THE CORPORATION OF THE

TOWNSHIP OF GLANBROOK

ZONING BY-LAW

BY-LAW NO. 464

CONSOLIDATED

February 2026

TOWNSHIP OF GLANBROOK

ZONING BY-LAW NO. 464

LIST OF AMENDMENTS

By-law Number	Date Passed By Council	Date of Final Approval
464-1-92	May 4, 1992	May 4, 1992
464-2-92	August 17, 1992	August 17, 1992
464-3-92	December 21, 1992	December 21, 1992
464-4-93	March 1, 1993	March 1, 1993
464-5-93	April 5, 1993	December 7, 1995 (OMB)
464-6-93	July 19, 1993	July 19, 1993
464-7-93	July 19, 1993	July 19, 1993
464-8-93	October 4, 1993	January 24, 1994 (OMB)
464-9-93	October 4, 1993	October 4, 1993
464-10-93	November 1, 1993	November 1, 1993
464-11-94	February 7, 1994	February 7, 1994
464-12-94	February 7, 1994	February 7, 1994
464-13-94	April 21, 1994	April 21, 1994
464-14-94	October 3, 1994	July 13, 1995 (OMB)
464-15-94	October 3, 1994	October 3, 1994
464-16-95	February 6, 1995	February 6, 1995
464-17-95	March 6, 1995	March 6, 1995
464-18-95	March 6, 1995	March 6, 1995
464-19-95	April 3, 1995	April 3, 1995
464-20-95	June 5, 1995	June 5, 1995
464-21-95	June 5, 1995	June 5, 1995
464-22-95	October 2, 1995	October 2, 1995
464-23-96	August 19, 1996	August 19, 1997
464-24-96	October 7, 1996	October 7, 1996
464-25-96	December 16, 1996	December 16, 1996
464-26-96	December 16, 1996	December 16, 1996
464-27-96	December 16, 1996	December 16, 1996
464-28-97	June 4, 1997	June 4, 1997
464-29-97	June 24, 1997	June 24, 1997
464-30-97	October 6, 1997	October 6, 1997
464-31-97	November 3, 1997	November 3, 1997
464-32-97	December 15, 1997	December 15, 1997
464-33-98	February 2, 1998	February 2, 1998
464-34-98	February 2, 1998	February 2, 1998
464-35-98	February 2, 1998	February 2, 1998
464-36-98	February 2, 1998	February 2, 1998

TOWNSHIP OF GLANBROOK

ZONING BY-LAW NO. 464

LIST OF AMENDMENTS (Continued)

By-law Number	Date Passed By Council	Date of Final Approval
464-37-98	May 4, 1998	May 4, 1998
464-38-98	June 1, 1998	June 1, 1998
464-39-98	June 1, 1998	November 19, 1999 (OMB)
464-40-98	June 24, 1998	June 24, 1998
464-41-98	October 5, 1998	October 5, 1998
464-42-99	April 7, 1999	April 7, 1999
464-43-99	April 7, 1999	April 7, 1999
464-44-99	June 7, 1999	June 7, 1999
464-45-99	June 7, 1999	June 7, 1999
464-46-99	July 19, 1999	July 19, 1999
464-47-99	October 4, 1999	October 4, 1999
464-48-00	February 7, 2000	February 7, 2000
464-49-00	February 7, 2000	February 7, 2000
464-50-00	March 6, 2000	March 6, 2000
464-51-00	April 3, 2000	April 3, 2000
464-52-00	May 1, 2000	May 1, 2000
464-53-00	June 5, 2000	June 5, 2000
464-54-00	July 17, 2000	July 17, 2000
464-55-00	July 17, 2000	July 17, 2000
464-56-00	July 17, 2000	July 17, 2000
464-57-00	July 17, 2000	July 17, 2000
464-58-00	July 17, 2000	July 17, 2000
464-59-00	July 17, 2000	July 17, 2000
464-60-00	July 17, 2000	July 17, 2000
464-61-00	August 21, 2000	August 21, 2000
464-62-00	August 21, 2000	August 21, 2000
464-63-00	October 2, 2000	October 2, 2000
464-64-00	November 6, 2000	November 6, 2000
464-65-00	November 6, 2000	November 6, 2000
464-66-00	November 6, 2000	November 6, 2000
464-67-00	November 6, 2000	November 6, 2000
464-68-00	November 6, 2000	November 6, 2000
464-69-00	November 6, 2000	November 6, 2000
464-70-00	November 6, 2000	November 6, 2000
464-71-00	November 6, 2000	November 6, 2000
464-72-00	November 9, 2000	February 25, 2001 (Appeal Withdrawn)
464-73-00	November 9, 2000	May 30, 2002 (Appeal Withdrawn)

HAMILTON LIST OF BY-LAWS TOWNSHIP OF GLANBROOK ZONING BY-LAW NO. 464						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
464-72-00	NOV. 9/00	JACKSON HEIGHTS	E-1-72	H	BINBROOK ROAD	R3-163,R4-164,RM3-165 AND OS1-166 (APPEAL TO OMB WITHDRAWN ON FEB. 25/01)
464-73-00	NOV. 9/00	ROB GEOFF PROPERTIES	E-1-171	H	REGIONAL ROAD 56	DD TO R4-167, RM2, RM3, OS2 & C3 (APPEAL TO OMB WITHDRAWN MAY 30/2002
01-154	JULY 10/01	GARTH TRAILS	E-1-183	E	TWENTY ROAD	H-R4-169, H-R4-170 AND H-C1-171
02-015	JAN. 23/02	GARY JENNINGS	ZAC-02-30	F	9026 & 9032 AIRPORT ROAD	ER & P TO H-C3-181 (SEE BY-LAW 03-284)
02-029	FEB. 12/02	ROB-GEOFF PROPERTIES	ZAC-01-40	C	TOWNLINE RD. / REG.RD. 20	C6-118 & C6-153 TO C6-163
02-209	JUL. 10/02	HAMILTON, CITY OF	C1-02-A	N/A	GENERAL AMENDMENT	PHASED REG. OF CONDOS
02-260	SEP. 25/02	GARTH TRAILS	ZAR-02-55	E	TWENTY ROAD / GARTH RD.	REMOVE "H" FROM R3-162, R4-169 AND R4-170
02-286	OCT. 9/02	ROB GEOFF PROPERTIES	ZAC-02-48	H	SOUTHBROOK DRIVE	RM3-157 TO RM3-157(A)
02-330	NOV. 27/02	REDHILL SUMMIT EST.	ZAC-02-39	J	RYMAL ROAD EAST	CREATE SCHEDULE "J"
02-331	NOV. 27/02	REDHILL SUMMIT EST.	ZAC-02-39	J	RYMAL ROAD EAST	VARIOUS
02-359	DEC.11/02	KIA OF HAMILTON	ZAC-02-24	E	1853 & 1861 HIGHWAY NO. 6	C5-005 & C5-090 TO C5-172
03-072	MAR.26/03	HETRAM, ISABEL	ZAR-02-90	D	4255 HALL ROAD	A1 TO A1-174
03-077	APR.09/03	BROOKS AT RYMAL	ZAC-02-84	J	RYMAL ROAD EAST	A1 TO RES., COM, OS
03-146	JUN.11/03	O'NEIL'S FARM	ZAC-03-02	H	2365 HIGHWAY NO. 56	A2-176, H-C3-176, DD & 0S1-176
03-147	JUN. 11/03	GARTH TRAILS (TOWNS)	ZAC-03-29	E	EAST SIDE GARTH STREET	REMOVE "H"" PROVISION (SEE BY-LAW 03-284)
03-159	JUN.17/03	SOUTHBROOK	ZAC-03-21	H	SOUTHBROOK DRIVE	RM4-157 TO RM2-179
03-160	JUL. 9/03	GARTH TRAILS (COM)	ZAC-03-18	E	GARTH / TWENTY ROAD WEST	R4-169 & H-C1-171 TO C1-171
03-163	JUN.25/03	HAMILTON, CITY OF	CI-03-B	N/A	MODEL HOMES	ALLOW MODEL HOMES
03-178	JUL.09/03	RAFF ALI'S AUTO CENTRE	ZAC-03-08	E	1832 UPPER JAMES STREET	C5 TO C5-180
03-190	JUL.23/03	JACKSON HEIGHTS	ZAC-03-22	H	BINBROOK ROAD & HWY #56	RM3-165 TO R4-165 R3-163 TO R4-164
03-224	AUG.27/03	DICENZO CONSTRUCTION	ZAC-03-24	F	WHITECHURCH ROAD	DD TO R4
03-280	OCT.15/03	ELIZABETH GARDENS	ZAC-01-42	H	HIGHWAY NO. 56	A2 TO OS2, RM3, R4, RM2, H-1-183 (APPEAL TO OMB WITHDRAWN ON SEPT. 23/04)
03-284	OCT.15/03	HAMILTON, CITY OF	C1-03-F	E,F,H	HOUSEKEEPING 2003	VARIOUS
03-311	OCT.29/03	HAMILTON, CITY OF	CI-03-E	N/A	2200 RYMAL ROAD EAST	TEXT CHANGE TO M6-025
03-312	OCT.29/03	THE CROSSINGS	ZAC-03-04	J	RYMAL ROAD EAST	A1-081 TO VARIOUS ZONES
03-324	OCT.29/03	SOUTH MOUNT HOPE EST.	ZAC-03-69	F	WHITE CHURCH ROAD	DD TO R4
04-079	APR.14/04	JACKSON HEIGHTS ADD.	ZAC-03-108	H	HIGHWAY 56 / BINBROOK RD.	A2 AND ER TO R4
04-160	JUN.30/04	1526708 ONTARIO INC.	ZAC-04-12	F	HIGHWAY NO. 6	P-184, R4-185 AND RM2-186
04-186	OMB	GLANBROOK HILLS	ZAC-03-54	E	8029 TWENTY ROAD EAST	A1 TO R3-187, R3-187(H), OS2 & OS3
04-221	SEPT. 15/04	MACSTAR	ZAC-04-26	A	HIGHWAY 6 / DICKENSON	A1 AND M5 TO M5-189
04-283	NOV. 10/04	GARTH TRAILS LIMITED	ZAC-04-50	E	GLANBROOK	C1-171 TO H-C1-196
04-324	DEC. 15/04	ROB-GEOFF PROPERTIES	ZAC-04-77	A	BL. 64, SOUTHBROOK DRIVE	REM-157 TO RM1-190
04-328	DEC. 1504	KOPPER MEADOW	ZAC-04-58	E	9906 & 9890 TWENTY RD.W.	ER TO R4-188

HAMILTON LIST OF BY-LAWS TOWNSHIP OF GLANBROOK ZONING BY-LAW NO. 464						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
04-329	DEC. 15/04	SUMMIT PARK WEST	ZAC-04-69	J	RYMAL ROAD EAST	OS2-173 & DD TO R4-173(A)
04-330	DEC. 15/04	SUMMIT PARK ADDITION	ZAC-04-67	J	RYMAL ROAD EAST	A1 TO OS2-173 & R4-173(A)
03-280	OMB	ELIZABETH GARDENS	ZAC-01-42	H	BINBROOK ROAD EAST	H-1-83
04-186	OMB	GLANBROOK HILLS	ZAC-03-54	E	8029 TWENTY ROAD EAST	A1 - R3-187, R3-187(H), OS2&3
04-336	DEC. 15/04	EMPIRE HOMES	ZAC-04-68	H	3215 BINBROOK ROAD WEST	A2 TO VARIOUS ZONES
05-059	MAR. 23/05	SMITH, ALAN J.	ZAC-04-99	E	9874 TWENTY ROAD WEST	ER TO R4-197
05-060	MAR. 23/05	MACSTAR DEVELOPMENTS	ZAR-05-02	A	S/E UPPER JAMES/DICKENSON	MODIFY M5-189
05-139	MAY 25/05	ELIZABETH GARDENS	ZAR-04-96	H	BINBROOK ROAD EAST	A2, R4 & RM2 TO R4-199 & RM2-202
05-182	JUN. 29/05	O'NEIL'S FARM	ZAC-05-07	H	2462 HIGHWAY NO. 56	H-C3-176 TO C3-176
05-194	JUN. 29/05	HAMILTON, CITY OF	CI-04-K	N/A	4300 BINBROOK ROAD	AMEND THE OS2-100
05-233	AUG.10/05	ELIZABETH GARDENS	ZAC-04-96	H	BINBROOK ROAD	VARIOUS
05-238	AUG.10/05	HAMILTON, CITY	CI-05-E	N/A	GENERAL AMENDMENT	LOT CONSOLIDATION
05-248	AUG.10/05	OAKRIDGE LANDSCAPE	ZAH-05-25	H	340 REGIONAL ROAD 20	A1 TO A1-198
05-309	OCT. 26/05	CAPELA, MARIO	ZAC-05-10	A	25 TALBOT LANE	DD TO M5(H)
05-366	DEC.14/05	PALETTA INTERNATIONAL	ZAR-05-103	A	2141 WOODBURN ROAD	A1 TO A1-207
05-370	DEC.14/05	PALETTA INTERNATIONAL	ZAR-05-102	A	2330 GUYATT ROAD	A1 TO A1-208
05-374	DEC.14/05	MULTI-AREA DEV. LTD.	ZAC-05-96	J	RYMAL ROAD EAST	DD TO H-C1-205
06-038	MAR1/06	HAMILTON, CITY OF	CI-05-01	N/A	GENERAL AMENDMENT	LAND WITHOUT ADEQUATE SERVICES
06-051	MAR.1/06	ANKER, ANTHONY	ZAC-05-113	H	3087 HIGHWAY NO. 56	ER TO C3-210
06-083	APR.12/06	ANKER, ANTHONY	ZAC-05-113	H	3087 HIGHWAY NO. 56	ER TO C3-210
06-106	APR. 26/06	KIA OF HAMILTON	ZAC-05-121	E	1885-1893 UPPER JAMES	C5-090 TO C5-211
06-157	JUN 14/06	VUJOVIC., H	ZAC-06-13	H	2665 BINBROOK ROAD	ER TO C3-212
06-167	JUN 14/06	NORTHAMPTON EST.	ZAC-05-131	F	STONEYGLEN WAY	DD TO R4-209A,R4-209B, R3-209 AND R3
06-182	JUN 28/06	SUMMIT PARK ADD. PH.2	ZAC-06-08	J	PINEHILL DR. & FLETCHER	A1 TO R4-173(A)
06-284	SEP.27/06	ORLICK AEROPARK	ZAC-05-124	A	2460-2470 UPPER JAMES	VARIOUS
06-303	OCT.11/06	1536708 ONTARIO INC.	ZAC-06-53	F	5 & 9 HAMPTON BROOK WAY	DD TO H-RMS-215
07-066	FEB.28/07	KOPPER MEADOWS	ZAC-05-95	E	TWENTY ROAD WEST	ER TO R4-206, H-R4-206
07-094	MAR.28/07	CASTELLI, DANA	ZAR-06-61	H	3079 HIGHWAY NO. 56	MODIFY ER-36
07-112	APR.11/07	HAMILTON, CITY OF	CI-07-A	N/A	GENERAL AMENDMENT	AGRICULTURAL CODE
07-169	MAY.30/07	EMPIRE COMMUNITIES	ZAC-06-020	H	BINBROOK ROAD	VARIOUS
07-214	JUL.11/07	TAKAST, ROBERT	ZAR-07-017	E	9854 TWENTY ROAD WEST	ER TO R4-221
07-217	JUL.11/07	LOSANI HOMES	ZAC-06-075	H	FAIRGROUNDS EAST	VARIOUS
07-257	AUG.8/07	VOORTMAN, JOHN	ZAC-07-026	F	112 MARION STREET	ER TO R1 & R1-226
07-306	AUG.24/07	LOSANI HOMES	ZAC-07-021	H	WINDWOOD / 3206 REG. RD. 56	ER & RM3-202 TO H-C3-225
07-320	NOV.14/07	JURIANSZ MEDICINE	ZAC-07-045	H	3137 REGIONAL ROAD 56	ER TO H-CS-227
07-343	DEC.12/07	ELIZABETH GARDENS	ZAR-07-063	H	3089 BINBROOK ROAD WEST	ER TO R4-222

HAMILTON LIST OF BY-LAWS TOWNSHIP OF GLANBROOK ZONING BY-LAW NO. 464						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
08-018	JAN.30/08	P & L LIVESTOCK LTD.	ZAR-07-068	C	1121 HENDERSHOT ROAD	A1 TO A1-233
08-092	APR.23/08	HAMILTON, CITY OF	CI-08-E	N/A	N/W TWENTY ROAD/GARTH	MODIFY H-C1-196
08-112	MAY.14/08	PALETTA INTERNATIONAL	ZAR-08-004	D	3552 REGIONAL ROAD 56	A1 TO A1-234 AND A1-235
08-113	MAY.14/08	PALETTA INTERNATIONAL	ZAR-08-005	D	3332 REGIONAL ROAD 56	A1 TO A1-236 AND A1-237
08-144	JUN.11/08	ELIZABETH GARDENS #3	ZAC-08-007	H	MAGNIFICENT WAY	OS2 TO R4-199 (MAP ONLY)
08-190	AUG.7/08	BERGUIS, CHRISTOPHER	ZAR-08-022	B	9345 CHIPPEWA ROAD WEST	A1 TO A1-240 & A1-241
08-193	AUG.7/08	HAMILTON, CITY OF	CI-08-50	A	PART LOT 5, CONCESSION 3	AT TO M4 (MAP ONLY)
08-204	SEP.10/08	ROB-GEOF PROPERTIES	ZAC-07-110	H	2620 BINBROOK ROAD	ER TO C3-242
08-205	SEP.10/08	MARTIN, ROSS	ZAC-07-096	H	2660-2668 BINBROOK RD., E. 2651 REGIONAL ROAD 56	ER, ER-060 TO C3-243
08-222	SEP.24/08	1519514 ONTARIO LIMITED	ZAH-08-034	F	99075-9089 AIRPORT ROAD	"H-C3-043" TO "C3"
08-240	OCT.15.08	HAMILTON MOUNTAIN	ZAH-06-103	J	2150, 2170, 2190 RYMAL RD.E.	H-C3-175 TO C3-175
08-253	OCT.29/08	GLANCASTER MEADOWS	ZAC-07-075	E	245, 253, 269 AND 295 GLANCASTER ROAD	ER TO R3-247,R4-244, R4-245, R4-246 & R4-248
08-260	NOV.12/08	VALENTINNI PROPERTIES	ZAH-07-019	E	31-33 WHITEROCK ROAD E.	H-R3-134 TO R3-134 (MAP ONLY)
08-262	NOV.12/08	MULTI-AREA DEV.	ZAR-08-028	N/A	1970 RYMAL ROAD EAST	AMENDING C1-173
08-264	NOV.12/08	SUMMIT PARK – PHASE 3	ZAC-07-087	J	1824 RYMAL ROAD EAST	A1 TO VARIOUS RESIDENTIAL
09-047	MAR.11/09	EMPIRE COMMUNITIES	ZAC-08-014	H	33885 BINBROOK ROAD	RM3-219, R4-20 & OS2 TO RM2-194 AND R4-218
09-059	APR.1/09	JURIANSZ, B. DARREL	ZAH-09-005	H	3137 HIGHWAY NO. 56	REMOVE H FROM H-C3-277
09-060	APR.1/09	MAZZON, LOUIE	ZAH-09-001	E	35 WHITEROCK AVENUE	REMOVE H FROM H-R3-134
09-104	MAY.13/09	SEPE, YOLANDA	ZAC-08-018	D	1441 GUYATT ROAD	A1 TO A1-238
09-116	MAY.27/09	CITY OF HAMILTON	CI-09-B	H	3206 REGIONAL ROAD 56	REMOVE H FROM H-C3-225
09-129	JUNE 10/09	GARTH TRAILS INC.	ZAH-09-018	E	2000 GARTH STREET	REMOVE "H" FROM H-C1-196
09-166	JULY 09/09	HAMILTON MOUNTAIN DEV	ZAC-06-111	J	2100, 2120, 2190 RYMAL RD. E.	CHANGE TO C3-175(A) AND H-RM4-257 & H1-H2-C3-175A
09-131	JUN.10/09	HAMILTON, CITY OF	C1-09-C	N/A	GENERAL AMENDMENT	WASTE MANAGEMENT FACILITIES INDUSTRIAL ZONES
09-196	SEP. 16/09	BANDO ENTERPRISES	ZAC-07-064	H	3015, 3021, 3027 BINBROOK ROAD WEST AND 3016, 3030, 3034 REGIONAL ROAD 56	ER & C3 TO H-C3-255
09-210	SEP. 30/09	HAMILTON, CITY OF	CI-09-E	N/A	GENERAL AMENDMENT	OUTDOOR COM. PLAZAS
09-240	NOV. 11/09	GLANBROOK HILLS	ZAH-07-023	E	8029 TWENTY ROAD EAST	REMOVAL "H" - R30187
09-248	DEC. 9/09	CAROL BLAYLOCK	ZAR-08-081	E	9862 TWENTY ROAD WEST	ER TO R4-258 & H-R4-258
10-025	FEB.10/10	1080907 ONTARIO LTD.	ZAC-06-062	H	2490 REGIONAL ROAD 56	VARIOUS
10-063	MAR.31/10	HAMILTON MOUNTAIN DEV.	ZAH-10-015	J	2130/2140 RYMAL ROAD EAST	H1-H2-C3-175(A) TO C3-175(A)
10-069	APR.14/10	BINBROOK DEV.	ZAH-10-002	H	3015,3021,3027 BINBROOK RD.W. 3034 REGIONAL ROAD 56	H-C3-255 TO C3-255
10-091	APR.28/10	TIGCHELAAR, JEFF	ZAR-09-051	C	1280 HENDERSHOT ROAD	A1 TO A1-259
10-138	JUN.9/10	CHRISTEMI LIMITED	ZAC-09-033	H	2651 REGION ROAD 56 2660 & 2668 BINBROOK RD. E.	MODIFY C3-243
10-216	SEP.15/10	MULTI-AREA DEV.	ZAR-10-022	J	31 TRINITY CHURCH ROAD	A1 TO H-C3-249, C3-249

HAMILTON LIST OF BY-LAWS TOWNSHIP OF GLANBROOK ZONING BY-LAW NO. 464						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
10-274	OMB APPEAL	KOPPERCREEK DEV.	ZAC-10-010	G	345 GLANCASTER ROAD	ER TO RM2-261, RM3-262
10-305	DEC.15/10	MULTI-AREA DEV.	ZAH-10-042	J	31 TRINITY CHURCH ROAD	REMOVE H SYMBOL
11-012	JAN. 12/11	MULTI-AREA DEV.	ZAH-10-042	J	31 TRINITY CHURCH ROAD	REMOVE H SYMBOL C3-249
11-031	JAN. 26/11	NICOLAS & KELLY UHAC	ZAC-10-040	E	9800/9814 TWENTY RD. W.	R4-263,H-R4-263, ER-264
11-156	JUN.15/11	P & L LIVESTOCK LIMITED	ZAR-11-015	C	3157 HENDERSHOT ROAD	A1 TO A1-269
11-157	JUN.15/11	P & L LIVESTOCK LIMITED	ZAR-11-014	C	3328 GOLF CLUB ROAD	A1 TO A1-267
11-171	JUN.29/11	LOSANI HOMES	ZAC-10-008	H	310 FALL FAIR WAY	VARIOUS
11-207	AUG.11/11	JOHN BRUCE ROBINSON	ZAH-11-017	H	39 GARINGER CRESCENT	H-C3-230 TO C3-230
11-280	NOV.16/11	CITY OF HAMILTON	CI-11-E	SEE TEXT	5366 TWENTY ROAD EAST	C3-271
12-019	JAN.25.12	PALETTA INTERNATIONAL	ZAR-11-038	D	3316-3332 REGIONAL RD. 56	CHANGES TO A1-236, A1-237
12-047	FEB.22.12	LOSANI HOMES	ZAC-11-004	H	8 COUNTY FAIR WAY	VARIOUS
12-048	FEB.22.12	PRIME LIMOUSINE	ZAC-10-051	A	2674 UPPER JAMES STREET	DD TO M5-270, HM5-270
12-057	MAR.07.12	CITY OF HAMILTON	CI-12-C	H	FALL FAIR WAY	RM2 TO RM3-231
12-104	MAY.09.12	SOBEY'S CAPITAL	ZAH-12-008	H	2501,2525, 2537 REG. RD. #56	H-C3-58 TO C3-58
12-148	JUN.27/12	JOHN BRUCE ROBINSON	ZAC-11-067	H	250 TANGLEWOOD DRIVE	R3-164 & R4-164 TO R2
12-231	OCT.10/12	MARK & KATHERINE COMLEY	ZAA-12-12	B	6363 WHITE CHURCH ROAD	A1 TO A1-278
12-241	OCT.30/12	BRANTHAVEN DEVELOPMENT CORPORATION	ZAR-12-016	E	BLACKBURN LANE & GRASSYPLAIN DRIVE	R4-246 TO R3-158, DD TO R4-246 & ER TO R3-158
13-059	FEB.27/13	1536708 ONTARIO INC.	ZAH-12-052	F	5 &9 HAMPTON BROOK WAY	H-RM3-215 TO RM3-215
13-225 (OMB)	SEP.11/13 (JUL.17/14)	FARZAD KARAMBAKHSH	ZAC-11-020	F	3250 HOMESTEAD DRIVE	ER TO C1-272
13-226	SEP.11/13	MULTI-AREA DEVELOPMENTS	ZAC-12-069	J	SOUTH SIDE OF RYMAL ROAS, EAST OF FLETCHER ROAD	H-RM3-173(B) TO RM3-173(B), H-R4-173(A) TO RM2-173 AND R4-173(B) & H-R4-173(B) TO R4-173(D)
14-010	JAN.29/14	1536708 ONTARIO INC.	ZAH-14-001	F	15 & 19 MALWOOD COURT AND 148 STONEGLEN WAY	H-R3-143 TO R3-143
14-012	JAN.29/14	DAVID EARL BARLOW	ZAA-13-031	D	1660 HALL ROAD	A1 TO A1-280 (REPEALED BY BY-LAW NO. 14-045
14-026	FEB.12/14	LOSANI HOMES (1998) LTD.	ZAC-06-074	H	3250 BINBROOK ROAD	A2 TO R4-222, R4-279, RM2-274 & RM3-223
14-031	FEB.12/14	TRINITY CANADIAN REFORMED CHURCH	ZAR-13-008	B	3075 TISDALE ROAD	A1 TO H-A1-281
14-045	FEB.26/14	DAVID EARL BARLOW	ZAA-13-031	D	ZAA-13-031	A1 TO A1-280
14-115	MAY 14/14	JOHN BRUCE ROBINSON CONSTRUCTION LIMITED	ZAC-11-065	H	139 FALL FAIR WAY	A2 TO R4-222, R4-276, RM2-161 & RM2-277 AND R4-222 TO RM2-277
14-179	JUL.11/14	1778239 ONTARIO INC.	ZAC-13-024	J	1910 RYMAL ROAD EAST	REMOVE LANDS FROM BY-LAW AND ADD TO BY-LAW NO. 05-200
14-243	SEP.10/14	URBANCORE-NEW HORIZON (KOPPERFIELD) DEVELOPMENT INC.	ZAC12-024	E	365 GLANCASTER ROAD	ER TO RM2-283 & RM3-284
14-277	SEP.24/14	CITY OF HAMILTON	CI-14-E	N/A	GENERAL AMENDMENT	COMMUNITY GARDENS AND URBAN FARMS

HAMILTON LIST OF BY-LAWS TOWNSHIP OF GLANBROOK ZONING BY-LAW NO. 464						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
14-290	SEP.24/14	P.J. DALY CONTRACTING LIMITED	ZAR-13-056	E	1955 UPPER JAMES STREET	C5-053 TO C5-053(A)
14-292	SEP.24/14	MULTI-AREA DEVELOPMENTS	ZAC-14-026	J	1970 RYMAL ROAD EAST	C1-173 TO C1-173(A)
14-335	DEC.17/14	672385 ONTARIO INC. (C/O SAM BATTAGLIA)	ZAC13-010	E	126 KELLOGG AVENUE	ER TO R4-188 & R4-263(a), H-R4-258 TO R4-263(a) AND H-R4-263 TO R4-263(a)
15-070	MAR.11/15	CITY INITIATIVE	CI-14-H		GENERAL AMENDMENT	HOUSEKEEPING
15-104	APR.22/15	CITY INITIATIVE	CI-15-A		GENERAL AMENDMENT	URBAN FARMERS MARKET
15-129	MAY 13/15	BARLOW FARMS	ZAA-15-005	D	345 BELL ROAD	A1 TO A1-282
15-290	DEC 9/15	CITY INITIATIVE	CI-15-H		GENERAL AMENDMENT	HOUSEKEEPING
16-075	FEB 26/16	PETER & DAREEN BARDOEL	ZAR-13-015	E	228 SENECA AVENUE	ER – ER-286
16-081	MAR 30/16	JOHN BRUCE ROBINSON	ZAC-15-038	H	2605 BINBROOK ROAD E	ER TO C3-287
16-083	MAR 30/16	SUMMIT PARK	ZAC-13-059	J	PARTS 1, 2 AND 3 BLOCK 4 CONCESSION 1	I-175 TO R4-173(B), A1 TO RM4-289, OS2 TO R4-173(B), A1 TO C1-173, R4-173(B) AND A1 TO OS2-173
16-133 (OMB)	MAR 22/16	EMPIRE - CATARINI	ZAC-06-056	H	2515 FLETCHER ROAD	A2 TO R4290, A2 TO R4-291, A2 TO H-R4-291, A2 TO H-R4-291, A2 TO RM2-292, A2 TO H-RM2-292
16-168	FEB 18/16	MCNALLY	ZAC-14-028	H	3105 FLETCHER ROAD	A2 TO H-R4-295, A2 TO H-RM2-296,A2 TO H-RM3-297, A2 TO H-RM3-297, A2 TO H-RM3-298, A2 TO H-C3-299
16-194	JULY 8/16	EMPIRE COMMUNITIES	ZAC-15-057	H	3385 BINBROOK ROAD	A2 – R4-294
16-200	JULY 30/16	EDMONDO CIARDULLO	ZAC-15-054	F	3017 HOMESTEAD DRIVE	ER TO C3-300
16-218	AUG 12/2016	MULTI-AREA DEVELOPMENTS	ZAC-15-061	J	21 AND 31 TRINITY CHURCH ROAD, 1816 RYMAL ROAD	C3-249 TO C3-293
16-221	AUG 12/16	BRANTHAVEN DAKOTA	ZAH-16-031	J	1890 RYMAL ROAD	H-C1-205 TO C1-205
16-235	AUG 12/16	FARMER AL'S INC.	ZAC-15-056	J	2064, 2066, 2068 2070 RYMAL ROAD E	C6-026 TO C3-301
16-308	NOV 23/16	DESANTIS HOMES	ZAH-16-053	J	8 KINGSBOROUGH DRIVE	H-C1-182 TO C1-182
17-060	APR 12/17	PEACE - N - HEAVEN INC	ZAC-14-018	F	3079 HOMESTEAD DRIVE	ER TO C3-303
17-061	APR 12/17	2171433 ONTARIO INC	ZAC-16-011	C	9890 AND 9906 TWENTY ROAD W	ER TO R4-302
17-111	JUNE 14/17	RIO CAN	ZAH-17-032	J	2110 RYMAL ROAD E	H1-H2-C3-175(A) TO C3-175(A)
17-144	JULY 14/17	CITY INITIATIVE	CI-16-D	E	1800 UPPER JAMES	C5-054 TO DD
17-184	AUG 18/17	1635054 ONTARIO INC	ZAC-17-037	H	3079 BINBROOK ROAD	ER TO H-C3-305
18-014	JAN24/18	HOTZ AND SONS LTD.	ZAC-07-111		9255 AIRPORT ROAD W	DD AND A1 TO R4-218(A), DD AND A1 TO RM2-194(A), DD AND A1 TO RM3-284(A), DD AND A1 TO RM3-284(B), DD AND A1 TO C2-309
18-047	FEB28/18	JOHN BRUCE ROBINSON	ZAC-17-025	H	235 TANGLEWOOD DRIVE	DD TO RM2-310
18-141	MAY23/18	RIO CAN	ZAH-17-048	C	2126 RYMAL ROAD E	H1-H2-C3-175(A) TO C3-175(A)
18-291	SEPT26/18	MICHAEL PEJIC	ZAC-18-007	F	3331 HOMESTEAD DRIVE	H-C3-050 TO R3-311
19-117	MAY 22/19		ZAC-18-003	F	78, 80 MARION STREET 3302 AND 3306 HOMESTEAD	DD TO R4-312 AND R4-312a, H-R3-122 TO

HAMILTON LIST OF BY-LAWS TOWNSHIP OF GLANBROOK ZONING BY-LAW NO. 464						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
					DRIVE	R4-312 AND R4-312a, ER TO R4-312 AND P TO R4-312
19-207	SEPT 11/19	A.J. CLARKE AND ASSOCIATES	ZAC-17-027	H	2341 AND 2365 TO 2431 REGIONAL ROAD 56 AND 250 TANGLEWOOD DRIVE	A2, OS2, A2-176, ER, OS1-166, DD, A2 TO RM2-313. A2-176, A2, ER TO RM2-313(a), A2-176, ER TO RM4-314, R2, OS-1-166 TO R4-315, A2-176, A2 TO RM2-316
20-022	FEB 12/20	LOSANI HOMES	ZAH-19-052	H	3100-3140 REGIONAL ROAD 56	H-C3-304 TO C3-304
20-121	JUNE 3/20	LOSANI HOMES	ZAH-19-052	H	BLOCK 131, REGISTERED PLAN NO. 62M-1062	H-C3-304 TO C3-304
20-160	JULY 10/20	LIAM DOHERTY PLANNING AND DESIGN	ZAC-15-023	E	9684, 9694, 9704, 9714, 9730 TWENTY ROAD WEST	H-R4-206, ER TO RM2-317, H-R4-206 TO H-R4-318, ER TO R4-318
20-237	NOV 11/20	ROYAL LIVING DEVELOPMENT	ZAC-18-029	J	1912 RYMAL ROAD EAST	"A1" to "H-RM4-319"
21-075	MAY 12/21	CITY OF HAMILTON	CI-20-E		CITYWIDE	SECONDARY DWELLING UNIT REGULATIONS
21-120	JULY 9/21	BINBROOK TOWNHOUSES INC.	ZAC-19-039	H	3140 AND 3150 BINBROOK ROAD	"ER" to "H-R4-320", "ER" to "RM3-321", "H-R4-320"
21-167	SEPT 29/21	CITY OF HAMILTON	CI-20-E		CITYWIDE	SECONDARY DWELLING UNIT REGULATIONS
21-186	OCT 13/21	CITY OF HAMILTON	CI-21-E		CITYWIDE	MODIFICATIONS AND UPDATES TO ADMINISTRATION
22-079	APRIL 13/22	CITY OF HAMILTON	CI-22-D		CITYWIDE	COMMERCIAL ENTERTAINMENT AND RECREATION ON OUTDOOR COMMERCIAL PATIOS
22-136	JUNE 08/22	CITY OF HAMILTON	CI 20-E		CITYWIDE	MODIFICATIONS AND UPDATES TO SECONDARY DWELLING UNIT AND SECONDARY DWELLING UNIT – DETACHED REGULATIONS
22-156	JUNE 22/22	BINBROOK TOWNHOUSES INC.	CI-22-F		3140 AND 3150 BINBROOK ROAD	AMEND ZONING BY-LAW NO. 464 (GLANBROOK), RESPECTING LANDS LOCATED AT 3140-3150 BINBROOK ROAD
22-194	AUG 12/22	CITY OF HAMILTON	CI 22-G		CITYWIDE	MODIFICATIONS AND UPDATES TO LOW DENSITY RESIDENTIAL ZONES
23-072	APR 28/23	1536708 ONTARIO INC.	ZAH-22-061	F	205 THAMES WAY`	"H-RM3-147" TO "RM3-147"
23-148	AUG 18/23	PALMEL DEVELOPMENTS INC	ZAC-22-008	H	3479 BINBROOK ROAD	"A2" TO "RM3-326"
23-186 (NOT FINAL)	OCT 11/23	WESTON CONSULTING	ZAC-23-036	H	1898-1900 RYMAL RD EAST	"A1" TO "H-RM2-328"
23-219 (NOT FINAL)	NOV 22/23		ZAC-20-015	H	2080 Rymal Road East	RM2-182 to RM3-323, RM2-173 to RM4-325, I-173 to RM4-325, RM2-173 to RM3-324, I-173 to RM3-324, RM2-182 to RM3-324, R4-173(B) to RM3-324, R4-182 to RM3-324. Revisions to SECTION 4, 7, 19, and 50

HAMILTON LIST OF BY-LAWS TOWNSHIP OF GLANBROOK ZONING BY-LAW NO. 464						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
23-220 (NOT FINAL)	NOV 22/23		ZAC-23-022	H	2800 Library Lane and 2641 Reginal Road 56	A2 and RM4 to RM4-322 Revisions to SECTION 4, 44, 20, and 50
23-222	NOV 22/23		ZAC-21-001	H	3169 Fletcher Road	A2 to H-RM3-327 Revisions to SECTION 44
24-121-PED	JULY 03/24		ZAH-23-046	H	3105 Fletcher Road	H-R4-295 to R4-295, H-RM2-296 to RM2-296, H-RM3-298 to RM3-298 Revisions to SECTION 44
25-037	MAR 05/25		CI-25-B			Revisions to SECTION 11
25-041	MAR 05/25		UHOPA-24-010/ZAC-24-032	F	3530 Upper James Street	DD to H-RM3-329 Revisions to SECTION 44
25-102-PED	MAY 22/25		ZAH-25-016	H	3105 Fletcher Road	H-R4-295 to R4-295, H-RM2-296 to RM2-296, H-RM3-297 to RM3-297, H-C3-299 to C3-299 Revisions to SECTION 44
25-156	AUG 06/25		CI-25-D	A	City Wide	Housekeeping
25-185 (NOT FINAL)	OCT 08/25		ZAC-25-015	H	3105 Fletcher Road	Revisions to SECTION 49 and 44

THE CORPORATION OF THE TOWNSHIP OF GLANBROOK

ZONING BY-LAW NO. 464

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33 AIRPORT-RELATED GENERAL INDUSTRIAL "M4" ZONE 165

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35 RURAL INDUSTRIAL-BUSINESS PARK "M6" ZONE 173

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THE CORPORATION OF THE TOWNSHIP OF GLANBROOK

ZONING BY-LAW NO. 464

Being a By-law under the provisions of Section 34 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time, to:

(1) Prohibit the use of land, for or except for such purposes as are set out in the By-law;

(2) Prohibit the erecting, locating or using of buildings or structures for or except for such purposes as are set out in the By-law;

(3) Prohibit the erecting of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy or unstable;

(4) Regulate the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures, the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy;

(5) Regulate the minimum elevation of doors, windows or other openings in buildings or structures; and

(6) Require the provision and maintenance of loading and parking facilities on land that is not a part of a street for buildings and structures to be erected or used for a purpose named in the By-law.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF GLANBROOK ENACTS AS FOLLOWS:

SECTION 1: TITLE

This By-law may be cited as "The Zoning By-law of the Township of Glanbrook".

SECTION 2: DEFINED AREA

The provisions of this By-law shall apply to all lands now included within the boundaries of the Corporation of the Township of Glanbrook as shown on the Schedules attached hereto and forming part of this By-law.

SECTION 3: INTERPRETATION, SCOPE AND EFFECT

3.1 INTERPRETATION

(a) General

In their interpretation and application, the provisions of this By-law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, convenience or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-Law imposing the higher standards, shall govern and apply. Nothing in this By-law shall be construed to exempt any persons from complying with the requirements of any By-law of the Township or the Regional Municipality of Hamilton-Wentworth, or from any law of the Province of Ontario or of Canada.

(b) Symbols

The symbols set opposite the name of each Zone respectively in SECTION 5: ZONES of this By-law and used in the attached Schedules refer to the respective Zones established in this By-law.

(c) Defined Areas

The extent and boundaries of all Zones as shown on the attached Schedules are hereby defined as areas to which the provisions of this By-law shall apply.

(d) Zone Boundaries

When determining the boundary of any zone as shown on the attached Schedules, the following provisions shall apply:

(i) Where a boundary is indicated as following a highway, street or lane, the boundary shall be the centre line of such highway, street or lane;

(ii) Where a boundary is indicated as following a watercourse, creek, stream, or right-of-way of a railway or an electrical, gas or oil transmission line, the boundary shall be the centre line of such watercourse, creek, stream or right-of-way;

(iii) A boundary indicated as following a shoreline shall follow such shoreline and in the event of change in the shoreline, the boundary shall be construed as moving with the actual shoreline;

(iv) A boundary indicated as approximately following lot lines shown on a registered plan of subdivision or Township lot lines shall follow such lot lines;

(v) Where a boundary is indicated as approximately parallel to a street line

or other feature indicated in Clauses (i), (ii) or (iii) of this Paragraph and the distance from such street line or other feature is not indicated, and clause (iv) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance therefore shall be determined according to the scale shown on the appropriate Schedule;

(vi) A boundary indicated as following the limits of the Township shall follow such limit; and

(vii) The boundaries of the Open Space - Conservation "OS3" Zone are based upon the approved engineered floodplain mapping prepared by the Niagara Peninsula Conservation Authority and the approved mapping for the Provincially Significant Wetlands prepared by the Ministry of Natural Resources. Notwithstanding the boundaries as established by the above-noted approved mapping, minor adjustments to these boundaries may be permitted without amendment to this By- Law subject to on-site field investigations and approval by the Niagara Peninsula Conservation Authority, Ministry of Natural Resources and the Township.

(e) Numerical Figures

The metric numerical figures contained within this By-law shall be the actual requirements of this By-law. The imperial numerical figures are approximate and are provided for information purposes only.

(f) Closings

In the event a street or lane shown on the attached Schedules is closed, the property formerly in such street or lane shall be included within the Zone of the adjoining property on either side of such closed street or lane. If a closed street or lane was the boundary between two (2) or more different Zones, the new Zone boundaries shall be the former centre line of the closed street or lane.

(g) Certain Words

In this By-law, the word "shall" is mandatory. Words used in the present tense include the future; words used in the singular number include the plural; and words used in the plural include the singular number. The word "building" includes part of a building.

(h) Statutes and Government Publications

All references to statutes and government publications shall be deemed to include

reference to any amendments thereto and any statute or government publication substituted therefore.

(i) Special Figures

Section 50: Special Figures exists where figures referenced in the text of Zoning By-law No. 464 are used to more clearly identify areas and/or properties affected by regulations required by this By-law, applicable to the area delineated in the special figure. **#22-194**

3.2 SCOPE AND EFFECT

No person shall within the Defined Area use any land or erect, alter or use any building or structure except in conformity with the provisions of this By-law and subsequent amendments hereto.

SECTION 4: DEFINITIONS

For the purpose of this By-law, all words carry their customary meaning except those defined hereinafter:

"ACCESSORY USE" means a use naturally and normally incidental, subordinate and exclusively devoted to a principal permitted use, building or structure located on the same lot therewith.

"ACCESSORY BUILDING" means a detached building or structure not used for human habitation, the use of which is naturally and normally incidental, and subordinate to and exclusively devoted to a principal permitted use, building or structure, and located on the same lot therewith, and shall also mean and include a detached garage and detached carport.

"ACCESSORY MECHANICAL EQUIPMENT" (deleted by By-law 15-070)

"ADULT ENTERTAINMENT PARLOUR" means any building or structure, or part thereof, in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations which includes:

(a) goods or services of which a principal feature or characteristic is the nudity or partial nudity of any person; and,

(b) goods or services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

"AGRICULTURAL" means the use of land, buildings or structures for the purpose of field crops, market gardening crops, orchards, vineyards, livestock (excluding dogs), poultry production, nurseries, greenhouses, apiaries, mushrooms, aquacultural, horticultural, silvicultural or other farming use, including the growing, raising, packing, treating, processing, marketing, selling, sorting or storage of products produced on the premises, the storage, disposal or use of organic wastes for farm purposes and any other similar uses customarily carried on in the field of general agriculture, and shall include a single detached dwelling and accessory buildings and structures.

"AIRPORT" means an area of land or water used or intended to be used whether wholly or in part, for the arrival, departure, movement or servicing of aircraft, for which an airport licence has been issued. (Source: The Air Regulations, Canada).

"ALTER" means any alteration to a bearing wall or partition, column, beam, girder, or other supporting member of a building or structure, or any increase in the area or volume contents of a building or structure. When used in reference to a lot, the word "alter" shall mean to change the width, depth or area thereof or to change the width, depth or area of any required yard setback, landscaped open space, access, loading area or parking area.

"AMENITY AREA" means an area situated within the boundaries of a project and intended for communal recreational purposes, which may include landscaped open spaces, patios, play areas, lounges, sundecks and roofdecks, but shall not include apartment balconies or the area occupied at grade by buildings, service areas, parking or driveways.

"ANIMAL HOSPITAL" means a wholly enclosed building or buildings of a veterinarian registered under the Veterinarian Act, being Chapter V.3 of the Revised Statutes of Ontario, 1990, as amended from time to time, where animals, birds or other livestock are treated and/or kept.

"APARTMENT BUILDING" means a building arranged, intended or designed for four (4) or more dwelling units, which have a common entrance from the street level.

"APPURTENANT STRUCTURE" - see "STRUCTURE, APPURTENANT".

"ATTIC" means the portion of a building situated wholly, or in part, within the roof and which is less than one-half (½) storey in height.

"AUDITORIUM" means a building or structure or part thereof in which facilities are provided for civic, educational, political, religious services, social or athletic events and shall include an arena, assembly hall, community centre or hall, gymnasium, stadium, theatre or similar uses.

"BACHELOR UNIT" means a dwelling unit in which only one (1) room or part thereof contains sleeping accommodation and which room is also used as a living or a dining room, or as both, but shall not include a dwelling unit containing one (1) or more rooms designed exclusively for bedrooms.

"BASEMENT" means that portion of a building between two (2) floor levels which is partly underground but which has at least one half (½) of its height from finished floor to underside of first floor joists above the average finished grade level adjacent to the exterior walls of the building. (See illustration page at end of this Section).

"BASEMENT, WALKOUT" means that portion of a building between two (2) floor levels which is underground, but which has more than fifty percent (50%) of the floor area not greater than 0.6 metres (2 feet) below grade, and which has an entrance/exit at grade level. (See illustration page at end of this Section).

"BED AND BREAKFAST ESTABLISHMENT" means a business that is operated by the owner(s) and/or resident(s) of a single detached dwelling unit on the subject lands and that involves the use and maintenance of not more than four (4) bedrooms within the said dwelling unit for the temporary accommodation of the travelling public, in which the owner/resident supplies, for hire or gain, lodgings, with or without meals, to the persons so accommodated. This does not mean or include a hotel, motel, lodging house or any restaurant, as defined within this By-law.

"BERM" means a landscaped mound of earth formed to provide visual and/or acoustical separation.

"BLOCK TOWNHOUSE DWELLING" - see "DWELLING, BLOCK TOWNHOUSE".

"BUFFER STRIP" means a strip of land which shall not be built upon and shall not be used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and paths, walkways, patios, fences and similar appurtenances, but shall exclude parking areas, loading areas, driveways or ramps.

"BUILDING" means a structure, whether temporary or permanent, having a roof supported by walls or columns or supported directly on the foundation, and used or intended to be used for the shelter, accommodation or storage of persons, animals or goods, but excluding a fence.

"BUILDING LINE" means any line regulating the position of a building or structure on a lot in accordance with the provisions of this By-law or any other By-law of the Township of Glanbrook or any other authority.

"BUNK HOUSE" means a dwelling with a common room for sleeping, and shared food preparation and sanitary facilities.

"CARPORT" means a building or structure or part thereof, of which at least forty percent (40%) of the area of the perimeter faces shall be open an unobstructed by any wall, door, post or pier; which is used for the temporary parking or storage of motor vehicles; and wherein neither servicing nor repairing is carried on for remuneration.

"CELLAR" means that portion of a building between two (2) floor levels, which is partly or wholly underground and which has more than one-half (½) of its height from finished floor to underside of first floor joists below the average finished grade level adjacent to the exterior walls of the building. (See illustration page at end of this Section).

"CEMETERY" means a cemetery, mausoleum or columbarium within the meaning of the Cemeteries Act, being Chapter C.3 of the Revised Statutes of Ontario, 1990, as amended from time to time.

"CHILD CARE CENTRE" means a facility licensed under the Child Care and Early Years Act, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use. **#25-156**

"CHURCH" means land and a building used by a religious organization, which is charitable under the laws of Ontario, for public worship, and may include as accessory uses, a rectory, manse, church hall, child care centre and school. **#25-156**

"COMMERCIAL" means the use of land, buildings or structures for the purpose of buying and/or selling of commodities or supplying of services, as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals and construction and other similar non-commercial uses.

"COMMERCIAL CLUB" means a building or part of a building used as a meeting place for members of an organization operated for a profit.

"COMMERCIAL SCHOOL" - See "SCHOOL, COMMERCIAL

"COMMITTEE OF ADJUSTMENT" means the Committee of Adjustment for the Township of Glanbrook as constituted by By-law of the Council pursuant to Section 43 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time.

"COMMUNITY CENTRE" means a building used for community activities including, but not so as to restrict the generality of the foregoing, arts, crafts, physical, social, charitable and educational activities, and not used for any commercial purposes.

"COMMUNITY GARDEN" shall mean land used for the growing and harvesting of plants, grains, vegetables or fruits and provided the crops are for the sole use, donation or consumption by the individual or individuals growing or working the community garden. It shall not be considered as landscaped area, landscape open space, landscaped strip or landscaping. **#14-277**

"CONSERVATION" means the use of land, buildings or structures for the purpose of the protection and management of the natural environment, including natural resources, fish and wildlife.

"CONVENIENCE RETAIL STORE" means a retail store serving the daily or occasional needs of residents with a variety of goods such as food, beverages, pharmaceuticals, magazines, newspapers, stationery, smoking supplies and other similar goods.

"CONVERTED DWELLING" - see "DWELLING, CONVERTED".

"CORNER LOT" see "LOT, CORNER".

"CORPORATION THE", means the Corporation of the Township of Glanbrook. (Note: the term "corporation" appearing in this By-law with a lower case "c" shall not be deemed to refer to the Corporation of the Township of Glanbrook).

"COUNCIL" means the Council of the Corporation of the Township of Glanbrook.

"CUSTOM WORKSHOP" means a building or part of a building used by a trade, craft or guild for the repair, servicing or custom assembly of articles, but shall not include a motor vehicle repair shop or motor vehicle body shop.

del. #25-156

"DAYLIGHTING TRIANGLE" means an area of a corner lot which is determined after the side lot line adjacent to the street and the front lot line have been extended to their point of intersection and by measuring from the point of intersection of the two (2) lot lines a distance along each lot line as prescribed by Subsection 7.29 of this By-law to a point and joining such points with a straight line. The triangular-shaped land between the intersection of the two (2) lot lines (in the case of a radius from the projected intersection of the two (2) lot lines) and the straight line joining the points the required distance along the lot lines shall be known as the "daylighting triangle".

"DERELICT MOTOR VEHICLE" means a motor vehicle that:

(a) is inoperable, and

(b) has no market value as a means of transportation, or has a market value as a means of transportation that is less than the cost of repair required to put it into operable condition,

however, this definition shall not prohibit the parking on-site of motor vehicles awaiting repair at a motor vehicle service station, motor vehicle repair shop or motor vehicle body shop.

"DEVELOPMENT" means the carrying out of building, engineering, mining, excavating, or similar uses or related operations, in, on, over or under land; or the making of any material changes in the use of any building, structure or land.

"DOG" means any male or female canine of any age of any breed of domesticated dogs and any cross-breed thereof.

"DOMESTICATED ANIMAL" means any mammal that is subject to domestication through selective or controlled breeding, and that is raised as a pet.

"DRY CLEANING DISTRIBUTION STATION" means a building or part of a building used for the purpose of receiving articles of clothing, goods or fabric to be dry-cleaned elsewhere and for the pressing and distribution of any such dry cleaned, dyed, cleaned, laundered and/or pressed articles of clothing, goods or fabric.

"DRY CLEANING ESTABLISHMENT" means a building or part of a building where dry cleaning, dyeing, cleaning, laundering or pressing of articles or clothing, goods or fabric is carried on and may include an accessory dry cleaning distribution station, but excludes a wholesale dyeing plant.

"DUPLEX DWELLING" - see "DWELLING, DUPLEX".

"DWELLING" means a building containing one (1) or more dwelling units.

"DWELLING, BLOCK TOWNHOUSE" means a dwelling divided vertically into a minimum of three (3) and a maximum of eight (8) dwelling units, with each unit separated by a common or party wall or walls and having two (2) or more private entrances at grade.

"DWELLING CONVERTED" means a dwelling altered to contain a greater number of dwelling units.

"DWELLING, DUPLEX" means a dwelling of two (2) or more storeys divided horizontally into only two (2) dwelling units, each having a separate entrance.

"DWELLING, SEMI-DETACHED" means a dwelling divided vertically into two (2) dwelling units by a common wall extending a minimum of one (1) storey above finished grade (minimum 2.4 metres (8 feet) vertically and 6 metres (20 feet) horizontally), and the dwelling units may be held in separate ownership.

"DWELLING, SINGLE DETACHED" means a dwelling consisting of only one (1) dwelling unit containing one (1) or more rooms which unit includes toilet facilities and kitchen facilities and is designed and intended for use as a single housekeeping establishment and includes a manufactured

housing unit but excludes a mobile home, a trailer or a recreational vehicle.

"DWELLING, SPLIT LEVEL" means a dwelling containing three (3) or more sections at different levels with two (2) or more of such sections containing one (1) or more habitable rooms but does not include a one (1) storey dwelling with a split entry.

"DWELLING, STREET TOWNHOUSE" means a dwelling divided vertically into a minimum of three (3) and a maximum of eight (8) dwelling units, the units separated by a common wall or walls and each unit having a minimum of two (2) private entrances at grade, and in which all dwelling units fronts on a street and each dwelling unit is on a separate lot.

"DWELLING, TRIPLEX" means a dwelling containing three (3) dwelling units each of which has an independent entrance directly from the outside or through a common vestibule, but does not include a block townhouse or a street townhouse.

"DWELLING UNIT" means a room or suite of rooms used or designed to be used by only one (1) family as a single, independent and separate housekeeping unit in which one (1) or more persons may sleep and both culinary and sanitary facilities are provided for the exclusive use of such family; and located within a building with a private entrance from outside the building or from a common hallway or stairway inside, but shall not include a tent, cabin, trailer, mobile home (except for use as a farm help house), recreational vehicle, or a room or suite or rooms in a lodging house, hotel or motel, or institution.

"ERECT" means, with reference to a building or structure, to build, construct, enlarge, reconstruct or alter, and shall include:

(a) any physical operation such as excavating, filling, grading or drainage preparatory to building construction or reconstruction;

(b) the moving of a building or structure from one location to another; and

"erected" and "erection" shall have a corresponding meaning.

"EXTERIOR SIDE LOT LINE" - see "LOT LINE", EXTERIOR SIDE"

"EXTERIOR SIDE YARD" - see "YARD, EXTERIOR SIDE".

"EXTERIOR FACIA" means the shape, colour and type of material of the facing of any exterior wall of a building or structure.

"EXISTING" means existing as of the date of the passing of this By-law.

"FAMILY" means one (1) person or a group of persons including domestic servants and not more than one (1) boarder residing as a single housekeeping unit, but does not include a person or group of persons occupying a group home, a room or suite in a hotel or motel, bed and breakfast establishment, farm help house or any institutional accommodation.

"FAR-SIDE CORNER LOT" - see "LOT, FAR SIDE CORNER".

"FARM" means a lot used principally and primarily for agricultural purposes.

"FARM EQUIPMENT SALES AND/OR SERVICE ESTABLISHMENT" means an establishment where farm machinery only is kept for sale or service and where no activities of a motor vehicle service station, body shop and/or repair shop are carried out.

"FARM HELP HOUSE" means a dwelling unit accessory to an existing viable farm operation with an existing permanent dwelling unit located thereon provided the dwellings are occupied by the farm operator and the farm helper and their families, and provided that the helper derives his/her main source of income from the farm holding and is employed in and essential to the farm operation, and it is essential that the helper reside on the farm. A mobile home or bunk house with associated living and dining facilities may be included within the definition of Farm Help House.

"FARM PRODUCE/PRODUCT STAND" shall mean a building or structure used for the sale of fresh fruit, vegetables, grains and edible plants which are grown on an urban farm on a seasonal basis. Products derived from the urban farm produce may also be sold. **#14-277**

"FAST FOOD RESTAURANT" - see "RESTAURANT, FAST FOOD".

"FENCE" means a hedge, free standing wall, structure, or partition constructed of any material or combination of materials, enclosing, partly enclosing, or dividing land or being used for decorative purposes.

"FLOOR AREA" means the total floor area of all floors within a building, which area is measured between the exterior face of exterior walls or from the centre line of a common wall, excluding:

(a) In the case of an apartment building, any garage, porch, veranda, balcony, mezzanine, lobby, cellar, common hallway, staircase, elevator shaft area, vestibule, boiler room, common laundry room or common storage room; and

(b) In the case of all other dwelling units, any private garage or carport, porch, veranda, balcony, breezeway, attic, basement or cellar; and

(c) In the case of all other buildings, cellars and motor vehicle parking areas.

For the purpose of this definition, the walls of an inner court shall be deemed to be exterior walls.

"FLOOR AREA, GROSS" means the total sum of the floor areas of all floors within a building, which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding the car parking areas within the building; and for the purpose of this clause, the walls on an inner court shall be deemed to be exterior walls.

"FLOOR AREA, GROSS LEASABLE" means the total sum of the floor areas of a building for

which tenants pay rent and have exclusive occupancy, measured from the centreline of partition walls and the exterior face of exterior walls, and includes all such floor area on a main floor, mezzanine, upper storeys and basements, but shall not include any floor area used in common by the tenants of the building such as a hallway, lobby, elevator shaft, stairwell, mechanical or electrical or utility room, and any motor vehicle parking areas provided within the building.

"FLOOR AREA, GROUND" means the floor area of the lowest storey of a building, approximately at or first above the finished grade level, excluding any basement or cellar, and which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but:

(a) Excludes motor vehicle parking areas within the building, and

(b) The walls of an inner court are deemed to be exterior walls.

"FLOOR AREA RATIO" means the "Gross Floor Area" of all buildings on the lot divided by the area of the lot, and the floor area ratio in each Zone applies only to that portion of such lot that is located within said Zone.

"FOREST MANAGEMENT" means the application of business methods and technical forestry principles to the operation of a forest property.

"FRONT LOT LINE" - see "LOT LINE, FRONT"

"FRONT YARD" - see "YARD, FRONT".

"FUEL PUMP" means a fixed unit of equipment installed to dispense fuel and includes a fuel pump island.

"FUEL STORAGE TANK" means a static tank for the storage of petroleum, gasoline, fuel oil, gas or inflammable liquid or fluid legally and properly stored for retail purposes, or a tank for storage of such material merely incidental to some other use of the premises where such tank is located.

"GARAGE" means a building, structure or part thereof accessory to a dwelling unit, which is used for the temporary parking or storage of motor vehicles, and wherein neither servicing nor repairing is carried on for remuneration.

"GRADE" – shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls. (By-law 15-290)

"GROSS FLOOR AREA" - see "FLOOR AREA, GROSS".

"GROSS LEASABLE FLOOR AREA" - see "FLOOR AREA, GROSS LEASABLE".

"GROSS WEIGHT" means the combined weight and carrying capacity for which a motor vehicle or trailer is registered by the Ministry of Transportation.

"GROUND FLOOR AREA" - see "FLOOR AREA, GROUND".

"GROUP HOME" means a licensed single housekeeping unit in a single detached dwelling in which three (3) to six (6) persons, excluding supervisory staff or the receiving family, live under responsible supervision consistent with both the particular needs of its residents and the relevant Provincial guidelines.

"HEIGHT" means the vertical distance between the average finished grade level at the front elevation of such building or structure to:

(a) In the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater; and,

(b) In the case of a mansard roof, the roof deck line; and

(c) In the case of any other roof, the point midway between the eaves and ridge; and,

(d) In the case of a structure not having a roof, the top part of the structure.

(See illustration page at end of this Section).
(By-law 15-070 Repealed)

"HAZARDOUS WASTE" means materials that are defined as hazardous waste under Ontario Regulation 347 to the Environmental Protection Act. (By-law 09-131)

"HAZARDOUS WASTE MANAGEMENT FACILITY" means a waste transfer facility, a waste processing facility or a waste disposal facility that handles hazardous waste and for which a Certificate of Approval for such purpose under Part V of the Environmental Protection Act is required. A hazardous waste management facility may also include the storage, transfer or processing of non-hazardous waste. (By-law 09-131)

"HOME CHILD CARE" means a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that:

(a) is licensed in accordance with the requirements of the Child Care and Early Years Act, as amended; or,

(b) is not licensed under the Child Care and Early Years Act, as amended, and the number of children does not exceed five. **#25-156**

"HOME FOR THE AGED" means any institution to which the Homes for the Aged and Rest Homes Act, being Chapter H.13 of the Revised Statutes of Ontario, 1990, as amended from time to time, applies, and any home for senior citizens sponsored and administered by any public agency or any service organization either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation or by any combination thereof, and such home shall include accessory uses such as club and lounge facilities usually associated with senior citizens' residential accommodation.

"HOME INDUSTRY" means a small scale commercial and/or industrial use secondary to an agricultural operation which is owned and operated by one (1) or more of the residents of the dwelling unit on the subject lot and shall be wholly enclosed within either a single detached dwelling

unit, an attached garage or an accessory building. Such home industries may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, but shall exclude motor vehicle repair shops and motor vehicle body shops.

"HOME OCCUPATION" means an occupation, trade or business conducted entirely within a dwelling unit, with some exceptions in the Agricultural Zones, pursuant to the provisions in this By-Law, by one (1) or more of the residents of the dwelling unit on the subject lot, which use is clearly incidental and secondary to the use of the residential and/or agricultural use of the subject lot. Such occupations may include, for example, a hairdresser, dress maker or tailor.

"HOME PROFESSION" means a professional service conducted entirely within a dwelling unit, with some exceptions in the Agricultural Zones, pursuant to the provisions of this By-law, by one (1) or more of the residents of the dwelling unit on the subject lot, and which use is clearly incidental and secondary to the use of the principal residential and/or agricultural use of the subject lot. Such occupations may include services performed by an accountant, architect, dentist, engineer, land use planner, insurance agent, lawyer, realtor and other similar professionals.

"HOSPITAL, PRIVATE" means a hospital as defined by the Private Hospitals Act, being Chapter P.40 of the Revised Statutes of Ontario, 1990, as amended from time to time.

"HOSPITAL, PUBLIC" means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons, as defined by the Public Hospitals Act, being Chapter P.40 of the Revised Statutes of Ontario, 1990, as amended from time to time.

"HOTEL" - has the same definition as "MOTEL".

"INDUSTRIAL" means the use of land, buildings, or structures for the processing of raw materials or goods; light manufacturing, assembling, repairing and/or servicing operations; warehousing and storage of bulk goods, product distribution services, and wholesaling; and uses similar to the foregoing within the scope and meaning of the Statistics Canada publication "Standard Industrial Classification Manual", 1980, as amended from time to time.

"INSTITUTIONAL" means the use of land, buildings or structures for religious, charitable, educational, health or welfare purposes, and without limiting the generality of the foregoing, shall include churches, places of worship, public or private schools, nursery schools, child care centres, public or private hospitals, nursing homes and homes for the aged. **#25-156**

"INTERIOR LOT" - see "LOT, INTERIOR".

"INTERIOR SIDE LOT LINE" - see "LOT LINE, INTERIOR SIDE".

"INTERIOR SIDE YARD" - see "YARD, INTERIOR SIDE".

"KENNEL" means any building, structure and/or area of land where more than three (3) and less than thirty-one (31) dogs and/or other domestic pets are boarded, kept and/or trained, and/or where

more than two (2) and less than eleven (11) dogs of breeding age are kept and raised for breeding purposes.

"LANDSCAPED AREA" means an area that shall not be built upon and shall not be used for any purpose other than as an area of landscaping, which may include grass, shrubs, flowers, trees and similar types of vegetation, and paths, walks, patios, fences and similar appurtenances, but shall exclude parking areas, loading areas, driveways or ramps.

"LOADING SPACE" means an area of land which is provided and maintained on private property, which area has unobstructed access from a street and which is provided solely for the loading and unloading of a motor vehicle, and is provided and maintained in accordance with all applicable provisions of this By-law.

"LOCAL AGRICULTURAL PRODUCTS" shall be defined as fruits, vegetables, grains, seeds, flowers, herbs, dairy, fish, meat and poultry, maple, or honey bee products that have been grown or produced as part of Ontario farm operations. **#15-104**

"LODGING HOUSE" means a single detached dwelling in which a minimum of two (2) persons and a maximum of four (4) persons are lodging for gain, with or without food, and without separate cooking facilities, by the week, or more than a week, but shall not mean or include a motel, hotel, bed and breakfast establishment, hospital, home for the aged, nursing home, or similar commercial or institutional uses.

"LOT" means a parcel or tract or land having within the boundaries of a Zone sufficient lot frontage, lot depth and lot area to satisfy the applicable requirements of the Zone within which it is located, and:

(a) (i) Is a whole lot as shown on a Registered Plan of Subdivision, except a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision in a By-law passed pursuant to Section 50 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time; or

(ii) Is a separate parcel of land existing at the date of the passing of this By-law; or

(iii) The description of which is the same as in a deed which has been given consent pursuant to Section 53 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time; or

(iv) Is the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to Section 53 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time; and

(b) Fronts on a street that has been opened, improved, and is maintained and assumed for public use by the Township, the Regional Municipality of Hamilton-Wentworth, or the Province of Ontario, unless such street has been opened, improved and maintained and is within a Plan of Subdivision registered after the date of passing of this By-law pursuant to Section 51 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time, and in accordance with any requirements under the Registry Act, being Chapter R.20 of the Revised Statutes of Ontario, 1990, as amended from time to time, and in accordance with any requirements under the Registry Act, being Chapter R.20 of the Revised Statutes of Ontario, 1990, as amended from time to time, or the Land Titles Act, being Chapter L.5 of the Revised Statutes of Ontario, 1990, as amended from time to time, and in which case the responsibility for such street for public use has not been accepted or assumed by the Township, however, there is an effective Subdivision Agreement with the Township registered on title; and

(c) No parcel or tract of land ceases to be a lot if a part or parts of it has or have been conveyed to or acquired by the Township, the Regional Municipality of Hamilton-Wentworth, Her Majesty in the Right of Ontario, or Her Majesty in the Right of Canada.

"LOT AREA" means the total horizontal area within the lot lines of a lot.

"LOT, CORNER" means a lot situated at the intersection of two (2) streets, of which the two (2) adjacent sides that abut the intersecting streets contain an angle of not more than one hundred and thirty-five (135) degrees. Where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, and the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents. (For the purposes of this By-law, a tangent is a straight line touching a curve at one (1) or more points). (See illustration at end of this Section).

"LOT COVERAGE" shall mean the percentage of the lot covered by all buildings, but shall not include swimming pools and patio decks. (By-law 15-070)

"LOT DEPTH" means the horizontal distance between the front and rear lot lines. Where the front and rear lot lines are not parallel, the lot depth is the length of a line joining the mid points of such lot lines. Where the lot has no rear lot line, that lot depth is the length of a line joining the mid point of the front lot line with the apex of the triangle formed by the side lot lines. (For the purposes of this By -Law, an apex is the tip or highest point of the triangle). (See illustration page at end of this Section).

"LOT, FAR-SIDE CORNER" means a corner lot which abuts a Provincial Highway in which the legal direction of traffic in the lane of such highway nearest such lot is away from the intersection of such highway with the intersecting street that abuts such lot.

"LOT FLANKAGE" means in the case of a corner lot with street lines on unequal length, the length of the longer lot line abutting a street.

"LOT FRONTAGE" means the horizontal distance between the side lot lines measured along the continuous front lot line and if the front lot line is not continuous, measured along the longest front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line 7.5 metres (25 feet) back from and parallel to the chord of the lot frontage. (For the purposes of this By-law, the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line). (See illustration page at end of this Section). Notwithstanding the above, in the case of a corner lot where a daylight triangle or a radius has been established, the Lot Frontage is to be determined by measuring along the front lot line after the side lot line and the front lot line have been extended to the point of intersection of the two (2) streets.

"LOT, INTERIOR" means a lot other than a corner lot.

"LOT, NEAR-SIDE CORNER" means a corner lot which abuts a Provincial Highway in which the legal direction of traffic in the lane of such highway nearest such lot is towards the intersection of such highway with the intersecting street that abuts such lot.

"LOT, REVERSED CORNER means a corner lot, the flankage of which is substantially a continuation of the front lot line of the lot to its rear.

"LOT LINE" means any boundary of a lot. (See illustration page at end of this Section).

"LOT LINE, EXTERIOR SIDE" means a side lot line that abuts a street.

"LOT LINE, FRONT" means in the case of an interior lot, the lot line that divides the lot from the street. In the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line, and the longer lot line that abuts a street, shall be deemed to be a side lot line. In the case of a corner lot with equal frontage on two (2) streets, the lot line abutting the wider street, or the Regional or Provincial Highway, shall be deemed the front lot line; or in the case of both streets being under the same jurisdiction, and in the case of the same width, the owner may designate the lot line abutting either street as the front lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. (See illustration page at end of this Section).

"LOT LINE, INTERIOR SIDE" means a side lot line that does not abut a street.

"LOT LINE, REAR" means the lot line opposite the front lot line. (See illustration page at end of this Section).

"LOT LINE, SIDE" means a lot line other than a front or rear lot line. (See illustration page at end of Section).

"LOT, THROUGH" means a lot other than a corner lot, having separate frontages on two (2) streets, notwithstanding the existence of a reserve adjacent to the street. (See illustration page at end of this Section).

"MANUFACTURED HOUSING UNIT" means a factory-made single detached residential unit designed to be transported to a prepared permanent foundation, installed and connected to full services. A manufactured housing unit is designed for long term, year round occupancy. It has facilities for cooking, eating, living, sleeping and sanitation. The manufactured housing units shall be built to the residential standards as established by the National Building Code of Canada and the Ontario Building Code.

"MANUFACTURING USE" means a use designed, adopted or used for purposes of manufacturing industries within the scope and meaning of the Statistics Canada publication entitled "Standard Industrial Classification Manual", 1980, as amended from time to time.

"MAXIMUM DESIGNED CAPACITY" means the same as the maximum capacity for such building or structure permitted by the Ontario Building Code, The Ontario Fire Code, or, where applicable, The Liquor Licence Board of Ontario.

"MAXIMUM GROSS FLOOR AREA" - see "FLOOR AREA, MAXIMUM GROSS".

"MEDICAL CENTRE" means a building or part thereof used by three (3) or more qualified medical practitioners, dentists, chiropractors, physiotherapists, osteopaths or other drugless practitioners, for public or private medical, surgical physio-therapeutic or other human health purpose, except when included within or accessory to a private or public hospital.

"MINIMUM FRONT YARD" - see "YARD, MINIMUM FRONT".

"MINIMUM REAR YARD" - see "YARD, MINIMUM REAR".

"MINIMUM SIDE YARD" - see "YARD, MINIMUM SIDE".

"MOBILE HOME" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one (1) or more persons, but does not include a travel trailer, tent trailer or trailer otherwise designed or a recreational vehicle as defined in this By-Law. For the purpose of this By-law, a mobile home may be used as a permanent farm help house or seasonal farm help house in accordance with the provisions of this By-law.

"MODEL HOME" shall mean a single detached dwelling, semi-detached dwelling, street townhouse dwelling or a block of townhouse dwelling units used in the interim for the sole purpose of an office and/or show room and/or sales centre each of which shall promote the sale of residential units within a draft approved plan of subdivision or a registered plan of subdivision.

"MOTEL" means a building, a part of a building or a group of buildings used for the purpose of providing accommodation, with or without food or other refreshments, to the travelling public, including, but not so as to limit the generality of the foregoing, a motor court, motor hotel and any hotel as defined in the Hotel Registration of Guests Act, being Chapter H.17 of the Revised Statutes of Ontario, 1990, as amended from time to time.

"MOTOR VEHICLE" means an automobile, motorcycle, motor assisted bicycle unless otherwise

indicated in the Highway Traffic Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric, diesel or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act. (Source: the Highway Traffic Act, being Chapter H.8 of the Revised Statutes of Ontario, 1990, as amended from time to time).

"MOTOR VEHICLE BODY SHOP" means a place used for the painting and/or repairing of motor vehicle bodies.

"MOTOR VEHICLE DEALERSHIP" means a place where new and/or used motor vehicles are kept for display and sale, lease or rent, and may include an accessory motor vehicle repair shop.

"MOTOR VEHICLE GASOLINE BAR" means a place with one (1) or more pump islands consisting of one (1) 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, but does not include motor vehicle repairs, oil changes or greasing.

"MOTOR VEHICLE REPAIR SHOP" means a place used for minor and major mechanical repairs to motor vehicles but does not include the painting and/or repairing of motor vehicle bodies.

"MOTOR VEHICLE SERVICE STATION" means a building, structure and/or lot where gasoline or other motor fuels are kept for sale and where any of the following articles namely, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs or batteries, may be stored or kept for sale, and where motor vehicles may be oiled or greased or have their ignition adjusted, tires inflated or batteries charged, and where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed. A motor vehicle washing establishment may be permitted as an accessory use to a motor vehicle service station provided municipal sanitary sewers and watermains area available to service the subject lands. This definition shall not include a motor vehicle body shop, motor vehicle repair garage or motor vehicle dealership.

"NEAR-SIDE CORNER LOT" - see "LOT, NEAR-SIDE CORNER".

"NON-CONFORMING" means a use, lot, building and/or structure which does not comply with one (1) or more of the provisions of this By-law.

"NOTWITHSTANDING" - means "in spite of".

"NURSERY SCHOOL" means a school where children of pre-kindergarten age are taught and cared for by the day or half-day.

"NURSING HOME" means a nursing home as defined under The Nursing Home Act, being Chapter N.7 of the Revised Statutes of Ontario, 1990, as amended from time to time.

"ONE-HALF STOREY" - see "STOREY, ONE-HALF".

"OUTDOOR PATIO RESTAURANT" shall mean any outdoor area used in conjunction with any

establishment licensed under the Liquor Licence Act, where meals or refreshments are served to the public for consumption on the premises.

"OWNER" means an owner of land whose interest in the land is defined and whose name is specified in an instrument in the proper Registry or Land Titles Office.

"PARK, PRIVATE" means a recreational area other than a public park and may include outdoor or indoor swimming pools, wading pools, snack bars, picnic areas, boating facilities, tennis courts, lawn bowling greens, gardens, golf courses or similar open space facilities, but excluding overnight camping areas.

"PARK, PUBLIC" means a recreational area owned or controlled by the Township of Glanbrook or by any Board, Commission or other authority established under any statute of the Province of Ontario.

"PARKING AREA" means an area of land which is provided and maintained for the purpose of parking motor vehicles, and which area:

(a) Comprises all parking spaces of at least the minimum number required according to the provisions of this By-Law, and all driveways, aisles, manoeuvering areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces, and

(b) Is provided and thereafter maintained in accordance with all applicable provisions of this By-Law.

"PARKING SPACE" means an area of land within a parking area which is provided for the parking of one (1) motor vehicle for other than the purpose of sale or display, and is provided and thereafter maintained in accordance with all applicable provisions of this By-law.

"PATIO DECK shall mean a structure accessory to a building with or without roof or walls, which may include visual partitions and railings, and is constructed on piers or a foundation at a minimum of 0.15 metres above-grade. (By-law 15-070)

"PERSON" includes an individual, owner, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

"PERSONAL SERVICE SHOP" means a building or part of a building in which persons furnish services and otherwise administer to the individual and personal needs of persons, and without limiting the generality of the foregoing, may include such establishments as barber shops, beauty parlours, estheticians, dress making shops, tailors, dry cleaning distribution stations, laundromats, optical shops, photographic studios, and shoe repair shops, but does not include adult entertainment parlours.

"PIT" means land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated.

"PIT, WAYSIDE" means a temporary pit or temporary quarry not located on Crown land, and used by a public authority or a person who has a contract with a public authority solely for the purpose of a particular project of road construction or road maintenance, from outside the limits of the street right-of-way; or for an urgent project for which no alternative source of aggregate under licence or permit is readily available in the vicinity.

"PLANTING STRIP" means a strip of land consisting of trees, shrubs and other similar types of vegetation, designed to act as a buffer or visual screen.

"PRINCIPAL BUILDING" means any building in which is conducted the primary permitted use as opposed to an accessory use and may consist of one (1) or more buildings.

"PRINCIPAL USE" means the primary permitted use of a lot or land conducted on the land or in a building or buildings located on the same lot or land.

"PRIVACY AREA" means an outdoor area exclusively used by the occupants of a dwelling unit.

"PRIVATE CLUB" means a building or part of a building used as a meeting place for members of an organization not operated for profit, such as a social or recreational club.

"PRIVATE HOSPITAL" - see "HOSPITAL, PRIVATE".

"PRIVATE PARK" - see "PARK, PRIVATE".

"PRIVATE SCHOOL" - see "SCHOOL, PRIVATE".

"PROFESSIONAL OFFICE" means any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients receive advice or treatment, but does not include a medical centre or personal service shop.

"PUBLIC AUTHORITY" means a Federal, Provincial or Municipal Corporation and includes any commission, authority, agency, ministry and department established by or for any of them.

"PUBLIC HOSPITAL" - see "HOSPITAL, PUBLIC".

"PUBLIC PARK" - see "PARK, PUBLIC".

"PUBLIC SCHOOL" - see "SCHOOL, PUBLIC".

"PUBLIC UTILITY" means any drainage, water or sewerage works, telephone works, railways however operated, street railways, and works for the transmission of gas, oil, electrical power or energy, or any similar works supplying the general public with necessaries or conveniences. For the purposes of this By-law, a public utility shall exclude sites of facilities for the disposal, transfer, treatment or storage of solid wastes.

"QUARRY" - has the same definition as "PIT".

"QUARRY, WAYSIDE" - has the same definition as "PIT, WAYSIDE".

"REAR LOT LINE" - see "LOT LINE, REAR".

"REAR YARD" - see "YARD, REAR".

"RECREATIONAL USE" means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses including golf driving ranges or miniature golf courses, picnic areas, swimming pools, day camps, bathing beaches, boat liveries, and similar uses to the foregoing, together with necessary and accessory buildings and structures, but does not include a track for the racing of animals, motor vehicles, motorcycles and/or go-karts, or overnight camping areas.

"RECREATIONAL VEHICLE" shall mean a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, camp trailers, pick-up coaches, motorized campers, motorized homes or other similar vehicles, but does not include a mobile home as defined by this By-law.

"RESIDENTIAL" means the use of land, buildings or structures for human habitation.

"RESTAURANT, FAST FOOD" means any establishment located in a building or structure or part thereof having a gross floor area in excess of 100 square metres (1,075 square feet), with or without seating accommodation, where food or refreshments are sold in a ready to consume state for consumption on or off the premises, primarily by counter service.

"RESTAURANT, STANDARD" means any establishment located in a building or structure or part thereof where food or refreshments are sold in a ready to consume state for consumption on or off the premises, which may include take-out food facilities as an accessory use, but does not include a Fast Food Restaurant or Take-Out Restaurant.

"RESTAURANT, TAKE-OUT" means any establishment having a gross floor area not in excess of 100 square metres (1,075 square feet) without seating or table accommodation where food or refreshments are sold in a ready to consume state, for consumption off the premises, and which is located in a building or structure primarily devoted to another use or other uses.

"RETAIL STORE" means a building, structure or part thereof in which goods, wares, merchandise, articles or things are offered or kept for sale directly to the public.

"REVERSED CORNER LOT" - see "LOT, REVERSED CORNER".

"ROAD" - has the same definition as "STREET".

"SALVAGE YARD" - means any premises where derelict, salvaged or scrap motor vehicles and/or bodies, engines and any other parts of motor vehicles are stored, dismantled and/or processed, wholly or partly in the open, and includes a motor vehicle wrecking yard.

"SATELLITE DISH" means any devise used or intended to be used to send or receive signals to or from satellites.

"SCHOOL, COMMERCIAL" means a school operated for gain or profit, providing instruction in dance, music, arts, business, vocations or other specialized subjects, but does not include a private school or public school as defined in this By-law.

"SCHOOL, PRIVATE" means a school, other than a public school, where academic subjects are taught and which is maintained for educational, philanthropic or religious purposes, but does not include a commercial school as defined in this By-law.

"SCHOOL, PUBLIC" means a school under the jurisdiction of the Wentworth County Board of Education or the Hamilton-Wentworth Roman Catholic Separate School Board, a college or university, or any other school established and maintained either wholly or partially at public expense, whether or not the same is also a boarding school, and includes a dormitory and/or other buildings accessory to such school.

"SEASONABLE FARM PRODUCE STAND" means the seasonal retail sale of agricultural products such as vegetables, fruits and other staple crops grown primarily on the farm where such an outlet is located, and may also include some agricultural products grown on other local farms.

"SECONDARY DWELLING UNIT" means a separate and self-contained Dwelling Unit that is accessory to and located within the principal dwelling. **#22-136**

"SECONDARY DWELLING UNIT – DETACHED" means a separate and self-contained detached Dwelling Unit that is accessory to and located on the same lot as the principal dwelling. **#22-136**

"SEMI-DETACHED DWELLING" see "DWELLING, SEMI-DETACHED".

"SERVICE INDUSTRIES" means the processing of milk and dairy products, a bakery, a motor vehicle body shop, a motor vehicle repair shop, a printing establishment, a laundry or dry cleaning establishment, a paint shop, plumbing shop, sheet metal shop and other similar uses.

"SERVICE SHOP" means a building or part thereof used for the sale or repair of household articles and shall include radio, television and appliance repair shops, but does not include any industrial or manufacturing uses or motor vehicle repair or body shops.

"SETBACK" means that shortest horizontal linear distance between the lot line and the nearest main wall of any building or structure and extending the full width or length of the lot.

"SHOPPING CENTRE" means a group of commercial uses with at least three (3) individual businesses predominantly retail commercial in nature, with a minimum of 750 square metres (8,075 square feet) of gross leasable floor area and which is planned, developed, owned and managed as a

single comprehensive and integrated unit and has an off-street parking area provided on the site. (In contrast to a business area comprising unrelated individual uses).

"SIDE LOT LINE" - see "LOT LINE, SIDE".

"SIDE YARD" - see "YARD, SIDE".

"SIGN" means any notice, name plate, logo, advertising device, or any part thereof, whether it contains words or not, and shall include any device that is used solely to attract attention.

"SINGLE DETACHED DWELLING" - see "DWELLING, SINGLE DETACHED".

"SPLIT LEVEL DWELLING" - see "DWELLING, SPLIT LEVEL".

"STANDARD RESTAURANT" - see "RESTAURANT, STANDARD".

"STORAGE" means the temporary placing of goods and/or material(s) normally associated with or incidental to the principal use of the land, carried on the same lot or lots on which the principal use is located, but does not include the parking or storage of any derelict motor vehicle.

"STOREY" means that portion of a building located between a floor and the ceiling next above, but does not include an attic, basement or cellar.

"STOREY, ONE-HALF" means the portion of a building situated wholly, or in part within the roof and having its floor level not lower than 1.2 metres (4 feet) below the line where the roof and outer wall meet and in which there is sufficient space to provide distance between finished floor and finished ceiling of at least 2 metres (6.5 feet) over a floor area equal to at least 50 percent of the area of the floor next below.

"STREET" means a highway:

(a) As defined under the Highway Traffic Act, being Chapter H.8 of the Revised Statutes of Ontario, 1990, as amended from time to time, and the Municipal Act, being, Chapter M.45 of the Revised Statutes of Ontario, 1990, as amended from time to time, and

(b) Which has been opened, improved, regularly maintained and assumed for public use by the Township, the Regional Municipality of Hamilton-Wentworth or the Province of Ontario, unless such street has been opened, improved, regularly maintained and is within a Plan of Subdivision registered after the date of passing of this By-law pursuant to Section 51 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, and is in accordance with any requirements of the Registry Act being Chapter R.20 of the Revised Statutes of Ontario, 1990, as amended from time to time, or the Land Titles Act, being Chapter L.5 of the Revised Statutes of Ontario, 1990, as amended from time to time, and for which the responsibility for public use has not been accepted or assumed by the Township, however, an effective Subdivision Agreement with the Township is registered on title.

"STREET LINE" means any lot line that divides a lot from a street.

"STREET TOWNHOUSE DWELLING" - see "DWELLING, STREET TOWNHOUSE".

"STRUCTURE" means anything that is erected, built or constructed, the use of which requires location in or on the ground or attachment to something having location on the ground, but shall not include a fence, a retaining wall or any paved surface located directly on the ground.

"STRUCTURE, APPURTENANT" means any structure annexed to or attached to a principal structure.

"SWIMMING POOL" means a body of water or an area:

(a) Which is designed to contain water to be used for swimming, bathing and wading or any one of such purposes, and

(b) Which is more than 0.5 metres (1.6 feet) in depth, and includes a structure for such purposes that is located at, below or above ground level, but does not include a natural body of water or a stream.

"TAKE-OUT RESTAURANT" - see "RESTAURANT, TAKE-OUT".

"THERMAL TREATMENT" means the processing of waste into a waste-based fuel and/or the disposal of waste under controlled conditions by heating or combusting the materials and shall include refuse derived fuel manufacturing and energy from waste activities. (By-law 09-131)

"THROUGH LOT" - see "LOT, THROUGH".

"TOWNSHIP" means the Corporation of the Township of Glanbrook.

"TRAILER" means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purposes of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons while travelling or vacationing, or for the transporting of or the storage of goods, animals, boats, snowmobiles, other vehicles, bulk materials, or any other material, notwithstanding that such vehicle is jacked up or its running gear is removed.

"TRAILER PARK" means any land on which any trailer, recreational vehicle or tent is used or intended to be used for either vacation or seasonal residential purposes.

"TRIPLEX DWELLING" - see "DWELLING, TRIPLEX".

"URBAN FARM" shall mean land that is used for the growing and harvesting of edible plants, grains, vegetables or fruits and that the edible plants, grains, fruits and vegetables grown on-site may be sold on-site. It may include buildings and structures such as farm produce/product stand, greenhouses, hoop houses or cold frames. It shall not include a medical marihuana growing and harvesting facility, an aquaponics or aquaculture facility, livestock operation or a mushroom

operation. It shall not be considered as landscaped area, landscape open space, landscaped strip or landscaping. **#14-277**

"URBAN FARMERS MARKET" shall mean a temporary public market operated by a community organization, or a non-profit corporation, at which the majority of persons who operate the stalls sell local agricultural products, value added local agricultural products, or VQA wines provided the products are produced by persons who operate the stalls. **#15-104**

"USE" - when used as a noun, means the purpose for which any land, building or structure is arranged, designed or intended to be utilized, occupied and/or maintained. When used as a verb, "use" and "used" shall have a corresponding meaning.

"VALUE-ADDED LOCAL AGRICULTURAL PRODUCTS**"** shall mean raw local agricultural products that have been grown or produced as part of farm operations in the City of Hamilton or Ontario farms which have been transformed into another product. **#15-104**

"VETERINARY SERVICE ESTABLISHMENT" means a wholly enclosed building or buildings of a veterinarian registered under the Veterinarian Act, being Chapter V.3 of the Revised Statutes of Ontario, 1990, as amended from time to time, where animals, birds or other livestock are treated and/or kept.

"VISIBILITY TRIANGLE" means an area of land which is determined by measuring from the point of the intersection of the exterior boundary of the driveway and the front lot line adjacent to either an Arterial or Collector street as identified by Subsection 7.23 of this By-law, a distance of 3 metres (10 feet) along each line to a point and joining such points with a straight line. The triangular-shaped land within the above-noted lines shall be known as the "visibility triangle".

"WALKOUT BASEMENT" - "BASEMENT, WALKOUT".

"WASTE" means materials that are defined as waste under Part V of the Environmental Protection Act. (By-law 09-131)

"WASTE DISPOSAL FACILITY" means the use of land for the placement or final disposal of waste under controlled conditions in order to protect environmental and human health and for which a Certificate of Approval for such purpose under Part V of the Environmental Protection Act is required, and shall include but not be limited to: sanitary landfills; Industrial, Commercial and Institutional (ICI) landfills; and, Demolition and Construction (DC) landfills. A Waste Disposal Facility may also include accessory uses including, but not limited to energy from waste activities. (By-law 09-131)

"WASTE MANAGEMENT FACILITY" means the use of land, building, structure, or part thereof, for the storage, processing or disposition of waste or hazardous waste and for which a Certificate of Approval for such purpose under Part V of the Environmental Protection Act is required. Waste management facilities shall include the following uses: waste processing facilities; waste transfer facilities; hazardous waste management facilities; and, waste disposal facilities. (By-law 09-131)

"WASTE PROCESSING FACILITY" means the use of land, building, structure, or part thereof, for

the sorting and processing of waste and recyclable materials and for which a Certificate of Approval for such purpose under Part V of the Environmental Protection Act is required. Waste processing facilities shall include but not be limited to: thermal treatment, blue box recyclable recovery facilities, open-air or in-vessel organics processing, wood waste recycling, construction and demolition waste recycling and/or a Co-generation Energy Facility, but shall not include a Motor Vehicle Wrecking Establishment or a Salvage Yard. (By-law 09-131)

"WASTE TRANSFER FACILITY" means the use of land, building, structure or part thereof, for the temporary storage and collection of waste and for which a Certificate of Approval for such purpose under Part V of the Environmental Protection Act is required. A waste transfer facility may also include limited sorting of such waste prior to its transport. (By-law 09-131)

"WAYSIDE PIT" - see "PIT, WAYSIDE".

"WAYSIDE QUARRY" - see "QUARRY, WAYSIDE".

"YARD" means an open and uncovered area of a lot appurtenant to a building or structure and unoccupied by any building or structure, except as specifically permitted in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

"YARD, EXTERIOR SIDE" means the yard extending from the front yard to the rear yard of a lot and from the exterior side lot line to the nearest wall of the principal building. (See illustration page at the end of this Section).

"YARD, FRONT" means the yard extending across the full width of a lot between the front lot line and the nearest wall of any principal building. (See illustration page at end of this Section).

"YARD, INTERIOR SIDE" means the yard extending across the full width of a lot between the rear lot line and the nearest wall of any principal building, and where there is no rear lot line, the rear yard is the yard between the side lot lines and the rear wall or walls of any principal building. (See illustration page at end of this Section).

"YARD, REAR" means the yard extending across the full width of a lot between the rear lot line and the nearest wall of any principal building, and where there is no rear lot line, the rear yard is the yard between the side lot lines and the rear wall or walls of any principal building. (See illustration page at end of this Section).

"YARD, SIDE" means the yard extending from the front yard to the rear yard of a lot and from the side lot line to the nearest side wall of the principal building. (See illustration page at end of this Section).

"YARD, MINIMUM FRONT" means the least distance that any principal building may be to the front lot line and extends the full width of the lot. (See illustration page at end of this Section.)

"YARD, MINIMUM REAR" means the least distance that any principal building may be to the rear lot line and extends the full width of the lot, and where there is no rear lot line the minimum rear

yard shall be a triangle with a base formed by the line connecting the side lot lines the relevant minimum rear yard setback from the vertex of the side lot lines. (See illustration page at the end of this Section).

"YARD, MINIMUM SIDE" means the least distance that any principal building may be to a side lot line and extends from the minimum front yard to the minimum rear yard. (See illustration page at end of this Section).

"ZONE" means a delineated area as shown on the Zoning Maps appended to and forming part of this By-law, where the regulations for the use of land, and the use, location, size, spacing, height and character of buildings and structures, and the provision of parking and loading facilities, are specified.

ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS

ILLUSTRATION OF BUILDING HEIGHT DEFINITIONS

ILLUSTRATION OF LOT DEFINITIONS

ILLUSTRATION OF YARD DEFINITIONS

SECTION 5: ZONES

For the purpose of this By-law, the Township of Glanbrook is divided into the following Zones, including the following words and related symbols, and the provisions and regulations pertaining to these Zones are pursuant to the text of this By-law, and the extent, location and boundaries of these Zones are shown on the Zoning Maps which form a part of this By-law.

ZONE	SYMBOL
General Agricultural	A1
Restricted Agricultural	A2
Deferred Development	DD
Existing Residential	ER
Residential 1	R1
Residential 2	R2
Residential 3	R3
Residential 4	R4
Residential Multiple 1	RM1
Residential Multiple 2	RM2
Residential Multiple 3	RM3
Residential Multiple 4	RM4
Residential Hamlet	RH
Residential Estate	RE
Neighbourhood Commercial	C1
Shopping Centre Commercial	C2
General Commercial	C3
Motor Vehicle Services	C4
Airport-Related Commercial	C5
Rural Commercial	C6
Prestige Business/Industrial	M1
General Industrial	M2
Airport-Related Prestige Industrial	M3
Airport-Related General Industrial	M4
Airport Related Business	M5
Rural Industrial-Business Park	M6
Rural Industrial	M7
Public Industrial	M8
Airport	AT
Institutional	I
Public	P
Private Open Space	OS1
Public Open Space	OS2
Open Space-Conservation	OS3

SECTION 6: ZONING SCHEDULES

Schedules "A", "B", "C", "D", "E", "F", "G", "H", "I" and "J", attached hereto, together with notations and references shown thereon, are hereby declared to form part of this By-law.

The Schedules to this Zoning By-law and the area covered by each Schedule are as follows:

SCHEDULE	AREA COVERED
Schedule "A"	Northern Half of the former Township of Glanford
Schedule "B"	Southern Half of the former Township of Glanford
Schedule "C"	Northern Half of the former Township of Binbrook
Schedule "D"	Southern Half of the former Township of Binbrook
Schedule "E"	Designated Urban Lands primarily on the north side of Twenty Road in the north-western portion of the Township of Glanbrook
Schedule "F"	Mount Hope Urban Settlement Area
Schedule "G"	North Glanbrook Industrial-Business Park
Schedule "H"	Binbrook Urban Settlement Area
Schedule "I"	Woodburn Rural Settlement Area
Schedule "J"	Rymal Road Planning Area

SECTION 7: GENERAL PROVISIONS FOR ALL ZONES

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SECTION 7: GENERAL PROVISIONS FOR ALL ZONES

7.1 APPLICATION OF THIS BY-LAW

The provisions of this Section shall apply to all zones except as otherwise indicated.

7.2 LICENSES, PERMITS AND OTHER BY-LAWS

Nothing in this By-law shall operate to relieve any person from the obligation to comply with any requirements of a Building By-law or any other By-law of the Township in force from time to time, or the obligation to obtain any licence, permit, authority or approval required under any By-law of the Township.

7.3 REQUIREMENTS OF OTHER AUTHORITIES

Nothing in this By-law shall operate to relieve any person from the obligation to comply with any regulation or By-law of any other authority having competent jurisdiction. Of special note in the Township, although not intended to limit the generality of the foregoing, is the requirement for all development in the Township to satisfy the requirements of both Transport Canada's Registered Zoning (Height) Regulations and the Noise Exposure Forecast Contours, as related to the Hamilton Airport and the surrounding lands.

7.4 REQUIREMENT FOR A LOT

No building or structure shall be erected, altered, extended or enlarged except upon a lot, nor shall any land be used for any permitted use unless it comprises a lot; but this provision shall not preclude the use of any parcel or tract of land for agricultural uses permitted in the Restricted Agricultural "A2" Zone of this By-law, excluding the erection or enlargement of any building or structure except a fence.

7.5 RESTRICTIONS ON CHANGES

The purpose for which any land, building or structure is used shall not be changed, no new building or structure or addition to any building or structure shall be constructed, and no land shall be divided, if the effect of such change, construction or division contravenes any of the provisions of this By-law; however, no lot, building or structure shall be deemed to contravene any regulation of this By-law only because a part of such lot has been or is conveyed to or acquired by a government authority.

7.6 NON-CONFORMING USES/BUILDINGS/STRUCTURES

(a) Provisions

Nothing in this By-law shall:

(i) Prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose;

(ii) Prevent the erection or use for a purpose prohibited by this By-Law of any building or structure for which a building permit has been issued under the Building Code Act, being Chapter B.13 of the Revised Statutes of Ontario, 1990, as amended from time to time, and provided construction of the building or structure is commenced within six (6) months after the date of the passing of this By-law and further provided that any such building permit has not been revoked under the Building Code Act, being Chapter B.13 of the Revised Statutes of Ontario, 1990, as amended from time to time;

(iii) Prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the site plan for which has been approved under Section 41 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time, prior to the passage of this By-law, provided that the site plan so approved shall lapse after a period of one (1) year from the date of passage of this By-Law unless within that time, compliance with the By-law and approval of building plans have been completed.

(b) Permitted Changes

(i) A building which at the date of passing of this By-law was used for a purpose prohibited by this By-law, shall only be enlarged or extended in accordance with the provisions of Section 45 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time.

(ii) The use of any land, building or structure, which at the date of passing of this By-law was used for a purpose prohibited by this By-law, shall only be changed in accordance with the

provisions of Section 45 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time.

(iii) A building, which at the date of passing of this By-law did not comply with the pertinent yard requirements of this By-Law and continues not to comply with the pertinent yard requirements of this By-law, and such building contains a use or uses permitted by the pertinent zone provisions, may be enlarged or extended in compliance with the pertinent regulations in this By-law, without the requirement to secure additional approvals through either Sections 34 or 45 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time.

(iv) Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, provided that the strengthening or restoration does not change the use of such building or structure, or increase the building height, area or volume so as to contravene either the provisions of this By-law and/or Section 45 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time.

(v) Nothing in this By-law shall prevent the reconstruction of a legally existing building and/or structure which does not comply with all regulations of this By-law or a building containing a legal non-conforming use, which is destroyed by fire or natural disaster, other than by flooding, or demolished by order of any government authority, provided that the building or structure is reconstructed on its original site and that the floor area and dimensions are not increased. Where an existing building or structure located within an approved floodplain is destroyed by a flood, this building or structure shall be reconstructed in a location outside of the approved floodplain or may only be reconstructed within the floodplain subject to complying with the reasonable requirements of the Niagara Peninsula Conservation Authority.

7.7. **USES PERMITTED IN ALL ZONES**

Nothing in this By-law shall prevent the use of any land:

(a) For a public street, public railway or public park;

(b) For the erection of buildings or structures or the installation of other facilities essential to the operation of public utilities, as defined in Section 4 of this By-law, provided that any such use, building or structure shall be in substantial compliance with the relevant provisions of this By-law and shall not adversely affect the character or amenity of the neighbourhood in which same is located. Notwithstanding the generality of the foregoing, all electric power transmission lines that operate at 50 kilovolts and less, transformer stations and distributing stations will comply with the above-noted provisions, as much as practicable, however, electric power transmission lines operating at above 50 kilovolts, which satisfy the requirements of the Environmental Assessment Act, being Chapter E.18 of the Revised Statutes of Ontario, 1990, as amended from time to time, shall not be required to comply with the above-noted provisions. Furthermore, Ontario Hydro shall consult with the Township on the location and design of any new electric power facilities within or adjacent to the Township;

(c) For the erection of any properly authorized traffic sign, signal or notice of any government authority, or any sign erected in accordance with the provisions of the Sign By-law of the Township of Glanbrook;

(d) For the erection of any public memorial or ornamental structure;

(e) For works and facilities necessary in connection with flood control, the prevention of erosion, the protection of wildlife and any other similar activities related to conservation as undertaken by a Public Authority or as required by a Public Authority;

(f) For agricultural uses in accordance with the permitted uses of the Restricted Agricultural"A2" Zone, except buildings or structures;

(g) For wayside pits and wayside quarries subject to the requirements of the Official Plan for the Township of Glanbrook and the regulations and requirements of the Ministry of Natural Resources, except wayside pits and wayside quarries shall not be permitted on any lands zoned in any of the Residential Zones or in the Open Space - Conservation "OS3" Zone. All wayside pits and wayside quarries shall be setback a minimum distance of 30 metres (100 feet) from any street and a minimum distance of 15 metres (50 feet) from any other lot lines; and

(h) For the keeping of pigeons subject to the following regulations:

(i) Minimum Lot Frontage ..... 30 metres (100 feet)

(ii) Minimum Lot Area ..... 1,850 square metres (20,000 square feet)

(iii) Regulations pertaining to the Building (i.e. Loft) where the pigeons are kept:

(a) This building shall only be permitted in a rear yard.

(b) This building shall be setback a minimum distance of 7.5 metres (25 feet) from all lot lines,

(c) This building shall not exceed 15 square metres (160 square feet) in gross floor area and the ground floor of the building shall be elevated a minimum height of 0.3 metres (1 foot) from grade, and

(d) This building shall at all times be maintained in a condition so as not to create or be likely to create a public health nuisance or sanitary condition.

(iv) The maximum number of pigeons on any lot shall be 75.

7.8 **USES PROHIBITED IN ALL ZONES**

(a) All uses of land, buildings or structures for a purpose not permitted under SECTION 7 - GENERAL PROVISIONS FOR ALL ZONES and not listed under the permitted uses subsection of any Zone, are prohibited.

(b) Notwithstanding any provision of this By-law, the following uses are prohibited in any Zone:

(i) Abattoir, however, the small scale killing and dressing of livestock and poultry on a farm by the subject farmer shall be permitted as an accessory agricultural use

(ii) Acid manufacturing

(iii) Adult Entertainment Parlours

(iv) Ammonia manufacturing

(v) Asbestos, phosphate or sulphur product manufacturing

(vi) Boiling of blood, bone, soap, tripe or similar products (vii) Coal manufacturing

(viii) Coke oven

(ix) Explosives manufacturing

(x) Fertilizer manufacturing from dead animals and/or human waste

(xi) Glue or grease manufacturing from animals or from human or animal waste

(xii) Incineration, however, incineration accessory to an agricultural use on site shall be permitted

(xiii) Locating or storing on any land for any purpose whatsoever any disused railway car, street car, bus, derelict motor vehicle, truck or car body, or trailer without wheels whether or not the same is situated on a foundation

(xiv) Pesticide manufacturing

(xv) Petroleum and/or petroleum products manufacturing

(xvi) Propane gas manufacturing

(xvii) Pulp and paper mills

(xviii) Salvage yard, junk yard or motor vehicle wrecking yard, or the collection, storage or sale of junk, salvage, partially or completely dismantled motor vehicles or trailers, or parts of motor vehicles, trailers or motors

(xix) Tallow melting

(xx) Tanning or processing of pelts or leather, however, these processes shall be permitted as accessory to an agricultural use on site

(xxi) Track for the racing of motor vehicles or motorcycles or for the operation of go-karts

(c) In addition to the prohibited uses specified in the above Paragraph (b) of this Subsection, any use declared under the Health Protection and Promotion Act, being Chapter H.7 of the Revise Statutes of Ontario, 1990, as amended from time to time, to be a noxious or offensive use is prohibited.

(d) Exclusive of uses permitted under Paragraphs 7.7 (h), 8.1 (a) and 8.1 (d) and Section 9 of this By-law, the keeping or raising of any animal, wild or domesticated, including reptiles, fowl or birds, on any lot or in any building or structure is prohibited, but the keeping of a maximum of five (5) each of

conventionally accepted household pets such as dogs, cats, and birds is permitted.

(e) The use of a truck or truck trailer, recreational vehicle, bus, streetcar, railway car, trailer or any similar vehicle, or a tent, for human habitation is prohibited, however, this provision shall not prevent the use of tents for children's play. Notwithstanding this provision, trailers, recreational vehicles and tents in the Binbrook Conservation Area may be used for seasonal overnight accommodation, in accordance with Section 44 (OS2-O32 and OS3-O32) of this By-law.

7.9 TEMPORARY USES

Nothing in this By-law shall prevent the use of any land or the erection or use of any building or structure for:

(a) A construction camp, work camp, tool shed, scaffold or other temporary building or structure incidental to and necessary for construction work on the premises, but only for so long as may be reasonably necessary to complete such construction;

(b) A temporary sales office in a residential subdivision incidental to the sale of houses in such residential subdivision. Location and timing of placement and removal shall be determined by Council; and

(c) A temporary borrow pit.

7.10 MULTIPLE USES

Where any land, building or structure is used for more than one (1) purpose, all provisions of this By-law relating to each use shall be complied with, however, no building or structure shall be located closer than 3 metres (10 feet) to any dwelling on a lot except a building or structure accessory to such dwelling.

7.11 MULTIPLE ZONING

Where a lot is divided into more than one (1) zone, each such portion of the lot shall be used and regulated in accordance with the provisions of this By-law for the applicable zones.

7.12 HOLDING ZONES

(a) The prefix "H" may be used in conjunction with any zoning category of this By-law, however, only the uses legally existing on the subject lands on the

date of the adoption of the By-law establishing the holding symbol ("H") prefix are permitted, unless otherwise stated by this By-law.

(b) The "H" holding symbol may be removed by Council, without the necessity of a public meeting, and subject to giving notice of its intention to pass an amending By-law to remove the holding symbol, in accordance with the provisions of Section 36 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time, provided Council is satisfied that:

(i) appropriate sanitary sewage and storm water disposable facilities and a potable water supply are available, and

(ii) appropriate public street access is available, and

(iii) any and all conditions pertaining specifically to the removal of the "H" symbol, as established by the By-law establishing the "H" symbol for the subject lands, have been satisfied.

7.13 **ACCESSORY BUILDINGS**

(a) No accessory building shall be erected and used prior to the erection of the principal building and/or use on the same lot, except where it is necessary for the storage of tools and materials for use in connection with the construction of such principal building and/or use. Such storage building shall not be greater than 9 square metres (100 square feet) in gross floor area.

(b) The following regulations apply to any building accessory to a dwelling unit in any Residential Zone:

(i) Accessory buildings shall not be located in any front yard.

(ii) Accessory buildings shall not be located less than 1 metre (3.3 feet) from any lot line, however:

(A) On a corner lot, accessory buildings shall not be located less than 7.5 metres (25 feet) from the flanking street line, and

(B) On a corner lot which has three (3) street lines or on a through lot, accessory buildings shall not be located less than 7.5 metres (25 feet) from any street line.

(iii) Accessory buildings in excess of 12 square metres (130 square feet) in gross floor area shall not be located in any minimum rear or side yard.

However, the minimum rear yard shall be 1.8 metres (6 feet) subject

to compliance with all of the following regulations:

(A) the lot is located in the Existing Residential "ER" Zone,

(B) the lot is less than 0.4 hectares (1 acre) in area,

(C) the lands abutting the subject rear lot line form part of a lot that has a lot area greater than 0.8 hectares (2 acres), and

(D) the lands abutting the subject rear lot line are designated in the Township Official Plan in a land use designation other than "Residential".

(iv) The maximum gross floor area for all accessory buildings on the lot shall be 40 square metres (430 square feet), provided that the coverage of all buildings on the lot does not exceed the "Maximum Lot Coverage" permitted in the relevant zone.

(v) The maximum height for accessory buildings shall be 4.5 metres (15 feet).

(vi) In no case shall any eave or gutter extend more than 30 centimetres (12 inches) into a required minimum setback area.

(vii) For the purposes of Section 11.13, a Secondary Dwelling Unit – Detached, shall not be considered an accessory building or structure**. #22-136**

(c) The following regulations apply to any building accessory to the principal use in any Commercial Zone:

(i) Accessory buildings shall not be located in any front yard.

(ii) Accessory buildings shall not be located in any minimum side yard.

(iii) Notwithstanding the above Clauses (i) and (ii) in this Paragraph (c), an accessory building used only as a shelter for attendants in charge of a public parking lot may be permitted in the front or side yard provided such building is setback a minimum distance of 3 metres (10 feet) from all lot lines and does not exceed 6 square metres (65 square feet) in gross floor area.

(iv) Accessory buildings shall not be located less than 1 metre (3.3 feet) from any lot line, and not less than 3 metres (10 feet) from the boundary of any Residential Zone or lot with a residential use, except that on a corner lot accessory buildings shall not be located less than the relevant minimum side yard setback from the flanking street line.

(v) The maximum lot coverage for accessory buildings shall be five percent (5%) provided that the coverage of all buildings on the lot does not exceed the "Maximum Lot Coverage" permitted in the relevant Zone.

(vi) The maximum height for accessory buildings shall be 4.5 metres (15 feet).

(vii) In no case shall any eave or gutter extend more than 15 centimetres (6 inches) into a required minimum setback area.

(d) The following regulations apply to any building accessory to the principal use in any Industrial Zone:

(i) Accessory buildings shall not be located in any front yard.

(ii) The minimum yard regulations for principal buildings shall apply to accessory buildings.

(iii) Notwithstanding the above Clauses (i) and (ii) in this Paragraph (d), a gate house not exceeding 10 square metres (108 square feet) in gross floor area shall be permitted within any front or side yard provided such building is setback a minimum of 3 metres (10 feet) from all lot lines.

(iv) The maximum lot coverage for accessory buildings shall be five percent (5%) provided that the coverage of all buildings on the lot does not exceed the "Maximum Lot Coverage" permitted in the relevant zone.

(v) The minimum distance from any principal building shall be 3 metres (10 feet).

(vi) The maximum height for accessory buildings shall be 4.5 metres (15 feet).

(vii) In no case shall any eave or gutter extend more than 15 centimetres (6 inches) into a required minimum setback area.

(e) The following regulations apply to any building accessory to the principal use in an "I", "P", "OS1", "OS2" or "OS3" Zone:

(i) The minimum yard regulations for principal buildings shall apply to accessory buildings.

(ii) The maximum lot coverage for accessory buildings shall be five percent (5%) provided that the coverage of all buildings on the lot does not exceed the "Maximum Coverage" permitted in the relevant Zone.

(iii) The minimum distance from any principal building shall be 3 metres (10 feet).

(iv) The maximum height for accessory buildings shall be 4.5 metres (15 feet).

(v) In no case shall any eave or gutter extend more than 15 centimetres (6 inches) into a required minimum setback area.

(f) The regulations for accessory buildings in the General Agricultural "A1" Zone and the Restricted Agricultural "A2" Zone are contained in SECTION 8 of this By-law.

7.14 SATELLITE DISHES

Satellite dishes shall be permitted uses in all zones, except the Residential Zones, excluding the Residential Multiple "RM4" Zone, Residential Hamlet "RH" Zone and Residential Estate "RE" Zone, subject to the following regulations:

(a) A satellite dish shall not be located in any front yard.

(b) A satellite dish shall not be located in any minimum side yard and/or minimum rear yard.

(c) A satellite dish may be located on the roof-top of an apartment building provided the satellite dish is less than 3.7 metres (12 feet) in diameter, length and/or width.

(d) A satellite dish may be located on the roof-top of a principal non-residential building provided the satellite dish is less than 3.7 metres (12 feet) in diameter, length and/or width.

(e) A satellite dish shall have a maximum height of 4.5 metres (15 feet).

7.15 MECHANICAL AND UNITARY EQUIPMENT (By-law # 15-070)

Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:

i) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 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; and,

ii) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.

7.16 OUTDOOR SWIMMING POOLS AND HOT TUBS

No outdoor swimming pool or hot tub shall be placed or located except in accordance with the following provisions:

(a) An outdoor swimming pool or hot tub may be located in any yard except the front yard.

(b) Outdoor swimming pools and hot tubs shall be subject to the following setback regulations:

(i) An above-ground swimming pool or hot tub shall be setback a minimum distance of 1.5 metres (5 feet) from any lot line measured from the outside edge of the pool or hot tub or the deck associated with the swimming pool or hot tub, whichever is closest to the lot line, and

(ii) An in-ground swimming pool or hot tub shall be setback a minimum distance of 1.5 metres (5 feet) from any lot line measured from the edge of the interior wall of the swimming pool or hot tub.

(c) No part of any outdoor swimming pool, hot tub or related structure shall exceed a height of 2.5 metres (8 feet).

(d) Every swimming pool or hot tub shall be enclosed by a fence having a minimum height from grade of 1.5 metres (5 feet), with self-latching gates, except as an alternative for the hot tub, the entire top of the hot tub shall possess a solid top.

(e) Every swimming pool shall comply with the provisions of the Swimming Pool By-Law for the Township of Glanbrook.

7.17 EXCEPTION TO LOT FRONTAGE AND LOT AREA REQUIREMENTS

Notwithstanding anything contained in this By-law, a lot of record may have a lesser lot frontage and/or lot area than is required by this By-law, except in a commercial zone or industrial zone, provided that:

(a) the lot has a minimum lot frontage on a public street of 15 metres (50 feet), and

(b) the lot has a minimum lot area of 1,390 square metres (14,965 square feet), and

(c) the lot is held under distinct and separate ownership from any adjoining lots on the date of passing of this By-law according to the records of the Registry Office, and

(d) such lot could have been conveyed legally on the date of the passing of this By-law by way of a deed or transfer, grant, assign, or exercise a power of appointment with respect to land, mortgage or charge lands, or enter into an agreement of sale and purchase of land or enter into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one (21) years or more, without consent under Section 53 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time,

then the said lot shall be deemed to conform to the requirements of this By-law with respect to the lot area and/or lot frontage, and the provisions of this By-law respecting lot area and lot frontage shall not apply to prevent the use of a permitted building or structure thereupon, in accordance with all other provisions of this By-law and the requirements of the Environmental Protection Act, being Chapter E.19 of the Revised Statutes of Ontario, 1990, as amended from time to time.

7.18 **MINIMUM FRONT YARD**

The minimum front yard regulation shall be as contained in the appropriate sections of this By-law for the Zone in which the lot is located, but the minimum front yard regulation shall be measured from the line established by the deemed street right-of-way widths and special setback requirements pursuant to Subsection 7.23 of this By-law or such a distance as may be required by the Regional Municipality of Hamilton-Wentworth or the Ministry of Transportation.

7.19 **MINIMUM LOT AREAS**

Subject to the provisions of Subsection 7.17, of this By-law, the minimum lot area shall be as contained in the appropriate section of this By-law for the Zone in which the lot is located or such larger area as may be required by the Region of Hamilton-Wentworth Department of Health Services pursuant to the provisions of the Environmental Protection Act, being Chapter E.19 of the revised Statutes of Ontario, 1990, as amended from time to time.

7.20 **THROUGH LOTS**

Where a lot which is not a corner lot abuts more than one (1) street, the front yard regulations contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located and in accordance with Subsection 7.23 of this By-law.

7.21 SEMI-DETACHED DWELLING LOTS

Nothing in this By-law shall prevent the subdivision of any lot on which is erected a semi-detached dwelling into two (2) parts divided in part by the centre line of the common or party wall separating the two (2) dwelling units in such dwelling.

7.22 REQUIREMENTS FOR LOT FRONTAGE ON A PUBLIC STREET

Except as otherwise provided in this By-law, no building or structure shall be erected on any lot unless that lot fronts on a public street. For the purpose of this By-law, a lane (either public or private), a right-of-way, an easement, or an unopened road allowance shall not be considered to be a street.

Notwithstanding the above provision, in the case of a lot of record which does not have frontage on a street because it is separated from the street by an easement, right-of-way or other land owned by a public agency which abuts the street and is parallel to it, a building or structure may be erected on such lot of record, provided that such lot has legal access to the street. In this instance, the dimension of the frontage of the lot shall be calculated as the distance of the front lot line abutting the easement, right-of-way or other land owned by the public agency.

7.23 SPECIAL SETBACK REQUIREMENTS FROM STREETS

For the purpose of establishing building line setbacks, or the application of any other regulations as required in various sections of this By-law, the streets listed on the pages to follow shall be deemed to have the width as shown opposite them; and where the regulations of a Zone include a minimum yard requirement, such minimum yard shall be determined by measuring at right angles from the centre line of the street abutting such yard in the direction of such lot or parcel of land a distance equal to the sum of:

(a) The said specific number of metres in the relevant regulation of the particular Zone, plus

(b) The distance in metres specified in the following charts, which are hereby declared to form a part of this By-law, as the distance from the centre line of the deemed street width.

For all other streets in the Township of Glanbrook, except the other streets within the designated Urban Industrial-Business Parks, the deemed street right-of-way widths shall be

18 metres (59 feet) (By-law 07-112). For the other streets within the designated Urban Industrial-Business Parks, the deemed street right-of-way widths shall be 26 metres (86 feet) and the distance from the centre line of these streets shall be 13 metres (43 feet).

Adjacent to Provincial Highways, the minimum building line setback shall be 13.7 metres (45 feet), measured from the boundary of the highway (street) right-of-way, or as specifically required by the Ontario Ministry of Transportation.

Notwithstanding the provisions of this Subsection 7.23 of this By-law, variations to the above-noted figures shall be permitted where the road authority having jurisdiction establishes a specific street widening plan for a particular street or part thereof. In these instances, the setback requirement shall be determined by measuring at right angles from the centre line of the subject street abutting such yard in the direction of such lot or parcel of land a distance equal to the sum of:

(a) The said specific number of metres in the relevant regulation of the particular Zone, plus

(b) The distance in metres from the centre line of the street to the deemed street width pursuant to the approved specific street widening plan for the subject street.

DEEMED STREET RIGHT-OF-WAY WIDTHS AND SPECIAL SETBACK REQUIREMENTS

STREET	FROM	TO	DEEMED STREET WIDTH	DISTANCE FROM CENTRE LINE OF STREET
(i) Arterial Roads				
Airport Road West (Regional Road No. 637)	Glancaster Road	Hwy. No. 6	26 m	13 metres
Binbrook Road West and East (Regional Road No. 622)	Trinity Church Road	Westbrook Road	30 m	15 metres
Blackheath Road (Regional Road No. 613)	Hwy No. 56	Haldibrook Road	26 m	13 metres
Dartnall Road Extension	Northern Boundary of the Township	152.4 m south of Dickenson Road East	36 m	18 metres
Dickenson Road East (Regional Road No. 629)	Hwy. No. 6	Nebo Road	36 m	18 metres

STREET	FROM	TO	DEEMED STREET WIDTH	DISTANCE FROM CENTRE LINE OF STREET
Dickenson Road East	Nebo Road	Trinity Church Road	36 m	18 metres
Dickenson Road West	Glancaster Road	Hwy. No. 6	30 m	15 metres
Glancaster Road (Regional Road No. 253)	Northern Boundary of the Township	Dickenson Road West	26 m	13 metres
Glancaster Road (Regional Road No. 253)	Airport Road	White Church Road	26 m	13 metres
Haldibrook Road (Regional Road No. 610)	Highway No. 56	Boundary Line between Lot Nos. 26 & 27, Conc. 9	26 m	16 metres (northerly)
Miles Road (Regional Road No. 626)	Northern Boundary of the Township	Dickenson Road East	26 m	13 metres

STREET	FROM	TO	DEEMED STREET WIDTH	DISTANCE FROM CENTRE LINE OF STREET
Nebo Road (Regional Road No. 633)	Dartnall Road Extension (south junction 152.4 metres south of Dickenson Road East)	White Church Road	26 m	13 metres
Third Line Road (Regional Road No. 69A)	Haldibrook Road	Westbrook Road	26 m	13 metres
Trinity Church Road	Northern Boundary of the Township (Rymal Road)	750 m north of Dickenson Road East	36 m	26 metres (westerly) 10 metres (easterly)
Trinity Church Road	750 m north of Dickenson Road East	White Church Road/Binbrook Road West	30 m	15 metres
Tyneside Road (Regional Road No. 633)	White Church Road East	Haldibrook Road	26 m	13 metres

			DEEMED STREET	DISTANCE FROM CENTRE

STREET	FROM	TO	WIDTH	LINE OF STREET
Upper Ottawa Street Extension	Northern Boundary of the Township	Twenty Road East	30 m	15 metres
Westbrook Road	Highway No. 20	Binbrook Road	26 m	13 metres
White Church Road West & East (Regional Road No. 622)	Glancaster Road	Trinity Church Road	30 m	15 metres
Woodburn Road North (Regional Road No. 634)	Highway No. 20	Binbrook Road East	26 m	13 metres
(ii) Collector Roads				
Fletcher Road (Regional Road No. 640)	Northern Boundary of the Township	Kirk Road West	26 m	13 metres
Glover Road/ Proposed Industrial	Northern Boundary of the Township	Dartnall Road	26 m	13 metres

STREET	FROM	TO	DEEMED STREET WIDTH	DISTANCE FROM CENTRE LINE OF STREET
Golf Club Road West and and East	Trinity Church Road	Westbrook Road	26 m	13 metres
Harrison Road (Regional Road No. 612)	Kirk Road West	Southern Boundary of the Binbrook Conservation Area	26 m	13 metres
Homestead Drive (Regional Road No. 652)	Highway No. 6 (north junction)	Highway No. 6 (south junction)	26 m	13 metres
Kirk Road West (Regional Road No. 614)	Fletcher Road	Highway No. 56	26 m	13 metres
Nebo Road (Regional Road No. 633)	Northern Boundary of the Township	Dartnall Road Extension	26 m	13 metres
Twenty Road East	Highway No. 6	Miles Road	26 m	13 metres
Twenty Road East	Miles Road	Trinity Church Road	30 m	15 metres

STREET	FROM	TO	DEEMED STREET WIDTH	DISTANCE FROM CENTRE LINE OF STREET
Twenty Road West	Glancaster Road	Boundary Line Between Lot Nos. 4 & 5, Concession 1	26 m	13 metres
Twenty Road West	Boundary Line Between Lot Nos. 4 & 5, Concession 1	Highway No. 6	26 m	20 metres (northerly) 6 metres (southerly)
Westbrook Road	Binbrook Road	Haldibrook Road	20 m	10 metres

7.24 SPECIAL SETBACK REQUIREMENTS FROM RAILWAY RIGHTS-OF-WAY

Notwithstanding any provision or regulation in this By-law, the following requirement shall pertain to development in proximity to railway rights-of-way:

(a) Buildings for residential, institutional, commercial office, recreational and open space uses shall be setback a minimum distance of 15 metres (50 feet) from the boundary of a railway right-of-way.

7.25 SPECIAL SETBACK REQUIREMENTS FROM TRANSMISSION PIPELINE RIGHTS-OF-WAY

Notwithstanding any provision or regulation in this By-law, all principal buildings shall be setback a minimum distance of 10 metres (33 feet) from the boundary of a transmission pipeline right-of-way.

7.26 ENCROACHMENT INTO YARDS

Every part of any required yard shall be open and unobstructed by any structure from the ground upwards, except for:

(a) Sills, belt courses, cornices, eaves or gutters, chimneys, bay windows, or pilasters, which may project into any required yard a distance of not more than 0.5 metres (1.6 feet);

(b) Balconies, canopies, fruit cellars or unenclosed porches which may project into any required front or rear yard a distance of not more than 1.5 metres (5 feet), or into any minimum side yard a distance of not more than 0.5 metres (1.6 feet);

(c) Fire escapes which may project into any required side or rear yard a distance of not more than 1.5 metres (5 feet);

(d) Accessory buildings, which shall be permitted only in accordance with the applicable provisions of this By-law;

(e) Light standards, fuel pump islands and fuel pumps of automobile service stations shall be permitted only in accordance with the applicable provisions of this By-law;

(f) A canopy or roof may be erected over a fuel pump island and fuel pumps in a motor vehicle service station or gasoline bar may be extended from the main building to a fuel pump island and fuel pumps; and

(g) Fences, trellises, free-standing walls, flag poles, antennae (except satellite dishes),

light standards and similar accessory structures and appurtenant structures, and hedges, trees and shrubs, subject to Subsections 7.29 and 7.30 of this By-law.

Notwithstanding the provisions stated in this subsection, no encroachment into registered easements shall be permitted.

7.27 AGRICULTURAL CODE OF PRACTICE **(By-law 07-112)**

That all development within the City of Hamilton be subject to the Minimum Distance Separation (MDS) formulae as established by the Ministry of Agriculture, Food and Rural Affairs as amended from time to time.

7.28 HEIGHT REGULATIONS

All development within the Township of Glanbrook shall comply with the Hamilton Airport Zoning (Height) Regulations established by Transport Canada, which are registered at the local Land Titles Office.

Subject to the Hamilton Airport Zoning (Height) Regulations, the height provisions of this By-law shall not apply to the following uses:

(a) A structure containing heating, cooling, or other accessory mechanical equipment pertaining to a building

(b) A belfry

(c) A chimney

(d) A church spire

(e) A clock tower

(f) A communications transmitting and receiving antenna, tower or mast, excluding a satellite dish

(g) A cupola

(h) An elevator or stairway housing

(i) A flagpole

(j) An ornamental structure

(k) A silo, grain elevator, barn, windmill or other farm building or structure

(l) A power transmission tower

(m) A water tower

(n) A steeple

(o) A lightning rod

7.29 DAYLIGHTING TRIANGLE

Daylighting requirements are based on the functional road classification of intersecting roadways, as identified in Subsection 7.23 of this By-law, and shall be as follows:

Road Classification of Intersecting Streets	Daylighting Requirements
Local to Local	4.5 metre (15 foot) triangle or radius
Collector to Local or Collector	7 metre (23 foot) x 7 metre (23 foot) triangle
Arterial to Collector or Arterial	12 metre (40 foot) x 12 metre (40 foot) triangle

On any corner lot in any Zone, no obstruction, whether permanent or temporary, that blocks vision between a height of 75 centimetres (30 inches) and 2.4 metres (8 feet) above the existing perpendicular centre line elevation of the street, is permitted within a daylighting triangle.

7.30 VISIBILITY TRIANGLE

No obstruction, whether permanent or temporary, that blocks vision between a height of 75 centimetres (30 inches) and 2.4 metres (8 feet) above the existing perpendicular centre line elevation of the street, is permitted within a visibility triangle.

7.31 HAZARD LANDS

No building or structure shall be erected or altered and no fill shall be placed or removed

on

lands that have inherent environmental hazards such as flood susceptibility, poor drainage, marshy or swamp conditions, erosion and unstable soils as delineated in an Ontario Regulation under Section 28 of the Conservation Authorities Act, being Chapter C.27 of the Revised Statutes of Ontario, 1990, as amended from time to time, unless such building, structure or cut/fill activity is approved by all pertinent public bodies, including, but not restricted to, the issuance of any required permit by the Conservation Authority having jurisdiction.

7.32 **FENCES**

Subject to the provisions of Subsections 7.29 and 7.30 of this By-law, fences, free-standing walls or similar structures may be located in any yard subject to the following maximum height restrictions:

(a) Residential Zones

(i) Solid Fence . . . . . Maximum 1.8 metres (6 feet)

(ii) Chain-Link Fence. . . . . Maximum 2.4 metres (8 feet), except a maximum of 3 metres (10 feet) where the fence is accessory to a tennis court.

(b) Commercial and Industrial Zones . . . . . Maximum 3 metres (10 feet)

(c) Institutional "I" Zone

(i) Solid Fence . . . . . Maximum 1.8 metres (6 feet)

(ii) Chain-Link Fence . . . . . .Maximum 3 metres (10 feet)

7.33 **LIGHTING AND ILLUMINATION OF LOTS**

All lighting facilities located in any Zone shall be so installed and maintained as to ensure that the lighting or illumination is directed onto the lot upon which such lighting or illumination is located and is deflected away from any adjacent use and street.

7.34 **EXTERIOR FACIA**

(a) The following building materials shall not be used for the exterior facia on any building or structure within the Township:

(i) Building paper, tar paper, unfinished or untreated chipboard and

plywood; and

(ii) Except in the case of a non-residential building or structure in an Agricultural Zone, plain corrugated iron and unfinished galvanized sheet metal.

(b) Unfinished, unpainted and/or painted plain standard concrete block shall not be used for the exterior facia of any wall facing a street on any building or structure located within the area covered by this By-law, where that portion of the building or structure is located:

(i) Within any Residential Zone;

(ii) Within 60 metres (200 feet) of a Residential Zone; or

(iii) Within 60 metres (200 feet) of any street.

(c) Notwithstanding the provisions of the above Paragraph 7.34(b), plain standard concrete block shall be permitted to be used for the exterior facia of any wall facing a street on any building or structure within any Residential Zone, within 60 metres (200 feet) of a Residential Zone and/or within 60 metres (200 feet) of a street, in the following situations:

(i) Exposed foundation walls to a maximum height of 1 metre (3.3 feet), and

(ii) Where the plain standard concrete block is used in conjunction with decorative concrete block, and

(iii) Buildings and structures as defined in Table 2.3.1A of the Ontario Building Code, O., Regulation 413/90.

7.35 **MINIMUM PARKING REQUIREMENTS**

Permanently maintained off-street parking facilities shall be provided for every building or structure erected for, altered for, or converted to, any use permitted in any Zone, and the required facilities shall be provided at the time of construction, alteration or conversion. The parking spaces required by this By-law shall be used only for the parking of operative motor vehicles bearing a currently valid motor vehicle licence plate and for vehicles normally incidental to the permitted uses for which such parking spaces are required.

(a) General Provisions

(i) The minimum number of required parking spaces shall be as prescribed in Subsection 7.35 (b) of this By-law.

(ii) If the calculation of the required parking spaces results in a fraction, the next higher whole number shall apply, and when a building or lot has

more than one (1) use, the required parking spaces shall be the sum required for the separate uses.

(iii) The parking facilities shall be located on the same lot as the principal use.

(iv) The parking facilities shall have adequate access from a street to permit unobstructed ingress and egress of motor vehicles. Notwithstanding the foregoing, tandem parking is permitted for single detached, semi-detached, street townhouse and block townhouse dwellings, and home occupations and home professions. (By-law # 15-070)

(v) Each required parking space shall be permanently accessible and shall be located to avoid interfering with any loading facilities, garbage storage and collection, and any fire route.

(vi) Access to parking spaces, except those accessory to single detached, semi-detached, street townhouse or block townhouse dwellings, shall be provided in accordance with the following provisions:

(a) Direct Access

Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle having a minimum width of 6 metres (20 feet); and

(b) Indirect Access

A driveway or lane which does not provide ingress or egress directly to a parking space, shall have a minimum width of 4.5 metres (15 feet) where designed for one-way vehicular circulation or a minimum width of 6 metres (20 feet) where designated for two-way vehicular circulation.

(vii) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 3 metres (10 feet) and a minimum length of 6 metres (20 feet), exclusive of any land required for access or driveway, except where a minimum of 20 parking spaces are required to be provided on the subject lot, a maximum of thirty-five percent (35%) of the parking spaces may have a minimum width of 2.6 metres (8.5 feet) and a minimum length of 5.8 metres (19 feet), provided these parking spaces are clearly marked for small cars only. Each parking space for parallel parking shall have a minimum width of 2.75 metres (9 feet) and a minimum length of 6.5 metres (21.5 feet), exclusive of any land required for access or driveway. Notwithstanding the

above regulations, the size of the required parking spaces for the physically handicapped shall be subject to Clause 7.35(a) (xv) of this By-law.

(viii) Any above-grade communal parking structure shall require the same setback regulations as the principal building.

(ix) Any below-grade communal parking structure shall require a minimum side yard and minimum rear yard setback of 1.5 metres (5 feet) and shall require a minimum setback of 3 metres (10 feet) from all street lines based upon the deemed street right-of-way width as prescribed in Subsection 7.23 of this By-Law.

(x) All parking areas shall be constructed with a stable surface, shall have adequate drainage and shall be permanently maintained.

(xi) All parking areas required for the accommodation of more than four (4) vehicles shall have lighting sufficient in intensity and number to provide for public safety, and such lighting shall be directed away from abutting lots and streets, and the equipment shall be permanently maintained.

(xii) Subject to the establishment of more specific and/or substantial regulations in the Regulations for the various Zones, where a parking area which is required to provide for more than four (4) vehicles abuts any Residential or Institutional Zone or where the adjoining land is used for residential or institutional purposes, a landscaped area consisting of a permanently maintained planting strip with a minimum width of 3 metres (10 feet) shall be provided and shall also include fencing to provide a solid and effective screen.

(xiii) Subject to the establishment of more specific and/or substantial regulations in the Regulations for the various Zones, where a parking area which is required to provide for more than four (4) parking spaces abuts a street, a permanently maintained landscaped area with a minimum width of 3 metres (10 feet) shall be provided along the street line, and it shall be continuous except for driveways required for access to such parking area.

(xiv) Where a landscaped area is required adjacent to a parking area, the landscaped area shall be curbed with continuous poured concrete and/or suitably barricaded where it abuts the parking area so as to prevent the use or encroachment of this landscaped area by parking or manoeuvring motor vehicles.

(xv) In all Zones, parking spaces for the physically handicapped shall be assigned to the required number of parking spaces where a minimum of ten (10) parking spaces are required, as follows:

(A) One (1) space for each 50 required spaces up to a total of 200 required spaces, plus one (1) space for each additional 100 required spaces or part thereof.

(B) The assigned space or spaces shall be the required spaces located nearest building entrances; each space shall have a minimum width of 3.9 metres (13 feet) exclusive of any land required for access or driveway, except where two (2) handicapped parking spaces are located together, a minimum width of 3.5 metres (11.5 feet) for each space shall be permitted; and each space shall be suitably identified for the use by the physically handicapped only.

(b) Off-Street Parking Space Requirements

The minimum number of off-street parking spaces for the following uses shall be provided as specified hereinafter:

USE	**MINIMUM REQUIRED PARKING SPACES**
RESIDENTIAL USES	
Single-detached, Semi-detached Duplex, Triplex and Street Townhouse Dwelling	2 spaces for each dwelling unit
Block Townhouse Dwelling and Apartment Building dwelling unit	2 spaces for each dwelling unit plus 0.5 visitor parking spaces for each
Dwelling for exclusive use by the elderly each dwelling unit	1 space for each dwelling unit plus 0.2 visitor parking spaces for
Dwelling unit in a commercial building	1.5 spaces for each dwelling unit
Group Homes	3 spaces for each facility
Lodging Houses	1 space for each 2 persons who may

	be lawfully accommodated
Secondary Dwelling Unit Secondary Dwelling Unit - Detached	1 space per unit
COMMERCIAL USES	
Banks and other Financial Institutions	1 space for each 10 square metres (108 square feet) of gross floor area or fraction thereof
Beer and/or Liquor Store	1 space for each 3 square metres (32 square feet) of gross floor area or fraction thereof devoted to the public
Billiard Parlour	1 space for each billiard table
Bowling Alley	2 spaces for each lane

USE	**MINIMUM REQUIRED PARKING SPACES**
Business, Government or Professional Offices	1 space for each 25 square metres (270 square feet) of gross floor area or fraction thereof, with a minimum of 4 spaces
Dry Cleaning Establishments	1 space for each 20 square metres (215 square feet) of gross floor area or fraction thereof, with a minimum of 6 spaces
Fast Food Restaurant, except where located in a main building of a shopping centre	1 space for each 4 persons that can be accommodated at any one time (maximum designed capacity) or 1 parking space for each 4 square metres (43 square feet) of gross floor area or fraction thereof, whichever is greater.
Hotel or Motel	1 space for each unit, plus required

	parking for any restaurant, auditorium and/or meeting rooms
Laundromat (Self Service)	1 space for each 2 machines
Medical Centre	6 spaces for each physician, dentist or other health practitioner
Motor Vehicle Dealership	1 space for each 15 square metres (160 square feet) of gross floor area or fraction thereof.
Motor Vehicle Service Station, Gasoline Bar, Repair Shop or Body Shop	1 space for each 10 square metres (108 square feet) of gross floor area or fraction thereof, with a minimum of three (3) spaces
Motor Vehicle Washing Establishments (Manual or Self Serve)	1 space <u>plus</u> 2 car storage spaces per bay

USE	**MINIMUM REQUIRED PARKING SPACES**
<u>COMMERCIAL USES</u> continued...	
Motor Vehicle Washing Establishments (Mechanical)	1 space plus 4 car storage spaces
Standard Restaurant, Lounge, and other Eating and Drinking Establishments, except where located in a main building of a shopping centre	1 space for each 4 persons that can be accommodate at any one time (maximum designed capacity)
Retail Lumber and Building Supplies Outlet	1 space for each 30 square metres (325 square feet) of gross floor area or fraction thereof, with a minimum of 10 spaces
Retail Store and Personal Service	1 space for each 20 square

shop	metres (215 square feet) of gross floor area of fraction thereof, with a minimum of 4 spaces
Shopping Centre	5.5 spaces for each 100 square metres (1,075 square feet) of gross floor area or fraction thereof
Supermarket or Food Store	1 space for each 10 square metres (108 square feet) of gross floor area or fraction thereof
Take-Out Restaurant, except where located in a main building of a shopping centre	1 space for each 15 square metres (160 square feet) of gross floor area or fraction thereof, with a minimum of 4 spaces
Theatre	1 space for each 5 seats
Veterinary Service Establishment	1 space for each doctor

USE	**MINIMUM REQUIRED PARKING SPACES**
INDUSTRIAL USES	
Warehouse	1 space for each 90 square metres (970 square feet) of gross floor area or fraction thereof
Showrooms	1 space for each 30 square metres (320 square feet) of gross floor area or fraction thereof devoted to the showroom
Other Industrial Uses	1 space for each 45 square metres (500 square feet) of gross floor area or fraction thereof
INSTITUTIONAL, OPEN SPACE	

AND MISCELLANEOUS USES

Auditorium, convention or hall, community centre, sports arena, stadium, private or public athletic or recreational club, lodge, fraternity club, or any place of assembly not specified elsewhere in this Subsection	1 space for each meeting 6 persons that can be accommodated at any one time (maximum designed capacity)
Cemetery	20 spaces
Church	1 space for each 10 square metres (108 square feet) of gross floor area of fraction thereof
Child Care Centre	1 space for each 6 children who may be lawfully accommodated **#25-156**

USE	**MINIMUM REQUIRED PARKING SPACES**

INSTITUTIONAL, OPEN SPACE
AND MISCELLANEOUS USES continued...

Funeral Home	1 space for each 20 square metres (215 square feet) or gross floor area or fraction thereof, with a minimum of 20 spaces
Golf Course	6 spaces per hole
Golf Driving Range and/or Miniature Golf Course	1.5 spaces per tee and/or hole
Museum, Art Gallery, Library or Post Office	1 space for each 45 square metres (500 square feet) of gross floor area or fraction thereof
Public or Private Elementary School or Nursery School	1.5 spaces for each classroom or teaching area

Public or Private Secondary School or Commercial School	4 spaces for each classroom or teaching area
Public or Private Hospital	1 space for each 1 patient bed
Convalescent home; rest home; home for the young, aged or blind; psychiatric hospital; nursing home; or similar institution	1 space for each 3 patient beds

7.36 **MINIMUM LOADING REQUIREMENTS**

Permanently maintained off-street loading facilities shall be provided for every building or structure erected for, altered for, or converted to, any use permitted in any Zone, where required, and the required facilities shall be provided at the time of construction, alteration or conversion.

(a) General Provisions

(i) The minimum number of required loading spaces shall be as set out in Subsection 7.36 (b) of this By-law.

(ii) The loading facilities shall be located on the same lot as the principal use.

(iii) The loading facilities shall have adequate access from a street to permit unobstructed ingress or egress of motor vehicles.

(iv) Each required loading space shall be permanently accessible, and shall be located to avoid interfering with any parking facilities, garage storage and collection, any fire route and/or traffic on adjacent streets.

(v) All loading areas shall be constructed with a stable surface, shall have adequate drainage and shall be permanently maintained.

(vi) All loading areas shall have lighting sufficient in intensity and number to provide for public safety, such lighting shall be directed away from abutting lots and streets, and the equipment shall be permanently maintained.

(vii) No loading space shall be permitted in any front yard, and shall not be located closer than 1.5 metres (5 feet) to any side or rear lot line, and shall not be located closer than 7.5 metres (25 feet) to any street line.

(viii) No industrial loading space shall be located closer than 15 metres (50 feet) to the boundary of any Residential or Institutional Zone or a residential or institutional use.

(ix) Where a loading area abuts any Residential or Institutional Zone or a residential or institutional use, a permanently maintained landscaped area consisting of a planting strip with a minimum width of 3 metres (10 feet) shall be provided and shall also include fencing to provide a solid and effective screen.

(x) The minimum size of a loading space shall be 3.7 metres (12 feet) in width, 9

metres (30 feet) in length, with a minimum clearance of 4.3 metres (14 feet), except in all Industrial Zones the minimum size of a loading space shall be 3.7 metres (12 feet) in width, 12 metres (40 feet) in length, with a minimum clearance of 4.3 metres (14 feet).

(b) OFF-STREET LOADING REQUIREMENTS

The minimum number of off-street loading spaces for the following uses shall be provided as specified hereinafter:

LOADING REQUIREMENTS

USES	**LOADING SPACE REQUIREMENTS**
(a) RESIDENTIAL	
(i) Apartment Buildings containing 5 to 100 dwelling units	1
(ii) Apartment Buildings containing more than 100 dwelling units	2
(b) COMMERCIAL	
(Gross Floor Area)	
(i) Greater than 200 square metres (2,150 square feet) to 900 square metres (9,700 square feet)	1
(ii) Greater than 900 square metres (9,700 square feet) to 7,500 square metres (80,000 square feet)	2
(iii) Greater than 7,500 square metres (80,000 square feet)	3

LOADING REQUIREMENTS

USES	LOADING SPACE REQUIREMENTS
(c) INDUSTRIAL	
(Gross Floor Area)	
(i) Greater than 450 square metres (4,850 square feet) to 2,300 square metres (24,750 square feet)	1
(ii) Greater than 2,300 square metres (24,750 square feet) to 7,000 square metres(75,350 square feet)	2
(iii) Greater than 7,000 square metres (75,350 square feet)	3

7.37 **SIGNS** (By-law #15-070)

Notwithstanding any other provision of this By-law, signs shall solely be permitted in accordance with the provisions of the City of Hamilton Sign By-law No. 10-197.

7.38 **MOTOR VEHICLE SALES FROM RESIDENTIAL AND AGRICULTURAL PROPERTIES**

The display and/or offering for sale of motor vehicles from properties zoned *RESIDENTIAL* and/or *AGRICULTURAL* in the Township as an accessory use shall be permitted subject to the following regulations:

(1) a maximum of one (1) motor vehicle may be displayed and/or offered for sale from a lot at a time; and

(2) the motor vehicle displayed and/or offered for sale shall be owned by a resident of the subject property; and

(3) the motor vehicle being offered for sale shall only be displayed on the driveway or immediately abutting the driveway of the subject property.

7.39 PHASED REGISTRATION OF CONDOMINIUMS (By-law No. 02-209)

Where a comprehensive Condominium Plan of Subdivision has received Draft Plan Approval as well as Site Plan Approval and where registration of the Plan is intended to occur in phases and/or stages, the draft approved plan of condominium shall be deemed to be one lot for the purposes of applying zoning provisions. Zoning regulations shall apply only to the external limits of the Plan, prior to the registration of any phase, not to interior boundaries resulting from the registration of any phase.

7.40 MODEL HOMES IN PLANS OF SUBDIVISION (By-law No. 15-290)

Notwithstanding any other provisions of this By-law, where a subdivision agreement has been executed (signed) by the owner, more than one model home may be constructed on a lot prior to registration of the plan of subdivision or on a lot or block within a registered plan of subdivision subject to the following restrictions:

(i) The use shall be permitted in the zone in which the dwelling is to be located;

(ii) Each dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;

(iii) The maximum number of model homes shall not exceed 10% of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse dwelling unit purposes within the draft approved plan of subdivision or registered plan of subdivision, to a maximum of 20 dwelling units;

(iv) The model home shall comply with all other provisions of this Bylaw, as though the dwellings and/or units were constructed on the lot within the registered plan of subdivision; and,

(v) The model home shall comply with all applicable terms and conditions of the said subdivision agreement.

7.41 REGULATION FOR CONSOLIDATED LOT DEVELOPMENT (By-law 05-238)

Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, 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 relative to the consolidated lot development and its external lot lines are complied with.

7.42 ADEQUATE SERVICES (By-law 06-038)

Except for Section 7.40 – Model Homes in Draft Plans of Subdivision, no buildings or structures may be erected, used or occupied unless:

(i) Adequate watermains, storm and sanitary sewer systems are existing or have been provided for in a binding and secured development agreement and all regulatory approvals have been received to the satisfaction of the General Manager of the Planning and Economic Development Department an/or his or her designate; or

(ii) Where such services are not required or contemplated, an approved waste disposal system and potable water supply to sustain the use of land for buildings or structures are existing or have been provided for to the satisfaction of the Chief Building Official and all regulatory approvals have been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate, and

(iii) The dedication of lands for parkland or payment of cash-in-lieu of parkland in accordance with the City of Hamilton Parkland Dedication and Cash-in-lieu of Parkland Policy has been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate.

7.43 **OUTDOOR PATIO RESTAURANTS (By-law 09-210, By-law 22-079)**

Notwithstanding any provisions of this By-law, every Outdoor Commercial Patio, inclusive of all outdoor areas and portions of the patio that cross property lines such as road allowances, shall comply with the following: (By-law #15-070)

(a) Design Requirements:

Outdoor Patio Restaurants shall be designed and used to accommodate seating of customers.

(b) Seating Capacity Requirements:

An Outdoor Patio Restaurant shall be limited to a seated capacity of a minimum of 1.10 square metres of patio area per person. (By-law #15-070)

(c) Location Requirements:

i) Except as provided in Subsection c) (ii) below, no Outdoor Patio Restaurant shall be permitted on a lot where any lot line abuts a Residential Zone or where such lot is separated from a Residential Zone by a laneway; and

ii) Where only the rear lot line abuts a Residential Zone or the lot is separated from the Residential Zone by a laneway, an Outdoor Patio Restaurant shall only be permitted in the front yard.

7.44 **REGULATIONS FOR AN URBAN FARMERS MARKET (By-law 15-104)**

The following regulations shall apply to an urban farmers market:

(a) the majority of the local agricultural products or local value added agricultural products sold from vendor stalls shall be grown or produced by the person who operates the vendor stalls;

(b) 75% of vendors shall sell local agricultural products, value-added local agricultural products or VQA wines;

(c) 25% of the vendors may include entertainment, food premises/ demonstrations, baked goods, but shall not include the sale of personal services and second hand goods;

(d) the sale of VQA wines shall only be permitted in accordance with provincial regulations governing the sale of wine;

(e) include a minimum of 5 vendor stalls and a maximum of 50 vendor stalls;

(f) Operates a maximum of 2 days each week; and,

(g) may occupy the required parking spaces and be located within the required yards of the principle use.

7.45 **HOME CHILD CARE (By-law 25-156)**

(a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone.

(b) A home child care use shall not be considered a home occupation or home profession use.

(c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.

SECTION 8: GENERAL AGRICULTURAL "A1" ZONE

No person shall within any General Agricultural "A1" Zone use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

8.1 PERMITTED USES

(a) Agricultural uses, and buildings, structures and uses accessory thereto, including one (1) single detached dwelling for the farm owner or operator.

(b) One (1) single detached dwelling on one (1) lot, and buildings, structures and uses accessory thereto.

(c) Commercial Greenhouse Operations for horticultural purposes only (meaning only for the growing of flowers, plants, shrubs, trees and garden vegetables), and uses, buildings and structures accessory thereto, including one (1) single detached dwelling for the greenhouse owner or operator.

(d) Kennels

(e) Farm Help Houses

(f) Seasonal Farm Produce Stands

(g) Home Occupations and Home Professions

(h) Home Industries

(i) Bed and Breakfast Establishments

(j) Outside Parking and Storage of Larger Vehicles

(k) Fish, Wildlife and/or Forest Management

8.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 8.1 (AGRICULTURAL USES)

(a) Minimum Lot Frontage ..... 150 metres (500 feet)

(b) Minimum Lot Area ..... 10 hectares (25 acres)

(c) Maximum Lot Coverage of all Buildings ..... 20 percent

(d) Minimum Front Yard

(i) Agricultural Buildings and Structures ..... 15 metres (50 feet), subject to Subsection 7.27 of this By-law

(ii) Dwellings……9 metres (30 feet)

(iii) Buildings and Structures accessory to Dwellings …… 9 metres (30 feet)

(e) Minimum Side Yard

(i) Agricultural Buildings and Structures ..... 15 metres (50 feet), subject to Subsection 7.27 of this By-law

(ii) Dwellings ..... 3 metres (10 feet), except that the minimum side yard abutting a street shall be 7.5 metres (25 feet)

(iii) Buildings and Structures accessory to Dwellings ..... 1.8 metres (6 feet), except that the minimum side yard abutting a street shall be 6 metres (20 feet)

(f) Minimum Rear Yard

(i) Agricultural Buildings and Structures ..... 15 metres (50 feet), subject to Subsection 7.27 of this By-law

(ii) Dwellings ..... 10.7 metres (35 feet)

(iii) Buildings and Structures

accessory to Dwellings ..... 2 metres (6.5 feet), except that the minimum rear yard abutting a public street shall be 7.5 metres (25 feet)

(g) Notwithstanding Paragraphs (d), (e) and (f) of this Subsection, no horse-racing training track shall be located:

(i) Closer than 30 metres (100 feet) to any lot line.

(ii) Closer than 60 metres (200 feet) to any street line.

(iii) Closer than 60 metres (200 feet) to any Residential Zone or the Institutional "I" Zone, or to any residential or institutional use, except the dwelling unit of the owner or operator of the use, or a permitted farm help house on the subject lot.

(h) Notwithstanding Paragraphs (d), (e) and (f) of this Subsection, manure storage facilities shall not be constructed or altered except in accordance with the following provisions:

(i) Minimum Setback Distance from all Lot Lines ..... 15 metres (50 feet), subject to Subsection 7.27 of this By-law

(ii) Minimum Setback Distance from any lake, stream, pond municipal drain or field drainage tile..... 15 metres (50 feet)

(iii) Minimum Setback Distance from any Dwellings not on the Subject Lot ..... 50 metres (165 feet), subject to Subsection 7.27 of this By-law

(iv) Be adequate in size to contain the total amount of manure generated in any six (6) month period by the agricultural operation,

(v) Be constructed of masonry, metal, pressure treated timber or other impervious and durable material, and

(vi) Be sealed to prevent surface drainage or groundwater from gaining entry

(i) Minimum Floor Area for a Dwelling

(i) 1 Storey ..... 100 square metres (1,075 square feet)

(ii) 1½ Storey or Split Level ..... 120 square metres (1,290 square feet)

(iii) 2 or 2½ Storey ..... 145 square metres (1,560 square feet)

(j) Maximum Height

(i) Dwellings ..... 10.7 metres (35 feet)

(ii) Buildings and Structures accessory to Dwellings ..... 4.5 metres (15 feet)

(k) Minimum Separation Distance between Dwellings on the Same Lot ..... 15 metres (50 feet)

8.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS)**

1. Single Detached Dwelling

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Minimum Lot Area ..... 4,000 square metres (43,050 square feet)

(c) Maximum Lot Coverage ..... 25 percent

(d) Minimum Front Yard ..... 9 metres (30 feet)

(e) Minimum Side Yard ..... 1.8 metres (6 feet), except:

(i) On an interior lot, on which no private garage or carport is located, the minimum side yard on one side shall be 5.5 metres (18 feet), and

(ii) On a corner lot, the minimum side yard abutting the street shall be 6 metres (20 feet).

(f) Minimum Rear Yard ..... 10.7 metres (35 feet)

(g) Minimum Floor Area for a Dwelling

(i) 1 Storey ..... 100 square metres (1.075 square feet)

(ii) 1½ Storey or Split Level ..... 120 square metres (1,290 square feet)

(iii) 2 or 2½ Storey ..... 145 square metres (1,560 square feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

2. Accessory Buildings

(a) Accessory buildings shall not be located closer than 9 metres (30 feet) from the front lot line.

(b) Accessory buildings shall not be located in any minimum side yard.

(c) Accessory buildings shall not be located less than 1 metre (3.3 feet) from the rear lot line, except:

(i) On a corner lot which has three (3) street lines, or on a through lot, accessory buildings shall not be located less than 7.5 metres (25 feet) from the rear lot line.

(d) Accessory buildings in excess of 15 square metres (160 square feet) gross floor area shall not be located in any minimum rear yard.

However, the minimum rear yard shall be 1.8 metres (6 feet) subject to compliance with all of the following regulations:

(i) the lot is less than 0.4 hectares (1 acre) in area,

(ii) the lands abutting the subject rear lot line form part of a lot that has a lot area greater than 0.8 hectares (2 acres), and

(iii) the lands abutting the subject rear lot line are designated in the Township Official Plan in a land use designation other than "Residential".

(e) The maximum lot coverage for all accessory buildings shall be five percent (5%), provided that the coverage of all buildings on the lot does not exceed the total maximum lot coverage of 25 percent.

(f) The maximum height for accessory buildings shall be 4.5 metres (15 feet).

(g) No accessory building shall be erected prior to the erection of a dwelling on the same lot except for a non-habitable use in connection with the immediate construction of such dwelling, provided such accessory building is not greater than 9 square metres (100 square feet) in gross floor area.

(h) In no case shall any eave or gutter extend more than 30 centimetres (12 inches) into a required minimum setback area.

3. Patio Decks

Patio Decks are permitted subject to the same setback regulations as the principal building.

8.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 8.1 (COMMERCIAL GREENHOUSE OPERATIONS)**

(a) Minimum Lot Frontage ..... 60 metres (200 feet)

(b) Minimum Lot Area ..... 1.2 hectares (3 acres)

(c) Maximum Lot Coverage
for all Buildings ..... 70 percent

(d) Minimum Front Yard

(i) Greenhouses ..... 15 metres (50 feet)

(ii) Dwellings ..... 9 metres (30 feet)

(iii) Buildings and Structures accessory to Dwellings shall not be located closer than 9 metres (30 feet) from the front lot line.

(e) Minimum Side Yard

(i) Dwellings ..... 3 metres (10 feet), except that the minimum side yard abutting a street shall be 7.5 metres (25 feet)

(ii) Buildings and Structures accessory to Dwellings ..... 2 metres (6.5 feet), except that the minimum side yard abutting a street shall be 7.5 metres (25 feet)

(iii) Greenhouses .....6 metres (20 feet), except:

(A) Where the side lot line abuts a adjoining lot situated within any Residential Zone, Deferred Development "DD" Zone or Institutional "I" Zone, the minimum side yard abutting such lot shall be 15 metres (50 feet).

(B) Where the side lot line abuts an adjoining lot occupied by an existing residential or institutional use, the minimum side yard abutting such lot shall be as follows:

(1) 25 metres (80 feet) where discharge fans are located on the side facing the existing residential or institutional use. This setback distance may be reduced to 15 metres (50 feet) if the distance from all or that part of the proposed greenhouse to said residential or institutional use on the abutting lot exceeds 40 metres (130 feet), or

(2) 15 metres (50 feet) where discharge fans are not located on the side facing the existing residential or institutional use. This setback distance may be reduced to 9 metres (30 feet) if the distance from the proposed greenhouse to said residential or institutional use on the abutting lot exceeds 40 metres (130 feet).

(f) Minimum Rear Yard

(i) Dwellings ..... 10.7 metres (35 feet)

(ii) Buildings and Structures accessory to Dwellings .....2 metres (6.5 feet), except that the minimum rear yard abutting a street shall be 7.5 metres (25 feet)

(iii) Greenhouses..... 6 metres (20 feet), except:

(A) Where the rear lot line abuts a adjoining lot situated within any Residential Zone, Deferred Development "DD" Zone or Institutional "I" Zone, the minimum rear yard abutting such lot shall be 15 metres (50 feet).

(B) Where the rear lot line abuts an adjoining lot occupied by an existing residential or institutional use, the minimum rear yard abutting such lot shall be as follows:

(1) 25 metres (80 feet) where discharge fans are located on the rear yard facing the existing residential or institutional use. This setback distance may be reduced to 15 metres (50 feet) if the distance from the proposed greenhouse to said residential or institutional use on the abutting lot exceeds 40 metres (130 feet), or

(2) 15 metres (50 feet) where discharge fans are not located on the rear yard facing the existing residential or institutional use. This setback distance may be reduced to 9 metres (30 feet) if the distance from the proposed greenhouse to said residential or institutional use on the abutting lot exceeds 40 metres (130 feet).

(g) Minimum Floor Area for a Dwelling

(i) 1 Storey ..... 100 square metres (1,075 square feet)

(ii) 1½ Storey or Split Level ..... 120 square metres (1,290 square feet)

(iii) 2 or 2½ Storey ..... 145 square metres (1,560 square feet)

(h) Maximum Height

(i) Dwellings ..... 10.7 metres (35 feet)

(ii) Buildings and Structures accessory to Dwellings ..... 4.5 metres (15 feet)

8.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 8.1 (KENNELS)**

(a) Minimum Lot Frontage ..... 90 metres (300 feet)

(b) Minimum Lot Area ..... 2 hectares (5 acres)

(c) Maximum Lot Coverage of all Buildings ..... 5 percent

(d) Minimum Front Yard

(i) Dwellings ..... 9 metres (30 feet)

(ii) Buildings and Structures accessory to Dwellings shall be setback a distance of not less than 9 metres (30 feet) from the front lot lines.

(iii) Kennel Buildings and Structures shall not be located within the front yard and shall be setback a distance of not less than 30 metres (100 feet) from the front lot line.

(e) Minimum Side Yard

(i) Dwellings ..... 3 metres (10 feet), except that the minimum side yard abutting a street shall be 7.5 metres (25 feet)

(ii) Buildings and Structures accessory to Dwellings ..... 2 metres (6.5 feet), except that the minimum side yard abutting a street shall be 7.5 metres (25 feet)

(iii) Kennel Buildings and Structures ..... 30 metres (100 feet)

(f) Minimum Rear Yard

(i) Dwellings ..... 10.7 metres (35 feet)

(ii) Buildings and Structures accessory to Dwellings ..... 2 metres (6.5 feet), except that the minimum rear yard abutting a street shall be 7.5 metres (25 feet)

(iii) Kennel Buildings and Structures ..... 30 metres (100 feet)

(g) Notwithstanding Paragraphs (d), (e) and (f) of this Subsection, the minimum separation distance between any kennel building or structure and any dwelling (except for the dwelling on the lot containing the kennel), any Residential Zone and/or the Institutional "I" Zone, shall be 150 metres (500 feet).

(h) Minimum Floor Area for a Dwelling

(i) 1 Storey ..... 100 square metres (1,075 square feet)

(ii) 1½ Storey or Split Level ..... 120 square metres (1,290 square feet)

(iii) 2 or 2½ Storey ..... 145 square metres (1,560 square feet)

(i) Maximum Height

(i) Dwellings ..... 10.7 metres (35 feet)

(ii) Buildings and Structures accessory to Dwellings or the Kennel ..... 4.5 metres (15 feet)

(j) Minimum Parking Requirements ..... One (1) parking space for each ten (10) animals maximum designed capacity shall be provided on the lot

(k) Minimum Landscaping Requirements

A landscaping area in the form of a planting strip having a minimum width of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to the chainlink fence surrounding the kennel, as required in the following Paragraph (l) - Minimum Fencing Requirements, where the adjoining lot is within a Residential Zone, Institutional "I" Zone, or used for residential or institutional purposes.

(l) Minimum Fencing Requirements

Any kennel shall be enclosed by a chainlink fence possessing a minimum height of 1.8 metres (6 feet).

8.6 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (e) OF SUBSECTION 8.1 (FARM HELP HOUSES)**

(a) Minimum Yard from a Street ..... 30 metres (100 feet)

(b) Minimum Yard from Interior Side and Rear Lot Lines ..... 30 metres (100 feet)

(c) Minimum Distance from the Principal Farm Dwelling and Buildings on the subject lot ..... 15 metres (50 feet)

(d) Maximum Number of Permanent Farm Help Houses Per Lot 1

(e) Seasonal Farm Help Houses shall only be a mobile home.

(f) Minimum Floor Area

(i) Permanent Dwelling

(A) 1 storey..... 75 square metres (800 square feet)

(B) 1½ Storey or Split Level ..... 85 square metres (915 square feet)

(C) 2 Storey ..... 100 square metres

(1,075 square feet)

Notwithstanding the above-noted minimum floor areas, there shall be a minimum floor area of 25 square metres (270 square feet) per person.

(ii) Mobile Home ..... 30 square metres (320 square feet), but not less than 15 square metres (160 square feet) per person, whichever is greater.

(iii) Bunk House..... 55 square metres (600 square feet), but not less than 15 square metres (160 square feet) per person, whichever is greater.

(g) Maximum Floor Area

(i) Permanent Dwelling..... 185 square metres (2,000 square feet)

(ii) Mobile Home ..... 90 square metres (970 square feet)

(iii) Bunk House..... 90 square metres (970 square feet)

(h) Maximum Height

(i) Permanent Dwelling..... 7.5 metres (25 feet)

(ii) Mobile Home and Bunk House..... 7.5 metres (25 feet)

(i) Access to the farm help house shall be the same access as to the principal farm residence.

8.7 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (f) OF SUBSECTION 8.1 (SEASONAL FARM PRODUCE STAND)**

(a) Minimum Yard from a Public Street..... 3 metres (10 feet)

(b) Minimum Yard from both Interior Side and Rear Lot

Lines..... 15 metres (50 feet)

(c) Maximum Total Building and Display Area ..... 55 square metres (600 square feet)

(d) Maximum Height..... 4.5 metres (15 feet)

8.8 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (g) OF SUBSECTION 8.1 (HOME OCCUPATIONS AND HOME PROFESSIONS)**

(a) A home occupation or home profession shall be carried on wholly within only one (1) of the following locations on the property and subject to the following size restrictions:

(i) Within a single detached unit provided not more than twenty-five percent (25%) of the gross floor area of the single detached dwelling or 30 square metres (325 square feet) therein, whichever is the lesser amount of the floor area, may be used for the purpose of a home occupation or home profession, or

(ii) Within a wholly enclosed garage which is attached to an existing single detached dwelling provided that the gross floor area of the garage is not greater than 40 square metres (430 square feet), or

(iii) Within a wholly enclosed building which is accessory to an existing single detached dwelling, provided that the gross floor area of the accessory building is not greater than 40 square metres (430 square feet).

(b) The home occupation or profession shall be owned and operated by one (1) or more of the residents of the dwelling unit on the subject lot. Not more than one (1) person, excluding the owner, shall be employed in the home occupation or home profession.

(c) The home occupation or profession shall clearly be secondary to the principal residential use. It shall not adversely affect the residential character of the property nor create or become a public nuisance in particular with respect to excessive noise, traffic, parking, dust, vibration, or interference with television or radio reception.

(d) There shall be no outside storage of material or equipment related to the home occupation or profession.

(e) Only goods produced on the premises shall be offered for sale. Outside display shall not be permitted.

(f) Where the home profession is for a medical, dental or drugless practitioner's office, it must be located on a lot having a minimum width of 30 metres (100 feet).

(g) Not less than 5 parking spaces shall be provided and thereafter maintained on-site specifically for a medical, dental or drugless practitioner's office.

(h) Not less than 2 parking spaces shall be provided and thereafter maintained on-site specifically for other home professions or home occupations, and tandem parking is permitted. (By-law #15-070)

(i) A planting strip having a minimum width of 1.5 metres (5 feet) shall be provided adjacent to the required parking area for the home occupation or profession, if located on a property with a lot area of less than 0.4 hectares (1 acre).

8.9 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (h) OF SUBSECTION 8.1 (HOME INDUSTRIES)**

(a) Minimum Lot Frontage..... 150 metres (500 feet)

(b) Minimum Lot Area ..... 10 hectares (25 acres)

(c) The home industry shall be carried on wholly within either a single detached dwelling, an attached garage or an accessory building on the subject lands.

(d) Not more than twenty-five percent (25%) of the gross floor area of the single detached dwelling or 30 square metres (325 square feet) therein, whichever is the lesser amount of the floor area, shall be used for the purpose of a home industry.

(e) The attached garage within which the home industry is carried on, shall be wholly enclosed and shall not exceed 40 square metres (430 square feet) in gross floor area.

(f) The accessory building within which the home industry is carried on, shall be wholly enclosed and shall not exceed 70 square metres (750 square feet) in gross floor area.

(g) The home industry shall clearly be secondary to the principal agricultural use. It shall not change the agricultural character of the property nor create or become a public nuisance in particular with respect to excessive noise, traffic, parking, dust, vibration, or interference with television or radio reception.

(h) There shall be no outside storage of material or equipment related to the home industry.

(i) Only goods produced on the premises shall be offered for sale. Outside display shall not be permitted.

(j) The home industry shall be owned and operated by one (1) of the residents of the dwelling unit on the subject lot. Not more than one (1) person, excluding the owner, shall be employed in the home industry.

8.10 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (i) OF SUBSECTION 8.1 (BED AND BREAKFAST ESTABLISHMENTS)**

(a) The Bed and Breakfast Establishment shall clearly be secondary to the principal residential use. It shall not adversely affect the residential character of the property and shall not create or become a public nuisance, in particular in respect to noise, traffic or parking.

(b) A minimum of one (1) parking space for each bedroom used and maintained for the Bed and Breakfast Establishment shall be properly provided and maintained on the subject lot in accordance with Subsection 7.35 of this By-law.

8.11 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (j) OF SUBSECTION 8.1 (OUTSIDE PARKING AND STORAGE OF LARGER VEHICLES)**

The outside parking and storage of any vehicle, trailer or boat exceeding a length of 6.4 metres (21 feet) and/or an overall height of 2.6 metres (8.5 feet) in the Agricultural "A1" Zone shall be permitted subject to the following regulations:

(a) Commercial motor vehicles and other vehicles accessory to and required for the agricultural use are permitted.

(b) A maximum of one (1) vehicle not accessory to or not required for an agricultural use and a maximum of one (1) trailer or boat along with its trailer, shall be permitted provided that the entire parking/storage area is setback a minimum distance of 4.5 metres (15 feet) from any front lot line, exterior side lot line and rear lot line, and setback a minimum distance of 1.2 metres (4 feet) from any interior side lot line.

(c) Vehicles used for the transport and storage of any dangerous goods as defined by the Dangerous Goods Transportation Act, being Chapter D.1 of the Revised Statutes of Ontario, 1990, as amended from time to time, shall not be permitted, unless directly related to agriculture.

8.12 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (k) OF SUBSECTION 8.1 (FISH, WILDLIFE AND/OR FOREST MANAGEMENT)**

Pursuant to the provisions of SECTION 43: OPEN SPACE - CONSERVATION "OS3" ZONE of this By-law.

SECTION 9: RESTRICTED AGRICULTURAL"A2" ZONE

All uses permitted and the zone regulations of the General Agricultural "A1" shall apply to the Restricted Agricultural "A2" Zone, save and except for new intensive livestock operations and kennels, which shall not be permitted uses in the Restricted Agricultural "A2" Zone.

SECTION 10: DEFERRED DEVELOPMENT "DD" ZONE

No person shall within any Deferred Development "DD" Zone, use any land, or erect, alter or use any building or structure, except for such purposes and in accordance with the following provisions:

10.1 PERMITTED USES

(a) Agricultural uses, excluding livestock operations, poultry operations, mushroom farms, fur bearing animal farms, manure storage facilities, greenhouses, kennels, home industries, erection of new buildings and enlargement of existing non-residential buildings.

(b) Dwellings existing at the date of the passing of this By-law and enlargement thereof and uses, buildings and structures accessory thereto.

(c) Urban Farm **#14-277**

(d) Community Garden **#14-277**

10.2 REGULATIONS FOR USES PERMITTED IN SUBSECTION 10.1

(a) Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

(b) REGULATIONS FOR AN URBAN FARM **#14-277**

Pursuant to the relevant provisions of Section 11.10.

(c) REGULATIONS FOR A COMMUNITY GARDEN **#14-277**

Pursuant to the relevant provisions of Section 11.11.

SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES

11.1 RESIDENTIAL ZONES

The following Zones are hereby classified as Residential Zones to which the provisions of this Section apply:

ZONE	SYMBOL
Existing Residential	ER
Residential 1	R1
Residential 2	R2
Residential 3	R3
Residential 4	R4
Residential Multiple 1	RM1
Residential Multiple 2	RM2
Residential Multiple 3	RM3
Residential Multiple 4	RM4
Residential Hamlet	RH
Residential Estate	RE

11.2 PERMITTED NUMBER OF DWELLING UNITS ON ONE LOT

(a) Not more than one (1) single detached dwelling shall be permitted on any lot in the Existing Residential "ER", Residential "R1", "R2", "R3" and "R4", Residential Estate "RE", and Residential Hamlet "RH" Zones.

(b) Subject to the availability of municipal water and sanitary sewers, a group of buildings or a building containing two (2) or more dwelling units shall be permitted in the Residential Multiple Zones, subject to the regulations of the relevant Residential Multiple Zone.

11.3 ADDITIONAL PERMITTED USES

In addition to the permitted uses specified for each Residential Zone, the following uses shall be permitted in all Residential Zones:

(a) Accessory Mechanical Equipment in accordance with the provisions of Subsection 7.15 of this By-law.

(b) Outdoor Swimming Pools and Hot Tubs in accordance with the provisions of Subsection 7.16 of this By-law.

(c) Indoor Swimming Pools and Hot Tubs subject to the regulations of the relevant Residential Zone pertaining to the principal building.

(d) Patio decks shall be subject to the following minimum setback regulations:

(i) 7.5 metres (25 feet) from any street line,

(ii) 1 metre (3.3 feet) from any interior side lot line, and

(iii) 3 metres (10 feet) from a rear lot line.

11.4 ADDITIONAL PROHIBITED USES

The keeping or raising of cattle, poultry, swine, horses, goats or other similar livestock, or mink, chinchilla or other similar fur bearing animals, shall be prohibited within any Residential Zone.

11.5 OPEN PARKING AND STORAGE

(a) No person shall permit the open parking or open storage of any equipment or material unless such equipment or material is for use incidental to the residential use.

(b) The following provisions pertain to the Residential "R1", "R2", "R3", "R4", "RM1", "RM2", "RM3" and "RM4" Zones:

(i) The open parking or open storage of any vehicle exceeding a maximum length of 6.4 metres (21 feet) or an overall height of 2.6 metres (8.5 feet) is prohibited.

(ii) The open parking or open storage of any trailer or boat is prohibited.

(c) The following provisions pertain to the Residential "ER", "RH" and "RE" Zones:

The open parking or open storage of any vehicle, trailer or boat exceeding a maximum length of 6.4 metres (21 feet) or an overall height of 2.6 metres (8.5 feet) shall be restricted to one (1) vehicle, trailer or boat along with its trailer, and shall not be located closer than:

(i) 4.5 metres (15 feet) from any front lot line, exterior side lot line or the rear lot line, and

(ii) 1.2 metres (4 feet) from any of the interior side lot lines.

(d) Vehicles used for the transport and storage of any dangerous goods as defined by the Dangerous Goods Transportation Act, being Chapter D.1 of the Revised Statutes of Ontario, 1990, as amended from time to time, shall not be permitted.

11.6 PARKING SPACES IN RESIDENTIAL ZONES

In addition to the parking requirements pursuant to Subsection 7.35 of this By-law, the following provisions shall also apply to parking spaces in Residential Zones:

(a) In any Residential Zone, at grade parking areas shall not occupy more than thirty-five percent (35%) of the total lot area,

(b) No part of the required minimum exterior side yard of a corner lot abutting a public street is to be used for the temporary parking or storage of any motor vehicle, and

(c) 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 1.5 metres (5 feet) from the rear lot line.

11.7 BASEMENT OR CELLAR

No basement or cellar may be used for calculating the minimum floor area of any dwelling or dwelling unit and no basement or cellar may be used as a complete dwelling unit, except in an apartment building.

11.8 GARAGE

The floor elevation of a garage shall be a minimum of 30 centimetres (12 inches) above the centre line of the street adjacent to the garage, unless other provisions are made for adequate drainage to the satisfaction of the Township Engineer.

11.9 HOME OCCUPATIONS AND HOME PROFESSIONS

Home Occupations and Home Professions shall be permitted in all of the Residential Zones, including::

EXISTING RESIDENTIAL "ER" ZONE
RESIDENTIAL "R1" ZONE
RESIDENTIAL "R2" ZONE
RESIDENTIAL "R3" ZONE
RESIDENTIAL "R4" ZONE
RESIDENTIAL MULTIPLE "RM1" ZONE
RESIDENTIAL MULTIPLE “RM2" ZONE
RESIDENTIAL MULTIPLE “RM3" ZONE
RESIDENTIAL MULTIPLE “RM4" ZONE
RESIDENTIAL HAMLET "RH" ZONE
RESIDENTIAL ESTATE "RE" ZONE

The following provisions shall apply to all home occupations and home professions in the above-noted permitted Residential Zones:

(a) The home occupation or profession shall be carried on only within dwelling unit, excluding the garage, and shall be owned and operated by one (1) or more of the residents of the dwelling unit on the subject lot;

(b) Home occupations or professions are not permitted in a garage (attached or detached), shed or other accessory building on the subject lot;

(c) The home occupation or profession shall clearly be secondary to the main residential use. It shall not adversely affect the residential character of their dwelling unit or the property, nor create or become a public nuisance in particular with respect to excessive noise, traffic, parking, dust, vibration, or interference with television or radio reception;

(d) Outside storage, outside operations or display of any kind related to the home occupation or profession are prohibited;

(e) Only goods produced on the premises shall be offered for sale. Outside display shall not be permitted;

(f) Not more than twenty-five percent (25%) of the gross floor area of the dwelling unit or 30 square metres (325 square feet) therein, whichever is the lesser amount of the floor area, shall be used for the purpose of a home occupation or home profession;

(g) Where the home profession is for a medical, dental or drugless practitioner's office, it must be located on a lot having a minimum width of 30 metres (100 feet);

(h) Not less than five (5) parking spaces shall be provided and thereafter maintained on-site specifically for a medical, dental or drugless practitioner's office;

(i) Not less than two (2) parking spaces shall be provided and thereafter maintained on-site specifically for other home professions and for home occupations, and tandem parking is permitted. (By-law #15-070)

(j) A planting strip having a minimum width of 1.5 metres (5 feet) shall be provided adjacent to the required parking area for the home occupation or home profession; and

(k) Not more than one (1) person, excluding the owner, shall be employed in the home occupation or home profession.

11.10 **URBAN FARM #14-277**

(a) An urban farm shall be permitted in any residential zone, in accordance with the regulations of Subsection 11.10 (b), (c) and (d).

(b) Every urban farm in a residential zone, as a principle use, shall comply with the following:

i) Notwithstanding the minimum lot area of any zone, the minimum lot area shall be not less than 0.4 ha.

ii) Notwithstanding the size of the accessory structures of the particular zone in which the farm produce/product stand is located, only one farm roduce/product stand shall be permitted and it shall not exceed a maximum area of 18.5 square metres.

iii) Notwithstanding the maximum building size of any zone, the maximum gross floor area of all buildings and structures on the site associated with the urban farm use shall not exceed 280 square metres, and no single building shall exceed 140 square metres.

iv) Notwithstanding Section 7.13(b)(iv), any building or structure associated with the urban farm use which is greater than 35 square metres shall be considered as a principle building;

v) Notwithstanding the height requirement of any zone in which the principle building is located, the maximum height of any building or structure associated with the urban farm use shall not exceed 10.5 metres.

vi) Notwithstanding Section 7.13(b)(iv), any building or structure associated with the urban farm use which is 35 square metres or less shall be considered as an accessory building or structure.

vii) Notwithstanding the setback requirements for a principle building or accessory structure in any zone, a greenhouse shall have a minimum 7.5 metre setback from any property line.

viii) All mechanical equipment shall be located within a building or structure.

(c) Notwithstanding Section 11.10 b), an urban farm, as a principle use, may locate on a lot less than 0.4 ha in size provided that:

i) there are no buildings or structures erected on the lot in which the urban farm is located.

ii) Notwithstanding the definition of urban farm, no retail sales shall be permitted on-site.

(d) Every urban farm in a residential zone that locates on the same lot as another principle use, shall comply with the following:

i) All mechanical equipment associated with an urban farm shall be located within a building or structure.

ii) All buildings and structures shall comply with the accessory structure regulations of the zone in which it is located.

iii) Notwithstanding, Section 11.10(d)(ii), where an urban farm is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

iv) Notwithstanding the definition of urban farm, no retail sales shall be permitted on-site.

(e) Notwithstanding Section 11.10(a), (b) and (c) and in addition to the provisions of Section 11.10(d), an urban farm in an Existing Residential "ER" Zone, shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Highway 56	Maggie Johnson Drive	Windwood Drive
2	Binbrook Road	Kaufman Drive	2548 Binbrook Road (north side) 2533 Binbrook Road (south side)

11.11 **COMMUNITY GARDENS #14-277**

(a) A community garden shall be permitted in any residential zone, in accordance with the regulations of Subsection 11.11 (b), (c) and (d).

(b) All buildings and structures shall comply with the accessory structure regulations of the zone in which it is located.

(c) Notwithstanding, Section 11.11(c)(ii), where a community garden is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

(d) Notwithstanding Section 11.11(a) and in addition to the provisions of Section 11.11(c), a community garden in an Existing Residential "ER" Zone, shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Highway 56	Maggie Johnson Drive	Windwood Drive
2	Binbrook Road	Kaufman Drive	2548 Binbrook Road

			(north side) 2533 Binbrook Road (south side)

11.12 **COMMON ELEMENTS CONDOMINIUMS** (By-law #15-070)

Notwithstanding the regulations of the "RM3" Zone, townhouse dwelling units may be developed in accordance with the applicable regulations of the "RM2". For the purposes of this Zone, the private driveway(s) or condominium road(s) are deemed to be a street(s) and parking and landscaping are permitted within the street(s).

11.13 **SECONDARY DWELLING UNIT AND SECONDARY DWELLING UNIT – DETACHED** (By-laws # 21-075, 21-167, #22-136)

(a) Parking shall be provided in accordance with Section 7.35 of this by-law and the following:

(i) No additional parking space shall be required for either a Secondary Dwelling Unit or a Secondary Dwelling Unit - Detached, provided the required parking spaces which existed on May 12, 2021 for the existing dwelling shall continue to be provided and maintained; and,

(A) Notwithstanding Section 11.13 (a) (i), one parking space shall be required for a Secondary Dwelling Unit - Detached if it constitutes the fourth Dwelling Unit on a lot. **#22-194**

(ii) A maximum of two parking spaces for a Secondary Dwelling Unit and/or Secondary Dwelling Unit - Detached may be provided in the required Front Yard.

(b) Notwithstanding Section 3.2 of this By-law, the following provisions shall apply:

i) A Building Permit application for a Secondary Dwelling Unit or Secondary Dwelling Unit - Detached, received by the City of Hamilton prior to the date By-law No. 22-136 was approved by Council, will be evaluated against the provisions of Section 11.13 of this By-law, in effect before By-law No. 22-136 came into effect.

(1) Notwithstanding Section 11.13 (b) i), if a Building Permit is not issued within 180 days of the effective date of this By-law, By-law No. 22-136 shall apply in all respects to the Building Permit in question.

ii) A Building Permit may be issued to permit a Secondary Dwelling Unit or Secondary Dwelling Unit – Detached, in accordance with any Minor Variance that has been approved by the City of Hamilton or the Ontario

Land Tribunal as it read on the day before By-law 22-136 was approved by Council, provided the Building Permit application complies with Section 11.13 of this By-law, in effect the day before By-law No. 22-136 came into effect.

iii) For the purposes of determining zoning conformity, the following shall apply:

(1) This By-law is deemed to be modified to the extent necessary to permit a Secondary Dwelling Unit or Secondary Dwelling Unit – Detached that is constructed in accordance with Section 11.13 (b) i) or ii).

(2) Once a Building Permit has been issued under Section 11.13 (b) i) or ii), or more than 180 days has transpired as per Section 11.13 (b) i) (1), the provisions of this By-law apply in all other respects.

11.13.1 **SECONDARY DWELLING UNIT (By-law #22-136)**

(a) For lands within a "ER", "R1", "R2", "R3", "R4", "RM1", and "RM2" Zone, a maximum of one Secondary Dwelling Unit shall be permitted within a Single Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a divided or undivided lot and shall not result in a change to the defined dwelling type on the lot.

(b) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 11.13.1.

(c) Notwithstanding Section 11.7, a Secondary Dwelling Unit may be permitted in a basement or cellar.

(d) There shall be no outside stairway above the first floor other than a required exterior exit.

(e) A maximum of one entrance shall be permitted on the front façade of a dwelling containing a Secondary Dwelling Unit.

11.13.2 **SECONDARY DWELLING UNIT – DETACHED (By-law #22-136)**

(a) For lands within a "ER", "R1", "R2", "R3", "R4", "RM1", and "RM2" Zone, a maximum of one Secondary Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling.

(b) In addition to Section 11.13.2 (a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Secondary Dwelling Unit - Detached permitted on a lot containing an existing Single Detached

Dwelling, Semi-Detached Dwelling, or Street Townhouse Dwelling subject to the following provision:

(i) Any additions over 10% of the existing gross floor area of the legally established accessory building converted to a Secondary Dwelling Unit – Detached shall be in accordance with the regulations of Section 11.13.2.

(c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 11.13.2.

(d) A Secondary Dwelling Unit – Detached shall only be permitted in a Rear and/or Interior Side Yard.

(e) A minimum 1.2 metre setback shall be provided from the Interior Side Lot Line and Rear Lot Line.

(i) Notwithstanding Section 11.13.2 (e), an eave or gutter may extend a maximum of 30 centimetres into a required minimum setback area.

(ii) In addition to Section 11.13.2 (e), a landscape strip is required to be provided within the required side yard adjacent to a Secondary Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a fence.

(f) A Secondary Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.

(g) An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Secondary Dwelling Unit – Detached shall be provided and maintained.

(h) The following building separation shall be provided:

(i) Where a Secondary Dwelling Unit – Detached is located in the Rear Yard, a minimum distance of 4.0 metres shall be required between the rear wall of the principal dwelling and the Secondary Dwelling Unit – Detached. **#25-037**

(ii) Where a Secondary Dwelling Unit – Detached is located in an Interior Side Yard, the following is required:

(1) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and a Secondary Dwelling Unit – Detached; and,

(2) A Secondary Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.

(i) A maximum height of 6.0 metres shall be permitted.

(a) Notwithstanding Section 11.13.2 (i), balconies and rooftop patios shall be prohibited above the first floor level.

(j) The maximum gross floor area shall not exceed the lesser of 75 square metres or the gross floor area of the principal dwelling.

(a) In addition to Sections 11.13.2 (j) and 11.13.2 (j) (b), and notwithstanding any other provisions of this By-law, the maximum combined lot coverage of all buildings and structures on a lot containing a Secondary Dwelling Unit – Detached shall be 45%. **#25-037**

(b) In addition to Section 11.13.2 (j), the ground floor area of a Secondary Dwelling Unit – Detached shall not exceed 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres.

(k) A minimum landscaped area of 12.0 square metres shall be provided and maintained within the Rear Yard.

11.14 CONVERTED DWELLINGS **(By-law #22-194)**

(a) For the purpose of Section 11.14, a Converted Dwelling shall mean a single detached or duplex dwelling, existing as of XX, 2022, converted to contain greater than two but no more than four Dwelling Units.

(b) A Converted Dwelling shall only be permitted on a lot in an ER, R1, R2, R3, R4, or RM1 Zone, identified on Figure 1 of Section 50: Special Figures.

(c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 11.14.

(d) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot subject to Converted Dwelling permissions and identified in Section 11.14 (b).

(e) No parking spaces are required for Dwelling Units within a Converted Dwelling, provided the required parking spaces which existed on XX, 2022 for the existing dwelling shall continue to be provided and maintained.

(i) Notwithstanding Section 11.14 (e), one parking space is required for the following conditions:

A. For the fourth Dwelling Unit in a Converted Dwelling; and,

B. For the fourth Dwelling Unit on a lot.

SECTION 12: EXISTING RESIDENTIAL "ER" ZONE

No person shall within any Existing Residential "ER" Zone, use any land, or erect, alter or use any building or structure except for such purposes and in accordance with the following provisions:

12.1 PERMITTED USES

(a) One (1) single detached dwelling per lot, and

(b) In addition to the use permitted in Section 12.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:

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i) One (1) semi-detached dwelling per lot;

ii) One (1) duplex dwelling per lot;

ii) One (1) Street Townhouse Dwelling per lot, and

(c) Uses, buildings and structures accessory to the use described in Paragraph (a) and (b) of this Subsection.

12.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING)

(a) Minimum Lot Frontage ..... 22.5 metres (75 feet)

(b) Minimum Lot Depth ..... 30 metres (100 feet)

(c) Minimum Lot Area ..... 1,390 square metres (14,965 square feet)

(d) Maximum Lot Coverage ..... 25 percent

(e) Minimum Front Yard ..... 9 metres (30 feet)

(f) Minimum Side Yard ..... 1.8 metres (6 feet), except:

(i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 5.4 metres (18 feet); and

(ii) On a corner lot, the minimum side yard abutting a public street shall be 6 metres (20 feet).

(g) Minimum Rear Yard ..... 10.7 metres (35 feet)

(h) Minimum Floor Area Per Dwelling

(i) 1 Storey ..... 100 square metres (1,075 square feet)

(ii) 1½ Storey or Split Level ..... 120 square metres (1,290 square feet)

(iii) 2 or 2½ Storey ..... 145 square metres (1,560 square feet)

(i) Maximum Height ..... 10.7 metres (35 feet)

(j) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5, and 11.6 of this By-law.

12.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 12.1 (ACCESSORY BUILDINGS)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

12.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 12.1 (By-law 22-194)**

(a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 12.

(b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 12.

(c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 12.

12.5 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED (By-law 22-194)**

Pursuant to the provisions of Subsection 11.13 of this By-law.

12.6 **REGULATIONS FOR CONVERTED DWELLINGS (By-law 22-194)**

Pursuant to the provisions of Subsection 11.14 of this By-law.

SECTION 13: RESIDENTIAL "R1" ZONE

No person shall within any Residential "R1" Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

13.1 PERMITTED USES

(a) One (1) single detached dwellings per lot, and

(b) In addition to the use permitted in Section 13.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:

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i) One (1) semi-detached dwelling per lot;

ii) One (1) duplex dwelling per lot;

iii) One (1) Street Townhouse Dwelling per lot, and

(c) Uses, buildings and structures accessory to the use described in Paragraph (a) and (b) of this Subsection.

13.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 13.1 (SINGLE DETACHED DWELLING)

(a) Minimum Lot Frontage

(i) With municipal water and sanitary sewers ..... 22 metres (72 feet)

(ii) With either municipal water or sanitary sewers ..... 50 metres (165 feet)

(iii) Neither municipal water nor sanitary sewers ..... 60 metres (200 feet)

(b) Minimum Lot Area

(i) With municipal water and sanitary sewers ..... 700 square metres (7,535 square feet)

(ii) With either municipal water or sanitary sewers ..... 4,000 square metres (0.4 hectares) (1 acre)

(iii) Neither municipal water nor sanitary sewers ..... 5,000 square metres (0.5 hectares)

(1.25 acres)

(c) Maximum Lot Coverage .....30 percent

(d) Minimum Front Yard..... 9 metres (30 feet)

(e) Minimum Side Yard .....3 metres (10 feet), except:

(i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 6 metres (20 feet); and

(ii) On a corner lot, the minimum side yard abutting the flankage street shall be 6 metres (20 feet).

(f) Minimum Rear Yard..... 10.7 metres (35 feet)

(g) Minimum Floor Area Per Dwelling

(i) 1 storey..... 140 square metres (1,500 square feet)

(ii) 1½ storey or split level..... 175 square metres (1,885 square feet)

(iii) 2 or 2½ storey ..... 190 square metres (2,045 square feet)

(h) Maximum Height..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5, and 11.6 of this By-law.

13.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 13.1 (ACCESSORY BUILDINGS)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

13.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 13.1** **(By-law 22-194)**

(a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 13.

(b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 13.

(c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 13.

13.5 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED** **(By-law 22-194)**

Pursuant to the provisions of Subsection 11.13 of this By-law.

13.6 **REGULATIONS FOR CONVERTED DWELLINGS** **(By-law 22-194)**

Pursuant to the provisions of Subsection 11.14 of this By-law.

SECTION 14: RESIDENTIAL "R2" ZONE

No person shall within any Residential "R2" Zone, use any land, or erect, or use any building or structure, except in accordance with the following provisions.

14.1 PERMITTED USES

(a) One (1) single detached dwelling per lot, and

(b) In addition to the use permitted in Section 14.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted: **#22-194**

i) One (1) semi-detached dwelling per lot;

ii) One (1) duplex dwelling per lot;

ii) One (1) Street Townhouse Dwelling per lot, and

(c) Uses, buildings and structures accessory to the use described in Paragraph (a) and (b) of this Subsection.

14.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 14.1 (SINGLE DETACHED DWELLING)

(a) Minimum Lot Frontage ..... 18 metres (60 feet)

(b) Minimum Lot Area ..... 550 square metres (5,920 square feet)

(c) Maximum Lot Coverage .....30 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard .....1.5 metres (5 feet), except:

(i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 4.5 metres (15 feet); or

(ii) On a corner lot, the minimum side yard abutting the flankage street shall be 5 metes (16.5 feet).

(f) Minimum Rear Yard ..... 9 metres (30 feet)

(g) Minimum Gross Floor Area Per Dwelling

(i) 1 Storey ..... 110 square metres (1,185 square feet)

(ii) 1½ Storey
or split level ..... 130 square metres
(1,400 square feet)

(iii) 2 or 2½ storey ..... 150 square metres

(1,615 square feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

14.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 14.1 (ACCESSORY BUILDINGS)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

14.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 14.1** **(By-law 22-194)**

(a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 14.

(b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 14.

(c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 14.

14.5 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED** **(By-law 22-194)**

Pursuant to the provisions of Subsection 11.13 of this By-law.

14.6 **REGULATIONS FOR CONVERTED DWELLINGS** **(By-law 22-194)**

Pursuant to the provisions of Subsection 11.14 of this By-law.

SECTION 15: RESIDENTIAL "R3" ZONE

No person shall within any Residential "R3" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions.

15.1 PERMITTED USES

(a) One (1) single detached dwelling per lot, and

(b) In addition to the use permitted in Section 15.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:

i) One (1) semi-detached dwelling per lot;

ii) One (1) duplex dwelling per lot;

ii) One (1) Street Townhouse Dwelling per lot, and **#22-194**

(c) Uses, buildings and structures accessory to the use described in Paragraph (a) and (b) of this Subsection.

15.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)

(a) Minimum Lot Frontage ..... 15 metres (50 feet), except on a corner lot the minimum frontage shall be 18 metres (60 feet)

(b) Minimum Lot Area ..... 450 square metres (4,840 square feet), except on a corner lot the minimum lot area shall be 550 square metres (5,920 square feet)

(c) Maximum Lot Coverage ..... 35 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard ..... 1.2 metres (4 feet), except:

(i) Where the side yard provides access to a parking area or rear yard garage, the minimum side yard shall be 3 metres (10 feet); and

(ii) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 4.5 metres (15 feet); and

(iii) On a corner lot, the minimum side yard (abutting the flankage street shall be 5 metres (16.5 feet), except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flankage street line.

(f) Minimum Rear Yard ..... 7.5 metres (25 feet)

(g) Minimum Floor Area Per Dwelling

(i) 1 storey ..... 100 square metres (1,075 square feet)

(ii) 1½ storey or split Level ..... 120 square metres (1,290 square feet)

(iii) 2 or 2½ storey ..... 135 square metres (1,450 square feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5, and 11.6 of this By-law.

15.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 15.1 (ACCESSORY BUILDINGS)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

15.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 15.1** **(By-law 22-194)**

(a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 15.

(b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 15.

(c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 15.

15.5 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED** **(By-law 22-194)**

Pursuant to the provisions of Subsection 11.13 of this By-law.

15.6 **REGULATIONS FOR CONVERTED DWELLINGS** **(By-law 22-194)**

Pursuant to the provisions of Subsection 11.14 of this By-law."

SECTION 16: RESIDENTIAL "R4" ZONE

No person shall within any Residential "R4" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

16.1 PERMITTED USES

(a) One (1) single detached dwelling per lot, and

(b) In addition to the use permitted in Section 16.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:

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i) One (1) semi-detached dwelling per lot;

ii) One (1) duplex dwelling per lot;

iii) One (1) Street Townhouse Dwelling per lot, and

(c) Uses, buildings and structures accessory to the use described in Paragraph (a) and (b) of this Subsection.

16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)

(a) Minimum Lot Frontage ..... 12 metres (40 feet), except on a corner lot the minimum frontage shall be 16 metres (52 feet)

(b) Minimum Lot Area ..... 400 square metres (4,300 square feet), except on a corner lot the minimum lot area shall be 500 square metres (5,380 square feet)

(c) Maximum Lot Coverage .....35 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard .....1.2 metres (4 feet), except:

(i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 4.2 metres (14 feet); and

(ii) On a corner lot, the minimum side yard abutting the flanking street shall be 4.5 metres (15 feet), except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6 metres (20 feet) of the flanking street line.

(f) Minimum Rear Yard ..... 7.5 metres (25 feet)

(g) Minimum Floor Area Per Dwelling

(i) 1 Storey ..... 100 square metres (1,075 square feet)

(ii) 1½ Storey or Split Level ..... 110 square metres (1,185 square feet)

(iii) 2 or 2½ Storeys ..... 125 square metres (1,345 square feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

16.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 16.1 (ACCESSORY BUILDINGS)** **(By-law 22-194)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

16.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 16.1** **(By-law 22-194)**

(a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 16.

(b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 16.

(c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 16.

16.5 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED** **(By-law 22-194)**

Pursuant to the provisions of Subsection 11.13 of this By-law.

16.6 **REGULATIONS FOR CONVERTED DWELLINGS** **(By-law 22-194)**

Pursuant to the provisions of Subsection 11.14 of this By-law.

SECTION 17: RESIDENTIAL MULTIPLE "RM1" ZONE

No person shall within any Residential Multiple "RM1" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

17.1 PERMITTED USES

(a) One (1) single detached dwelling per lot;

(b) One (1) lodging house within a single detached dwelling;

(c) One (1) group home within a single detached dwelling;

(d) One (1) semi-detached dwelling per lot;

(e) One (1) duplex dwelling per lot;

(f) One (1) triplex dwelling per lot; and

(g) In addition to the uses permitted in Section 17.1, on a lot identified on Figure 1 of Section 50: Special Figures, the following additional use is permitted:

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i) One (1) Street Townhouse Dwelling per lot

(h) Uses, buildings and structures accessory to the uses described in Paragraphs (a) to (g) inclusive of this Subsection.

17.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) and (b) OF SUBSECTION 17.1 (SINGLE DETACHED DWELLING AND LODGING HOUSE)

(a) Minimum Lot Frontage ..... 18 metres (60 feet)

(b) Minimum Lot Area ..... 550 square metres (5,920 square feet)

(c) Maximum Lot Coverage ..... 30 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard ..... 1.5 metres (5 feet), except:

(i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 4.5 metres (15 feet); and

(ii) On a corner lot, the minimum side yard abutting the flankage street shall be 5 metres (16.5 feet).

(f) Minimum Rear Yard ..... 9 metres (30 feet)

(g) Minimum Floor Area Per Dwelling

(i) 1 storey ..... 110 square metres (1,185 square feet)

(ii) 1½ storey or split level ..... 130 square metres (1,400 square feet)

(iii) 2 or 2½ storey ..... 150 square metres (1.615 square feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

17.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 17.1 (GROUP HOMES)**

(a) Minimum Lot Frontage ..... 18 metres (60 feet)

(b) Minimum Lot Area ..... 550 square metres (5,920 square feet)

(c) Maximum Lot Coverage ..... 30 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard ..... 1.5 metres (5 feet), except:

(i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 4.5 metres (15 feet); and

(ii) On a corner lot, the minimum side yard abutting the flankage street shall be 5 metres (16.5 feet).

(f) Minimum Rear Yard ..... 9 metres (30 feet)

(g) Minimum Floor Area Per Dwelling

(i) 1 storey ..... 110 square metres (1,400 square feet)

(ii) 1½ storey or split level ..... 130 square metres (1,400 square feet)

(iii) 2 or 2½ storey ..... 150 square metres (1,615 square feet)

(h) Minimum Floor Area Per Person ..... 20 square metres (215 square feet)

(i) Maximum Height ..... 10.7 metres (35 feet)

(j) Minimum Parking Requirements

Pursuant to the provisions of Subsection 7.35, 11.5 and 11.6 of this By-law. (k)

Minimum Radial Separation Distance between Group Homes

The minimum radial separation distance between lots upon which a Group Home may be located shall be 1.6 kilometres (1 mile), as measured between the respective lot lines that are in closest proximity to each other.

(l) Group Homes - Minimum Number of Residents, excluding Supervisory Staff or the Receiving Family..... 3 persons

(m) Group Homes - Maximum Number of Residents, excluding Supervisory Staff or the Receiving Family..... 6 persons

(n) Group Homes must be licensed by the appropriate Provincial Ministry having jurisdiction and registered with the Township of Glanbrook in accordance with Section 240 of the Municipal Act, being Chapter M.45 of the Revised Statutes of Ontario, 1990, as amended from time to tim

17.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 17.1 (SEMI-DETACHED DWELLING)**

(a) Minimum Lot Frontage

(i) Undivided Semi-Detached Lot

20 metres (66 feet), except on a corner lot the minimum lot frontage shall be 24 metres (80 feet), for each dwelling, and

(ii) Divided Semi-Detached Lot

the minimum lot frontage for each dwelling unit shall be 10 metres (33 feet), except on a corner lot the minimum frontage for the corner dwelling unit shall be 12 metres (40 feet).

(b) Minimum Lot Area

(i) Undivided Semi-Detached Lot

670 square metres (7,200 square feet), except on a corner lot the minimum lot area shall be 740 square metres (7,970 square feet), for each dwelling, and

(ii) Divided Semi-Detached Lot

The minimum lot area for each dwelling unit shall be 335 square metres (3,600 square feet), except on a corner lot the minimum lot area for the corner dwelling unit shall be 370 square metres (3,985 square feet).

(c) Maximum Lot Coverage ..... 40 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard ..... 1.2 metres (4 feet), except:

(i) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard (each exterior side) shall be 4.5 metres (15 feet); and

(ii) On a corner lot, the minimum side yard abutting the flanking street shall be 3 metres (10 feet), except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flanking street line; and

(iii) No interior side yard is required adjacent to the common party wall of the semi-detached dwelling.

(f) Minimum Rear Yard ..... 7.5 metres (25 feet)

(g) Minimum Floor Area per Dwelling Unit ..... 100 square metres (1,075 square feet)

(h) All semi-detached dwellings must have full basements or cellars under each unit

(i) Maximum Height ..... 10.7 metres (35 feet)

(j) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

17.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (e) OF SUBSECTION 17.1 (DUPLEX DWELLING)**

(a) Minimum Lot Frontage

(i) Interior Lot ..... 18 metres (60 feet)

(ii) Corner Lot ..... 20 metres (66 feet)

(b) Minimum Lot Area ..... 600 square metres (6,460 square feet)

(c) Maximum Lot Coverage ..... 40 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard ..... 1.2 metres (4 feet), except:

(i) Where the side yard provides access to a parking area or rear yard garage, the minimum side yard shall be 3 meters (10 feet); and

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres (10 feet); and

(iii) On a corner lot, the minimum side yard abutting the flanking street shall be 3 metres (10 feet), except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flanking street line.

(f) Minimum Rear Yard ..... 7.5 metres (25 feet)

(g) Minimum Floor Area per Dwelling Unit ..... 95 square metres (1,025 square feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

17.6 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (f) OF SUBSECTION 17.1 (TRIPLEX DWELLING)**

(a) Minimum Lot Frontage

(i) Interior Lot ..... 20 metres (66 feet)

(ii) Corner Lot ..... 22 metres (72 feet)

(b) Minimum Lot Area ..... 700 square metres (7,535 square feet)

(c) Maximum Lot Coverage ..... 40 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard ..... 1.5 metres (5 feet) except:

(i) Where the side yard provides access to a parking area or rear yard garage, the minimum side yard shall be 3 metres (10 feet); and

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres (10 feet); and

(iii) On a corner lot, the minimum side yard abutting the flanking street shall be 3 metres (10 feet), except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flanking street line.

(f) Minimum Rear Yard ..... 10.7 metres (35 feet)

(g) Minimum Floor Area per Dwelling Unit ..... 95 square metres (1,025 square feet)

(h) All triplex dwellings must have basements or cellars under the entire ground floor.

(i) Maximum Height ..... 10.7 metres (35 feet)

(j) Minimum Parking Requirements

Pursuant to the provisions of Subsection 7.35, 11.5 and 11.6 of this By-law.

17.7 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (h) OF SUBSECTION 17.1 (ACCESSORY BUILDINGS) (By-law 22-194)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

17.8 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (g) OF SUBSECTION 17.1 (STREET TOWNHOUSE DWELLING) (By-law 22-194)**

Pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 17.

17.9 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED (By-law 22-194)**

Pursuant to the provisions of Subsection 11.13 of this By-law.

17.10 **REGULATIONS FOR CONVERTED DWELLINGS (By-law 22-194)**

Pursuant to the provisions of Subsection 11.14 of this By-law.

SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE

No person shall within any Residential Multiple "RM2" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

18.1 PERMITTED USES

(a) One (1) Street Townhouse Dwelling per lot, and

(b) Uses, buildings and structures accessory to the use permitted under Paragraph (a) of this Subsection.

18.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)

(a) Minimum Lot Frontage ..... 7 metres (23 feet) per dwelling unit, except:

(i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 9 metres (30 feet); and

(ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 12 metres (40 feet).

(b) Minimum Lot Area ..... 210 square metres (2,300 square feet) per dwelling unit, except:

(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 270 square metres (2,900 square feet); and

(ii) On a corner lot which abuts a flanking street, the minimum lot area shall be 360 square metres (3,875 square feet).

(c) Maximum Lot Coverage ..... 35 percent

(d) Minimum Front Yard ..... 7.5 metres (25 feet)

(e) Minimum Side Yard

(i) End dwelling unit not abutting a flanking street ..... 2 metres (6.5 feet)

(ii) End dwelling unit on a corner lot abutting a flanking street ..... 6 metres (20 feet)

(f) Minimum Rear Yard ..... 7.5 metres (25 feet)

(g) Minimum Floor Area per Dwelling Unit

(i) 1 or 2 bedroom unit ..... 90 square metres (970 square feet)

(ii) 3 bedroom unit ..... 100 square metres (1,075 square feet)

(iii) Unit containing more than 3 bedrooms ..... 100 square metres (1,075 square feet) plus 10 square metres (110 square feet) for each bedroom in excess of 3

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Landscaped Area ..... 30 percent of the lot area

(j) Planting Strip/Fencing

Notwithstanding the other provisions of this Subsection, where the boundary of a Residential Multiple "RM2" Zone adjoins lands zoned Existing Residential "ER" or Residential "R1", "R2" "R3" or "R4", a planting strip with a minimum width of 1.5 metres (5 feet) and/or a solid fence with a height of 1.8 metres (6 feet) adjoining such boundary shall be provided and thereafter maintained.

(k) Dwelling Unit Placement

(i) Not more than eight (8) dwelling units shall be attached in a continuous row; and

(ii) 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 metre (3.3 feet) or without varying the exterior design and materials of the front face or wall of the dwelling.

(l) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

18.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 18.1 (ACCESSORY BUILDINGS)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

18.4 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED**

Pursuant to the provisions of Subsection 11.13 of this By-law.

SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE

No person shall within any Residential Multiple "RM3" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

19.1 PERMITTED USES

(a) Block townhouse dwellings, and

(b) Uses, buildings and structures accessory to the use described in Paragraph (a) of this Subsection.

19.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)

(a) Minimum Lot Frontage ..... 45 metres (150 feet)

(b) Minimum Lot Area ..... 0.4 hectare (1 acre)

(c) Maximum Lot Coverage ..... 30 percent

(d) Maximum Density ..... 35 dwelling units per hectare (14 dwelling units per acre)

(e) Minimum Front Yard ..... 9 metres (30 feet)

(f) Minimum Side and Rear Yards ..... 7.5 metres (25 feet), except 10.7 metres (35 feet) where the abutting lands are zoned Existing Residential"ER" or Residential "R1", "R2", "R3" "R4" or "RM1"

(g) Minimum Separation Distance

(i) Between two (2) exterior walls which contain no windows to habitable rooms, a minimum of 3 metres (10 feet); and

(ii) Between two (2) exterior walls one (1) of which contains windows to a habitable room, a minimum of 9 metres (30 feet); and

(iii) Between two (2) exterior walls both of which contain windows to a habitable rooms, a minimum of 15 metres (50 feet).

(h) Minimum Floor Area per Dwelling Unit ..... 95 square metres (1,025 square feet)

(i) Maximum Height ..... 10.7 metres (35 feet)

(j) Minimum Landscaped Area ..... 50 percent of the lot area, which may include the required privacy area

(k) Planting Strip/Fencing

Where the boundary of a Residential Multiple "RM3" Zone adjoins lands zoned Existing Residential "ER", or Residential "R1", "R2", "R3", "R4", or "RM1" a planting strip with a minimum width of 1.5 metres (5 feet) and/or a solid fence with a height of 1.8 metres (6 feet) adjoining such boundary shall be provided and thereafter maintained.

(l) Minimum Privacy Area

A minimum area of 35 square metres (375 square feet), per dwelling unit, shall be provided adjacent to the unit and screened on two (2) sides by means of a privacy screen.

(m) Minimum Amenity Area

A minimum area of 5 square metres (55 square feet) per dwelling unit shall be provided and thereafter maintained.

(n) Minimum Parking Requirements

The following requirements are in addition to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law:

(i) 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.

(ii) No parking space or area shall be located closer to a street line than 6 metres (20 feet) and not be closer than 3 metres (10 feet) to any Residential Zone, unless such parking space is located within a below-grade communal parking structure.

19.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 19.1 (ACCESSORY BUILDINGS)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE

No person shall within any Residential Multiple "RM4" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

20.1 PERMITTED USES

(a) Apartment Building, and

(b) Uses, buildings and structures accessory to the use described in Paragraph (a) of this Subsection are permitted.

20.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Minimum Lot Area ..... 0.4 hectare (1 acre)

(c) Maximum Lot Area ..... 1 hectare (2.5 acres)

(d) Maximum Lot Coverage ..... 25 percent

(e) Maximum Density ..... 60 dwelling units per hectare (24 dwelling units per acre)

(f) Minimum Front Yard ..... 9 metres (30 feet)

(g) Minimum Side and Rear Yards

9 metres (30 feet), except where the boundary of a Residential Multiple "RM4" Zone adjoins lands zoned Existing Residential "ER", or Residential "R1", "R2", "R3", "R4" or "RM1", a minimum yard of 15 meters (50 feet) shall be provided.

(h) Minimum Floor Area per Dwelling Unit

(i) Bachelor Unit ..... 45 square metres (485 square feet)

(ii) One Bedroom Unit ..... 60 square metres
(645 square feet)

(iii) Two Bedroom Unit ..... 75 square metres
(810 square feet)

(iv) Three or more Bedrooms ..... 85 square metres
(915 square feet)

(i) Maximum Height ..... 10.7 metres
(35 feet)

(j) Minimum Amenity Area

A minimum area of 5 square metres (55 square feet) per dwelling unit shall be provided and thereafter maintained.

(k) Minimum Landscaped Area ..... 40 percent of the lot area excluding the Amenity Area

(l) Planting Strip/Fencing

Where the boundary of a Residential Multiple "RM4" Zone adjoins lands zoned Existing Residential "ER", or Residential "R1", "R2", "R3", "R4" or "RM1", a planting strip with a minimum width of 3 metres (10 feet) and/or a solid fence with a height of 1.8 metres (6 feet) adjoining such boundary shall be provided and thereafter maintained.

(m) Minimum Parking Requirements

The following requirement is in addition to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law:

(i) No parking space or area shall be located closer to a street line that 6 metres (20 feet) and not closer than 3 metres (10 feet) to any Residential Zone, unless such parking space is located within a below-grade communal parking structure.

20.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 20.1 (ACCESSORY BUILDINGS)**

Pursuant to the provisions of Subsection 7.13 of this By-law.

SECTION 21: RESIDENTIAL HAMLET "RH" ZONE

No person shall within any Residential Hamlet "RH" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

21.1 PERMITTED USES

(a) Single detached dwelling;

(b) Bed and Breakfast Establishment; and

(c) Uses, buildings and structures accessory to the uses described in Paragraphs (a) and (b) of this Subsection.

21.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 21.1 (SINGLE DETACHED DWELLING)

(a) Minimum Lot Frontage ..... 75 metres (250 feet)

(b) Minimum Lot Area ..... 0.8 hectares (2 acres)

(c) Maximum Lot Coverage ..... 25 percent

(d) Minimum Front Yard ..... 9 metres (30 feet)

(e) Minimum Side Yard ..... 6 metres (20 feet)

(f) Minimum Rear Yard ..... 10.7 metres (35 feet)

(g) Minimum Floor Area Per Dwelling

(i) 1 Storey ..... 130 square metres (1,400 square feet)

(ii) 1½ Storey or Split Level ..... 140 square metres (1,510 square feet)

(iii) 2 or 2½ Storeys ..... 150 square metres (1,615 square feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5, and 11.6 of this By-law.

21.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 21.1 (BED AND BREAKFAST ESTABLISHMENT)**

Pursuant to Subsection 8.12 of this By-law.

21.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 21.1 (ACCESSORY BUILDINGS)**

Pursuant to Subsection 7.13 of this By-law, except that notwithstanding Clause 7.13(b) (iii), the maximum gross floor area for all accessory buildings on the lot shall be 70 square metres (750 square feet) provided that the coverage of all buildings on the lot does not exceed the "Maximum Lot Coverage" permitted by Paragraph 21.2(c) of this By-law.

SECTION 22: RESIDENTIAL ESTATE "RE" ZONE

No person shall within any Residential Estate "RE" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

22.1 PERMITTED USES

(a) One (1) single detached dwelling per lot; and

(b) Uses, buildings and structures accessory to the use described in Paragraph (a) of this Subsection.

22.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 22.1 (SINGLE DETACHED DWELLING)

(a) Minimum Lot Frontage ..... 45 metres (150 feet)

(b) Minimum Lot Area ..... 0.6 hectare (1.5 acres)

(c) Maximum Lot Coverage ..... 25 percent

(d) Minimum Front Yard ..... 15 metres (50 feet)

(e) Minimum Side Yard ..... 6 metres (20 feet)

(f) Minimum Rear Yard ..... 10.7 metres (35 feet)

(g) Minimum Floor Area Per Dwelling

(i) 1 Storey ..... 140 square metres (1,510 square feet)

(ii) 1½ Storey or Split Level ..... 175 square metres (1,885 square feet)

(iii) 2 or 2½ Storey ..... 190 square metres (2,045 square feet)

(h) Maximum Height ..... 190 square metres (35 square feet)

(i) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

22.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 22.1 (ACCESSORY BUILDINGS)**

Pursuant to Subsection 7.13 of this By-law, except, that notwithstanding Clause 7.13 (b) (iii), the maximum gross floor area for all accessory buildings on the lot shall be 70 square metres (750 square feet), provided that the coverage of all buildings on the lot does not exceed the "Maximum Lot Coverage" permitted by Paragraph 22.2 (c) of this By-law.

SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE

No person shall within any Neighbourhood Commercial "C1" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

23.1 PERMITTED USES

(a) Convenience retail stores, banks and financial institutions, personal service shops, dry cleaning distribution stations, and professional and business offices. All uses shall be wholly enclosed. Uses, buildings and structures accessory to the above permitted uses, excluding outside operations, storage and/or display.

(b) Residential uses ancillary to the uses permitted in Paragraph (a) of this Subsection.

(c) Urban Farm **#14-277**

(d) Community Garden **#14-277**

(e) Urban Farmers Market **#15-104**

23.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 23.1

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Minimum Lot Depth ..... 38 metres (125 feet)

(c) Minimum Lot Area ..... 1,140 square metres (12,500 square feet)

(d) Maximum Lot Area ..... 3,000 square metres (32,290 square feet)

(e) Maximum Lot Coverage ..... 30 percent

(f) Maximum Total Gross Leasable Floor Area ..... 750 square metres (8,070 square feet)

(g) Maximum Gross Leasable Floor Area for Each Individual Establishment ..... 250 square metres (2,690 square feet)

(h) Minimum Front Yard ..... 7.5 metres (25 feet)

(i) Minimum Side Yard ..... 3 metres (10 feet), except:

(i) 4.5 metres (15 feet) abutting a side lot line which is the boundary of any Residential or Institutional Zone or residential or institutional use; and

(ii) 7.5 metres (25 feet) on a corner lot for the side yard abutting the flankage street.

(j) Minimum Rear Yard ..... 7.5 metres (25 feet)

(k) Maximum Height ..... 10.7 metres (35 feet)

(l) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35 (b), the minimum number of parking spaces shall be as follows:

(1) One (1) parking space for each 28 square metres (300 square feet), or fraction thereof, of ground floor area devoted to commercial uses, and

(2) One (1) parking space for each 45 square metres (500 square feet), or fraction thereof, of remaining gross floor area devoted to commercial uses.

(iv) 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 1.5 metres (5 feet) from any rear lot line, or 3 metres (10 feet) from 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.

(m) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(n) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having a minimum width of 3 metres (10 feet) and a fence having a minimum height of 1.8 metres (6 feet) 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.

(ii) A landscaped area having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintain 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).

(o) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

23.3 **REGULATIONS FOR RESIDENTIAL USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 23.1**

(a) Location ..... In the principal building on any floor other than the basement, cellar or ground floor

(b) Minimum Lot Area per Dwelling Unit ..... 465 square metres (5,000 square feet)

(c) Minimum Floor Area per Dwelling Unit ..... 70 square metres (750 square feet)

(d) Minimum Parking Requirements

In addition to the minimum parking requirements for commercial uses stated in the above Paragraph 23.2 (l), parking space(s) for residential uses shall also be provided in accordance with the provisions of Subsection 7.35 of this By-law.

23.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 23.1 #14-277**

(a) The use shall comply with the provisions of Section 11.10 (b), (c) and (d).

(b) Notwithstanding Section 23.1(c), and in addition to the provisions of Section 11.10 (d), an urban farm shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Highway 56	Maggie Johnson Drive	Windwood Drive
2	Binbrook Road	Kaufman Drive	2548 Binbrook Road (north side) 2533 Binbrook Road (south side)

23.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 23.1 #14-277**

(a) The use shall comply with the provisions of Section 11.11 (b) and (c).

(b) Notwithstanding Section 23.1(d), and in addition to the provisions of Section 11.11 (b) and (c), a community garden shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Highway 56	Maggie Johnson Drive	Windwood Drive
2	Binbrook Road	Kaufman Drive	2548 Binbrook Road (north side) 2533 Binbrook Road (south side)

23.6 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (e) OF SUBSECTION 23.1 #15-104**

(a) The use shall comply with the provisions of Section 7.44.

SECTION 24: SHOPPING CENTRE COMMERCIAL "C2" ZONE

No person shall within any Shopping Centre Commercial "C2" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

24.1 PERMITTED USES

(a) Department stores, supermarkets, retail stores, banks and financial institutions, personal service shops, photographic studios, dry cleaning establishments, post offices, printing establishments, restaurants including fast food, standard and take- out restaurants, Liquor Licence Board of Ontario Stores, Brewers Retail Stores, professional and business offices, medical centres, private and commercial clubs, places of entertainment or recreation, commercial schools, libraries, museums and art galleries. All uses shall be wholly enclosed.

(b) Uses, buildings and structures accessory to any permitted use described in Paragraph (a) of this Subsection, but excluding residential uses and outside operations, storage and/or display.

(c) Urban Farm **#14-277**

(d) Community Garden **#14-277**

(e) Urban Farmers Market **#15-104**

24.2 REGULATIONS FOR USES PERMITTED IN SUBSECTION 24.1

(a) Minimum Lot Frontage.....45 metres (150 feet)

(b) Minimum Lot Depth .....45 metres (150 feet)

(c) Minimum Lot Area ..... 2,800 square metres (30,140 square

feet) (d) Maximum Lot Coverage

.....35 percent

(e) Minimum Front Yard.....15 metres (50 feet)

(f) Minimum Side and Rear Yard .....10.7 metres (35 feet), except:

(i) Abutting a Residential or Institutional Zone or residential or institutional use ..... 15 metres (50 feet)

(ii) Abutting a street ..... 15 metres (50 feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces to be provided shall be 5.5 spaces for each 100 square metres (1,075 square feet) of gross floor area, or fraction thereof.

(iii) 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 (5 feet) of any rear lot line, or within 4.5 metre (15 feet) 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.

(j) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(k) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having a minimum width of 4.5 metres (15 feet) and a fence having a minimum height of 1.8 metres (6 feet) 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.

(ii) A landscaped area having a minimum width of 4.5 metres (15 feet) 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).

(l) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

24.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 24.1 #14-277**

(a) The use shall comply with the provisions of Section 11.10 (b), (c) and (d).

24.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 24.1 #14-277**

(a) The use shall comply with the provisions of Section 11.11 (b) and (c).

24.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (e) OF SUBSECTION 24.1 #15-104**

(a) The use shall comply with the provisions of Section 7.44.

SECTION 25: GENERAL COMMERCIAL "C3" ZONE

No person shall within any General Commercial "C3" Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

25.1 PERMITTED USES

(a) Banks and financial institutions, boat and/or motorized snow vehicle sales establishments, Brewers Retail stores, building supply sales in wholly enclosed buildings, cold storage locker establishments, commercial schools, child care centres, custom workshops, dairies, department stores, dry cleaning establishments, farm equipment sales establishments, funeral homes, garden centres, hotels, laundries, Liquor Licence Board of Ontario stores, medical centres, motels, new and used motor vehicle dealerships, motor vehicle rental and leasing, offices, personal service shops, photographic studios, places of entertainment or recreation, post offices, printing establishments, private or commercial clubs, professional and business offices, public and private parking lots and structures, public transportation depots, recreational vehicle sales establishments, fast food restaurants, standard restaurants, take-out restaurants, retail stores, service shops, taverns, taxi establishments, and veterinary service establishments; and uses, buildings and structures accessory to the above permitted uses. **#25-156**

(b) Residential uses ancillary to the uses permitted in Paragraph (a) of this Subsection.

(c) Motor vehicle service stations, motor vehicle gasoline bars, motor vehicle repair shops, motor vehicle washing establishments and uses, buildings and structures accessory thereto, including but not restricted to, an accessory restaurant or coffee shop on the same lot, but excluding residential uses.

(d) Urban Farm **#14-277**

(e) Community Garden **#14-277**

(f) Urban Farmers Market **#15-104**

25.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION25.1

(a) Minimum Lot Frontage.....23 metres (75 feet)

(b) Minimum Lot Depth .....30 metres (100 feet)

(c) Minimum Lot Area .....700 square metres (7,500 square feet)

(d) Maximum Lot Coverage .....50 percent

(e) Maximum Gross Floor Area .....150 percent

(f) Minimum Front Yard.....9 metres (30 feet)

(g) Minimum Side Yard .....3 metres (10 feet) except:

(i) 7.5 metres (25 feet) abutting a side lot line which is the boundary of any Residential or Institutional Zone or where a ground floor residential use or an institutional use is located on the adjoining land; and

(ii) 7.5 metres (25 feet) on a corner lot for the side yard abutting the flankage street.

(h) Minimum Rear Yard

7.5 metres (25 feet), except where a rear yard abuts a street, Residential or Institutional Zone, a ground floor residential use or institutional use, the minimum rear yard shall be 9 metres (30 feet).

(i) Maximum Height.....10.7 metres (35 feet)

(j) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (b) for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35 (b), the minimum number of parking spaces shall be as follows:

(1) One (1) parking space for each 28 square metres (300 square feet), or fraction thereof, of ground floor area devoted to commercial uses, and

(2) One (1) parking space for each 45 square metres (500 square feet), or fraction thereof, of remaining gross floor area devoted to commercial uses.

(iv) No parking space or part thereof shall be located an no land shall be used for the temporary parking or storage of any motor vehicle within 4.5 metres (15 feet) 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.

(k) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(l) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having a minimum width of 4.5 metres (15 feet) and a fence having a minimum height of 1.8 metres (6 feet) 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 is used for residential or institutional purposes.

(ii) A landscaped area having a minimum width of 4.5 metres (15 feet) 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).

(m) Outside Storage and Display

The following regulations shall apply to outside storage and display areas:

(i) 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.

(ii) Outside storage and display areas shall not be permitted less than 4.5 metres (15 feet) 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.

(iii) Outside storage areas shall be screened from view and enclosed with a fence having a minimum height of 1.8 metres (6 feet).

(n) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

25.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 25.1 (RESIDENTIAL)**

(a) Location ..... In the principal building on any floor other than the basement, cellar or the ground floor

(b) Minimum Floor Area
per Dwelling Unit ..... 70 square metres
(750 square feet)

(c) Minimum Parking Requirements

In addition to the minimum parking requirements of commercial uses in the above Paragraph 25.2 (j), parking space(s) for residential uses shall also be provided in accordance with the provisions of Subsection 7.35 of this By-law.

25.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 25.1 (MOTOR VEHICLE SERVICE STATIONS, MOTOR VEHICLE GASOLINE BARS, MOTOR VEHICLE REPAIR SHOPS AND MOTOR VEHICLE WASHING ESTABLISHMENTS)**

Pursuant to the provisions of SECTION 26: MOTOR VEHICLE SERVICES "C4" ZONE of this By-law.

25.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 25.1 #14-277**

(a) The use shall comply with the provisions of Section 11.10 (b), (c) and (d).

(b) Notwithstanding Section 25.1(d), and in addition to the provisions of Section 11.10 (d), an urban farm shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Highway 56	Maggie Johnson Drive	Windwood Drive
2	Binbrook Road	Kaufman Drive	2548 Binbrook Road (north side) 2533 Binbrook Road (south side)

25.6 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (e) OF SUBSECTION 25.1 #14-277**

(a) The use shall comply with the provisions of Section 11.11 (b) and (c).

(b) Notwithstanding Section 25.1(e), and in addition to the provisions of Section 11.11 (b) and (c), a community garden shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Highway 56	Maggie Johnson Drive	Windwood Drive

2	Binbrook Road	Kaufman Drive	2548 Binbrook Road (north side) 2533 Binbrook Road (south side)

25.7 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (f) OF SUBSECTION 25.1 #15-104**

(a) The use shall comply with the provisions of Section 7.44.

SECTION 26: MOTOR VEHICLE SERVICES "C4" ZONE

No person shall within any Motor Vehicle Services "C4" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

26.1 PERMITTED USES

(a) Motor vehicle services stations;

(b) Motor vehicle gasoline bars;

(c) Motor vehicle repair shops;

(d) Motor vehicle washing establishment;

(e) Existing motor vehicle body shops; and

(f) Uses, buildings and structures accessory to any permitted use in Paragraphs (a), (b), (c), (d), and (e) of this Subsection, but excluding a residential use.

26.2 REGULATIONS FOR USES PERMITTED IN SUBSECTION 26.1

(a) Minimum Lot Frontage ..... 38 metres (125 feet), except:

(i) For a far-side corner lot, 48 metres (160 feet) where the lot frontage abuts a Provincial Highway.

(ii) For a near-side corner lot, 60 metres (200 feet) where the lot frontage abuts a Provincial Highway.

(b) Minimum Lot Depth ..... 38 metres, (125 feet), except:

(i) For a far-side corner lot, 48 metres (200 feet) where the lot flankage abuts a Provincial Highway; and

(ii) For a near-side corner lot, 60 metres (200 feet) where the lot flankage abuts a Provincial Highway.

(c) Maximum Lot Coverage ..... 30 percent

(d) Minimum Front Yard ..... 14 metres (45 feet)

(e) Minimum Side Yard ..... 7.5 metres (25 feet), except on a corner lot, the minimum side yard abutting the flankage street shall be 14 metres (45 feet)

(f) Minimum Rear Yard ..... 7.5 metres (25 feet), except on a corner lot, the minimum side yard abutting the flankage street shall be 14 metres (45 feet)

(g) Maximum Height ..... 10.7 metres (35 feet)

(h) Minimum Parking Requirements

(i) Parking spaces shall be provided in accordance with Subsection 7.35 of this By-law.

(ii) 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 (5 feet) of any rear lot line, or within 3 metres (10 feet) 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.

(iii) The maximum number of outside parking spaces and/or the maximum capacity of outside parking areas associated with the uses permitted in Paragraphs (a), (b), (c), and (e), of Subsection 26.1 of this By-law 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 (6 feet).

(i) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(j) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having a minimum

width of 3 metres (10 feet) and a fence having a minimum height 1.8 metres (6 feet) 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.

(ii) A landscaped area having a minimum width of 3 metres (10 feet) 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).

(k) Location of Certain Structures

(i) 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 (15 feet) from any street line but no part of a required daylighting triangle shall be construed to be a part of a required minimum yard for the purpose of this Clause.

(ii) The width of an entrance or exit ramp shall not be less than 9 metres (30 feet) nor more than 10.7 metres (35 feet) measured along the street line, subject to the requirements of the authority having jurisdiction for the abutting street.

(iii) No entrance or exit ramp shall be located within 3 metes (10 feet) of the side or rear lot line that abuts an adjoining lot, except where there is a shared access between the abutting lots.

(iv) No entrance or exit ramp shall be located within 7.5 metres (25 feet) of any other ramp measured along the street line.

(v) On a corner lot, no entrance or exit ramp shall be located within 15 metres (50 feet) of the point of intersection of the intersecting lot lines which abuts a street of such lot.

(l) Outside Storage

Outside storage shall not be permitted. Notwithstanding the foregoing, the parking of motor vehicles awaiting repair at a motor vehicle service station, motor vehicle repair shop or motor vehicle body shop shall be permitted outside on the premises.

(m) Outside Display

The outside display of accessory merchandise for sale shall be permitted at a distance of not less than 4.5 metres (15 feet) from any lot line.

(n) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law, except as permitted pursuant to Clause 26.2(k) (i) of this By-law.

SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE

No person shall within any Airport-Related Commercial "C5" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

27.1 PERMITTED USES

(a) Hotels and motels, convention and exposition centres; fast food, standard and take- out restaurants; catering services; commercial storage facilities; motor vehicle rental and leasing; taxi terminals; places of entertainment and recreation; financial institutions; and uses, buildings and structures accessory thereto.

(b) Motor vehicle service stations, motor vehicle gasoline bars, motor vehicle washing establishments and uses, buildings and structures accessory thereto.

(c) Urban Farm **#14-277**

(d) Community Garden **#14-277**

(e) Urban Farmers Market **#15-104**

27.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 27.1

(a) Minimum Lot Frontage.....8 metres (125 feet)

(b) Minimum Lot Depth ..... 60 metres (200 feet)

(c) Minimum Lot Area .....2,300 square metres (25,000 square feet)

(d) Maximum Lot Coverage .....35 percent

(e) Minimum Front Yard.....14 metres (45 feet), except:

(i) The minimum front yard adjacent to Twenty Road West shall be 30 metres (100 feet).

(f) Minimum Side Yard .....3 metres (10 feet), except:

(i) In the case of a corner lot, the side yard abutting the flankage street,

other than a Provincial Highway or Twenty Road West, is not to be less than 9 metres (30 feet), and the side yard abutting a Provincial Highway is not to be less than 14 metres (45 feet), and the side yard abutting Twenty Road West is not to be less than 23 metres (75 feet); and

(ii) Where the side lot line is the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum side yard abutting such lot line shall be 7.5 metres (25 feet).

(g) Minimum Rear Yard ..... 10.7 metres (35 feet), except:

(i) Where a rear lot line abuts the boundary of any Residential or Institutional Zone or residential or institutional use, the minimum rear yard abutting such lot line shall be 23 metres (75 feet).

(h) Maximum Height ..... 10.7 metres (35 feet), subject to the provisions of Subsection 7.28 of this By-law.

(i) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35 (b) of this By-law, the minimum number of parking spaces shall be as follows:

(A) One (1) parking space for each 28 square metres (300 square feet), or fraction thereof, of ground floor area devoted to commercial uses, and

(B) One (1) parking space for each 45 square metres (500 square feet), or fraction thereof, of remaining gross floor area devoted to commercial uses.

(iv) 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 (5 feet) of any rear lot line, or within 3 metres (10 feet) of any street line or of the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or

institutional purposes.

(j) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(k) Minimum Landscaping Requirements

(i) A landscaped area in the form of a continuous planting strip having a minimum width of 3 metes (10 feet) consisting of coniferous trees with a minimum initial height of 1.8 metres (6 feet), and a chain link fence having a minimum height of 1.8 metres (6 feet), shall be provided and thereafter maintained adjacent to every portion of any side lot line that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) A landscaped area in the form of a contoured berm with a minimum height of 1.8 metres (6 feet) measured at the average elevation at the base of the berm and a minimum width of 12 metres (40 feet), and a continuous planting strip having a minimum width of 3 metres (10 feet) consisting of coniferous trees with a minimum initial height of 1.8 metres (6 feet) along the top of the berm, and a chain link fence having a minimum height of 1.8 metres (6 feet), shall all be provided and thereafter maintained adjacent to every portion of any rear lot line that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(iii) A landscaped area having a minimum width of 3 metres (10 feet) 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).

(l) No outside storage shall be permitted, except for the temporary parking or storage or motor vehicles accessory to the use on the subject lot.

(m) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

27.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 27.1**

The provisions of SECTION 26: MOTOR VEHICLE SERVICES "C4" ZONE of this By- Law shall apply to the motor vehicle service stations, motor vehicle

gasoline bars, motor vehicle washing establishments and accessory uses, buildings and structures, save and except the minimum landscaped requirements established in Paragraph (k) to Subsection 27.2 of this By-law, which shall continue to apply to all permitted uses established within the Airport-Related Commercial "C5" Zone.

27.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 27.1 #14-277**

(a) The use shall comply with the provisions of Section 11.10 (b), (c) and (d).

27.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 27.1 #14-277**

(a) The use shall comply with the provisions of Section 11.11 (b) and (c).

27.6 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (e) OF SUBSECTION 27.1 #15-104**

(a) The use shall comply with the provisions of Section 7.44.

SECTION 28: RURAL COMMERCIAL "C6" ZONE

No person shall within any Rural Commercial "C6" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

28.1 PERMITTED USES

(a) Farm machinery sales, rental and service;

(b) Farm supply outlets;

(c) Farm produce outlets;

(d) Nurseries, including landscaping and garden supplies, sales and storage;

(e) Wholly enclosed veterinary service establishments; and

(f) Uses, buildings and structures accessory to any permitted use described in Paragraph (a), (b), (c) (d) and (e), of this Subsection, including one (1) single detached dwelling for the owner/operator.

28.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) (b), (c), (d) AND (e) OF SUBSECTION 28.1

(a) Minimum Lot Frontage ..... 60 metres (200 feet)

(b) Minimum Lot Area ..... 0.4 hectares (1 acre)

(c) Maximum Lot Area ..... 1 hectare (2.5 acres)

(d) Maximum Lot Coverage ..... 25 percent

(e) Minimum Front Yard ..... 15 metres (50 feet)

(f) Minimum Side Yard ..... 7.5 metres (25 feet), except:

(i) Where a side lot line abuts the boundary of any Residential or Institutional Zone or residential or institutional use or a street, the minimum side yard shall be 15 metres (50 feet).

(g) Minimum Rear Yard ..... 15 metres (50 feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35 (b), one (1) parking space for each 45 square metres (500 square feet), or fraction thereof, of gross floor area devoted to commercial uses, shall be provided.

(iv) 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 3 metres (10 feet) from any lot line.

(j) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(k) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having a minimum width of 3 metres (10 feet) and a fence having a minimum height of 1.8 metres (6 feet) 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.

(ii) A landscaped area having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such landscape area shall be continuous except for the required driveway(s).

(l) Outside Storage and Display

The following regulations shall apply to outside storage and display areas:

(i) Outside storage and display areas shall be accessory to the principal

use and shall not be located within any required minimum yard.

(ii) Outside storage areas shall be screened from view.

28.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (f) OF SUBSECTION 28.1**

Pursuant to Subsection 7.13 of this By-law, except for a single detached dwelling, which shall be subject to the following regulations:

(a) Minimum Front and Rear Yards ..... 15 metres (50 feet)

(b) Minimum Side Yard ..... 7.5 metres (25 feet)

(c) Maximum Lot Coverage .....10 percent

(d) Minimum Floor Area for a Dwelling

(i) 1 Storey ..... 100 square metres (1,075 square feet)

(ii) 1½ Storey or Split Level ..... 120 square metres (1,290 square feet)

(iii) 2 or 2½ Storey..... 145 square metres (1,560 square feet)

(e) Maximum Height .....10.7 metres (35 feet)

SECTION 29: GENERAL PROVISIONS FOR ALL INDUSTRIAL ZONES

29.1 PROHIBITED USES

Pursuant to the provisions of Subsection 7.8 of this By-law.

29.2 PERMITTED USES

All uses permitted in any Industrial Zone which may be determined by the Township to be potentially hazardous, offensive, noxious or obnoxious, due to noise, flammability, heat, glare, vibration, air pollution, toxicity, explosiveness, combustibility, radioactivity or odour, shall not be permitted, unless such potential hazardous, offensive, noxious or obnoxious use or operations are controlled through and satisfy the pertinent Federal and/or Provincial Government regulations to provide adequate protection to property and public health and welfare.

SECTION 30: PRESTIGE BUSINESS/INDUSTRIAL "M1" ZONE

No person shall within any Prestige Business/Industrial "M1" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

30.1 PERMITTED USES

(a) Manufacturing, Assembly and Industrial uses;

(b) Warehouses for the storage of goods and materials;

(c) Wholesale uses;

(d) Service Shops and Custom Workshops;

(e) Showrooms or retail outlets for products manufactured or assembled on the premises, provided the showroom or retail space does not occupy more than twenty-five percent (25%) of the total gross floor area of the building(s);

(f) Professional and business offices;

(g) Laboratories;

(h) Research centres; and

(i) Uses, buildings and structures accessory to the permitted uses in Paragraphs (a) to (h) inclusive of this Subsection, including but not restricted to, a residential use provided such use is incorporated into the principal building on the lot, is occupied by a caretaker or security guard only and consists of only a one (1) bedroom unit which shall not exceed a gross floor area of 70 square metres (750 square feet).

(j) A railway siding shall be permitted within any required side and/or rear yard.

(k) Agricultural uses, except poultry farms, fur bearing animal farms, livestock operations, liquid manure storage facilities, mushroom farms, greenhouses, kennels and new residential uses.

(l) Motor Vehicle Repair or Body Shops, Transport Terminals, Equipment Yards and other similar uses are prohibited.

(m) Waste Transfer Facility, Waste Processing Facility. (By-law 09-131)

30.2 OUTSIDE MANUFACTURING, OPERATIONS, DISPLAY AND STORAGE

Outside manufacturing, operations, display and/or storage are prohibited and all permitted uses shall be conducted within wholly enclosed buildings or structures.

30.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (i) INCLUSIVE OF SUBSECTION 30.1**

(a) Minimum Lot Frontage ..... 45 metres (150 feet)

(b) Minimum Lot Depth ..... 75 metres (250 feet)

(c) Minimum Lot Area ..... 0.4 hectares (1 acre)

(d) Minimum Building Size ..... 555 square metres (6,000 square feet) gross floor area

(e) Maximum Lot Coverage ..... 40 percent

(f) Maximum Gross Floor Area ..... 120 percent

(g) Minimum Front Yard ..... 15 metres (50 feet)

(h) Minimum Side Yard ..... 7.5 metres (25 feet), except:

(i) On a corner lot, the minimum side yard abutting the flankage street shall be 15 metres (50 feet); and

(ii) Where the side lot line abuts the boundary of any Residential or Institutional or any Zone where the adjoining land is used for residential or institutional purposes, the minimum side yard abutting such lot line shall be 15 metes (50 feet).

(i) Minimum Rear Yard ..... 9 metres (30 feet), except:

(i) Where the rear lot line abuts the boundary or any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum rear yard abutting such lot line shall be 15 metres (50 feet).

(j) Maximum Height ..... 10.7 metres (35 Feet)

(k) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35(a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35(b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35(b), the minimum number of parking spaces shall be one (1) space for each 45 square metres (500 square feet) of gross floor area or fraction thereof.

(iv) 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 1.5 metres (5 feet) from any rear lot line, or less than 7.5 metres (25 feet) from any street line or boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(l) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(m) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 7.5 metres (25 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) 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.

(n) Buffer Strip Adjacent to Trinity Church Road

(i) Notwithstanding anything contained in this By-law, a buffer strip with a minimum width of 30 metres (100 feet) shall be provided adjacent to the western boundary of the Trinity Church Road deemed right-of-way, as established in Subsection 7.23 of this By-law, and such buffer strip shall not be built upon and shall not be used for any purpose other than as a landscaped area, which may include grass, shrubs, flowers, trees and similar types of vegetation and paths,

walks, patios, fences and similar appurtenances, but shall exclude parking areas, parking lots, driveways and ramps, except as provided in Clause (ii) below.

(ii) Parking areas, parking lots, driveways and ramps shall be permitted within the portion of the buffer strip at a distance of not less than 15 metres (50 feet) of the western boundary of the Trinity Church Road deemed right-of-way, as established by Subsection 7.23 of this By-law.

(o) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) 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.

(p) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

30.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (k) OF SUBSECTION 30.1 (AGRICULTURAL USES)**

Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

30.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (m) OF SUBSECTION 30.1 (WASTE TRANSFER FACILITY, WASTE PROCESSING FACILITY) (By-law 09-131)**

In addition to the regulations of SECTIONS 30.2 and 30.3, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

SECTION 31: GENERAL INDUSTRIAL "M2" ZONE

No person shall within any General Industrial "M2" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

31.1 PERMITTED USES

(a) Manufacturing, Assembly and Industrial Uses;

(b) Warehouses for the storage of goods and materials;

(c) Wholesale uses;

(d) Service Shops, Custom Workshops and Service Industries;

(e) Showrooms or retail outlets for products manufactured or assembled on the premises, provided such space does not occupy more than twenty-five percent (25%) of the total gross floor area of the building(s);

(f) Research centres;

(g) Laboratories;

(h) Transportation depots, truck terminals and equipment yards;

(i) Motor Vehicle Repair and/or Body Shops;

(j) Commercial Storage Facilities;

(k) Professional and business offices; and

(l) Uses, buildings and structures accessory to the permitted uses in Paragraphs (a) to (k) inclusive of this Subsection, including but not restricted to, a residential house provided such use is incorporated into the principal building on the lot, occupies a maximum of twenty-five percent (25%) of the gross floor area of the principal building, but shall not exceed 70 square metres (750 square feet) of gross floor area, is occupied by a caretaker or security staff only and consists of a one (1) bedroom unit only.

(m) A railway siding shall be permitted within any required side yard and/or rear yard.

(n) Agricultural uses, except poultry farms, fur bearing animal farms, livestock operations, manure storage facilities, mushroom farms, greenhouses, kennels and new residential uses.

(o) Waste Transfer Facility, Waste Processing Facility. (By-law 09-131)

31.2 **OUTSIDE MANUFACTURING**

Outside manufacturing is prohibited.

31.3 **OUTSIDE OPERATIONS, DISPLAY AND STORAGE**

Outside operations (except manufacturing), display and/or storage shall not be permitted in any front yard or minimum side yard, or at a distance of less than 15 metres (50 feet) from the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, and shall be screened from view with a fence having a minimum height of 1.8 metres (6 feet), which shall be provided and thereafter maintained.

31.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (l) INCLUSIVE OF SUBSECTION 31.1**

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Minimum Lot Depth ..... 75 metres (250 feet)

(c) Minimum Lot Area ..... 0.3 hectares (0.75 acres)

(d) Minimum Building Size ..... 280 square metres (3,000 square feet) gross floor area

(e) Maximum Lot Coverage ..... 50 percent

(f) Maximum Gross Floor Area ..... 100 percent

(g) Minimum Front Yard ..... 12 metres (40 feet)

(h) Minimum Side Yard ..... 4.5 metres (15 feet), except:

(i) On a corner lot, the minimum side yard abutting the flankage street shall be 15 metres (50 feet); and

(ii) Where the side lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum side yard abutting such lot line shall be 15 metres (50 feet).

(i) Minimum Rear Yard ..... 7.5 metres (25 feet), except:

(i) Where the rear lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum rear yard abutting such lot line shall be 15 metres (50 feet).

(j) Maximum Height ..... 10.7 metres (35 feet)

(k) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35(b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35(b), the minimum number of parking spaces shall be one (1) space for each 45 square metres (500 square feet) of gross floor area or fraction thereof.

(iv) No parking space or part thereof shall be located and no lands shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 1.5 metres (5 feet) from any rear lot line, or less than 7.5 metres (25 feet) from any street line or boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(l) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(m) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 7.5 metres (25 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) 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.

(n) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) 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 lands are used for residential or institutional purposes.

(o) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

31.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (n) OF SUBSECTION 31.1 (AGRICULTURAL USES)**

Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

31.6 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (o) OF SUBSECTION 31.1 (WASTE TRANSFER FACILITY, WASTE PROCESSING FACILITY)**
(By-law 09-131)

In addition to the regulations of SECTIONS 31.2, 31.3 and 31.4, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

SECTION 32: AIRPORT-RELATED PRESTIGE INDUSTRIAL "M3" ZONE

No person shall within any Airport-Related Prestige Industrial "M3" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

32.1 PERMITTED USES

(a) Airport-related industrial uses including, airport transportation and cargo services, light manufacturing or assembly, wholesale and distribution warehouses, and communication and utility activities which benefit from proximity to airport services;

(b) Showrooms or retail outlets for products manufactured or assembled on the premises, provided the showroom or retail space does not occupy more than twenty-five percent (25%) of the total gross floor area of the building(s).

(c) High technology industrial uses;

(d) Commercial storage facilities;

(e) Convention and exposition centres;

(f) Professional and business offices; and

(g) Uses, buildings and structures accessory to the permitted uses in Paragraphs (a) to (f) inclusive of this Subsection, including, but not restricted to, a residential use provided such use is incorporated into the principal building on the lot, is occupied by a caretaker or security guard only, consists of only a one (1) bedroom unit which shall not exceed a gross floor area of 70 square metres (750 square feet) and which complies with the requirements associated with the Noise Exposure Forecast Contours as established by Canada Mortgage and Housing Corporation, Transport Canada and Ontario Ministry of Municipal Affairs, as amended from time to time.

(h) Agricultural uses, except poultry farms, fur bearing animal farms, livestock operations, manure storage facilities, mushroom farms, greenhouses, kennels, new residential uses and enlargement of existing buildings.

(i) Waste Transfer Facility, Waste Processing Facility. (By-law 09-131)

32.2 OUTSIDE MANUFACTURING, OPERATIONS, DISPLAY AND STORAGE

Outside manufacturing, operations, display and/or storage uses are prohibited and all permitted uses shall be conducted within wholly enclosed buildings or structures.

32.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (g) INCLUSIVE OF SUBSECTION 32.1**

(a) Minimum Lot Frontage ..... 45 metres (150 feet)

(b) Minimum Lot Depth ..... 75 metres (250 feet)

(c) Minimum Lot Area ..... 0.4 hectares (1 acre)

(d) Minimum Building Size ..... 555 square metres (6,000 square feet)

(e) Maximum Lot Coverage ..... 40 percent

(f) Maximum Gross Floor Area ..... 120 percent

(g) Minimum Front Yard ..... 15 metres (50 feet)

(h) Minimum Side Yard ..... 7.5 metres (25 feet), except:

(i) On a corner lot, the minimum side yard abutting the flankage street shall be 15 metres (50 feet); and

(ii) Where the side lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum side yard abutting such lot line shall be 15 metres (50 feet).

(i) Minimum Rear Yard ..... 9 metres (30 feet), except:

(i) Where the rear lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining lands is used for residential or institutional purposes, the minimum rear yard abutting such lot line shall be 15 metres (50 feet).

(j) Maximum Height ..... 10.7 metres (35 feet), subject to the provisions of Subsection 7.28 of this By-law

(k) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35(a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35(b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35(b), the minimum number of parking spaces shall be one (1) space for each 45 square metres (500 square feet) of gross floor area or fraction thereof.

(iv) 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 1.5 metres (5 feet) from any rear lot line, or less than 7.5 metres (25 feet) from any street line or boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(l) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(m) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 7.5 metres (25 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) 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.

(n) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) 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.

(o) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

32.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (h) OF SUBSECTION 32.1 (AGRICULTURAL USES)**

Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

32.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (i) OF SUBSECTION 32.1 (WASTE TRANSFER FACILITY, WASTE PROCESSING FACILITY)**
(By-law 09-131)

In addition to the regulations of SECTIONS 32.2 and 32.3, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

SECTION 33: AIRPORT-RELATED GENERAL INDUSTRIAL "M4" ZONE

No person shall within any Airport-Related General Industrial "M4" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

33.1 PERMITTED USES

(a) Airport-related industrial uses, including, airport transportation and cargo services, light manufacturing or assembly, wholesale and distribution warehouses, and communication and utility activities, buildings and communication and utility activities, which benefit from proximity to airport services;

(b) Showrooms or retail outlets for products manufactured or assembled on the premises, provided such space does not occupy more than twenty-five percent (25%) of the total gross floor area of the building(s);

(c) High technology industrial uses;

(d) Commercial storage facilities;

(e) Convention and exposition centres;

(f) Professional and business offices; and

(g) Uses, buildings and structures accessory to the permitted uses in Paragraphs (a) to (f) inclusive of this Subsection, including, but not restricted to a residential use provided such use is incorporated into the principal building on the lot, occupies a maximum of twenty-five percent (25%) of the gross floor area of the principal building but shall not exceed 70 square metres (750 square feet) of gross floor are, is occupied by a caretaker of security guard only, consists of a one (1) bedroom unit only and complies with the requirements associated with the Noise Exposure Forecast Contours as established by Canada Mortgage and Housing Corporation, Transport Canada and Ontario Ministry of Municipal Affairs, as amended from time to time.

(h) Agricultural uses are permitted, except poultry farms, fur bearing animal farms, livestock operations, manure storage facilities, mushroom farms, greenhouses, kennels, new residential uses and enlargement of existing buildings.

(i) Waste Transfer Facility, Waste Processing Facility. (By-law 09-131)

33.2 OUTSIDE MANUFACTURING

Outside manufacturing is prohibited.

33.3 **OUTSIDE OPERATIONS, DISPLAY AND STORAGE**

Outside operations (except manufacturing), display and/or storage shall not be permitted in any front yard or minimum side yard, or at a distance of less than 15 metres (50 feet) from 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, and shall be screened from view with a fence having a minimum height of 1.8 metres (6 feet), which shall be provided and thereafter maintained.

33.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (g) INCLUSIVE OF SUBSECTION 33.1**

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Minimum Lot Area ..... 0.3 hectares (0.75 acres)

(c) Minimum Lot Depth ..... 75 metres (250 feet)

(d) Minimum Building Size ..... 280 square metres (3,000 square feet) gross floor area

(e) Maximum Lot Coverage ..... 50 percent

(f) Maximum Gross Floor Area ..... 100 percent

(g) Minimum Front Yard ..... 12 metres (40 feet)

(h) Minimum Side Yard ..... 4.5 metres (14 feet), except:

(i) On a corner lot, the minimum side yard abutting the flankage street shall be 15 metres (50 feet); and

(ii) Where the side lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum side yard abutting such lot line shall be 15 metres (50 feet).

(i) Minimum Rear Yard ..... 7.5 metres (25 feet), except:

(i) Where the rear lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum rear yard abutting such lot line shall be 15 metres (50 feet).

(j) Maximum Height ..... 10.7 metres (35 feet), except 25 metres (82 feet) for aircraft hangers, all subject to the provisions of Subsection 7.28 of this By-law.

(k) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35(a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35(b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35(b), the minimum number of parking spaces shall be one (1) space for each 45 square metres (500 square feet) of gross floor area or fraction thereof.

(iv) 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 1.5 metres (5 feet) from any rear lot line, or less than 7.5 metres (25 feet) from any street line or boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(l) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(m) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 7.5 metres (25 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) 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.

(n) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) 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.

(o) Accessory Building

Pursuant to the provisions of Subsection 7.13 of this By-law.

33.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (h) OF SUBSECTION 33.1 (AGRICULTURAL USES)**

Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

33.6 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (i) OF SUBSECTION 33.1 (WASTE TRANSFER FACILITY, WASTE PROCESSING FACILITY)**
(By-law 09-131)

In addition to the regulations of SECTIONS 33.2, 33.3 and 33.4, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

SECTION 34: AIRPORT-RELATED BUSINESS "M5" ZONE

No person shall within any Airport-Related Business "M5" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

34.1 PERMITTED USES

(a) Airport-related industrial uses, including, airport transportation and cargo services, light manufacturing or assembly, wholesale and distribution warehouses, and communication and utility activities, which benefit from proximity to airport services;

(b) High technology industrial uses;

(c) Professional and business offices;

(d) Airport-related commercial uses, including, hotels and motels, convention and exposition centres, restaurants, catering services, commercial storage facilities, automobile rental, leasing and servicing, taxi terminals, places of entertainment and recreation, and financial institutions; and

(e) Uses, buildings and structures accessory to the permitted uses in Paragraphs (a), (b), (c) and (d) of this Subsection, including but not restricted to, a residential use provided such use is incorporated into the principal building on the lot, is occupied by a caretaker or security guard only, consists of only a one (1) bedroom unit which shall not exceed a gross floor area of 70 square metres (750 square feet) and complies with the requirements associated with the Noise Exposure Forecast Contours as established by Canada Mortgage and Housing Corporation, Transport Canada and Ontario Ministry of Municipal Affairs, as amended from time to time.

(f) Agricultural uses, except poultry farms, fur bearing animal farms, livestock operations, manure storage facilities, mushroom farms, greenhouses, kennels, new residential uses and enlargement of existing buildings.

(g) Waste Transfer Facility, Waste Processing Facility (By-law 09-131)

34.2 OUTSIDE MANUFACTURING, OPERATIONS, DISPLAY AND STORAGE

Outside manufacturing, operations, display and/or storage uses area prohibited and all permitted uses shall be conducted within wholly enclosed buildings and structures.

34.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (e) INCLUSIVE OF SUBSECTION 34.1**

(a) Minimum Lot Frontage ..... 60 metres (200 feet)

(b) Minimum Lot Depth ..... 75 metres (250 feet)

(c) Minimum Lot Area ..... 0.4 hectares (1 acre)

(d) Minimum Building Size ..... 555 square metres (6,000 square feet) gross floor area

(e) Maximum Lot Coverage ..... 40 percent

(f) Minimum Front Yard ..... 15 metres (50 feet)

(g) Minimum Side Yard ..... 7.5 metres (25 feet), except:

(i) On a corner lot, the minimum side yard abutting the flankage street shall be 15 metres (50 feet); and

(ii) Where the side lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum side yard abutting such lot line shall be 15 metres (50 feet).

(h) Minimum Rear Yard ..... 9 metres (30 feet), except:

(i) Where the rear lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum rear yard abutting such lot line shall be 15 metres (50 feet).

(i) Maximum Height ..... 10.7 metres (35 feet), subject to the provisions of the Subsection 7.28 of this By-law

(j) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35(a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35(b), the minimum number of parking spaces shall be one (1) space for each 45 square metres (500 square feet) of gross floor area or fraction thereof.

(iv) 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 1.5 metres (5 feet) from any rear lot line, or less than 7.5 metres (25 feet) from any street line or boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(k) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(l) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 7.5 metres (25 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) 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.

(m) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) 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 of residential or institutional purposes.

(n) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

34.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (f) OF SUBSECTION 34.1 (AGRICULTURAL USE)**

Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

34.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (g) OF SUBSECTION 34.1 (WASTE TRANSFER FACILITY, WASTE PROCESSING FACILITY)**
(By-law 09-131)

In addition to the regulations of SECTIONS 34.2 and 34.3, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

SECTION 35: RURAL INDUSTRIAL-BUSINESS PARK "M6" ZONE

No person shall within any Rural Industrial-Business Park "M6" Zone, use any land, or erect, alter or use any building or structures, except in accordance with the following provisions:

35.1 PERMITTED USES

(a) Light manufacturing, assembly and industrial uses, which do not require large amounts of water and the wastes shall be clean and low discharge in nature;

(b) Warehouses uses;

(c) Wholesale uses;

(d) Service Shops and Custom Workshops;

(e) Motor Vehicle Repair and/or Body Shops;

(f) Motor Vehicle Dealerships;

(g) Boat and Marine Sales and Service;

(h) Retail warehouse uses and showrooms for products manufactured, assembled and/or stored on the premises, provided the retail or showroom space does not occupy more than forty percent (40%) of the total gross floor area of the building(s);

(i) Commercial storage facilities;

(j) Banks, restaurants, and personal and business services, which provide a service to the employees in the rural industrial-business park;

(k) Recreational uses; and

(l) Uses, buildings and structures accessory to the permitted uses in Paragraphs (a) to (k) inclusive of this Subsection, including, but not restricted to, a residential use provided such use is incorporated into the principal building on the lot, is occupied by a caretaker or security guard only and consists of only a one (1) bedroom unit which shall not exceed a gross floor area of 70 square metres (750 square feet).

35.2 OUTSIDE MANUFACTURING AND OPERATIONS

Outside manufacturing and operations are prohibited and all permitted uses shall be conducted within wholly enclosed buildings and structures, except as stated in Subsections 35.3 and 35.4 of this By-law.

35.3 **OUTSIDE STORAGE OPERATIONS**

Outside storage shall be permitted subject to the following provisions:

(a) The outside storage area shall not exceed 15 percent (15%) of the total lot area;

(b) The outside storage shall be separate and distinct from the required parking and loading areas, and shall not in any way impede the access and use of the parking and loading areas;

(c) The outside storage area shall be restricted to the rear yard;

(d) The outside storage shall be setback a minimum distance of 1.8 metres (6 feet) from all buildings;

(e) The location of the permitted outside storage area on each lot shall be delineated on the approved site plan and included as part of the required Development, Maintenance and Use Agreement;

(f) The outside storage area shall be enclosed with a solid fence having a minimum height of 1.8 metres (6 feet). Perimeter fencing not associated with the outside storage area shall be chainlink fencing or similar type fencing, but shall not be solid fencing;

(g) Finished and unfinished goods and materials, equipment truck trailers and vehicles awaiting repair may be stored in the designated outside storage area. Prohibited uses such as derelict motor vehicles, scrap and hazardous materials are not permitted in the outside storage areas; and

(h) Operable licensed motor vehicles not exceeding 9 metres (30 feet) in length are permitted to be parked (not longer term storage) in an area separate from the designated outside storage area. No screening is required for these operable licensed motor vehicles.

35.4 **OUTSIDE DISPLAY OF GOODS**

The outside display of goods is permitted in conjunction with the permitted commercial uses subject to the following specific provisions:

(a) The area for the outside display of goods shall be setback a minimum distance of 7.5 metres (25 feet) from all lot lines;

(b) The area for the outside display of goods shall be in addition to and separate from the area required for parking and loading on the lot, and any outside storage area; and

(c) The location of the permitted outside display area on each lot shall be delineated on

the approved site plan and included as part of the required Development, Maintenance and Use Agreement.

35.5 **REGULATIONS FOR USES PERMITTED IN SUBSECTION 35.1**

(a) Minimum Lot Frontage ..... 45 metres (150 feet)

(b) Minimum Lot Depth ..... 75 metres (250 feet)

(c) Minimum Lot Area ..... 0.6 hectares (1.5 acres)

(d) Minimum Building Size ..... 555 square metres (6,000 square feet) gross floor area

(e) Maximum Lot Coverage for Buildings and Display Area ..... 40 percent

(f) Minimum Front Yard ..... 15 metres (50 feet)

(g) Minimum Side Yard ..... 7.5 metres (25 feet), except:

(i) On a corner lot, the minimum side yard abutting the flankage shall be 15 metres (50 feet); and

(ii) Where the side lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum side yard abutting such lot line shall be 15 metres (50 feet).

(h) Minimum Rear Yard ..... 9 metres (30 feet), except:

(i) Where the rear lot line abuts the boundary or a street or any Residential or Institutional Zone, or any Zone where the adjoining land is used for residential or institutional purposes, the minimum rear yard abutting such lot line shall be 15 metres (50 feet).

(i) Maximum Height ..... 10.7 metres (35 feet)

(j) Mini num Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35(a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35(b) of this By-law for those uses specified therein.

(iii) For all uses not specified in Paragraph 7.35(b), the minimum number of parking spaces shall be one (1) space for each 45 square metres (500 square feet) of gross floor area or fraction thereof.

(iv) 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 1.5 metres (5 feet) from any rear lot line, or less than 7.5 metres (25 feet) from any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(k) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(l) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 7.5 metres (25 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) A landscaped area in the form of a contoured berm with a minimum height of 1.8 metres (6 feet) measured at the average elevation at the base of the berm, a minimum width of 12 metres (40 feet) and a planting strip along the top of the berm, shall all be provided and thereafter maintained adjacent to every portion of any rear lot line that abuts any Provincial Highway.

(iii) All portions of any lot not covered by buildings or structures or not used for driveways, storage, display, parking, loading or walkways, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.

(m) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) 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.

(n) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

SECTION 36: RURAL INDUSTRIAL "M7" ZONE

No person shall within any Rural Industrial "M7" Zone, use any land, or erect, alter or use any building or structure, except for and in accordance with the following provisions:

36.1 PERMITTED USES

(a) Feed Mills and accessory sales uses;

(b) Grain and/or seed storage, drying, cleaning and accessory sales uses;

(c) Livestock assembly, stock yard and sales establishments;

(d) Egg grading operations;

(e) Fertilizer mixing, storage and accessory sales uses;

(f) Fuel and lubricant wholesale establishments serving the agricultural community;

(g) Welding and sheet metal shops; and

(h) Uses, buildings and structures accessory to the permitted uses in Paragraphs (a) to (g) inclusive of this Subsection.

(i) A railway siding shall be permitted within any required side and/or rear yard.

(j) Agricultural uses, and buildings, structures and uses accessory thereto.

36.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (h) INCLUSIVE OF SUBSECTION 36.1

(a) Minimum Lot Frontage ..... 60 metres (200 feet)

(b) Minimum Lot Area ..... 0.6 hectares (1.5 acres)

(c) Minimum Building Size ..... 555 square metres (6,000 square feet) in gross floor area

(d) Maximum Lot Coverage ..... 30 percent, but building(s) not to exceed 2,300 square metres (24,7500 square feet) in gross floor area

(e) Minimum Front Yard ..... 15 metres (50 feet)

(f) Minimum Side Yard ..... 7.5 metres (25 feet), except:

(i) On a corner lot, the minimum side yard abutting the flankage street shall be 15 metres (50 feet); and

(ii) Where the side lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum side yard abutting such lot line shall be 15 metres (50 feet).

(g) Minimum Rear Yard ..... 9 metres (30 feet), except:

(i) Where the rear lot line abuts the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the minimum rear yard abutting such lot line shall be 15 metres (50 feet).

(h) Notwithstanding the above Paragraphs 36.2(e), (f), and (g), all buildings directly associated with grain drying operations shall be setback a minimum of 300 metres (1,000 feet) from all dwelling units not located on the lot occupying this operation.

(i) Maximum Height ..... 10.7 metres (35 feet)

(j) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law.

(iii) For all uses not specified in Subsection 7.35(b), the minimum number of parking spaces shall be one (1) space for each 45 square metres (500 square feet) of gross floor area or fraction thereof.

(iv) 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 3 metres (10 feet) of any lot line, except where the lot line abuts any street line or boundary of any Residential or Institutional Zone or any Zone

where the adjoining land is used for residential or institutional purposes, the setback requirement shall be 7.5 metres (25 feet).

(k) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(l) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) All portions of any lot not covered by buildings or structures or not used for driveways, storage, parking, loading, walkways or agricultural uses, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.

(m) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) 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.

(n) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law, except any accessory dwelling shall be pursuant to the provisions of Subsection 8.3 of this By-law.

36.3 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (j) OF SUBSECTION 36.1 (AGRICULTURAL USES)

Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

SECTION 37: PUBLIC INDUSTRIAL "M8" ZONE

No person shall within any Public Industrial "M8" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

37.1 PERMITTED USES

(a) Existing Region of Hamilton-Wentworth Solid Waste Disposal and Landfill Operation, and uses, buildings and structures accessory thereto, excluding residential uses. Liquid Industrial Waste disposal shall not be permitted.

(b) Agricultural uses, except poultry farms, fur bearing animals farms, livestock operations, manure storage facilities, mushroom farms, greenhouses, kennels and new residential uses.

37.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 37.1

(a) Maximum Lot Frontage ..... as existing

(b) Maximum Lot Areas ..... as existing

(c) Maximum Lot Coverage .....5 percent

(d) Minimum Yards ..... 60 metres (200 feet)

(e) Maximum Height .....10.7 metres (35 feet)

(f) Minimum Parking Requirements

(i) Parking spaces shall be provided on the same lot on which the principal use is located, sufficient in number to accommodate the employees of, and the visitors to, the permitted solid waste disposal and landfill operation; and

(ii) 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 (100 feet) of any lot line.

(g) Minimum Loading Spaces

(i) 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 solid waste disposal and landfill operation; and

(ii) No loading space or part thereof shall be located and no land shall be used for loading purposes within 30 metres (100 feet) of any lot line.

(h) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained adjacent to every boundary of the existing solid waste disposal and landfill operation.

37.3 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 37.1 (AGRICULTURAL USES)

Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

SECTION 38: AIRPORT "AT" ZONE

No person shall within any Airport "AT" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

38.1 PERMITTED USES

Airport and uses, buildings and structures accessory and/or related thereto, including commercial, industrial and office uses, but excluding permanent residential uses.

38.2 REGULATIONS FOR USES PERMITTED IN SUBSECTION 38.1

No building or structure permitted under Subsection 38.1 of this By-law is to be located at a distance of less than 15 metres (50 feet) from any lot line.

SECTION 39: INSTITUTIONAL "I" ZONE

No person shall within any Institutional "I" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

39.1 PERMITTED USES

(a) Institutional uses and uses, buildings and structures accessory thereto; and

(b) Cemeteries, mausoleums, and columbiums, and uses, buildings and structures accessory thereto, excluding crematoriums.

39.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 39.1 (INSTITUTIONAL USES)

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Minimum Lot Area ..... 1,390 square metres (15,000 square feet)

(c) Maximum Lot Coverage ..... 35 percent

(d) Minimum Front Yard ..... 15 metres (50 feet)

(e) Minimum Side Yard ..... 4.5 metres (15 feet), except:

(i) 9 metres (30 feet) on a corner lot for the side yard abutting the flankage street; and

(ii) 15 metres (50 feet) where the side lot line abuts the boundary of any Residential Zone or any Zone where the adjoining land is used for residential purposes.

(f) Minimum Rear Yard ..... 7.5 metres (25 feet), except:

(i) 15 metres (50 feet) on a through lot for the rear yard abutting the street; and

(ii) 15 metres (50 feet) where the rear lot line abuts any Residential Zone or any Zone where the adjoining land is used for residential purposes.

(g) Maximum Height ..... 10.7 metres (35 feet), except 15 metres (50 feet) for churches

(h) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law.

(iii) 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 1.5 metres (5 feet) from any lot line, except not less than 7.5 metres (25 feet) from any street line, and not less than 3 metres (10 feet) from the boundary of any Residential Zone or any zone where the adjoining land is used for residential purposes.

(i) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential Zone or any Zone where the adjoining land is used for residential purposes.

(ii) 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.

(j) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential Zone or any Zone where the adjoining land is used for residential purposes.

(k) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

39.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 39.1 (CEMETERIES, MAUSOLEUMS AND COLUMBARIUMS)**

(a) Minimum Lot Frontage.....60 metres (200 feet)

(b) Minimum Lot Area .....1 hectare (2.5 acres)

(c) Maximum Lot Coverage.....5 percent

(d) Minimum Yard Requirements

No grave, building or structure shall be located within 15 metres (50 feet) of any lot line, and in no case within 45 metres (150 feet) of the centre line of any Provincial Highway or Regional Road, or within 30 metres (100 feet) of the centre line of any Township Road.

(e) Maximum Building Height.....10.7 metres (35 feet)

(f) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law.

(iii) 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 1.5 metres (5 feet) from any lot line, except not less than 7.5 metres (25 feet) from any street line or the boundary of any Residential Zone or any Zone where the adjoining lands are used for residential purposes.

(g) Minimum Landscaping Requirements

A landscaped area in the form of a planting strip having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways) or any Residential Zone or any Zone where the adjoining land is used for residential purposes.

(h) Minimum Fencing Requirements

A fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential Zone or any Zone where the adjoining land is used for residential purposes.

SECTION 40: PUBLIC "P" ZONE

No person shall within any Public "P" Zone use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

40.1 PERMITTED USES

Public uses and operations carried on by, or on behalf of, a Municipal Provincial or Federal Government or agency thereof, and without limiting the generality of the foregoing shall include:

(a) Municipal offices, libraries, fire halls, post offices, and police stations;

(b) Water treatment facilities, sewage treatment facilities, waste transfer facility, waste processing facility (By-law No. 09-131) and work yards; and

(c) Uses, buildings and structures accessory to any of the foregoing uses are permitted.

40.2 REGULATIONS FOR USES PERMITTED IN SUBSECTION 40.1

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Minimum Lot Area ..... 1,390 square metres (15,000 square feet)

(c) Maximum Lot Coverage ..... 50 percent

(d) Minimum Yard Requirements

No building or structure shall be used or erected within 9 metres (30 feet) of any lot line or within 15 metres (50 feet) of a lot line which is the boundary of any Residential Zone or any Zone where the adjoining land is used for residential purposes.

(e) Maximum Height ..... 10.7 metres (35 feet)

(f) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35(a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law.

(iii) For all uses not specified in Paragraph 7.35 (b), the minimum number

of parking spaces shall be sufficient in number to accommodate the employees of, and the visitors to, the public use or uses on such lot.

(iv) 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 3 metres (10 feet) of any lot line, except shall not be located closer than 7.5 metres (25 feet) to 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.

(g) Minimum Landscaping Requirements

A landscaped area in the form of a planting strip having a minimum width of 1.5 metres (5 feet) 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.

(h) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

(i) Waste Transfer Facility and Waste Processing Facility (By-law 09-131)

In addition to the regulations of SECTION 40.2, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

SECTION 41: PRIVATE OPEN SPACE "OS1" ZONE

No person shall within any Private Open Space "OS1" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

41.1: **PERMITTED USES**

(a) Private Parks;

(b) Private Clubs;

(c) Fish, wildlife and/or forest management;

(d) Recreational uses; and

(e) Uses, buildings and structures accessory to uses permitted in Paragraphs (a) to (d) inclusive of this Subsection, including, but not restricted to, an accessory residential use.

(f) Agricultural uses, and buildings, structures and uses accessory thereto, excluding livestock or poultry operations, mushroom farms, fur bearing animal farms, manure storage facilities, greenhouses and kennels.

41.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (e) INCLUSIVE OF SUBSECTION 41.1**

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Maximum Lot Coverage ..... 10 percent

(c) Minimum Yard Requirements

No building shall be used or erected within 7.5 metres (25 feet) of any lot line, except where the lot line abuts any street line or boundary for any Residential or Institutional Zone or residential or institutional use, the minimum yard requirement shall be 15 metres (50 feet).

(d) Maximum Height ..... 10.7 metres (35 feet)

(e) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law.

(iii) For all uses not specified in Paragraph 7.35 (b), the minimum number of parking spaces shall be sufficient in number to accommodate the employees, members and guests at the use(s) on the subject lot.

(iv) No parking space or part thereof shall be located and no lands shall be used for the temporary parking or storage of any motor vehicle within 3 metres (10 feet) of any lot line, except where the lot line abuts any street line or boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the setback requirements shall be 7.5 metres (25 feet).

(f) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

41.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (f) OF SUBSECTION 41.1 (AGRICULTURAL USES)**

Pursuant to the relevant provisions of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

SECTION 42: PUBLIC OPEN SPACE "OS2" ZONE

No person shall within any Public Open Space "OS2" Zone, use any land, or erect, alter or use any buildings or structure, except in accordance with the following provisions:

42.1 PERMITTED USES

(a) Public parks;

(b) Recreational uses and community centres;

(c) Urban Farmers Market; and, **#15-104**

(d) Uses, buildings and structures accessory to uses permitted in Paragraphs (a) and (b)
of this Subsection, including, but not restricted to, accessory commercial uses.

42.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a), (b) AND (d) INCLUSIVE IN SUBSECTION 42.1

(a) Minimum Yard Requirements

No building shall be used or erected within 7.5 metres (25 feet) of any lot line, except where the lot line abuts 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, the minimum building setback requirement shall be 15 metres (50 feet).

(b) Maximum Height ..... 10.7 metres (35 feet)

(c) Minimum Parking Requirements

(i) All parking spaces shall be provided in accordance with the general provisions of Paragraph 7.35 (a) of this By-law.

(ii) The minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35 (b) of this By-law.

(iii) For all uses not specified in Paragraph 7.35 (b), the minimum number of parking spaces shall be sufficient in number to accommodate the employees and visitors at the use(s) on the subject lot.

(iv) 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 3 metres (10 feet) of any lot line, except where the lot line abuts any street line or boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, the setback requirement shall be 7.5 metres (25 feet).

(d) Minimum Landscaping Requirements

A landscaped area in the form of a planting strip having a minimum width of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential Zone or any Zone where the adjoining lands are used for residential purposes.

(e) Accessory Buildings

Pursuant to the provisions of Subsection 7.13 of this By-law.

42.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) OF SUBSECTION 42.1 #15-104**

(a) Notwithstanding the definition of accessory, an urban farmers market may be permitted on the same lot as the following existing uses in the Public Open Space "OS2" Zones:

1. Arena;
2. Fairground buildings;
3. Community Centre; and,
4. Swimming Pool.

(b) The use shall comply with the provisions of Section 7.44.

SECTION 43: OPEN SPACE - CONSERVATION "OS3" ZONE

No person shall within any Open Space - Conservation "OS3" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

43.1 PERMITTED USES

(a) Conservation;

(b) Fish, Wildlife, and/or Forest Management;

(c) Open Space Recreational Uses, excluding buildings;

(d) Agricultural Uses, excluding new buildings;

(e) Existing Uses;

(f) Additions to and Reconstruction of Existing Buildings and Structures; and

(g) Any Buildings or Structures associated with flood or erosion control, drainage or watercourse protection.

43.2 REGULATIONS FOR USES PERMITTED IN SUBSECTION 43.1

(a) Maximum Lot Coverage ..... 10 percent

(b) Minimum Yard Requirements

No building shall be used or erected within 7.5 metres (25 feet) of any lot line, except where the lot line abuts any street line or boundary of any Residential or Institutional Zone or residential or institutional use, the minimum yard requirement shall be 15 metres (50 feet).

(c) Maximum Height ..... 10.7 metres (35 feet)

(d) Approval of Conservation Authority

No building or structure shall be erected or altered and no fill shall be placed or removed within an Open Space-Conservation "OS3" Zone except with the written approval of the Conservation Authority having jurisdiction.

SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW

Lands designated on any Schedule to this By-law by a zone symbol, followed by a dash (-) and a number shall be subject to the zone provisions represented by the symbol except as otherwise specifically provided in this Section by the special provisions set out opposite each zone symbol and exception number, as follows:

ZONE & EXCEPTION NUMBER	LOCATION AND SPECIAL PROVISIONS

R4-001 and H-R4-001 **PART OF LOT 2, CONCESSION 1, FORMER GLANFORD (AS AMENDED BY BY-LAW NOS. 464-4-93, 464-21-95, 464-29-97, 464-67-00 AND 464-68-00)**

Notwithstanding the provisions pursuant to SECTION 16: RESIDENTIAL "R4" ZONE of this By-law, the following provisions shall apply to these lands:

1. PERMITTED USES

Permitted Uses on these lands shall only include the following:

(a) Detached Dwelling Units;

(b) A maximum of 29 single detached dwelling units shall be permitted on the lands identified as Part A on Schedule A to By-law No. 464-67-00.

(c) Semi-detached and Townhouse dwelling units on the northeastern portion of the subject property, being the lands identified as Part A on Schedule B to By-law No. 464-21-95;

(d) Two (2) existing apartment buildings, each with a maximum of 24 units and accessory parking structures, on the northeastern portion of the subject property, being the lands identified as Part B on Schedule A to By-law No. 464-68-00.

(e) A retirement home or a maximum of two (2) apartment buildings with a maximum of 36 units per apartment building shall be permitted on the lands identified as Part A on Schedule A to By-law No. 464-68-00. These specific lands are currently zoned Residential Holding "H-R4-001", and as such, the above-noted uses shall not be permitted until the required Holding conditions are satisfied and the "H" symbol removed. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

(i) All registered Condominium Corporations within the Villages of Glancaster shall agree in writing to the conversion of the Part A lands identified on Schedule A to By-law No. 464-68-00 to a retirement home or apartment complex; and

(ii) a detailed stormwater management plan and any additional support engineering documentation deemed necessary by the municipality shall be prepared and approved by the municipality and Hydro One Networks Inc. to provide for the ponding of stormwater runoff from the Villages of Glancaster to occur within the St. Elizabeth Village development to the north and east of the Villages of Glancaster; and

(iii) all required easements shall be established in favour of the municipality to provide for the ongoing maintenance of the stormwater management ponds within the St. Elizabeth Village development to the north and east of the subject lands, to the satisfaction of the municipality; and

(iv) all required easements shall be established in favour of the municipality to provide for the ongoing maintenance of the stormwater management channel over the Hydro One Networks Inc. land to the north, to the satisfaction of Hydro One Networks Inc. and the municipality.

Until such time as the conditions of the Holding "H" provision identified in the clauses above have been removed by By-law, the lands identified as Part A on Schedule A to By-law No. 464-68-00 shall only be used as a storm water management facility

(f) Recreation Centre to serve the needs of the residents of the lands subject to this Exception, which may include such uses as a swimming pool, change rooms, lounges, activity rooms and a kitchen. Limited scale commercial uses to serve the needs of the residents of the subject lands, such as a tuck shop, dry cleaners and other similar uses, may be permitted within the recreation centre building provided these commercial uses do not exceed a total gross floor area of 185 square metres (2,000 square feet);

(g) Outdoor recreational uses such as shuffleboard courts, tennis courts and other similar uses; and

(h) Uses, buildings, and structures accessory to the uses described in the above Paragraphs (a) to (g) inclusive of this Exception to this By-law.

2. SPECIFIC DEFINITIONS

Specific definitions in this Exception shall be as follows:

(a) "boundary lines" shall mean the exterior limit of the subject lands, which include the northern boundary line adjacent to the Ontario Hydro Corridor; the western boundary line along the dividing line between Lot 1 and Lot 2, Concession 1; the eastern boundary line along the dividing line between Lot 2 and Lot 3, Concession 1; and the southern boundary line which is located approximately 190 metres (623 feet) north of Twenty Road.

(b) "Subject lands" include all lands within the "boundary lines" as defined by this Exception to this By-law.

3. GENERAL REGULATIONS PERTAINING TO ALL DEVELOPMENT

(a) Maximum Number of Dwelling Units

The maximum number of dwelling units on the subject lands shall be 466 units.

(b) Minimum Landscaped Open Space

A minimum of forty (40) percent of the total subject lands shall be landscaped open space, which shall consist of grass, trees, shrubs, watercourses and/or walkways.

(c) Minimum Fencing Requirements

A fence having a minimum height of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to every portion of the boundary lines of the subject lands.

(d) Parking Restrictions

The outdoor parking or storage of any vehicle exceeding a maximum length of 6.4 metres (21 feet) or an overall height of 2.6 metres (8.5 feet) is prohibited, except operable recreational vehicles on lands in the north-east corner of the subject lands immediately adjacent to the Ontario Hydro Corridor and the east boundary line on lands which have a length of 341 metres (1,118 feet) (east to west dimension) and a width (north to south dimension) of 10 metres (33 feet).

4. REGULATIONS FOR DETACHED DWELLING UNITS

(a) Maximum Number of Detached Dwelling Units

The maximum number of detached units on the subject lands shall be 380 dwelling units.

(b) Minimum Yards

(i) All dwelling units shall be setback a minimum distance of 10 metres (33 feet) from the northern boundary line of the subject lands, which is the lot line that is adjacent to the Ontario Hydro Corridor.

(ii) With respect to all of the other boundary lines of the subject lands, each and every dwelling unit shall be setback a minimum distance of 2.1 metres (7 feet), however, the minimum median setback distance for each and every dwelling unit from the other boundary lines shall be 7.5 metres (25 feet). For the purpose of this Clause of this Exception, the median setback distance shall be defined as the horizontal distance between the mid point of the rear wall of the subject dwelling unit and the nearest boundary line measured along a line perpendicular to the rear wall of the dwelling unit.

(c) Minimum Separation Distances Between Dwelling Units

The minimum separation distances between dwelling units shall be as follows:

(i) 1.8 metres (6 feet) between dwelling units on the same cul-de-sac, except for the dwellings along the eastern portion of the subject lands (identified as Parcel "C" in By-law No. 464-4-93) where the minimum separation distance between dwelling units on the same cul-de-sac shall be 0.6 metres (2 feet).

(ii) 4.2 metres (14 feet) between units on adjacent cul-de-sacs, however, the minimum median setback distance between dwelling units on adjacent cul-de-sacs shall be 7.5 metres (25 feet). For the purpose of this Clause of this Exception, the median setback distance shall be defined as the horizontal distance between the mid point of the rear wall of the two (2) dwelling units measured along a straight line perpendicular to the rear walls of both the dwelling units.

(iii) Notwithstanding the minimum separation distances identified in clauses (i) and (ii) above, a minimum separation distance of three (3) metres (10 feet) shall be provided between the single detached dwelling units located on the northeastern portion of the subject lands (identified as Part A in By-law No. 464-21-95).

(d) Minimum Setback from Private Internal Roadways

All dwelling units shall be setback a minimum distance of 3.6 metres (12 feet) from the edge of the pavement and private internal roadway, except a cul-de-sac, where the minimum setback distance shall be 0.9 metres (3 feet).

All garages associated with the single detached dwelling units located on the northeastern portion of the subject lands (identified as Part A in By-law No. 464-21-95), shall be set back a minimum distance of five (5) metres (16 feet) from the edge of the pavement of any private internal roadway.

(e) Minimum Floor Area Per Dwelling Unit

The minimum floor area per dwelling unit shall be 74 square metres (800 square feet).

(f) Maximum Floor Area Per Dwelling Unit

The maximum floor area per dwelling unit shall be 168 square metres (1,800 square feet). The floor area on the second floor of a dwelling unit shall not exceed fifty percent (50%) of the ground floor area of the dwelling unit.

Notwithstanding this regulation, a maximum of fifty (50) dwelling units on these lands may have a maximum floor area of 186 square metres (2,000 square feet) provided the subject dwelling unit has both a second floor loft and a Florida room.

(g) Maximum Coverage by Dwelling Units

The maximum coverage by dwelling units shall not exceed thirty (30) percent of the subject lands.

(h) Maximum Building Height

The maximum building height is one and one half (1.5) storeys and shall not exceed 7.5 metres (25 feet).

(i) Basement and Cellars

Basements and cellars in dwelling units shall not exceed a height of 2.3 metres (7.5 feet) measured from the top of the basement floor to the underside of the first floor joists. Basements and cellars shall not be used as finished living space, which includes the prohibition of uses such as, but not restricted to, bedrooms, family rooms, recreation rooms and washrooms.

(j) Minimum Parking Requirements

A minimum of 1.5 parking spaces per dwelling unit shall be provided on the subject lands and thereafter maintained. These parking spaces shall not include the required parking spaces associated with the recreation centre.

5. REGULATIONS FOR SEMI-DETACHED DWELLING UNITS

(a) Maximum number of Semi-Detached Dwelling Units

The maximum number of semi-detached dwelling units on the subject lands shall not exceed 8 dwelling units (4 semi-detached dwellings).

(b) Minimum Setback from Private Internal Roadways

All semi-detached dwelling units shall be set back a minimum distance of 0.9 metres (3 feet) from the edge of the pavement of any private internal roadway.

(c) Minimum Side Yard

All semi-detached dwelling units shall be set back a minimum distance of 2.1 metres (7 feet) from the easterly side lot line of the total subject lands.

(d) Minimum Separation Distance Between Semi-Detached Dwellings

A minimum separation distance of 1.8 metres (6 feet) shall be provided between semi-detached dwellings.

(e) Minimum Gross Floor Area per Dwelling Unit

The minimum gross floor area per dwelling unit shall be 74 square metres (800 square feet).

(f) Maximum Gross Floor Area per Dwelling Unit

The maximum gross floor area per dwelling unit shall be 168 square metres (1,800 square feet). The floor area on the second floor of a dwelling unit shall not exceed fifty per cent (50%) on the ground floor area of the dwelling unit.

(g) Maximum Building Height

The maximum building height shall be one and one half (1.5) storeys and shall not exceed 7.5 metres (25 feet).

(h) Basements and Cellars

Basements and cellars in dwelling units shall not exceed a height of 2.3 metres (7.5 feet) measured from the top of the basement floor to the underside of the first floor joists. Basements and cellars shall not be used as finished living space, which includes the prohibition of uses such as, but not restricted to, bedrooms, family rooms, recreation rooms and washrooms.

(i) Parking Requirements

A minimum of 1.5 parking spaces per dwelling unit shall be provided on the subject lands and thereafter maintained.

(j) Fencing

A solid fence with a minimum height of 1.8 metres (6 feet) shall be provided along the entire eastern boundary of the lands identified as Part A in By-law No. 464-21-95.

6. REGULATIONS FOR TOWNHOUSE DWELLING UNITS

(a) Maximum number of Townhouse Dwelling Units

The maximum number of townhouse dwelling units on the subject lands shall not exceed 26 dwelling units.

(b) Minimum Setback from Internal Roadways

All dwelling units shall be set back a minimum distance of 3 metres (10 feet) from the edge of the pavement of any private internal roadway.

(c) Minimum Rear Yard

All dwelling units shall be back a minimum distance of 6 metres (20 feet) from the easterly side lot line of the total subject lands.

(d) Minimum Separation Distance Between Dwellings

(i) A minimum separation distance of 10.5 metres (35 feet) shall be provided between townhouse dwelling units and single-detached dwelling units.

(ii) A minimum separation distance of 13 metres (44 feet) shall be provided between the front walls of townhouse dwellings.

(iii) A minimum separate distance of 3 metres (10 feet) shall be provided between the end walls of townhouse dwellings, and no windows to habitable rooms are permitted on interior end walls of townhouse dwellings.

(e) Gross Floor Area per Dwelling Unit

(i) The minimum gross floor area per dwelling unit shall be 74 square metres (800 square feet).

(ii) The maximum gross floor area per dwelling unit shall be 168 square metres (1,800 square feet). The floor area on the second floor of a dwelling unit shall not exceed fifty per cent (50%) of the ground floor area of the dwelling unit.

(f) Maximum Building Height

The maximum building height shall be one and one half (1.5) storeys and shall not exceed 7.5 metres (25 feet).

(g) Basements and Cellars

Basements and cellars in dwelling units shall not exceed a height of 2.3 metres (7.5 feet) measured from the top of the basement floor to the underside of the first floor joists. Basements and cellars shall not be used as finished living space, which includes the prohibition of uses such as, but not restricted to, bedrooms, family rooms, recreation rooms and washrooms.

(h) Privacy Fences

Each townhouse unit that backs onto single detached dwelling shall be provided with a 1.8m (6 foot) high and 3 metre (10 foot) wide wooden privacy fence/screen.

(i) Parking Requirements

A minimum of 1.5 parking spaces per dwelling unit shall be provided on the subject lands and thereafter maintained.

(j) Fencing

A solid fence with a minimum height of 1.8 metres (6 feet) shall be provided along the entire eastern boundary of the lands identified as Part A in By-law No. 464-21-95.

7. REGULATIONS FOR THE APARTMENT BUILDINGS AND ACCESSORY PARKING STRUCTURES

(a) Location

The location of apartment buildings and accessory parking structures on the subject lands shall be restricted to the north-east corner of the subject lands adjacent to the Ontario Hydro Corridor and the east boundary line on lands which have a length (east to west dimension measured from the east boundary line along the south boundary line) of 168 metres (551 feet), a width (north to south dimension measured from the south boundary of the Ontario Hydro Corridor) of 94 metres (308 feet), and an area of approximately 1.5 hectares (3.7 acres), subject to the provisions established in Paragraphs 1(d) and (e) of this Exception to this By-law.

(b) Maximum Number of Apartments

The maximum number of apartment buildings and apartment dwelling units permitted shall be pursuant to Paragraphs 1(d) and 1(e) of this Exception.

(c) Minimum Setback Distances

(i) All apartment buildings and accessory parking structures shall be setback a minimum distance of 10 metres (33 feet) from the northern boundary line, which is the boundary line that is adjacent to the Ontario Hydro Corridor.

(ii) The minimum building setback distance from the eastern boundary line shall be 12 metres (40 feet), except the east wall of the eastern-most parking structure which shall be setback a minimum distance of 4.5 metres (15 feet).

(iii) The minimum building setback distance from internal roadways shall be 7.5 metres (25 feet), except the west wall of the western-most parking structure which shall be setback a minimum of 5 metres (16.5 feet) from the adjacent internal roadway.

(iv) The minimum building setback distance from existing and/or future single detached dwelling units shall be 12 metres (40 feet).

(d) Minimum Separation Distance Between Enclosed Parking Structures

The minimum separation distance between enclosed apartment parking structures shall be 2 metres (6.5 feet).

(e) Maximum Building Height

The maximum building height for all apartment structures shall be three (3) storeys and shall not exceed 10.7 metres (35 feet).

The maximum building height for all parking structures shall be one (1) storey and shall not exceed 4.5 metres (15 feet).

(f) Minimum Floor Area Per Apartment Dwelling Unit

The minimum floor area per dwelling unit shall be 70 square metres (750 square feet).

(g) Maximum Floor Area Per Dwelling Unit

The maximum floor area per apartment dwelling unit shall be 120 square metres (1,300 square feet).

(h) Minimum Landscaped Open Space

A minimum of forty (40) percent of the lands described in Subsection 5(a) of this Exception shall be landscaped open space, which shall consist of grass, trees, shrubs, watercourses and/or walkways.

(i) Minimum Fencing Requirements

A fence having a minimum height of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to every portion of both the northern and eastern boundary lines.

(j) Minimum Parking Requirements

A minimum of 1.5 parking spaces per dwelling unit shall be provided and thereafter maintained.

(k) Minimum Separation Distance Between Apartment Buildings

The minimum separation distance between apartment buildings shall be 9 metres (30) feet.

8. REGULATIONS FOR RETIREMENT HOME

(a) Definition

A *Retirement Home* shall be defined as a residence providing accommodation primarily for retired persons or couples who require either independent or assisted living accommodations within individual suites. Each suite shall contain a private bedroom and sitting area, as well as a separate private bathroom and a separate entrance from a common hall. Kitchenettes may be provided within each suite; however, common facilities for the preparation and consumption of food shall be provided. Common lounges, recreation rooms, medical care facilities, a small store and hair salon may also be provided to serve the residents of the retirement home only.

(a) Number of Suites

The maximum number of suites permitted shall not exceed 74.

(b) Gross Floor Area

The maximum total gross floor area of the retirement home shall not exceed 4,800 square metres (51,670 square feet)

(c) Setback Requirements

The retirement home shall be set back a minimum distance of:

(i) 5 metres (16.5 feet) from the side lot lines;

(ii) 10 metres (33 feet) from the northern boundary line;

(iii) 7.5 metres (25 feet) from the edge of pavement of the adjacent southerly internal private roadway; and

(iv) all permanent structures and excavations shall be set back a minimum distance of 10 metres (33 feet) from the limits of the TransCanada right-of-way to the north.

(e) Building Height

The maximum building height for the retirement home shall be three (3) storeys.

(f) Fencing

A fence with a minimum height of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to the northern property boundary.

(g) Landscaping

A minimum of forty percent (40%) of the lands identified as Part A on Schedule A to By-law No. 464-68-00 shall be comprised of landscaped open space, consisting of grass, trees, shrubs, and/or walkways.

(h) Coverage

A maximum building coverage for the retirement home shall not exceed 30% of the total area of the lands identified as Part A on Schedule A to By-law No. 464-68-00.

(i) Parking Requirements

Parking for the retirement home shall be provided on the basis of 0.4 spaces per suite.

Any parking area adjacent to the easterly, westerly and southerly lot lines shall be set back a minimum distance of 3 metres (10 feet). Any parking area adjacent to the northerly lot lines shall be set back a minimum distance of 1 metre (3 feet).

(j) Loading Requirements

One (1) loading space shall be provided.

(k) Site Plan Approval

The retirement home shall be subject to Site Plan Control including an approved Development, Maintenance and use (Site Plan) Agreement.

(l) Frontage on Private Internal Roadway

Notwithstanding **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.22 **REQUIREMENTS FOR LOT FRONTAGE ON A PUBLIC STREET** of Zoning By-law No. 464, the Retirement Home shall not require public road frontage, but shall be required to front an internal roadway which has access to and frontage on a public street (Silverbirch Boulevard).

9. REGULATIONS FOR THE RECREATION CENTRE

(a) Maximum Total Floor Area

The maximum total floor area shall be 1,860 square metres (20,000 square feet).

(b) Maximum Building Height

The maximum building height shall be 15 metres (50 feet).

(c) Minimum Building Setback from all Boundary Lines

The minimum building setback from all boundary lines shall be 100 metres (330 feet).

(d) Minimum Building Setback from Dwelling Units

The minimum building setback from dwelling units shall be 10.5 metres (35 feet).

(e) Minimum Parking Requirements

A minimum of one (1) parking space for each 15 square metres (165 square feet) or fraction thereof, of the total floor area of the recreation centre, shall be provided adjacent to the recreation centre and thereafter maintained.

10. REGULATIONS FOR OTHER ACCESSORY BUILDINGS

(a) Accessory buildings directly associated with the detached dwelling units shall not be permitted.

(b) Accessory buildings directly associated with the overall development on the subject lands shall be permitted provided their total gross floor area does not exceed 110 square metres (1,185 square feet).

(c) Accessory buildings directly associated with the overall development of the subject lands shall be setback a minimum distance of 15 metres (50 feet) from all boundary lines and shall have a maximum height of 9 metres (30 feet).

11. REGULATIONS FOR PRIVATE INTERNAL ROADWAYS ON THE LANDS SUBJECT TO THIS EXCEPTION

The private internal roadways designed as cul-de-sacs on the lands subject to this Exception shall possess a minimum pavement width of 6 metres (20 feet). All other private internal roadways on the subject lands shall possess a minimum pavement width of 7.5 metres (25 feet).

12. SITE PLAN CONTROL

The actual development of the lands subject to this Exception shall be subject to Site Plan Control.

RM3-002 **PART OF LOT 4, CONCESSION 1, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-12-94)**

Notwithstanding the provisions pursuant to SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE of this By-law, the following provisions shall apply to these lands:

1. PERMITTED USES

Permitted Uses on these lands shall only include the following:

(a) Single Detached Dwelling Units;

(b) Townhouse Dwelling Units;

(c) Apartment Buildings;

(d) Clubhouse to serve the needs of the residents of the lands subject to this Exception, which may include such uses as a swimming pool, change rooms, lounges, activity rooms and a kitchen.

(e) Limited scale local commercial uses to serve the needs of the residents of the subject lands, provided these commercial uses do not exceed a maximum gross floor area of 740 square metres (7,965 square feet) and are not located adjacent to Twenty Road West.

(f) Outdoor recreation uses such as horseshoe pitching areas, shuffleboard courts, tennis courts, lawn bowling greens and other similar uses; and

(g) Uses, buildings and structures accessory to the uses described in the above Paragraph (a), (b), (c), (d), (e) and (f), of this Exception to this By-law.

2. GENERAL REGULATIONS PERTAINING TO ALL DEVELOPMENT

(a) Minimum Lot Area

The minimum lot area shall be 32 hectares (80 acres).

(b) Minimum Lot Frontage

The minimum lot frontage shall be 500 metres (1,640 feet).

(c) Maximum Residential Density and Maximum Number of Dwelling Units

The maximum residential density on the subject lands shall be 20 dwelling units per gross hectare (approximately 8 units per acre). The maximum number of dwelling units on the subject lands shall be 650 units.

(d) Maximum Lot Coverage By Dwelling Units

The maximum lot coverage by dwelling units shall be thirty (30) percent of the total subject lands.

(e) Minimum Landscaped Open Space

A minimum of forty (40) percent of the total subject lands shall be landscaped open space, which shall consist of grass, trees, shrubs, watercourses and ponds, and/or walkways.

(f) Buffer Strip

A buffer strip shall be provided and thereafter maintained along the entire lot frontage adjacent to Twenty Road, except where driveways to access the subject lands are located. This buffer shall consist of a strip of land with a minimum width of 2.7 metres (9 feet), and shall consist of wood and plant materials.

(g) Minimum Fencing Requirements

A fence having a minimum height of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to the north, west and east lot lines of the lands subject to this Exception.

(h) Parking Requirements

(i) A minimum of 1.3 parking spaces per dwelling unit shall be provided on the subject lands and thereafter maintained. These parking spaces shall not include the parking spaces associated with the clubhouse.

(ii) The outdoor parking or storage of any vehicle exceeding a maximum length of 6.4 metres (21 feet) or an overall height of 2.6 metres (8.5 feet) is prohibited.

3. REGULATIONS FOR SINGLE DETACHED DWELLING UNITS

(a) Minimum Front Yard

(i) All dwelling units shall be setback a minimum distance of 12 metres (40 feet) from the designated road right-of-way of Twenty Road West.

(ii) All dwelling units shall be setback a minimum distance of 4 metres (13 feet) from the edge of the pavement of any private internal roadway.

(b) Minimum Side Yard

All dwelling units shall be setback a minimum distance of 7.5 metres (25 feet) from both the easterly and westerly side lot lines of the total subject lands.

(c) Minimum Rear Yard

All dwelling units shall be setback a minimum distance of 10 metres (33 feet) from the rear lot line of the total subject lands (i.e. adjacent to the Ontario Hydro Corridor).

(d) Separation Distances Between Dwelling Units

(i) A minimum building separation distance of 2.4 metres (8 feet) shall be provided between single detached dwelling units;

(ii) A minimum building separation distance of 7.5 metres (25 feet) shall be provided between single detached dwelling units and townhouse dwelling units; and

(iii) A minimum building separation distance of 24.5 metres (80 feet) shall be provided between single detached dwelling units and apartment dwelling units.

(e) Minimum Gross Floor Area per Dwelling Unit

The minimum gross floor area per dwelling unit shall be 74 square metres (800 square feet).

(f) Maximum Gross Floor Area per Dwelling Unit

The maximum gross floor area per dwelling unit shall be 170 square metres (1,800 square feet) for single storey dwelling units. The maximum floor area for dwelling units with a second floor shall be 185 square metres (2,000 square feet). The floor area on the second floor of a dwelling unit shall not exceed fifty percent (50%) of the ground floor area of the dwelling unit.

(g) Maximum Building Height

The maximum building height shall be one and one half (1.5) storeys and shall not exceed 7.5 metres (25 feet).

(h) Basements and Cellars

Basements and cellars in dwelling units shall not exceed a height of 2.4 metres (8 feet) measured from the top of the basement floor to the underside of the first floor joists. Basements and cellars shall not be used as finished living space, which includes the prohibition of uses such as, but not restricted to, bedrooms, family rooms, recreation rooms and washrooms.

(i) Special Locational Requirement

The only form of residential development permitted adjacent to the westerly side lot line of the total subject lands from Twenty Road West northerly to a minimum distance of 185 metres (600 feet), shall be single detached dwelling units.

4. REGULATIONS FOR TOWNHOUSE DWELLING UNITS

(a) Minimum Front Yard

(i) All dwelling units shall be setback a minimum distance of 12 metres (40 feet) from the front line, as established once the land required for the widening of Twenty Road has been properly dedicated.

(ii) All dwelling units shall be setback a minimum distance of 4 metres (13 feet) from the edge of the pavement of any private internal roadway.

(b) Minimum Side Yard

All dwelling units shall be setback a minimum distance of 7.5 metres (25 feet) from both the easterly and westerly side lot lines.

(c) Minimum Rear Yard

All dwelling units shall be setback a minimum distance of 10 metres (33 feet) from the rear lot line of the subject lands (adjacent to the Ontario Hydro Corridor).

(d) Minimum Separation Distance

Between blocks of townhouse dwelling units, there shall be provided and thereafter maintained:

(i) a distance of not less than 4.5 metres (15 feet) between two exterior walls containing no windows;

(ii) a distance of not less than 7.5 metres (25 feet) between two exterior walls one of which contains at least one (1) window to a habitable room; and

(iii) a distance of not less than 15 metres (50 feet) between two exterior walls each of which contains at least one (1) window to a habitable room.

(e) Minimum Floor Area per Dwelling Unit

The minimum floor area per dwelling unit shall be 70 square metres (750 square feet).

(f) Maximum Floor Area per Dwelling Unit

The maximum floor area per dwelling unit shall be 170 square metres (1,800 square feet) for single storey dwelling units. The maximum floor area for dwelling units with a second floor shall not exceed 185 square metres (2,000 square feet). The floor area on the second floor of a dwelling unit shall not exceed fifty percent (50%) of the ground floor area of the dwelling unit.

(g) Maximum Building Height

The maximum building height shall be one and one half (1.5) storeys and shall not exceed 7.5 metres (25 feet).

(h) Basements and Cellars

Basements and cellars in dwelling units shall not exceed a height of 2.4 metres (8 feet) measured from the top of the basement floor to the underside of the first floor joists. Basements and cellars shall not be used as finished living space, which includes the prohibition of uses such as, but not restricted to, bedrooms, family rooms, recreation rooms and washrooms.

5. REGULATIONS FOR APARTMENT BUILDINGS

(a) Maximum Number of Apartment Buildings and Dwelling Units

(i) The maximum number of apartment buildings permitted shall not exceed four (4) apartment buildings, and

(ii) The maximum number of apartment dwelling units permitted shall not exceed 120 apartment dwelling units.

(b) Maximum Building Height

The maximum building height shall be 10.7 metres (35 feet).

(c) Minimum Building Setback from all Lot Lines

The minimum setback from all lot lines shall be 100 metres (330 feet).

(d) Minimum Building Setback from Private Internal Roadways

The minimum setback from the edge of the pavement of any private internal roadways shall be 12 metres (40 feet).

(e) Minimum Setback from Townhouse Dwelling Unit

The minimum setback from townhouse dwelling units shall be 24.5 metres (80 feet).

6. REGULATIONS FOR THE CLUBHOUSE

(a) Maximum Total Floor Area

The maximum total floor area shall be 1,400 square metres (15,000 square feet).

(b) Maximum Building Height

The maximum building height shall be 10.7 metres (35 feet).

(c) Minimum Building Setback from all Lot Lines

The minimum building setback from all lot lines shall be 100 metres (330 feet).

(d) Minimum Building Setback from Dwelling Units

The minimum building setback from any dwelling unit shall be 30 metres (100 feet).

(e) Minimum Parking Requirements

A minimum of one (1) parking space for each 9.3 square metres (100 square feet) or fraction thereof, of the total floor area of the clubhouse, shall be provided adjacent to the clubhouse and thereafter maintained.

7. REGULATIONS FOR LOCAL COMMERCIAL USES

(a) General Location

The location of the commercial uses shall be restricted to a generally central location on the subject lands and shall not have either direct access or exposure to Twenty Road West.

(b) Maximum Gross Floor Area

The maximum gross floor area shall be 740 square metres (7,965 square feet).

(c) Maximum Building Height

The maximum building height shall be 7.5 metres (25 feet), except where included within the clubhouse building.

(d) Minimum Building Setback from all Lot Lines

The minimum building setback from all lot lines shall be 100 metres (330 feet).

(e) Minimum Building Setback from all Dwelling Units

The minimum building setback from single detached dwelling units, townhouse dwelling units and apartment dwelling units shall be 30 metres (100 feet).

(f) Parking Requirements

A minimum of one (1) parking space for each 45 square metres (500 square feet) or fraction thereof, of the total floor area of the commercial area shall be provided adjacent to the commercial area.

8. REGULATIONS FOR OTHER ACCESSORY BUILDINGS

(a) Accessory buildings directly associated with the dwelling units shall be permitted provided they do not exceed a floor area of 2 square metres (21.5 square feet) nor a height of 4.5 metres (15 feet), and shall be contiguous to the dwelling unit. A maximum of one (1) accessory building per dwelling unit is permitted.

(b) Accessory buildings directly associated with the overall development on the subject lands shall be permitted provided their total gross floor area does not exceed 110 square metres (1,185 square feet) and their height does not exceed 9 metres (30 feet).

(c) The minimum yard for an accessory building associated with a dwelling unit shall be as follows:

(i) 4.5 metres (15 feet) for an accessory building associated with a dwelling unit; and

(ii) 15 metres (50 feet) for an accessory building associated with the overall development on the subject lands.

9. REGULATIONS FOR PRIVATE INTERNAL ROADWAYS

The private internal roadways on the subject lands shall possess a minimum pavement width of 6 metres (20 feet), with the exception of the main north-south road, which shall possess a minimum pavement width of 7.3 metres (24 feet).

10. SITE PLAN CONTROL

All development on the lands subject to this Exception shall be subject to Site Plan Control.

H-C5-003 PART OF LOT 5, CONCESSION 3, FORMER GLANFORD

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

   (a) sufficient land consolidation to satisfy the minimum lot frontage and minimum lot area regulations pursuant to SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE of this By-law;

   (b) approvals for access to these lands from the Ministry of Transportation and the Township; and

   (c) a Development, Maintenance and Use Agreement has been entered into by the Owner with the Township.

2. The use of the lands while zoned "H-C5-003" shall be limited to the dwellings existing at the date of the passing of this By-law and enlargement thereof and uses, buildings and structures accessory thereto. The regulations pursuant to Subsection 8.3 of this By-law shall apply to these lands while zoned "H-C5-003". At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE of this By-law.

C5-004 PART OF LOT 6, CONCESSION 1, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-36-98)

1. Places of Entertainment and Places of Recreation shall be prohibited uses on these lands.

2. The Storm Drainage requirements for these lands shall be as follows:

   (a) Prior to the execution of the Development, Maintenance and Use

Agreement by Council for the subject lands, the Owner shall design and submit calculations and drawings prepared by a Professional Engineer for a storm drainage system for the subject lands in accordance with the requirements of the Township of Glanbrook Engineer. As a condition of the Development, Maintenance and Use Agreement, the owner will be required to provide security to the Township in the form of a Letter of Credit for the estimated construction cost of the storm drainage system. The security will be released when the drainage system is installed as detailed in the Development, Maintenance and Use Agreement and this Exception, to the satisfaction of the Township Engineer. The required basic storm drainage facilities shall be provided prior to the constriction of any buildings on the subject lands, other than excavation and footings; and

(b) The required storm drainage system for the subject lands shall consist of a drainage swale having a minimum width of 4.5 metres (15 feet) and a minimum depth of 0.6 metres (2 feet) along the eastern boundary of the subject lands, and all of the storm water within the area on the subject lands from the top of the required berm westerly, shall flow in a westerly direction towards Highway No. 6.

3. In addition to the uses permitted in **SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE**, Subsection 27.2 - **PERMITTED USES AND SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW** - Zone C5-004, a garden centre including a greenhouse, accessory office, display and parking areas, and an area for the growing of plant materials, shall be permitted on these lands, as a temporary use, for a period of three (3) years from the date of the passing of this By-law, being February 2, 1998.

4. Any and all buildings associated with the garden centre shall be temporary in nature.

5. Notwithstanding the outside storage regulations of **SECTION 27: AIRPORT - RELATED COMMERCIAL "C5" ZONE**, Subsection **27.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 27.1** clause (l), the following regulations shall apply to a temporary garden centre on the subject lands:

(1) An outside product display area accessory to the garden centre shall be permitted, however, shall not be located within any required minimum yard.

6. All other provisions of **SECTION 27: AIRPORT-RELATED**

COMMERCIAL "C5" ZONE, Subsection 27.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTIONS 27.1** shall apply to a temporary garden centre and accessory uses on the lands subject to this By-law.

7. The development of the subject lands for a temporary garden centre shall be subject to Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended.

C5-005 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD**

Deleted by By-law No. 02-359 passed on December 11, 2002.

A1-006 **PART OF LOT 6, CONCESSION 2, FORMER GLANFORD**

These lands may also be used for a wholly enclosed veterinary service establishment subject to the following regulations:

(a) Minimum Lot Frontage ..... 22 metres (72 feet)

(b) Minimum Lot Area ..... 1,160 square metres (12,490 square feet)

(c) Minimum Front Yard ..... 14 metres (45 feet)

(d) Minimum Side Yards

(i) South Side Yard ..... 4.8 metres (15.7 feet)

(ii) North Side Yard ..... 6.1 metres (20 feet)

(e) Minimum Rear Yard ..... 10.7 metres (35 feet)

(f) Minimum Parking Requirements

A minimum of four (4) parking spaces shall be provided on these lands.

OS1-007 **PART OF LOT 6, CONCESSION 3, FORMER GLANFORD**

These lands may also be used for a track only for the operation of go-karts provided the total length of the track does not exceed 0.8 kilometres (0.5 miles).

A1-008 **PART OF LOT 13, CONCESSION 3, FORMER GLANFORD**

These lands may be used for an equestrian centre, which may include, horses, stables, and indoor riding arenas with a viewing area, and ancillary uses, including administration facilities, a restaurant, short term overnight accommodation facilities to be used in association with equestrian activities, a parking area and buildings and structures accessory thereto, subject to the following provisions:

(a) 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).

(b) The maximum gross floor area of the restaurant, including the kitchen, storage and public areas, shall be 242 square metres (2,600 square feet).

(c) The maximum gross floor area of the short term overnight accommodation facilities shall be 242 square metres (2,600 square feet) and the maximum designed capacity shall be 16 beds.

A1-009 **PART OF LOTS 14 AND 15, CONCESSION 4, FORMER GLANFORD**

One (1) additional single detached dwelling unit may also be permitted on these lands.

A1-010 **PART OF LOT 1, CONCESSION 5, FORMER GLANFORD**

1. The permitted uses on these lands shall only include the inside storage and repair of antique motor vehicles, or motor vehicles modified in any manner to resemble antique motor vehicles, which are owned by members of the Road Runners Club. No residential uses are permitted on these lands.

2. The permitted uses shall be subject to the following regulations:

   (a) Minimum Lot Frontage..... 54 metres (177 feet)

   (b) Minimum Lot Depth ..... 49 metres (160 feet)

   (c) Minimum Lot Area ..... 2,690 square metres (28,955 square feet)

   (d) Minimum Front Yard..... 15 metres (50 feet)

   (e) Minimum Side Yard ..... 15 metres (50 feet)

   (f) Minimum Rear Yard..... 15 metres (50 feet)

(g) Maximum Building Envelope..... 425 square metres (4,575 square feet)

(h) Maximum Building Height.....1 storey

3. The development of these lands shall be subject to Site Plan Control.

A1-011 **PART OF LOT 12, CONCESSION 5, FORMER GLANFORD**

There shall be no minimum rear yard regulation for any building existing on these lands at the date of the passing of this By-law.

A1-012 **PART OF LOT 12, CONCESSION 5, FORMER GLANFORD**

The existing agricultural silos on these lands shall be deemed to comply with this By-law provided such silos are setback a minimum of 7.5 metres (25 feet) from any and all lot lines and comply with all other regulations pertaining to SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law.

A1-013 **PART OF LOT 5, CONCESSION 6, FORMER GLANFORD**

The minimum lot frontage regulation shall be 12 metres (40 feet) and the minimum lot area regulation shall be 674 square metres (7,260 square feet) for each lot on these lands. All other regulations of Subsections 17.3 and 17.5 of SECTION 17: RESIDENTIAL MULTIPLE "RM1" ZONE of this By-law shall apply to these lands.

C6-014 **PART OF LOT 5, CONCESSION 1, FORMER GLANFORD**

1. PERMITTED USES

The permitted uses on these lands shall only include the following:

(a) a permanent retail market to sell fruits, vegetables and meat products;

(b) a motel; and

(c) a maximum of two (2) residential apartment units accessory to the permitted used described in the above Paragraph (a) and (b).

2. REGULATIONS

The following regulations shall pertain to these lands:

(a) Minimum Lot Frontage ..... 30 metres (100 feet)

(b) Minimum Lot Depth ..... 54 metres (180 feet)

(c) Minimum Lot Area ..... 2,345 square metres (25,240 square feet)

(d) Floor Area Requirements

(i) The permanent retail market shall be restricted to the ground level, however, a basement or cellar for storage purposes only shall also be permitted. The maximum ground floor area for the permanent retail market shall be 279 square metres (3,000 square feet).

(ii) The maximum gross floor area for the motel shall be 108 square metres (1,155 square feet).

(iii) The accessory residential uses shall be located on the second floor of the new commercial building on the subject lands, which will be occupied by the permanent retail market. The minimum gross floor area for each of the accessory residential apartment units shall be 93 square metres (1,000 square feet), and the maximum combined gross floor area of both of the accessory residential apartment units shall be 279 square metres (3,000 square feet).

(f) Minimum Side Yard

(i) South Side Yard ..... 4.5 metres (15 feet)

(ii) North Side Yard ..... 14 metres (45 feet)

(g) Minimum Rear Yard ..... 9 metres (30 feet)

(h) Maximum Height ..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

(i) One (1) parking space for each 23 square metres (250 square feet), or fraction thereof, of the total ground floor area devoted to the permanent retail market;

(ii) One (1) parking space for each motel unit;

(iii) One (1) parking space for each residential apartment unit; and

(iv) No land is to be designated for a parking space or part thereof and no land is to be used for the temporary parking or storage of any motor vehicle at a distance of less than 3 metres (10 feet) from any lot line.

(j) Minimum Landscaping Requirements

A landscaped area in the form of a planting strip having a minimum width of 3 metres (10 feet) is to be provided and thereafter maintained adjacent to any lot line that abuts a residential use or a street.

C6-015 **PART OF LOT 5, CONCESSION 6, FORMER GLANFORD**

1. PERMITTED USES

The permitted uses on these lands shall only include a commercial operation which may sell and service technical equipment related to the agricultural, veterinary, medical and dental professionals, and uses, buildings and structures accessory thereto.

2. REGULATIONS FOR THE PRINCIPAL BUILDING

(a) Minimum Lot Frontage..... 50 metres (165 feet)

(b) Minimum Lot Depth ..... 55 metres (180 feet)

(c) Minimum Lot Area ..... 0.25 hectares (0.6 acres)

(d) Maximum Total Lot Coverage.....35 percent

(e) Minimum Front Yard..... 14 metres (45 feet)

(f) Minimum Side Yard ..... 4.5 metres (15 feet)

(g) Minimum Rear Yard..... 9 metres (30 feet)

(h) Maximum Building Height..... 10.7 metres (35 feet)

(i) Minimum Parking Requirements

(i) One (1) parking space shall be provided on the lot for each 46.5 square metres (500 square feet) or fraction thereof of gross floor area devoted to the permitted commercial use.

(ii) 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 (5 feet) of any lot line of street line.

(j) Minimum Landscaping Requirements

A landscaped area in the form of a planting strip having a minimum width of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any residential use.

3. REGULATIONS FOR ACCESSORY BUILDINGS

(a) Minimum Front Yard ..... 14 metres (45 feet)

(b) Minimum Side Yard .....1 metre (3 feet)

(c) Minimum Rear Yard .....1 metre (3 feet)

(d) Maximum Height ..... 4.5 metres (15 feet)

(e) Minimum Distance from any other buildings on the subject lands 3 metres (10 feet) provided that in no case shall any overhang, eaves or gutter project into this required area, which shall be clear of any obstruction from the ground to the sky.

C6-016 **PART OF LOT 5, CONCESSION 6, FORMER GLANFORD**

The permitted uses on these lands shall only include a garden centre, nursery stock production, and uses, buildings and structures accessory thereto.

C6-017 **PART OF LOT 5, CONCESSION 6, FORMER GLANFORD**

The permitted uses on these lands shall only include the sale, service and storage of marine equipment and supplies, and uses, buildings and structures accessory thereto.

C6-018 **PART OF LOT 5, CONCESSION 1, FORMER GLANFORD**

1. PERMITTED USES

Permitted Uses shall only include the following:

(a) the existing commercial use (meat store) and associated building,

(b) the existing single detached dwelling, as an accessory use and accessory building to the permitted commercial use,

(c) the existing barn, as an accessory building to either or both uses permitted in the above Paragraphs (a) and (b) of this Exception, and

(d) uses, buildings and structures accessory to the permitted uses.

2. REGULATIONS FOR THE EXISTING COMMERCIAL USES

(a) Minimum Lot Frontage..... 60 metres (200 feet)

(b) Minimum Lot Depth ..... 97 metres (318 feet)

(c) Minimum Lot Area ..... 5,940 square metres (63,940 square feet)

(d) Maximum Lot Coverage .....7 percent

(e) Minimum Front Yard..... 14 metres (45 feet)

(f) Minimum Side Yard ..... 6 metres (20 feet)

(g) Minimum Rear Yard..... 6 metres (20 feet)

(h) Minimum Parking Requirements

(i) A minimum of one (1) parking space shall be provided on the lot for each 28 square metres (300 square feet) or fraction thereof of gross floor area devoted to commercial uses on such lot.

(ii) No parking spaces 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 (5 feet) of any lot line or any street line.

(i) Outside Storage

No outside storage shall be permitted on these lands, except for the temporary parking or storage of motor vehicles.

(j) Location of Certain Structures

Light standards and signs may be located in the required minimum front yard at a distance of not less than 3 metres (10 feet) from Highway No. 6 subject to the requirements of the Ministry of Transportation.

3. REGULATIONS FOR THE EXISTING ACCESSORY BUILDINGS (SINGLE FAMILY DWELLING AND BARN)

(a) Minimum Front Yard ..... 6 metres (20 feet)

(b) Minimum Rear Yard ..... 10 metres (33 feet)

(c) Minimum Side Yard ..... 7.5 metres (25 feet)

(d) The minimum distance from the existing commercial uses and the existing accessory buildings shall be 12 metres (40 feet).

4. REGULATIONS FOR NEW BUILDINGS AND STRUCTURES ACCESSORY TO THE EXISTING COMMERCIAL USE AND THE ACCESSORY DETACHED DWELLING

(a) Accessory buildings shall not be located in any front yard or in any minimum side yard.

(b) Accessory buildings shall not be located less than 14 metres (45 feet) from Highway No. 6.

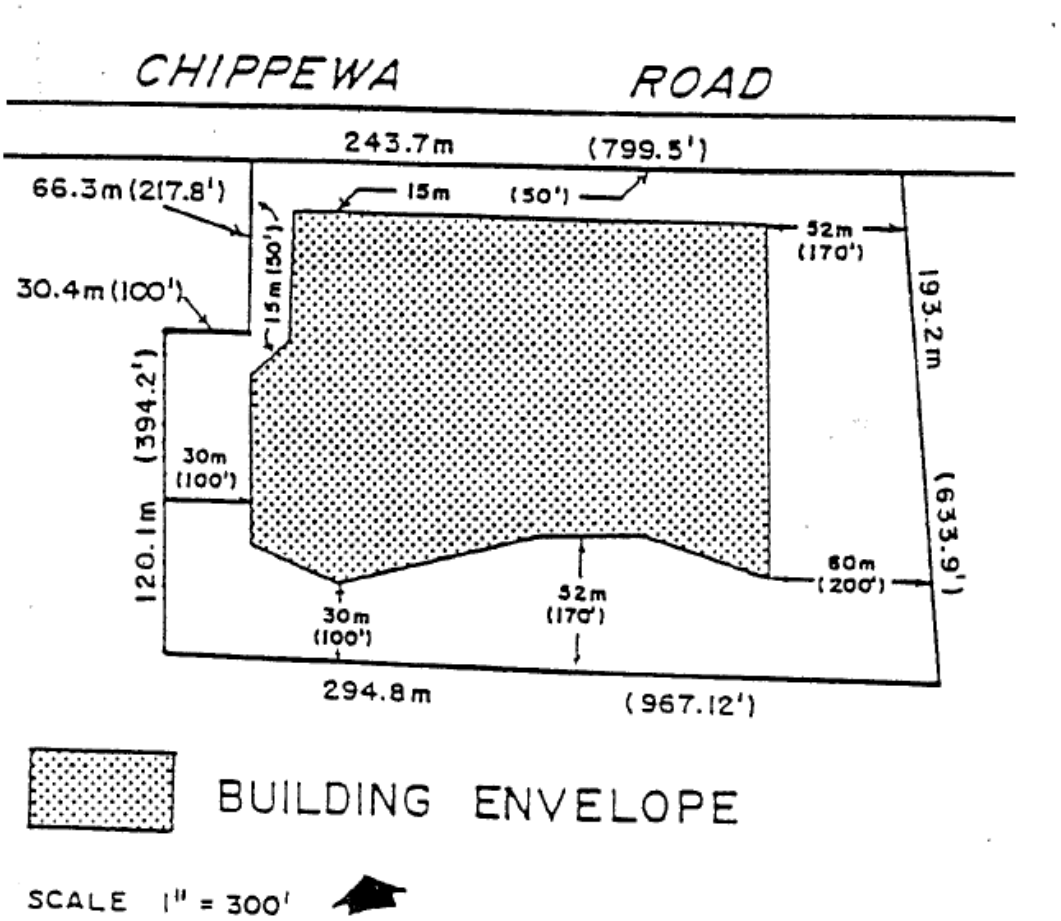
(c) Accessory buildings and structures shall not be located less than 3 metres (10 feet) from any lot line.

(d) The maximum lot coverage for accessory buildings and not shall not be more than five (5) percent (excluding the existing single detached dwelling and barn).

(e) The maximum height for accessory buildings shall be 4.5 metres (15 feet).

M7-019 **PART OF LOT 8, CONCESSION 7, FORMER GLANFORD**

The permitted uses on these lands shall only include wood manufacturing operation and uses, buildings and structures accessory thereto. Notwithstanding the minimum side yard and rear yard regulations of the "M7" Zone pursuant to Paragraphs 36.2 (f), (g), (j) (iv) and (n) of this By-law, the minimum side yard and rear yard regulations for these land shall be as shown on the following plan, which is hereby declared to form a part of this By-law:



A1-020 **PART OF LOT 7, CONCESSION 7, FORMER GLANFORD**

1. PERMITTED USES

In addition to the uses permitted pursuant to Subsection 8.1 of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law, an equestrian centre which may include a horse stable, an indoor riding arena with a viewing area, an outdoor riding area with a viewing area, an outdoor riding area and track, and ancillary uses including administration and classroom facilities, a restaurant, short term overnight accommodation facilities to be used only in association with equestrian activities, a parking area, and buildings and structures accessory thereto, shall also be permitted uses on these lands.

2. REGULATIONS

The regulations pertaining to the additional permitted uses as identified in this Exception shall be as follows:

(a) Minimum Lot Requirements

(i) Minimum Lot Frontage..... 572 metres (1,879 feet)

(ii) Minimum Lot Depth ..... 660 metres (2,166 feet)

(iii) Minimum Lot Area ..... 37.8 hectares (93.4 acres)

(b) Minimum Setbacks

(i) No stable, barn or other building used to house animals, and no feed lot area or manure storage area shall be located:

(a) closer than 48 metres (160 feet) to the front lot line or any street line;

(b) closer than 60 metres (200 feet) to any other lot line; or

(c) closer than 150 metres (500 feet) to any 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:

(a) closer than 3 metres (10 feet) to the front lot line or street line;

(b) closer than 30 metres (100 feet) to any other lot line; or

(c) closer than 30 metres (100 feet) 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 metres (50 feet) to any lot line or street line.

(c) Minimum Parking Requirements

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 square metres (300 square feet) 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 (100 square feet) or fraction thereof of total public floor area devoted to a restaurant facility; plus

(iv) One (1) parking space for each two (2) employees.

(d) Restaurants and Short Term Overnight Accommodation Facilities

(i) The maximum gross floor area of the restaurant, including the kitchen, storage and public areas, shall be 280 square metres (3,000 square feet), 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 square metres (8,000 square feet), and the maximum design capacity shall be 50 persons.

(e) Site Plan Control

The development of the additional permitted uses as identified in this Exception shall be subject to Site Plan Control.

OS1-021 PART OF LOT 2, CONCESSION 7, FORMER GLANFORD

The permitted uses on these lands shall only include a golf course and accessory uses, buildings and structures. A maximum of two (2) accessory single detached dwellings may be permitted on the subject lands.

A1-022 PART OF LOT 13, CONCESSION 6, FORMER GLANFORD

No dwelling units shall be permitted on these lands.

M7-023 PART OF LOT 12, CONCESSION 8, FORMER GLANFORD

The permitted uses on these lands shall only include the storage and wholesaling of metal products and accessory uses, buildings and structures.

M7-024 **PART OF LOT 4, CONCESSION 2, FORMER GLANFORD**

The permitted use of these lands shall be restricted to a dried flower operation and accessory uses, buildings and structures.

M6-025 **2200 RYMAL ROAD EAST, PART OF LOT 5, BLOCK 3, CONCESSION 1, FORMER TOWNSHIP OF GLANBROOK (AS AMENDED BY BY-LAW NO. 03-311**

In addition to the uses permitted in the Rural Industrial-Business Park "M6" Zone, the following additional uses shall also be permitted:

1. A Motor Vehicle Gasoline Bar subject to the regulations of SECTION 26: MOTOR VEHICLE SERVICE "C4" ZONE of this By-law;

2. One (1) Spa/Hot Tub Sales Establishment including the sale of accessory items related only to spa/hot tub sales, in which no more than 75 per cent of the gross floor area may be used for retail or showroom space;

3. One (1) Convenience Retail Store;

4. One (1) Veterinary Service Establishment;

5. A maximum of three (3) professional offices, of which not more than two (2) may be used as medical offices. There shall be a maximum of two (2) practitioners in each of the two (2) Medical Offices permitted, notwithstanding the definition of "Medical Centre" in Section 4 of this By-law. "Medical Offices", for the purposes of the "M6-025" Zone, are defined as offices of medical practitioners, dentists, chiropractors, physiotherapists, osteopaths or other drugless practitioners, for public or private medical, surgical, physio-therapeutic or other human health purpose.

C6-026 **PART OF LOT 4, BLOCK 4, CONCESSION 1, FORMER BINBROOK (AS AMENDED BY BY-LAW NOS. 464-35-98 AND 464-66-00)**
(DELETED BY BY-LAW 16-235)

M2-027 **PART OF LOT 5, BLOCK 2, CONCESSION 1, FORMER BINBROOK**

The permitted use of the lands shall be restricted to a wholly enclosed storage operation.

A1-028 **PART OF LOT 3, BLOCK 2, CONCESSION 1, FORMER BINBROOK**

1. An additional permitted use on these lands shall include a warehouse for the storage of materials and equipment associated with a painting business and

accessory uses, buildings and structures.

2. The regulations pertaining to this additional permitted use as identified in this Exception shall be as follows:

(a) Minimum Lot Frontage ..... 60 metres (200 feet)

(b) Minimum Lot Area ..... 1.2 hectares (3 acres)

(c) Maximum Gross Floor Area ..... 230 square metres (2,500 square feet)

(d) Minimum Front Yard ..... 14 metres (45 feet), provided that no building or structure shall be erected within 32 metres (105 feet) of the centre line of Highway No. 20

(e) Minimum Side Yard ..... 15 metres (50 feet)

(f) Minimum Rear Yard ..... 15 metres (50 feet)

(g) Maximum Building Height ..... 10.7 metres (35 feet)

(h) Minimum Parking Requirements

(i) One (1) parking space for each 45 square metres (500 square feet) or fraction thereof of gross floor area shall be provided on the lot.

(ii) 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 1.5 metres (5 feet) from a rear lot line or less than 7.5 (25 feet) from any street line or boundary of any residential use.

(i) Minimum Landscaping Requirements

A landscaping area in the form of a planting strip having a minimum width of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a

residential use.

3. The development of this additional permitted use as identified in this Exception shall be subject to Site Plan Control.

A1-029 **PART OF LOT 5, BLOCK 3, CONCESSION 3, FORMER GLANFORD**

1. An additional permitted use on these lands shall include a professional or business office as a principal use.

2. The regulations pertaining to this additional permitted use as identified in this Exception shall be as follows:

   (a) Minimum Lot Frontage ..... 45 metres (150 feet)

   (b) Minimum Lot Area .....275 square metes (30,000 square feet)

   (c) Minimum Yards ..... 15 metres (50 feet)

   (d) Maximum Building Height ..... 10.7 metres (35 feet)

   (e) Minimum Parking Requirements

   Pursuant to the Provisions of Subsection 7.35 - Minimum Parking Requirements of this By-law.

A1-030 **PART OF LOT 2, BLOCK 4, CONCESSION 3, FORMER BINBROOK**

The minimum lot frontage and lot area regulations for these lands shall be as follows:

(a) Minimum Lot Frontage..... 60 metres (200 feet)

(b) Minimum Lot Area ..... 3,175 square metres (40,000 square feet)

C3-031 **PART OF LOT 5, BLOCK 3, CONCESSION 3, FORMER BINBROOK**

The permitted uses on these lands shall be restricted to a motor vehicle storage, sales and repair operation, and an office for a travel agency, and accessory uses, buildings and structures.

OS2-032 and OS3-032 **BINBROOK CONSERVATION AREA**

Trailers, recreational vehicles and tents may be used for seasonal overnight accommodation on these lands.

A1-033 and 0S3-033 **PART OF LOT 22, CONCESSION 7, FORMER BINBROOK**

1. An additional permitted use on these lands shall include a printing shop.

2. The regulations pertaining to this additional permitted use as identified in this Exception shall be as follows:

   (a) Minimum Lot Frontage..... 114 metres (375 feet)

   (b) Minimum Lot Area ..... 4.4 hectares (10.9 acres)

   (c) Minimum Yards

   As existing at the date of the adoption of this By-law.

   (d) Maximum Gross Floor Area and Building Height

   As existing at the date of the adoption of this By-law.

   (e) All operations shall be wholly enclosed.

   (f) Minimum Parking Requirements

   A minimum of three (3) parking spaces for the exclusive use of vehicles related to the printing shop.

A1-034 **PART OF LOT 25, CONCESSION 7, FORMER BINBROOK**

Notwithstanding the lot area of these lands, a rabbitry shall be a permitted use thereon pursuant to the other pertinent regulations of this By-law.

C6-035 **PART OF LOT 24, CONCESSION 9, FORMER BINBROOK**

1. The permitted uses on these lands shall only include the following:

   (a) Automobile service station;

   (b) Car compound;

   (c) Small engine sales and repair shop;

   (d) Service shop, including the sale of television towers; and

   (e) Garden centre

2. The regulations pertaining to the permitted automobile service station shall be pursuant to SECTION 26: MOTOR VEHICLE SERVICES "C4" ZONE of this By-law.

3. The regulations pertaining to the other permitted uses on these lands as identified by this Exception shall be pursuant to SECTION 28: RURAL COMMERCIAL "C6" ZONE of this By-law, except the minimum lot

frontage regulation, which shall be 45 metres (150 feet).

4. "Car Compound" as stated in the above Paragraph (b) of this Exception shall mean "an area of land not exceeding 560 square metres (6,000 square feet) in area enclosed by a solid fence having a minimum height of 1.8 metres (6 feet) to be used only for the temporary storage of motor vehicles, but shall not include a junk yard, salvage yard, automobile wrecking yard, or the collection, storage or sale of junk, salvage, partially or completely dismantled automobiles, other motor vehicles or trailers".

ER-036 **3079 HIGHWAY NO. 56, PART OF LOT 5, BLOCK 3, CONCESSION 4, FORMER BINBROOK**

Notwithstanding the uses permitted in **SECTION 12: EXISTING RESIDENTIAL "ER" ZONE**, Subsection 12.1, **PERMITTED USES** of Zoning By-law No. 464, a Commercial School shall also be permitted on the lands zoned "ER-36":

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsections 7.35 (a)(iv), (a)(vi)(a), (a)(xii), (a)(xiv), **MINIMUM PARKING REQUIREMENTS**, the following regulations shall apply for lands zoned "ER-36":

(a) Tandem parking shall be permitted for a Commercial School.

(b) A minimum driveway width of 5.3 metres shall be permitted.

(c) Sections 7.35(a)(xii) and 7.35(a)(xiv) shall not apply to the buildings or structures existing on the date of passing of this By-law, being March 28, 2007.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsections 7.13(b)(ii), (b)(iii), (b)(iv), **ACCESSORY BUILDINGS**, the following regulations shall apply for lands zoned "ER-36":

(a) The Accessory building shall not be located less than 0.76 metres from any lot line.

(b) Section 7.12(b)(iii) shall not apply to the buildings or structures existing on the date of the passing of this By-law, being March 28, 2007.

(c) The maximum gross floor area for the access building shall be 185 square metres.

C1-037 **PART OF LOT 1 BLOCK 4, CONCESSION 4, FORMER BINBROOK**

1. An additional permitted use on these lands shall include a motor vehicle gasoline bar.

2. The regulations pertaining to the permitted motor vehicle gasoline bar shall be pursuant to SECTION 26: MOTOR VEHICLE SERVICES "C4" ZONE of this By-law.

3. Notwithstanding Paragraph (a) of Subsection 23.3 of this By-law, which pertains to the permitted location of accessory residential uses, one (1) dwelling unit shall be permitted on the ground floor of the principal building on these lands pursuant to the pertinent regulations of SECTION 23: NEIGHBORHOOD COMMERCIAL "C1" ZONE of this By-law.

C1-038 **PART OF LOT 1, BLOCK 4, CONCESSION 3, FORMER BINBROOK**

The permitted use on these lands shall be restricted to accessory uses for a theatre for live performances.

OS2-039 **PART OF LOT 1, BLOCK 4, CONCESSION 3, FORMER BINBROOK AS AMENDED BY BY-LAW NO. 464-14-94**

The permitted uses on these lands shall also include all recreational, commercial, livestock and public uses related to the Binbrook Agricultural Fair.

1. The following additional uses shall be permitted on these lands:

   (a) a banquet hall;

   (b) craft shows, trade shows and related retail uses;

   (c) animal shows and training;

   (d) auctions;

   (e) farmer's market; and

   (f) indoor storage of such items as boats, vehicles, machinery and trailers.

2. All permitted uses identified in Clauses (a) to (f) inclusive of Paragraph 1 above shall be subject to the following regulations:

   (a) all uses shall be wholly enclosed within a building(s); except the permitted uses identified in Clauses (b), (c), and (e) in Paragraph 1 above, which may have some related outside uses subject to the outside uses being setback a minimum distance of 15 metres (50 feet) from all lot lines and not creating a nuisance to surrounding lands;

   (b) All uses shall be restricted to the buildings existing at the time of the passing of Zoning By-law Amendment No. 464-14-94 (i.e., July 13, 1995), except the outside uses as permitted pursuant to Clause (a) of Paragraph 1 above;

   (c) All uses shall not be permitted during the annual Binbrook Agricultural Fair, unless the use(s) is directly related to this Fair.

3. In Addition to the regulations of SECTION 42: PUBLIC OPEN SPACE

"OS2" ZONE and Paragraph 2 above, the following regulations shall also apply to the *indoor storage of boats* on the subject lands:

(a) The indoor storage of boats on the subject lands shall be restricted to a maximum gross floor area of 446 square metres (4,800 square feet);

(b) The indoor storage of boats shall only be permitted in Building No. 4, as identified on Schedule A of By-law No. 464-14-94, and shall be subject to the following restriction:

(i) the indoor storage of boats shall be permitted in the entire Building No. 4, which consists of a gross floor area of 446 square metres (4,800 square feet).

R2-040 **PART OF LOT 7, CONCESSION 1, FORMER GLANFORD**

(a) Minimum Lot Frontage ..... 17 metres (56 feet)

(b) Minimum Side Yard ..... 1.2 metres (4 feet), except:

(i) One (1) side yard shall have a minimum width of 1.5 metres (5 feet); and

(ii) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 4.5 metres (15 feet).

(c) Minimum Rear Yard ..... 7.5 metres (25 feet)

R2-041 **PART OF LOT 7, CONCESSION 1, FORMER GLANFORD**

(a) Minimum Rear Yard ..... 7.5 metres (25 feet)

C3-042 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-49-00)**

An additional permitted use on these lands may include a wholly enclosed electrical shop for the sales, service and storage of electrical components.

H-C3-043 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD**

Deleted by By-law No. 08-222 on September 24, 2008.

C3-044 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD**

An additional permitted use on these lands shall include a wholly enclosed industrial metal operation. The zoning provisions pertaining to this additional use shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law except the minimum north side yard regulation shall be 2.1 metres (7 feet).

H-C3-045 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD**

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

   (a) adequate services for sanitary sewage disposal and water supply are available;

   (b) final approval for an application for consent to sever these lands from their existing lot; and

   (c) provision of access from an existing public road to the remaining lands in their existing lot as it exists subsequent to the satisfaction of Clause (b) of this Exception.

2. The use of these lands while zoned "H-C-045" shall be limited to the use of these lands as existing on the date of the adoption of this By-law. At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law.

R3-046 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD**

1. The front lot line for the residential lot on these lands shall be deemed to be the longer street line and the shorter street line shall be deemed to be a side lot line.

2. Minimum Rear Yard ..... 10.7 metres (35 feet)

R3-047 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD**

1. Minimum Rear Yard ..... 15 metres (50 feet)

2. Where the adjoining lands are used for residential purposes at the time of the passing of this By-law, a solid fence with a minimum height of 1.8 metres (6

feet) and a maximum height of 2.1 metres (7 feet) shall be provided and thereafter maintained along each such property line of the lands subject to this Exception.

C3-048 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD**

The minimum lot frontage for these lands shall be 21 metres (70 feet).

C3-049 **PART OF LOT 6, CONCESSION 5, FORMER GLANFORD**

The minimum lot frontage for these lands shall be 19.5 metres (64 feet).

H-C3-050 **PART OF LOT 6, CONCESSION 5, FORMER GLANFORD**

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

   (a) adequate services for sanitary sewage disposal and water supply;

   (b) approvals for access to these lands from the Region of Hamilton-Wentworth and the Ministry of Transportation, including, approval of a traffic report, as may be required by the Ministry of Transportation; and

   (c) a Development, Maintenance and Use Agreement has been entered into by the Owner with the Township.

2. The use of these lands while zoned "H-C-50" shall be limited to the use of these lands as existing on the date of the adoption of this By-law and the sale of manufactured housing units subject to the above-noted condition (c). At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law.

H-C3-051 **PART OF LOT 6, CONCESSION 5, FORMER GLANFORD**

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

   (a) adequate services for sanitary sewage disposal and water supply;

   (b) sufficient land consolidation to satisfy the minimum lot frontage regulation pursuant to SECTION 25: GENERAL COMMERCIAL

"C3" ZONE of this By-law;

(c) approvals for access to these lands from the Region of Hamilton-Wentworth and the Ministry of Transportation, including approval of a traffic report, as may be required by the Ministry of Transportation; and

(d) a Development, Maintenance and Use Agreement has been entered into by the Owner with the Township.

2. The use of these lands while zoned "H-C3-51" shall be limited to the use of these lands as existing on the date of the adoption of this By-law. At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law.

C5-052 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD**

1. The following additional uses shall be permitted on these lands:

(i) an automobile dealership where only new motor vehicles are kept for display, sale, lease and/or rent; and

(ii) uses, buildings and structures accessory thereto, including the servicing of motor vehicles, excluding motor vehicle body repairs and/or painting.

2. Places of Entertainment and Places of Recreation shall be prohibited uses on these lands.

C5-053 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD**

1. A Union Hall and accessory uses, buildings and structures shall be an additional permitted use on these lands.

2. Places of Entertainment and Places of Recreation shall be prohibited uses on these lands.

C5-053(A) **1955 Upper James Street** (By-law No. 14-290)

In addition to the uses permitted in Section 27.1 **PERMITTED USES** of **SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE**, those lands zoned Airport-Related Commercial "C5-053(A)" may also be used for a place of worship.

For the purposes of this By-law, a place of worship shall be defined as "a building used by any religious organization for public worship or other ecclesiastical functions and may include accessory or ancillary uses which shall include but not be limited to an assembly hall, auditorium, convent, monastery, rectory, cemetery, child care centre and educational or recreational uses." **#25-156**

Notwithstanding the regulations of **SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE**, Subsection 27.2 (a), (f), (i) and (k) (i) – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 27.1**, the following regulations shall apply to a place of worship:

(a)	Minimum Lot Frontage	21.0 metres
(b)	Minimum Northerly Side Yard	1.9 metres for the westerly building 4.6 metres for the easterly building
(c)	Minimum Southerly Side Yard	2.8 metres for the easterly building
(d)	Minimum Rear Yard	16.0 metres

(e) Subsection 2.72 (k)(i) shall not apply.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS OR ALL ZONES**, Subsection 7.35(a) (vii), (xii), (xiii) – **MINIMUM PARKING REQUIREMENTS – GENERAL PROVISIONS**, for the purpose of this By-law, the following regulations shall apply to a place of worship:

(a)	Minimum Parking Space Size	2.6 metres x 5.5 metres
(b)	Minimum Parking Space Size for the Physically Handicapped	4.4 metres x 5.5 metres

(c) 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 from the front lot line and the existing westerly building.

(d) A permanently maintained 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.

Notwithstanding the regulations of **SECTION 7: PARKING SPACES IN RESIDENTIAL ZONES**, Subsection 7.35(b) – **MINIMUM PARKING REQUIREMENTS**, for the purpose of this By-law, the following regulation shall apply to a place of worship:

(a)	Minimum Number of Parking Spaces	51 Parking Spaces including 1 for the Physically Handicapped

That **SECTION 7.43: ADEQUATE SERVICES**, as amended by By-law 06-038, shall not apply to the reuse of the buildings in existence on the September 24, 2014, and a 117 m^2 addition to the existing buildings, for use as a place of worship and associated accessory uses.

C5-054 **PART OF LOT 5, CONCESSION 1, FORMER GLANFORD**
#17-144

REPEALED BY BY-LAW NO. 17-144

C6-055 **PART OF LOT 5, BLOCK 4, CONCESSION 1, FORMER BINBROOK**

1. The permitted commercial uses on these lands shall be restricted to a wholly enclosed equipment rental operation.

2. Site Specific Regulations pertaining to these lands include the following:

   (a) Minimum Lot Frontage ..... 30 metres (100 feet)

   (b) Minimum Lot Area ..... 3,900 square metres (42,000 square feet)

   (c) Minimum Side Yard ..... 3 metres (10 feet)

M7-056 **PART OF LOT 2, BLOCK 2, CONCESSION 1, FORMER BINBROOK**

The permitted use on these lands shall be restricted to a cheese processing operation and accessory buildings, structures and uses, which may include retail sales.

M7-057 **PART OF LOT 3, BLOCK 2, CONCESSION 1, FORMER BINBROOK**

1. The permitted use on these lands shall be restricted to a cheese operation and accessory buildings, structures and uses, which may include retail sales.

2. Site Specific Regulations pertaining to these lands include the following:

   (a) Minimum Lot Frontage ..... 38 metres (125 feet)

   (b) Minimum Lot Area ..... 0.75 hectares (1.85 acres)

   (c) Minimum Side Yard ..... 7.5 metres (25 feet)

H-C3-058 **PART OF LOT 5, BLOCK 3, CONCESSION 3, FORMER BINBROOK**

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matter is satisfied:

By-law 12-104

   (a) that a Development, Maintenance and Use Agreement pertaining to the development of these lands has been approved by the Township Council, pursuant to Site Plan Control.

2. The use of these lands while zoned "H-C3-058" shall be limited to the use of these lands as existing on the date of the adoption of this By-law. At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3"ZONE of this By-law.

H-C3-059 **PART OF LOT 1, BLOCK 4, CONCESSION 3, FORMER BINBROOK**

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matter is satisfied:

   (a) that a Development, Maintenance and Use Agreement pertaining to the development of these lands has been approved by a Township Council, pursuant to Site Plan Control.

2. The use of these lands while zoned "H-C3-059" shall be limited to the use of these lands as existing on the date of the adoption of this By-law. At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law.

ER-060 **PART OF LOT 5, BLOCK 3, CONCESSION 3, FORMER BINBROOK**

The existing frame building to the rear of the existing single detached dwelling unit on these lands may be used as a florist and gift shop. A minimum of three (3)

parking spaces shall be provided on these lands exclusively for this permitted commercial use.

P-061 **PART OF LOT 5, BLOCK 4, CONCESSION 4, FORMER BINBROOK**

These lands were previously used as a municipal landfill site. No uses are permitted on these lands in order to protect their environmental security.

A1-062 **PART OF LOT 6, CONCESSION 5, FORMER GLANFORD**

An additional permitted use on these lands may include a wholly enclosed commercial storage operation. The buildings related to the commercial storage operation shall not exceed a maximum gross floor area of 1,020 square metres (11,000 square feet) and shall be setback a minimum distance of 6 metres (20 feet) from all property lines.

P-063 **PART OF LOT 6, CONCESSION 6, FORMER GLANFORD**

These lands were previously used as a municipal landfill site. No uses are permitted on these lands in order to protect their environmental security.

C6-064 **PART OF LOT 6, CONCESSION 6, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-30-97 AND BY BY-LAW NO. 464-55-00)**

(a) In addition to the uses permitted in **SECTION 28: RURAL COMMERCIAL "C6" ZONE**, the following uses shall also be permitted:

(i) bowling alley and accessory uses including an accessory restaurant, banquet hall and catering service;

(ii) motor vehicle dealership; and

(iii) the warehousing and sales of flooring products such as ceramic, marble and vinyl flooring, and related products.

(b) The accessory uses identified in clause (a)(i) above shall be subject to the following:

(i) the accessory use shall clearly be secondary to the bowling alley use;

(ii) a maximum of thirty-five percent (35%) of the gross floor area of the bowling alley building shall be used for the purpose of these accessory uses combined.

(c) Notwithstanding the minimum lot frontage requirement of **SECTION 28: RURAL COMMERCIAL "C6" ZONE**, Subsection 28.2

REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a), (b), (c), (d) and (e) of SUBSECTION 28.1, clause (a), a minimum lot frontage of 91 metres (300 feet) shall be required for the subject lands.

(d) Access to these lands shall be restricted to one (1) access and shall be provided to the satisfaction of the Ministry of Transportation.

(e) The servicing of the subject lands shall be to the satisfaction of the Region of Hamilton-Wentworth.

(f) The redevelopment of the subject lands shall be subject to Site Plan Approval.

C4-065 PART OF LOT 6, CONCESSION 6, FORMER GLANFORD

An additional permitted use on these lands may include a motor vehicle dealership.

C4-066 PART OF LOT 5, CONCESSION 6, FORMER GLANFORD

The permitted uses on these lands shall be restricted to the existing motor vehicle body shop, and the sale of motor vehicles, recreational vehicles and recreational trailers.

A1-067 PART OF LOT 5, BLOCK 3, CONCESSION 3, FORMER BINBROOK

A seasonal farm produce stand with a maximum total display area of 75 square metres (800 square feet) may be a permanent use on these lands.

M7-068 PART OF LOT 5, BLOCK 2, CONCESSION 1, FORMER BINBROOK (AS AMENDED BY BY-LAW NO. 464-58-00)

The provisions of **SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW** Zone M7-068 shall be amended as follows:

(a) In addition to the uses permitted in **SECTION 36: RURAL INDUSTRIAL "M7" ZONE**, Subsection 36.1 **PERMITTED USES**, the following additional uses shall be permitted on the lands zoned M7-068:

(i) A *barnboard and beam business* which includes 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, the storage of timber for future sale, and accessory uses, buildings and structures.

(b) The regulations of **SECTION 36: RURAL INDUSTRIAL "M7" ZONE**, Subsection 36.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (h) INCLUSIVE OF SUBSECTION 36.1** shall

apply to the barnboard and beam business identified above, except for the following specific zoning regulations:

(a) Minimum Front Yard for Industrial Buildings ..... 120 metres (400 feet)
(b) All Outside Storage shall be located in the Rear Yard.

M2-069 **PART OF LOT 14, CONCESSION 1, FORMER GLANFORD**

A maximum height of 27.5 metres (90 feet) is permitted for equipment and structures related to the concrete and asphalt plant on these lands.

OS3-070 **PART OF LOT 5, BLOCK 1, CONCESSION 2, FORMER BINBROOK**

1. An additional permitted use on these lands may include a kennel, subject to the following provisions:

   (a) satisfy all regulations for kennels as established by Subsection 8.5 of this By-law, except the minimum lot frontage regulation shall be 24 metres (80 feet); and

   (b) satisfy all requirements of the Niagara Peninsula Conservation Authority.

A2-071 **PART OF LOT 1, CONCESSION 3, FORMER GLANFORD**

The minimum south side yard regulation for a garage only shall be 1.18 metres (3.9 feet).

DD-072 **PART OF LOT 5, CONCESSION 2, FORMER GLANFORD**

An additional permitted use on these lands may include the sale and repair of fishing tackle only, subject to the following conditions:

(a) the business shall only be conducted within the confines of the existing accessory building, which is a block garage with the dimensions 4.5 metres (15 feet) by 7.7 metres (25.3 feet);

(b) the sale of bait shall not be permitted;

(c) the business shall be owned and operated by the residents of the dwelling unit on the subject lands;

(d) the business shall clearly be secondary to the main residential use. It shall not adversely affect the residential character of the property nor create or become a public nuisance in particular with respect to excessive noise, traffic, parking, dust, vibration, or interference with television or radio reception;

(e) there shall be no outside storage of material or equipment related to the business;

(f) not less than two (2) parking spaces shall be provided and thereafter maintained on-site specifically for the business; and

(g) Signage shall be restricted to the existing two (2) sided sign, being not greater than 0.8 metres (2.6 feet) by 0.8 metres (2.6 feet) in size, and the sign shall not be illuminated.

M2-073 **PART OF LOT 13, CONCESSION 2, FORMER GLANFORD**

A maximum height of 19.8 metres (65 feet) is permitted for the equipment and structures related to the concrete plant on these lands.

A1-074 **PART OF LOT 7, CONCESSION 6, FORMER GLANFORD**

The minimum east side yard regulation for a carport only shall be 0.6 metres (2 feet).

RH-075 **PART OF LOT 5, BLOCK 1, CONCESSION 1, FORMER BINBROOK**

1. Notwithstanding the regulations pursuant to Paragraphs (a) to (f) inclusive of Subsection 21.2 of this By-law, the following regulations shall pertain to those specific matters on these lands:

   (a) Minimum Lot Frontage..... 50 metres (165 feet)

   (b) Minimum Lot Area ..... 0.5 hectares (1.25 acres)

   (c) Maximum Lot Coverage .....20 percent

   (d) Minimum Front Yard..... 12 metres (40 feet)

   (e) Minimum Side Yard ..... 3 metres (10 feet)

   (f) Minimum Rear Yard..... 76 metres (250 feet)

2. All other regulations of the Residential Hamlet "RH" Zone pertain to these lands.

A1-076 **PART OF LOT 8, CONCESSION 6, FORMER GLANFORD**

1. The front lot line for these lands shall be deemed to be the lot line adjacent to Ferris Road.

2. The following specific regulations shall pertain to these lands:

(a) Minimum Front Yard..... 10 metres (33 feet)

(b) Minimum South Side Yard..... 3 metres (10 feet)

(c) Minimum North Side Yard..... 156 metres (512 feet)

(d) Minimum Rear Yard..... 187 metres (613 feet)

(e) Maximum Envelope for location of a Dwelling..... 896 square metres (9,645 square feet)

0S1-077 **PART OF LOT 16, CONCESSION 7, FORMER GLANFORD**

The existing twenty five (25) seasonal trailers on the subject lot are hereby established as legal non-conforming uses. These existing trailers shall continue to be used for only seasonal recreational purposes and shall satisfy all requirements of the Region of Hamilton-Wentworth Department of Public Health Services. No new trailers shall be permitted.

H-C3-078 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD**

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

   (a) sufficient land consolidation to satisfy the minimum lot frontage regulation pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law;

   (b) the subject lands are redeveloped along with the adjacent lands in a manner so as to comply with all requirements of SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law; and

   (c) a Development, Maintenance and Use Agreement has been entered into with the Township of Glanbrook.

2. The use of these lands while zoned “H-C3-078" shall be limited to a wholly enclosed electrical shop with office, storage and service uses. A residential apartment dwelling unit on the second floor is also a permitted use. The zoning regulations pertaining to the subject lands with the above-noted restricted permitted uses are as follows:

   (a) Minimum Front Yard..... 9 metres (30 feet)

   (b) Minimum West Side Yard……..4.5 metres (15 feet)

   (c) Minimum East Side Yard……2 metres (4 feet)

(d) Minimum Rear Yard……23 metres (75 feet)

(e) Maximum Lot Coverage…….25%

(f) Maximum Building Height……..2 storeys

(g) Minimum Parking Requirements:

(i) One (1) parking space for each 45 square metres (500 square feet), or fraction thereof, of gross floor area.

(ii) No parking space or part thereof shall be located within 1.5 metres (5 feet) of any lot line.

(h) Minimum Fencing Requirements:

A solid fence with a minimum height of 1.8 metres (6 feet) shall be provided and hereafter maintained along the west side lot line of the subject lot for a depth of 30 metres 100 feet) from the front lot line, save and except, the portion of this lot line where neither the fence or a reduced height is required ot ensure adequate visibility for safe vehicular access to and from the subject lot.

1. At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law.

DD-079 **PART OF LOT 5, CONCESSION 2, FORMER GLANFORD**

These lands may also be used for a garden centre and accessory uses, buildings and structures. The outside display and storage of goods and materials directly related to the garden centre shall be permitted subject to a minimum setback of 3 metres (10 feet) from the street line and any lot line where the adjoining land is used for residential purposes. The other zoning regulations pertaining to a garden centre on these lands shall be pursuant to SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE of this By-law.

A1-080 **PART OF LOTS 2 AND 3, BLOCK 3, CONCESSION 2, FORMER BINBROOK**

Notwithstanding the regulation regarding the maximum number of permanent farm help houses per lot pursuant to Paragraph 8.6 (d) of this By-law, a maximum of two (2) permanent farm help houses shall be permitted on these lands.

A1-081 **PART OF LOT 3, BLOCK 4, CONCESSION 1, FORMER BINBROOK**

1. Additional permitted uses on these lands shall include the following:

(a) golf driving range and putting green;

(b) miniature golf course;

(c) a one (1) storey accessory building, including a basement and a wooden deck, to be occupied by a seasonal snack bar, pro shop and storage area, which are all operated only in conjunction with the principal uses, as permitted in Subsections (a) and (b) of this Paragraph; and

(d) uses and structures accessory to the uses permitted in Subsections (a), (b), and (c) of this Paragraph, including driving range starting pads, light standards, fencing and other similar uses and structures.

2. REGULATIONS

Notwithstanding any other regulations in this By-law, the following regulations shall apply to the additional uses as permitted by this Exception:

(a) Regulations for all Additional Permitted Uses except the Accessory Buildings

(i)	Minimum Lot Frontage.....	195 metres (640 feet)
(ii)	Maximum Lot Depth.....	640 metres (2,100 feet)
(iii)	Maximum Lot Area.....	12 hectares (30 acres)
(iv)	Minimum Front Yard.....	15 metres (50 feet)
(v)	Minimum Side and Rear Yards	10 metres (33 feet)

(vi) Minimum Parking Requirements

(A) A minimum of 1.5 parking spaces shall be provided per tee and/or hole associated with a golf driving range and/or miniature golf course.

(B) No parking spaces or part thereof shall be located, and no land shall be used for the temporary parking or storage of any motor vehicle, within 7.5 metres (25

feet) of any lot line or any street line.

(vii) Outside Storage

No outside storage shall be permitted on the subject lands.

(viii) Location of Certain Structures

Light standards and a sign may be located in the required minimum front yard at a distance of not less than 3.0 metres (10 feet) from Highway No. 53, subject to the requirements of the Ministry of Transportation and Site Plan Control.

(ix) Minimum Landscaping Requirements

A landscaping area in the form of a planting strip having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintained adjacent to the front line (except driveways).

(b) Specific Regulations for the Accessory Building

The permitted accessory building as described in Subsection (c) in the first paragraph of this Exception shall be in accordance with the following regulations:

(i) Minimum Front Yard ..... 60 metres (200 feet)

(ii) Minimum Side Yard ..... 10 metres (33 feet)

(iii) Maximum Total Gross Floor Area..... 372 square metres (4,000 square feet)

(iv) Maximum Gross Floor Area for the Snack Bar ..... 186 square metres (2,000 square feet)

(v) Maximum Building Height ..... 7.5 metres (25 feet)

ER-082 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD**

The minimum lot frontage regulation shall be 19.8 metres (65 feet) and the minimum lot area regulation shall be 882 square metres (9,500 square feet) for each lot on these lands. All other regulations of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE of this By-law shall apply.

A1-083 **PART OF LOT 6, CONCESSION 7, FORMER GLANFORD**

1. Additional permitted uses on these lands shall include the following:

   (a) retail sale, display and storage of apple by-products, including pies, muffins, sauces and beverages; and

   (b) retail sale, display and storage of cheeses and meats.

2. The maximum gross floor area for all of the above-noted additional permitted uses shall be 46.5 square metres (500 square feet).

ER-084 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD**

1. The minimum lot frontage shall be 21 metres (70 feet), the minimum lot area shall be 970 square metres (10,440 square feet) and the minimum front yard shall be 15 metres (50 feet). All other regulations of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE of this By-law shall apply to these lands.

2. The development of these lands shall be subject to Site Plan Control.

ER-085 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD**

1. The front lot line for these lands shall be deemed to be the lot line adjacent to Twenty Road.

2. The minimum lot depth shall be 26 metres (85 feet), the minimum lot area shall be 1,200 square metres (12,915 square feet) and the minimum rear yard shall be 9 metres (30 feet). All other regulations of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE of this By-law shall apply to these lands.

A1-086 **PART OF LOT 8, CONCESSION 5, FORMER GLANFORD**

1. PERMITTED USES

   The permitted uses on these lands shall only include the following:

   (a) a general office facility for a sod company;

   (b) minor repair, maintenance and storage of sod-related agricultural equipment;

   (c) growing of sod and other crops; and

(d) accessory buildings and structures.

2. REGULATIONS

These permitted uses shall be subject to the following regulations:

(a) Minimum Lot Frontage..... 65 metres (213 feet)

(b) Minimum Lot Depth ..... 150 metres (492 feet)

(c) Maximum Lot Area..... 1 hectare (2.5 acres)

(d) Minimum Front Yard..... 45 metres (150 feet)

(e) Minimum Side Yard ..... 15 metres (50 feet)

(f) Minimum Rear Yard..... 15 metres (50 feet)

(g) Maximum Gross Floor Area
of the Building ..... 929 square metres
(10,000 square feet)

(h) Maximum Height of
the Building..... 7.5 metres (25 feet)

(i) Minimum Parking Requirements

(i) 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 (75 feet) from Airport Road and 7.5 metres (25 feet) from any other lot lines.

(ii) The minimum number of parking spaces shall be one (1) space for each 46 square metres (500 square feet) of gross floor area.

(j) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 22.5 metres (75 feet) shall be provided and thereafter maintained adjacent to Airport Road (except the driveway).

(ii) 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.

(k) Outside Storage Requirements

(i) No outside storage shall be permitted at a distance of less than 45 metres (150 feet) from Airport Road.

(ii) All outside storage shall be screened with a solid fence with a minimum height of 1.8 metres (6 feet) and/or a planting strip consisting of coniferous trees having a minimum initial height of 1.5 metres (5 feet).

(l) Sign Requirements

One (1) non-illuminated sign with a maximum sign area of 3.7 square metres (40 square feet) per side, with a maximum of two (2) sides, and a maximum height of 2.8 metres (8 feet) measured to the top of the sign.

3. The development of these lands shall be subject to Site Plan Control.

ER-087 **PART OF LOT 5, CONCESSION 4, FORMER GLANFORD**

The minimum lot area shall be 1,020 square metres (11,000 square feet).

M6-088 **PART OF LOT 5, BLOCK 3, CONCESSION 1, FORMER BINBROOK**

An additional permitted principal use on these lands shall include the sale of motor vehicle parts within a wholly enclosed building, but this shall not include a motor vehicle wrecking yard or the collection, storage or sale of junk or partially dismantled motor vehicles or other similar uses.

A1-089 Temporary Use By-law **PART OF LOT 16, CONCESSION 3, FORMER GLANFORD, KNOWN MUNICIPALLY AS 1220 TRINITY CHURCH ROAD (AS AMENDED BY BY-LAW NO. 464-64-00)**

1. Notwithstanding the uses permitted in **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE,** Subsection 8.1(a) - **PERMITTED USES**, a *garden suite,* shall also be permitted on these lands, as a temporary use, for a period of ten (10) years from the date of the passing of this By-law, being November 6, 2000.

2. For the purpose of this By-law, a *garden suite* shall be defined as *"a one-unit detached residential structure, which is not attached to the main house on the property, containing bathroom and kitchen facilities that is ancillary to an existing residential dwelling and that is designed to be portable."*

3. Notwithstanding the minimum front yard minimum floor area, maximum height and accessory building regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.3 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS)**, clauses 1(d), 1(g), 1(h) and 2, the following front yard, floor area, height and accessory building regulations shall apply to a temporary *garden suite* on the subject lands:

   (a) Minimum Front Yard of 55 metres (180 feet), and
   Maximum Front Yard of 65 metres (215 feet)

   (b) Maximum floor area .....230 square metres (2,475 ft^2)

   (c) Maximum height.....1 storey

   (d) No accessory buildings or structures associated with the *garden suite* shall be permitted on the subject lands.

4. In addition to the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.3 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS)**, the following regulations shall also apply:

   (a) Minimum Separation Distance

   The temporary *garden suite* shall be located no further than 40 metres (130 feet) from the principal dwelling on the lot.

   (b) The existing north driveway shall be permitted to access the temporary *garden suite*.

   (c) The temporary *garden suite* shall be serviced with its own septic system, which shall be removed at the time of the removal of the temporary dwellings, to the satisfaction of the Township.

5. All other provisions of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1** shall apply to the temporary *garden suite* on the lands subject to this By-law.

6. The design and construction of the temporary *garden suite* shall satisfy the minimum requirements of the Ministry of Housing, the Ontario Building/Fire/and Health Codes.

7. The development of a temporary *garden suite* shall be subject to Site Plan

Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended.

8. Prior to the erection of a temporary *garden suite* on the subject lands, the Owners shall be required to enter into an Agreement with the Township which shall address the name of the person(s) who are permitted to live in the temporary *garden suit*e and when the temporary *garden suite* is to be removed.

C5-090 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD**

Places of Entertainment and Places of Recreation shall be prohibited uses on these lands.

C5-091 **PART OF LOT 5, CONCESSION 1, FORMER GLANFORD**

The development of these lands shall be subject to the requirements of both the Niagara Peninsula Conservation Authority pursuant to their Fill, Construction and Alteration to Waterways Regulation (Ontario Regulation 99/91), as amended from time to time, and the Ministry of Natural Resources pursuant to the Lakes and Rivers Improvement Act, being Chapter L.3 of the Revised Statutes of Ontario, 1990, as amended from time to time.

M7-092 **PART OF LOT 10, CONCESSION 6, FORMER GLANFORD**

The permitted use of these lands shall be restricted to a pipe storage operation. The height of the pipes in the outside storage area measured from ground level to the highest point of any pipe shall not exceed 2.3 metres (8 feet). An earth berm with a minimum height of 1.8 metres (6 feet) with a planting strip consisting of evergreens with a minimum initial height of 1.5 metres (5 feet) along the top of the berm shall be provided along the lot lines that are adjacent to a street and/or a residential use. The development, maintenance and use of these lands shall be subject to an approved Site Plan Agreement.

H-C3-093 **PART OF LOT 6, CONCESSION 5, FORMER GLANFORD**

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

   (a) adequate services for sanitary sewage disposal and water supply;

   (b) sufficient land consolidation to satisfy the minimum lot frontage regulation pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law;

   (c) approvals for access to these lands from the Region of Hamilton-Wentworth and the Ministry of Transportation, including approval of a traffic report, as may be required by the Ministry of Transportation;

and

(d) that a Development, Maintenance and Use Agreement pertaining to the development of these lands has been approved by the Township Council, pursuant to Site Plan Control.

2. The use of these lands while zoned "H-C3-093" shall be limited to the existing permitted legal non-conforming uses, which shall continue to be recognized as legal non-conforming (versus legal conforming) uses. At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law.

H-C3-094 **PART OF LOT 6, CONCESSION 4, FORMER GLANFORD**

1. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

(a) adequate services for sanitary sewage disposal and water supply;

(b) approvals for access to these lands from the Region of Hamilton-Wentworth; and

(c) that a Development, Maintenance and Use Agreement pertaining to the development of these lands has been approved by the Township Council, pursuant to Site Plan Control.

2. The use of these lands while zoned "H-C3-094" shall be limited to one (1) single detached dwelling and accessory buildings, structures and uses, pursuant to the regulations of the Existing Residential "ER" Zone. At such time as the "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to SECTION 25: GENERAL COMMERCIAL "C3" ZONE of this By-law, save and except for the requirement for a minimum lot frontage of 85 metres (250 feet).

M3-095 **PART OF LOT 5, CONCESSION 3, FORMER GLANFORD**

Deleted by By-law No. 06-284 passed on the 27th day of September, 2006.

M4-096 **PART OF LOT 5, CONCESSION 1, FORMER GLANFORD**

Deleted by By-law No. 06-284 passed on the 27th day of September, 2006.

A2-097 **PART OF LOTS 2 AND 3, CONCESSION 3, FORMER GLANFORD**

1. Additional permitted uses on these lands shall include:

(a) One (1) access driveway and one (1) emergency access driveway to service the adjacent lands to the south, which are zoned "M4-098"; and

(b) A continuous landscaped berm and planting strip shall be provided along the southern limit of these lands, immediately adjacent to the northern limit of the adjacent lands which are zoned "M4-098", to serve as a buffer for the development on these adjacent lands.

2. REGULATIONS

The following regulations shall apply to the above-noted additional permitted uses:

(a) The access driveway shall be located within 50 metres (165 feet) of the most easterly lot line of the lands zoned "A2-097" and shall also be located a minimum distance of 45 metres (150 feet) from any existing dwelling unit.

(b) The emergency access driveway access shall be located a minimum distance of 30 metres (100 feet) from any side lot line.

(c) The landscaped berm shall have a minimum height of 3 metres (10 feet) and a minimum width of 14 metres (45 feet), plus a planting strip consisting of evergreens with a minimum initial height of 1.5 metres (5 feet) along the top of the berm.

M4-098 **PART OF LOTS 2 AND 3, CONCESSION 3, FORMER GLANFORD**

1. The permitted use of these lands shall be restricted to air cargo and aircraft maintenance facilities, and accessory uses, buildings and structures.

2. The following additional regulations shall pertain to the development of these lands:

(a) Minimum Lot Frontage

For the purpose of this By-law, the minimum lot frontage for the "M4-098" zoned lands shall be consistent with the existing lot frontage of the adjacent "A2-097" zoned lands, which form a part of the total existing lot consisting of the "M4-098" and "A2-097" zoned lands. Therefore, the minimum lot frontage requirement is 335 metres (1,165 feet).

(b) Minimum distance Separation for

Buildings from Existing
Residential Dwellings.....180 metres (590 feet)

(c) Minimum Distance Separation for Buildings from Existing Livestock Buildings

(i) 184 metres (606 feet) from all existing livestock buildings to the east of these lands

(ii) 259 metres (850 feet) from all existing livestock buildings to the north and west of these lands.

(d) Minimum Parking Requirements

The minimum number of parking spaces for the following uses shall be as follows:

(i) Warehouse, hangars and all
accessory uses therein.....1 space for each
90 square metres (970 square feet)
of gross floor area of fraction thereof

(e) Minimum Landscaped Requirements

(i) That a continuous planting strip consisting of two (2) rows of evergreens with a minimum initial height of 3 metres (10 feet) shall be provided and thereafter maintained along the west lot line in the south-western portion of the subject lands. This planting strip shall be required to be provided at the time of the initial development of any part of these lands.

(ii) That an aircraft-related blast wall shall be provided and thereafter maintained adjacent to the planting strip required in the above Clause (e) (i) of this By-law, along all portions of the west side lot line in the south-western portion of these lands, if and when the adjacent portion of these lands are developed to be used for the parking of aircraft and the starting of aircraft engines. This required blast wall shall be constructed and be in operating condition prior to the use of these land for the parking of aircraft and the starting of aircraft engines.

(iii) That the requirements of the above-noted Clauses (e) (i) and (ii) of this Exception shall also apply to the south lot line in the south-western portion of these lands at the time the adjacent portion of these lands are developed. Clause (e) (i) shall apply when any development occurs on the lands adjacent to the subject south line and Clause (e) (ii) shall apply if and when

these lands or any part thereof are used for the parking of aircraft and the starting of aircraft engines.

(iv) All portions of these lands not covered by buildings or structures or not used for driveways, taxiways, storage, parking, loading or walkways, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance and/or be used for agricultural purposes.

(f) Outside Operations and Storage

Outside operations and/or storage shall not be permitted in any front yard or minimum side yard, and shall be adequately screened from view by buildings, fencing, landscaped berms and/or planting strips.

C5-099 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD**

1. The use of these lands shall be in conjunction with the adjacent automobile dealership which is on the lands subject to the "C5-052" zoning in this By-Law and shall be in accordance with the regulations of SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE of this By-law, except as follows:

   (a) The required landscaped area adjacent to the lot line abutting Twenty Road shall consist of a continuous planting strip consisting of evergreen trees with a minimum initial height of 1.8 metres (6 feet).

2. The development of these lands shall be subject to Site Plan Control and a related Development, Maintenance and Use Agreement approved by the Township Council. No light standards shall be permitted on these lands. The lighting of these lands shall be deflected away from Twenty Road and surrounding residential uses, and shall be of a design and intensity that is satisfactory to the Township.

OS2-100 **PART OF LOT 5, BLOCK 5, CONCESSION 3, FORMER BINBROOK**

1. An additional permitted use on these lands shall be a Municipal Administration Office and uses, buildings and structures accessory thereto.

2. Specific distance setback regulations pertaining to this additional permitted use shall include the following:

   (a) Minimum Yard Requirements:

   No building or above ground structure shall be located within 30 metres (100 feet) of any lot line.

   (b) Minimum Parking Requirements:

   No parking space or part thereof shall be located and no land shall be

used for the parking or storage of any motor vehicle within 30 metres (100 feet) of any lot line.

3. Notwithstanding the uses permitted in Section 42: Public Open Space "OS2" Zone, Subsection 42.1 Permitted Uses, and Subsection 1 above, the following uses shall also be permitted only within the building existing on the date of the passing of this By-law being June 29, 2005:

   (a) Professional Offices; and,

   (b) Medical Centre.

H-M3-101 **PART OF LOT 5, CONCESSION 3, FORMER GLANFORD**

Deleted by By-law No. 06-284 passed on the 27th day of September, 2006.

H-M4-102 **PART OF LOT 5, CONCESSION 3, FORMER GLANFORD**

Deleted by By-law No. 06-284 passed on the 27th day of September, 2006.

H-C5-103 **PART OF LOT 5, CONCESSION 3, FORMER GLANFORD**

Deleted by By-law No. 06-284 passed on the 27th day of September, 2006.

OS1-104
OS3-104(A)
and
OS3-104(B) **PART OF LOTS 1, 2, 3, AND 4, BLOCK 1, CONCESSION 2,FORMER BINBROOK (BY-LAW NO. 464-1-92)**

1. A maximum of 36 holes of golf and one (1) clubhouse shall be permitted on the total subject lands (identified as Areas 1, 2, 3 and 4 in By-law No. 464-1-92). The permitted use of the southern portion of the subject lands (identified as Area 2 in By-law No. 464-1-92) shall be limited to golf holes and accessory uses, buildings and structures. No public access shall be permitted from Guyatt Road to the subject lands.

2. The portion of the subject lands zoned OS3-104 (A) shall be subject to the provisions of SECTION 43: OPEN SPACE - CONSERVATION "OS3" ZONE of this By-law.

3. The portion of the subject lands zoned as OS3-104 (B) (identified as Area 4 in By-law No. 464-1-93) shall be left in their existing natural condition.

A1-105 **PART OF LOT 1, BLOCK 1, CONCESSION 1, FORMER BINBROOK (BY-LAW NO. 464-2-92)**

1. The following small scale agriculturally-related commercial uses shall be

additional permitted uses on the northeast corner of the existing lot:

(a) the sale of produce and trees grown on site;

(b) the sale of farm and garden supplies;

(c) the sale and repair of farm machinery; and

(d) accessory uses buildings and structures to the uses described in (a), (b) and (c), above, including the sale of trees grown off the subject lands.

2. These small scale agriculturally-related commercial uses permitted on the northeast corner existing lot, shall be accessory uses to the agricultural operation on the other lands included within the existing lot.

3. Notwithstanding the regulations as stated in SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of this By-law, the following regulations shall apply to the permitted small scale agriculturally related commercial development of the northeast corner of the subject lands, which shall continue to form a part of the existing lot:

(a) Minimum Frontage ..... 30 metres (100 feet.

(b) Maximum Flankage ..... 200 metres (650 feet)

(c) Maximum Area ..... 0.6 hectares (1.5 acres)

(d) Minimum Yard Adjacent to a Street ..... 15 metres (50 feet)

(e) Minimum Building Setback from the Other Boundary Lines ..... 7.5 metres (25 feet)

(f) Maximum Lot Coverage .....25 percent

(g) Maximum Building Height ..... 10.7 metres (35 feet)

(h) Minimum Parking Requirements

(i) One (1) parking space for every 45 square metres (500 square feet) of gross floor area devoted to commercial uses, with a minimum of ten (10) parking spaces shall be provided on-site.

(ii) All parking areas shall be setback a minimum distance of 3.0 metres (10 feet) from all streets and boundary lines.

(i) Minimum Landscaping Requirements

(i) A landscaped area having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintained adjacent to every portion of the subject lands that abuts Highway No. 20 and Westbrook Road.

(ii) 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.

(j) 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 metres (50 feet) from any street line and shall be setback a minimum distance of 7.5 metres (25 feet) from all other boundary lines.

4. Access to the northeast corner of the existing lot, shall be restricted to Westbrook Road.

5. The development of the northeast corner of the existing lot shall satisfy the requirements of the Region of Hamilton-Wentworth Department of Public Health Services and the Ministry of Transportation.

I-106 **PART OF LOT 5, BLOCK 5, CONCESSION 3, FORMER BINBROOK (BY- LAW NO. 464-5-93 AS AMENDED)**

1. Notwithstanding the definition of "Lot Line, Front" in SECTION 4: DEFINITIONS of Zoning By-law No. 464, for the purpose of this By-law, the Front Lot Line of the subject lands shall be deemed to be Binbrook Road (Regional Road No. 622).

2. Notwithstanding the permitted uses and regulations as stated in SECTION 39: INSTITUTIONAL "I" ZONE, of Zoning By-law No. 464, the following permitted uses and regulations shall apply to the subject lands:

2.1 Permitted Uses

(a) A municipal cemetery, and

(b) Uses, buildings and structures accessory to a municipal cemetery, excluding mausoleums, columbariums and crematoriums.

2.2 Regulations

(a) Minimum Lot Frontage.....150 metres (492 feet)

(b) Minimum Lot Area .....5 hectares (12.3 acres)

(c) Maximum Lot Coverage .....2 percent

(d) Minimum Yard Requirements

(i) No grave, building or structure shall be located within 30 metres (100 feet) of any adjoining land which is used for residential purposes,

(ii) No grave, building or structure shall be located within 45 metres (150 feet) of the centre line of Binbrook Road (Regional Road No. 622), and

(iii) No grave, building or structure shall be located within 15 metres (50 feet) of any other lot line.

(e) Maxium Building Height .....10.7 metres (35 feet)

(f) Minimum Parking Requirements

(i) The minimum number of on-site parking spaces shall be twenty (20),

(ii) Each parking space shall have a minimum width of 3 metres (10 feet) and a minimum depth of 6 metres (20 feet),

(iii) All parking areas shall be constructed with a stable surface, shall have adequate drainage and shall be permanently maintained, and

(iv) No parking space or part thereof shall be located and no land shall be used for the parking of any motor vehicle at a distance of less than 15 metres (50 feet) from any adjoining land which is used for residential purposes and at a distance of less than 7.5 metres (25 feet) from all other adjacent lands.

(g) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having

a minimum width of 7.5 metres (25 feet) and consisting of coniferous trees, shall be provided and thereafter maintained along the westerly lot line of the subject lands, being the lot line adjacent to the existing residential uses, and

(ii) A landscaped area in the form of a planting strip having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintained along the easterly lot line of the subject lands.

(iii) Landscaping shall proceed progressively in phases from south to north to adequately buffer use areas in advance of internments.

(h) Minimum Fencing Requirements

(i) A fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained along the westerly lot line of the subject lands, being the lot line adjacent to the existing residential uses, and

(ii) A fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained along the southerly and easterly lot line of the subject lands, and along the northerly portion of the lands which are being actively developed at any one time (i.e., the northerly limit of the current phase of the development of the municipal cemetery).

(i) Interior Roadways

The internal vehicular road system shall be a minimum of 7.5 metres in width, and shall be constructed with a minimum of 300 mm granular A base and Prime and Double surface treatment.

3. In addition to the permitted municipal cemetery, agricultural uses shall also be permitted on an interim basis on the lands subject to this By-law, in accordance with the permitted uses of the Restricted Agricultural "A2" Zone, except buildings and structures.

RH-107 **PART OF LOT 1, BLOCK 2, CONCESSION 2, FORMER BINBROOK (BY-LAW NO. 464-6-93)**

1. Notwithstanding the minimum lot frontage, lot area and rear yard regulations of SECTION 21: RESIDENTIAL HAMLET "RH" ZONE, Subsections

21.2(a), (b) and (f), respectively, of Zoning By-law No. 464, the following regulations shall apply regarding these matters for the subject lands (i.e. both of the two (2) residential lots):

(a) Minimum Lot Frontage ..... 38 metres (125 feet)

(b) Minimum Lot Area ..... 0.5 hectares (1.25 acres)

(c) Minimum Rear Yard ..... 85 metres (280 feet)

2. In addition to the regulations in Zoning By-law No. 464 and the above-noted regulations in this Exception pertaining to the subject lands, the following regulations shall also apply to the subject lands:

(a) The maximum floor area for each single detached dwelling unit shall be 241.5 square metres (2,600 square feet),

(b) A maximum of three (3) bedrooms shall be permitted for each single detached dwelling,

(c) Low volume water fixtures shall be utilized for all plumbing fixtures,

(d) Water supply shall be provided by means of a deep drilled well drawing from the confined aquifer and supplemented by a cistern, and

(e) The installation of each sub-surface sewage disposal system shall be subject to a Certificate of Approval from the Region of Hamilton-Wentworth Department of Public Health Services.

A1-108 **PART OF LOT 4, CONCESSION 4, FORMER GLANFORD (BY-LAW NO. 464-7-93)**

Notwithstanding the uses permitted in SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of Zoning By-law No. 464, no buildings or structures shall be permitted on these lands.

H-M4-109 **PART OF LOT 4, CONCESSION 4, FORMER GLANFORD (BY-LAW NO.464-7-93)**

The "H" symbol may be removed by a further amendment to this By-law subject to the provision of public road frontage and access to these lands.

Prior to the removal of the holding symbol "H" by a further amendment to this By-Law, these lands may only be used for agricultural purposes pursuant to SECTION 8: GENERAL AGRICULTURAL "A1" ZONE of Zoning By-law No. 464.

ER-110 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD (BY-LAW NO. 464-9-93)**

1. Notwithstanding the minimum lot area regulation of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE, Subsection 12.2(c), of Zoning By-law No.464, the minimum lot area for the western portion of the subject lands (identified as Part A in By-law No. 464-9-93) shall be 1,170 square metres (12,594 square feet).

2. Notwithstanding the minimum lot area regulation of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE, Subsection 12.2(c), of Zoning By-law No.464, the minimum lot area for the eastern portion of the subject lands (identified as Part B in By-law No. 464-9-93) shall be 1,000 square metres (10,764 square feet).

3. Notwithstanding the minimum lot frontage and minimum lot area regulations of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE, Subsection 12.2(a) and (c), of Zoning By-law No. 464, the following minimum lot frontage and area regulations shall apply to the northern portion of the subject lands (identified as Parts C and D in By-law No. 464-9-93):

   (a) Minimum Lot Frontage.....22 metres (72 feet)

   (b) Minimum Lot Area ..... 780 square metres (8,395 square feet)

ER-111 **PART OF LOT 5, BLOCK 3, CONCESSION 4, FORMER BINBROOK (BY-LAW NO. 464-10-93)**

Notwithstanding the minimum lot area required in SECTION 12: EXISTING RESIDENTIAL "ER" ZONE, Subsection 12.2(c), of Zoning By-law No. 464, a minimum lot area of 1,025 square metres (11,030 square feet) shall be permitted for these lands.

C3-112 **PART OF LOT 5, BLOCK 3, CONCESSION 4, FORMER BINBROOK (BY-LAW NO. 464-10-93)**

These lands shall be merged in title with the adjacent commercial lands to the west.

A1-113 **PART OF LOT 21, CONCESSION 7, FORMER BINBROOK (BY-LAW NO. 464-11-94)**

Notwithstanding the minimum side yard regulation of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE, Subsection 8.2(e)(i) of Zoning By-law No. 464, a

minimum side yard of 7.5 metres (25 feet) shall be permitted for the existing agricultural buildings situated on the lands identified as Part 1 in By-law No. 464-11-94.

A1-114 **PART OF LOT 21, CONCESSION 7, FORMER BINBROOK (BY-LAW NO. 464-11-94)**

Notwithstanding the minimum lot frontage, lot area, side and rear yard regulations of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE Subsection 8.2(a), (b), (e)(i), and (f)(i), respectively, of Zoning By-law No. 464, the following regulations shall apply to these specific matters for those lands identified as Part 2 in By-law No. 464-11-94:

(a) Minimum Lot Frontage..... 97 metres (320 feet)

(b) Minimum Lot Area ..... 1.2 hectares (3 acres)

(c) Minimum Side Yard for the existing Agricultural Building ..... 13.5 metres (45 feet)

(d) Minimum Rear Yard for the existing Agricultural Building ..... 2.5 metres (8 feet)

A1-115 **PART OF LOT 1, BLOCK 4, CONCESSION 2, FORMER BINBROOK (BY-LAW NO. 464-13-94)**

1. Notwithstanding the uses permitted in SECTION 8: GENERAL AGRICULTURAL "A1" ZONE, Subsection 8.1 - PERMITTED USES, a motor vehicle repair operation including an accessory outside storage area shall be permitted on the subject lands, subject to the following regulations:

   (a) The motor vehicle repair operation shall be restricted to the most southerly existing attached garage and a maximum gross floor area of 115 square metres (1,235 square feet);

   (b) The accessory outside storage area shall be fenced with a solid wood fence with a maximum height of 1.8 metres (6 feet) and shall be restricted to a maximum area of 425 square metres (4,575 square feet);

   (c) No signage related to the motor vehicle repair operation shall be

permitted on the subject lands with the exception of any signage required by the Ministry of Transportation; and

(d) The sale of new and/or used vehicles shall be prohibited.

2. For the purpose of this Exception, a "motor vehicle" and "motor vehicle repair operation" shall be defined as follows:

(a) *"Motor vehicle"* means an automobile, motorcycle, snowmobile, trailer, recreational vehicle, and any other vehicle propelled or driven otherwise than by muscular power, including farm machinery, but does not include the following:

(i) cars of electric or steam railways, or other motor vehicles running only upon rails, or

(ii) a motor vehicle which exceeds 6.5 metres (21 feet) in length, save and except for a recreational vehicle, or

(iii) a motor vehicle which exceeds 5 tonnes per axel and has more than 2 axels, save and except for a recreational vehicle, or

(iv) a motor vehicle which is a tow truck or a bus.

(b) *"Motor vehicle repair operation"* shall mean a place used for the repair of motor vehicles but does not include motor vehicle body repairs and/or painting.

3. The access to the subject lands shall be restricted to one (1) driveway and shall comply with the requirements of the Ministry of Transportation.

4. The development of the lands subject to this By-law shall be subject to Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13 and the Township's Development (Site Plan) Control Official Plan policies and By-law.

C3-116 and C3-117 **PART OF LOTS 14 AND 15, CONCESSIONS 1 AND 2, FORMER GLANFORD (BY-LAW NO. 464-15-94)**

1. Notwithstanding the uses permitted in SECTION 25: GENERAL COMMERCIAL "C3" ZONE, Subsection 25.1 - PERMITTED USES of Zoning By-law No. 464, the following uses shall be permitted on the subject lands:

(a) Banks and Financial Institutions
(b) Banquet Centres
(c) Beer Stores

(d) Business and Professional Offices
(e) Business Supply Sales
(f) Hotels
(g) Industrial Equipment Sales and Service
(h) Car Wash
(i) Commercial Storage Facilities
(j) Convenience Retail Stores
(k) Custom Workshops
(l) Child Care Centres **#25-156**
(m) Drug Stores
(n) Hardware Stores
(o) Liquor Stores
(p) Lumber and Building Supply Sales
(q) Medical Centres
(r) Motor Vehicle Repair Shops, Parts and Accessories, Service Station/Gas Bar, Rental and Leasing
(s) Personal Service Shops
(t) Photographic Shops
(u) Post Office
(v) Printing Establishments
(w) Recreational Facilities/Private Clubs
(x) Restaurants
(y) Service Shops
(z) Truck Sales and Service
(aa) Warehouse Retail Uses
(bb) Uses, buildings and structures accessory to the uses permitted in Clauses (a) to (aa) inclusive above.

2. Notwithstanding the maximum gross floor area regulation of SECTION 25: GENERAL COMMERCIAL "C3" ZONE, Subsection 25.2(e) of Zoning By- law No. 464, the maximum gross leasable floor area for a Convenience Retail Store permitted in Clause (j) above, shall not exceed 250 square metres (2,690 square feet).

3. Notwithstanding the minimum lot frontage, lot depth, lot area, front yard, and minimum landscaping requirements of SECTION 25: GENERAL COMMERCIAL "C3" ZONE, Subsection 25.2(a), (b), (c), (f), and (l), respectively, of Zoning By-law No. 464, the following regulations shall apply to the above-noted matters for those lands identified by Exception Number C3-116 in this By-law.

(a) Minimum Lot Frontage..... 45 metres (150 feet)
(b) Minimum Lot Depth ..... 75 metres (250 feet)
(c) Minimum Lot Area ..... 0.4 hectares (1 acre)

(d) Minimum Front Yard..... 15 metres (50 feet)

(e) Minimum Landscaping Requirements:

(i) A landscaped area having a minimum width of 7.5 metres (25 feet) 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.

(ii) 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.

4. The development of the subject lands shall be subject to Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, c.P.13 and the Township's Development (Site Plan) Control Official Plan policies and By-law.

C6-118 **LANDS LOCATED AT REGIONAL ROAD 20 AND TOWNLINE ROAD WITHIN PART OF LOT 3, BLOCK 1, CONCESSION 1 (BINBROOK), TOWNSHIP OF GLANBROOK AS AMENDED BY BY-LAW NO. 464-16-95**

Exemption C6-118 was replaced by exemption C6-163 by By-law No. 02-29 passed by the City of Hamilton on February 13, 2002. (By-law No. 03-284 deleted the text of exemption C6-118 in its entirety).

R4-119 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD (BY-LAW NO. 464-17-95)**

1. Notwithstanding the minimum lot frontage, side yard and front yard requirements for a corner lot of SECTION 16: RESIDENTIAL "R4" ZONE, Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING) Clauses (a), (d) and (e)(ii), the following regulations shall apply to the lot situated at the northwest corner of Longview Court and Marion Street, identified as Lot 2 in By-law No. 464-17-95:

(a) Minimum Lot Frontage for a corner lot……12 metres (39 feet)

(b) Minimum Front Yard for a corner lot……..…..9 metres (30 feet)

(c) On a corner lot, the minimum side yard abutting the flanking street shall be 2 metres (6.5 feet).

2. Notwithstanding the minimum lot frontage requirement of SECTION 16: RESIDENTIAL "R4" ZONE, Subsection 16.2 REGULATIONS FOR USES

PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING), Clause (a) the minimum lot frontage for the two (2) lots fronting Marion Street at the southeast corner of the lands subject to this Exception, identified as Lots 31 and 32 in By-law No. 464-17-95, shall be 11 metres (36 feet).

3. A solid fence with a minimum height of 1.8 metres (6 feet) shall be required adjacent to all lot lines adjacent to an Existing Residential "ER" Zone.

4. The development of the lands subject to this Exception shall not be permitted until such time as full municipal services and public road frontage are available to service these lands.

RM2-120 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD (BY-LAW NO.464-18-95)**

1. Notwithstanding the Planting Strip/Fencing requirements of SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE, Subsection 18.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING), Clause (j), these lands shall be subject to the following fencing requirements.

   (a) A solid fence with a minimum height of 1.8 metres (6 feet) shall be required along all rear lot lines and adjacent to all lot lines which do not abut a Residential Zone.

   (b) Notwithstanding the minimum height identified in Clause (a) above, the minimum height of fencing in proximity to a street shall be flexible to ensure proper sight lines for vehicular access and safety. The minimum height of fencing in proximity to a street shall be determined through the Site Plan Approval process.

2. The development of Lots 12 and 13 identified in By-law No. 464-18-95 shall not be permitted until such time as full municipal services and public road frontage are available to service these lands.

R3-121 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD (BY-LAW NO.464-19-95)**

Notwithstanding the minimum lot frontage, for a corner lot and the minimum lot area for a corner lot as stated in SECTION 15: RESIDENTIAL "R3" ZONE, Subsections 15.2 (a) and (b) of the REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING) a minimum lot frontage of 17 metres (56 feet) and a minimum lot area of 530 square metres (5,705 square feet) for a corner lot shall be permitted for these lands.

H-R3-122 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD (BY-LAW NO.464-19-95)**

1. Notwithstanding the minimum lot frontage for a corner lot in SECTION 15:

RESIDENTIAL "R3" ZONE, Subsection 15.2 (a) of the REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING), a minimum lot frontage of 17 metres (56 feet) shall be permitted for a corner lot within the lands subject to this Exception identified as Lot 17 in By-law No. 464-19-95.

2. The removal of the holding symbol "H" by a separate By-law for these lands, shall be subject to the provision of adequate storm water management facilities to service the lands subject to By-law No. 464-19-95 well as the lands to the north, to the satisfaction of the Township of Glanbrook.

3. Prior to the removal of the holding symbol "H" by a separate By-law, the lands subject to this exception shall only be used for a storm water management facility.

RM1-123 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD (BY-LAW NO.464-19-95)**

Notwithstanding the minimum lot frontage regulation for a divided or undivided semi-detached lot as stated in SECTION 17: RESIDENTIAL MULTIPLE "RM1" ZONE, Subsection 17.4 of the REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 17.1 (SEMI-DETACHED DWELLING), Clauses (a)(i) and (a)(ii), the following minimum lot frontage regulations shall be permitted for those semi-detached lots subject to this Exception, identified as Lots 40 to 44 in By-law No. 464-19-95.

(a) Minimum Lot Frontage

(i) Undivided Semi-Detached Lot ..... 17 metres (56 feet)

(ii) Divided Semi-Detached Lot ..... 8.5 metres (28 feet)

A1-124 **PART OF LOT 1, BLOCK 4, CONCESSION 3, FORMER BINBROOK (BY-LAW NO. 464-20-95)**

Notwithstanding the minimum lot frontage and interior side yard requirements of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE, Subsection 8.3 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS), Clauses 1 (a) and 1 (e) (i), respectively, a minimum lot frontage of 115 metres (375 feet) and a minimum interior side yard of 30 metres (100 feet) shall be required for these lands.

A2-125 **PART OF LOT 20, CONCESSION 7, FORMER BINBROOK (BY-LAW NO.464-22-95)**

Notwithstanding the minimum lot frontage requirements for single detached dwellings as stated in SECTION 8: GENERAL AGRICULTURAL "A1" ZONE,

Subsection 8.3 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS), Clause 1 (a), the minimum lot frontage for these lands shall be 142 metres (467 feet).

R3-126 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD (BY-LAW NO. 464-24-96)**

1. Notwithstanding the provisions related to accessory buildings of SECTION7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.13 ACCESSORY BUILDINGS, Clause (b)(iv), one (1) accessory building with a maximum gross floor area of 112 square metres (1,200 square feet), shall be permitted on the lands identified as Part A.

2. Notwithstanding the yard provisions related to accessory buildings of SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.13 ACCESSORY BUILDINGS, Clause (b)(ii), an accessory building greater than 40 square metres (430 square feet) shall have a minimum side yard of 4.8 metres (16 feet), a minimum rear yard of 9.1 metres (30 feet), and shall be located no closer than 40 metres (130 feet) from the front lot line.

3. In addition, the accessory building in excess of 40 square metres (430 square feet) shall have an exterior finish that is aesthetically pleasing and that is similar to the dwelling on the same lot in respect to design, workmanship and materials.

4. Notwithstanding the minimum rear yard requirements of SECTION 15: RESIDENTIAL "R3" ZONE, Subsection 15.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING), Clause (f), the minimum rear yard for dwellings which front on Marion Street shall be 28.8 metres (95 feet) from the lot line identified as Line A and shown in a heavy black line on Schedule A of By-law No. 464-24-96.

ER-127 **PART OF LOT 5, CONCESSION 5, FORMER GLANFORD, (BY-LAW NO.464-24-96)**

Notwithstanding the minimum lot area requirements of SECTION 12: RESIDENTIAL "ER" ZONE, Subsection 12.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING), Clause (c), a minimum lot area of 1,120 square metres (12,055 sq. ft.) shall be required for these lands.

R4-128 **PART OF LOT 1, CONCESSION 1, FORMER GLANFORD (BY-LAW NO.464-25-96)**

1. Notwithstanding the minimum lot area of SECTION 16: RESIDENTIAL "R4" ZONE, Subsection 16.2 REGULATIONS FOR USES PERMITTED IN

PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING), Clause (b), the following regulation shall apply to these lands:

(a) Minimum Lot Area
for an Interior Lot ..... 360 square metres
(3,875 square feet)

(b) Minimum Lot Area
for a Corner Lot ..... 480 square metres
(5,170 square feet)

2. The development of the lands shown on Schedule A of By-law No. 464-25-96 shall not be permitted until such time as a public road from Glancaster Road is available to access these lands.

A1-129 **PART OF LOT 13, CONCESSION 5, FORMER GLANFORD (BY-LAW NO.464-26-96)**

1. Notwithstanding the regulations for a home occupations of SECTION 8: GENERAL AGRICULTURAL "A1" ZONE, Subsection 8.8 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (g) OF SUBSECTION 8.1 (HOME OCCUPATIONS AND HOME PROFESSIONS), the following regulations shall apply only to a home occupation consisting of a custom cabinet-making/woodworking shop (including cabinet/furniture design, construction, assembly and finishing), showroom and office located within the entire ground floor of a separate accessory building located on these lands:

(a) This home occupation shall be carried on only within the ground floor of a separate, wholly enclosed building which is accessory to the existing single detached dwelling, provided that the gross ground floor area of the accessory building is not greater than 233 square metres (2,500 square feet).

(b) This home occupation shall be owned and operated by one (1) or more of the residents of the dwelling unit on the subject lot. Not more than one (1) person, excluding the owner, shall be employed in this home occupation.

(c) This home occupation shall not adversely affect the residential character of the property or create or become a public nuisance in particular with respect to excessive noise, traffic, parking, dust, vibration, or interference with television or radio reception.

(d) There shall be no outside storage or display of goods, material or equipment related to this home occupation.

(e) A minimum of two (2) parking spaces shall be provided and thereafter maintained on site for this home occupation.

(f) Only goods constructed, finished and/or assembled on the premises shall be offered for sale.

2. No other home occupation shall be permitted on the subject lands unless the home occupation described in Paragraph 1 above *is no longer in operation.*

3. Any other home occupation established on this site shall be subject to Paragraph 2 above and the regulations for home occupations contained in Subsection 8.8 of this By-law.

4. No part of any accessory building on the subject lands shall be used for residential purposes.

5. Notwithstanding the maximum height regulation for an accessory building in SECTION 8: GENERAL AGRICULTURAL "A1" ZONE, Subsection 8.3 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS), Clause 2(f), the maximum height of one (1) accessory building on the subject property shall be 9 metres (30 feet).

RM2-130 **PART OF LOT 1, CONCESSION 1, IN THE FORMER GLANFORD (BY-LAW NO. 464-31-97)**

1. Notwithstanding the permitted uses of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, Subsection 18.2 **PERMITTED USES**, Clause (a), single detached dwellings shall be permitted on these lands as well as accessory uses, buildings and structures.

2. 2. Notwithstanding the regulations of SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE, Subsection 18.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING), the following regulations shall apply to the single detached dwellings permitted pursuant to Paragraph 1 above:

(a) Minimum Lot Frontage

(i) interior lot ..... 9 metres (30 feet)

(ii) corner lot ..... 14 metres (46 feet)

(b) Minimum Lot Area

(i) interior lot ..... 270 square metres (2,900 square feet)

(ii) corner lot ..... 420 square metres (4,520 square feet)

(c) Maximum Lot Coverage……50 percent

(d) Minimum Front Yard……..6 metres (20 feet), except where a lot adjoins the lands to the east zoned Residential "R4-001" (Villages of Glancaster), the minimum front yard shall be 5.5 metres (18 feet)

(e) Minimum Side Yard

(i) interior lot .....0.3 metres (1 foot) on one side and 1.2 metres (4 feet) on the other side

(ii) corner lot .....0.3 metres (1 foot) on one side and 4.5 metres (15 feet) on the flankage side abutting the street

(f) Minimum Separation Distance

No single detached dwelling unit shall be located closer than 1.5 metres (5 feet) from another single detached dwelling unit within the RM2-130 Zone.

(g) Minimum Rear Yard……....7.5 metres (25 feet), except where a lot adjoins the lands to the east zoned Residential "R4-001" (Villages of Glancaster), the minimum rear yard shall be 8.5 metres (28 feet)

(h) Minimum Floor Area per Dwelling Unit ..... 100 square metres (1,076 square feet)

(i) Maximum Height……...10.7 metres (35 feet)

(j) Fencing

Where the boundary of this RM2-130 Zone adjoins the lands to the east zoned Residential "R4-001" (Villages of Glancaster), a solid wood fence with a height of 1.8 metres (6 feet) adjoining such boundary shall be provided and thereafter maintained.

(k) Minimum Parking Requirements

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of the Zoning By-law.

OS1-131/ OS3-132 **PART OF LOTS 6 AND 7, CONCESSION 4, IN THE FORMER GLANFORD (BY-LAW NO. 464-32-97)**

1. Notwithstanding the uses permitted in **SECTION 41: PRIVATE OPEN SPACE "OS1" ZONE**, Subsection 41.1 **PERMITTED USES** of Zoning By-law No. 464, the uses permitted on the lands zoned OS1-131, shall be restricted to a golf course, practice range, clubhouse including one (1) accessory dwelling unit for a manager/greenskeeper, parking area, and accessory uses, buildings and structures.

2. Notwithstanding the uses permitted in SECTION 43: OPEN SPACE - CONSERVATION "OS3" ZONE, Subsection 43.1 PERMITTED USES of Zoning By-law No. 464, the uses permitted on the lands zoned OS3-132, shall be restricted to a golf course and accessory uses. No buildings or structures shall be permitted on the lands zoned OS3-132 . For the purpose this By-law, driveways, cart paths and bridges accessory to the golf course shall be permitted on the lands zoned OS3-132 subject to the approval of the Niagara Peninsula Conservation Authority.

3. One golf course with a maximum total of 18 holes and accessory uses shall be permitted on the lands subject to By-law No. 464-32-97.

4. In addition to the regulations of SECTION 41: PRIVATE OPEN SPACE "OS1" ZONE, Subsection 41.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (e) INCLUSIVE OF SUBSECTION 41.1 and **SECTION 43: OPEN SPACE - CONSERVATION "OS3" ZONE** , Subsection 43.2 **REGULATIONS FOR USES PERMITTED IN SUBSECTION 43.1**, the following regulations shall also apply to the lands subject to By-law 464-32-97:

   (a) The lands identified as Part A shall consist of a buffer area only. No development in the form of a clubhouse, golf course tees, greens, fairways or practice area shall be permitted on these Part A lands. The use of this buffer area shall be restricted to maintenance buildings and open space.

   (b) The clubhouse shall be setback a minimum distance of 200 metres (655 feet) from English Church Road and Highway No. 6.

   (c) All golf tees, fairways, greens and practice area shall be setback a minimum distance of 30 metres (100 feet) from any lot line that abuts a residential or institutional use, and public streets.

(d) A landscaped area with a minimum width of 10 metres (33 feet) shall be provided adjacent to any lot line that abuts a residential or institutional use or a public street.

(e) Access to the golf course facility shall be restricted to English Church Road.

5. Notwithstanding the Minimum Distance Separation (MDS) requirements of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Subsection 7.27 **AGRICULTURAL CODE OF PRACTICE**, the following minimum distance separations shall apply to the lands subject to By-law No. 464-32-97:

(a) the golf course tees, fairways or greens shall be setback a minimum distance of 340 metres (1,115 feet) from the livestock building and manure storage facility on the adjacent livestock operation on the lands to the east known municipally as 8149 English Church Road; and

(b) the clubhouse shall be setback a minimum distance of 900 metres (3,000 feet) from the adjacent livestock building and manure storage facility on the adjacent livestock operation on the lands to the east known municipally as 8149 English Church Road.

R3-133
H-R3-134
R4-135

PART OF LOT 2, CONCESSION 1, IN THE FORMER GLANFORD (BY-LAW NO. 464-33-98)

1. Notwithstanding the minimum rear yard setback of **SECTION 15: RESIDENTIAL "R3" ZONE,** Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)** Clause (f), of Zoning By-law No. 464, those lands zoned R3-133 and H-R3-134, and identified as Lots 25 to 44, inclusive, on Schedule A of By-law No. 464-33-98, shall have a minimum rear yard setback of 13.5 metres (44 feet).

2. Notwithstanding the minimum lot frontage of SECTION 15: RESIDENTIAL "R3" ZONE, Subsection 15.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING), Clause (a), of Zoning By-law No. 464, for those lands zoned R3-133 or H-R3-134, and identified as Lots 25, 38, 41 and 44, on Schedule A of By-law No. 464-33-98, the following regulations shall apply:

Minimum lot frontage.....12 metres (40 feet); except on a corner lot where the minimum frontage shall be 15.9 metres (52 feet)

3. Notwithstanding the minimum rear yard setback for accessory buildings

of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.13 **ACCESSORY BUILDINGS**, Clause (b)(ii), of Zoning By-law No. 464, the following regulations shall apply to those lands zoned R3-133 and H-R3-134, and identified as Lots 25 to 44, inclusive, on Schedule A of By- law No. 464-33-98:

Minimum Rear Yard ..... 6 metres (20 feet)

4. Notwithstanding the minimum rear yard setback of SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.16 OUTDOOR SWIMMING POOLS AND HOT TUBS, Clause (b), of Zoning By-law No. 464, the following regulations shall apply to those lands zoned R3-133 and H-R3-134, and identified as Lots 25 to 44, inclusive, on Schedule A of By-law No. 464-33-98:

   (a) Outdoor swimming pools and hot tubs shall be subject to the following setback regulations:

      (i) An above-ground swimming pool or hot tub shall be setback a minimum distance of 1.5 metres (5 feet) from any side lot line and 6 metres (20 feet) from the rear lot line measured from the outside edge of the pool, hot tub or deck associated with the swimming pool or hot tub, whichever is closest to the side lot line, and

      (ii) An in-ground swimming pool or hot tub shall be setback a minimum distance of 1.5 metres (5 feet) from any side lot line and 6 metres (20 feet) from the rear lot line measured from the edge of the interior wall of the swimming pool or hot tub.

5. In addition to the regulations of **SECTION 15: RESIDENTIAL "R3" ZONE**, Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)**, of Zoning By-law No. 464, for those lands zoned R3-133 and H-R3-134, and identified as Lots 25 to 44, inclusive, on Schedule A of By-law No. 464-33-98 the following additional regulations shall apply:

   (a) Minimum Landscaping Requirements

      (i) A continuous landscaped area in the form of a planting strip having a minimum width of 4.5 metres (15 feet) shall be provided and thereafter maintained adjacent to the rear lot line.

      (ii) The planting strip identified in clause (i) above shall consist of two (2) rows of coniferous trees with a minimum initial height of 1.8 metres (6 feet), planted a maximum distance of 3 metres (10 feet) apart.

6. Notwithstanding the maximum lot coverage of **SECTION 16: RESIDENTIAL "R4" ZONE**, Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)**, Clause (c), of Zoning By-law No. 464, a maximum lot coverage of 40% shall be permitted for those lands zoned R4-135, identified as Lots 1 to 24, inclusive, on Schedule A of By-law No. 464-33-98.

7. Notwithstanding the minimum lot area of SECTION 16: RESIDENTIAL "R4" ZONE, Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING), Clause (b), of Zoning By-law No. 464, a minimum lot area of 398 square metres (4,284 square feet) shall be permitted for the lands zoned R4-135 and identified as Lot 1, on Schedule A of By-law No. 464 33-98.

8. The removal of the holding symbol "H" by a separate By-law for the lands zoned modified Holding Residential H-R3-134, shall be subject to the provision of adequate storm water management facilities to service these lands, to the satisfaction of the Township of Glanbrook.

9. Prior to the removal of the holding symbol "H" by a separate By-law for the lands zoned modified Holding Residential H-R3-134, these lands shall only be used for a storm water management facility.

H-ER-136 **PART OF LOT 6, CONCESSION 1, IN THE FORMER GLANFORD (BY- LAW NO. 464-34-98)**

1. Notwithstanding the minimum lot area and rear yard regulations of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE, Subsection 12.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING), Clauses (c) and (g) of Township Zoning By-law No. 464, the following regulations shall apply to those lands identified as Part 1 on Schedule A of By-law No. 464-34-98:

   (a) Minimum Lot Area……670 square metres (7,212 square feet)

   (b) Minimum Rear Yard……..……7.8 metres (26 feet)

2. Notwithstanding the minimum lot frontage, minimum lot area, minimum front yard, and maximum height regulations of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE, Subsection 12.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING), Clauses (a), (c), (e) and (i) of Township Zoning By-law No. 464, the following regulations shall apply to those lands

identified as Part 2 on the attached Schedule A:

(a) Minimum Lot Frontage……..…21 metres (69 feet)

(b) Minimum Lot Area…….645 square metres (6,943 square feet)

(c) Minimum Front Yard……..…11 metres (36 feet)

(d) Maximum Height…….1.5 storeys

3. A maximum of two (2) single detached dwelling shall be permitted on these lands.

4. Access to the lands identified as Part 1 on Schedule A of By-law No. 464-34-98 shall be restricted to Aldercrest Avenue only.

5. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

(a) a lot grading plan and drainage plan for the area of the total existing lot shall be submitted to the Township by the Owner's Engineer and approved by the Township Engineer;

(b) a drainage report which includes the total Pre-Development and Post-Development Flows through the drainage course and shows that there will be no downstream or upstream impacts as a result of the development of the lot shall be prepared by the Owner's Engineer, and approved by the Township Engineer;

(c) Township of Glanbrook Council approval of the Site Plan Control application for development of the Part 2 lands and execution of the Development (Site Plan) Agreement by all parties;

(d) the existing house on the Part 1 lands shall be disconnected from the existing private services to the satisfaction of the Regional Public Health Department – Environmental Health Branch;

(e) the existing house on the Part 1 lands shall be connected to the municipal sanitary sewer and watermain, to the satisfaction of the Regional Environment Department; and

(f) access to the existing house on the Part 1 lands shall be relocated to Aldercrest Avenue, and the existing access and parking area adjacent to Alderlea Avenue shall be removed, to the satisfaction of the Township of Glanbrook.

6. The use of these lands while zoned H-ER-136 shall be restricted to one (1) single detached dwelling and shall be subject to the *Existing Residential "ER" Zone* regulations.

(Note: The above noted Holding provisions have been satisfied and the "H" symbol removed by By-law No. 464-37-98).

C3-137 **PART OF LOT 6, CONCESSION 4, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-38-98)**

1. Notwithstanding the minimum front yard, side yard, landscaping, and parking setback regulations of SECTION 25: GENERAL COMMERCIAL "C3" ZONE, Subsection 25.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1, Clauses (f), (g), (l) and (j)(iv) of Township Zoning By-law no. 464, the following regulations shall apply to those lands identified as Part 1 on Schedule A attached to By-law No. 464-38-98:

   (a) Minimum Front Yard..... 0 metres (0 feet) (b)

   Minimum Southerly Side Yard ..... 9 metres (30 feet) (c)

   Minimum Northerly Side Yard.....0 metres (0 feet)

   (d) Minimum Landscaping Requirements

   A landscaped area in the form of a planting strip having a minimum width of 1.5 metres (5 feet) and a solid wood fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained adjacent to the southerly lot line that abuts a residential use or Zone.

   (e) Where a parking space abuts any residential use or Residential Zone, the minimum side yard setback shall be 1.5 metres (5 feet). 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 4.5 metres (15 feet) of any street line.

2. Notwithstanding the minimum front yard, side yard, landscaping and parking setback regulations of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1**, Clauses (a), (f), (g), (l) and (j)(iv) of Township Zoning By-law No. 464, the following regulations shall apply to those lands identified as Part 2 on Schedule A attached to By-law No. 464-38-98:

   (a) Minimum Lot Frontage…….21 metres (69 feet)

(b) Minimum Front Yard…….0 metres (0 feet)

(c) Minimum Northerly Side Yard…….4.5 metres (15 feet)

(d) Minimum Southerly Side Yard……0 metres

(e) Minimum Landscaping Requirements

(i) Where a building abuts the northerly lot line that abuts a residential use or Zone, a landscaped area in the form of a planting strip having a minimum width of 4.5 metres (15 feet) shall be provided and thereafter maintained adjacent to building/northerly lot line.

(ii) Where a parking area abuts the northerly lot line that abuts a residential use or zone, a landscaped area in the form of a planting strip having a minimum width of 1.8 metres (6 feet) shall be provided and thereafter maintained adjacent to the parking area/northerly lot line.

(iii) A solid wood fence having a minimum height of 1.8 metres (6 feet) shall be provided adjacent to the northerly lot line.

(f) Where a parking space abuts any residential use or Residential Zone, the minimum side yard setback shall be 1.8 metres (6 feet). 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 4.5 metres (15 feet) of any street line.

3. Access to the lands identified as Part 2 on Schedule A attached to By-law No. 464-38-98 may be obtained from the lands identified as Part 1 on this Schedule A.

4. Notwithstanding the location requirement for parking spaces pursuant to **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 **MINIMUM PARKING REQUIREMENTS**, Clauses (a)(iii), the parking facilities required for Part 1 and Part 2 lands may be located on either the Part 1 lands and/or the Part 2 lands.

5. Notwithstanding the location and landscaping requirements for loading spaces pursuant to **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.36 **MINIMUM LOADING REQUIREMENTS**, Clauses (a)(ii) and (a)(ix), the following regulations shall apply to the subject lands:

(a) The loading facilities required for the lands identified as Part 1 and Part 2 may be located on either the Part 1 lands and/or the Part 2 lands.

(b) Where a loading area abuts any Residential Zone or residential use, a permanently maintained landscaped area consisting of a planting strip with a minimum width of 1.5 metres (5 feet) shall be provided.

M6-138 **PART OF LOT 5, BLOCK 3, CONCESSION 1, FORMER BINBROOK (AS AMENDED BY BY-LAW NO. 464-39-98)**

1. In addition to the uses permitted in **SECTION 35: RURAL INDUSTRIAL-BUSINESS PARK "M6" ZONE**, Subsection 35.1 - **PERMITTED USES**, the following uses shall be permitted:

   (a) banks and financial institutions
   (b) restaurants (including fast food, standard and take-out restaurants)
   (c) brewers retail stores
   (d) liquor stores
   (e) building supply sales in wholly enclosed buildings
   (f) dry cleaning establishments
   (g) laundries
   (h) medical centres
   (i) personal service shops
   (j) photographic studios
   (k) places of entertainment or recreation
   (l) post offices
   (m) printing establishments
   (n) professional and business offices
   (o) veterinary service establishments
   (p) car wash
   (q) retail stores (except supermarkets and large food stores)
   (r) taverns
   (s) food stores (to a maximum total aggregate floor area of 465 square metres (5,000 square feet)

2. Notwithstanding the outside storage requirements of **SECTION 35: RURAL INDUSTRIAL-BUSINESS PARK "M6" ZONE**, Subsection 35.3 **OUTSIDE STORAGE OPERATIONS**, no outside storage shall be permitted for the uses identified in Paragraph 1 of this Exception.

3. Notwithstanding landscaping requirements of SECTION 35: RURAL INDUSTRIAL-BUSINESS PARK "M6" ZONE, Subsection 35.5 REGULATIONS FOR USES PERMITTED IN SUBSECTION 35.1, the following landscape requirements shall be provided for the uses identified in Paragraph 1 above:

   (a) A landscape area having a minimum width of 5 metres (16 feet) 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 driveways.

(b) A "landscape entrance feature area" at the northeast corner of the site, adjacent to the Rymal Road/Highway No. 56 intersection, in the form of a raised/elevated feature with plantings, with the following dimensions:

(i) minimum height of 0.9 metres (3 feet)
(ii) minimum width of 5 metres (16 feet); and
(iii) minimum length of 7.5 metres (25 feet) adjacent to each roadway.

(c) A "landscape entrance feature area" shall be defined as an area of land designed to serve as a gateway entrance point to the Township of Glanbrook comprised of built form entrance signage as well as plantings.

(d) All portions of any lot not covered by buildings or structures or not used for driveways, storage, display, parking, loading or walkways, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.

4. Notwithstanding the definition of 'LOT LINE, FRONT", of **SECTION 4: DEFINITIONS**, the lot line adjacent to Rymal Road shall be deemed to be the front lot line.

5. All other regulations and requirements of **SECTION 35: RURAL INDUSTRIAL-BUSINESS PARK "M6" ZONE**, shall apply to the uses identified in Paragraph 1 above.

H-ER-139 **PART OF LOT 6, CONCESSION 1, FORMER GLANFORD, (AS AMENDED BY BY-LAW NO. 464-40-98)** *(Note: The Holding provisions have been satisfied and the "H" symbol removed by By-law No. 464-42-99).*

1. Notwithstanding the minimum lot frontage, lot area, front yard and rear yard regulations of SECTION 12: EXISTING RESIDENTIAL "ER" ZONE, Subsection 12.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING), Clauses (a), (c), (e) and (g) of Township zoning By-law No. 464, the following regulations shall apply to the lands identified as Part 1 on Schedule A attached to By-law No. 464-40-98.

(a) Minimum Lot Frontage……..21 metres (69 feet)

(b) Minimum Lot Area……..980 square metres (10,550 square feet)

(c) Minimum Front Yard……..17 metres (56 feet)

(d) Minimum Rear Yard……..……7.5 metres (25 feet)

2. Notwithstanding the minimum lot frontage and lot area, maximum lot

coverage, minimum front yard, and side yard, and maximum height regulations of **SECTION 12: EXISTING RESIDENTIAL "ER" ZONE**, Subsection 12.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING)**, Clauses (a), (c), (d), (e) (f) and (i) of Township Zoning By-law No. 464, the following regulations shall apply to the lands identified as Part 2 on Schedule A to By-law No. 464-40-98:

(a) Minimum Lot Frontage ..... 18.5 metres (61 feet)

(b) Minimum Lot Area ..... 810 square metres (8,720 square feet)

(c) Maximum Lot Coverage ..... 27 percent

(d) Minimum Front Yard ..... 17 metres (56 feet)

(e) Minimum Northerly Side Yard ..... 2 metres (6.5 feet)

(f) Minimum Southerly Side Yard ..... 3 metres (10 feet)

(g) Maximum Height ..... 1½ storeys

3. A maximum of two (2) single detached dwellings shall be permitted on the lands subject to this By-law.

4. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

   (a) A detailed lot grading plan and drainage plan for the area of the total existing lot shall be submitted to the Township by the Owner's Engineer and approved by the Township Engineer, which shall include, among other matters, a detailed lot grading plan including the basement floor and first floor elevations for the Part 2 lands;

   (b) A drainage report which includes the total pre-development and post-development flows through the drainage course and shows that there will be no downstream or upstream impacts as a result of the development of the lot shall be prepared by the Owner's Engineer, and approved by the Township Engineer; and

   (c) Township of Glanbrook Council approval of the Site Plan Control application for development of the Part 2 lands and execution of the Development (Site Plan) Agreement by all parties.

5. The use of these lands while zoned H-ER-139 shall be restricted to one (1) single detached dwelling and shall be subject to the *Existing Residential "ER" Zone* regulations.

(Note: The above noted Holding provisions have been satisfied and the "H" symbol removed by By-law No. 464-42-99).

R3-140 **PART OF LOT 1 CONCESSION 1, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-41-98)**

1. Notwithstanding the maximum lot coverage, minimum front yard, side yard and rear yard regulations of **SECTION 15: RESIDENTIAL "R3" ZONE**, Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)**, Clauses (c), (d), (e) and (f) of Township Zoning By-law No. 464, the following regulations shall only apply to one (1) storey and 1½ storey single detached dwellings on these lands:

   (a) Minimum Front Yard..... 6 metres (20 feet)

   (b) Minimum Interior Side Yard .....1.2 metres (4 feet), except: where the side yard abuts a garage, the minimum side yard shall be 0.6 metres (2 feet)

   (c) Minimum Separation Distance

   Between Principal Buildings ..... 1.8 metres (6 feet)

   (d) Minimum Exterior Side Yard .....5 metres (16.5 feet), except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flanking street line

   (e) Minimum Rear Yard…….7 metres (23 feet)

   (f) Maximum Lot Coverage (applied to both 1 and 1½ storey dwellings) No specific requirement (lot coverage shall be controlled through compliance with required setback provisions)

2. Notwithstanding the minimum corner lot frontage and minimum corner lot area, regulations of **SECTION 15: RESIDENTIAL "R3" ZONE**, Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)**, Clauses (a) and (b) of Township Zoning By-law No. 464, the following regulations shall apply to these lands:

   (a) Minimum Lot Frontage for a Corner Lot..... 15.5 metres (51 feet)
   (b) Minimum Lot Area for a Corner Lot ..... 450 square metres (4,840 square feet)

H-R3-141 **PART OF LOT 1, CONCESSION 1, FORMER GLANFORD, KNOWN MUNICIPALLY AS 295 GLANCASTER ROAD (AS AMENDED BY BY-LAW NO. 464-44-99)**

1. No dwellings or buildings shall be permitted on the lands zoned H-R3-141 until such time as the "H" symbol has been removed. The use of these lands shall be restricted to grading and engineering works only, until such time as the "H" symbol has been removed.

2. The "H" symbol may be removed by a further amendment to this By-law at such time as the following matters are satisfied:

(a) each Block has merged in title with adjacent lands to the north, to provide sufficient lot frontage and lot area to comply with the Residential "R3" Zone requirements;

(b) all temporary engineering works have been removed to the satisfaction of the Township Engineer; and

(c) the lands have been graded to the satisfaction of the Township Engineer.

A1-142 TEMPORARY USE BY-LAW

PART OF LOT 9, CONCESSION 2, FORMER GLANFORD, KNOWN MUNICIPALLY AS 7249 TWENTY ROAD EAST (AMENDED BY-LAW NO. 464-45-99)

1. Notwithstanding the uses permitted in **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1(a) - **PERMITTED USES**, a garden suite, shall also be permitted on these lands, as a temporary use, for a period of ten (10) years from the date of the passing of By-law No. 464-45-99, being June 7, 1999.

2. For the purpose of this By-law, a garden suite shall be defined as "*a one-unit detached residential structure, which is not attached to the main house on the property, containing bathroom and kitchen facilities that is ancillary to an existing residential dwelling and that is designed to be portable*."

3. Notwithstanding the minimum front yard, side yard and floor area regulation of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.3 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS)**, clauses 1(d), 1(e), 1(g) and 2, the following front yard, side yard, floor area and accessory use regulations shall apply to a temporary garden suite on the subject lands:

(a) Minimum front yard..... 100 metres (330 feet)

(b) Minimum side yard..... 9 metres (30 feet)

(c) Maximum floor area ..... 120 square metres (1,300 ft^2)

(d) No accessory buildings or structures associated with the garden suite shall be permitted on the subject lands.

4. In addition to the regulations of **SECTION 8: GENERAL**

AGRICULTURAL "A1" ZONE, Subsection 8.3 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS)**, the following regulations shall also apply:

(a) Minimum Separation Distance

The temporary garden suite shall be located no further than 35 metres (115 feet) from the principal dwelling on the lot.

(b) The temporary garden suite shall share all utilities with the principal dwelling, to the satisfaction of the pertinent agencies.

(c) No new access shall be permitted to service the temporary garden suite. The existing access to Twenty Road East shall be shared by both residences.

(d) The temporary garden suite shall be serviced with its own septic system, which shall be removed at the time of the removed of the temporary dwelling to the satisfaction of the Township.

5. All other provisions of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1** shall apply to the temporary *garden suite* on the lands subject to this By-law.

6. The design and construction of the temporary *garden suite* shall satisfy the minimum requirements of the Ministry of Housing, the Ontario Building/Fire/and Health Codes.

7. The development of a temporary *garden suite* shall be subject to Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended.

8. Prior to the erection of a temporary *garden suite* on the subject lands, the Owners shall be required to enter into an Agreement with the Township which shall address the name of the person(s) who are permitted to live in the temporary garden suite and when the temporary *garden suite* is to be removed.

R3-143 **PART OF LOT 1, CONCESSION 1, FORMER GLANFORD (AMENDED BY BY-LAW NO. 464-46-99)**

Notwithstanding the maximum lot coverage, minimum front yard, and rear yard regulations of **SECTION 15: RESIDENTIAL "R3" ZONE**, Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)**, Clauses (c), (d), and (f) of Township Zoning By-law No. 464, the following regulations shall only apply

to one (1) storey and 1½ storey/back-split single detached dwellings (more specifically identified as Lots 1 to 4 on Schedule A of By-law No. 464-46-99).

(a) Minimum Front Yard ..... 6 metres (20 feet)

(b) Minimum Rear Yard ..... 7 metres (23 feet)

(c) Maximum Lot Coverage (for 1 and 1½ storey/back-split dwellings)
No specific requirement (Lot coverage shall be controlled through compliance with required setback provisions)

R4-144 **PART OF LOT 1, CONCESSION 1, FORMER GLANFORD (AMENDED BY BY-LAW NO. 464-46-99)**

Notwithstanding the maximum lot coverage, minimum front yard, and rear yard regulations of **SECTION 16: RESIDENTIAL "R4" ZONE**, Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)**, Clauses (c), (d), and (f) of Township Zoning By-law No. 464, the following regulations shall only apply to one (1) storey and 1 ½ storey/back-split single detached dwellings (more specifically identified as Lots 5 to 15 on Schedule A to By-law No. 464-46-99).

(a) Minimum Front Yard ..... 6 metres (20 feet)

(b) Minimum Rear Yard ..... 7 metres (23 feet)

(c) Maximum Lot Coverage (for 1 and 1½ storey/back-split dwellings)
No specific requirement (Lot coverage shall be controlled through compliance with required setback provisions)

R4-145 **PART OF LOT 20, CONCESSION 8, FORMER BINBROOK (AS AMENDED BY BY-LAW NO. 464-47-99)**

1. In addition to the uses permitted in **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1(a) - **PERMITTED USES**, a *holistic wellness centre*, as defined in Paragraph 2 below shall also be permitted on the lands identified as Part A, as a secondary use.

2. For the purpose of this By-law, a *holistic wellness centre* shall be defined as 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 (7) drugless practitioners, including, but not restricted 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.

3. In addition to the regulations of **SECTION 8: GENERAL**

AGRICULTURAL "A1" ZONE, the following regulations shall apply to a *holistic wellness centre* located on the lands identified as Part A on Schedule A to By-law No. 464-47-99:

(a) The *holistic wellness centre* shall be permitted within a wholly enclosed accessory building on the Part A lands.

(b) The *holistic wellness centre* shall clearly be secondary to the principal agricultural and residential use. The *holistic wellness centre* shall be owned and operated by one (1) or more of the residents of the principal dwelling unit on the Part A lands.

(c) The accessory building for the *holistic wellness centre* shall be set back a minimum distance of 50 metres (165 feet) from the front lot line and 20 metres (66 feet) from the northern, western and eastern limits of the Park A lands.

(d) The accessory building for the *holistic wellness centre* shall have a maximum gross floor area of 355 square metres (3,800 square feet).

(e) The accessory building for the *holistic wellness centre* shall have a maximum building height of 1 storey.

(f) Parking Requirements

(i) Parking for the *holistic wellness centre* shall be provided on the basis of 3 spaces for each drugless practitioner.

(ii) Any parking area adjacent to the easterly, westerly and northerly boundary lines of the Part A lands shall be setback a minimum distance of 3 metres (10 feet).

(iii) No parking associated with the *holistic wellness centre* shall be located within 40 metres (130 feet) of the front lot line.

(iv) A planting strip with a minimum width of 3 metres (10 feet) shall be provided adjacent to the part of the parking area facing the front lot line.

(g) Access

No new access shall be permitted to service the *holistic wellness centre*. The existing access to Hall Road shall be shared by both the agricultural/residential use and the *holistic wellness centre*.

4. All other provisions of **SECTION 8: GENERAL AGRICULTURAL "A1"**

ZONE, shall apply to the Part A lands.

5. The development of a *holistic wellness centre* on the Part A lands shall be subject to Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O., 1990, as amended.

P-145 **PART OF LOT 1, BLOCK 3, CONCESSION 3, FORMER BINBROOK (AS AMENDED BY BY-LAW NO. 464-48-00)**

1. Notwithstanding the Minimum Yard Requirements pursuant to **SECTION 40: PUBLIC "P" ZONE**, Subsection 40.2 **REGULATIONS FOR USES PERMITTED IN SUBSECTION 40.1,** Clause (d), of Township Zoning By-law No. 464, the minimum yard requirement for the south side yard shall be 3.6 metres (12 feet). All other yards shall comply with the existing Minimum Yard Requirements.

2. In addition to the existing Regulations for the Public "P" Zone, a solid wood fence with a minimum height of 1.8 metres (6 feet) shall also be provided and thereafter maintained adjacent to the portion of any lot line of the subject lands abutting an existing residential lot containing a single detached dwelling.

H-R3-143
H-R3-144
H-RM2-145
RM3-146
H-RM3-147
OS1-148
H-C3-149

PART OF LOT 5, CONCESSION 5, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-51-00)

H-R3-143 (By-law No. 14-010) The removal of the holding symbol "H" by By-law for the lands zoned *Residential Holding H-R3-143*, shall require their proper consolidation with adjacent lands to the east to form appropriate lots for single detached dwellings with frontage on a public road, to the satisfaction of the Township and in compliance with the Township Zoning By-law.

H-R3-144 The removal of the holding symbol "H" by By-law for the lands zoned *Residential Holding H-R3-144*, shall require proper resolution of the related ownership issue and their subsequent consolidation of these lands with the appropriate adjacent lands to the east and/or west. The establishment of these lands as a separate lot shall not be permitted.

H-RM2-145 The removal of the holding symbol "H" by By-law for the lands zoned *Residential Multiple Holding H-RM2-145*, shall require their proper consolidation with the adjacent lands to the west to form appropriate lots for street townhouses to the

satisfaction of the Township and in compliance with the Township Zoning By-law.

RM3-146 Notwithstanding the minimum lot frontage regulation of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** Clause (a), a minimum lot frontage regulation of 35 metres (115 feet) shall apply to those lands zoned modified *Residential Multiple "RM3-146"* on the attached Schedule A.

H-RM3-147 **DELETED BY BY-LAW NO. 23-072.**

OS1-148 Notwithstanding the permitted uses and regulations of **SECTION 41: PRIVATE OPEN SPACE "OS1" ZONE**, no permanent buildings or structures, including fences, but excluding crossing for public streets where approved, shall be permitted on those lands zoned modified *Private Open Space "OS1-148".*

H-C3-149 The removal of the holding symbol "H" by By-law for the lands zoned *General Commercial Holding H-C3-149,* shall require their proper consolidation with the adjacent lands to the south to provide for a larger single commercial lot and shall also require site plan approval for their development in conjunction with the (re)development of the lands with which they are to be consolidated.

The permitted use of the lands zoned in the Holding Zones by By-law No. 464-51-00 including the *H-R3-143, H-R3-144, H-RM2-145, H-RM3-147 and H-C3-149 Zones,* shall be pursuant to **SECTION 10: DEFERRED DEVELOPMENT "DD" ZONE**, while the lands continue to be zoned in their Holding Zones. At such time as the Holding "H" symbol is removed, the zoning provisions pertaining to these lands shall be pursuant to the *Residential "R3" Zone, Residential Multiple "RM2" and "RM3" Zones,* and the *General Commercial "C3" Zones,* respectively, of this By-law.

RH-150
RH-151 **PART OF LOT 1, BLOCK 2, CONCESSION 2, FORMER BINBROOK (AS AMENDED BY BY-LAW NO. 464-52-00)**

1. Notwithstanding the minimum lot frontage, minimum front yard and minimum rear yard regulations of **SECTION 21: RESIDENTIAL HAMLET "RH" ZONE**, Subsection 21.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 21.1 (SINGLE DETACHED DWELLING)**, Clauses (a), (d) and (f) of Township Zoning By-law No. 464, the following regulations shall apply to the land zoned RH-150 and RH-151 respectively:

   (a) Parcel 1 ("RH-150")

(i) Minimum Lot Frontage..... 60 metres (200 feet)

(ii) Front Yard..... 22 metres (72 feet)

(iii) Minimum Rear Yard..... 97 metres (320 feet)

(b) Parcel 2 ("RH-151")

(i) Minimum Lot Frontage..... 60 metres (200 feet)

(ii) Front Yard..... 15 metres (50 feet)

(iii) Minimum Rear Yard..... 100 metres (330 feet)

2. The development of the single detached dwelling on the lands zoned "RH-150" and "RH-151" shall be subject to Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O., 1990 c.P.13, as amended.

A2-152 **PART OF LOT 2, CONCESSION 3, FORMER GLANFORD (AS AMENDED BY BY-LAW NO.464-53-00)**

1. In addition to the uses permitted in **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE,** Subsection 8.1(a) - **PERMITTED USES**, an accessory commercial motor vehicle repair operation shall also be permitted on the subject lands as a secondary use to the principal residential use.

2. In addition to the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, the following regulations shall apply to the accessory commercial motor vehicle repair operation on the subject lands:

(a) The motor vehicle repair operation shall be owned and operated by one (1) or more of the residents of the principal dwelling on the subject lands.

(b) The motor vehicle repair operation shall be wholly enclosed within the garage and office existing at the time of the passing of this Amendment and shall be restricted to a maximum gross floor area of 50 square metres (540 square feet).

(c) No outside storage or display shall be permitted.

(d) A maximum of 18 parking spaces shall be permitted to the rear of the existing garage for the parking of motor vehicles awaiting repair.

(e) A solid wood fence with a minimum height of 1.5 metres (5 feet) shall provided along the easterly lot line adjacent to this motor

vehicle repair operation and related parking area.

3. All other provisions of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, shall apply to the subject lands.

C6-153 **LANDS LOCATED AT REGIONAL ROAD 20 AND TOWNLINE ROAD WITHIN PART OF LOT 3, BLOCK 1, CONCESSION 1 (BINBROOK), TOWNSHIP OF GLANBROOK AS AMENDED BY BY-LAW NO. 464-56-00**

Exemption C6-153 was replaced by exemption C6-163 by By-law No. 02-29 passed by the City of Hamilton on February 13, 2002. (By-law No. 03-284 deleted the text of exemption C6-153 in its entirety).

C3-154 **PART OF LOT 5, BLOCK 3, CONCESSION 3, FORMER BINBROOK (AS AMENDED BY BY-LAW NO. 464-57-00)**

1. Notwithstanding the minimum interior side yard setback regulation of SECTION 12: GENERAL COMMERCIAL "C3" ZONE, Subsection 25.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1 Clause (g)(i) the following side yard regulations shall apply to the side lot lines that abut a residential use or zone, for those lands zoned in the modified General Commercial "C3-154" Zone:

   (a) the minimum southerly side yard setback abutting the northerly lot line of the residential lands known municipally as 2491 Regional Road 56 shall be 2.7 metres (9 feet); and

   (b) the minimum northerly side yard setback abutting the southerly lot line of the residential lands known municipally as 2451 Regional Road 56 shall be 4.5 metres (15 feet); and

   (c) the minimum westerly side yard setback from the rear lot line of 2451 shall be 15 metres (50 feet).

2. Notwithstanding the minimum landscaping regulation of **SECTION 12: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1** Clause (l)(i) the following regulations shall apply to the north and south lot lines of the lands zoned in the *General Commercial "C3-154" Zone*:

   (a) a solid visual barrier in the form of a fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained adjacent to the northerly and westerly side lot lines that abut a residential use or zone.

M1-155 **PART OF LOT 16, CONCESSION 1, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-56-00)**

1. In addition to the permitted accessory uses of **SECTION 30: PRESTIGE BUSINESS/INDUSTRIAL "M1" ZONE**, Subsection 30.1 **PERMITTED USES**, Clause (i) of Township Zoning By-law No. 464, a single detached dwelling, accessory to a permitted industrial use, shall be permitted on each of the lots identified as Lots 25 and 26 on Schedule A attached to By-law No. 464-56-00 subject to the following additional regulations:

   (a) Required Setback from Trinity Church Road ... 30 metres (100 feet)

   (b) Minimum Lot Size for Lot 25 ..... 0.8 hectares (1.9 acres)

   (c) Minimum Lot Size for Lot 26 ..... 0.5 hectares (1.3 acres)

   (d) Maximum Dwelling Size ..... 180 square metres (1,937 square feet)

   (e) Occupancy of the Dwelling

   The resident/occupant of the accessory single detached dwelling shall be restricted to the owner/manager of the principal industrial use on the same lot.

2. Notwithstanding the regulations associated with the buffer strip adjacent to Trinity Church Road of **SECTION 30: PRESTIGE BUSINESS/INDUSTRIAL "M1" ZONE**, Subsection 30.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (i) INCLUSIVE OF SUBSECTION 30.1** Clause (n) of Township Zoning By-law No. 464, the following additional specific regulations shall apply to the lands shown in hatched lines and identified as Lots 25 and 26 identified on Schedule A attached to By-law No. 464-56-00:

   (a) That one (1) temporary access driveway shall be permitted from Trinity Church Road through the required Buffer Strip provided pursuant to Clause 30.1(n)(i) of Zoning By-law No. 464, where both an industrial building and accessory single detached dwelling are constructed at the same time;

   (b) That this permitted temporary access driveway shall be removed and replaced with the required Buffer Strip immediately upon the construction and opening of the required adjacent internal public road, shown as Future Street 'B' on Schedule A attached to By-law No. 464-56-00, which will provide the ultimate permanent access to the subject lands;

   (c) That the landscaped area which forms a part of the required Buffer Strip adjacent to Trinity Church Road shall also include, among the current identified matters, an earthen berm with a minimum height of 1.5 metres (5 feet) with a planting strip; and

   (d) That this required earthen berm shall be provided along the entire frontage of the subject lands adjacent to Trinity Church Road, save and

except where the permitted temporary access driveway is located, however, upon the provision of the ultimate permanent access to the subject lands from the adjacent Future Street B to the west and the concurrent removal of the temporary driveway access, the earthen berm and planting strip shall be provided along the remaining frontage of the subject lands in the location of the former temporary driveway access.

3. Notwithstanding the Minimum Building Size regulations of **SECTION 30: PRESTIGE BUSINESS/INDUSTRIAL "M1" ZONE**, Subsection 30.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (i) INCLUSIVE OF SUBSECTION 30.1** Clause (d) of Township Zoning By-law No. 464, where the accessory single detached dwelling(s) is constructed along with the industrial building(s) on the subject lands as permitted by Paragraph 1 above, the Minimum Industrial Building Size shall be reduced to 278 square metres (3,000 square feet).

4. Notwithstanding anything in Zoning By-law No. 464, where the industrial building(s) and accessory single detached dwelling(s) are constructed at the same time on the lands subject to this By-law, and the related temporary driveway access is established pursuant to Paragraph 2 of this By-law, no vehicle exceeding a gross vehicle weight of 5 tonnes per axle shall be parked and/or stored on the subject lands

5. All development of the lands subject to this By-law shall be subject to Site Plan Control.

A1-156 **PART OF LOT 5, CONCESSION 8, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-59-00)**

1. In addition to the permitted uses of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1 **PERMITTED USES**, a golf driving range, mini putt facility, and accessory uses buildings and structures, shall be permitted on the subject lands.

2. Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 8.1 (AGRICULTURAL USES)**, the following site specific regulations shall apply the uses permitted in Paragraph 1 of this Exception:

   (a) *Setbacks*

      (i) All golf tees shall set back a minimum distance of 23 metres (75 feet) from Highway No. 6, and shall be oriented away from Highway No. 6;

      (ii) The miniature golf area shall be setback a minimum distance of 18 metres (60 feet) from Highway No. 6; and

(iii) Buildings associated with the golf driving range and mini putt facility shall be setback a minimum distance of 30 metres (100 feet) from any street.

(b) *Buildings and Structures*

(i) Buildings associated with the golf driving range and mini putt facility shall not exceed a maximum gross floor area of 100 square metres (1,075 feet); and

(ii) All buildings or structures associated with the golf driving range and mini putt facility shall not exceed a maximum height of 6 metres (20 feet), except any required posts and netting.

(c) *Access*

(i) Access shall be restricted to Haldibrook Road. No direct access to Highway No. 6 shall be permitted.

(d) *On-Site Parking*

(i) A minimum of fifty (50) on-site parking spaces shall be provided on a stable surface with adequate drainage.

R3-157
R4-157 **PART OF LOT 5, BLOCK 3, CONCESSION 4, FORMER**
RM2-157 **BINBROOK (AS AMENDED BY BY-LAW NO. 464-60-00)**
RM2-157
RM3-157

R3-157 Notwithstanding the maximum lot coverage, minimum front yard, minimum interior side yard, minimum exterior side yard, and maximum building coverage regulations of **SECTION 15: RESIDENTIAL "R3" ZONE**, Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)** Clauses (c), (d) and (e), the following regulations shall apply to those lands zoned modified Residential *"R3-157"*:

(a) Maximum lot coverage for
one (1) and 1½ storey dwellings.....40 percent

(b) Maximum lot coverage for all other dwellings.....35 percent

(c) Minimum Front Yard..... 6.0 metres (20 feet)

(d) Minimum Interior Side Yard ..... 1.2 metres (4 feet)

(e) Minimum Exterior Side Yard ..... 3.0 metres (10 feet) abutting the flankage street, except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flankage street line.

R4-157 Notwithstanding the maximum lot coverage, minimum front yard setback, interior side yard, maximum exterior side yard, and maximum building coverage regulations of **SECTION 16: RESIDENTIAL "R4" ZONE**, Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** Clauses (c), (d) and (e), the following regulations shall apply to those lands zoned modified *Residential "R4-157"* :

(a) Maximum lot coverage for
one (1) and 1½ storey dwellings .....40 percent

(b) Maximum lot coverage for all other dwellings.....35 percent

(c) Minimum Front Yard..... 6.0 metres (20 feet)

(d) Minimum Interior Side Yard ..... 1.2 metres (4 feet)

(e) Minimum Exterior Side Yard ..... 3.0 metres (10 feet) abutting the flankage street, except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flankage street line.

RM2-157 Notwithstanding the maximum lot coverage and minimum front yard regulations of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE,** Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING),** Clauses (c) and (d), the following specific regulations shall apply to those lands zoned modified *Residential Multiple "RM2-157":*

(a) Maximum Lot Coverage .....45 percent

(b) Minimum Front Yard..... 6.0 metres (20 feet)

RM3-157(A) Notwithstanding the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** the following regulations shall apply to those lands zoned modified *Residential Multiple "RM3-157(A)"*:

(a) PERMITTED USES

(i) block townhouse dwellings and semi-detached dwellings;

(ii) outdoor recreation uses such as horseshoe pitching areas, shuffleboard courts, tennis courts, lawn bowling greens and other similar uses; and

(iii) uses, building and structures accessory to the uses described in the above clauses (i) and (ii) above.

(b) GENERAL REGULATIONS FOR BLOCK TOWNHOUSE DWELLINGS AND SEMI-DETACHED DWELLINGS

(i) Minimum Lot Area ..... 5 hectares (13 acres)

(ii) Minimum Lot Frontage..... 30 metres (100 feet)

(iii) Minimum Front Yard:

(A) All dwelling units shall be setback a minimum distance of 5 metres (16.5 feet) from the front lot line.

(B) All dwelling units shall be setback a minimum distance of 4 metres (13 feet) from the edge of pavement of any private internal roadway.

(iv) Minimum Rear Yard

All dwelling units shall be set back a minimum distance of 15 metres (50 feet) from rear lot line of the total subject lands (i.e., adjacent to the westerly lot line).

(v) Minimum Side Yard

All dwelling units shall be setback a minimum distance of 7.5 metres (25 feet) from the northerly and southerly side lot line (i.e., adjacent to the northerly and southerly lot line).

(vi) Minimum Separation Distances Between Buildings

(A) 4.5 metres (15 feet) between two (2) exterior walls containing no windows;

(B) 7.5 metres (25 feet) between two (2) exterior walls one (1) of which contains at least one (1) window to a habitable room; and

(C) 14.5 metres (47.5 feet) between two (2) exterior walls, each of which contains at least one (1) window to a habitable

room.

(vii) Building Height

The maximum building height shall be one (1) storey and shall not exceed 5 metres (16.5 feet)

(viii) Maximum Density .....25 dwelling units per gross hectare (10 units per acre)

(ix) Maximum Lot Coverage of Dwelling Units .....30 percent

(x) Minimum Landscaped Open Space

40 percent of the total subject lands (which shall consist of grass, trees, shrubs, and/or walkways).

(xi) Buffer Strip

(A) A buffer strip with a minimum width of 9 metres (30 feet) comprised of a continuous strip of landscaping, shall be provided along the entire westerly boundary of the total subject lands.

(B) No buildings or structures shall be permitted within this buffer strip.

(xii) Fencing

A solid wood fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained adjacent to the north and west lot lines of the total subject lands.

(xiii) Parking

(A) A minimum of one (1) parking space per dwelling unit shall be provided for residents; and

(B) A minimum of 0.3 parking spaces per dwelling unit shall be provided for visitors; and

(C) The outdoor parking or storage of any vehicle exceeding a

maximum length of 6.4 metres (21 feet) and/or an overall height of 2.6 metres (8.5 feet) shall be prohibited.

(c) REGULATIONS FOR ACCESSORY BUILDINGS

Accessory buildings directly associated with the dwelling units shall be permitted provided they do not exceed a floor area of 2 square metres (21.5 square feet) nor a height of 4.5 metres (15 feet), and shall be contiguous to the dwelling unit. A maximum of one (1) accessory building per dwelling unit is permitted.

(d) REGULATIONS FOR PRIVATE INTERNAL ROADWAYS

The private internal roadways on the subject lands shall possess a minimum pavement width of 6 metres (20 feet).

(e) SITE PLAN CONTROL

All development on the lands subject to this Exception shall be subject to Site Plan Control.

RM3-157(B) Notwithstanding the minimum side and rear yards and planting strip/fencing regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, Clauses (f) and (k), the following specific regulations shall apply to those lands zoned modified *Residential Multiple "RM3-157(B)"*:

(a) Minimum yard adjacent to abutting lands that are zoned in the Existing Residential "ER" Zone shall be 15 metres (50 feet).

(b) Where the abutting lands are zoned in the Existing Residential "ER" Zone, the following buffer strip and fencing shall be provided adjacent thereto on the lands subject to this By-law:

(i) Buffer Strip

(A) A buffer strip with a minimum width of 9 metres (30 feet) comprised of a continuous strip of landscaping, shall be provided along the entire such boundary of the subject lands.

(B) No buildings or structures shall be permitted within this buffer strip.

(ii) Fencing

A solid wood fence having a minimum height of 1.8 metres (6 feet) shall be provided and thereafter maintained adjacent to such boundary of the subject lands.

RM4-157 **Deleted by By-law No. 03-159 dated June 25, 2003**

OS2-157 Notwithstanding the permitted uses and regulations of **SECTION 42: PUBLIC OPEN SPACE "OS2" ZONE**, Subsections 42.1 and 42.2, the following regulations shall apply to those lands zoned modified *Public Open Space "OS2-157"* these lands shall be used for storm water management facilities and passive recreational purposes where designated.

P-157 Notwithstanding the permitted uses and minimum lot frontage, lot area, yard and landscaping regulations of SECTION 40: PUBLIC "P" ZONE, Subsections 40.1 and 40.2(a), (b), (d) and (g), those lands zoned modified Public "P-157" shall only be used for a sewage treatment pumping station and the following regulations shall apply:

(a) Minimum Lot Frontage..... 20 metres (66 feet) (b)

Minimum Lot Area ..... 800 square metres (860 square feet) (c)

Minimum Yard Requirements

No building shall be located within 5 metres (16.5 feet) of any lot line, except:

(i) A building shall have a minimum yard of 2 metres (6.5 feet) adjacent to the required daylighting triangle; and

(ii) Appurtenant structures shall have minimum yard of 2 metres (6.5 feet).

(d) Minimum Landscaping Requirements

A landscaped area in the form of a planting strip having a minimum width of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential use or zone and adjacent to every street.

R3-158
R4-158
RM1-158

PART OF LOT 1, CONCESSION 1, FORMER GLANFORD (AS AMENDED BY BY-LAW NO. 464-61-00)

R3-158 Notwithstanding the maximum lot coverage, minimum front yard, and minimum side yard for a corner lot regulations of **SECTION 15: RESIDENTIAL "R3" ZONE**, Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)**, Clauses (c), (d), and (e)(iii) of Township Zoning By-law No. 464, the following regulations shall only apply to one (1) storey and 1½ storey/back-split single detached dwellings on the lands zoned R3-158:

(a) Maximum Lot Coverage ..... No specific requirement (lot coverage shall be controlled through compliance with required setback

provisions).

(b) Minimum Front Yard ..... 6 metres (20 feet) (c)

Minimum Side Yard for a Corner Lot .....4 metres (13 feet) except:
that an attached garage or attached carport which fronts on the flanking street line.

R4-158 Notwithstanding the maximum lot coverage, minimum front yard, and minimum side yard for a corner lot regulations of **SECTION 16: RESIDENTIAL "R4" ZONE**, Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)**, Clauses (c), (d), and (e)(iii) of Township Zoning By-law No. 464, the following regulations shall only apply to one (1) storey and 1½ storey/back-split single detached dwellings on the lands zoned R4-158:

(a) Maximum Lot Coverage .....No specific requirement (lot coverage shall be controlled through compliance with required setback provisions)

(b) Minimum Front Yard ..... 6 metres (20 feet) (c)

Minimum Side Yard for a Corner Lot .....4 metres (13 feet) except:
that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flankage street line)

RM1-158 Notwithstanding the minimum front yard regulation of **SECTION 17: RESIDENTIAL MULTIPLE "RM1" ZONE**, Subsection 17.4 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 17.1 (SEMI DETACHED DWELLING)** Clause (d) of Township Zoning By-law No. 464, the following regulation shall apply to one (1) storey and 1½ storey/back-split semi-detached dwellings on the lands zoned RM1-158:

(a) Minimum Front Yard…….6 metres (20 feet)

ER-159 **PART OF LOT 6, CONCESSION 5, FORMER GLANFORD (AS AMENDED BY BY-LAW 464-62-00)**

In addition to the permitted uses of **SECTION 12: EXISTING RESIDENTIAL "ER" ZONE**, Subsection 12.1, **PERMITTED USES**, Clauses (a) and (b) of Township Zoning By-law No. 464, a bed and breakfast establishment with a maximum of four (4) bedrooms shall be permitted as a specific accessory use to the principal residential dwelling on the subject lands.

OS1-160 **PART OF LOTS 4 AND 5, BLOCK 3, CONCESSION 4, FORMER**
OS2-160 **BINBROOK (AS AMENDED BY BY-LAW NO. 464-65-00)**

OS3-160

1. Notwithstanding the uses permitted in **SECTION 41: PRIVATE OPEN SPACE "OS1" ZONE**, Subsection 41.1 **PERMITTED USES**, of Zoning By-law No. 464, the uses permitted on the lands zoned modified Private Open Space "OS1-160", identified in Paragraph 1 of this By-law shall be restricted to an 18 hole golf course, practice range, clubhouse, parking area, and accessory uses, buildings and structures.

2. In addition to the regulations of **SECTION 41: PRIVATE OPEN SPACE "OS1" ZONE**, Subsection 41.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (e) INCLUSIVE OR SUBSECTION 41.1** and **SECTION 43: OPEN SPACE - CONSERVATION "OS3" ZONE**, Subsection 43.2 **REGULATIONS FOR USES PERMITTED IN SUBSECTION 43.1**, the following regulations shall also apply to the lands subject to this Exception:
   (a) The clubhouse shall be setback a minimum distance of 150 metres (500 feet) from Regional Road 56.
   (b) All golf tees, fairways, greens and practice areas shall be setback a minimum distance of 30 metres (100 feet) from all lot lines.
   (c) A landscaped area with a minimum width of 10 metres (33 feet) shall be provided adjacent to any lot line that abuts a residential use, residential zone or public street.
   (d) Buffering, screening and/or fencing shall be provided adjacent to every lot line that abuts an agricultural use.
   (e) Principal public access to the golf course facilities shall be restricted to Regional Road 56.

3. Notwithstanding the permitted uses and regulations of **SECTION 42: PUBLIC OPEN SPACE "OS2" ZONE**, Subsections 42.1 and 42.2 of Zoning By-law No. 464, the use of the lands zoned modified Public Open Space "OS2-160" Zone, shall be restricted to the following:
   (a) a municipal stormwater management facility and related uses including pathways and trails; and
   (b) irrigation infrastructure related to the adjacent golf course, subject to the approval of the Niagara Peninsula Conservation Authority and the Township.

4. Notwithstanding the uses permitted in SECTION 43: OPEN SPACE - CONSERVATION "OS3" ZONE, Subsection 43.1 PERMITTED USES, of Zoning By-law No. 464, the uses permitted on the lands zoned "OS3-160", shall be restricted to a golf course and accessory uses. No buildings or structures shall be permitted on the lands zoned “OS3-160”, except driveways, cart paths and bridges accessory to the golf course shall be permitted on the lands zoned “OS3-160” subject to the approval of the Niagara Peninsula Conservation Authority.

R4-161
RM2-161 **PART OF LOTS 2 AND 3, BLOCK 4, CONCESSION 4, FORMER**
RM3-161 **BINBROOK (AS AMENDED BY BY-LAW NO 464-70-00 AND 11 -171)**
RM4-161
OS2-161

R4-161 Notwithstanding the minimum lot frontage regulations for a corner lot of **SECTION16: RESIDENTIAL "R4" ZONE**, Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** Clause (a), a minimum lot frontage of 15.2 metres (50 feet) for a corner lot shall be permitted on lands zoned R4-161.

RM2-161 Notwithstanding the minimum front yard setback regulations of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** Clause (d), a minimum front yard setback of 6.0 metres (20 feet) shall be permitted on lands zoned RM2-161.

RM3-161 Notwithstanding the minimum landscaping regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** Clause (j), a minimum landscaped area equivalent to 40 percent of the lot area, which may include the required privacy area, shall be provided on lands zoned RM3-161.

RM4-161 1. In addition to the permitted uses of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, Subsection 20.1 **PERMITTED USES,** stacked townhouse dwellings shall be permitted on lands zoned RM4-161.

2. Notwithstanding the maximum lot area and lot coverage regulations of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, Subsection 20.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDINGS)** Clauses (c), and (d), the following regulations shall apply to lands zoned *"RM4-161"*:

   (a) Maximum Lot Area..... 1.6 hectares (4 acres)

   (b) Maximum Lot Coverage .....30 percent

   The remaining regulations of Subsection 20.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDINGS)** of this By-law shall apply to stacked townhouse dwellings on lands zoned RM4-161.

3. Notwithstanding the regulations of **SECTION 20: RESIDENTIAL**

MULTIPLE "RM4" ZONE, Subsection **20.1, PERMITTED USES**, Block Townhouses and Maisonettes, and uses, buildings and structures accessory thereto, shall also be permitted.

By-law 11-171

For the purposes of this By-law, a Maisonette is defined as a dwelling divided vertically into a minimum of six (6) and a maximum of sixteen (16) dwelling units, with each unit separated by a common or party walls both at the rear and at the side or sides of the unit, and having one (1) or more private entrances at grade.

4. Notwithstanding the regulations of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, Subsection 20.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)**, Clauses (a), (b), (c), (d), (e), (f), (g), (i), (j), (k), and (m)(i), and the regulations of **SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW**, Exception "RM4-161", the following additional regulations shall apply to the lands zoned "RM4-161":

(a) For townhouse and maisonette uses, the minimum lot frontage for each townhouse unit shall be 4.6 metres, and the minimum lot frontage for each maisonette unit shall be 6.4 metres.

(b) For townhouse and maisonette uses, the minimum lot area per unit shall be 75 square metres.

(c) Maximum Lot Area shall not apply.

(d) Maximum Lot Coverage shall not apply.

(e) Maximum Density shall not apply.

(f) Minimum front yard shall be 5.75 metres to a garage and 3.4 metres to a dwelling unit.

(g) Minimum side yard shall be 1.2 metres for the side of an end townhouse unit and 1.8 metres for the side of a maisonette unit. Notwithstanding Section 7.20, "General Provisions for all Zones, Through Lots", the minimum yard abutting Binbrook Road or Fall Fair Way shall be 2 metres. Notwithstanding the minimum side yard and rear yard requirements, a minimum yard of 6.75 metres shall be provided for all buildings where the abutting lands are zoned Existing Residential "ER", or Residential "R1", "R2", "R3", "R4", or Residential Multiple "RM1".

(i) Maximum height shall be 12.6 metres, and a maximum of 3 storeys.

(j) Minimum amenity area shall be provided on the same lot and may be located in an "RM3-268" Zone.

(k) Minimum landscaped area shall not apply.

(m)(i) No parking space or area shall be located closer to a street line than 6 metres and not closer than 3 metres to any Existing Residential "ER" Zone.

5. In addition to the regulations of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, Subsection 20.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)**, the following regulations shall apply:

(a) For the purposes of the lot frontage, lot area, front, side, and rear yard setback requirements only, a condominium road shall be deemed to be a public street. Yards containing driveway accesses shall be deemed to be front yards.

(b) A maximum of 51 dwelling units shall be permitted within the "RM4-161" Zone, of which a minimum of 28 units shall be maisonettes.

(c) All dwelling units with a façade facing or abutting Binbrook Road or Fall Fair Way shall have a principle entrance facing the street.

(d) Acoustical barrier walls shall not be permitted abutting Binbrook Road or Fall Fair Way.

(e) Visitor parking may be provided in a common element condominium.

(f) In addition to the amenity area requirements, each dwelling unit shall be provided with an outdoor balcony with a minimum gross floor area of 3 square metres.

6. Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Subsection 7.35, **MINIMUM PARKING REQUIREMENTS**, Clauses (a)(iv), (a)(vii), (a)(xii) and (b):

(a)(vi) Tandem parking shall also be permitted for maisonette dwellings.

(a)(vii) Exterior ninety (90) degree perpendicular surface parking spaces shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres. Parking spaces within a garage shall have a minimum width of

3 metres and a minimum length of 6 metres.

(a)(xii) Shall not apply for parking areas abutting a Residential Multiple "RM2-260" Zone or a Residential Multiple "RM3-268" Zone. For the purposes of this provision, a planting strip required abutting an Existing Residential "ER" Zone may contain a pedestrian walkway.

(b) Minimum parking for Block Townhouse and Maisonette Dwellings shall be 2 spaces for each dwelling unit plus 0.68 visitor spaces per unit.

OS2-161 Notwithstanding the permitted uses and regulations of **SECTION 42: PUBLIC OPEN SPACE "OS2" ZONE**, no buildings shall be permitted on the lands zoned *"OS2-161"*. The use of this woodlot shall be restricted to passive open space uses including trails and walkways.

R3-162
RM3-162
OS1-162
OS2-162

PART OF LOT 3, CONCESSION 1, FORMER GLANFORD AS AMENDED BY BY-LAW NO. 464-71-00)

(NOTE: H-C1-162 Deleted by By-law No. 01-154)

R3-162 Notwithstanding the minimum rear yard setback regulation of **SECTION 15: RESIDENTIAL "R3" ZONE**, Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)**, Clause (f) of Zoning By-law No. 464, a minimum setback of 15 metres (50 feet) shall be required for the single detached dwellings located on lands zoned *"R3-162"*.

RM3-162 Notwithstanding the provisions of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, of this By-law, the following provisions shall apply to the lands zoned *RM3-162*:

1. PERMITTED USES

Permitted uses on these shall only include the following:

(a) single detached dwelling units;
(b) semi-detached dwelling units;
(c) townhouse dwelling units;
(d) a clubhouse to serve the needs of the residents of the lands subject to this Exception, which may include such uses as a swimming pool, change rooms, lounges, activity rooms and a kitchen;
(e) limited scale local commercial uses to serve the needs of the residents of the subject lands, provided these commercial use do not exceed a maximum gross floor area of 740 square metres (7,965 square feet) and are not located adjacent to Twenty Road West or Garth Street;

(f) outdoor recreation uses such as horseshoe pitching areas, shuffleboard courts, tennis courts, lawn bowling greens and other similar uses; and

(g) stormwater management facilities

(h) uses, buildings and structures accessory to the sues described in the above Paragraphs (a) to (f) inclusive of this Exception.

2. GENERAL REGULATIONS PERTAINING TO ALL DEVELOPMENT

(a) Minimum Lot Area .....20 hectares (50 acres)

(b) Minimum Lot Frontage.....90 metres (300 feet)

(c) Maximum Residential Density .....22 units per gross hectare

(d) Maximum Lot Coverage by Dwelling Units 30%

(e) Minimum Landscaped Open Space

A minimum of forty (40) percent of the total subject lands shall be landscaped open space, which shall consist of grass, trees, shrubs, watercourses and ponds, and/or walkways.

(f) Buffer Strip

A landscaped buffer strip shall be provided and thereafter maintained along the entire lot frontage adjacent to Twenty Road and Garth Street, except where driveways to access the subject lands are located. This buffer shall consist of a strip of land with a minimum width of 2.7 metres (9 feet).

(g) Minimum Fencing Requirements

A fence having a minimum height of 1.5 metres (5 feet) shall be provided and thereafter maintained adjacent to the following lot lines:

(i) the northern lot line of the total lands subject to this Exception, i.e. adjacent to the Ontario Hydro Corridor; and

(ii) the adjacent lot lines of the existing three (3) lots with single detached dwellings fronting Twenty Road West.

(h) Private Internal Roadways

All private internal roadways on the subject lands shall possess a minimum pavement width of 6 metres (20 feet), with the exception of the main north-south road, and/or east-west road, which shall possess a minimum pavement width of 7.3 metres (24 feet).

(i) Parking Requirements

(i) A minimum of 1.3 parking spaces per dwelling unit shall be

provided on the subject lands and thereafter maintained. These parking spaces shall not include the parking spaces associated with the clubhouse.

(ii) The outdoor parking or storage of any vehicle exceeding a maximum length of 6.4 metres (21 feet) or an overall height of 2.6 metres (8.5 feet) is prohibited.

(j) Site Plan Control

All development on the lands subject to this Exception shall be subject to site plan control.

(k) That no buildings, structures or swimming pools, except for a fence shall be located less than 10.0 metres from the northerly limits of this block.

3. REGULATIONS FOR RESIDENTIAL DWELLING UNITS

(a) Minimum Yards

All dwelling units shall be setback a minimum distance of:

(i) 15 metres (50 feet) from the designated road right-of-way of Twenty Road West and Garth Street;

(ii) 10 metres (33 feet) from northerly lot line of the total subject lands (i.e., adjacent to the Ontario Hydro Corridor and TransCanada Pipelines easement);

(iii) 7.5 metres (25 feet) from the easterly lot line of the total subject lands and from side lot lines of lands zoned Existing Residential "ER";

(iv) 4 metres (13 feet) from the edge of the pavement of any private internal roadway; and

(v) 15 metres (50 feet) from the southerly lot line of the total subject lands where the lot line of the total subject lands abuts the rear lot lines of existing residential dwellings fronting Twenty Road.

(b) Woodlot Buffer Area

An woodlot buffer area wherein no buildings or structures are to be permitted shall be provided within 12 metres (40 feet) of the rear lot lines of the existing residential dwellings fronting Twenty Road. This woodlot buffer shall consist of the existing trees in this area.

(c) Minimum Distance Between Dwelling Units

(i) A minimum building separation distance of 2.4 metres (8 feet)

shall be provided between single detached and/or semi- detached dwelling units.

(ii) A minimum building separation distance of 7.5 metres (25 feet) shall be provided between single/semi-detached dwelling units and townhouse dwelling units.

(iii) Minimum distance between blocks of townhouse dwelling units:

A. 3.0 metres between two (2) end walls; and

B. 7.5 metres between an end wall which contains no window(s) to a habitable room and a face wall; and

C. 9.0 metres between an end wall which contains at least one (1) window to a habitable room and a face wall; and,

D. 15.0 metres between two (2) face walls; and,

E. for the purpose of this Section, a face wall shall consist of the main front wall or main rear wall of a townhouse dwelling unit. All other walls shall be considered end walls.

(d) Minimum Floor Area per Dwelling Unit

The minimum floor area per dwelling units shall be 70 square metres (750 square feet).

(e) Maximum Gross Floor Area per Dwelling Unit

(i) 170 square metres (1,800 square metres (1,800 square feet) for one (1) storey dwelling units

(ii) 185 square metres (2,000 square feet) for 1½ story dwelling units where the second floor shall not exceed 50% of the ground floor area of the dwelling unit

(f) Maximum Building Height

1.5 storeys and shall not exceed 7.5 metres (25 feet)

(g) Basements and Cellars

Basements and cellars in dwelling units shall not exceed a height of 2.4 metres (8 feet) measured from the top of the basement floor to the underside of the first floor joists. Basement and cellars shall be used as finished living space, which includes the prohibition of uses such as, but not restricted to, bedrooms, family rooms, recreation rooms and washrooms.

4. REGULATIONS FOR THE CLUBHOUSE

(a) Maximum Total Floor Area1,400 square metres (15,000 ft^2)

(b) Maximum Building Height .....10.7 metres (35 feet)

(c) Minimum Building Setback from all lot lines 100 metres (330 feet)

(d) Minimum setback from dwelling units ..... 15 metres (50 feet)

5. REGULATIONS FOR THE LOCAL COMMERCIAL USE

(a) General Location

The location of the commercial uses shall be restricted to a generally central location on the subject lands and shall not have either direct access or exposure to Twenty Road West or Garth Street.

(b) Maximum Gross Floor Area……740 square metres (7,925 square feet)

(c) Maximum Building Height

The maximum building height shall be 7.5 metres (25 feet) except where included within the clubhouse building.

(d) Minimum Building Setback from all Lot Lines

The minimum building setback from all lot lines shall be 100 metres (330 feet).

(e) Minimum Building Setback from all Dwelling Units

The minimum building setback from all dwelling units shall be 30 metres (100 feet)

(f) Parking Requirements

One (1) parking space for each 45 square metres (500 square feet) or faction thereof, of the total floor area of the commercial area shall be provided adjacent to the commercial area.

6. REGULATIONS FOR OTHER ACCESSORY BUILDINGS

(a) Accessory buildings directly associated with the dwelling units shall be permitted provided they do not exceed floor area of 2 square metres (21.5 square feet) nor a height of 4.5 metres (15 feet), and shall be continuous to the dwelling unit. A maximum of one (1) accessory building per dwelling unit is permitted.

(b) Accessory buildings directly associated with the overall development on the subject lands shall be permitted provided their total gross floor area does not exceed 110 square metres (1,185 square feet) and their height does not exceed 9 metres (30 feet).

(c) The minimum yards for an accessory buildings shall be as follows:

(i) 4.5 metres (15 feet) for an accessory building associated with a dwelling unit; and

(ii) 15 metres (50 feet) for an accessory building associated with the overall development on the subject lands.

OS1-162 Notwithstanding the uses permitted in **SECTION 41: PRIVATE OPEN SPACE "OS1" ZONE**, Subsection 41.1 **PERMITTED USES** the following uses shall be permitted on the lands zoned *"OS1-162":*

(a) passive parkland;

(b) a gazebo or similar small scale structure with a maximum gross floor area of 20 square metres (225 square feet); and

(c) a small accessory parking area located in proximity to Twenty Road.

OS2-162 Notwithstanding the uses permitted in **SECTION 42: PUBLIC OPEN SPACE "OS2" ZONE**, Subsection 42.1 **PERMITTED USES,** no buildings shall be permitted within the woodlot portion of the lands zoned *"OS2-162"*.

C6-163 **LANDS LOCATED AT REGIONAL ROAD 20 AND TOWNLINE ROAD WITHIN PART OF LOT 3, BLOCK 1, CONCESSION 1 (BINBROOK), TOWNSHIP OF GLANBROOK AS AMENDED BY BY-LAW NO. 02-029**

1. Notwithstanding the permitted uses of the Rural Commercial "C6" Zone, a single detached dwelling shall be constructed in conjunction with any of the permitted uses in Paragraphs (a), (b), (c), (d) and (e) of Subsection 28.1.

   In addition, the single detached dwelling shall be occupied by the owner of the rural commercial operation on the same lot.

2. In addition to the regulations of Subsection 28.2 for the permitted uses of the Rural Commercial "C6" Zone, the following shall apply:

   (a) No commercial buildings shall be permitted within thirty (30) metres of the front lot line;

   (b) No more than three (3) non-resident employees shall be permitted to work on the premises;

   (c) A landscape area in the form of a planting strip, having a minimum width of six (6) metres, shall be provided and, thereafter, maintained adjacent to Regional Road 20;

   (d) A landscape area in the form of planting strip, having a minimum width of three (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, thereafter, maintained adjacent to every portion of any lot line that is adjacent to commercial operations on the land; and

(e) A maximum lot area of two (2) hectares shall be permitted notwithstanding Paragraph (c) of Subsection 28.2

R3-163
R4-164
OS1-166

LANDS LOCATED ON THE EAST SIDE OF REGIONAL ROAD 56 AND THE NORTH SIDE OF BINBROOK ROAD, BEING PART OF LOT 5, BLOCK 3, CONCESSION 3 (BINBROOK), TOWNSHIP OF GLANBROOK AS AMENDED BY BY-LAW NO. 464-72-00

Note: RM3-165 deleted by By-law No. 03-190

R3-163 Notwithstanding the maximum lot coverage, minimum front yard, minimum exterior side yard, and maximum building coverage regulations of **SECTION 15: RESIDENTIAL "R3" ZONE**, Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)** Clauses (c), (d) and (e), the following regulations shall apply to one (1) and 1½ storey dwellings located on those lands zoned modified *Residential "R3-163"* on the attached Schedule A:

(a) Maximum Lot Coverage……..…… 40 percent

(b) Maximum Lot Coverage for all other Dwellings …….. 35 percent

(c) Minimum Front Yard…….…… 6.0 metres (20 feet)

(d) Minimum Exterior Side Yard ……...… 3.0 metres (10 feet) abutting a flankage street, except that an attached garage or attached carport which fronts on the flanking street shall not be located with 6 metres (20 feet) of the flankage street line.

R4-164 Notwithstanding the maximum lot coverage, minimum front yard setback, maximum exterior side yard, and maximum building coverage regulations of **SECTION 16: RESIDENTIAL "R4" ZONE**, Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** Clauses (c), (d) and (e), the following regulations shall apply to one (1) and 1½ storey dwellings located on those lands zoned modified *Residential "R4-164"* on the attached Schedule A:

(a) Maximum Lot Coverage……..……....…… 40 percent

(b) Maximum Lot Coverage for all other Dwellings ….…… 35 percent

(c) Minimum Front Yard…….…… 6.0 metres (20 feet)

(d) Minimum Exterior Side Yard …….. 3.0 metres (10 feet) abutting a flankage street, except than attached garage or attached carport

which fronts on the flanking street shall not be located with 6 metres (20 feet) of the flankage street line.

RM3-165 **Deleted by By-law No. 03-190.**

R4-165 Notwithstanding Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE,** the minimum interior lot area shall be 380 square metres and the minimum corner lot area shall be 490 square metres.

OS1-166 Notwithstanding the permitted uses and regulations of **SECTION 41: PRIVATE OPEN SPACE "OS1" ZONE,** no landscaping, development, buildings or structures including fences, shall be permitted on the lands zoned "OS1-166" without the express permission of Enbridge Pipeline Inc.

R4-167 **LANDS LOCATED ON THE WEST SIDE OF REGIONAL ROAD 56, SOUTH OF CEMETERY ROAD AND THE ENBRIDGE PIPELINE EASEMENT BEING PART OF LOT 1, BLOCK 4, CONCESSION 3 (BINBROOK), TOWNSHIP OF GLANBROOK, AS AMENDED BY BY-LAW NO. 464-73-00**

Notwithstanding the maximum lot coverage, minimum front yard setback, maximum exterior side yard, and maximum building coverage regulations of **SECTION 16: RESIDENTIAL "R4" ZONE**, Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** Clauses (c), (d) and (e), the following regulations shall apply to bungalows and back-split dwellings for those lands zoned modified *Residential "R4-167"* on the attached Schedule A:

(a) Maximum Lot Coverage……..…… 40 percent

(b) Maximum Lot Coverage for all other Dwellings …….. 35 percent

(c) Minimum Front Yard…….……. 6.0 metres (20 feet)

(d) Minimum Exterior Side Yard ……...… 3.0 metres (10 feet) abutting the flankage street, except that an attached garage or attached carport which fronts on the flanking street shall not be located with 6 metres (20 feet) of the flankage street line.

H-R3-168 **DELETED BY BY-LAW NO. 03-284.**

R4-169 **PART OF LOT 3, CONCESSION 1 (GLANFORD), TOWNSHIP OF**
R4-170 **GLANBROOK, GARTH TRAILS, TWENTY ROAD WEST AND GARTH**
C1-171 **STREET EXTENSION, AS AMENDED BY BY-LAW NO. 01-154, 02-260 & 03-160 and 04-283**

R4-169 Establishes zoning standards as per the *Residential "R4"* zoning category (Section 16 of By-law No. 464) with the exception that no buildings, structures or swimming pools, except for a fence, shall be located less than 10.0 metres from the northerly limits of the block abutting the Hydro Corridor.

R4-170 Establishes zoning standards as per the *Residential "R4"* zoning category (Section 16 of By-law No. 464) with the exception that all dwellings shall be setback a minimum distance of 33.0 metres from the centre line of the Garth Street right of way.

C1-171 **Deleted by By-law No. 04-283.**

C5-172 **LANDS KNOWN AS 1853 AND 1861 HIGHWAY NO. 6, LOCATED WITHIN PART OF LOT 6, CONCESSION 1, (GLANFORD) TOWNSHIP OF GLANBROOK, AS AMENDED BY BY-LAW NO. 02-359**

1. Notwithstanding Section 27.1 **PERMITTED USES** **of** **SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE**, those lands zoned site-specific Airport-Related Commercial "C5-172" may also be used for Motor Vehicle Dealerships and Motor Vehicle Repair Shops.

2. Notwithstanding Section 27.1 **PERMITTED USES** **of** **SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE**, Places of Entertainment and Places of Recreation shall be prohibited uses on those lands zoned site-specific Airport-Related Commercial "C5-172".

H-R4-173(A)
H-R4-173(B)
H-RM3-173(B) The removal of the Holding provision "H" by By-law for those lands zoned site-specific Residential – Holding "H-R4-173(A)" and "H-R4-173(B)", and site-specific Residential Multiple – Holding "H-RM2-173(B), shall be subject to consolidation with adjacent lands to ensure orderly development or, alternatively, shall be subject to the Owner demonstrating to the City its reasonable attempts to acquire the adjacent lands at fair market value.

R4-173(A)
R4-173(B)
R4-173(C)
RM2-173 Notwithstanding Subsection 7.26 **ENCROACHMENTS INTO YARDS** of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, the following provisions shall apply to those lands zoned site-specific Residential "R4-173(A)", "R4-173(B)", and "R4-173(C)", and site-specific Residential Multiple "RM2-173":

(a) Unenclosed porches, both covered and uncovered, may project into the required front yard a maximum 2.0 metres, into the required rear yard a maximum 1.5 metres, and into the required exterior side yard a maximum 2.0 metres;

(b) Stairs used to provide access to unenclosed porches from the ground may project into the required front yard and required exterior side yard a maximum 0.6 metres, measured from the limit of the porch closest to the lot line;

(c) Decks may project into the required rear yard, a maximum 4.5 metres, and into the required exterior side yard a maximum 2.0 metres;

(d) 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 into any required yard, excluding a side yard that is less than 1.2 metres, a maximum of 0.6 metres;

(e) Balconies, canopies, awnings and fruit cellars may project into any front yard, rear yard or exterior side yard, a distance of not more than 2.0 metres. Where the exterior side yard is 1.0 metres, balconies, canopies, awnings, and fruit cellars may project into the exterior side yard a distance of not more than 1.0 metres; and

(f) The projections permitted by above clauses (d) and (e), and by Subsection 7.26(a) **ENCROACHMENTS INTO YARDS**, shall be permitted within the required minimum setback of 5.8 metres between the second floor living space above a garage that faces a front or exterior side lot line and said lot line.

R4-173(A)
R4-173(B)
R4-173(C)
RM2-173
RM3-173(A)
I-173 and OS2

Notwithstanding Subsection 7.27 **AGRICULTURAL CODE OF PRACTICE** of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Clause (a) shall not apply to those lands zoned site-specific Residential "R4-173(A)", "R4-173(B)" and "R4-173(C)", site-specific Residential Multiple "RM2-173" and "RM3-173(A)", Institutional "I-173" and Public Open Space "OS2" (specifically described as: Firstly PIN 17385-0096 L.T., Secondly PIN 17385-0168 L.T., Thirdly PIN 17385-0098 L.T., and Fourthly PIN 17385-0157 L.T.).

R4-173(A)

Notwithstanding Subsections 16.1 **PERMITTED USES** and 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the following uses and regulations shall apply to those lands zoned site-specific Residential "R4-173(A)":

(a) PERMITTED USES

(i) One (1) single detached dwelling per lot and one (1) semi-detached

dwelling per lot;

(ii) One (1) group home within a single detached dwelling; and,

(iii) Uses, buildings and structures accessory to the uses described in Paragraph (a)(i) and (ii) of this section.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) AND (ii) OF THIS SUBSECTION

(i) Minimum Lot Frontage

(A) 10.0 metres for a single detached dwelling, except on a corner lot, the minimum lot frontage shall be 12.0 metres.

(B) 15.0 metres for an undivided semi-detached lot, except on a corner lot the minimum frontage shall be 19.0 metres for each dwelling.

(C) 7.5 metres for each dwelling unit on a divided semi-detached lot, except on a corner lot the minimum lot frontage for the corner dwelling unit shall be 9.5 metres.

(ii) Minimum Lot Area

(A) Two hundred and ninety-five (295) square metres for a single detached dwelling, except on a corner lot the minimum lot area shall be three hundred and forty (340) square metres.

(B) Four hundred and forty (440) square metres for an undivided semi-detached lot, except on a corner lot the minimum lot area shall be five hundred and thirty (530) square metres for each dwelling.

(C) Two hundred and twenty (220) square metres for each dwelling unit on a divided semi-detached lot, except on a corner lot the minimum lot area for the corner dwelling unit shall be two hundred and sixty-five (265) square metres.

(iii) Minimum Front Yard .....……...…….4.5metres, except a garage that faces a front lot line shall have a minimum front yard setback of 5.8 metres.

(iv) Minimum Interior Side Yard

(A) 1.2 metres for a single detached dwelling, except that the minimum interior side yard may be reduced to 0.61 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres.

(B) 1.2 metres for a semi-detached dwelling.

(v) Minimum Exterior Side Yard ……2.0 metres, except:

(A) the minimum exterior side yard may be reduced to 1.0 metres where there is no sidewalk along the exterior side yard of the lot;

(B) the minimum setback for any building or structure to a daylighting triangle or a visibility triangle shall be 0.0 metres; and,

(C) a garage that faces an exterior side lot line shall have a minimum setback of 5.8 metres from the exterior side lot line.

(vi) Minimum Rear Yard ...……7.0 metres

(vii) Maximum Height ……12.6 metres

(viii) Maximum Driveway Width

(A) For single detached dwellings, the maximum driveway width shall be 4.8 metres, or the distance between the exterior walls of the garage, whichever is greater.

(B) For semi-detached dwellings, the maximum driveway width shall be the distance between the exterior walls of the garage.

(ix) Garage Projections

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(C) Notwithstanding subsection (ix)(A), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsections (ix)(A)(1) and (2) are applied.

(x) Repetition of Front Elevations

Not more than two (2) buildings with the same front elevations shall be built upon adjoining lots that front on the same street.

(xi) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:

(A) each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and,

(B) the required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

(c) ADDITIONAL REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION

A group home within a single detached dwelling shall be permitted pursuant to Subsections 17.3(h), (j), (k), (l), (m), and (n) of this By-law.

(d) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(iii) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

R4-173(B) Notwithstanding Subsections 16.1 **PERMITTED USES** and 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the following uses and regulations shall apply to those lands zoned site-specific Residential "R4-173(B)":

(a) PERMITTED USES

(i) One (1) single detached dwelling per lot;

(ii) One (1) group home within a single detached dwelling; and,

(iii) Uses, buildings and structures accessory to the uses described in Paragraph (a)(i) and (ii) of this section.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) AND (ii) OF THIS SUBSECTION

(i) Minimum Lot Frontage ……..……..……..…..12.0 metres, except:
on a corner lot, the minimum lot frontage shall be 14.0 metres.

(ii) Minimum Lot Area ...……..…350 square metres, except: on a corner lot the minimum lot area shall be 400 square metres.

(iii) Minimum Front Yard ...…….…..……4.5 metres, except: a garage that faces a front lot line shall have a minimum front yard setback of 5.8 metres.

(iv) Minimum Interior Side Yard ...……..……..…...1.2 metres, except: that the minimum interior side yard may be reduced to 0.61 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres.

(v) Minimum Exterior Side Yard ……....…..……..2.0 metres, except: (A) the minimum exterior side yard may be reduced to 1.0 metres where there is no sidewalk along the exterior side yard of the lot;

(B) the minimum setback for any building or structure to a daylighting triangle or a visibility triangle shall be 0.0 metres; and,

(C) a garage that faces an exterior side lot line shall have a minimum setback of 5.8 metres from the exterior side lot line.

(vi) Minimum Rear Yard ……..……..…..…..……..7.0 metres (vii)

Maximum Height ……..……..……...…….12.6 metres (viii)

Maximum Driveway Width

The maximum driveway width shall be 4.8 metres, or the distance between the exterior walls of the garage.

(ix) Garage Projections

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(C) Notwithstanding subsection (ix)(A), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsections (ix)(A)(1) and (2) are applied.

(x) Repetition of Front Elevations

Not more than two (2) buildings with the same front elevations shall be built upon adjoining lots that front on the same street.

(xi) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:

(A) each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and,

(B) the required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

(c) ADDITIONAL REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION

A group home within a single detached dwelling shall be permitted pursuant to Subsections 17.3(h), (j), (k), (l), (m), and (n) of this By-law.

(d) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(iii) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

R4-173(C) Notwithstanding Subsections 16.1 **PERMITTED USES** of **SECTION 16: RESIDENTIAL "R4" ZONE**, those lands zoned site-specific Residential "R4-173(C)" shall only be used for single detached dwellings in accordance with the site-specific Residential "R4-173(A)" Zone and street townhouse dwellings in accordance with the site-specific Residential Multiple "RM2-173" Zone.

R4-173(D) **South Side of Rymal Road, East of Fletcher Road** (By-law No. 13-226)

All of the uses and provisions of the "R4-173(A) shall apply, except (iv) (A), shall be modified to include the following additional clause:

(iv) Minimum Interior Side Yard

(A) In addition, on a lot where an emergency spillway/overland flow route shall be located along side lot lines, a minimum 2.0m separation between buildings shall be provided and maintained.

RM2-173 Notwithstanding Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, the following regulations shall apply to those lands zoned site-specific Residential

Multiple "RM2-173":

(a) Minimum Lot Frontage ...…...……5.5 metres per dwelling unit, except:

(i) for a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 6.7 metres; and,

(ii) on a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 9.0 metres.

(b) Minimum Lot Area ……...…….150 square metres per dwelling unit, except:

(i) on an end lot which does not abut a flanking street, the minimum lot area shall be one hundred and eighty-five (185) square metres; and,

(ii) on a corner lot, which abuts a flanking street, the minimum lot area shall be two hundred and thirty (230) square metres.

(c) Minimum Front Yard ...…..…….……..…..4.5 metres, except: a garage that faces a front lot line shall have a minimum setback of 5.8 metres.

(d) Minimum Side Yard

(i) End dwelling unit not abutting a flanking street ...……...…..1.2 metres

(ii) End dwelling unit on a corner lot abutting a flanking street …….……..……3.5 metres

(iii) A garage that faces an exterior side lot line shall have a minimum setback of 5.8 metres from the exterior side lot line.

(e) Minimum Rear Yard ...…….……..7.0 metres

(f) Maximum Height ...…….…….12.6 metres

(g) Maximum Driveway Width

The maximum driveway width shall be the distance between the exterior walls of the garage.

(h) Minimum Landscaped Area ...…….……..… 27 percent of the lot area

(i) Fencing

Where the boundary of a site-specific Residential Multiple "RM2-173" Zone adjoins lands zoned Existing Residential "ER", Residential "R1", "R2", "R3" or "R4", or Residential Multiple "RM1", a solid wood fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(j) Dwelling Unit Placement:

(i) Not more than eight (8) dwelling units shall be attached in a continuous row; and,

(ii) 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 metre or without varying the exterior design and materials of the front face or wall of the dwelling.

(k) Garage Projections

(i) 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.

(ii) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(iii) Notwithstanding subsection (k)(i), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsections (k)(i)(A) and (B) are applied.

(l) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:

(i) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and,

(ii) The required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

RM3-173(A) Notwithstanding Subsections 19.1 **PERMITTED USES** and 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS) of SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple "RM3-173(A)":

(a) PERMITTED USES:

(i) Single detached dwellings in accordance with the provisions of the site-

specific Residential "R4-173(A)" Zone; or,

(ii) Single detached dwellings, semi-detached dwellings and block townhouse dwellings;

(iii) The following uses only in conjunction with the uses in Paragraph (a)(ii) of this Subsection: indoor and outdoor recreational areas, facilities and structures; and administrative sales offices; both of which are designed to primarily serve the needs of residents living in the "RM3-173(A)" Zone; and,

(iv) Uses, buildings and structures, including gatehouses, accessory to the use described in Paragraph (a)(i), (ii) and (iii).

(b) SPECIFIC DEFINITIONS

Specific definitions in this Exception shall be as follows:

(i) "indoor and outdoor private recreational areas, facilities and structures" shall include: recreational uses, facilities and structures; private parks; private clubs; and indoor and outdoor athletic facilities; and, shall mean an area which is designed and used for active and recreational pursuits of persons during their leisure time, and is not owned, operated or maintained by a "Public Authority", as defined in Section 4.0 of this By-law, and is not a "Privacy Area", as defined in Section 4.0 of this By-law;

(ii) "private road" shall means a road which is not owned and maintained by The Corporation of the City of Hamilton or by the Crown in Right of Ontario; and,

(iii) "limits of a private road" shall mean the paved surface of the roadway, including any associated curb or sidewalk.

(c) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(ii) AND (iii) OF THIS SUBSECTION

i) Minimum Lot Frontage ...……..……...…….……..45.0 metres

(ii) Minimum Lot Area ..…….……0.4 hectares

(iii) Maximum Number of Dwelling Units ..…….……184 units

(iv) Minimum Front Yard ..……..……4.5 metres

(v) Minimum Side and Rear Yards

(A) 1.2 metres abutting an Open Space Zone;
(B) 1.2 metres abutting the Hydro One hydro corridor; and,
(C) 7.0 metres abutting a Residential or Residential Multiple Zone.

(vi) Minimum Separation Distance Between Buildings:
(A) 2.4 metres between end walls, except 10.0 metres between end

walls separated by a private road;

(B) 15.0 metres between front walls;

(C) 12.0 metres between rear walls;

(D) 12.5 metres between front and side walls;

(E) 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,

(F) 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.

(vii) Permitted Encroachments

(A) Unenclosed porches, both covered and uncovered, may project a maximum 2.0 metres beyond a front wall.

(B) Stairs used to provide access to unenclosed porches, both covered and uncovered, may project a maximum 0.61 metres beyond a front wall, measured from the limit of the porch.

(C) 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 0.61 metres beyond the front, end or rear walls.

(D) Balconies, canopies, awnings and fruit cellars may project a maximum 2.0 metres beyond the front or rear wall.

(E) Decks may project 3.5 metres beyond the rear wall.

(viii) Indoor Private Recreational Areas, Facilities and Structures

Indoor private recreational areas, facilities and structures shall have a maximum gross floor area of three hundred and twenty-five (325) square metres.

(ix) Maximum Height ..……..…12.6 metres

(x) Maximum Driveway Width

The maximum driveway width shall the distance between the exterior walls of the garage.

(xi) Garage Projections:

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(xii) Minimum Garage Setback

5.8 metres from the limits of a private road.

(xiii) Minimum Landscaped Area

50 percent of the lot area, which may include the required privacy area.

(xiv) Fencing

Where the boundary of the site-specific Residential Multiple "RM3-173(A)" Zone adjoins lands zoned Existing Residential "ER", Residential "R1", "R2", "R3", "R4", or Residential Multiple "RM1", a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(xv) Minimum Privacy Area

A minimum area of thirty (30) square metres per dwelling unit shall be provided adjacent to the unit and screened on two (2) sides by means of a privacy screen.

(xvi) Minimum Amenity Area

A minimum area of five (5) square metres per dwelling unit shall be provided and thereafter maintained.

(xvii) Dwelling Unit Placement

(A) Not more than eight (8) dwelling units shall be attached in a continuous row; and,

(B) 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

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsections 7.35(a)(vii) and (b), and Subsection 11.6(b), the following provisions shall apply:

(A) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;

(B) 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;

(C) A minimum of two (2) parking spaces per dwelling unit shall be provided plus 0.25 visitor parking spaces for each dwelling unit. These parking spaces shall not include the required parking spaces for indoor private recreational facilities;

(D) A minimum of one (1) parking space for each fifteen (15) square metres, or fraction thereof, of the total floor area of any indoor private recreational facility shall be provided adjacent to such facility and thereafter maintained; and,

(E) 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 is used for residential purposes, unless such parking is located within a below-grade communal parking structure.

(d) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(iv) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

RM3-173(B) Notwithstanding Subsection 7.26 **ENCROACHMENTS INTO YARDS** of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, the following provisions shall apply to those lands zoned site-specific Residential Multiple "RM3-173(B)":

(a) Unenclosed porches, both covered and uncovered, may project into the required front yard a maximum of 2.5 metres, into the required rear yard a maximum of 1.5 metres, and into the required exterior side yard a maximum of 2.0 metres;

(b) Stairs used to provide access to unenclosed porches from the ground may project into the required front yard and required exterior side yard a maixmum of 0.61

metres, measured from the limit of the porch to the closest to the lot line.

(c) Decks may project into the required rear yard a maximum of 4.5 metres, and into the required exterior side yard a maximum of 2.0 metres;

(d) 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 into any required yard, exluding a side yard that is less than 1.2 metres, a maximum of 0.61 metres;

(e) Balconies, canopies, awnings and fruit cellars may project into any front yard, rear yard or exterior side yard, a distance of not more than 2.0 metres. Where the exterior side yard is 1.0 metre, balconies, canopies, awnings, and fruit cellars may project into the exterior side yard a distance of not more than 1.0 metre, and;

(f) The projections permitted by above clauses (d) and (e), and by Subsection 7.26(a) ENCROCHMENTS INTO YARDS, shall be permitted within the required minimum setback of 5.8 metres between the second floor living space above a garage that faces a front or exterior side lot line and said lot line.

Notwithstanding Subsection 7.27 **AGRICULTURAL CODE OF PRACTICE** of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Clause (a) shall not apply to those lands zoned site-specific Residential Multiple "RM3-173(B)":

Notwithstanding Subsections 19.1 **PERMITTED USES** and 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS) of SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple "RM3-173(B)" **(By-law No. 16-083)**:

(a) PERMITTED USES

(i) Street Townhouse Dwellings in accordance with the provisions of RM2-173 within By-law No. 02-331, as well as those provisions in Section 4 (b) of this By-law;

(ii) Block Townhouse Dwellings, Maisonette Dwellings, and Semi-detached dwellings, subject to the provisions of By-law No. 13-226, as amended, as well as those provisions in Section 4 (b) in this By-law;

(iii) Single-detached and Semi-detached dwellings, subject to the provisions outlined in the Residential "R4-173-(D)" Zone within By-law No. 13-226, as amended, as well as those provisions in Section 4 (b) of this By-law;

(iv) Uses, buildings and structures accessory to the uses described in Paragraph (a) (i), (ii), and (iii) of this Subsection, as well as those

provisions in Section 4 (b) of this By-law.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i), (a)(ii), a(iii) OF THIS SUBSECTION

*(i)	Minimum Lot Frontage	45.0m and 4.5m for an individual townhouse or maisonette unit.
*(ii)	Minimum Lot Area	0.3 hectares and 80 sq. m. for an individual townhouse or maisonette unit.

(iv) Minimum Front Yard ...……..…..……4.5 metres

(v) Minimum Side Yard

(A) 0.0 metres for any building or structure to a daylighting triangle for visibility triangle;

(B) 0.6 metres to the non-garage side; and,

(C) 5.8 metres for a garage that faces an exterior side lot line.

*(vi) Minimum Rear Yard ...…….7.0 metres (N/A for maisonette units)

(vii) Minimum Separation Distance Between Buildings:

(A) 2.4 metres between end walls, except 10.0 metres between end walls separated by a private road;

(B) 15.0 metres between front walls;

*(C) 12.0 metres between rear walls (N/A for maisonettes);

(D) 12.5 metres between front and side walls;

(E) 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,

(F) 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.

*(G) No separation distance is required between end wall and/or rear walls of maisonette units.

(viii) Permitted Encroachments

*(A) Unenclosed porches, both covered and uncovered, may project a maximum 2.5 metres into the required front yard and/or 0.6m into the required side yard.

*(B) Stairs used to provide access to porches, both covered and uncovered, may project a maximum 0.6 metres beyond the limits of the porch into the required front yard and/or required side yard.

(C) 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 0.61 metres beyond the front, end or rear walls.

*(D) Balconies, canopies, awnings and fruit cellars may project a maximum 2.0 metres into the required front or rear yard and/or 0.6m into the required side yard.

(E) Decks may project 3.5 metres beyond the rear wall.

(ix) Maximum Driveway Width

The maximum driveway width shall the distance between the exterior walls of the garage.

(x) Garage Projections

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(xi) Minimum Garage Setback ...…….…….5.8 metres from the limits of a private road

(xii) Maximum Height …….……...12.6 metres

*(xiii)	Minimum Landscaped Area	30 percent of the lot area for a townhouse unit, which may include the required privacy area (N/A for maisonette units).

(xiv) Fencing

Where the boundary of the site-specific Residential Multiple "RM3-

173(B)" Zone adjoins lands zoned Existing Residential "ER", Residential "R1", "R2", "R3", "R4", or Residential Multiple "RM1", a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

*(xv) Minimum Privacy Area

A minimum of 30 sq. m. per townhouse dwelling unit shall be provided adjacent to the unit (N/A for maisonette units).

*(xvi) Minimum Amenity Area

A minimum area of 5 sq. m. per dwelling unit shall be provided and thereafter maintained, and may be provided in a common element condominium.

(xvii) Dwelling Unit Placement

(A) Not more than eight (8) dwelling units shall be attached in a continuous row; and,

(B) 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

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsections 7.35(a)(vii) and (b), and Subsection 11.6(b), the following provisions shall apply:

(A) each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;

(B) 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;

(C) a minimum of two (2) parking spaces per dwelling unit shall be provided plus 0.25 visitor parking spaces for each dwelling unit; and

*(D) 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 6.0m, and not be closer than 3.0m 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.

(E) Each visitor parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

*In addition to the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, SUB-SECTION 19.2, REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUB-SECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, the following regulations shall apply:

a) 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.

b) Visitor parking may be provided in a common element condominium.

(c) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(ii) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

C1-173 1970 Rymal Road

Notwithstanding Subsections 23.1 **PERMITTED USES** and 23.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 23.1** of **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Neighbourhood Commercial "C1-173":

(a) PERMITTED USES

(i) Brewers retail stores; Convenience retail stores; banks and financial institutions, with or without drive-thru facilities; personal service shops; photographic studios; dry cleaning distribution stations; professional and business offices; post offices; medical centres; printing establishments; private and commercial clubs; Liquor Licence Board of Ontario Stores; places of entertainment or recreation; libraries; museums and art galleries; and standard, take-out and fast food restaurants, with or without drive-thru facilities; and,

(ii) Residential uses ancillary to the uses permitted in Paragraph (a)(i) of this Subsection.

(iii) Residential uses permitted under the "RM4-289" Zone, as described herein, located above the ground floor of the uses described in Paragraph (a)(i) of this Subsection, as ancillary uses.

(iv) Residential uses permitted within the "RM3-173(B)" Zone, as described herein, shall also be permitted.

(v) Uses permitted under Paragraph (a) of Subsection 39.1 **PERMITTED USES** of Section 39 **INSTITUTIONAL "I" ZONE.**

(vi) Uses, buildings, and structures accessory to the uses described in Paragraph (a) (i), (ii), (iii), and (iv) of this Subsection.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUBSECTION **(*By-law No. 08-262)**

(i) Minimum Lot Frontage ……..…...…….…….30.0 metres

(ii) Minimum Lot Depth ……..…….……..38.0 metres

(iii) Minimum Lot Area ….……...…….1,140 square metres

(iv) Maximum Lot Coverage ……...……...…….30 percent

(v)* The total maximum gross leasable floor area shall be 2,500 square metres.

(vi)* The maximum gross leasable floor area for each individual establishment shall be not more than one half of the total gross leasable floor area provided on the site.

(vii) Minimum Front Yard …….……7.5 metres

(viii) Minimum Interior Side Yard ……...…..……3.0 metres

(ix) Minimum Exterior Side Yard ...……..……..4.5 metres

(x) Minimum Rear Yard …….……..10.0 metres

(xi) For the purposes of this By-law, the lot line that abuts Rymal Road East shall be deemed to be the front lot line

(xii) Maximum Height .....…….…14.0 metres

(xiii) Minimum Parking Requirements

Parking spaces shall be provided in accordance with the provisions of Subsection 23.2(l) of this By-law.

(xiv) Minimum Loading Requirements

Loading spaces shall be provided in accordance with the provisions of Subsection 7.36 of this By-law.

(xv) Minimum Landscaping Requirements

Landscaping shall be provided in accordance with the provisions of Subsection 23.2(n) of this By-law.

(xvi) Accessory Buildings

Accessory buildings shall be pursuant to the provisions of Subsection 7.13 of this By-law.

(c) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION

Ancillary residential uses shall be pursuant to the provisions of Subsection 23.3 of this By-law

(d) ADDITIONAL REGULATIONS FOR USES PERMITTED IN C1-173 IN THIS BY-LAW

(i) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsection 7.35, 11.5, and of this By-law. Notwithstanding Subsection 7.35 (a) (iii) and (vii) and Subsection 11.6 (b), the following provisions shall apply:

A. A minimum of one (1) parking space shall be provided for each 20 square metres, or fraction thereof, of ground floor area devoted to such commercial uses;

B. Each parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres

C. Maneuvring and access for parking spaces may be provided off-site on abutting properties; and

D. No parking space or parking area shall be located closer than 3.0 metres from any Residential Multiple "RM3-173(B)" or "RM4-289" Zone.

(ii) Notwithstanding Section 2 (b) (v) and (vi) of the "C1-173" Zone, the maximum gross leasable floor area for any individual commercial establishment shall not be more than one half of the total gross leasable floor area provided on the site, and the maximum total gross leasable floor area shall be 2,500 square metres.

C1-173(A) **1970 Rymal Road** (By-law No. 14-292)

In addition to the uses permitted by Special Exception "C1-173", as amended, the following permitted uses shall apply to Block 114 of Registered Plan 62M-1181:

a) child care centre; **#25-156**
b) nursery school;

c) retail stores;
d) school, commercial;
e) dry cleaning establishment;
f) service shop;
g) veterinary service establishment; and,
h) medical centre with a maximum gross floor area of 555.0m².

All other uses and regulations of the Neighbourhood Commercial "C1-173" Zone, Modified, as amended, shall continue to apply.

Notwithstanding Section 7.35(b), Off-street Parking Space Requirements, the minimum number of parking spaces for a shopping centre shall be one (1) space for each 18.0m² of gross floor area or fraction thereof.

I-173 **103 Fletcher Road and 110 Bellagio Avenue**

Notwithstanding Subsection 39.1 **PERMITTED USES** of **SECTION 39: INSTITUTIONAL "I" ZONE,** those lands zoned site-specific Institutional "I" Zone shall only be used for Public and Separate Elementary Schools, or single detached dwellings in accordance with the provisions of the site-specific Residential "R4-173(B)" Zone.

OS2-173 **South Side of Rymal Road, East and West of Fletcher Road**

Notwithstanding Subsections 42.1 **PERMITTED USES** and 42.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a), (b) AND (c) INCLUSIVE IN SUBSECTION 42.1** of **SECTION 42: PUBLIC OPEN SPACE "OS2" ZONE**, those lands zoned site-specific Public Open Space "OS2-173" shall only be used for storm water management facilities and passive recreational uses.

A1-174 Notwithstanding Subsection 8.1 **PERMITTED USES** and Subsection 8.5 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 8.1 (KENNELS)** of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE,** the following additional permitted uses and regulations shall apply to those lands zoned site-specific General Agricultural "A1-174":

(a) ADDITIONAL PERMITTED USES

(i) A kennel may be used only for the sole purpose of training dogs. The keeping and/or boarding of dogs and/or domestic pets for any purpose shall be prohibited. Dog sport competition events and dog shows are expressly prohibited.

(ii) A veterinary service establishment may be permitted only within the existing accessory building having a total gross floor area of 478 square metres.

(b) ADDITIONAL REGULATIONS FOR USES PERMITTED IN PARAGRAPH

(a)(i) OF THIS SUBSECTION;

(i) A kennel may be permitted only within the existing 116 square metre accessory industrial building and a proposed 260 square metre addition to that existing building.

(ii) Notwithstanding the regulations provided in Subsection 8.5 (g), the minimum separation distance between the kennel building and any dwelling, except for the dwelling on the lot containing the kennel, shall be 90 metres.

(c) ADDITIONAL REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION;

The veterinary service establishment shall have a maximum practice of three veterinarians.

C3-175 Notwithstanding Subsections 25.1 **PERMITTED USES** and 25.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Clauses (a), (c), (d), (e) and (f), the following permitted uses and regulations shall apply to those lands zoned site-specific General Commercial "C3-175":

(a) PERMITTED USES

(i) Auditorium, banks and financial institutions (with and without drive thru facilities), Brewers' Retail stores, commercial schools, dry cleaning establishments, garden centres, Liquor Licence Board of Ontario stores, libraries, medical centres, personal service shops, motor vehicle rental and leasing, museums or art galleries, offices (including professional and business), places of entertainment or recreation, post offices, printing establishments, private or commercial clubs, public and private parking lots and structures, fast food restaurants, standard restaurants, take-out restaurants, retail stores (excluding supermarkets, food stores and convenience retail stores), taverns, and uses, buildings and structures accessory to the above permitted uses.

(ii) Residential uses in accordance with the provisions of the "RM3-175" Zone.

(iii) Motor vehicle gasoline bars, motor vehicle washing establishment and motor vehicle repair shop.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUBSECTION

(i) Minimum Lot Frontage……..……..……..30 metres

(ii) Minimum Lot Area……..…..……...8,000 square metres

(iii) Maximum Lot Coverage……...……..……...30 percent

(iv) Maximum Total Gross
Leasable Floor Area……..……. 30,000 square metres

(v) Gross Leasable Floor Area (GLFA) for individual retail stores:

1. Retail Stores (Minimum)…….……. 1,860 square metres
2. Retail Stores (Maximum)…….……...…....11,200 square metres
3. Notwithstanding 1. above, a maximum GLFA of 7,000 square metres for retail stores between 460 and 1,860 square metres shall be permitted, in addition to not more than 10% of the 7,000 square metre maximum within retail stores having a minimum of 230 square metres shall be permitted.

(vi) Minimum Front Yard……..…….7.5 metres

(vii) For the purposes of this By-law, the lot line that abuts Rymal Road shall be deemed to be the front lot line.

(viii) All other provisions of Subsection 25.2 shall apply

(c) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION

Pursuant to the provisions of the Multiple Residential "RM3-175" Zone of this By-law.

(d) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(iii) OF THIS SUBSECTION

Pursuant to the provisions of SECTION 26: MOTOR VEHICLE SERVICES "C4" ZONE of By-law No. 464.

C3-175(A) In addition to the Permitted Uses and Regulations of Exception "C3-175"; the following permitted use and regulations shall apply to those lands zoned General Commercial "C3-175(A)" Modified Zone:

(a) **PEMITTED USES:**

(i) Notwithstanding Section (a) PERMITTED USES of Exception "C3-175(A), one retail store having a minimum Gross Leasable Floor Area of 12,500 square metres, may include a maximum of 4,180 square metres for the sale and display of food.

(b) Notwithstanding Subsection (iv), (v) and (vi) of Section (b) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(i) OF THIS SUBSECTION of Exception "C3-175", and Subsection 25.2 (l)(ii) of SECTION 25 of the General Commercial "C3" Zone, the following shall apply:

(iv) Maximum Gross Leasable Floor Area……...47,940 square metres

(v) Gross Leasable Floor Area (GLFA) for Individual Retail Stores:

1. Retail Stores (Minimum)……..……..1,860 square metres
2. Retail Stores (Maximum)……...…..…..….17,650 square metres
3. Notwithstanding 1. above, 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.

(c) Notwithstanding Section 7.35 Subsections (a)(i) to (xiii) and (b) of the MINIMUM PARKING REQUIREMENTS, the following regulations shall apply:

(A) A minimum of 4.6 parking spaces for each 100 square metres of gross floor area or fraction thereof shall be provided and maintained.

(B) No parking space shall be less than 2.6 metres in width by 5.5 metres length, unless otherwise provided for in this By-law.

(C) Notwithstanding Subsection (B) herein:

(1) Each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres. End spaces which have a clear, unobstructed approach, shall have a minimum length of 5.5 metres;

(2) 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,

(3) In the case of barrier free parking, each parking space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres.

(d) A minimum driveway width of 4.0 metres shall be provided and maintained for a drive-thru, and no drive-thru lane, stacking lane or pick-up window, shall be located between the building and a street.

(e) Notwithstanding the definition of a "Lot", those lands zoned General Commercial "C3-175(A)" by this By-law shall be considered as one lot, notwithstanding any consolidation or division of the same.

(f) For buildings constructed after the date of the passing of this By-law, being the 9th day of July, 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.

That the 'H1' symbol may be removed by further amendment to this By-law at such time as the following matters have been completed:

(i) The submission and approval of a Traffic Impact Study to address the need for, and timing of, any other required road improvements, prior to the development of the subject lands, to the satisfaction of the Manager of Traffic Engineering and Operations, Public Works Department.

(ii) All roadway network upgrades required to facilitate the applications be identified and submitted, to the satisfaction of the Manager of Traffic Engineering and Operations, Public Works Department.

That the 'H2' symbol may be removed by further amendment to this By-law at such time as the following matters have been completed:

(i) All matters listed under 'H1' have been satisfied.

(ii) That the provision of adequate servicing has been allocated for the proposed development, to the satisfaction of the Director of Development Engineering.

While zoned "H2-C3-175(A)", all uses shall be permitted, except for sit down, take-out and drive-thru restaurants; coffee shops; laundromats; dry cleaning establishments; hair salons; beauty parlours; aestheticians; and barber shops, which uses shall be restricted to a total Gross Leasable Floor Area of 743 square metres.

RM3-175 Notwithstanding Subsections 19.1 **PERMITTED USES** and 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS) of SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, and Subsection 20.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING) of SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple "RM3-175":

(a) PERMITTED USES

(i) Block Townhouse Dwellings

(ii) Semi-detached Dwellings

(iii) Duplex Dwelling

(iv) Triplex Dwelling

(v) Apartment Building

(vi) Home for the Aged

(vii) Retirement Home, as defined in the R4-001 Zone

(viii) Uses, buildings and structures accessory to the uses described in Paragraph (a) of this Subsection.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) (i) to (iv) OF THIS SUBSECTION

(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) All other provisions of the Residential Multiple "RM3-173(B)" Zone shall apply.

(c) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) (v) to (vii) OF THIS SUBSECTION

(i) Maximum Lot Area……..……..…..5.25 hectares

(ii) Maximum Density..……50 dwelling units per hectare, except: Retirement Homes and Homes for the Aged……..N/A

(iii) Minimum Parking Requirements:

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and (b), and Subsection 11.6(b), the following provisions shall apply:

(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 an Apartment Building and 0.4 spaces per unit shall be provided for a Home for the Aged and Retirement Home; and,

(C) No parking space or area shall be located closer to a street line than six (6) metres and not be closer than three (3) metres to any Residential Zone or where the adjoining land is used for residential purposes, unless such parking is located within a below-grade communal parking structure.

(iv) All other provisions of the Residential Multiple "RM4" Zone shall apply.

(d) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(viii) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

I-175 Notwithstanding Subsection 39.1 **PERMITTED USES** of **SECTION 39: INSTITUTIONAL "I" ZONE**, those lands zoned site-specific Institutional "I" Zone shall only be used for public and separate secondary schools, or single detached dwellings in accordance with the provisions of the site-specific Residential "R4-173(B)" Zone.

H-RM3-175 **Deleted by By-law No. 09-166.**
H-RM2-173

A2-176 Notwithstanding the minimum lot frontage a minimum lot area regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.2

REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A) OF SUBSECTION 8.1 (AGRICULTURAL USES) Clauses (a) and (b), the following regulations shall apply for those lands zoned "A2-176" by this By-law (03-146):

(i) Minimum Lot Frontage ……24 metres

(ii) Minimum Lot Area ……..…….2.9 hectares

C3-176 Notwithstanding the minimum landscaping requirements of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A) OF SUBSECTION 25.1**, Clause (l), the following regulations shall apply to the westerly and northerly lot lines, and the rear lot line of the lands zoned in the General Commercial "C3-176":

(i) The minimum westerly side yard setback from the rear lot line of 2441 Regional Road 56 shall be 15 metres (50 feet);

(ii) The minimum westerly side yard setback from the rear lot line of 2431 Regional Road 56 shall be 15 metres (50 feet); and,

(iii) A landscaped area in the form of a planting strip having a minimum width of 4.5 metres (15 feet) and a solid visual barrier having a minimum height of 1.8 metres shall be provided and, thereafter, maintained along the westerly side lot line.

RM2-179 Notwithstanding the minimum lot frontage regulations of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE,** Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING),** Clause (a), the following specific regulations shall apply to those lands zoned modified Residential "RM2-179. (By-law No. 03-159)

(a) Minimum Lot Frontage……...6 metres per dwelling unit, except:

(i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 8 metres; and,

(ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 12 metres.

C5-180 (a) Notwithstanding the uses permitted in **SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE** Subsection 27.1 **PERMITTED USES** the following uses shall also be permitted on those lands zoned "C5-180" by this By-law (03-178):

(i) Motor vehicle dealership and motor vehicle repair shop.

(b) The provisions of **SECTION 26: MOTOR VEHICLE SERVICES "C4" ZONE** of this By-law shall apply to a motor vehicle dealership and motor vehicle repair shop, save and except the minimum landscaped requirements established in Paragraph (k) to Subsection 27.2 of this By-law, which shall continue to apply to all permitted uses established within the Airport-Related Commercial "C5-180" Zone.

H-C3-181 The holding provision prohibits the development of the subject lands until:

(a) The owner has applied for and received final approval for a site plan control application; and

(b) The owner has demolished the existing buildings and/or obtained relief from several setback provisions of Zoning By-law No. 464 to the satisfaction of the Director, Development Division, Planning and Development Department.

City Council may remove the "H" Symbol, and thereby give effect to the General Commercial "C3" Zone, by enactment of an amending By-law once the above conditions have been fulfilled.

R4-182 Notwithstanding Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the following regulations shall

apply to those lands zoned site-specific Residential "R4-182":

1. Minimum Lot Frontage – 11 metres, except on a corner lot the minimum frontage shall be 14 metres; and,
2. All other zone provisions of the Residential "R4-173(B)" Zone shall apply.

RM2-182 Notwithstanding Subsection 18.1 **PERMITTED USES** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, the following permitted uses shall apply to those lands zoned site-specific Residential Multiple "RM2-182":

1. Street townhouse dwellings in accordance with the provisions of the site-specific Residential Multiple "RM2-173" Zone; or,
2. Single detached and semi-detached dwellings in accordance with the provisions of the site-specific Residential "R4-173(A)" Zone; and,
3. Uses buildings, and structures accessory to the uses described in Paragraphs (a) and (b) of this Subsection.

H-I-183 **Part of Lot 1, Block 4, Concession 4 (Binbrook), Glanbrook (By-law 03-280 – OMB Decision No: 1540 dated September 23, 2004)**

The removal of the holding symbol "H" by By-law for those lands zoned Institutional - Holding "H-I-183" shall be subject to consolidation with adjacent lands to the west for the purpose of providing an elementary school site in accordance with the Binbrook Village Secondary Plan.

P-184 Notwithstanding the permitted uses and minimum lot frontage, lot area, yard requirements, parking and landscaping regulations of Subsections 40.1 **PERMITTED USES** and 40.2 (a), (b), (d), (f)(iv), and (g) **REGULATIONS FOR USES PERMITTED IN SUBSECTION 40.1** of **SECTION 40: PUBLIC "P" ZONE,** those lands zoned modified "P-184" shall only be used for a sewage treatment pumping station and the following regulations shall apply:

(a) Minimum Lot Frontage ……. 13 m

(b) Minimum Lot Area …… 305 square metres

(c) Minimum Westerly Side Yard ……..... 1 metre

(d) Minimum Easterly Side Yard…….. 1 metre

(e) Minimum Rear Yard ……..... 1 metre

(f) A parking space may be located 1 metre from the easterly side lot line and 1 metre from the rear lot line.

(g) A landscaped area in the form of a planting strip having a width of 1 metre shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential Zone.

R4-185 Notwithstanding the minimum lot frontage of Subsection 16.2(a) **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1** of **SECTION 16: RESIDENTIAL "R4" ZONE,** the minimum lot frontage on a corner lot shall be 14.9 metres. In addition, the driveway shall be setback a maximum of 7.5 metres from the northerly property line, and shall have a maximum width of 4.8 metres, or the distance between the exterior walls of the garage, whichever, is greater.

RM2-186 Notwithstanding Subsection 18.2(a)(i), (b)(i) and (e)(i) **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE,** the following regulations shall apply:

(a) For a dwelling unit which does not abut a flanking street, the minimum lot frontage shall be 8.2 metres;

(b) On an end lot which does not abut a flanking street, the minimum lot area shall be 248 square metres;

(c) The maximum lot coverage shall be 50 percent;

(d) On an end dwelling unit which does not abut a flanking street, the minimum side yard shall be 1.2 metres; and,

(e) On an end dwelling unit on a corner lot abutting a flanking street, the minimum side yard shall be 5.5 metres.

R3-187
H-R3-187 Notwithstanding the minimum lot frontage, lot area, lot coverage, front yard and rear yard setback regulations of Subsection 15.2 (a), (b), (c), (d) and (f) **REGULATIONS FOR USES PERMITTED IN SUBSECTION 15.1** of **SECTION 15: RESIDENTIAL "R3" ZONE**, for those lands zoned modified "R3-187", the following regulations shall apply:

(a) Minimum Lot Frontage - 15 metres except 16 metres for a corner lot

(b) Minimum Lot Area - 450 square metres, except
490 square metres for a corner lot

(c) Maximum Lot Coverage - 40%, except 45% for bungalows

(d) Minimum Front Yard - 6 metres

(e) Minimum Rear Yard - Notwithstanding any provision to the contrary no buildings or structures, including any type of swimming pool, shall be permitted within 7.5 metres of any rear lot line abutting lands zoned Open Space – Conservation "OS3" Zone.

The removal of the Holding Provision "H" by Bylaw for those lands zoned site-specific Residential – Holding "H-R3-187" shall be subject to the Owner resolving fish habitat issues to the satisfaction of the Niagara Peninsula Conservation Authority.

R4-188 Notwithstanding the minimum lot frontage, lot area, front yard and side yard setback regulations of Subsection 16.2 (a), (b), (d), and (e)(ii), **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING),** for those lands zoned modified "R4-188", the following regulations shall apply:

(a) Minimum Lot Frontage – 12 metres, except 15 metres for a corner lot

(b) Minimum Lot Area – 345 square metres, except
400 square metres for a corner lot

(d) Minimum Front Yard – 6 metres

(e)(ii) On a corner lot, the minimum side yard abutting the flanking street shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6 metres of the flanking street line.

M5-189 Notwithstanding the regulations of Subsection 34.1 **PERMITTED USES OF SECTION 34: AIRPORT-RELATED BUSINESS "M5" ZONE**, the following permitted uses shall be added to those lands zoned site-specific Airport-Related Business "M5-189" Zone (By-law 04-221 and 05-060):

Bakeries; car washing establishments; convenience food stores; dry cleaning establishments; equipment rental, sales or repair; medical laboratories; motor vehicle parts and accessory retail store; motor vehicle service station, personal service shops; and pharmacies.

RM1-190 Notwithstanding the provisions of Subsection 17.1 **PERMITTED USES**, and Subsection 17.4, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (d) OF SUBSECTION 17.1 (SEMI-DETACHED DWELLING)** paragraphs (b)(i)

and (ii), (d) and (e)(iii) in **SECTION 17: RESIDENTIAL MULTIPLE "RM1" ZONE**, the following provisions are applicable to the lands zoned Residential Multiple "RM1-190" (By-law 04-324):

(a) PERMITTED USES

(i) One (1) semi-detached dwelling per lot; and

(ii) Uses buildings and structures accessory to the use in (i) pursuant to the provisions of Subsection 7.13 of the Township of Glanbrook Zoning By-law No. 464.

(b) REGULATIONS FOR A SEMI-DETACHED DWELLING

(i) Minimum Lot Area

(A) Undivided Semi-Detached Interior Lot – 611 square metres (6,576 square feet) for each dwelling, and

(B) Divided Semi-Detached Interior Lot – The minimum lot area for each dwelling unit shall be 305 square metres (3,288 square feet).

(ii) Minimum Front Yard – 6 metres (20 feet)

(iii) Minimum Side Yard – 1.2 metres (4 feet) except:

(A) 0.7 metres from the dividing property line to each dwelling, north of centerline of the common party wall.

R4-191 Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-191" the following regulations shall apply (By-law 04-336):

(a) Minimum Lot Frontage…….13 metres, except 15 metres for a corner lot.

(b) Minimum Lot Area……....390 square metres, except 450 square metres for a corner lot.

(c) Minimum Front Yard…….4.5 metres to the dwelling, except 6 metres to the attached garage.

(d) Minimum Side Yard……1.2 metres, except:

(i) 0.6 meters on the side of the dwelling with an attached garage.

(ii) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6 metres of the flankage street line

(e) Minimum Rear Yard – 7 metres

(f) Maximum Height – 10.7 metres

(g) Minimum Floor Area Per Dwelling

(i) 1 Storey – 70 square metres

(ii) 1½ Storey – 80 square metres

(iii) 2 or 2½ Storeys – 90 square metres

(h) Minimum Parking Requirements – Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26 **ENCROACHMENT INTO YARDS**, on those lands zoned modified "R4-191", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0 metres;
(ii) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres;
(iii) Stairs may project into any required front yard a distance of not more than 4.5 metres; and
(iv) A covered porch may encroach into a required flankage yard a distance of not more than 1.8 metres.

R4-192 Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-192" the following regulations shall apply (By-law 04-336):

(a) Minimum Lot Frontage - 11 metres, except 13 metres for a corner lot;

(b) Minimum Lot Area - 280 square metres, except 335 square metres for a corner lot;

(c) All other regulations of the Residential "R4-191" Zone shall be applicable to those lands zoned Residential "R4-192" Zone.

R4-193 Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-193", the following regulations shall apply (By-law 04-336):

(a) Minimum Lot Frontage - 9 metres, except 11 metres for a corner lot;

(b) Minimum Lot Area - 235 square metres, except 290 square metres for a corner lot;

(c) All other regulations of the Residential "R4-191" Zone shall be applicable to those lands zoned Residential "R4-193" Zone.

R4-218 Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE,** for those lands zoned "R4-218", the following regulations shall apply:

(a) Minimum Lot Frontage 9 metres, except
11 metres for a corner lot

(b)	Minimum Lot Area	235 square metres, except 290 square metres for a corner lot
(c)	Maximum Lot Coverage	N/A
(d)	Minimum Front Yard	4.5 metres to the dwelling, except 6.0 metres to the attached garage
(e)	Minimum Side Yard	1.2 metres on one side and 0.6 metres on the other side, except:

(i) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(f)	Minimum Rear Yard	7 metres
(g)	Maximum Height	10.7 metres

(h) Minimum Parking Requirements:

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. In addition, the parking space size located within a garage shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26 **ENCROACHMENT INTO YARDS**, on those lands zoned "R4-218", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0 metres.

(ii) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres

(iii) Stairs may project into any required front yard a distance of not more than 4.5 metres.

(iv) A covered porch may encroach into a required flankage yard a distance of not more than 1.8 metres.

In addition to the definition of "Daylight Triangle" in Section 4 **DEFINITIONS**, the following shall apply:

For the purposes of determining FRONT LOT LINE, and EXTERIOR SIDE LOT LINE abutting a street, a daylight triangle is deemed not to exist, provided that the minimum distance of the prescribed setbacks, in the By-law, is maintained.

RM2-194 Notwithstanding the regulations of Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, for those lands zoned modified "RM2-194" the following regulations shall apply (By-law 04-336):

(a) Minimum Lot Frontage - 6 metres per dwelling unit, except 8 metres for a corner lot;

(b) Minimum Lot Area - 150 square metres, except 195 square metres for an end lot and 240 square metres for a corner lot;

(c) Minimum Front Yard - 4.5 metres to the dwelling, except 6 metres to the attached garage;

(d) Minimum Side Yard - 1.2 metres except:

(iii) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6 metres of the flankage street line.

(f) Minimum Rear Yard - 7metres

(g) Maximum Height - 10.7 metres

(h) Minimum Landscaped Area - 30% of the lot area

(i) Planting Strip / Fencing - Notwithstanding the other provisions of this subsection, where the boundary of a Residential Multiple "RM2" Zone adjoins lands zoned Existing Residential "ER" Zone or Residential "R1", "R2", "R3" or "R4" Zones, a planting strip with a minimum width of 1.5 metres and/or a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(j) Dwelling Unit Placement

(i) Not more than 8 dwelling units shall be attached in a continuous row.

(k) Minimum Floor Area Per Dwelling

(i) 1 Storey - 70 square metres

(ii) 1½ Storey - 80 square metres

(iii) 2 or 2½ Storeys - 90 square metres

(l) Minimum Parking Requirements - Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26 **ENCROACHMENT INTO YARDS**, on those lands zoned modified "RM2-194", the following regulations shall apply:

(i) Covered porches may project into the required front yard a distance of not more than 3 metres.

(ii) Bay windows either with or without foundations may project into any required front, rear, or flankage yard a distance of not more than 0.9 metres.

(iii) Stairs may project into any required front yard a distance of not more than 4.5 metres.

(iv) A covered porch may encroach into a required flankage yard a distance of not more than 1.8 metres.

RM2-194(A) Notwithstanding the regulations of Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, for those lands zoned modified "RM2-194" the following regulations shall apply (By-law 04-336):

(a) Minimum Lot Frontage - 6 metres per dwelling unit, except 8 metres for a corner lot;

(b) Minimum Lot Area - 150 square metres, except 195 square metres for an end lot and 240 square metres for a corner lot;

(c) Minimum Front Yard - 4.5 metres to the dwelling, except 6 metres to the attached garage;

- Street Townhouse lots fronting Airport Road shall have a minimum setback of 8.0 metres.

(d) Minimum Side Yard - 1.2 metres except:

(i) For an end unit not abutting a flanking street, the minimum side yard shall be 1.2 metres;

(ii) For a corner unit abutting a flanking street, the minimum side

yard shall be 3.0 metres;

(iii) For an end unit abutting an open space area, the minimum side yard shall be 2.4 metres;

(iv) The minimum setback for any building or structure to a daylight triangle or visibility triangle shall be 0.3 metres.

(f) Minimum Rear Yard - 7metres

(g) Maximum Height - 10.7 metres

(h) Minimum Landscaped Area - 30% of the lot area

(i) Planting Strip / Fencing - Notwithstanding the other provisions of this subsection, where the boundary of a Residential Multiple "RM2" Zone adjoins lands zoned Existing Residential "ER" Zone or Residential "R1", "R2", "R3" or "R4" Zones, a planting strip with a minimum width of 1.5 metres and/or a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(j) Dwelling Unit Placement

(i) Not more than 8 dwelling units shall be attached in a continuous row.

(k) Minimum Floor Area Per Dwelling

(i) 1 Storey - 70 square metres

(ii) 1½ Storey - 80 square metres

(iii) 2 or 2½ Storeys - 90 square metres

(l) Minimum Parking Requirements - Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

(m) Maximum Lot Coverage 55 %

All other regulations of the Residential Multiple “RM2-194” Zone shall apply.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26 **ENCROACHMENT INTO YARDS**, on those lands zoned modified "RM2-194", the following regulations shall apply:

(i) Covered porches may project into the required front yard a distance of not more than 3 metres.

(ii) Bay windows either with or without foundations may project into any required

front, rear, or flankage yard a distance of not more than 0.9 metres.

(iii) Stairs may project into any required front yard a distance of not more than 4.5 metres.

(iv) A covered porch may encroach into a required flankage yard a distance of not more than 1.8 metres.

RM3-195 In addition to the Uses Permitted in Subsection 19.1 **PERMITTED USES OF SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, for those lands zoned modified "RM3-195", Apartment Buildings shall be permitted in accordance with Section 20, Residential Multiple "RM4" Zone (By-law 04-336):

Notwithstanding the regulations of paragraphs (d) and (g) of Subsection 20.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)** of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, for those lands zoned modified "RM3-195", the following regulations shall apply (By-law 04-336):

(a) Minimum Side Yard - 2.4 metres

Notwithstanding the regulations of paragraphs (c), (e), (f) and (h) of Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, for those lands zoned modified "RM3-195", the following regulations shall apply (By-law 04-336):

(a) Minimum Side Yard - 1.2 metres, except

(i) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6 metres of the flankage street line.

(b) Minimum Rear Yard - 7 metres

(c) Minimum Floor Area Per Dwelling

(i) 1 Storey - 70 square metres

(ii) 1½ Storey - 80 square metres

(iii) 2 or 2½ Storeys - 90 square metres

H-C1-196 Notwithstanding the regulations of **SUBSECTIONS 23.1 PERMITTED USES AND 23.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A) OF SUBSECTION 23.1** of **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE,** clauses (g) and (n)(ii), the following additional permitted uses and regulations shall apply to those lands zoned site-specific Neighbourhood Commercial "H-C1-196" Zone (By-law 04-283):

(a) ADDITIONAL PERMITTED USES

(i) Medical centres; retail stores, including pharmacies and postal outlets; commercial schools; and restaurants (standard, take-out and fast food).

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF THIS SUBSECTION

(g) No Maximum Gross Leasable Floor Area for Each Individual Establishment.

(n) Minimum Landscaping Requirements:

(ii) A landscaped area having a minimum width of 4.5 metres (14.7 ft.) 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 driveways.

Notwithstanding the regulations of **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Subsection 23.2 – **REGULATIONS FOR PERMITTED USES IN SUBSECTION 23.1**, Clauses (d) and (f), the following regulations shall apply for the lands zoned "H-C1-196" (By-law No. 08-092):

(d) Maximum Lot Area – 0.83 hectares

(f) No Maximum Total Gross Leasable Floor Area shall apply.

On those lands zoned "H-C1-196" by this By-law, the Holding "H" Symbol may be removed by City Council and thereby give effect to the "C1-196" Zone provisions by enactment of an amending By-law upon completion of the necessary road improvements to ensure safe traffic and pedestrian movements for a drive-through all to the satisfaction of the Director of Development.

While zoned "H-C1-196", a drive-through in conjunction with a restaurant shall not be permitted on the subject lands. All other provisions of the "H-C1-196" Zone shall apply. For the purposes of this paragraph, a drive-through in conjunction with a restaurant is defined as an establishment whereby a customer may order and take delivery of food or refreshments in his/her vehicle to be consumed on the site or elsewhere.

R4-197 Notwithstanding the minimum lot area, lot coverage, and front yard regulations of Subsection 16.2 (b), (c), and (d) **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING),** for those lands zoned modified "R4-197", the following regulations shall apply: (By-law 05-059)

(b)	Minimum Lot Area	-	345 square metres, except 500 square metres for a corner lot
(c)	Maximum Lot Coverage	-	45 percent
(d)	Minimum Front Yard	-	6 metres

A1-198 In addition to the uses permitted in **SUBSECTION 8.1: PERMITTED USES** of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE, SUBSECTION 8.1**, a nursery, including landscaping and garden supplies, sales and storage, shall be permitted on those lands zoned General Agricultural "A1-198". (By-law 05-248)

R4-199 Notwithstanding the regulations of paragraphs (c), (d) and (e) (ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-199", the following regulations shall apply (By-law 05-233)

(a) Maximum Lot Coverage - 40%

(b) Minimum Front Yard - 6 metres

(c) Minimum Side Yard - On a corner lot the minimum side yard abutting the flankage street shall be 3 metres, except that an attached garage which fronts on the flankage street shall not be located within 6 metres of the flankage street line.

In addition to the provisions of paragraph (b) of Subsection 7.26 **ENCROACHMENT INTO YARDS**, on those lands zoned modified "R4-199", the following regulation shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 2 metres.

R4-200 Notwithstanding the regulations of paragraphs (a), (b), (c), (d) and (e)(ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-200", the following regulations shall apply (By-law 05-233):

(a) Minimum Lot Frontage - 9 metres, except on a corner lot the minimum lot frontage shall be 13 metres

(b) Minimum Lot Area - 270 square metres, except on a corner lot the minimum lot area shall be 390 square metres

(c) Maximum Lot Coverage - 40%

(d) Minimum Front Yard - 6 metres

(e) Minimum Side Yard - 0.6 metres, except:

(i) On an interior lot where no attached garage or carport is provided, the minimum side yard on one side shall be 4.2 metres; and

(ii) On a corner lot the minimum side yard abutting the flankage street shall be 3 metres, except that an attached garage which fronts on the flankage street shall not be located within 6 metres of the flankage street line.

In addition to the provisions of paragraph (b) of Subsection 7.26 **ENCROACHMENT INTO YARDS**, on those lands zoned modified "R4-200", the following regulation shall apply:

(i) Covered porches may project into any required front yard a distance of not more that 2 metres.

RM2-201 Notwithstanding the regulations of paragraphs (a), (b), (c) (d), (e)(ii) and (i) of Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING) OF SUBSECTION 18.1** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, for those lands zoned modified "RM2-201", the following regulations shall apply (By-law 05-233)

(a) Minimum Lot Frontage – 6 metres per dwelling unit, except:

(i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 8 metres; and

(ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 9 metres.

(b) Minimum Lot Area – 180 square metres per dwelling unit, except:

(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 240 square metres; and

(ii) On a corner lot which abuts a flanking street, the minimum lot area shall be 270 square metres.

(d) Minimum Front Yard – 6 metres

(e) Minimum Side Yard

(i) End dwelling unit not abutting a flankage street – 2 metres

(ii) End dwelling unit on a corner lot abutting a flankage street – 3 metres

RM2-202 Notwithstanding the regulations of paragraphs (a), (b), (c), (d), (e)(ii) of Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING) OF SUBSECTION 18.1** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, for those lands zoned modified "RM2-202", the following regulations shall apply (By-law 05-139):

(a) Minimum Lot Frontage - 6 metres per dwelling unit, except:

(i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 8 metres; and

(ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 9 metres.

(b) Minimum Lot Area - 180 square metres per dwelling unit, except:

(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 240 square metres; and

(ii) On a corner lot which abuts a flanking street, the minimum lot area shall be 270 square metres.

(d) Minimum Front Yard - 6 metres

(e) Minimum Side Yard

On a corner lot the minimum side yard for an end dwelling unit abutting the flankage street shall be 3 metres, except that an attached garage which fronts on the flankage street shall not be located within 6 metres of the flankage street line.

RM3-202 Notwithstanding the regulations of paragraphs (c), (d), (e), (f) and (i) of Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, for those lands zoned modified "RM3-202", the following regulations shall apply (By-law 05-233):

(a)	Maximum Lot Coverage	-	50 percent
(b)	Maximum Density	-	42 units per hectare
(c)	Minimum Front Yard	-	6 metres
(d)	Minimum Side and Rear Yards	-	6 metres except, 7.5 metres where abutting lands are zoned Existing Residential "ER", or Residential "R1", "R2", "R3", "R4" or "RM1"
(e)	Maximum Height	-	12 metres

RM4-203 Notwithstanding the regulations of paragraphs (b), (f), (g), (i), (j), (k) and (m) of Subsection 20.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)** of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE** and notwithstanding the definition of Apartment Building in **SECTION 4: DEFINITIONS**, for those lands zoned modified "RM4-203", the following regulations shall apply (By-law 05-233):

(a)	Maximum Lot Area	-	1.2 hectares
(b)	Minimum Front Yard	-	6 metres
(c)	Minimum Side and Rear Yards	-	4.5 metres, except where the boundary of a Residential Multiple "RM4" Zone adjoins lands zoned Existing Residential "ER", or Residential "R1", "R2", "R3", "R4", or "RM1", a minimum yard of 9 metres shall be provided
(d)	Maximum Height	-	12 metres except, 10.5 metres for dwelling units located directly adjacent to lands zoned General Commercial "C3" Zone
(e)	Minimum Landscaped Area	-	40 percent of the lot area including the Amenity Area

(f) Minimum Parking Requirements

The following requirement is in addition to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law:

(i) No parking space or area shall be located closer to a street line than 6 metres and not closer than .75 metres to any Residential Zone, unless such parking space is located within a below-grade communal parking structure.

(g) On the lands zoned "RM4-203", an Apartment Building shall mean a building arranged, intended or designed for three (3) or more dwelling units, which has individual unit entrances at street level.

C3-204 Notwithstanding the regulations of paragraphs (a) of Subsection 25.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, and for those lands zoned modified "C3-204", the following regulations shall apply:

(a) Minimum Lot Frontage - 20 metres

C1-205 Notwithstanding the regulations of Subsection 23.1 and 23.2, **PERMITTED USES** and **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 23.1** of **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, the following regulations shall apply to those lands zoned " C1-205". (By-law No. 16-221)

(a) PERMITTED USES

(i) Commercial, community, and institutional uses identified in Section 24.1 of Zoning By-law No. 464, except that department stores shall not be permitted.

(ii) Residential uses in accordance with the provisions of the "RM3-175" Zone.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUBSECTION

(i)	Maximum Lot Area	- 48,000 square metres
(ii)	Maximum Total Gross Leasable Floor Area	- 11,000 square metres
(iii)	Maximum Gross Leasable Floor Area for a Supermarket	- 4,650 square metres
(iv)	Maximum Gross Leasable Floor Area for a Drug Store	- 1,200 square metres
(v)	Maximum Gross Leasable Floor Area for a Medical Centre	- 560 square metres
(vi)	Maximum Gross Leasable Floor Area for all Other Commercial Establishments	- 460 square metres

(vii) All other provisions of Subsection 24.2 shall apply

The uses of these lands while zoned “C1-205" shall be restricted to uses permitted in Paragraph (a)(i) of this By-law.

R4-206 and H-R4-206

Notwithstanding the minimum lot frontage, lot area, front yard and side yard setback regulations of Subsection 16.2 (a), (b), (d) and (e)(ii) **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)**, for those lands zoned "R4-206" and "H-R4-206", the following regulations shall apply:

(a)	Minimum Lot Frontage:	12 metres, except 15 metres for a corner lot
(b)	Minimum Lot Area:	345 square metres, except 400 square metres for a corner lot
(d)	Minimum Front Yard:	6 metres

(e)(ii) On a corner lot, the minimum side yard abutting the flanking street shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6 metres of the flanking street line.

The "H" symbol, applicable to the lands zoned "H-R4-206", may be removed by a further amendment to this By-law, at such time as the applicant applies for and receives approval of a draft plan of subdivision to the satisfaction of the Director of Development and Real Estate, and satisfies the Niagara Peninsula Conservation Authority that all issues pertaining to alteration to a watercourse and stormwater management have been adequately addressed.

A1-207 Notwithstanding the uses permitted in Subsection 8.1 **PERMITTED USES** and **OF SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, the following uses shall be prohibited: (2141 Woodburn Road - By-law No. 05-366)

(a) a single detached dwelling; and,

(b) the use of the existing barn for the housing of livestock.

A1-208 Notwithstanding the uses permitted in Subsection 8.1 **PERMITTED USES** and **OF SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, the following uses shall be prohibited (2330 Guyatt Road - By-law No. 05-370)

(a) a single detached dwelling; and,

(b) the use of the existing barn for the housing of livestock.

R3-209
R4-209(A)
R4-209(B) Notwithstanding Subsection 7.26 **ENCROACHMENTS INTO YARDS** of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, the following provisions shall apply to those lands zoned site-specific Residential "R3-209", "R4-209(A)" and "R4-209(B)":

(a) Unenclosed porches, both covered and uncovered, may project into the required front yard a maximum 2.0 metres, into the required rear yard a maximum 1.5 metres, and into the required exterior side yard a maximum 2 metres;

(b) Stairs used to provide access to unenclosed porches from the ground may project into the required front yard and required exterior side yard a maximum 0.6 metres, measured from the limit of the porch closest to the lot line;

(c) Decks may project into the required rear yard, a maximum 4.5 metres, and into the required exterior side yard a maximum 2.0 metres;

(d) 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 into any required yard, excluding a side yard that is less than 1.2 metres, a maximum of 0.6 metres;

(e) Balconies, canopies, awnings and fruit cellars may project into any front yard, rear yard or exterior side yard, a distance of not more than 2.0 metres. Where the exterior side yard is 1.0 metres, balconies, canopies, awnings and fruit cellars may project into the exterior side yard a distance of not more than 1.0 metres; and

(f) The projections permitted by above clauses (d) and (e) and by Subsection 7.26(a) ENCROACHMENTS INTO YARDS, shall be permitted within the required minimum setback of 5.8 metres between the second floor living space above a garage that faces a front or exterior side lot line and said lot line.

R3-209
R4-209(A)
R4-209(B)

Notwithstanding Subsection 7.25 SETBACK REQUIREMENTS FROM TRANSMISSION PIPELINE RIGHTS-OF-WAY, the following provision shall not apply to those lands zoned site-specific Residential "R3-209", "R4-209(A)" and "R4-209(B)";

Notwithstanding any provision or regulation in the By-law, all principal buildings shall be setback a minimum distance of 10 metres (33 feet) from the boundary of a transmission pipeline right-of-way.

R3-209 Notwithstanding Subsection 15.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) of SUBSECTION 15.1 (SINGLE DETACHED DWELLING) of SECTION 15: RESIDENTIAL "R3" ZONE, the following regulations shall apply to those lands zoned site-specific Residential "R3-209":

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) AND (ii) OF THIS SUBSECTION

(i) Minimum Lot Frontage: 10.0 metres, except for a corner lot, where the minimum lot frontage shall be 12.0 metres.

R4-209(A) Notwithstanding Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) of SUBSECTION 16.1 (SINGLE RESIDENTIAL DWELLING of SECTION 16: RESIDENTIAL "R4" ZONE, the following regulations shall apply to those lands zoned site-specific Residential "R4-209(A)":

(b) REGULATION FOR USES PERMITTED IN PARAGRAPH (a)(i) AND (ii) OF THIS SUBSECTION

(i) Minimum Lot Frontage: 10.0 metres, except for a corner lot, where the minimum lot frontage shall be 12.0 metres.

(ii) Minimum Lot Area: 300 square metres, except for a corner lot, where the minimum lot area shall be 330 square metres.

(iii) Minimum Front Yard: 4.0 metres, except for a garage that faces a front lot line which shall have a minimum front yard setback of 5.8 metres.

(iv) Minimum Interior Side Yard: 1.2 metres, except the minimum interior side yard may be reduced to 0.61 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres.

(v) Minimum Exterior Side Yard: 2 metres, except

(A) the minimum exterior side yard may be reduced to 1.0 metres where there is no public sidewalk adjacent to the exterior side yard of the lot;

(B) the minimum setback for any building or structure to a daylighting triangle or a visibility triangle shall be 0.0 metres; and,

(C) a garage that faces an exterior side lot line shall have a minimum setback of 5.8 metres from the exterior side lot line.

(vi) Minimum Rear Yard: 7.0 metres

(vii) Maximum Building Height: 12.6 metres

(viii) Maximum Driveway Width:

For single detached dwellings, the maximum driveway width shall be 5.5 metres, or the distance between the exterior walls of the garage, whichever is greater.

(ix) Garage Projections

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided that:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(C) Notwithstanding subsection (ix)(A), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsection (ix)(A)(1) and (2) are applied.

(x) Repetition of Front Elevations

No more than two (2) buildings with the same front elevations shall be built upon abutting lots that front on the same street.

(xi) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsection 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:

(A) each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and

(B) the required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

R4-209(B) Notwithstanding Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the following regulations shall apply to those lands zoned site-specific Residential "R4-209(B)":

REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUBSECTION

(i) Minimum Lot Frontage: 12.0 metres, except for a corner lot, where the minimum lot frontage shall be 14.0 metres.

(ii) Minimum Lot Area: 350 square metres except for a corner lot where the minimum lot area shall be 400 square metres.

(iii) Minimum Front Yard: 4.5 metres, except for a garage that faces a front lot line which shall have a minimum front yard setback of 5.8 metres.

(iv) Minimum Interior Side Yard: 2.0 metres, except that the minimum interior side yard may be reduced to 0.61 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres.

(v) Minimum Exterior Side Yard: 2.0 metres, except:

(A) the minimum exterior side yard may be reduced to 1.0 metres where there is no public sidewalk adjacent to the exterior side yard of the lot;

(B) the minimum setback for any building or structure to a daylighting triangle or a visibility triangle shall be 0.0 metres; and,

(C) a garage that faces an exterior side lot line shall have a minimum setback of 5.8 metres from the exterior side lot line.

(vi) Minimum Rear Yard: 7.0 metres

(vii) Maximum Building Height: 12.6 metres

(viii) Maximum Driveway Width:

The maximum driveway width shall be 5.5 metres, or the distance between the exterior walls of the garage, whichever is greater.

(ix) Garage Projections

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided that:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(C) Notwithstanding subsection (ix)(A), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building and provided subsection (ix)(A)(1) and (2) are applied.

(x) Repetition of Front Elevations

Not more that two (2) buildings with the same front elevations shall be built upon abutting lots that front on the same street.

(xi) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

Notwithstanding Subsection 7.35 (a)(vii) and Subsection 11.6(b), the following provisions shall apply:

(A) each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and

(B) the required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

C3-210 Notwithstanding the uses permitted in **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.1 **PERMITTED USES** of Zoning By-law No. 464, the uses permitted on the lands zoned "C3-210", shall be limited to banks and financial institutions, liquor, beer or wines stores, commercial schools, custom workshops, dairies, child care centres, dry cleaning establishments, funeral homes, hotels, laundries, medical centre, offices, personal service shops, photographic studios, places of entertainment or recreation, post office, printing establishments, private and commercial clubs, professional and business offices, public transportation depots, standard restaurant, take-out restaurants, fast-food, restaurant, retail stores, service shops, taverns, taxi establishments, veterinary service establishment with no outside runs; and uses, buildings and structures accessory to the above permitted uses. **#25-156**

Notwithstanding the regulations of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 **REGULATIONS FOR PERMITTED USES IN SUBSECTION 25.1**, Clauses (g), (l)(i) and (k) the following regulations shall apply to the buildings or structures existing at the date of passing of this amending By-law (April 12, 2006) for lands zoned "C3-210";

(g) Minimum Northerly Side Yard - 5.05 metres
Minimum Southerly Side Yard - 3.1 metres

(l)(i) A landscaped area having a minimum width of 4.0 metres, except for an area occupied by a driveway or accessory structure, shall be provided and maintained along the northerly lot line; and, a landscaped area having a minimum width of 3.1 metres shall be provided and maintained along the southerly lot line.

(k) No loading space is required

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 **MINIMUM PARKING REQUIREMENTS** and Subsection 7.36, **MINIMUM LOADING REQUIREMENTS** for lands zoned "C3-210", Clauses 7.35(a)(xii), 7.35 (a)(xiv) and 7.36 shall not apply to the buildings or structures existing at the date of passing of this amending By-law (April 12, 2006).

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.13 **ACCESSORY BUILDINGS**, for lands zoned "C3-210", Clauses 7.13(c)(ii), 7.13(c)(iv), and 7.13(c)(vii), accessory building or structures existing at the date of passing of this amending By-law (April 12, 2006) may be located 0.4 metres from the north side yard.

C5-211 In addition to the uses permitted in Section 27.1 **PERMITTED USES** of **SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE,** those lands zoned Airport-Related Commercial "C5-211" may also be used for Motor Vehicle Dealerships and Motor Vehicle Repair Shops. Motor Vehicle Auto Body Repair and Painting and outdoor speakers are prohibited.

Notwithstanding the regulations of paragraph (i)(iv), (k)(i) and (ii) of Subsection 27.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 27.1** of **SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE**, for those lands zoned "C5-211", the following provisions shall apply:

(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 12 metres of any rear lot line, or within 3 metres of any street line, or within 1.5 metres of any Zone where the adjoining land is used for residential purposes.

(ii) A landscaped area in the form of a continuous planting strip and having a minimum width of 1.5 metres, and a solid wooden privacy fence having a minimum height of 1.8 metres, shall be provided and thereafter maintained adjacent to every portion of any side lot line that abuts a Zone where the adjoining land is used for residential purposes.

(iii) A landscaped area in the form of a continuous planting strip having a minimum width of 12 metres and a solid wooden privacy fence having a minimum height of 1.8 metres, shall be provided and thereafter maintained adjacent to every portion of any rear lot line that abuts a Residential Zone where the adjoining land is used for residential purposes.

Notwithstanding the regulations of Section 7.42 ADEQUATE SERVICES, of Zoning By-law No. 464, as amended by By-law No. 03-038, for those lands zoned "C5-211", development may proceed on private services to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his/her designate until such time full municipal services are available.

C3-212 Notwithstanding the regulations of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 **REGULATIONS FOR PERMITTED USES IN SUBSECTION 25.1**, clauses (f) and (j), the following regulations shall apply to the lands zoned "C3-212":

(f) Minimum Front Yard - 7.4 metres

(j) Minimum Parking Requirements

(iv) 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 the front yard, or less than 4.5 metres (15 feet) from the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

H-C3-213 Notwithstanding the regulations of **SUBSECTION 25.2 REGULATIONS OF USES PERMITTED IN PARAGRAPH (a) SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE,** clauses (g)(i), (j)(ii) and (k), the following special regulations shall apply only to the buildings existing on the ate of the passing of this By-law being October 25, 2006 on the lands zoned "H-C3-213"

(g) Minimum Side Yard

(i) 7.4 metres for the southerly side yard, 7.5 metres for the northerly side yard.

(j) Minimum Parking Reuirements

(ii) The minimum number of parking spaces for the used motor vehicle dealership within the existing building shall be six (6) spaces, and the minimum number of parking spaces for the automotive repair shop within the existing frame garage shall be five (5) spaces.

(k) No loading spaces shall be required for the uses within the existing buildings.

Notwithstanding the regulations of **SUBSECTION 25.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, clause (l)(i), the following regulation shall apply to lands zoned "H-C3-213":

(l) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having a minimum width of 4.5 metres and a solid fence having a height of 1.8 metres shall be provided and thereafter maintained for every portion of any lot line abutting a Residential or Institutional Use or Zone, except for the eleven (11) metre deep Right-of-Way Easement located along the Highway No. 56 frontage abutting the northerly lot line.

Notwithstanding the regulations of **SUBSECTION 25.4 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, clauses (h), (j), and (k) shall not apply to the building existing on the date of the passing of this By-law being October 25, 2006 on the lands zoned "H-C3-213":

The "H" symbol may be removed by a further amendment to this By-law, at such time as the subject lands are serviced by municipal sanitary and storm water services

The use of these lands while zoned "H-C3-213" shall be restricted to a used motor vehicle dealership and an accessory automotive repair shop within the existing buildings.

H-RM3-215 In addition to the uses permitted in Subsection 19.1 **PERMITTED USES** of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, an apartment building shall also be permitted on the lands zoned "H-RM3-215", subject to regulations (h) through (m), of Subsection 20.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)**, of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE** and the following regulations.

Notwithstanding the regulations of paragraph (d), (e), (f), and (n)(ii) of Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, as amended above, the following regulations shall apply to the lands zoned "H-RM3-215":

(d)(i) Minimum Density - 40 units per hectare

(d)(ii) Maximum Density - 60 units per hectare

(e) Minimum Front Yard

(i) Block Townhouse Dwellings - 4.6 metres

(ii) Apartment Buildings - 6.0 metres

(f) Minimum Side and Rear Yards - 4.5 metres

(n) Minimum Parking Requirements

(ii) No parking space or area shall be located closer to a front lot line than 4.6 metres or closer to a side lot line than 3 metres.

(o) Minimum Setback from the hypotenuse of the Daylight Triangle - 4.3 metres

By-law No. 13-059

The "H" symbol may be removed by a further amendment to this By-law, at such time as an acoustical report prepared by a qualified Professional Engineer containing the recommended control measures has been approved by the City of Hamilton, Director of Development and Real Estate.

A1-216

Notwithstanding the uses permitted in **SUBSECTION 8.1 PERMITTED USES** of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, a single detached dwelling shall be prohibited on the lands zoned "A1-216".

RM4-217

In addition to the regulations of Subsection 20.1, **PERMITTED USES of SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE,** the following uses shall be permitted only on the ground floor of a mixed use building for those lands zoned "RM4-217":

- Banks and Financial Institutions;
- Child Care Centres **#25-156**
- Professional and Business Offices;
- Personal Service Shops;
- Retail Stores;
- Restaurants; and,
- Residential units on the ground floor having 50% of the floor area combined with a permitted commercial use having 50% of the floor area.

Notwithstanding the regulations of paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i) and (k) of Subsection 20.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b)** of **SUBSECTION 20.1 (APARTMENT BUILDING)** of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE,** for those lands zoned "RM4-217", the following regulations shall apply:

(a) Minimum Lot Frontage 30 metres

(b) Minimum Lot Area 700 square metres

(c) Maximum Lot Area N/A

(d) Maximum Lot Coverage N/A

(e) Maximum Density N/A

(f)	Minimum Front Yard	3.0 metres
(g)	Minimum Side Yard	3.0 metres, except:
	(i)	7.5 metres abutting a side lot line which is the boundary of any Residential or Institutional Zone, or where a ground floor residential use or an institutional use is located on the adjoining lands; and,
(h)	Minimum Rear Yard	3.0 metres
(i)	Maximum Height	6 storeys
(k)	Minimum Landscaped Area	25% of the Lot Area excluding the Amenity Area

In addition to the regulations of paragraph (l) of Subsection 20.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b)** of **SUBSECTION 20.1 (APARTMENT BUILDING)** of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, for those lands zoned "RM4-217", the following regulations shall apply:

(i) A landscaped strip 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 the driveway(s).

Outside Storage and Display and Accessory Outdoor Patio Restaurants shall be permitted in accordance with the provisions of paragraphs (m) and (o) of Section 25, General Commercial "C3" Zone for those lands zoned "RM4-217".

Notwithstanding the regulations of paragraph (m) of Subsection 20.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b)** of **SUBSECTION 20.1 (APARTMENT BUILDING)** of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, for those lands zoned "RM4-217", the following regulations shall apply:

(i) The parking space size shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres;

(ii) Parking spaces shall be provided at a rate of 1 space per residential dwelling unit, and 1 space per every 30 square metres of gross floor area for commercial uses;

(iii) One loading space shall be required and shared for the residential and commercial uses;

(iv) Visitor parking shall be shared with the commercial parking spaces;

(v) Parking spaces in driveways shall be permitted within 6.0 metres of a street line; and

(vi) All other requirements shall be pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

R4-218 Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE,** for those lands zoned "R4-218", the following regulations shall apply:

(a)	Minimum Lot Frontage	9 metres, except 11 metres for a corner lot
(b)	Minimum Lot Area	235 square metres, except 290 square metres for a corner lot
(c)	Maximum Lot Coverage	N/A
(d)	Minimum Front Yard	4.5 metres to the dwelling, except 6.0 metres to the attached garage
(e)	Minimum Side Yard	1.2 metres on one side and 0.6 metres on the other side, except:

(i) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(f)	Minimum Rear Yard	7 metres
(g)	Maximum Height	10.7 metres

(h) Minimum Parking Requirements:

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. In addition, the parking space size located within a garage shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26 **ENCROACHMENT INTO YARDS**, on those lands zoned "R4-218", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0 metres.

(ii) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres

(iii) Stairs may project into any required front yard a distance of not more than 4.5 metres.

(iv) A covered porch may encroach into a required flankage yard a distance of not more than 1.8 metres.

In addition to the definition of "Daylight Triangle" in Section 4 **DEFINITIONS**, the following shall apply:

For the purposes of determining FRONT LOT LINE, and EXTERIOR SIDE LOT LINE abutting a street, a daylight triangle is deemed not to exist, provided that the minimum distance of the prescribed setbacks, in the By-law, is maintained.

R4-218(A) Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE,** for those lands zoned "R4-218", the following regulations shall apply:

(a)	Minimum Lot Frontage	9 metres, except on a corner lot the minimum frontage shall be 10.8 metres.
(b)	Minimum Lot Area	235 square metres, except 290 square metres for a corner lot
(c)	Maximum Lot Coverage	N/A
(d)	Minimum Front Yard	4.5 metres to the dwelling, except 6.0 metres to the attached garage
(e)	Minimum Side Yard	1.2 metres on one side and 0.6 metres on the other side, except:

(i) On a corner lot, the minimum side yard abutting the flanking street shall be 3.0 metres;

(ii) On a lot flanking an open space block, the minimum side yard abutting the open space shall be 2.4 metres;

(iii) The minimum setback for any building or structure to a daylight triangle or visibility triangle shall be 0.3 metres.

(f)	Minimum Rear Yard	7 metres
(g)	Maximum Height	10.7 metres

(h) Minimum Parking Requirements:

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. In addition, the parking space size located within a garage shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.

(j) Notwithstanding Section 7.25, all principle buildings shall be setback a minimum distance of 7.0 metres from the boundary of a transmission pipeline right-of-way. No landscaping, development, or the erection of any buildings or permanent structures including but not limited to fences, decks, swimming pols, over, under or upon the pipeline lands shall be permitted within this setback.

All other regulations of the Residential "R4-218" Zone shall apply.

RM3-219 In addition to the Uses Permitted in Subsection 19.1 **PERMITTED USES** of

SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, for those lands zoned "RM3-219", Townhouses on a Common Elements Condominium Road shall be permitted in accordance with Section 19, Residential Multiple "RM3" Zone**.**

Notwithstanding the regulations of paragraphs (c), (d), (e), (f), (h), and (n) of Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, for those lands zoned "RM3-219", the following regulations shall apply:

(a)	Maximum Lot Coverage	N/A
(b)	Maximum Density	N/A
(c)	Minimum Side Yard	1.2 metres, except
	(i) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.	
(d)	Minimum Rear Yard	7.0 metres
(e)	Minimum Floor Area per Dwelling Unit	N/A
(f)	Minimum Parking Space Size	2.6 metres by 5.5 metres
	Parking spaces in driveways hall be permitted within 6.0 metres of a street line; and	
	All other requirements shall be pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.	
(g)	Minimum Separation Distance	N/A

Notwithstanding the definition of STREET in Section 4, DEFINITIONS, a common elements condominium road shall be deemed to be a public street for the purposes of creating freehold lots.

R4-220 Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned "R4-220", the following regulations shall apply:

(a)	Minimum Lot Frontage	11 metres, except 13 metres for a corner lot
(b)	Minimum Lot Area	280 square metres, except 335 square metres for a corner lot
(c)	All other regulations of the Residential "R4 -218" Zone shall be applicable to those lands zoned Residential "R4-220".	

R4-221 Notwithstanding the minimum lot frontage, minimum lot area, maximum lot coverage and minimum front yard setback regulations of Subsection 16.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the

following regulations shall apply to those lands zoned "R4-221":

REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)

(i) Minimum Lot Frontage 11 metres

(ii) Minimum Lot Area 350 square metres

(iii) Maximum Lot Coverage shall not apply

(iv) Minimum Front Yard 6.0 metres

R4-222 Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE,** for those lands zoned "R4-222", the following regulations shall apply:

(a) Minimum Lot Frontage: 10 metres, except
11.8 metres for a corner lot

(b) Minimum Lot Area: 280 square metres, except
330 square metres for a corner lot

(c) Maximum Lot Coverage: N/A

(d) Minimum Front Yard: 4.5 metres to the dwelling, except
6.0 metres to the attached garage

(e) Minimum Side Yard: 1.2 metres on one side and
0.6 metres on the other side, except:

(i) On a corner lot the minimum side yard abutting the flankage street shall be 3.0 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(f) Minimum Rear Yard 7 metres

(g) Maximum Height: 10.7 metres

(h) Minimum Parking Requirements:

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. In addition, the parking space size shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres. Stairs, to a maximum of 3 risers, and a door swing shall be permitted to encroach into the interior garage parking space.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26 ENCROACHMENT INTO YARDS, on those lands zoned "R4-222", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0 metres.

(ii) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres

(iii) Stairs may project into any required front yard a distance of not more than 4.5 metres.

(iv) A covered porch may encroach into a required flankage yard a distance of not more than 1.8 metres.

In addition to the definition of "Daylight Triangle" in SECTION 4, DEFINITIONS, the following shall apply:

For the purposes of determining FRONT LOT LINE, and EXTERIOR SIDE LOT LINE abutting a street, a daylight triangle is deemed not to exist, provided that the minimum distance of the prescribed setbacks, in the By-law, is maintained.

RM3-223 In addition to the Uses Permitted in Subsection 19.1 **PERMITTED USES of SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, for those lands zoned "RM3-223", Townhouses on a Common Elements Condominium Road shall be permitted.

Notwithstanding the regulations of paragraphs (c), (d), (e), (f), (g), (h), and (n) of Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b)** of **SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, for those lands zoned "RM3-223", the following regulations shall apply:

(a) Maximum Lot Coverage: N/A

(b) Maximum Density: N/A

(c) Minimum Front Yard: 4.5 metres

(d) Minimum Side Yard: 1.2 metres, except

(i) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(e) Minimum Rear Yard: 7. 0 metres

(f) Minimum Floor Area per Dwelling Unit: N/A

(g) Minimum Separation Distance: N/A

(h) Minimum Parking Requirements:

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. In addition, the parking space size shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres. Stairs, to a maximum of 3 risers, and a door swing shall be permitted to encroach into the interior garage parking space.

Parking spaces in driveways shall be permitted within 6.0 metres of a street line.

Notwithstanding the definition of STREET in SECTION 4, DEFINITIONS, a common elements condominium road shall be deemed to be a public street for the purposes of creating freehold lots.

RM2-224 Notwithstanding the regulations of paragraphs (a), (b), (c), (d), (e), (f), and (l) of

Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** of **SECTION 18: RESIDENTIAL "RM2" ZONE**, for those lands zoned "RM2-224", the following regulations shall apply:

(a)	Minimum Lot Frontage:	6 metres, except 7.25 metres for a corner lot
(b)	Minimum Lot Area:	160 square metres, except 200 square metres for a corner lot
(c)	Maximum Lot Coverage:	N/A
(d)	Minimum Front Yard:	6.0 metres
(e)	Minimum Side Yard:	1.2 metres, except:

(i) On a corner lot the minimum side yard abutting the flankage street shall be 3.0 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(f) Minimum Parking Requirements:

Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

In addition, the parking space size shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres. Stairs, to a maximum of 3 risers, and a door swing shall be permitted to encroach into the interior garage parking space.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26 ENCROACHMENT INTO YARDS, on those lands zoned "RM2-224", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0 metres.

(ii) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres.

(iii) Stairs may project into any required front yard a distance of not more than 4.5 metres.

(iv) A covered porch may encroach into a required flankage yard a distance of not more than 1.8 metres.

In addition to the definition of "Daylight Triangle" in SECTION 4, DEFINITIONS, the following shall apply

For the purposes of determining FRONT LOT LINE, and EXTERIOR SIDE LOT LINE abutting a street, a daylight triangle is deemed not to exist, provided that the minimum distance of the prescribed setbacks, in the By-law, is maintained.

H-C3-225 Notwithstanding the regulation for Subsection 25.1 **PERMITTED USES of SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, only the following uses

shall be permitted and only on the ground floor of a mixed-use building for those lands zoned "H-C3-225" (By-law No. 07-306):

- Banks and Financial Institutions;
- Child Care Centres **#25-156**
- Offices;
- Professional and Business Offices;
- Personal Service Shops:
- Retail Stores, excluding those specific retail uses listed in Section 25.1(a);
- Fast Food Restaurant, excluding an outdoor patio and drive-thru;
- Take-out restaurant, excluding an outdoor patio and drive-thru;
- Standard Restaurant, excluding an outdoor patio and drive-thru; and
- Residential units on the ground floor have 50% of the floor area combined with permitted commercial use having 50% of the floor area.

In addition to the foregoing, residential units shall be required above any use permitted on the ground floor.

Notwithstanding the regulations of paragraphs (d), (e), (f), (g), (j), (k), (l) and (m) of Subsection 25.2**, REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1 of SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, for those lands zoned “H-C3-225”, the following regulations shall apply:

(d)	Maximum Lot Coverage	N/A
(e)	Maximum Gross Floor Area	N/A
(f)	Minimum Front Yard	3.0 metres
(g)	Minimum Side Yard	3.0 metres, except

(i) 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.

(j) Minimum Parking Requirements

(i) The parking space size shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres;

(ii) Parking spaces shall be provided at a rate of 1.25 spaces per residential dwelling unit, and 1 space per every 30 square metres of gross floor area for commercial uses, and

(iii) Visitor parking shall be shared with the commercial parking space.

All other requirements shall be pursuant to the provisions of Subsection 7.35 of this By-law.

(j) Minimum Loading Requirements

(i) One (1) loading space shall be required and shared for the residential and commercial uses.

(j) Minimum Landscaping Requirements

(i) 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 port of any lot line that abuts a Residential use.

(ii) 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).

(m) Outside Storage and Display

(i) 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.

(ii) Outside storage areas shall be screened from view and enclosed with a fence having a minimum height of 1.8 metres.

By-law No. 09-116

The completion of the requirements for the Binbrook Road & Regional Road 56 Municipal Class Environmental Assessment, Phases 3 & 4 to the satisfaction of the General Manager of Public Works.

City Council may remove the "H" symbol and thereby give effect to the Zone provisions by enactment of amending By-law once the condition is fulfilled.

R1-226

Notwithstanding the regulations of **SECTION 13: RESIDENTIAL "R1" ZONE**, Subsection 13.2 (e)(ii), **MINIMUM SIDE YARD**, the following site-specific regulation shall apply for lands zoned "R1-226":

(a) On a corner lot, the minimum side yard abutting the flankage street shall be 4.5 metres (14.7 feet).

H-C3-227

Notwithstanding the uses permitted in **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.1, **PERMITTED USES**, of Zoning By-law No. 464, the uses permitted on the lands zoned "C3-227", shall be limited to:

(g) Minimum Side Yard - 3 metres, except:

(i) 6.0 metres abutting the northerly lot line and 7.5 metres abutting the southerly lot line which are the boundary of any Residential or Institutional Zone or where a ground floor residential use or an institutional use is located on the adjoining land

(l)(i) A landscaped area in the form of a planting strip having a minimum width of 0.5 metres shall be provided and thereafter maintained adjacent to the northerly lot line that abuts a Residential or Institutional Zone.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISION FOR ALL ZONES**, Subsection 7.35, **MINIMUM PARKING REQUIREMENTS**, Clause (a)(xii), the following regulations shall apply only to the 14th day of November, 2007, for lands zoned "C3-227":

(a)(xii) A landscape area consisting of a planting strip having a minimum width of 1.5 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained along the northerly lot line adjacent to any parking spaces and/or the manoeuvring area of the parking spaces that abuts a Residential or Institutional Zone.

The "H" symbol may be removed by a further amendment to this By-law at such time that an archaeological assessment of the subject property is completed and approved by the Director of Planning and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

The use of these lands while zoned "H-C3-227" shall be restricted to only a medical centre for a maximum of one (1) medical practitioner within the building, existing at the date of the passing of this By-law being the 14th day of November, 2007, subject to the above-noted zone provisions.

R4-228 & H-R4-228

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e)(ii) of Subsection 16.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned "R4-228", the following regulations shall apply (By-law 10-025):

(a) Minimum Lot Frontage - 12 metres (39 feet), except on a corner lot the minimum frontage shall be15.2 metres (50 feet)

(b) Minimum Lot Area - 350 square metres (3,767 square feet), except on a corner lot the minimum lot area shall be 450 square metres (4,844 square feet)

(c) Maximum Lot Coverage - 50%

(d) Minimum Front Yard - 6 metres (20 feet)

(e) Minimum Side Yard

(ii) On a corner lot, the minimum side yard abutting the flanking street shall be 3.0 metres (10 feet), except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6.0 metres (20 feet) of the flanking street line, and on a corner lot with a daylight triangle a minimum 2.0 metre setback for any building from the hypotenuse of the daylight triangle is required.

In addition to the provisions of Subsection 7.26 **ENCROACHMENT INTO YARDS**, for those lands zoned "R4-228", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0 metres.

(ii) Bay windows, either with or without foundations, may project into any required front, rear or flankage yard a distance of not more than 0.9 metres.

(iii) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear, or side yard a distance of not more than 0.6 metres.

(iv) Stairs may project into any required front yard a distance of not more than 4.5 metres.

(v) Covered porches may project into a required flankage yard a distance of not more than 1.8 metres.

(vi) On corner lots, the minimum setback from the hypotenuse of the daylight triangle for a porch shall be 0.5m, including foundation walls, and 0.0m for eaves or gutters.

The "H" Holding symbol may be removed by a further amendment to this By-law at such time as the following has been satisfied:

(a) That no development shall be permitted until such time as comprehensive development and land assembly has occurred with the lands to the east, being 2544 Regional Road 56 and/or 2532 Regional Road 56.

RM2-229 Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e)(i) of Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SECTION 18.1 (STREET TOWNHOUSE DWELLINGS)** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, and notwithstanding the Definition of a Street in **SECTION 4: DEFINITIONS**, for those lands zoned "RM2-229", the following regulations shall apply:

(a) Minimum Lot Frontage - 6 metres (20 feet) per dwelling unit, except:
  (i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 8 metres (26 feet).

(b) Minimum Lot Area - 190 square metres (2,045 sq.ft.) per dwelling unit, except:
  (i) On an end lot which does not abut a flanking street, the minimum lot area shall be 250 square metres (2,691 square feet).

(c) Maximum Lot Coverage - N/A

(d) Minimum Front Yard - 6 metres (20 feet)

(e) Minimum Side Yard
  (i) End dwelling unit not abutting a flanking street - 1.5 metres (5 feet)

In addition to the definitions of **SECTION 4: DEFINITIONS**, for those lands zoned Modified "RM2-229", the following definition shall apply:

(i) On the lands zoned "RM2-229", the definition of a "Street" shall include a private condominium road.

C3-230 and H-C3-230 Notwithstanding the regulations of Paragraphs (a), (b) and (c) of Subsection 25.1 **PERMITTED USES** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, for those lands zoned Modified "C3-230", the following regulations shall apply:

Permitted uses on these lands shall only include the following:

(a) Banks and financial institutions, Brewers Retail stores, building supply sales in wholly enclosed buildings, commercial schools, child care centres, custom workshops, dairies, department stores, dry cleaning establishments, farm equipment establishments, funeral homes, garden centres, hotels, laundries, Liquor Licence Board of Ontario stores, medical centres, motels, offices, personal service shops, photographic studios, places of entertainment or recreation, post offices, printing establishments, private or commercial clubs, professional and business offices, public and private parking lots and structures, public transportation depots, fast food restaurants, standard restaurants, take-out restaurants, retail stores, service shops, taverns, and uses, buildings and structures accessory to the above permitted uses. **#25-156**

(b) Residential uses ancillary to the uses permitted in Paragraph (a) of this Subsection.

The "H" Holding symbol may be removed by a further amendment to this By-law at such time as the following has been satisfied:

By-law No. 11-207

(a) The lands shall be developed in conjunction with the lands to the east, being 2544 Regional Road 56 and/or 2532 Regional Road 56.

RM3-231 Notwithstanding the regulations of Paragraphs (c), (e), (f), (g), (j), (m), and (n)(ii) of Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, for those lands zoned modified "RM3-231", the following regulations shall apply:

(c) Maximum Lot Coverage - 45%

(e) Minimum Front Yard - 3.5m to any building and 6.0m to any garage.

(f) Minimum Side and Rear Yard - 7.0m

(g) Minimum Separation Distance Between Buildings:

(i) 3.0m between end walls, except 10.0m between end walls separated by a private road;

(ii) 12.0m between the front of dwellings separated by a private road;

(iii) 8.5m between rear walls;

(iv) 12.5m between front walls and side walls; and,

(v) 7.5m between end walls and rear walls.

(j) Minimum Landscaped Area - 30 percent of the lot area, which may include the required privacy area.

(m) Minimum Amenity Area -N/A

(n) Minimum Parking Requirements:

(ii) Permit a parking space or area to be located a minimum of 4.0m to the street line.

Notwithstanding the regulations of Subsections 7.25 and 7.35 (a)(vii) in **Section 7: GENERAL PROVISIONS FOR ALL ZONES** and Subsection 11.3 (d)(i) **SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES**, for those lands zoned "RM3-231", the following regulations shall apply:

7.25 A minimum setback of 7.5m from the boundary of a transmission pipeline right-of-way shall be provided and maintained for all buildings and/or structures.

7.35(a)(vii) The following shall apply:

(A) The minimum driveway width for each dwelling unit shall be the distance between the exterior walls of the garage;

(B) The minimum dimensions for visitor parking spaces shall be 2.6m in width and 5.5m in length;

(C) The minimum dimensions of disabled parking spaces shall be 4.4m in width and 5.5m in length.

11.3(d)(i) A patio deck shall provide a minimum setback of 3.5m from

any municipal street line.

A1-233 Notwithstanding the permitted uses and regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, the following provisions shall apply to the lands zoned "A1-233" (By-law 08-018):

1. The following uses shall be prohibited:
   (a) a single detached dwelling; and
   (b) the use of the barns existing on the date of the passing of this By-law, being the 30th day of January, 2008, for the housing of livestock.
2. The minimum southerly and westerly side yard setbacks for the existing barns shall be 10.0 metres and 3.0 metres, respectively.

A1-234 Notwithstanding **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1, **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "A1-234" (By-law 08-112):

(a) a single detached dwelling; and,

(b) the use of the barns, existing at the date of passing of this amending By-law, being the 14th day of May, 2008, for the housing of livestock.

Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 8.1 (AGRICULTURAL USES)**, Clause (e)(i), the following regulations shall apply only to the barns existing at the date of the passing of this amending By-law, being the 14th day of May, 2008, for lands zoned "A1-234";

(e) Minimum Side Yard
   (i) Agricultural Buildings and Structures – 10.2 metres, subject to Subsection 7.27 of this By-law.

A1-235 Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.3, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b)** of **SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS)**, Clause 2(e), the following regulation shall apply only to the buildings or structures existing at the date of the passing of this amending By-law, being the 14th day of May, 2008, for lands zoned "A1-235" (By-law 08-112):

2. Accessory Buildings
   (e) The maximum lot coverage for all accessory buildings shall be 8.35%.

A1-236 **3316 Regional Road 56, Glanbrook** (By-law 08-113, Deleted and replaced by By-law 12-019):

Notwithstanding **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1, **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "A1-236"

(a) A single detached dwelling

Notwithstanding the regulations of **SECTION 8: GENERAL AGRICLTURAL "A1" ZONE**, Subsection 8.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 8.1 (AGRICULTURAL USES)**, Clause (a), the following regulation shall apply to the lands zoned "A1-236";

(a) Minimum Lot Frontage - 98.0 metres

A1-237 **3332 Regional Road 56, Glanbrook** (By-law 08-113, Deleted and replaced by By-law 12-019)

Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.3, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b)** of **SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS)**, Clause (a), the following regulation shall to the lands zoned "A1-237":

(a) Minimum Lot Frontage – 29.0 metres

A1-238 Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1, **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "A1-238" (By-law 09-104):

(a) A single detached dwelling; and,

(b) The use of the barns, existing on the date of passing of this amending By-law, being the 13th day of May, 2009, for the housing of livestock.

Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A) OF SUBSECTION 8.1 (AGRICULTURAL USES)**, Clause (a), the following regulation shall apply to lands zoned "A1-238" (By-law 09-104):

(a) Minimum Lot Frontage – 94.0 metres

A1-240 Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1, **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "A1-240" (By-law 08-190):

(a) A single detached dwelling.

(b) Outside parking and storage of larger vehicles not accessory to or required for an agricultural use.

Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 8.1 (AGRICULTURAL USES)**, Clause (a), the following regulation shall apply to the lands zoned "A1-240" (By-law 08-190):

(a) Minimum Lot Frontage – 109.36 metres

A1-241 Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL**

"A1" ZONE, Subsection 8.3.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b)** of **SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS)**, Clause (d), the following regulation shall apply to the lands zoned "A1-241" (By-law 08-190):

(d) An accessory building in excess of 15 square metres may be located 5.7 metres from the rear lot line.

C3-242 Notwithstanding the uses permitted in **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.1, **PERMITTED USES**, of Zoning By-law No. 464, the following uses shall be permitted only on the ground floor of a mixed-use building for those lands zoned "C3-242" (By-law 08-204):

(a) Banks and financial institutions, liquor, beer or wine stores, child care centres, commercial schools, dry cleaning establishments, funeral homes, hotels, laundries, offices, personal service shops, photographic studios, places of entertainment, post office, printing establishments, private and commercial clubs, professional and business offices, standard restaurants (excluding drive-thru), take-out restaurants (excluding drive-thru), retail stores, service shops, taverns, veterinary service establishment with no outside runs, and uses, building and structures accessory to the above permitted uses. **#25-156**

(b) Dwelling units shall only be permitted above the ground floor, except for access.

Notwithstanding the regulations of Paragraphs (f), (g), (j) and (l) of Subsection 25.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, for those lands zoned "C3-242", the following regulations shall apply:

(f) Maximum Front Yard - 3.0 metres, except:

(i) Minimum setback to the hypotenuse of a daylight triangle - 1.0 metre

(g) Minimum Side Yard - 3.0 metres, except:

(i) Minimum setback to the hypotenuse of a daylight triangle - 1.0 metre

(j) Minimum Parking Requirements:

(i) Notwithstanding Paragraph 7.35 (a) of this By-law, the parking space size shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres;

(ii) Notwithstanding Paragraph 7.35 (b) of this By-law, parking spaces shall be provided at a rate of 1 space per residential dwelling unit, and 1 space per every 30 square metres of gross floor area for commercial uses; and,

(iii) Visitor parking shall be shared with the commercial parking spaces.

All other requirements shall be pursuant to the provisions of Subsection 7.35 of this By-law.

(l) Minimum Landscaping Requirements:

(i) A landscaped area in the form of a planting strip having a minimum width of 3.0 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 is used for residential or institutional purposes.

(ii) 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 1 metre abutting the hypotenuse of a daylight triangle, and such landscaped area shall be continuous except for required driveway(s).

C3-243 **2651 REGIONAL ROAD 56 & 2660, 2668 BINBROOK ROAD (By-law 10-138):**

For the purposes of this By-law, the lot line that abuts Binbrook Road East shall be deemed to be the front lot line, and the lot line that abuts Regional Road 56 shall be deemed to be a side lot line.

Notwithstanding **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.1, **PERMITTED USES**, the uses permitted on lands zoned "C3-243" (By-law 08-205) shall be limited to:

(a) Banks and financial institutions, Brewers Retail stores, child care centres, commercial schools, dry cleaning establishments, funeral homes, hotels, laundries, Liquor License Board of Ontario stores, offices, personal services shops, photographic studios, places of entertainment, post offices, printing establishments, private or commercial clubs, professional and business offices, fast food restaurants, standard restaurants, take-out restaurants, retail stores, service shops, taverns, and veterinary service establishments with no outside runs; and uses, buildings and structures accessory to the above permitted uses. **#25-156**

(b) In addition to the permitted uses in Subsection (a), a maximum of one drive-through facility shall be permitted.

(c) Dwelling units shall only be permitted above the ground floor, except for access.

Notwithstanding the regulations of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 25.1**, Clauses (f), (g), (i), (j)(iv) and (l), the following regulations shall apply to the lands zoned "C3-243";

(f) Maximum Front Yard - 3.0 metres

(g) Minimum Side Yard - 3.0 metres, except:

(i) A minimum 2.0 metre and maximum 5.0 metre setback for the westerly and southerly interior side yards.

(ii) A minimum 2.5 metre setback shall be provided and maintained to any door fronting onto the westerly and southerly interior side yards.

(iii) A maximum 3.0 metre setback for the side yard abutting the flankage street line.

(i) Maximum Height - 10.8 metres

(j) Minimum Parking Requirements

(iv) 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 5.0 metres of a street line, or within 1.5 metres of the boundary of any Residential Zone or any Zone where the adjoining land is used for residential purposes, or within 2.0 metres of the boundary of any Institutional Zone or any Zone where the adjoining land is used for institutional purposes.

(l) Minimum Landscaping Requirement

(i) A landscaped area in the form of a planting strip having a minimum width of 1.5 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, and a minimum width of 2.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts an Institutional Zone or any Zone where the adjoining land is used for institutional purposes. A visual barrier having a minimum height of 1.8 metres shall be provided and 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

(ii) 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, except where a building is located, and such landscaped area shall be continuous except for the required driveway(s).

(iii) 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 any parking area that abuts a street line.

(o) Drive-Through Facility

(i) The building containing a restaurant (fast food, standard or take-out) with associated drive-through facility, shall not proceed until the construction of the principal two-storey building has substantially commenced.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 - **MINIMUM PARKING REQUIREMENTS**, Clauses (a)(vii), (xv)(B), and (b), the following regulations shall apply to the lands zoned "C3-243";

(a) General Provisions

(vii) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

(xv) In all Zones, parking spaces for the physically handicapped shall be assigned to the required number of parking spaces where a minimum of ten (10) parking spaces are required, as follows:

(B) The assigned space or spaces shall be the required spaces located nearest building entrances; each space shall have a minimum width of 4.0 metres and a minimum length of 5.5 metres.

(b) Off-Street Parking Space Requirements

(i) Parking spaces shall be provided at a rate of 1 space per residential dwelling unit, and 1 space per every 31.5 square metres of gross floor area for any commercial use.

(ii) Visitor parking shall be shared with commercial parking spaces.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.36, **MINIMUM LOADING REQUIREMENTS**, clause (b) the following regulations shall apply to the lands zoned "C3-243";

(a) Off-Street Loading Requirements

A minimum of one (1) loading space shall be provided and maintained.

R4-244 Notwithstanding the regulations of Paragraphs (a), (b), (c), and (d) (ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-244", the following regulations shall apply (By-law 08-253):

(a) Minimum Lot Frontage - 12 metres (40 feet), except on a corner lot the minimum frontage shall be 15 metres (50 feet)

(b) Minimum Lot Area - 400 square metres (5,166 square feet), including a corner lot

(c) Maximum Lot Coverage - 45%

(d) Minimum Side Yard

(ii) On a corner lot the minimum side yard abutting the flanking street shall be 1.5 metres (5 feet), except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6.0 metres (20 feet) of the flanking street line.

R4-245 Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e) (ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-245", the following regulations shall apply (By-law 08-253):

(a) Minimum Lot frontage - 12 metres (40 feet), except on a corner lot the minimum frontage shall be 12 metres (40 feet)

(b) Minimum Lot Area - 360 square metres (3,875 square feet)

(c) Maximum Lot Coverage - 45%

(d) Minimum Front Yard - 3.0 metres, except 6.0 metres to an attached garage or carport

(e) Minimum Side Yard

(ii) On a corner lot the minimum side yard abutting the flanking street shall be 1.5 metres (5 feet), except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6.0 metres (20 feet) of the flanking street line.

R4-246 Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e) (ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-246", the following regulations shall apply (By-law 08-253):

(a) Minimum Lot Frontage - 12 metres (40 feet), except on a corner lot the minimum frontage shall be 12.9 metres (42 feet)

(b) Minimum Lot Area - 360 square metres (3,875 square feet), except on a corner lot the minimum lot area shall be 370 square metres (3,982 square feet)

(c) Maximum Lot Coverage - 45%

(d) Minimum Front Yard - 4.5 metres, except 6.0 metres to an attached garage or attached carport

(e) Minimum Side Yard

(ii) On a corner lot the minimum side yard abutting the flanking street shall be 1.5 metres (5 feet), except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6.0 metres (20 feet) of the flanking street line

R3-247 Notwithstanding the regulations of Paragraphs (a), (b), (c) and (d) of Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 15.1 (SINGLE DETACHED DWELLINGS)** of **SECTION 15: RESIDENTIAL "R3" ZONE**, for those lands zoned modified "R3-247", the following regulations shall apply (By-law 08-253):

(a) Minimum Lot Frontage - 14 metres (46 feet)

(b) Minimum Lot Area - 400 square metres (4,305 square feet)

(c) Maximum Lot Coverage - 45%

(d) Minimum Front Yard - 6.0 metres (20 feet)

R4-248 Notwithstanding any Definition in **SECTION 4: DEFINITIONS**, for those lands zoned modified "R4-248", the following regulation shall apply (By-law 08-253):

(a) On the lands zoned "R4-248", the front lot line shall be the lot line abutting Glancaster Road, and the rear lot line is the lot line opposite the front lot line abutting Glancaster Road.

RM2-250, RM4-251, R4-252, RM3-253 Notwithstanding Subsection 7.26 **ENCROACHMENT INTO YARDS** of **SECTION 7 : GENERAL PROVISIONS FOR ALL ZONES**, the following provisions shall apply to those lands zoned site-specific Residential "RM2-250", "RM4-251", "R4-252" and "RM3-253" (By-law 08-264):

(a) Unenclosed porches, both covered and uncovered, may project into the required front yard a maximum 2.0 metres, into the required rear yard a maximum 1.5 metres, and into the required exterior side yard a maximum 2.0 metres;

(b) Stairs used to provide access to unenclosed porches from the ground may project into the required front yard and required exterior side yard a maximum 0.6 metres, measured from the limit of the porch closest to the lot line;

(c) Decks may project into the required rear yard, a maximum 4.5 metres, and into the required exterior side yard a maximum 2.0 metres;

(d) 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 into any required yard, excluding a side yard that is less than 1.2 metres wide, a maximum of 0.6 metres;

(e) Balconies, canopies, awnings and fruit cellars may project into any front yard, rear yard or exterior side yard, a distance of not more than 2.0 metres. Where the exterior side yard is 1.0 metres, balconies, canopies, awnings, and fruit cellars may project into the exterior side yard a distance of not more than 1.0 metres; and

(f) The projections permitted by above clauses (d) and (e), and by Subsection 7.26(a) **ENCROACHMENTS INTO YARDS**, shall be permitted within the required minimum setback of 5.8 metres between the second floor living space above a garage that faces a front or exterior side lot line and said lot line.

C3-249, H-C3-249, RM2-250, RM4-251, R4-252, RM3-253 That Subsection 7.27 **AGRICULTURAL CODE OF PRACTICE** of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, shall not apply to those lands zoned site-specific "C3-249", "RM2-250", "RM4-251", "R4-252" and "RM3-253" (By-law 08-264) and H-C3-249 (31 Trinity Church Road By-law 10-216):

H-C3-249 The "H" symbol may be removed at such time as the following have been satisfied:

By-law 10-216 (i) The owner/applicant has submitted and received clearance of an archaeological assessment, to the satisfaction of the Director of Planning and Ministry of Culture.

By-law 11-012 City Council may remove the "H" symbol, and thereby give effect to the General Commercial "C3-249" Zone, by enactment of an amending By-law once the above condition has been satisfied.

C3-249 Notwithstanding Subsections 25.1 **PERMITTED USES**, and 25.2 **REGULATIONS FOR PERMITTED USES IN PARAGRAPH (a) OF SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific General Commercial "C3-249" (By-law 08-264):

(a) **PERMITTED USES:**

(i) Banks and financial institutions, Brewers Retail stores, commercial schools, dry cleaning establishments, Liquor License Board of Ontario stores, medical centres, offices, personal service shops, post offices, printing establishments, professional and business offices, fast food restaurants, standard restaurants, take-out restaurants, retail stores, service shops, veterinary service establishments; and uses, buildings and structures accessory to the above permitted uses.

(b) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(i) OF THIS SUBSECTION:

(i) Minimum Lot Frontage……..……..23 metres

(ii) Minimum Lot Depth……..……30 metres

(iii) Minimum Lot Area……..……..700 square metres

(iv) Maximum Gross Leaseable Floor Area of any Individual Commercial Establishment …….……. .500 square metres

(v) Maximum Gross Leaseable Floor Area of any Group of Local Commercial Uses ……..……..1,500 square metres

(vi) Minimum Front Yard……..……..…….4.5 metres

(vii) Minimum Interior Side Yard…….……4.5 metres

(viii) Minimum Exterior Side Yard ……..4.5 metres

(ix) Minimum Rear Yard …….4.5 metres

(x) Maximum Height……14.0 metres

(xi) Minimum Parking Requirements:

Parking spaces shall be provided in accordance with the provisions of Subsection 25.2(j) of this By-law, with the exception of the following regulations:

(a) A minimum of 4 parking spaces for each physician, dentist or other medical practitioner within a medical centre or pharmacy.

(xii) Minimum Loading Requirements:

Loading spaces shall be provided in accordance with the provisions of Subsection 25.2(k) of this By-law.

(xiii) Minimum Landscaping Requirements:

Landscaping shall be provided in accordance with the provision of Subsection 25.2(l) of this By-law, with the exception of the following regulations:

(a) A landscape area and/or planting strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to a residential zone; and,

(b) A landscape area and/or planting strip having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to a street.

(xiv) For the purpose of this By-law, the lot line that abuts Rymal Road East shall be deemed to be the front lot line.

(xv) Notwithstanding Subsection 25.2 (m) the following regulations shall apply:

(a) Outside display associated and accessory to a standard restaurant, take-out restaurant and/or tavern, including plants accessory to the principal use shall be permitted in the front yard and/or any side yard abutting a private road.

(b) Outside display areas shall be permitted 0.0 metres from any street and/or boundary of any Residential Zone.

(c) Outside display areas associated and accessory to a standard restaurant, take-out restaurant and/or tavern, shall not be screened from view and/or enclosed.

(xvi) Notwithstanding Subsection 25.2 (o) (ii) and (iii) the following regulations shall apply:

(a) An outdoor patio restaurant can be located in the front yard abutting Rymal Road East and the easterly side yard abutting land zoned Residential where the outdoor patio is adjacent to a private road. The minimum setback from the outdoor patio restaurant and Rymal Road East is 1.0m and 0.0m from the easterly side yard abutting land zoned Residential in the amending By-law or where the abutting land is used for residential purposes.

(b) Subsections 25.2 (o) (i) and (iv) shall continue to apply.

RM2-250 Notwithstanding Subsection 18.2 **REGULATIONS FOR PERMITTED USES IN PARAGRAPH (a) OF SUBSECTION 18.1** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, the following regulations shall apply to those lands zoned site-specific Residential Multiple "RM2-250" (By-law 08-264):

(a) That Subsection 18.2 (c), maximum lot coverage shall not apply.

(b) Minimum Lot Frontage - 5.5 metres per dwelling unit, except:

(i) for a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 6.7 metres; and,

(ii) on a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 9.0 metres.

(c) Minimum Lot Area - 150 square metres per dwelling unit, except:

(i) on an end lot which does not abut a flanking street, the minimum lot area shall be one hundred and eighty-five (185) square metres; and,

(ii) on a corner lot, which abuts a flanking street, the minimum lot area shall be two hundred and thirty (230) square metres.

(d) Minimum Front Yard - 4.5 metres, except a garage that faces a front lot line shall have a minimum setback of 5.8 metres.

(e) Minimum Side Yard

(i) End dwelling unit not abutting a flanking street - 1.2 metres

(ii) End dwelling unit on a corner lot abutting a flanking street - 3.5 metres

(iii) A garage that faces an exterior side lot line shall have a minimum setback of 5.8 metres from the exterior side lot line.

(f) Minimum Rear Yard - 7.0 metres

(g) Maximum Height - 12.6 metres

(h) Maximum Driveway Width

The maximum driveway width shall be the distance between the exterior walls of the garage.

(i) Minimum Landscaped Area ...…….....… 27 percent of the lot area

(j) Fencing

Where the boundary of a site-specific Residential Multiple "RM2-250" Zone adjoins lands zoned Existing Residential "ER", Residential "R1", "R2", "R3" or "R4", or Residential Multiple "RM1", a solid wood fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(k) Dwelling Unit Placement:

(i) Not more than eight (8) dwelling units shall be attached in a continuous row; and,

(ii) 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 metre or without varying the exterior design and materials of the front face or wall of the dwelling.

(l) Garage Projections

(i) 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.

(ii) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(iii) Notwithstanding subsection (l)(i), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsections (l)(i)(A) and (B) are applied.

(m) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:

(i) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and,

(ii) The required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

RM4-251 Notwithstanding Subsections 20.1 **PERMITTED USES**, and 20.2 **REGULATIONS FOR PERMITTED USES IN PARAGRAPH (a) OF SUBSECTION 20.1** of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple "RM4-251" (By-law 08-264):

(a) PERMITTED USES:

(i) Single detached dwellings in accordance with the provisions of the site-specific Residential "R4-252" Zone; or,

(ii) Street townhouses and block townhouse dwellings;

(iii) Apartment building, retirement home and/or long term care facility;

(iv) Retail, personal services, and offices on the ground floor of buildings permitted in paragraph (a)(ii) and (iii) of this subsection with a height of 3 storeys or more for units abutting Trinity Church Road or Dakota Boulevard.

(v) The following uses only in conjunction with the uses in Paragraph (a)(ii) to (iv) of this Subsection: indoor and outdoor recreational areas, facilities and structures; and administrative sales offices; both of which are designed to primarily serve the needs of residents living in the "RM4-251" Zone; and,

(vi) Uses, buildings and structures, including gatehouses, accessory to the use described in Paragraph (a)(i), (ii), (iii) and (iv).

(b) SPECIFIC DEFINITIONS

Specific definitions in this Exception shall be as follows:

(i) "indoor and outdoor private recreational areas, facilities and structures" shall include: recreational uses, facilities and structures; private parks; private clubs; and indoor and outdoor athletic facilities; and, shall mean an area which is designed and used for active and recreational pursuits of persons during their leisure time, and is not owned, operated or maintained by a "Public Authority", as defined in Section 4.0 of this By-law, and is not a "Privacy Area", as defined in Section 4.0 of this By-law;

(ii) "private road" shall mean a road which is not owned and maintained by The Corporation of the City of Hamilton or by the Crown in Right of Ontario, but functions as a "street" as defined in By-law No. 464;

(iii) "limits of a private road" shall mean the paved surface of the roadway, including any associated curb or sidewalk;

(iv) "street" shall mean the same as the definition contained in **SECTION 4 DEFINITIONS,** with the exception that it shall also mean a "private road"; and,

(v) Notwithstanding the definition of "Lot Line, Front", in Section 4 of By-law 464, Rymal Road East shall be considered to be the front lot line for any lots abutting Rymal Road East.

(c) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION

(i) Minimum Lot Frontage:

(A) for Block Townhouses - 45 metres

(B) for Street Townhouses - 5.5 metres per unit

(ii) Minimum Lot Area:

(A) for Block Townhouses - 0.4 hectares

(B) for Street Townhouses - 125 square metres per unit

(iii) Maximum Lot Area ……...…….6.0 hectares

(iv) Maximum Lot Coverage ……...…..…… 50%

(v) Maximum Density……..…… 70 units per net hectare

(vi) Minimum Front Yard ……..……4.5 metres

(vii) Minimum Side Yards

(A) 1.2 metres for end units of block townhouses and street townhouses that do not abut a flanking street

(B) 3.5 metres for end units of block townhouses and street townhouses abutting a flanking street, including a private road.

(viii) Minimum Rear Yard ……... 7.0 metres

(ix) Minimum Separation Distance Between Buildings:

(A) 2.4 metres between end walls, except 10.0 metres between end walls separated by a private road;

(B) 15.0 metres between front walls;

(C) 12.0 metres between rear walls;

(D) 12.5 metres between front and side walls;

(E) 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,

(F) 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.

(x) Maximum Height ..…...……...……...…...…12.6 metres

(xi) Maximum Driveway Width

The maximum driveway width shall be the distance between the exterior walls of the garage.

(xii) Garage Projections:

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(xiii) Minimum Garage Setback

5.8 metres from the limits of a street.

(xiv) Minimum Landscaped Area

27% percent of the lot area, which may include the required privacy area.

(xv) Fencing

Where the boundary of the site-specific Residential Multiple "RM4-251" Zone adjoins existing residential land uses, a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(xvi) Minimum Privacy Area

A minimum area of thirty (30) square metres per dwelling unit shall be provided and maintained adjacent to the unit and screened on two (2) sides by means of a privacy screen.

(xvii) Minimum Amenity Area

In lieu of a minimum amenity area per unit, a centralized park of 0.35 ha. shall be provided and maintained.

(xviii) Dwelling Unit Placement

(A) Not more than eight (8) dwelling units shall be attached in a continuous row; and,

(B) 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.

(xix) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsections 7.35(a)(vii) and (b), and Subsection 11.6(b), the following provisions shall apply:

(A) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;

(B) 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;

(C) Each dwelling unit shall have a minimum of two (2) parking spaces plus 0.25 visitor parking spaces for each dwelling unit. These parking spaces shall not include the required parking spaces for indoor private recreational facilities;

(D) A commercial use permitted in accordance with paragraph (a)(iv) of this Subsection shall provide the parking required in Paragraph (b) Off Street Parking Space Requirements of Subsection 7.35 MINIMUM PARKING REQUIREMENTS; and

(E) Manoeuvring and access for parking spaces may be provided off-site on abutting properties. Parking spaces may be located with a setback of 0.0 metres from all lot lines.

(d) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(iii) OF THIS SUBSECTION

(i) Minimum Lot Frontage ...……..……....45 metres

(ii) Minimum Lot Area ...……...……..… 0.4 hectares

(iii) Maximum Lot Area ……..…….6.0 hectares

(iv) Maximum Lot Coverage ……..…….…… 50%

(v) Minimum Landscape Area (including lands above underground parking structures) ……..……27%

(vi) Density - Minimum of 60 units per net hectare
- Maximum of 130 units per net hectare

(vii) Minimum Front Yard …….. 4.5 metres

(viii) Minimum Side Yard ……. 4.5 metres

(ix) Minimum Rear Yard - 7.0 metres

(x) Minimum Separation Distance Between Buildings:

(A) 2.4 metres between end walls, except 10.0 metres between end walls separated by a private road;

(B) 15.0 metres between front walls;

(C) 12.0 metres between rear walls;

(D) 12.5 metres between front and side walls;

(E) 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,

(F) 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.

(xi) Maximum Height ..…...……...…….…….……...……9 storeys

(xii) Fencing

Where the boundary of the site-specific Residential Multiple "RM4-251" Zone adjoins existing residential land uses, a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(xiii) Minimum Amenity Area

In lieu of a minimum amenity area per unit, a centralized park of 0.35 ha. shall be provided and maintained.

(xiv) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsections 7.35(a)(vii) and (b), and Subsection 11.6(b), the following provisions shall apply:

(A) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;

(B) A commercial use permitted in accordance with paragraph (a)(iv) of this Subsection shall provide the parking required in Paragraph (b) Off Street Parking Space Requirements of Subsection 7.35 MINIMUM PARKING SPACE REQUIREMENTS;

(C) Parking space may be located with a setback of 0.0 metres from all lot lines, except front lot lines which shall be no closer than 4.5 metres; and

(D) Manoeuvring and access for parking spaces may be provided off-site on abutting properties.

R4-252 Notwithstanding Subsection 16.2 **REGULATIONS FOR PERMITTED USES IN PARAGRAPH (a) OF SUBSECTION 16.1** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple "R4-252" (By-law 08-264):

(a) PERMITTED USES

(i) One (1) single detached dwelling per lot and one (1) semi-detached dwelling per lot;

(ii) One (1) group home within a single detached dwelling; and,

(iii) Uses, buildings and structures accessory to the uses described in Paragraph (a)(i) and (ii) of this section.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) AND (ii) OF THIS SUBSECTION

(i) Minimum Lot Frontage

(A) 10.0 metres for a single detached dwelling, except on a corner lot, the minimum lot frontage shall be 11.5 metres.

(B) 15.0 metres for an undivided semi-detached lot, except on a corner lot the minimum frontage shall be 19.0 metres.

(C) 7.5 metres for each dwelling unit on a divided semi-detached lot, except on a corner lot the minimum lot frontage for the corner dwelling unit shall be 9.5 metres.

(ii) Minimum Lot Area

(A) Two hundred and eighty (280) square metres for a single detached dwelling, except on a corner lot the minimum lot area shall be three hundred (300) square metres.

(B) Four hundred and forty (440) square metres for an undivided semi-detached lot, except on a corner lot the minimum lot area shall be five hundred and thirty (530) square metres for each dwelling.

(C) Two hundred and twenty (220) square metres for each dwelling unit on a divided semi-detached lot, except on a corner lot the minimum lot area for the corner dwelling unit shall be two hundred and sixty-five (265) square metres.

(iii) Minimum Front Yard…….....……...…….4.5 metres, except a garage that faces a front lot line shall have a minimum front yard setback of 5.8 metres.

(iv) Minimum Interior Side Yard

(A) 1.2 metres for a single detached dwelling, except that the minimum interior side yard may be reduced to 0.61 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres.

(B) 1.2 metres for a semi-detached dwelling.

(v) Minimum Exterior Side Yard ……..……2.0 metres, except:

(A) the minimum exterior side yard may be reduced to 1.0 metres where there is no sidewalk along the exterior side yard of the lot;

(B) the minimum setback for any building or structure to a daylighting triangle or a visibility triangle shall be 0.0 metres; and,

(C) a garage that faces an exterior side lot line shall have a minimum setback of 5.8 metres from the exterior side lot line.

(vi) Minimum Rear Yard ...…….……7.0 metres

(vii) Maximum Height ……..……..……12.6 metres

(viii) Maximum Driveway Width

(A) For single detached dwellings, the maximum driveway width shall be 4.8 metres, or the distance between the exterior walls of the attached garage, whichever is greater.

(B) For semi-detached dwellings, the maximum driveway width shall be the distance between the exterior walls of the garage.

(ix) Garage Projections

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(C) Notwithstanding subsection (ix)(A), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsections (ix)(A)(1) and (2) are applied.

(x) Repetition of Front Elevations

Not more than two (2) buildings with the same front elevations shall be built upon adjoining lots that front on the same street.

(xi) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:

(A) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and,

(B) The required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

(c) ADDITIONAL REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION

A group home within a single detached dwelling shall be permitted pursuant to Subsections 17.3(h), (j), (k), (l), (m) and (n) of this By-law.

(d) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(iii) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

RM3-253 Notwithstanding Subsections 19.1 **PERMITTED USES** and 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS) of SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple "RM3-253" (By-law 08-264):

(a) PERMITTED USES:

(i) Single detached dwellings in accordance with the provisions of the site-specific Residential "R4-252" Zone; or,

(ii) Street townhouse dwellings and block townhouse dwellings;

(iii) The following uses only in conjunction with the uses in Paragraph (a)(ii) of this Subsection: indoor and outdoor recreational areas, facilities and structures; and administrative sales offices; both of which are designed to primarily serve the needs of residents living in the "RM3-253" Zone; and,

(iv) Uses, buildings and structures, including gatehouses, accessory to the use described in Paragraph (a)(i), (ii) and (iii).

(b) SPECIFIC DEFINITIONS

Specific definitions in this Exception shall be as follows:

(i) "indoor and outdoor private recreational areas, facilities and structures" shall include: recreational uses, facilities and structures; private parks; private clubs; and indoor and outdoor athletic facilities; and, shall mean an area which is designed and used for active and recreational pursuits of persons during their leisure time, and is not owned, operated or maintained by a "Public Authority", as defined in Section 4.0 of this By-law, and is not a "Privacy Area", as defined in Section 4.0 of this By-law;

(ii) "private road" shall means a road which is not owned and maintained by The Corporation of the City of Hamilton or by the Crown in Right of Ontario, but shall be considered a "street" for the purpose of lot frontage as defined in Section 4.0 of By-law 464; and,

(iii) "limits of a private road" shall mean the paved surface of the roadway, including any associated curb or sidewalk.

(c) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(ii) AND (iii) OF THIS SUBSECTION

(i) Minimum Lot Frontage:

(A) for Block Townhouses..…….....…….....45 metres

(B) for Street Townhouses ……..……..5.5 metres per unit

(ii) Minimum Lot Area:

(A) for Block Townhouse ...……..…….....0.4 hectares

(B) for Street Townhouses …….……125 square metres per unit

(iii) Maximum Number of Dwelling Units ..……..…….…….26 units

(iv) Minimum Front Yard ..……..……....4.5 metres

(v) Minimum Side and Rear Yards:

(A) 1.2 metres abutting an Open Space Zone;

(B) 1.2 metres abutting the Hydro One hydro corridor;

(C) 0.0 metres abutting the "RM3-173(A)" Zone; and,

(D) 7.0 metres abutting all other Residential or Residential Multiple Zones.

(vi) Minimum Separation Distance Between Buildings:

(A) 2.4 metres between end walls, except 10.0 metres between end walls separated by a private road;

(B) 15.0 metres between front walls;

(C) 12.0 metres between rear walls;

(D) 12.5 metres between front and side walls;

(E) 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,

(F) 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.

(vii) Maximum Height ..……...…….……...……...12.6 metres

(viii) Maximum Driveway Width:

The maximum driveway width shall be the distance between the exterior walls of the garage.

(ix) Garage Projections:

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(x) Minimum Garage Setback:

5.8 metres from the limits of a private road or street.

(xi) Minimum Landscaped Area - 25 percent of the lot area, which may include the required privacy area.

A minimum landscaping strip of 1.0 metres shall be provided along the street line abutting a residential building.

(xii) Fencing:

Where the boundary of the site-specific Residential Multiple "RM3-253" Zone adjoins lands zoned Existing Residential "ER", Residential "R1", "R2", "R3", "R4", or Residential Multiple "RM1", a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(xiii) Minimum Privacy Area:

A minimum area of thirty (30) square metres per dwelling unit shall be provided and maintained adjacent to the unit and screened on two (2) sides by means of a privacy screen.

(xiv) Dwelling Unit Placement:

(A) Not more than eight (8) dwelling units shall be attached in a continuous row; and,

(B) 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.

(xv) Minimum Parking Requirements:

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsections 7.35(a)(vii) and (b), and Subsection 11.6(b), the following provisions shall apply:

(A) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;

(B) 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;

(C) A minimum of two (2) parking spaces per dwelling unit shall be provided plus 0.25 visitor parking spaces for each dwelling unit. These parking spaces shall not include the required parking spaces for indoor private recreational facilities;

(D) A minimum of one (1) parking space for each fifteen (15) square metres, or fraction thereof, of the total floor area of any indoor private recreational facility shall be provided adjacent to such facility and thereafter maintained; and,

(E) Parking spaces and areas shall be located a minimum of 1.0 metre from the street line (Street 'A'), 0.0m from the private road and 0.0m from the easterly property boundary line. A minimum 3.0m setback for any parking spaces and areas shall be provided and maintained on the northerly, southerly and westerly property boundaries.

(d) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(iv) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

C3-255 **3015, 3021 and 3027 Binbrook Road West, and 3016, 3030 and 3034 Regional Road 56, Glanbrook**

Notwithstanding **SECTION 25: GENERAL COMMERCIAL "C3" ZONE, Subsection 25.1 - PERMITTED USES**, the uses permitted on the lands zoned "C3-255", shall be limited to (By-law 09-196):

(a) Banks and financial institutions, Brewers Retail stores, child care centres commercial schools, dry cleaning establishments, funeral homes, hotels, laundries, Liquor License Board of Ontario stores, offices, personal services shops, photographic studios, places of entertainment, post offices, printing establishments, private or commercial clubs, professional and business offices, fast food restaurants (excluding drive-thru), standard restaurants (excluding drive-thru), take-out restaurants (excluding drive-thru), retail stores, service shops, taverns, and veterinary service establishments with no outside runs; and uses, buildings and structures accessory to the above permitted uses.

#25-156

(b) **Dwelling units shall only be permitted above the ground floor, except for access.**

Notwithstanding the definition of "Lot Line, Front" in **SECTION 4: DEFINITIONS**, for the purpose of this By-law, the Front Lot Line of the lands zoned "C3-255" shall be deemed to be Regional Road 56.

Notwithstanding the regulations of **SECTION 8: GENERAL COMMERCIAL "C3" ZONE, Subsection 25.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1**, Clauses (f), (g), (h), (i), (j) and (l), the following regulations shall apply to the lands zoned "C3-255";

(f) Maximum Front Yard…… 3.0 metres

(g) Minimum Side Yard ……1.5 metres, except:

(i) A maximum 3.0 metres setback for the side yard abutting the flankage street (Binbrook Road West) line.

(h) Minimum Rear Yard ……..1.5 metres

(i) Maximum Height ……...11.5 metres

(j) Minimum Parking Requirements:

(iv) 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 3.0 metres of a streetline, or within 1.5 metres of the boundary of any Residential Zone or any Zone where the adjoining land is used for residential purposes, or within 1.5 metres of the boundary of any Institutional Zone or any Zone where the adjoining land is used for institutional purposes.

(v) Notwithstanding subsection (iv), above, 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 4.5 metres of the boundary of any Residential "R4" Zone

(l) Minimum Landscaping Requirement:

(i) A landscaped area in the form of a planting strip having a minimum width of 1.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential Zone or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes, except a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential "R4" Zone. A visual barrier having a minimum height of 1.8 metres shall be provided and maintained adjacent to every portion of any lot line that abuts a Residential Zone or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(ii) 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, except where a building is located, and such landscaped area shall be continuous except for the required driveway(s). Sidewalks/walkways associated with the permitted uses and shown on an approved site plan are permitted within landscaped areas and planting strips.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 - **MINIMUM PARKING REQUIREMENTS**, Clauses (a)(vii), (xv)(B), and (b), the following regulations shall apply to the lands zoned "C3-255";

(a) General Provisions

(vii) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres

(xv) Parking spaces for the physically handicapped shall be assigned to the required number of parking spaces where a minimum of ten (10) parking spaces are required, as follows:

(B) Each space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres.

(b) Off-Street Parking Space Requirements

(i) Parking spaces shall be provided at a rate of 1 space per residential dwelling unit, and 1 space per every 30 square metres of gross floor area for all other permitted uses.

(ii) Visitor parking shall be shared with commercial parking spaces.

Notwithstanding the regulations of SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.36 - MINIMUM LOADING REQUIREMENTS, Clause (b), the following regulations shall apply to the lands zoned "C3-255";

(b) Off-Street Loading Requirements

A minimum of one (1) loading space shall be provided and maintained.

That notwithstanding **SECTIONS 25: GENERAL COMMERCIAL "C3" ZONE** and Section 2 of this By-law, the conversion of the existing dwelling, known municipally as 3034 Regional Road 56, shall be limited to the uses permitted in Section 2 of this By-law, at its current location existing on the day of the passing of this By-law, being the 16th day of September, 2009.

H-RM4-257 Notwithstanding Section 4 **DEFINITIONS**, the following definitions shall apply to the lands zoned Residential Multiple "H-RM4-257" Holding Zone (By-law No 09-166) :

"Retirement Home" - Shall mean a multiple dwelling where all dwelling units do not contain full kitchens but where the building provides communal facilities such as a kitchen/dining facilities, laundry facilities, lounges and where the residents are supervised in their daily living activities. A retirement home may be licensed by the

municipality and shall not be considered a long term care facility, emergency shelter, lodging house, residential care facility or any other facility which is licensed, approved or regulated under any general or special Act.

"Maisonette" - Shall mean back to back townhouse dwellings.

Notwithstanding Subsections 20.1 **PERMITTED USES**, and 20.2 **REGULATIONS FOR PERMITTED USES IN PARAGRAPH (a) OF SUBSECTION 20.1 of SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, the following special regulations shall apply to those lands zoned site-specific Residential Multiple - Holding "H-RM4-257" Zone:

(a) PERMITTED USES:

(i) Apartment Building

(ii) A Retirement Home

(iii) Maisonettes

(iv) Uses, buildings and structures, accessory to the uses described in Paragraph (a) of this Subsection

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) (i), (ii) and (iii) OF THIS SUBSECTION:

(c) Maximum Lot Area ……...……..…….2.11 hectares

(e) Density ...…..…….……...……...….Minimum of 48 units per net hectare

(g) Minimum Side Yard ……...…….……..6.0 metres

(h) Minimum Rear Yard:

Maisonettes ……..…….……...…….…….6.0 metres

(k) Minimum Landscaped Area for Maisonette …..…....50% of lot area

That the 'H' symbol may be removed by further amendment to this By-law at such time as the following matters have been completed:

(a) That the provision of adequate servicing has been allocated for the proposed development, to the satisfaction of the Director of Development Engineering.

(b) The submission and approval of a Traffic Impact Study to address the need for, and timing of, any other required road improvements, prior to the development of the subject lands, to the satisfaction of the Manager of Traffic Engineering and Operations, Public Works Department.

(c) That all roadway network upgrades, which are required to facilitate the application, be identified and submitted, to the satisfaction of the Manager of Traffic Engineering and Operations, Public Works Department.

City Council may remove the 'H' symbol and thereby give effect to the "RM4-257" Zone provisions by enactment of amending By-law once the conditions are fulfilled.

R4-258
H-R4-258

Notwithstanding the minimum lot frontage, minimum lot area, front yard setback and maximum lot coverage regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the following regulations shall apply to those lands zoned site-specific Residential "R4-258" (By-law 09-248):

REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)

(i) Minimum Lot Frontage: ……..……11.7 metres

(ii) Minimum Lot Area: …….350.0 square metres

(iii) Minimum Front Yard:……6.0 metres

(iv) Maximum Lot Coverage: ……45 percent

That the 'H' symbol applicable to the lands zoned "H-R4-258" may be removed by further amendment to this By-law at such time as the following matters have been completed:

(a) That the extension of Kellogg Avenue has been completed, to the satisfaction of the Director of Development Engineering.

(b) That the provision of adequate servicing has been allocated for the proposed development along both Kellogg Avenue and Twenty Road West, to the satisfaction of the Director of Development Engineering.

A1-259

Notwithstanding **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1 – **PERMITTED USES**, the following uses shall be prohibited on the lands zoned A1-259 (By-law 10-091):

(a) A single detached dwelling.

RM2-260

310 Fall Fairway, Glanbrook (By-law 11-171)

Notwithstanding the regulations of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, Subsection 18.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING),** Clauses (a), (b), (c), (d), (e), and (f), the following regulations shall apply to the lands zoned "RM2-260"

(a)	Minimum Lot Frontage……	6 metres, except 7.5 metres for an end dwelling unit
(b)	Minimum Lot Area……	160 square metres, except 205 square metres for an end dwelling unit
(c)	Maximum Lot Coverage……	Not Applicable
(d)	Minimum Front Yard……	5.75 metres to a garage and 4.2 metres to a dwelling unit
(e)	Minimum Side Yard……	1.5 metres, except 3 metres for an exterior side yard and 3 metres where the abutting lands are zoned Residential "R4"
(f)	Minimum Rear Yard……	5.5 metres

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 **MINIMUIM PARKING REQUIREMENTS**, Clause (a) (vii), exterior ninety (90) degree perpendicular surface parking spaces shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres. Parking spaces within a garage shall have a minimum width of 3 metres and a minimum length of 6 metres.

RM2-261 **345 Glancaster Road, Glanbrook** (By-law 10-274)

Notwithstanding the regulations of Subsection 18.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 18.1 (STREET TOWNHOUSE DWELLINGS)**, of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, Clauses (a), (b), (c), (d), (e), (f), and (k), the following regulations shall apply to the lands zoned "RM2-261

(a) Minimum Lot Frontage ……..…… 6.25 metres per dwelling unit, except:

  (i) For a dwelling unit end unit which does not abut a flanking street, the minimum lot frontage shall be 8.25 metres.

  (ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 12 metres.

(b) Minimum Lot Area - 165 square metres, per dwelling unit except:

(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 230 square metres; and,

(ii) On a corner lot which abuts a flanking street, the minimum lot area shall be 350 square metres.

(c) Maximum Lot Coverage - 52 percent

(d) Minimum Front Yard - 6 metres

(e) Minimum Side Yard

(i) End dwelling unit not abutting a flanking street - 1.25 metres

(ii) End dwelling unit on a corner lot abutting a flanking street - 6 metres

(iii) Setback to the Hypotenuse of the Daylight Triangle - 3.4 metres

(f) Minimum Rear Yard - 7 metres

(k) Dwelling Unit Placement

(i)& (ii) Not more than four (4) dwelling units shall be attached in a continuous row.

In addition to the minimum parking requirements under Cause (l) of Subsection 18.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)** of **SUBSECTION 18.1 (STREET TOWNHOUSE DWELLINGS)** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, each street townhouse unit shall provide and maintain a minimum driveway width of 5.5 metres, and the required two (2) parking spaces shall be provided in an attached garage having a minimum internal dimension of 6 metres wide by 6 metres in length.

Notwithstanding the regulations of Subsection 7.26(b) - **ENCROACHMENT INTO YARDS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, unenclosed porches may project into any required front yard or side yard a distance not more than 1.8 metres.

Notwithstanding the regulations of Subsection 7.29 - **DAYLIGHTING TRIANGLES**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, a 9 metre x 9 metre triangle at the intersection of Glancaster Road and Kopperfield Lane shall be required.

RM3-262 **345 Glancaster Road, Glanbrook** (By-law 10-274)

Notwithstanding the regulations of Subsection 19.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Clauses (c), (d), (e), (f), (g), (j), and (k), the following regulations shall apply to the lands zoned "RM3-262";

(c) Maximum Lot Coverage - 35 percent

(d) Maximum Density - 37 units per hectare

(e) Minimum Front Yard - 6 metres

(f) Minimum Side and Rear Yards - 7 metres, except 9.7 metres where the abutting lands are zoned Existing Residential "ER" Zone.

(g) Minimum Separation Distance

(i) Between two (2) exterior walls which contain no windows to habitable rooms, a minimum of 2 metres shall be provided.

(j) Minimum Landscaped Area - 40 percent of the lot area, which may include the required privacy area.

(k) Planting Strip/Fencing

Where the boundary of a Residential Multiple "RM3" Zone adjoins lands zoned Existing Residential "ER" Zone, a planting strip with a minimum width of 1.5 metres and/or a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

Where the boundary of a Residential Multiple "RM3" Zone adjoins lands zoned Residential "R3" Zone, a planting strip with a minimum width of 2.0 metres and average width of 3.0 metres adjoining such boundary shall be provided and thereafter maintained.

Notwithstanding the regulations of Subsection 7.26(b) - **ENCROACHMENT INTO YARDS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, unenclosed porches may project into any required front yard a distance not more than 1.8 metres.

Notwithstanding the regulations of Subsection 7.35(b) - **MINIMUM PARKING REQUIREMENTS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, a minimum of two (2) parking spaces per dwelling unit shall be provided, plus 0.4 visitor parking spaces for each dwelling unit

R4-263 & R4-263(H)

9800 and 9814 Twenty Road West, Glanbrook (By-law 11-031)

Notwithstanding the minimum lot frontage, lot area, front yard, and side yard setback regulations of Subsection 16.2 (a), (b), (d), and (e)(ii) **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING),** for those lands zoned "R4-263" and "H-R4-263", the following regulations shall apply:

(a)	Minimum Lot Frontage	12.0 metres, except 14.5 metres for a corner lot
(b)	Minimum Lot Area	345 square metres, except 400 square metres for a corner lot
(d)	Minimum Front Yard	6 metres
(e) (ii)	On a corner lot, the minimum side yard abutting the flanking street shall be 3.0 metres, except that an attached garage or attached carport, which fronts on the flankage street, shall not be located within 6 metres of the flanking street line.	

City Council may remove the 'H' symbol, and thereby give effect to the "R4-263" Zone, by enactment of an amending By-law once the owner applies for and receives approval of a draft plan of subdivision, to the satisfaction of the Director of Planning.

R4-263(a) **126 Kellogg Avenue** (By-law No. 14-335)

All of the uses and provisions of the "R4-263" Zone shall apply, except clauses (a), (b), and (e), the following provisions shall apply on the lands zoned "R4-263(a)":

(a)	Minimum Lot Frontage	11.87 metres for all lots.
(b)	Minimum Lot Area	345 square metres, except 355 square metres for a corner lot.
(e)	Minimum Side Yard:	1.2m on the garage side and 0.6m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent to the yard with a side yard setback less than 1.2m, except: On a corner lot, the minimum side yard abutting the flankage street shall be 2.0m, except that an attached garage which fronts on the flankage street shall not be located within 6.0m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required.

All other regulations of the Single Residential "R4-263" and Single Residential "R4" Zone shall apply.

ER-264 **9800 and 9814 Twenty Road West, Glanbrook** (By-law 11-031)

Notwithstanding the minimum lot frontage regulation of Subsection 12.2 (a), **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING)**, for those lands zoned "ER-264", the following regulation shall apply:

(a)	Minimum Lot Frontage	22 metres

A1-267 **3328 Golf Club Road, Glanbrook** (By-law 11-157)

Notwithstanding **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1 – **PERMITTED USES**, and subsection 8.2(a) – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 8.1 (AGRICULTURAL USES)** the following provisions shall apply on the lands zoned "A1-267":

(a) A single-detached dwelling shall be prohibited.

(b) A minimum lot frontage of 130 metres shall be provided and maintained.

RM3-268 **310 Fall Fair Way, Glanbrook** (By-law 11-171)

Notwithstanding the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Subsection 19.2, **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, Clauses (a), (b), (c), (d), (e), (f), (g), (j), (l), and (n)(ii), the following regulations shall apply to the lands zoned "RM3-268":

(a) Minimum lot frontage shall be 6 metres.

(b) Minimum lot area shall be 130 square metres.

(c) Maximum lot coverage shall not apply.

(d) A maximum of 25 dwelling units shall be permitted

(e) Minimum front yard shall be 5.75 metres to a garage and 4.5 metres to a dwelling unit.

(f) Minimum side yard of an end unit shall be 1.5 metres, except 5 metres for a yard abutting Fall Fair Way, and 4.5 metres where the abutting lands are zoned Existing Residential "ER", or Residential "R1", "R2", "R3", "R4", or Residential Multiple "RM1".

Minimum rear yard of a unit shall be 5.5 metres, except 7 metres where the abutting lands are zoned Existing Residential "ER", or Residential "R1", "R2", "R3", "R4", or Residential Multiple "RM1".

(g) Minimum separation distance shall not apply.

(j) Minimum landscaped area shall not apply.

(l) Minimum Privacy Area: A minimum area of $33m^2$ per dwelling unit shall be provided adjacent to the unit and screened on two (2) sides by means of a privacy area.

(n) (ii) No parking space or area shall be located closer to a street line than 6 metres, and not closer than 3 metres to any Existing Residential "ER" or Residential "R4" Zone.

In addition to the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, the following regulations shall apply:

(a) 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.

(b) Visitor parking may be provided in a common element condominium.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35: **MINIMUM PARKING REQUIREMENTS**, Clauses (a)(vii), (a) (xii) and (b):

(a) (vii) Exterior ninety degree perpendicular surface parking spaces shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres. Parking spaces within a garage shall maintain a minimum width of 3 metres and a minimum length of 6 metres.

(a) (xii) Shall not apply for parking areas abutting a Residential Multiple "RM2-260" Zone or a Residential Multiple "RM4-161" Zone.

(b) Visitor parking for Block Townhouses shall be provided at a ratio of 0.64 spaces per unit.

A1-269 **3157 Hendershot Road, Glanbrook** (By-law 11-156)

Notwithstanding **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1 – **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "A1-269"

(a) A single detached dwelling.

M5-270 & (H)M5-270 **2674 Upper James St, Glanbrook** (By-law 12-048)

Notwithstanding Subsection 34.1 **PERMITTED USES of SECTION 34: AIRPORT-RELATED BUSINESS "M5" ZONE**, the following uses shall only be permitted on those lands zoned site-specific Airport-Related Business "M5-270" Zone:

(a) Airport-related industrial uses, including, airport transportation and cargo services, light manufacturing or assembly, wholesale and distribution warehouses, and communication and utility activities, which benefit from proximity to airport services;

(b) High technology industrial uses;

(c) Professional and business offices;

(d) Airport-related commercial uses, including automobile rental, leasing and servicing, taxi terminals, and financial institutions;

(e) Transportation Depot; and,

(f) Uses, buildings, and structures accessory to the permitted uses in Paragraphs (a), (b), (c), (d), and (e) of this Subsection including, but not restricted to, a driver's lounge.

Notwithstanding the minimum lot frontage, minimum lot area, side yard setback, and landscaping regulations of Subsection 34.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (f), INCLUSIVE, OF SUBSECTION 34.1 OF SECTION 34: AIRPORT-RELATED BUSINESS "M5" ZONE**, the following regulations shall apply to those lands zoned site-specific Residential "M5-270"

1. REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) TO (f), INCLUSIVE, OF SUBSECTION 34.1

(a) Minimum Lot Frontage – 30.0 metres

(c) Minimum Lot Area – 0.3 hectares

(d) Minimum Building Size – 400 square metres

(g) Minimum Side Yard – 3.0 metres, except: a northerly Side Yard setback of 6.0 metres

(k) Minimum Loading Requirements – Notwithstanding Subsection 7.36 of this By-law, no loading space is required for a Transportation Depot.

(l) Minimum Landscaping Requirements:

(i) 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 line (except driveways), and a landscaped area having a minimum width of 6.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line, exclusive or driveways and parking areas, that abuts any Residential or Institutional Zone, or any Zone where the adjoining land is used for residential or institutional purposes.

2. SPECIFIC DEFINITIONS

Specific definitions in this Exception shall be as follows:

(a) Transportation Depot –Shall mean the use of land where commercial motor vehicles pick up and discharge fare-paying passengers or dispatch vehicles for such purpose and shall include, but not be limited to, courier service facilities.

That the 'H' symbol applicable to the lands zoned "(H)M5-270" may be removed by further amendment to this By-law at such time as the following matters have been completed:

(a) That a Site Plan Control application has been approved by the Manager of Development Planning; and,

(b) That an Archeological Assessment has been completed and any identified impacts mitigated, to the satisfaction of the Manager of Community Planning and Design.

C3-271 **5365 Twenty Road West, Glanbrook** (By-law No. 11-280)

That all uses and regulations of Special Exemptions "C3-116" and "C3-117" shall apply; and.

In addition to the uses permitted in "C3-116" and "C3-117", the following uses shall also be permitted on the lands zoned "C3-271"

(a) 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 of 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 of Rubber or Rubber Products
- Explosives Manufacturing
- Pulp and Paper Mills

C1-272 **3250 Homestead Drive** (By-law No. 13-225, OMB approval July 17, 2014)

Notwithstanding **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Sub-section 23.1 - **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "C1-272":

Banks and Financial Institutions.

Notwithstanding **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Sub-section 23.1 - **PERMITTED USES**, the following use shall also be permitted on the lands zoned "C1-272":
Retail Stores.

Notwithstanding **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Sub-section 23.2 - **REGULTIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUB-SECTION 23.1**, Clauses (e), (h), (i), (l)(ii), (l)(iv), (m), and (n), the following provisions shall apply on the lands zoned "C1-272":

(e) Maximum Lot Coverage: 37 percent.

(h) Minimum Front Yard: 6.7 metres.

(i) Minimum Side Yard:
(ii) 0.0 metres on a corner lot for the side yard abutting the flankage street.

(l) Minimum Parking Requirements:

(ii) That notwithstanding Paragraph 7.35(b), the minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35(b) of this By-law for those uses specified therein, at a minimum parking space dimension of 2.6m wide x 5.5m long.

(iv) 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.

(m) Minimum Loading Requirements:

A minimum of one loading space shall be provided and maintained for the entire development with a minimum dimension of 2.6m wide x 5.5m long.

(n) Minimum Landscaping Requirements:

(i) A landscape 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.

(ii) That notwithstanding the provision above (n)(i), the required minimum 1.8m planting strip shall be comprised of Eastern White Cedars (Thuja Occidentalis) with a minimum size of 200 or 250 cm

W.B, and a board on board fence with a minimum height of 1.8m, along the rear lot line abutting 3 Longview Drive.

(ii) A landscaped area having a minimum width of 3 metres shall be provided and maintained along every portion of any lot line that abuts Homestead Drive, and 0.0m shall be provided along any portion abutting the building along Longview Drive, and a minimum of 1.0m for all other portions abutting Longview Drive.

(p) That any garbage enclosure shall only be provided and maintained within the interior of the building.

(q) That a minimum of 50% of the ground floor façade along Longview Drive shall be composed of windows and doors.

(r) That residential and visitor's parking areas shall be physically and functionally separated from the commercial parking area.

(s) That no balconies shall be permitted on the west façade of the proposed development.

Notwithstanding **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Sub-section 23.3 - **REGULTIONS FOR RESIDENTIAL USES PERMITTED IN PARAGRAPH (b) OF SUB-SECTION 23.1**, Clauses (a) and (b), the following provisions shall apply on the lands zoned "C1-272":

(a) A maximum of 12 residential units shall be permitted within the principal building, provided they are located above the permitted ground floor commercial.

(b) Lot Area shall not apply.

(e) That no balconies shall be permitted on the west façade of the proposed development.

R4-273 **8 Country Fair Way** (By-law 12-047)

All regulations contained within the **RESIDENTIAL R4-222 ZONE** shall apply except for the following:

(a) Minimum Lot Area - 280 square metres, except 320 square metres for a corner lot.

(b) Minimum Parking Requirements

Pursuant to the provisions of Subsection 7.35, 11.5, and 11.6 of this By-law. In addition, the parking space size shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres, except that parking spaces within an attached garage or carport shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs are not permitted to encroach

into the interior garage parking space.

RM2-274 **8 Country Fair Way** (By-law 12-047)

All regulations contained within the **RESIDENTIAL RM2-224** ZONE shall apply, except for the following:

(a) Minimum Parking Requirements

Pursuant to the provisions of Subsection 7.35, 11.5, and 11.6 of this By-law. In addition, the parking space size shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres, except that parking spaces within an attached garage or carport shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs are not permitted to encroach into the interior garage parking space.

R4-276 **139 Fall Fair Way** (By-law No. 14-115)

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), (e), and (i) of Sub-section 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUB-SECTION 16.1 (SINGLE DETACHED DWELLING) of SECTION 16: RESIDENTIAL "R4" ZONE, for those lands zoned "R4-276", the following regulations shall apply:

(a)	Minimum Lot Frontage:	10m, except 11.8m for a corner lot.
(b)	Minimum Lot Area:	320 sq. m.
(c)	Maximum Lot Coverage:	N/A.
(d)	Minimum Front Yard:	4.5m to the dwelling, except 6.0m to the garage.
(e)	Minimum Side Yard:	1.2m on the garage side and 0.6m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m. A 0.6m side yard setback shall not be permitted adjacent to any side lot line less than 1.2m, except: On a corner lot, the minimum side yard abutting the flankage street shall be 3.0m,

except that an attached garage which fronts on the flankage street shall not be located within 6.0m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required; and,

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

(i) Minimum Parking Requirements:

Pursuant to the provisions of Sub-sections 7.35, 11.5, and 11.6. Every single detached dwelling unit shall provide and maintain 2 parking spaces within the garage and 2 parking spaces within the driveway.

Notwithstanding the regulations of Sub-sections 7.25 and 7.35 (a)(vii) in Section 7: GENERAL PROVISIONS FOR ALL ZONES, and Sub-section 11. (d)(i) SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES, for those lands zoned "R4-276", the following regulations shall apply:

7.25 A minimum setback of 7.5m from the boundary of a transmission pipeline right-of-way shall be provided and maintained for all buildings and/or structures.

In addition to the provisions of Paragraphs (a) and (b) of Sub-section 7.26 ENCROACHMENT INTO YARDS, on those lands zoned “R4-276”, the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0m.

(ii) Bay windows, either with or without foundations, may project into any required front, rear or flankage yards a distance of not more than 0.9m.

(iii) Stairs may project into any required front yard a distance of not more than 4.5m.

(iv) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear or garage side yard a distance of not more than 0.6m.

(v) A covered porch may encroach into a required flankage yard a distance of not more than 1.8m.

RM2-277 **139 Fall Fair Way** (By-law No. 14-115)

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), (e), and (i) of Sub-section 18.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUB-SECTION 18.1 (STREET TOWNHOUSE DWELLING) of SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE, for those lands zoned "RM2-277", the following regulations shall apply:

(a)	Minimum Lot Frontage:	6.0m per dwelling unit, except 8.0m for a dwelling end unit which does not abut a flanking street, and 10.0m on a corner lot for a dwelling end unit adjacent to a flanking street.
(b)	Minimum Lot Area:	180 sq. m per dwelling unit, except 240 sq. m for a dwelling end unit which does not abut a flanking street, and 300 sq. m on a corner lot for a dwelling end unit abutting a flanking street.
(c)	Maximum Lot Coverage:	N/A.
(d)	Minimum Front Yard:	6.0m.
(e)	Minimum Side Yard:	1.2m on an end unit not abutting a flanking street, and 3.0m for an end unit on a corner lot abutting a flanking street.
(i)	Minimum Landscaped Area:	25 percent of the lot area.

In addition to the provisions of Paragraphs (a) and (b) of Sub-section 7.26 ENCROACHMENT INTO YARDS, on those lands zoned "RM2-277", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0m.

(ii) Bay windows, either with or without foundations, may project into any required front, rear or flankage yards a distance of not more than 0.9m.

(iii) Stairs may project into any required front yard a distance of not more than 4.5m.

(iv) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear (all units) or side yard (end unit and/or corner unit) a distance of not more than 0.6m.

(v) A covered porch may encroach into a required flankage yard a distance of not more than 1.8m.

A1-278 **6363 White Church Road** (By-law No. 12-231)

Notwithstanding SECTION 8: GENERAL AGRICULTURAL "AI" ZONE, Subsection 8.1 - PERMITTED USES, the following uses shall be prohibited on the lands zoned "A1-278":

(a) A single detached dwelling
(b) Farm Help Houses
(c) Home Occupations and Home Professions
(d) Home Industries
(e) Bed and Breakfast Establishments

R4-279 **3250 Binbrook Road** (By-law No. 14-026)

Notwithstanding the provisions of Section 16.1, “PERMITTED USES”; of Section 16, Residential “R4” Zone, of Zoning By-law No. 464, the following additional use shall apply on those lands zoned "R4-279" by this By-law:

(c) A storm water management pond/facility.

Notwithstanding the provisions of Paragraph (e), of Section 16.2, "REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)", of Section 16, Residential “R4” Zone, of Zoning By-law No. 464, the regulations of the Residential “R4-273” Zone, as established under By-law No. 12-047, shall apply on those lands zoned "R4-279" by this By-law, save and except for Regulation (e), the following shall apply:

(e) Minimum Side Yard:	A minimum 1.2 m. on the garage side and 0.6 m. on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m., with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 m. into the side yard of the lot adjacent the yard with a side yard setback less than 1.2 m., except: On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 m., except that an attached garage which fronts on the flankage street shall not be located within 6.0 m. of the flankage

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

On a lot where an emergency spillway overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0 m. side yard separation between buildings shall be provided and maintained between buildings along one common lot line.

All other regulations of the Residential "R4" Zone shall apply.

A1-280 **1660 Hall Road** (By-law No. 14-045)

Notwithstanding SECTION 8: GENERAL AGRICULTURAL "AI" ZONE, Subsection 8.1 - PERMITTED USES, the following uses shall be prohibited on the lands zoned "A1-280":

(a) A Single Detached Dwelling

(b) Farm Help Houses

(c) Home Occupations and Home Professions

(d) Home Industries

(e) Bed and Breakfast Establishments

H-A1-281 **3075 Tisdale Road** (By-law No. 14-031)

Notwithstanding **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Sub-section 8.1 - **PERMITTED USES**, the following use shall also be permitted on the lands zoned "H-A1-281":

(a) A Place of Worship.

Notwithstanding Subsection 7.27 **AGRICULTURAL CODE OF PRACTICE**, the minimum setback for any buildings or structures shall be 16 metres from the barn on the abutting property to the north.

That the "H" symbol applicable to the lands zoned "H-A1-281" may be removed by further amendment to this By-law at such time as the following matters have been completed:

(a) Proof that an adequate private sanitary sewage system can be designed for the site, to the satisfaction of the Manager, Infrastructure and Source Water Planning; and,

(b) That a Stage 3 archaeological assessment of Tisdale site (AgGw-518) be completed, to the satisfaction of the Director of Planning and the Ministry of Tourism, Culture and Sport.

A1-282 **345 Bell Road** (By-law No. 15-129)

Notwithstanding **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE, SUB-SECTION 8.1 - PERMITTED USES**, the following uses shall be prohibited on the lands zoned "A1-282":

(a) A Single Detached Dwelling

RM2-283 **365 Glancaster Road** (By-law No. 14-243)

Notwithstanding the regulations of Subsection 18.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)**, of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, Clauses (b), (c), (d), (e), and (f), the following regulations shall apply to the lands zoned "RM2-283":

(b)	Minimum Lot Area:	210 square metres per dwelling Unit, except 245 square metres for A dwelling end unit which does not abut a flanking street and 340 square metres for a dwelling end unit which abuts a flanking street.
(c)	Maximum Lot Coverage:	53%
(d)	Minimum Front Yard:	6 metres but 2.8m from the hypotenuse of a daylight triangle
(e)	Minimum Side Yard	End dwelling unit not abutting a flanking street of 1.2 metres and for an end dwelling unit on a corner lot abutting a flanking street 2.8 metres
(f)	Minimum Rear Yard	6 metres
(i)	Minimum Landscaped Area	28 percent of the lot area

Notwithstanding the regulations of Subsection 7.29 – **DAYLIGHTING TRIANGLES**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, a 7 metre x 7 metre triangle at the intersection of Glancaster Road and Kopperfield Lane shall be required.

RM3-284 **365 Glancaster Road** (By-law No. 14-243)

Notwithstanding the regulations of Subsection 19.1 – **PERMITTED USES** and regulations of Subsection 19.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLINGS AND MAISONETTES)**, of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Clauses (c), (d), (e), (f), (g), (h), (j), (l), (m) and (n), the following regulations shall apply to the lands zoned "RM3-284":

(a) PERMITTED USES

(i) Block townhouse dwellings and maisonette dwellings.

For the purposes of this By-law, a Maisonette is defined as a dwelling divided vertically into a minimum 6 and a maximum of 10 dwelling units, with each unit separated by common or party walls, both at the rear and at the side or sides of the unit, and having 1 or more private entrances at grade.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUB-SECTION

(c)	Maximum Lot Coverage:	35%
(d)	Maximum Density:	63 dwelling units per hectare
(e)	Minimum Front Yard:	3.5 metres but 0 metres from a daylight triangle
(f)	Minimum Side and Rear Yards:	1.5 metres for a westerly side yard; 5m for an easterly side yard from the side façade of a townhouse; 7.5m for an easterly side yard from the rear façade of a townhouse; and, 6m for a rear yard
(g)	Minimum Separation Distance:	2.4 metres between two exterior walls
(h)	Minimum Floor Area Per Dwelling Unit:	88 square metres
(j)	Minimum Landscaped Area:	30%

(l) Minimum Privacy Area: Does not apply

(m) Minimum Amenity Area: Does not apply

(n)(ii) No parking space or area shall be located closer to a street line than 1.5 metres and not be closer than 2.5 metres to any Residential Zone (except 0.0m from the northerly lot line), unless such parking space is located within a below-grade communal parking structure.

Notwithstanding the regulations of Subsection 7.35(a) (iv) and (vii) **GENERAL PROVISIONS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, tandem parking is permitted for maisonette dwellings and surface parking spaces are permitted to have a minimum width of 2.6 metres and length of 5.5 metres while garage parking spaces must have a minimum width of 3.0 metres and a length of 6.0m.

Notwithstanding any of the regulations of **ZONING BY-LAW NO. 464**, as amended by this By-law, sidewalks or other such walkways are permitted to be located in any required yard; within any required minimum separation distance between buildings; within any required landscaped area(s), planting or landscaped strips; and, for the purposes of calculating minimum landscaped area shall count as landscaped area.

RM3-284(A) **365 Glancaster Road** (By-law No. 14-243) (By-law No. 18-014)

Notwithstanding the regulations of Subsection 19.1 – **PERMITTED USES** and regulations of Subsection 19.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLINGS AND MAISONETTES)**, of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Clauses (c), (d), (e), (f), (g), (h), (j), (l), (m) and (n), the following regulations shall apply to the lands zoned "RM3-284":

(a) PERMITTED USES

(i) Block townhouse dwellings and maisonette dwellings.

For the purposes of this By-law, a Maisonette is defined as a dwelling divided vertically into a minimum 6 and a maximum of 10 dwelling units, with each unit separated by common or party walls, both at the rear and at the side or sides of the unit, and having 1 or more private entrances at grade.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUB-SECTION

(c) Maximum Lot Coverage: 35%

(d)	Maximum Density:	100 dwelling units per hectare
(e)	Minimum Front Yard:	3.5 metres but 0 metres from a daylight triangle
(f)	Minimum Side and Rear Yards:	1.5 metres for a westerly side yard; 5m for an easterly side yard from the side façade of a townhouse; 7.5m for an easterly side yard from the rear façade of a townhouse; and, 6m for a rear yard 3.5 metres from the northerly block boundary to the front façade of a townhouse dwelling; 4.5 metres fom the westerly block boundary to the side façade of a townhouse dwelling and; 3.0 metres from the southerly block boundary to the side façade of a townhouse dwelling
(g)	Minimum Separation Distance:	2.4 metres between two exterior walls
(h)	Minimum Floor Area Per Dwelling Unit:	88 square metres
(i)	Maximum Height	14.0 metres
(j)	Minimum Landscaped Area:	30%
(l)	Minimum Privacy Area:	Does not apply
(m)	Minimum Amenity Area:	Does not apply

(n)(ii) No parking space or area shall be located closer to a street line than 1.5 metres and not be closer than 2.5 metres to any Residential Zone (except 0.0m from the northerly lot line), unless such parking space is located within a below-grade communal parking structure.

(o) For the purpose of this By-law, a Dwelling, Townhouse shall be defined as: a dwelling divided vertically and / or horizontally, with each unit separated by a common or part wall or walls and having two or more private entrances at grade.

All other regulations of the Residential Multiple “RM3-284” Zone shall apply.

Notwithstanding the regulations of Subsection 7.35(a) (iv) and (vii) **GENERAL PROVISIONS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, tandem parking is permitted for maisonette dwellings and surface parking spaces are permitted to have a minimum width of 2.6 metres and length of 5.5 metres while garage parking spaces must have a minimum width of 3.0 metres and a length of 6.0m.

Notwithstanding any of the regulations of **ZONING BY-LAW NO. 464**, as amended by this By-law, sidewalks or other such walkways are permitted to be located in any required yard; within any required minimum separation distance between buildings; within any required landscaped area(s), planting or landscaped strips; and, for the purposes of calculating minimum landscaped area shall count as landscaped area.

RM3-284(B) **9255 Airport Road West** (By-law No. 18-014)

19.1 (a) In addition to the uses permitted in Section 19.1, a Public or Separate Elementary School shall also be permitted.

(p) For the purpose of this by-law, the regulations of Section 39.2 shall apply to a Public or Separate Elementary School.

All other regulations of the Residential Multiple "RM3-284 Zone and RM3- 284(A)" Zone shall apply.

ER-286 **228 Seneca Avenue** (By-law No. 16-075)

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.13 - **ACCESSORY BUILDINGS**, for the purpose of this By-law, the detached garage with basement, either occupied as a second dwelling unit or not, is deemed to comply to Subsection 7.13.

Notwithstanding **SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES**, Subsection 11.2(a) **PERMITTED USES** and **SECTION 12: EXISTING RESIDENTIAL "ER" ZONE**, Subsection 12.1 – **PERMITTED USES**, for the purpose of this By-law, a *second dwelling unit*, shall also be permitted on these lands.

For the purposes of this By-law, a *second dwelling unit* shall be defined *as "the existing one-unit detached structure with basement located in the exterior side yard, containing bedroom, bathroom and kitchen facilities, which is ancillary to an existing residential dwelling."*

Notwithstanding **SECTION 12: EXISTING RESIDENTIAL "ER" ZONE**, Subsection 12.1(b) - **PERMITTED USES**, for the purpose of this By-law, no accessory buildings or structures associated with the second dwelling unit shall be permitted on the lands zoned "ER-286".

Notwithstanding the regulations of **SECTION 12: EXISTING RESIDENTIAL**

"ER" ZONE, Subsection 12.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING),** for the purpose of this By-law, the second dwelling unit is deemed to comply to Subsection 12.2.

In addition to the regulations of **SECTION 7: GENERAL PROVISIONS OR ALL ZONES,** Subsection 7.35(a) (vii) - **MINIMUM PARKING REQUIREMENTS - GENERAL PROVISIONS**, for the purpose of this By-law, the following regulations shall apply to a second dwelling unit:

(a) Minimum Parking Space Size 2.6 metres x 5.5 metres

Notwithstanding **SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES**, Subsection 11.6 (b) - **PARKING SPACES IN RESIDENTIAL ZONES**, for the purpose of this By-law, the parking or storage of motor vehicles associated with the second dwelling unit may be provided within the exterior side yard.

C3-287 **2605 Binbrook Road East** (By-law No. 16-081)

Notwithstanding **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.1, **PERMITTED USES**, the uses permitted on lands zoned "C3-287" shall be limited to:

(a) Banks and financial institutions, Brewers Retail stores, child care centres, commercial schools, dry cleaning establishments, funeral homes, hotels, laundries, Liquor License Board of Ontario stores, offices, personal services shops (excluding a gym), photographic studios, places of entertainment, post offices, printing establishments, private or commercial clubs, professional and business offices (excluding the office of a medical practitioner), fast food restaurants (excluding drive-thru), standard restaurants (excluding drive-thru), take-out restaurants (excluding drive-thru), retail stores, service shops, taverns, and veterinary service establishments with no outside runs; and uses, buildings and structures accessory to the above permitted uses. **#25-156**

(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.

Notwithstanding the regulations of **SECTION 8: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 25.1**, Clauses (f), (g), (i), (j) and (l), the following regulations shall apply to the lands zoned "C3-287":

(f) Minimum Front Yard 0.0 m

(g) Minimum Side Yard 0.0 m except 7.5

	metres abutting a side lot line which is the boundary of any Residential or Institutional Zone.
(i) Maximum Height	10.7 m (3-storeys) but a maximum height of 14.1 m is permitted to the top of an ornamental dome or other such architectural feature.

(j) Minimum Parking Requirements

(iv) 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 3.0 m of any street line or within 1.5 m of the boundary of any Residential Zone or within 1.25 m of any Institutional Zone.

(l) Minimum Landscaping Requirements

(i) 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.

(ii) A landscaped area having a minimum width of 3.0 m 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 driveways and where a building is located. A transformer is permitted within this landscaped area.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 **MINIMUM PARKING REQUIREMENTS**, Clauses (a)(vi)(b), (a)(vii), (a)(vi)(b), (a).(xii), (a)(xiii), (a)(xv)(B), and (b), the following regulations shall apply to the lands zoned "C3-287";

(a) General Provisions

(vi)(b) Indirect Access

An access driveway of 2.4m is permitted to be provided to the parking spaces within attached garages.

(vii) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

(xv) Parking spaces for the physically handicapped shall be assigned to the required number of parking spaces where a minimum of ten (10) parking spaces are required, as follows:

(B) Each space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres, except where two (2) handicapped parking spaces are located together, a minimum width of 3.5 metres for each space shall be permitted.

(xii) 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.

(xiii) Where a parking area which is required to provide for more than four (4) vehicles abuts a street, a permanently maintained landscaped area with a minimum width of 3 m shall be provided along the street line, and it shall be continuous except for driveways required for access to such parking area and where a building is located.

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(b) Off-Street Parking Space Requirements

(i) 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.

RM4-289 (By-law No. 16-081)

Notwithstanding Subsections 20.1 **PERMITTED USES**, and 20.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)** of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple "RM4-289" Zone:

(a) PERMITTED USES

(i) Apartment buildings, retirement homes, and long term care facilities.

(ii) Block townhouse dwellings, Street townhouse dwellings, Maisonette

dwellings, and Semi-detached dwellings in accordance with the provisions of the site-specific Residential Multiple "RM3-173(B)" Zone of this By-law.

(iii) Uses permitted in subsection 25.1 (a) of By-law No. 464, on the ground floor of buildings permitted in paragraph a(i) of this subsection with a height of 3 storeys or more for units abutting Bellagio Avenue or Swayze Road;

(iv) Live-work units within street townhouses described in Paragraph (a) (ii) for units having frontage on Bellagio Avenue, Terryberry Road, or Swayze Road; and

(v) Uses, buildngs and structures accessory to the uses described in Paragraph (a) (i), (ii), (iii) and (iv) of this Subsection pursuant to the provisions of Subsection 7.13 of By-law No. 464.

(b) DEFINITIONS

(i) For the purposes of this By-law, a "Maisonette" is defined as per amending By-law 13-226.

(c) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUBSECTION

(a) Minimum Lot Frontage:

(i) 30.0 metres for apartment buildings, retirement homes, and long term care faciltiies

(b) Minimum Lot Area:

(i) 0.2 hectares for apartment buildings, retirement homes, and long term care faciltiies

(c) Maximum Lot Area:

(i) 4.0 hectares

(d) Maximum Lot Coverage:

(i). 50 percent

(e) Density (averaged over this plan of subdivision):

(i) Minimum: 30 units per hectare

(ii) Maximum: 70 units per net residential hectare

(f) Minimum Front Yard:

(i) 4.5 metres

(g) Minimum Side Yard:

(i) 4.5 metres

(h) Minimum Rear Yard:

(i) 4.5 metres

(i) Minimum Landscaped Area (including lands above underground parking structures):

(i) 27 percent

(j) Minimum Amenity Area:

(i) 5 square metres per unit shall be provided and thereafter maintained, and may be provided interior to an apartment building, retirement home, and long term care facility.

(k) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5, and 11.6 of this By-law. Notwithstanding Subsection 7.35 (a)(iii), 7.35 (a)(vii) and 7.35 (a)(ix) and Subsection 11.6 (b), the following provisions shall apply:

A. Each parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres;

B. A commercial use permitted in accordance with paragraph (a) (iii) and (iv) of this Subsection shall provide off-street parking in accordance with Paragraph (b) of Subsection 7.35 **MINIMUM PARKING SPACE REQUIREMENTS;**

C. Parking spaces may be located 1.5 metres from side and rear lot lines, and shall be no closer than 4.5 metres of a front lot line;

D. Maneuvring and access for parking spaces may be provided off-site on abutting properties;

E. No parking space or parking area shall be located closer than 3.0 metres from any abutting property zoned “RM3-173(B)”, as shown on attached Schedule “A,” unless such parking is located

within a below-grade parking structure; and

F. A below grade parking structure can be set back a minimum of 1.0 m from a municipal street and any required shoring must be set back a minimum of 0.0 m from a municipal street.

(xi) Maximum Height

(i) 6 storeys, excluding roof and any mechanical equipment

R4-290 2515 Fletcher Road (By-law No 16-133)

Notwithstanding the regulations of **SECTION 16: RESIDENTIAL "R4" ZONE, Subsection 16.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.2,** Clauses (a), (b), (c), (d), (e), (f) and (g), the following regulations shall apply to the lands zoned "R4-290":

(a) Minimum Lot Frontage - 11 m

(b) Minimum Lot Area - 290 sq m

(c) Minimum Lot Coverage - n/a

(d) Minimum Front Yard - 4.5m to the dwelling, except 6.0 m to the attached garage.

(e) Minimum Side Yard

(i) 1.2 metres on the garage side and 0.6 metres on non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard with a side yard setback less than 1.2 metres. A 0.6 metre side yard setback shall not be permitted adjacent to any side lot line less than 1.2 metres.

(ii) On a lot where an emergency/overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0 metre side yard separation between buildings shall be provided and maintained along one common lot line.

(iii) On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 m, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6 m of the flanking street line. On a a corner lot with a daylight triangle, a minimum setback to the hypoteneuse of the daylight triangle of 1.0 m for a building or porch, including porch foundation walls, and 0.5 m for eaves or gutters will be required.

(f) Minimum Rear Yard - 7.0 m

(g) Minimum Floor Area Per Dwelling - n/a

Notwithstanding subsection 7.25, **SPECIAL SETBACK REQUIREMENTS FROM TRANSMISSION PIPELINE RIGHTS-OF-WAY**, all principal buildings shall be setback a minimum distance of 7.0 m from the boundary of a transmission pipeline right-of-way.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26, **ENCROACHMENT INTO YARDS**, on those lands zoned "R4-290", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3 m ;

(ii) Bay windows, either with or without foundations may project into any required front, rear or flankage yards a distance of not more than 0.9 m;

(iii) Stairs may project into any required front yard a distance of not more than 4.5m or into any required flakage yard of not more than 2.4 m;

(iv) A cantilever and/or alcove either with or without foundations, may project into any required front, rear of garage side yard a distance of not more than 0.6 m; and,

(v) A covered porch may encroach into any required flankage yard a distance of not more than 1.8 m.

R4-291-H 2515 Fletcher Road (By-law No 16-133)

Notwithstanding the regulations of **SECTION 16: RESIDENTIAL "R4" ZONE, Subsection 16.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.2,** Clauses (a), (b), (c), (d), (e), (f) and (g), the following regulations shall apply to the lands zoned "R4-291":

(a) Minimum Lot Frontage - 9.2 m, except on 11 m for a corner lot

(b) Minimum Lot Area - 250 sq m, except 290 sq m for a corner lot

(c) Maximum Lot Coverage - n/a

(d) Minimum Front Yard - 4.5 m to the dwelling, except 6.0 m to the attached garage.

(e) Minimum Side Yard

(i) 1.2 metres on the garage side and 0.6 metres on non-garage side, subject

to a maintenance easement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard with a side yard setback less than 1.2 metres. A 0.6 metre side yard setback shall not be permitted adjacent to any side lot line less than 1.2 metres.

(ii) On a lot where an emergency/overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0 metre side yard separation between buildings shall be provided and maintained along one common lot line.

(iii) On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 m, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6 m of the flanking street line. On a corner lot with a daylight triangle, a minimum setback to the hypoteneuse of the daylight triangle of 1.0 m for a building or porch, including porch foundation walls, and 0.5 m for eaves or gutters will be required.

(f) Minimum Rear Yard - 7.0 m

(g) Minimum Floor Area Per Dwelling - n/a

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26, **ENCROACHMENT INTO YARDS**, on those lands zoned "R4-291", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3 m ;

(ii) Bay windows, either with or without foundations may project into any required front, rear or flankage yards a distance of not more than 0.9 m;

(iii) Stairs may project into any required front yard a distance of not more than 4.5 m or into any required flakage yard of not more than 2.4 m;

(iv) A cantilever and/or alcove either with or without foundations, may project into any required front, rear of garage side yard a distance of not more than 0.6 m; and,

(v) A covered porch may encroach into any required flankage yard a distance of not more than 1.8 m.

The H Holding symbol may be removed by a further amendment to this By-law at such time as the following has been satisfied:

(a) The downstream channel located on the south side of Binbrook Road is constructed and operational to the satisfaction of the Senior Director of Growth Management; and,

(b) The Applicant has reviewed current traffic distribution patterns in the Binbrook Village area with specific attention to Fletcher Road at Street Binbrook Road at Fletcher Road, and Fall Fair Way at RR 56. A review of the signalized intersection level of service at RR 56 and Fall Fair Way may be required as part of the Phase 2 approvals, to the satisfaction of the Corridor Management.

RM2-292 and H-RM2-292 **2515 Fletcher Road (By-law No 16-133)**

Notwithstanding the regulations of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE, Subsection 18.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.2,** Clauses (a), (b), (c), (d), (e), (f) and (i), the following regulations shall apply to the lands zoned "RM2-292":

(a) Minimum Lot Frontage - 6 m except 9 m for a corner lot

(b) Minimum Lot Area - 150 sq m, except 195 sq m for end unit not abutting a flankage street and 240 sq m for end unit abutting a flankage street

(c) Maximum Lot Coverage - n/a

(d) Minimum Front Yard - 4.5 m to the dwelling, except 6.0 m to the attached garage.

(e) Minimum Side Yard

(i) 1.2 m on an end unit not abutting a flanking street; and,

(ii) 2.4 m on an end unit on a corner lot abutting a flanking street, except than an attached garage which fronts on the flankage street shall not be located wthin 6 m of a flnkage street line.

(iii) On a corner lot with a daylight triangle, a minimum setback to the hypoteneuse of the daylight triangle of 1.0 m for a building or porch, including porch foundation walls, and 0.5 m for eaves or gutters will be required.

(f) Minimum Rear Yard - 7.0 m

(i) Minimum Landscaped Area - 20 percent

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26,

ENCROACHMENT INTO YARDS, on those lands zoned "RM2-292", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3 m ;

(ii) Bay windows, either with or without foundations may project into any required front , rear or flankage yards a distance of not more than 0.9 m;

(iii) Stairs may project into any required front yard a distance of not more than 4.5 m or into any required flakage yard of not more than 2.4 m;

(iv) A cantilever and/or alcove either with or without foundations, may project into any required front, rear of garage side yard a distance of not more than 0.6 m; and,

(v) A covered porch may encroach into any required flankage yard a distance of not more than 1.8 m.

The "H" Holding Symbol may be removed by a further amendement to this By-law at such time as the following have been satisfied.

(a) The downstream channel located on the south side of Binbrook Road is constructed and operational to the satisfaction of the Senior Director of Growth Management; and,

(b) the Applicant has reviewed current traffic distribution patterns in the Binbrook Village Area with specific attention to Fletcher Road at Street 'A', Binbrook Road at Fletcher Road, and Fall Fair Way at RR 56. A review of the signalized intersection level of service at RR 56 and Fall Fair Way may be required as part of the Phase 2 approvals, to the satisfaction of Corridor Management.

C3-293 **21 and 31 Trinity Church Road and 1818 Rymal Road East** (By-law No 16-218)

Notwithstanding the range of uses outlined in the General Commercial "C3-249" Zone the following additional uses shall also apply:

PERMITTED USES:

(i) Motor Vehicle Gasoline Bar, and a Drive Thru Restaurant accessory to a Motor Vehicle Gasoline Bar.

Notwithstanding the uses outlined in the General Commercial "C3-249" Zone the following provisions shall apply:

REGULATIONS:

(i) For the purpose of this By-law a Motor Vehicle Gasoline Bar shall be defined as 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 vehciles, and may include a shelter and a Motor Vehicle Washing Establishment accessory to a Motor Vehicle Gasoline Bar, but does not include motor vehicle repairs, oil changes or greasing.

(ii)	Maximum Gross Leasable Floor Area of any Individual Commercial Establishment:	Not more than half of the total leasable area floor provided on the site.
(iii)	Maximum Gross Leasable Floor Area of any Group of Local Commercial Uses:	2,500 sq m
(iv)	Maximum Gross Leasable Floor of any Group of Medical Centre Uses:	210 sq m

(v) For the purpose of this By-law a Professional Office will be defined as "any office where professionally qualified persons, technical assistants, and clerical staff are employed and where clients receive advice, but does not include a medical centre or personal service shop."

(vi) For the purpose of this By-law a Medical Centre will be defined as "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 physio-therapeutic or other human health purposes, except when included within or accessory to a private or public hospital."

(vii)	Minimum Front Yard	1.3 m
(viii)	Minimum Side Yard (Easterly)	4.5 m
(ix)	Minimum Side Yard (Westerly)	3.7 m (except for a Motor Vehicle Gasloline Bar and accessory uses to a Motor Vehicle Gasoline Bar, a Minimum Westerly Side Yard of 25 m is required)
(x)	Minimum Rear Yard	1.5 m

(xi) Minimum Number of Parking Spaces

The number of on-site parking spaces shall be provided in accordance with the following regulations:

(a) A minimum of one parking space for every 25.5 sq m of gross floor area for the uses outlined in 2 (a) of By-law 16-218.

(xii) Parking Space Requirements

(a) a Drive Thru Lane shall have a minimum width of 4 m.

(b) The Access driveway located between the canopy of a Motor Vehicle Services Station and Drive Thru lane shall have a minimum width of 4.2 m.

(c) Each parking space for 90 degrees perpendicular parking shall have a minimum size of 2.6 m in width and 5.5 m in length, with the exception of parking spaces for the physically handicapped which shall have a minimum width of 4.4 m in width and 5.5m in length.

(d) A landscaped area along Rymal Road East with a minimum average width of 2 m but not less than 1.3 m 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.

(e) A landscaped area along Trinity Church Road with a minimum width of 3 m 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.

(xiii) Loading Space Requirements

No on-site Loading Spaces are required.

(xiv) Minimum Landscaping Requirements

(a) A landscape area in the form of a planting strip havig a minimum width of 4.5 m and a fence having a minimum height of 1.8m 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 residenitial purposes.

(b) A landscaped area along Rymal Road East having a minimum average width of 2 m but not less than 1.3 m 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) A landscaped area along Trinity Church Road having a minimum width of 3 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)

(xv) Outdoor display areas shall be permitted in accordance with provisions of the General Commercial "C3-249" Zone but no outside storage of goods and materials shall be permitted.

(xvi) All other provisions of the General Commercial "C3-249" Zone shall apply.

Notwithstanding the regulations of **SECTION 8: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 25.1**, Clauses (f), (g), (i), (j) and (l), the following regulations shall apply to the lands zoned "C3-287":

(f) Minimum Front Yard	0.0 m
(g) Minimum Side Yard	0.0 m except 7.5 metres abutting a side lot line which is the boundary of any Residential or Institutional Zone.
(i) Maximum Height	10.7 m (3-storeys) but a maximum height of 14.1 m is permitted to the top of an ornamental dome or other such architectural feature.

(j) Minimum Parking Requirements

(iv) 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 3.0 m of any street line or within 1.5 m of the boundary of any Residential Zone or within 1.25 m of any Institutional Zone.

(l) Minimum Landscaping Requirements

(i) 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.

(ii) A landscaped area having a minimum width of 3.0 m 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 driveways and where a building is located. A transformer is permitted within this landscaped area.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 **MINIMUM PARKING REQUIREMENTS**, Clauses (a)(vi)(b), (a)(vii), (a)(vi)(b), (a).(xii), (a)(xiii), (a)(xv)(B), and (b), the following regulations shall apply to the lands zoned "C3-287";

(a) General Provisions

(vi)(b) Indirect Access

An access driveway of 2.4m is permitted to be provided to the parking spaces within attached garages.

(vii) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

(xv) Parking spaces for the physically handicapped shall be assigned to the required number of parking spaces where a minimum of ten (10) parking spaces are required, as follows:

(B) Each space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres, except where two (2) handicapped parking spaces are located together, a minimum width of 3.5 metres for each space shall be permitted.

(xii) 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.

(xiii) Where a parking area which is required to provide for more than four (4) vehicles abuts a street, a permanently maintained landscaped area with a minimum width of 3 m shall be provided along the street line,

and it shall be continuous except for driveways required for access to such parking area and where a building is located.

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(b) Off-Street Parking Space Requirements

(i) 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.

R4-294 **Rear of 3385 Binbrook Road** (By-law No. 16-194)

Notwithstanding the regulations of **SECTION 16: RESIDENTIAL "R4" ZONE, Subsection 16.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1,** Clauses (a) and (b), the following regulations shall apply to the lands zoned "R4-294":

(a) Minimum Lot Frontage - 11 m

(b) Minimum Lot Area - 310 sq m

R4-295 (25-102-PED) **3105 Fletcher Road** (By-law No 16-168)

Notwithstanding the regulations of **SECTION 16: RESIDENTIAL "R4" ZONE, Subsection 16.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1,** Clauses (a), (b), (c), (d), (e), and (g), the following regulations shall apply to the lands zoned "R4-295":

(a) Minimum Lot Frontage - 10 m (13 m for a corner lot)

(b) Minimum Lot Area - 300 sq m

(c) Maximum Lot Coverage - n/a

(d) Minimum Front Yard - 4.5 m to the dwelling, except 6.0 m to the attached garage.

(e) Minimum Side Yard

(i) 1.2 m on the garage side and 0.6 m on non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 m into the side yard with a side yard setback less than 1.2 m. A 0.6 m side yard setback shall not be permitted adjacent to any side lot line less than 1.2 m.

(ii) On a lot where an emergency/overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0 m side yard

separation between buildings shall be provided and maintained along one common lot line.

(iii) On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 m, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6 m of the flanking street line.

(g) Minimum Floor Area Per Dwelling - n/a

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26, **ENCROACHMENT INTO YARDS**, on those lands zoned "R4-295", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3 m;

(ii) Bay windows, either with or without foundations may project into any required front, rear or flankage yards a distance of not more than 0.9 m;

(iii) Stairs may project into any required front yard a distance of not more than 4.5 m;

(iv) A cantilever and/or alcove either with or without foundations, may project into any required front, rear of garage side yard a distance of not more than 0.6 m; and,

(v) A covered porch may encroach into any required flankage yard a distance of not more than 1.8 m.

The "H" Holding Symbol may be removed by a further amendement to this By-law at such time that the sanitary servicing outlet is available and has sufficient capacity, there is a suitable outlet for stormwater runoff and the external 400 mm watermain on Binbrook and Fletcher Road has been constructed all to the satisfaction of the Senior Director Growth Management.

RM2-296 (25-102-PED) **3105 Fletcher Road** (By-law No 16-168)

Notwithstanding the regulations of **SECTION 18: RESIDENTIALMULTIPLE "RM2" ZONE, Subsection 18.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1,** Clauses (a), (b), (c), (d), (e), (f) and (i), the following regulations shall apply to the lands zoned "RM2-296":

(a) Minimum Lot Frontage - 6 m except 9 m for a corner lot

(b) Minimum Lot Area - 168 sq m

(c) Maximum Lot Coverage - n/a

(d) Minimum Front Yard - 4.5 m to the dwelling, except 6.0 m to the attached garage.

(e) Minimum Side Yard

(i) 1.2 m on an end unit not abutting a flanking street; and,

(ii) 3.0 m on an end unit on a corner lot abutting a flanking street.

(f) Minimum Rear Yard - 7 m

(i) Minimum Landscaped Area - n/a

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26, **ENCROACHMENT INTO YARDS**, on those lands zoned "RM2-296", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3 m;

(ii) Bay windows, either with or without foundations may project into any required front, rear or flankage yards a distance of not more than 0.9 m;

(iii) Stairs may project into any required front yard a distance of not more than 4.5 m;

(iv) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear of garage side yard a distance of not more than 0.6 m; and,

(v) A covered porch may encroach into any required flankage yard a distance of not more than 1.8 m.

The "H" Holding Symbol may be removed by a further amendement to this By-law at such time that the sanitary servicing outlet us available and has sufficient capacity, there is a suitable outlet for stormwater runoff and the external 400 mm watermain on Binbrook and Fletcher Road has been constructed all to the satisfaction of the Senior Director Growth Management.

RM3-297 (25-102-PED) **3105 Fletcher Road** (By-law No 16-168)

Notwithstanding the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, Subsection 19.1 - PERMITTED USES,** the uses permitted on lands zoned "RM3-297" shall be limited to:

(a) Block townhouse twellings (which includes but not limited to individual townhouse lots having frontage on or othersie tied to a condominium road);

(b) Apartment buildings;

(c) Stacked townhouses;

(d) Back-to-back townhouses (Maisonettes); and,

(e) Uses, buildings and structure accessory to the uses decribed in Paragraphs (a), (b), (c) and (d) of this Subsection.

That for the purposes of this By-law, the following definitions shall apply:

(i) Stacked townhouses – shall mean a townhouse that is divided vertically and horizontally into a minimum of three and a maximum of 16 dwelling units and with each dwelling unit having one or more private entrances at grade.

(ii) Back-to-back townhouses (Maisonettes) – Shall mean a building containing a minimum of six and no more than 16 dwelling units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front yard or exterior side yard.

(iii) Instead of as required by the definition of a "lot" pursuant to Glanbrook Zoning By-law No. 464, individual dwelling unit lots may be created by registration of a condominium plan or created by Part Lot Control and shall be permitted to front on a private condominium road than a street.

Notwithstanding the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, Subsection 19.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a), (b), (c) and (d) OF SUBSECTION 19.1,** Clauses (c), (d), (e), (f), (g), (h), (i), (j) and (l), the following regulations shall apply to the lands zoned "RM3-297":

(c) Maximum Lot Coverage - n/a

(d) Minimum and Maximum Density - 41- 60 dwelling units per ha

(e) Minimum Front Yard and Exterior Side Yards – 4.5 m

(f) Minimum Rear and Side Yards - 4.5 m

(g) Minimum Separation Distance

(i) Between two exterior walls, one of which contains windows to a habitable room, a minimum of 7.5 m; and,

(ii) Between two exterior walls, both of which contains windows to a habitable room, a minimum of 12 m.

(h) Maximum Floor Area Per Dwelling Unit – n/a

(i) Maximum Height – 12.6 m and 3 storeys

(j) Minimum Landscaped Area – 30%

(l) Minimum Privacy Area - n/a for apartment buildings, stacked townhouses and back-to-back townhouses (maisonettes). For block townhouses a minimum area of 35 sq m per dwelling unit shall be provided adjacent to the unit and screened on at least two sides by means of a privacy screen. However, for rear laneway block townhouses whereby parking is located at the rear of the dwelling unit accessed by a private condominium roadway, the required minimum privacy area is not required.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26, **ENCROACHMENT INTO YARDS**, on those lands zoned "RM3-297", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3 m .

(ii) Bay windows, either with or without foundations may project into any required front, rear or flankage yards a distance of not more than 0.9 m;

(iii) Stairs may project into any required front yard a distance of not more than 4.5 m;

(iv) A cantilever and/or alcove either with or without foundations, may project into any required front, rear of garage side yard a distance of not more than 0.6 m; and,

(v) A covered porch may encroach into any required flankage yard a distance of not more than 1.8 m.

For the purposes of regulations contained in Section 7, 11, 19 and 44 of Glanbrook Zoning By-law No 464, the boundary of lands zoned "RM3-297" shall be deemed to be the lot lines for this purpose and the regulations of the "RM3-297" Zone, including but not limited to lot area, lot frontage, lot coverage, density, building

setbacks, separation distances, landscaped areas, parking requirements and accessory buildings, shall be from the boundaries of the land zoned "RM3-297" and not from individual property boundaries of dwelling units created by registration of a condominium plan or created by Part Lot Control.

The "H" Holding Symbol may be removed by a further amendement to this By-law at such time that the sanitary servicing outlet is available and has sufficient capacity, there is a suitable outlet for stormwater runoff and the external 400 mm watermain on Binbrook and Fletcher Road has been constructued all to the satisfaction of the Senior Director Growth Management.

RM3-298 (24-121-PED) **3105 Fletcher Road** (By-law No 16-168)

Notwithstanding **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, Subsection 19.1 - PERMITTED USES,** the uses permitted on lands zoned "RM3-298" shall be limited to:

(a) Block townhouse dwellings (which includes but not limited to individual townhouse lots having frontage on or otherwise tied to a condominium road);

(b) Uses, buildings and structures accessory to the uses decribed in Paragraphs (a).

That for the purposes of this By-law, the following definitions shall apply:

(i) Instead of as required by the definition of a "lot" pursuant to Glanbrook Zoning By-law No. 464, individual dwelling unit lots may be created by registration of a condominium plan or created by Part Lot Control and shall be permitted to front on a private condominium road than a street.

Notwithstanding the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, Subsection 19.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1,** Clauses (c), (d), (e), (f), (g), (h), (j) and (l), the following regulations shall apply to the lands zoned "RM3-298":

(c) Maximum Lot Coverage - n/a

(d) Minimum and Maximum Density - 26- 50 dwelling units per ha

(e) Minimum Front Yard and Exterior Side Yards – 4.5 m

(f) Minimum Rear and Side Yards - 6.0 m

(g) Minimum Separation Distance

(i) Between two exterior walls, one of which contains windows to a habitable room, a minimum of 7.5 m; and,

(ii) Between two exterior walls, both of which contains windows to a habitable room, a minimum of 12 m.

(h) Maximum Floor Area Per Dwelling Unit – n/a

(j) Minimum Landscaped Area – 30%

(l) Minimum Privacy Area - A minimum area of 35 sq m per dwelling unit shall be provided adjacent to the unit and screened on at least two sides by means of a privacy screen. However, for rear laneway block townhouses whereby parking is located at the rear of the dwelling unit accessed by a private condominium roadway, the required minimum privacy area is not required.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26, **ENCROACHMENT INTO YARDS**, on those lands zoned "RM3-298", the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3 m;

(ii) Bay windows, either with or without foundations may project into any required front, rear or flankage yards a distance of not more than 0.9 m;

(iii) Stairs may project into any required front yard a distance of not more than 4.5 m;

(iv) A cantilever and/or alcove either with or without foundations, may project into any required front, rear of garage side yard a distance of not more than 0.6 m; and,

(v) A covered porch may encroach into any required flankage yard a distance of not more than 1.8 m.

For the purposes of regulation contained in Section 7, 11, 19 and 44 of Glanbrook Zoning By-law No 464, the boundary of lands zoned "RM3-298" shall be deemed to be the lot lines for this purpose and the regulations of the "RM3-298" Zone, including but not limited to lot area, lot frontage, lot coverage, density, building setbacks, separation distances, landscaped areas, parking requirements and accessory buildings, shall be from the boundaries of the land zoned "RM3-298" and not from individual property boundaries of dwelling units created by registration of a condominium plan or created by Part Lot Control.

The “H” Holding Symbol may be removed by a further amendement to this By-law at such time that the sanitary servicing outlet us available and has sufficient capacity, there is a suitable outlet for stormwater runoff and the external 400 mm watermain on Binbrook and Fletcher Road has been constructued all to the satisfaction of the Senior Director Growth Management.

C3-299 (25-102-PED)

3105 Fletcher Road (By-law No. 16-168)

Notwithstanding **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.1, **PERMITTED USES**, the uses permitted on lands zoned "C3-299" shall be limited to:

(a) Banks and financial institutions, Brewers Retail stores, child care centres, commercial schools, dry cleaning establishments, funeral homes, hotels, laundries, Liquor License Board of Ontario stores, medical centres, offices, personal services shops, photographic studios, places of entertainment or recreation, post offices, printing establishments, private or commercial clubs, professional and business offices, fast food restaurants, standard restaurants, take-out restaurants, retail stores, service shops, taverns, and veterinary service establishments with no outside runs; and uses, buildings and structures accessory to the above permitted uses. **#25-156**

(b) Dwelling units are permitted above any use permitted on the ground floor.

Notwithstanding the regulations of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 25.1**, Clauses (d), (e), (f), (g), (j) and (l), the following regulations shall apply to the lands zoned "C3-299":

(d) Maximum Lot Coverage	n/a
(e) Maximum Gross Floor Area	Any individual office shall not exceed 500 sq m (remaining maximum gross floor area provisions shall not apply)
(f) Minimum Front Yard	3 m
(g) Minimum Side Yard	3 m
(j) Minimum Parking Requirements	

(iv) 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 3.0 m of any street line or the boundary of any Residential or Institutional Zone.

(v) No parking space or part thereof shall be located between the building and the street line.

(l) Minimum Landscaping Requirements

(ii) A landscaped area having a minimum width of 3.0 m 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 driveways and where a building is located.

The "H" Holding Symbol may be removed by a further amendement to this By-law at such time that the sanitary servicing outlet is available and has sufficient capacity, there is a suitable outlet for stormwater runoff and the external 400 mm watermain on Binbrook and Fletcher Road has been constructued all to the satisfaction of the Senior Director Growth Management.

C3-300 **3017 Homestead Drive** (By-law No. 17-070)

Notwithstanding Sub-Section 25.1 – **PERMITTED USES** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, the following uses shall be permitted on those lands zoned "C3-300":

(a) Home and Garden Centre, Beverage Making Establishment, Catering Service, Social Service Establishment, and uses, buildings and structures accessory to the above permitted uses.

(b) One single detached dwelling on the same lot existing on the date of the passing of this By-law, and uses, buildings and structures accessory thereto as subject to the regulations of **SECTION 12: EXISTING RESIDENTIAL "ER" ZONE.**

Notwithstanding SubSection 25.1 – **PERMITTED USES** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, the following uses are prohibited

(a) boat and/or motorized snow vehicle sales establishments,
(b) cold storage locker establishments,
(c) dairies,
(d) farm equipment sales establishments,
(e) new and used motor vehicle sales dealerships,
(f) recreational vehicle sales establishments,
(g) taxi establishments,
(h) motor vehicle repair shops

Notwithstanding **SECTION 4: DEFINITIONS**, Subsections 7.36 (a)(v) General Provisions, and 25.2 (g)(i) Minimum Side Yard, the following special regulations shall apply to those lands zoned "C3-300":

(a) **"HOME AND GARDEN CENTRE"** means the use of land, buildings or structures or part thereof for the purpose of buying or selling plants, lawn, gardening and landscaping equipment, supplies, furnishings and décor.

(b) Loading areas may be constructed with a gravel surface.

(c) A minimum southerly side yard of 2.3 m shall be provided and maintained.

(d) The single detached dwelling existing on the passing of this By-law, being the 8th day of July 2016, and uses buildings and structures accessory thereto shall be permitted as an ancillary residential use.

C3-301 2064, 2066, 2068 and 2070 Rymal Road East

Notwithstanding Subsections 25.1 **PERMITTED USES** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE, of Zoning By-law 464** the following shall be the only permitted uses:

(a) PERMITTED USES

(i) Banks and financial institutions, billiard parlour, Brewers' Retail stores, child care centres, commercial schools, dry cleaning distribution stations, farm equipment sales establishments, farm produce market, Liquor Licence Board of Ontario stores, personal service shops, post offices, printing establishments, professional and business offices, private or commercial clubs, fast food restauraunts with a maximum seating of 30 persons, standard restaurants with a maximum seating of 30 persons, take-out restaurants, retail stores, service shops, taverns, veterinary service establishments, urban farmers market and uses, buildings and structures accessory to the above permitted uses. **#25-156**

(ii) Motor Vehicle Service Station (oil and lube service station only, as defined in Section C3-301), and Motor Vehicle Washing Establishment (manual and automatic).

(iii) Notwithstanding any of the uses permitted in sub-sections (i) and (ii) the below-grade storage of fuel, petroleum products, or chemical stoage tanks shall be prohibited.

(b) Notwithstanding subsection (e) of Section 25.2 Regulations for Uses Permitted in Paragraph (a) of Subsection 25.1:

(i) a maximum permitted gross floor area of 3, 735 square metres shall be permitted.

(ii) the maximum permitted gross floor area of any individual commercial use permitted in subsection (a) (i) shall not be more than 60% of the total gross floor area provided on site.

(iii) Notwithstanding subsection (ii) above, the maximum gross floor area for a billiard parlour shall be 372 square metres.

(iv) the maximum permitted combined gross floor area for the uses described in subsection (a) (ii) shall be 1, 360 square metres.

(c) Notwithstanding subsection (f) of Section 25.2 Regulations for Uses Permitted in Paragraph (a) of Subsection 25.1 the minimum front yard setback for any new commercial building established after the date of passing of this site-specific By-law shall be 4.75 metres.

(d) Minimum Landscaping Requirements

Notwithstanding subsection (l)(i) of Section 25.2 Regulations for Uses Permitted in Paragraph (a) of Subsection 25.1 and subsection 26.2 (j)(i) of Section 26.2 Regulations for Uses Permitted in Subsection 26.1 the following shall apply:

(i) A landscaped area in the form of a planting strip 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 Residential Zone or any Zone where the adjoining land is used for residential purposes other than for the west lot line where a landscape area in the form of a planting strip having a minimum width of 3.0 metres shall be provded and thereafter maintained.

(e) Acoustical Barriers

Acoustical barrier walls and / or wing walls for noise mitigation shall be required.

Noise mitigation shall be implemented to the satisfaction of the General Manager of Planning and Economic Development.

(f) Minimum Number of Parking Spaces:

Notwithstanding subsection (j)(ii) and (iii) of Section 25.2 Regulations for Uses Permitted in Paragraph (a) of Subsection 25.1 and Section 26.2 (h) Regulations for Uses Permitted in Subsection 26.1: the number of on-site Parking Spaces shall be provided in accordance with the following regulations:

(i) A minimum of 1 parking space for every 24 square metres of gross

floor area for the uses in 2 (a) (i) above.

(ii) No parking spaces shall be required for the uses outlined in subsection 2 (a) (ii) above.

(g) Parking Space Requirements:

(i) Notwithstanding subsection 7.35 (vi) (b) a minimum access driveway of 6.0 metres shall be provided for two-way vehicular circulation except the one-way access driveways to the Motor Vehicle Services Station and the Automatic Motor Vehicle Washing Establishment shall have a minimum width of 3 metres.

(h) Loading Space Requirements

(i) Notwithstanding subsection (k) of Section 25.2 Regulations for Uses Permitted in Paragraph (a) of Subsection 25.1 and Section 26.2 (i) Regulations for Uses Permitted in Subsection 26.1 one (1) on-site Loading Space is required.

(i) Notwithstanding Section 4: DEFINITIONS, for the purpose of this By-law a Motor Vehicle Service Station "means a building, structure and/or lot where oil and grease, may be stored above grade or kept for sale, and where motor vehciles may be oiled or greased of have their ignition adjusted. This definition shall not include a motor vehicle body shop, motor vehicle repair garage or motor vehicle dealership and shall not include the sale of gasoline or other motor fuels. The below grade storage of fuel, petroleum products, and chemicals is prohibited.

(j) Notwithstanding Section 4: DEFINITIONS, for the purpose of this By-law a Landscaped area and planting strip shall be defined as a strip of land or area of land which shall not be used for any other purpose than an area of landscaping, which may include grass, shrubs, flowers, trees, and similar types of vegetation, and paths, walk, patios, fences, and similar appurtenances, but shall exclude parking areas, loading areas, driveways or ramps. Landscaped areas / plating strips abutting a street shall also be permitted to contain hCydro transformers and related appurtenances and the one sign existing on the date of passing of this site-specific amendement. All signage shall be provided in accordance with the City of Hamilton's Sign By-law 10-197.

R4-302 **9890 & 9906 Twenty Road West** (By-law No. 17-061)

(a) Notwithstanding Subsection 16.2 (c) Regulations for Uses Permitted in Paragraph (a) of subsection 16.1:

(i) Maximum Lot Coverage - 40%

C3-303 **3079 Homestead Drive** (By-law No. 17-070)

Notwithstanding **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Sub-Section 25.1 – **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "C3-303":

(a) Boat and/or motorized snow vehicle sales establishment;
(b) Cold storage locker establishments;
(c) Dairies;
(d) Farm equipment sales establishment;
(e) Garden centres;
(f) New and used motor vehicle dealerships;
(g) Motor vehicle rental and leasing;
(h) Public and private parking lots and structures;
(i) Public transportation depots;
(j) Recreational vehicle sales establishments; and,
(k) Taxi establishments.

In addition to **SECTION 25: GENERAL COMMERCIAL C3 ZONE**. Sub¬ section 25.2 - **REGULATIONS**, the following shall apply:

(a) No single use shall be over 10,000 square metres in floor area.
(b) Offices shall not exceed 2,000 square metres in floor area.
(c) Medical clinics and Offices shall not be permitted on the ground floor.

In addition to **SECTION 7: GENERAL PROVISIONS**. Subsection 7.35 - **MINIMUM PARKING REQUIREMENTS**, the following shall apply:

A minimum five short term bicycle parking spaces shall be required to be provided on site.

C3-304 **3100, 3110, 3120 and 3140 Regional Road 56 and Block 131 of Registered Plan of Subdivision 62M-1062** (By-law No. 20-121)

Notwithstanding SECTION 25: GENERAL COMMERCIAL "C3" ZONE, Subsection 25.1, PERMITTED USES, only the following uses shall be permitted on lands zoned "C3-304":

(a) Banks and financial institutions, Brewer's Retail stores, commercial schools, child care centres, commercial recreation, Liquor Licence Board of Ontario stores, medical centres, offices, personal service shops, photographic studios, post offices, printing establishments, private or commercial clubs, professional and business offices, retail stores, fast food restaurants (excluding an outdoor patio and drive-thru), take-out restaurants (excluding an outdoor patio and drive-thru), standard restaurants (excluding an outdoor patio and drive-thru), and uses, buildings and structures accessory to the above permitted uses. **#25-156**

(b) The uses permitted in Paragraph (a) of this Subsection shall only be permitted on the ground floor.

(c) Dwelling units shall be permitted above any use permitted on the ground floor.

Notwithstanding the definition of “Landscaped Area” in SECTION 4: DEFINITIONS, for the purpose of this By-law, “Landscaped Area” means “an area that shall not be built upon and shall not be used for any purpose other than as an area of landscaping, which may include grass, shrubs, flowers, trees and similar types of vegetation, and paths, walks, patios, fences, hydro transformers and similar appurtenances, but shall exclude parking areas, loading areas, driveways or ramps”.

Notwithstanding the definition of "Lot Line, Front" in SECTION 4: DEFINITIONS, for the purpose of this By-law, the Front Lot Line shall be deemed to be the lot line adjacent to Regional Road 56.

Notwithstanding the regulations of SECTION 25: GENERAL COMMERCIAL “C3” ZONE, Subsection 25.2 - REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a), (b) and (c) OF SUBSECTION 25.1, Clauses (f), (i), and (l), the following regulations shall apply to the lands zoned “C3-304”:

(f) Minimum Front Yard……3.0 metres where balconies on the upper floors are permitted to encroach 2.3 m into the required yard

(i) Maximum Height…….....10.7 metres (3 storeys), except for an area equivalent to 61% of the ground floor area of each building is permitted to have a maximum height of 15.1 metres (4 storeys).

(l) Minimum Landscaping Requirements

(i) 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 m shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential use.

(ii) A landscaped area shall not be required for the portion of a lot line that abuts Regional Road 56.

In addition to the regulations of SECTION 25: GENERAL COMMERCIAL “C3” ZONE, Subsection 25.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1, Clause (g), the following regulation shall apply to the lands zoned “C3-304”:

(g) Minimum Side Yard …….. 0.2 m abutting a daylight triangle

Notwithstanding the regulations of SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.35 - MINIMUM PARKING REQUIREMENTS, Clauses (a)(vii), (a)(xv)(B), (a)(xii), and (b), the following regulations shall apply to the lands zoned "C3-304":

(a) General Provisions

(vii) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

(xv)(B) Each space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres, except where two (2) handicapped parking spaces are located together, a minimum width of 3.5 metres for each space shall be permitted.

(xii) Where a parking area which is required to provide for more than four (4) vehicles abuts any Residential use or where the adjoining land is used for a residential purpose, a landscaped area consisting of a permanently maintained planting strip with a minimum width of 6.0 metres shall be provided and shall also include fencing to provide a solid and effective screen. A transformer is permitted within this landscaped area.

(b) Off-Street Parking Space Requirements

(i) The minimum number of parking spaces shall be one (1) parking space for each 30 square metres, or fraction thereof, of ground floor area devoted to commercial uses.

Notwithstanding the regulations of SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.36 – MINIMUM LOADING REQUIREMENTS, Clauses (b)(a)(i) and (b)(b)(i) the following regulations shall apply to the lands zoned "C3-304":

(i) Two loading spaces shall be provided.

H-C3-305 **3079 Binbrook Road** (By-law No. 17-184)

Notwithstanding **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Sub-Section 25.1 – **PERMITTED USES**, only the following uses shall be permitted on the lands zoned "H-C3-305":

(a) PERMITTED USES

(i) Banks and financial institutions,Brewers Retail Stores, Child Care Centres, Commercial Schools, Dry Cleaning Establishments, Funeral Homes, Hotels, Laundries, Liquor License Board of Ontario Stores, Medical Centres, Motels,Offices, Personal Services Shops, Photographic Studios, Places of Entertainment, Post Offices, Printing Establishments, Private or Commercial Clubs, Professional and Business Offices, Fast Food Restaurants, Standard Restaurants, Take-out Restaurants, Retail Stores, Service Shops, Taverns, Veterinary Service Establishments with no outside runs; and, uses, buildings and structures accessory to the above permitted uses. **#25-156**

(ii) Drive-thru facilities, even as accessory uses shall be prohibited.

Notwithstanding the regulations of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Sub-Section 25.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 25.1, CLAUSES, (a), (g), (h), (i), j(iii)(iv), (l) and (m)**, the following regulations shall apply to the lands zoned "H-C3-305":

(a) Minimum Lot Frontage	20 m
(g) Minimum Side Yard	1 m
(h) Minimum Rear Yard	1.5 m
(i) Maximum Height	14 m

(j) Minimum Parking Requirements

(iv) 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 2.5 m of any street line or 0.78 m from the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

(l) Minimum Landscaping Requirements

(i) A landscaped area in the form of a planting strip having a minimum width of 0.70 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 or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes. Pedestrian and access walkways shall be permitted within a required planting strip.

(ii) A landscaped area having a minimum width of 2.4 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 expect for the required driveway. Benches, other street furniture, and outdoor recreational equipment shall be permitted within a required landscaped area.

(l) Outside Display and Storage Requirements

(i) Outside 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 any Zone where the adjoining lands are used for residential or institutional purposes and shall comprise no more than 22% of the total area of the required front yard.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.30 – **VISIBILITY TRIANGLE**, the following regulations shall apply to the lands zoned "H-C3-305":

That recreational equipment, street furniture and decorative screening shall be permitted within a required visibility triangle.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.35 – **MINIMUM PARKING REQUIREMENTS**, Clauses (a), (iii), (vii), (xii), (xiii), (xv)(B), and clause (b), the following regulations shall apply to the lands zoned "H-C3-305":

(a) General Provisions

(vii) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

(xii) Subject to the establishment of more specific and/or substantial regulation in the Regulations for various Zones, where a parking area which is required to provide more than four (4) vehicles abuts any Residential or Institutional Zone or where the adjoining land use used for residential or institutional purposes, a landscaped area of a minimum width of 0.70 metres shall be provided and shall also include fencing to provide a solid and effective screen.

(xiii) Subject to the establishment of more specific and/or substantial regulations in the Regulations for Various Zones, where a parking area which is required to provide more than four (4) parking spaces which abuts a street, a 2.4 metre landscaped area, as amended shall be provided along the street line.

(b) Off Street Parking Space Requirements

(i) Parking Spaces shall be provided at a rate of 1 space for every 46 square metres of gross floor area for any permitted commercial use.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.35 – **MINIMUM LOADING REQUIREMENTS**, shall not apply to the lands zoned "H-C3-305":

That the H symbol applicable to the lands zoned H-C3-305 may be removed by a further amendment to this By-law at such time that the necessary upgrades to the Binbrook Sanitary Sewer Pumping Station are completed to the satisfaction of theSenior Director of Growth Management.

Notwithstanding the provisions contained in this By-law, the H symbol applicable to the lands zoned H-C3-305 shall not apply to a Personal Service Shop having amaximum Commercial Gross Floor Area of no more than 675m2.

C2-309 **9255 Airport Road West** (By-law No. 18-014)

Notwithstanding the provisions of Paragraphs (e) and (f) of Subsection 24.2 **"REGULATIONS FOR USES PERMITTED IN SUBSECTION 24.1 (SHOPPING CENTRE COMMERCIAL)",** of Section 24, **Shopping Centre Commercial "C2" Zone** of Zoning By-law No. 464, the following shall apply:

(e)	Minimum Front Yard	6.0 Metres
(f)	Minimum Side and Rear Yard	5.0 metres.

All other regulations of the Shopping Centre Commercial "C2" Zone shall apply.

RM2-310 **235 Tanglewood Drive** (By-law No. 18-047)

Notwithstanding the regulations of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, Sub-Section 18.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING), Clauses (a), (a)(i), (b), (b)(i), (c), (e)(i)**, and **(k)(ii)** the following regulations shall apply to the lands zoned "RM2-310" Zone:

(a) Minimum Lot Frontage — 6.0 m (19.68 feet) per dwelling unit, except:

(i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 7.9 metres (25.9 feet)

(b) Minimum Lot Area — 200 square metres (2, 152.78 square feet) per dwelling unit, except:

(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 260 square metre (2, 798.60 square feet)

(c) Maximum Lot Coverage 55 percent

(e) Minimum Side Yard

(i) End dwelling unit not abutting a flanking street 1.9 metres

(k) Dwelling Unit Placement

(ii) Not more than four (4) attached dwelling units shall be erected in a row without offessting or staggering the front dace or wall of the dwelling a minimum of 1 metre (3.3 feet) or withinout varuing the exterior design.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.26 – **ENCROACHMENTS INTO YARDS**, the following regulation shall apply to the lands zoned "RM2-310" Zone:

(h) An alcove, without foundation, may encroach into any required yard to a maximum of 0.5 metres. No such feature shall have a width greater than 3.0 metres.

R3-311 **3331 Homestead Drive** (By-law No. 18-291)

Notwithstanding the regulations of **SECTION 15: RESIDENTIAL "R3" ZONE**, Sub-Section 15.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING), Clauses (a), (b), (d),** and **(f)** the following regulations shall apply to the lands zoned "R3-311" Zone:

(a) Minimum Lot Frontage 20 m

(b) Minimum Lot Area 950 square metres for lots 1-3 and 810 square metres for Lot 4

(d) Minimum Front Yard 9 m

(e) Minimum Rear Yard 22 m

Notwithstanding the definition of "Lot Line, Front" in **SECTION 4: DEFINITIONS** of Zoning By-law No. 464, for the purpose of this By-law, the Front Lot Line is deemed to be Homestead Drive and no vehicular egress to Upper James Street shall be permitted.

R4-312 **78, 80 Marion Street 3302 and 3306 Homestead Drive** (By-law No. 19-117)

Notwithstanding the regulations of **SECTION 16: RESIDENTIAL "R4" ZONE**, Sub-Section 16.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING), Clauses (a), (b), (c) (d), (e)**, **(f)** and **(h)** the following regulations shall apply to the lands zoned "R3-312" Zone:

(a) Minimum Lot Frontage	10 m, except on a corner lot the minimum frontage shall be 11.6 m
(b) Minimum Lot Area	270 square metres, except on a corner lot the minimum lot area shall be 315 square metres
(c) Maximum Lot Coverage	50 %
(d) Minimum Front Yard	4.5 m to a building, and 6.0 m to an attached garage

(e) Minimum Side Yard

(i) On an interior lot, the minimum side yard shall be 1.2 metres on one side and 0.6 metres on the other side

(ii) On a corner lot, the minimum side yard abutting the flanking street shall be 3.0 metres

(f) Minimum Rear Yard	7 m
(h) Maximum Height	11 m

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.26 – **ENCROACHMENTS INTO YARDS**, the following regulation shall apply to the lands zoned "R4-312" Zone:

(a) Window projections, with or without foundations, porches and architechital elements without a foundation such as, but not limited to, fireplaces, chimineys, pilasters, corbers and bay windows, may project into any required yard a distance of not more than 0.6 metres; and

(b) Balconies, canopies, and fruit cellars may prohect into any required front or rear yard a distance of not more than 1.5 metres, or into any minimum side yard a sitance not more than 0.6 metres and unenclosed proches may prohect into any required frot, flanking side yard or rear yard a distance of not more tha 1.5 metres.

Notwithstading the provisions stated in this subsection, no encroachment into registered easements shall be permitted.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.35 – **MINIMUM PARKING REQUIREMENTS**, Clause (a)(vii) the following regulations shall apply to the lands zoned "R4-312":

(a) Minimum Parking Requirements

(vii) Each parking space within a garage shall have a minimum width of 3 metres and a minimum length of 6 metres. Stairs to a maximum of 1 riser step, shall be permitted to encroach to a maximum of 0.25 metres into the interior garage parking space.

R4-312a **78, 80 Marion Street 3302 and 3306 Homestead Drive** (By-law No. 19-117)

In addition to the provisions of the Residential R4-312 Zone, Modified, a minimu of 2.0 metres separation between dwelling untis shall be provided and maintained.

All other regulations of the Residential "R4-312" Zone, Modified shall apply.

RM2-313 **2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive** (By-law No.19-207)

(a) Minimum Lot Frontage:	6.0 metres
(b) Minimum Lot Area:	175.0 square metres
(c) Maximum Lot Coverage:	60%
(d) Minimum Front Yard:	4.5 metres to the dwelling, except 5.8 metres to the garage
(e) Minimum Side Yard:	1.2 metres on an end unit which does not abut a flanking street and 1.9 metres for an end unit on a corner lot which abuts a flanking street
(g) Minimum Floor Area Dwelling Unit:	N/A
(h) Maximum Height:	11.5 metres (3 storeys)
(i) Minimum Landscaped Area:	25% of the lot area
(k) Dwelling Unit Placement:	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 metre or without varying the exterior design of the dwelling.

In addition to the definitions of **SECTION 4: DEFINITIONS**, the following definition shall apply:

(a) A "*Retaining Wall*" shall be defined as a wall used for the retention of earth and soil, with a height of no less than 0.7 metres.

Notwithstanding the definitions of **SECTION 4: DEFINITIONS**, the following definition shall apply to a Dwelling, Street Townhouse:

(d) Means a townhouse dwelling:

i) in which all dwelling units front on a public thoroughfare; and,

ii) which does not share any yards, driveways, common open space and parking and manoeuvring space.

In addition to the regulations of **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** and **Section 7: General Provisions for All Zones,** Sub-section 7.13 - ACCESSORY BUILDINGS and Sub-Section 7.16 – OUTDOOR SWIMMING POOLS AND HOT TUBS, the following provision shall apply:

(a) A Principal Building shall have a minimum setback of 6.0 metres from the Top of the "*Retaining Wall*";

(b) Accessory Structures, including a deck, shall be permitted in a rear yard with a minimum 3 metre setback from the top of the "*Retaining Wall"*; and,

(c) No pools, spas or hot tubs shall be permitted on the property on a property with a "*Retaining Wall*".

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Sub-Section 7.25 - SPECIAL SETBACK REQUIREMENTS FROM TRANSMISSION PIPELINE RIGHTS-OF-WAY, the following provisions shall apply to those lands zoned site-specific residential "RM2-313":

(a) All principal buildings and / or structures shall be setback a minimum distance of 7.5 metres from the boundary of a transmission pipeline right-of-way.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Sub-Section 7.35 – MINIMUM PARKING REQUIREMENTS - Clauses (a) (vii), the following provisions shall apply:

(a) In addition, a parking space shall have a minimum width of 3 metres and a minimum length of 5.8 metres.

In addition to the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Sub-section 7.26 - ENCROACHMENT INTO YARDS, the following regulations shall apply:

(a) Covered porches may project into any required front yard a distance of not more than 3.0m.

(b) Stairs may project into any required front yard a distance of not more than 3.0m.

(c) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear (all units) or side yard (end unit and/or corner unit) a distance of not more than 0.6m.

RM2-313(a) **2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive** (By-law No.19-207)
In addition to the provisions of the Residential "RM2-313" Zone, Modified, and notwithstanding Section 18.2 (f), the minimum rear yard setback shall be 10.4 metres.

RM4-314 **2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive** (By-law No.19-207)

(a) Maximum Lot Coverage	40 percent
(b) Maximum Density	85 dwelling units per hectare
(c) Minimum Front Yard	1.5 metres
(d) Minimum Side and Rear Yards:	2 metres, except where the boundary of a Residential Multiple "RM4" Zone abuts a boundary of any residential or institutional zone or any zone where the adjoining land is used for residential or institutional purposes the minimum side yard shall be 7.5 metres.

(e) Minimum Floor Area per Dwelling: N/A

(f) Maximum Height:	13 metres (3 storeys)
(g) Minimum Amenity Area:	A minimum area of 5 square metres per dwelling unit shall be provided. Notwithstanding the definition of amenity

area, private balconies shall be included in the Amenity Area.

(h) Minimum Landscape Area: 10 percent of the lot area excluding the Amenity Area.

(i) Planting Strip / Fencing: A 2.9 metre wide planting strip and / or a 1.8 high visual barrier shall be provided along any lot line that abuts a residential or institutional zone, or any lands being uses for residential or institutional purposes. A transformer shall be permitted within any planting strip.

(j) Minimum Parking Requirement: The following requirement is in addition to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law:

(i) No parking space or area shall be located closer to a street line than 3 metres and not closer than 2.9 metres to any Residential Zone, unless such parking space is located within a below-grade communal parking structure.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Sub-Section 7.35 – MINIMUM PARKING REQUIREMENTS -** Clauses (a), (i), (vii), (xii) and clause (b) and **Sub-Section 7.36 – Minimum Loading Requirements** Clause(a)(ix) the following provisions shall apply to those lands zoned site-specific residential "RM4-314":

(a) An Apartment Building shall provide and maintain 1.25 parking spaces per unit and 0.25 visitor Parking Spaces per unit. In the case of any other use, the minimum parking space requirements of 7.35(a)(i) shall apply.

(b) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 3 metres and a minimum length of 5.8 metres, exclusive of any land required for access or driveway, except where a minimum of 20 parking spaces are required to be provided on the subject lot, a maximum of thirty-five percent (35%) of the parking spaces may have a minimum width of 2.6 metres and a minimum length of 5.8 metres, provided these parking spaces are clearly marked for small cars only. Each parking space for parallel parking shall have a minimum width of 2.5 metres and a minimum length of 6.5 metres, exclusive of any land required for access or driveway. Notwithstanding the above regulations, the size of the required parking spaces for the physically handicapped shall be subject to Clause 7.35(a) (xv) of this By-law.

(c) Subject to the establishment of more specific and / or substantial regulations in the Regulations for the various Zones, where a parking area which is required to provide for more than four (4) vehicles abuts any Residential or Institutional Zone or where the adjoining land is used for residential or institutional purposes, a landscaped area consisting of a permanently maintained planting strip with a minimum width of 2.9 metres shall be provided and shall also include fencing to provide a solid and effective screen.

(d) Where a loading area abuts any Residential or Institutional Zone or a residential or institutional use, a permanently maintained landscaped area consisting of a planting strip with a minimum width of 2.9 metres shall be provided and shall also include fencing to provide a solid and effective screen.

RM4-315 **2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive** (By-law No.19-207)

(a) Minimum Lot Frontage:	10 metres, except on a corner lot the minimum frontage shall be 11.8 metres
(b) Minimum Lot Area:	300 square metres except on a corner lot the minimum lot area shall be 380 square metres
(c) Maximum Lot Coverage:	55 %
(d) Minimum Front Yard:	4.5 metres to the dwelling, except 5.8 metres to the garage
(e) Minimum Side Yard:	1.2 metres on the garage side and 0.6 metres on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard of the lot adjacent to the yard with a side yard setback less than 1.2 metres. A 0.6 metres side yard setback shall not be permitted adjacent to any side lot line less than 1.2metres, except: (i) On a corner lot, the minimum side yard abutting the flankage street shall be 3.0 metres, except that an attached garage which fronts on the flankage street shall not be located within 5.8 metres of the

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

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

(g) Minimum Floor Area Per Dwelling: N/A

In addition to the definitions of **SECTION 4: DEFINITIONS**, the following definition shall apply:

(a) A "*Retaining Wall*" shall be defined as a wall used for the retention of earth and soil, with a height of no less than 0.7 metres.

In addition to the regulations of **SECTION 16.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** and **Section 7: General Provisions for All Zones,** Sub-section 7.13 - ACCESSORY BUILDINGS and Sub-Section 7.16 – OUTDOOR SWIMMING POOLS AND HOT TUBS, the following provision shall apply:

(a) A Principal Building shall have a minimum setback of 6.0 metres from the Top of the "*Retaining Wall*".

(b) Accessory Structures, including a deck, shall be permitted in a rear yard with a minimum 3 metre setback from the top of the "*Retaining Wall*".

(c) No pools, spas or hot tubs shall be permitted on the property where a "*Retaining Wall*" exists.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Sub-Section 7.25 – SPECIAL SETBACK REQUIREMENTS FROM TRANSMISSION PIPELINE RIGHTS-OF-WAY and Sub-Section 7.35 – MINIMUM PARKING REQUIREMENTS - Clauses (a), (i), (vii), and clause (b), the following provisions shall apply:

(a) All principal buildings and / or structures shall be setback a minimum distance of 7.5 metres from the boundary of a transmission pipeline right-of-way.

(b) Every single-detached dwelling shall provide and maintain 2 parking spaces within the driveway and 1 parking space within the garage.

(c) In addition, a parking space shall have a minimum width of 3 metres and a minimum length of 5.8 metres.

In addition to the provisions of Paragraphs (a) through (g) of **Sub-section 7.26 ENCROACHMENT INTO YARDS,** the following provisions shall apply:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and into a required flankage yard a distance of not more than 1.8 metres.

(b) Stairs may project into any required front yard a distance of not more than 3.0 metres.

(c) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear or garage side yard a distance of not more than 0.6 metres.

RM2-316 **2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive** (By-law No.19-207)

In addition to the regulations of **SECTION 18.1 – USES PERMITTED,** the following provision shall apply:

(a) A Back-to-back townhouses (Maisonettes) and Block Townhouses shall be permitted uses.

In addition to the regulations of **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING),** the following provision shall apply for Block Townhouse and maisonette dwellings:

(a) A block townhouse dwelling and Back-to-back townhouses (Maisonettes) would be subject to all regulations identified within the RM2-313 Zone.

In addition to the definitions of **SECTION 4: DEFINITIONS**, the following definition shall apply:

(a) On the lands zoned "RM2-316", the definition of a "*Street*" shall include a private condominium road. For the purposes of a private condominium road, the parking and landscaping are permitted within the "*Street*" and common elements.

(b) "*Back-to-back townhouses (Maisonettes)*" shall be defined as a dwelling divided vertically into a minimum of 6 dwelling units and a maximum of 16 dwelling units, with each unit separated by common or parting walls, both at the rear and at the side or sides of the unit, and having one or more private

entrances at grade.

Notwithstanding the regulations of **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** provision (f) **and SECTION 44, "Exceptions to the Provisions of this By-law"** RM2-313 (b), (i) and (e), the following provision shall apply for Back-to-back townhouses (Maisonettes) dwellings:

(a) Back-to-back townhouses (Maisonettes) shall have a minimum lot area of 90 square metres.

(b) Back-to-back townhouses (Maisonettes) shall have no minimum rear yard requirement.

(c) Back-to-back townhouses (Maisonettes) shall a minimum landscape area of 15% within the Front Yard.

(d) Back-to-back townhouses (Maisonettes) shall a minimum Side Yard Setback of 1.2 metres for an end unit.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Sub-Section 7.35 – MINIMUM PARKING REQUIREMENTS - Clauses (a), (i), (vii), and clause (b), the following provisions shall apply for Back-to-back townhouses (Maisonettes) and block townhouse dwellings:

(a) Every Block Townhouse Dwelling and Maisonette Dwelling unit shall provide and maintain 2 parking spaces within the driveway and 0.25 visitor Parking Spaces per unit. In the case of any other use, the minimum parking space requirements of 7.35(a)(i) shall apply.

(b) In addition, a parking space shall have a minimum width of 3 metres and a minimum length of 5.8 metres.

R4-318 **9684, 9694, 9704, 9714, 9730 Twenty Road West** (By-law No.20-160) (LPAT CASE No. PL171243)

(Blocks 4, 5, 6)

a)	Minimum Lot Frontage for a Corner Lot	15.0 metres
(c)	Maximum Lot Coverage	45%, excluding Accessory Buildings
(d)	Minimum Front Yard	6.0 metres
(e)	Minimum Side Yard	1.2 metres, except,

(i) On an interior lot where a swale is provided adjacent to the "ER" Zone, the minimum side yard shall be 1.2 metres and shall be measured from the upper most interior edge of the swale's slope.

(ii) On a corner lot, the minimum side yard shall be 3.0 metres

In addition to the definitions of **SECTION 4: DEFINITIONS**, the following definition shall apply:

(a) A "Swale" shall be defined as a graded or engineered landscape feature appearing as a linear, shallow, open channel for the purpose of providing water drainage.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Subsection 7.29 – DAYLIGHTING TRIANGLE, Subsection 7.29 shall not apply to the "R4-318" Zone.

H-R4-318 **9684, 9694, 9704, 9714, 9730 Twenty Road West** (By-law No.20-160) (LPAT CASE No. PL171243)

(Block 3)

In addition to the provisions of the Residential "R4-318" Zone, Modified, and in addition to the provisions of **SUBSECTION 16.1 – PERMITTED USES**, of **SECTION 16: RESIDENTIAL "R4" ZONE,** the following use shall also be permitted on lands zoned "H-R4-318":

a) Stormwater Management Facility

That the "H" symbol applicable to the lands zoned "H-R4-318" may be removed by a further amendment to this By-law at such time that the extension of Kellogg Avenue has been completed to the satisfaction of the Manager of Development Approvals.

RM2-317 **9684, 9694, 9704, 9714, 9730 Twenty Road West** (By-law No.20-160) (LPAT CASE No. PL171243)

(Blocks 1 and 2)
That Section 44 "Exceptions of the Provisions of this By-law", as amended, is hereby further amended by modifying the "RM2" Zone provisions (a), (b), (c), (d), (e) and (f) as follows:

(a) Minimum Lot Frontage 6.0 metres per dwelling unit except:

(i) For a dwelling end unit that does not abut a flanking street, the minimum lot frontage shall be 7.5 metres;

(ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to a flanking street shall be 7.5 metres; and,

(iii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to Kellogg Avenue shall be 9.5 metres.

(b)	Minimum Lot Area	150 square metres per dwelling unit except:

(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 190 square metres;

(ii) On a corner lot which abuts a flanking street, the minimum lot area shall be 190 square metres; and,

(iii) On a corner lot which abuts Kellogg Avenue, the minimum lot area shall be 250 square metres.

(c)	Maximum Lot Coverage	N/A
(d)	Minimum Front Yard	4.0 metres to the dwelling wall; and, 6.0 metres to the garage
(e)	Minimum Side Yard	

(i)	End dwelling unit not abutting a flanking street	1.5 metres,
(ii)	End dwelling unit on a corner lot abutting a flanking street	1.5 metres; and
(iii)	End dwelling unit on a corner lot abutting Kellogg Avenue	3.0 metres

(f)	Minimum Rear Yard	6.0 metres

In addition to the regulations of **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)**, the following provisions shall apply:

(a) For the purposes of this By-law, the private condominium road shall be considered a street and shall permit visitor parking, landscaping and any other common areas within the street.

(b) For the purposes of this By-law, a through lot shall be deemed to have a front lot line abutting the private condominium street.

(c) No visual barrier greater than 1.2 metres in height shall be permitted in a yard abutting Silverbirch Boulevard.

(d) An amenity area of 255 square metres shall be provided.

(e) No individual driveway access shall be permitted from Silverbirch Boulevard.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.29 – DAYLIGHTING TRIANGLE**, Subsection 7.29 shall not apply to the "RM2-317" Zone.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.26 – ENCROACHMENT INTO YARDS** – Clause (b), the following provision shall apply:

(b) Balconies, canopies, fruit cellars or unenclosed porches which may project into any required front or rear yard a distance of not more than 1.5 metres, or into any minimum side yard of not more than 0.5 metres, except stairs used to provide access to unenclosed porches from the ground may be permitted a distance of not more than 3.0 metres into any required rear yard.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.35 – MINIMUM PARKING REQUIREMENTS** – Clause (a) (vii), the following provisions shall apply:

(a) Surface parking spaces are permitted to have a minimum width of 2.6 metres and length of 6.0 metres while garage parking and driveway parking spaces must have a minimum width of 3.0 metres and length of 6.0 metres. Notwithstanding the above regulations, the size of the required parking spaces for the physically handicapped shall be subject to Clause 7.35(a) (xv) of this By-law.

(b) Stairs are permitted to encroach 0.3 metres into the required garage parking space.

In addition to the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.35 – MINIMUM PARKING REQUIREMENTS** – Clause (b), the following provision shall apply:

(c) a minimum 0.3 visitor parking spaces for each street townhouse dwelling unit shall be provided.

RM4-319 **1912 Rymal Road East** (By-law No. 20-237)

20.2 (b) Minimum Lot Area: 0.38 hectares

(d)	Maximum Lot Coverage:	48 percent
(e)	Maximum Density:	242 dwelling units per hectare
(f)	Front Yard:	3.0 metres
(g)	Minimum Side and Rear Yards: (i) 3.0 metre easterly side yard (ii) 13.0 metre westerly side yard (iii) 3.0 metre rear yard	
(h)	Minimum Floor Area per Dwelling Unit	Shall not apply
(i)	Maximum Building Height	18.0 metres
(k)	Minimum Landscaped Area	27 percent of the lot area excluding the Amenity area

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Sub-section 7.35 - MINIMUM PARKING REQUIREMENTS - Clauses (a)(ix) and (b), the following provision shall apply:

(a) General Provisions
(ix) shall not apply.

(b) Off Street Parking Space Requirements
Parking Spaces shall be provided at a rate of 1 space per dwelling unit and 0.25 visitor parking spaces per dwelling unit.

H-R4-320 **3140 and 3150 Binbroook Road** (By-law No. 21-120)

That the “H symbol applicable to the lands zoned “H-R4-320" shall not be removed until such time that the landowner demonstrate to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton, that sufficient land assembly has occurred to achieve the minimum lot area requirement and lot frontage requirement in accordance with the "R4 Zone.

and

The Owner agrees to pay for any outstanding costs associated with Valiant Circle to the satisfaction of the Manager of Development Engineering approvals.

RM3-321 **3140 and 3150 Binbroook Road** (By-law No. 21-120)

In addition to the uses permitted in **SECTION 19: RESIDENTIAL MULTIPLE “RM3” ZONE**, Subsection 19.1 **PERMITTED USES**, the following additional uses shall also be permitted:

Street Townhouse Dwelling

The following regulations shall apply to a Street Townhouse Dwelling:

(a) Minimum Lot Frontage:	6.0 metres per dwelling unit
(b) Minimum Lot Area:	160 square metres per dwelling unit, except: (a) On an end lot which does not abut a flanking street, the minimum lot area shall be 205 square metres; and (b) On a corner lot which abuts a flanking street, the minimum lot area shall be 350 square metres.
(e) Minimum Front Yard:	7.0 metres
(f) Minimum Side Yard and Rear Yard:	7.5 metres except 6.5 metres for the easterly side yard.
(j) Minimum Landscaped Area:	45 percent of lot area, which may include the required privacy area.
(m) Minimum Amenity Area:	Shall not apply.

All other regulations of Subsection 19.2 shall also apply to a Street Townhouse Dwelling.

In addition to the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, Sub-Section 19.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAGH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLING)**, the following shall apply:

(o) For the purpose of the lot frontage, lot area, front yard, and side yard requirements only, a condominium road shall be deemed to be a public street.

(p) Visitor Parking and Landscaping may be provided in a common element condominium.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES,** Sub-section 7.35 - MINIMUM PARKING REQUIREMENTS – Clause (a)(xii), the following provision shall apply:

(a) General Provisions

(xii) A minimum 1.5 metre planting strip shall be provided where a parking area abuts a Residential Zone or where the adjoining land is

used for residential or institutional purposes.

That regulation **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-section 7.23 - SPECIAL SETBACK REQUIREMENTS FROM STREETS shall not apply.

RM3-326 **3479 Binbroook Road** (By-law No. 23-148)

1. In addition to **SECTION 4: DEFINITIONS**, that for the purposes of the RM3-326 Zone, the following definitions shall also apply:

   (a) Stacked townhouses - shall mean a townhouse that is divided vertically and horizontally into a minimum of three and a maximum of 15 dwelling units and with each dwelling unit having one or more private entrances at grade.

   (b) Back-to-back townhouses (Maisonettes) - Shall mean a building containing a minimum of 12 and no more than 32 dwelling units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit at grade.

   (c) For those lands zoned "RM3-326", Zone, Modified, the lot line along Gowland Drive is deemed to be the Front Lot line.

   (d) For those lands zoned "RM3-326", Zone, Modified, the easterly lot line of Block 2 measuring 64.77 metres and the westerly lot line of Block 3 measuring 64.62 metres on Draft Approved Plan of Subdivision 25T-202201, are deemed to be the Flankage Lot lines.

   (e) For those lands zoned "RM3-326", Zone, Modified, the lot line along Binbrook Road is deemed to be the Rear Lot line.

2. Notwithstanding **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Subsection 19.1 PERMITTED USES for those lands zoned "RM3-326", Zone, Modified, by this By-law, only the following uses shall be permitted:

   (a) Apartment buildings

   (b) Stacked Townhouses

   (c) Back-to-back townhouses (Maisonettes)

3. Notwithstanding **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, Subsection 19.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1, Clauses (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (l), and (n), the following regulations shall apply for uses listed

in subsection 2 above, for the lands zoned "RM3-326":

(a)	Minimum Lot Frontage	30 metres
(b)	Minimum Lot Area	0.3 hectare
(c)	Maximum Lot Coverage	50 percent
(d)	Maximum Density	60 dwelling units per hectare
(e)	Minimum Front Yard	3 metres, except 6 metres to attached garage
(f)	Minimum Side and Rear Yards	
	(i) Side Yard	1.2 metres, except 3 metres on a flanking street
	(ii) Rear Yard	3 metres
(g)	Minimum Separation Distance	N/A
(h)	Minimum Floor Area Per Dwelling Unit	N/A
(i)	Maximum Height	12.5 metres
(j)	Minimum Landscaped Area	25 percent of the lot area
(l)	Minimum Privacy Area	N/A
(n)	Minimum Parking Requirements	

Notwithstanding **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 – MINIMUM PARKING REQUIREMENTS FOR ALL ZONES, each parking space shall be 2.7 metres x 5.8 metres and each dwelling unit shall have two spaces plus 0.25 vistior parking spaces for each dwelling unit.

H-RM2-328 **1898 and 1900 Rymal Road East** (By-law No. 23-186, **Not Final and Binding**)

Notwithstanding SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE, Subsection 18.1 - PERMITTED USES, the uses permitted on lands zoned "RM2-328" shall be limited to:

(a) Street Townhouse Dwelling which includes but not limited to individual

townhouse lots having frontage on or otherwise tied to a public road or condominium road;

(b) Uses, buildings and structures accessory to the uses described in Paragraphs (a).

Notwithstanding the regulations of Zoning By-law No. 464, is further amended by modifying SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLINGS), provisions (a), (b), (c), (d), (e)(ii), (f), (i), and (k)(ii):

18.2 (a) Minimum Lot Frontage: ……5.9 metres per dwelling unit

(i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 6.5 metres; and,

(ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 6.5 metres

(b) Minimum Lot Area: ……..…130 square metres per dwelling unit, except:

(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 175 square metres; and

(ii) On a corner lot which abuts a flanking street, the minimum lot area shall be 165 square metres.

(c) Maximum Lot Coverage: ……..…55 percent

(d) Minimum Front Yard:

(i) 4.0 metres, except a garage that faces a front lot line shall have a minimum front yard setback of 6.0 metres; and,

(ii) Notwithstanding (d) (i) of this by-law, a minimum 1.65 metres for a corner lot except a garage that faces a front lot line shall have a minimum front yard setback of 6.0 metres.

(e) Minimum Side Yard:

(ii) End dwelling unit on a corner lot abutting a flanking street ……..……0.7 metres

(f) Minimum Rear Yard: ……..6.0 metres

(i) Minimum Landscape Area: ……..….. 20 percent of the lot area

(h) Maximum Height: …….…. 10.7 metres

(i) Notwithstanding (h) of this by-law, townhouse units located along the frontage of Rymal Road East to a depth of 30 metres shall be permitted a maximum height of 11.6 metres.

(k) Dwelling Unit Placement

(ii) Not more than eight (8) attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling or without varying the exterior design and materials of the front face or wall of the dwelling.

That for the purposes of this By-law, the following definitions shall apply:

(a) Notwithstanding Section 4 - Definition as it relates to "Lot", individual dwelling unit lots may be created by registration of a condominium plan or created by Part Lot Control or Draft Plan of Subdivision and shall be permitted to front on a private condominium road other than a street.

Notwithstanding the regulations of SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Sub-section 7.26 ENCROACHMENT INTO YARDS – Clause (b) the following special provision shall apply:

(b) Balconies, canopies, fruit cellars or unenclosed porches which may project into any required front or rear yard a distance of not more than 3.0 metres.

H-RM2-328 **1898 and 1900 Rymal Road East** (By-law No. 23-186, **Not Final and Binding**)

The "H" symbol may be removed by a further amendment to this By-law at such time as the following matter is satisfied:

i. That the owner submits and receives approval of a Transportation Impact Study to the satisfaction of the Manager, Transportation Planning;

ii. That the Owner submits and receives approval of a Watermain Hydraulic Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer;

iii. That the Owner submits a revised Tree Protection Plan addressing the protection of the trees and finalizes the justification for the removal of the identified trees, including submission of written confirmation from the abutting owners 55 and 63 Bocelli Crescent and 11 Enclave Place for permission to encroach into the dripline of "Tree A, B, C, H and P", to the satisfaction of the Director of Planning and Chief Planner. The resubmission is to include the applicable Tree Protection Plan review fee payable to the City of Hamilton.

SECTION 45: ADMINISTRATION

45.1 ADMINISTRATION

This By-law shall be administered by the City's Director, Planning Division, Chief Planner (By-law #15-070, By-law #21-186)

45.2 INSPECTION OF PREMISES

Where the Zoning Administrator or any official, employee or agent of the Corporation acting under his/her direction believes on reasonable grounds that this By-law is being contravened, the Zoning Administrator or such other person may, at all reasonable times, and upon producing proper identification, enter in and inspect any property on or in respect of which he/she believes the contravention is occurring.

45.3 REMEDIES

The contravention of any requirement of this By-law may be restrained by action at the instance by the Township or any ratepayer pursuant to the provisions of the Municipal Act, being Chapter M.45 of the Revised Statutes of Ontario, 1990, as amended from time to time.

SECTION 46: ENFORCEMENT

46.1 (a) Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable,

(i) on a first conviction to a fine of not more than $20,000.00; and

(ii) on a subsequent conviction to a fine of not more than $10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

(b) Where a corporation is convicted under Paragraph 46.1(a) of this By-law, the maximum penalty that may be imposed is,

(g) on a first conviction a fine or not more than $50,000.00; and

(ii) on a subsequent conviction a fine of not more than $25,000.00 for each day of part thereof upon which the contravention has continued after the day on which the corporation was first convicted;

and not as provided in Paragraph 46.1(a) of this By-law.

(c) Where a conviction is entered under Paragraph 46.1(a), in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

46.2 Where the owner is in default in doing any matter or thing which the owner is directed or required to do by this By-law, the owner is to be given written notice by prepaid registered mail to his/her usual place of business or place of residence advising the owner of the default and allowing the owner not less than thirty (30) days to remedy the default.

46.3 Where the owner has been given notice of default by prepaid registered mail and has failed to remedy the default within the time prescribed in the notice, the owner is entitled to appear before a meeting of the Council in respect of such default before the Corporation proceeds under Subsection 46.4 of this By-law.

46.4 In the event that any person shall fail or refuse to perform any matter or thing required to be done under the provisions of this By-law, such matter or thing may be done by the Township and the expense thereof may be recovered against such person by either action against such person, or may be recovered as Municipal Taxes or the expense with interest thereon may be payable in annual instalments not exceeding ten (10) years.

SECTION 47: BY-LAWS REPEALED

The following By-laws and all amendments thereto, for the former Township of Binbrook and Glanford, now in the Township of Glanbrook and for the Township of Glanbrook, are hereby repealed:

(a) By-law No. 901, passed the 21st day of December, 1966, being "The Zoning By-law" of the former Township of Binbrook, now in the Township of Glanbrook.

(b) By-law No. 1078, passed the 18th day of October, 1965, being "The Zoning By-law" of the former Township of Glanford, now in the Township of Glanbrook.

(c) By-law No. 1078-157-78, passed the 9th day of August, 1978, being the "Industrial Park Zoning By-law of the Corporation of the Township of Glanbrook" (covering the north-central portion of the North Glanbrook Industrial-Business Park)

(d) By-law No. 1078-158-78, passed the 9th day of August, 1978, being the "Industrial Park Zoning By-law of the Corporation of the Township of Glanbrook" (covering the remainder of the North Glanbrook Industrial-Business Park).

(e) By-law No. 186-79, passed the 15th day of January, 1979, being a draft "Zoning By-law" of the Township of Glanbrook.

(f) By-law No. 226-81, passed the 16th day of March, 1981, being a By-law to provide for control of mobile homes on farm holdings as help houses.

SECTION 48: VALIDITY AND EFFECTIVE DATE

48.1 VALIDITY

Every provision of this By-law, including any notation on the Zoning Maps, is declared to be severable from the remainder of the By-law, and if any provision of this By-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this By-law.

48.2 EFFECTIVE DATE

This By-law shall be deemed to have come into force on the day it is passed by Council, subject to the approval of the Ontario Municipal Board if required.

Read a first time this 16th day of March, 1992.

Read a second time this 16th day of March, 1992.

Read a third time this 16th day of March, 1992.

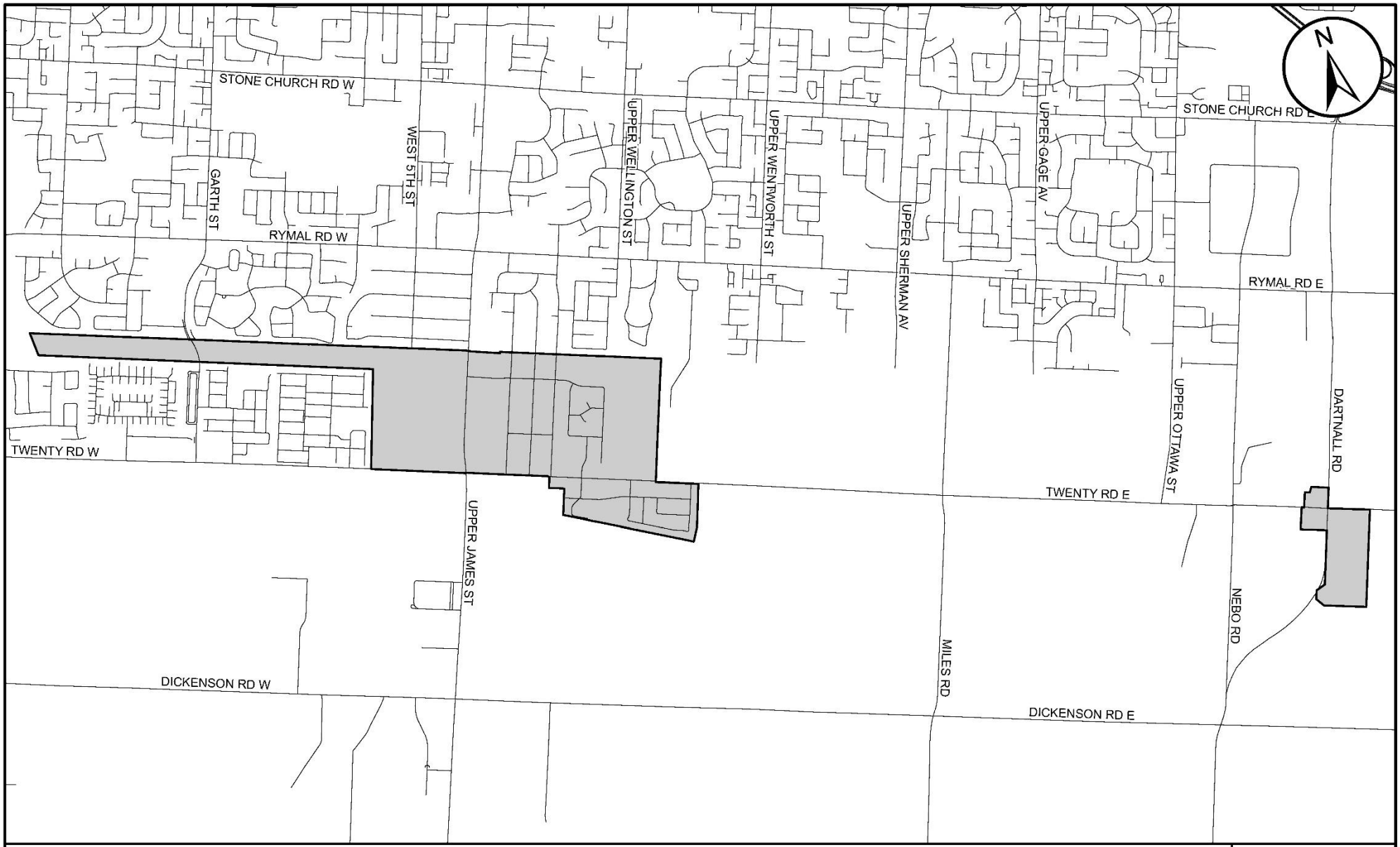
"Glen Etherington"
Mayor

"H. Kooyman"
Deputy Clerk

Zoning By-law No. 464 was approved by the Ontario Municipal Board in the Order made on the 31st day of May, 1993 and entered in Order Book 1994-1 at Folio No. 110 on the 24th day of January, 1994, and, as amended, by the Order entered in Order Book 1994-1 at Folio No. 35 on the 1st day of March, 1994. (OMB File No. R920300).

SECTION 49: ZONING SCHEDULES

SECTION 50: SPECIAL FIGURES



Special Figure 1:Additional Permissions in Low Density Residential Zones Outside of Secondary Plans

Date:
July 19, 2022

Legend

Lands Outside of Secondary Plans (excluding employment lands)

Hamilton
Planning & Economic Development Department