedule "A" – Zoning Maps and described as 81 Dartnall Road, the following uses shall also be permitted:
- a. the existing Dwelling Unit(s)
  - b. a Snow Removal Service  
(By-law 10-128, June 28, 2011)
394. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1499 and 1546 of Schedule "A" – Zoning Maps and described as 1188 Rymal Road East, the following uses shall also be permitted:
- a. Retail
  - b. Home Furnishings Retail Establishment
  - c. Restaurant
  - d. Personal Service
  - e. Medical Office
- (By-law 10-128, June 28, 2011)  
(By-law No. 24-137, July 12, 2024)
395. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1547 of Schedule "A" – Zoning Maps and described as 245 Dartnall Road, an Animal Shelter shall also be permitted.  
(By-law 10-128, June 28, 2011)
396. On those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1452 and 1501 of Schedule "A" – Zoning Maps and described as 1520 Stone Church Road East, the following special provisions shall apply:
- a. Notwithstanding Section 9.3.3 j), the following regulation shall apply:
 

|  |   |
|--|---|
| <p>Landscaped Area and<br/>Planting Strip<br/>Requirements</p> | <p>i) Minimum 3.5 metre wide<br/>Landscaped Area shall be<br/>provided and maintained abutting<br/>Stone Church Road East, except<br/>for points of ingress and egress;</p> |
|--|---|

- ii) Minimum 2.6 metre wide Landscaped Area shall be provided and maintained abutting Anchor Road, except for points of ingress and egress;

b. In addition to Section 9.3.3, the following regulations shall also apply:

- |                               |  |
|-------------------------------|--|
| Special Regulations for Hotel | <ul style="list-style-type: none"> <li>i) Maximum of 53 rooms</li> <li>ii) Maximum Building Height: 27.0 metres and 8 storeys</li> </ul> |
|-------------------------------|--|

c. Notwithstanding Section 5.6 c), only as it relates to the parking requirements for Conference or Convention Centre and Hotel, the following shall apply:

- |  |   |
|--|---|
| Parking for the Existing Conference or Convention Centre and Hotel | A minimum of 175 parking spaces shall be provided and maintained. |
|--|---|

d. Notwithstanding Section 5.1 a) i), a total of 44 of the required 175 parking spaces shall be provided and maintained at the property known as 270 Anchor Road.

(By-law 10-128, June 28, 2011)

397. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1199 of Schedule "A" – Zoning Maps and described as 615 Barton Street, a Private Club shall also be permitted.

(By-law 10-128, June 28, 2011)

398. In addition Section 9.2.1, Section 9.2.3, Section 9.3.1 and Section 9.3.3, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Map 1146 of Schedule "A" – Zoning Maps and described as 263-265 Barton Street and 333 Green Road, the following special provisions shall also apply:

a. The following uses shall also be permitted:

- i) Commercial School
- ii) Financial Institution
- iii) Retail

- b. The uses identified in a. above, shall only be permitted within the existing buildings.

(By-law 10-128, June 28, 2011)

399. In addition to Section 9.3.1 and Section 9.3.3, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1149 and 1200 of Schedule "A" – Zoning Maps and described as 650 South Service Road, the following special provisions shall also apply:

- a. That the following uses shall also be permitted:

- i) Restaurant
- ii) Financial Establishment
- iii) Retail
- iv) Personal Service

- b. That the following regulations shall also apply:

- i) Notwithstanding any other regulation within this by-law, a restaurant shall not be limited in size;
- ii) No drive through facility shall be permitted even as an accessory use;
- iii) No Restaurant shall be located within 40 m of Fruitland Road;
- iv) An individual Retail Establishment shall be restricted to a maximum gross floor area of 500 square metres; and,
- v) Notwithstanding any other regulation within this by-law, the maximum gross floor area related to Retail and Personal Services shall be limited to 15% of the total gross floor area.

(By-law 10-128, June, 28, 2011)

(By-law No. 24-137, July 12, 2024)

400. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1200 of Schedule "A" – Zoning Maps and described as 348-354 Fruitland Road, a Landscape Contracting Establishment shall also be permitted.

(By-law 10-128, June 28, 2011)

401. In addition to the uses permitted in Section 9.3.1 and notwithstanding Section 9.3.2 i), on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1149 of Schedule "A" – Zoning Maps and described as 404 Fruitland Road, the existing Motor Vehicle Wrecking Establishment shall also be permitted.

(By-law 10-128, June 28, 2011)

402. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, within the boundaries of the lands affected by this subsection and zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 1203, 1204, 1257 and 1258 of Schedule "A" – Zoning Maps, the following uses shall also be permitted:

- a. Home Furnishings Retail Establishment
- b. Restaurant
- c. The following special provisions shall also apply for properties located at 360 and 410 Lewis Road:

- i) In addition to Sections 9.2.1 and 9.3.1, the following uses shall also be permitted:

- 1. Commercial Recreation;
    - 2. Commercial Entertainment;
    - 3. Commercial School;
    - 4. Financial Establishment;
    - 5. Place of Worship;
    - 6. Medical Clinic;
    - 7. Studio; and,
    - 8. Veterinary Clinic.

- ii) The Maximum Gross Floor Area for a Place of Worship shall be 500 square metres.

(By-law 10-128, June, 28, 2011)

(By-law 17-143, July 14, 2011)

(By-law 17-145, September 14, 2017)

403. In addition to Section 9.2.1, Section 9.2.3 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 1257 and 1310 of Schedule "A" – Zoning Maps, and described as 1081 Barton Street, the following special provisions shall also apply:

- a. The following uses shall also be permitted:

- i) Financial Establishment
- ii) Office
- iii) Conference or Convention Centre

- b. In addition to Section 9.2.3, the following regulation shall apply to Office Use:

Maximum gross floor area for Office use within an individual building, excluding accessory office, shall be limited to 3,000 square metres.

(By-law 10-128, June 28, 2011)

- 404. On those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1260, 1312 and 1313 of Schedule "A" – Zoning Maps and described as 1640 South Service Road, the following special provisions shall also apply:

- a. In addition to Section 9.3.1, the following uses shall also be permitted:

- i) Tourist Information Centre
- ii) Travel Plaza
- iii) Commercial Recreation
- iv) Financial Establishment
- v) Medical Clinic
- vi) Restaurant accessory to all permitted uses

- b. Notwithstanding Section 9.3.3 a), Section 9.3.3 b), Section 9.3.3 c) and Section 9.3.3 j), the following Regulations shall apply:

- i) Minimum Lot Area     6,000 square metres
- ii) Minimum Lot             50.0 metres  
Width

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- iii) Minimum Front Yard for all uses except a Travel Plaza 14.0 metres
- iv) Minimum Landscaped Open Space 10 percent of the lot area, and which shall include the following:
  - 1. A landscaped strip having a minimum width of 7.5 metres shall be provided and maintained adjacent to any street except for points of ingress and egress;
  - 2. A landscaped strip having a minimum width of 4.0 metres shall be provided and maintained along the easterly lot line, save and except for that portion of the lands zoned Conservation / Hazard Lands (P5) Zone;
  - 3. Notwithstanding the landscaped strip requirements identified in 2. above, no landscaped strip shall be required to be provided on the lands adjacent to the lands zoned Conservation/Hazard Lands (P5) Zone;
  - 4. A landscaped strip having a minimum width of 1.5 metres shall be provided and thereafter maintained adjacent to the southerly and westerly lot lines.

- c. Notwithstanding Section 9.3.3 c) and in addition to b. above, the following Front Yard Requirements shall apply to a Travel Plaza:

- i) Maximum Front Yard (excluding setback to fuel pump islands, fuel pumps, light standards and signage) 72.0 metres
- ii) Minimum Front Yard to Motor Vehicle and Recreational Vehicle Fuel Pump Islands and Propane Dispensing Area 75.0 metres
- iii) Minimum Front Yard to Commercial Motor Vehicle and Heavy Motor Vehicle Fuel Pump Islands 120.0 metres
- iv) Minimum Front Yard to Light Standards None

d. In addition to Section 9.3.3, the following regulations shall also apply:

- i) Maximum Lot Coverage 50 percent
- ii) Minimum Side Yard to Weigh Scale 4.0 metres
- iii) Minimum Rear Yard 7.0 metres
- iv) Within the Travel Plaza, a maximum of 650 square metres of the gross floor area may be used for Retail.

e. Section 9.3.3 h) and Section 9.3.3 i) shall not apply.

(By-law 10-128, June 28, 2011)

405. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Map 1256 of Schedule "A" – Zoning Maps and described as 967-977 Barton Street, the existing Mini Golf and the existing Golf Driving Range shall also be permitted.



(By-law 10-128, June 28, 2011)

406. Notwithstanding Section 9.3.2 i), on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1591 of Schedule "A" – Zoning Maps and described as 669 Nebo Road, a manufacturing operation involving the primary production of asphalt or cement shall also be permitted.

(By-law 10-128, June 28, 2011)

407. In addition to Section 9.3.1 and Section 9.3.3 and notwithstanding Section 3 only as it relates to the definition of Building or Contracting Supply Establishment, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1452 of Schedule "A" – Zoning Maps and described as 1525 Stone Church Road East, the following special provisions shall also apply:

- a. The following uses shall also be permitted:

- i) Financial Establishment
- ii) Restaurant
- iii) Fitness Club
- iv) Bowling Alley, including an accessory restaurant

- b. The following Regulation shall also apply:

- |                                   |   |
|-----------------------------------|---|
| Restriction for<br>Restaurant Use | <ul style="list-style-type: none"> <li>i) Shall be limited to one Restaurant on the property, not including a restaurant accessory to a Bowling Alley;</li> <li>ii) In addition to i) above, no drive-thru or stacking lane shall be located between any building and a street line.</li> </ul> |
|-----------------------------------|---|

- c. For the purpose of this special exception, a Building or Contracting Supply Establishment shall be defined as follows:

"Shall mean the use of land, building or structure, or part thereof, in which building, construction or home improvement materials are stored or offered for wholesale or retail sale."

(By-law 10-128, June 28, 2011)

408. On those lands zoned Prestige Business Park (M3) Zone, identified on Map 1500 of Schedule "A" – Zoning Maps and described as 50 Dartnall Road, the following special provisions shall also apply:

a. In addition to Section 9.3.3, the following regulations shall also apply:

- i) Minimum Northerly Side Yard 1.4 metres
- ii) Minimum Rear Yard 2.8 metres

b. Notwithstanding Section 9.3.3 i), Section 9.3.3 k) v) and Section 5.2 e), the following regulations shall apply:

- i) Landscaped Area and Planting Strip Requirements
  - 1. Minimum 3.0 metre width shall be provided and maintained, except for points of ingress and egress;
  - 2. In addition to i) above, where a parking space, aisle or driveway is located in a yard abutting a street, a minimum 3.0 metre wide Planting Strip shall be required and maintained between the said parking space, aisle or driveway and a street, except for points of ingress and egress.
- ii) Screening of Outdoor Storage and Outdoor Assembly
 

Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier having a minimum of 1.5 metres and a maximum height 3.0 metres.

## iii) Existing Parking Area

The existing gravel parking area, maneuvering space, loading space and access driveway shall also be permitted.

(By-law 10-128, June 28, 2011)

409. Notwithstanding Section 9.3.2 i), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1545 and 1546 of Schedule "A" – Zoning Maps and described as 1680 Upper Ottawa Street, a manufacturing operation involving the primary production of asphalt shall also be permitted.

(By-law 10-128, June 28, 2011)

410. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Map 1148 of Schedule "A" – Zoning Maps and described as 560 Seaman Street and 565 Seaman Street, Commercial Recreation shall also be permitted.

(By-law 10-128, June 28, 2011)

411. On those lands zoned Light Industrial (M6) Zone, identified on Map 1238 of Schedule "A" – Zoning Maps and described as 1050-1056 Upper Wellington Street, Section 9.6.3 m iv) shall not apply to the existing Building and Lumber Supply Establishment.

(By-law 10-128, May 26, 2010, By-law 11-276, November 16, 2011)

412. Notwithstanding Section 9.3.1, on those lands zoned Prestige Business Park (M3), identified on Map 1501 of Schedule "A" – Zoning Maps and described as 38 Bigwin Road, a Motor Vehicle Collision Repair Establishment shall not be permitted.

(By-law 10-128, June 28, 2011)

413. Notwithstanding Section 9.3.3 f), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1545, 1590 and 1591 of Schedule "A" – Zoning Maps and described as 610 Nebo Road, Section 9.3.3 f) shall not apply.

(By-law 10-128, June, 28, 2011)

414. In addition to the uses permitted in Section 9.2.1 and 9.6.1 and notwithstanding Section 9.2.2 i) and Section 9.6.2 i), on those lands zoned General Business Park (M2) Zone and Light Industrial (M6) Zone, identified on Maps 1047, 1048, 1093, 1094, 1095 and 1096 of Schedule "A" – Zoning Maps and described as:

|                   |                               |
|-------------------|-------------------------------|
| 20 Brockley Drive | (Maps 1095, 1096)             |
| 21 Brockley Drive | (Map 1095)                    |
| 330 Nash Road     | (Maps 1047, 1048, 1093, 1094) |

the following uses shall also be permitted:

- a. Restaurant
- b. Beverage Distillation
- c. Breweries
- d. Processing, Milling or Packaging of Animal Feed
- e. Slaughtering, Eviscerating, Rendering or Cleaning of Meat, Poultry or Fish or by-products thereof

(By-law 10-128, May 26, 2010, June 28, 2011)

415. Notwithstanding Section 3 only as it relates to the definition of Warehouse, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1547 and 1592 of Schedule "A" – Zoning Maps and described as 90 Glover Road, retail accessory to a Warehouse shall also be permitted.

(By-law 10-128, June, 28, 2011)

416. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1634 of Schedule "A" – Zoning Maps and described as 858 Nebo Road, a Towing Establishment shall also be permitted.

(By-law 10-128, June 28, 2011)

417. In addition to the uses permitted in Section 9.6.1, on those lands zoned Light Industrial (M6) Zone, identified on Maps 1047 and 1093 of Schedule "A" – Zoning Maps and described as 279 Nash Road and 2255 Barton Street East, Retail shall also be permitted.

(By-law 10-128, May 26, 2010)

418. On those lands zoned Light Industrial (M6) Zone, identified on Maps 915, 916, 957 and 958 of Schedule "A" – Zoning Maps and described as 560 Ottawa Street North, the following shall also apply:

- a. Section 9.6.3 k) shall not apply to that portion of the property abutting Beach Road;
- b. In addition to Section 9.6.3, for development abutting Beach Road, a Visual Barrier shall be provided along that portion of the property lot line abutting Beach Road, in accordance with Section 4.19 of this By-law.

(By-law 10-128, May 26, 2010, By-law 11-276, November 16, 2011)

419. Notwithstanding Section 9.5, within the boundaries of the lands affected by this subsection and zoned General Industrial (M5) Zone, identified on Maps 958, 1000, 1001 and 1002 of Schedule "A" – Zoning Maps, the following special provisions shall only apply:
- a. The following uses shall only be permitted:
    - i) Railway terminal and uses, buildings and structures accessory thereto, including commercial, industrial and office uses; and,
    - ii) Transport Terminal.
  - b. Dwelling unit shall be prohibited.  
(By-law 10-128, May 26, 2010)
420. In addition to Section 9.2.1 and notwithstanding Section 9.2.3 d) and Section 5.6 c) only as it relates to the parking requirement for a Place of Worship, on those lands zoned General Business Park (M2) Zone, identified on Map 1095 of Schedule "A" – Zoning Maps and described as 80-86 Covington Street and 86 Cascade Street, the following special provisions shall also apply:
- a. A Place of Worship shall also be permitted;
  - b. Section 9.2.3 d) shall not apply to a Place of Worship;
  - c. Parking for the Place of Worship      A minimum of 188 parking spaces shall be provided and maintained.  
(By-law 10-128, June 28, 2011)
421. On those lands zoned General Business Park (M2) Zone, identified on Map 1095 of Schedule "A" – Zoning Maps and described as 70 Covington Street, Section 5.2.1 a) and Section 5.2.1 b) shall not apply to the existing building.  
(By-law 10-128, June 28, 2011)
422. In addition to the uses permitted in Section 9.2.1, on those lands zoned General Business Park (M2) Zone, identified on Map 1200 of Schedule "A" – Zoning Maps and described as 29-35 Sunnyside Avenue, a Motor Vehicle Service Station shall also be permitted.  
(By-law 10-128, June 28, 2011)
423. In addition to Section 9.3.1 and notwithstanding Section 9.3.3 n), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1200 and 1254 of Schedule "A" – Zoning Maps and described as 681-695 Barton Street, the following special provisions shall also apply:

- a. Commercial Recreation shall also be permitted;
- b. The maximum gross floor area devoted to accessory retail and showroom area shall be 1,120 square metres for any permitted use.

(By-law 10-128, March 25, 2011)

424. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1434 and 1483 of Schedule "A" – Zoning Maps and described as 1046 Garner Road West, the following uses shall also be permitted:

- a. Financial Establishment

- b. Restaurant

(By-law 10-128, June 28, 2011)

425. Within the boundaries of the lands affected by this subsection and zoned Prestige Business Park (M3) Zone, identified on Maps 1636 and 1637 of Schedule "A" – Zoning Maps, and described as 280, 328, 338 Trinity Church Road the following special provisions shall also apply:

- a. Notwithstanding Section 9.3.3 a) and Section 9.3.3 b), the following regulations shall apply:

- i) Minimum Lot Area                      3,000 square metres

- b. Notwithstanding Section 9.3.3, the following regulation shall apply:

- i) Minimum Lot Width              25.0 metres

- c. Notwithstanding Section 9.3.2 ii) and Section 9.3.3 c) and in addition to Section 9.3.3, an accessory dwelling unit shall also be permitted, subject to the following regulations:

- i) Yard Abutting a Street
    - 1. Minimum 6.0 metres;
    - 2. Maximum 15.0 metres

- ii) Maximum Dwelling Size                      180.0 square metres

- d. Section 9.3.3 k) ii) and Section 9.3.3 o) shall not apply.

(By-law 10-128, June 28, 2011, By-law 11-276, November 16, 2011)

426. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1482 of Schedule "A" – Zoning Maps and described as 1330 Sandhill Drive, a Martial Arts Studio shall also be permitted.  
(By-law 10-128, June 28, 2011)
427. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 612, 1148, 1199, 1482 and 1529 of Schedule "A" – Zoning Maps and described as addresses:
- |                     |                     |
|---------------------|---------------------|
| 12 Innovation Drive | (Map 612)           |
| 1378 Sandhill Drive | (Map 1482 and 1529) |
| 1442 Osprey Drive   | (Map 1529)          |
| 515 Arvin Avenue    | (Map 1148 and 1199) |
- a Dance Studio shall also be permitted.  
(By-law 10-128, May 26, 2010)
428. On those lands zoned Prestige Business Park (M3) Zone, identified on Map 1484 of Schedule "A" – Zoning Maps and described as 754 Shaver Road, the following special provisions shall also apply:
- In addition to the uses permitted in Section 9.3.1, a Tennis School shall also be permitted;
  - Notwithstanding Section 9.3.3i i) and Section 9.3.3 i) ii), and Section 5.1 v) a minimum 2.8 metre wide landscaped area shall be provided and maintained abutting a street, except for points of ingress and egress;
  - Notwithstanding Section 5.2 e), the portion of the parking areas at the north side of the building containing nine parking spaces shall be constructed with a hard/dustless compact surface instead of being constructed with a stable surface of concrete or asphalt.
- (By-law 10-128, June 28, 2011, By-law 11-276, November 16, 2011)
429. In addition to the uses permitted in Section 9.2.1, on those lands zoned General Business Park (M2) Zone, identified on Map 1482 of Schedule "A" – Zoning Maps and described as 1370 Sandhill Drive, a Music School shall also be permitted.  
(By-law 10-128, May 26, 2010)
430. On those lands zoned Prestige Business Park (M3) Zone, identified on Map 1148 of Schedule "A" – Zoning Maps and described as 565 Seaman Street, the following special provisions shall also apply:

- a. In addition to the uses permitted in Section 9.3.1, Commercial Recreation, including an accessory restaurant shall also be permitted;
- b. Notwithstanding Section 5.6 c) only as it relates to the parking requirement for Commercial Recreation, a minimum of 180 parking spaces shall be provided and maintained.

(By-law 10-128, June 28, 2011)

431. On those lands zoned Prestige Business Park (M3) Zone, identified on Maps 611 and 642 of Schedule "A" – Zoning Maps and described as 91 Highway 5 West (Block 11), the following special provisions shall also apply:

- a. In addition to Section 9.3.1, the following uses shall also be permitted:
  - i) Landscape Contracting Establishment
  - ii) Waste Processing Facility
  - iii) Waste Transfer Facility
- b. Notwithstanding Section 9.3.2, the following uses shall be prohibited:

**PROHIBITED USES**

- i) Notwithstanding Section 9.3.2, the following types of manufacturing uses are prohibited, except if these uses are considered only as an accessory use to another permitted manufacturing use:

Beverage Distillation  
 Breweries  
 Manufacturing of Asbestos,  
 Phosphate or Sulphur  
 Products  
 Primary Production of  
 Chemicals, Synthetic  
 Rubber or Plastic  
 Processing or Refining of  
 Petroleum or Coal  
 Processing, Milling or  
 Packaging of Animal Feed  
 Salvage Yard  
 Slaughtering, Eviscerating,  
 Rendering or Cleaning of



**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

Meat, Poultry or Fish or by-products thereof  
Smelting of Ore or Metal  
Tanning or Chemical Processing of Pelts or Leather  
Vulcanizing of Rubber or Rubber Products  
Explosives Manufacturing  
Pulp and Paper Mills

- ii) Notwithstanding Section 9.3.2, the following uses are prohibited, even as accessory uses:

Day Nursery  
Dwelling Unit

- c. Notwithstanding Section 9.3.3 b), Section 9.3.3 i), Section 9.3.3 k) and Section 9.3.3 l), the following regulations shall apply:

- |      |   |  |
|------|---|--|
| i)   | Minimum Yard Abutting a Street                  | 3.0 metres   |
| ii)  | Landscaped Area and Planting Strip Requirements | <p>1. Minimum 3.0 metre wide Landscaped Area shall be provided and maintained abutting a street, except for points of ingress and egress;</p> <p>2. In addition to i) above, where a parking space, aisle or driveway is located in a Yard abutting a street, a minimum 3.0 metre wide Planting Strip shall also be required and maintained between the said parking space, aisle or driveway and a street, except for points of ingress and egress.</p> |
| iii) | Location and Screening of                       | Outdoor Storage and Outdoor Assembly of goods, materials or  |

Outdoor Storage  
and Outdoor  
Assembly

equipment shall be permitted only as an accessory use and the following regulations shall apply:

1. Outdoor Storage and Outdoor assembly shall be permitted in a yard abutting a street, but shall be no closer than 3.0 metres to the lot line;
2. Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area;
3. Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this By-law.

iv) Location of Outdoor  
Display

Outdoor Display of goods, materials or equipment shall be permitted only as an accessory use and shall be permitted in a yard abutting a street, but shall be no closer than 3.0 metres to the lot line.

(By-law 10-128, June 28, 2011)

432. In addition to Section 9.3.1 and Section 9.3.3, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451, 1452, 1500 and 1501 of Schedule "A" – Zoning Maps and described as 230 Anchor Road, Retail shall also be permitted only within the existing building.

(By-law 10-128, June 28, 2011)

433. Notwithstanding Section 5.6 c), 9.5.3 b), and 9.5.3 c), on those lands zoned General Industrial (M5) Zone, identified on Maps 749-751, 789-791, 830-832, 872-874 and 914-916 and described as 386 Wilcox Street, Sections 5.6 c), 9.5.3 b) and 9.5.3 c) shall not apply.

(By-law 10-128, May 26, 2010)

434. In addition to Section 9.2.1, Section 9.3.1, on those lands zoned General Business Park (M2) Zone identified on Map 1529 of Schedule "A" – Zoning Maps, described as 680 Tradewind Drive, and Prestige Business Park (M3) Zone identified on Maps

1149 and 1200 of Schedule "A", described as 620 South Service Road, Commercial Recreation shall also be permitted. In addition, the following shall apply to the lands at 620 South Service Road:

- a. Notwithstanding Section 9.3.3 i), no landscape area or planting strip shall be required adjacent to Fruitland Road. (By-law No. 14-143, June 11, 2014)  
(By-law 10-128, May 26, 2010, By-law 11-276, November 16, 2011, By-law 12-028, February 8, 2012)

435. In addition to Section 9.2.1 and Section 9.2.3, on those lands zoned General Business Park (M2) Zone, identified on Map 1529 of Schedule "A" – Zoning Maps and described as 1425 Cormorant Road, the following shall also apply:

- i) The following uses shall also be permitted:
  - a. Office
  - b. Industrial Administration Office
  - c. Surveying, Engineering, Planning or Design Business
- ii) Gross Floor Area for Office Use – Maximum gross floor area for Office use within an individual building, excluding accessory office, shall be limited to 3,000 square metres.  
(By-law 11-276, November 16, 2011)

436. In addition to Section 9.5.1 and notwithstanding Section 9.5.3 i) and Section 5.6 c) only as it relates to the parking requirement for Manufacturing, on those lands zoned General Industrial (M5) Zone, identified on Map 870 of Schedule "A" – Zoning Maps and described as 400, 424, 442 and 446 Burlington Street East, the following special provisions shall also apply:

- a. Parking Requirement for Manufacturing
  - i) No parking spaces are required provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained.
  - ii) Notwithstanding i) above, for any new construction on the property, parking shall be calculated at 1 space for each 30 square metres of gross floor area, which accommodates the Office component.

(By-law 10-128, March 25, 2011)

437. In addition to Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 548 and 549 of Schedule "A" – Zoning Maps and

described as lands fronting Parkside Drive, the following uses shall also be permitted:

- a. Fitness Club
- b. Medical Clinic

(By-law 10-128, March 25, 2011, November 16, 2011)

- 438 In addition to Section 9.6.1, on the lands zoned Light Industrial (M6) Zone, identified on Map 956 of Schedule "A" - Zoning Maps and described as 39, 43, 45 and 67 Lloyd Street, the following uses shall also be permitted:

- a. Smelting of metal only as an accessory use
- b. Auctioneering

(By-law 10-128, March 25, 2011)

439. In addition to Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1149 and 1200 of Schedule "A" – Zoning Maps and described as 620 South Service Road, a stand-alone car wash, accessory to a Motor Vehicle Service Station, shall also be permitted.

(By-law 10-128, June 28, 2011)

440. In addition to Section 5.2.1, 9.3.3 c), 9.3.3 e), 9.3.3 k) for those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1256, 1257, 1309 and 1310 of Schedule "A" – Zoning Maps, and described as 1047-1049 Barton Street, the following special provisions shall also apply:

- a. In addition to Section 5.2.1, the following shall also apply:

- i) Loading Spaces shall not be permitted on any west elevation of a building on 1047-1049 Barton Street that faces the eastern lot line of 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road, except where separated by another building; and,
- ii) Notwithstanding i) above, should a loading space be located within 40.0 metres of the eastern lot line of 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road, the following shall apply:
  - 1. The loading space shall be limited to a maximum length of 10.0 metres; and,
  - 2. Shall be screened from the above noted property line by a noise attenuation wall attached to the building equal in length to the loading space.

- b In addition to Section 9.3.3 the following shall also apply:
- i) Minimum Yard abutting any portion of a property line of the properties known as 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road shall be 9.0 metres within which no parking shall be located.
- c In addition to Section 9.3.3 e) the following shall also apply:
- i) No portion of a building or structure abutting any portion of a property lot line of the properties known as 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road shall be used for Manufacturing within a setback of 28.0 metres.
- d. Notwithstanding Section 4.19 and 9.3.3 j) a minimum 1.8 metre to a maximum 3.0 metre berm and solid wall or fence shall be provided within 9.0 metres of the eastern lot line of 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road.

(By-law 10-128, June, 28, 2011)

441. In addition to Section 9.3.1 and notwithstanding Section 9.3.2, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1634, 1676 and 1677 of Schedule "A" – Zoning Maps and described as 899 Nebo Road, a rock crushing and concrete crushing operation shall be permitted only as an accessory use to a Waste Processing Facility.

(By-law 11-276, November 16, 2011)

442. Notwithstanding Section 6.2, on those lands zoned Downtown Mixed Use – Pedestrian Focus (D2) Zone, identified on Maps 867 and 868 of Schedule "A" – Zoning Maps, and described as:

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within the Downtown Mixed Use – Pedestrian Focus (D2) Zone

| Property Address                                  | Map Number |
|---|------------|
| Part of 271 Bay Street North                      | 868        |
| Part of 128 Barton Street West                    | 868        |
| 239, 259 Caroline Street North, 175 Stuart Street | 868        |
| 249 Hess Street North                             | 868        |
| Part of 242 Queen Street North                    | 868        |
| Part 243, 245 Queen Street North                  | 867, 868   |
| 107 Stuart Street                                 | 868        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                           |          |
|---------------------------|----------|
| Part of 232 Stuart Street | 867, 868 |
| 26 Tiffany Street         | 868      |
| 28 Tiffany Street         | 868      |
| 30 Tiffany Street         | 868      |
| 32, 36 Tiffany Street     | 868      |

The following provisions shall apply:

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within the Downtown Mixed Use – Pedestrian Focus (D2) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the following prescribed regulation.

a) PERMITTED USES

Artist Studio  
Commercial Entertainment  
Commercial Parking Facility  
Commercial Recreation  
Commercial School  
Conference or Convention Centre  
Craftsperson Shop  
Financial Establishment  
Medical Clinic  
Office  
Personal Service  
Performing Arts Theatre  
Production Studio  
Recreation  
Restaurant  
Retail  
Tradesperson's Shop

b) RESTRICTED USES

- i) In addition to Section a) PERMITTED USES the following uses shall only be permitted in accordance Section c) and the following additional restrictions:

A) Commercial Parking Facility

- 1) Shall only be contained within a building; and,
- 2) With the exception of an access driveway to the parking facility, the ground floor of the facility which faces any street shall only be used for uses listed in Section a), other than parking.

B) Production Studio

- 1) The soundstage/warehousing associated with a Production Studio shall only be permitted in conjunction with office and retail use(s).
- 2) The soundstage/warehousing associated with a Production Studio shall only be contained within the building of the site.

C) Permitted Uses in the portion of the Building abutting the Street

Notwithstanding Section a), the portion of the building(s) that is within the minimum and maximum building setback from a street line shall be limited to the following uses:

Artist Studio  
 Commercial Entertainment  
 Commercial Recreation  
 Commercial School  
 Craftsperson Shop  
 Financial Establishment  
 Medical Clinic  
 Office

Personal Services  
 Performing Arts Theatre  
 Production Studio  
 Recreation  
 Restaurant  
 Retail

c)

#### PROHIBITED USES

- i) Notwithstanding Section a), the following uses are prohibited even as an accessory use:

Dwelling Unit(s)  
 Drive-Through Facility  
 Hotel

- ii) Notwithstanding Section a), the following uses are prohibited except as an accessory use:

Garden Centre  
 Dry Cleaning Plant

- iii) Notwithstanding Subsection a), a Production Studio shall be prohibited on the following properties:

271 Bay Street North  
 107 Stuart Street  
 26 Tiffany Street  
 28 Tiffany Street  
 30 Tiffany Street  
 32, 36 Tiffany Street

d)

#### REGULATIONS

- i) Building Setback from a Street Line
- A) Minimum 3.0 metres; and,
  - B) Maximum 4.5 metres.
  - C) Clause d)i)A) shall not apply for any portion of a building that exceeds the requirement of Clause d)ix)A).



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |   |   |
|-------|---|---|
| ii)   | Minimum Rear Yard   | 6.0 metres abutting a Residential Zone property line;   |
| iii)  | Minimum Interior Side Yard                                    | 3.0 metres abutting a Residential Zone property line;   |
| iv)   | Maximum Building Height                                       | 15.0 metres;  |
| v)    | Maximum Gross Floor Area for each Retail Unit                 | 6,000 square metres;  |
| vi)   | Maximum Lot Coverage for Retail Uses                          | 20 percent;   |
| vii)  | Maximum Floor Area Ratio for Retail Uses                      | 0.2;  |
| viii) | Maximum Gross Floor Area for Office Uses within each Building | 3,000 square metres;  |
| ix)   | Built Form for New Development                                | <p>In the case of buildings constructed or alterations to the exterior of existing buildings, excluding any alterations to façade, fenestration or doors, after the effective date of this Bylaw:</p> <p>A) For an interior lot, corner lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 25% of the measurement of the front lot line and shall exclude access driveways and lands within a required yard.</p> <p>B) No parking, driveways or aisles shall be located between a building façade and the public street.</p> |

- C) A minimum of one principal entrance shall be provided:
- 1) within the ground floor façade that is set back is closest to a street; and,
  - 2) shall be accessible from the building façade with direct access from the public sidewalk; and,
  - 3) A walkway shall be permitted in a Planting Strip where required by the Bylaw.
- x) Maximum Gross Floor Area for Soundstage/Warehouse associated with a Production Studio 2,000 square metres
- xi) Minimum Gross Floor Area of Permitted Uses in Conjunction with the Soundstage/Warehouse associated with a Production Studio For every 1.0 square metres of gross floor area dedicated to a soundstage/warehousing associated with a Production Studio, a minimum of 1.0 square metres of gross floor area must be dedicated to any use identified in Subsection a).
- xii) Minimum Distance of soundstage/warehousing associated with a Production Studio from a Public Street The soundstage/warehousing associated with a Production Studio shall be no closer than 40.0 metres from a Downtown Multiple Residential (D6) Zone.
- xiii) Visual Barrier Requirements A visual barrier is required along any yard abutting a Downtown Residential (D5) or Downtown Multiple Residential (D6) Zone, except where a building is located or the area used for an access driveway, in accordance with Section 4.19 of this By-law.

- |                         |   |
|-------------------------|---|
| xiv) Outdoor Storage    | <p>A) No outdoor storage of goods, material or equipment shall be permitted.</p> <p>B) Notwithstanding Clause xi) A), the display of goods or materials shall be permitted.</p>   |
| xv) Accessory Buildings | In accordance with the requirements of Section 4.8 of this By-law.  |
| xvi) Parking            | <p>A) In accordance with the requirements of Section 5 of this By-law.</p> <p>B) Notwithstanding Subsection 5.1a)v)a), parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall not be located within 4.0 metres of a street line.</p> <p>C) Notwithstanding Subsection 5.1a)v)b), a 4.0 metre wide planting strip and visual barrier being required and permanently maintained between the street line and the parking spaces or aisle.</p> |

(By-law 19-066, April 10, 2019)  
 (By-law No. 24-137, July 12, 2024)

443. Notwithstanding Section 6.6, on those lands zoned Downtown Multiple Residential (D6) Zone, identified on Maps 867 and 868 of Schedule "A" – Zoning Maps, the following special provisions shall apply:

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within the Downtown Multiple Residential (D6) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the following prescribed regulations:

a) **PERMITTED USES**

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

**Residential**

Multiple Dwelling  
Home Business

**Commercial**

The following commercial uses shall only be permitted as part of a mixed-use building where the Commercial uses are contained jointly with residential uses in the same building or structure:

Commercial Entertainment  
Commercial Recreation  
Commercial School  
Conference or Convention Centre  
Craftsperson Shop  
Day Nursery  
Financial Establishment  
Medical Clinic  
Office  
Personal Service  
Recreation  
Repair Service  
Restaurant  
Retail  
Studio  
Tradesperson's Shop  
Veterinary Service

**b) PROHIBITED USES**

Notwithstanding a) above, the following uses are prohibited, even as an accessory use:

Drive Through Facility  
Garden Centre  
Hotel  
Dry Cleaning Plant

**c) REGULATIONS**

- |  |  |
|--|--|
| <p>i) Restriction of Commercial Uses permitted as part of a mixed use building</p> | <p>A) Commercial uses shall only be permitted on the ground floor;</p> |
|--|--|

- B) The gross floor area of the Commercial uses shall not exceed the gross floor area of the Residential uses; and,
  - C) Pedestrian access to any Residential use shall be completely segregated from any Commercial use.
- ii) Minimum Side Yard 3.0 metres;
- iii) Minimum Rear Yard 6.0 metres;
- iv) Density Requirements for Multiple Dwellings Maximum 150 units per hectare;
- v) Maximum Floor Area Ratio 0.6;
- vi) Built Form for New Development In the case of buildings constructed or alterations to existing buildings after the effective date of this By-law:
  - A) The minimum width of the ground floor façade shall be equal to 25% or more of the measurement of any street line and shall be subject to the following:
    - 1) A minimum building setback of 3.0 metres; and,
    - 2) A maximum building setback of 4.5 metres; and,
    - 3) Where a building(s) exists on a lot in conformity with A)1) and A)2) above, with a ground floor façade being equal to 25% or more of the

measurement of any street line, section 2) above shall not apply to any additional buildings(s); and,

4) All principle entrances shall be accessible from the building façade with direct access from the public sidewalk; and,

5) No parking, driveways or aisles shall be located between a building façade and the public street.

vii) Building Height

A) Minimum 7.5 metres and 2 storeys; and,

B) Maximum 15.0 metres.

viii) Visual Barrier Requirements

A visual barrier is required along any yard abutting a (D5) Zone, except where a building is located or the area used for any access driveway, in accordance with Section 4.19 of this By-law.

ix) Outdoor Storage

A) No outdoor storage of goods materials or equipment shall be permitted.

B) Notwithstanding A) above, the display of goods or materials for retail purposes shall be permitted.

xi) Accessory Buildings

In accordance with the requirements of Section 4.8.1 of this By-law.

## xi) Parking

In accordance with the requirements of Section 5 of this By-law.

(By-law 12-164, June 26, 2012)

(By-law No. 24-137, July 12, 2024)

444. Notwithstanding Section 6.5.1, 6.5.2.1 f), 6.5.2.2 f), 6.5.2.3 f), 6.5.2.4, 6.5.2.5, on those lands zoned Downtown Residential (D5) Zone, identified on Map 868 of Schedule "A" – Zoning Maps, the following special provisions shall apply:

a) **PERMITTED USES**

Single Detached Dwelling  
Semi Detached Dwelling  
Street Townhouse Dwelling

b) **SINGLE DETACHED DWELLING REGULATIONS**

- i) Maximum Building Height 11.25 metres;

c) **SEMI-DETACHED DWELLING REGULATIONS**

- i) Maximum Building Height 11.25 metres;

d) **STREET TOWNHOUSE DWELLING REGULATIONS**

- i) Maximum Building Height 11.25 metres;

(By-law 12-164, June 26, 2012)

445. Notwithstanding Section 3, as it relate to the definition of "Grade", Section 4.6(d), 6.6 of this By-law, on those lands zoned Downtown Multiple Residential (D6) Zone, as identified on Map No. 868 of Schedule "A" – Zoning Maps and legally described as Part of Lot 3 and All of Lots 4, 5, 6, and 7, Block 30, Registered Plan 127 in the City of Hamilton. Designated as Parts 3, 4, 5, 6, 7, 8 on Plan 62R-19307; and, as shown on Figure 16 of Schedule "F" – Special Figures, the following special provisions shall apply:

- a) For the purposes of Special Exception No. 445, "Grade" shall mean the average level of the proposed or finished ground of the Bay Street elevation.

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within the Downtown Multiple Residential (D6) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the following prescribed regulations:

**b) PERMITTED USES**

**Residential**

Multiple Dwelling  
Home Business

**Commercial**

The following commercial uses shall only be permitted as part of a mixed use building where the Commercial uses are contained jointly with residential uses in the same building or structure:

Commercial Entertainment  
Commercial Recreation  
Commercial School  
Conference or Convention Centre  
Craftsperson Shop  
Day Nursery  
Financial Establishment  
Medical Clinic  
Office  
Personal Service  
Recreation  
Repair Service  
Restaurant  
Retail  
Studio  
Tradesperson's Shop  
Veterinary Service

**c) PROHIBITED USES**

Notwithstanding b) above, the following uses are prohibited, even as an accessory use:

Drive Through Facility  
Garden Centre  
Hotel  
Dry Cleaning Plant



**d) REGULATIONS**

- i) Restriction of Commercial Uses permitted as part of a mixed use building
  - A) Commercial uses shall only be permitted on the ground floor;
  - B) The gross floor area of the Commercial uses shall not exceed the gross floor area of the Residential uses; and,
  - C) Pedestrian access to any Residential use shall be completely segregated from any Commercial use.
- ii) Building Setback from a Street Line
  - A) Maximum 4.5 metres, except;
  - B) Where a visibility triangle shall be provided for a driveway access;
  - C) Notwithstanding A) above, the following regulations shall apply:
    - 1. Where the ground floor is used for residential purposes the minimum setback shall be 3.0 metres;
    - 2. Minimum setback shall be 6.5 metres for the fourth to eighth storeys; and,
    - 3. Minimum 6.0 metres for that portion of a building providing an access driveway to a garage.
- iii) Minimum Southerly Side Yard
  - A) 4.5 metres; and,

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |   |  |
|---|--|
|   | B) 6.5 metres for the fifth to eighth storeys.   |
| iv) Minimum Northerly Side Yard                 | <p>A) 7.0 metres, and,</p> <p>B) 9.0 metres for the fifth to eight storeys.</p>  |
| v) Building Height                              | <p>A) Where the ground floor is used for commercial purposes:</p> <ol style="list-style-type: none"> <li>1. Minimum 8.3 metres and two storeys;</li> <li>2. Minimum 4.5 metres for the first storey; and</li> <li>3. Maximum 30.8 metres and eight storeys.</li> </ol> <p>B) Where the ground floor is used for residential purposes:</p> <ol style="list-style-type: none"> <li>1. Minimum 11.3 metres and three storeys;</li> <li>2. Minimum 3.8 metres for the first storey; and,</li> <li>3. Maximum 30.0 metres and eight storeys.</li> </ol> |
| vi) Density Requirements for Multiple Dwellings | Maximum 300 units per hectare.   |
| vii) Built form for New Development             | <p>In the case of buildings constructed or alterations to existing buildings after the effective date of this By-law:</p> <p>A) The minimum width of the ground floor façade shall be equal to 25% or more of the</p>  |

measurement of the front lot line and shall be subject to the following:

1. Where a building(s) exists on a lot in conformity with d) ii) above, with a ground floor façade being equal to 25% or more of the measurement of any street line, section A) above shall not apply to any additional building(s); and,
2. All principle entrances shall be accessible from the building façade with direct access from the public sidewalk; and,
3. No parking, driveways or aisles shall be located between a building façade and the public street.

viii) Planting Strip Requirements Where a property line abuts a property line within a Downtown Residential D5 Zone, or a Downtown Multiple Residential D6 Zone a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

ix) Visual Barrier Requirements A visual barrier is required along any yard abutting a Downtown Residential (D5) Zone, except where a building is located or the area used for any access driveway, in accordance with Section 4.19 of this By-law.

x) Outdoor Storage A) No outdoor storage of goods, materials or equipment shall be permitted.

B) Notwithstanding A) above, the display of goods or materials for retail purposes shall be permitted.

xi) Permitted Yard Encroachments

A porch, deck or canopy may encroach into any required yard to a maximum of 1.8 metres, or to a maximum of half the distance of the required yard.

xii) Accessory Buildings

In accordance with the requirements of Section 4.8.1 of this By-law.

xiii) Parking

In accordance with the requirements of Section 5 of this By-law.

xiv) Amenity Area Restriction

Outdoor amenity areas are prohibited in the rear yard and northerly side yard.

(By-law 12-164, June 26, 2012)

(By-law No. 23-079, May 10, 2023)

(By-law No. 24-137, July 12, 2024)

446. Within the lands zoned Neighbourhood Commercial (C2, 446, H108) Zone, identified on Map No. 820 of Schedule "A" - Zoning Maps and described as 211 York Road, the following special requirements shall apply:

- a) In addition to Section 10.2.1, and notwithstanding Section 10.2.1.1 ii), Dwelling Units may be permitted on the ground floor of the existing building provided there is a minimum of 650 square metres of ground floor commercial use.;
- b) Notwithstanding Subsections 4.8 b), 10.2.3 a), b), c), d), and e), the location and height of the principal building or accessory buildings and any other such lot conditions existing on the date of passing of this By-law shall be deemed to conform.
- c) Notwithstanding Subsection 5.1 a), v), parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:

- i) Shall not be located within 2.5 metres of a street line;
  - ii) Shall provide a 2.5 metre wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisle; and,
  - iii) Where a Planting Strip is provided, as per ii) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.
- d) Notwithstanding Subsection 10.2.3 k), a visual barrier that consists of a fence or wall along the western property line measuring 63.7 metres shall not be located within 1.36 metres of a street line. All other requirements of Section 4.19 shall apply.

(By-law No. 23-131, July 14, 2023)

447. Notwithstanding Sections 9.6.1, 9.6.2 and 9.6.3 of this By-law, on those lands zoned Light Industrial (M6) Zone, as identified on Map Nos. 958 and 959 of Schedule "A" - Zoning Maps, and described as 586 Beach Road (Hamilton), the following special requirements shall apply:

- (a) A Salvage Yard, only in conjunction with the existing Salvage Yard at 610 Beach Road, shall also be permitted;
- (b) An acoustical noise barrier fence of a height of 5.0m shall be provided and maintained along the westerly side lot line that measures 74.98m in length. This fence shall be setback a minimum of 5.0m from this property line. A landscaped berm shall be provided and maintained between the fence and the property line.
- (c) A 5.0m high acoustical noise barrier fence or berm, or combination of acoustical noise barrier fence and berm, shall be provided and maintained along the northerly side lot line that measures 44.5m in length; and,
- (d) The lands located within 55m of the westerly side lot line that measures 74.98m in length shall only be used for the storage of finished sorted product, and no processing activity shall be permitted in this area.

(By-law No. 12-287, December 12, 2012)

448. Notwithstanding Sections 9.6.1 and 9.6.2 of this By-law, on those lands zoned Light Industrial (M6,448) Zone, as identified on Map No. 1002 of Schedule "A" – Zoning Maps, and described as 440 Rennie Street (Hamilton), a Waste Management Facility shall be permitted in conjunction with the existing Waste Management Facility at 464 Rennie Street.

(By-law 12-131, June 13, 2012)

449. That notwithstanding Sections 8.3.1, 8.3.2.1(b), 8.3.2.1(c), 5.1(v)(a), 5.1(v)(b), 5.1(d)(i), and 4.6 of this By-law, on those lands zoned Major Institutional (13) Zone, on Map 1249 of Schedule "A" - Zoning Maps and described as 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), the following regulations shall also apply:

- (a) In conjunction with and attached to a use permitted in the Major Institutional (13) Zone, a maximum 93 square metre restaurant and a maximum of 300 square metres of offices shall also be permitted;
- (b) A minimum northerly and easterly side yard of 6.0 metres; a minimum westerly side yard of 4.5 metres; and a minimum southerly side yard of 5.0 metres shall be provided and maintained;
- (c) One parking space off King Street East is permitted within 3.0 metres of a street line separated from the street line by a minimum 2.0 metre wide planting strip;
- (d) For the portion of the building abutting Passmore Street, a minimum of 37.0 metres of the facade length shall be a maximum of 1-storey in height; and,
- (e) A pergola may encroach into a rear yard.  
(By-law 12-181, August 16, 2012)

450. Notwithstanding Section 7, 5.1 of this By-law, within the lands zoned Conservation/Hazard Land (P5) Zone, identified on Map No. 817 of Schedule "A" to By-law 05-200, and described as 24 Brock Street North, the following shall apply:

a) **PERMITTED USES**

Only the following use shall be permitted:

(i) **Conservation**

(By-law No. 13-301, OMB Approval on November 22, 2013)

451. Notwithstanding Sections 6.2.3 of this By-law, within the lands zoned Downtown Prime Retail Streets (D2, 451) Zone, identified on Maps 910 and 911 of Schedule "A" – Zoning Maps, and described as 108 James Street North and 111 and 115 Hughson Street North, and as further detailed and informed through attached Concept Plan (Schedule "F" – Figure 17), the following special provisions shall apply:

- a) **PERMITTED USES**
- i) Notwithstanding Subsection 6.2.1  
Permitted uses:

- a) A theatre within the building existing at the time of the passing of this by-law shall be the only permitted use on the lands identified as 111 Hughson Street North.
- b) A 106 unit multiple dwelling and associated commercial uses in accordance with Subsection 6.2.1 shall be permitted on lands identified as 108 James Street North only in conjunction with, and accessory to, the existing theatre auditorium located on lands identified as 111 Hughson Street North.
- c) For the lands identified as 115 Hughson Street North, uses within Subsection 6.2.1 shall be permitted only within the building existing at the time of the passing of this by-law.
- ii) That a maximum of 106 residential units are permitted on lands identified as 108 James Street North.

b) **REGULATIONS**

- a) Minimum Setback from a Street Line
  - i) 0.0 metres for the first three storeys and 3.0 metres at the 4<sup>th</sup> to the 22<sup>nd</sup> storey on lands identified as 108 James Street North.
  - ii) The existing setbacks for the buildings identified as 111 and 115 Hughson Street North, existing at the time of the passing of this by-law, shall be permitted and maintained.

- |    |                                |   |
|----|--------------------------------|---|
| b) | Building Height                | <p>Notwithstanding Section 6.2.3 c) ii) the following shall apply:</p> <ul style="list-style-type: none"> <li>i) A Maximum building height of 76 metres shall be permitted for lands identified as 108 James Street North.</li> <li>ii) The existing height for the buildings identified as 111 and 115 Hughson Street North, existing at the time of this by-law, shall be permitted and maintained.</li> </ul>  |
| c) | Built Form for New Development | <p>Notwithstanding Section 6.2.3 c)iii)1., 2, .3. and 4, the following shall apply:</p> <ul style="list-style-type: none"> <li>i) Minimum of 70% of the ground floor façade along James Street North shall be composed of windows and doors.</li> <li>ii) Minimum of 0% of the ground floor façade along Hughson Street North shall be composed of windows and doors.</li> <li>iii) Minimum of 60% of the second and 60% of the third storey façades along James Street North shall be composed of windows.</li> <li>iv) Minimum of 0% of the second and 0% of the third storey façades along Hughson Street North shall be composed of windows.</li> <li>v) Minimum of 20% of the north and south elevations from the 4<sup>th</sup> to 22<sup>nd</sup> storeys for the lands identified as 108 James Street North, shall be composed of windows and glazing and which shall include the transparent material used to enclose the external fire escape.</li> <li>vi) The ground floor storey along James Street North shall be no less than 3.6</li> </ul> |



metres in height and no greater than 6.0 metres in height.

- vii) The second and third storeys along James Street North shall each be no less than 3.0 metres in height and no greater than 5 metres in height.

d) Parking

- i) In addition to Section 5.2 Design Standards a parking stacking system shall be permitted. For the purpose of this By-law, a parking stacker shall be defined as a mechanical motor vehicle parking facility which:
  - 1. Are positioned above each other.
  - 2. Have dimensions of not less than 2.6 metres in width and 5.6 metres in length; and,
  - 3. May not be readily accessible at all times without manoeuvring another vehicle or a device.
- ii) Notwithstanding Subsection 5.5 Barrier Free Parking, a minimum of 1 barrier free parking spaces shall be required.
- iii) Notwithstanding Subsection 5.6a)i Parking Schedules, parking for a Multiple Dwelling within a mixed-use building shall be provided on the basis of a minimum of 0.5 parking spaces for each dwelling unit.
- iv) Notwithstanding Subsection 5.6a)iv, no parking shall be required for commercial uses within lands identified as 108 James Street North, 111 Hughson Street North or 115 Hughson Street North.

e) Restriction of uses within a building

- i) Notwithstanding 6.2e) i) a commercial entertainment use shall be permitted within the first 3 storeys.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |    |                      |   |
|----|----------------------|---|
| f) | Location of<br>Patio | Notwithstanding Section 4.20 c) i) an Outdoor<br>Outdoor Commercial Patio is permitted<br>fronting onto James Street North. |
| g) | Front Lot Line       | For the purposes of this By-law, the James<br>Street North Lot Line is to be considered the<br>Front Lot Line.              |

(By-law No. 15-188, August 14, 2015)  
(By-law No. 22-084, April 13, 2022)

452. Within the lands zoned Conservation/Hazard Land (P5, 452) Zone, identified on Maps 1354 and 1406 of Schedule "A" and described as 601 Upper Centennial Parkway, the following special provisions shall apply:

Notwithstanding Section 7.5.1, the following shall apply:

One private access for the purposes of servicing and a road/pedestrian crossing, which includes a bridge from the residential development located at 601 Upper Centennial Parkway to Street "G" of the approved "Victory Ridge" Draft Plan of Subdivision, the specific location and alignment shall be determined by the Senior Director of Growth Management in consultation with the Hamilton Conservation Authority.

(By-law No. 13-210, August 16, 2013)

453. Notwithstanding Section 8.2.1 of this By-law, within the lands zoned Community Institutional (12) Zone, identified on Map No. 996 of Schedule "A", and known as 22 - 24 Emerald Street South, Hamilton, a Corrections Residence, having a maximum capacity of 36 residents, shall be permitted in conjunction with a Social Services Establishment, subject to the following special provisions:

- (a) That the Social Services Establishment shall have a maximum floor area of 391 sq.m., restricted to the ground floor, and be limited to serving a maximum of 12 individuals at any one time who do not reside on the premises;
- (b) That notwithstanding Section 8.2.3.1 (a) of this By-law, the minimum lot width shall be 25.9m;
- (c) That notwithstanding Section 8.2.3.1 (c) of this By-law, the minimum northerly side yard shall be 0.29m;
- (d) That notwithstanding Section 8.2.3.1 (c) of this By-law, the minimum southerly side yard shall be 3.18m;
- (e) That notwithstanding Section 8.2.3.1 (e) of this By-law, the maximum building height shall be 14.02m;
- (f) That notwithstanding Section 8.2.3.1 (h) of this By-law, a minimum radial separation distance between a Corrections Residence and a Residential Care Facility of 137m shall be permitted; and,
- (g) That notwithstanding Section 5.6 (c) (i) and (ii) of this By-law, the minimum required number of parking spaces shall be seven (7).

(By-law No. 13-269, October 23, 2013)

**SCHEDULE "C": SPECIAL EXCEPTIONS**

454. Within the lands zoned Business Park Support (M4, 454) Zone, identified on Map 1452 of Schedule "A" and described as 211 Pritchard Road, the following special provisions shall apply:

In addition to Section 9.4.1, the following uses shall also apply:

Computer, Electronic and Data Processing Establishment  
 Equipment and Machinery Sales, Rental and Service Establishment  
 Household Furniture and Appliances Sales, Service and Repair  
 Social Services Establishment

Notwithstanding Section 9.4.3, Paragraphs b)ii), g), h), and k) i), ii), and iii), the following shall apply:

- |    |   |     |   |
|----|---|-----|---|
| b) | Yard Abutting a Street:                         | ii) | Maximum 45.0m.  |
| g) | Maximum Gross Floor Area for Medical Clinic:    |     | Shall be limited to a combined total of 3,700 sq. m.  |
| h) | Gross Floor Area for Office Use:                |     | Maximum Gross Floor Area for Office Use within an individual building, excluding accessory office, shall be limited to 3,300 square metres.   |
| k) | Landscape Area and Planting Strip Requirements: | i)  | A minimum 1.0m wide landscape area/planting strip shall be provided and maintained abutting a portion of the Pritchard Road lot line from the northerly lot line to the 1.8m wide sidewalk to the south; and,<br><br>A minimum 1.0m wide landscape area/planting strip shall be provided and maintained abutting the Lincoln Alexander Parkway. |

- ii) A minimum 1.0m wide landscape area/planting strip shall be required and maintained between parking spaces, aisles, or driveways, and a street along a portion of the Pritchard Road lot line from the northerly lot line to the 1.8m wide sidewalk to the south; and,

A minimum 1.0m wide landscape area/planting strip shall be required and maintained between parking spaces, aisles, or driveways, and a street along the Lincoln Alexander Parkway right-of-way.

- iii) One Sign shall be permitted within the required landscape area.

Notwithstanding Section 5 a) v) of the Parking Provisions, the following shall apply:

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>a) Parking spaces and aisles, giving direct access to abutting parking spaces excluding driveways extending directly from the street, shall be subject to the following:</li> </ul> | <ul style="list-style-type: none"> <li>a) Shall not be located within 1.0m of a street line.</li> <li>b) Shall provide a 1.0m wide planting strip abutting a portion of the Pritchard Road lot line from the northerly lot line to the 1.8m wide sidewalk to the south, the lands further south of the walkway shall provide an average landscape area of 6.0m, of which 3.0m shall be plantings.</li> </ul> |
|--|--|

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- c) Shall provide a 1.0m wide planting strip along the Lincoln Alexander Parkway right-of-way.
- d) Shall provide a 1.5m wide planting strip for all other lot lines.

(By-law No. 13-161, October 23, 2013)

455. Within the lands zoned Open Space and Parks (P4-455) Zone, identified on Map 415 of Schedule "A", and described as part of 392 Dundas Street East, being Block 2 on Schedule "A" of this By-law, the following special provision shall apply:

- a) In addition to the uses permitted within Section 4.4 and Section 7.4 of By-law 05-200, the subject property shall also be permitted to be used for a municipal water tower.

(By-law No. 13-246, October 9, 2013)

456. Within the lands zoned Community Institutional (I2) Zone, identified on Map 995 of Schedule "A" – Zoning Maps and described as 121 Augusta Street, the following special provisions shall apply:

- a) Notwithstanding Section 3, a Social Services Establishment may include overnight accommodation.
- b) In addition to Subsection 5.2 b) i), a maximum of three parking spaces may be a minimum of 5.2 metres in length.
- c) Notwithstanding Subsection 5.6 c), a minimum of 15 parking spaces shall be provided.
- d) In addition to Subsection 8.2.1, an Office shall be permitted within the building existing on May 13, 1995.
- e) In addition to Subsection 8.2.3.1, the maximum capacity for a Social Services Establishment shall not exceed eight (8) residents.
- f) In addition to Subsection 8.2.3.1 and notwithstanding Subsection 4.19, a Visual Barrier with a minimum height of 1.0 metre shall be provided and maintained along the easterly lot line adjoining the parking area.

(By-law No. 18-219, August 17, 2018)

457. Notwithstanding any provisions to the contrary of Section 8.2.1 Permitted Uses, and Section 8.1.3, Regulations, of Section 8.1.1, Community Institutional "I 2" Zone, of By-law No. 05-200 (Hamilton), the following use and special provisions shall apply, to the lands zoned (12,457):

Permitted Use:

A Retirement Home consisting of a maximum of 100 suites and not exceeding 120 residents.

Provisions:

In accordance with Section 8.2.3 and Section 5 of By-law 05-200 with the following special provisions:

|                             |  |
|-----------------------------|--|
| Minimum Landscaping Strip:  | 6.5 m. along northerly lot line with a visual barrier consisting of landscaping materials only such as trees, shrubs and hedges. |
| Maximum Building Coverage:  | 28.8%  |
| Minimum Parking             | 54 spaces  |
| Minimum Northerly Side Yard | 23.8 m   |
| Minimum Southerly Side Yard | 7.5 m  |
| Minimum Front Yard          | 15 m   |
| Minimum Rear Yard           | 12 m   |
| Minimum Landscaped Area     | 49.0 %   |
| Maximum Building Height     | 3 storeys or to a maximum of 9.5 metres  |

(By-law No. 14-043, July 16, 2015)

458. Notwithstanding Section 8.1 Neighbourhood Institutional (I1) Zone of this By-law, in particular subsection 8.1.1 Permitted Uses, the use on the subject lands shall be restricted to a day nursery.

(By-law No. 14-178, July 11, 2014)

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

459. Notwithstanding Sections 12.2.3.1 m), i) and ii) and 12.2.3.1 c), on those lands zoned Rural (A2) Zone, identified on Map 61 of Schedule "A" – Zoning Maps and described as part of 97 5<sup>th</sup> Concession Road East, the following special provisions shall also apply:

a) A maximum gross floor area of 10,000 square metres shall be permitted for all buildings and structures associated with a Cannabis Growing and Harvesting Facility; and,

b) All buildings associated with a Cannabis Growing and Harvesting Facility shall have a minimum side yard setback of 13.0 metres.

(By-law No. 15-173, July 10, 2015, As amended by OMB Decision PL150805 dated February 28, 2017)

(By-law No. 18-266, September 12, 2018)

460. Notwithstanding Sections 9.2.1, 9.2.2, 9.2.3 (c), 9.3.1, 9.3.2, 9.3.3 (i), 5.1 (v) (b), and 5.2.1 (a) and (b) of this By-law, within the lands zoned Prestige Business Park (M3) Zone, Modified, and General Business Park (M2) Zone, Modified, identified on Maps 1202 and 1256 of Schedule "A" - Zoning Maps and described as 950 and 956 South Service Road, the following special provisions shall apply:

a. The following uses shall also be permitted:

Brewery, beverage distillation, and the production of wine, cider and related associated products, including ready-to- drink alcoholic beverages, energy and sports drinks.

b. Restriction on Uses: A maximum of one brewery shall be permitted on the lands subject to Special Exception 460.

c. Location of Loading Facilities The loading door on the north facade of the building existing at the date of passing of this By-law, on the lands located at 950 South Service Road, shall be deemed to comply with the provisions of Section 5.2.1.

d. Landscaped Area A minimum 6.0 m wide landscaped area shall be provided between the street line and parking spaces or aisles, except for points of ingress and



egress. A row of trees and/or shrub plantings, which may be non-continuous, shall be provided within the landscaped area, but a Planting Strip as defined is not required.

(By-law No. 14-268, September 24, 2014)

461. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1091 of Schedule "A" - Zoning Maps to Zoning By-law 05- 200, and described as 55 Queenston Road, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions of this By-law, as it relates to the Lot Line - Front Lot Line, the Queenston Road frontage shall be deemed the front lot line.
- b) Notwithstanding Section 11.1 of this By-law, the following special regulations shall apply:

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations.

- i) Permitted Uses
  - Commercial Entertainment
  - Commercial Recreation
  - Commercial School
  - Craftsperson Shop
  - Day Nursery
  - Educational Establishment
  - Financial Establishment
  - Hotel
  - Laboratory
  - Long Term Care Facility
  - Medical Clinic
  - Multiple Dwelling
  - Office
  - Personal Service
  - Place of Worship
  - Private Club or Lodge
  - Restaurant
  - Retail
  - Retirement Home

**SCHEDULE "C": SPECIAL EXCEPTIONS**

Social Services Establishment  
 Studio  
 Tradesperson's Shop  
 Transportation Depot

- ii) Prohibited Uses Notwithstanding i) above, the following uses are prohibited, even as an accessory use:

Conference or Convention Centre  
 Drive-Through Facility  
 Dry Cleaning Plant

c) REGULATIONS

- i) Building Setback from a Street Line
1. Minimum 0.0 metres for 1-3storeys;
  2. Notwithstanding 1. above, a minimum 1.5 metres for storeys 1-3 along the westerly side lot line and southerly rear lot line.
  3. Maximum 3.5 metres for storeys 1-3; and,
  4. In addition to 1.-3. above, minimum 2.0 metres, for 4-6 storeys.
  5. In addition to 1.-4. Above, minimum 5.0 metres for 7-8 storeys.
- ii) Building Height
1. Minimum 7.5 metres;
  2. In addition to 1. above, minimum 8.5 metres facade height, for any portion of a building along a street line; and,
  3. Maximum 30 metres.
- iii) Built Form for
1. The minimum width of the

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |     |                                       |  |
|-----|---------------------------------------|--|
|     | New Development                       | <p>ground floor façade shall be equal to 75% or more of the measurement of the front lot line;</p> <ol style="list-style-type: none"> <li>2. The ground floor storey shall be 4.5 metres in height;</li> <li>3. All principal entrances shall be accessible from the building facade with direct access from the public sidewalk; and,</li> <li>4. No parking, driveways, or aisles shall be located between a building facade and a public street.</li> </ol> |
| iv) | Restriction of Uses within a Building | <ol style="list-style-type: none"> <li>1. A multiple dwelling shall only be permitted above the ground floor, except for access, accessory office and utility areas, for any building fronting on Queenston Road.</li> <li>2. Notwithstanding 1. above, a Multiple Dwelling shall be permitted within any portion of building facing a lot line other than the front lot line.</li> </ol>  |
| v)  | Parking                               | <ol style="list-style-type: none"> <li>1. In accordance with the requirements of Section 5.6 a) of this By-law; and,</li> <li>2. In addition to Section v) 1. above, 1 parking space shall be required for each 30 square metres of gross floor area of commercial uses not listed in Section 5.6 a).</li> <li>3. In addition to 1. &amp; 2.. above, 0.1 long term, secure bicycle parking spaces shall be provided per residential unit.</li> </ol>           |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- vi) Planting Strip Minimum 2.0 metre wide Planting Strip shall be provided and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress

(By-law No. 14-267, September 24, 2014)

(By-law No. 18-219, August 17, 2018)

(By-law No. 19-062, March 27, 2019)

(By-law No. 24-137, July 12, 2024)

462. In addition to any provisions to the contrary of Section 8.1.1 Permitted Uses, and Section 8.1.3, Regulations, of Section 8.1, Neighbourhood Institutional (I1) Zone, of By-law 05-200 (Hamilton), the following use and special provisions shall apply to the lands zoned (I1,462):

Permitted Uses

A Retirement Home for a maximum of 48 residents which may include the following ancillary uses:

Medical Offices  
Hair Salon  
Coffee Shop  
Convenience Store  
Pharmacy

A Place of Worship which may include a Community Centre

**Community Centre** shall mean a place for cultural activities and services including but not limited to parties, banquets, dinners, weddings, religious studies, recreation, cultural and language programs.

Provisions

In accordance with Section 8.1.3.1 with the following special provisions:

|  |                          |
|--|--------------------------|
| Maximum Building Coverage  | 30%                      |
| Minimum Rear Yard  | 3m                       |
| Maximum Building Height  | 4 storeys and 15.1metres |
| Maximum Capacity for Residential Care Facility and Retirement Home | 48 residents             |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                |   |
|----------------|---|
| Minimum Buffer | A minimum buffer of 3m shall be provided from a Conservation/Hazard Land (P5) Zone. |
|----------------|---|

|                                   |  |
|-----------------------------------|--|
| Parking Facilities on Shared Site | Parking for the retirement home, the ancillary commercial uses and for the place of worship/community centre shall be shared, except for areas on site where staff only parking is required. |
|-----------------------------------|--|

|  |  |
|--|--|
| Parking for Places of Worship and Community Centre | Parking for both uses shall be based on the requirement of 1 space per 20 square metres of gross floor area. |
|--|--|

|                             |   |
|-----------------------------|---|
| Parking for Commercial Uses | Parking shall be in accordance with Section 5, By-law 05-200. |
|-----------------------------|---|

(By-law No. 14-343, December 3, 2014, OMB approval)  
(By-law No. 21-189, October 13, 2021)

463. Notwithstanding Section 8.2.1, on those lands zoned Community Institutional (I2) Zone, identified on Maps 1339, 1388 and 1391 of Schedule "A" – Zoning Maps and described as No. 582 Southcote Road, and Nos. 92-116 Glancaster Road, only the uses existing at the date of the passing of this by-law shall be permitted.

(By-law No. 10-288, October 13, 2010/ By-law No. 15-118, April 10, 2015 – OMB approval)

464. Notwithstanding Section 12.2.3.3 b), for the lands located at 6266 Chippewa Road, the minimum lot width shall be 13.72 m.

(By-law No. 19-257, October 23, 2019)

465. Within the lands zoned Prestige Business Park (M3, 465) Zone, identified on Maps 1500 and 1501 of Schedule "A" and described as 406 Pritchard Road, the following special provisions shall apply:

In addition to Section 9.3.1, the following uses shall also apply:

A private community centre, including a place of worship.

(By-law No. 14-296, September 24, 2014)

466. That Section 7.5, Conservation / Hazard Land (P5) Zone of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following Subsection: Permitted Uses

The following uses shall be permitted:

Conservation

Storm Water Management Facilities

An Underground Sanitary Pumping Station and By-pass Tank

(By-law No. 15-128, May 13, 2015)

467. In addition to Section 6.2.3 of this By-law, within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2, 467, H56) Holding Zone, identified on Map 952 of Schedule "A" to By-law 05-200 and described as 98 James Street South, the following special provisions shall apply:

- |    |  |     |  |
|----|--|-----|--|
| a) | PERMITTED USES   | i)  | In addition to Subsection 6.2.1 Permitted Uses, a 259 unit multiple dwelling is permitted only in conjunction with the existing structure. |
|    |  | ii) | That a maximum of 259 dwelling units are permitted.  |
| b) | REGULATIONS  |     |  |
| a) | Maximum /<br>Minimum Building<br>Setback from a<br>Street Line | i)  | Maximum 6.5 metres (Jackson Street)  |
|    |  | ii) | Minimum 14 metres from James Street South for any portion of the building in excess of 24 metres in height.                                |
| b) | Building Height  | i)  | Maximum building height of 106 metres.   |
| c) | Built Form for New<br>Development                              | i)  | Minimum of 11% of the ground floor facade along James Street South shall be composed of windows and doors.                                 |
|    |  | ii) | Minimum of 30% of the ground floor facade along Jackson Street shall be composed of windows and doors.                                     |

- iii) Maximum of 45% of the second and third storey facades along James Street South shall be composed of windows.
  - iv) Maximum of 62% of the second and third storey facades along Jackson Street shall be composed of windows.
  - v) The ground floor storey shall be no less than 3.6 metres in height and no greater than 7.4 metres in height.
  - vi) The second and third storeys shall each be no less than 3.0 metres in height and no greater than 6.6 metres in height.
- d) Parking
  - i) In addition to Section 5.2 Design Standards a parking stacking system shall be permitted. A parking stacking system shall permit a parking space that is positioned above or below another parking space and is accessed by means of an elevating device.
  - ii) Notwithstanding Subsection 5.5 Barrier Free Parking, a minimum of 1 barrier free parking space shall be required.
  - iii) Notwithstanding Subsection 5.6a)i Parking Schedules, parking for Multiple Dwelling within a mixed-use building shall be provided on the basis of a minimum of 0.47 parking spaces for each dwelling unit.

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- iv) In addition to Subsection 5.6a) i) Parking Schedules, the development shall provide a minimum of 50 bicycle spaces.

(By-law No. 15-024, January 21, 2015)

(By-law No. 18-114, May 9, 2018)

(By-law No. 22-084, April 13, 2022)

468. Within the lands zoned Conservation / Hazard Land (P5, 468) Zone, identified on Maps No. 1442 and 1443 of Schedule "A", Section 4.23 d) shall not apply.

(By-law 20-161, LPAT July 8, 2020)

469. In addition to Section 9.3 of this By-law, within the lands zoned Prestige Business Park (M3, 469, H58) Holding Zone, Modified, identified on Map 515 of Schedule "A" to By-law 05-200 and described as 82 Parkside Drive, the following special provisions shall apply:

- a) **PERMITTED USES** In addition to Subsection 9.3.1 Permitted Uses, a motor vehicle car washing establishment with accessory pet washing bays and motor vehicle vacuuming bays shall be permitted.

- b) **REGULATIONS**

- i) Minimum Lot Area 3,500 square metres
- ii) Parking Notwithstanding Subsection 5.6 c) iv. Parking Schedules, five (5) parking spaces shall be provided for a motor vehicle car washing establishment with accessory pet washing bays and motor vehicle vacuuming bays, having a total maximum gross floor area of 715 square metres.

(By-law No. 15-183, August 14, 2015)

- 470 In addition to Sections 5.6(a) and 6.3.3 of this By-law, within the lands zoned Downtown Mixed Use (D3, 470) Zone, as identified on Map No. 953 of Schedule "A" - Zoning Maps, and described as 220 Cannon Street East (Hamilton), the following special provisions shall apply:

**REGULATIONS**



**SCHEDULE "C": SPECIAL EXCEPTIONS**

- |                     |  |
|---------------------|--|
| (a) Building Height | <ul style="list-style-type: none"> <li>i) A minimum 6.4 metres façade height, for any portion of a building along Cathcart Street that is 2-storeys in height shall be provided and maintained whereas a minimum 7.5 metres façade height, for the remaining portions of a building along Cathcart Street and for any portion of a building along Cannon Street East shall be provided and maintained.</li> <li>ii) A maximum building height of 38 metres shall be permitted.</li> </ul>  |
| (b) Visual Barrier  | <ul style="list-style-type: none"> <li>i) That a visual barrier shall not be required along any lot line abutting a Downtown Residential (D5) Zone.</li> </ul>   |
| (c) Parking         | <ul style="list-style-type: none"> <li>i) Notwithstanding Subsection 5.6a)i, Parking Schedules, parking for a Multiple Dwelling within a Mixed Use Building shall be provided on the basis of a minimum of 0.64 parking spaces for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each such unit.</li> <li>ii) Notwithstanding Subsection 5.6a)i, Parking Schedules, parking for a Retirement Home shall be provided on the basis of a minimum of 1 parking space for each 3.1 persons accommodated or designed for accommodation.</li> </ul> |

(By-law No. 15-257, November 11, 2015)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

471. In addition to Sections 9.3, and Exceptions 354 and 441 of Schedule 'C' of this By-law, within the lands zoned Prestige Business Park (M3, 354, 441, 471, H61) Zone, Modified, identified on Maps 1634, 1676, and 1677 of Schedule "A" – Zoning Maps and described as 899 Nebo Road, the following special provisions shall apply:

- |   |   |
|---|---|
| (a) PERMITTED USES  | In addition to Subsection 9.3.1 Permitted uses and Exceptions 354 and 441 of Schedule 'C', a Hazardous Waste Transfer Facility on the same property with an existing Waste Processing Facility and Waste Transfer Facility shall also be permitted. |
| (b) PROHIBITED USES   | In addition to Subsection 9.3.2 Prohibited Uses, a Hazardous Waste Processing Facility shall also be prohibited.  |
| (c) REGULATIONS   |   |
| i) Location Restrictions of Hazardous Waste Transfer Facility | Shall only be permitted within an Enclosed building with a maximum setback of 60 m from the rear lot line.  |
| ii) Size Restriction of Hazardous Waste Transfer Facility     | The maximum gross floor area for a Hazardous Waste Transfer Facility shall be 900 square metres, within which a maximum of 49 square metres containing a maximum 9 cells shall be devoted to the temporary storage of hazardous wastes.             |

(By-law No. 21-106-LPAT-03 September 25, 2015)

472 Notwithstanding Section 7.5.1 of Zoning By-law 05-200, on those lands zoned Conservation/Hazard Lands (P5) Zone, identified on Map No. 482 of Schedule "A"- Zoning Maps the following special provision shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

(a) Recreation, Passive shall be prohibited.

(By-law No. 16-135, OMB approval May 3, 2016)

473. Within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2, 473) Zone, identified on Map 952 of Schedule "A to By-law 05-200 and described as 46-52 James Street North, the following special provisions shall apply:

Notwithstanding Sections 5.5, 5.6a) i., 6.2,3a) i), ii), and iv), 6.2.3b) and 6.2.3c) ii) the following special provisions shall also apply:

**b) REGULATIONS**

- |  |   |
|--|---|
| a) Building Setback From a Street Line | <ul style="list-style-type: none"> <li>i) Maximum 0 metres for the first 4 storeys from James Street North;</li> <li>ii) Minimum 3 metres from James Street North for any portion of the building in excess of 4 storeys in height and 12 metres for any portion of the building in excess of 18 storeys;</li> <li>iii) Maximum 15.0 metres from Rebecca Street for the first storey; 18.5 metres for the second, third and fourth storeys; and 24 metres for any portion of the building in excess of 4 storeys; and,</li> <li>iv) Maximum 15 metres from Rebecca Street for that portion of the building providing an access driveway to a garage.</li> </ul> |
| b) Building Height                     | <ul style="list-style-type: none"> <li>i) Maximum building height shall be 67 metres.</li> </ul>  |
| c) Parking                             | <ul style="list-style-type: none"> <li>i) A minimum of 1 barrier free parking space shall be required.</li> </ul>   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- ii) Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:

2 Bedrooms Units or less with an average gross floor area of 51.5 square metres or less

| No. of Units | Required Parking Spaces |
|--------------|-------------------------|
| 0-8          | 0                       |
| >9           | 0.3 per unit            |

More than 2 Bedroom Units with an average gross floor area greater than 51.5 square metres

| No. of Units | Required Parking Spaces |
|--------------|-------------------------|
| 0-10         | 0                       |
| >11          | 0.66 per unit           |

- iii) A minimum of 265 bicycle parking spaces within the building and a minimum of 19 bicycle parking spaces outside the building.

- d) Glazing Requirements above Fourth Storey

A minimum of 30% and a maximum of 70% of the entire building facade for any portion of the building above the fourth storey shall be glazed.

- e) Minimum Building Setback from a Property Line

Minimum 3.0 metres from the north property line to the building, 4.0 metres from the south property line and 3.7 metres from the east property line to the building for any portion of the building above the fourth storey.

- |                                   |  |
|-----------------------------------|--|
| f) Width of a Ground Floor Facade | The minimum width of the ground floor facade for any portion of a building fronting onto Rebecca Street shall be 50% of the measurement of the front lot line. |
|-----------------------------------|--|

(By-law No. 16-054, February 24, 2016)

(By-law 18-114, May 9, 2018)

475. Within the lands zoned Community Institutional (I2) Zone, Modified, identified on Map 998 of Schedule "A" – Zoning Maps and described as the South Stadium Precinct block bound by King Street East, Melrose Avenue North, Cannon Street East and Balsam Avenue North, the following special provisions shall apply:

- a) Notwithstanding Section 4.16 a) of this By-law, the South Stadium Precinct block shall be considered to be one consolidated lot for the purpose of a joint development by the City of Hamilton and the Hamilton-Wentworth District School Board and the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law as amended relative to the consolidated lot development and its external lot lines are complied with.
- b) Parking facilities for a Secondary School and Recreation uses located within the South Stadium Precinct block bound shall be permitted at 60 Balsam Avenue North, notwithstanding Section 5.1 a) i) of this By-law, and notwithstanding the requirement within Section 5.1 a) ii) that the lot to accommodate the parking facilities (i.e. 60 Balsam Avenue North) is not situated in a Commercial, Industrial, Downtown Zone or within the same zone as the use requiring such parking. Section 5.1 a) iii) of this By-law shall continue to apply.
- c) Notwithstanding Sections 5.2.1 a) and 5.2.1 b) of this By-law, loading doors and associated loading facilities shall be permitted in a yard abutting a street and subject to Site Plan Approval.
- d) The Permitted Uses listed in Section 8.2.1 of this By-law shall be Permitted Uses, excluding Duplex Dwelling, Semi-Detached Dwelling, Single Detached Dwelling and Street Townhouse Dwelling.

(By-law No. 16-120, April 27, 2016)

476. Within the lands zoned Neighbourhood Institutional (I1) Zone, Modified, identified on Map 998 of Schedule "A" – Zoning Maps and described as 60 Balsam Avenue North, the following special provision shall apply:

Parking facilities for a Secondary School and Recreation uses located within the South Stadium Precinct block bound by King Street East, Melrose Avenue North, Cannon Street East and Balsam Avenue North shall be permitted at 60 Balsam Avenue North, notwithstanding Section 5.1 a) i) of this By-law, and notwithstanding the requirement within Section 5.1 a) ii) that the lot to accommodate the parking facilities (i.e. 60 Balsam Avenue North) is not situated in a Commercial, Industrial, Downtown Zone or within the same zone as the use requiring such parking. Section 5.1 a) iii) of this By-law shall continue to apply.

(By-law No. 16-120, April 27, 2016)

477. In addition to Section 8.2.3.3 of this By-law, within the lands zoned Community Institutional (12, 477) Zone, as identified on Map Nos. 1909, 1910, 1932 and 1933 of Schedule "A"- Zoning Maps, and described as part of 3105 Fletcher Road (Glanbrook), the following special provisions shall apply:

- |     |                   |     |   |
|-----|-------------------|-----|---|
| (a) | Minimum Lot Area  | i)  | 300 square metres (interior or corner lots)                               |
| (b) | Minimum Lot Width | i)  | 10 metres;  |
|     |                   | ii) | Notwithstanding i) above, 13.0 metres shall be required for a corner lot. |

(By-law No. 16-169, May 20, 2016)

478. Within the lands zoned General Business Park (M2, 478) Zone, Modified, identified on Maps 1049 and 1095 of Schedule "A" to By-law No. 05-200 and described as 50 Covington Street, the following special provisions shall apply:

- 1) In addition to the uses listed under Provision 9.2.1 – Permitted Uses, a Motor Vehicle Repair Garage shall also be permitted.

- 2) For the purposes of this by-law, a Motor Vehicle Repair Garage shall mean the use of land, building or structure, or part thereof for general repairs and servicing such as, but no limited to, the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering systems, tires; wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication, engine conversion or replacement, emissions testing and the accessory retail of automotive parts but shall not include a Motor Vehicle Service Station, Motor Vehicle Collision Repair Establishment or a Motor Vehicle Wrecking Establishment.
- 3) Notwithstanding any provision of Zoning By-law No. 05-200, the subject lands and any development located thereon, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required landscaping areas, planting strips, parking facilities, loading facilities and visual barriers relative only to the use existing on the effective date of this By-law.

(By-law No. 17-024, February 8, 2017)

481.

(By-law No. 23-079, May 10, 2023)

482. *Deleted.*

(By-law No. 16-330, December 14, 2016)

(By-law No. 21-189, October 13, 2021)

483. In addition to Sections 14.1.1 and 14.1.2, on those lands zoned Waterfront – Multiple Residential (WF1) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and Block 7 on Figure 10 to Schedule F – Special Figures to Zoning By-law 05-200, and described as Pier 8, 65 Guise Street, the following special provisions shall apply:

a) The following use shall also be permitted:

Commercial Parking Facility.

b) The following regulations shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |                             |  |
|------|-----------------------------|--|
| i)   | Location of Parking Gate    | The parking gate of a commercial parking facility shall have a minimum distance of 6.5 metres from the street.   |
| ii)  | Parking Structures          | Above grade parking structures including a commercial parking facility shall be located within buildings and fronted on all levels and all sides by commercial or residential uses.  |
| iii) | Commercial Parking Facility | In addition to a) above, where a commercial parking facility is proposed, all permitted uses for Block 6 and Block 7 shall be allowed to front the parking facility on all sides and on all levels and a maximum 2,000 square metre floor area of commercial uses shall be permitted for Blocks 6 and 7. |

(By-law No. 17-095-LPAT-01, May 24, 2017)

484. In addition to Sections 14.3.1 and 14.3.2, on those lands zoned Waterfront – Prime Retail Streets (WF3) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and Block 6 on Figure 10 to Schedule F – Special Figures to Zoning By-law 05-200, and described as Pier 8, 65 Guise Street, the following special provisions shall apply:

- a) The following use shall also be permitted:

Commercial Parking Facility.

- b) The following regulations shall apply:

- |      |                             |   |
|------|-----------------------------|---|
| i)   | Location of Parking Gate    | The parking gate of a commercial parking facility shall have a minimum distance of 6.5 metres from the street.  |
| ii)  | Parking Structures          | Above grade parking structures including a commercial parking facility shall be located within buildings and fronted on all levels and all sides by commercial or residential uses. |
| iii) | Commercial Parking Facility | In addition to a) above, where a commercial parking facility is proposed, all permitted uses for Block 6 and Block  |



7 shall be allowed to front the parking facility on all sides and on all levels and a maximum 2,000 square metre floor area of commercial uses shall be permitted for Blocks 6 and 7.

(By-law No. 17-095-LPAT-01, May 24, 2017)

485. In addition to Sections 7.4.1 and 7.4.2, within the lands zoned Open Space (P4) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and Block 14 on Figure 10 to Schedule F – Special Figures to Zoning By-law 05-200, and described as Pier 8, 65 Guise Street, the following special provision shall apply:

a) the following uses shall also be permitted:

Botanical gardens  
 Conservation  
 Nature Centres  
 Recreation  
 Restaurant  
 Marina  
 Recreational equipment rental and maintenance facilities

b) the following regulations shall apply:

- |      |  |   |
|------|--|---|
| i)   | Minimum Side and Rear Yard Setbacks                | 7.5 metres.   |
| ii)  | Maximum Building Height                            | 11.0 metres.  |
| iii) | Parking  | Notwithstanding Section 5.6a) Parking shall be in accordance with Section 14.0 D) of this By-law. |
| iv)  | Minimum Side and Rear Yard for Accessory Buildings | 7.5 metres in case of any building or structure abutting a Residential or Institutional Zone.     |
| v)   | Restaurant   | Shall not exceed two storeys and up to 8.0 metres in height and shall not                         |

exceed a total floor area of 1,500 square metres.

(By-law No. 17-095-LPAT-01, May 24, 2017)

(By-law No. 21-189, October 13, 2021)

486. In addition to Sections 8.2.1 and 8.2.3 on those lands zoned Community Institutional (I2) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and Block 16 on Figure 10 to Schedule F – Special Figures to Zoning By-law 05-200, and described as Pier 8, 65 Guise Street, the following special provision shall apply:

- a) the following uses shall also be permitted:

Day Nursery  
Educational Establishment  
Library  
Medical Office  
Museum  
Place of Worship  
Recreation  
Social Services Establishment  
Long Term Care Facility

- b) the following regulations shall apply:

- |      |                                     |  |
|------|-------------------------------------|--|
| i)   | Minimum Lot Width                   | 30.0 metres  |
| ii)  | Minimum Side and Rear Yard Setbacks | 2.0 metres   |
| iii) | Building Height                     | 1. Minimum 2 storeys and up to 8.0 metres and maximum 4 storeys and up to 15 metres; and,<br><br>2. In addition to 1. Above, minimum 4.5 metres façade height for any portion of a building along a street line. |
| iv)  | Minimum Landscaped Area             | 10% of the Lot Area  |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

## v) Parking

Notwithstanding Section 5.6a) Parking shall be in accordance with Section 14.0 D) of this By-law.

(By-law No. 17-095-LPAT-01, May 24, 2017)

(By-law No. 21-189, October 13, 2021)

493. Within the lands zoned Conservation / Hazard Land (P5, 493) Zone on Map No. 1247 of Schedule "A" to By-law No. 05-200 and described as 2750 King Street East, the following special provisions shall apply:

- 1) That Subsection 4.23d) of Zoning By-law 05-200 shall not apply to the northerly zone boundary of the Conservation / Hazard Land (P5) Zone.
- 2) A fence shall be required along the northern zone boundary of the Conservation / Hazard Land (P5) Zone.

(By-law No. 16-333, December 14, 2016)

499. Within the lands zoned Residential Character Commercial (C1, 499) Zone and Neighbourhood Commercial (C2) Zone, identified on Maps 735, 793, and 834 of Schedule "A" – Zoning Maps, and described as:

| Property Address    | Map Number |
|---------------------|------------|
| 328 Beach Boulevard | 834        |
| 336 Beach Boulevard | 834        |
| 344 Beach Boulevard | 834        |
| 400 Beach Boulevard | 735        |
| 532 Beach Boulevard | 793        |
| 536 Beach Boulevard | 793        |
| 538 Beach Boulevard | 793        |

The following special provisions shall apply:

- a) Section 4.6 d) shall not apply to the side yard.
- b) Notwithstanding Section 4.8.1, the following provisions shall apply:
  - i) No accessory building shall be located within a front yard or side yard.

- ii) Minimum Rear Yard                      0.6 metres
  - iii) Maximum Height                      4.5 metres
  - iv) All accessory buildings shall not exceed 30% total lot coverage of the yard in which the accessory buildings are located, included areas devoted exclusively to parking.
  - v) Where an accessory building is designed and intended for parking of motor vehicles, such accessory building shall be set back a minimum of 6.0 metres from any street line.
  - vi) In no cases shall an eave or gutter extend more than 0.3 metres into a minimum yard.
- c) Notwithstanding Section 10.2.3 c) i), the following provision shall apply:
  - i) Minimum Interior Side Yard      1.7 metres
- d) In addition to Section 10.2.3: Regulations, the following provisions shall apply:
  - i) The minimum ground floor elevation of any building or any building addition shall be 76.5 metres above mean sea level, as defined by the Geodetic Survey Datum, except for any building addition less than 14 square metres in ground floor area, and any accessory building or structure.
  - ii) No basement or cellar shall be permitted for any buildings.
  - iii) Any building addition less than 14 square metres in ground floor area, shall have a minimum ground floor elevation at or above the existing ground floor elevation of the building.
- e) Notwithstanding clause c) of this By-law, an interior side yard may be reduced to a minimum 1.5 metres, provided a common swale between the interior side yard and the adjoining property has been approved under an approved Site Plan.

- f) Notwithstanding any other provisions of this By-law, any lot and the location thereof of any building or structure, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, façade building length, flankage yard, rear yard, lot width, lot area and building height and are permitted by this By-law.
- g) For the properties located at 328, 336 and 344 Beach Boulevard, the following regulation shall also apply to a single detached dwelling or duplex dwelling:
  - i) Notwithstanding, Section 10.1.4 a), the maximum front yard setback abutting a street shall be 11.2 m.
  - ii) a minimum height of 0.75 metres between the ground and the bottom of a fence or wall.

(By-law No. 19-278, November 13, 2019)

(By-law No. 20-144, July 17, 2020)

502, H95. Within the lands zoned Community Institutional (I2, 502, H95) Zone, Modified identified on Maps 1246 and 1299 of Schedule A to By-law 05-200 and described as 50 Albright Road (Hamilton), the following special provisions shall apply:

### PERMITTED USES

Notwithstanding the uses permitted in Section 8.2.1, only the following uses shall be permitted:

Semi Detached Dwelling  
Street Townhouse Dwelling

### SEMI DETACHED DWELLINGS (Block 5)

Notwithstanding Sections 8.2.3.4 a) i), c) i), and e), the following special provisions shall apply to Semi Detached Dwellings

### REGULATIONS

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |                       |   |
|-----------------------|---|
| a) Minimum Lot Area   | i) 190 square metres for each semi detached dwelling unit           |
| b) Minimum Front Yard | i) 4.5 metres for an interior lot, and 2.1 metres for a corner lot. |
| c) minimum Flankage   | 2.1 metres.   |

**STREET TOWNHOUSES**  
 (Blocks "1" , "3" , "4" and "6" )

Notwithstanding Sections 8.2.3.5 a), b), c) i), e), f) and g), Section 4.6 e), Section 4.23 d) and Section 5.1c) iii), the following special provisions shall apply to Street Townhouses:

- |                       |  |
|-----------------------|--|
| a) Minimum Lot Area   | <p>i) 129 square metres for each three storey dwelling unit in Block "1" ; 139 square metres for each interior dwelling unit in Block 3 ; 152 square metres for each two storey dwelling unit in Block "4" ; and 152 square metres for each three storey dwelling unit in Block "6.</p> <p>ii) Notwithstanding i) above, 129 square metres in Block 1 ; 195.0 square metres in Block "S"; 152 square metres in Block "4" ; and 152 square metres in Block "6 shall be required for a corner lot.</p> |
| b) Minimum Unit Width | 6.0 metres, except 5.4 metres in Block "1".  |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |                                     |   |
|-------------------------------------|---|
| c) Minimum Front Yard               | i) 4.5 metres, except 2.8 metres for a corner lot in Blocks "1", "4" and "6".   |
| d) Minimum Flankage Yard            | 3.0 metres, except 2.0 metres to a street line or common element sidewalk in Blocks "4" and "6".  |
| e) Minimum Rear Yard                | 7.0 metres, except 5.8 metres for each dwelling unit in Block "3" and 2.6 metres for an end unit in Block "4".                                      |
| f) Maximum Building Height          | 11 metres and two storeys for each dwelling unit in Block "4" and 13.5 metres and three storeys for each dwelling unit in Blocks "1", "3" and "6".  |
| g) Yard Encroachments for Balconies | A balcony may encroach into the required rear yard a maximum of 1.5 metres for each dwelling unit in Block "3".                                     |
| h) Minimum Setback from (P5) Zone   | 2.6 metres in Block 4.  |
| i) Maximum Driveway Width           | A driveway may be widened to a maximum of 65% of the lot width or 6.0 metres, whichever is the lesser, except for 76.6% or 4.6 metres in Block "3". |

**SPECIAL PROVISIONS  
FOR "12, 502" ZONE**

Notwithstanding Sections 4.6 d), 4.9, and 5.1 c) iii), the following special provisions

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

shall also apply to development within the "I2, 502 Zone:

a) Yard Encroachments for Decks

deck may encroach into a required rear yard to a maximum of 3 metres for dwelling units for each dwelling unit in Blocks "1", "4", "5" and "6".

b) Location of Air Conditioning Units (A/C) Units

Air conditioning units shall be located only in accordance with the following regulations:

For each dwelling unit in Block 3, A/C units shall be located only above garages.

For each dwelling unit in Blocks "1", "4" "5" and "6", A/C units shall be permitted only in rear yards with a minimum setback of 0.6 metres from a side or a rear lot line.

In addition to Sections 4, 4.8 d), f) and g), the following special provisions shall also apply to development within the I2, 502 Zone:

a) Accessory Buildings

Accessory buildings shall only be permitted for a dwelling unit located in Blocks "4", "5" and "6".

b) Minimum Landscaped Area

The overall landscaped area shall be a minimum of 37% of the entire site and shall exclude the P5 Zone.

c) Minimum Visitor Parking



## d) Tandem Parking

Parking for visitors shall be provided on the basis of 0.3 spaces per dwelling unit.

Parking for each dwelling unit may be arranged as tandem or stacked parking for each dwelling unit in Blocks "1", "3", "4", "5" and "6".

(By-law No. 17-112, June 14, 2017)

550. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1250 and 1251 of Schedule "A" – Zoning Maps and described as 259, 261 Highway No. 8, the following special provisions shall apply:

a) Notwithstanding Subsections 10.5.1, only the following uses shall be permitted:

- i) Animal hospital, only if wholly enclosed within a building
- ii) Denture clinic
- iii) Restaurant
- iv) Financial Institution
- v) Office
- vi) Optometrist
- vii) Personal Service
- viii) Retail

b) Notwithstanding Subsection 5.6 c), the following parking ratio shall apply to the uses identified in Clause a):

- i) 1 space per 31.0 square metres of Gross Floor Area.

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

551. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1251 of Schedule "A" – Zoning Maps and described as 303 Highway No. 8, the following special provisions shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- a) Notwithstanding Subsections 10.5.3 a) ii) and b) and in addition to Section 3: Definitions and Subsection 10.5.3 i), the following regulations shall also apply:
- i) Maximum Front Yard 3.0 metres, except that a minimum front yard of 7.5 metres shall be provided and maintained for the building or a portion of the building existing as of April 24, 2013.
  - ii) Minimum Rear Yard 5.0 metres.
  - iii) Minimum Landscaped Open Space 10 percent of the lot area, a portion of which shall include the following, where applicable:
    - A. A Planting Strip having a minimum width of 4.5 metres shall be provided and maintained adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress;
    - B. A Planting Strip having a minimum width of 4.5 metres shall be provided and maintained adjacent to every portion of any lot line that abuts any Zone other than a Commercial and Mixed Use or Industrial Zone, except that a Planting Strip having a minimum width of 3.0 metres is permitted along the easterly side lot line;
    - C. No Planting Strip shall be required adjacent to a portion of any lot line that abuts a Commercial and Mixed Use or Industrial Zone; and,
    - D. A retaining wall is permitted in a Planting Strip.

(By-law No. 17-240, November 8, 2017)

552. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1185 and 1239 of Schedule "A" – Zoning Maps and described as 800 Upper Wentworth Street and 362 Mohawk Road East, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.5.1, for the lands located at 800 Upper Wentworth Street, only the following use shall be permitted within the building existing as of June 15, 2011:
  - i) Personal Service
- b) In addition Subsection 10.5.1 and notwithstanding Subsection 4.21a), for the lands located at 362 Mohawk Street East, the following shall also apply:
  - i) A Single Detached Dwelling within the building existing as of June 15, 2011 shall also be permitted; and,
  - ii) A home occupation shall not be permitted within the use identified in Clause b) i).

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

553. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1183 of Schedule "A" – Zoning Maps and described as 830, 836 and 840 Upper James Street, the following special provisions shall apply:

- a) In addition to Subsection 10.5.2, a Drive-Through Facility shall be prohibited.
- b) Notwithstanding Subsection 5.2b) and 5.2f), the following special Parking provision shall also apply:
  - i) 

|                              |   |
|------------------------------|---|
| Parking Space Size Dimension | A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided. |
|------------------------------|---|
  - ii) 

|   |  |
|---|--|
| Barrier Free Parking Space Size Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided. |
|---|--|

(By-law No. 17-240, November 8, 2017)

554. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 860 of Schedule "A" – Zoning Maps and described as 104 King Street West, the following special provisions shall apply:

- a) In addition to Subsection 10.5a.1, all permitted uses shall be contained within the building existing as of May 26, 2010.
- b) Notwithstanding the definition of Front Lot Line in Section 3: Definitions, Subsections 5.1 a) v), 5.2 c) and 5.2.1, and 10.5a.3g), the following regulations shall apply:
  - i) Minimum Parking and Loading Requirements A minimum of five (5) parking spaces and one (1) loading space shall be provided and maintained on the subject lands.
  - ii) Location of Parking and Loading Spaces Shall be provided and maintained only in the easterly side yard and shall be permitted to be 0.0 metres from a public thoroughfare.
  - iii) Parking Space Size Dimension A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
  - iv) Barrier Free Parking Space Size Dimension A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
  - v) Manoeuvring space for off-street parking and loading spaces may be provided off-site.
  - vi) Front Lot Line The front lot line shall be the property line which abuts King Street West.
  - vii) Building Envelope The external appearance of the east, west, north, and south building facades, including building materials, stone sills and lintels, brickwork, existing door and window openings,

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

and the height and form of all roofs, dormers, and roofing materials shall be retained in their appearance and condition as existing on May 26, 2010.

- viii) Windows and Doors Notwithstanding Clause v), the installation of new windows and doors into existing and unaltered window and door openings shall be permitted if required by the Ontario Building Code.
- ix) Mechanical Equipment Notwithstanding Clause v), the installation of required mechanical equipment in the flat roof area of the rear of the existing heritage structure shall be permitted if required by the Ontario Building Code.
- x) Ontario Heritage Act Notwithstanding Clause v), vi) and vii), should the lands be designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with Clause v), vi) and vii).

(By-law No. 17-240, November 8, 2017)

555. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 861 and 903 of Schedule "A" – Zoning Maps and described as 16 and 22 King Street East, the following special provisions shall apply:

- a) Notwithstanding Subsections 10.5a.3 a), b), c) and d) the following regulations shall apply:
  - i) Front Yard
    - A. 0.0 metres;
    - B. 3.9 metres for the front principal wall of the building 16.5 metres and above in height; and,

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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- |       |                             |   |
|-------|-----------------------------|---|
|       |                             | C. 6.5 metres for the front principal wall of the building 19.0 metres and above in height.   |
| ii)   | Minimum Side Yard           | 0.15 metres.  |
| iii)  | Minimum Rear Yard           | 1.0 metres.   |
| iv)   | Maximum Height              | 25.0 metres   |
| v)    | Maximum Lot Coverage        | 97 percent  |
| vi)   | Landscaped Area             | 3.0 percent   |
| vii)  | Total Gross Floor Area      | The total gross floor area of all buildings on a site shall not exceed 7,623 square metres, provided that a minimum of 6.0 percent of the gross floor area shall be used for commercial purposes. |
| viii) | Ground Floor Façade Glazing | A Minimum 50% of the area of the ground floor façade along the King Street West lot line shall be composed of windows and doors.  |
- b) In addition to Subsection 5.1a) v) a) and notwithstanding Subsections 5.2b), 5.2f), 5.6 c), the following parking regulations shall apply:
- |     |                              |   |
|-----|------------------------------|---|
| i)  | Minimum Parking Requirements | <p>A. 0.3 parking space per dwelling unit 60 square metres or less; and,</p> <p>B. 1.0 parking space per dwelling unit more than 60 square metres.</p>  |
| ii) | Parking Location             | <p>No parking space or part thereof shall be located, and no land shall be used for the temporary parking or storage of any vehicle at a distance of less than:</p> <p>A. 0.0 metres from the front lot line;</p> |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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- B. 0.16 metres from the westerly side lot line;
  - C. 1.08 metres from the rear lot line;
  - D. 0.19 metres from the easterly lot line; and,
  - E. 3.0 metres from any public thoroughfare for only parking located at-grade.
- iii) Parking Space Size Dimension A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
  - iv) Barrier Free Parking Space Size Dimension A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-062, March 27, 2019)

556. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1040 of Schedule "A" – Zoning Maps and described as 489 and 489½ Concession Street, the following special provisions shall apply:

- a) In addition to Subsection 10.5a.1, the following use shall also be permitted:
  - i) Two dwelling units within the northerly building, and two dwelling units and a commercial unit shall be permitted within the southerly building existing on February 13, 2013.
- b) Notwithstanding Subsections 5.2 b), 5.6 d), 5.6 c), 10.5a.3 b) and c), the following regulations shall also apply:
  - i) Minimum Parking No less than 3 on-site parking spaces shall be provided and maintained for 2 duplex buildings (4 dwelling units total).
  - ii) Manoeuvring Space A minimum 5.1 metre manoeuvring space shall be provided and maintained for a 90 degree parking space.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |                          |  |
|------|--------------------------|--|
| iii) | Parking Space Dimensions | A parking space shall have dimensions not less than 2.7 metres wide and 5.5 metres long.   |
| iv)  | Minimum Side Yard        | A minimum easterly side yard setback of 0.0 metres and a minimum westerly side yard setback of 0.4 metres shall be permitted for the building existing on February 13, 2013. |
| v)   | Minimum Rear Yard        | A minimum rear yard setback of 0.0 metres shall be permitted for the building existing on February 13, 2013.   |

(By-law No. 17-240, November 8, 2017)

557. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as 99 and 103 Locke Street South, the following special provisions shall apply:

- a) Notwithstanding Subsections 5.2.1, 5.2b), 5.2f), 5.6 c), 10.5a.3 a), b), d), h) iii), h) viii) and i), the following regulations shall apply to a mixed-use building with ground floor commercial uses and 84 dwelling units located above:
- |      |   |   |
|------|---|---|
| i)   | Maximum Building Height                                       | 6 storeys and 22.5 metres;  |
| ii)  | A mechanical penthouse, which is located above the main roof, | shall be allowed an additional maximum height of 4.0 metres and 300 square metres in area and may contain associated enclosed amenity/multi-purpose area.   |
| iii) | Minimum Yards   | <p>A. A minimum of 0.0 metres shall be provided and maintained for the side yard abutting Jackson Street West;</p> <p>B. A minimum of 1.6 metres shall be provided and maintained for the side yard abutting Canada Street;</p> |



- C. A minimum of 0.0 metres shall be provided and maintained for the front yard abutting Locke Street South;
  - D. A minimum of 0.0 metres shall be provided and maintained for the rear yard (including northerly 0.77 metres and easterly 31 metre lot lines) for the first two storeys and a minimum of 7.15 (excluding balconies) shall be provided to the 0.77 metres rear lot line for all remaining storeys above the first two (2) storeys.
- iii) The gross floor area of the primary building shall be 8,500 square metres with a floor area ratio of 4.25.
- iv) No landscaped/planting area shall be provided and maintained along any side lot line and rear lot line adjoining a Residential Zone or use.
- v) Minimum Parking      Ninety (90) underground parking spaces shall be provided.
- vi) Parking Space Size Dimension      A minimum parking space size dimension of 2.7 metres by 5.5 metres shall be provided.
- vii) Barrier Free Parking Space Size Dimension      A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
- viii) Loading Space Requirements
  - A. A minimum loading space dimension of: 3.7 metres in width by 9.0 metres in length shall be provided and maintained; and,
  - B. The manoeuvring space for the loading space shall be provided off-site and access driveways shall be located 0.0 metres from a Residential Zone.

**SCHEDULE "C": SPECIAL EXCEPTIONS**

- ix) A minimum of 60% of the ground floor façade fronting Locke Street South shall be comprised of windows and doors.
- x) A minimum block face of 75% (excluding portions of the building to be used for access) shall be provided for every lot line fronting a public street.

(By-law No. 17-240, November 8, 2017)

558. Within the lands zoned District Commercial (C6) Zone, identified on Map 1413 of Schedule "A" – Zoning Maps, and described as:

| Property Address      | Map Number |
|-----------------------|------------|
| 95 Portia Drive       | Map 1434   |
| 103, 109 Portia Drive | Map 1434   |

The following special provisions apply:

- a) i) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:

**Supermarket** A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.

- ii) In addition to the definition of Lot in Section 3: Definitions, the lands described as 95, 103, 109 Portia Drive shall be considered one lot for zoning purposes.

- b) Notwithstanding Subsection 10.6.1, only the following uses shall be permitted:

- i) Art Gallery
- ii) Auctioneer Establishment
- iii) Building and Lumber Supply Establishment, within a wholly enclosed building
- iv) Catering Service

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- v) Cold Storage Locker Establishment
  - vi) Commercial Entertainment, within a wholly enclosed building
  - vii) Commercial Parking Facility
  - viii) Commercial Recreation, within a wholly enclosed building
  - ix) Community Garden
  - x) Craftsperson Shop
  - xi) Day Nursery
  - xii) Educational Establishment
  - xiii) Financial Establishment
  - xiv) Funeral Home
  - xv) Laboratory
  - xvi) Library
  - xvii) Major Recreational Equipment Sales, Rental and Service Establishment
  - xxiii) Manufacturing, limited to a Printing and / or Publishing Establishment
  - xix) Medical Clinic
  - xx) Museum
  - xxi) Office
  - xxii) Personal Service
  - xxiii) Post Office
  - xxiv) Private Club or Lodge
  - xxv) Repair Service
  - xxvi) Restaurant
  - xxvii) Retail, not including a Supermarket
  - xxviii) Transportation Depot
  - xxix) Urban Farm
  - xxx) Urban Farmer's Market
- c) Notwithstanding Subsection 10.6.1.1 i) 1. B., a two-storey building containing office uses on both the first and second floor is also permitted.
- d) In addition to Subsection 10.6.2, the following uses shall also be prohibited, even as an accessory use:
- i) Body Rub Parlour
  - ii) Department Store
  - iii) Dwelling Unit
  - iv) Open Storage
  - v) Supermarket
- e) Notwithstanding Subsections 5.6 c), 10.6.3 a), b), c), f) and g), and in addition to Subsection 10.6.3 h), the following regulations apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |  |   |
|------|--|---|
| i)   | Minimum Front Yard   | 1.5 metres, except as provided in Clause vii)   |
| ii)  | Minimum Side Yard  | 1.5 metres, except where an interior side yard abuts a private vehicular turnaround, a 0.0 metre side yard shall be permitted.  |
| iii) | Minimum Rear Yard  | 10.0 metres   |
| iv)  | Minimum Frontage   | 30.0 metres   |
| v)   | Maximum Total Aggregate Gross Floor Area for all Commercial Uses | 3,300 square metres   |
| vi)  | Built Form for New Development                                   | <p>Within 20 metres of the Wilson Street West Lot Line, the minimum façade shall be greater than or equal to 40% of the measurement of the Wilson Street Lot Line, excluding access driveways to Wilson Street West and enhanced bioswale areas, and shall be subject to the following:</p> <ol style="list-style-type: none"> <li>1. A maximum building setback of 6.0 metres is permitted</li> <li>2. A minimum of 40% of the area of the ground floor façade facing Wilson Street West shall be composed of windows and doors</li> <li>3. No parking, driveways, drive through lanes, stacking lanes, or aisles shall be located between the building façade facing Wilson Street West and Wilson Street West</li> </ol> |
| vii) | Minimum Planting Strip   | 3.0 metres adjacent to each lot line which abuts a public street or lot   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

containing a dwelling comprising one or two dwelling units (but shall permit the location of principal buildings, walkways / sidewalks, retaining walls, curbs, signs, and light standards within required Planting Strips).

viii) Minimum Parking Requirement:

Parking for all uses shall be provided at a rate of 3.5 spaces for each 93 square metres of Gross Floor Area, or part thereof.

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

559. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1290 of Schedule "A" – Zoning Maps and described as 1187 and 1201 Upper James Street, the following special provisions shall apply:

a) Notwithstanding Subsections 5.2b), 5.2f), 10.7.3 a), b) and c) and in addition to Subsection 4.20 a), the following regulations shall also apply:

i) Minimum Front Yard 0.0 metres;

ii) Minimum Side Yard 1.5 metres;

iii) Minimum Rear Yard 15.0 metres.

iv) Outdoor Commercial Patio 1. Shall be permitted in the rear yard;

2. Shall not exceed an area of 30.0 square metres; and,

3. Shall be setback a minimum of 12.0 metres from the rear lot line.

v) Parking Space Size Dimension A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |     |  |  |
|-----|--|--|
| vi) | Barrier Free Parking<br>Space Size Dimension | A minimum barrier free parking<br>space size dimension of 4.4 metres<br>by 5.5 metres shall be provided. |
|-----|--|--|

(By-law No. 17-240, November 8, 2017)

560. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1445 of Schedule "A" – Zoning Maps and described as 1749 and 1755 Upper James Street, the following special provision shall apply:

- a) Notwithstanding Subsections 10.7.3 f) and 10.7.4 c), a minimum 3 metre wide planting strip shall be provided and maintained along the entire southerly lot line.

(By-law No. 17-240, November 8, 2017)

561. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 993 of Schedule "A" – Zoning Maps and described as part of 252 and 254 Locke Street South, the following special provision shall apply:

- a) Notwithstanding Subsection 4.20 b) and c), an outdoor commercial patio with a maximum seating accommodation of 36 persons adjoining a Residential Zone shall be permitted to be located in the rear yard and an outdoor commercial patio with a maximum seating accommodation of 6 persons shall be permitted to be located in the north-east side yard.

(By-law No. 17-240, November 8, 2017)

562. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 1258 and 1259 of Schedule "A - Zoning Maps and described as 1290 South Service Road and 5 and 23 Vince Mazza Way, the following special provisions shall apply:

- a) In addition to Section 5.2 e) and notwithstanding Sections 5.2 f) and h), 5.5 a), 5.6 c), and 5.7 c) and d), the following regulations shall apply:

- |    |   |   |
|----|---|---|
| i) | Surfaces of Parking<br>Spaces and Parking<br>Lots | May include exhaust and intake<br>vents provided at grade |
|----|---|---|

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |   |   |
|------|---|---|
| ii)  | Barrier Free Parking Space Sizes  | Notwithstanding Section 5.2 b), barrier free parking spaces shall be a minimum of 2.8 metres in width and 5.8 metres in length, accompanied by a painted aisle of not less than 1.5 metres in width   |
| iii) | Landscaped Area(s) or Landscaped Parking Island(s) Within a Parking Lot | Landscaped Area(s) or Landscaped Parking Island(s) with a minimum combined area of 7% of the area of the parking lot and associated access driveway and maneuvering areas shall be provided and maintained.   |
| iv)  | Minimum Number of Barrier Free Parking Spaces                           | 11 spaces   |
| v)   | Number of Parking Spaces for a Multiple Dwelling                        | <p>a) Minimum 1.25 parking spaces per dwelling unit; and,</p> <p>b) Maximum 1.5 parking spaces per dwelling unit.</p>   |
| vi)  | Number of Parking Spaces for Commercial Uses                            | <p>a) 0 where a commercial unit is less than 450.0 square metres in gross floor area per commercial unit; and,</p> <p>b) 1 for each 17.0 square metres of any gross floor area between 450.0 square metres and 4,000 square metres per commercial unit.</p> |
| vii) | Bicycle Parking Requirements  | <p>a) A minimum of 94 short-term bicycle parking spaces shall be provided for all Multiple Dwellings; and,</p> <p>b) For any Commercial unit less than 450.0 square metres no</p>   |

short-term bicycle parking  
space(s) shall be required.

- b) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, the following uses shall be prohibited:

Commercial Entertainment;  
Commercial Parking Facility;  
Commercial Recreation;  
Conference or Convention Centre;  
Educational Establishment;  
Emergency Shelter;  
Funeral Home;  
Hotel;  
Laboratory; Lodging House;  
Motor Vehicle Gas Bar;  
Motor Vehicle Service Station;  
Motor Vehicle Washing Establishment;  
Performing Arts Theatre;  
Place of Assembly;  
Place of Worship;  
Residential Care Facility;  
Retirement Home; and,  
Transportation Depot.

- c) Notwithstanding Sections 10.5.3 a), b), d), and g) and in addition to Section 10.5.3 h), the following regulations shall apply:

- i) Building Setback from From Vince Mazza Way:  
a Street Line

a) Minimum 0.9 metres and  
maximum 4.5 metres to a ground  
floor commercial use; and,

b) Minimum 3.0 metres and  
maximum 5.5 metres to a ground  
floor dwelling unit.

From Winona Road:

a) Minimum 7.0 metres from a  
front façade;



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- b) Minimum 3.0 metres from an end façade; and,
- c) No maximum.

From a daylight triangle or curve:

- a) Minimum 0.6 metres.

ii) Building Height

- a) Minimum 5.0 metre façade height for any portion of a building along a street line located less than 3.0 metres from the street line;

- b) Minimum 7.5 metre façade height for any portion of a building along a street line located at or more than 3.0 metres from the street line; and,

- c) Maximum 16.0 metres.

iii) Minimum Gross Floor Area for Retail and Service Commercial Uses

- 1,900 square metres.

v) Built form for New Development

In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law:

- a) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street;

- b) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% of the measurement of the front lot line;

c) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street;

d) In addition to Subsections a), b) and c) above, the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street;

e) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line;

f) A minimum of one principal entrance to a building containing commercial uses shall be provided:

1. Within the ground floor façade that is set back closest to a street; and,

2. Shall be accessible from the building façade with direct access from the public sidewalk.

g) A walkway shall be permitted in a Planting Strip where required by the By-law.

- |     |  |   |
|-----|--|---|
| vi) | Minimum Amenity Area for Dwelling Units and Multiple Dwellings | In addition to the Minimum Amenity Area requirements, any balcony or rooftop amenity area |
|-----|--|---|

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shall be less than 4.0 metres in depth.

(By-law No. 17-240, November 8, 2017)

563. Within the lands zoned Mixed Use Medium Density Pedestrian Focus (C5a) Zone and Parking (U3) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as 154, 158, 162, 162½, and 164 Locke Street South, the following special provisions shall apply:

a) Notwithstanding Subsection 5.1a) v) 5.2b), 5.2f), and 5.2i) and in addition to Subsection 5.2c) the following special regulations shall also apply for the portion of lands zoned Mixed Use Pedestrian Focus (C5a) Zone and Parking (U3) Zone:

- |      |   |  |
|------|---|--|
| i)   | Parking Space Size Dimension              | <p>A. A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided; and,</p> <p>B. Notwithstanding Clause A., every parking space within an attached garage shall have dimensions not less than 2.7 metres by 6.0 metres long;</p> |
| ii)  | Barrier Free Parking Space Size Dimension | <p>A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.</p>  |
| iii) | Minimum Driveway Aisle Width              | <p>A. A Driveway Aisle shall have a minimum width of 5.0 metres; and,</p> <p>B. A Driveway Aisle shall have a minimum of 4.0 metres for one-way traffic.</p>   |

- |     |  |   |
|-----|--|---|
| iv) | Location of Driveway Aisle and Parking Space | Required parking space and driveway aisle for uses permitted under the Mixed Use Pedestrian Focus (C5a) Zone shall be permitted to be provided on the portion of lands zoned Parking (U3) Zone; |
| v)  | Ingress and Egress of Parking Lot            | Points of ingress and egress from a parking lot shall be a minimum of 0.0 metres from a residential district.   |
| vi) | Setback of Surface Parking Lot               | A surface parking lot shall not be less than 1.0 metre from the westerly lot line, and 0.0 metre from the northerly and southerly lot line.   |
- b) Notwithstanding Subsection 12.3.2 g), the following special regulations shall also apply for the portion of lands zoned Parking (U3) Zone:
- i) A Landscaped Area, where not less than 50% shall consist of a Planting Strip, with a minimum of 1.0 metre, shall be provided and maintained along the western lot line.
- c) The following special regulations shall also apply for the portion of lands zoned Mixed Use Medium Density Pedestrian Focus (C5a) Zone:
- i) Notwithstanding Subsection 10.5a.1.1i)3.A., a surface Commercial Parking Facility shall also be permitted.

(By-law No. 17-240, November 8, 2017)

564. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 414 of Schedule "A" – Zoning Maps and described as the south easterly portion of 490 Dundas Street East, the following special provisions shall apply:

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- a) In addition to Subsection 10.5.1, the following uses shall also be permitted:

- i) Street Townhouse Dwelling

(By-law No. 17-240, November 8, 2017)

565. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1280 of Schedule "A" – Zoning Maps and described as 128 and 134 Wilson Street West, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.5.1, the following uses shall be limited to the following:

- i) Single Detached Dwelling
  - ii) Office located within the building existing at the time of the passing of the By-law

- b) Notwithstanding Subsection 10.5.3a), the minimum Front Yard Setback is 15.0 metres.

- c) Notwithstanding Subsection 10.5.3g)v), the regulation shall not apply.

(By-law No. 17-240, November 8, 2017)

(By-law No. 21-189, October 13, 2021)

566. Within the lands zoned Mixed Use Medium – Pedestrian Focus (C5a) Zone, identified on Map 1040 and 1086 of Schedule "A" – Zoning Maps and described as 37 and 39 Cliff Avenue, and 569 Concession Street, the special provisions shall apply:

- a) Notwithstanding Section 10.5a.1, permitted uses are limited to the following:

- i) Dwelling Units in Conjunction with a Commercial Use
  - ii) Medical Clinic
  - iii) Office
  - iv) Personal Service
  - v) Social Services Establishment
  - vi) Studio

(By-law No. 17-240, November 8, 2017)

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567. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1280 and 1281 of Schedule "A" – Zoning Maps and described as 54 Wilson Street West, the following special provisions shall apply:

- a) Notwithstanding Subsections 10.5.3 d) ii) and iii), the following regulations shall also apply:
  - i) Maximum Building Height      11.0 metres.
  - ii) Access      No access shall be permitted from Carrington Court to the subject lands.

(By-law No. 17-240, November 8, 2017)

568. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1175 of Schedule "A" – Zoning Maps and described as 370 Wilson Street East, the following special provisions shall apply:

- a) In addition to Section 10.5a.1 and notwithstanding Section 10.5a.2) ii), the following use shall also be permitted:
  - i) Drive through facility within the building existing as of August 16, 2013.
- b) Notwithstanding Subsection 10.5a.3 d) ii) and iii), the maximum building height of 9.0 metres shall be permitted.

(By-law No. 17-240, November 8, 2017)

569. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1175 of Schedule "A" – Zoning Maps and described as 385 Wilson Street East, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.5a.3 d) ii) and iii) a maximum building height of 12.63 metres shall be permitted.

(By-law No. 17-240, November 8, 2017)

570. Within the lands zoned District Commercial (C6) Zone, Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 860, 861, 903, 907, 908, 946, 947, 948,

**SCHEDULE "C": SPECIAL EXCEPTIONS**

988, 990, 1124, 1175, 1228, 1229, 1280, 1281, 1911, 1912, 1934, 1935 and 1956 of Schedule "A" – Zoning Maps and described as:

| Property Address                    | Map Number    |
|-------------------------------------|---------------|
| 15 Albert Street                    | 860           |
| Binbrook, Con. 3, Blk 3, Part Lot 5 | 1935          |
| 2548 Binbrook Road                  | 1935          |
| 2553 Binbrook Road                  | 1935          |
| 2562 Binbrook Road                  | 1935          |
| 2567 Binbrook Road                  | 1935          |
| 2572 Binbrook Road                  | 1935          |
| 2575 Binbrook Road                  | 1935          |
| 2583 Binbrook Road                  | 1935          |
| 2584 Binbrook Road                  | 1935          |
| 2592 Binbrook Road                  | 1935          |
| 2600 Binbrook Road                  | 1935          |
| Plan 62M 1016, Block 103            | 1935          |
| 2617 Binbrook Road                  | 1934 and 1935 |
| 2620 Binbrook Road                  | 1935          |
| 2623 Binbrook Road                  | 1935          |
| 2630 Binbrook Road                  | 1935          |
| 2640 Binbrook Road                  | 1935          |
| 2623 Binbrook Road                  | 1935          |
| 2630 Binbrook Road                  | 1935          |
| 2640 Binbrook Road                  | 1935          |
| 2641 Binbrook Road                  | 1934 and 1935 |
| 2646 Binbrook Road                  | 1934 and 1935 |
| 2647 Binbrook Road                  | 1934 and 1935 |
| 2653 Binbrook Road                  | 1934          |
| 2654 Binbrook Road                  | 1934 and 1935 |
| 2657 Binbrook Road                  | 1934          |
| 2660 Binbrook Road                  | 1934          |
| 2665 Binbrook Road                  | 1934          |
| 2666 Binbrook Road                  | 1935          |
| 2680 Binbrook Road                  | 1934          |
| 3015 Binbrook Road                  | 1934          |
| 3020 Binbrook Road                  | 1934          |
| 3027 Binbrook Road                  | 1934          |
| 3028 Binbrook Road                  | 1934          |
| 3034 Binbrook Road                  | 1934          |
| 3038 Binbrook Road                  | 1934          |
| 3042 Binbrook Road                  | 1934          |
| 3048 Binbrook Road                  | 1934          |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address               | Map Number    |
|--------------------------------|---------------|
| 3060 Binbrook Road             | 1934          |
| 3072 Binbrook Road             | 1934          |
| 3073 Binbrook Road             | 1934          |
| 3078 Binbrook Road             | 1934          |
| 3084 Binbrook Road             | 1934          |
| 3089 Binbrook Road             | 1934          |
| 3092 Binbrook Road             | 1934          |
| 3100 Binbrook Road             | 1934          |
| 3105 Binbrook Road             | 1934          |
| 3106 Binbrook Road             | 1934          |
| 3114 Binbrook Road             | 1934          |
| 3115 Binbrook Road             | 1934          |
| 3125 Binbrook Road             | 1934          |
| 3130 Binbrook Road             | 1934          |
| 2 Bond Street South            | 907           |
| 2 Bond Street South            | 907           |
| 6 Bond Street South            | 907           |
| 10 Bond Street South           | 907           |
| 53 Carrington Court            | 1280 and 1281 |
| 1 Cross Street                 | 861           |
| 3 Cross Street                 | 861           |
| 5 Cross Street                 | 861           |
| 7 Cross Street                 | 861           |
| 11 Cross Street                | 861           |
| Part of 14 and 16 Cross Street | 861           |
| 103 Emerson Street             | 948           |
| 104 Emerson Street             | 948           |
| 105 Emerson Street             | 948           |
| 106 Emerson Street             | 948           |
| 109 Emerson Street             | 948           |
| 110 Emerson Street             | 948           |
| 112 Emerson Street             | 948           |
| 113 Emerson Street             | 948           |
| 114 Emerson Street             | 948           |
| 116 Emerson Street             | 948           |
| 117 Emerson Street             | 948           |
| 119 Emerson Street             | 948           |
| 120 Emerson Street             | 948           |
| 125 Emerson Street             | 948           |
| 131 Emerson Street             | 948           |
| 135 Emerson Street             | 948 and 990   |
| 136 Emerson Street             | 948 and 990   |



**SCHEDULE "C": SPECIAL EXCEPTIONS**

| Property Address              | Map Number               |
|-------------------------------|--------------------------|
| 139 Emerson Street            | 948 and 990              |
| 142 Emerson Street            | 948 and 990              |
| 143 Emerson Street            | 990                      |
| 144 Emerson Street            | 990                      |
| 150 Emerson Street            | 990                      |
| 151 Emerson Street            | 990                      |
| 10 Ewen Road                  | 947                      |
| 11 Ewen Road                  | 947                      |
| 4 Fall Fair Way               | 1911 and 1912            |
| 10 Fall Fair Way              | 1911 and 1912            |
| 39 Garinger Crescent          | 1911                     |
| 15 Great Oak Trail            | 1934                     |
| 37 Halson Street              | 1229                     |
| 2400 Regional Road 56         | 1911 and 1912            |
| Part of 2431 Regional Road 56 | 1912                     |
| 2441 Regional Road 56         | 1912                     |
| 2450 Regional Road 56         | 1911 and 1912            |
| 2451 Regional Road 56         | 1912                     |
| 2461 Regional Road 56         | 1912                     |
| 2471 Regional Road 56         | 1912                     |
| 2474 Regional Road 56         | 1911 and 1912            |
| 2486 Regional Road 56         | 1911 and 1912            |
| 2487 Regional Road 56         | 1912                     |
| 2490 Regional Road 56         | 1911 and 1912            |
| 2501 Regional Road 56         | 1912                     |
| 2506 Regional Road 56         | 1911 and 1912            |
| 2525 Regional Road 56         | 1912                     |
| 2532 Regional Road 56         | 1911                     |
| 2537 Regional Road 56         | 1912                     |
| 2544 Regional Road 56         | 1911                     |
| 2545 Regional Road 56         | 1912                     |
| 2550 Regional Road 56         | 1912                     |
| 2555 Regional Road 56         | 1912                     |
| 2565 Regional Road 56         | 1911,1912 and 1935       |
| 2575 Regional Road 56         | 1911,1912, 1934 and 1935 |
| 2585 Regional Road 56         | 1934 and 1935            |
| 2595 Regional Road 56         | 1934 and 1935            |
| 2600 Regional Road 56         | 1934                     |
| 2605 Regional Road 56         | 1934 and 1935            |
| 2610 Regional Road 56         | 1934                     |
| 2620 Regional Road 56         | 1934                     |
| 2621 Regional Road 56         | 1934 and 1935            |

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| Property Address              | Map Number    |
|-------------------------------|---------------|
| 2626 Regional Road 56         | 1934          |
| 2634 Regional Road 56         | 1934          |
| 2640 Regional Road 56         | 1934          |
| Part of 2641 Regional Road 56 | 1934 and 1935 |
| 2651 Regional Road 56         | 1934          |
| 2666 Regional Road 56         | 1934          |
| 3011 Regional Road 56         | 1934          |
| 3013 Regional Road 56         | 1934          |
| 3029 Regional Road 56         | 1934          |
| 3033 Regional Road 56         | 1934          |
| 3038 Regional Road 56         | 1934          |
| 3041 Regional Road 56         | 1934          |
| 3044 Regional Road 56         | 1934          |
| 3046 Regional Road 56         | 1934          |
| 3047 Regional Road 56         | 1934          |
| 3053 Regional Road 56         | 1934          |
| 3056 Regional Road 56         | 1934          |
| 3059 Regional Road 56         | 1934          |
| 3064 Regional Road 56         | 1934          |
| 3065 Regional Road 56         | 1934          |
| 3070 Regional Road 56         | 1934          |
| 3078 Regional Road 56         | 1934          |
| 3079 Regional Road 56         | 1934          |
| 3084 Regional Road 56         | 1934          |
| 3087 Regional Road 56         | 1934          |
| 3097 Regional Road 56         | 1934          |
| 3111 Regional Road 56         | 1934 and 1956 |
| 3125 Regional Road 56         | 1956          |
| 3137 Regional Road 56         | 1956          |
| 3150 Regional Road 56         | 1956          |
| 3153 Regional Road 56         | 1956          |
| 3160 Regional Road 56         | 1956          |
| 3167 Regional Road 56         | 1956          |
| 3168 Regional Road 56         | 1956          |
| 3180 Regional Road 56         | 1956          |
| 3181 Regional Road 56         | 1956          |
| 3190 Regional Road 56         | 1956          |
| 3194 Regional Road 56         | 1956          |
| 3200 Regional Road 56         | 1956          |
| 7 John Street                 | 860           |
| 1 King Street East            | 861           |
| 2 King Street East            | 861           |

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| Property Address    | Map Number  |
|---------------------|-------------|
| 3 King Street East  | 861         |
| 5 King Street East  | 861         |
| 7 King Street East  | 861         |
| 8 King Street East  | 861         |
| 9 King Street East  | 861         |
| 10 King Street East | 861         |
| 11 King Street East | 861         |
| 12 King Street East | 861         |
| 23 King Street East | 861         |
| 27 King Street East | 861         |
| 49 King Street East | 861         |
| 1 King Street West  | 861         |
| 2 King Street West  | 861         |
| 3 King Street West  | 861         |
| 7 King Street West  | 861         |
| 9 King Street West  | 861         |
| 10 King Street West | 861         |
| 11 King Street West | 861         |
| 12 King Street West | 861         |
| 13 King Street West | 861         |
| 14 King Street West | 861         |
| 15 King Street West | 861         |
| 18 King Street West | 861         |
| 19 King Street West | 861         |
| 21 King Street West | 861         |
| 22 King Street West | 861         |
| 24 King Street West | 861         |
| 25 King Street West | 861         |
| 26 King Street West | 861         |
| 28 King Street West | 861         |
| 32 King Street West | 860 and 861 |
| 33 King Street West | 861         |
| 36 King Street West | 860 and 861 |
| 38 King Street West | 860 and 861 |
| 40 King Street West | 860         |
| 41 King Street West | 861         |
| 43 King Street West | 861         |
| 44 King Street West | 860         |
| 45 King Street West | 860 and 861 |
| 46 King Street West | 860         |
| 48 King Street West | 860         |
| 49 King Street West | 860 and 861 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address     | Map Number |
|----------------------|------------|
| 50 King Street West  | 860        |
| 51 King Street West  | 860        |
| 55 King Street West  | 860        |
| 56 King Street West  | 860        |
| 57 King Street West  | 860        |
| 58 King Street West  | 860        |
| 59 King Street West  | 860        |
| 61 King Street West  | 860        |
| 62 King Street West  | 860        |
| 63 King Street West  | 860        |
| 65 King Street West  | 860        |
| 66 King Street West  | 860        |
| 67 King Street West  | 860        |
| 70 King Street West  | 860        |
| 71 King Street West  | 860        |
| 75 King Street West  | 860        |
| 77 King Street West  | 860        |
| 82 King Street West  | 860        |
| 83 King Street West  | 860        |
| 89 King Street West  | 860        |
| 90 King Street West  | 860        |
| 93 King Street West  | 860        |
| 105 King Street West | 860        |
| 107 King Street West | 860        |
| 112 King Street West | 860        |
| 113 King Street West | 860        |
| 115 King Street West | 860        |
| 116 King Street West | 860        |
| 117 King Street West | 860        |
| 118 King Street West | 860        |
| 121 King Street West | 860        |
| 126 King Street West | 860        |
| 130 King Street West | 860        |
| 132 King Street West | 860        |
| 134 King Street West | 860        |
| 138 King Street West | 860        |
| 142 King Street West | 860        |
| 144 King Street West | 860        |
| 146 King Street West | 860        |
| 153 King Street West | 860        |
| 155 King Street West | 860        |
| 157 King Street West | 860        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address     | Map Number |
|----------------------|------------|
| 159 King Street West | 860        |
| 160 King Street West | 860        |
| 168 King Street West | 860        |
| 169 King Street West | 860        |
| 170 King Street West | 860        |
| 173 King Street West | 860        |
| 174 King Street West | 860        |
| 178 King Street West | 860        |
| 179 King Street West | 860        |
| 181 King Street West | 860        |
| 182 King Street West | 860        |
| 183 King Street West | 860        |
| 184 King Street West | 860        |
| 186 King Street West | 860        |
| 190 King Street West | 860        |
| 194 King Street West | 860        |
| 195 King Street West | 860        |
| 199 King Street West | 860        |
| 200 King Street West | 860        |
| 203 King Street West | 860        |
| 207 King Street West | 860        |
| 209 King Street West | 860        |
| 732 King Street West | 908        |
| 734 King Street West | 908        |
| 736 King Street West | 908        |
| 738 King Street West | 908        |
| 742 King Street West | 908        |
| 746 King Street West | 908        |
| 750 King Street West | 908        |
| 754 King Street West | 908        |
| 756 King Street West | 908        |
| 766 King Street West | 908        |
| 768 King Street West | 908        |
| 772 King Street West | 908        |
| 775 King Street West | 908        |
| 777 King Street West | 908        |
| 780 King Street West | 908        |
| 782 King Street West | 908        |
| 784 King Street West | 908        |
| 785 King Street West | 908        |
| 789 King Street West | 908        |
| 790 King Street West | 908        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address     | Map Number  |
|----------------------|-------------|
| 791 King Street West | 908         |
| 797 King Street West | 908         |
| 802 King Street West | 908         |
| 804 King Street West | 908         |
| 811 King Street West | 908         |
| 816 King Street West | 908         |
| 824 King Street West | 908         |
| 832 King Street West | 908         |
| 840 King Street West | 908         |
| 848 King Street West | 908         |
| 850 King Street West | 908         |
| 854 King Street West | 908         |
| 856 King Street West | 908         |
| 860 King Street West | 908         |
| 864 King Street West | 908         |
| 866 King Street West | 907 and 908 |
| 868 King Street West | 907 and 908 |
| 870 King Street West | 907 and 908 |
| 876 King Street West | 907         |
| 878 King Street West | 907         |
| 881 King Street West | 907         |
| 889 King Street West | 907         |
| 893 King Street West | 907         |
| 895 King Street West | 907         |
| 897 King Street West | 907         |
| 899 King Street West | 907         |
| 925 King Street West | 907         |
| 938 King Street West | 907         |
| 942 King Street West | 907         |
| 944 King Street West | 907         |
| 946 King Street West | 907         |
| 948 King Street West | 907         |
| 950 King Street West | 907         |
| 951 King Street West | 907         |
| 955 King Street West | 907         |
| 972 King Street West | 907         |
| 981 King Street West | 907         |
| 985 King Street West | 907         |
| 986 King Street West | 907         |
| 988 King Street West | 907         |
| 990 King Street West | 907         |
| 992 King Street West | 907         |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address         | Map Number |
|--------------------------|------------|
| 998 King Street West     | 907        |
| 999 King Street West     | 907        |
| 1000 King Street West    | 907        |
| 1004 King Street West    | 907        |
| 1005 King Street West    | 907        |
| 1006 King Street West    | 907        |
| 1008 King Street West    | 907        |
| 1009 King Street West    | 907        |
| 1011 King Street West    | 907        |
| 1012 King Street West    | 907        |
| 1014 King Street West    | 907        |
| 1015 King Street West    | 907        |
| 1018 King Street West    | 907        |
| 1019 King Street West    | 907        |
| 1020 King Street West    | 907        |
| 1023 King Street West    | 907        |
| 1024 King Street West    | 907        |
| 1027 King Street West    | 907        |
| 1028 King Street West    | 907        |
| 1030 King Street West    | 907        |
| 1031 King Street West    | 907        |
| 1033 King Street West    | 907        |
| 1034 King Street West    | 907        |
| 1035 King Street West    | 907        |
| 1036 King Street West    | 907        |
| 1037 King Street West    | 907        |
| 1038 King Street West    | 907        |
| 1041 King Street West    | 907        |
| 1043 King Street West    | 907        |
| 1044 King Street West    | 907        |
| 1045 King Street West    | 907        |
| 1046 King Street West    | 907        |
| 1048 King Street West    | 907        |
| 1049 King Street West    | 907        |
| 1050 King Street West    | 907        |
| 1056 King Street West    | 907        |
| 1059 King Street West    | 907        |
| 1060 King Street West    | 907        |
| 1061 King Street West    | 907        |
| 1066 King Street West    | 907        |
| 1067 King Street West    | 907        |
| 4, 8 Longwood Road North | 907        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address        | Map Number  |
|-------------------------|-------------|
| 45 Maggie Johnson Drive | 1912        |
| 3 Main Street           | 861         |
| 8 Main Street           | 861 and 903 |
| 11, 13, 15 Main Street  | 861 and 903 |
| 23 Main Street          | 861 and 903 |
| 24 Main Street          | 903         |
| 26 Main Street          | 903         |
| 28 Main Street          | 903         |
| 30 Main Street          | 903         |
| 32 Main Street          | 903         |
| 34 Main Street          | 903         |
| 53 Main Street          | 903         |
| 56 Main Street          | 903         |
| 58 Main Street          | 903         |
| 63 Main Street          | 903         |
| 1481 Main Street West   | 947         |
| 1483 Main Street West   | 947         |
| 1487 Main Street West   | 947         |
| 1501 Main Street West   | 947         |
| 1503 Main Street West   | 947         |
| 1507 Main Street West   | 947         |
| 1546 Main Street West   | 947         |
| 1550 Main Street West   | 947         |
| 1551 Main Street West   | 947         |
| 1554 Main Street West   | 947         |
| 1555 Main Street West   | 947         |
| 1556 Main Street West   | 947         |
| 1557 Main Street West   | 947         |
| 1559 Main Street West   | 947         |
| 1560 Main Street West   | 947         |
| 1561 Main Street West   | 947         |
| 1564 Main Street West   | 947         |
| 1566 Main Street West   | 947         |
| 1568 Main Street West   | 947         |
| 1574 Main Street West   | 947         |
| 1580 Main Street West   | 947         |
| 1590 Main Street West   | 947         |
| 1610 Main Street West   | 947         |
| 1612 Main Street West   | 947         |
| 1629 Main Street West   | 947         |
| 1630 Main Street West   | 947         |
| 1632 Main Street West   | 947         |



**SCHEDULE "C": SPECIAL EXCEPTIONS**

| Property Address          | Map Number    |
|---------------------------|---------------|
| 1635 Main Street West     | 947           |
| 1655 Main Street West     | 947           |
| 8 McMurray Street         | 860           |
| 4, 8 North Oval           | 907           |
| 4 Ogilvie Street          | 861           |
| 5 Ogilvie Street          | 861 and 903   |
| 8 Ogilvie Street          | 861           |
| 10 Ogilvie Street         | 861           |
| 15 Ogilvie Street         | 903           |
| 17 Ogilvie Street         | 903           |
| 21 Ogilvie Street         | 903           |
| 4, 8 Paisley Avenue North | 907           |
| 2, 4 Paisley Avenue South | 907           |
| 11 Paisley Avenue South   | 907           |
| 224 Cline Avenue North    | 907           |
| 47 Royal Avenue           | 990           |
| 49 Royal Avenue           | 990           |
| 6 Sydenham Street         | 860           |
| 9 Sydenham Street         | 860           |
| 11 Sydenham Street        | 860           |
| 37 Ward Avenue            | 948           |
| 41 Ward Avenue            | 948           |
| 44, 48 Ward Avenue        | 948           |
| 1 Westbourne Road         | 947           |
| 193 Wilson Street East    | 1228          |
| 201 Wilson Street East    | 1228          |
| 213 Wilson Street East    | 1228          |
| 219 Wilson Street East    | 1228          |
| 223 Wilson Street East    | 1228          |
| 231 Wilson Street East    | 1228          |
| 240 Wilson Street East    | 1228 and 1229 |
| 241 Wilson Street East    | 1228 and 1229 |
| 245 Wilson Street East    | 1228 and 1229 |
| 253 Wilson Street East    | 1228 and 1229 |
| 259 Wilson Street East    | 1228 and 1229 |
| 277 Wilson Street East    | 1229 and 1175 |
| 280 Wilson Street East    | 1229 and 1175 |
| 283 Wilson Street East    | 1175          |
| 284 Wilson Street East    | 1175          |
| 286 Wilson Street East    | 1175          |
| 287 Wilson Street East    | 1175          |
| 289 Wilson Street East    | 1175          |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address               | Map Number    |
|--------------------------------|---------------|
| Part of 291 Wilson Street East | 1129 and 1175 |
| 293 Wilson Street East         | 1175          |
| 297 Wilson Street East         | 1175          |
| 300 Wilson Street East         | 1175          |
| 303 Wilson Street East         | 1175          |
| 310 Wilson Street East         | 1175          |
| 311 Wilson Street East         | 1175          |
| 312 Wilson Street East         | 1175          |
| 314 Wilson Street East         | 1175          |
| 323 Wilson Street East         | 1175          |
| 326 Wilson Street East         | 1175          |
| 327 Wilson Street East         | 1175          |
| 334 Wilson Street East         | 1175          |
| 335 Wilson Street East         | 1175          |
| 339 Wilson Street East         | 1175          |
| 340 Wilson Street East         | 1175          |
| 342 Wilson Street East         | 1175          |
| 343 Wilson Street East         | 1175          |
| 346 Wilson Street East         | 1175          |
| 347 Wilson Street East         | 1175          |
| 349 Wilson Street East         | 1175          |
| 356 Wilson Street East         | 1175          |
| 363 Wilson Street East         | 1175          |
| 365 Wilson Street East         | 1175          |
| 367 Wilson Street East         | 1175          |
| 371 Wilson Street East         | 1175          |
| 375 Wilson Street East         | 1175          |
| 378 Wilson Street East         | 1175          |
| 380 Wilson Street East         | 1175          |
| 382 Wilson Street East         | 1175          |
| 386 Wilson Street East         | 1175          |
| 389 Wilson Street East         | 1174 and 1175 |
| 392 Wilson Street East         | 1175          |
| 397 Wilson Street East         | 1175          |
| 398 Wilson Street East         | 1175          |
| 400 Wilson Street East         | 1175          |
| 402 Wilson Street East         | 1175          |
| 401 Wilson Street East         | 1175          |
| 406 Wilson Street East         | 1175          |
| 407 Wilson Street East         | 1175          |
| 412 Wilson Street East         | 1175          |
| 413 Wilson Street East         | 1175          |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

| Property Address       | Map Number    |
|------------------------|---------------|
| 419 Wilson Street East | 1175          |
| 420 Wilson Street East | 1175          |
| 425 Wilson Street East | 1175          |
| 426 Wilson Street East | 1175          |
| 430 Wilson Street East | 1175          |
| 436 Wilson Street East | 1175          |
| 449 Wilson Street East | 1124 and 1175 |
| 469 Wilson Street East | 1124          |
| 548 Old Dundas Road    | 1124          |
| 16 Wilson Street West  | 1281          |
| 33 Wilson Street West  | 1281          |
| 35 Wilson Street West  | 1280 and 1281 |
| 81 Wilson Street West  | 1280          |
| 88 Wilson Street West  | 1280          |
| 95 Wilson Street West  | 1280          |
| 98 Wilson Street West  | 1280          |
| 110 Wilson Street West | 1280          |
| 114 Wilson Street West | 1280          |
| 120 Wilson Street West | 1280          |
| 124 Wilson Street West | 1280          |

The following special provisions shall apply:

- a) Notwithstanding Subsections 10.6.3 d), 10.5.3 d) ii) and iii) and 10.5a.3 d) ii) and iii), a maximum building height of 11.0 metres shall be permitted.
- b) Notwithstanding Clause a), a maximum building height of 9.0 metres shall be permitted on those lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone and described as follows:

| Property Address       | Map Number    |
|------------------------|---------------|
| 37 Halson Street       | 1229          |
| 193 Wilson Street East | 1228          |
| 201 Wilson Street East | 1228          |
| 213 Wilson Street East | 1228          |
| 219 Wilson Street East | 1228          |
| 223 Wilson Street East | 1228          |
| 231 Wilson Street East | 1228 and 1229 |
| 240 Wilson Street East | 1228 and 1229 |
| 259 Wilson Street East | 1228 and 1229 |
| 277 Wilson Street East | 1229 and 1175 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address       | Map Number    |
|------------------------|---------------|
| 280 Wilson Street East | 1229 and 1175 |
| 283 Wilson Street East | 1175          |
| 284 Wilson Street East | 1175          |
| 286 Wilson Street East | 1175          |
| 287 Wilson Street East | 1175          |
| 289 Wilson Street East | 1174 and 1175 |
| 293 Wilson Street East | 1175          |
| 297 Wilson Street East | 1175          |
| 300 Wilson Street East | 1175          |
| 303 Wilson Street East | 1175          |
| 310 Wilson Street East | 1175          |
| 311 Wilson Street East | 1175          |
| 312 Wilson Street East | 1175          |
| 314 Wilson Street East | 1175          |
| 323 Wilson Street East | 1175          |
| 326 Wilson Street East | 1175          |
| 327 Wilson Street East | 1175          |
| 334 Wilson Street East | 1175          |
| 335 Wilson Street East | 1175          |
| 339 Wilson Street East | 1175          |
| 340 Wilson Street East | 1175          |
| 342 Wilson Street East | 1175          |
| 343 Wilson Street East | 1175          |
| 346 Wilson Street East | 1175          |
| 347 Wilson Street East | 1175          |
| 356 Wilson Street East | 1175          |
| 363 Wilson Street East | 1175          |
| 365 Wilson Street East | 1175          |
| 367 Wilson Street East | 1175          |
| 371 Wilson Street East | 1175          |
| 375 Wilson Street East | 1175          |
| 378 Wilson Street East | 1175          |
| 380 Wilson Street East | 1175          |
| 389 Wilson Street East | 1175          |
| 392 Wilson Street East | 1175          |
| 397 Wilson Street East | 1175          |
| 398 Wilson Street East | 1175          |
| 400 Wilson Street East | 1175          |
| 401 Wilson Street East | 1175          |
| 402 Wilson Street East | 1175          |
| 406 Wilson Street East | 1175          |
| 407 Wilson Street East | 1175          |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

| Property Address       | Map Number    |
|------------------------|---------------|
| 412 Wilson Street East | 1175          |
| 413 Wilson Street East | 1175          |
| 419 Wilson Street East | 1175          |
| 420 Wilson Street East | 1175          |
| 425 Wilson Street East | 1175          |
| 426 Wilson Street East | 1175          |
| 430 Wilson Street East | 1175          |
| 436 Wilson Street East | 1175          |
| 449 Wilson Street East | 1124 and 1175 |
| 469 Wilson Street East | 1124          |

(NOT FINAL AND BINDING: By-law No. 17-240, November 8, 2017)

571. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1177 of Schedule "A" – Zoning Maps and described as 737 and 771 Golf Links Road, the following special provision shall apply:

- a) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, a department store and grocery store shall also not be permitted.

(By-law No. 17-240, November 8, 2017)

572. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1175 of Schedule "A" – Zoning Maps and described as 393 Wilson Street East, the following special provisions shall apply:

- a) In addition to the definition of Landscaping in Section 3: Definitions, for the purposes of Special Exception No. 572, the definition of Landscaping may also include a transformer pad.
- b) General Provisions
  - ii) Notwithstanding Subsection 4.6 a),
    - 1. The eaves and troughs for the building may be permitted in any yard provided that no such feature shall project more than 0.7 metres into any minimum side yard, or 1.6 metres into any minimum front or minimum rear yard; and,
    - 2. The eaves and troughs for an accessory structure shall not extend more than 0.3 metres into a required yard.

- iii) Notwithstanding Subsections 4.8.1 b) to h), the following special regulations shall apply:
  - 1. Accessory buildings shall not be located in a side yard;
  - 2. Accessory buildings shall be located a minimum of 0.75 metres from any lot line;
  - 3. The maximum Gross Floor Area for accessory buildings shall be 90 square metres provided the coverage of all buildings on the lot does not exceed a Maximum Lot Coverage of 30%; and,
  - 4. The maximum height for accessory buildings shall be 4.5 metres.
- c) Parking Regulations
  - i) Notwithstanding Subsections 5.1 a) ii), iii) and iv), and 5.2 b), d), f), h) and i), each parking space shall:
    - 1. Parking areas may be located within 150 metres of the lot occupied by the commercial building, subject to a registered agreement that such areas shall be reserved for the exclusive use of the subject commercial building;
    - 2. Each parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres; and,
    - 3. Each barrier free parking space shall have a minimum width of 3.5 metres and a minimum length of 5.5 metres.
  - ii) In addition to Sections 5 and 10.5a, the following regulations shall also apply:
    - 1. Each commercial parking space shall be maintained for the shared use between the commercial use and the residential visitor use;
    - 2. Each commercial parking space shall have a sign erected and legibly marked that the parking spaces are for the use of both the commercial and residential visitor parking;

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

3. Each commercial parking space shall be maintained readily accessible for either use, free and clear of all obstructions;
  4. Any below-grade communal parking structure shall require a minimum side yard and minimum rear yard setback of 1.5 metres and shall require from any street line the same setback as the principal building; and,
  5. All parking areas containing four or more spaces shall have lighting sufficient in intensity and number to provide for public safety, such lighting shall be directed away from abutting properties and streets, and the equipment shall be permanently maintained.
- iii) Notwithstanding Subsection 5.6 c), parking spaces shall be provided and maintained at a rate of:

|                 |              |
|-----------------|--------------|
| Dwelling Unit   | 2.0 per unit |
| Commercial Unit | 3.0 per unit |

- d) Notwithstanding Subsections 10.5a.1 and 10.5a.2 i), only the following uses shall be permitted:
- i) Artist Studio
  - ii) Auctioneer Establishment
  - iii) Catering Service
  - iv) Commercial Recreation
  - v) Commercial School
  - vi) Community Garden
  - vii) Craftsperson Shop
  - viii) Day Nursery
  - ix) Dwelling Unit, Mixed Use
  - x) Financial Establishment
  - xi) Funeral Home
  - xii) Office
  - xiii) Personal Service
  - xiv) Post Office
  - xv) Restaurant
  - xvi) Repair Service
  - xvii) Retail
  - xviii) Tradesperson's Shop
  - xix) Urban Farm

- xx) Urban Farmer's Market
- e) In addition to Subsection 10.5a.1.1 i) and ii), the following uses shall be permitted in accordance with the following restrictions:
  - i) Uses Only Permitted on the Ground Floor
    - 1. One (1) commercial ground floor unit having a maximum gross floor area of 54 square metres.
  - ii) Uses Only Permitted Above the Ground Floor
    - 1. Notwithstanding Subsection 10.5a.1, a maximum of six (6) dwelling units shall be permitted above the ground floor; and,
    - 2. Notwithstanding Clause e) ii) 1., access, parking areas, accessory office and utility areas for the residential uses may be provided at the ground level.
- f) In addition to Subsection 10.5a.2, the following uses shall be prohibited, even as an accessory use:
  - i) Laboratory
  - ii) Medical Clinic
  - iii) Private Club or Lodge
- g) Notwithstanding Subsections 10.5a.3, 10.5a.6 and 10.5a.7, the following regulations shall apply:
  - i) Maximum Lot Coverage 62%
  - ii) Maximum Building Setback from a Streetline 3.4 metres
  - iii) Minimum Rear Yard 12 metres
  - iv) Maximum Height 10.8 metres
  - v) Minimum Landscape Coverage 30%

(By-law No. 17-240, November 8, 2017)

(By-law No. 21-189, October 13, 2021)



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

573. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 481 and 482 of Schedule "A" – Zoning Maps and described as 61 Hamilton Street North, the following special provision shall apply:

- a) In addition to Subsection 10.5a.1, the existing Building and Lumber Supply Establishment shall also be permitted.

(By-law No. 17-240, November 8, 2017)

(By-law No. 22-071, April 13, 2022)

574. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 999 of Schedule "A" - Zoning Maps and described as 1099 and 1101 Cannon Street East and 164 Kensington Avenue North, the following special provision shall apply:

- a) In addition to Subsection 10.2.1, the manufacturing of pasta products shall also be permitted.

(By-law No. 17-240, November 8, 2017)

575. Within the lands zoned Community Commercial (C3) Zone, identified on Maps 954 and 955 of Schedule "A" – Zoning Maps and described as 24 to 60 Sanford Avenue North, the following special provision shall apply:

- a) In addition to Subsection 10.3.1, a Warehouse shall also be permitted.

(By-law No. 17-240, November 8, 2017)

576. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1100 of Schedule "A" – Zoning Maps and described as 518 Fruitland Road, the following special provision shall apply:

- a) Notwithstanding Subsection 10.3.1, permitted uses shall be limited to a Restaurant, private club, Office or any similar use within the existing building provided that the basic structure and character of the building is maintained.

(By-law No. 17-240, November 8, 2017)

577. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1051 of Schedule "A" – Zoning Maps and described as 199 and 213 North Service Road, the following special provisions shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS**

- a) In addition to Subsection 10.2.1, the following uses shall also be permitted:
  - i) Sales and service of lawn and marine equipment
  - ii) Lawn and garden centre
  - iii) Growing and retail sales of greenhouse produce and uses accessory thereto
- b) In addition to Subsection 10.2.2 and notwithstanding Subsection 10.2.1, the following uses shall also be prohibited:
  - i) Any residential use
  - ii) Any outdoor operations and outdoor display
- c) Notwithstanding Subsection 10.2.3 l) the following regulation shall also apply:
  - i) A maximum of 310.0 square metres of outdoor storage area shall be permitted and shall be totally enclosed by a fence having a minimum height of 1.8 metres and screened from view of the North Service Road by landscaping, decorative walls or any combination thereof.

(By-law No. 17-240, November 8, 2017)

578. Within the lands zoned Mixed Use Medium (C5) Zone, identified on Map 1178 Schedule "A" – Zoning Maps and described as:

| Property Address     | Map Number |
|----------------------|------------|
| 1000 Golf Links Road | 1178       |
| 1136 Golf Links Road | 1178       |

The following special provisions shall apply:

- a) In addition to Subsection 10.5.2, fast food restaurants and restaurants with drive-through service shall be prohibited.
- b) The maximum Gross Floor Area of Food Store and Department Store shall be 950 square metres per individual establishment.
- c) The following regulations shall apply to 1000 Golf Links Road:
  - i) Notwithstanding the definition of Lot Line – Front in Section 3: Definitions, the front lot line shall be defined as the lot line flanking Golf Links Road.

**SCHEDULE "C": SPECIAL EXCEPTIONS**

- ii) Notwithstanding Subsection 10.5.3 b) and c) the following regulations shall apply:
  - 1) Minimum Rear Yard 11.0 metres.
  - 2) Minimum Easterly Side Yard 3.0 metres.
- iii) Notwithstanding Subsection 5.6 c), a minimum of 109 parking spaces and 4 handicapped parking spaces shall be provided.
- d) Notwithstanding Subsection 10.5.3 b) and c), the following regulations shall apply to 1136 Golf Links Road for a Motor Vehicle Gas Bar:
  - i) Minimum Rear Yard 3.0 metres.
  - ii) Minimum Side Yard 3.0 metres.

(By-law No. 17-240, November 8, 2017)

579. Within the lands zoned Neighbourhood Commercial (C2) Zone and Community Commercial (C3) Zone, identified on Maps 1100, 1145, 1146, 1185, 1194, 1196, 1198, 1199, 1205, 1247, 1248, 1249, 1251, 1252, 1259, 1260, 1305, 1306, 1403, 1405, 1454, 1503 and 1640 of Schedule "A" – Zoning Maps and described as:

| Property Address        | Map Number |
|-------------------------|------------|
| 168 Barton Street       | 1145       |
| 178 Barton Street       | 1145       |
| 188 Barton Street       | 1145       |
| 198 Barton Street       | 1145       |
| 210 Barton Street       | 1145       |
| 214 Barton Street       | 1145       |
| 232 Barton Street       | 1146       |
| 274 Barton Street       | 1146       |
| 276 Barton Street       | 1146       |
| 386 Barton Street       | 1198       |
| 412 Barton Street       | 1198       |
| 520 Barton Street       | 1199       |
| 2800 Barton Street East | 1145       |
| 2806 Barton Street East | 1145       |
| 2814 Barton Street East | 1145       |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address            | Map Number    |
|-----------------------------|---------------|
| 2820 Barton Street East     | 1145          |
| 2824 Barton Street East     | 1145          |
| 2842 Barton Street East     | 1145          |
| 1365 Baseline Road          | 1259          |
| 1367 Baseline Road          | 1259          |
| 92 Centennial Parkway South | 1194          |
| 500 Fifty Road              | 1259 and 1260 |
| 518 Fruitland Road          | 1100          |
| 110 Gordon Drummond Avenue  | 1503          |
| 288 Grays Road              | 1145          |
| 294 Grays Road              | 1145          |
| 298 Grays Road              | 1145          |
| 302 Grays Road              | 1145          |
| 304 Grays Road              | 1145          |
| 305 Grays Road              | 1145          |
| 308 Grays Road              | 1145          |
| 309 Grays Road              | 1145          |
| 312 Grays Road              | 1145          |
| 316 Grays Road              | 1145          |
| 80 Green Mountain Road      | 1405          |
| 364 Highway 8               | 1251          |
| 410 Highway 8               | 1252          |
| 411 Highway 8               | 1252          |
| 418 Highway 8               | 1252          |
| 419 Highway 8               | 1252          |
| 420 Highway 8               | 1252          |
| 421 Highway 8               | 1252          |
| 423 Highway 8               | 1252          |
| 424 Highway 8               | 1252          |
| 426 Highway 8               | 1252          |
| 427 Highway 8               | 1252          |
| 430 Highway 8               | 1252          |
| 432 Highway 8               | 1252          |
| 436 Highway 8               | 1252          |
| 438 Highway 8               | 1252          |
| 440 Highway 8               | 1252          |
| 446 Highway 8               | 1252          |
| 448, 450 Highway 8          | 1252          |
| 452 Highway 8               | 1252          |
| 454 Highway 8               | 1252 and 1305 |
| 466 Highway 8               | 1252 and 1305 |
| 483 Highway 8               | 1252          |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address  | Map Number    |
|---|---------------|
| 171 Margaret Avenue   | 1252          |
| 173 Margaret Avenue   | 1252          |
| 520 Highway 8   | 1305          |
| 521 Highway 8   | 1252 and 1305 |
| 538 Highway 8   | 1305          |
| 542, 548 Highway 8  | 1305 and 1306 |
| 570 Highway 8   | 1306          |
| 604 Highway 8   | 1306          |
| 100 King Street West  | 1248          |
| 102 King Street West  | 1247 and 1248 |
| 30 Lake Avenue Drive  | 1248 and 1249 |
| 32 Lake Avenue Drive  | 1248 and 1249 |
| 36 Lake Avenue Drive  | 1248 and 1249 |
| 3 Lockport Way  | 1260          |
| 15 Lockport Way   | 1260          |
| 256, 270, 276, 280, 284, 288, 294,<br>300 Mud Street West                   | 1454          |
| 74 Neil Avenue  | 1194          |
| 1050 Paramount Drive  | 1403 and 1454 |
| Part of 2157 Rymal Road and<br>Concession 8 Pt Lot 27 SLT SC<br>RP 62R15203 | 1596 and 1640 |
| 136 – 146 Upper Mount Albion<br>Road  | 1502          |
| 775-779 Upper Wentworth Street  | 1185 and 1239 |
| 524, 526, 530 Winona Road   | 1205          |

The following special provisions shall apply:

- a) Notwithstanding Subsections 10.2.3 e) and 10.3.3 f) and g) the maximum gross floor area of any individual commercial establishment shall be 500.0 square metres; and,
- b) Notwithstanding Subsection 10.2.3 h, the maximum gross floor area of any grouping of commercial uses shall be 1,500.0 square metres.

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-062, March 27, 2019)

(By-law No. 21-189, October 13, 2021)

(By-law No. 22-084, April 13, 2022)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

580. Within the lands zoned District Commercial (C6) Zone, identified on Maps 947, 1710, 1711, 1748, 1749 and 1785 of Schedule "A" – Zoning Maps and describes as:

| Property Address          | Map Number |
|---------------------------|------------|
| 20 Ewen Road              | 947        |
| 22 Ewen Road              | 947        |
| 28 Ewen Road              | 947        |
| 5 Ofield Road             | 947        |
| 58 Ewen Road              | 947        |
| 60 Ewen Road              | 947        |
| 8521 Airport Road         | 1749       |
| 8526 Airport Road         | 1749       |
| 8527 Airport Road         | 1749       |
| 8533 Airport Road         | 1748, 1749 |
| 8536 Airport Road         | 1749       |
| 8541 Airport Road         | 1748, 1749 |
| 8552 Airport Road         | 1748, 1749 |
| 8555 Airport Road         | 1748       |
| 8558 Airport Road         | 1748       |
| 9013 Airport Road         | 1748       |
| 9023 Airport Road         | 1748       |
| 9026 Airport Road         | 1748       |
| 9027 Airport Road         | 1748       |
| 9031 Airport Road         | 1748       |
| 9032 Airport Road         | 1748       |
| 9037 Airport Road         | 1748       |
| 9038 Airport Road         | 1748       |
| 9045 Airport Road         | 1748       |
| 9046 Airport Road         | 1748       |
| 9056 Airport Road         | 1748       |
| 9061 Airport Road         | 1748       |
| 9066 Airport Road         | 1748       |
| 9074 Airport Road         | 1748       |
| 9075 Airport Road         | 1748       |
| 9078 Airport Road         | 1748       |
| 9086 Airport Road         | 1748       |
| 9089 Airport Road         | 1748       |
| 9092 Airport Road         | 1748       |
| 9100 Airport Road         | 1748       |
| 9105 Airport Road         | 1748       |
| Part of 9110 Airport Road | 1748       |
| 9115 Airport Road         | 1748       |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address           | Map Number    |
|----------------------------|---------------|
| Part of 9120 Airport Road  | 1748          |
| 9125 Airport Road          | 1748          |
| Part of 9132 Airport Road  | 1748          |
| 9135 Airport Road          | 1748          |
| 9142 Airport Road          | 1748          |
| 9152 Airport Road          | 1748          |
| 9158 Airport Road          | 1748          |
| 9166 Airport Road          | 1748          |
| 9169 Airport Road          | 1748          |
| 9174 Airport Road          | 1748          |
| 9178 Airport Road          | 1748          |
| 9181 Airport Road          | 1748          |
| 9184 Airport Road          | 1748          |
| 9189 Airport Road          | 1748          |
| 9191 Airport Road          | 1748          |
| 9192 Airport Road          | 1748          |
| 9197 Airport Road          | 1748          |
| 9202 Airport Road          | 1748          |
| 9205 Airport Road          | 1748          |
| 9210 Airport Road          | 1748          |
| 9213 Airport Road          | 1748          |
| 9220 Airport Road          | 1748          |
| 9221 Airport Road          | 1748          |
| 2910 Homestead Drive       | 1711          |
| 2950 Homestead Drive       | 1711          |
| 2958 Homestead Drive       | 1711          |
| 2965 Homestead Drive       | 1711          |
| 2966 Homestead Drive       | 1711          |
| 2975 Homestead Drive       | 1711          |
| 2976 Homestead Drive       | 1711          |
| 2982 Homestead Drive       | 1711          |
| 2983 Homestead Drive       | 1711          |
| 2990 Homestead Drive       | 1711          |
| 2995 Homestead Drive       | 1711          |
| 3000 Homestead Drive       | 1711          |
| 3002 Homestead Drive       | 1711          |
| 3003 Homestead Drive       | 1711          |
| 3011 Homestead Drive       | 1711          |
| 3012 Homestead Drive       | 1711          |
| 3017 Homestead Drive       | 1711          |
| 3020 Homestead Drive       | 1711          |
| 3022, 3024 Homestead Drive | 1710 and 1711 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address              | Map Number    |
|-------------------------------|---------------|
| 3026 Homestead Drive          | 1710 and 1711 |
| 3034 Homestead Drive          | 1710 and 1711 |
| 3044 Homestead Drive          | 1710 and 1711 |
| 3054 Homestead Drive          | 1710 and 1711 |
| 3055 Homestead Drive          | 1749 and 1171 |
| 3063 Homestead Drive          | 1749          |
| 3091 Homestead Drive          | 1748 and 1949 |
| 3102 Homestead Drive          | 1748          |
| 3114, 3116 Homestead Drive    | 1748          |
| 3117 Homestead Drive          | 1748 and 1949 |
| 3124 Homestead Drive          | 1748          |
| 3127 Homestead Drive          | 1748 and 1949 |
| 3129 Homestead Drive          | 1748          |
| 3130 Homestead Drive          | 1748          |
| 3136 Homestead Drive          | 1748          |
| 3141 Homestead Drive          | 1748          |
| 3144 Homestead Drive          | 1748          |
| 3145 Homestead Drive          | 1748          |
| 3151 Homestead Drive          | 1748          |
| 3150 Homestead Drive          | 1748          |
| 3154 Homestead Drive          | 1748          |
| 3155 Homestead Drive          | 1748          |
| 3200 Homestead Drive          | 1748          |
| 3201 Homestead Drive          | 1748          |
| 3210 Homestead Drive          | 1748          |
| 3219 Homestead Drive          | 1748          |
| 3223 and 3231 Homestead Drive | 1748          |
| Part of 3234 Homestead Drive  | 1748          |
| 2910 Upper James Street       | 1711          |
| 2918 Upper James Street       | 1711          |

The following special provision shall apply:

- a) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.2, the following uses shall be prohibited:
  - i) Day Nursery
  - ii) Dwelling Unit(s)
  - iii) Multiple Dwelling

(NOT FINAL AND BINDING: By-law No. 17-240, November 8, 2017)



**SCHEDULE "C": SPECIAL EXCEPTIONS**

581. Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 861, 862, 902 and 903 of Schedule "A" – Zoning Maps and described as:

| Property Address    | Map Number  |
|---------------------|-------------|
| 41 Baldwin Street   | 903         |
| 45 Baldwin Street   | 903         |
| 47 Baldwin Street   | 903         |
| 4 Cootes Drive      | 903         |
| 10 Cootes Drive     | 903         |
| 16 Cootes Drive     | 903         |
| 32 Cootes Drive     | 903         |
| 33, 35 Cootes Drive | 861 and 903 |
| 39 Cootes Drive     | 861 and 903 |
| 40 Cootes Drive     | 903         |
| 42 Cootes Drive     | 903         |
| 47 Cootes Drive     | 861         |
| 50 Cootes Drive     | 903         |
| 10 Court Street     | 861 and 903 |
| 11 Court Street     | 861 and 903 |
| 25 Court Street     | 903         |
| 27 Court Street     | 903         |
| 29 Court Street     | 903         |
| 81 Dundas Street    | 903         |
| 1 East Street North | 861 and 862 |
| 3 East Street North | 861         |
| 7 Governors Road    | 903         |
| 10 Governors Road   | 903         |
| 2 Hatt Street       | 903         |
| 6 Hatt Street       | 903         |
| 122 Hatt Street     | 860 and 902 |
| 33 King Street East | 861         |
| 49 King Street East | 861         |
| 69 King Street East | 861         |
| 72 King Street East | 861         |
| 76 King Street East | 861         |
| 78 King Street East | 861         |
| 80 King Street East | 861 and 903 |
| 82 King Street East | 861         |
| 84 King Street East | 861         |
| 86 King Street East | 861         |
| 90 King Street East | 861         |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

| Property Address                    | Map Number |
|-------------------------------------|------------|
| 92 King Street East                 | 861        |
| 94 King Street East                 | 861        |
| 96 King Street East                 | 861        |
| 106 King Street East                | 861        |
| 108 King Street East                | 861        |
| 124 King Street East                | 862        |
| 140 King Street East                | 862        |
| RCP 14111 Pt Lot 8 RP 62R20092 Pt 1 | 862        |
| 1 Osler Drive                       | 903        |
| 86, 90, 94 Main Street              | 903        |
| Part of 68 South Street West        | 903        |
| 4 Thorpe Street                     | 861        |
| 8 Thorpe Street                     | 861        |
| 9 Thorpe Street                     | 861        |
| 22 Thorpe Street                    | 903        |
| 24 Thorpe Street                    | 903        |
| 32 York Road                        | 861        |
| 48 York Road                        | 861        |
| 30 York Street                      | 903        |

The following special provision shall apply:

- a) Notwithstanding Subsections 10.2.1, 10.3.1, 10.5.1 and 10.5a.1, and in addition to Subsections 10.2.2, 10.3.2, 10.5.2 and 10.5a.2, the following uses shall be prohibited:
  - i) Day Nursery
  - ii) Hospital
  - iii) Long Term Care Facility
  - iv) Residential Care Facility
  - v) Retirement Home
  - vi) Warehouse
- b) Notwithstanding Subsection 10.5.3 h), no Habitable Room within a Dwelling Unit(s) or Multiple Dwelling shall be permitted in a basement or cellar.
- c) Clause a) shall not apply on those lands zoned Community Commercial (C3) Zone and described as:

| Property Address | Map Number  |
|------------------|-------------|
| 122 Hatt Street  | 860 and 902 |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                        |     |
|------------------------|-----|
| 7 Governor's Road      | 903 |
| 10 Governor's Road     | 903 |
| 86, 90, 94 Main Street | 903 |

- d) Notwithstanding Section 10.5.3c), for lands located at 51 – 55 Cootes Drive and 110 King Street East, the following regulation shall apply:

- i) Minimum Interior Side Yard 1.3 metres shall be provided along the southerly portion of the building facing Cootes Drive.

(By-law No. 17-240, November 8, 2017)  
 (By-law No. 19-062, March 27, 2019)  
 (Zoning By-law No. 23-079, May 10, 2023)

582. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 445 and 481 of Schedule "A" – Zoning Maps and described as:

| Property Address          | Map Number  |
|---------------------------|-------------|
| 115 Hamilton Street North | 481 and 445 |

- a) Notwithstanding Section 4.12 (f)(ii), for the lands located at 115 Hamilton Street North, expansions to buildings legally existing at the date of the passing of the by-law may be permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 1,475 square metres.

(By-law No. 17-240, November 8, 2017)  
 (by-law No. 22-071, April 13, 2022)

583. Within the lands zoned District Commercial (C6) Zone, identified on Maps 444 and 445 of Schedule "A" – Zoning Maps and described as the southeasterly portion of 619 Centre Road and 645 Wigood Drive, the following special provisions shall apply:

- a) In addition to Subsection 10.6.1, the following use shall also be permitted:
- i) Multiple Dwellings  
 ii) Retirement Home

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- b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.2, the following uses shall also be prohibited:
  - i) Hotel
  - ii) Motor Vehicle Rental Establishment
  - iii) Motor Vehicle Service Station
  - iv) Motor Vehicle Washing Establishment
- c) Notwithstanding Subsection 10.6.1.1i)1.A. the following regulation shall apply:
  - i) A minimum of 1,858.0 square metres of Commercial gross floor area shall be provided within the extent of the lands subject to Special Exception No. 583.

(By-law No. 17-240, November 8, 2017)

584. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 414 of Schedule "A" – Zoning Maps and described as Part of 485 Dundas Street East, the following special provisions shall apply:

- a) In addition to Subsection 10.5.1 the following use shall also be permitted:
  - i) Live-Work Unit
- b) In addition to Section 3: Definitions, for the purpose of Special Exception No. 584, the following definition shall apply:

|                |   |
|----------------|---|
| Live-Work Unit | A street townhouse or townhouse dwelling that may contain residential uses and the following commercial uses on the ground floor: |
|----------------|---|

Retail;  
 Personal Service;  
 Service Shop;  
 Office; and,  
 Dry Cleaning Distribution Station.

- c) Notwithstanding the definition of Lot Line – Front in Section 3: Definitions, Sections 4.6 a), d), e), f), 5.6 c), 10.5.3 a), b), c), d), g) v), and j, the following regulations shall apply to the use identified in Clause a):

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- i) Minimum Lot Area 165.0 square metres;
- ii) Minimum Lot Frontage 6.0 metres;
- iii) Maximum Height 12.5 metres;
- iv) Minimum Front Yard Setback 1.5 metres;
- v) Minimum Rear Yard Setback 6.0 metres;
- vi) Minimum Interior Yard Setback 1.2 metres, except for the side yard related to the common wall of the street townhouses, in which case a minimum side yard of 0.0 metres shall be provided.
- vii) Minimum Exterior Yard Setback 2.5 metres;
- viii) Planting Strip Section 5.2 v) b) shall not apply.
- ix) Yard Encroachments

| 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                                       | 0.65 metres                                       |

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|   |  |  |
|---|--|--|
| Bay, Bow or Box Window with or without a foundation                             | Required front, required rear, and required exterior side yard | 1.0 metres plus a further 0.3 metres for eaves                     |
| Steps, enclosed and unenclosed porches  | Required front, required rear, and required exterior side yard | Porches – 2.0 metres;<br>Steps – 0.6 metres from the streetline    |
| Setback of all structures from a corner sight triangle on a common element road | Required front, required rear, and required exterior side yard | 0.3 metres minimum setback from the hypotenuse of a sight triangle |

- x) Principal building entrances for Commercial uses shall face Spring Creek Drive which shall be deemed the front yard.
- x) Spring Creek Drive shall be deemed the front lot line.
- xii) Notwithstanding Section 5.6, any commercial uses at-grade shall be exempt from the applicable parking requirement.
- xiii) Commercial Uses – permitted only within the at-grade portion of the unit except accessory storage may be permitted on floors below grade.

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

585. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 414 of Schedule "A" – Zoning Maps and described as 493 Dundas Street East, the following special provisions shall apply:

- a) Notwithstanding Subsections 10.5.1, only the following uses shall be permitted within the building existing as of August 14, 2015, and any additions and alterations to the building existing as of August 14, 2015:
  - i) Uses existing as of August 14, 2015, not in conjunction with any other permitted use
  - ii) Art Gallery, Museum or Public Use
  - iii) Custom Work Shop

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- iv) Financial Institution
  - v) Funeral Home
  - vi) Personal Service
  - vii) Office
  - viii) Retail
  - ix) Service Shop
- b) Notwithstanding Subsection 5.1a)v)b), 5.2b)i), 5.2f), and 5.2i) the following regulations shall also apply:
- i) **Parking Space Access** A minimum two-way access driveway width of 6.0 metres shall be provided except for a minimum two-way access driveway width of 5.0 metres which shall be provided to provide vehicular access to the westerly portion of the parking lot.
  - ii) **Dimensions of Parking Spaces** All required surface parking spaces shall have minimum dimensions of 2.5 x 5.8 metres.
  - iii) **Barrier Free Parking Space Size Dimension** A minimum barrier free parking space size dimension of 4.1 metres by 5.8 metres shall be provided.
  - iv) Subsection 5.1a)v)b) shall not apply.
- c) In addition to Subsection 10.5.3g) vi), and notwithstanding Subsections 10.5.3a), b), g)ii), iii), iv), and vii), and i) the following regulations shall also apply:
- i) **Maximum Yard Abutting a Street** 14.2 metres
  - ii) **Minimum Rear Yard Setback** 1.0 metres
  - iii) **Principal Entrance of the Building** A minimum of one principal entrance shall be provided on the west building

façade of the building, and shall be accessible from the building façade with direct access from the public sidewalk.

- iv) Rear Yard Planting Strip  
A minimum of 1.0 metres planting strip shall be provided between the rear lot line and the garage.
- v) Location of Parking Spaces  
Parking spaces and driveway providing access to the parking spaces shall be permitted in the front yard located within 5.5 metres from the front lot line, and shall be permitted between the building and the west lot line.

vi) Subsections 10.5.3g)ii) and iii) shall not apply

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

586. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1457, 1505, 1506 of Schedule "A" – Zoning Maps and described as 3 Green Mountain Road and 333 Upper Centennial Parkway, the following special provisions shall apply:

- a) In addition to Subsection 10.7.1, uses permitted under Subsection 10.6.1 shall also be permitted.
- b) Notwithstanding Subsection 10.7.3 b), 10.7.4 c), the following shall apply for a Motor Vehicle Service Station and a Car Washing Establishment on a property located at 3 Green Mountain Road:
  - i) Minimum Rear Yard      1.5 metres
  - ii) Minimum Landscape Open Space  
A landscaped strip shall only be required adjacent to every portion of any lot line that abuts any street, except for points of ingress and egress, and be a minimum width of 3.2 metres.
  - iii) Width of Entrance and Exit Ramp  
The width of an entrance or exit ramp shall be not more than 12.9 metres



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abutting Upper Centennial Parkway and 12.4 metres abutting Green Mountain Road West. The width of an entrance or exit ramp shall be not less than 9.0 metres along either street.

- iii) Additional features of a Landscape Strip

A gateway feature shall be required within the Landscaped Strip at the corner of Green Mountain Road West and Upper Centennial Parkway which may include, but not be limited to, a decorative wall, signage, lighting and / or metal works.

(By-law No. 17-240, November 8, 2017)

587. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1505, 1456 of Schedule "A" – Zoning Maps and described as 272 First Road West, the following special provisions shall apply:

- a) In addition to Subsection 10.7.1, the following uses shall also be permitted:
  - i) Uses permitted under Section 10.6.1
  - ii) Library
  - iii) Movie Theatres
- b) In addition to Clause a) above, the following regulations shall also apply:
  - i) Maximum Gross Floor Area for Individual Commercial Uses 10,000 square metres.
  - ii) Maximum Total Gross Floor Area for Office 2,000 square metres.

(By-law No. 17-240, November 8, 2017)

588. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1505 and 1552 of Schedule "A" – Zoning Maps and described as:

| Property Address                     | Map Number |
|--------------------------------------|------------|
| Part of 219 Upper Centennial Parkway | 1552, 1505 |
| 225 Upper Centennial Parkway         | 1505       |

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|                                      |      |
|--------------------------------------|------|
| Part of 237 Upper Centennial Parkway | 1505 |
| 249 Upper Centennial Parkway         | 1505 |

The following special provisions shall apply:

- a) In addition to Subsections 10.7.1, the following uses shall also be permitted:
  - i) Place of Worship
  - ii) Day Nursery
- b) In addition to Subsection 10.7.3 f), a 15 metres landscaped area shall be provided and maintained along the Upper Centennial Parkway lot line.

(NOT FINAL AND BINDING: By-law No. 17-240, November 8, 2017)

589. Within the lands zoned Mixed Use Medium Density (C5) Zone and Arterial Commercial (C7) Zone, identified on Maps 1548, 1549, 1593, 1594 of Schedule "A" – Zoning Maps and described as:

| Property Address                 | Map Number       |
|----------------------------------|------------------|
| Portions of 1645 Rymal Road East | 1548             |
| 1655 Rymal Road East             | 1548             |
| 1825 Rymal Road East             | 1548             |
| 1829 Rymal Road East             | 1548             |
| Portions of 1831 Rymal Road East | 1548             |
| 1835 Rymal Road East             | 1548             |
| 1837 Rymal Road East             | 1548             |
| 1841 Rymal Road East             | 1548             |
| 1843 Rymal Road East             | 1548             |
| 1845 Rymal Road East             | 1548             |
| 1847 Rymal Road East             | 1548             |
| 1865 Rymal Road East             | 1548, 1593       |
| 1869 Rymal Road East             | 1548, 1593       |
| 1873 Rymal Road East             | 1549, 1593, 1594 |
| 1877 Rymal Road East             | 1594             |
| 1883 Rymal Road East             | 1594             |
| 1885 Rymal Road East             | 1594             |
| 1889 Rymal Road East             | 1594             |
| 1893 Rymal Road East             | 1594             |
| 1897 Rymal Road East             | 1594             |
| 1899 Rymal Road East             | 1594             |
| 1901 Rymal Road East             | 1594             |

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| Property Address     | Map Number |
|----------------------|------------|
| 1907 Rymal Road East | 1594       |
| 1911 Rymal Road East | 1594       |
| 1925 Rymal Road East | 1594       |
| 1933 Rymal Road East | 1594       |
| 1937 Rymal Road East | 1594       |
| 1941 Rymal Road East | 1594       |

The following special provisions shall apply:

- a) In addition to Subsection 10.5.2 and notwithstanding Subsection 10.5.1, the follow use shall also be prohibited:
  - i) Hotel
- b) Notwithstanding Subsection 10.5.3 d), the maximum height shall be 14.0 metres.

(By-law No. 17-240, November 8, 2017)

(By-law No. 21-189, October 13, 2021)

590. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 909 and 951 of Schedule "A" – Zoning Maps and described as:

| Property Address        | Map Number  |
|-------------------------|-------------|
| 74 New Street           | 909         |
| 76 New Street           | 909         |
| 78 New Street           | 909         |
| 448 Main Street West    | 909         |
| 450 Main Street West    | 909         |
| 451 Main Street West    | 909         |
| 452 Main Street West    | 909         |
| 453 Main Street West    | 909         |
| 455 Main Street West    | 909         |
| 457 Main Street West    | 909         |
| 459 Main Street West    | 909         |
| 460 Main Street West    | 909         |
| 461 Main Street West    | 909         |
| 463 Main Street West    | 909         |
| 465 Main Street West    | 909         |
| 454 Jackson Street West | 909 and 951 |
| 456 Jackson Street West | 909 and 951 |
| 25 Dundurn Street South | 909         |
| 33 Dundurn Street South | 909         |

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| Property Address            | Map Number |
|-----------------------------|------------|
| 35 Dundurn Street South     | 909        |
| 37 Dundurn Street South     | 909        |
| 39 Dundurn Street South     | 909        |
| 41 Dundurn Street South     | 909        |
| 47 Dundurn Street South     | 909        |
| 49 Dundurn Street South     | 909        |
| 51, 53 Dundurn Street South | 909        |
| 57 Dundurn Street South     | 909        |
| 59 Dundurn Street South     | 909        |
| 61 Dundurn Street South     | 909        |
| 63 Dundurn Street South     | 909        |
| 67 Dundurn Street South     | 909        |
| 71 Dundurn Street South     | 909        |
| 75 Dundurn Street South     | 909        |
| 91 Dundurn Street South     | 909        |
| 93 Dundurn Street South     | 909        |
| 95 Dundurn Street South     | 909        |

- a) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, the following uses shall also be prohibited:

- i) Motor Vehicle Gas Bar
- ii) Motor Vehicle Washing Establishment

(By-law No. 17-240, November 8, 2017)

591. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1046 of Schedule "A" – Zoning Maps and described as Part of 221 Melvin Avenue, the following special provisions shall apply:

- a) In addition to Subsection 10.7.1, parking lot serving the Multiple Dwelling located at 221 Melvin Avenue shall also be permitted.

(By-law No. 17-240, November 8, 2017)

592. With the lands zoned Parking (U3) Zone, identified on Map 1124 of Schedule "A" – Zoning Maps and described as 0 Old Dundas Road the following special provisions shall apply:

- a) Notwithstanding Subsection 12.3.1, with an approximate frontage of 43 metres and depth of 72 metres, shall only be used for a parking area in conjunction with the commercial uses permitted on 548 Old Dundas Road.

(By-law No. 17-240, November 8, 2017)

593. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 482 of Schedule "A" – Zoning Maps and described as 272 Dundas Street East, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.2.3b), c), d) and j) and in addition to Section 5.1 v), the following regulations shall apply:
- |       |   |  |
|-------|---|--|
| i)    | Maximum Height  | 12.0 metres.   |
| ii)   | Minimum Lot Coverage  | 46%.   |
| iii)  | Minimum Rear Yard   | 0.0 metres shall be provided to the decorative archway which forms part of the principal building. |
| iv)   | Minimum Interior Side Yard  | 0.0 metres shall be provided to a decorative archway which forms part of the principal building.   |
| v)    | Planting Strip Requirements abutting a Street                         | No Planting Strip shall be provided across all lot lines adjacent to a street.                     |
| vi)   | Planting Strip Requirements abutting Rear and Interior Side Lot Lines | No Planting Strip shall be provided along the rear and interior side lot line.                     |
| vii)  | Parking Area Location   | The parking area shall be 0.0 metres from the boundary of a residential zone.                      |
| viii) | Underground Parking Area  | The underground parking area shall be 0.0 metres from any lot line.                                |
- b) Notwithstanding Subsection 10.2.1 and in addition to Subsection 10.2.2, the following uses are prohibited, even as an accessory use:
- Motor Vehicle Service Station  
Motor Vehicle Gas Bar

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

(By-law No. 17-240, November 8, 2017)

(By-law No. 22-071, April 13, 2022)

594. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 860 and 902 of Schedule "A" - Zoning Maps and described as 65 Hatt Street, the following special provisions shall apply:

a) In addition to Subsection 10.5.1, the following use shall also be permitted and only within the building existing as of August 16, 2013:

a) Craft Brewery

b) In addition to Section 3: Definitions, for the purpose of Special Exception No. 594, the following definition shall apply:

|               |   |
|---------------|---|
| Craft Brewery | A facility at which malt beverages fermented on the premises are packaged and sold for distribution, retail, or wholesale. The facility may include retail sales, tours, and a hospitality and tasting area, but shall not include a restaurant, tavern, bar, night club, or take-out food service. |
|---------------|---|

c) The following regulation shall apply to the use identified in Clause a) above:

|                          |   |
|--------------------------|---|
| Maximum Gross Floor Area | The maximum gross floor area devoted to the retail and tasting component of the Craft Brewery shall not exceed 450.0 square metres. |
|--------------------------|---|

(By-law No. 17-240, November 8, 2017)

595. Within the lands zoned District Commercial (C6) Zone, identified on Map 1711 of Schedule "A" - Zoning Maps and described as 3017 Homestead Drive, the following special provision shall apply:

a) In addition to Subsections 10.6.1, and notwithstanding Subsection 10.6.2, the following uses shall also be permitted:

- i) Garden Centre
- ii) A Single Detached Dwelling on the same lot existing on the date of the passing of this By-law

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- b) In addition to Subsection 10.6.2 and notwithstanding Subsection 10.6.1, the following uses shall be prohibited:
  - i) Boat and/or motorized snow vehicle sales establishments
  - ii) Cold storage locker establishments
  - iii) Dairies
  - iv) Farm equipment sales establishments
  - v) Recreational vehicle sales establishments
  - vi) Taxi Establishment
  - vii) Motor Vehicle Service Station
- c) Notwithstanding Subsection 10.6.3 c), a minimum southerly side yard of 2.3 metres shall be provided and maintained.
- d) In addition to Subsections 10.6.1, the single detached dwelling existing on the date of the passing of this By-law, and buildings and structures accessory thereto shall be permitted as an ancillary residential use to the garden centre.

(By-law No. 17-240, November 8, 2017)

596. Within the lands zoned Mixed Use Medium Density Pedestrian Focus (C5a) Zone, identified on Map 1935 of Schedule "A" - Zoning Maps and described as 2605 Binbrook Road East, the following special provision shall apply:

- a) Notwithstanding Subsections 10.5a.1, permitted uses shall be limited to the following:
  - i) Financial Establishment
  - ii) Retail
  - iii) Commercial School
  - iv) Day Nursery
  - v) Personal Service
  - vi) Funeral Home
  - vii) Hotel
  - viii) Office
  - ix) Studio
  - x) Commercial Entertainment
  - xi) Place of Assembly
  - xii) Restaurant
  - xiii) Veterinary Service
  - xiv) Dwelling Unit

- b) Dwelling units are permitted above any use permitted on the ground floor. Dwelling units are permitted on the ground floor (but not in a basement or cellar) but shall not be located on the portion of the ground floor facing Binbrook Road East or Southbrook Drive.
- c) Notwithstanding Subsections 10.5a.3 a), c) and d), the following regulations shall also apply to the uses identified in Clause a):
  - i) Minimum Front Yard 0.0 metres
  - ii) Minimum Side Yard 0.0 metre except 7.5 metres abutting a side lot line which is the boundary of any Residential or Institutional Zone.
  - iii) Maximum Height 10.7 metres but a maximum height of 14.1 metres is permitted to the top of an ornamental dome or other such architectural feature.
- d) In addition to Subsection 5.1 a) v), no parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1.5 m of the boundary of any Residential Zone or within 1.25 m of any Institutional Zone.
- e) Notwithstanding Subsections 10.5a.3 i) and j), a landscaped area in the form of a planting strip having a minimum width of 1.5 m and a fence having a minimum height of 1.8 m shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential Zone. A landscaped area having a minimum width of 1.25 m shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts an Institutional Zone. A transformer shall be permitted within the planting strips.
- f) In addition to Subsection 5.1 a) v) c), a transformer is permitted within the 3.0 metre planting strip that abuts the street line.
- g) Notwithstanding Subsections 5.2 f), each barrier-free parking space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres, except where two (2) barrier-free parking spaces are located together, a minimum width of 3.5 metres for each space shall be permitted.
- h) In addition to Subsection 5.1 a) v), where a parking area which is required to provide for more than four (4) vehicles abuts any



Residential Zone, a landscaped area consisting of a permanently maintained planting strip with a minimum width of 1.5 m shall be provided and shall also include fencing to provide a solid and effective screen. Where a parking area which is required to provide for more than four (4) vehicles abuts any Institutional Zone, a landscaped area with a minimum width of 1.25 m shall be provided.

- i) Notwithstanding Subsection 5.6 c), parking spaces shall be provided at a rate of 1.25 spaces per residential dwelling unit, and 1 space per every 34.0 square metres of gross floor area for all other permitted uses, and visitor parking for the residential uses is permitted to be shared with parking for other permitted uses.
- j) Notwithstanding Subsection 5.2 b), each parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

(By-law No. 17-240, November 8, 2017)

597. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1434 and 1483 of Schedule "A" - Zoning Maps and described as 1172 Wilson Street West, the following special provision shall apply:

- a) In addition to Subsection 10.7.1, the following uses shall also be permitted within the existing building:
  - i) Retail
  - ii) Personal Service
  - iii) Restaurant
  - iv) Commercial School
  - v) Medical Clinic
  - vi) Office
  - vii) Financial Establishment

(By-law No. 17-240, November 8, 2017)

598. Within the lands zoned Community Commercial (C3) Zone, identified on Maps 1548 and 1593 of Schedule "A" – Zoning Maps and described as 21 and 31 Trinity Church Road and 1816 Rymal Road East, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.3.1 and in addition to Subsection 10.3.1 10.3.2, the following use shall also be prohibited:
  - i) Motor Vehicle Service Station

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- b) In addition to Subsection 10.3.1 and notwithstanding Subsection 10.3.2, the following use shall also be permitted:

- i) Drive-Through Restaurant accessory to a Motor Vehicle Gas Bar

- c) Notwithstanding the definition of Motor Vehicle Gas Bar, Medical Clinic, and Office in Section 3: Definitions, for the purpose of Special Exception No. 598, the following definitions shall apply:

**Motor Vehicle Gas Bar** A place with one or more pump islands consisting of one or more fuel pumps for the sale of fuel, liquids and small accessories essential for the operation of motor vehicles, and may include a shelter and a Motor Vehicle Washing Establishment accessory to a Motor Vehicle Gas Bar, but does not include motor vehicle repairs, oil changes or greasing.

**Medical Clinic** A building or part thereof used by qualified medical practitioner(s), dentist(s), chiropractor(s), physiotherapist(s), osteopath(s) or other drugless practitioner(s), for public or private medical, surgical physiotherapeutic or other human health purposes, except when included within or accessory to a private or public hospital.

**Office** Any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients receive advise, but does not include a medical clinic or personal service shop.

- d) Notwithstanding Subsections 5.1a) v), 5.6 c), 10.3.3 a), b), c), g) and j), the following regulations shall apply:

- i) **Maximum Gross Leasable Floor Area of Any Individual Commercial Establishment:** Not more than half of the total leasable floor area provided on the site.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |   |  |
|-------|---|--|
| ii)   | Maximum Gross<br>Leasable Floor Area<br>of any Group of Local<br>Commercial Uses: | 2,500 square metres  |
| iii)  | Maximum Gross<br>Leasable Floor Area<br>of any Group of<br>Medical Clinic Uses:   | 210 square metres  |
| iv)   | Minimum Front Yard:   | 1.3 metres   |
| v)    | Minimum Easterly<br>Side Yard:  | 4.5 metres   |
| vi)   | Minimum Westerly<br>Side Yard:  | 3.7 metres (except for a Motor<br>Vehicle Gas Bar and accessory uses<br>to a Motor Vehicle Gas Bar, a<br>Minimum Westerly Side Yard of 25<br>metres is required)   |
| vii)  | Minimum Rear Yard:  | 1.5 metres   |
| viii) | Minimum Number<br>of Parking Spaces:  | A minimum of one parking space for<br>every 25.5 square metres of gross<br>floor area.   |
| ix)   | Parking Space<br>Requirements:  | <ol style="list-style-type: none"> <li>1. A drive-through lane shall have a<br/>minimum width of 4 metres.</li> <li>2. The access driveway located<br/>between the canopy of a Motor<br/>Vehicle Gas Bar and a Drive-<br/>Through lane shall have a<br/>minimum width of 4.2 metres.</li> <li>3. A landscaped area along Rymal<br/>Road East with a minimum<br/>average width of 2 metres but not<br/>less than 1.3 metres shall be<br/>provided and thereafter<br/>maintained along the street line,<br/>and it shall be continuous except</li> </ol> |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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for driveways required for access to such parking area.

4. A landscaped area along Trinity Church Road with a minimum width of 3 metres shall be provided and thereafter maintained along the street line, and it shall be continuous except for driveways required for access to such parking area.

- x) Minimum Landscaping Requirements:

A landscape area in the form of a planting strip having a minimum width of 4.5 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential Zone or any Zone where the adjoining land is used for residential purposes.

- e) Notwithstanding Subsection 5.2b) and 5.2f), the following regulations shall also apply:

- i) Parking Space Size Dimension

A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.

- ii) Barrier Free Parking Space Size Dimension

A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)  
(By-law No. 19-062, March 27, 2019)

599. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1547 of Schedule "A" – Zoning Map and described as Part of 212 Glover Road and 0 Rymal Road, the following special provisions shall apply:

- a) In addition to Subsection 10.7.1, the following uses shall also be permitted:
  - i) Banks, Financial Institutions, and Personal Service

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- ii) Food Stores
  - iii) Hardware Stores, Beer Store, LCBO Stores, and Drug Store
  - iv) Offices
  - v) Retail Stores
  - vi) Stores primarily selling apparel, housewares, electronics, sporting goods, or general merchandise
- b) The maximum total combined gross floor area for uses identified in Subsection retail, food store, and stores primarily selling apparel, housewares, electronics, sporting goods, or general merchandise shall be 10,000 square metres.
- c) The total maximum gross floor area for office shall be 2,000 square metres.
- d) Maximum gross floor area for all other uses shall not apply.

(By-law No. 17-240, November 8, 2017)

600. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1499 of Schedule "A" - Zoning Map and described as 1575 Upper Ottawa Street, the following special provisions shall apply:

- a) In addition to Subsection 10.7.1, the following uses shall also be permitted:
- i) Retail
  - ii) Personal Service
  - iii) Financial Establishment
- b) In addition to Subsection 10.7.3, the following regulation shall apply:
- i) Combined Maximum Gross Floor Area for Office 1,767 square metres for each lot.
  - ii) Combined Maximum Gross Floor Area for Retail 1,500 square metres for each lot."

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-062, March 27, 2019)

(By-law No. 24-137, July 12, 2024)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

601. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1413 and 1483 of Schedule "A" – Zoning Maps, and described as:

| Property Address   | Map Number    |
|--|---------------|
| 111, 115 Portia Drive & 1175, 1179 Wilson Street West            | 1434 and 1483 |
| 117, 123, 129 Portia Drive & 1183, 1187, 1191 Wilson Street West | 1434          |

The following special provisions shall apply:

- a) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:

**Supermarket:** A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.

- i) In addition to the definition of Lot in Section 3: Definitions, the lands described as 111, 115, 117, 123, 129 Portia Drive and 1143, 1175, 1179, 1183, 1187, 1191 Wilson Street West shall be considered one lot for zoning purposes.
- b) In addition to Subsection 10.6.1, the following uses shall also be permitted:
- i) Art Gallery
  - ii) Auctioneer Establishments
  - iii) Building and Lumber Supply Establishment, within a wholly enclosed building
  - iv) Cold Storage Locker Establishment
  - v) Commercial Entertainment, within a wholly enclosed building
  - vi) Commercial Parking Facility
  - vii) Commercial Recreation, within a wholly enclosed building
  - viii) Community Garden
  - ix) Craftsperson Shop
  - x) Day Nursery
  - xi) Educational Establishment

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- xii) Financial Establishment
  - xiii) Funeral Home
  - xiv) Laboratory
  - xv) Library
  - xvi) Major Recreational Equipment Sales, Rental and Service Establishment
  - xvii) Manufacturing, limited to a Printing and / or Publishing Establishment
  - xviii) Medical Clinic
  - xix) Museum
  - xx) Office
  - xxi) Personal Service
  - xxii) Post Office
  - xxiii) Private Club or Lodge
  - xxiv) Repair Service
  - xxv) Restaurant
  - xxvi) Retail
  - xxvii) Supermarket
  - xxviii) Transportation Depot
  - xxix) Urban Farm
  - xxx) Urban Farmer's Market
- c) In addition to Subsection 10.6.2, the following uses shall also be prohibited:
- i) Body Rub Parlour
  - ii) Department Store
  - iii) Dwelling Unit
  - iv) Open Storage
- d) Notwithstanding Subsections 5.6 c), 10.6.3 a), b), c), f), g), and in addition to Subsection 10.6.3 h), the following regulations apply:
- i) Minimum Front Yard: 1.5 metres, except as provided in Clause viii) below
  - ii) Minimum Side Yard: 1.5 metres, except where an interior side yard abuts a private vehicular turnaround, a 0.0 metre side yard shall be permitted
  - iii) Minimum Rear Yard: 10.0 metres
  - iv) Minimum Frontage: 30.0 metres

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- |       |  |   |
|-------|--|---|
| v)    | Maximum Total Aggregate Gross Floor Area for all uses not including a Supermarket: | 4,975 square metres   |
| vi)   | Maximum Gross Floor Area for a Supermarket:  | 4,725 square metres   |
| vii)  | Built Form for New Development:  | <p>Within 20 metres of the Wilson Street West Lot Line, the minimum façade shall be greater than or equal to 40% of the measurement of the Wilson Street Lot Line, excluding access driveways to Wilson Street West and enhanced bioswale areas, and shall be subject to the following:</p> <ul style="list-style-type: none"> <li>A) A maximum building setback of 6.0 metres is permitted</li> <li>B) A minimum of 40% of the area of the ground floor façade facing Wilson Street West shall be composed of windows and doors, except that 80 metres of façade facing the Wilson Street West frontage shall be exempt from this requirement</li> <li>C) No parking, driveways, drive through lanes, stacking lanes, or aisles shall be located between the building façade facing Wilson Street West and Wilson Street West</li> </ul> |
| viii) | Minimum Planting Strip:  | 3.0 metres adjacent to each lot line which abuts a public street or lot containing a dwelling comprising one or two dwelling units (but shall permit the location of principal buildings, walkways / sidewalks, retaining walls, curbs, signs, and light standards within required Planting Strips).  |



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- ix) Minimum Parking Requirement:

Parking for all uses shall be provided at a rate of 3.5 spaces for each 93 square metres of Gross Floor Area, or part thereof.

(By-law No. 17-240, November 8, 2017)

(By-law No. 24-137, July 12, 2024)

602. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1126, 1127, 1177, 1178, 1179, 1462, 1463, 1501, 1502 of Schedule "A" - Zoning Maps and described as:

| Property Address            | Map Number             |
|-----------------------------|------------------------|
| 122 Martindale Crescent     | 1127, 1179             |
| 1775 Stone Church Road East | 1452, 1453, 1501, 1502 |

The following special provisions shall apply:

- a) Notwithstanding Subsection 10.5.3 k), the display of goods or materials for retail purposes accessory to a Retail use shall be permitted on any yard;
- b) Notwithstanding Clause a), an Outdoor Storage area shall not be located on a planting strip, or required parking or loading area; and,
- c) Notwithstanding Subsection 10.5.3 k), an Outdoor Storage area shall be located 6.0 metres from a Residential or Institutional Zone or lot containing a residential use, or a lot line fronting onto a street, and shall be screened or fenced from view.
- d) Notwithstanding Subsection 10.5.3 k), an Outdoor Storage area attached to a building shall not exceed 500 square metres, or an area equivalent to 5% of the floor area, whichever is lesser.

(By-law No. 17-240, November 8, 2017)

603. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1187 of Schedule "A" - Zoning Map and described as 726 Upper Gage Avenue, the following special provisions shall apply:

- a) Notwithstanding Subsection 5.6 c), for a Medical Clinic, 1 parking space shall be provided for every 22.0 square metres.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- b) Notwithstanding Subsection 5.2b) and 5.2f), the following regulations shall also apply:

- |     |   |  |
|-----|---|--|
| i)  | Parking Space Size Dimension              | A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.              |
| ii) | Barrier Free Parking Space Size Dimension | A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided. |

(By-law No. 17-240, November 8, 2017)

604. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1548 and 1593 of Schedule "A" - Zoning Map and described as Part of 1831 Rymal Road East, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, the following uses shall be prohibited, even as an accessory use:
- i) Drive-Through Facilities
  - ii) Motor Vehicle Gas Bar
  - iii) Motor Vehicle Washing Establishments
  - iv) Motor Vehicle Dealerships
  - v) Garden Centres
  - vi) Hospitals
  - vii) Hotels
- b) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, the following uses shall be prohibited as a primary use:
- i) Motor Vehicle Service Stations
  - ii) Garden Centres
- c) In addition to Subsection 10.5.1, the following uses shall also be permitted:
- i) Masionettes
  - ii) Townhouses
- d) Notwithstanding Subsection 10.5.3 d) ii) and iii), the maximum building height shall be 16.5 metres, or 4 storeys.

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- e) Notwithstanding the definition of Lot Line – Front Lot Line in Section 3: Definitions, and in addition to Section 3: Definitions, for the purpose of Special Exception No. 604, the following definitions shall apply:

Dwelling –  
Masionette: Means back to back townhouse dwellings, containing not more than sixteen maisonette dwelling units within a block intended for maisonette dwellings.

Dwelling –  
Townhouse: Means a building containing not less than three and not more than nine dwelling units with each unit separated by a common or party wall or walls, with a separate outside entrance to each unit.

Lot Line – Front Lot Line: The frontage along Street "A" of the Draft Plan of "Part of Lot 33 – Concession 8", 25T-201401, shall be deemed to be the front lot line.

"Highway" or  
"Street" For the purpose of this Zone, the private driveway(s) or condominium road(s) are deemed to be a street(s), and parking, landscaping and amenity areas are permitted within the street(s).

- f) Notwithstanding the definition of Lot within Section 3: Definitions, those lands used for Maisonettes and Townhouses shall be considered as one lot.

- g) In addition to Subsections 4.6 b), d), f), 5.6 c), f), 10.5.3 a), b), c), d) and h), the following regulations shall only apply to Maisonettes and Townhouses:

i) Minimum Front Yard 0.6 metres

ii) Minimum Side Yard 6.0 metres for any side yard including a flankage yard

iii) Minimum Rear Yard 6.0 metres; except for an end wall abutting a street, a minimum 2.4 metres shall be provided and maintained.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |  |  |
|--|--|
| iv) Minimum Distance Between Buildings on the Same Lot | <p>A) 12 metres between front walls;</p> <p>B) 2.4 metres between end walls of a block townhouse and / or a block of maisonette units;</p> <p>C) 12 metres between rear walls of a block of townhouses and / or a block of maisonette units</p> <p>D) 7.0 metres between end walls and rear walls of a block of townhouse and / or a block of maisonette units</p> <p>E) Separation distance shall not be applied to individual townhouse or maisonette units and / or their future property boundaries created by way of an application to remove part lot control and / or established by a condominium corporation.</p> |
| v) Density   | A minimum density of 55 units per net residential hectare and a maximum density of 75 units per net residential hectare shall apply.   |
| vi) Maximum Building Height                            | 13.5 metres or 3 storeys.  |
| vii) Maximum Lot Coverage                              | Not applicable   |
| viii) Privacy Area per Unit                            | Notwithstanding the yard requirements in Clause i), ii), and iii), each townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 3.5 metres. No privacy area shall be required for maisonette units.  |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |       |                                       |   |
|-------|---------------------------------------|---|
| ix)   | Minimum Landscape Open Space          | 20%, except that landscape strips shall not be required between privacy areas and any lot line, nor adjacent to any portion of any lot that abuts a street.   |
| x)    | Parking Requirement                   | 2 parking spaces for each maisonette and townhouse dwelling unit, and 0.25 visitors spaces shall be provided within the condominium road(s). Tandem parking is permitted for non-visitors parking spaces.   |
| xi)   | Parking Setback                       | No parking areas may be located closer than 2.75 metres from a dwelling unit on the same lot. Future property and / or unit boundaries created through a Condominium Act or Planning Act application shall not be subject to this requirement.  |
| xii)  | Barrier-free Parking Space Dimensions | 4.4 metres x 5.5 metres   |
| xiii) | Yard Encroachment                     | <p>A) Stairs may project into any required front yard a distance of not more than 3.5 metres;</p> <p>B) Bay windows, with or without foundations, may project into any required front, rear and / or flankage yard a distance of not more than 0.9 metres; and,</p> <p>C) Covered porches may project into any require front yard a distance of not more than 3.0 metres, and 1.8 metres for a flankage yard.</p> |

(By-law No. 17-240, November 8, 2017)

605. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1500, 1546, 1547 of Schedule "A" – Zoning Maps and described as:

| Property Address | Map Number |
|------------------|------------|
|------------------|------------|

**SCHEDULE "C": SPECIAL EXCEPTIONS**

|                               |                |
|-------------------------------|----------------|
| 1308 and 1318 Rymal Road East | Map 1546, 1547 |
| 1315 Rymal Road East          | Map 1500       |
| 1324 Rymal Road East          | Map 1547       |
| 1333 Rymal Road East          | Map 1500, 1547 |
| 1360 Rymal Road East          | Map 1547       |
| 1361 Rymal Road East          | Map 1547       |
| 1368 Rymal Road East          | Map 1547       |
| 1380 Rymal Road East          | Map 1547       |
| 1384 Rymal Road East          | Map 1547       |
| 1400 Rymal Road East          | Map 1547       |
| 1411 Rymal Road East          | Map 1500, 1547 |
| 145 Dartnall Road             | Map 1500, 1547 |
| 172 Dartnall Road             | Map 1547       |
| 173 Dartnall Road             | Map 1547       |

The following special provisions shall apply:

- a) In addition to Subsection 10.7.1, the following uses shall also be permitted:
  - i) Adult Entertainment Parlours
  - ii) Body Rub Parlours
- b) In addition to Subsection 10.7.1, the following use shall also be permitted on lands located at 1308 – 1318 Rymal Road East:
  - i) Manufacturing

(By-law No. 17-240, November 8, 2017)

(By-law No. 21-189, October 13, 2021)

606. Within the lands zoned District Commercial (C6) Zone, identified on Map 1450 of Schedule "A" – Zoning Maps, and described as 1070 Stone Church Road East, the following special provisions shall apply:

- a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions of this By-law, the definition of the Front Lot Line shall mean any lot line of the lot abutting Stone Church Road East.
- b) Notwithstanding Section 4.20c)i) and ii), an outdoor patio shall be permitted on the lot where any lot line abuts a Residential Zone, but

shall not be permitted on portions of land between Tunbridge Crescent and a building.

- c) Notwithstanding Sections 5.1v) and 10.6.4c), parking spaces and aisles giving direct access to the abutting parking space, shall not be located within 1.5 metres of a street line or Residential Zone or Institutional Zone except for points for ingress and egress, and a 1.5 metres planting strip being required and permanently maintained between the street line and the said parking spaces or aisles.

(By-law No. 17-240, November 8, 2017)

- 607. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1499 of Schedule "A" – Zoning Maps, and described as 1112 Rymal Road East, the following special provision shall apply:

- a) Notwithstanding Subsection 10.7.1, the following uses shall be permitted within the building existing on the date of the passing of the By-law:
  - i) Medical Clinic
  - ii) Office

(By-law No. 17-240, November 8, 2017)

- 608. In addition to Subsection 9.4.1 of this By-law, within the lands zoned Business Park Support (M4, 608) Zone, identified on Map 1450 of Schedule "A" to By-law 05-200 and described as 1439 Upper Ottawa Street, the following use shall also be permitted:

- i) Computer, Electronic and Data Processing Establishment;
- ii) Outdoor Commercial Patios (accessory to a Restaurant).

(By-law No. 17-115, July 14, 2017)

- 609. In addition to Subsection 9.4.1 of this By-law, within the lands zoned Business Park Support (M4, 609) Zone, identified on Map 1450 of Schedule "A" to By-law 05-200 and described as 1447 Upper Ottawa Street, the following use shall also be permitted:

- i) Outdoor Commercial Patios (accessory to a Restaurant); and,
- ii) Computer, Electronic and Data Processing Establishment;

(By-law No. 17-115, July 14, 2017)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

610. Within the lands zoned General Business Park (M2, 611) Zone, identified on Map No. 1528 and 1529 of Schedule "A" and described as 620 Tradewind Drive, the following special provisions shall apply:

**SPECIAL PROVISIONS FOR "M2, 611" ZONE**

In addition to  
Subsection 9.2.1

The following uses shall also be  
permitted:

- Office;
- Restaurant contained within a multi-unit building; however a stand-alone restaurant shall be prohibited;
- Medical Office; and,
- Motor Vehicle Service Station excluding the sale of fuel, automotive accessories and/or convenience goods.

(By-law No. 18-231, August 17, 2018)

613. *Deleted*

(By-law No. 17-151, July 14, 2017)  
(By-law No. 21-189, October 13, 2021)

616. *Deleted*

(By-law No. 17-151, July 14, 2017)  
(By-law No. 21-189, October 13, 2021)

618. Within the lands zoned Community Institutional (I2) Zone, identified on Map 910 of Schedule "A" – Zoning Maps and described as 130 York Boulevard the following special provisions shall apply:

- a) In addition to Section 8.2.1 of By-law 05-200, the following uses shall also be permitted:

Beverage Making Establishment  
Catering Service  
Commercial Entertainment



Commercial Parking Facility  
 Commercial Recreation  
 Commercial School  
 Conference or Convention Centre  
 Craftsperson Shop  
 Dwelling Unit(s)  
 Exhibition Facility  
 Financial Establishment  
 Hotel  
 Laboratory  
 Lodging House  
 Long Term Care Facility  
 Medical Clinic  
 Microbrewery  
 Motor Vehicle Rental Establishment  
 Multiple Dwelling  
 Office  
 Personal Service  
 Place of Assembly  
 Repair Service  
 Restaurant  
 Retail  
 Studio  
 Tradesperson's Shop  
 Transportation Depot  
 Veterinary Service

- b) The uses permitted in a) above, shall comply with the regulations of Section 6.1.3 of this By-law.

(By-law 18-114, May 9, 2018)

(By-law No. 24-137, July 12, 2024)

619. Notwithstanding Section 6.5.1 of this By-law, within the lands zoned Downtown Residential (D5) Zone, identified on Map 952 of Schedule "A" – Zoning Maps and described as 1-22 Wesandford Place and 130, 134, 136, 138, 140, 142, and 144 Hunter Street West only Single Detached Dwelling shall be permitted.

(By-law 18-114, May 9, 2018)

620. Notwithstanding Section 6.2.1.1 i) 1. A. of this By-law, within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2) Zone, identified on Map 911 of Schedule "A" – Zoning Maps and described as 252-254 James Street North a Place of Worship shall be permitted within the ground floor façade.

(By-law 18-114, May 9, 2018)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

621. In addition to Section 6.2.1 of this By-law, within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2) Zone, identified on Maps 910 and 911 of Schedule "A" – Zoning Maps and described as 200 James Street North an Armoury shall also be permitted.

(By-law 18-114, May 9, 2018)

622. Notwithstanding Section 13.2.1 of this By-law, within the lands zoned Utility (U2) Zone, identified on Maps 952 and 994 of Schedule "A" - Zoning Maps and described as 36 Hunter Street East (Hunter Street GO Station) an Office shall also be permitted.

(By-law 18-114, May 9, 2018)

625. Within the lands zoned Downtown Prime Retail Streets (D2, 625) Zone, identified on Maps 909, 910, 951 and 952 of Schedule A Zoning Maps and described as 15 Queen Street South, the following special provisions shall apply:

- a) Notwithstanding Sections 5.5 a), 5.6 a) i., 6.2.3 b) ii) and 6.2.3c) iii) 1, 2., and 4., the following special provisions shall also apply:

b) REGULATIONS

a) Building Height

ii) Maximum building height shall be 78.0 metres.

c) Built Form for New Development

iii) For the lots delineated as a Heritage Character Zone on Figure 2 of Schedule F - Special Figures, where construction and/or alteration to the facade of a building are proposed, the following regulations shall also apply:

1. A minimum of 50% of the area of the ground floor façade shall be comprised of clear glazed windows and doors. Window and door frames, clear glazed transoms and sidelights, doors with at least 50% clear glazing, and a sill up to 0.6m in height are permitted to be included in the calculation of the clear glazed area. Signage and opaque/spandrel glazing

shall not be included in the calculation of the clear glazed area;

2. A minimum of 25% and a maximum of 70% of the façade of the second and third storeys shall be composed of windows;

4. Exterior building cladding for the first three storeys, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than four of the following materials:

- brick;
- concrete or concrete panels;
- stone block, stone veneer or artificial stone;
- stucco;
- metal, metal panel, or metal grilles (excluding aluminium siding or any metal variant thereof); and,
- glass.

d) Parking

i) A minimum of 4 barrier free parking spaces shall be required.

ii) Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:

0.75 spaces per dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces per dwelling unit.

iii) No parking space shall be less than 2.6 metres in width by 5.5 metres in length.

(By-law No. 17-219, October 25, 2017)

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

626. Within the lands zoned Downtown Prime Retail Streets (D2, 626) Zone, identified on Maps 910, 911, 952 and 953 of Schedule "A" – Zoning Maps and described as 43 to 51 King Street East and 60 King William Street, the following special provisions shall apply:

a) Notwithstanding Sections 5.2 b), 5.6 a), 5.7, and 6.2.3 a) ii), iii) and b) ii) the following special provisions shall also apply:

b) REGULATIONS

- |   |   |
|---|---|
| a) Maximum Building Setback from a Street Line (Podium)                       | ii) 2 metres for the second and third storeys from property line along Hughson Street North and King William Street;  |
|   | iii) That Section 6.2.3 a) iii) shall not apply.  |
| b) Building Height  | ii) Maximum building height shall be 94 metres.   |
| c) Minimum Building Setback from a Street Line or Property Line (North Tower) | i) 6.0 metres from the King William Street street line to the building, 3.0 metres from the easterly property line to the building, 12.0 metres from the southerly property line to the building and a minimum average setback of 8.25 metres, but not less than 6.5 metres from the Hughson Street North street line to the building, for any portion of the building above the fourth storey. |
|   | ii) In addition to the above, a minimum 23.0 metres from the Hughson Street North street line to the building, for any portion of the building above the sixth storey.  |
| d) Minimum Building Setback from a Street Line or                             | i) 4.0 metres from the King Street East street line to the building, 4.5 metres from the easterly property line to the building, 8.0 metres from the King   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |                                |   |
|--------------------------------|---|
| Property Line<br>(South Tower) | William Street street line to the building and a minimum average setback of 5.5 metres, but not less than 4.5 metres from the Hughson Street North street line to the building, for any portion of the building above the fourth storey.  |
|                                | ii) In addition to the above, a minimum 41.0 metres from the King William Street street line to the building, for any portion of the building above the sixth storey.   |
| e) Minimum Tower Separation    | 16.0 metre separation distance from a tower to another tower located on the same lot.   |
| f) Parking                     | <p>Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:</p> <p>i) 0.74 spaces per dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces per dwelling unit.</p> <p>ii) No parking space shall be less than 2.6 metres in width by 5.5 metres in length.</p> <p>iii) A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.</p> |
| g) Bicycle Parking             | <p>Bicycle Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:</p> <p>0.35 Bicycle Parking spaces per dwelling unit of which 10% are to be maintained as short term Bicycle Parking spaces.</p>  |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- h) Notwithstanding Subsection 5.2i), the minimum aisle width shall be 5.5 metres.

(By-law No. 18-011, January 24, 2018)

(By-law No. 19-062, March 27, 2019)

627. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Maps 1141 and 1142 of Schedule "A" – Zoning Maps, and described as 531 Queenston Road, the following special provisions shall apply:

- a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law:

Medical Clinic

- b) Planting Strip A planting strip with an average width of 1.0 metre, but not less than 0.9 metres, shall be provided and maintained along the northerly lot line, commencing at the easterly lot line, westerly for a distance of at least 8.0 metres.
- c) Visual Barrier Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire northerly lot line.

(By-law No. 18-032, February 14, 2018)

628. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Maps 1141 and 1143 of Schedule "A" – Zoning Maps, and described as 535 and 537 Queenston Road, the following special provisions shall apply:

- a) In addition to Subsection 11.3.1, the following uses shall also be permitted within the building existing on the date of passing of this By-law:

Medical Clinic.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- b) In addition to Clause a), the maximum Gross Floor Area of the use permitted in Clause a) shall be 65 square metres.
- c) Notwithstanding Subsection 5.1 a) v) b), a 3.0 metre wide planting strip shall be required and permanently maintained between the street line and any parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, only where an encroachment agreement has not been entered into with the City of Hamilton, for a minimum 3.0 metre planting strip within the widened road allowance limits of Queenston Road.
- d) Subsection 5.1.b) v) shall not apply for the existing building(s).
- e) Subsection 5.1.b) ix) shall not apply for the existing building(s).
- f)
  - Visual Barrier
  - i) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire northerly lot line for the lands located at 535 Queenston Road.
  - ii) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire easterly and northerly lot lines for the lands located at 537 Queenston Road.

(By-law No. 18-032, February 14, 2018)

629. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 1142, 1193, 1194 of Schedule "A" – Zoning Maps, and described as:

| Property Address   | Map Number |
|--------------------|------------|
| 711 Queenston Road | Map 1142   |
| 714 Queenston Road | Map 1142   |
| 720 Queenston Road | Map 1142   |
| 724 Queenston Road | Map 1142   |
| 727 Queenston Road | Map 1142   |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

|                    |                       |
|--------------------|-----------------------|
| 732 Queenston Road | Map 1142              |
| 735 Queenston Road | Map 1142              |
| 736 Queenston Road | Map 1142              |
| 744 Queenston Road | Map 1142 and Map 1193 |
| 750 Queenston Road | Map 1142 and Map 1193 |
| 754 Queenston Road | Map 1142 and Map 1193 |
| 771 Queenston Road | Map 1142              |
| 816 Queenston Road | Map 1194              |
| 822 Queenston Road | Map 1194              |
| 16 Clapham Road    | Map 1142              |

The following special provisions also apply:

- a) Notwithstanding Subsection 11.1.1, only the following uses shall be permitted:

Artist Studio  
 Beverage Making Establishment  
 Catering Service  
 Commercial Entertainment  
 Commercial Recreation  
 Commercial School  
 Communications Establishment  
 Craftsperson Shop  
 Day Nursery  
 Dwelling Unit(s) in conjunction with a Commercial Use  
 Financial Establishment  
 Hotel  
 Laboratory  
 Medical Clinic  
 Microbrewery  
 Office  
 Performing Arts Theatre  
 Personal Service  
 Place of Assembly  
 Place of Worship  
 Repair Service  
 Restaurant  
 Retail  
 Social Services Establishment  
 Tradesperson's Shop  
 Transportation Depot  
 Urban Farmer's Market  
 Veterinary Service



- b) Notwithstanding Subsections 11.1.3 g).iii).1., and h), and in addition to Subsections 11.1.1, 11.1.3 d) and 11.1.3 g) ii) and iii) 2., the following regulations shall also apply:
- i) **Restricted Uses** In addition to Subsection 11.4.1, the following use shall be permitted in accordance with the following restrictions:
    - A. Notwithstanding Subsection 11.4.1, a Dwelling Unit(s) in conjunction with a Commercial Use shall only be permitted above the ground floor.
    - B. Notwithstanding Subsection 11.4.1, a Day Nursery shall only be permitted above the ground floor.
  - ii) **Building Height** In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
    - A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;
    - B. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0

metres from the exterior walls of the storey directly beneath; and,

- C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
- iii) Built Form for New Development
    - 1. For a corner lot, the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 75% of the measurement of the front lot line and flankage lot line; and,
    - 2. In addition to Subsection 11.1.3 g) ii) and iii) 2., and in addition to Clause b) iii) 1., the minimum width of the ground floor façade facing the front lot line shall exclude access driveways and required yards along a lot line abutting a street.
  - iv) Minimum Amenity Area for Dwelling Units in Conjunction with a Commercial Use
    - On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:
      - 1. An area of 4.0 square metres for each dwelling unit less than 50 square metres;
      - 2. An area of 6.0 square metres for each dwelling unit more than 50 square metres;

3. In addition to the definition of Amenity Area, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air; and,
4. In addition to the definition of Amenity Area, the required Amenity Area shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with any commercial component.

v) Screening

Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.

(By-law No. 18-032, February 14, 2018)

(By-law No. 18-219, August 17, 2018)

630. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Map 1142 of Schedule "A" – Zoning Maps, and described as part of 695 and 697 Queenston Road, the following special provisions shall also apply:

- a) Notwithstanding Subsection 4.20 c), the existing outdoor commercial patio shall be permitted in the front yard.
- b) Notwithstanding Subsection 11.4.3 d) ii) and iv), the maximum Building Height shall be 22.0 metres.

(By-law No. 18-032, February 14, 2018)

631. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule "A" – Zoning Maps, and described as 7 & 9 Greenford Drive, 760 Queenston Road, and part of 770 Queenston Road, the following special provision shall also apply:

- a) Notwithstanding Subsection 11.4.3 d) ii) and iv), the maximum Building Height shall be 22.0 metres.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

(By-law No. 18-032, February 14, 2018)

632. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, 1193 and 1194 of Schedule "A" – Zoning Maps, and described as:

| Property Address           | Map Number              |
|----------------------------|-------------------------|
| Part of 770 Queenston Road | 1142, 1143, 1193 & 1194 |
| 792 Queenston Road         | 1194                    |
| 800 Queenston Road         | 1194                    |
| 817 Queenston Road         | 1143 & 1194             |

The following provisions shall apply:

- a) Notwithstanding Subsection 11.4.3 d) ii) and iv), and in addition to Subsection 11.4.3 d) i) and iii), the following regulations shall apply:
- i) Maximum Building Height shall be 47.0 metres; and,
  - ii) Any portion of a building above 22.0 metres in height, to a maximum of 47.0 metres, shall be setback a minimum of 29.5 metres from the rear or interior side lot line when abutting a Residential or Institutional Zone.

(By-law No. 18-032, February 14, 2018)

633. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, and 1194 of Schedule "A" – Zoning Maps, and described as 75 Centennial Parkway North (Eastgate Square), shown as Figure 18 of Schedule "F" – Special Figures, the following special provisions shall also apply:

The following Table 1 is provided for information only:

**Table 1**

| Gross Floor Area (GFA) (square metres) | Application  |
|--|--|
| 30,763.0                               | Shall be considered 50% of the total site GFA existing on the date of passing of this By-law (February 14, 2018) |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

|          |  |
|----------|--|
|          | <p>This number is for the purposes of maximum alterations and building footprint redistribution permitted under the Vacuum Clause</p> <p>This number is also for the purposes of minimum demolition and reconstruction prior to trigger of Mixed Use Development (plus 0.1 square metre)</p> |
| 59,992.0 | Shall be considered the GFA of the principal shopping centre building (Eastgate Square) existing on the date of passing of this By-law (February 14, 2018)   |
| 60,000.0 | Shall be considered the GFA of the principal shopping centre building (Eastgate Square) existing on the date of passing of this By-law (February 14, 2018), rounded up to the nearest ten  |
| 61,525.0 | Shall be considered the total site GFA existing on the date of passing of this By-law (February 14, 2018), including the principal shopping centre building (59,992.0) and the two existing stand-alone commercial buildings (511.0 + 1,022.0)   |
| 80,405.0 | <p>Shall be considered 130% of the GFA of the existing principal shopping centre building (59,992.0), plus the GFA approved by HM/A-08:316 (1,858.0)</p> <p>This number is for the purposes of expansions under the Vacuum Clause</p>  |
| 91,288.0 | Shall be considered 150% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)  |

- a) The lands described as 75 Centennial Parkway North (Eastgate Square), as shown as Figure 18 of Schedule "F" – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.
- b) Notwithstanding the Definitions in Section 3, for the purposes of this By-law, the front lot line is deemed to be Centennial Parkway North.
- c) For the purposes of Special Exception No. 633, the following provisions shall apply to **Area A** as shown on Figure 18 of Schedule "F" – Special Figures:
  - A) In addition to the Definitions in Section 3, for the purpose of Special Exception No. 633, the following definition shall apply:

Block  
Townhouse  
Dwelling

Shall mean a dwelling divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a maisonette.

- B) In addition to the Permitted Uses [Subsection 11.4.1], the following uses shall also be permitted:

Dwelling Unit(s)  
Multiple Dwelling

- C) Notwithstanding the Permitted Uses [Subsection 11.4.1] and in addition to the Prohibited Uses [Subsection 11.4.2], a Block Townhouse Dwelling(s) shall not be permitted.

- D) Notwithstanding the Restricted Uses [Subsection 11.4.1.1], the residential uses contained in Subsection 11.4.1 and Clause b) B) of Special Exception No. 633 shall be permitted on the ground floor.

- E) Notwithstanding the Building Height requirements [Subsection 11.4.3 d)] the following Building Height shall apply:

- i) Minimum 7.5 metres; and,
- ii) Maximum 11.0 metres.

- d) For the purposes of Special Exception No. 633, the following provisions shall apply to **Area B** as shown on Figure 18 of Schedule "F" – Special Figures:

- A) Notwithstanding the minimum and maximum Building Height requirements [Subsection 11.4.3 d) i), ii) and iv)], and in addition to the Building Height stepback requirements [Subsection 11.4.3 d) iii)], the following regulations shall apply to new development:

- i) The minimum building height abutting Queenston Road shall be 11.0 metres;
  - ii) The minimum building height abutting Centennial Parkway North shall be 7.5 metres;
  - iii) The maximum building height shall be 62.0 metres; and,
  - iv) Any portion of a building above 22.0 metres in height, to a maximum of 62.0 metres, shall be setback a minimum of 89.5 metres from any streetline abutting Kenora Avenue and Delawana Drive within the extent of the boundaries of Area A.
- B) Notwithstanding the minimum Building Height requirements [Subsection 11.4.3 d)i)], a minimum height of 6.0 metres shall be permitted for any addition to the principal building existing on the date of passing of this By-law.
- C) Notwithstanding the regulations for Outdoor Commercial Patios [Subsection 4.20 c) and d)], an outdoor commercial patio shall be permitted to provide commercial entertainment consisting of recorded music only, on a lot where such lot is separated from a Residential Zone by a laneway or street.
- D) Notwithstanding the minimum Building Façade Facing the Front and Flankage Lot Line requirements [Subsection 11.4.3 g) ii) and iii)], the following regulations apply:
  - i) The minimum width of the ground floor façade facing Queenston Road within Area B shall:
    - 1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Queenston Road located within Area B;
    - 2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].
  - ii) The minimum width of the ground floor façade facing Centennial Parkway North within Area B shall:

1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Centennial Parkway North located within Area B; and,
  2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].
- iii) In addition to the minimum Building Façade Facing the Front and Flankage Lot Line requirements [Subsection 11.4.3 g) iv) and clauses d) D) i) and ii) of Special Exception No. 633], the calculation of the measurement of the streetline width shall not include:
1. Any portion of the lot width occupied by a public transit facility; and,
  2. Any portion of the lot width occupied by an existing building within 25.0 metres of the streetline abutting Centennial Parkway North.
- E) Expansions to Existing Principal Shopping Centre Building

Notwithstanding Expansion Regulations for Existing Buildings [Subsections 4.12 e)ii)], maximum Building Setback from a Street Line [Subsection 11.4.3 a)i)], minimum Building Height [Subsection 11.4.3 d)i)], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii)] and in addition to Location of Buildings Existing on the date of Passing of the Bylaw [Subsection 4.12 e)i)], the following regulations in Table 2 shall apply to the principal shopping centre building legally existing on the date of passing of the By-law:

| <b>Table 2</b>                                   | <b>Maximum GFA of the Resulting Building</b> | <b>Minimum GFA of the Resulting Building</b> |
|--|--|--|
| Expansions (not including any demolition)        | 80,405.0 square metres                       | N/A  |
| Reconfiguration (with demolition and alteration) | 80,405.0 square metres                       | 30,764.0 square metres                       |



- F) Trigger for Mixed Use Development – Expansions of Existing Buildings on the Lot
  - i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development on the lot in the form of new buildings or additions to existing buildings exceeds 30,763 square metres, resulting in a total gross floor area that exceeds 91,288 square metres for the entire lot, the following regulation shall apply:
    - 1. For each square metre of commercial or institutional use provided above 91,288 square metres, a minimum of 3.0 square metres of residential use shall be required.
- G) Trigger for Mixed Use Development – Demolitions with Reconstruction of Existing Buildings on the Lot
  - i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development or redevelopment occurs on the lot in the form of demolitions with reconstruction, where the demolished portion exceeds a gross floor area of 30,763 square metres, the following regulation shall apply:
    - 1. For each square metre of commercial or institutional use provided above 61,525 square metres, a minimum of 3.0 square metres of residential use shall be required.
- H) Notwithstanding the minimum Building Height [Subsection 11.4.3 d)i) and Clause d)A) i) and ii) of Special Exception No. 633], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii) and Clause d)D) of Special Exception No. 633] and Built Form Requirements for Small Scale Commercial Buildings [Subsection 11.4.3 g)viii)], for commercial development existing at the time of passing of this by-law, Subsections 11.4.3 g) ii) and iii) and Clause d)D) of Special Exception No. 633 shall not apply to new commercial buildings subject to the following requirements:

- i) The maximum Gross Floor Area of each building shall be 1,000 square metres for single occupant commercial buildings;
- ii) The maximum Gross Floor Area of each building shall be 1,200 square metres for multi-tenant commercial buildings; and,
- iii) The minimum Building Height shall be 6.0 metres.
- l) The Principal Entrance requirements [Subsection 11.4.3 g) vi)] shall only apply to buildings constructed after the date of passing of this By-law (February 14, 2018).

(By-law No. 18-032, February 14, 2018)

(By-law No. 22-084, April 13, 2022)

634. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1091 of Schedule "A" – Zoning Maps, and described as 165 Queenston Road, the following special provisions apply:

- a) In addition to Subsection 11.1.1 Permitted Uses, and Notwithstanding Subsection 11.1.2 Prohibited Uses, the existing Motor Vehicle Service Station shall also be permitted.
- b) In addition to Subsection 4.12 e), Section 5, and Subsection 11.1.3, any parking spaces and drive aisles existing on the date of passing of this By-law (February 14, 2018) shall be deemed to comply with the regulations for any required setbacks, location on the lot, and number of parking spaces.

(By-law No. 18-032, February 14, 2018)

635. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1141 of Schedule "A" – Zoning Maps, and described as 505 Queenston Road, the following special provisions apply:

- a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law.

Office

- b) In addition to Subsection 5.1 a) v), a minimum of 140 square metres of landscaped area shall be provided and maintained within the required front yard.
- c) In addition to Clause a), a visual barrier shall be required along any lot line abutting an Institutional Zone or Residential Zone, with the exception of TOC3 Zone, in accordance with the requirements of Subsection 4.19 of this By-law.

(By-law No. 18-032, February 14, 2018)

636. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1141 of Schedule "A" – Zoning Maps, and described as 509 Queenston Road, the following special provisions shall also apply:

- a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law:

Denture Clinic

- b) Notwithstanding Subsection 5.1 a) v), a 1.5 metre wide planting strip shall be required and permanently maintained between the street line and any parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, only where an encroachment agreement has not been entered into with the City of Hamilton, for a minimum 1.5 metre planting strip within the widened road allowance limits of Queenston Road.
- c) Subsection 5.1.b) iii) shall not apply for the existing building(s).
- d) Subsection 5.1.b) ix) shall not apply for the existing building(s).
- e)
  - Visual Barrier
    - i) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be required and maintained along the northerly lot line.
    - ii) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be

required and maintained along the easterly lot line, commencing at the northerly lot line, southerly for a distance of at least 26.0 metres.

(By-law No. 18-032, February 14, 2018)

637. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule "A" – Zoning Maps, and described as 670, 674, 686, 692, 700 and 706 Queenston Road, shown as Figure 19 of Schedule "F" – Special Figures, the following special provisions shall also apply:

The following Table 1 is provided for information only:

**Table 1**

| <b>Gross Floor Area (GFA)<br/>(square metres)</b> | <b>Application</b>  |
|---|---|
| 8,867.0   | Shall be considered 50% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)  |
| 9,671.0   | Shall be considered the GFA of the largest stand-alone commercial building existing on the date of passing of this Bylaw (February 14, 2018)<br><br>This number is for the purposes of minimum demolition and reconstruction prior to trigger of Mixed Use Development  |
| 13,540.0  | Shall be considered 140% of the GFA of the largest standalone commercial building existing on the date of passing of this By-law (February 14, 2018)<br><br>This number is for the purposes of expansions under the Vacuum Clause   |
| 17,733.0  | Shall be considered the total site GFA existing on the date of passing of this By-law (February 14, 2018), including the multi-unit commercial building (6,245.0), large scale standalone commercial building (9,671.0), gas bar (108.0), four small scale stand-alone commercial buildings (282.0 + 277.0 + 500.0 + 650.0) |

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|          |  |
|----------|--|
| 21,602.0 | Shall be considered the total site GFA assuming a 40% expansion to the existing largest stand-alone commercial building existing on the date of passing of this By-law (February 14, 2018) |
| 26,600.0 | Shall be considered 150% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)  |

- a) For the purposes of Special Exception No. 637, the following special regulations shall apply to **Areas A and B**, as shown on Figure 19 of Schedule "F" – Special Figure:
- A) The lands described as 670, 674, 686, 692, 700 and 706 Queenston Road, as shown as Figure 19 of Schedule "F" – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.
  - B) Notwithstanding Section 3, for the purposes of this By-law, the front lot line is deemed to be Queenston Road.
  - C) Notwithstanding Prohibited Uses [Subsection 11.4.2 i)], the following provisions apply:
    - i) A Drive-Through Facility, existing on the date of passing of this By-law shall be permitted in Areas A1, A2, A3 and A5.
    - ii) A Motor Vehicle Service Station, existing on the date of passing of this By-law, shall be permitted only as an accessory use and may be permitted in Areas A and B.
    - iii) A Motor Vehicle Gas Bar, existing on the date of passing of this By-law, shall only be permitted in Area A4.
  - D) For the existing building with a drive through facility located within Area A1, the following special regulations shall apply:
    - i) Subsection 4.25 c) ii) shall not apply; and,
    - ii) Subsection 11.4.3 g) v) shall not apply.

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- E) Relocation of Drive Through Facilities outside Areas A1, A2, A3 and A5
  - i) The existing drive through facilities located within Areas A1, A2, A3 and A5 may be permitted to relocate on the same lot outside of Areas A1, A2, A3 and A5 subject to the following requirements:
    - 1. A maximum of four drive through facilities shall be permitted on the lot; and,
    - 2. All relocated drive through facilities shall comply with the Drive Through regulations and Built Form for New Development regulations [Subsections 4.25 and 11.4.3 g)].
- F) Reconstruction of Drive Through Facilities within Areas A1, A2, A3 and A5
  - i) Notwithstanding Subsection 11.4.3 g), the existing drive through facilities located within Areas A1, A2, A3 and A5 may be demolished and reconstructed within Areas A1, A2, A3 and A5; and,
  - ii) Notwithstanding Subsection 11.4.3 d)i) the minimum building height shall be 4.5 metres.
- G) The existing Motor Vehicle Gas Bar located within Area A4 may be permitted to relocate on the same lot outside of Area A4 subject to the following requirements:
  - i) Minimum Yard abutting a street 60.0 metres
  - ii) Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies 60.0 metres
  - iii) Minimum Planting Strip Requirements 3.0 metres in width shall be required abutting any Residential Zone or Institutional Zone property line

- iv) Maximum Gross Floor Area for Accessory Retail Uses to a Motor Vehicle Gas Bar 175.0 square metres
- H) Trigger for Mixed Use Development – Expansions of Existing Buildings on the Lot
  - i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development on the lot in the form of new buildings or additions to existing buildings exceeds 9,671.0 square metres, resulting in a total gross floor area that exceeds 26,600.0 square metres for the entire lot, the following regulation shall apply:
    - 1. For each square metre of commercial or institutional use provided above 26,600.0 square metres, a minimum of 3.0 square metres of residential use shall be required.
- I) Trigger for Mixed Use Development – Demolitions with Reconstruction of Existing Buildings on the Lot
  - i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development or redevelopment occurs on the lot in the form of demolitions with reconstruction, where the demolished portion exceeds a gross floor area of 9,671.0 square metres, the following regulation shall apply:
    - 1. For each square metre of commercial or institutional use provided above 21,602.0 square metres, a minimum of 3.0 square metres of residential use shall be required.
- J) Notwithstanding the minimum Building Height [Subsection 11.4.3 d) i)], a minimum height of 6.0 metres shall be

permitted for any addition to any building existing on the date of the passing of this By-law.

K) Expansions to Existing Buildings:

Notwithstanding the Expansion Regulations for Existing Buildings [Subsections 4.12 e)ii)], the maximum Building Setback from a Street Line [Subsection 11.4.3 a)i)], minimum Building Height [Subsection 11.4.3 d)i)], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii)] and in addition to Location Regulations of Buildings Existing on the date of Passing of the By-law [Subsection 4.12 e)i)], the following regulations in Table 2 shall apply to the buildings existing on the date of passing of the By-law:

| <b>Table 2</b>   | <b>Maximum GFA of the Resulting Building</b>                                    | <b>Minimum GFA of the Resulting Building</b> |
|--|---|--|
| <i>Existing Largest Stand-Alone Commercial Building (at corner of Nash Road South and Dover Drive)</i> |   |  |
| Expansions and reconfiguration   | 13,540.0 square metres  | N/A  |
| <i>All other Existing Buildings</i>  |   |  |
| Expansions (not including any demolition)  | 110% of the GFA of the buildings existing on the date of passing of this by-law | N/A  |

b) For the purposes of Special Exception No. 637, the following special regulations shall apply to **Area A** as shown on Figure 19 of Schedule "F" – Special Figures:

A) Notwithstanding the minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g) ii) and iii)], the following regulations apply:

- i) The minimum width of the ground floor façade facing Queenston Road within Area A shall:
  - 1. Be greater than or equal to 75% of the measurement of that portion of the streetline



- abutting Queenston Road located within Area A;
2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].
- ii) The minimum width of the ground floor façade facing Nash Road within Area A shall:
    1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Nash Road located within Area A; and,
    2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].
  - iii) In addition to Subsection 11.4.3 g) iv) and clauses b) A) i) and ii) of Special Exception No. 637, the calculation of the measurement of the streetline may not include the width of any lands located within Area A4.
- c) For the purposes of Special Exception No. 637, the following special provisions shall apply to **Area B** as shown on Figure 19 of Schedule "F" – Special Figures:
- A) In addition to the Definitions of Section 3, for the purpose of Special Exception No. 637, the following definition shall apply:
 

|                          |   |
|--------------------------|---|
| Block Townhouse Dwelling | Shall mean a dwelling divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a maisonette. |
|--------------------------|---|
  - B) In addition to the Permitted Uses [Subsection 11.4.1], the following uses shall also be permitted:

Block Townhouse Dwelling  
 Conference or Convention Centre  
 Dwelling Unit(s)  
 Educational Establishment  
 Emergency Shelter  
 Lodging House  
 Long Term Care Facility  
 Multiple Dwelling  
 Residential Care Facility  
 Retirement Home

- C) Notwithstanding the Restricted Uses [Subsection 11.4.1.1], residential uses contained in Subsection 11.4.1 and Clause c) B) shall be permitted on the ground floor.
- D) In addition to the Restricted Uses regulations [Subsection 11.4.1.1], the following restriction of uses shall apply:
- i) Residential Care Facility
    - 1. Maximum capacity for a Residential Care Facility is 20 residents.
  - ii) Emergency Shelter
    - 2. Maximum capacity for an Emergency Shelter is 50 residents.
  - iii) Emergency Shelter and Residential Care Facility:
    - 1. Except as provided in Clause c) D) iii) 2., every Emergency Shelter or Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility; and,
    - 2. Where the radial separation distance from the lot line of an Emergency Shelter, or Residential Care Facility existing on the date of passing of this By-law, is less than 300 metres to the lot

line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility, the existing Residential Care Facility may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.

E) Notwithstanding the maximum Building Setback from a Street Line, minimum and maximum Building Height, stepback regulations, and minimum Building Façade Facing the Front or Flankage Lot Line requirements [Subsection 11.4.3 a), d) i), ii), iii) and iv), g) iii)], the following regulations shall apply:

- i) Building Setback from a Street
  - 1. Minimum 3.0 metres for a building with residential units on the ground floor facing a street;
  - 2. Maximum 4.5 metres, except where a visibility triangle is required for a driveway access;
  - 3. Notwithstanding Clause c) E) i) 2., a minimum setback of 6.0 metres is required for that portion of a building providing access to a driveway or garage; and,
  - 4. Where a building(s) exists and complies with Subsection c) E) iii) 1., additional building(s) constructed on the lot shall not be subject to Clauses c) E) i) 1. and 2.
- ii) Building Height
  - 1. Minimum 7.5 metres;
  - 2. Maximum 22.0 metres;

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3. In addition to minimum Building Height [Subsection 11.4.3 d) i)] and notwithstanding maximum Building Height [Clause c) E) ii) 2.], the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Subsections 11.4.3 b) and c), when abutting a Residential or Institutional Zone, to a maximum of 22.0 metres.

iii) Built Form for New Development

1. The minimum width of the ground floor façade facing Nash Road within Area B shall be greater than or equal to 40% of the measurement of that portion of the streetline abutting Nash Road located within Area B.

- F) Notwithstanding any other provisions of this By-law, vehicular access for commercial purposes shall be prohibited from Dover Drive.

(By-law No. 18-032, February 14, 2018)  
 (By-law No. 18-219, August 17, 2018)  
 (By-law No. 22-084, April 13, 2022)

638. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1142 of Schedule "A" – Zoning Maps, and described as 558 Queenston Road, the following special provisions shall also apply:

- a) Notwithstanding Subsection 4.20 c) i), an outdoor commercial patio shall be permitted on a lot where any lot line abuts a Residential Zone; and,
- b) Notwithstanding Subsection 11.1.3 b), no minimum rear yard setback is required.

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(By-law No. 18-032, February 14, 2018)

639. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1234 and 1287 of Schedule "A" – Zoning Maps, and described as 630 Stone Church Road West, the following special provisions shall also apply:

a) Notwithstanding Subsection 4.6 a), 4.8.1 c), 4. 19, 5.1 a) v) a) and b), 5.2 b), f) and i), 5.2.1 c), 5.5 a), and 5.6 c) as it relates to "Retail within a Commercial and Mixed Use Zone", the following regulations shall apply:

- |   |   |
|---|---|
| i) Permitted Yard Encroachments                           | The usual projections of window sills, cornices, eaves, troughs, and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard provided that no such feature shall project more than 0.5 metres into the required yard and shall be no less than 0.4 metres from the rear lot line. |
| ii) Accessory Buildings in Commercial and Mixed Use Zones | Accessory buildings having a maximum gross floor area of less than 11.0 square metres and a maximum building height of 3.0 metres may be located in a required rear yard or a required side yard.   |
| iii) Visual Barrier                                       | <p>a) A visual barrier shall have a minimum height of 1.7 metres.</p> <p>b) All other applicable provisions of Section 4. 19 shall apply.</p>   |
| iv) Parking Location                                      | Parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways  |

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extending directly from the street, shall not be located within 0.9 metres of a street line and a minimum 0.9 metre planting strip shall be required and permanently maintained between the street line and the parking spaces and/or aisles, excluding driveways extending directly from the street.

- |       |   |   |
|-------|---|---|
| v)    | Parking Space Sizes                       | <p>a) Minimum 2.7 metres in width and 5.5 metres in length.</p> <p>b) Notwithstanding a) above, in the case of a barrier free parking space, each parking space shall have a minimum width of 2.7 metres and a minimum length of 5.5 metres plus an abutting 1.9 metre wide shared aisle.</p> |
| vi)   | Parking Aisle Width                       | The minimum aisle width shall be 5.8 metres.  |
| vii)  | Location of Loading Facilities            | <p>A loading space/area shall be located within the required easterly side yard and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.</p>   |
| viii) | Minimum Number of Required Parking Spaces | 13, including 1 barrier free parking space.   |

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b) Notwithstanding Subsection 10.3.3. a) ii), b) ii), c) i), and i) vi) and vii) 2., the following regulations shall apply:

- |      |   |  |
|------|---|--|
| i)   | Maximum Building Setback from a Street. | 20.1 metres except the maximum building setback shall not apply to accessory buildings.  |
| ii)  | Minimum Rear Yard                       | 0.8 metres   |
| iii) | Minimum Interior Side Yard              | 1.2 metres   |
| iv)  | Built Form for New Development          | <p>a) Parking spaces and aisles shall be permitted to be located between a building façade and the front lot line.</p> <p>b) The principal entrance shall be accessible from the building façade but shall not be required to have direct access from the public sidewalk.</p> |

(By-law No. 20-029, February 12, 2020)

640. Within the lands zoned General Industrial (M5) Zone and Light Industrial (M6) Zone, identified on Maps 1047, 1093, and 1094 of Schedule "A" – Zoning Maps and described as:

| Property Address  | Map Number |
|---|------------|
| 2289 Barton Street East   | 1093, 1094 |
| 2311, 2333 Barton Street East   | 1093, 1094 |
| 2371 Barton Street East and 306, 308, 310 Kenora Avenue                         | 1094       |
| 285, 291, 295, 297, 301, 307, 309, 311, 315, 317, 319, 323, 329 Nash Road North | 1047       |
| 351 Nash Road North   | 1047       |

The following special provisions shall apply:

- a) In addition to Section 9.6.1, the following uses shall only be permitted within the building existing on the date of the passing of

this By-law, being the 14th of July, 2017 for lands located at 2289 Barton Street East:

- i) Commercial Recreation in conjunction with a permitted use;
  - ii) Motor Vehicle Dealership;
  - iii) Place of Assembly; and,
  - iv) Retail.
- b) In addition to Section 9.6.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 2311, 2333 Barton Street East:
- i) Motor Vehicle Dealership.
- c) In addition to Section 9.6.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 2371 Barton Street East and 306, 308, 310 Kenora Avenue:
- i) Retail.
- d) In addition to Section 9.6.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 285, 291, 295, 297, 301, 307, 309, 311, 315, 317, 319, 323, 329 Nash Road North, and 351 Nash Road North:
- i) Retail.

(By-law No. 17-150, June 14, 2017)

641. Within the lands zoned General Industrial (M5) Zone, identified on Maps 1047, 1048 of Schedule "A" – Zoning Maps and described as 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street, the following special provisions shall apply:
- a) In addition to Section 9.5.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street:



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- i) Commercial Recreation in conjunction with another permitted use;
- ii) Retail; and,
- iii) Studio.

(By-law No. 17-149, June 14, 2017)

**642. Deleted**

(By-law No. 17-202, September 27, 2017)  
 (By-law No. 19-140, June 12, 2019)  
 (By-law No. 19-209, September 11, 2019)  
 (By-law No. 19-248, October 9, 2019)  
 (By-law No. 19-257, October 23, 2019)  
 (By-law No. 20-201-LPAT, September 21, 2020)  
 (By-law No. 21-189, October 13, 2021)

**643. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 643) Zone, identified on Maps 1175 and 1229 of Schedule "A" – Zoning Maps and described as 280 Wilson Street East, the following special provisions shall apply:**

- a) Notwithstanding Subsection 5.2 i), a One-Way and Two-Way Aisle Width of 3.5 m shall be provided.
- b) Notwithstanding Subsection 5.2.1 c) a loading space shall be permitted in a required southerly side yard abutting an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.
- c) Notwithstanding Subsection 5.6 c) Parking Schedule for all Zones, except Downtown Zones for Dwelling Units and Dwelling Units in Conjunction with Commercial Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones):
  - ii) Dwelling units greater 1.7 per unit  
 than 50.0 square  
 metres in gross floor  
 area
- d) In addition to Subsection 10.5.a.1 and 10.5a.1.1, a multiple dwelling shall be permitted and restricted in accordance with the following provisions:

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- i) A Multiple Dwelling shall have a minimum 12.0 metre setback from the front lot line.
- ii) Notwithstanding Subsection 10.5a.1.1 ii) 2., residential uses shall be permitted on the ground floor.
- e) Notwithstanding Subsection 10.5a.3 b), c), d)i), d)ii), and d)iii) the following regulations shall apply to a multiple dwelling having a minimum setback of 12 metres from the front lot line:
  - i) Minimum Rear Yard 3.0 metres.
  - ii) Minimum Side Yard 3.0 metres, abutting a Residential or Institutional Zone or lot containing a residential use except as detailed in Figure 1 of Schedule "B" – Property Details.
  - iii) Maximum Building Height 14.3 metres
- f) Notwithstanding any other provisions of this By-law, the building existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, façade length, and building height.
- g) Notwithstanding any other provisions of this By-law, Subsections 10.5a.3 h) ii), iv), v), vi), viii), and ix) shall not apply to New Development on lands where the building existing as of the date of passing of this by-law remains on site.
- h) In addition to Subsection 10.5a.7, visitor parking shall be provided at a rate of 0.25 spaces per dwelling unit.

(By-law No. 19-299, December 11, 2019)

644. Within the lands zoned Community Institutional (I2) Zone, identified on Map Nos. 1174 and 1175 of Schedule A" - Zoning Maps and described as 357 Wilson Street East, Ancaster, the following special provisions shall apply:

- a) For the purposes of Special Exception 644 the following definition shall apply:

|                         |   |
|-------------------------|---|
| Performing Arts Theatre | Shall mean a building or structure or part thereof, used for the presentation of musical, |
|-------------------------|---|

theatrical, dance, or other live performances and may include lounges, dressing rooms, workshop rooms, storage areas, but shall not include a cinema.

- b) Section 4.23 d) shall not apply.
- c) In addition to the uses permitted in Section 8.2.1 of this By-law, the following uses shall also be permitted:

Multiple Dwelling  
 Performing Arts Theatre  
 Place of Assembly  
 Artist Studio

- d) In addition to Section 8.2.3 the following special provisions shall apply:

**A. PERFORMING ARTS  
 THEATRE, PLACE OF  
 ASSEMBLY, STUDIO  
 REGULATIONS**

- |                              |  |
|------------------------------|--|
| i) Minimum Yard              | 1. 6.0 metres where property line abuts a Residential Zone property line.<br><br>2. Notwithstanding 1. above, no building or part thereof shall be permitted between the building facade and Wilson Street East. |
| ii) Minimum Rear Yard        | 7.0 metres;  |
| iii) Maximum Building Height | 1. 15.0 metres;<br><br>2. Notwithstanding 1. above, the building shall not exceed 3 storeys.   |

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- |     |                                     |  |
|-----|-------------------------------------|--|
| iv) | Parking for Performing Arts Theatre | Notwithstanding Section 5 of this By-law, 1 parking space shall be provided for every 10 persons accommodated                            |
| v)  | Accessory Buildings                 | In accordance with the requirements of Section 4.8 of this By-law.   |
| vi) | Visual Barrier                      | Shall be provided along that portion of a property lot line abutting a Residential Zone, in accordance with Section 4.19 of this By-law. |

**B. MULTIPLE DWELLING REGULATIONS**

- |      |   |   |    |  |     |   |
|------|---|---|----|--|-----|---|
| i)   | Minimum setback from a Residential Zone property line   | 2 metres;   |    |  |     |   |
| ii)  | Maximum Building Height   | 10.5 metres;  |    |  |     |   |
| iii) | Visual Barrier  | Shall be provided along that portion of a property lot line abutting a Residential Zone, in accordance with Section 4.19 of this By-law.  |    |  |     |   |
| iv)  | Parking   | <table border="0"> <tr> <td style="vertical-align: top;">i)</td> <td style="vertical-align: top;">In accordance with Section 5 of this By-law.</td> </tr> <tr> <td style="vertical-align: top;">ii)</td> <td style="vertical-align: top;">In addition to i) above 1 parking space for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each such unit.</td> </tr> </table> | i) | In accordance with Section 5 of this By-law. | ii) | In addition to i) above 1 parking space for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each such unit. |
| i)   | In accordance with Section 5 of this By-law.  |   |    |  |     |   |
| ii)  | In addition to i) above 1 parking space for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each such unit. |   |    |  |     |   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- v) Accessory Buildings In accordance with the requirements of Section 4.8 of this By-law.

- e) In addition to Section 8.2.3.8 and notwithstanding Section 4.28(a)(ii) of this By-law an Urban Farmers Market shall be permitted.

(By-law No. 17-254, November 27, 2017)

645. Within the lands zoned Conservation/Hazard Land (P5) Zone, identified on Map Nos. 1150 and 1151 of Schedule "A" – Zoning Maps, and described as 42, 44, 48, 52 and 54 Lakeshore Drive, the following special provisions shall apply:

- a) That Section 4.23 d) shall not apply to the zone boundary of the Conservation/Hazard Land (P5) Zone.

(By-law No. 20-175, August 21, 2020)

646. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1911 and 1912 of Schedule "A" – Zoning Maps, and described as 2400 Regional Road 56, the following special provisions shall apply:

- a) Notwithstanding Section 4.8.1a, an accessory building existing at the time of the passing of the By-law shall be permitted.
- b) Notwithstanding Subsection 10.6.3a), the Maximum Setback Fronting onto a Street Line shall be 28.0 metres.
- c) Subsection 10.6.3g)iv) shall not apply.

(By-law No. 17-240, November 8, 2017)

647. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Maps 957, 958, 999, and 1000 of Schedule "A" – Zoning Maps and described as:

| Property Address  | Map Number          |
|---|---------------------|
| 1091 Barton Street East   | 999                 |
| 1111, 1115 Barton Street East   | 957, 999            |
| 1145, 1147, 1149, 1183, 1187, 1191, 1211, 1219, 1223, 1231, 1241, 1249, 1259, 1263 Barton Street East | 957, 958, 999, 1000 |
| 1255, 1273, 1275, 1283, 1299, 1311, 1317, 1321 Barton Street East                                     | 958, 1000           |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

The following special regulations shall apply:

- a) In addition to Subsection 10.4.1, following uses shall also be permitted:

i) Motor Vehicle Showroom

- b) In addition to Section 3: Definitions, for the purpose of Special Exception No. 647, the following definition shall apply:

|                         |   |
|-------------------------|---|
| Motor Vehicle Show Room | Shall mean an establishment located internal to a building where new motor vehicles are displayed for the purpose of sale or leasing, and may include accessory retailing of souvenir merchandise, and shall not include the storage of motor vehicles and Motor Vehicle Service Station. |
|-------------------------|---|

- c) A minimum building height of 6.0 metres shall be provided for commercial buildings containing only one or more of the following uses:

- i) Financial Establishment  
 ii) Personal Service  
 iii) Restaurant  
 iv) Retail

- d) Where a building(s) on a lot exists on the date of the passing of the By-law, and have frontage on Barton Street East and/or Kenilworth Avenue North, Subsection 10.4.3a)i) shall not apply to any additional buildings.

- e) Notwithstanding Subsection 5.2 b)i) and 5.2 f), for the lands located at 1283 Barton Street East, the following special parking regulations shall also apply:

- i) Parking Space Size Dimension A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
- ii) Barrier Free Parking Space Size Dimension A minimum barrier free parking space size dimension of 4.4

metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)

(By-law No.17-240-OLT-05, March 14, 2022)

648. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1546 and 1547 of Schedule "A" – Zoning Maps and described as 1324 Rymal Road East and 172 Dartnall Road, the following special provisions shall apply:

a) Notwithstanding Subsections 5.1v), 10.7.3a), and f), the following special regulations shall also apply:

- |      |  |  |
|------|--|--|
| i)   | Maximum Yard<br>Abutting a Street<br>(Northerly Lot Line)        | 3.0 metres within 30.0 metres of the intersection of the northerly and easterly lot lines.   |
| ii)  | Maximum Yard<br>Abutting a Street<br>(Easterly Lot Line)         | 3.0 metres except a maximum setback of 6.0 metres shall be provided and maintained within 30.0 metres of the intersection of the northerly and easterly lot lines. |
| iii) | Landscaped Area<br>along Rymal Road<br>East and Dartnall<br>Road | 3.0 metres in depth and abutting the street line shall be provided and maintained.   |
| iv)  | Planting Strip<br>Requirements                                   | A Planting Strip of not less than 1.5 metres in width shall be provided and maintained along every rear and side lot lines not abutting a street.                  |
| v)   | Minimum Building<br>Façade Requirement                           | A minimum width of the building façade shall be equal to 45% of the measurement of the northerly lot line and within 50 metres of the Dartnall lot line.           |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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- vi) Window Requirements All buildings shall have windows with a maximum sill height of 1.0 metres and a minimum height from finished floor to top of window of 2.4 metres for a minimum of 25% of the length of the façade facing the street.
- vii) Locational Requirement of a Parking space No parking space or part thereof shall be located, and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of not less than 6.0 metres from a street line or closer than 1.5 metres from the lot lines not abutting the street.

(By-law No. 17-240, November 8, 2017)

649. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1433 and 1482 of Schedule "A" – Zoning Maps and described as the northwest corner of Wilson Street West and Mason Drive, the following special provisions shall apply:

- a) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:

**Supermarket** A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.

- b) Notwithstanding Subsection 10.6.1, only the following uses shall be permitted:

- i) Art Gallery
- ii) Auctioneer Establishment
- iii) Building and Lumber Supply Establishment, within a wholly enclosed building



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- iv) Catering Service
  - v) Cold Storage Locker Establishment
  - vi) Commercial Entertainment, within a wholly enclosed building
  - vii) Commercial Parking Facility
  - viii) Commercial Recreation, within a wholly enclosed building
  - ix) Community Garden
  - x) Craftsperson Shop
  - xi) Day Nursery
  - xii) Educational Establishment
  - xiii) Financial Establishment
  - xiv) Funeral Home
  - xv) Laboratory
  - xvi) Library
  - xvii) Major Recreational Equipment Sales, Rental and Service Establishment
  - xxiii) Manufacturing, limited to a Printing and / or Publishing Establishment
  - xix) Medical Clinic
  - xx) Motor Vehicle Dealership
  - xxi) Museum
  - xxii) Office
  - xxiii) Personal Service
  - xxiv) Post Office
  - xxv) Private Club or Lodge
  - xxvi) Recreational Vehicle Sales and Service Establishment
  - xxvii) Repair Service
  - xxviii) Restaurant
  - xxix) Retail, not including a Supermarket
  - xxx) Transportation Depot
  - xxxi) Urban Farm
  - xxxii) Urban Farmer's Market
- c) Notwithstanding Subsection 10.6.1.1 i) 1. B., a two-storey building containing office uses on both the first and second floor is also permitted.
- d) In addition to Subsection 10.6.2, the following uses shall also be prohibited, even as an accessory use:
- i) Body Rub Parlour
  - ii) Department Store
  - iii) Dwelling Unit
  - iv) Open Storage
  - v) Supermarket

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- e) Notwithstanding Subsection 10.6.3e) and f), the maximum Gross Floor Area for all uses shall be 10,000 square metres, and shall not apply to Motor Vehicle Sales and Service Establishment and Major Recreational Vehicle Sales, Service, and Rental Establishment.

(By-law No. 17-240, November 8, 2017)

(By-law No. 22-084, April 13, 2022)

(By-law No. 24-137, July 12, 2024)

650. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1433, 1434, 1482 and 1483 of Schedule "A" – Zoning Maps, and described as:

| Property Address  | Map Number              |
|---|-------------------------|
| Lands located at the northwest corner of Portia Drive and Mason Drive | 1433                    |
| Lands located at the northeast corner of Portia Drive and Mason Drive | 1433 & 1434             |
| 100 Portia Drive  | 1434                    |
| 30 Mason Drive  | 1433, 1434, 1482 & 1483 |
| 1147 Garner Road West   | 1434 & 1483             |
| 1151 Garner Road West   | 1434 & 1483             |
| 374 Shaver Road   | 1383                    |
| 1019 Wilson Street West   | 1434 & 1383             |
| 1025 Wilson Street West   | 1434                    |
| 1059 Wilson Street West   | 1434                    |
| 1075 Wilson Street West   | 1434                    |
| 1089 Wilson Street West   | 1434                    |
| 1097 Wilson Street West   | 1434                    |
| 1154 Wilson Street West   | 1434                    |
| 1160 Wilson Street West   | 1434 & 1483             |
| 1172 Wilson Street West   | 1434 & 1483             |
| 1180, 1184, 1198 and 1206 Wilson Street West                          | 1434 & 1483             |

The following special regulations shall apply:

- a) In addition to Subsection 10.7.1, following uses shall also be permitted:
- i) Financial Establishment

**SCHEDULE "C": SPECIAL EXCEPTIONS**

- b) Notwithstanding Section 10.7.3a), the Minimum Building Setback from a Street Line for a Warehouse shall be 250.0 metres.

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-039, February 27, 2019, NOT FINAL AND BINDING)

651. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1175 of Schedule "A" – Zoning Maps and described as 392 Wilson Street East, the following special regulation shall apply:

- a) Notwithstanding Subsection 10.5a.3 b), the minimum rear yard shall be 3.0 metres.

(By-law No. 17-240, November 8, 2017)

652. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1748, 1749, and 1785 of Schedule "A" - Zoning Maps and described as:

| Property Address                     | Map Number          |
|--------------------------------------|---------------------|
| 3311 Homestead Drive (part of lands) | 1748 & 1749         |
| 3239 Homestead Drive                 | 1748 & 1785         |
| 3249 Homestead Drive                 | 1748                |
| 3253 Homestead Drive                 | 1748                |
| 3263 Homestead Drive                 | 1748                |
| 3269 Homestead Drive                 | 1748                |
| 3275 Homestead Drive                 | 1748                |
| 3260 Homestead Drive                 | 1748                |
| 3266 Homestead Drive                 | 1748                |
| 3272 Homestead Drive                 | 1748                |
| 3287 Homestead Drive                 | 1785                |
| 3307 Homestead Drive                 | 1785                |
| 3311 Homestead Drive                 | 1748, 1749 and 1785 |
| 3313 Homestead Drive                 | 1785                |
| 3323 Homestead Drive                 | 1785                |
| 3325 Homestead Drive                 | 1785                |
| 3329 Homestead Drive                 | 1785                |
| 3331 Homestead Drive                 | 1785                |
| 3300 Homestead Drive                 | 1785                |

The following special provisions shall apply:

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- a) In addition to Subsection 10.5.1, the following additional uses shall be permitted:
  - i) Street townhouse Dwellings
  - ii) Single Detached and Duplex Dwellings existing at the date of the passing of the by-law (November 8, 2017)
- b) Notwithstanding Subsection 10.5.3 a), 10.5.3 b), 10.5.3 d), and in addition to Subsection 10.5.3, the following special regulations shall apply:
  - i) Minimum building setback from a street line 9.0 metres
  - ii) Minimum Rear Yard 10.7 metres
  - iii) Maximum Building Height 10.7 metres
  - iv) Lot coverage 25%.

(By-law No. 17-240, November 8, 2017)

653. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1239 and 1292 of Schedule "A" - Zoning Maps and described as 970 Upper Wentworth Street, the following special provisions shall apply:
- a) For the building located at the south-west corner of Upper Wentworth Street and King Fisher Drive, the following special regulations shall apply:
    - i) Notwithstanding Subsection 4.25 c) ii), the stacking lane for the drive through facility may be located within 16.5 metres of King Fisher Drive.
    - ii) Notwithstanding Subsection 5.2 b) i), the minimum parking space size dimension of 2.7 metres by 6.0 metres shall be provided and maintained.
    - iii) Subsection 5.2.1 a) shall not apply.

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iv) Notwithstanding Subsection 10.5.3 a) ii), the maximum setback from the street line shall be:

- 1) 16.3 metres from Upper Wentworth Street; and,
- 2) 13 metres from King Fisher Drive.

b) Notwithstanding Subsection 5.6 c), 338 parking spaces shall be provided and maintained for the entire site.

(By-law No. 17-240, November 8, 2017)

654. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1443 of Schedule "A" – Zoning Maps and described as 2000 Garth Street, the following special provisions shall apply:

a) Notwithstanding Subsections 5.2 b) i), 5.2 f), 5.2 h) i), 5.2 h) ii), 10.3.3 a), 10.3.3 i) i), 10.3.3 i) ii), the following regulations shall apply:

- |      |   |                                   |
|------|---|-----------------------------------|
| i)   | Maximum Building setback from a street line | 4.7 metres                        |
| ii)  | Minimum width of a ground floor facade      | 30%                               |
| iii) | Landscaped area in the parking lot          | 2% of the area of the parking lot |
| iv)  | Parking space size                          | 2.6 metres x 5.5 metres           |
| v)   | Barrier free parking space size             | 4.4 metres x 5.5 metres           |

(By-law No. 17-240, November 8, 2017)

655. Within the lands zoned District Commercial (C6) Zone, identified on Map 1434 of Schedule "A" – Zoning Maps and described as 1060 Wilson Street West, the following special provisions shall apply:

a) For the building located at the north-east corner of Wilson Street West and the access to the site, the following special regulations shall apply:

- i) Notwithstanding Subsection 5.2 b) i), the minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.
  - ii) Section 5.2.1 a) shall not apply.
  - iii) Notwithstanding Section 10.5.3 a) ii), the maximum setback from the street line shall be 5.0 metres from Wilson Street West.
- b) Notwithstanding Section 5.6 c), the following number of parking spaces shall be provided and maintained for the entire site:
- i) 385 parking spaces; and,
  - ii) 8 barrier free spaces.

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-062, March 27, 2019)

657. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map No. 1087 of Schedule "A7" – Zoning Maps and described as 952 – 954 Concession Street, the following special provisions shall apply:
- a) Notwithstanding Subsection 4.6 a), the usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may project not more than 0.35 metres into the required front yard, and not more than 0.3 metres into the required side yard along the easterly lot line.
  - b) Notwithstanding Subsection 4.6 b), an exterior staircase may encroach into the required front yard to a maximum of 0.35 metres, and into the required side yard along the easterly lot line to a maximum of 0.3 metres.
  - c) Notwithstanding Subsection 4.6 e), a balcony may encroach into the required front yard to a maximum of 0.35 metres, and into the required side yard along the easterly lot line to a maximum of 0.3 metres.
  - d) Section 5.1 a) v) shall not apply.
  - e) Notwithstanding Subsection 5.1 d) i), with the exception of any visitor parking or barrier free parking required by Section 5.6, required parking for multiple dwellings shall not be located between

the façade and the front lot line or between the façade and flankage lot line.

- f) Notwithstanding Subsection 5.2 b) i), parking space sizes shall be a minimum 2.75 metres in width and 5.8 metres in length.
- g) Notwithstanding Subsections 5.6 c) and g), the following regulations shall apply:
  - i) 10 parking spaces shall be provided, which shall include one parking space per Dwelling Unit, one visitor parking space for all Dwelling Units, and one barrier free parking space.
  - ii) The required visitor parking space shall be maintained for the shared use between the commercial use(s) and residential use, have a sign legibly marking that the parking space is for the shared use of both commercial and residential visitor parking, and shall be maintained readily accessible for either use, free and clear of all obstructions.
- h) Notwithstanding Subsections 5.7 c) and f), no short-term bicycle parking shall be required.
- i) In addition to Section 10.2.1, a Martial Arts Club shall be permitted.
- j) In addition to Section 10.2.1.1, the following restrictions shall apply:
  - i) A Restaurant, with a maximum seating capacity of 25 shall be permitted.
  - ii) A Veterinary Service, excluding cremation shall be permitted.
  - iii) Commercial uses shall be restricted to the ground floor of the building, and further, the basement or cellar of the building, whichever is applicable, shall be used for storage for the commercial uses only.
- k) Notwithstanding Section 10.2.1.1 ii), a maximum of 3 Dwelling Units shall be permitted in conjunction with a commercial use and shall only be permitted above the ground floor except for access, accessory office and utility areas, and further, shall not occupy more than 50% of the total gross floor area of all the building(s) within the lot.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- l) In addition to Section 10.2.2, an outdoor patio is prohibited, even as an accessory use.
- m) Notwithstanding Section 10.2.3 a), the following regulations shall apply:
  - i) The building setback from a street line shall be a minimum of 0.35 metres (Concession Street).
  - ii) The building setback from a street line shall be a minimum of 0.30 metres (Upper Gage Avenue).
- n) Notwithstanding Section 10.2.3 b), a minimum rear yard setback of 0.0 metres shall be required.
- o) Notwithstanding Section 10.2.3 j), a minimum 0.9 metre wide Planting Strip shall be provided and maintained along the westerly property lot line.

(By-law No. 21-189, October 15, 2021)

658. Within the lands zoned Extractive Industrial (M12) Zone, identified on Map No. 83 of Schedule "A" – Zoning Maps and described as 582, 626, 632, 634 and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4 West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road, Flamborough, the following special provision shall apply:
- a) Notwithstanding Section 9.12.3.4 a), a minimum setback for excavation of 15 metres shall be required adjacent to the southerly property line of 559 and 565 Moxley Road and 582 Brock Road.

(By-law No. 17-257, November 22, 2017)

659. Within the lands zoned Major Institutional (I3, 659) Zone, identified on Map No. 1230 of Schedule A and described as 558 Golf Links Road, the following special provisions shall apply:

#### PERMITTED USES

Notwithstanding the uses permitted in Section 8.2.1, only the following uses shall be permitted:

Retirement Home  
Long Term Care Facility



**SCHEDULE "C": SPECIAL EXCEPTIONS**

## Multiple Dwelling

## SPECIAL PROVISIONS FOR "I3, 659" ZONE

Subsection 4.23 d): Shall not apply.  
Special Setback

In addition to Multiple Dwelling in conjunction with a  
Subsection 5.2 x) Retirement Home shall also apply.  
Design Standards

Notwithstanding Three storeys, measured from grade.  
Subsections 8.3.2.1 c)  
and 8.3.2.2 b)  
Maximum Building  
Height

In addition to Section 8.3, the following special provisions shall also apply to the development within the "I3, 659" Zone

- a) Basement Where there is a basement, no more than 50% of its area may be devoted to dwelling units.
- b) Separation of Massing A minimum of two, one storey sections of the building, having a minimum length of 9.0 metres, each shall be incorporated into the building.

## DEFINITIONS

Notwithstanding the definition of Grade in Section 3: Definitions

**Grade**

Shall mean the average level of the proposed or finished ground adjoining a building calculated along the exterior wall at the

front of the building, having the principal entrance on the private road.

(By-law No. 17-283, December 8, 2017)

660. In addition to Section 6.1.1 of this By-law within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 911 of Schedule "A" – Zoning Maps and described as 136-146 Cannon Street East the following uses shall also be permitted:

Duplex Dwelling  
Single Detached Dwelling  
Semi-Detached Dwelling  
Street Townhouse Dwelling

(By-law 18-114, May 9, 2018)

663. Within the lands zoned Conservation / Hazard Lands (P5, 663) Zone, identified on Map No. 1230 of Schedule "A" and described as 558 Golf Links Road, the following special provisions shall apply"

#### SPECIAL PROVISIONS FOR "P5, 663" ZONE

- |                               |   |
|-------------------------------|---|
| a) Location of retaining wall | Shall only be permitted along the southwesterly lot line, southerly lot line, and adjacent to a required driveway access.       |
| b) Service Road Access        | A private service road access shall be permitted from Southcote Road.   |
| c) Services                   | Connections for a private water and wastewater services shall be permitted in conjunction with the private service road access. |

(By-law No. 17-283, December 8, 2017)

- 664 Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 912 of Schedule "A" - Zoning Maps and described as 252-256 Victoria Avenue North and 290 Barton Street East, the following special provisions shall apply:
- a) Notwithstanding Section 3: Definitions, for the purposes of this Special Exception, the front lot line shall be deemed Victoria Avenue North.
  - b) Notwithstanding Subsection 5.2 b) i), the minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.
  - c) In addition to section 10.5 a), a minimum of landscaped strip of 2.0 metres in width shall be provided and maintained along Victoria Avenue North.

(By-law No. 17-240, November 8, 2017)

665. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1241 of Schedule "A" – Zoning Maps and described as 675 Mohawk Road East, the following special regulations shall apply:
- a) Subsection 4.25 (c)(ii) shall not apply.
  - b) Subsection 10.3.3(i)(vi) shall not apply.

(By-law No. 17-240, November 8, 2017)

666. Within the lands zoned District Commercial (C6) Zone, identified on Map 1187 of Schedule "A" – Zoning Maps and described as 601 Upper Gage Avenue and 952 Fennell Avenue East, the following special regulation shall apply:
- a) Notwithstanding Subsection 4.12 (f)(ii), expansions to buildings legally existing on the date of the passing of the by-law may be

permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 2,973 square metres.

(By-law No. 17-240, November 8, 2017)

667. Within the lands zoned District Commercial (C6) Zone, identified on Map 1447 of Schedule "A" – Zoning Maps and described as 505 Rymal Road East, the following special regulation shall apply:

- a) Notwithstanding Subsection 4.12 (f)(ii), expansions to buildings legally existing on the date of the passing of the by-law may be permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 4,180 square metres.

(By-law No. 17-240, November 8, 2017)

669. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1051 and 1097 of Schedule "A" – Zoning Maps and described as 461 Green Road, the following special provisions shall apply:

- a) In addition to Section 3 of this By-law, any reserve block abutting a lot line shall be considered a street.
- b) In addition to 4.23 a) and Section 5.2 e) and notwithstanding Sections 5.1 a) v) b), 5.1 d), 5.2 b) and f), 5.2.1 c), 5.2 (h) i), and 5.6 c) and e), the following regulations shall apply:

- i) **Special Setbacks**                      Electrical and communication facilities, noise walls, and fences existing on the effective date of this By-law shall be deemed to comply with the regulations for any required setbacks and are permitted by this By-law.

- ii) **Planting Strip**                      Shall provide a 2.8 metre wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisles, except for that portion where a building, not including any accessory structure or mechanical or unitary equipment, is located between

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|      |   |   |
|------|---|---|
|      |   | the street line and parking spaces and aisles.  |
| ii)  | Parking Location  | Parking spaces in excess of the required parking and aisles shall be permitted between the required building façade and the front lot line.   |
| iv)  | Parking Space Sizes   | <p>a) Minimum 2.75 metres in width and 5.8 metres in length.</p> <p>b) Notwithstanding a) above, barrier free parking spaces shall be a minimum of 2.8 metres in width and 5.8 metres in length, accompanied by a painted aisle of not less than 1.5 metres in width.</p> |
| v)   | Surfaces of Parking Spaces and Parking Lots   | May include exhaust and intake vents provided at grade.   |
| vi)  | Loading Facilities  | A Loading Facility shall be permitted in a required yard abutting a Residential Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.  |
| vii) | Number of Parking Spaces for a Multiple Dwelling and Commercial or Institutional Uses | <p>a) Minimum 1.25 parking spaces and 0.25 visitor parking spaces per dwelling unit.</p> <p>b) Maximum 1.5 parking spaces and 0.35 visitor parking spaces per dwelling unit.</p>  |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

- c) No parking spaces shall be required for Commercial or Institutional Uses.
- d) Each shared commercial and residential visitor parking space shall:
  - a. be maintained for the use of both the commercial and residential visitor parking;
  - b. have a sign erected and legibly marked that the parking spaces are for the use of both commercial and residential visitor parking: and,
  - c. be maintained and readily accessible for either use, free and clear of all obstructions.

viii) Landscaped Area

Landscaped Area(s) with a minimum combined area of 2% of the area of the parking lot and associated access driveway and maneuvering areas shall be provided and maintained.

- c) Notwithstanding Sections 10.5.3 a), d), g), i), and j), and in addition to Sections 10.5.1.1 and 10.5.3 h), the following regulations shall apply:

i) Building Setback from a Street Line

From Green Road:

- a) Minimum 0.4 metres; and,
- b) Maximum 8.5 metres.

From North Service Road:

- ii) Restricted Uses
    - a) Maximum 16.5 metres.
    - a) Multiple Dwelling Unit(s) shall only be permitted in conjunction with a Commercial Use.
  - iii) Building Height
    - a) Minimum 7.5 metre façade height for any portion of a building along a street line;
    - b) Maximum 46.0 metres;
    - c) In addition to a) and notwithstanding b) above, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Sections 10.5.3 b) and c) of this By-law when abutting a Residential Zone, to a maximum of 46.0 metres; and,
    - d) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the

uppermost point of the building, subject to the following regulations:

- a. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;
- b. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,
- c. The wholly enclosed or partially enclosed structure belonging to an



amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

iv) Built form for New Development

In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law:

- a) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
- b) The minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street.
- c) In addition to Subsections a) and b) above, the minimum width of the ground floor façade facing the front and flankage lot lines

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shall exclude access driveways and any required yards within a lot line abutting a street.

d) No parking spaces and/or aisles shall be permitted between the required building façade and the flankage lot line.

e) A minimum of one principal entrance shall be provided:

a. within the ground floor façade that is set back is closest to a street; and,

b. shall be accessible from the building façade with direct access from the public sidewalk.

f) A walkway shall be permitted in a Planting Strip where required by the By-law.

v) Minimum Amenity Area for Dwelling Units and Multiple Dwellings

In addition to the Minimum Amenity Area requirements, a rooftop amenity area that has exposure to the front lot line shall be less than 4.0 metres in depth.

vi) Planting Strip

a) A minimum 0.7 metres wide Planting Strip shall be provided and maintained along the rear lot line abutting a Residential zone

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between the rear lot line,  
and, parking aisles and  
exhaust and intake vents;  
and,

- b) A minimum 2.0 metre wide Planting Strip, which may include a noise wall, shall be provided and maintained along the remainder of the rear lot line abutting a Residential zone.

vii) Visual Barrier Requirement

A visual barrier shall be required along any lot line abutting a Residential Zone property line in accordance with Section 4.19 of this By-law, except between the rear lot line and exhaust and intake vents.

viii) Density

- a) Minimum 100 dwelling units per net residential hectare.
- b) Maximum 349 dwelling units per net residential hectare.

- d) Section 10.5.1.1 i) 1) shall not apply.

(By-law No. 20-036, February 27, 2020)  
(By-law No. 21-189, October 15, 2020)

670. Within the lands zoned Conservation / Hazard Land (P5) Zone, identified on Map No. 1435 of Schedule "A" – Zoning Maps and described as 503 and 515 Garner Road West, the following special provisions shall apply:

- a) Notwithstanding Subsection 4.23 d), all buildings or structures located on the subject property shall be setback a minimum of 6.0 metres from the Conservation / Hazard Land (P5) Zone.

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(By-law No. 18-052, February 14, 2018)

671. Within the lands zoned Open Space (P4) Zone, identified on Map 876 of Schedule "A" – Zoning Maps and described as part of 175 Pier 24 Gateway, the following special provisions shall apply:

a) In addition to Subsection 7.4.1, the following use shall also be permitted:

i) Private Access Road.

(By-law No. 18-093, April 11, 2018)

672. Within the lands zoned Conservation / Hazard Land (P5) Zone, identified on Map 1034 of Schedule "A" – Zoning Maps, and described as Part of 870 Scenic Drive, the following special provisions shall apply:

a) In addition to Subsection 7.5.1, the following uses shall be permitted only within the building existing as of June 22, 2012 (known as the Long and Bisby Building):

i) A maximum of 12 dwelling units;

ii) Commercial uses limited to:

Art Gallery  
 Artist Studio  
 Business or Professional Office  
 Community Centre  
 Craftsperson Shop  
 Day Nursery  
 Lecture Room  
 Library  
 Museum  
 Personal Service  
 Restaurant, to a maximum gross floor area of 200 square metres  
 Retail Store, excluding a Convenience Store, to a maximum gross floor area of 200 square metres

iii) Accessory uses limited to:

Craftsperson Shop  
 Day Nursery  
 Home Occupation  
 Medical Clinic  
 Office  
 Personal Service

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Studio

Retail Store, to a maximum gross floor area of 200 square metres

(By-law No. 18-219, August 17, 2018)

673. Within the lands zoned Neighbourhood Commercial (C2, 673) Zone, identified on Map No. 1252 of Schedule "A" Zoning Maps and described as 417, 419, 421, & 423 Highway No. 8, and the rear portions of the lands located at 176 Millen Road and 175 Margaret Avenue, the following special provisions shall apply:

- a) Notwithstanding Section 5.2 b), h) and 5.6 c) the following special parking regulations shall apply:
  - i) 

|                                 |  |
|---------------------------------|--|
| Parking Space<br>Size Dimension | A minimum parking space size<br>dimension of 2.75 metres by 5.8<br>metres shall be provided; |
|---------------------------------|--|
  - ii) Section 5.2 h) shall not apply
  - iii) 

|                                |   |
|--------------------------------|---|
| Minimum Parking<br>Requirement | 59 parking spaces shall be provided<br>and maintained for the entire site |
|--------------------------------|---|
- b) In addition to Section 10.2.3 a) ii) and Notwithstanding Sections 10.2.3 c) ii), d), f), and g) the special regulations shall apply:
  - i) 

|   |  |
|---|--|
| Maximum Building<br>Setback from a<br>Street Line | 5.3 metres for the building existing on<br>the date of the passing of this By-law. |
|---|--|
  - ii) 

|                               |  |
|-------------------------------|--|
| Minimum Interior<br>Side Yard | 2.7 metres abutting a Residential or<br>Institutional Zone or lot containing a<br>residential use; |
|-------------------------------|--|
  - iii) 

|                |              |
|----------------|--------------|
| Maximum Height | 15.0 metres; |
|----------------|--------------|
  - iv) Section 10.2.3 f) shall not apply;
  - v) 

|  |                      |
|--|----------------------|
| Maximum Gross<br>Floor Area for<br>Commercial Uses<br>on a Lot | 1,800 square metres; |
|--|----------------------|

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- vi) Maximum Glazing of Façade      A maximum of 50% of glazing on west facing windows shall be composed of transparent vision glass.

(By-law No. 18-087, April 11, 2018)

(By-law No. 24-137, July 12, 2024)

674. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 1934 and 1956 of Schedule "A14", and described as:

| Property Address                                     | Map Number |
|--|------------|
| 3100 Regional Road 56                                | 1934       |
| 3110 Regional Road 56                                | 1934       |
| 3120 Regional Road 56                                | 1934, 1956 |
| 3140 Regional Road 56                                | 1934, 1956 |
| Block 131 of Registered Plan of Subdivision 62M-1062 | 1934       |

The following special provisions apply:

- a) Notwithstanding the definition of "Front Lot Line" in Section 3, Regional Road 56 shall be deemed the front lot line.
- b) In addition to the definition of "Landscaped Area" in Section 3, Landscaped Areas may also include hydro transformers and similar appurtenances.
- c) The lands described as 3100, 3110, 3120, 3140 Regional Road 56 and Block 131 of Registered Plan of Subdivision 62M-1062 shall be deemed one lot for zoning purposes.
- d) In addition to Subsection 5.1 d) i) and 5.6 c), and notwithstanding Subsections 5.1 a) v), 5.2 b) and f), and 5.6 c) i. and iv., the following regulations shall apply:
  - i) The minimum parking space size shall be 3.0 metres in width and 5.8 metres in length.
  - ii) The minimum barrier-free parking space size shall be 4.4 metres in width and 5.8 metres in length, except where two (2) barrier-free parking spaces are located together, a minimum 3.5 metres in width shall be permitted for each space.
  - iii) Minimum Parking Requirements

**i. Residential Uses**

|                          |                              |
|--------------------------|------------------------------|
| Dwelling Unit and        | 1 space per unit.            |
| Dwelling Unit, Mixed Use | 0.5 visitor spaces per unit. |

**ii. Commercial Uses**

|                     |   |
|---------------------|---|
| All Commercial Uses | 1 for each 30 square metres of Gross Floor Area which accommodates such use |
|---------------------|---|

iv) Minimum Loading Space Requirements: 1 space

e) Notwithstanding Subsection 4.6 a), d), e), and f), the following regulations apply:

- i) Sills, belt courses, cornices, eaves and gutters, chimneys, bay windows, and pilasters may project into any required yard a maximum 3.0 metres; and,
- ii) Balconies, canopies, fruit cellars, and unenclosed porches may project into any required front, rear or side yard a maximum 3.0 metres.

f) In addition to Subsection 10.5a.1, the following uses shall also be permitted:

- i) Dwelling Unit
- ii) Multiple Dwelling
- iii) Private Club or Lodge

g) Notwithstanding Subsection 10.5a.1.1 ii) 2., Dwelling Units shall be permitted on the ground floor.

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h) Notwithstanding Subsections 10.5a.3 a), d), h) x), i), and in addition to Subsection 10.5a.3. j), the following regulations shall apply:

- |      |   |   |
|------|---|---|
| i)   | Maximum Building Setback from a Street Line | No Maximum  |
| ii)  | Building Height                             | The maximum building height shall be 11 metres.   |
| iii) | Built Form for New Development              | The first storey shall have a minimum height of 3.5 metres and a maximum height of 4.5 metres.  |
| iv)  | Planting Strip Requirements                 | Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 6.0 metre wide Planting Strip shall be provided and maintained. |
| v)   | Visual Barrier                              | A Visual Barrier shall also be required where a loading space abuts any Residential or Institutional Zone or a residential or institutional use.  |

(By-law No. 21-189, October 15, 2021)  
(By-law No. 22-084, April 13, 2022)

675. *Deleted*

(By-law No. 21-189, October 15, 2021)

676. Within the lands zoned City Wide Park (P3) Zone, identified on Maps 1341, 1342, 1393 and 1394 of Schedule "A" – Zoning Maps, and described as a portion of 1086 West 5<sup>th</sup> Street, the following special provisions shall apply:

a) In addition to Section 3, the following definition shall apply:

|                                    |  |
|------------------------------------|--|
| <b>Archaeological Conservation</b> | Shall mean the preservation of an archaeological resource or resources in place. |
|------------------------------------|--|



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- b) Notwithstanding Subsection 7.3.1, only Archaeological Conservation shall be permitted.

(By-law No. 18-219, August 17, 2018)

677. Within the lands zoned Light Industrial (M6) Zone, identified on Maps 870 and 871 of Schedule "A" – Zoning Maps and described as:

| Property Address  | Map Number  |
|---|-------------|
| 440 Victoria Avenue North   | 870         |
| 3 Studebaker Place  | 870         |
| 4 Studebaker Place  | 870         |
| 7 Studebaker Place  | 870         |
| 8 Studebaker Place  | 870         |
| 11 Studebaker Place   | 870         |
| 12 Studebaker Place   | 870         |
| 15 Studebaker Place   | 870         |
| 16 Studebaker Place   | 870         |
| 19 Studebaker Place   | 870         |
| 20 Studebaker Place   | 870         |
| 23 Studebaker Place   | 870         |
| 24 Studebaker Place   | 870         |
| 27 Studebaker Place   | 870 and 871 |
| 28 Studebaker Place   | 870         |
| 341 Ferrie Street East  | 870         |
| 345 Ferrie Street East  | 870         |
| 349 Ferrie Street East  | 870         |
| Lands on the north side of Mars Avenue, in the area of Cheever Street | 870 and 871 |

The following special provisions shall apply:

- a) In addition to Subsection 9.6.1, the following uses shall also be permitted:
- i) Animal Shelter;
  - ii) Biotechnical Establishment;
  - iii) Commercial Motor Vehicle Washing Establishment;
  - iv) Commercial School;
  - v) Commercial Recreation;
  - vi) Landscape Contracting Establishment;
  - vii) Microbrewery;
  - viii) Pharmaceutical and Medical Establishment; and,

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- ix) Science and Technology Establishment.
- b) Notwithstanding Subsections 9.6.3 a), b), c), e)i), i), and o)i), the following special regulations shall also apply:
  - i) Minimum Lot Area                      3,130 square metres
  - ii) Minimum Lot Width                    28 metres
  - iii) Minimum Yard Abutting a Street
    - 1. 3.0 metres along Studebaker Place; and,
    - 2. 0.0 metres abutting Victoria Avenue
  - iv) Gross Floor Area for Office Use                      Maximum Gross Floor Area for Office use within an individual building, shall be limited to 4,000 square metres.
  - v) Maximum combined Floor Area for Accessory Retail and Showroom area                      25% of the gross floor area of the principal use.
- d) Notwithstanding Subsections 5.2b) and f), the following parking regulations shall apply:
  - i) Parking Space Size Dimension                      A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.
  - ii) Barrier Free Parking Space Size Dimension                      A minimum barrier parking space size dimension of 4.4 metres by 5.5 metres shall be provided and maintained.
- e) The following special regulations shall also apply for the property located at 440 Victoria Avenue North:
  - i) notwithstanding Subsections 9.6.3 c) and k) , the minimum yard abutting Ferrie Street East shall be 0.0 metres.

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- f) The following special regulations shall also apply for the property located at 16, 20, 24 and 28 Studebaker Place;
  - i) Notwithstanding Subsection 9.6.3 c) and k), the minimum yard abutting Mars Avenue shall be 0.0 metres.
- g) The following special regulations shall also apply for the property located at 3, 7, 11, 15, 19, 23 and 27 Studebaker place;
  - i) Notwithstanding Subsection 9.6.3 g) shall not apply.

(By-law No. 18-093, April 11, 2018)

678. Within the lands zoned General Business Park (M2) Zone, Prestige Business Park (M3) Zone, Business Park Support (M4) Zone, identified on Maps 1433, 1434, 1435, 1481, 1482, 1483, 1484, 1528, 1529, 1530, 1531, 1573 and 1574 of Schedule "A" – Zoning Maps, and described as the Ancaster Business Park, shown as Figure 3 of Schedule "F" – Special Figures, the following special provision shall also apply:

- a) In addition to Subsections 9.2.1, 9.3.1 and 9.4.1, the following uses shall also be permitted:  
Children's Play-gym  
Gymnastics Studio

(By-law No. 18-219, August 17, 2018)

681. Within the lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 199 Glover Road, the following special provisions shall apply:

- a) In addition to Subsection 12.1.1, a Long Term Care Facility shall also be permitted.
- b) In addition to Subsection 4.12 d), Section 5, and Subsection 12.1.3, any parking spaces and drive aisles existing as of July 10, 2015 shall be deemed to comply with the regulations for any required setbacks, location on the lot, and number of parking spaces.

(By-law No. 18-219, August 17, 2018)

682. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1100 of Schedule "A" – Zoning Maps and described as 86, 88, 90, 92 and 94 Lakeview Drive and a portion of 96 Lakeview Drive, the following special provisions shall apply:

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- a) Notwithstanding Section 5.6 c), the parking requirement shall be 1.3 per dwelling unit.
- b) Modify Subsection 10.5.1 by deleting "Dwelling Unit(s)" and replacing it with "Dwelling Unit(s) in conjunction with a Commercial Use".
- c) Notwithstanding Subsection 10.5.3 a) ii), the minimum building setback from a street line shall be 1.5 metres, up to a maximum of 4.5 metres, except where a visibility triangle is required for a driveway access.
- d) Subsection 10.5.3 g) ii), iii) and iv) shall not apply.

(By-law No. 19-010, January 23, 2019)

687. Within the lands zoned Mixed Use – Medium Density (C5, 687) Zone, identified on Map No. 1195 of Schedule "A" and described as 121 and 125 Highway No. 8, the following special provisions shall apply:

- a) Notwithstanding Sections 5.2 h) ii), 10.5.1.1 i) 1., 10.5.3 a) i), 10.5.3 d) ii), 10.5.3 d) iv) B. and C., and in addition to Section 3, the following special provisions shall also apply:

b) REGULATIONS

- a) Design Standards

Each Landscaped Area shall have a minimum width of 1.1 metres and a minimum area of 10.0 square metres and each landscape parking island shall have a minimum width of 2.8 metres and a minimum area of 10.0 square metres.

- b) Restriction of Uses within a Building

- 1. The finished floor elevation of any dwelling unit shall be a minimum of 0.0 metres above grade.
- 2. All at grade residential units which front a street shall have a principal entrance

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- |  |   |
|--|---|
| c) Building Setback from a Street Line | i) facing the street and be accessible from the building façade with direct access from the street. Minimum 2.5 metres for a building with residential units on the ground floor facing a street.   |
| d) Building Height                     | ii) Maximum 26.0 metres.  |
| e) Definitions                         | For the purposes of this By-law, the definition of Building Height shall not include a furniture storage area within a mechanical penthouse and vestibule connected and providing access to the elevator bulkhead and mechanical penthouse. |

(By-law No. 18-239, August 17, 2018)

688. Notwithstanding Section 6.1.1 of this By-law within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 910 of Schedule "A" – Zoning Maps and described as 107 MacNab Street North, Clothing Manufacturing shall also be permitted.

(By-law No. 18-114, May 9, 2018)

689. Within those lands zoned Agriculture (A1) Zone, identified on Maps RU131 and RU143, of Schedule "A" – Zoning Maps and described as:

| Property Address                      | Map Number      |
|---------------------------------------|-----------------|
| 1915, 1995 and 1997 Jerseyville Rd W. | RU131 and RU143 |

The following special provisions shall apply:

- a) In addition to Section 3: Definitions, for the purposes of this By-law, the definition of Greenhouse shall mean a building or structure used for Agriculture that is climatically controlled and made primarily of translucent building material.
- b) In addition to Section 3: Definitions, for the purposes of this Special Exception, the definition of Cannabis Growing and Harvesting Facility

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shall mean a wholly enclosed building or structure used for growing harvesting, testing, destroying, packaging and shipping of cannabis, for a facility where a licence, permit or authorization has been issued under applicable federal law.

- c) Notwithstanding Subsection 12.1.3.1 m) i), the following applies to the combined subject lands:
- i) One greenhouse for a Cannabis Growing and Harvesting Facility shall be permitted and shall not exceed 13,00 square metres of gross floor area.
  - ii) In addition to i) above, the maximum gross floor area for any new Cannabis Growing and Harvesting Facility shall not exceed 2,000 square metres per building.
  - iii) All buildings and structures shall not exceed a combined lot coverage of 20%
  - iv) Sections 4.1(b) and 4.1(c)(iv) of Zoning By-law No. 18-266 shall not apply.

(By-law No. 19-133-LPAT, May 14, 2019)

691. Within those lands zoned Rural (A2) Zone, identified on Maps RU25 and RU26, of Schedule "A" – Zoning Maps and described as:

| Property Address                                       | Map Number    |
|--|---------------|
| 1633, 1649 and 1653 Highway No. 6<br>North Flamborough | RU25 and RU26 |

- a) The following special provisions shall apply to 1649 and 1633 Highway No. 6 North:
- i) Notwithstanding Subsection 12.2.3.1 m) and 12.2.3.2 d) i), the maximum gross floor area for all buildings and structures devoted to the Cannabis Growing and Harvesting Facility shall not exceed 9,505 square metres and shall be comprised of:
    - 1. Growing and Harvesting of Cannabis      A maximum gross floor area of 6,305 square metres
    - 2. Agricultural Processing – Secondary      A maximum gross floor area of 600 square metres

3. Accessory Uses (office, testing, packaging, storage, internal area of 2,600 square metres corridors and shipping and loading)
  - ii) Notwithstanding Section 12.2.3.1 e), the maximum lot coverage for all buildings and structures, devoted to a Cannabis Growing and Harvesting Facility shall not exceed 37% of the combined lot area.
  - b) The following special provisions shall apply to 1649 Highway No.6 North:
    - i) Notwithstanding Subsection 12.2.3.1 m) iv)2., and Subsection 4.12 d) any building or structure used for a Cannabis Growing and Harvesting Facility shall be setback a minimum of 125 metres from the existing single detached dwelling located at 1653 Highway No. 6 North.
    - c) The following special provisions shall apply to 1633 Highway No.6 North:
      - i) In addition to Subsection 7.7.1, an office use in conjunction with the Cannabis Growing and Harvesting Facility and the uses identified in Subsections 12.2.1 and 12.2.3.2 a) shall be permitted within the building existing at the date of the passing of the by-law on May 22<sup>nd</sup>, 2019.
      - ii) Notwithstanding Clause i) the following uses shall be prohibited:
        1. Cannabis Growing and Harvesting Facility;
        2. Single Detached Dwellings;
        3. Residential Care Facility;
        4. Farm Labour Residence; and,
        5. Agricultural Processing Establishment – Secondary
      - iii) Notwithstanding Subsection 7.7.2.1 b), no expansions to the existing building shall be permitted.
    - d) The following special provisions shall apply to 1653 Highway No.6 North:
      - i) No expansions to the existing single detached dwelling shall be permitted.
- (By-law No. 19-130, May 22, 2019)
694. Within the lands zoned Community Institutional (I2) Zone, identified on Map Nos. 1280 and 1333 of Schedule "A" – Zoning Maps and described as 179, 183, and 189 Wilson Street West, Ancaster, the following special provisions shall apply:

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a) In addition to Subsection 8.2.3.1 c), and notwithstanding Subsection 8.2.3.1 d), and g) the following regulations shall apply:

- ii) Minimum Side Yard      2 metres for a ramp or retaining wall for an underground parking area.
- ii) Minimum Rear Yard      15 metres
- iv) Maximum Capacity for a Retirement Home      Shall not exceed 134 residents

(By-law No. 20-010, January 22, 2020)

695. Within the lands zoned Mixed Used Medium Density – Pedestrian Focus (C5a, 695) Zone, identified on Map No. 482 of Schedule "A" and described as 21 Mill Street North, the following special provisions shall apply:

- a. Notwithstanding Section 5.2 (b), a parking space size shall be 2.6 metres in width and 5.5 metres in length;
- b. Notwithstanding Section 5.2(f) a barrier free parking space shall be 4.4 metres in width and 5.5 metres in length;
- c. Notwithstanding Section 5.2(i) no minimum aisle width shall be required when abutting a public laneway.

(By-law No. 19-025, February 14, 2019)

696. Within the lands zoned Downtown Multiple Residential (D6, 696) Zone, identified on Map No. 1092 of Schedule "A"- Zoning Maps and described as 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions and only for the purposes of Special Exception No. 696 the following definitions shall apply:
  - i) Block Townhouse Dwelling      Shall mean a building divided vertically by a common or party wall, into a minimum of three and a maximum of eight Dwelling Units fronting on a laneway or common condominium driveway, each of which having an independent



entrance at grade, but shall not include a maisonette.

- ii) **Maisonette Dwelling**

Shall mean a building used exclusively for residential purposes divided vertically into a minimum of four and a maximum of 16 back-to-back Dwelling Units, by two or more common walls which prevent internal access between units and extend from the base of the foundation to the roof line, and each Dwelling Unit having an independent entrance at grade.
  - iii) **Stacked Townhouse Dwelling**

Shall mean a building divided vertically and horizontally into a minimum of three and a maximum of 24 Dwelling Units, by common walls which prevent internal access between units, with each Dwelling Unit having one or more private entrances at grade.
- b) Notwithstanding Section 4.3 b), 4.6 d) and e) 4.23 d) and in addition to Section 4.21 c) of this By-law the following shall apply:
  - A) Section 4.3 b) shall not apply to **Blocks "2", "4", "4a", "5", "7", and "7a"** for a standard condominium.
  - B) **Permitted Yard Encroachments**
    - 1. A porch, deck or canopy including any associated stairs may encroach into any required yard to a maximum of 1.8 metres.
    - 2. A balcony may encroach into any required yard to a maximum of 1.8 metres, except for a required side yard of not more than one third of its width or 1.8

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metres, whichever is lesser.

- C) Home Business
  - Block Townhouse Dwellings, Maisonette Dwellings and Stacked Townhouse Dwellings shall be permitted to have a Home Business in accordance with Section 4.21 c) i) – iii).
  
- D) Setback to a Conservation / Hazard Land (P5) Zone
  - All buildings or structures located on a property shall be setback a minimum of 5.0 metres.
  
- c) Notwithstanding Section 5.1 a) v) c) and 5.6 a) of this By-law the following special provisions shall apply:
  - A) Restriction of Architectural Wall or Feature within a Required Planting Strip
    - Where a planting strip is provided, as per Section 5.1 a) v) c), any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 2.0 metres.
  
  - B) Parking Requirements
    - Parking spaces shall be provided in the minimum quantity specified below:
      - Block Townhouse Dwelling  
Maisonette Dwelling  
Stacked Townhouse Dwelling  
Multiple Dwelling
        - i) Dwelling units less than 50.0 square metres in gross floor area
          - 0.3 per unit;
        - ii) Dwelling units greater than 50.0
          - 1. 0.80 for each dwelling unit;

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- |                                    |   |
|------------------------------------|---|
| square metres in gross floor area  | 2. Notwithstanding B) ii) 1. above, 0.45 for each dwelling unit in a multiple dwelling in <b>Block "7"</b> as shown on Figure 20 of Schedule "F" – Special Figures. |
| iii) Units with 3 or more bedrooms | 0.3 per unit.   |
- d) For the purposes of Special Exception No. 696 a maximum of 840 dwelling units shall be permitted.
- e) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "1" and "3"** as shown on Figure 20 of Schedule "F" – Special Figures:
- i) Notwithstanding Section 6.6.1 the permitted uses shall be restricted to Street Townhouse Dwelling Units.
  - ii) In addition to i) above, an accessory dwelling unit shall only be permitted within an end unit.
  - iii) Notwithstanding Section 6.6.2.2 the following special provisions shall apply:
 

|                       |   |
|-----------------------|---|
| A) Minimum Lot Area   | 120.0 square metres for each dwelling unit.   |
| B) Minimum Unit Width | 4.8 metres for each dwelling unit.  |
| C) Minimum Front Yard | 1. 4.5 metres for the dwelling; and,<br><br>2. 6.0 metres for the garage.   |
| D) Minimum Side Yard  | 1. Minimum 1.2 metres except for the side yard related to the common wall of the dwelling unit, which shall have a minimum 0 metre side yard; |

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- 2. 1.5 metres to a flankage yard.
  - E) Minimum Rear Yard 7.0 metres
  - F) Building Height
    - 1. Minimum 9.0 metres; and,
    - 2. Maximum 12.0 metres.
  - G) Maximum Number of Street Townhouse Dwelling Units in a Row 8
- f) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "2"** as shown on Figure 20 of Schedule "F" – Special Figures:
  - i) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Block Townhouse Dwelling Units.
  - ii) In addition to i) above, an accessory unit shall only be permitted within an end unit.
  - iii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the lot line abutting Ayr Avenue shall be deemed the front lot line.
  - iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following special provisions shall apply to Block Townhouse Dwellings:
    - A) Minimum Lot Width 12.0 metres;
    - B) Minimum Front Yard 1.5 metres;
    - C) Maximum Flankage Yard 3.0 metres;
    - D) Minimum Side Yard 6.0 metres;
    - E) Minimum Rear Yard 1.5 metres;

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- |    |                                    |  |
|----|------------------------------------|--|
| F) | Building Height                    | 1. Minimum 9.0 metres; and,<br>2. Maximum 12.0 metres;   |
| G) | Required Parking Space Location    | 1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from the condominium road.   |
| H) | Minimum Setback to a Condo Road    | 1. 4.5 metres to the dwelling.   |
| I) | Minimum Distance between End Walls | 2.4 metres;  |
| J) | Visitor Parking Spaces             | 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit for each unit fronting on a condominium road.<br><br>2. Notwithstanding J) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.<br><br>3. In addition to J) 1. above, visitor parking spaces shall be provided on <b><u>Blocks "4" and "4a"</u></b> as shown on Figure 20 of Schedule "F" – Special Figures. |
- g) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "4" and "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:

- i) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the westerly lot line abutting Reid Avenue South shall be deemed the front lot line.
- ii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted on **Block "4"** as shown on Figure 20 of Schedule "F" – Special Figures:

Stacked Townhouse Dwellings; and,  
Maisonette Dwellings.

- iii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted on **Block "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:

Block Townhouse Dwellings;  
Stacked Townhouse Dwellings; and,  
Maisonette Dwellings.

- iv) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit of a Block Townhouse Dwelling.
- v) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following provisions shall apply to **Block "4" and "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:

- A) Minimum Lot Width 12.0 metres;
- B) Minimum Front Yard 3.0 metres;
- C) Minimum Rear Yard 2.0 metres;
- D) Minimum Side Yard
  - 1. 10.0 metres from northerly lot line; and,
  - 2. 4.5 metres from the southerly lot line.
- E) Minimum Setback to a Condominium Road 4.5 metres;

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- |    |                                       |   |
|----|---------------------------------------|---|
| F) | Minimum Distance<br>between End Walls | 2.4 metres;   |
| G) | Visitor Parking<br>Spaces             | <ol style="list-style-type: none"> <li>1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit for each unit fronting on a condominium road.</li> <li>2. Notwithstanding G) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.</li> <li>3. Visitor parking spaces required in G) 1. above shall be provided in addition to visitor parking spaces required for <b>Block "2"</b> as shown on Figure 20 of Schedule "F" – Special Figures.</li> </ol> |
| H) | Minimum<br>Landscaped Area            | 10 percent of the lot area.   |
| I) | Minimum Planting<br>Strip Requirement | <ol style="list-style-type: none"> <li>1. 3.0 metres along a front lot line; and,</li> <li>2. 2.0 metres along a rear lot line.</li> <li>3. In addition to Sections I) 1. and 2. above, an Architectural Wall or Feature shall be provided within the required planting strip adjacent to visitor parking abutting the Reid Avenue South street line on <b>Block "4a"</b> as shown on Figure 20 of Schedule "F" – Special Figures.</li> </ol>   |

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vi) In addition to v) above, the following special provisions shall apply to Block Townhouse Dwellings:

- |    |                                  |  |
|----|----------------------------------|--|
| A) | Building Height                  | 1. Minimum 9.0 metres; and,<br>2. Maximum 12.0 metres.   |
| B) | Maximum Number of Dwelling Units | 18   |
| C) | Minimum Amenity Area             | 25.0 square metres per unit.   |
| D) | Required Parking Space Location  | Required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road. |

vii) In addition to v) above, the following special provisions shall apply to Maisonette Dwellings and Stacked Townhouse Dwellings:

- |    |                                 |   |
|----|---------------------------------|---|
| A) | Minimum Flankage Yard           | 4.5 metres;   |
| B) | Building Height                 | 1. Minimum 9.0 metres; and,<br>2. Maximum 15.0 metres;  |
| C) | Minimum Private Amenity Area    | 1. 3.0 square metres per dwelling unit; and,<br>2. Private Amenity Area shall be designed for the exclusive use of the dwelling unit. |
| D) | Required Parking Space Location | 1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road.           |



2. Notwithstanding Section D)
    1. above, visitor parking spaces shall not be subject to the minimum distance requirement.
- h) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "5"** as shown on Figure 20 of Schedule "F" – Special Figures:
- i) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, Hayes Avenue shall be deemed the front lot line.
  - ii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted:  
  
Block Townhouse Dwellings;  
Maisonette Dwellings; and,  
Stacked Townhouse Dwellings.
  - iii) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit of a Block Townhouse Dwelling.
  - iv) Notwithstanding the Definition of Maisonette Dwelling in Section a) ii) above, as it relates to the maximum number of back-to back Dwelling Units, a maximum of one Maisonette Dwelling may have a maximum of 20 back-to-back Dwelling Units, with all other Maisonette Dwellings having a maximum of 16 back-to-back Dwelling Units; and,
  - v) That Section 4.9 of this By-law shall not apply to Transformer Boxes.
  - vi) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following provisions shall apply to **Block "5"** as shown on Figure 20 of Schedule "F" – Special Figures:
    - A) Minimum Front Yard 2.0 metres;
    - B) Minimum Flankage Yard 1.0 metres;

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- |    |                                       |   |
|----|---------------------------------------|---|
| C) | Minimum Side Yard                     | <ol style="list-style-type: none"> <li>1. 1.2 metres;</li> <li>2. Notwithstanding Section C) 1. above, no side yard setback is required to Area "1" as shown on Figure 20 of Schedule "F" – Special Figures.</li> <li>3. Notwithstanding Sections C) 1. and 2. above, 6.0 metres shall be required where the side lot line abuts the Red Hill Valley Expressway.</li> </ol>         |
| D) | Minimum Rear Yard                     | 6.0 metres;   |
| E) | Minimum Setback to a Condominium Road | 1.5 metres;   |
| F) | Minimum Distance between End Walls    | 2.4 metres;   |
| G) | Minimum Landscaped Area               | 20 percent of the lot area.   |
| H) | Visitor Parking Spaces                | <ol style="list-style-type: none"> <li>1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.</li> <li>2. Notwithstanding I) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.</li> <li>3. Notwithstanding Section I) 1. above, no Visitor Parking shall be required for a Block Townhouse Dwelling unit or</li> </ol> |

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a Maisonette Dwelling Unit that fronts onto a street.

vii) In addition to iv) above, the following special provisions shall apply to Block Townhouse Dwellings:

- |    |                                  |  |
|----|----------------------------------|--|
| A) | Building Height                  | 1. Minimum 9.0 metres; and,<br>2. Maximum 12.0 metres.   |
| B) | Maximum Number of Dwelling Units | 18;  |
| D) | Minimum Amenity Area             | 25.0 square metres per unit;   |
| C) | Required Parking Space Location  | Required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road. |

viii) In addition to iv) above, the following special provisions shall apply to Maisonette Dwellings and Stacked Townhouse Dwellings:

- |    |                                 |   |
|----|---------------------------------|---|
| A) | Building Height                 | 1. Minimum 9.0 metres; and,<br>2. Maximum 15.0 metres;  |
| B) | Minimum Private Amenity Area    | 1. 3.0 square metres per dwelling unit; and,<br>2. Private Amenity Area shall be designed for the exclusive use of the dwelling unit. |
| C) | Required Parking Space Location | 1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from a condominium road.      |

2. Notwithstanding Section 1. above, visitor parking spaces shall not be subject to the minimum distance requirement.
- i) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "6"** as shown on Figure 20 of Schedule "F" – Special Figures:
- i) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Block Townhouse Dwelling and Multiple Dwelling Units.
  - ii) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit.
  - iii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the lot line abutting Hayes Avenue shall be deemed the front lot line.
  - iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following special provisions shall apply to Block Townhouse Dwellings and Multiple Dwellings:
    - A) Minimum Lot Width    12.0 metres;
    - B) Minimum Front Yard    3.0 metres;
    - C) Minimum Side Yard    6.0 metres;
    - D) Minimum Rear Yard    5.0 metres;
    - E) Building Height    1. Minimum 9.0 metres; and,  
2. Maximum 41.5 metres.
    - F) Required Parking Space Location    The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from the condominium road.

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- G) Minimum Setback to a Condominium Road 4.5 metres;
- H) Minimum Distance between End Walls 2.4 metres;
- I) Visitor Parking Spaces
  - 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.
  - 2. Notwithstanding I) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.
- j) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "7" and "7a"** as shown on Figure 20 of Schedule "F" – Special Figures:
  - i) **Blocks "7" and "7a"** as shown on Figure 20 of Schedule "F" – Special Figures, shall be considered as one lot for the purposes of implementing regulations j) iv) A) – K) below.
  - ii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, Reid Avenue South shall be deemed the front lot line.
  - iii) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Multiple Dwellings.
  - iv) Notwithstanding Section 6.6.2 of this By-law, the following provisions shall apply to **Block "7"** and **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures:
    - A) Minimum Lot Width 12.0 metres;
    - B) Minimum Front Yard
      - 1. 8.0 metres;
      - 2. Notwithstanding 1. above, 3.0 metres shall be

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- permitted for a length not exceeding 20.0 metres.
- C) Minimum Flankage Yard 3.0 metres;
- D) Minimum Side Yard 3.0 metres;
- E) Minimum Rear Yard 3.0 metres;
- F) Maximum Building Height
1. 29.0 metres;
  2. Notwithstanding 1. above, 38.0 metres shall be permitted in **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures.
- G) Visitor Parking Spaces Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.
- H) Minimum Amenity Area
1. 3.0 square metres per dwelling unit located on **Block "7"** as shown on Figure 20 of Schedule "F" – Special Figures; and,
  2. 5.0 square metres per dwelling unit located on **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures.
- I) Minimum Landscaped Area 10 percent of the lot area.
- J) Minimum Planting Strip Abutting a Street 3.0 metres;

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- |   |   |
|---|---|
| k) Minimum Bicycle Parking Requirements | 1. 5 Short Term Bicycle Parking Spaces shall be provided per multiple dwelling; and,<br><br>2. 0.5 Long Term Bicycle Parking spaces shall be provided per unit. |
|---|---|

(By-law No. 18-203, July 13, 2018)  
(Amended by By-law 21-243, December 15, 2021)

697. That Map No.1194 of Schedule "A"- Zoning Maps of By-law No. 05-200, is amended, by incorporating additional Conservation/Hazard Land (P5) Zone boundaries, for the applicable lands, the extent and boundaries of which are shown as "Block 1" hereto annexed to Schedule "A".

- a) In addition to the uses permitted in Section 9.11.1, the following uses shall be permitted:

Funeral Home only in conjunction with all of the following uses:

- i) Motor vehicle service station;
- ii) Motor vehicle collision repair;
- iii) Conference or convention centre;
- iv) Catering service; and,
- v) Office.

**REGULATIONS**

- |                   |   |
|-------------------|---|
| l) Visual Barrier | For the purposes of this By-law, a visual barrier will not be required for a funeral home abutting an Institutional Zone property line. |
|-------------------|---|

In addition to Section 5.6 c) iv) the following special provision shall also apply:

- |              |  |
|--------------|--|
| Funeral Home | 1 for each 20.0 metres of gross floor area with accommodates such use. |
|--------------|--|

(By-law 18-233, August 17, 2018)

699. Within the lands zoned Open Space (P4) Zone, Conservation/ Hazard Land- Rural (P7) Zone and Conservation/ Hazard Land- Rural (P8) Zone, identified on Map Nos. 212, 213, 218 and 219 of Schedule "A" Zoning Maps and described as 5050 Harrison Road, the following special provisions apply:

- a) The following use shall also be permitted:
  - i) Zip Line Adventure Parking containing a maximum of 7 aerial courses, 1 Treewalk Village and 1 administrative building.
- b) The administrative building shall only be located within the Open Space (P4, 699) Zone and shall only be permitted to have a maximum gross floor area of 150 square metres.
- c) The gravel and grass parking areas existing on the date of the passing of this By-law shall be permitted.

(By-law 18-296, September 26, 2018)

700. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 700) Zone identified on Map No. 482 of Schedule "A" and described as 5 Hamilton Street North, the following additional special provisions shall apply:

- a) Notwithstanding Section 5.6 (c)(i), the maximum parking for dwelling units greater than 50 m<sup>2</sup> shall be 1.61 spaces per unit;
- b) The finished floor elevation of any dwelling unit shall be a minimum of 0.10 metres above grade;
- c) Notwithstanding Section 10.5a.3 (h)(vi)(1), the principal commercial entrance within the ground floor façade shall be located on the north side of the building; and,
- d) Notwithstanding 10.5a.1.1 ii) 2), dwelling units, mixed use, may be permitted on the ground floor, provided that no ground floor residential uses front onto Hamilton Street North.

(By-law 18-261, September 12, 2018)

(By-law 19-101, May 9, 2019, NOT FINAL AND BINDING)

(By-law 22-071, April 13, 2022)



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701. Within the lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone identified on Map 953 of Schedule A - Zoning Maps and described as 71 Rebecca Street the following special regulations apply:

a) Notwithstanding Sections 5.2 b), 6.0 c) i) ii) and iii) 2, and 6.1.3 e), the following special provisions shall also apply:

b) REGULATIONS

- |    |   |    |   |
|----|---|----|---|
| a) | Stepback from the Building Base Façade Height   | i) | A minimum 3.0 metre stepback shall be required from the building base façade height of 11 metres along Rebecca Street.  |
| b) | Stepback for the portion of the Building exceeding 22.0 metres, at the southern point of the perpendicular portion of the rear lot line | i) | 1.0 metres  |
| c) | Maximum Lot Coverage  |    | 100%  |
| d) | Parking   | i) | Parking stall sizes shall be in accordance with the following: <ul style="list-style-type: none"> <li>i. 62 parking stalls at 2.8 m x 5.8 m;</li> <li>ii. 93 parking stalls at 2.6 m x 5.8 m;</li> <li>iii. 36 parking stalls at 2.8 m x 5.5 m;</li> <li>iv. 13 parking stalls at 2.8 m x 5.5 m;</li> <li>v. 3 barrier-free parking stalls at 4.6 m x 5.8 m;</li> <li>vi. 3 barrier-free parking stalls at 4.6 m x 5.5 m;</li> </ul> and, |

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- vii. 4 car share parking stalls, at grade at 2.6 m x 5.5 m.

(By-law 20-030, February 12, 2020)  
(By-law No. 22-084, April 13, 2022)

702. Within the lands zoned Downtown Mixed Use (D1, 702, H17) Zone, identified on Maps 952 and 953 of Schedule A" Zoning Maps and described as 154 Main Street East and 49 Walnut Street South the following special provisions shall apply:

- a) Notwithstanding Section 5.2b), 5.7 c), 6.0 c) i), ii) and iii) and e), and 6.1.3 b) ii) the following special provisions shall also apply:

b) REGULATIONS

- a) Building Height      ii) Maximum 80.0 metres.
- b) Minimum Building Stepback from the building base façade above the 7th storey
  - i) 3.0 metres from Main Street East building base facade height, 2.2 metres from the Walnut Street South building base facade height, 44.6 metres from the Jackson Street East base facade height, and 3.0 metres from the easterly side building base facade height.
  - ii) That the building base facade height shall be 24.0 metres, except for that portion of the building that is located within 40.9 metres from the Jackson Street East lot line which shall have a building base facade height of 22.0 metres.
- c) Minimum Stepback
  - The following additional stepback shall be required for any portion of a building exceeding 44.0 metres in height;
  - i) Minimum of 6.5 metres from a lot line abutting a laneway.
  - ii) Minimum of 6.0 metres from all side and rear lot lines except any flankage lot line.

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- |                         |  |
|-------------------------|--|
| d) Maximum Lot Coverage | 87.5 %   |
| e) Parking              | No parking space shall be less than 2.7 metres in width by 6.0 metres in length. |
| f) Bicycle Parking      | 12 short term bicycle parking spaces for all uses.                               |

(By-law 19-199, August 16, 2019)

703. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone, and Conservation / Hazard Lands (P5, 703) Zone, identified on Map No. 949 of Schedule "A" – Zoning Maps and described as 925 Main Street West and 150 Longwood Road South, Hamilton, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions, Main Street West shall be deemed the Front Lot Line.
- b) Notwithstanding Section 4.23 d), all building and structures located on a property shall be setback a minimum of 3.0 metres from a (P5) Zone boundary, except below grade which shall be setback a minimum of 0.0 metres from the (P5) Zone boundary.
- c) Notwithstanding Section 5.2 b) iii), where a wall or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.3 metres; except for where a column is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.1 metres.
- d) Notwithstanding Section 5.6 c) i. and 5.7 c) i. and e), the following shall apply:

**Column 1****Column 2****i. Residential Use(s)**

Lodging House

- A) 1 parking space for each 8.3 persons accommodated or designed for accommodation.

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- B) A minimum of 5 short term bicycle spaces shall be provided.
    - C) A minimum of 0.5 long term bicycle parking spaces per unit shall be provided.
  - e) In addition to Subsection 7.5.1, the following use shall also be permitted:
    - i) PERMITTED USES
      - Recreation
  - f) Notwithstanding Subsection 11.1.3 a) i) and ii), c), d) ii) and iii), and g) iii) and v), the following special provisions shall apply:
    - i) Minimum Building Setback from Main Street West
        - A) 0.0 metres for any portion of a building up to 22.0 metres in height, including to the hypotenuse of the daylight triangle.
        - B) 6.1 metres for any portion of a building greater than 22.0 metres in height.
      - ii) Minimum Building Setback from Longwood Road
        - A) 0.0 metres for any portion of a building up to 22.0 metres in height, including to the hypotenuse of the daylight triangle.
        - B) 15.0 metres for any portion of a building greater than 22.0 metres in height, except 8.8 metres to the hypotenuse of the daylight triangle.
      - iii) Minimum Interior Side Yard
        - A) 0.9 metres for any portion of a building up to 22.0 metres in height when abutting a Residential Zone.
        - B)

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- 4.0 metres for any portion of a building greater than 22.0 metres in height when abutting a Residential Zone.
- |     |                 |    |   |
|-----|-----------------|----|---|
| iv) | Building Height | A) | Maximum 22.0 metres for the podium;   |
|     |                 | B) | Maximum 56.0 metres for "Tower A" as shown on Figure 21 of Schedule F - Special Figures.                |
|     |                 | C) | Maximum 62.0 metres for "Tower B" as shown on Figure 21 of Schedule F - Special Figures is 62.0 metres. |
- 
- |    |                                |    |  |
|----|--------------------------------|----|--|
| v) | Built Form for New Development | A) | Maximum of two 6.0 metre wide driveways shall be permitted for ingress and egress.   |
|    |                                | B) | For a corner lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 50% of the measurement of the front lot line abutting the street, and the minimum width of the ground floor façade facing the flankage lot line shall be greater than or equal to 25% of the measurement of the flankage lot line abutting the street. |

(By-law No. 18-257, September 12, 2018)

705. Within the lands zoned Mixed Use Medium Density (C5, 705, H32) Zone, identified on Map Nos. 1194 and 1195 of Schedule "A and described as 928 Queenston Road, the following special provisions shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS**

- a) Notwithstanding Sections 5.2 b) i) and ii), 10.5.1.1 i) 1., 10.5.3 a) ii), 10.5.3 d) ii) and iii), and 10.5.3 g) vi), the following special provisions shall also apply:
- b) REGULATIONS
- |    |   |     |  |
|----|---|-----|--|
| a) | Restriction of Uses within a Building                   | 1.  | The finished floor elevation of any dwelling unit shall be a minimum of 0.0 metres above grade.  |
|    |   | 2.  | All residential units 0.9m below grade shall have a minimum setback of 32.2 metres.  |
| b) | Building Setback from a Street Line (Lake Avenue Drive) | ii) | Maximum 32.2 metres  |
| c) | Minimum Building Step back from Queenston Road          | i)  | 3.8 metres for the 5 <sup>th</sup> and 10 <sup>th</sup> storey and 6.3 metres for the 11 <sup>th</sup> and 14 <sup>th</sup> storeys.   |
| d) | Building Height   | i)  | Maximum 49.0 metres; and,  |
|    |   | ii) | In addition to Section 10.5.3 d) i) and notwithstanding subsection ii) above, any building height above the 2nd storey shall be step-back from the rear lot line 14.5 metres for the 3rd to 6th storey, 22.3 metres for the 7th and 8th storeys, 30.9 metres for the 9th to 11 <sup>th</sup> storey, 34.6 metres for the 12 <sup>th</sup> storey, 37.6 metres for the 13 <sup>th</sup> storey, and 41.1 metres for the 14th storey when abutting a Residential Zone to a maximum building height of 49.0 metres. |

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**ZONING BY-LAW**

- e) Parking
  - i) Parking space sizes shall be a minimum 2.75 metres in width and 5.8 metres in length;
  - ii) Notwithstanding Subsection i) above, a minimum 2.75 metres in width and 5.8 metres in length shall be permitted at grade or within an underground parking structure.
- f) Built form for New Development
  - iv) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line. Parking spaces and aisles are permitted to be located between the required building facade and the Lake Avenue Drive flankage lot line.  
(By-law 18-346, Dec 19, 2018)

706. Within those lands zoned District Commercial (C6) Zone, identified on Map 1450 of Schedule "A" – Zoning Maps and described as 1405 Upper Ottawa Street, the following special provisions shall apply:

- a) In addition to Subsection 10.6.2, the following uses shall also be permitted only as an accessory use to a pet store or veterinary clinic:
  - i) Animal Shelter
  - ii) Indoor Kennel

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- b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.1.1, Medical Clinic and Office shall only be permitted above the ground floor.

(By-law No. 19-062, March 27, 2019)

707. Within the lands zoned Arterial Commercial (C7, 650, 707) Zone, identified on Map Nos. 1383 and 1434 of Schedule "A" – Zoning Maps and described as 1019 Wilson Street West, Ancaster, the following special provisions shall apply to a Self-Storage Facility with Accessory Retail and Ground Floor Commercial:

- a) In addition to Section 3: Definitions, the following definition shall apply:

|                       |   |
|-----------------------|---|
| Self-Storage Facility | Shall mean the use of a building or structure, or part thereof, for the storage of items that are enclosed in individual storage units for a fee. |
|-----------------------|---|

- b) Notwithstanding Subsection 5.5 a), the following regulation shall apply:

- i) A minimum of 3 barrier free parking spaces shall be designated and provided as part of the required parking spaces of Section c) below, one of which maybe internal to the building.

- c) Notwithstanding Subsection 5.6 c), the following regulation shall apply:

- i) A minimum of 34 parking spaces shall be provided, 4 of which may be internal to the building.

- d) In addition to Subsection 10.7.1, the following use shall also be permitted in accordance with the regulations of Subsection 10.7.3 and Section f) below:

- i) Self-Storage Facility

- e) In addition to Subsection 10.7.1, the following use shall be permitted in accordance with the following restrictions:

- i) Retail accessory to a Self-Storage Facility



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- metres
1. Shall only be permitted on the ground floor of the portion of the building that is greater than 14.0 in height.
  2. Shall not exceed 5 percent of the total gross floor area of the building.
- f) Notwithstanding Subsection 10.7.3 a) and d), the following regulations shall apply:
- i) Minimum Building Setback to a Street Line
    - 1) 16.0 metres from the Wilson Street West Line.
    - 2) 3.5 metres from the Shaver Road Line.
    - 3) 4.5 metres from the hypotenuse of the daylight triangle.
  - ii) Minimum Height 14.0 metres
  - iii) Maximum Height 24.0 metres

(By-law No. 23-071-OLT, April 19, 2023)

708. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1748 and 1749 of Schedule "A" – Zoning Maps and described as 3079 Homestead Drive, the following special provisions shall apply:

- a) Notwithstanding Subsection 10.6.1, the following uses shall be prohibited:
- i) Boat and/or motorized snow vehicle sales establishment;
  - ii) Cold storage locker establishment;
  - iii) Dairies;
  - iv) Farm equipment sales establishment;
  - v) Garden centre;
  - vi) Motor vehicle rental establishment;
  - vii) New and used motor vehicle dealership;
  - viii) Public and private parking lots and structures;
  - ix) Transportation depot;
  - x) Major recreational equipment sales, rental, and service establishment;

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- xi) Taxi establishment.
- b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.1.1 i) 2., a Medical Clinic shall only be permitted above the ground floor.  
(By-law No. 19-062, March 27, 2019)

709. Within the lands zoned Agriculture (A1) Zone, identified on Map RU207 and RU215, of Schedule "A" – Zoning Maps and described as 2282 Westbrook Road (Block 4 on Schedule "A" to this By-law), the following special provisions shall apply:

- i) Notwithstanding Sections 4.8.2 c), for the lands located at 2282 Westbrook Road, only the converted barn existing on the date of the passing of the by-law having a total gross floor area 260 sq. m. and a maximum building height of 8.0 metres shall be permitted.

(By-law No. 20-201-LPAT, September 21, 2020)

710. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1043 of Schedule "A" – Zoning Maps and identified as 52 – 64 Ottawa Street North, the following special provisions shall apply:

- a) Notwithstanding Subsections 5.2b), 5.2f), 5.2i), and 5.6c), the following regulations shall also apply:
  - i) 

|                 |   |
|-----------------|---|
| Parking Space   | A minimum parking space size of 2.7 metres by 5.7 metres shall be provided. |
| Size Dimensions |   |
  - ii) 

|                 |  |
|-----------------|--|
| Barrier-free    | A minimum barrier-free parking space size of 4.4 metres by 5.7 metres shall be provided. |
| Parking Space   |  |
| Size Dimensions |  |
  - iii) 

|  |                   |
|--|-------------------|
| Parking Space  | 0 parking spaces. |
| Requirement for Multiple Dwelling and Community Centre |                   |
  - iv) 

|                               |                   |
|-------------------------------|-------------------|
| Parking Space                 | 2 parking spaces. |
| Requirement for a Day Nursery |                   |

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- v) Visitor Parking Space Additional 0.16 parking spaces per dwelling unit.
  - vi) Minimum Aisle Width 3.0 metres
- b) In addition to Subsection 10.5a.1.1 and notwithstanding 10.5a.3c) and d) ii), the following regulations shall apply:
  - i) Restriction of Uses within a Building
      - 1. A Multiple Dwelling with a maximum of 50 dwelling units.
      - 2. A Day Nursery with a maximum of 31 children
    - ii) Minimum Side Yard (northerly) 1.4 metres
    - iii) Building Height Maximum 20.0 metres.  
(By-law No. 19-062, March 27, 2019)

711. Within the lands zone Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1934 of Schedule "A" – Zoning Maps and identified as 3079 Binbrook Road, the following special provisions shall apply:

- a) In addition to Subsection 10.5a.1, the following use shall also be permitted:
  - i) Funeral Home
- b) Notwithstanding Subsection 4.6a), the following regulation shall also apply:
  - i) Sills, belt cornices, eaves or gutters, chimneys, bay windows, or pilasters may project into any required yard a distance of not more than 0.7 metres
- c) Notwithstanding Subsections 10.5a.3b), c), d) ii), i), h) v), and k), the following provisions shall also apply:
  - i) Minimum Side Yard 1.0 metre

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- ii) Minimum Rear Yard 1.5 metres
  - iii) Maximum Building Height 14.0 metres
  - iv) Planting Strip Requirements Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 0.7 metre wide Planting Strip shall be provided and maintained.
  - v) Parking between Building and Street No parking or aisles may be located within 2.4 metres of any street line or 0.7 metres abutting a Residential or Institutional Zone, or lot containing a residential or institutional use.
  - vi) Outdoor Storage Outdoor display areas, in the form of benches, other street furniture, and outdoor recreational equipment shall be permitted abutting a street and/or the boundary of any Residential or Institutional Zone or residential or institutional use and shall comprise no more than 22% of the total area of the required front yard.
- d) In addition to Subsections 5.1a)v) a), b) and c), and 5.2 b) i), and 5.2b) f), the following regulations shall also apply:
- i) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from a street, shall be subject to the following:
    - a) Shall not be located within 2.4 metres of a street line.
    - b) Shall provide a 2.4 metres wide Planting Strip being required and permanently maintained between the street and parking spaces or aisles.

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- c) Where a Planting Strip is provided as per b) above, benches, other street furniture, and outdoor recreational equipment shall be permitted within a required Planting Strip.
- d) Where a parking area which is required to provide for more than four (4) vehicles abuts a Residential or Institutional Zone or a Residential or Institutional use, a Planting Strip of a minimum width of 0.7 metres shall be provided and maintained, which shall also include fencing and also permit pedestrian and access walkways.

- ii) 

|                              |       |   |
|------------------------------|-------|---|
| Parking<br>Size<br>Dimension | Space | A minimum parking space size of 2.6 metres by 5.5 metres. |
|------------------------------|-------|---|
- iii) 

|   |               |  |
|---|---------------|--|
| Barrier<br>Parking<br>Size<br>Dimension | Free<br>Space | A minimum barrier free parking space size of 4.4 metres by 5.5 metres. |
|---|---------------|--|

712. Within those lands zoned Settlement Residential (S1) Zone, identified on Map No. 80, of Schedule A - Zoning Maps and described as 706 Highway No. 8, the following special provisions apply:

- a) In addition to Section 12.3.3 the following shall apply:
  - i) 

|   |  |
|---|--|
| Maximum<br>Capacity for Single<br>Detached<br>Dwellings | A single detached dwelling shall have a maximum of 3 bedrooms. |
|---|--|
  - ii) 

|                          |       |   |
|--------------------------|-------|---|
| Planting<br>Requirements | Strip | A minimum 2.0 m Planting Strip shall be provided and maintained abutting 708, 712, 716 and 720 Old Highway 8. |
|--------------------------|-------|---|
  - iii) 

|                |   |
|----------------|---|
| Visual Barrier | A Visual barrier shall be provided and maintained along any lot line abutting 708, 712, 716 and 720 Old Highway 8, in accordance with the requirements of Section 4.19 of this By-law |
|----------------|---|

- b) Notwithstanding Section 12.3.3 a), the minimum lot area shall be 0.42 hectares.

(By-law 18-235 September 20, 2018)

(By-law No. 19-062, March 27, 2019)

713. Within those lands zoned Neighbourhood Commercial (C2, 713) Zone, identified on Map No. 1087, of Schedule "A" - Zoning Maps and described as 1274 and 1280 Mohawk Road West, the following special provisions shall apply:

#### Regulations

Notwithstanding Subsection 10.2.3a) of the provisions of Subsection 10.2.3 – Regulations of Section 10:

- a) Building Setback from a Street Line      i) Minimum 1.4 metres

In addition to the provisions of Subsection 10.2.3 – Regulations of Section 10:

- a) Maximum Gross Floor Area for all      576 square metres  
medical clinics on a lot

Notwithstanding Subsection 5.2(b)(i) and 5.2(f) – Parking Standards of Section 5:

- a) Parking space size shall be a minimum of 2.6 metres in width and 5.5 metres in length.
- b) Barrier free parking space sizes shall be a minimum of 3.5 metres in width and 5.5 metres in length.

(By-law No. 18-333, December 19, 2018)

714. Within the lands zoned Conservation/Hazard Land (P5-714) Zone, identified on Map No. 1126 of Schedule A and described as 941 Old Mohawk Road, the following special provisions shall apply:

#### **4.23 SPECIAL SETBACKS**

Notwithstanding any other provisions in this By-law, the following Special Setbacks shall apply:

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- d) Setback from a Conservation/Hazard Land (P5) Zone, Conservation/Hazard Land Rural (P7) Zone and Conservation/Hazard Land Rural (P8) Zone

All buildings or structures located on a property shall be setback a minimum of 7.0 metres from a P5 Zone Boundary.

(By-law 20-114, LPAT May 12, 2020)

715. Within those lands zoned Rural (A2) Zone, identified on Maps RU85, of Schedule "A" - Zoning Maps and described as:

| Property Address     | Map Number |
|----------------------|------------|
| 119 Highway No. 5 W. | RU85       |

The following special provision shall apply:

- a) Notwithstanding Section 12.2.3.3 e), the maximum gross floor area for a farm product supply dealer shall be 3,300 square metres.

(By-law 19-008, January 23, 2019)

717. Within those lands zoned Conservation / Hazard Lands (P5, 717) Zone, identified on Maps 1205 of Schedule "A" - Zoning Maps and described as 90 Creanona Boulevard, the following special provision shall apply:

- a) Section 4.23 Special Setbacks d) shall not apply the existing single detached dwelling and accessory structure.
- b) In addition to Section 7.5 Conservation / Hazard Land (P5) Zone, a private driveway access shall be permitted to access the existing single detached dwelling.

(By-law 19-012, January 23, 2019)

719. Within those lands zoned Conservation / Hazard Lands (P5) Zone, identified on Map Nos. 1385 and 1436 of Schedule "A" - Zoning Maps and described as 305 and 311 Garner Road West, the following special provision shall apply:

- a) Notwithstanding Subsection 4.23 d), all buildings or structures located on a property shall be setback a minimum of 0.0 metres from a P5, P7 and P8 Zone Boundary.

(By-law 19-169, July 12, 2019)

**720. Deleted**

(By-law 19-061, March 27, 2019)

(By-law 21-189, October 15, 2021)

722. Within the lands zoned Conservation / Hazard Land (P5, 722) Zone, identified on Map Nos. 1748 and 1785 of Schedule "A" – Zoning Maps and described as Part of 78 and 80 Marion Street and 3302 and 3306 Homestead Drive, the following special provisions shall apply:

- a) Notwithstanding Subsection 4.23 d), the minimum setback from any building or structure to Conservation / Hazard Land (P5) Zone will be 0 metres.

(By-law 19-118, May 22, 2019)

723. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map No. 911 of Schedule "A" – Zoning Maps and described as 80 and 92 Barton Street East and 245 Catharine Street North, the following special provisions shall apply:

- a) The lands zoned Mixed Use Medium – Pedestrian Focus (C5a, 723) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, not internal lot lines resulting from any future severance.
- b) In addition to Section 3: Definitions of Zoning By-law No. 05-200, the following definition shall also apply:

|                            |   |
|----------------------------|---|
| Stacked Townhouse Dwelling | Shall mean a building divided vertically and horizontally into a minimum of three and a maximum of 16 Dwelling Units, by common walls which prevent internal access between units, with each Dwelling Unit having one or more private entrances at grade. |
|----------------------------|---|

- c) Notwithstanding Section 3: Definitions as it relates to the definition of front lot line, Barton Street East shall be deemed to be the front lot line.



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- d) Notwithstanding Section 5.2 b) i), and in addition (to) Section 5.6 c), 10.5a.1 and 10.5a.1.1, the following uses shall only be permitted on a lot where a commercial use occupies more than 75% of the Barton Street East street line:

Multiple Dwelling  
Stacked Townhouse Dwelling

In accordance with the following provisions:

- |      |   |  |
|------|---|--|
| i)   | Maximum Building Setback from a Street line | 3.0 metres.  |
| ii)  | Minimum Rear Yard                           | 1.5 metres.  |
| iii) | Minimum Side Yard                           | <p>i) 3.0 metres for a Multiple Dwelling, and;</p> <p>ii) 0.9 for a Stacked Townhouse Dwelling</p>   |
| iv)  | Maximum Building Height                     | 14.0 metres.   |
| v)   | Built Form for New Development              | <p>In the case of new buildings constructed after the effective date of this by-law the following shall apply:</p> <p>A) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street.</p> <p>B) No Parking, stacking lanes, or aisles shall be located between the required building façade</p> |

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and the front lot line and flankage lot line.

- vi) Minimum Amenity Area 8.6 square metres per unit.
- vii) Parking
  - A) In accordance with the requirements of Section 5 of this By-law.
  - B) Notwithstanding A) above the following parking standards shall apply:
    - 1. 1.22 space per dwelling unit shall be required.
    - 2. Parking space size shall be a minimum of 2.6 metres in width and 5.5 metres in length.
- viii) Minimum Bicycle Parking Requirements 0.2 Short Term Bicycle Parking Spaces shall be provided per dwelling unit.
- e) Notwithstanding Sections 5.2 b) i), 10.5a.3 b), c), d) i) and ii), h) and i), and in addition to Sections 5.6 c) the following special provisions shall apply for all other uses:
  - i) Minimum Rear Yard 1.0 metre.
  - ii) Minimum Side Yard 0.9 metres.
  - iii) Building Height
    - A) Maximum 15.3 metres.
    - B) Notwithstanding A) above, any building height above 15.3 metres may be equivalently increased as the step back is increased, to a maximum of 21.0 metres.

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- iv) Built Form for New Development
- In the case of new buildings constructed after the effective date of this by-law the following shall apply:
- A) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
  - B) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street.
  - C) In addition to B) above, the minimum ground floor façade facing the front lot line shall exclude access driveways and required yard along a lot line abutting a street.
  - D) No parking, stacking lands, or aisles shall be located between the required building façade and the front lot line and flankage lot line.
  - E) A minimum of one principal entrance shall be provided:
    - 1. Within the Barton Street East ground floor façade; and,
    - 2. Shall be accessible from the building

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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façade with direct access from the public sidewalk.

F) A minimum of 60% of the area of the ground floor façade facing the street shall be composed of doors and windows.

G) The first storey shall have a minimum height of 3.6 metres and a maximum height of 4.5 metres.

v) Parking

A) In accordance with the requirements of Section 5 of this By-law.

B) Notwithstanding A) above the following special requirements shall apply:

1. 117 parking spaces shall be provided.

2. Parking space size shall be 2.6 metres in width and 5.5 metres in length.

3. 5.2 b) iii) shall not apply.

vii) Loading Space

One loading space is required.

viii) Minimum Bicycle Parking Requirements

5 Short Term Bicycle Parking Spaces shall be provided.

f) In addition to Section 10.5a.3 15% of the total lot area shall be provided as landscaped area.

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(By-law No. 19-081, April 24, 2019)

724. Within the lands zoned Neighbourhood Institutional (C5) Zone, identified on Maps 1343 of Schedule "A" – Zoning Maps and described as 1351, 1355, 1359 and 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, the following special provision shall apply:

- a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions the definition of the Front Lot Line shall mean any lot line abutting Stone Church Road East.
- b) Notwithstanding Section 4.6b), a fire escape or exterior stair may encroach into a required front, side or rear yard.
- c) Sections 5.1a)i), 5.1a)v)c), 5.2h)i), 5.2h)ii) and 5.2.1c) shall not apply.
- d) Notwithstanding Sections 5.6c) as it relates to parking requirements for a Multiple Dwelling and Retail, 5.2b)i) and 5.2b)ii), the following regulations shall apply:

- |                             |                      |  |
|-----------------------------|----------------------|--|
| i) Parking Requirements     | A) Multiple Dwelling | 1 space for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces for such unit (excluding 7 spaces from the total required). |
|                             | Retail               | 1. 0 spaces where a use is less than 450.0 square metres in gross floor area; and,<br><br>2. 1 space for each 50 square metres of gross floor area in excess of 450.0 square metres.   |
| ii) Parking Space Dimension | A)                   | A minimum parking space size dimension of 2.8 metres by 5.8 metres shall be provided.  |

- e) In addition to Section 10.5.1.1 and 10.5.1.1i) and notwithstanding Sections 10.5.3a)i), 10.5.3a)ii), 10.5.3c), 10.5.3d)i)-iii), 10.5.3g)iii), 10.5.3g)iv), 10.5.3g)vii), 10.5.3g)viii), 10.5.3h)i), 10.5.3h)ii), 10.5.3h)iii), and 10.5.3j) the following shall apply:
- i) Restricted Uses
    - A) Multiple Dwelling
      - 1. Notwithstanding Section 10.5.1 Block 2, as shown on Figure 21 of Schedule "F" – Special Figures shall be restricted to a maximum of two Multiple Dwelling buildings.
      - 2. Blocks 1 and 2, as shown on Figure 21 of Schedule "F" – Special Figures, shall have a maximum combined density of no greater than 200 uph or a maximum of 358 units, whichever is the lesser.
    - B) Restriction of Uses within a building on Block 1, as shown on Figure 21 of Schedule "F" – Special Figures
      - 1. Uses other than a Multiple Dwelling shall be restricted to the ground floor.
  - ii) Setback from a Street Line
    - A) A maximum of 4.5 metres shall be provided for Block 1, as shown on Figure of Schedule "F" – Special Figures.
    - B) A minimum of 2.9 metres shall be provided for Block 2, as shown on Figure 21 of Schedule "F" - Special Figures.
    - C) Notwithstanding ii)A) above, a minimum of 6.5 metres shall be provided abutting the hypotenuse of the daylight triangle for Block 1, as

shown on Figure 21 of Schedule "F" – Special Figures.

D) In addition to ii)A), above, for any portion of a building on Block 1, as shown on Figure 21 of Schedule F – Special Figures, greater than 20.0 metres in height the following additional setbacks shall apply:

1. Minimum 4.0 metres from Upper James Street; and,
2. Minimum 6.0 metres from Stone Church Road East.

iii) Minimum Interior Side Yard 4.5 metres abutting a Residential or Institutional Zone or a lot containing a residential use.

iv) Building Height A) Maximum 35.0 metres for Block 1, as shown on Figure 21 of Schedule "F" – Special Figures.

B) Maximum 17.0 metres for Block 2, as shown on figure 21 of Schedule "F" – Special Figures.

(By-law 19-233, September 25, 2019)

726. Within the lands zoned Neighbourhood Institutional (I1, 726) Zone, identified on Maps 1199 of Schedule "A" – Zoning Maps and described as 514 and 516 Barton Street and 293 Dewitt Road, the following special provision shall apply:

a) Notwithstanding Subsection 4.5 a) the following special provision shall apply:

i) Dwelling on a Lot Two single detached dwellings may be permitted on the same lot containing a place of worship.

b) Notwithstanding Sections 8.1.3.1d), 8.1.3.1e), 8.1.3.1g) of this By-law the following special provisions shall apply:

- i) Minimum Front Yard Setback 4.4 metres
- ii) Minimum Northerly Side Yard Setback 1.1 metres
- iii) Minimum Rear Yard Setback 4.6 metres
- c) Notwithstanding Subsection 5.6b)ii) for a place of worship and in addition to Subsection 8.1.3.1 k) of this By-law the following special provision shall apply:

|         |  |
|---------|--|
| Parking | 1 parking space for every 14 square metres of gross floor area for a place of worship, inclusive of a basement or cellar, to accommodate such use. |
|---------|--|

(By-law No. 19-153, June 26, 2019)

727. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1258 and 1311 of Schedule "A" – Zoning Maps and described as 394 Winona Road, the following special provision shall apply:

- a) Notwithstanding Subsection 10.6.1.1i)2), an Office shall also be permitted on the ground floor.

(By-law No. 19-062, March 27, 2019)

728. The following special provisions shall apply:

- a) Notwithstanding Subsection 10.6.3 d), 10.5.3 d) ii) and iii) and 10.5a.3 d) ii) and iii), a maximum building height of 11.0 metre shall be permitted; and,
- b) Notwithstanding Subsections 4.23 c)ii), all buildings or structures located on a property shall be setback a minimum of 7.5 metres from a Transcanada Pipeline Right-of-Way.

(By-law No. 19-208, September 11, 2019)

(By-law No. 24-137, July 12, 2024)

729. Within the lands zone Mixed Use Medium Density – Pedestrian Focus (C5a, 729) Zone, identified on Map No. of Schedule "A" – Zoning Maps and described as 16 & 18 King Street West, the following special provisions shall apply:



**SCHEDULE "C": SPECIAL EXCEPTIONS**

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a) Notwithstanding Section 4.6 e); 5.2 b); 5.2 f); 5.2 h); 5.2.1 c); 10.5a.3. b); 10.5a.3. c); 10.5a.3. d), 10.5a.3. h) x); 10.5a.3. i); and 10.5a.3.j) the following special provisions shall also apply:

i) Minimum Setback to a Street Line i) 0.0 metres for any portion of a building equal to or less than 20.25 metres in height

ii) 2.0 metres for any portion of a building greater than 20.25 metres in height.

Minimum Rear Yard i) 16.0 metres;

ii) Notwithstanding i) above, 0.7 metres to a retaining or structural wall for a parking garage shall be permitted.

Minimum Side Yard i) 0.0 metres for any portion of a building equal to or less than 11.40 metres in height.

ii) 2.3 metres for any portion of a building greater than 11.40 metres in height along the easterly lot line.

iii) 4.3 metres for any portion of a building greater than 11.40 metres in height along the westerly lot line.

Building Height Maximum 27.0 metres.

First Storey Height The first storey shall have a minimum height of 3.6 metres and a maximum height of 5.15 metres.

Planting Strip Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 0.7 metre

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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|                                 |  |
|---------------------------------|--|
|                                 | wide Planting Strip shall be provided and maintained.  |
| Visual Barrier                  | A visual barrier shall be not be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law. |
| Balcony Projections             | A balcony may encroach into any required Front Yard or Rear Yard to a maximum of 1.6 metres.   |
| Parking Stall Sizes             | Required parking spaces for 90 degree perpendicular parking shall have a minimum rectangular dimension of 2.6 metres by 5.5 metres exclusive of any lands used for access, maneuvering, driveways or a similar purpose.                  |
| Barrier Free Parking Stall Size | 4.4 metres in width by 5.5 metres in length.   |
| Planting Strip                  | That subsection 5.2 h) shall not apply to parking areas located within an underground parking structure.   |
| Location of Loading Facilities  | Shall be permitted within the required rear yard abutting a Residential Zone.  |

(NOT FINAL AND BINDING)

730. Within the lands zoned Mixed Use Medium Density (C5, 730) identified on Map 947 of Schedule "A" Zoning Maps and described as 1630 Main Street West and 69 Sanders Boulevard the following special provisions shall apply:

a) Notwithstanding Sections 5.6c), 10.5.3c), 10.5.3d), and 10.5.3h)i), 10.5.3h)ii), 10.5.3i); the following special provisions shall also apply:

**REGULATIONS**

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |  |  |
|--|--|
| a) Parking Spaces  | Shall be provided on the basis of 0.6 parking spaces per dwelling unit.  |
| b) Minimum Setback from a Street Line (West Park Avenue)           | 0.0 metres, except 1.0 metres for the portion of the building above the 6 <sup>th</sup> storey   |
| Minimum Setback from a Street Line (Main Street West)              | 0.0 metres   |
| Minimum Setback from a Street Line (Sanders Boulevard)             | 4.5 metres   |
| c) Minimum Interior Side Yard Setback                              | 7.5 metres, except 6.2 the west Interior Lot Line  |
| d) Minimum Interior Side Yard for an Underground Parking Structure | Nil  |
| e) Building Height   | Maximum 30.0 metres for lands identified in Block 1 and a maximum of 11.0 metres for lands identified in Block 2 as indicated on Schedule F. |
| f) Amenity Area  | On a lot containing 10 dwelling units or more, the following Minimum Amenity Area requirements be provided:                                  |

i) An area of 3.5 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and,

ii) An area of 5.5 square metres for each dwelling unit greater than 50 square metres of gross floor area.

g) Planting Strip

Where a property line abuts a property lot line within a Residential Zone, a minimum 0.67 metres wide Planting Strip shall be provide for Block 1.

b) Notwithstanding Section 2(a)(h) above, a planting strip shall not be required for the eastern property line of Block 3.

c) In addition to the definition of a Planting Strip in Section 3, a Planting Strip may include a concrete pad for bicycle parking in Block 3.

(By-law No. 22-015-OLT, January 26, 2022)

731. Within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2, 731, H17, H19, H116) Zone, identified on Map No. 952 of Schedule "A" – Zoning Maps and described as 206 and 208 King Street West, development in accordance with the Downtown Mixed Use – Pedestrian Focus (D2, H17, H19, H20) Zone shall be permitted. Alternatively, the development of a 13 storey (44.0 metre), mixed use building containing a maximum of 123 dwellings shall only be permitted in accordance with the following special provisions.

a) Notwithstanding Section 5.1 a) i), 5.2 b) i), ii), c), f), g), and i), 5.2.1 c), and 5.7 c) and e) i), the following special provisions shall apply:

i) The manoeuvring space and access of the parking spaces can be provided off site by way of an adjacent laneway.

ii) For the purposes of special exception 731, a parking stacker system shall permit a parking space that is positioned above, below or beside another parking space and is accessed by means of an elevating device.

For the purposes of special exception 731, a parking system shall be permitted and required parking may be provided by means of a parking stacker system.

iii) Parking stall size shall be:

1. A minimum 2.6 metres in width and 5.5 metres in length for above ground or underground parking structures, when parking is provided by means of a parking stacker system.
2. Where parking is not provided in a parking stacker system the regulations of Section 5.0 – Parking, shall apply.
3. Where a wall, column, or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0 metres when parking is provided by means of a parking stacker system.
4. A Barrier Free Parking space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres

iv) All required parking shall be provided with adequate means of ingress and egress to and from the street or private laneway without the necessity of moving any other motor vehicle, except by way of a mechanical stacker system, and shall be arranged so as not to interfere with normal public use of the street or laneway. Any parking lot shall provide for ingress and egress of vehicles to and from a street in a forward motion only.

v) A minimum aisle width of 6.0 metres is not required for parking accessed by a private laneway.

vi) Loading Facilities

Loading facilities shall be permitted in a required rear yard adjacent to a Residential Zone and shall not be required to be screened by a Visual Barrier in accordance with Section 4.19 of this By-law.

## vii) Bicycle Parking

1. No short term bicycle parking spaces are required.
2. 1 long term bicycle parking space per residential unit.

## b) Notwithstanding Section 6.0 b) i) and ii), and e) i) and iii), and in addition to Section 6.0 b) and Section 6.2 the following special provisions shall apply:

- |     |  |  |
|-----|--|--|
| i)  | Building Base<br>Façade Height<br>Caroline Street<br>North | Notwithstanding Figure 15 – Schedule “F” – Special Figures, no stepback shall be required for the Caroline Street North Building Base Façade Height.   |
| ii) | Building Height  | <p>In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:</p> <ol style="list-style-type: none"> <li>a) A minimum 12.5 metre stepback from the rear lot line shall be required, except for the portion of the building used for a mechanical penthouse then a 5.3 metre stepback from the rear lot line shall be required, and for the portion of the building used for an indoor amenity area a minimum 11.2 metre stepback from the rear lot line shall be required.</li> <li>b) A minimum 12.5 metre stepback from the easterly side lot line shall be required, except for the portion of the building used for a mechanical penthouse then a 1.7 metre stepback from the easterly side lot line shall be required.</li> </ol> |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |                        |   |
|------------------------|---|
| iii) Minimum Stepbacks | <p>a) The following stepbacks shall be required for any portion of the building exceeding 22.0 metres, but not greater than 44.0 metres, in height:</p> <ol style="list-style-type: none"> <li>1. A minimum 3.0 metre stepback from the easterly side lot line is required, except for the portion of the building setback less than 13.2 metres from the front line and 5.8 metres from the rear lot line then a minimum 1.7 metre stepback from the easterly side lot line is required.</li> <li>2. Notwithstanding 1. above, for any portion of the building that has a stepback of less than 3.0 metres from the easterly side lot line, no windows are permitted facing the easterly side lot line except for windows that are translucent.</li> <li>3. No stepback from the rear lot line is required.</li> </ol> |
| iv) Glazing            | A minimum of 30% of glazing is required for the first floor.  |
| v) Ground Floor Height | The ground floor storey shall be no less than 3.6 metres in height and no greater than 6.5 metres in height. The second and third storeys shall each be no less than 3.0 metres in height and no greater than 4.0 metres in height.   |

(By-law No. 21-019, February 24, 2021)

732. Within the lands zoned Mixed Use – Medium Density (C5, 732) Zone, identified on Map No. 908 of Schedule "A" – Zoning Maps and described as 804-816 King Street West, Hamilton, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions as it relates to the definition of "Front Lot Line", King Street West shall be deemed to the front lot line.
- b) Notwithstanding Section 5.6 c) and 5.7 g) as it relates to a multiple dwelling and any permitted commercial use with a gross floor area less than 450 square metres, the following shall apply:
  - i) Parking
    - 1) A minimum 0.6 parking spaces per dwelling unit shall be required.
    - 2) A total of 2 parking spaces shall be provided for any permitted commercial use

(By-law No. 21-048, April 14, 2021)

733. Within the lands Zoned Mixed Use - Medium Density (C5) Zone, and identified on Map No. 948 of Schedule "A" Zoning Maps and described as at 1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue South, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue and 50 Dalewood Avenue, the following special provisions shall apply:

- (a) Notwithstanding Section 3, as it relates to Amenity Area and for the purposes of Special Exception 733, roof top amenity areas shall be prohibited.
- (b) Notwithstanding Section 3, as it relates to the definitions of a Lodging House and Lodging Unit for the purposes of Special Exception 733, it shall also include up to 16 accessory Dwelling Units.
- (c) In addition to the definitions in Section 3, the following definition shall apply for the purposes of Special Exception 733:

"Storey" shall mean that the portion of the building or structure, other than a cellar, included between the surface



of any floor and the surface of the floor, roof deck, or ridge next above it, except an attic storey.

- (d) Notwithstanding Section 4.6 e), no balcony shall be permitted on any part of a building abutting Traymore Avenue, Forsyth Avenue South, or Dalewood Avenue.
- (e) Notwithstanding Section 5.1 a), as it relates to the parking provision for a Lodging House and permitted accessory uses, the following shall apply:
  - i) A minimum of 43 parking spaces shall be provided on the lot.
  - ii) The greater of 35 parking spaces or 2.5 percent of the required parking shall be provided either on the lot containing the Lodging House use or on another lot within 300 metres of the lot containing the Lodging House use;
  - iii) The remainder of the required parking for a Lodging House may be provided on a lot that is greater than 300 metres from the lot containing the Lodging House use;
  - iv) Where the required parking is provided in accordance with Subsection ii) above, the owners of both lots shall enter into an agreement with the City to be registered against the title of both the lot upon which parking is to be provided and the lot containing the use requiring the parking. The lot upon which the parking is located, pursuant to the agreement, shall continue to be so used only for such purposes until alternate parking spaces in conformity with the regulations of this By-law are provided; and,

**SCHEDULE "C": SPECIAL EXCEPTIONS**

- v) The permitted accessory uses in (f) i) B) 1. shall not require parking.
  
- (f) Notwithstanding 5.6 c), as it relates to a Lodging House, in addition to Section 5.7 c) and e), the following shall apply:
  - i) Parking 1 space per 4.5 beds.
  
  - ii) Bicycle Parking
    - A) 352 long term bicycle parking spaces shall be provided.
  
    - B) 102 short term bicycle parking spaces shall be provided.
  
    - C) In addition to B) above, short term bicycle parking spaces are prohibited along any portion of the site with outdoor frontage and access on Traymore Avenue.
  
- (g) Notwithstanding Section 10.5.1, only the following uses shall be permitted:
  - i) Permitted Uses
    - A) Lodging House
  
    - B) 1. In addition to A) above, the following uses shall only be permitted as accessory uses to a Lodging House:
      - Educational Establishment;

Personal Service;  
Restaurant; and,  
Retail.

2. Notwithstanding 1. above, accessory uses shall have no frontage, no access and no signage on any part of a building abutting Traymore Avenue or Dalewood Avenue.

(h) In addition to Section 10.5.4 and notwithstanding Section 10.5.4 a) and b), the following special provisions shall apply:

- |     |                   |   |
|-----|-------------------|---|
| i)  | Building Setbacks | Shall be provided in accordance with Figure 21 of Schedule F – Special Figures.   |
| ii) | Building Height   | <p>A) Maximum building height shall be limited in each Area shown on Figure 21 of Schedule F – Special Figures, by the heights, as shown and as follows:</p> <p>Area A1: 7.1 metres or 2 storeys;<br/>Area A2: 6.0 metres or 1 storey;<br/>Area A3: 10.0 metres or 2 storeys;<br/>Area B1: 33.0 metres or 8 storeys;<br/>Area B2: 14.0 metres or 3 storeys;<br/>Area C1: 39.0 metres or 10 storeys;<br/>Area D1: 51.0 metres or 15 storeys.</p> |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

B) Three mechanical penthouses shall only be permitted in accordance with Areas C1, D1, and M on Figure 21 of Schedule "F" – Special Figures, shall be permitted to exceed the heights established in B) above by a maximum of 6.4 metres.

iii) Maximum Gross Floor Area 53,500 square metres.

iv) Built Form for New Development A) The principal entrance shall be provided from Main Street West and shall consist at least four doors.

(By-law No. 22-010-OLT, March 09, 2022)

734. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 860 and 902 of Schedule "A" – Zoning Maps and described as 118 Hatt Street, the following special provisions shall apply:

a) Notwithstanding Subsection 5.1 a) v) b), the following regulations shall apply:

i) A minimum 3.0 metre wide planting strip shall be provided and maintained between the street line and a parking space or aisle, except where the lot is used for a non-residential use, then no planting strip is required.

b) Notwithstanding Subsection 10.5.3 a), c) and i), the following regulations shall apply:

i) Minimum front yard setback 0.0 metres along McMurray Street and the hypotenuse of the daylight triangle.

ii) Minimum Flankage 0.0 metres to the hypotenuse of

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

|      |                                    |   |
|------|------------------------------------|---|
|      | (east) Yard Setback                | the daylight triangle at the corner of Hatt Street and McMurray Street                                |
| iii) | Minimum Interior Side Yard Setback | 4.5 m   |
| iv)  | Planting Strip Requirement         | A minimum 0.9 metre wide planting strip shall be provided and maintained along the westerly lot line. |

(By-law No. 21-189, October 15, 2021)  
(By-law No. 22-084, April 13, 2022)

735. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1290 of Schedule "A" – Zoning Maps, and described as 1289 Upper James Street, Hamilton, the following special provisions shall apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted within the existing building:

Office  
Retail

b) In addition to Subsections 4.12.f) i) and 10.7.3, an addition or alteration to a legally existing commercial building containing office or retail uses shall be permitted, to a maximum of 10% of the existing Gross Floor Area existing on the date of passing of By-law.

(By-law No. 21-189, October 15, 2021)  
(By-law No. 22-084, April 13, 2022)

736. Within the lands zoned Mixed Use - Medium Density (C5) Zone, identified on Map No. 951 of Schedule "A" to By-law No. 05-200 and described as 235 Main Street West, 74 Queen Street South and 244-246 Jackson Street West, the following special provisions shall apply:

a) Notwithstanding Subsections 4.6 a) and d), the following special provisions shall apply:

i) Architectural features, ductwork, venting and other similar appurtenances may be permitted to encroach into any required setback.

**SCHEDULE "C": SPECIAL EXCEPTIONS**

- ii) A porch, deck or canopy may be permitted to encroach into any required setback.
- b) Notwithstanding Subsections 5.2 b) i) and iv), and 5.6 c), as it relates to a multiple dwelling, the following shall apply:
  - i) The minimum parking space size for not more than 11% of the provided parking spaces shall have a width of 2.6 metres and a length of 5.5. metres.
  - ii) A minimum of 0.3 spaces per unit shall be required.
- c) Notwithstanding Subsections 10.5.1.1 i) 1, 10.5.3. a), b), c), d), g) vii), i) and j), the following special provisions shall apply:
  - i) Restricted Uses                      There shall be no minimum required finished floor elevation for any dwelling unit.
  - ii) Building Setback from the Main Street West Street Line
    - 1) Maximum 4.5 metres
    - 2) Notwithstanding 1) above, a minimum 3.0 metres for any portion of a building with residential units on the ground floor facing Main Street West.
    - 3) Notwithstanding 2) above, a minimum 1.0 metres from the Daylight Triangle.
  - iii) Building Setback from the Queen Street South Street Line
    - 1) Maximum 4.5 metres
    - 2) Minimum 0.0 metres
    - 3) Notwithstanding 2) above, a minimum of 1.0 metres from a Daylight Triangle.
  - iv) Building Setback from the Jackson Street West Street Line
    - 1) Maximum 4.5 metres
    - 2) Minimum 1.5 metres

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |                                      |   |
|--------------------------------------|---|
|                                      | 3) Notwithstanding 2) above, a minimum of 1.0 metres from a Daylight Triangle.  |
| v) Minimum Rear Yard                 | 0.0 metres  |
| vi) Minimum Interior Side Yard       | 0.0 metres  |
| vii) Building Height                 | 1) Minimum 7.5 metres;<br>2) Maximum 80.85 metres;<br>3) Notwithstanding 2) above, maximum building height shall be in accordance with Figure 22 of Schedule F – Special Figures of Zoning By-law 05-200. |
| viii) Built form for New Development | A minimum of one principal entrance shall be provided in the façade along Main Street West.   |
| ix) Planting Strip                   | A planting strip shall not be required.   |
| x) Visual Barrier                    | A visual barrier shall not be required.   |

(By-law 20-230, October 28, 2020)

737. Within a portion of the lands zoned Rural (A2) Zone, identified on Maps 15 and 16 of Schedule "A" – Zoning Maps and described as 1092 Gore Road, the following special provisions shall apply:

- a) In addition to the uses permitted in Section 12.2.1, the following additional uses shall be permitted; motor vehicle collision and repair establishment, including the repair of Motor Vehicles - Commercial; and, motor vehicle service station, including the repair of Motor Vehicles - Commercial.
- b) Section 12.6.3 b) to h), j) and k) shall apply to uses in a).

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- c) Outdoor storage shall be permitted in association with the uses permitted in a) and shall be screened from view with a visual barrier in accordance with Section 4.19 of this Bylaw adjacent to the street.

(By-law No. 21-189, October 15, 2021)

(By-law No. 22-084, April 13, 2022)

738. Within the lands zoned Settlement Residential (S1) Zone, identified on Map Nos. 1022 and 1068 of Schedule "A" – Zoning Maps and described as 1031 Highway No. 52 North, Ancaster, the following special provisions shall apply:

- a) For the purposes of Special Exception No. 738, Finished Floor Area shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building that finished with flooring, wall covering (trimmed), and ceiling.
- b) In addition to Section 12.3.3, the following regulation shall apply:
  - i) Maximum Finished Floor Area for Single Detached Dwelling or Residential Care Facility. 306.5 square metres

(By-law 21-006, January 20, 2021)

739. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 994 of Schedule "A" – Zoning Maps and described as 211 and 225 John Street South and 78 Young Street, Hamilton, the following special provisions shall apply:

- a) Notwithstanding the definition of "Grade" in Section 3, the following shall apply:
 

|       |  |
|-------|--|
| Grade | Shall be 102.97 metres above mean sea level as defined by the Geodetic Survey Datum. |
|-------|--|
- b) Notwithstanding Sections 5.6 c) and 5.7 g) as it relates to a multiple dwelling and permitted commercial uses, the following shall apply:



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- i) Parking
    - 1) A minimum 0.6 parking spaces per unit shall be required for a multiple dwelling; and,
    - 2) The Commercial parking requirements of Section 5.6 c) shall not apply except to a Commercial School, Financial Establishment, Hotel, Conference or Convention Centre, Medical Clinic, Office or Veterinary Service.
  - ii) Bicycle Parking
    - A minimum 0.5 long term bicycle parking spaces per dwelling unit shall be required.
- c) Notwithstanding Sections 10.5.1.1 i) 1., and 10.5.3 a) i) and d), the following shall apply:
  - i) Restriction of Uses within a Building
    - The finished floor elevation of any dwelling unit shall be a minimum 0.6 metres below grade.
  - ii) Building Setback from a Street Line
    - 1) For buildings with residential units on the ground floor facing a street:
      - A. A minimum 1.5 metres from Young Street;
      - B. A minimum 0.5 metres from Catharine Street South; and
      - C. A minimum 3.0 metres from John Street South and Forest Avenue.
    - 2) Notwithstanding b) ii) 1) B. above, a minimum 2.2 metres from the Catharine Street South street line shall be required for a building exceeding 29.0 metres in height.

- iii) Building Height
  - 1) Minimum 5.5 metres;
  - 2) Maximum building height shall be in accordance with Figure 23 of Schedule F – Special Figures of Zoning By-law No. 05-200.
- 3) In addition to the definition of Building Height in Section 3:

Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

  - A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 20% of the floor area of the storey directly beneath;
  - B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 2.0 metres from the exterior walls of the storey directly beneath; and,
  - C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance

from the uppermost point of the building to the uppermost point of the rooftop enclosure.

(By-law 21-038, March 31, 2021)

740. Within the lands zoned Major Institutional (I3) Zone, identified on Map 1080 of Schedule "A" – Zoning Maps and described as 555 Sanatorium Road, Subsection 8.3.2.2 c) shall not apply to the building on the date of the passing of this By-law.

(By-law 21-059, April 28, 2021)

741. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone, identified on Map No. 909 and 951 of Schedule "A" to Zoning By-law No. 05-200 and described as 354 King Street West, the following special provisions shall apply:

- a) The lands zones Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone shall be deemed to be one lot for the purposes of applying the provision of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, not to internal lot lines resulting from any future severance.
- b) Notwithstanding Section 5: Parking of Zoning By-law No. 05-200, as it relates to a Hotel, the following shall apply:
  - i) 0.75 for each guest suite.
- c) Notwithstanding Section 11.1.3. d) ii) and iii), the following special provisions shall apply:
  - i) Building Height
  - b) In addition to a) above, maximum building height shall be in accordance with Figure 26 of Schedule F – Special Figures of Zoning By-law No. 05-200.

(By-law 21-081, May 12, 2021)

(By-law No. 22-084, April 13, 2022)

742. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1343 of Schedule "A" – Zoning Maps and described as 15, 17 & 21 Stone Church Road East, the following special provisions shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- a) Notwithstanding Section 4.9 (a) and 5.6 (c) and in addition to 5.1 (a)(v)(b), the following regulations shall apply:

- |     |   |   |
|-----|---|---|
| i)  | Mechanical and<br>Unitarity<br>Equipment  | Within a required front yard, provided such equipment shall have a minimum setback of 0.5 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping.   |
| ii) | Number of<br>Parking Spaces<br>for a Multiple<br>Dwelling and<br>Commercial or<br>Institutional<br>Uses | <p>a) Multiple Dwelling:</p> <p>i) Minimum 1 parking space per dwelling unit; and,</p> <p>ii) Maximum 1.25 parking spaces per dwelling unit.</p> <p>b) Commercial or Institutional Uses:</p> <p>i) 0 for less than 450.0 square metres of gross floor area; and,</p> <p>ii) 1 for each 17.0 square metres of gross floor area greater than 450.0 square metres.</p> |

- a) Notwithstanding Section 10.5.3 (b), (c), (d) and (g), the following regulations shall apply:

- |     |                                  |   |
|-----|----------------------------------|---|
| i)  | Minimum Rear<br>Yard             | 18 metres   |
| ii) | Minimum<br>Interior Side<br>Yard | 15 metres abutting a Residential or Institutional Zone or lot containing a residential use. |

- iii) Building Height
  - a) Minimum 7.5 metre façade height for any portion of a building along a street line;
  - b) Maximum 22.0 metres; and,
  - c) In addition to a) and notwithstanding b) above, any building above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section ii) and iii) when abutting a Residential or Institutional Zone to a maximum of 22.0 metres.
  - d) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
    - i) The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;
    - ii) The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from

the exterior walls of the storey directly beneath; and,

- iii) The wholly enclose or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

iv) Built Form for  
New  
Development

In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law

- a) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
- b) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% of the measurement of the front lot line.
- c) In addition to Subsections a) and b) above, the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.
- d) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.

- e) A minimum of one principal entrance shall be provided:
  - 1. within the ground floor; and,
  - 2. shall be accessible from the building with direct access from the public sidewalk.
- f) A walkway shall be permitted in a Planting Strip where required by the By-law.

(By-law 21-131, August 13, 2021)

743. Within the lands zoned Agriculture (A1) Zone, identified on Map RU188 of Schedule "A" – Zoning Maps and described as 435 Carluke Road West, the following special provisions shall apply:

- a) In addition to Subsection 12.1.3.3, residential uses shall be limited to the building existing at the date of the passing of the by-law (June 9, 2021).

(By-law 21-101, June 9, 2021)

744. Within the lands zoned Major Institutional (I3, 744) Zone, identified on Map 1252 & 1305 of Schedule "A" – Zoning Maps and described as 466-490 Highway No. 8, the following special provisions shall apply:

- a) Notwithstanding the definition of Lot as noted in Section 3: Definitions, and notwithstanding any changes in land ownership or any severance, partition or division of the property, lands subject to this special provision shall be considered as one lot for the purposes of the Zoning By-law.
- b) Notwithstanding the definition of Multiple Dwelling, as defined within Section 3 of the Zoning By-law, a Multiple Dwelling shall mean a building or part thereof containing three or more dwelling units, which shall not include a street townhouse dwelling or semi-detached dwelling but may include uses permitted in accordance with Section 10.2.1 and 10.2.1.1 of the Zoning By-law, and shall not be deemed a Dwelling Unit in Conjunction with a Commercial Use.

## REGULATIONS

**LONG TERM CARE FACILITY**

- c) Notwithstanding Section 8.3.2.1 b) the following regulation shall apply:
- |     |                   |  |
|-----|-------------------|--|
| i)  | Minimum Side Yard | 1. 3.5 metres abutting a street.<br>2. 1.8 metres where a lot line abuts the hypotenuse of the daylight triangle.<br>3. 7.0 metres abutting an interior side lot line. |
| ii) | Minimum Rear Yard | 7.0 metres   |

**MULTIPLE DWELLING**

- d) Notwithstanding Sections 8.3.2.2a) and b), and in addition to Section 8.3.2.2, the following regulations shall apply:
- |      |   |   |
|------|---|---|
| i)   | Minimum Side Yard   | 1. 2.9 metres abutting a Neighbourhood Park (P1) Zone or a street.<br>2. 6.0 metres where lot line abuts a Residential Zone lot line. |
| ii)  | Minimum Rear Yard   | 8.9 metres.   |
| iii) | Maximum Building Height   | 30.0 metres   |
| iv)  | Maximum total gross floor area for uses permitted by Section 10.2.1.1 | 500 square metres   |



745. Within the lands zoned Major Institutional (I3, 745) Zone, identified on Maps 1375 and 1376 of Schedule "A" – Zoning Maps and described as 1411 and 1415 Upper Wellington Street, the following special provisions shall apply:

- a) Notwithstanding Section 5.2 a), a visual barrier shall not apply along the southerly lot line abutting a Residential Zone;
- b) Notwithstanding uses permitted in Section 8.3.1, the following use is prohibited:
  - i) Street Townhouse Dwelling
- c) In addition to uses permitted in Section 8.3.1, the following are permitted only as accessory uses to a Long Term Care Facility:
  - i) Retail
  - ii) Restaurant
- d) Notwithstanding Section 8.3.2.1 b) and c), the following regulations shall apply to a Long Term Care Facility and Retirement Home:
  - i) Minimum Side Yard 7.0 metres except as shown in Figure 2 of Schedule "B" – Property Details.
  - ii) Minimum Rear Yard 7.0 metres.
  - iii) Maximum Building Height 30.0 metres

(By-law 21-175, October 13, 2021)

746. Within the lands zoned Agriculture (A1) Zone, identified on Maps 174 & No. 159 of Schedule "A" – Zoning Maps and described as 822 and 914 Brock Road West and 1276 Shaver Road, the shall apply:

- 1) Notwithstanding Section 12.1.3.3a), the minimum Lot Area shall be 0.3 hectares for Block 1;
- 2) Notwithstanding Section 4.8.2 c), the gross floor area of all buildings accessory to a single detached dwelling shall not exceed 450 square metres for Block 1;
- 3) Notwithstanding Section 12.1.3.3d), the minimum front yard setback shall be 8.0 metres for Block 3; and,
- 4) Notwithstanding Section 12.1.3.3c), the maximum building height is 11 metres.

(By-law 21-135, August 13, 2021)

747. Within the lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451 and 1452 of Schedule "A" – Zoning Maps, and described as 60 Harbour Road and 1375 Stone Church Road East (in part) the following special provisions shall also apply:

- a) Notwithstanding Subsection 9.3.1, only the following uses shall be permitted:

Alcohol Production Facility  
 Aquaponics  
 Artist Studio  
 Biotechnological Establishment  
 Building and Lumber Supply Establishment  
 Building or Contracting Supply Establishment  
 Cannabis Growing and Harvesting Facility  
 Communications Establishment  
 Computer, Electronic and Data Processing Establishment  
 Conference or Convention Centre  
 Contractor's Establishment  
 Courier Establishment  
 Craftsperson Shop  
 Hotel  
 Industrial Administrative Office  
 Laboratory  
 Labour Association Hall  
 Office  
 Pharmaceutical and Medical Establishment  
 Production Studio  
 Repair Service

Research and Development Establishment  
 Restaurant  
 Science and Technology Establishment  
 Surveying, Engineering, Planning or Design Business  
 Trade School  
 Tradesperson's Shop  
 Warehouse  
 Wedding Chapel

- b) The gross floor area of the wedding chapel shall not exceed 300 square metres.

(By-law No. 21-189, October 15, 2021)

(By-law No. 22-084, April 13, 2022)

748. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1548 of Schedule "A" – Zoning Maps, and described as 1603 Rymal Road East the following special provisions shall also apply:

- a) In addition to Subsection 10.7.1, the following uses shall also be permitted:

Retail  
 Personal Service  
 Office  
 Hotel  
 Financial Establishment  
 Medical Clinic  
 Day Nursery

(By-law No. 21-189, October 15, 2021)

(By-law No. 22-084, April 13, 2022)

(By-law No. 24-137, July 12, 2024)

749. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1249 of Schedule "A" – Zoning Maps, and described as 141 King Street East, the following special provisions shall also apply:

- a) Notwithstanding Subsections 10.2.1 and 10.2.1.1, only the following uses shall be permitted within the existing building:

Office  
 Personal Service

(By-law No. 21-189, October 15, 2021)

(By-law No. 22-084, April 13, 2022)

(By-law No. 24-137, July 12, 2024)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

750. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1228 of Schedule "A" – Zoning Maps, described as 144 Wilson Street East, the following special provisions shall also apply:

- a) Notwithstanding Subsections 10.2.1 and 10.2.1.1, only the following uses shall be permitted:

Office  
Medical Clinic

(By-law No. 21-189, October 15, 2021)

(By-law No. 22-084, April 13, 2022)

751. Within the lands zoned Settlement Commercial (S2) Zone, identified on Map 107 of Schedule "A" – Zoning Maps, described as 78 Highway No. 8, the following special provisions shall also apply:

- a) In addition to Subsection 12.4.1, a maximum of two Dwelling Units shall be permitted in conjunction with a commercial use in the same building.

(By-law No. 21-189, October 15, 2021)

(By-law No. 22-084, April 13, 2022)

752. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 446, 481, 482, 516 and 517 of Schedule "A1", "A2", "A3", "A4", "A5" and "A6" – Zoning Maps and described as:

| Property Address         | Map Number       |
|--------------------------|------------------|
| 4 Barton Street          | 482              |
| 50 Barton Street         | 482              |
| 54 Barton Street         | 482              |
| 56 Barton Street         | 482              |
| Block 14 of Plan 62M-582 | 482, 516 and 517 |
| Block 29 of Plan 62M-627 | 516              |
| 221 Dundas Street East   | 516              |
| 229 Dundas Street East   | 516              |
| 232 Dundas Street East   | 517              |
| 233 Dundas Street East   | 516 and 517      |
| 238 Dundas Street East   | 517              |
| 241 Dundas Street East   | 516 and 517      |
| 244 Dundas Street East   | 517              |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                            |             |
|----------------------------|-------------|
| 245 Dundas Street East     | 482 and 517 |
| 246 Dundas Street East     | 517         |
| 250 Dundas Street East     | 517         |
| 252 Dundas Street East     | 482 and 517 |
| 254 Dundas Street East     | 482 and 517 |
| 267 Dundas Street East     | 482         |
| 271 Dundas Street East     | 482         |
| 279 Dundas Street East     | 482         |
| 283-285 Dundas Street East | 482         |
| 288 Dundas Street East     | 482         |
| 289 Dundas Street East     | 482         |
| 290 Dundas Street East     | 482         |
| 291 Dundas Street East     | 482         |
| 292 Dundas Street East     | 482         |
| 293 Dundas Street East     | 482         |
| 294 Dundas Street East     | 482         |
| 295 Dundas Street East     | 482         |
| 296 Dundas Street East     | 482         |
| 297 Dundas Street East     | 482         |
| 298 Dundas Street East     | 482         |
| 299 Dundas Street East     | 482         |
| 300 Dundas Street East     | 482         |
| 301 Dundas Street East     | 482         |
| 302 Dundas Street East     | 482         |
| 304 Dundas Street East     | 482         |
| 307-309 Dundas Street East | 482         |
| 311 Dundas Street East     | 482         |
| 312 Dundas Street East     | 482         |
| 313 Dundas Street East     | 482         |
| 315 Dundas Street East     | 482         |
| 316-318 Dundas Street East | 482         |
| 317 Dundas Street East     | 482         |
| 319 Dundas Street East     | 482         |
| 321 Dundas Street East     | 482         |
| 323 Dundas Street East     | 482         |
| 324 Dundas Street East     | 482         |
| 327 Dundas Street East     | 482         |
| 331 Dundas Street East     | 482         |
| 335 Dundas Street East     | 446 and 482 |
| 10 Flamboro Street         | 482         |
| 18 Flamboro Street         | 482         |
| 19 Flamboro Street         | 482         |
| 20 Flamboro Street         | 482         |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|   |             |
|---|-------------|
| 26 Flamboro Street                                  | 482         |
| 10 Franklin Street                                  | 482         |
| 25 Franklin Street                                  | 482         |
| 7-11 Griffin Street                                 | 482         |
| 23 Griffin Street                                   | 482         |
| 27 Griffin Street                                   | 482         |
| 5-7 Hamilton Street North                           | 482         |
| 9 Hamilton Street North                             | 482         |
| 18 and 20-64 Hamilton Street North                  | 482         |
| 25 Hamilton Street North and 255 Dundas Street East | 481 and 482 |
| 61 Hamilton Street North                            | 481 and 482 |
| 70 Hamilton Street North                            | 482         |
| 71 Hamilton Street North                            | 481 and 482 |
| 74 Hamilton Street North                            | 482         |
| 79 Hamilton Street North                            | 481         |
| 80 Hamilton Street North                            | 482         |
| 81 Hamilton Street North                            | 481         |
| 83 Hamilton Street North                            | 481         |
| 87 Hamilton Street North                            | 481         |
| 89 Hamilton Street North                            | 481         |
| 95 Hamilton Street North                            | 481         |
| 115 Hamilton Street North                           | 445 and 481 |
| 145 Hamilton Street North                           | 445         |
| 3 Howard Boulevard                                  | 517         |
| 4 Howard Boulevard                                  | 517         |
| 1 Main Street North                                 | 482         |
| 9 Main Street North                                 | 482         |
| 17 Main Street North                                | 482         |
| 20 Main Street North                                | 482         |
| 30 Main Street North                                | 482         |
| 34 Main Street North                                | 482         |
| 35 Main Street North                                | 482         |
| 40 Main Street North                                | 482         |
| 9, 11 and 17 Main Street South                      | 482         |
| 10 Main Street South                                | 482         |
| 19 Main Street South                                | 482         |
| 23, 25, 31 and 37 Main Street South                 | 482         |
| 6 Mill Street North                                 | 446 and 482 |
| 16 Mill Street North                                | 446 and 482 |
| 21 Mill Street North                                | 482         |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

|                             |             |
|-----------------------------|-------------|
| 24 Mill Street North        | 446 and 482 |
| 25 Mill Street North        | 482         |
| 30 Mill Street North        | 446 and 482 |
| 34 and 40 Mill Street North | 446 and 482 |
| 5 Mill Street South         | 482         |
| 11 Mill Street South        | 482         |
| 15 Mill Street South        | 482         |
| 19 Mill Street South        | 482         |
| 22 Mill Street South        | 482         |
| 26 Mill Street South        | 482         |
| 27 Mill Street South        | 482         |
| 256 Parkside Drive          | 445 and 481 |
| 170 Rockhaven Lane          | 481         |

the following special provisions shall apply:

- a) On a lot containing greater than 20 dwelling units, the required Amenity Area shall include a minimum of 40 square metres for a single common outdoor Amenity Area at the ground level;
- b) The common Amenity Area required by Subsection a) of Special Exception 752 shall not include any required Planting Strips and shall have a minimum width of 4 metres; and,
- c) Notwithstanding Section 10.5.3 i) and 10.5a.3 i), where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

(By-law No. 22-071, April 13, 2022)

753. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 446 and 482 of Schedule "A5" – Zoning Maps and described as:

| <b>Property Address</b>    | <b>Map Number</b> |
|----------------------------|-------------------|
| 4 Barton Street            | 482               |
| 50 Barton Street           | 482               |
| 54 Barton Street           | 482               |
| 56 Barton Street           | 482               |
| 279 Dundas Street East     | 482               |
| 283-285 Dundas Street East | 482               |
| 288 Dundas Street East     | 482               |
| 289 Dundas Street East     | 482               |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

|                            |             |
|----------------------------|-------------|
| 290 Dundas Street East     | 482         |
| 291 Dundas Street East     | 482         |
| 292 Dundas Street East     | 482         |
| 293 Dundas Street East     | 482         |
| 294 Dundas Street East     | 482         |
| 295 Dundas Street East     | 482         |
| 296 Dundas Street East     | 482         |
| 297 Dundas Street East     | 482         |
| 298 Dundas Street East     | 482         |
| 299 Dundas Street East     | 482         |
| 300 Dundas Street East     | 482         |
| 301 Dundas Street East     | 482         |
| 302 Dundas Street East     | 482         |
| 304 Dundas Street East     | 482         |
| 307-309 Dundas Street East | 482         |
| 311 Dundas Street East     | 482         |
| 312 Dundas Street East     | 482         |
| 313 Dundas Street East     | 482         |
| 315 Dundas Street East     | 482         |
| 316-318 Dundas Street East | 482         |
| 317 Dundas Street East     | 482         |
| 319 Dundas Street East     | 482         |
| 321 Dundas Street East     | 482         |
| 323 Dundas Street East     | 482         |
| 324 Dundas Street East     | 482         |
| 327 Dundas Street East     | 482         |
| 331 Dundas Street East     | 482         |
| 335 Dundas Street East     | 446 and 482 |
| 10 Flamboro Street         | 482         |
| 18 Flamboro Street         | 482         |
| 19 Flamboro Street         | 482         |
| 20 Flamboro Street         | 482         |
| 26 Flamboro Street         | 482         |
| 10 Franklin Street         | 482         |
| 25 Franklin Street         | 482         |
| 7-11 Griffin Street        | 482         |
| 23 Griffin Street          | 482         |
| 27 Griffin Street          | 482         |
| 18 Hamilton Street North   | 482         |
| 1 Main Street North        | 482         |
| 9 Main Street North        | 482         |
| 17 Main Street North       | 482         |
| 20 Main Street North       | 482         |



**SCHEDULE "C": SPECIAL EXCEPTIONS**

|                                     |             |
|-------------------------------------|-------------|
| 30 Main Street North                | 482         |
| 34 Main Street North                | 482         |
| 35 Main Street North                | 482         |
| 40 Main Street North                | 482         |
| 9, 11 and 17 Main Street South      | 482         |
| 10 Main Street South                | 482         |
| 19 Main Street South                | 482         |
| 23, 25, 31 and 37 Main Street South | 482         |
| 6 Mill Street North                 | 446 and 482 |
| 16 Mill Street North                | 446 and 482 |
| 21 Mill Street North                | 482         |
| 24 Mill Street North                | 446 and 482 |
| 25 Mill Street North                | 482         |
| 30 Mill Street North                | 446 and 482 |
| 34 and 40 Mill Street North         | 446 and 482 |
| 5 Mill Street South                 | 482         |
| 11 Mill Street South                | 482         |
| 15 Mill Street South                | 482         |
| 19 Mill Street South                | 482         |
| 22 Mill Street South                | 482         |
| 26 Mill Street South                | 482         |
| 27 Mill Street South                | 482         |

the following special provisions shall apply:

- a) Notwithstanding Section 10.5a.1.1 iii) 1., Commercial Parking Facilities may be permitted on the ground floor and not wholly contained within a Building. A Commercial Parking Facility not wholly contained within a Building shall not be permitted on a lot with frontage on Dundas Street unless a Building is located between parking spaces and the street;
- b) Where a Commercial Parking Facility is contained within a Building, with the exception of an access driveway to the parking facility, that portion of the ground floor of the facility which faces any street shall only be used for permitted uses other than parking;
- c) Notwithstanding Section 10.5.3 d) ii) and iii) and Section 10.5a.3 d) ii) and iii), the maximum Building Height shall be 11.0 metres;
- d) Notwithstanding Section 10.5a.3 h) ix), a minimum of 80 percent of the area of the ground floor façade facing the street shall be

composed of doors and windows;

- e) Subsection d) of Special Exception 753 shall not apply to Existing façades;
- f) In addition to Subsection d) of Special Exception 753, window and doorframes, clear glazed transoms and sidelights, and a sill up to 0.6m in height are permitted to be included in the calculation of the door and window area. Signage and opaque/spandrel glazing shall not be included in the calculation of the door and window area;
- g) A minimum of 25% and a maximum of 40% of the façade of second and third storeys shall be composed of windows. Window frames, clear glazed transoms and sidelights, and a sill up to 0.6m in height are permitted to be included in the calculation of the window area. Signage and opaque/spandrel glazing shall not be included in the calculation of the window area;
- h) Exterior building cladding, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than two of the following materials:
  - 1. Brick;
  - 2. Concrete panels;
  - 3. Stone block, excluding manufactured stone veneer;
  - 4. Wood;
  - 5. Composite siding;
  - 6. Stucco; and,
  - 7. Metal and metal panels, excluding aluminium siding or any metal variant thereof.
- i) Notwithstanding Subsections d) to h) of Special Exception 753, for properties designated under the *Ontario Heritage Act*, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply.

(By-law No. 22-071, April 13, 2022)

754. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 481, 482, 516 and 517 of Schedules “A1”, “A2”, “A4”, and “A6” – Zoning Maps and described as:

**SCHEDULE "C": SPECIAL EXCEPTIONS**

| <b>Property Address</b>                                | <b>Map Number</b> |
|--|-------------------|
| Block 14, Plan 62M-582                                 | 482, 516 and 517  |
| Block 29, Plan 62M-627                                 | 516               |
| 221 Dundas Street East                                 | 516               |
| 229 Dundas Street East                                 | 516               |
| 232 Dundas Street East                                 | 517               |
| 233 Dundas Street East                                 | 516 and 517       |
| 238 Dundas Street East                                 | 517               |
| 241 Dundas Street East                                 | 516 and 517       |
| 244 Dundas Street East                                 | 517               |
| 245 Dundas Street East                                 | 482 and 517       |
| 246 Dundas Street East                                 | 517               |
| 250 Dundas Street East                                 | 517               |
| 252 Dundas Street East                                 | 482 and 517       |
| 254 Dundas Street East                                 | 482 and 517       |
| 267 Dundas Street East                                 | 482               |
| 271 Dundas Street East                                 | 482               |
| 9 Hamilton Street North                                | 482               |
| 20-64 Hamilton Street North                            | 482               |
| 25 Hamilton Street North and<br>255 Dundas Street East | 481 and 482       |
| 61 Hamilton Street North                               | 481 and 482       |
| 70 Hamilton Street North                               | 482               |
| 71 Hamilton Street North                               | 481 and 482       |
| 74 Hamilton Street North                               | 482               |
| 79 Hamilton Street North                               | 481               |
| 80 Hamilton Street North                               | 482               |
| 81 Hamilton Street North                               | 481               |
| 83 Hamilton Street North                               | 481               |
| 87 Hamilton Street North                               | 481               |
| 89 Hamilton Street North                               | 481               |
| 95 Hamilton Street North                               | 481               |
| 115 Hamilton Street North                              | 445 and 481       |
| 145 Hamilton Street North                              | 445               |
| 3 Howard Boulevard                                     | 517               |
| 4 Howard Boulevard                                     | 517               |
| 256 Parkside Drive                                     | 445 and 481       |
| 170 Rockhaven Lane                                     | 481               |

the following special provisions shall apply:

- a) For Buildings greater than 11.0 metres in Building Height, a minimum Building setback of 2.0 metres shall be required above

the second storey along any Building face adjacent to a street;

- b) For Buildings greater than 11.0 metres in Building Height, a minimum Building setback of 2.5 metres shall be required above the second storey along a Building face adjacent to a Side Yard;
- c) The minimum Building Setback from a street line shall be 2.0 metres;
- d) Where a Commercial Parking Facility is contained within a Building in a Mixed Use Medium Density (C5) Zone, with the exception of an access driveway to the parking facility, that portion of the ground floor of the facility which faces any street shall only be used for permitted uses other than parking;
- e) A minimum 3.0 metre wide Planting Strip shall be provided along every Side Lot Line and Rear Lot Line;
- f) A minimum of 60 percent of the area of the ground floor façade facing the street shall be composed of doors and windows; and,
- g) Subsection f) of Special Exception 754 shall not apply to Existing façades.

(By-law No. 22-071, April 13, 2022)

755. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 481 and 482 of Schedules “A2”, “A4”, and “A6” – Zoning Maps and described as 25, 115 and 145 Hamilton Street North and 255 Dundas Street East, the following special provisions shall apply:

- a) For the lands located at 115 and 145 Hamilton Street North, the minimum combined gross floor area for all non-residential uses shall be 8,306 square metres; and,
- b) For the lands located at 25 Hamilton Street North and 255 Dundas Street East, the minimum combined gross floor area for all non-residential uses shall be 8,160 square metres.

(By-law No. 22-071, April 13, 2022)

756. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Maps 445 and 446 of Schedule “A7” – Zoning Maps and described as

200 Main Street North and 80 Mill Street North, the following special provisions shall apply:

- a) In addition to the permitted uses in Subsection 8.1.1, a Multiple Dwelling shall be permitted within an Existing Building designated under the *Ontario Heritage Act*, provided that no additions to the Building are made except for minor additions to accommodate the requirements of the *Accessibility for Ontarians with Disabilities Act*.
- b) A Multiple Dwelling as permitted by Subsection a) of Special Exception 756 shall comply with regulations 8.1.3.1 a), c), d), e), f), g), h), k) and l);
- c) Notwithstanding Subsections 8.1.3.3 g) and 8.1.3.4 g), the maximum Building Height for Single Detached, Duplex and Semi-Detached Dwellings shall be 9.0 metres;
- d) Flat roofs shall not be permitted for Single Detached, Duplex and Semi-Detached Dwellings;
- e) For the purposes of Subsection d) of Special Exception 756, a flat roof shall be defined as a roof with no slope or a slope less than or equal to 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal roof area;
- f) Rooftop Amenity Areas shall not be permitted; and,
- g) Balconies and terraces above the first floor shall only be permitted in a Front Yard or Flankage Yard.

(By-law No. 22-071, April 13, 2022)

**757. Deleted.**

(By-law No. 22-071, April 13, 2022)

(By-law No. 23-025, February 22, 2023)

**759. Within the lands zoned Downtown Prime Retail Streets (D2) Zone, identified on Map 911 of Schedule "A" – Zoning Maps and described as 9 – 11 Robert Street, the following special provisions shall apply:**

- a) Notwithstanding subsection 6.0b)i), a 3.0 metre setback shall not be required from the building base facade as shown in Schedule "F".

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

- b) Notwithstanding subsection 6.2.3a), a minimum front yard depth of 2.5 metres shall be permitted.

(By-law No. 21-189, October 15, 2021)

760. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 760) Zone, identified on Maps 1174 and 1175 of Schedule "A" – Zoning Maps and described as 327 and 335 Wilson Street East, the following special provisions shall apply:

- a) Subsection 5.6 e) shall not apply to Block 1, Special Figure 30.
- b) Notwithstanding Subsection 10.5a.1.1 ii)2, a dwelling unit(s) shall be permitted on the ground floor on Block 1, Special Figure 30.
- c) No driveway providing direct vehicular access to Wilson Street East shall be permitted on Block 1, Special Figure 30.
- d) Notwithstanding Subsection 10.5a.3 c) and i), the following regulations shall apply to Block 1, Special Figure 30:
  - i) Minimum Northerly Side Yard 1.2 metres, abutting a lot containing a residential use.
  - ii) Planting Strip Requirements No Planting Strip shall be required.
- e) Notwithstanding Subsection 10.5a.3 c), d), h) ix) and i), the following regulations shall apply to Block 2, Special Figure 30:
  - i) Minimum Southerly Side Yard 1.2 metres, abutting a lot containing a residential use.
  - ii) Building Height Maximum 12.0 metres but no portion of a building shall be greater than 10.0 metres within 6.0 metres of the front lot line.
  - iii) Built form for New Development A minimum of 15% of the area of the ground floor façade facing the street shall be composed of doors and windows.

iv) Planting Strip Requirements

No Planting Strip shall be required except where a Parking Area abuts a shared property line with 339 Wilson Street East, a Planting Strip with a minimum width of 1.2 metres is required.

- f) Subsection 10.5a.3 j) shall not apply.
- g) Notwithstanding Subsection 5.2 i), a minimum aisle width of 4.8 metres shall be provided for a parking degree angle of 90° on Block 2, Special Figure 30.

(By-law No. 22-205, August 12, 2022)

762. Within the lands zoned Agriculture (A1) Zone, identified on Maps No. 104 and No. 113 of Schedule "A" – Zoning Maps and described as 173 Highway 52, 1348 Concession 2 West and 1372 Concession 2 West, the following special provisions shall apply:

- 1) Notwithstanding Section 12.1.3.1a), the minimum lot area shall be 1.14 hectares for Block 1 and 37.17 hectares for Blocks 2, 3 and 4 as shown on Figure 27 of Schedule "F" – Special Figures.

(By-law No. 22-064, March 30, 2022)

(Zoning By-law No. 23-079, May 10, 2023)

763. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Map 12239 of Schedule "A" – Zoning Maps and described as 69 Mall Road, the following special provisions shall apply:

- a) In addition to Subsection 10.4.3 d)i), buildings shall also be a minimum of one storey.

(By-law No. 17-240-OLT-05, March 14, 2022)

764. With in the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1597 and 1641 of Schedule "A" – Zoning Maps and described as 21 Upper Centennial Parkway, the following special provisions shall apply:

- a) In addition to Subsection 10.5.3 d)i), buildings shall also be a minimum of one storey.

(By-law No. 17-240-OLT-05, March 14, 2022)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

765. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1132, 1133, 1183, 1184 of Schedule "A" – Zoning Maps and described as 777 Upper James Street, the following special provisions shall apply:

- a) Notwithstanding Subsections 5.1a)v)a), 5.2 b)i), and 5.2 f) the following regulations shall apply:
  - i) No planting strip shall be provided along the Upper James Street lot line extending from the centre entrance south along the west side of 13 parking spaces existing at the time of the passing of the By-law.
  - ii) A planting strip of 0.4 metres shall be provided along the Mohawk Road East lot line extending from the centre entrance along the 22 parking spaces existing at the time of the passing of the By-law, to the most easterly entrance.
  - iii) A planting strip of 1.7 metres shall be provided between the Upper James Street and Mohawk Road East lot lines and the existing drive through stacking lane located at the southwestern corner of the property.
  - iii) A parking space size of 2.7 metres by 6 metres shall be provided for each parking space for the portions of lands located south of the centre entrance.
  - iv) A barrier-free parking space of 4.05 metres by 6.0 metres shall be provided for the portions of lands located south of the centre entrance.

(By-law No. 17-240-OLT-05, March 14, 2022)

766. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 908, 909 and 996 of Schedule "A" – Zoning Maps, and described as:

| Property Address           | Map Number |
|----------------------------|------------|
| 50 Dundurn Street South    | 908, 909   |
| 435 – 447 Main Street East | 996        |

The following special provisions shall also apply:



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- a) Notwithstanding Subsections 11.1.3(d)(i) and in addition to 11.1.3(g) the following regulations shall apply:
- i) An addition or alteration to a legally existing commercial building, to a maximum of 10% of the existing Gross Area existing on the date of the passing of the By-law, be permitted.
- Floor shall

(By-law No. 16-265-OLT-01, June 24, 2022)

767. In addition to Sections 9.2.1, 9.2.2, and 9.3.3, on those lands zoned General Business Park (M2) Zone, identified on Map 1530 of Schedule "A" - Zoning Maps, and described as 1295 Cormorant Road the following shall also apply:

- a) Offices, except for a medical office or clinic, having a total maximum floor area of 3,735 square metres, and only within the existing Building "E" as shown on Schedule "B" to By-law No. 13-061.

(By-law No. 13-061, February 27, 2013)

(By-law No. 22-084, April 13, 2022)

768. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1237 of Schedule "A" – Zoning Maps and described as 983 and 987 Upper James Street, the following special provisions shall apply:

- a) Notwithstanding Subsections 5.2 b)i), the following regulation shall apply:
- i) A parking space size of at least 2.6 metres by 5.8 metres shall be provided for each parking space.

(By-law No. 17-240-OLT-05, March 14, 2022)

769. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 996 of Schedule "A" – Zoning Maps and described as 435 – 447 Main Street East, the following special provisions shall also apply:

- a) Notwithstanding Subsections 11.1.3(d)(i) and in addition to 11.1.3(g), the following regulations shall apply:
- i) The minimum building height shall be 7.9 metres.

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- ii) New buildings, or expansion of existing buildings to a maximum of 10% of the existing Gross Floor Area existing on the date of the passing of this By-law, shall be permitted.

(By-law No. 16-265-OLT-01, June 24, 2022)

770. Within the lands zoned Agriculture (A1, 770) Zone, and identified on Map Nos. 201 and 209 of Schedule "A" Zoning Maps and described as 9270 Haldibrook Road, the following special provisions shall apply:

- i) Notwithstanding Section 12.1.3.3 (d), the minimum front yard setback shall be 6 metres; and,
- ii) Notwithstanding Section 4.8.1.2 (b), the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 325 square metres.

(By-law No. 22-113, May 11, 2022)

771. In addition to 9.3.3 r) i), a restaurant at 1040 Garner Road West shall be permitted.

(By-law No. 22-062, March 30, 2022)

772. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 949 of Schedule "A" Zoning Maps and described as 1107 Main Street West, the following special provisions shall apply:

- a) Notwithstanding Subsections 4.8 (b) and (g) and Section 4.27 the following special provisions shall apply:
  - i) An accessory building (landscape feature) shall be permitted to be located within a front or flankage yard;
  - ii) An accessory building (landscape feature) shall have a maximum height of 9.7 metres; and,
  - iii) A community garden shall be permitted to be located within a front or flankage yard.
- b) In addition to Section 11.1.1 and 11.1.3 b) and notwithstanding Sections 11.1.1.1 i) 1., 11.1.3 a) ii), d) ii) and iii), g) v) and i) and 11.1.8 a) the following special provisions shall apply:
  - i) A Community Garden shall also be permitted.

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- ii) That an accessory building (landscape features) shall include a portion of the existing building façade and shall be required to be provided within the front yard.
- iii) Minimum Finished Floor Elevation of any dwelling unit 0.5 metres above grade;
- iv) Building Setback from a Street Line
  - 1. Maximum 13.3 metres from Main Street West
  - 2. Notwithstanding 1. Above, a minimum 9.3 metres from Main Street West for any portion of the building exceeding 36.0 metres in height;
  - 3. Maximum 4.5 metres from Cline Avenue South and Dow Avenue;
  - 4. Notwithstanding 3. above, the following minimum setbacks shall apply from Cline Avenue South and Dow Avenue;
    - A. 5.0 metres for any portion of the building exceeding a height of 7.8 metres;
    - B. 6.5 metres for any portion of the building exceeding a height of 16.5 metres; and,
    - C. 14.3 metres for any portion of the building exceeding a height of

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|       |                                |  |
|-------|--------------------------------|--|
|       |                                | 22.0 metres except for an enclosed stairwell.  |
| v)    | Minimum Rear Yard              | <ol style="list-style-type: none"> <li>1. 14.5 metres for any portion of the building exceeding a height of 13.5 metres;</li> <li>2. 17.5 metres for any portion of the building exceeding a height of 18.0 metres; and,</li> <li>3. 33.5 metres for any portion of the building exceeding a height of 22.0 metres, except for an enclosed stairwell.</li> </ol> |
| vi)   | Maximum Building Height        | 47.0 metres  |
| vii)  | Built Form for New Development | <ol style="list-style-type: none"> <li>1. A maximum of two driveways shall be permitted;</li> <li>2. A driveway on Dow Avenue shall have a maximum width of 7.5 metres; and,</li> <li>3. A driveway on Main Street West shall not be permitted.</li> </ol>   |
| viii) | Visual Barrier                 | A visual barrier shall be required along any lot line abutting an Institutional Zone and may include a gate.   |
| ix)   | Planting Strip                 | A planting strip with a minimum width of 3.0 metres shall be provided along any lot line abutting an   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

Institutional Zone, except for  
a walkway to a gate.

(By-law No. 22-163, June 22, 2022)

773. Within the lands zoned Conservation/Hazard Land-Rural (P7, 773) Zone and Conservation/Hazard Land-Rural (P8, 773) Zone on Map No. 192 of Schedule "A" Zoning Maps and described as 1640 Trinity Church Road, the following special provisions shall apply:

- i) Notwithstanding Section 12.1.1, a single detached dwelling and residential care facility shall be prohibited; and,
- ii) Notwithstanding Section 12.1.3.1 a), the minimum lot area shall be 35.8 hectares.

(By-law No. 22-114, May 11, 2022)

774. Within the lands zoned Mixed Use Medium Density - Pedestrian Focus (C5a, 774, H124) Zone, identified on Map 911 of Schedule A - Zoning and described as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, the following special provisions shall apply:

a) Notwithstanding Section 5.6 c) iv) as it relates to Office and Medical Clinic the following minimum parking requirements shall apply:

- i) Office 1 space per 27 square metres of gross floor area in excess of 450 square metres, which accommodates such use.
- ii) Medical Clinic 1 space per 27 square metres of gross floor area which accommodates such use.

b) Notwithstanding Section 10.5a.3 a), d) ii); and, h) ix) and x) the following regulations shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |  |   |
|------|--|---|
| i)   | Maximum<br>Building<br>Setback from a<br>Street Line | 3.7 metres.   |
| ii)  | Building Height                                      | Maximum 25.0 metres.  |
| iii) | Built form for<br>New<br>Development                 | <p>A) A minimum of 50% of the area of the ground floor façade facing the street shall be composed of doors and windows.</p> <p>B) The first storey shall have a maximum height of 5.6 metres.</p> |
| iv)  | Maximum<br>Gross Floor<br>Area for<br>Medical Clinic | 505 square metres.  |

(By-law No. 22-095, April 27, 2022)

775. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 570, 775) Zone identified on Map 860 of Schedule "A" – Zoning Maps, and described as 112 King Street West, the following special provision shall apply:

- a) Notwithstanding Subsection 5.6 c) iv) Commercial Uses, a minimum of five (5) parking spaces shall be provided.

(By-law No. 22-084, April 13, 2022)

776. Within the lands zoned Neighbourhood Institutional (I1, 776) Zone, identified on Maps 1291 and 1292 of Schedule "A" – Zoning Maps, and described as 389 / 391 / 427 Limeridge Road East, the following special provision shall apply:

- a) In addition to Section 8.1.1, a Cemetery shall also be permitted and shall be subject to Section 7.4.2.

(By-law No. 22-084, April 13, 2022)

777. Within the lands zoned Agriculture (A1, 777) Zone and Conservation/Hazard Land (P7, 777), and identified on Map Nos. 210 and 211 of Schedule "A" Zoning Maps and described as 5020 Tyneside Road, the following special provisions shall apply:

- i) Notwithstanding Section 4.3 a), frontage on a street shall not be required;
- ii) Notwithstanding Subsection 12.1.3.3 b), the minimum lot width shall be 0.0 metres;
- iii) Notwithstanding Section 3 of this By-law, for purposes of the definition of the Interior Lot shall mean a lot with no frontage on a street excluding a corner lot;
- iv) Notwithstanding Section 3 of this By-law, for the purposes of the definition of the Front Lot Line shall mean the easterly lot line shall be considered the front lot line of the subject lands;
- v) Notwithstanding Section 7.7.2.2 a), new accessory buildings to an existing single detached dwelling shall be permitted. Sections 4.8 and 4.8.1.2 shall apply for new accessory buildings;
- vi) The maximum gross floor area for an expansion to an existing building or structure, including an existing accessory building, shall not exceed 10% of the gross floor area of the existing building or structure including an existing accessory building and may include a deck within the permitted maximum; and,
- vii) Notwithstanding Sections 7.7.2.3 i), 7.7.2.3 ii) and 7.7.2.3 iv), an existing single detached dwelling and existing accessory buildings or structures which are demolished in whole or in part may be rebuilt on a lot created subsequent to the effective date of By-law 22-166. Sections 12.1.3.3 a), c), d) e), f) shall apply for a single detached dwelling and Sections 4.8 and 4.8.1.2 shall apply for accessory buildings.
- viii) In addition to Section 7.7.2.2 b) ii), for purposes of the existing single detached dwelling, Section 12.1.3.3 c), d) e) and f) and for purposes of existing accessory buildings Sections 4.8 and 4.8.1.2 shall apply.

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(By-law No. 22-166, July 08, 2022)

778. Within the lands zoned Settlement Residential (S1, 778) Zone, identified on Map Nos. 25 and 35 of Schedule "A" – Zoning Maps, and described as 1609 & 1611 Brock Road, the following special provision shall apply:

- a) Notwithstanding Section 12.3.3 a), the Minimum Lot Area shall be 0.17 hectares.

(By-law No. 22-084, April 13, 2022)

779. Within the lands zoned Settlement Residential (R1) Zone, identified on Map Nos. 16 and 25 of Schedule "A" – Zoning Maps, and described as 34 – 11<sup>th</sup> Concession Road East and 1800 Highway No. 6, the following special provisions shall apply:

- a) Notwithstanding Section 12.3.3 a) and b), the following regulations shall apply:
  - i) Minimum Lot Area                      0.2 hectares
  - ii) Minimum Lot Width                      26.0 metres

(By-law No. 23-199-OLT, October 12, 2023)

800. Within the lands zoned Rural (A2, 800) Zone, Modified on Maps 85, 86, 96 and 97 of Schedule A - Zoning Maps, the following special provisions shall apply:

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this By-law;
- b) Section 4.33 shall not apply;  
(By-law No. 22-132, June 08, 2022)
- c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;
- d) Notwithstanding Section 4.8 of Zoning By-law 05-200, accessory structures shall be permitted in conjunction with any of the uses permitted in Section e), below in accordance with the following:



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |                                    |   |
|------|------------------------------------|---|
| i)   | Location                           | Side or Rear Yard   |
| ii)  | Minimum Setback from Side Lot Line | Interior Side Lot Line: 1.0 metre<br>Exterior Side Lot Line: 6.0 metres |
| iii) | Minimum Setback from Rear Lot Line | 1.0 metre   |
| iv)  | Maximum Building Height            | 4.0 metres  |
| v)   | Maximum Lot Coverage               | Cumulative maximum for all buildings on a lot: 250 square metre         |
- e) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only the following uses shall be permitted;
- i) Existing uses, except for single detached dwellings, that existed on or before February 16, 1993;
  - ii) Single detached dwellings that existed on or before August 14th, 1998;
  - iii) New single detached dwellings on lots having a minimum lot size of 10 hectares;
  - iv) Community Garden;
  - v) Conservation; and,
  - vi) Recreational, Passive;
- f) Notwithstanding Section 12.2.3.7 (a)(b)(c)(d)(e) and (f) of Zoning By-law 05-200, the following regulations shall apply to the uses permitted in Section e) above:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |                                       |  |
|------|---------------------------------------|--|
| i)   | Minimum Lot Area                      | A) 0.8 hectares<br><br>B) Notwithstanding A) above, a minimum of 10 hectares shall be required for any new single detached dwelling.   |
| ii)  | Minimum Lot Width                     | 18 metres  |
| iii) | Minimum Front Yard                    | 6 metres   |
| iv)  | Minimum Side Yard                     | 1.5 metres except:<br><br>A) 3.5 metres where the side yard abuts the flankage street of a corner lot;<br>B) 3.0 metres where the side yard provides access to a parking area or rear yard garage;<br>C) 6.0 metres to any portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot; and,<br>D) 5.0 metres on one side of an interior lot upon which there is no garage or carport |
| v)   | Minimum Rear Yard                     | 7.5 metres   |
| vi)  | Maximum Building Height               | 7.5 metres   |
| vii) | Maximum Lot Coverage inclusive of any | 250 square metres  |

accessory  
building.

801. Within the lands zoned Rural (A2, 801) Zone, Modified on Maps 85, 86, 96 and 97 of Schedule A – Zoning Maps, the following special provisions shall apply:

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;
- b) Section 4.33 shall not apply;  
(By-law No. 22-132, June 08, 2022)
- c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;
- d) Notwithstanding Section 4.8 of Zoning By-law 05-200, accessory structures shall be permitted in conjunction with any of the uses permitted in Section e), below in accordance with the following:

- |      |  |                   |
|------|--|-------------------|
| i)   | Location                                 | Side or Rear Yard |
| ii)  | Minimum<br>Setback from<br>Side Lot Line | 10 metres         |
| iii) | Minimum<br>Setback from<br>Rear Lot Line | 20 metres         |
| iv)  |  | 7.5 metres        |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |    |                            |  |
|----|----------------------------|--|
|    | Maximum<br>Building Height |  |
| v) | Maximum Lot<br>Coverage    | Cumulative maximum for all<br>buildings on a lot: 300 square<br>metres |
- e) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only the following uses shall be permitted;
- i) Existing uses, except for single detached dwellings, that existed on or before February 16, 1993;
  - ii) Single detached dwellings that existed on or before August 14th, 1998;
  - iii) New single detached dwellings on lots having a minimum lot size of 10 hectares;
  - iv) Conservation; and,
  - v) Recreational, Passive;
- f) Notwithstanding Section 12.2.3.1 (a)(b)(c)(d) and (e) and Section 12.2.3.7 (a)(b)(c)(d)(e) and (f) of Zoning By-law 05-200, the following regulations shall apply:
- |      |                       |             |
|------|-----------------------|-------------|
| i)   | Minimum Lot<br>Area   | 10 hectares |
| ii)  | Minimum Lot<br>Width  | 135 metres  |
| iii) | Minimum Front<br>Yard | 15 metres   |
| iv)  | Minimum Side<br>Yard  | 15 metres   |
| v)   | Minimum Rear<br>Yard  | 20 metres   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |                         |                   |
|------|-------------------------|-------------------|
| vi)  | Maximum Building Height | 7.5 metres        |
| vii) | Maximum Lot Coverage    | 300 square metres |

(By-law No. 21-231, December 15, 2021)

802. Within the lands zoned Conservation/Hazard Land (P6, 802) Zone, Modified on Maps 85, 86, 96 and 97 of Schedule A – Zoning Maps, the following special provisions shall apply:

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;
- b) Section 4.33 shall not apply;  
(By-law No. 22-132, June 08, 2022)
- c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;
- d) Notwithstanding Section 7.6.1 of Zoning By-law 05-200, only the following uses shall be permitted:
  - i) Existing uses, except for single detached dwellings, that existed on or before February 16, 1993;
  - ii) Single detached dwellings that existed on or before August 14th, 1998;
  - iii) Conservation;
  - iv) Flood and Erosion Control Facilities; and,
  - v) Recreational, Passive;
- e) Notwithstanding Section 7.6.2 of Zoning By-law 05-200, the following provisions shall apply:
  - i) No new buildings or structures shall be permitted on a vacant lot;
  - ii) Where a new building or structure and/or an expansion to an existing building or structure may be permitted in accordance

- with an existing agricultural use, such new building or structure shall be in accordance with the requirements of the Rural 801 (A2,801) Zone;
- iii) Where a new building or structure and/or an expansion to an existing building or structure may be permitted in accordance with an existing residential use, such new building or structure shall be in accordance with the requirements of the Rural 800 (A2, 800) Zone; and,
- iv) Notwithstanding Sections ii) above, no building or structure in accordance with an agricultural use shall be erected, altered or used within 15.0 metres of the boundary of any Rural 800 (A2, 800) Zone.

(By-law No. 21-231, December 15, 2021)

803. Within the lands zoned Conservation/Hazard Land (P7, 803) Zone, Modified on Maps 85, 86, 96 and 97 of Schedule A – Zoning Maps, the following special provisions shall apply

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;
- b) Section 4.33 shall not apply;  
(By-law No. 22-132, June 08, 2022)
- c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;
- d) Notwithstanding Section 7.7.1 of Zoning By-law 05-200, only the following uses shall be permitted:
  - i) Existing uses, except for single detached dwellings, that existed on or before February 16, 1993;
  - ii) Single detached dwellings that existed on or before August 14th, 1998;
  - iii) Conservation;
  - iv) Flood and Erosion Control Facilities; and,
  - v) Recreational, Passive;

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- e) Notwithstanding Section 7.7.2 of Zoning By-law 05-200, the following provisions shall apply:
- i) No new buildings or structures shall be permitted on a vacant lot;
  - ii) Where an existing building or structure which is demolished in whole or in part, such existing building or structure may be rebuilt and/or expanded in accordance with the requirements of Sections iii) iv) v) and vi) below;
  - iii) Where an expansion to an existing building or structure may be permitted on a lot having an existing agricultural use, such expansion shall be in accordance with the requirements of the Rural (A2, 801) Zone. Notwithstanding f) iii), iv), v) and vii) of the A2, 801 Zone, the maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure;
  - iv) Where an expansion to an existing building or structure may be permitted on a lot having an existing residential use, such expansion shall be in accordance with the requirements of the Rural (A2, 800) Zone. Notwithstanding f) iii), iv), v) and vii) of the A2, 800 Zone, the maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure;
  - v) A new building or structure may be permitted in accordance with an existing residential or agricultural use, provided the setbacks to the building or structure which had existed on the date of passing of the By-law are maintained. Notwithstanding the foregoing, a maximum increased encroachment of up to 10% of the existing setbacks, as determined above, may be permitted. Maximum building height shall be in accordance with f) vi) of the Rural 801 (A2, 801);
  - vi) In addition to iii), iv), and v) above, an existing legally established accessory building or structure which is demolished in whole or in part may be rebuilt provided the setbacks, building height, and gross floor area of the building

or structure which had existed as of date of passing of the By-law are maintained; and,

- vii) Notwithstanding iii) and v) above, no building or structure in accordance with an agricultural use shall be erected, altered or used within 15.0 metres of the boundary of any Rural (A2, 800) Zone.

(By-law No. 21-231, December 15, 2021)

804. Within the lands zoned Rural (A2, 804) Zone, Modified on Maps, 86 and 97 of Schedule A – Zoning Maps, and municipally identified as 154 Northcliffe Avenue the following special provisions shall apply:

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;
- b) Section 4.33 shall not apply;  
(By-law No. 22-132, June 08, 2022)
- c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;
- d) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only a place of worship and a convent shall be permitted provided such uses are contained within the existing institutional building on lands municipally identified as 154 Northcliffe Avenue.

(By-law No. 21-231, December 15, 2021)

805. Within the lands zoned Rural (A2, 805) Zone, Modified on Maps 86 and 97 of Schedule A – Zoning Maps, and municipally identified as 574 Northcliffe Avenue the following special provisions shall apply:

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard,



flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

- b) Section 4.33 shall not apply;  
(By-law No. 22-132, June 08, 2022)
- c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;
- d) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only a place of worship, convent, a residential care facility for a maximum of 35 residents, and a dormitory for a maximum of 36 students and associated accessory educational establishment shall be permitted provided such uses are contained within the existing institutional building on lands municipally identified as 574 Northcliffe Avenue; and,
- e) An existing driveway located on lands zoned A2, 804 shall be permitted to be used for access to the existing structure municipally described as 574 Northcliffe Avenue.

(By-law No. 21-231, December 15, 2021)

806. Within the lands zoned Rural (A2, 806) Zone, Modified on Map 86 of Schedule A – Zoning Maps, and municipally identified as 85 Rosina Avenue the following special provisions shall apply:

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;
- b) Section 4.33 shall not apply;  
(By-law No. 22-132, June 08, 2022)
- c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;
- d) Notwithstanding Section 4.8 of Zoning By-law 05-200, the following regulations shall apply to accessory structures or buildings:

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- i) No accessory building or structure shall be closer to the front lot line than the single detached dwelling on the same lot;
  - ii) No accessory building or structure shall be closer than 1.8 metres to any single detached dwelling;
  - iii) No accessory building or structure shall be closer than 1.2 metres to any lot line;
  - iv) Maximum building height shall be 3.6 metres; v) Maximum lot coverage shall be 10%; and,
  - vi) No accessory building or structure shall be used for human habitation;
- e) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only a single detached dwelling and associated accessory buildings or structures shall be permitted; and,
- f) Notwithstanding Section 12.2.3.7 (a)(b)(c)(d)(e) and (f) single detached dwellings shall be subject to the regulations of the Rural 800 (A2, 800) zone, as modified further by the below special provisions:
- i) Minimum Front Yard Setback 9 metres
  - ii) Minimum Side Yard Setback 3 metres
  - iii) Minimum Rear Yard Setback 10 metres
  - iv) Maximum Building Height 11 metres

(By-law No. 21-231, December 15, 2021)

807. Within the lands zoned Existing Rural Industrial (E2, 807) Zone, Modified on Map 86 of Schedule A – Zoning Maps, and municipally identified as

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

1810 Highway 6 (325 Old Guelph Road), the following special provisions shall apply:

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;
- b) Notwithstanding Section 12.7.1 Permitted Uses of Zoning By-law 05- 200, only the following uses shall be permitted within wholly enclosed buildings:
  - i) Light manufacturing uses requiring small amounts of water and limited truck access together with related administration and business offices, research and development facilities, scientific laboratory, warehouse, repair and ancillary sales;
  - ii) Fixed Mini-Storage Units; and,
  - iii) Manufacturing of candles subject to Subsection e) below;
- c) Notwithstanding Section 12.7.3 Regulations of Zoning By-law 05-200, the following regulations shall apply:
 

|      |                                 |   |
|------|---------------------------------|---|
| i)   | Minimum Lot<br>Area             | 0.8 hectares  |
|      |                                 |   |
| ii)  | Minimum Lot<br>Width            | 30.0 metres   |
|      |                                 |   |
| iii) | Maximum<br>Building<br>Coverage | 20% (Additional 20% if utilized<br>for fixed mini-storage units.) |
|      |                                 |   |
| iv)  | Minimum Front<br>Yard           | 30 metres   |

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- |       |                             |  |
|-------|-----------------------------|--|
| v)    | Minimum Side Yard           | 3.0 metres (6.0 metres along the west and north side yards abutting the existing residential lots which front onto Old Guelph Road.)                   |
| vi)   | Minimum Rear Yard           | 3.0 metres   |
| vii)  | Maximum Building Height     | 11 metres  |
| viii) | Planting Strip Requirements | 3.0 metre Planting Strip abutting a street, except for points of ingress and egress and abutting a residential or institutional use shall be required. |
| ix)   | Outdoor Storage             | No outdoor storage is permitted.   |
- d) For the purposes of interpreting subsection c) ii) above, the portion of the property fronting onto Old Guelph Road shall be deemed the front lot line;
- e) Access to Old Guelph Road by way of Motor Vehicle – Commercial will not be permitted. Notwithstanding this provision, nothing will prevent access of vehicles which typically serve a residential neighbourhood on an infrequent basis such as moving vans; and,
- f) For a candle manufacturing use, no Motor Vehicle – Commercial access is permitted onto Old Guelph Road.

(By-law No. 21-231, December 15, 2021)

808. Within the lands zoned Rural (A2, 808) Zone, Modified on Map 86 of Schedule A – Zoning Maps, and municipally identified as 675 York Road, the following special provisions shall apply:

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- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;
- b) Section 4.33 'Secondary Dwelling Unit and Secondary Dwelling Unit – Detached' shall not apply;
- c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;
- d) Notwithstanding Section 4.8 of Zoning By-law 05-200, the following regulations shall apply to accessory structures or buildings:
  - i) Accessory buildings or structures shall be permitted in the nonrequired side or rear yard only;
  - ii) The minimum setback from an interior side lot line shall be 1.0 metre;
  - iii) The minimum setback from an exterior side lot line shall be 20.0 metres from the flankage street (Old Guelph Road);
  - iv) The minimum setback from a rear lot line shall be 1.0 metre;
  - v) The maximum height shall be 4.0 metres; and,
  - vi) The maximum lot coverage shall be as specified in subsection f) vii) below;
- e) Notwithstanding Section 12.2.1 of Zoning By-law 05-200 only a single detached dwelling and associated accessory buildings or structures shall be permitted; and
- f) Notwithstanding Section 12.2.3.7 (a)(b)(c)(d)(e) and (f), the following regulations shall apply for a single detached dwelling:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |                    |  |
|------|--------------------|--|
| i)   | Minimum Lot Area   | 0.8 hectares with municipal water supply. The required lot area may be larger than 0.8 hectares where deemed necessary by the agency having jurisdiction for the approval of on-site private sewage disposal systems pursuant to the provisions of the Environmental Protection Act, Chapter E.19, R.S.O. 1990, as amended from time to time or pursuant to any successor legislation. |
| ii)  | Minimum Lot Width  | 18.0 metres  |
| iii) | Minimum Front Yard | 35 metres are measured from York Road  |
| iv)  | Minimum Side Yard  | <p>1.5 metres;</p> <p>20.0 metres where the side yard abuts the flankage street (Old Guelph Road) of a corner lot;</p> <p>3.0 metres where the side yard provides access to a parking area or rear yard garage;</p> <p>5.0 metres on one side of an interior lot upon which there is no garage or carport.</p>   |
| v)   | Minimum Rear Yard  | 7.5 metres   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |                         |  |
|------|-------------------------|--|
| vi)  | Maximum Building Height | 9.7 metres                                     |
| vii) | Maximum Lot Coverage    | 325 square metres for all buildings on the lot |

(By-law No. 21-231, December 15, 2021)

809. Within the lands zoned Rural (A2, 809) Zone, Modified on Map 86 of Schedule A – Zoning Maps, and municipally identified as 200 Old Guelph Road and 252 Old Guelph Road the following special provisions shall apply:

- a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;
- b) Notwithstanding Section 12.2.1, only a Place of Worship shall be permitted;
- c) The following regulations shall apply to a Place of Worship:
 

|      |                         |             |
|------|-------------------------|-------------|
| i)   | Maximum Lot Coverage    | 20%         |
| ii)  | Minimum Rear Yard       | 7.5 metres  |
| iii) | Minimum Front Yard      | 7.5 metres  |
| iv)  | Minimum Side Yard       | 4.5 metres  |
| v)   | Maximum Building Height | 10.5 metres |
- d) Parking shall be provided in accordance with Section 5."

(By-law No. 21-131, December 15, 2021)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

810. Within the lands zoned Community Institutional (I2) Zone, identified on Map no. 1183 of Schedule "A" – Zoning Maps and described as 60 – Caledon Avenue, the following special provisions shall apply:

- a) In addition to the uses permitted in Section 8.2.1, a multiple dwelling shall be permitted in accordance with Section 8.2.3.1.
- b) In addition to Section 8.2.3.1 and notwithstanding Sections 8.2.3.1 c), 8.2.3.1 e), 8.2.3.1 f), the following special provisions shall apply:
  - i) Minimum Side Yard and Flankage Yard      A flankage yard of 5.5 metres and a minimum westerly side yard of 3 metres.
  - ii) Maximum Building Height      22 metres
  - iii) Minimum Landscaped Area      45% of the lot area
  - iv) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
  - v) A walkway shall be permitted in a required planting strip.
  - vi) Minimum Amenity Area for Multiple Dwellings
    - 1. An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area.
    - 2. An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.
    - 3. In addition to the definition of Amenity Area in Section 3: Definitions of By-law 05-200, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface



and exposed to light and air.

- c) That Section 5.1 a), v) shall not apply.
- d) For the purposes of Special Exception No. 810, the following special provisions shall apply to Area A and Area B as shown on Figure 28 of Schedule "F" – Special Figures:
  - i) Maximum Building Height Area A 22 metres
  - ii) Maximum Building Height Area B 11.5 metres

(By-law No. 22-176, July 08, 2022)

(Zoning By-law No. 23-079, May 10, 2023)

811. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 811, H128) Zone, identified on Map 869 of Schedule "A" – Zoning Maps and described as 405 James Street, the following special provisions shall apply:

- a) The lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 811) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, and not the individual property boundaries of any lots created by registration of Condominium Plan, Part Lot Control or Consent.
- b) Sections 4.6 b) and d) shall not apply.
- c) Notwithstanding 5.6 c) as it relates to parking for a Day Nursery, the following shall apply:
 

|             |  |
|-------------|--|
| Day Nursery | 1 for each 125 square metres of gross floor area in excess of 450 square metres which accommodates such use. |
|-------------|--|
- d) In addition to Section 5.7 e), long term bicycle parking may include electric mobility device parking.
- e) Notwithstanding Sections 11.3.2 a) i), 11.3.2 e) iv), 11.3.2 f) v), the following shall apply:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |     |                                     |  |
|-----|-------------------------------------|--|
| i)  | Building Setback from a Street Line | Minimum 3.0 metres, except 1.2 metres to the hypotenuse of a daylight triangle.  |
| ii) | Building Height                     | <p>In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:</p> <ul style="list-style-type: none"> <li>A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 30% of the floor area of the storey directly beneath;</li> <li>B. Section 11.3.2 iv) B. shall not apply;</li> <li>C. The wholly enclosed or partially enclosed</li> </ul> |

amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.5 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

- iii) Section 11.3.2 f) v) shall not apply.
- f) For the purposes of Special Exception No. 811, the following special provisions shall apply to Block "1" as shown on Figure 29 of Schedule "F" – Special Figures:
  - i) Notwithstanding Section 5.7 c) as it relates to short term bicycle parking for Multiple Dwellings, a minimum of 20 short term bicycle parking spaces shall be provided.
  - ii) Notwithstanding Section 11.3.2 e) ii) and iii), a maximum building height of 13.0 metres.
  - iii) Section 11.3.2 h) iii) shall not apply.
  - iv) In addition to Section 11.3.2, the following shall apply to groups of Multiple Dwellings on the same lot:
    - 1. For the purposes of this By-law, "end wall" shall mean the two narrowest exterior main walls of a building and "rear or front wall" shall mean the other exterior main walls;
    - 2. A minimum distance of 3.0 metre shall be provided between end walls;

3. A minimum distance of 7.0 metres shall be provided between an end wall and a rear or front wall; and,
  4. A minimum distance of 11.0 metres shall be provided between rear or front walls.
- g) For the purposes of Special Exception No. 811, the following special provisions shall apply to Block “2” as shown on Figure 29 of Schedule “F” – Special Figures:
- i) Notwithstanding Section 5.6 c) as it relates to parking for a Multiple Dwelling, a minimum of 0.24 parking spaces per unit shall be provided.
  - ii) In addition to Section 11.3.1 and notwithstanding Section 11.3.1.1 ii), the following uses shall be permitted within the ground floor of a Multiple Dwelling:
    - Artist Studio
    - Catering Service
    - Commercial School
    - Communications Establishment
    - Craftperson Shop
    - Day Nursery
    - Financial Institution
    - Office Performing Arts Theatre
    - Personal Service
    - Restaurant
    - Retail
    - Tradeperson’s Shop
  - iii) Section 11.3.1.1 i) 1. shall not apply.
  - iv) Notwithstanding Section 11.3.2 e) ii) and iii), a maximum building height of 24.0 metres.
  - v) In addition to Section 11.3.2, a minimum distance of 7.0 metres shall be provided between exterior walls on the same property.

(By-law No. 22-220, August 12, 2022)

(By-law No. 24-137, July 12, 2024)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

812. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1139 of Schedule "A" – Zoning Maps and described as 1842 King Street East, the following special provisions shall apply:

a) Notwithstanding Section 5.7 c) i) and 5.7 e) i), the following shall apply:

- i. A minimum of 0.5 long term bicycle parking spaces per unit;
- ii. A minimum of 0.05 short term bicycle parking spaces per unit.

b) Notwithstanding Sections 10.5.1.1 i) 1, 10.5.3 d) ii), iii), and in addition to 10.5.3a) i) 10.5.3 c), 10.5.3 i) and 10.5.3 j) the following regulations shall apply:

- |  |  |
|--|--|
| a) Minimum Building Setback from a Street Line | <ul style="list-style-type: none"> <li>i) A minimum setback of 6.0 metres shall be provided for any portion of a building exceeding 7.5 metres in height.</li> <li>ii) A minimum setback of 18.0 metres shall be provided along King Street East and Lawrence road lot lines for any portion of a building exceeding 28.0 metres in height.</li> </ul> |
| b) Maximum Building Setback from a Street Line | In accordance with Figure 31 of Schedule F- Special Figures of Zoning By-law 05-200.   |
| c) Interior Side Yard Setback                  | <ul style="list-style-type: none"> <li>i) Minimum 7.5 metres.</li> <li>ii) Notwithstanding c) i) above, the following additional setbacks shall be provided: <ul style="list-style-type: none"> <li>A) A minimum setback of 9.0 metres shall be provided for any portion of a</li> </ul> </li> </ul>   |

building exceeding 7.5 metres in height.

B) Notwithstanding c) i) A) above, a minimum setback of 7.5 metres shall be provided for any portion of a building setback more than 30.0 metres from a street line, up to a maximum height of 14.0 metres.

C) A minimum setback of 25.5 metres from the westerly lot line for any portion of the building exceeding 22.0 metres in height.

D) A minimum setback of 18.0 metres from the easterly lot line for any portion of the building exceeding 22.0 metres in height.

E) A minimum setback of 65.0 metres from the westerly lot line for any portion of the building exceeding 28.0 metres in height.

F) A minimum setback of 55.0 metres from the easterly lot line for any portion of the building exceeding 28.0 metres in height.

d) Building Height

i) Maximum 44.0 metres.

e) Landscaped Area

Minimum 40% of the total lot area.

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |    |                |   |
|----|----------------|---|
| f) | Planting Strip | Minimum 3.0 metre wide planting strip along the easterly and westerly side lot lines. |
|    |                |   |
| g) | Visual Barrier | Minimum 1.8 metre high visual barrier along the easterly and westerly side lot line.  |

(By-law No. 22-224, August 12, 2022)

813. Within the lands zoned Mixed Use – Medium Density (C5) Zone, identified on Map 1502 of Schedule "A" – Zoning Maps and described as 136 and 144 Upper Mount Albion Road the following special provisions shall apply:

- |      |   |   |
|------|---|---|
| a)   | Notwithstanding Section 4.6 d) the following regulations shall apply:   |   |
| i)   | An exterior staircase or deck may be located 1.2 metres from an interior lot line.  |   |
|      |   |   |
| b)   | Notwithstanding Section 5.1 a) v) b) and c), the following regulation shall apply:  |   |
| i)   | A planting strip is not required between the at-grade surface parking spaces and the street line.                                   |   |
|      |   |   |
| c)   | Notwithstanding Section 10.5.3 a) i), 10.5.3 c), 10.5.3 d) ii), 10.5.3 g) vii) 1., 10.5.3 j) the following regulations shall apply: |   |
| i)   | Building Setback from a Street Line   | 0.0 metres for a building with residential units on the ground floor facing a street.                   |
| ii)  | Minimum Interior Side Yard  | 2.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.            |
| iii) | Building Height   | Maximum 24.0 metres.  |
| iv)  | Built form for New Development  | The principal entrance to the ground floor lobby of the multiple building is permitted to be located on |

**SCHEDULE "C": SPECIAL EXCEPTIONS**

**ZONING BY-LAW**

- |                    |   |
|--------------------|---|
|                    | the portion of the façade that is not setback closest to Upper Mount Albion Road.               |
| v) Planting Strip  | A planting strip shall not be required.   |
| vi) Visual Barrier | A visual barrier shall not be required along the southerly lot line adjacent to a public trail. |

(By-law No. 22-207, August 12, 2022)

816. Within the lands zoned Community Institutional (I2, 816) Zone, identified on Map 483 of Schedule "A" – Zoning Maps and described as 265 Mill Street South, the following special provisions shall apply:

- a) Notwithstanding Subsection 4.8 a), the aggregate Gross Floor Area of Accessory Buildings shall not exceed 150.00 square metres or 7.5% total lot coverage, whichever is the lesser.
- b) Notwithstanding Subsection 4.8 g), Accessory Buildings shall have a maximum height of 6.75 metres.
- c) Notwithstanding Subsection 8.2.1, only the following uses shall be permitted:

Educational Establishment in conjunction with the buildings and structures existing at the date of the passing of this By-law.

Day Nursery in conjunction with the buildings and structures existing at the date of the passing of this By-law.

Existing Single Detached Dwelling

- d) Notwithstanding Subsection 8.2.3.3 as it relates to Day Nursery, a Day Nursery shall be permitted in accordance with Subsection 8.2.3.2.
- e) In addition to Subsection 8.2.3.2, the following regulation shall also apply:



**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- i) Maximum Gross Floor Area for an Educational Establishment and/or Day Nursery 915 square metres
- f) Notwithstanding Section 3, for the purpose of the By-law, 'Existing' shall mean existing on the date of the passing of this By-law, including the enlargement and extension thereof, and shall include the following:
  - i) Two storey stone constructed portion of the single detached dwelling;
  - ii) Single storey stone constructed portion of the single detached dwelling
  - iii) Hip roof of the two storey section of the single detached dwelling; and,
  - iv) Stone chimney of the west façade of the single detached dwelling.

(By-law No. 22-187, August 12, 2022)

820. Within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as 220 and 222 Main Street West and 107, 109, 115 and 117 George Street, the following special provisions shall apply:

- a) Section 6.0 c) i) shall not apply where the required step back is measured to the hypotenuse of a daylight triangle.
- b) Notwithstanding Sections 6.1.1.1 i) 1. A., 6.1.3 a) i) and ii), and 6.1.3 c) iv), the following special provisions shall apply:

- i) Restricted Uses In the case of a Parking Facility developed after the effective date of this By-law, a maximum of five parking spaces shall be permitted to be located outside of a building. All other parking space shall be contained within a building.
  - ii) Building Setback from a Street Line 1. For any portion of a building below 11.0 metres in height, except

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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where a visibility triangle shall be provided for a driveway access, the following shall apply:

A. Maximum 6.0 metres from the George Street Line; and,

B. Maximum 4.7 metres from all other Street Lines.

2. Notwithstanding Section ii) 1. above, a maximum setback of 8.5 metres for that portion of a building providing an access driveway to a garage.

iii) Built Form for New Development

A driveway with a maximum width of 7.7 metres shall be permitted for ingress and egress.

(By-law No. 23-024, February 22, 2023)

823. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 1748 and 1785 of Schedule "A" - Zoning Maps and described as 3250 and 3260 Homestead Drive, the following special provision shall apply:

a) Notwithstanding Sections 10.5.3 g) vii) 1., the following regulations shall apply:

i) A minimum of one principal entrance shall be provided within the ground floor facade where the setback does not abut any street.

(By-law No. 23-015, February 8, 2023)

824. In addition to Section 12.1.3.2 a), and notwithstanding Section 3 as it relates to Lot Coverage, Sections 12.1.3.1 e) and 12.1.3.1 h), on those lands zoned Agriculture (A1) Zone, identified on Maps 180, 193 of

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

Schedule "A" of Zoning Maps and described as 3355 Golf Club Road, the following special provisions shall also apply:

- a) For the purposes of Special Exception No. 824, the following definitions shall apply:

|                          |   |
|--------------------------|---|
| Agri-tourism Retreat     | Shall mean a detached building that provides overnight accommodations and meals, up to a maximum of 12 guestrooms, and may also include education, tourist opportunities and other agritourism uses to experience organic agriculture, but shall not include a Hotel or Medical Clinic.   |
| Ground Floor Area        | Shall mean the maximum area of the ground floor of a building measured to the outside of all outside walls.   |
| Lot Coverage             | Shall mean the percentage of the entire lot located at and known municipally as 3355 Golf Club Road (as of November 23, 2022) covered by all new buildings, structures, outdoor storage, landscaped areas, Septic or Sewage Systems, berms, laneways, and parking associated with an Agri-tourism Retreat and Agritourism use, but does not include laneways shared between Agricultural uses and Agri-tourism uses existing as of the date of this by-law. |
| Septic or Sewage Systems | Shall mean an onsite wastewater treatment system that may include a septic tank for primary treatment and a trench or bed soil absorption system for secondary treatment of wastewater, and shall be constructed to the satisfaction of the City.   |

- b) The following Secondary Use to Agriculture shall be permitted in accordance with the regulations of Section 12.1.3.2:

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

## Agri-tourism Retreat

- c) The following regulations shall apply to the use identified in b) above:

- |      |                           |   |
|------|---------------------------|---|
| i)   | Maximum Gross Floor Area  | 3,000 square metres                                     |
| ii)  | Maximum Ground Floor Area | 1,500 square metres                                     |
| iii) | Maximum Lot Coverage      | 3.2%  |
| iv)  | Parking                   | Minimum parking requirements of 1 space per guest room. |

(By-law No. 23-009-OLT, January 24, 2023)

825. Within the lands zoned Community Institutional (I2) Zone, identified on Map 445 of Schedule "A" – Zoning Maps and described as 306 Parkside Drive, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions, as it relates to the definition of Front Lot Line, for the purpose of this By-law, the front lot line is deemed to be Parkside Drive.
- b) Notwithstanding the regulations of Section 5.1 d), as it relates to location, required parking for Day Nursery, Place of Worship, Multiple Dwelling, and visitor parking for residential uses shall be permitted to be located between the façade and the front lot line and up to 75% shall be used for parking and access to such parking.
- c) Notwithstanding the regulations of Section 5.6 c), as it relates to a Place of Worship and Day Nursery, a minimum of 50 total parking spaces shall be provided for a Place of Worship and Day Nursery.
- d) In addition to Subsection 8.2.1, a multiple dwelling shall also be permitted in accordance with Section 8.2.3.1.
- d) Notwithstanding Section 8.2.3.1 c), as it relates to minimum required yards, the following regulations shall apply for multiple dwellings:

- |    |                   |            |
|----|-------------------|------------|
| i. | Minimum Side Yard | 7.0 metres |
|----|-------------------|------------|

Notwithstanding i) above,  
the Minimum Side Yard

from the south-westerly side lot lines measuring 18.62 metres, 17.74 metres and 20.42 metres shall be 2.75 metres.

(By-law No. 23-025, February 22, 2023)

835. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1785 of Schedule "A" – Zoning Maps and described as 91 and 95 Strathearne Place, the following special provisions shall apply:

- a) Notwithstanding Section 15.1.1, a Street Townhouse Dwelling shall not be permitted.

(By-law No. 23-029, February 22, 2023)

836. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1284 of Schedule "A" – Zoning Maps and described as 343 Springbrook Avenue, the following special provisions shall apply:

- a) Notwithstanding Section 15.1.1, a Street Townhouse Dwelling shall not be permitted.

(By-law No. 23-022, February 22, 2023)

842. Within the lands zoned Business Park Support (M4, 842) Zone, identified on Map 1548 of Schedule "A" – Zoning Maps and described as 10 Trinity Church Road, the following special provisions shall apply:

- a) Notwithstanding Section 9.4.3 a), 9.4.3 b) i), 9.4.3 j) i), 9.4.3 k) the following shall apply:

|      |  |                                   |
|------|--|-----------------------------------|
| i)   | Minimum Lot Area   | 335.0 square metres               |
| ii)  | Minimum Yard Abutting a Street                               | 0.0 metres                        |
| iii) | Size and Location Restriction for Supportive Commercial Uses | Shall not apply for a Restaurant; |
| iv)  | Landscaped Area and Planting Strip Requirements              | Shall not apply.                  |

(NOT FINAL AND BINDING: By-law No. 23-093, May 24, 2023)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

845. Within the lands zoned Low Density Residential – Small Lot (R1a) Zone, identified on Map 950 of Schedule "A" – Zoning and described as 81 Chatham Street, the following special provisions shall apply:

- a) In addition to Section 3: Definitions, as it relates to the definitions of "Landscaped Area" and "Landscaping" and notwithstanding Section 5.2 a) i), the following regulations shall apply:
  - i) A required landscape strip may contain a retaining wall with a maximum height of 0.6 metres along the easterly side yard;
  - ii) A required landscape strip may contain a concrete pad and associated fencing for the purposes of waste storage for a maximum length of 4.6 metres along the easterly side yard; and,
  - iii) No landscape strip shall be required for a maximum length of 5.9 metres along the easterly side yard.
- b) Notwithstanding Section 5.2 i) and 5.5 the following special provisions shall apply:
  - i) The minimum aisle width for parking spaces with a 90° angle shall be 5.49 metres.
  - ii) Section 5.5 shall not apply.
- c) Notwithstanding Section 5.2 e) i) a), all parking spaces and driveways shall be provided and maintained with permeable pavers.
- d) In addition to Section 15.2.1, a Multiple Dwelling with a maximum of six dwelling units, subject to the requirements of Section 15.2.2.1, shall also be permitted.
- e) Notwithstanding Section 15.2.2.1 c), the following regulation shall apply:
  - i) Minimum Setback from 1.3 metres the Front Lot Line

(NOT FINAL AND BINDING: By-law No. 23-096, May 24, 2023)

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

847. Within the lands zoned Settlement Residential (S1) Zone, identified on Map No. 143 of Schedule "A" – Zoning Maps and described as 127 Freelon Road, Flamborough, the following special provisions shall apply:

- a) In addition to Section 12.3.1, a single detached dwelling shall only be permitted in the principle building existing on the date of the passing of this By-law.

(NOT FINAL AND BINDING: By-law No. 23-095, May 24, 2023)

848. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1336 of Schedule "A" – Zoning Maps and described as 382 Southcote Road, the following special provisions shall apply:

- a) Notwithstanding Subsection 15.1.1, the following uses shall be prohibited:

Duplex Dwelling  
Semi-Detached Dwelling  
Street Townhouse Dwelling"

- b) Notwithstanding Subsection 15.1.2.1 d), the following provision shall apply:

- i) Minimum Side Yard Setback a) 1.2 metres;

- b) Notwithstanding b) i) a) above, 4.5 metres shall be provided from the side lot line abutting 540 Gray Court Drive.

(By-law No. 23-156, August 18, 2023)

849. Within the lands zoned Mixed Use Medium Density (C5, 849, H147) Zone, identified on Map 1188 of Schedule "A" – Zoning Maps and described as 1093 Fennell Avenue East, the following special provisions shall apply:

- a) Notwithstanding Section 10.5.3 b), 10.5.3 c), 10.5.3 d) ii) and iii), and in addition to 10.5.3 the following special provisions shall apply:

- i) Minimum Rear Yard 1. 6.5 metres; and,

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

- |      |   |  |
|------|---|--|
|      |   | 2. Notwithstanding 1. above, for any building greater than 9.0 metres in height, 50.0 metres shall be provided.  |
| ii)  | Minimum Interior Side Yard  | <p>1. 4.5 metres; and,</p> <p>2. Notwithstanding 1. above, for any building greater than 9.0 metres in height, 45.0 metres shall be provided.</p>  |
| iii) | Building Height   | Maximum 44.0 metres.   |
| iv)  | Minimum Gross Floor Area for Commercial Uses  | 2,030.0 square metres.   |
| v)   | Minimum Separation Distance for Multiple Dwellings  | <p>1. 5.25 metres between end walls;</p> <p>2. 10.0 metres between front façade and end wall; and,</p> <p>3. 20.0 metres between front façade and a building greater than 9.0 metres in height."</p> |
| vi)  | Minimum Building Stepback from the building base façade above the 2nd storey adjacent to a street | 1. 3.0 metres; and,  |



**SCHEDULE "C": SPECIAL EXCEPTIONS**

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2. Notwithstanding 1. above, 0.0 metres from a daylight triangle.

(By-law No. 23-146, August 18, 2023)

850. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1550 of Schedule "A" - Zoning Maps and described as 329 Highland Road West, the following special provisions shall apply:

- a) Notwithstanding Section 4.3 b), private driveway(s) or condominium road(s) are deemed to be a street(s), and parking and landscaping are permitted within the street(s);
- b) Notwithstanding Section 4.8 f), an inground waste system or other similar waste container shall be permitted to be erected prior to the erection of the principal building or structure on the lot, within the Condominium road;
- c) Notwithstanding Subsection 15.1.1, Street Townhouse Dwellings uses shall be prohibited; and,
- d) Notwithstanding Subsection 15.1.2.1 b) the minimum setback from a Side Lot Line shall be 0.9 metres on the non-garage side of a Single Detached Dwelling.

(By-law No. 23-129, July 14, 2023)

851. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1259 of Schedule "A" – Zoning Maps and described as 1310 South Service Road, the following special provisions shall apply:

- a) In addition to Section 3: Definitions the following definition shall also apply:

|                |  |
|----------------|--|
| Live/Work Unit | Shall mean a dwelling unit where a residence is permitted, and where a commercial use may also be permitted with a maximum size of 50 square metres of gross floor area and which shall be located on the ground floor. Commercial uses in a Live/Work Unit shall be limited to a personal service |
|----------------|--|

shop, a professional office and a retail store.

b) Notwithstanding Section 4.6 d), 4.6 e), and 4.8.1.1 a), the following special provisions shall apply:

- i) A porch, deck or canopy may encroach into any required yard to a maximum of 3.5 metres.
- ii) A balcony may encroach into any required yard to a maximum of 2.0 metres.
- iii) The aggregate Gross Floor Area of all Accessory Buildings shall not exceed 7.5% total lot coverage.

c) Notwithstanding Section 5.1 a) v) a), 5.1 a) v) b), 5.7 a), and 5.7 c), and in addition to 5.7 e), the following special provisions shall apply:

- i) Surface Parking Spaces      Shall not be located within 25.0 metres of a street line.
- ii) Long-term Bicycle Parking      Minimum 0.25 Long-term bicycle parking spaces per unit.
- iii) Short-term Bicycle Parking      1. Minimum 20 Short-term bicycle parking spaces; and,  
2. Shall be located on the lot containing the use.

d) In addition to Section 10.5.1, the following shall apply:

- i) Permitted Uses      Live/Work Unit

e) Notwithstanding Section 10.5.1.1 i) 1., 10.5.3 a), 10.5.3 d) i), 10.5.3 d) ii), and 10.5.3 d) iii), and in addition to 10.5.3, the following shall apply:

- i) Building Setback from a Street Line      1. Minimum 2.0 metres;

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|      |                         |  |
|------|-------------------------|--|
|      |                         | 2. Maximum 16.5 metres from the northern property line; and,   |
|      |                         | 3. Maximum 8.5 metres from the western property line.  |
| ii)  | Building Height         | <p>1. Maximum building height shall be in accordance with Figure 35 of Schedule F – Special Figures of Zoning By-law No. 05-200; and,</p> <p>2. Minimum 7.5 metre façade height for any portion of a building along a street line, except that one section up to 12.0 metres in width may be permitted a reduced height of 4.5 metres.</p> |
| iii) | Parking Location        | Minimum of 85% of all vehicle parking spaces shall be located within an underground parking garage.  |
| iv)  | Minimum Landscaped Area | 40% of the total lot area.   |
| v)   | Outdoor Amenity Area    | Minimum 1,000 square metre contiguous area setback at least 25.0 metres from a Street Line shall be provided.  |
| vi)  | Minimum Density         | 60 units per net hectare.  |
| vii) | Maximum Density         | 310 units per net hectare.   |

(By-law No. 23-168, July 14, 2023)

852. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1281 of Schedule "A" – Zoning Maps and described as 111 and 115 Fiddler's Green Road, the following special provisions shall apply:

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- a) Notwithstanding Section 5.6 c) iv. as it relates to Medical Clinic, and 5.7 c) and 5.7 e), the following special provisions shall apply:
  - i) Maximum Gross Floor Area for an Educational Establishment and/or Day Nursery
    - 1 parking space per 20.0 square metres of gross floor area shall be required.
  - ii) Bicycle Parking
    - 1. Minimum 0.50 Long-term bicycle parking spaces per unit; and,
    - 2. Minimum 5 Short-term bicycle parking spaces.
- b) Notwithstanding Section 10.2.1, 10.2.1.1 ii) and 10.2.3 h) and in addition to Section 10.2.1, 10.2.1.1, 10.2.2 and 10.2.3, the following special provisions shall apply:
  - i) The following uses shall also be permitted:
    - Multiple Dwelling
    - Street Townhouse Dwelling
  - ii) The following uses shall also be prohibited:
    - Catering Service
    - Financial Establishment
    - Motor Vehicle Service Station
    - Repair Services
    - Restaurant
    - Retail
  - iii) Maximum Gross Floor Area for commercial uses within new standalone commercial buildings on the lot
    - 1. 500.0 square metres.
    - 2. Section 1. above shall not apply to any buildings existing as of July 11, 2014 and which

are converted to  
commercial uses.

- iv) Within a building containing Dwelling Unit, Mixed Use, the following uses shall be limited to the ground floor of a building:

Artist Studio  
Commercial School  
Day Nursery  
Emergency Shelter  
Medical Clinic  
Office  
Personal Service  
Social Services Establishment  
Veterinary Service

- v) Minimum density 20 units per hectare

- vi) Maximum density 60 unit per hectare

- vii) The following regulations apply to Multiple Dwellings:

- a) Building Setback from a Street Line
1. Minimum 3.0 metres.
  2. Maximum 4.5 metres, except where a visibility triangle is required for a driveway access.
  3. Notwithstanding Section 2. above, minimum 6.0 metres setback for that portion of a building providing an access driveway to a garage.
  4. Section 2. above shall not apply for any portion of a building that exceeds the requirement of Section f) 2. below.

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- |   |  |
|---|--|
| b) Minimum Lot Area                               | 360.0 square metres.   |
| c) Minimum Landscaped Area for Multiple Dwellings | 10% of the lot area shall be landscaped area.  |
| d) Minimum Amenity Area for Multiple Dwellings    | <p>On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:</p> <ol style="list-style-type: none"><li>1. An area of 4.0 square metres for each dwelling unit less than 50 square metres.</li><li>2. An area of 6.0 metres for each dwelling unit more than 50 square metres.</li><li>3. In addition to the definition of Amenity Area, and Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air and may include balconies and patios.</li><li>4. In addition to the definition of Amenity area, the required Amenity Area shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with any commercial component.</li></ol> |

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- viii) The following regulations apply to Street Townhouse Dwellings:
  - a) Minimum Lot Area Per Unit                      145.0 square metres.
  - b) Minimum Lot Width per Unit                      5.5 metres.
  - c) Setback from a Street Line
    - 1. Minimum 3.0 metres.
    - 2. Maximum 4.5 metres except where a visibility triangle is required for a driveway access.
    - 3. Notwithstanding 2. above, minimum 6.0 metres for that portion of a building providing an access driveway to a garage.
  - d) Minimum Side Yard
    - 1. 1.2 metres except for the side yard related to the common wall of the dwelling unit, which shall have a 0 metre side yard.
    - 2. 3.0 metres for a flankage yard.
- ix) Section 10.2.1.1 shall not apply.

(By-law No. 23-130, July 14, 2023)

(By-law No. 24-137, July 12, 2024)

- 853. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Map Nos. 1094 and 1143 of Schedule "A" – Zoning Maps and described as 200 Centennial Parkway North, the following special provisions shall apply:

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- a) Notwithstanding Section 5.1 a) ii) a), off-site parking for a multiple dwelling is permitted within a zone in which a multiple dwelling is not permitted.
- b) Notwithstanding Section 5.6 c), as it relates to a multiple dwelling a minimum of 0.9 parking spaces per dwelling unit shall be required, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 parking spaces per dwelling unit. For all other uses parking will be required in accordance with Section 5.6 c).
- c) Notwithstanding Sections 4.6 a), d) and e), 10.4.1.1 ii) 1., 10.4.3 a), b), c), d) ii) and iii), the following regulations shall apply:
  - a) Finished Floor Elevation
    - i) The finished floor elevation of any dwelling unit shall be a minimum of 0 metres above grade.
    - ii) Notwithstanding a) i) above, a finished floor elevation of any dwelling unit facing Centennial Parkway North shall be a minimum of 0.9 metres above grade.
  - b) Maximum Building Setback from a Street Line
    - i) 4.5 metres from a streetline, except where a visibility triangle is required for a driveway access and shall not be required from Barlake Avenue.
    - ii) In addition to, b) i) above, the following minimum setbacks shall be provided:
      - A) 4.7 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 1 of Figure No. 32 of Schedule "F" – Special Figures.



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- B) 11.0 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 2 of Figure No. 32 of Schedule "F" – Special Figures.
    - C) 13.7 metres from a street line for any portion of the building greater than 39.2 metres in height, for the lands included in Block 2 of Figure No. 32 of Schedule "F" – Special Figures.
  - iii) Parapets, terrace dividers, privacy screens, guard rails and elements associated with a green roof or outdoor amenity space shall be permitted to be located within the minimum required setback.
  - iv) Balconies, balcony dividers and other architectural elements may encroach a maximum of 2.5 metres into the required yard setback.
- c) Minimum Rear Yard Setback
  - i) 10.5 metres.
  - ii) In addition to, c) i) above, the following additional setbacks shall be provided:
    - A) 22.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 4 of Figure No. 32 of Schedule "F" – Special Figures.

- B) 25.0 metres for any portion of a building exceeding 39.2 metres in height, for the lands included in Block 4 of Figure No. 32 of Schedule "F" – Special Figures.
- C) 13.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 5 of Figure No. 32 of Schedule "F" – Special Figures.
- iii) In addition to, Porches, steps, balconies, walls or screens dividing porches, terraces or balconies and other architectural elements may encroach a maximum of 2.5 metres into the required easterly rear yard setbacks.
- iv) In addition to, Parapets, guard rails and elements associated with a green roof or outdoor amenity space shall be permitted to be located within the minimum required easterly rear yard setbacks.
- d) Minimum Interior Side Yard Setback
  - i) 7.5 metres.
  - ii) In addition to, the following additional setbacks shall be provided:
    - A) 21.0 metres setback from the southerly side lot line.

- B) In addition to, d) ii) A) above, 34.0 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.
  - C) In addition to, d) ii) A) and B) above, 40.0 metres for any portion of a building exceeding 27.0 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.
  - D) In addition to, d) ii) A), B) and C) above, 46.0 metres for any portion of a building exceeding 36.2 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.
- iii) In addition to, d) ii) A) above, porches, steps, balconies, walls or screens dividing porches, terraces or balconies and other architectural elements located within Block 2 of Figure No. 32 of Schedule "F" – Special Figures may encroach a maximum of 2.5 metres into the required southerly side yard setback.
  - iv) In addition to, d) ii) above, parapets, guard rails, rooftop terraces, terrace dividers, elements associated with a green roof or outdoor amenity

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space located within Block 3 of Figure No. 32 of Schedule "F" – Special Figures shall be permitted to be located within the minimum required southerly side yard setbacks.

- iii) In addition to, d) ii) B, C, and D above, balconies, balcony dividers and other architectural elements located within Block 3 of Figure No. 32 of Schedule "F" – Special Figures may encroach a maximum of 2.5 metres into the required southerly side yard setback.

- e) Building Height
  - i) Maximum 40.0 metres.
  - ii) In addition to, e) i) above, the following maximum heights shall apply:
    - A) Maximum 65.0 metre building height for lands included in Blocks 1, 2 and 3 of Figure No. 32 of Schedule "F" – Special Figures.
    - B) Maximum 55.0 metre building height for lands included in Block 4 of Figure No. 32 of Schedule "F" – Special Figures.

- g) Ground Floor Commercial
  - A minimum of 50 percent of the ground floor area facing Centennial Parkway North shall be comprised of commercial uses.

- h) The lands zoned Mixed Use - High Density (C4, 853) Zone shall be deemed to be one lot for the purpose of applying the

provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, and not the individual property boundaries of any lots created by registration of Condominium Plan, Part Lot Control or Consent.

(By-law No. 23-151, August 18, 2023)

856. Within the lands zoned Low Density Residential (R1, 856) Zone, identified on Map Nos. 1255 and 1308 of Schedule "A" – Zoning Maps and described as 860 and 884 Barton Street, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 4.35 the following regulations shall apply:

- |    |                        |  |
|----|------------------------|--|
| i) | Landscape Requirements | On lots containing a single detached dwelling, semi-detached dwelling, duplex dwelling, or street townhouse dwelling in all zones, a minimum of 17% landscaped area in the Front Yard shall be provided and may include steps. |
|----|------------------------|--|

a) Notwithstanding Section 5.1 c) ii), iii) and vi) the following regulations shall apply:

- |    |   |   |
|----|---|---|
| i) | Parking Location – Street Townhouse Dwellings | <p>A) A minimum width of 2.5 metres shall apply.</p> <p>B) A driveway may be a maximum 70% of the lot width or 6.0 metres, whichever is the lesser.</p> |
|----|---|---|

- |     |                      |  |
|-----|----------------------|--|
| ii) | Finished Floor Level | A minimum of 0.15 metres above grade shall apply |
|-----|----------------------|--|

a) Notwithstanding Section 15.1.2.3 a), b), c), f), and g), the following regulations shall apply:

- |    |   |                    |
|----|---|--------------------|
| i) | Minimum Lot Area for each Dwelling Unit | 99.0 square metres |
|----|---|--------------------|

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- |      |   |   |
|------|---|---|
| ii)  | Minimum Unit Width for each Dwelling Unit | 4.5 metres  |
| iii) | Minimum Setback from the Front Lot Line   | 4.4 metres, except for 6.0 metres to an attached garage |
| iv)  | Minimum Setback from the Rear Lot Line    | 4.5 metres  |
| v)   | Maximum Building Height                   | 12.0 metres   |

(By-law No. 23-193-OLT, August 2, 2023)

857. Within the lands zoned Low Density Residential (R1, 857) Zone, identified on Map Nos. 1255 and 1308 of Schedule "A" – Zoning Maps and described as 860 Barton Street, Stoney Creek, the following special provisions shall apply:

- |    |  |   |
|----|--|---|
| a) | Notwithstanding Section 4.8.1. a) the following regulations shall apply: |   |
| i) | Buildings Accessory to Residential Uses                                  | For buildings in existence prior to the adoption of this by-law, the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 85 square metres or 7.5% total lot coverage, whichever is the lesser. |

(By-law No. 23-193-OLT, August 2, 2023)

858. Within the lands zoned Mixed Use Medium Density (C5, 858) Zone, identified on Map No. 994 of Schedule "A" and described as 299-307 John Street South & 97 St. Joseph's Drive, the following special provisions shall apply:

- |    |  |
|----|--|
| a) | That the front lot line shall be John Street South.  |
| b) | Section 5.2 b) iii) shall not apply.   |
| c) | Notwithstanding Section 5.2. i) the minimum two-way aisle width at a 90-degree parking angle shall be 5.85 metres. |

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- d) Section 5.2.1 shall not apply to a yard abutting Charlton Avenue East.
- e) In addition to the permitted uses outlined in Section 10.5.1, a Public Parking Lot shall be included as a permitted use.
- f) Notwithstanding Sections 4.6.e), 10.5.1.1(i)1., 10.5.3a)(i), 10.5.3b), 10.5.3d), and, 10.5.3i) the following regulations shall apply:

|                                  |   |
|----------------------------------|---|
| Minimum Setback to a Street Line | 0.0 metres, except 1.5 metres where a building exceeds 139.00 MASL in height  |
| Minimum Rear Yard                | 0.9 metres  |
| Maximum Balcony Encroachment     | A balcony may encroach into any required yard to a maximum of 1.75 metres   |
| Maximum Building Height (Podium) | 139.00 MASL   |
| Maximum Building Height (Towers) | 192.00 MASL   |
| Planting Strip Requirements      | Where a property line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 1.0 metre wide Planting Strip shall be provided and maintained. |

- g) A minimum distance of 17.0 metres shall be provided and maintained between each habitable portion of a building above 136.0 MASL.
- h) Notwithstanding Section 5.6, the following regulations shall apply:

|  |  |
|--|--|
| Minimum Parking Rate for Dwelling Units less than 50.0 square metres in gross floor area | 0.3 spaces/unit  |
| Minimum Parking Rate for Dwelling Units greater than 50.0                                | 0.3 spaces/unit for units 1 – 3<br>0.70 spaces/unit for units 4 – 14 |

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|  |                                    |
|--|------------------------------------|
| square metres in gross floor area      | 0.85 spaces/unit for units 15 – 50 |
|  | 1.0 spaces/unit for units 51+      |
| Minimum Parking Rate for Commercial    | 0.0 spaces                         |
| Minimum Public Parking Spaces Provided | 66.0 spaces                        |

(By-law No. 23-192-OLT, July 20, 2023)

859. Within the lands zoned Low Density Residential (R1) Zone, identified on Map Nos. 1446 and 1447 of Schedule "A" – Zoning Maps and described as 311 Rymal Road East, the following special provisions shall apply:
- a) Notwithstanding Section 4.6. d), Permitted Yard Encroachments, the maximum projection of the existing porch of the single detached dwelling into the front yard setback shall be 2.61 metres;
  - b) Notwithstanding Section 4.8.1.1 a), Buildings Accessory to a Single Detached Dwelling, the maximum Gross Floor Area of the existing rear yard garage shall not exceed 55 square metres; and,
  - c) Notwithstanding Section 5.1 b) ii) and iii) the existing driveway width of 5.1 metres shall be permitted.

(By-law No. 23-152, August 18, 2023)

861. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 861, H155) Zone, identified on Map No. 1124 and 1175 of Schedule "A" and described as 442, 450, 454, and 462 Wilson Street East, the following special provisions shall also apply:
- a) In addition to the uses permitted in Subsection 10.5a.1, a Retirement Home shall also be permitted.
  - b) Notwithstanding Subsection 10.5a.3 a) i), b), d), h) ix), h) x) the following special provisions shall apply:



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- |     |  |  |
|-----|--|--|
| i)  | Minimum building setback from Rousseaux Street | <ul style="list-style-type: none"> <li>a) 4.0 metres;</li> <li>b) Notwithstanding a) above, 0 metres adjacent to the northwest corner of the Hypotenuse of the Daylight Triangle; and,</li> <li>c) Notwithstanding a) above, 8.6 metres adjacent to the northeast corner of the Hypotenuse of the Daylight Triangle.</li> </ul>  |
| ii) | Minimum Rear Yard                              | <ul style="list-style-type: none"> <li>a) 3.0 metres for all new development.</li> <li>b) Notwithstanding ii) a) above, 1.0 metre shall be required to the existing building at 442 Wilson Street.</li> </ul>  |
| iv) | Maximum Building Height                        | <ul style="list-style-type: none"> <li>a) 11 metres;</li> <li>b) Notwithstanding a) above, 15 metres (237 metres above sea level) for the area shown as Block 1 on Figure 33 of Schedule "F" – Special Figures.</li> <li>c) Notwithstanding a) above, 22 metres (244.00 metres above sea level) for the area shown as Block 2 on Figure 33 of Schedule "F" – Special Figures.</li> </ul> |

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- |     |  |   |
|-----|--|---|
| v)  | Minimum Commercial<br>Gross Floor Area | 450 square metres   |
| vi) | Built Form for New<br>Development      | Minimum 39% percent of the<br>area of the ground floor façade<br>shall be composed of doors and<br>windows. |

(By-law No. 23-197-OLT, September 26, 2023)

862. Within the lands zoned Mixed Use Medium Density (C5) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 95, 99, 103 and 105 Highway 8, the following special provisions shall apply:

- a) Notwithstanding Subsection 4.6 e), a balcony may encroach into any required yard to a maximum of 1.5 metres.
- b) Notwithstanding Subsection 4.6 e), a balcony abutting a Street Line may encroach into the required yard to a maximum of 2.0 metres.
- c) In addition to Section 10.5, the following regulations shall apply:
  - i) Underground garage ramps shall have a minimum required rear yard setback of 7.0 metres.
- d) Notwithstanding Sections 10.5.3 a), b), c), and d) ii), iii), iv), A), B), C), the following regulations shall apply:
  - i) Building Setback from a Street Line
    - 1. A minimum setback of 3.0 metres;
    - 2. A minimum setback of 5.0 metres for any portion of the building exceeding a height of 30.5 metres; and,
    - 3. A minimum setback of 8.0 metres for any portion of the building exceeding a height of 33.8 metres.

4. A minimum setback of 11.0 metres for any portion of the building exceeding a height of 37.1 metres.
  5. A minimum setback of 14.97 metres for any portion of the building exceeding a height of 41.1 metres.
- ii) Minimum Rear Yard
1. A minimum setback of 7.5 metres;
  2. A minimum setback of 12 metres for any portion of the building exceeding a height of 12 metres;
  3. A minimum setback of 15 metres for any portion of the building exceeding a height of 15 metres;
  4. A minimum setback of 18 metres for any portion of the building exceeding a height of 18 metres;
  5. A minimum setback of 21 metres for any portion of the building exceeding a height of 21 metres;
  6. A minimum setback of 24 metres for any portion of the building exceeding a height of 24 metres;
  7. A minimum setback of 27 metres for any portion of the building exceeding a height of 27 metres;

8. A minimum setback of 30 metres for any portion of the building exceeding a height of 30.5 metres;
  9. A minimum setback of 33 metres for any portion of the building exceeding a height of 33.8 metres;
  10. A minimum setback of 37 metres for any portion of the building exceeding a height of 37.1 metres; and,
  11. A minimum setback of 43.2 metres for any portion of the building exceeding a height of 41.1 metres.
- iii) Minimum Interior Side Yard
1. A minimum setback of 3.0 metres to the portion of the garage wall that protrudes above the grade along the western side of the subject lands.
  2. A minimum setback of 14.7 metres for any portion of the building that abuts a residential lot containing a residential use.
- iv) Building Height
1. Maximum 44 metres.
  2. In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project

above the uppermost point of the building, subject to the following regulations:

- a. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 40% of the floor area of the storey directly beneath;
- b. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 0.0 metres from the exterior walls of the storey directly beneath; and,
- c. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 6.0 metres vertical distance from the uppermost point of the building to the

uppermost point of the rooftop enclosure.

(By-law No. 23-158, August 18, 2023)

864. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map No. 1340 of Schedule "A" – Zoning Maps and described as 631 and 639 Rymal Road West, the following special provisions shall apply:

- a) Notwithstanding Subsection 4.6 e), a balcony may encroach into any required yard to a maximum of 1.5 metres.
- b) Notwithstanding Subsection 5.2 b) vi), the minimum parking space size of not more than 16 required parking spaces may have a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.
- c) Section 11.3.1.1 i) 1. shall not apply.
- d) Notwithstanding Subsections 11.3.2 a) i), c), and e) ii) and iii), the following regulations shall apply:
  - i) Building Setback from a Street Line      Minimum 0.5 metres;
  - ii) Minimum Interior Side Yard      1.6 metres to the portion of the parking structure located above grade;  
5.5 metres to the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> storeys;  
13.6 metres for the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> storeys;  
20.5 metres for the 8<sup>th</sup> storey;  
25.0 metres for the 9<sup>th</sup> and 10<sup>th</sup> storeys;  
26.6 metres for the 11<sup>th</sup> storey; and,

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29.3 metres for the 12<sup>th</sup> storey;

iii) Building Height

a) Maximum 40.0 metres.

(By-law No. 23-153, August 18, 2023)

(By-law No. 24-137, July 12, 2024)

865. Within the lands zoned Low Density Residential (R1a) Zone, identified on Map Nos. 1446 and 1447 of Schedule "A" – Zoning Maps and described as 311 Rymal Road East, the following special provisions shall apply:

- a) Notwithstanding Section 4.35. a), Landscape Requirements, the Minimum Landscaped Area in the Front Yard for shall be 44% for Block 3, Special Figure
- b) Notwithstanding Section 4.6. d), Permitted Yard Encroachments, a porch, deck or canopy may encroach into any required yard to a maximum of 1.6 metres;
- c) Notwithstanding Section 15.2.2.2 b), Semi-Detached Dwelling Regulations, the Minimum Lot width for each Dwelling Unit shall be 5.6 metres for Block 3, Special Figure 34;
- d) Notwithstanding Section 15.2.2.2 c), Semi-Detached Dwelling Regulations, the Minimum Setback from the Front Lot Line shall be 6.0 metres.

(By-law No. 23-152, August 18, 2023)

867. Within the lands zoned Low Density Residential – Small Lot (R1a, 867) Zone, identified on Maps 1932 and 1933 of Schedule "A" – Zoning Maps and described as 3479 Binbrook Road, the following special provisions shall apply:

- a) Notwithstanding Sections 15.2.2.1 a), d), e), f), g), and h), the regulations shall apply:
  - a) Minimum Lot Area 235 square metres
  - d) Minimum Setback from a Side Lot Line 1.2 metres on one side and 0.6 metres on the other

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- |    |  |   |
|----|--|---|
| e) | Minimum Setback<br>from a Flankage Lot<br>Line | 2.4 metres  |
| f) | Minimum Setback<br>from the Rear Lot<br>Line   | 7 metres  |
| g) | Maximum Building<br>Height                     | 12.5 metres   |
| h) | Parking  | Notwithstanding 5.2 b) ii), a<br>parking space shall be a<br>minimum 2.7 metres in width<br>and 5.8 metres in length. |

(By-law No. 23-149, August 18, 2023)

868. Within the lands zoned Low Density Residential – Small Lot (R1a, 868) Zone, identified on Maps 1932, 1933 and 1955 of Schedule "A" – Zoning Maps and described as 3479 Binbrook Road, the following special provisions shall apply:

- |    |  |   |
|----|--|---|
| a) | Notwithstanding Sections 15.2.2.2 a), b), e), f), g), and h), the regulations shall apply: |   |
| a) | Minimum Lot Area   | 185 square metres   |
| b) | Minimum Lot Width  | 6.5 metres  |
| e) | Minimum Setback<br>from a Flankage lot<br>Line   | 2.4 metres  |
| f) | Minimum Setback<br>from the Rear Lot Line  | 7 metres  |
| g) | Maximum Building<br>Height   | 12.5 metres   |
| h) | Parking  | Notwithstanding 5.2 b) i), a<br>parking space shall be a<br>minimum 2.7 metres in width |



and 5.8 metres in length.

(By-law No. 23-149, August 18, 2023)

869. Within the lands zoned Low Density Residential – Small Lot (R1a, 868) Zone, identified on Maps 1910, 1932, and 1933 of Schedule "A" – Zoning Maps and described as 3479 Binbrook Road, the following special provisions shall apply:

- a) Notwithstanding Sections 15.2.2.3 a), e), f), g), and h), the regulations shall apply:
  - a) Minimum Lot Area 150 square metres
  - e) Minimum Setback from a Flankage lot Line 2.4 metres
  - f) Minimum Setback from the Rear Lot Line 7 metres
  - g) Maximum Building Height 12.5 metres
  - h) Parking Notwithstanding 5.2 b) i), a parking space shall be a minimum 2.7 metres in width and 5.8 metres in length.

(By-law No. 23-149, August 18, 2023)

870. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1551 of Schedule "A" – Zoning Maps and described as 82 Carlson Street, the following special provisions shall apply:

- a) Notwithstanding Subsection 15.1.1, the following use shall be prohibited:
 

Street Townhouse Dwelling
- b) Notwithstanding Section 15.1.2.1 a), c), d) and f), the following shall apply to Single Detached Dwellings:

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- |      |   |  |
|------|---|--|
| i)   | Minimum Lot Area                        | 300.0 square metres;   |
| ii)  | Minimum Setback from the Front Lot Line | 4.5 metres, except 6.0 metres to an attached garage;   |
| iii) | Minimum Setback from a Side Lot Line    | 1.2 metres on one side and 0.6 metres on the other side, provided;   |
|      |   | (a) that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots; and, |
|      |   | (b) that the abutting lands are located in the same zone.  |
| iv)  | Minimum Setback from the Rear Lot Line  | 7.0 metres;  |
- c) Notwithstanding 15.1.2.2 a), c) and f), the following shall apply to Semi-Detached Dwellings:
- |      |   |  |
|------|---|--|
| i)   | Minimum Lot Area for each Dwelling Unit | 255 square metres;                                   |
| ii)  | Minimum Setback from the Front Lot Line | 4.5 metres, except 6.0 metres to an attached garage; |
| iii) | Minimum Setback from the Rear Lot Line  | 7.0 metres;  |

(By-law No. 23-179, September 27, 2023)

872. Within the lands zoned Settlement Residential (S1, 872, H160) Zone, identified on Map 143 of Schedule "A" – Zoning Maps and described as

**SCHEDULE "C": SPECIAL EXCEPTIONS**

12 Louisa Street, Flamborough the following special provisions shall apply:

- a) Notwithstanding Section 12.3.3 (a), the following regulation shall apply:
  - i) Minimum Lot Area 0.2 hectares

(By-law No. 23-204, October 25, 2023)

873. Within the lands zoned Conservation/Hazard Land (P5P Zone on Map Nos. 787 and 827 of Schedule "A" – Zoning Maps and described as 65 Guise Street East, Hamilton the following special provisions shall apply:

- a) Section 5.1.a) ii) a) shall not apply.
- b) In addition to Section 7.5.1 the following uses shall also be permitted in accordance Section c) below:
 

Parking Lot; and,  
Commercial Parking Facility.
- c) The following provisions shall apply for uses listed in b) above:

- |      |   |  |
|------|---|--|
| i)   | Restriction of Uses                                     | The uses permitted in Section a) above, shall only be permitted underground. |
| ii)  | Minimum Distance of a Parking Gate from a Street Line   | 7.0 metres.  |
| iii) | Minimum Distance of on and off Ramps from a Street Line | 7.0 metres.  |

(By-law No. 23-187, October 11, 2023)

874. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1395 of Schedule "A" – Zoning Maps and described as 81 and 87 Rymal Road East, the following provisions shall apply:

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- a) Notwithstanding Sections 11.3.1.1 i) 1., 11.3.2 e) ii), 11.3.2 e) iii), 11.3.2 f) v) and 4.9 a) the following regulations shall apply:

- |      |                                       |   |
|------|---------------------------------------|---|
| i)   | Restriction of Uses Within a Building | The finished floor elevation of any dwelling shall be a minimum of 0.25 metres above grade.   |
| ii)  | Building Height                       | <ol style="list-style-type: none"> <li>1. Maximum 26.5 metres.</li> <li>2. Minimum 10.3 metres.</li> <li>3. Notwithstanding 1. above, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in subsection iii) and v) below, when abutting a Residential of Institutional Zone, to a maximum of 26.5 metres.</li> </ol> |
| iii) | Minimum Interior Side Yard            | <ol style="list-style-type: none"> <li>1. 3.0 metres.</li> <li>2. Notwithstanding 1. above, 7.5 metres shall be required for any building exceeding 11.0 metres in height.</li> <li>3. Notwithstanding 1. and 2. above, a Minimum Interior Side Yard shall not be required for any portion of a property line abutting a Mixed Use Medium Density (C5) Zone.</li> </ol>                                     |

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|   |  |  |
|---|--|--|
| (By-law<br>No. 24-053, April<br>10, 2024) | iv) Built Form for<br>Development          | Maximum of one 7.5 metre wide<br>driveway shall be permitted for<br>ingress and egress.  |
|   | v) Rear Yard                               | Minimum 4.5 metres.  |
|   | vi) Mechanical and<br>Unitary<br>Equipment | Shall be located within a required<br>front yard, provided such<br>equipment shall have a minimum<br>setback of 1.0 metre from the<br>street line, a minimum setback of<br>0.6 metres from a side lot line and<br>is screened from the street by an<br>enclosure or landscaping. |
| 875.                                      |  |  |

Within the lands zoned Transit Oriented Corridor Local Commercial (TOC2) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and described as 527 James Street North, the following special provisions shall apply:

a) Notwithstanding Section 11.2.3 a) and c) the following special provisions shall apply:

- i) Minimum Building Setback from a Street Line 0.0 metres;
- ii) Minimum Interior Side Yard 0.0 metres;

(By-law No. 23-203, October 25, 2023)

877. Within the lands zoned Mixed Use Medium Density (C5, 877) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 851 Lawrence Road, the following special provisions shall apply:

- a) Notwithstanding Section 3, as it relates to the definition of Front Lot Line,
  - i) For the purposes of Special Exception 877, Lawrence Road shall be deemed the Front Lot Line.

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- b) Notwithstanding Section 4.6 e), a balcony may encroach into any required yard to a maximum of 1.8 metres.
- c) Notwithstanding Section 5.6 c) and 5.6 e) as it relates to Multiple Dwellings and Dwellings Unit(s), the following parking shall be required:
  - i) A minimum of 1.1 spaces per unit.
- d) Notwithstanding Section 10.5.1.1 i) 1. dwelling units that do not face a street shall be permitted at grade.
- e) In addition to Section 10.5.3, and notwithstanding Sections 10.5.3 a) ii), 10.5.3 d i), 10.5.3 d ii), and 10.5.3 d iii), the following regulations shall apply:
 

|      |                                     |  |
|------|-------------------------------------|--|
| i)   | Building Setback from a Street Line | Maximum setback of 7.9 metres;   |
| ii)  | Setback Between Buildings           | Minimum setback of 3 metres from any building, excluding underground parking structures, existing on the date of the passing of this By-law;                   |
| iii) | Building Height                     | 1. Minimum 10.3 metre façade height along the street.<br><br>2. Maximum building height shall be in accordance with Figure 37 of Schedule F – Special Figures. |
- f) In addition to 10.5.3 i) a 3.0 metre wide Planting Strip shall be required along the westerly side lot line.

(By-law No. 23-202, October 25, 2023)

- 878. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map Nos. 1499 and 1546 of Schedule "A" – Zoning Maps and described as

**SCHEDULE "C": SPECIAL EXCEPTIONS**

1280 Rymal Road East and 385 Nebo Road, Hamilton, the following special provisions shall apply:

- a) Notwithstanding Section 4.25 c) ii), a Drive Through stacking lane may be permitted between buildings and the Rymal Road East street line and the Nebo Road street line.
- b) Notwithstanding Section 5.2 h) i) and ii), the following regulations shall apply:
  - i) Landscaped Area(s) and Landscaped Parking Island(s) with a minimum combined area of 3% of the area of the parking lot and associated access driveway and manoeuvring areas shall be provided and maintained.
  - ii) Each Landscaped Area and Landscaped Parking Island shall have a minimum area of 8 square metres.
- c) In addition to Section 10.7.1 and notwithstanding Section 10.7.3 a) and 10.7.4 d), the following regulations shall apply:

|      |   |   |
|------|---|---|
| i)   | Permitted Uses  | Financial Establishment<br>Medical Clinic<br>Office<br>Personal Service<br>Retail |
| ii)  | Minimum Building Setback to a Street Line                                     | 8.0 metres;   |
| iii) | Maximum Gross Floor Area for Retail   | 11,000 square metres;   |
| iv)  | Maximum Gross Floor Area for Accessory Retail uses to a Motor Vehicle Gas Bar | 250 square metres;  |

- |    |   |   |
|----|---|---|
| v) | Landscaped Area and Planting Strip Requirements | <p>1. Minimum 6.0 metre wide Landscaped Area shall be provided and maintained abutting a street, except for points of ingress and egress;</p> <p>2. In addition to i) above, within the 6.0 metre Landscaped Area, a minimum 3.0 metre wide Planting Strip shall be required and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress;</p> <p>3. Where a property lot line abuts a property lot line within a Residential Zone, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.</p> |
|----|---|---|

(By-law No. 23-209, November 08, 2023)

879. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map No. 1184 of Schedule "A" - Zoning Maps and described as 150 Mohawk Road East, Hamilton the following special provisions shall apply:
- a) In addition to Section 4.6, the following regulations shall apply:
    - i) A stairwell to a parking garage may encroach into a required rear yard to a maximum of 3.0 metres.
  - b) Notwithstanding Section 5.1 a) v), the regulation shall not apply.
  - c) Notwithstanding Section 5.2 a) i), the following regulations shall apply:
    - i) A minimum 1.1 metre wide landscape strip which shall contain a visual barrier in accordance with Section 4.19 of this By-law.
  - d) Notwithstanding Section 5.2 h), the regulation shall not apply.



- e) Notwithstanding Section 11.3.2, the following regulation shall apply:
- i) The 12 storey Multiple Dwelling existing at the date of passing of this by-law shall be deemed to conform.
- f) Notwithstanding Sections 11.3.2 a) i), 11.3.2 b), 11.3.2 c), 11.3.2 e), 11.3.2 f) iii), 11.3.2 f) iv), and 11.3.2 f) v), the following regulations shall apply:
- |      |                                     |   |
|------|-------------------------------------|---|
| i)   | Building Setback from a Street Line | Minimum 2.5 metres, except 13.5 metres for a portion of a building greater than 13.5 metres in height.  |
| ii)  | Minimum Rear Yard                   | 5.0 metres, except 16.0 metres for a portion of a building greater than 8.0 metres in height and 30.0 metres for a portion of a building greater than 13.5 metres in height and 2.0 metres for a stairwell. |
| iii) | Minimum Interior Side Yard          | 7.5 metres, except 32.0 metres for a portion of a building greater than 8.0 metres in height and 3.0 metres for a stairwell.  |
| iv)  | Maximum Building Height             | 36.0 metres.  |

(By-law No. 24-108, June 26, 2024)

881. Within the lands zoned Mixed Use Medium Density (C5, 881) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 851 Lawrence Road and 2030 King Street East, the following special provisions shall apply:

- a) Notwithstanding any other provisions of this By-law, development existing at the date of passing of this by-law shall be deemed to comply.

- b) Notwithstanding Section 5.6 c) and 5.6 e) as it relates to Multiple Dwellings and Dwellings Unit(s), the following parking shall be required:

- i) A minimum of 1.1 spaces per unit.

(By-law No. 23-202, October 25, 2023)

893. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1247 of Schedule "A" Zoning Maps and described as 118 King Street West, Stoney Creek, the following special provisions shall apply:

- a) Notwithstanding Sections 5.2 a), 10.5.3 a) ii), 10.5.3 c), 10.5.3 d) ii) and iii), 10.5.3 i) and Section 10.5.3 j), the following shall apply:

- |      |   |   |
|------|---|---|
| i)   | Landscape Strip and Visual Barrier Requirement for Parking Lot Adjacent to a Residential Zone | A minimum 1.0 metre landscape strip with no visual barrier shall be provided and maintained along the westerly lot line and a minimum 1.5 metre landscape strip and a Visual Barrier in accordance with Section 4.19 shall be provided and maintained along the northerly lot line. |
| ii)  | Building Setback from a Street Line   | Maximum 5.3 metres, except where a visibility triangle is required for a driveway access.   |
| iii) | Minimum Interior Side Yard  | 6 metres to the building and 4.5 metres to a support column.  |
| iv)  | Building Height   | <p>1) Maximum 37.5 metres; and,</p> <p>2) In addition to Section 10.5.3d)i) and notwithstanding Section 10.5.3d)ii), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement</p>                              |

established in Section 10.5.3 b) when abutting a Residential or Institutional Zone to a maximum of 37.5 metres.

- |     |                             |   |
|-----|-----------------------------|---|
| v)  | Planting Strip Requirements | A minimum 1.5 metre wide Planting Strip shall be provided and maintained along the northerly lot line and a 1.0 metre wide Planting Strip shall be provided and maintained along the westerly lot line. |
| vi) | Visual Barrier Requirement  | A visual barrier shall be required along the northerly lot line.  |

(By-law No. 24-118, June 26, 2024)

895. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1593 of Schedule "A" Zoning Maps and described as 1866 Rymal Road East, Glanbrook the following special provisions shall apply:

- a) Notwithstanding Section 10.5.4, for the purposes of Special Exception 895, a Retirement Home shall be permitted in accordance with Section 10.5.3 and the following amendments.
- b) Notwithstanding Section 10.5.1, only the following uses shall be permitted: Artist Studio, Catering Service, Commercial School, Craftsperson Shop, Day Nursery, Dwelling Units(s), Emergency Shelter, Financial Establishment, Laboratory, Lodging House, Medical Clinic, Microbrewery, Multiple Dwelling, Office, Personal Services, Place of Worship, Repair Service, Residential Care Facility, Restaurant, Retail, Retirement Home, Social Services Establishment, Tradesperson's Shop, Urban Farmers Market, and Veterinary Service.
- c) In addition to Section 10.5.1.1, the following uses shall only be permitted on the ground floor of a mixed use building: Artist Studio, Catering Service, Commercial School, Craftsperson Shop, Day Nursery, Financial Establishment, Laboratory, Medical Clinic,

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Microbrewery, Office, Personal Services, Place of Worship, Repair Service, Restaurant, Retail, Social Services Establishment, Tradesperson's Shop, Urban Farmers Market, and Veterinary Service.

d) In addition to Section 10.5.3, and notwithstanding Sections 10.5.3 b), c), d) ii), d) iii), g) vii) 1., and i), the following regulations shall apply:

- |      |                            |  |
|------|----------------------------|--|
| i)   | Minimum Rear Yard          | 14.0 metres.   |
| ii)  | Minimum Interior Side Yard | 14.0 metres, except 17.0 metres for any portion of a building greater than 18.5 metres in height; 18.5 metres for any portion of a building greater than 22.0 metres in height; and, 20.0 metres for any portion of a building greater than 25.5 metres in height. |
| iii) | Maximum Building Height    | 29.0 metres.   |
| iv)  | Principal Entrance         | A minimum of one principal entrance shall be provided along the Rymal Road East façade.  |
| v)   | Planting Strip             | <p>A) A minimum 3.0 metre wide Planting Strip shall be provided and maintained along a side lot line; and,</p> <p>B) A minimum 1.5 metre wide Planting Strip shall be provided and maintained along a rear lot line.</p>   |
| vi)  | Minimum Density            | 60 units per net residential hectare.  |
| vii) | Maximum Density            | 360 units per net residential hectare.   |

(By-law No. 24-088, June 12, 2024)

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898. Within the lands zoned Low Density Residential (R1) Zone, identified on Map No. 518 of Schedule "A" – Zoning Maps and described as 173 and 177 Dundas Street East, Flamborough, the following special provisions shall apply:

- a) Notwithstanding Sections 15.1.2.3 a), b), c), and g), 5.7.4 a), 4.9 a), 4.35 and the definition of "Parking Space, Electric Vehicle" in Section 3:
- |      |   |   |
|------|---|---|
| i)   | Minimum Lot Area for Each Dwelling Unit   | Minimum 100 square metres for units fronting onto Dundas Street East and a minimum of 140 square metres for all other street townhouses.  |
| ii)  | Minimum Unit Width for Each Dwelling Unit | Minimum 4.9 metres for the units adjacent to Dundas Street East and a minimum of 5.3 metres for all other Street Townhouse Dwellings.   |
| iii) | Minimum Setback from the Front Lot Line   | Minimum 2.5 metre setback from the street line for the units adjacent to Dundas Street East and a minimum of 4.0 metres for all other Street Townhouse Dwellings.   |
| iv)  | Maximum Building Height                   | 11 metres.  |
| v)   | Mechanical and Unitary Equipment          | Within a required front yard, provided such equipment shall have a minimum setback of 1.7 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping for units adjacent to Dundas Street East, all other street townhouses require a minimum setback of 3.0 metres. |
| vi)  | Landscape Requirements                    | A minimum of 50% for units adjacent to Dundas Street East and 35% for all other Street Townhouse Dwellings for landscape area in the Front Yard.  |

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- |       |   |  |
|-------|---|--|
| vii)  | Minimum Electric Vehicle Parking Rate         | 1 residential parking space per unit, excluding any visitor parking space.   |
| viii) | Definition of Parking Space, Electric Vehicle | Shall mean a parking space that is in proximity to electrical wiring, or to conduit that provides an opportunity for the installation of wiring, to support future electric vehicle charging equipment which is capable of providing Level 2, or greater, electric vehicle charging in accordance with the SAE International J1772 standard. |

(By-law No. 24-166, September 25, 2024)

899. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4, 899, H174) Zone, on Map No. 1094 of Schedule "A" -Zoning Maps and described as 2481 Barton Street East, the following special provisions shall apply:

a) Notwithstanding Section 11.4.3 b), c), d) ii), and g) x), and in addition to Section 11.4.3 a), the following regulations shall apply:

- |      |  |   |
|------|--|---|
| i)   | Minimum Building Setback from a Street | 4.9 metres for any portion of the building exceeding a height of 19.6 metres.   |
| ii)  | Minimum Rear Yard                      | 17.5 metres.  |
| iii) | Minimum Easterly Interior Side Yard    | <p>A) 13.6 metres from the easterly lot line.</p> <p>B) In addition to 2. a), iii), A) above, 20.5 metres from any portion of a building exceeding a height of 19.6 metres, from the easterly lot line.</p> |
| iv)  | Minimum Westerly Interior Side Yard    | <p>A) 3.0 metres from the westerly lot line.</p> <p>B)</p>  |

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In addition to 2. a), iv), a) above, 18.0 metres from any portion of the building exceeding a height of 19.6 metres, from the westerly lot line, except for an enclosed stairwell.

- |      |   |  |
|------|---|--|
| v)   | Maximum Building Height                   | 57.5 metres.   |
| vi)  | First Storey Height                       | Minimum 3.6 metres and a maximum of 5.0 metres.  |
| vii) | Percentage of Two and Three Bedroom Units | A minimum of 39.0 percent (82 dwelling units) of the Dwelling Units shall be units with two bedrooms and a minimum of 3.9 percent (8 dwelling units) of the Dwelling Units shall be units with three or more bedrooms. |

(By-law No. 24-107, June 26, 2024)

900. Within the lands zoned Major Institutional (I1, 900) Zone, identified on Map No. 860 of Schedule "A" – Zoning Maps and described as 245 Mill Street, Dundas, the following special provisions shall apply:

- a) In addition to Section 8.1.1, Medical Clinic and Personal Service uses shall be permitted, subject to the requirements of Subsection 8.1.3.1.

(By-law No. 24-137, July 12, 2024)

901. Within the lands zoned Downtown Central Business District (D1, 901) Zone, identified on Map No. 910, of Schedule "A" – Zoning Maps and described as 221 York Boulevard, Hamilton, the following special provisions shall apply:

- a) Notwithstanding Section 5.1 a) v) a) and b), the following regulations shall apply as it pertains to the existing Commercial Parking Facility:
- |    |                     |   |
|----|---------------------|---|
| i) | Location of Parking | Parking spaces and aisles giving direct |
|----|---------------------|---|

**SCHEDULE "C": SPECIAL EXCEPTIONS**

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access to abutting parking spaces shall be permitted to be located as close as 0.0m.

ii) Planting Strip Requirements

No planting strip shall be provided between a street line and parking spaces and aisles giving direct access to abutting parking spaces.

b) In addition to Section 6.1.1 and notwithstanding Section 6.1.1.1 i) 1. A. and B., the following regulations shall apply as it pertains to the existing Commercial Parking Facility:

- i) A Commercial Parking Facility shall be permitted as an accessory use to a Place of Worship;
- ii) The Parking Facility shall not be required to be contained within a building; and,
- iii) A surface parking lot, located on the lot, shall be permitted in addition to the permitted uses on the ground floor

(By-law No. 24-137, July 12, 2024)

902. Within the lands zoned Neighbourhood Park (P1, 902) Zone, identified on Map No. 827 of Schedule "A" – Zoning Maps and described as 40 Wood Street East, Hamilton, the following special provisions shall apply:

a) In addition to Section 7.1.1, and Notwithstanding Sections 7.1.2 and 7.1.3 d), the following regulations shall be permitted within the P1 Neighbourhood Park Zone:

- i) Permitted Uses Community Centre
- ii) Maximum Building Gross Floor Area The Building Gross Floor area existing on the date of the passing of this By-law shall be deemed to comply.



(By-law No. 24-137, July 12, 2024)

909. Within the lands zoned Downtown Mixed Use - Pedestrian Focus (D2) Zone, identified on Map No. 869 and 911 of Schedule “A” - Zoning Maps and described as 309 and 325 James Street North, Hamilton, the following special provisions shall apply:

- a) Notwithstanding Section 5.2 a), no landscape strip containing a visual barrier shall be provided along the westerly lot line where the parking area abuts a Residential Zone.
- b) Notwithstanding Section 6.2.3 b) ii), the following regulation shall apply:
  - ii) 

|                         |                |
|-------------------------|----------------|
| Maximum Building Height | 1. 44.0 metres |
|-------------------------|----------------|

(By-law No. 24-149, August 16, 2024)

910. For the lands zoned Low Density Residential – Small Lot (R1a, 910) Zone, on Map Nos. 1397, 1398, and 1449 of Schedule “A” – Zoning Maps and described as 61 Eleanor Avenue, the following special provisions shall apply:

- a) Notwithstanding Section 15.2.2.1 d) e), and f) and Section 15.2.2.2 f), the following regulations shall apply:

|   |  |
|---|--|
| Minimum Setback<br>from a Side Lot Line | 1.2 metres for a Single Detached Dwelling, except that the minimum interior side yard may be reduced to 0.6 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres. |
|---|--|

|  |            |
|--|------------|
| Minimum Setback<br>from a Flankage Lot<br>Line | 1.2 metres |
|--|------------|

|   |            |
|---|------------|
| Minimum Setback<br>from the Rear Lot Line | 6.5 metres |
|---|------------|

(By-law No. 24-187, October 23, 2024)

912. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map No. 1394 of Schedule "A" – Zoning Maps and described as 1600 Upper James Street, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 4.6, the following regulations shall apply:

i) Permitted Yard  
Encroachments

No part of any required yard shall be obstructed except as follows:

- A) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard for any portion of a building greater than 21.0 metres in height, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser.
- B) A fire escape or exterior staircase may encroach into a required side or rear yard for any portion of a building greater than 21.0 metres in height to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser.
- C) An unenclosed ramp for wheelchair access may encroach into any required yard to no maximum distance.
- D) A porch, deck or canopy may encroach into any required yard for any portion of a building

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

greater than 21.0 metres in height to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser.

- E) A balcony may encroach into any required yard for any portion of a building greater than 21.0 metres in height to a maximum of 1.5 metres.

- b) In addition to Section 11.1.3 and a) and notwithstanding Section 11.1.3 b), c), d) ii), and d) iii), the following regulations shall apply:

- |      |   |   |
|------|---|---|
| i)   | Building Setback from a Street Line           | <p>A) Minimum 4.8 metres from a lot line abutting Upper James Street for any portion of a building greater than 21.0 metres in height; and,</p> <p>B) Minimum 2.5 metres from a lot line abutting Rymal Road West for any portion of a building greater than 21.0 metres in height.</p> |
| ii)  | Minimum Interior side Yard                    | 7.5 metres, except 9.0 metres for any portion of a building greater than 21.0 metres in height and 12.5 metres for any portion of a building greater than 40.5 metres in height.  |
| iii) | Minimum Building Setback from a Rear Lot Line | 2.0 metres, except 12.5 metres for any portion of a building greater than 21.0 metres in height.  |
| iv)  | Maximum Building Height                       | 65.0 metres.  |
| iiv) | Percentage of two and three Bedroom Units     | A) A minimum of 17 percent of the Dwelling Unit(s), Mixed Use shall   |

**SCHEDULE "C": SPECIAL EXCEPTIONS****ZONING BY-LAW**

Within Dwelling  
Units(s), Mixed  
Use

be units with two or three  
bedrooms.

- B) Where the application of a) iv) A) above results in a numeric fraction, the fraction shall be rounded up to the nearest whole number.

(By-law No. 24-164, September 25, 2024)

918. For the lands zoned Low Density Residential – Small Lot (R1a, 918) Zone, on Map Nos. 1397 and 1398 of Schedule "A" – Zoning Maps and described as 760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor avenue, the following special provisions shall apply:

- a) Notwithstanding Section 15.2.2.1 a) d), and e) the following regulations shall apply:

|   |   |
|---|---|
| Minimum Lot Area                            | 260.0 square metres   |
| Minimum Setback from<br>a Side Lot Line     | 1.2 metres for a Single Detached Dwelling, except that the minimum interior side yard may be reduced to 0.6 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres and the appropriate easements for access are created. |
| Minimum Setback from<br>a Flankage Lot Line | 1.5 metres  |

(By-law No. 24-227, December 11, 2024)

919. Within the lands zoned Airport Related Business (M8, 919) Zone, identified on Map Nos. 1747 and 1784 of Schedule "A" – Zoning Maps and described as 9555 Airport Road West, Glanbrook, the following special provisions shall apply:

- a) The lands zoned Airport Related Business (M8, 919) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law, Zoning provisions shall apply only to the external lot

**SCHEDULE "C": SPECIAL EXCEPTIONS**

lines of the overall lands, not internal lot lines resulting from any future severance of Part Lot Control.

- b) In addition to Section 9.8.1, Warehouse shall be permitted.
- c) In addition to the regulations of Section 9.8.3, the following regulations shall apply to a Warehouse:
  - i) Minimum Yard Abutting a Residential Zone
    - A) 20 metres from any portion of a property lot line abutting a property lot line within a Residential Zone.
    - B) In addition to Section 5.5.1 and notwithstanding A) above, a loading space, loading doors or loading facilities shall be a minimum of 70 metres from any portion of a property lot line abutting a property lot line within a Residential Zone.
  - ii) Maximum Building Height 15.6 metres and in accordance with the regulations of Section 4.17 of this Bylaw.
  - iii) Landscaped Area
    - Abutting Highway No.6 – Minimum of width of 1.0 metre.
    - Abutting Street 'A' – Minimum width of 3.0 metres.

(By-law No. 24-232, December 11, 2024)

920. Within the lands zoned Conservation / Hazard Land (P5, 920) Zone, identified on Map Nos. 1747 and 1784 of Schedule "A" and described as 9555 Airport Road West Drive, the following special provisions shall apply:

- a) Notwithstanding Section 4.23 d), all buildings or structures located on a property shall have a minimum setback of 0.0 metres from the east side of the Conservation / Hazard Land (P5, 920) Zone boundary.

(By-law No. 24-232, December 11, 2024)

921. For the lands zoned Low Density Residential – Small Lot (R1a, 921) Zone, on Map Nos. 1397 and 1398 of Schedule "A" – Zoning Maps and described as 153 and 224 Eaglewood Drive, the following special provisions shall apply:

a) Notwithstanding Section 15.2.2.1 d), the following regulations shall apply:

|   |  |
|---|--|
| Minimum Setback from<br>a Side Lot Line | 1.8 metres from the westerly lot line. |
|---|--|

0.6 metres for the easterly lot line  
provided the abutting lot has a  
minimum side yard of 1.2 metres and  
the appropriate easements for access  
are created.

(By-law No. 24-227, December 11, 2024)

925. Within the lands zoned Community Institutional (12, 925) Zone, identified on Map No. 1344 of Schedule "A" - Zoning Maps and described as 420 Crerar Drive, Hamilton the following special provisions shall apply:

a) In addition to Section 8.2.1, a Private Club or Lodge shall also be permitted.

b) That Section 8.2.3.2 shall also apply to a Private Club or Lodge.

(By-law No. 25-051, March 26, 2025)