Town of Dundas

(Now City of Hamilton)

Zoning By-law

No. 3581-86

As Amended

Consolidation October 2026

TOWN OF DUNDAS
(Now City of Hamilton)

ZONING BY-LAW
NO. 3581-86

AS AMENDED

Prepared by:

City of Hamilton
Planning & Economic Development Department

IMPORTANT NOTE

This consolidation does not contain amendments proposed by By-law(s) which are not yet in effect.

It does contain amendments effective to June 30, 2015, including the following By-laws:

3604-86
3608-86
3640-87
3666-87
3681-87
3697-87
3700-87
3708-88
3714-88
3726-88
3742-88
3749-88
3757-88
3760-88
3766-88
3781-89
3813-89
3822-89
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3866-90
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3933-91
3974-91
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3997-92
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4014-92
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4105-93
4108-93
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4135-94
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4161-94
4172-94
4198-95
4219-95
4224-95
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4404-98
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4446-98
4451-98
4463-99
4469-99
4482-99
4485-99
4498-99
4499-99
4517-99
4518-99
4525-99
4540-00
4543-00
4556-00
4561-00
4564-00
4574-00
4575-00
4576-00
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4577-00
4580-00
02-003
02-173
02-209
02-228
03-163
03-333
04-002
04-270
04-310
05-052
05-090
05-159
05-238
05-333
05-360
06-038
06-076
06-185
06-230
07-155
07-181
07-276
07-292
08-050
08-127
08-094
08-224
08-229
08-249
08-252
09-020
09-044
09-063
09-131
09-210
10-098
10-124
10-175
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11-308
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13-207
13-212
13-261
13-300 (OMB re: 13-212)
14-029
14-275
14-288
14-306 (OMB re: 14-029)
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THE CORPORATION OF THE TOWN OF DUNDAS

BY-LAW NO. 3581-86

as amended

A ZONING BY-LAW

A by-law to regulate the use of land and the erection, use, bulk, height, location and character of buildings and structures within the corporate limits of the Town of Dundas.

The Council of The Corporation of the Town of Dundas hereby enacts as follows:

TITLE

SECTION 1: TITLE

1.1 TITLE

This By-law may be cited as the "Zoning By-law of the Corporation of the Town of Dundas".

APPLICATION OF BY-LAW

APPLICATION OF BY-LAW

SECTION 2: APPLICATION OF BY-LAW

DEFINED AREA **2.1** **DEFINED AREA**

The provisions of this By-law shall apply to all lands contained within the corporate limits of the Town of Dundas, which are more particularly shown on Schedules "A" to "U" inclusive, attached hereto and forming part of this By-law.

BY-LAWS REPEALED **2.2** **BY-LAWS REPEALED**

(i) The following Restricted Area By-law of the Town of Dundas and all amendments thereto are hereby repealed:

By-law No. 1964, passed 7th May, 1962, except for:

(a) those areas described as the Lower Spencer Creek Study Area as shown on Schedules "A", "E", and "O".

(ii) The following Restricted Area By-law of the Township of Ancaster and all amendments thereto, affecting certain areas annexed by the Town of Dundas subsequent to the passing of said By-law, are hereby repealed:

By-law No. 1890, passed 7th May, 1963.

(iii) The following Restricted Area By-law of the Township of West Flamborough and all amendments thereto, affecting certain areas annexed by the Town of Dundas subsequent to the passing of said By-law, are hereby repealed:

By-law No. 2287, passed 23rd November, 1964.

EFFECTIVE DATE **2.3** **EFFECTIVE DATE**

This By-law shall come into force and take effect upon being passed by Council, subject to the approval of the Ontario Municipal Board.

First, Second and Third Reading May 22, 1986

Signed: "Mary Ann Seldon"
MAYOR

"J. Robert Gerrie"
CLERK

Ontario Municipal Board Approval May 10, 1988

DEFINITIONS

DEFINITIONS

SECTION 3: DEFINITIONS

CONSTRUCTION OF LANGUAGE

3.1 CONSTRUCTION OF LANGUAGE

In this By-law:

i) The word “shall” is mandatory.

ii) Words used in the singular include the plural and words used in the plural include the singular.

iii) Words used in the masculine gender include the feminine gender.

DEFINITIONS

3.2 DEFINITIONS

For the purpose of this By-law all words shall carry their customary meaning except:

3.2.1 Deleted (By-law 21-073)

3.2.2 **ACCESSORY BUILDING OR ACCESSORY STRUCTURE**

Means a building or structure that is not used for human habitation, the use of which is customarily incidental and subordinate to the principal use, building or structure located on the same lot.

3.2.3 **ACCESSORY USE**

Means a use incidental and subordinate to and exclusively devoted to the principal use located on the same lot.

3.2.4 **AGRICULTURAL USE**

Means the use of land, buildings or structures for the purpose of animal husbandry, bee-keeping, dairying, fallow, field crops, forestry, fruit farming, horticulture, market gardening, pasturage, poultry-keeping, or other farming use, including the growing, raising, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agriculture, which are in accordance with the Agricultural Code of Practice, excluding animal feedlots, the slaughtering of animals or the processing, packaging and distribution of animal carcasses.

3.2.5 **ALTER**

Means any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure, or any increase in the area or cubic content of a building or structure.

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[1] *By-law No. 4091-93 June 21, 1993*

3.2.6 **BACHELOR UNIT**

Means a dwelling unit in which only one room or part thereof contains sleeping accommodation and which room is used as a living or dining room, or as both, but shall not include a dwelling unit containing one or more bedrooms.

3.2.7 **BASEMENT**

Means that portion of a building between two floor levels, which has not more than one-half of its height between the floor and the ceiling below grade, and which has its ceiling less than 1.8 m above grade. (See illustration page at the end of Section.)

3.2.8 **BED AND BREAKFAST ESTABLISHMENT**[1]

Means a dwelling in which the proprietor resides and where no more than three bedrooms in the dwelling are used for the temporary accommodation of the traveling or vacationing public; and where meals are provided no food or drink shall be offered or kept for sale to anyone who is not a guest of the bed and breakfast establishment.

3.2.9 **BUFFER STRIP**

Means an area of land provided for growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a visual barrier or buffer.

3.2.10 **BUILDING**

Means a structure having a roof and used for the shelter, accommodation or enclosure of persons, animals, goods or chattels.

3.2.11 **BUILDING, APARTMENT**

Means a dwelling containing three or more dwelling units.

3.2.12 **BUILDING, DEVELOPING AND GENERAL CONTRACTING INDUSTRIES**

Building, developing, general contracting and other establishments primarily engaged in the construction and development of residential, commercial and institutional (non- residential) buildings and real estate.

3.2.13 **CARPORT**

Means a building or structure or part thereof, of which at least forty per cent (40%) of the area of the perimeter faces are open and unobstructed by any wall, door, post or pier.

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[1] *By-law No. 4306-96 September 4, 1996*

3.2.14 **CELLAR**

Means that portion of a building between two floor levels, which has more than one-half of its height between the floor and the ceiling below grade, and which has its ceiling less than 1.8 m above grade. (See illustration page at end of Section.)

3.2.14.1 **CHILD CARE CENTRE**[1]

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.

3.2.15 **COMMUNICATION INDUSTRIES**

Establishments primarily engaged in providing telecommunications broadcasting and transmission services and those operating courier services.

3.2.15.1 **COMMUNITY GARDEN**

Means 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.

3.2.16 **CONSUMER AND BUSINESS FINANCING INTERMEDIARY INDUSTRIES**

Establishments primarily engaged in extending loans to and/or financing equipment, facilities, inventory and sales for businesses and individuals. Included in this major group are establishments of consumer loans companies and business finance companies.

3.2.17 *Deleted.* (By-law 25-156)

[1] *By-law No. 14-275 September 24, 2014*

3.2.18 **DENSITY**

Means the density related to the net site area excluding public thoroughfares.

3.2.19 **DEPOSIT ACCEPTING INTERMEDIARY INDUSTRIES**

Establishments primarily engaged in accepting deposits, which are employed in financing their financial intermediary activities including banks, trust companies and credit unions.

[1] By-law No. 25-156, August 06, 2025.

3.2.20 **DWELLING**

Means a separate building containing one or more dwelling units.

3.2.20.1 **DWELLING, CONVERTED**[1]

Means a dwelling altered to contain a greater number of Dwelling Units.

3.2.21 *Deleted.* (By-law 21-073)

3.2.22 **DWELLING, DUPLEX**

Means a separate building divided horizontally into two dwelling units each having a separate entrance.

3.2.23 **DWELLING, MAISONETTE**

Means an apartment house each unit of which is a self-contained dwelling having two separate means of egress; one of said means of egress is to a common first storey corridor, and the other leads directly to the outside landscaped yard area.

3.2.24 **DWELLING, SEMI-DETACHED**

Means a separate building divided vertically into two dwelling units by a solid common wall extending from the base of the foundation to a roof line and for a minimum 2.0 m horizontal depth of the building.

3.2.25 **DWELLING, SINGLE-DETACHED**

Means a separate building containing only one dwelling unit.

3.2.26 **DWELLING, STREET-TOWNHOUSE**

Means a townhouse dwelling:

i) in which all dwelling units front on a public thoroughfare; and

[1] *By-law No. 22-192 August 12, 2022*

[1] *By-law No. 4091-93 June 21, 1993*

ii) which does not share any yards, driveways, common open space and parking and manoeuvring space.

3.2.27 **DWELLING, TOWNHOUSE**

Means a building not more than one dwelling unit in height, designed and constructed to contain more than two dwelling units attached to each other, side by side, in one row and in substantial harmony with each other, each of which dwelling unit:

i) has separate front and rear entrances or separate front and side entrances; and

ii) shares common open space and parking and

manoeuvring space.

3.2.28 **DWELLING UNIT**

Means a suite of two or more habitable rooms, occupied by not more than one household, in which sanitary and culinary facilities are provided, and with an independent entrance, either directly from outside the building or from a common corridor inside the building.

3.2.28.1 **SECONDARY DWELLING UNIT**[2]

Means a separate and self-contained Dwelling Unit that is accessory to and located within the principal dwelling.

3.2.28.2 **SECONDARY DWELLING UNIT - DETACHED**[2]

Means a separate and self-contained detached Dwelling Unit that is accessory to and located on the same lot as the principal dwelling.

3.2.29 **ERECT**

Means to do anything in construction, installation or extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere, and erection has a corresponding meaning.

3.2.30 **EXISTING**

Means existing as of the date of the passing of this By-law.

3.2.30.1 **FARM PRODUCE/PRODUCT STAND**[1]

Means 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.

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[1] *By-law No. 14-275 September 24, 2014*
[2] *By-law No. 22-134 June 08, 2022*

3.2.31 **FLOOR AREA**

Means with reference to a dwelling, lodging house, or apartment building, the total habitable floor area exclusively devoted to one dwelling unit within a building which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding:

i) in the case of a dwelling, any private garage, porch, verandah, balcony, sun room, attic, basement or cellar, and

ii) in the case of an apartment building, any private garage, porch, verandah, balcony, mezzanine, lobby, cellar, common hallway, staircase, elevator shaft area, vestibule, boiler room, common laundry room or common storage room.

3.2.32 **FLOOR AREA, GROSS**

Means the aggregate of the floor areas of all the storeys of a building including the floor area of any basement but not of any cellar or subcellar, which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building; and, for the purposes of this clause, the walls of an inner court shall be deemed to be exterior walls.

3.2.33 **GARAGE, PRIVATE**

Means a building or part thereof used for the temporary parking or storage of private passenger motor vehicles or commercial vehicles of less than 2700 kg registered gross vehicle weight, and wherein neither servicing nor repairing is carried on, except for vehicles owned by persons living on the premises.

3.2.34 **GRADE**

With reference to the height of a building or structure, wherever curb-level has been established, shall mean the elevation of curb level opposite the highest point of the building or structure, on a line perpendicular to the street line, or, wherever curb level has not been established, or wherever the mean elevation of the ground adjoining the building or structure on all sides and within 4.5 metres of it is higher than curb-level opposite the highest point of the building or structure, then grade shall mean the mean elevation of all the ground adjoining the building or structure and within 4.5 metres of it.

Provided, however, that wherever a lot other than a corner lot abuts upon two or more streets having different elevations opposite the lot, the higher of such elevations shall be considered as grade for only half of the depth of the building or for a depth of 36.0 metres measured perpendicularly from the street line of the higher street, whichever is the lesser distance.

And provided further, that with reference to the height of a building or structure on a corner lot, grade shall mean the average elevation of the curb levels opposite the building or structure on the two streets, or the mean elevation of all the ground adjoining the building or structure and within 4.5 metres of it.

3.2.35 **GROUP DEVELOPMENT**

Means the building or part of a building designed as part of a group of dwellings on the same lot, which group of dwellings is comprised of apartment buildings, townhouse dwellings, maisonette dwellings, or any combination of these. A group of dwellings so comprised shall be

held and maintained under single ownership, except for group dwelling units established and maintained as units under The Condominium Act, R.S.O. 1980, Chapter 84.

3.2.36 **GROUP HOME**

Means any supervised, community based group living arrangement, located in a fully-detached building occupied wholly for such use, by a maximum number of supervised residents, exclusive of staff, with social, legal, emotional or mental problems, that is developed for the well being of its occupants through self-help and/or professional care, guidance, and supervision unavailable in the occupant's own family or in an independent situation, provided that:

i) the occupants of the Group Home are referred to the Group Home by a hospital, court or government agency; or

ii) such facility is government funded either wholly or in part, other than funding provided solely for capital purposes; or

iii) the facility is regulated or supervised under any general or special act (Municipal, Provincial or Federal).

3.2.37 **HABITABLE ROOM**

Means any room or space intended primarily for human occupancy, such as kitchens, living rooms, family rooms, bedrooms, dens and finished recreation rooms.

3.2.38 **HAZARDOUS WASTE**[1]

Means materials that are defined as hazardous waste under Ontario Regulation 347 to the Environmental Protection Act.

3.2.39 **HAZARDOUS WASTE MANAGEMENT FACILITY**[1]

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.

3.2.40 **HEIGHT**[2]

Shall mean the vertical distance from grade to the uppermost point of the building but not including any

[1] *By-law No. 09-131 June 10, 2009*
[2] *By-law No. 15-068 March 11, 2015*

mechanical penthouse or any portion of a building designed, adapted or used for such features as a chimney,

smokestack, fire wall, stair tower, fire tower, water tower, tank, elevator bulkhead, ventilator, skylight, cooling tower, derrick, conveyor, antenna, or any such requisite appurtenance, or a flagpole, display sign, ornamental figure, parapet, bell tower or other similar structure. Provided, however, where this By-law requires building height to be calculated to determine a minimum rear yard or a minimum side yard requirement, building height shall mean the vertical distance between the lowest finished grade elevation along the lot line related to such required yard at that point closest to the building and the horizontal extension of the uppermost point of the building.

3.2.40.1 **HOME CHILD CARE**[2]

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:

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

ii) is not licensed under the Child Care and Early Years Act, as amended, and the number of children does not exceed five.

3.2.41 **HOME FOR THE AGED**

Means a home for the aged established and maintained under The Homes for the Aged and Rest Homes Act or any successor thereto or a rest home established and maintained under the said Act. (Source: The Homes for the Aged and Rest Homes Act, R.S.O. 1980, Chapter 203.)

3.2.42 **HOME OCCUPATION**

Means an occupational use conducted entirely within a dwelling unit and carried on only by members of the household residing on the premises, which use is clearly incidental and secondary to the use of the dwelling unit for dwelling purposes and does not change the character thereof, provided that:

i) no article or commodity is sold or offered for sale except such as may be produced on the premises, and

ii) no sign or display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling unit, and

iii) there is no outside storage of material or equipment, and

iv) not more than 15 per cent of the floor area of the dwelling unit may be used for the home occupation, and

v) no mechanical or other equipment is used, kept or

[2] By-law No. 25-156, August 06, 2025

had except such as is customarily employed in dwellings for hobbies, domestic or household purposes, or for any purpose normal to or reasonably consistent with the use of a dwelling as such, and

vi) any home occupation that creates objectionable noise, vibration, fumes, odour, dust, electrical interference or more than normal residential traffic shall be prohibited, and

vii) the home occupation shall not alter the appearance of the dwelling nor shall the home occupation be conducted in such a manner as to cause the dwelling to differ from its residential character;[1]

viii) only one member of the household shall carry on any hairdressing or barbering use; but does not include an incidental and secondary use that consists of:

but does not include and incidental and secondary use that consists of:

ix) motor vehicle repairs, auto body repairing and painting of motor vehicles, or

x) keeping of scrap and salvage material.

3.2.43 **HOUSEHOLD**[2]

Means one or more persons occupying premises and living as a single housekeeping unit and using common cooking facilities.

3.2.44 **INDUSTRIAL USE**

Means designed, adapted or used for industrial purposes within the scope and meaning of Statistics Canada, “Standard Industrial Classification 1980”.

3.2.45 **INDUSTRIAL AND HEAVY (ENGINEERING) CONSTRUCTION**

Industrial and heavy construction contractors primarily engaged in the construction of projects other than buildings.

3.2.46 **INVESTMENT INTERMEDIARY INDUSTRIES**

Establishments primarily engaged in investing in a portfolio of securities and other investments on behalf of their shareholder/unitholder. Included in this major group are establishments primarily engaged in financing mortgages, real estate and purchase leasebacks and holding of common and preferred stock for the purpose of exercising control.

3.2.47 **LANDSCAPED AREA**

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[1] *By-law No. 4172-94 August 15, 1994*
[2] *By-law No. 4091-93 June 21, 1993*

Means land provided and maintained on the same lot on which the building or structure is situated, no part of which shall be other than:

i) fully and completely open and exposed to natural light and air and unobstructed above the surface,

ii) used exclusively for scenic, recreational or like uses, and

iii) not less than 50% of which shall be natural planting of grass lawns, trees, shrubs and flowers in such manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot;

but shall not include area used for parking space, manoeuvring space, access or egress driveways or any other vehicular purposes of any kind, nor any open space beneath, within or on the roof of any building except where permitted in a zone.

3.2.48 **LOADING SPACE**

Means an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display.

3.2.48.1 **LOCAL AGRICULTURAL PRODUCTS**[1]

Means 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.

3.2.49 **LOT**

Means a parcel or tract of land having, within the boundaries of a zone, sufficient frontage on a public thoroughfare, depth and area to satisfy the applicable requirements of that zone and:

i) which is the whole of a lot shown upon a Registered Plan of Subdivision under the provisions of The Planning Act, as from time to time amended, or

ii) which comprises all the land described in a conveyance by way of deed, transfer, mortgage, charge or agreement of sale and purchase to which consent has been given under the provisions of The Planning Act as from time to time amended, or

iii) which might be legally conveyed by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under the provisions of The Planning Act as from time to time amended;

provided, however, that no parcel or tract of land ceases to

be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Corporation of the Town of Dundas, the Regional Municipality of Hamilton-Wentworth, Her Majesty in the Right of Ontario, or Her Majesty in the Right of Canada.

[1] *By-law No. 15-102 April 22, 2015*

3.2.50 **LOT AREA**

Means the total horizontal area within the lot lines of a lot.

3.2.51 **LOT COVERAGE[1]**

Shall mean the percentage of the lot covered by all buildings, but shall not include swimming pools and decks.

3.2.52 **LOT DEPTH**

Means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines. (See illustration page at end of Section.)

3.2.53 **LOT, CORNER**

Means:

i) a lot situated at the intersection of and abutting on two or more streets; or

ii) a lot abutting on two streets or two parts of the same street, the adjacent sides of which street or streets contain an angle of not more than one hundred and thirty-five (135) degrees, and in the case of a curved street such angles shall be formed by their tangents drawn from the points where the side lot lines meet the street line, provided that in the latter case 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 tangent. (See illustration page at end of Section.)

3.2.54 **LOT, INTERIOR**

Means a lot other than a corner lot or through lot. (See illustration page at end of Section.)

3.2.55 **LOT LINE**

Means any boundary line of a lot. (See illustration page at end of Section.)

3.2.56 **LOT LINE, FRONT**

Means the lot line that divides a lot from the street, provided that, 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, except that where a corner lot has the same dimensions on two streets which it abuts, the lot line abutting the street upon which the building erected or to be

[1] *By-law No. 15-068 March 11, 2015*

erected has its principal access shall be deemed to be the front lot line; where the lot is a through lot, the lot line where the principal access is provided shall be deemed to be the front lot line. (See illustration page at end of Section.)

3.2.57 **LOT LINE, REAR**

Means the lot line opposite to the front lot line. (See illustration page at end of Section.)

3.2.58 **LOT LINE, SIDE**

Means any lot line other than a front or rear lot line. (See illustration page at end of Section.)

3.2.59 **LOT, THROUGH**

Means a lot other than a corner lot, having separate frontage on two streets. (See illustration page at end of Section.)

3.2.60 **LOT FRONTAGE**

Means the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be measured by a line 6.0 metres back from and parallel to the chord of the lot frontage, and, for the purpose of this paragraph, 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 Section.)

3.2.60.1 **MODEL HOME[1]**

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.

3.2.61 **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 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, R.S.O. 1980,

Chapter 198.)

[1]By-law No. 03-163 June 25, 2003

3.2.62 **MOTOR VEHICLE, COMMERCIAL**

Means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways. (Source: The Highway Traffic Act, R.S.O. 1980, Chapter 1980.)

3.2.63 **MUTUAL DRIVEWAY**

Means an ingress or egress that is common to two or more owners of abutting lands as a right of way registered against the title of the lands.

3.2.64 **NURSING HOME**

Means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of:

i) the Charitable Institutions Act,

ii) the Children's Mental Health Services Act,

iii) the Children's Residential Services Act,

iv) the Homes for the Aged and Rest Homes Act,

v) the Mental Hospitals Act,

vi) the Private Hospitals Act, or

vii) the Public Hospitals Act.

(Source: The Nursing Homes Act, R.S.O. 1980, Chapter 320)

3.2.65 **OTHER CONVERTED PAPER PRODUCTS INDUSTRIES**

Establishments primarily engaged in coating and treating paper and paperboard, manufacturing stationery paper products, paper consumer products and other converted paper products. These establishments may also use synthetic materials and metal foil to produce articles similar to those manufactured of paper and paperboard.

3.2.66 **OTHER FINANCIAL INTERMEDIARY INDUSTRIES**

Establishments primarily engaged in operating as security dealers and brokers, mortgage brokers, security and commodity exchanges and other financial intermediaries.

3.2.67 **OTHER FOOD PRODUCTS INDUSTRIES**

Establishments primarily engaged in manufacturing or preparing tea and coffee, dry pastas, potato chips, pretzels, popcorn, malt and other such food products.

3.2.68 **OTHER MACHINERY AND EQUIPMENT INDUSTRIES**

Establishments primarily engaged in manufacturing compressors, pumps and industrial fans; construction, mining and materials handling equipment; sawmill, veneer and plywood mill machinery; turbines and mechanical power transmission equipment; and other such machinery and equipment.

3.2.69 **OTHER MACHINERY, EQUIPMENT & SUPPLIES, WHOLESALE**

Establishments primarily engaged in wholesale dealing in other new and used office and store, service, professional and other machinery, equipment, supplies and parts.

3.2.70 **OTHER MANUFACTURED PRODUCTS INDUSTRIES**

Establishments primarily engaged in manufacturing brooms, brushes, and mops; buttons, buckles and fasteners; sound recording and musical instruments; pens, pencils and other such products.

3.2.71 **OTHER MOTOR VEHICLE SERVICES**

Establishments primarily engaged in car washing, rustproofing, towing, and other motor vehicle services.

3.2.72 **OTHER PERSONAL AND HOUSEHOLD SERVICES**

Establishments primarily engaged in providing shoe repair service, fur cleaning, repair and storage and other personal or household services.

3.2.73 **OTHER PRODUCTS INDUSTRIES, WHOLESALE**

Establishments primarily engaged in wholesale dealing in paper and paper products; agricultural supplies; toys, amusement and sporting goods; photography and musical instruments and supplies; jewellery and watches; industrial and household chemicals; general merchandise and other such products.

3.2.74 **OTHER REPAIR SERVICES**

Establishments primarily engaged in electric motor repair, welding and other repair services.

3.2.75 **OTHER ROLLED, CAST AND EXTRUDED NON-FERROUS METAL PRODUCTS INDUSTRIES**

Establishments primarily engaged in manufacturing non-ferrous metals, except aluminum and copper, such as zinc,

lead, nickel and titanium and their alloys, in cast, extruded or rolled shapes. In addition, these industries include establishments primarily engaged in pressure die casting of all non-ferrous metals and their alloys including aluminum and copper and those engaged in the recovery of non-ferrous metals from scrap.

3.2.76 **OTHER STORAGE AND WAREHOUSING INDUSTRIES**

Establishments primarily engaged in operating refrigerated and other storage and warehouses, except for grain elevators.

3.2.77 **OTHER WOOD INDUSTRIES**

Establishments primarily engaged in treating wood products against decay; manufacturing particle and wafer board; wooden, turned and shaped forms; and other products of wood.

3.2.77.1 **OUTDOOR COMMERCIAL PATIO**

Means any outdoor area used in conjunction with any establishment licensed under the Liquor License Act, where meals or refreshments are served to the public for consumption on the premises.[1]

3.2.78 **PARK OR PARKING**

Means the standing or leaving of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in the loading or unloading of merchandise or passengers.

3.2.79 **PARKING ANGLE**

Means the acute angle measured between the longitudinal centreline of a parking space and the centreline of the abutting manoeuvring space, aisle or alley.

3.2.80 **PARKING AREA**

Means an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area

i) comprises all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, manoeuvring areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces, and

ii) is provided and maintained in accordance with all applicable provisions of this By-law.

3.2.81 **PARKING SPACE**

Means a space enclosed in a principal building or in an accessory building or unenclosed for the parking of a

vehicle and having manoeuvring space and one or more access driveways appurtenant thereto with ingress into and egress from a public thoroughfare.

[1]*By-law No. 09-210 September 30, 2009*

3.2.82 **PROJECT MANAGEMENT, CONSTRUCTION**

Establishments primarily engaged in project management, contract management or construction management. The participation in the construction process of this type of establishment is restricted to coordination and supervision on behalf of the principals.

3.2.83 **PUBLIC AUTHORITY**

Means Federal, Provincial, or Municipal bodies, and includes any commission, board, authority or department established by or for any of them.

3.2.84 **PUBLIC THOROUGHFARE**

Means a common and public highway, street, avenue, alley, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for or used by, the general public for the passage of vehicles.

3.2.85 **PUBLIC UTILITY**

Means any water or sewage works, gas works, electric heat, light or power works, telegraph and telephone lines, railways however operated, street railways, and works for the transmission of gas, oil, water or electric power, energy, or any similar works supplying the general public with necessities or conveniences.

3.2.86 **RETIREMENT HOME**

Means a dwelling in which residents of at least 60 years of age are accommodated for a fee and provided with guidance in the activities of daily living and is licenced as a retirement home, but shall not include any other facility which is licenced, approved or supervised under any general or special Act.

3.2.87 **ROOMING, BOARDING AND LODGING HOUSE**[1]

Means a dwelling in which four or more residents are lodged for gain, with or without food and without separate cooking facilities and which is licenced as a lodging house.

3.2.88 **SHOPPING CENTRE**

Means a building or buildings comprised of retail stores, commercial business establishments or offices conceived, designed, developed and managed by:

[1] *By-law No. 4091-93 June 21, 1993*

i) the owner of the land or premises on which stores, establishments or offices are located, or

ii) a group of owners or tenants of the land or premises on which the stores, establishments or offices are located, acting in collaboration,

and operating on a single lot in a cluster or mall-type pattern in which the use of off-street parking and other joint facilities are provided for their mutual benefit.

3.2.89 **SITE**

Means an area of land which may consist of one or more lots, on which a development exists or for which application for development is made.

3.2.90 **STREET LINE**

Means any lot line that divides a lot from a street.

3.2.91 **STRUCTURE**

Means anything that is erected, built or constructed of parts joined together, and the use of which requires location on the ground or attachment to something having location on the ground.

3.2.92 **SWIMMING POOL, ABOVE GROUND**

Means an accessory structure, containing water for swimming, diving or recreational bathing extending more than 0.5 m above existing grade.

3.2.93 **SWIMMING POOL, INGROUND**

Means an accessory structure, containing water for swimming, diving or recreational bathing extending not more than 0.5 m above existing grade.

3.2.94 **THERMAL TREATMENT**[1]

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.

3.2.95 **TOWN CORPORATION**

Means The Corporation of the Town of Dundas.

3.2.96 **TRAILER**

Means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked-up or that its running gear is removed. (Source: The Municipal Act, R.S.O. 1980, Chapter 302.)

3.2.96.1 **URBAN FARM**[2]

Means 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

[1]By-law No. 09-131 June 10, 2009
[2]By-law No. 14-275 September 24, 2014

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 acquaculture facility, livestock operation or a mushroom operation. It shall not be considered as landscaped area, landscape open space, landscaped strip or landscaping.

3.2.96.2 **Urban Farmers Market**[1]

Means 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.

3.2.97 **USE**

Means the purpose for which any land, building, structure or premises, or part thereof, is arranged, designed or intended, or is or may be occupied or maintained and "used" shall have a corresponding meaning.

3.2.97.1 **Value-added Local Agricultural Products**[1]

Means 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.

3.2.98 **VEHICLE**

Includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or cars of electric or steam railways running only upon rails. (Source: The Highway Traffic Act, R.S.O. 1980, Chapter 198.)

3.2.99 **VISIBILITY TRIANGLE**

Means an area free of buildings or structures and shall be determined by measuring from the point of intersection of street lines (lot lines) on a corner lot, an equal distance of 7.5 m along each such street line and joining such points with a straight line.

The triangular-shaped land between the point of intersection of such street lines, and the straight line joining the points a designated distance along each such street line, shall be known as the "visibility triangle".

[1]*By-law No. 15-102 April 22, 2015*

3.2.100 **VISUAL BARRIER**

Means a continuous, uninterrupted structure which completely blocks lines of sight when viewed perpendicularly from either of its sides and shall consist of one or more of the following materials: wood, stone, brick, mortar, fabricated metal or other similarly solid material.

3.2.101 **WASTE**[1]

Means materials that are defined as waste under Part V of the Environmental Protection Act.

3.2.102 **WASTE DISPOSAL FACILITY**[1]

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.

3.2.103 **WASTE MANAGEMENT FACILITY**[1]

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.

3.2.104 **WASTE PROCESSING FACILITY**[1]

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.

3.2.105 **WASTE TRANSFER FACILITY**[1]

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.

[1]*By-law No. 09-131 June 10, 2009*

A waste transfer facility may also include limited sorting of such waste prior to its transport.

3.2.106 **YARD**

Means an open, uncovered area 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.

3.2.107 **YARD, FRONT**

Means a yard extending across the full width of a lot between the front lot line and the nearest wall of any principal building or structure on the lot.

3.2.108 **YARD, REAR**

Means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any principal building or structure on the lot.

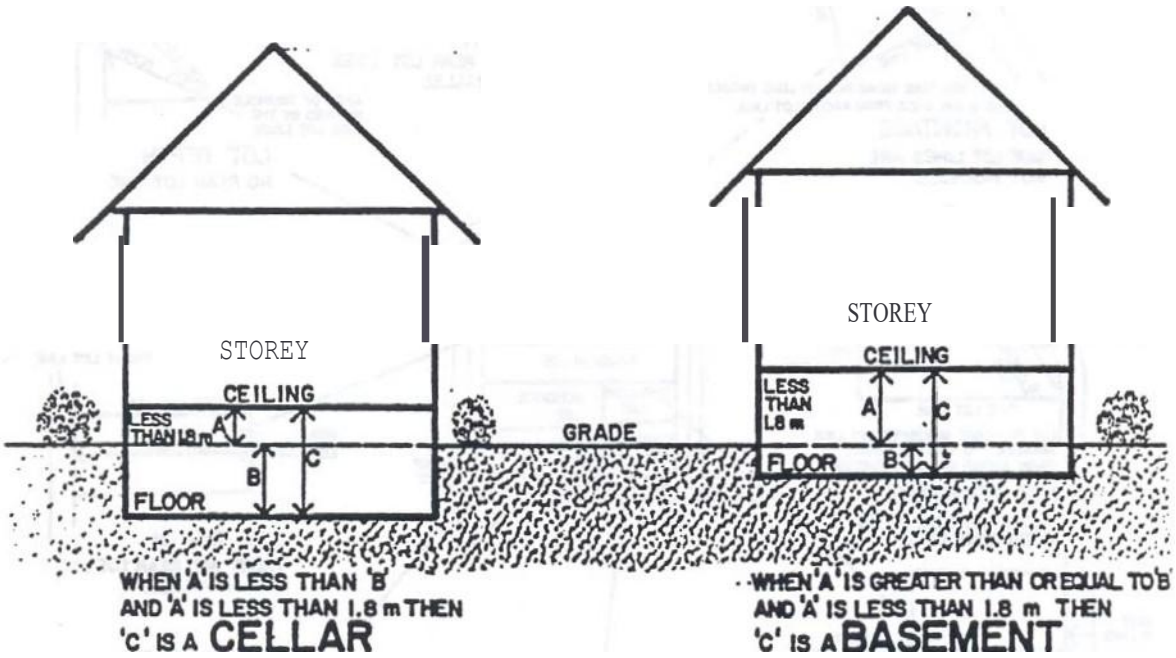
3.2.109 **YARD, SIDE**

Means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any principal building or structure on the lot.

3.2.110 **ZONE**

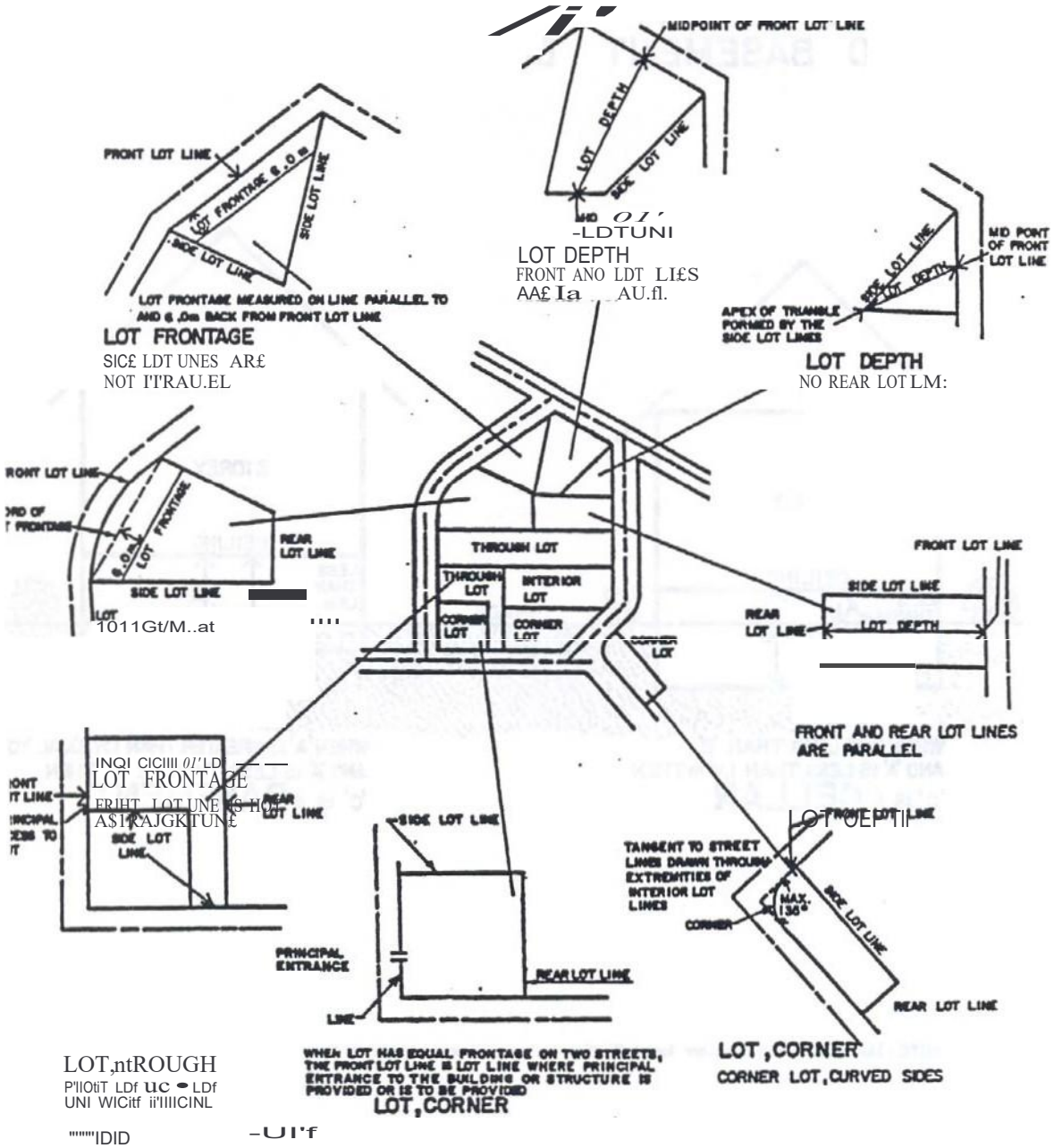
Means and includes all those areas of the Town as shown on the Zoning Maps appended to and forming part of this By-law, for which the requirements for the use of land, and the use, height and spacing of buildings and structures are specified.

ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS



NOTE : The above illustrations are for clarification and convenience and do not form part of this By-Law.

ILLUSTRATION OF LOT DEFINITIONS



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ZONES
AND
INTERPRETATION

ZONES AND INTERPRETATION

SECTION 4: ZONES AND INTERPRETATION

4.1 STATEMENT OF PURPOSE

The paragraphs of explanation at the beginning of each Zone are provided only to assist in the interpretation of the general intent, and do not form part of this By-law.

CLASSIFICATION OF ZONES

4.2 CLASSIFICATION OF ZONES

For the purpose of this By-law, the following Zones are hereby established within the Town of Dundas:

4.2.1 RESIDENTIAL ZONES

	ZONE	SYMBOL
4.2.1.1	SINGLE-DETACHED RESIDENTIAL ZONE	R1
4.2.1.2	SINGLE-DETACHED RESIDENTIAL ZONE	R2
4.2.1.3	LOW DENSITY RESIDENTIAL ZONE	R3
4.2.1.4	LOW DENSITY RESIDENTIAL ZONE	R3A
4.2.1.5	LOW DENSITY RESIDENTIAL ZONE	R4
4.2.1.6	LOW DENSITY RESIDENTIAL ZONE	R6
4.2.1.7	LOW TO MEDIUM DENSITY MULTIPLE DWELLING ZONE	RM1
4.2.1.8	MEDIUM DENSITY MULTIPLE DWELLING ZONE	RM2
4.2.1.9	MEDIUM TO HIGH DENSITY MULTIPLE DWELLING ZONE	RM3
4.2.1.10	HIGH DENSITY MULTIPLE DWELLING ZONE	RM4
4.2.1.11	RESIDENTIAL AND COMMERCIAL CONVERSION ZONE	R.C.C.
4.2.1.12	SINGLE DETACHED RESIDENTIAL ZONE:CROSS-MELVILLE HERITAGE DISTRICT	RH-1
4.2.1.13	RU/S-58 EXCEPTION ZONE	RU/S-58

4.2.2 COMMERCIAL ZONES

4.2.2.1	NEIGHBOURHOOD COMMERCIAL ZONE	C.N.
4.2.2.2	DISTRICT SHOPPING CENTRE ZONE	C.SC
4.2.2.3	CENTRAL AREA COMMERCIAL ZONE	C.A.C
4.2.2.4	HIGHWAY COMMERCIAL ZONE	C.H

4.2.3 INDUSTRIAL ZONES

4.2.3.1	LIGHT INDUSTRIAL ZONE	I.L
4.2.3.2	GENERAL INDUSTRIAL ZONE	I.G
4.2.3.3	LIMITED SERVICE INDUSTRIAL ZONE	I.LS

4.2.4 SPECIAL ZONES

4.2.4.1	OPEN SPACE-CONSERVATION ZONE	OS
4.2.4.2	PARK AND RECREATION ZONE	PR1
4.2.4.3	PUBLIC AND PRIVATE SERVICE ZONE	PPS
4.2.4.4	PUBLIC UTILITIES ZONE	U
4.2.4.5	URBAN RESERVE ZONE	UR
4.2.4.6	RURAL ZONE[1]	RU

4.2.5 SPECIAL POLICY ZONES

4.2.5.1	NIAGARA ESCARPMENT DEVELOPMENT CONTROL ZONE	SP1
4.2.5.2	PARKWAY BELT WEST PLAN ZONE	SP2

ZONING MAP

4.3 ZONING MAP

Schedules "A" to "U" inclusive attached hereto, which may be cited as the "Zoning Maps", are hereby declared to form part of this By-law.

DEFINED AREAS

4.4 DEFINED AREAS

The extent and boundaries of all zones established pursuant to this By-law are shown on Schedules "A" to "U" inclusive, and all such zones are hereby defined as areas to which the provisions of this By-law shall apply respectively.

SYMBOLS

4.5 SYMBOLS

The symbols set opposite the name of each zone respectively in Section 4.2 hereof refer to the appropriate zones established in this By-law.

Where any parcel of land shown on a Zoning Map is marked with the letter "S" followed by a dash and a number (e.g. "C.A.C./S-21"), that parcel is subject to special requirements as set out under Section 32.

Where any parcel of land shown on a Zoning Map is marked with a symbol followed by the suffix "FP" (e.g. "R4-FP"), that parcel is susceptible to flooding and/or erosion, and the Hamilton Region Conservation Authority should be contacted before any development or redevelopment is undertaken.

GENERAL INTERPRETATION

4.6 GENERAL INTERPRETATION

In their interpretation and application, the provisions of this By-law shall be held to be the 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 that imposing the higher standards shall govern and apply.

4.6.1 PRESCRIBED PROVISION – *PLANNING ACT*

In accordance with subsection 34(1.4) and subject to subsection 34(1.5) of the *Planning Act* and Ontario Regulation 545/06 under the Act, as amended, a minimum setback distance shall be deemed to be the prescribed percentage of the required setback distance.

(NOT FINAL AND BINDING, By-law No. 26-162, September 09, 2026)

ZONE

4.7 ZONE BOUNDARIES

BOUNDARIES

Where uncertainty arises concerning the location of the boundary of any zone as shown on a Zoning Map, the location shall be determined by applying the following rules:

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[1] *By-law No. 4066-93 February 15, 1993*

4.7.1 HIGHWAY OR OTHER PUBLIC THOROUGHFARE

A boundary shown as approximately following a public thoroughfare shall be considered to follow the centre line of such public thoroughfare.

4.7.2 NATURAL FEATURES

A boundary shown as approximately following a watercourse, creek or stream shall be considered to follow the centre line of such natural feature.

4.7.3 SHORELINES

A boundary shown as approximately following a shoreline shall be considered to follow such shoreline and, in the event of change in the shoreline, the boundary line shall be considered to move with the actual shoreline.

4.7.4 LOT LINES

A boundary shown as approximately following a lot line shall be considered to follow such lot line.

4.7.5 CORPORATE LIMITS OF THE TOWN OF DUNDAS

A boundary shown as approximately following the corporate limits of the Town of Dundas shall be considered to follow the corporate limits of the Town of Dundas.

4.7.6 PARALLEL LINES

Where a boundary is shown as being parallel to, or as an extension of, any feature or line referred to in clauses 4.7.1 to 4.7.5 inclusive, it shall be so construed.

CLOSURES

4.8 CLOSURES

Where a dedicated street or lane shown on a Zoning Map is closed, the land formerly in such street or lane shall be included within the zone within which the property adjoining either side of such closed street or lane is contained.

Where a closed street or lane was the boundary between two or more different zones, the new zone boundaries shall be the former centre line of such closed street or lane.

ESTABLISHMENT OF HOLDING ZONES

4.9 ESTABLISHMENT OF HOLDING ZONES[1]

Pursuant to Section 36 of the Planning Act, 1990, Holding Zones are hereby established by the use of the symbol “(H)” as a suffix to the zone symbols in Subsection 4.2. Land subject to the symbol “(H)” shall not be used, nor any building or structure used, altered or erected except in accordance with the provisions of the Zone applied thereon and until the “(H)” is removed by amendment to the By-law as provided for in Subsection 36(1) of The Planning Act.

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[1] *By-law No. 4091-93 June 21, 1993*

ADMINISTRATION, ENFORCEMENT AND PENALTIES

ADMINISTRATION, ENFORCEMENT AND PENALTIES

SECTION 5: ADMINISTRATION, ENFORCEMENT AND PENALTIES

ADMINISTRATION

5.1 ADMINISTRATION[1]

This By-law shall be administered by the City's Director, Planning Division, Chief Planner.

CERTIFICATE OF OCCUPANCY

5.2 CERTIFICATE OF OCCUPANCY

No change may be made in the type of use of any land or of any building or structure without a Certificate of Occupancy. But no such certificate shall be refused if the proposed use is not prohibited by the By-law.

INSPECTION OF PREMISES

5.3 INSPECTION OF PREMISES

The Zoning Administrator, or any official or employee of the Town acting under his direction, is hereby authorized to enter, at all reasonable hours and upon producing proper identification, any property or premises in or about which there is reason to believe that the provisions of this By-law are not being complied with, and for the purposes of carrying out his duties under this By-law.

LICENCES, PERMITS AND OTHER BY-LAWS

5.4 LICENCES, PERMITS AND OTHER BY-LAWS

i) Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other By-law in force within the Town, or from any requirement to obtain any licence, permit, authority or approval required by this or any other By-law of the Town unless hereinafter specifically stated.

ii) No permit for the use of land or for the erection, alteration or use of any building or structure and no Certificate of Occupancy or approval of application for any municipal licence within the jurisdiction of the Council shall be issued or given where the proposed building, structure or use is in violation of any provision of this By-law.

REMEDIES

5.5 REMEDIES

Where any building or structure is to be erected or altered, or any building or structure or part thereof is used or any land is to be used in contravention of any requirement of this By-law, such contravention may be restrained at the instance of any ratepayer or of the Town pursuant to the provisions of The Municipal Act in that behalf.

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[1] *By-law No. 15-068 March 11, 2015*
By-law No. 21-184 October 13, 2021

VALIDITY

5.6 VALIDITY

If any section, subsection, clause or provision of this By-law, including anything contained in a Zoning Map, is declared to be invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this By-law.

VIOLATIONS AND PENALTIES

5.7 VIOLATIONS AND PENALTIES

Every person who contravenes any provision of this By-law or causes or permits a violation is liable, upon conviction, to a fine not exceeding $2,000.00 (Two Thousand Dollars), exclusive of costs, recoverable under The Summary Convictions Act.

ZONING VERIFICATION CERTIFICATES

5.8 ZONING VERIFICATION CERTIFICATES

Any person may apply to the Zoning Administrator for a Zoning Verification Certificate, and every such certificate shall show the zoning designation of the land in question, and whether or not the use or proposed use is permitted in the zone in which the land is situated, pursuant to the provisions of the Zoning By-law; and every such certificate shall also show that it is not a certificate that any building or structure on the land complies with the provisions of the building and health by-laws for the purpose for which it is used or proposed to be used, or that a licence will be granted for such use.

GENERAL REGULATIONS

GENERAL REGULATIONS

SECTION 6: GENERAL REGULATIONS

APPLICATION OF BY-LAW

6.1 APPLICATION OF BY-LAW

6.1.1 SCOPE AND EFFECT

No person shall 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 thereto.

6.1.2 PRIOR EXISTING BUILDINGS AND STRUCTURES

Excluding permitted uses, any existing building or structure that was lawfully erected prior to the date of passing of this By-law, and which does not satisfy the specific regulations of the applicable zone hereof, shall be deemed legal conforming.

6.1.3 RESTRICTIONS ON CHANGES

i) The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from a lot, if such change, erection or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining building, accessory building or lot.

ii) Notwithstanding the provision of subclause (i) of this clause, no person shall be deemed to have contravened any provisions of this By-law if only a part or parts of any lot or parcel has or have been conveyed to or acquired by the Town of Dundas, the Regional Municipality of Hamilton-Wentworth, Her Majesty in the Right of Ontario, or Her Majesty in the Right of Canada.

ACCESSORY BUILDINGS

6.2 ACCESSORY BUILDINGS

6.2.1 USES PERMITTED

Where this By-law provides that a lot may be used or a building or structure may be erected for an accessory purpose, that purpose shall not include the following:

i) the use of any accessory building for a home occupation; or

ii) the use of any accessory building for human habitation, except as is specifically permitted in this By-law.

a) For the purposes of Section 6.31, a Secondary Dwelling Unit – Detached, shall not be considered an accessory building or structure. [1]

6.2.2 PRIOR TO ERECTION OF PRINCIPAL BUILDINGS

No accessory building shall be erected prior to the erection of the principal building on the same lot, except where it is necessary for the storage of tools and materials for use in connection with the construction of the principal building or structure, and no such accessory building shall, prior to the erection of the principal building, be used for any purpose other than such storage.

6.2.3 PART OF PRINCIPAL BUILDING

Where an accessory building is attached to a principal building by a roof or an open or enclosed structure, it shall be considered to be part of the principal building.

For the purposes of Section 6.2.3, roof shall be defined as "the entire construction used to close in the top of the building."

BASEMENT OR CELLAR

6.3 BASEMENT OR CELLAR[2, 3]

Dwelling units located in a basement or cellar must be in accordance with the requirements of the Ontario Building Code and all other relevant municipal standards and regulations.

BUILDING IN BUILT-UP AREAS

6.4 BUILDING IN BUILT-UP AREAS

Notwithstanding any other provision of this By-law, where a building or structure is to be erected on an interior lot between two existing buildings or structures located not more than 30.0 metres from the proposed building or structure, such building or structure may be erected closer to the front lot line than required by the zone in which the lot is situated, provided that:

i) the minimum front yard shall be equal to the average depth of the two adjoining front yards; and

ii) the reduction of the minimum front yard as permitted by this provision shall not exceed thirty per cent (30%) of the depth ordinarily required by the zone provisions in which the lot is situate.

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[1] *By-law No. 22-134 June 08, 2022*

[2] *By-law No. 4091-93 June 21, 1993*

[3] *By-law No. 15-068 March 11, 2015*

DISCREPANCIES **6.5** **DISCREPANCIES**

In the event that there is a discrepancy between a regulation in the "General Regulations" and any other section of this By-law, the more restrictive regulation shall apply unless specifically provided otherwise.

ENCROACHMENT INTO YARDS **6.6** **ENCROACHMENT INTO YARDS**

Every part of a required yard shall be unobstructed from its lowest level upwards, except for:

6.6.1 BALCONIES

A bay, balcony or dormer may project:

i) into a required front yard not more than 1.0 metres provided that no such projection shall be closer to a street line than 1.5 metres;

ii) into a required rear yard not more than 1.5 metres; or

iii) into a required side yard not more than one-third of its width, or 1.5 metres, whichever is the lesser.

6.6.2 CANOPIES

A canopy, cornice, eave, or gutter may project:

i) into a required front yard not more than 1.5 metres provided that no such projection shall be closer to a street line than 1.5 metres;

ii) into a required rear yard not more than 1.5 metres; or

iii) into a required side yard not more than one-half of its width, or 1.0 metres, whichever is lesser.

6.6.3 CHIMNEYS

A chimney, sill, leader, pilaster, lintel or ornamental projection may project:

i) into a required side yard not more than 0.5 metres; and

ii) into any other required yard not more than 1.0 metres.

6.6.4 FIRE ESCAPES

An open fire escape or open stairway may project:

i) into a required rear yard not more than 1.5 metres; or

ii) into a required side yard not more than one-third of its width, or 1.5 metres, whichever is the lesser.

6.6.5 FUEL TANKS

A fuel tank for fuel for the heating of a building or buildings on the premises may project into a required side yard or rear yard, but shall not project to a distance of more than one-third of the required width of any such side yard or one-third of the required depth of any such rear yard, or to a distance of more than 1.0 metres, whichever is the lesser distance.

6.6.6 RAMPS

A ramp for use by physically disabled persons may project into a required yard.

6.6.7 REFACING EXISTING BUILDINGS

An existing building may encroach or further encroach into a required yard up to a maximum of 0.15 metres in order to provide for the refacing of such building.

6.6.8 UNCOVERED PORCHES[1]

A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metres above the floor level of the first storey may project into a required yard if distant at least 0.5 metres from the nearest side lot line, at least 1.5 metres from the flankage side lot line and at least 4.0 metres from the nearest street line.

6.6.9 UNENCLOSED PORCHES

A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres, and every such projecting porch shall be distant at least 4.0 metres from the front lot line, and the enclosure of such a porch to the following extent shall not be deemed enclosure for the purposes of this section:

i) the porch may have a solid guard around the perimeter of the porch not more than 1.0 metres in height measured from the floor of the porch;

ii) the roof may be supported on columns or piers having a maximum width of 0.5 metres;

iii) the beam, lintel or crown or an arch shall be no more than 0.3 metres in depth; and

iv) the minimum distance between piers or columns shall be 1.0 metres and, in the case of arches, the arches shall have a minimum clear width of 1.0 metres.

[1] *By-law No. 15-068 March 11, 2015*

6.6.10 MECHANICAL AND UNITARY EQUIPMENT[1]

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:

a) 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,

b) 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.

EXISTING LOTS **6.7 EXISTING LOTS**[2]

Where a lot in a residential zone, except a lot in the RU/S-58 EXCEPTION ZONE, having a lesser frontage or area, or a lot having a lesser frontage and area, than is required by this By-law is held under distinct and separate ownership from any adjoining lot on the date of the passing of this By-law according to the register for lands in the Registry Office, a single-detached dwelling may be erected and used on such smaller lot provided that the dwelling conforms with all other requirements of this By-law.

FENCES **6.8 FENCES**[3]

Fences, freestanding walls or similar structures are permitted subject to the following height requirements:

i)	Industrial Zones	Maximum 2.5 metres except in the front yards where the maximum shall be 0.75 metres.
ii)	Public Utilities Zone	Maximum 2.5 metres.
iii)	Other Zones	Maximum 1.9 metres, except for front yards where the maximum shall be 0.75 metres.

Barbed wire shall not be permitted except where required by the Ontario Electrical Safety Code. Barbed wire shall be included in the height of the fence.

[1] *By-law No. 15-068 March 11, 2015*
[2] *By-law No. 4066-93 February 15, 1993*
[3] *By-law No. 4525-99 December 6, 1999*

FRONT YARDS ADJOINING A RESIDENTIAL ZONE

6.9 FRONT YARDS ADJOINING A RESIDENTIAL ZONE

Any non-residentially zoned lot which adjoins a residential zone with the same street frontage shall provide a minimum front yard equivalent to the required front yard for the adjoining residential zone.

For the purposes of this subsection, any yard on a corner lot which fronts upon a street and adjoins a residential zone shall be deemed a front yard.

HEIGHT EXCEPTIONS

6.10 HEIGHT EXCEPTIONS[1]

The height provisions of this By-law shall not apply to the following uses:

i) Architectural design elements such as a spire, dome, cupola, minaret ornamental figure. Skylight, tower including clock tower and belfry shall be limited in height to 10.5 metres above the actual building height and to a maximum of 10% coverage in total of the roof area.

ii) A communications transmitting and receiving antenna, tower or mast and flagpole, light pole or similar, silo, windmill or other farm building are also limited to 10.5 metres from grade. A spire is a tapering tower including a steeple and khanda. A dome is a rounded vaulted roof and does not include an inflatable dome. A cupola is a decorative structure on a roof. A minaret is a turret used for calling prayer. A belfry is a bell tower.

LANDSCAPE REQUIREMENTS

6.11 LANDSCAPE REQUIREMENTS

6.11.1 LANDSCAPING ALONG STREET LINES

When a lot is used for a non-residential use, there shall be provided and maintained on the lot, except for the area occupied by an access driveway or walkway, a landscaped area having a minimum depth of 3.0 metres directly abutting any street line.

6.11.2 BUFFER STRIP

6.11.2.1 LOCATION[2]

When a lot is used for a non-residential use, and when the side or rear lot line abuts an RU/S-58, R1, R2, R3, R4, RM1, RM2, RM3 or RM4 Zone, then a buffer strip abutting the lot line shall be provided in accordance with the provisions of subclauses 6.11.2.2 and 6.11.2.3, except where such side or rear lot line abuts a street line.

6.11.2.2 WIDTH OF BUFFER STRIP

Minimum 3.0 metres

6.11.2.3 USE

The buffer strip shall be used to provide a visual screen in accordance with the provisions of the City of Hamilton Fence By-law No. 10-142.[3]

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[1] *By-law No. 4574-00 November 6, 2000*
[2] *By-law No. 4066-93 February 15, 1993*
[3] *By-law No. 15-068 March 11, 2015*

6.11.3 LANDSCAPING IN RESIDENTIAL FRONT YARDS

Front yards of residential buildings shall have a minimum of 50% landscaped area.[1]

LIGHTING AND ILLUMINATION OF LOTS

6.12 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 or public thoroughfare.

MULTIPLE USES

6.13 MULTIPLE USES

Except as specifically permitted otherwise in this By-law, where two or more permitted uses are located or are to be located in one building or on one lot, all provisions of this By-law relating to each use shall be complied with.

MULTIPLE ZONING

6.14 MULTIPLE ZONING

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

NON-CONFORMING USES

6.15 NON-CONFORMING USES

6.15.1 PROVISIONS

The provisions of this By-law shall not apply:

i) To 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; or

ii) To prevent the erection or use for a purpose prohibited by this By-law of any building or structure for which a permit has been issued under Section 5 of the Building Code Act, prior to the day of the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under Section 6 of the Building Code Act.

6.15.2 RESTORATION TO A SAFE CONDITION

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 increase the building height, area of building or change the use of the building.

6.15.3 RESTORATION OF DAMAGED BUILDING OR STRUCTURE[1]

i) Except as set out in subclause ii) of this clause, where a building or structure that does not conform to the provisions of this By-law is damaged by fire or otherwise to an extent of fifty percent (50%) of its assessed value, as at the date of occurrence of the damage, it shall not be restored except in accordance with the provisions and regulations for the zone in which such building or structure is located.

ii) Nothing in this By-law shall prevent the reconstruction or replacement of a single-detached dwelling which does not comply with all the regulations of this By-law applicable to the RU/S-58 EXCEPTION ZONE, which is totally or partially destroyed by fire, accident or natural disaster, or demolished by order of any government authority, provided the building or structure is reconstructed on its original site and the floor area and dimensions are not increased and approval is obtained from the agency having jurisdiction for approval of on-site private sewage disposal systems pursuant to the applicable legislation.

ONE DWELLING PER LOT

6.16 ONE DWELLING PER LOT

Except where specifically permitted, no person shall erect or use for residential purposes any building upon any lot in any zone on which lot there then exists, or is in the course of construction, a building erected or used for residential purposes in whole or in part.

SWIMMING POOLS

6.17 SWIMMING POOLS

6.17.1 ABOVE GROUND

An above ground swimming pool installed:

i) in a rear yard shall be set back a minimum of 1.2 metres from the nearest lot line;

ii) in a front yard or side yard shall comply with the minimum yard requirements for the principal building located on such lot;

iii) in the rear yard of a corner lot shall be set back from the street line not less than the depth of the required front yard for a dwelling on the adjacent property.

[1] *By-law No. 4066-93 February 15, 1993*

6.17.2 INGROUND

An inground swimming pool installed:

i) in a rear yard shall be set back a minimum of 1.0 metres from the nearest lot line;

ii) in a front yard or side yard shall comply with the minimum yard requirements for the principal building located on such lot;

iii) in the rear yard of a corner lot shall be set back from the street line a minimum distance equal to the required side yard for the principal building located on such lot.

6.17.3 LOT COVERAGE

Except for inground pools, not more than 50% of the area of the rear yard shall be used for an above ground swimming pool or combined accessory building coverage.

6.17.4 ACCESSORY BUILDINGS AND STRUCTURES

Any building or structure required for changing clothing or for pumping or filtering facilities, or other such similar accessory uses, shall comply with the provisions of this By-law respecting accessory buildings and structures on such lot.

THROUGH LOTS **6.18 THROUGH LOTS**

The front yard regulation contained herein shall apply on each street in accordance with the provisions of the zone or zones in which such lot is located.

USES PERMITTED IN ALL ZONES **6.19 USES PERMITTED IN ALL ZONES**

Except for parking requirements, and except as otherwise specifically provided or limited, the provisions of this By-law shall not apply to:

6.19.1 FLOOD CONTROL

All works and facilities necessary in connection with flood control, the prevention of erosion, the protection of wildlife, forestry and any other similar activities related to conservation as undertaken by a Public Authority.

6.19.2 HOME OCCUPATIONS

6.19.3 MODEL HOMES[1] (DELETED BY-LAW NO. 03-163)

6.19.3a MODEL HOMES IN DRAFT PLANS OF SUBDIVISION[2]

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) the 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 by-law, 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.

6.19.4 PARKS AND PUBLIC THOROUGHFARES

The use of any land as a public park or public thoroughfare.

6.19.5 PUBLIC UTILITIES

The use of any land for the erection of buildings or structures, or the installation of other facilities essential to the operation of public utilities as defined in SECTION 3 of this By-law, provided:

i) that any such use, building or structure except for electric power facilities shall be in substantial compliance with the relevant provisions of this By-law;

ii) that any such use, building or structure shall not adversely affect the character or amenity of the neighbourhood in which same is located;

iii) that, in a Residential Zone, each side yard shall not be less than 10 per cent of the lot width or 3.0 metres, whichever is the greater; and

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[1] *By-law No. 4135-94 February 7, 1994*
[2] *By-Law No. 03-163 June 25, 2003*

iv) that, where the height of any such building or structure in a Residential Zone exceeds the maximum height provision for that zone, the minimum dimensions for required front and side yards shall be increased by 0.3 metres for every 1.0 metres or portion thereof by which the height of the building exceeds the maximum height provision for the zone.

6.19.6 MEMORIALS OR ORNAMENTAL STRUCTURES

A statue, monument, cenotaph, fountain, or other such memorial or ornamental structure.

6.19.7 USES INCIDENTAL TO CONSTRUCTION

i) A construction camp or other such temporary work camp for so long as the same is necessary for work in progress which has neither been finished nor abandoned.

ii) A tool shed, scaffold, or other building or structure incidental to construction on the premises, for as long as the same is necessary for work in progress which has neither been finished nor abandoned.
"Abandoned" in this subsection means the failure to proceed expeditiously with the construction work.

6.19.8 ROADSIDE STANDS

A temporary roadside stand used for the display and sale of seasonable products from the agricultural land on which it is situate, including one sign for advertising such products, subject to the following regulations:

i)	Minimum lot area:	12,000.0 square metres
ii)	Maximum stand area:	19.0 square metres
iii)	Maximum stand height:	4.0 metres
iv)	Minimum setback from any street:	7.5 metres
v)	Maximum sign area:	1.2 square metres

6.19.9 LODGERS

The accommodation of a maximum of three lodgers per dwelling unit, except as specifically permitted elsewhere in this By-law, provided that access to lodging rooms shall be from within the dwelling unit.

USES PROHIBITED IN ALL ZONES

6.20 USES PROHIBITED IN ALL ZONES

The following uses are prohibited:

i) GENERAL PROHIBITION

All uses of land and the erection or use of any building or structure for a purpose not permitted under the "PERMITTED USES" subsection of one or more zones established by this By-law are prohibited in each such zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provisions of Section 6 hereof.

ii) TENTS OR TRAILERS

The use of tents or trailers for human habitation, or for business or other purposes, is prohibited; provided, however, that this provision shall not prevent the use of tents for children's play or for picnics.

iii) OFFENSIVE USES

No use shall be permitted which, from its nature or the materials used therein, is declared under The Public Health Act, R.S.O. 1980, Chapter 409, or successor thereto, to be an offensive trade, business or manufacture.

iv) HAZARD LANDS

No building or structure shall be erected or used on lands that have inherent environmental hazards such as flood susceptibility, poor drainage, marshy or swamp conditions, erosion and unstable soils unless such hazard can be overcome to the satisfaction of Council and the appropriate Conservation Authority.

v) HAZARDOUS USES

No land, building or structure shall be used for any of the following commercial or industrial purposes: the storage of, or the use in manufacturing of, celluloid, cellulose, pyroxylin, ammonia, acid, coal oil, rock oil, fuel oil, burning fluid, naphtha, benzol, benzine, gasoline, dynamite, dualin, nitroglycerine, acetylene gas, fireworks, gun powder, petroleum, propane gas, or other similar combustible or inflammable or dangerous liquid, gas or material, except as otherwise specifically permitted in this By-law.

VISIBILITY TRIANGLE

6.21 VISIBILITY TRIANGLE

Notwithstanding any other provision contained in this By-law, no finished lot grade, wall, fence, hedge, shrub, tree or other object or structure shall exceed the elevation of the adjacent street by more than 0.75 metres within the area defined as a visibility triangle on a corner lot.

DIVISION OF SEMI-DETACHED LOTS

6.22 DIVISION OF SEMI-DETACHED LOTS

Notwithstanding any other provisions in this By-law, the division of any lot on which is erected a semi-detached dwelling into not more than two parts for the purpose of creating two separate lots for each dwelling unit shall be permitted provided:

i) that such dwelling was erected prior to the date of passing of this By-law, the said lot shall be divided as equally as practicable;

ii) that such dwelling was erected on or after the date of passing of this By-law, the said lot shall be divided into two parts and if located in a R3 or R4 Zone, or subject to the semi-detached dwelling regulations of the R3 or R4 Zone, each of two such parts shall have a minimum frontage of 10.5 metres and a minimum area of 315 square metres; and,[4]

iii) that a portion of the lot line between the said two parts shall be the centre line of the common or party wall separating the two dwelling units.

PHASED REGISTRATION OF CONDOMINIUMS

6.23 PHASED REGISTRATION OF CONDOMINIUMS[1]

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.

REGULATIONS FOR CONSOLIDATED LOT DEVELOPMENT

6.24 REGULATIONS FOR CONSOLIDATED LOT DEVELOPMENT[2]

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.

ADEQUATE SERVICES

6.25 ADEQUATE SERVICES[3]

Except for Section 6.19.3a - 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 and/or his or her designate; or

[1] *By-law No. 02-209 July 10, 2002*
[2] *By-law No. 05-238, August 10, 2005*
[3] *By-law No. 06-038, March 1, 2006*
[4] *By-law No. 22-192, August 12, 2022*

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.

OUTDOOR COMMERCIAL PATIO

6.26 <u>OUTDOOR COMMERCIAL PATIOS</u>[1, 2, 3]

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:

a) Design Requirements

Outdoor Commercial Patios shall be designed and used to accommodate seating of customers

b) Seating Capacity Requirements

An Outdoor Commercial Patio shall be limited to a seated capacity of a minimum of 1.10 square metres of patio area per person.

c) Location Requirements:

i) Except as provided in Subsection b) (ii) below, no Outdoor Commercial Patio 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 Commercial Patio shall only be permitted in the front yard.

URBAN FARM

6.27 <u>REGULATIONS FOR AN URBAN FARM</u>[4]

(a) Every urban farm, 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.

[1] *By-law No. 09-210, September 30, 2009*

[2] *By-law No. 15-068, March 11, 2015*

[3] *By-law No. 22-077, April 13, 2022*

[4] *By-law No. 14-275, September 24, 2014*

ii) Notwithstanding the size of the accessory structures of the particular zone in which the farm produce/product stand is located, only one

farm produce/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 the size requirements for an accessory structure in any zone, 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 the size requirements for an accessory structure in any zone, any building or structure associated with the urban farm use which is 35 metres squared 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.

(b) Notwithstanding Section 6.25 a), 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 Section 3.2.93.1, no retail sales shall be permitted on-site.

(c) Every urban farm that locates on the same lot as another principle use, shall comply with the following:

i) All mechanical equipment 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 the use is located.

iii) Notwithstanding the height requirements for an accessory structure in any zone, 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 Section 3.2.93.1, no retail sales shall be permitted on-site.

COMMUNITY GARDEN

6.28 <u>REGULATIONS FOR A COMMUNITY GARDEN</u>[1]

(a) All buildings and structures shall comply with the accessory structure regulations of the zone in which it is located.

(b) Notwithstanding, Section 3.2.3, where a community garden is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

COMMON ELEMENTS CONDOMINIUM

6.29 COMMON ELEMENTS CONDOMINIUMS[2]

Notwithstanding the regulations of the "RM1" Zone, townhouse dwelling units may be developed in accordance with the applicable street townhouse regulations of the "RM1" Zone. 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).

URBAN FARMERS MARKET(a)

6.30 REGULATIONS FOR AN URBAN FARMERS MARKET[3]

Every urban farmers market shall comply with the following regulations:

(i) 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;

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

(iii) 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;

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

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

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

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

SECONDARY DWELLING UNITS

6.31 SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED[4,5]

i) Parking shall be provided in accordance with Section 7 of this by-law and the following:

a) 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;

b) Notwithstanding Section 7.1.1, 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; and,

c) In addition to Section 6.11.3, parking for a Secondary Dwelling Unit and/or Secondary Dwelling Unit – Detached shall maintain a minimum of 50% landscaped area in the exterior Side Yard.

1) Notwithstanding Section 6.31 i) a), one parking space shall be required for a Secondary Dwelling Unit - Detached if it constitutes the fourth Dwelling Unit on a lot. [1]

ii) Notwithstanding Section 2.1 of this By-law, the following provisions shall apply:

a) 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. 22-134 was approved by Council, will be evaluated against the provisions of Section 6.31 of this By-law, in effect before By-law No. 22-134 came into effect.

(1) Notwithstanding Section 6.31 ii) a), if a Building Permit is not issued within 180 days of the effective date of this By-law, By-law No. 22-2134 shall apply in all respects to the Building Permit in question.

b) 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 22-134 was approved by Council, provided the Building Permit application complies with Section 6.31 of this By-law, in effect the day before By-law No. 22-134 came into effect.

c) 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 6.31 ii) a) or b).

(2) Once a Building Permit has been issued under Section 6.31 ii) a) or b), or more than 180 days has transpired as per Section 6.31 ii) a) (1), the provisions of this By-law apply in all other respects.

[1] *By-law No. 22-192 August 12, 2022*

6.31.1 <u>Secondary Dwelling Unit</u>[1]

i) For lands within a R1, R2, R3, R3A, R4, R6, RM1, R.C.C., and RH-1 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.

ii) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 6.31.1.

NOTE: In accordance with Section 35.1 (1) of the *Planning Act*, R.S.O. 1990, a maximum of two Secondary Dwelling Units will be permitted within a Single-Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a lot. A Secondary Dwelling Unit – Detached will not be permitted on a lot containing two or more Secondary Dwelling Units.

iii) There shall be no outside stairway above the first floor other than a required exterior exit.

iv) A maximum of one entrance shall be permitted on the front façade of a dwelling containing a Secondary Dwelling Unit.

v) Notwithstanding the R1, R2, R3, R4 Zones, the R.C.C. Zone, and the RH-1 Zone, where an Accessory Apartment in a Dwelling Converted is permitted, a Building Permit for a Secondary Dwelling Unit may be issued in accordance with any minor variance, site specific zoning, site plan that has been approved or conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law No. 21-073 was passed by Council, provided the Building Permit application complies with Zoning By-law No. 3581-86, as amended, that affected the lot before By-law No. 21-073 came into effect. For the purposes of determining zoning conformity the following provisions shall apply:

a) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Section 6.31.1 v).

b) Once the permit or approval under Section 6.31.1 v), has been granted, the provisions of this By-law apply in all other respects to the land in question.

6.31.2 Secondary Dwelling Unit – Detached [2]

i) For lands within a R1, R2, R3, R3A, R4, R6, RM1, R.C.C., and RH-1 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.

ii) In addition to Section 6.31.2, 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:

a) 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 6.31.2

iii) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 6.31.2.

NOTE: In accordance with Section 35.1 (1) of the *Planning Act*, R.S.O. 1990, a maximum of two Secondary Dwelling Units will be permitted within a Single-Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a lot. A Secondary Dwelling Unit – Detached will not be permitted on a lot containing two or more Secondary Dwelling Units.

iv) A Secondary Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard.

v) Notwithstanding Section 6.18, for a Through Lot, the Rear Yard shall be established in accordance with Section 3.2.56.

vi) A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line.

a) Notwithstanding Section 6.31.2 vi), an eave or a gutter may extend a maximum of 30 centimetres into a required minimum setback area.

b) In addition to Section 6.31.2 vi) 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 buffer strip, and may include a visual barrier.

vii) A Secondary Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.

viii) 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.

ix) The following building separation shall be provided:

a) Where a Secondary Dwelling Unit – Detached is located in the Rear Yard, a minimum distance of 4.0 metres[3] shall be required between the rear wall of the principal dwelling and the Secondary Dwelling Unit – Detached.

b) 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.

x) A maximum height of 6.0 metres shall be permitted.

a) Notwithstanding Section 6.31.2 x), balconies and rooftop patios shall be prohibited above the first floor level.

xi) 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 6.31.2 xi) and 6.31.2 xi) b), and notwithstanding Sections 10A.2.1.3, 11A.2.1.3, and 11A.3.1.3, the maximum combined lot coverage of all buildings and structures on a lot containing a Secondary Dwelling Unit - Detached shall be 45%.[4]

b) In addition to Section 6.31.2 xi), the ground floor area of a Secondary Dwelling Unit – Detached shall not exceed

[3] By-law No. 25-156, August 06, 2025.
[4] By-law No. 25-156, August 06, 2025.

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.

xii) A minimum landscaped area of 12.0 square metres shall be provided and maintained within the Rear Yard.

[1] ~~*By-law No. 14-275 September 24, 2014*~~

[2] ~~*By-law No. 15-068 March 11, 2015*~~

[3] ~~*By-law No. 15-102 April 22, 2015*~~

[4] ~~*By-law No. 21-073 May 21, 2021*~~

~~*By-law No. 21-167, September 29, 2021*~~

[5] *By-law No. 22-134, June 08, 2022*

[1] *By-law No. 22-134, June 08, 2022*

[2] *By-law No. 22-134, June 08, 2022*

6.32 CONVERTED DWELLINGS[1]

i) For the purpose of Section 6.32, 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.

ii) A Converted Dwelling shall be permitted within the R1, R2, R3, R3A, R4, R6, R.C.C, and RH-1 Zones.

iii) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 6.32.

iv) 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 as identified in Section 6.32 (ii).

v) 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.

a) Notwithstanding Section 6.32 v), one parking space is required for the following conditions:

1) For the fourth dwelling unit in a Converted Dwelling; and,

2) For the fourth dwelling unit on a lot.

6.33 HOME CHILD CARE[5]

i) 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.

ii) A home child care use shall not be considered a home occupation use.

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

[1] *By-law No. 22-192 August 12, 2022*

[5] By-law No. 25-156, August 06, 2025.

OFF-STREET PARKING AND LOADING

OFF-STREET PARKING AND LOADING

SECTION 7: OFF-STREET PARKING AND LOADING

LOCATION

7.1 LOCATION

7.1.1 Where a parking space or a loading space is required to be provided pursuant to this By-law, it shall be located on the same lot as the building or use in respect of which it is required. No such required parking or loading space shall be located in a required front yard, except for the access driveway leading to the required parking space.

7.1.2 Parking spaces shall not be located in the front yard of an apartment building development site.

MANOEUVRING SPACE

7.2 MANOEUVRING SPACE

7.2.1 All required parking spaces and loading spaces shall be designed and located such that all vehicles using such spaces can be parked and manoeuvred entirely within the bounds of the parking areas within which such spaces are located, and without moving any other vehicle within such parking area.

7.2.2 All manoeuvring space shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.

ACCESS

7.3 ACCESS

7.3.1 All required parking space and manoeuvring space shall have access by means of:

i) one or more access driveways located on the lot; or

ii) one or more access driveways located partly on the lot in the case of a mutual driveway; or

iii) a legally established right-of-way.

7.3.2 Every parking area for a use where:

i) there are five or less parking spaces shall have not less than one access driveway or one mutual driveway, having a width of at least 2.8 metres;

ii) there are more than five parking spaces shall have:

(a) not less than one access driveway or mutual access driveway, having a width of at least 5.5 metres; or

(b) a separate ingress driveway and a separate egress driveway, each having a width of at least 3.0 metres and each operated in a one way but opposite direction to each other and so designed that vehicles shall not back out onto an adjoining public thoroughfare.

7.3.3 Where a townhouse dwelling, maisonette dwelling or apartment building is adjacent to a residential zone that does not permit such uses, every access driveway to the townhouse dwelling, maisonette dwelling or apartment building shall be located not less than 3.0 metres from the common boundary between the zone in which the townhouse dwelling, maisonette dwelling or apartment building is located and the zone that does not permit such uses.

7.3.4 Where a non-residential use is adjacent to a residential zone, every access driveway to or from the non-residential use shall be located not less than 3.0 metres from the common boundary with the residential zone.

7.3.5 No land in any residential zone shall be used for the purpose of vehicular access to or from any land in a commercial zone, an industrial zone, or a special use zone.

7.3.6 No land in a residential zone in which a townhouse dwelling, maisonette dwelling, or apartment building is not permitted shall be used for the purpose of vehicular access to or from any land used for a townhouse dwelling, maisonette dwelling or apartment building.

ABUTTING A RESIDENTIAL ZONE

7.4 <u>ABUTTING A RESIDENTIAL ZONE</u>

7.4.1 The boundary of every parking area containing five or more parking spaces, or a loading space located on the surface of a lot adjoining any residential zone, shall be located not less than 1.5 metres from the residential zoning boundary.

7.4.2 For every parking area or loading space referred to in clause 7.4.1, there shall be provided and maintained:

i) between the boundary of the parking area or loading space and the adjacent residential zone, a buffer strip; and

ii) a visual barrier along the boundary of the lot abutting the residential zone, not less than 1.2 metres in height nor greater

than 1.8 metres in height, that minimizes glare of headlights from the parking area or loading space passing through to the adjoining residential zone.

7.4.3 Notwithstanding clauses 7.4.1 and 7.4.2, for every parking area for a "rooming, boarding and lodging house"[1] and "Retirement Home" not enclosed within a building, and located in a rear or side yard adjoining any residentially zoned lot, there shall be provided and maintained:

i) between the boundary of the parking area and the adjoining residentially zoned lot, a minimum 1.5 m wide buffer strip; and

ii) a visual barrier parallel to the parking area, not less than 1.2 m in height nor greater than 1.8 m in height.

7.4.4 The boundary of every parking area containing five or more parking spaces or a loading space within 3.0 metres of a residential zone shall be located not closer to the street line than the minimum depth of the front yard required to be provided in the adjoining residential zone.

VISITOR PARKING

7.5 <u>VISITOR PARKING</u>

7.5.1 Each required visitor parking space shall:

i) be maintained for the exclusive use of visitors; and

ii) have a sign appurtenant thereto legibly marked that the parking space is for the exclusive use of visitors; and

iii) be maintained readily accessible to visitors and free and clear of all obstructions.

LOADING SPACES

7.6 <u>LOADING SPACES</u>

7.6.1 Where loading spaces are required to be provided and maintained, the loading spaces shall be provided and maintained in addition to manoeuvring space.

7.6.2 All loading space shall be provided and maintained to permit commercial motor vehicles to move readily and without hindrance between the loading space and an access driveway.

7.6.3 No part of a loading space shall be located closer than 7.5 metres to a public thoroughfare.

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[1] *By-law No. 4091-93 June 21, 1993*

MIXED USE DEVELOPMENT

7.7 MIXED USE DEVELOPMENT

7.7.1 Except as provided in clauses 7.7.2 and 7.7.3 of this subsection, where more than one use is made of land, or a building or structure, there shall be provided and maintained a total of:

i) parking spaces equal to the aggregate number of parking spaces required to be provided for each use;

ii) loading spaces equal to the aggregate number of loading spaces required to be provided for each use.

7.7.2 Where more than one use is made of a building constructed as a shopping centre, there shall be provided and maintained a total number of parking spaces not less than the number of parking spaces calculated on the total floor area of the shopping centre, without deduction of any amount for each individual use.

7.7.3 Where a building or structure is comprised of a joint residential use and a commercial use:

i) the aggregate of the required residential and commercial parking spaces may be reduced by not more than 20 per cent of either the required residential parking spaces or the required commercial parking spaces, whichever is the lesser, only if:

(a) the number of parking spaces equal to the amount of the reduction are accessible to both the residential and commercial uses at all times; and

(b) not less than 80 per cent of the parking spaces accessory to the residential uses are fully and completely separated from parking spaces accessory to the commercial uses; and

ii) the number of the required loading spaces for the commercial uses may be reduced by 50 per cent of the required number of loading spaces for the residential uses.

ENCROACHMENT INTO YARDS

7.8 ENCROACHMENT INTO YARDS

7.8.1 No building or structure used for parking purposes, appurtenant to commercial, public, institutional or industrial uses or to townhouse dwellings, maisonette dwellings or apartment buildings, shall project into a required yard except where the building or structure:

i) is not above ground elevation of the adjoining land, where the yard or any part thereof does not abut a public thoroughfare; and

ii) is not above curb level, where the yard or any part thereof adjoins a public thoroughfare.

7.8.2 Where a building or structure used for parking purposes projects above grade, the yard requirements of the zone in which the building or structure is located shall apply.

SURFACING AND MARKING

7.9 SURFACING AND MARKING

7.9.1 Except as provided in clause 7.9.2, a permanent, durable and dustless surface that is graded, drained and paved with concrete, asphalt or other similar material, or any combination thereof shall be provided and maintained for every parking area, loading space, manoeuvring space and access driveway, unless an alternative type of surface material, such as an environmentally friendly permeable surface, is required as part of a Site Plan approved by Council under the relevant provisions of the Planning Act.[1]

7.9.2 A gravel or similar surface, permeable pavers,[2] or suitable paving shall be provided and maintained for every parking space and access driveway accessory to a single-detached dwelling, a duplex dwelling, a semi-detached dwelling and street townhouse dwellings, each having separate access driveways.

7.9.3 Where a parking area contains five or more parking spaces, there shall be provided and maintained:

i) markings on the surface of the parking area delineating the separate parking spaces; and

ii) bumpers or wheel barriers to prevent physical encroachment of vehicles beyond the parking area, except at the entrances thereto and exits therefrom.

VEHICLES PROHIBITED IN RESIDENTIAL ZONES

7.10 VEHICLES PROHIBITED IN RESIDENTIAL ZONES

The following vehicles shall not be parked in a residential zone:

i) A vehicle for which the permit fee under The Highway Traffic Act is based on the weight of the vehicle and load in excess of 4.0 tonnes; or

ii) A vehicle which exceeds 6.5 metres in length; or

iii) A vehicle which is equipped with dual rear wheels or tandem axles; or

iv) A vehicle which is a tow truck; or

v) A vehicle which is a bus.

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[1] *By-law No. 4517-99 November 1, 1999*

[2] *By-law No. 22-134 June 08, 1999*

CALCULATION OF REQUIRED PARKING AND LOADING SPACES SPACES

7.11 CALCULATION OF REQUIRED PARKING AND LOADING SPACES

7.11.1 Parking and loading space requirements for any building or use shall be calculated on the basis of the indices provided in subsection 7.12 or 7.13 respectively of this Section.

7.11.2 Where a calculation made pursuant to the provisions contained in subsection 7.12 or 7.13 of this Section results in a fractional number of parking or loading spaces, the next higher number shall be taken.

OFF-STREET PARKING SPACE REQUIREMENTS

7.12 OFF-STREET PARKING SPACE REQUIREMENTS

For the building or use described in COLUMN 1 of this subsection, there shall be provided, in accordance with the required parking space specified in COLUMN 2 of this subsection, at least the parking spaces specified:

7.12.1 RESIDENTIAL USES

COLUMN 1 Use of Building or Lot		COLUMN 2 Minimum Required Parking Space
7.12.1.1	Single-Detached Dwellings	1.0 space per dwelling unit.
7.12.1.2	Duplex and Semi-Detached Dwellings	1.0 space per dwelling unit.
7.12.1.3	Townhouse and Maisonette Dwellings	1.5 spaces per dwelling unit, of which 0.30 spaces per dwelling unit shall be provided for Visitor Parking;
7.12.1.4	Street Townhouse Dwellings	1.0 space per dwelling unit
7.12.1.5	Apartment Buildings	1.25 spaces per dwelling unit, of which 0.25 spaces per dwelling unit shall be provided for Visitor Parking.
7.12.1.6	Rooming, Boarding and Lodging Houses[1]	1.0 space per two persons who may be lawfully accommodated.
7.12.1.7	Group Homes	1.0 space per three persons who may be lawfully accommodated.

[1] *By-law No. 4091-93 June 21, 1993*

COLUMN 1 Use of Building or Lot		COLUMN 2 Minimum Required Parking Space
7.12.1.8	Retirement Homes	i) 1.0 space for the owner or other person living on the premises. ii) 1.0 space for each two employees or non-resident owners on duty in an eight hour shift; and iii) 1.0 space for each six residents lawfully accommodated in the Home.
7.12.1.9	Bed and Breakfast[1]	1.0 space per guest room accommodation plus that normally required for the residential use.
7.12.1.10	Secondary Dwelling Unit	Secondary Dwelling Unit, Secondary Dwelling Unit - Detached 1 space per unit
7.12.2	**COMMERCIAL USES**	
7.12.2.1	Hotels, Motor Hotels, Motels, Guest Houses and Tourist Homes	1.0 space per guest room or unit.
7.12.2.2	Licenced Restaurants; Unlicenced Restaurants; Drive-In Restaurants; Taverns, Bars and Night Clubs; Regular Motion Picture Theatres; Theatrical and Other Staged Entertainment Services; Athletic Clubs; Martial Arts Clubs; Bowling Bowling Alleys and Billiard Halls; Dance Halls, Studios and Schools.	1.0 space per 6 persons who may be lawfully accommodated.
7.12.2.3	Child Care Centres	1.0 space per 6 children who may be lawfully accommodated;

[1] *By-law No. 4306-96 September 4, 1996*
[2] *By-law No. 21-073 May 12, 2021*

COLUMN 1 Use of Building or Lot		COLUMN 2 Minimum Required Parking Space
7.12.2.4	Shopping Centres	i) a) Except as provided in ii) 1.0 spaces per 31.0 square metres of gross floor area between 450.0 square metres up to and including 3,700.0 square metres, and an additional b) 1.0 space per 17.0 square metres square metres of gross floor area for that portion of the gross floor area between 3,701.0 square metres and 9,300.0 square metres, and an additional c) 1.0 space per 14.0 square metres of gross floor area in excess of 9,300.0 square metres; ii) The average number of parking spaces for the total gross floor area shall not exceed 1.0 spaces per 20.0 square metres;
7.12.2.5	Retail Establishments Leasing Establishments, Service Shops and any other Commercial uses not otherwise mentioned in COLUMN 1 of clause 7.12.2	1.0 spaces per 31.0 square metres of gross floor area.
7.12.2.6	Warehouses	1.0 spaces per 115.0 square metres of gross floor area.

7.12.3 INDUSTRIAL USES

COLUMN 1 Use of Building or Lot		COLUMN 2 Minimum Required Parking Space
7.12.3.1	Any Industrial Use	1.0 spaces per 45.0 square metres of gross floor area.

7.12.4 PUBLIC AND INSTITUTIONAL USES

COLUMN 1 Use of Building or Lot		COLUMN 2 Minimum Required Parking Space
7.12.4.1	Library Services, Museums and Archives	Nil
7.12.4.2	Churches and other religious organizations	1.0 spaces per 6 persons who may be lawfully accommodated.
7.12.4.3	School:	
	i) Elementary	1.25 spaces per classroom;
	ii) Secondary	1.8 spaces per classroom;
	iii) Secondary - Grade 13 only	2.5 spaces per classroom;
	iv) Post-secondary Non-University and University	6.0 spaces per classroom;
7.12.4.4	Curling Rinks, Swimming Pools, Arenas and any other recreational use.	1.0 spaces per six persons who may be lawfully accommodated.
7.12.4.5	Nursing Homes and Homes for the Aged	1.0 spaces per three patients beds.
7.12.4.6	Hospitals	1.0 spaces per 93.0 square metres gross floor area.

OFF-STREET LOADING SPACE REQUIREMENTS

7.13 OFF-STREET LOADING SPACE REQUIREMENTS

For the building or use described in COLUMN 1 of this subsection, there shall be provided, in accordance with the loading space indices specified in COLUMN 2 and COLUMN 3 of this subsection, at least the loading spaces specified:

COLUMN 1 Use of Building or Lot	COLUMN 2 Minimum Size	COLUMN 3 Minimum Size
	Length: 9.0 m Width: 3.7 m Height: 4.3 m	Length: 18.0 m Width: 3.7 m Height: 4.3 m

7.13.1 RESIDENTIAL USES

	COLUMN 1 Use of Building or Lot	COLUMN 2 Minimum Size	COLUMN 3 Minimum Size
7.13.1.1	Apartment building containing from 5 to 30 dwelling units	1.0	Nil
7.13.1.2	Apartment building containing from 31 to 100 dwelling units	Nil	1.0
7.13.1.3	Apartment building containing more than 100 dwelling units	1.0	1.0

7.13.2 COMMERCIAL USES, except as provided in subsection 7.13.3, and containing the following gross floor areas:

7.13.2.1	0.0 square metres to 450.0 square metres	Nil	Nil
7.13.2.2	Greater than 450.0 square metres to 900.0 square metres	1.0	Nil
7.13.2.3	Greater than 900.0 square metres to 1,850.0 square metres	Nil	1.0
7.13.2.4	Greater than 1,850.0 square metres to 7,400.0 square metres	Nil	2.0
7.13.2.5	Greater than 7,400.0 square metres to 13,000.0 square metres	Nil	3.0
7.13.2.6	Each additional 7,400.0 square metres or part thereof in excess of 13,000.0 square metres	Nil	1.0
		Length: 9.0 m Width: 3.7 m Height: 4.3 m	Length: 18.0 m Width: 3.7 m Height: 4.3 m

7.13.3 COMMERCIAL USES within buildings used exclusively for office purposes and containing the following gross floor areas:

COLUMN 1 Use of Building or Lot		COLUMN 2 Minimum Size	COLUMN 3 Minimum Size
7.13.3.1	0.0 square metres to 450.0 square metres	Nil	Nil
7.13.3.2	Greater than 450.0 square metres to 1,850.0 square metres	1.0	Nil
7.13.3.3	Greater than 1,850.0 square metres to 7,400.0 square metres	2.0	Nil
7.13.3.4	Greater than 7,400.0 square metres to 13,000.0 square metres	3.0	Nil
7.13.3.5	Each additional 7,400.0 square metres or part thereof in excess of 13,000.0 square metres	1.0	Nil

7.13.4 INDUSTRIAL USES

Loading spaces shall be provided in accordance with the total gross area of all buildings on a lot as follows:

COLUMN 1 Use of Building or Lot		COLUMN 2 Minimum Size	COLUMN 3 Minimum Size
7.13.4.1	0.0 square metres to 560.0 square metres	Nil	Nil
7.13.4.2	Greater than 560.0 square metres to 2,300.0 square metres	Nil	1.0
7.13.4.3	Greater than 2,300.0 square metres to 7,400.0 square metres	Nil	2.0
7.13.4.4	Greater than 7,400.0 square metres to 14,000.0 square metres	Nil	3.0

	COLUMN 1 Use of Building or Lot	COLUMN 2 Minimum Size	COLUMN 3 Minimum Size
7.13.4.5	Each additional 7,400.0 square metres or part thereof in excess of 14,000.0 square metres	Nil	1.0
		Length: 9.0 m Width: 3.7 m Height: 4.3 m	Length: 18.0 m Width: 3.7 m Height: 4.3 m

DIMENSIONS FOR THE DESIGN OF PARKING AREAS

7.14 **DIMENSIONS FOR THE DESIGN OF PARKING AREAS**

7.14.1 The minimum dimensions for the provisions of required parking spaces and aisle manoeuvring space within any parking area shall not be less than as follows:

Angle of Parking Space	Width of Parking Space	Length of Parking Space	Required Manoeuvring Space Aisle Width
0 degrees	2.5 m	6.7 m	3.7 m
5 degrees	2.5 m	6.7 m	3.7 m
30 degrees	2.7 m	6.0 m	3.7 m
45 degrees	2.7 m	6.0 m	4.5 m
60 degrees	2.7 m	6.0 m	5.5 m
75 degrees	2.7 m	6.0 m	6.0 m
90 degrees	2.7 m	6.0 m	6.0 m

EXCEPTIONS

7.15 **EXCEPTIONS**

7.15.1 SCHOOLS

Where the required parking space is provided for schools in accordance with subclause 7.12.4.3, no additional parking space shall be required to be provided for an auditorium, recreation centre or any other such place of assembly, which is accessory to the use of the premises for a school.

7.15.2 OFFSTREET PARKING AND LOADING – DELETED BY BY-LAW 15-208

[1] *By-law No. 15-068 March 11, 2015*

[2] *By-law 15-208 December 9, 2015*

SINGLE-DETACHED RESIDENTIAL ZONE (R1)

SINGLE-DETACHED RESIDENTIAL ZONE (R1)

SECTION 8: SINGLE-DETACHED RESIDENTIAL ZONE (R1)

PURPOSE

The purpose of this zone is primarily to provide for low density residential development in the form of single-detached, and semi-detached dwellings, duplex dwellings, street townhouse dwellings, and the conversion of existing dwellings to contain up to four dwelling units.[4]

PERMITTED USES

8.1 PERMITTED USES

8.1.1 A SINGLE-DETACHED DWELLING

8.1.2 A RETIREMENT HOME

8.1.3 A BED AND BREAKFAST ESTABLISHMENT[1]

8.1.4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

8.1.5 (Deleted).[2]

8.1.6 Urban Farm[3]

8.1.7 Community Garden[3]

8.1.8 A Semi-Detached Dwelling[4]

8.1.9 A Duplex Dwelling[4]

8.1.10 A Street Townhouse Dwelling[4]

REGULATIONS FOR SINGLE-DETACHED DWELLINGS

8.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS

8.2.1 AREA REQUIREMENTS

8.2.1.1 LOT AREA
Minimum 540.0 square metres

8.2.1.2 LOT FRONTAGE
Minimum 18.0 metres

8.2.2 YARD REQUIREMENTS

8.2.2.1 FRONT YARD
Minimum 6.0 metres

8.2.2.2 SIDE YARD
Minimum 1.5 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

[1] *By-law No. 4306-96 September 4, 1996*
[2] *By-law No. 21-073 May 12, 2021*
[3] *By-law No. 14-275 September 24, 2014 (OPA under appeal)*
[4] *By-law No. 22-192 August 12, 2022*

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

8.2.2.3 REAR YARD
Minimum 7.5 metres

8.2.3 HEIGHT
Maximum 10.5 metres

8.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR RETIREMENT HOMES

8.3 REGULATIONS FOR RETIREMENT HOMES

8.3.1 AREA REQUIREMENTS

8.3.1.1 LOT AREA
Minimum 540.0 square metres

8.3.1.2 LOT FRONTAGE
Minimum 18.0 metres

8.3.2 YARD REQUIREMENTS

8.3.2.1 FRONT YARD
Minimum 6.0 metres

8.3.2.2 SIDE YARD
Minimum 1.5 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

8.3.2.3 REAR YARD
Minimum 7.5 metres

8.3.3 HEIGHT
Maximum 10.5 metres

8.3.4 OUTDOOR AMENITY AREA

A minimum landscaped area of 12 square metres per resident, but not less than 100 square metres in total, shall be provided and maintained in the rear or side yard.

8.3.5 MINIMUM DISTANCE SEPARATION

8-3

A Retirement Home shall be situated on a lot having a minimum radial separation distance of 150 metres measured from the lot line to the lot line of any other lot occupied or as may be occupied by a Retirement Home.

8.3.6 OFF-STREET PARKING AND LOADING (SEE SECTION 7)

8.3.7 ACCOMMODATION

The maximum number of residents shall not exceed 16 persons.

REGULATIONS **8.4** FOR BED AND BREAKFAST ESTABLISHMENTS

REGULATIONS FOR BED AND BREAKFAST ESTABLISHMENTS[2]

8.4.1 LOCATION

A Bed and Breakfast Establishment must be located within the legal conforming principle dwelling.

8.4.2 PERMITS

An approved Town of Dundas Building Permit must be obtained for every Bed and Breakfast Establishment.

8.4.3 OFF-STREET PARKING AND LOADING
See Section 7.

REGULATIONS **8.5** FOR ACCESSORY BUILDINGS AND STRUCTURES

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

a) Regulations for accessory structures having a floor area of less than 10 square metres:

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 1.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area of between 10 and 18 square metres:

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

LOT COVERAGE
Maximum 5%

[2] *By-law No. 4306-96 September 4, 1996*

HEIGHT
Maximum 4.0 metres

c) Regulations for accessory structures having an area greater than 18 square metres:

- must comply to required yard setbacks and regulations for principle dwelling.

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling.

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

MAXIMUM SIZE
41 metres square

HEIGHT
Maximum 4.0 metres

REGULATIONS FOR AN URBAN FARM

8.6 REGULATIONS FOR AN URBAN FARM[1]

8.6.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

8.7 REGULATIONS FOR A COMMUNITY GARDEN[1]

8.7.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR SEMI-DETACHED DWELLINGS

8.8 REGULATIONS FOR SEMI-DETACHED DWELLINGS[4]

8.8.1 The use shall comply with the provisions of Section 10.3 and the applicable regulations of Section 8.

REGULATIONS FOR DUPLEX DWELLINGS

8.9 REGULATIONS FOR DUPLEX DWELLINGS[4]

8.9.1 The use shall comply with the provisions of Section 10.4 and the applicable regulations of Section 8.

REGULATIONS FOR STREET TOWNHOUSE DWELLINGS

8.10 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS[4]

8.10.1 The use shall comply with the provisions of Section 12.4 and the applicable regulations of Section 8.

REGULATIONS FOR A SECONDARY

8.11 REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED[2,4]

DWELLING UNIT

8.11.1 The use shall comply with the provisions of Section 6.31[3,4]

REGULATIONS FOR CONVERTED DWELLINGS

8.12 **REGULATIONS FOR CONVERTED DWELLINGS**[4]

8.12.1 Shall comply with the provisions of Section 6.32.

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[1] *By-law No. 14-275 September 24, 2014*

[2] *By-law No. 21-073 May 12, 2021*

[3] *By-law No. 22-134 June 08, 2022*

[4] *By-law No. 22-192 August 12, 2022*

SINGLE-DETACHED RESIDENTIAL ZONE (R2)

SINGLE-DETACHED RESIDENTIAL ZONE (R2)

SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2)

PURPOSE

The purpose of this zone is primarily to provide for low density residential development in the form of single-detached, and semi-detached dwellings, duplex dwellings, street townhouse dwellings, and the conversion of existing dwellings to contain up to four dwelling units.[4]

PERMITTED USES

9.1 PERMITTED USES

9.1.1 A SINGLE-DETACHED DWELLING

9.1.2 A RETIREMENT HOME

9.1.3 A BED AND BREAKFAST ESTABLISHMENT[1]

9.1.4 ACCESSORY BUILDINGS, STRUCTURES AND USES

9.1.5 (Deleted).[2]

9.1.6 Urban Farm[3]

9.1.7 Community Garden[3]

9.1.8 A Semi-Detached Dwelling[4]

9.1.9 A Duplex Dwelling[4]

9.1.10 A Street Townhouse Dwelling[4]

REGULATIONS FOR SINGLE-DETACHED DWELLINGS AND DUPLEX DWELLINGS

9.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS AND DUPLEX DWELLINGS[4]

9.2.1 AREA REQUIREMENTS

9.2.1.1 LOT AREA
Minimum 450.0 square metres

9.2.1.2 LOT FRONTAGE
Minimum 15.0 metres

9.2.2 YARD REQUIREMENTS

9.2.2.1 FRONT YARD
Minimum 6.0 metres

9.2.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

[1] *By-law No. 4306-96 September 4, 1996*
[2] By-law No. 21-073 May 12, 2021
[3] *By-law No. 14-275 September 24, 2014*
4 By-law No. 22-192 August 12, 2022

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

9.2.2.3 REAR YARD
Minimum 7.5 metres

9.2.3 HEIGHT
Maximum 10.5 metres

9.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7

REGULATIONS FOR RETIREMENT HOMES

9.3 REGULATIONS FOR RETIREMENT HOMES

9.3.1 AREA REQUIREMENTS

9.3.1.1 LOT AREA
Minimum 450.0 square metres

9.3.1.2 LOT FRONTAGE
Minimum 15.0 metres

9.3.2 YARD REQUIREMENTS

9.3.2.1 FRONT YARD
Minimum 6.0 metres

9.3.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

9.3.2.3 REAR YARD
Minimum 7.5 metres

9.3.3 HEIGHT
Maximum 10.5 metres

9.3.4 OUTDOOR AMENITY AREA

A minimum landscaped area of 12 square metres per resident, but not less than 100 square metres in total, shall be provided and maintained in the rear or side yard.

9.3.5 MINIMUM DISTANCE SEPARATION

A Retirement Home shall be situated on a lot having a minimum radial separation distance of 150 metres measured from the lot line to the lot line of any other lot occupied or as may be occupied by a Retirement Home.

9.3.6 OFF-STREET PARKING AND LOADING

See SECTION 7.

9.3.7 ACCOMMODATION

The maximum number of residents shall not exceed 16 persons.

REGULATIONS FOR BED AND BREAKFAST ESTABLISHMENT

9.4 REGULATIONS FOR BED AND BREAKFAST ESTABLISHMENTS[1]

9.4.1 LOCATION

A Bed and Breakfast Establishment must be located within the legal conforming principle dwelling on the lot.

9.4.2 PERMIT

An approved Town of Dundas Building Permit must be obtained for every Bed and Breakfast Establishment.

9.4.3 OFF-STREET PARKING AND LOADING

See SECTION 7.

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

9.5 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

a) Regulations for accessory structures having a floor area of less than 10square metres:

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 1.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area of between 10 and 18 square metres:

LOCATION
Rear yard or non-required side yard

[1] *By-law No. 4306-96 September 4, 1996*

SETBACK FROM SIDE LOT LINE

Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE

Minimum 2.0 metres

LOT COVERAGE

Maximum 5%

HEIGHT

Maximum 4.0 metres

c) Regulations for accessory structures having an area greater than 18 square metres:

- must comply to required yard setbacks and regulations for principle dwelling.

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling.

LOCATION

Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE

Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM REAR LOT LINE

Minimum 2.0 metres

MAXIMUM SIZE

41 metres square

HEIGHT

Maximum 4.0 metres

REGULATIONS FOR AN URBAN FARM

9.6 REGULATIONS FOR AN URBAN FARM[1]

9.6.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

9.7 REGULATIONS FOR A COMMUNITY GARDEN[1]

9.7.1 The use shall comply with the provisions of Section 6.28.

[1] *By-law No. 14-275 September 24, 2014*

REGULATIONS FOR SEMI-DETACHED DWELLINGS

9.8 **REGULATIONS FOR SEMI-DETACHED DWELLINGS**[1]

9.8.1 The use shall comply with the provisions of Section 10.3 and the applicable regulations of Section 9.

REGULATIONS FOR STREET TOWNHOUSE DWELLINGS

9.9 **REGULATIONS FOR STREET TOWNHOUSE DWELLINGS**[1]

9.9.1 The use shall comply with the provisions of Section 12.4 and the applicable regulations of Section 9.

REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED

9.10 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED** [1,2]

9.10.1 Shall comply with the provisions of Section 6.31.[3]

REGULATIONS FOR CONVERTED DWELLINGS

9.11 **REGULATIONS FOR CONVERTED DWELLINGS**[1]

9.11.1 Shall comply with the provisions of Section 6.32.

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[1] *By-law No. 22-192* *August 12, 2022*

[2] *By-law No. 21-073* *May 12, 2021*

[3] *By-law No. 22-073* *June 08, 2022*

LOW DENSITY RESIDENTIAL ZONE (R3)

LOW DENSITY RESIDENTIAL ZONE (R3)

SECTION 10: LOW DENSITY RESIDENTIAL ZONE (R3)

PURPOSE

The purpose of this zone is primarily to provide for low density residential development in the form of single-detached, semi-detached, duplex dwellings street townhouse dwellings, and the conversion of existing dwellings to contain up to four dwelling units.[4]

PERMITTED USES

10.1 PERMITTED USES

10.1.1 A SINGLE-DETACHED DWELLING

10.1.2 A SEMI-DETACHED DWELLING

10.1.3 A DUPLEX DWELLING

10.1.4 A RETIREMENT HOME

10.1.5 A BED AND BREAKFAST ESTABLISHMENT[1]

10.1.6 ACCESSORY BUILDINGS, STRUCTURES AND USES

10.1.7 (deleted).[2]

10.1.8 Urban Farm[3]

10.1.9 Community Garden[3]

10.1.10 A STREET TOWNHOUSE DWELLING[4]

REGULATIONS FOR SINGLE-DETACHED DWELLINGS

10.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS

10.2.1 AREA REQUIREMENTS

10.2.1.1 LOT AREA
Minimum 450.0 square metres

10.2.1.2 LOT FRONTAGE
Minimum 15.0 metres

10.2.2 YARD REQUIREMENTS

10.2.2.1 FRONT YARD
Minimum 6.0 metres

10.2.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot;

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage;

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[1] *By-law No. 4306-96 September 4, 1996*
[2] *By-law No. 21-073 May 12, 2021*
[3] *By-law No. 14-275 September 24, 2014*
[4] *By-law No. 22-192 August 12, 2022*

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot; and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

10.2.2.3 REAR YARD
Minimum 7.5 metres

10.2.3 HEIGHT
Maximum 10.5 metres

10.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR SEMI-DETACHED DWELLINGS

10.3 REGULATIONS FOR SEMI-DETACHED DWELLINGS

10.3.1 AREA REQUIREMENTS

10.3.1.1 LOT AREA
Minimum 630.0 square metres

10.3.1.2 LOT FRONTAGE
Minimum 21.0 metres

10.3.2 YARD REQUIREMENTS

10.3.2.1 FRONT YARD
Minimum 6.0 metres

10.3.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

10.3.2.3 REAR YARD
Minimum 7.5 metres

10.3.3 HEIGHT
Maximum 10.5 metres

10.3.4 OFF-STREET PARKING AND LOADING
See SECTION 7

REGULATIONS FOR DUPLEX DWELLINGS

10.4 REGULATIONS FOR DUPLEX DWELLINGS

10.4.1 AREA REQUIREMENTS

10.4.1.1 LOT AREA
Minimum 540.0 square metres

10.4.1.2 LOT FRONTAGE
Minimum 18.0 metres

10.4.2 YARD REQUIREMENTS

10.4.2.1 FRONT YARD
Minimum 6.0 metres

10.4.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

10.4.2.3 REAR YARD
Minimum 7.5 metres

10.4.3 HEIGHT
Maximum 10.5 metres

10.4.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR RETIREMENT HOMES

10.5 REGULATIONS FOR RETIREMENT HOMES

10.5.1 AREA REQUIREMENTS

10.5.1.1 LOT AREA
Minimum 450.0 square metres

10.5.1.2 LOT FRONTAGE
Minimum 15.0 metres

10.5.2 YARD REQUIREMENTS

10.5.2.1 FRONT YARD
Minimum 6.0 metres

10.5.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

10.5.2.3 REAR YARD
Minimum 7.5 metres

10.5.3 HEIGHT
Maximum 10.5 metres

10.5.4 OUTDOOR AMENITY AREA
A minimum landscaped area of 12 square metres per resident, but not less than 100 square metres in total, shall be provided and maintained in the rear or side yard;

10.5.5 MINIMUM DISTANCE SEPARATION
A Retirement Home shall be situated on a lot having a minimum radial separation distance of 150 metres measured from the lot line to the lot line of any other lot occupied or as may be occupied by a Retirement Home;

10.5.6 OFF-STREET PARKING AND LOADING
See SECTION 7.

10.5.7 ACCOMMODATION
The maximum number of residents shall not exceed 16 persons.

REGULATION FOR BED AND BREAKFAST ESTABLISHMENTS IN A SINGLE DETACHED DWELLING

10.6 REGULATION FOR BED AND BREAKFAST ESTABLISHMENTS IN A SINGLE DETACHED DWELLING[1]

10.6.1 LOCATION
A Bed and Breakfast Establishment must be located within the legal conforming principle dwelling on the lot.

10.6.2 PERMITS
An approved Town of Dundas Building Permit must be obtained for every Bed and Breakfast Establishment.

10.6.3 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR ACCESSORY BUILDINGS STRUCTURES

10.7 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

a) Regulations for accessory structures having a floor area of less than 10 square metres:

LOCATION
Rear yard or non-required side yard.

[1] *By-law No. 4306-96 September 4, 1996*

SETBACK FROM SIDE LOT LINE
Minimum 1.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area of between 10 and 18 square metres:

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

LOT COVERAGE
Maximum 5%

HEIGHT
Maximum 4.0 metres

c) Regulations for accessory structures having an area greater than 18 square metres:

- must comply to required yard setbacks and regulations for principle dwelling.

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling.

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE

Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

MAXIMUM SIZE
41 metres square

HEIGHT
Maximum 4.0 metres.

REGULATIONS FOR AN URBAN FARM

10.8 **REGULATIONS FOR AN URBAN FARM**[1]

10.8.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

10.9 **REGULATIONS FOR A COMMUNITY GARDEN**[1]

10.9.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR STREET TOWNHOUSE DWELLINGS

10.10 **REGULATIONS FOR STREET TOWNHOUSE DWELLINGS**[4]

10.10.1 The use shall comply with the provisions of Section 12.4 and the applicable regulations of Section 10.

REGULATIONS FOR A SECONDARY DWELLING UNIT

10.11 **REGULATIONS FOR A SECONDARY DWELLING UNITS** [2,4]

10.10.1 The use shall comply with the provisions of Section 6.31[3]

REGULATIONS FOR CONVERTED DWELLINGS

10.12 **REGULATIONS FOR CONVERTED DWELLINGS**[4]

10.12.1 The use shall comply with the provisions of Section 6.32.

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[1] *By-law No. 14-275 September 24, 2014*

[2] *By-law No. 21-073 May 12, 20213*

[3] *By-law No. 22-134 June 08, 2022*

[4] *By-law No. 22-192 August 12, 2022*

LOW DENSITY RESIDENTIAL ZONE (R3A)

SECTION 10A – LOW DENSITY RESIDENTIAL ZONE (R3A)[1]

PURPOSE

No person shall within any Low Density Residential (R3A) Zone, use any land, or erect, alter or use any building or structure, except for such purposes and in accordance with such standards and restrictions as are permitted by and are in accordance with the following provisions:

10A.1 PERMITTED USES

10A.1.1 A SINGLE DETACHED DWELLING

10A.1.2 ACCESSORY BUILDINGS TO THE FOREGOING PERMITTED USE

10A.1.3 THE OFFICE OF A QUALIFIED MEDICAL PRACTITIONER LOCATED WITHIN A SINGLE DETACHED DWELLING WHICH SUCH QUALIFIED MEDICAL PRACTITIONER USES AS HIS PRIVATE RESIDENCE, PROVIDED HOWEVER THAT:

(i) The floor area of such office shall not exceed 25% of the floor area of the dwelling;

(ii) Such office shall be used only for consultation and emergency or minor treatment and not as a private clinic or hospital; and

(iii) A minimum of three parking spaces shall be provided and maintained on the lot containing such office.

10A.1.4 Urban Farm[2]

10A.1.5 Community Garden[2]

10A.1.6 A SEMI-DETACHED DWELLING[3]

10A.1.7 A DUPLEX DWELLING[3]

10A.1.8 A STREET TOWNHOUSE DWELLING[3]

10A.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS

10A.2.1 AREA REQUIREMENTS

10A.2.1.1 LOT AREA
Minimum 464.5 square metres

10A.2.1.2 LOT FRONTAGE
Minimum 15.24 metres

10A.2.1.3 LOT COVERAGE
Maximum 35%

10A.2.2 YARD REQUIREMENTS

10A.2.2.1 FRONT YARD
Minimum 6 metres

10A.2.2.2 SIDE YARD
Minimum 1.2 metres for a dwelling of 2 storeys or fewer, and 1.8 metres for a dwelling of more than 2 storeys provided however that this may be reduced to 1.2 metres for a side yard adjacent to

an attached garage or attached carport with no rooms above and located on the same lot therewith, except that:

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[1] *By-law No. 4577-00 November 6, 2000*

[2] *By-law No. 14-275 September 24, 2014*

[3] *By-law No. 22-192 August 12, 2022*

(i) the minimum side yard on the flankage street of a corner lot shall be 3.6 metres, except that for a dwelling with an attached private garage or attached carport fronting such street, the minimum side yard on the flankage street shall be 6.0 metres, and,

(ii) one of the minimum side yards on an interior lot on which no private garage or carport is located shall be 5.0 metres.

10A.2.2.3 REAR YARD
Minimum 7.5 metres

10A.2.2.4 FLOOR AREA
Minimum

(i)	one storey	102 square metres
(ii)	one and a half storey or split level	111 square metres
(iii)	two storey or over	120 square metres

10A.2.3 HEIGHT
Maximum 10.6 metres

10A.2.4 PARKING SPACES
Minimum One (1)

10A.3 REGULATIONS FOR ACCESSORY BUILDINGS

10A.3.1 LOCATION
In rear yard only

10A.3.2 MINIMUM DISTANCE FROM LOT LINE
0.6 metres except that on a corner lot no accessory building shall be located nearer to the flankage lot line than 6.0 metres, or nearer to the rear LOT LINE than 1.2 metres

10A.3.3 BUILDING HEIGHT
Maximum 4.5 metres.

REGULATIONS FOR AN URBAN FARM

10A.4 REGULATIONS FOR AN URBAN FARM[1]

10A.4.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

10A.5 REGULATIONS FOR A COMMUNITY GARDEN[1]

10A.5.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR SEMI-DETACHED DWELLINGS

10A.6 REGULATIONS FOR SEMI-DETACHED DWELLINGS[4]

10A.6.1 The use shall comply with the provisions of Section 10.3 and the applicable regulations of Section 10A.

REGULATIONS FOR DUPLEX DWELLINGS

10A.7 REGULATIONS FOR DUPLEX DWELLINGS[4]

10A.7.1 The use shall comply with the provisions of Section 10.4 and the applicable regulations of Section 10A

REGULATIONS FOR STREET

10A.8 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS[4]

TOWNHOUSE DWELLINGS

10A.8.1 The use shall comply with the provisions of Section 12.4 and the applicable regulations of Section 10A.

REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS - DETACHED

10A.9 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED**[2,4]

10A.9.1 Shall comply with the provisions of Section 6.31.[3]

REGULATIONS FOR CONVERTED DWELLINGS

10A.10 **REGULATIONS FOR CONVERTED DWELLINGS**[4]

10A.10.1 Shall comply with the provisions of Section 6.32.

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[1] *By-law No. 14-275 September 24, 2014*
[2] *By-law No. 21-073 May 21, 2021*
[3] *By-law No. 22-134 June 08, 2022*
[4] *By-law No. 22-192 August 12, 2022*

LOW DENSITY RESIDENTIAL ZONE (R4)

LOW DENSITY RESIDENTIAL ZONE (R4)

SECTION 11: LOW DENSITY RESIDENTIAL ZONE (R4)

PURPOSE

The purpose of this zone is primarily to provide for low density residential development in the form of single-detached, semi-detached, duplex dwellings, street townhouse dwellings, and the conversion of existing dwellings to contain up to four dwelling units.[6]

PERMITTED USES

11.1 PERMITTED USES

11.1.1 A SINGLE-DETACHED DWELLING

11.1.2 A SEMI-DETACHED DWELLING

11.1.3 A DUPLEX DWELLING

11.1.4 (Deleted).[5,6]

11.1.5 A ROOMING, BOARDING AND LODGING HOUSE[1]

11.1.6 A GROUP HOME

11.1.7 A RETIREMENT HOME

11.1.8 A BED AND BREAKFAST ESTABLISHMENT[2]

11.1.9.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

11.1.10 (Deleted).[3]

11.1.11 Urban Farm[4]

11.1.12 Community Garden[4]

11.1.13 A STREET-TOWNHOUSE DWELLING[6]

REGULATIONS FOR SINGLE-DETACHED DWELLINGS

11.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS

11.2.1 AREA REQUIREMENTS

11.2.1.1 LOT AREA
Minimum 450.0 square metres

11.2.1.2 LOT FRONTAGE
Minimum 15.0 metres

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[1] *By-law No. 4091-93 June 21, 1993*
[2] *By-law No. 4306-96 September 4, 1996*
[3] *By-law No. 21-073 May 12, 2021*
[4] *By-law No. 14-275 September 24, 2014*
[5] *By-law No. 22-134 June 08, 2022*
[6] *By-law No. 22-192 August 12, 2022*

11.2.2 YARD REQUIREMENTS

11.2.2.1 FRONT YARD
Minimum 6.0 metres

11.2.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

11.2.2.3 REAR YARD
Minimum 7.5 metres

11.2.3 HEIGHT
Maximum 10.5 metres

11.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR SEMI-DETACHED DWELLINGS

11.3 REGULATIONS FOR SEMI-DETACHED DWELLINGS

11.3.1 AREA REQUIREMENTS

11.3.1.1 LOT AREA
Minimum 630.0 square metres

11.3.1.2 LOT FRONTAGE
Minimum 21.0 metres

11.3.2 YARD REQUIREMENTS

11.3.2.1 FRONT YARD
Minimum 6.0 metres

11.3.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

11.3.2.3 REAR YARD
Minimum 7.5 metres

11.3.3 HEIGHT
Maximum 10.5 metres

11.3.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR DUPLEX DWELLINGS

11.4 REGULATIONS FOR DUPLEX DWELLINGS

11.4.1 AREA REQUIREMENTS

11.4.1.1 LOT AREA
Minimum 540.0 square metres

11.4.1.2 LOT FRONTAGE
Minimum 18.0 metres

11.4.2 YARD REQUIREMENTS

11.4.2.1 FRONT YARD
Minimum 6.0 metres

11.4.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

11.4.2.3 REAR YARD
Minimum 7.5 metres

11.4.3 HEIGHT
Maximum 10.5 metres

11.4.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR CONVERSIONS

11.5 (Deleted).[2,3]

[1] *By-law No. 4091-93 June 21, 1993*
[2] *By-law No. 22-134 June 08, 2022*
[3] *By-law No. 22-192 August 12, 202*

REGULATIONS FOR ROOMING, BOARDING AND LODGING HOUSES AND GROUP HOMES[1]

11.6 REGULATIONS FOR ROOMING, BOARDING, LODGING HOUSES AND GROUP HOMES[1]

11.6.1 AREA REQUIREMENTS

11.6.1.1 LOT AREA
Minimum 450.0 square metres

11.6.1.2 LOT FRONTAGE
Minimum 15.0 metres

11.6.2 YARD REQUIREMENTS

11.6.2.1 FRONT YARD
Minimum 6.0 metres

11.6.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

11.6.2.3 REAR YARD
Minimum 7.5 metres

11.6.3 HEIGHT
Maximum 10.5 metres

11.6.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

11.6.5 RADIAL SEPARATION DISTANCE

The minimum radial distance between lots upon which a Group Home may be located shall be 275.0 metres, as measured between the respective lot lines in closest proximity to each other.

11.6.6 ACCOMMODATION

The maximum number of residents shall not exceed six persons.

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[1] *By-law No. 4091-93 June 21, 1993*

REGULATIONS FOR RETIRMENT HOMES

11.7 REGULATIONS FOR RETIREMENT HOMES

11.7.1 AREA REQUIREMENTS

11.7.1.1 LOT AREA
Minimum 450.0 square metres

11.7.1.2 LOT FRONTAGE
Minimum 15.0 metres

11.7.2 YARD REQUIREMENTS

11.7.2.1 FRONT YARD
Minimum 6.0 metres

11.7.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

11.7.2.3 REAR YARD
Minimum 7.5 metres

11.7.3 HEIGHT
Maximum 10.5 metres

11.7.4 OUTDOOR AMENITY AREA

A minimum landscaped area of 12 square metres per resident, but not less than 100 square metres in total, shall be provided and maintained in the rear or side yard;

11.7.5 MINIMUM DISTANCE SEPARATION

A Retirement Home shall be situated on a lot having a minimum radial separation distance of 150 metres measured from the lot line to the lot line of any other lot occupied or as may be occupied by a Retirement Home;

ll.7.6 OFF-STREET PARKING AND LOADING
See SECTION 7;

ll.7.7 ACCOMMODATION

The maximum number of residents shall not exceed 16 persons.

REGULATION FOR A BED AND BREAKFAST ESTABLISHMENT IN A SINGLE DETACHED DWELLLING

11.8 REGULATIONS FOR BED AND BREAKFAST ESTABLISHMENTS IN A SINGLE-DETACHED DWELLING

11.8.1 LOCATION

A Bed and Breakfast Establishment must be located within the legal conforming principle dwelling on the lot.

11.8.2 PERMITS

An approved Town of Dundas Building Permit must be obtained for every Bed and Breakfast Establishment.

11.8.3 OFF-STREET PARKING AND LOADING

See SECTION 7

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

11.9 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

a) Regulations for accessory structures having a floor area of less than 10 square metres:

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 1.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area of between 10 and 18 square metres:

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

LOT COVERAGE
Maximum 5%

HEIGHT
Maximum 4.0 metres

c) Regulations for accessory structures having an area greater than 18 square metres:

- must comply to required yard setbacks and regulations for principle dwelling.

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling.

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

MAXIMUM SIZE
41 metres square

HEIGHT
Maximum 4.0 metres

REGULATIONS FOR AN URBAN FARM

11.10 REGULATIONS FOR AN URBAN FARM[1]

11.10.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

11.11 REGULATIONS FOR A COMMUNITY GARDEN[1]

11.11.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR STREET TOWNHOUSE DWELLINGS

11.12 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS[4]

11.12.1 The use shall comply with the provisions of Section 12.4 and the applicable regulations of Section 11.

REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED

11.13 REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED[2,3,4]

11.13.1 Shall comply with the provisions of Section 6.31.

REGULATIONS FOR CONVERTED DWELLINGS

11.14 REGULATIONS FOR CONVERTED DWELLINGS[4]

11.14.1 Shall comply with the provisions of Section 6.32.

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[1] *By-law No. 14-275* *September 24, 2014*
[2] *By-law No. 21-073* *May 12, 2021*
3 *By-law No. 22-134* *June 08, 2022*
[4] *By-law No. 22-192* *August 12, 2022*

LOW DENSITY RESIDENTIAL ZONE (R6)

SECTION 11A – LOW DENSITY RESIDENTIAL ZONE (R6)[1]

PURPOSE

No person shall within any Low Density Residential (R6) Zone, use any land or erect, alter or use any building or structure, except for such purposes and in accordance with such standards and restrictions as are permitted by and are in accordance with the following provisions:

11A.1 PERMITTED USES

11A.1.1 A SINGLE DETACHED DWELLING

11A.1.2 A SEMI-DETACHED DWELLING

11A.1 .3 ACCESSORY BUILDINGS TO THE FOREGOING PERMITTED USES

11A.1.4 Urban Farm[2]

11A.1.5 Community Garden[2]

11A.1.6 A DUPLEX DWELLING[3]

11A.1.7 A STREET-TOWNHOUSE DWELLING[3]

11A.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS

11A.2.1 AREA REQUIREMENTS

11A.2.1.1 LOT AREA
Minimum (interior lot) - 330 square metres
Minimum (corner lot) - 390 square metres

11A.2.1.2 LOT FRONTAGE
Minimum (interior lot) - 11.0 metres
Minimum (corner lot) - 13.0 metres

11A.2.1.3 LOT COVERAGE
Maximum 35%

11A.2.2 YARD REQUIREMENTS

11A.2.2.1 FRONT YARD
Minimum 6.0 metres

11A.2.2.2 SIDE YARD
Minimum 1.2 metres except that:

(i) the minimum side yard on the flankage street of a corner lot shall be 3.5 metres except that for a dwelling with an attached garage or attached carport fronting such street, the minimum side yard on the flankage street shall be 5.5 metres, and

(ii) the minimum side yards on an interior lot on which no garage or carport is located shall be 3.0 metres.

11A.2.2.3 REAR YARD
Minimum 7.5 metres

[1] *By-law No. 4577-00 November 6, 2000*
[2] *By-law No. 14-275 September 24, 2014*
[3] *By-law No. 22-192 August 12, 2022*

11A.2.3 FLOOR AREA PER DWELLING UNIT
Minimum 100.0 square metres

11A.2.4 HEIGHT
Maximum 10.5 metres

11A.2.5 NUMBER OF PARK1NG SPACES
Minimum One (1)

11A.3 REGULATIONS FOR SEMI-DETACHED DWELLINGS

11A.3.1 AREA REQUIREMENTS

11A.3.1.1 LOT AREA
Minimum (interior lot) - 660.0 square metres
Minimum (corner lot) - 720.0 square metres

11A.3.1.2 LOT FRONTAGE
Minimum (interior lot) - 22.0 metres
Minimum (corner lot) - 24.0 metres

11A.3.1.3 LOT COVERAGE
Maximum 40%

11A.3.2 YARD REQUIREMENTS

11A.3.2.2 FRONT YARD
Minimum 6.0 metres

11A.3.2.3 SIDE YARD
Minimum 1.2 metres except that:

(i) the minimum side yard on the flankage street of a corner lot shall be 3.5 metres except that for a dwelling with an attached garage or attached carport fronting on such street, the minimum side yard on the flankage street shall be 5.5 metres, and,

(ii) the minimum side yards on an interior lot on which no garage or carport is located shall be 3.0 metres.

11A.3.2.4 REAR YARD
Minimum 7.5 metres

11A.3.3 HEIGHT
Maximum 10.5 metres

11A.3.4 FLOOR AREA
Minimum
(per unit) 100.0 square metres

11A.3.5 PARKING SPACES
Minimum Two (2)

11A.4 REGULATIONS FOR ACCESSORY BUILDINGS

11A.4.1 LOCATION
In rear yard only

11A.4.2 MINIMUM DISTANCE FROM LOT LINE

1.0 metres except that on a corner lot, no accessory building shall be located nearer to the flankage lot line than 5.5 metres or nearer to the rear lot line than 1.2 metres.

11A.4.3 BUILDING HEIGHT

Maximum 4.5 metres

REGULATIONS FOR AN URBAN FARM

11A.5 REGULATIONS FOR AN URBAN FARM[1]

11A.5.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

11A.6 REGULATIONS FOR A COMMUNITY GARDEN[1]

11A.6.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR DUPLEX DWELLINGS

11A.7 REGULATIONS FOR DUPLEX DWELLINGS [4]

11A.7.1 The use shall comply with the provisions of Section 11A.2 and the applicable regulations of Section 11A.

i) Notwithstanding Section 11A.7.1, Section 11A.2.3 shall not apply.

REGULATIONS FOR STREET TOWNHOUSE DWELLINGS

11A.8 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS [4]

11A.8.1 The use shall comply with the provisions of Section 12.4 and the applicable regulations of Section 11A.

REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED

11A.9 REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED [2,4]

11A.9.1 Shall comply with the provisions of Section 6.31.[3]

REGULATIONS FOR CONVERTED DWELLINGS

11A.10. REGULATIONS FOR COVNERTED DWELLINGS [4]

11A.10.1 The use shall comply with the provisions of Section 6.32.

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[1] *By-law No. 14-275 September 24, 2014*
[2] *By-law No. 21-073 May 12, 2021*
[3] *By-law No. 22-073 June 08, 2022*
[4] *By-law No. 22-192 August 12, 2022*

LOW TO MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM1)

LOW TO MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM1)[1]

SECTION 12: LOW TO MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM1)[1]

PURPOSE

The purpose of this zone is to provide for a variety of family-oriented multiple dwelling development at a density range which forms a compatible transition between low density detached and semi-detached residential development, and medium density apartment development.[1]

PERMITTED USES

12.1 PERMITTED USES

12.1.1 AN APARTMENT BUILDING

12.1.2 A MAISONETTE DWELLING

12.1.3 A TOWNHOUSE DWELLING

12.1.4 A STREET TOWNHOUSE DWELLING

12.1.5 GROUP DEVELOPMENT

12.1.6 ACCESSORY BUILDINGS, STRUCTURES AND USES

12.1.7 URBAN FARM[2]

12.1.8 COMMUNITY GARDEN[2]

REGULATIONS FOR APARTMENT BUILDINGS

12.2 REGULATIONS FOR APARTMENT BUILDINGS

12.2.1 AREA REQUIREMENTS

12.2.1.1 LOT AREA
Minimum 1380.0 square metres

12.2.1.2 LOT FRONTAGE
Minimum 30.0 metres

12.2.2 YARD REQUIREMENTS

12.2.2.1 FRONT YARD
Minimum 7.5 metres

12.2.2.2 SIDE YARD
Minimum 4.5 metres

12.2.2.3 REAR YARD
Minimum 7.5 metres

12.2.3 HEIGHT
Maximum 10.5 metres

12.2.4 DENSITY
Maximum 50 dwelling units per hectare

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[1] *By-law No. 4091-93 June 21, 1993*

[2] *By-law No. 14-275 September 24, 2014*

12.2.5 FLOOR AREA

The minimum floor area per dwelling unit shall be as follows:

i)	bachelor units	42.0 square metres
ii)	one bedroom units	55.0 square metres
iii)	two or more bedroom units	65.0 square metres

12.2.6 OFF-STREET PARKING AND LOADING

See SECTION 7.

12.2.7 LANDSCAPING REQUIREMENTS

12.2.7.1 LANDSCAPED AREA
Minimum 30 per cent of the site area shall be landscaped

12.2.7.2 BUFFER STRIP
The landscaped area requirements contained in subclause 12.2.7.1 shall include a buffer strip of not less than 3.0 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3, R3A, R4 or R6 Zone.[1]

REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS

12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS

12.3.1 AREA REQUIREMENTS

12.3.1.1 LOT FRONTAGE
Minimum 30.0 metres

12.3.2 YARD REQUIREMENTS

12.3.2.1 FRONT YARD
Minimum 6.0 metres[2]

12.3.2.2 SIDE YARD
Minimum 7.5 metres, except that a minimum side yard of 3.0 metres may be provided where no window of a habitable room overlooks such yard and the yard does not abut a public thoroughfare.

12.3.2.3 REAR YARD
Minimum 7.5 metres

12.3.3 HEIGHT
Maximum 10.5 metres

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[1] *By-law No.4577-00 November 6, 2000*
[2] *By-law No.4249-95 October 16, 1995*

12.3.4 DENSITY

12.3.4.1 MAISONETTE DWELLINGS
Maximum - 42 dwelling units per hectare

12.3.4.2 TOWNHOUSE DWELLINGS
Maximum - 37 dwelling units per hectare

12.3.5 OFF-STREET PARKING AND LOADING

See SECTION 7.

12.3.6 LANDSCAPING REQUIREMENTS

12.3.6.1 LANDSCAPED AREA
Minimum 50 per cent of the site area shall be landscaped

12.3.6.2 BUFFER STRIP
The landscaped area requirements contained in subclause 12.3.6.1 shall include a buffer strip of not less than 3.0 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3, R3A, R4 or R6 Zone.[1]

REGULATIONS FOR STREET TOWNHOUSE DWELLINGS

12.4 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS

12.4.1 AREA REQUIREMENTS

12.4.1.1 LOT AREA
Minimum 180.0 square metres per dwelling unit

12.4.1.2 LOT FRONTAGE
Minimum 6.0 metres per dwelling unit

12.4.2 YARD REQUIREMENTS

12.4.2.1 FRONT YARD
Minimum 6.0 metres

12.4.2.2 SIDE YARD
Minimum 7.5 metres, except that a minimum side yard of 3.0 metres may be provided where no window of a habitable room overlooks such yard, and the yard does not abut a public thoroughfare.

12.4.2.3 REAR YARD
Minimum 7.5 metres

12.4.3 HEIGHT
Maximum 10.5 metres

12.4.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

[1] *By-law No.4577-00 November 6, 2000*

REGULATIONS FOR GROUP DEVELOPMENT

12.5 REGULATIONS FOR GROUP DEVELOPMENT

12.5.1 AREA REQUIREMENTS

12.5.1.1 LOT FRONTAGE
Minimum 30.0 metres

12.5.2 YARD REQUIREMENTS

12.5.2.1 FRONT YARD
Minimum 6.0 metres[1]

12.5.2.2 SIDE YARD
Minimum 7.5 metres, except that a minimum side yard of 3.0 metres may be provided where no window of a habitable room overlooks such yard and the yard does not abut a public thoroughfare.

12.5.2.3 REAR YARD
Minimum 7.5 metres

12.5.3 HEIGHT
Maximum 10.5 metres

12.5.4 DENSITY
Maximum i) 37 dwelling units per hectare.

ii) Notwithstanding i) above, the density may be increased to a maximum of 42 dwelling units per hectare, provided that at least one maisonette or apartment building is contained in the development.

12.5.5 OFF-STREET PARKING AND LOADING
See SECTION 7.

12.5.6 LANDSCAPING REQUIREMENTS

12.5.6.1 LANDSCAPED AREA
Minimum 50 per cent of the site area shall be landscaped

12.5.6.2 BUFFER STRIP
The landscaped area requirements contained in subclause 12.5.6.1 shall include a buffer strip of not less than 3.0 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3 or R4 Zone.

12.5.7 MINIMUM DISTANCE SEPARATION[2]

i) Between two exterior side walls, with or without windows to a habitable room, a minimum of 3.0 metres.

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[1] *By-law No. 4249-95 October 10, 1995*
[2] *By-law No. 4249-95 October 10,1995*

ii) Between two exterior walls one of which is a side wall and the other a rear wall, with or without windows to a habitable room, a minimum of 9.0 metres.

iii) Between two exterior rear walls, with or without windows to a habitable room, a minimum of 15.0 metres.

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

12.6 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

a) Regulations for accessory structures having a floor area of less than 10 square metres:

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 1.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area of between 10 and 18 square metres:

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

LOT COVERAGE
Maximum 5%

HEIGHT
Maximum 4.0 metres

c) Regulations for accessory structures having an area greater than 18 square metres:

- must comply to required yard setbacks and regulations for principle dwelling.

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling.

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

MAXIMUM SIZE
41 metres square

HEIGHT
Maximum 4.0 metres

REGULATIONS FOR AN URBAN FARM

12.7 REGULATIONS FOR AN URBAN FARM[1]

12.7.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

12.8 REGULATIONS FOR A COMMUNITY GARDEN[1]

12.8.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED

12.9 REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED [2,4]

12.9.1 The use shall comply with the provisions of Section 6.31.[3,4]

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[1] *By-law No. 14-275 September 24, 2014*
[2] *By-law No. 21-073 May 12, 2021*
[3] *By-law No. 22-073 June 08, 2022*
[4] *By-law No. 22-192 August 12, 2022*

MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM2)

MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM2)[1]

SECTION 13: MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM2)[1]

PURPOSE

The purpose of this zone is to provide for medium density residential development in the form of apartments.

PERMITTED USES

13.1 PERMITTED USES

13.1.1 AN APARTMENT BUILDING

13.1.2 (Deleted).[3]

13.1.3 (Deleted).[3]

13.1.4 URBAN FARM[2]

13.1.5 COMMUNITY GARDEN[2]

REGULATIONS FOR APARTMENT BUILDINGS

13.2 REGULATIONS FOR APARTMENT BUILDINGS

13.2.1 AREA REQUIREMENTS

13.2.1.1 LOT AREA
Minimum 1380.0 square metres

13.2.1.2 LOT FRONTAGE
Minimum 30.0 metres

13.2.2 YARD REQUIREMENTS

13.2.2.1 FRONT YARD
Minimum 7.5 metres

13.2.2.2 SIDE YARD
Minimum 4.5 metres

13.2.2.3 REAR YARD
Minimum 7.5 metres

13.2.3 HEIGHT
Maximum 10.5 metres

13.2.4 DENSITY
Maximum 75 dwelling units per hectare

13.2.5 FLOOR AREA

The minimum floor area per dwelling unit shall be as follows:

i) bachelor units 42.0 square metres

ii) one bedroom units 55.0 square metres

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[1] *By-law No. 4091-93 June 21, 1993*

[2] *By-law No. 14-275 September 24, 2014*

[3] *By-law No. 22-192 August 12, 2022*

iii) two or more bedroom units 65.0 square metres

13.2.6 OFF-STREET PARKING AND LOADING
See SECTION 7.

13.2.7 LANDSCAPING REQUIREMENTS

13.2.7.1 LANDSCAPED AREA
Minimum 30 per cent of the site area shall be landscaped

13.2.7.2 BUFFER STRIP
The landscaped area requirements contained in subclause 13.2.7.1 shall include a buffer strip of not less than 3.0 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3, R3A, R4 or R6 Zone.[1]

REGULATIONS FOR CONVERSIONS

13.3 REGULATIONS FOR CONVERSIONS UP TO A MAXIMUM OF FOUR (4) SEPARATE DWELLING UNITS

13.3.1 GENERAL REQUIREMENTS[2]

13.3.1.1 STRUCTURAL SUITABILITY
The dwelling must be structurally suitable for the proposed conversion.

13.3.1.2 CALCULATION OF FLOOR AREA
Only the floor area of the dwelling as it existed prior to January 1, 1941, shall be used in calculating the minimum floor area requirement for each dwelling unit to be converted.

13.3.1.3 OUTSIDE STAIRWAYS
No outside stairway, other than an unenclosed fire escape, shall be used or erected.

13.3.2 AREA REQUIREMENTS

13.3.2.1 LOT AREA
Minimum 630.0 square metres

13.3.2.2 LOT FRONTAGE
Minimum 18.0 metres

13.3.3 YARD REQUIREMENTS

13.3.3.1 FRONT YARD
Minimum 6.0 metres

13.3.3.2 SIDE YARD
Minimum 1.2 metres, except:

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

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[1] *By-law No. 4577-00 November 6, 2000*
[2] *By-law No. 4091-93 June 21, 1993*

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

13.3.3.3 REAR YARD
Minimum 7.5 metres

13.3.4 HEIGHT
Maximum 10.5 metres

13.3.5 FLOOR AREA
Minimum per dwelling unit: 60.0 square metres, provided that one dwelling unit is a minimum of 90.0 square metres.

13.3.6 OFF-STREET PARKING AND LOADING

13.3.6.1 One parking space shall be required for the fourth Dwelling Unit, provided the required parking spaces which existed on June 08, 2022 for the existing dwelling, shall continue to be provided and maintained.[2]

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

13.4 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

a) Regulations for accessory structures having a floor area of less than 10 square metres:

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 1.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area of between 10 and 18 square metres:

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

13-4

LOT COVERAGE

Maximum 5

HEIGHT
Maximum 4.0 metres

c) Regulations for accessory structures having an area greater than 18 square metres:

- must comply to required yard setbacks and regulations for principle dwelling.

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling.

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

MAXIMUM SIZE
41 metres square

HEIGHT
Maximum 4.0 metres

REGULATIONS FOR AN URBAN FARM

13.5 REGULATIONS FOR AN URBAN FARM[1]

13.5.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

13.6 REGULATIONS FOR A COMMUNITY GARDEN[1]

13.6.1 The use shall comply with the provisions of Section 6.28.

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[1] *By-law No. 14-275 September 24, 2014*

[2] *By-law No. 22-134 June 08, 2022*

MEDIUM TO HIGH DENSITY MULTIPLE DWELLING ZONE (RM3)

MEDIUM TO HIGH DENSITY MULTIPLE MULTIPLE DWELLING ZONE (RM3)[1]

SECTION 14: MEDIUM TO HIGH DENSITY MULTIPLE DWELLING ZONE (RM3)

PURPOSE

The purpose of this zone is to provide for high density residential development in the form of medium rise apartments.

PERMITTED USES

14.1 PERMITTED USES

14.1.1 AN APARTMENT BUILDING

14.1.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

14.1.3 URBAN FARM[2]

14.1.4 COMMUNITY GARDEN[2]

REGULATIONS FOR APARTMENT BUILDINGS

14.2 REGULATIONS FOR APARTMENT BUILDINGS

14.2.1 AREA REQUIREMENTS

14.2.1.1 LOT AREA
Minimum 1380.0 square metres

14.2.1.2 LOT FRONTAGE
Minimum 30.0 metres

14.2.2 YARD REQUIREMENTS

14.2.2.1 FRONT YARD
Minimum 7.5 metres

14.2.2.2 SIDE YARD
Minimum 45 per cent of the building height

14.2.2.3 REAR YARD
Minimum 7.5 metres

14.2.3 HEIGHT
Maximum 16.5 metres

14.2.4 DENSITY
Maximum 100 dwelling units per hectare

14.2.5 FLOOR AREA

The minimum floor area per dwelling unit shall be as follows:

i) bachelor units 42.0 square metres

ii) one bedroom units 55.0 square metres

iii) two or more bedroom units 65.0 square metres

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[1] *By-law No. 4091-93 June 21, 1993*

[2] *By-law No. 14-275 September 24, 2014*

14.2.6 OFF-STREET PARKING AND LOADING
See SECTION 7.

14.2.7 LANDSCAPING REQUIREMENTS

14.2.7.1 LANDSCAPED AREA
Minimum 30 per cent of the site area shall be landscaped

14.2.7.2 BUFFER STRIP
The landscaped area requirements contained in subclause 14.2.7.1 shall include a buffer strip of not less than 3.0 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3, R3A, R4 or R6 Zone.[1]

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES STRUCTURES

14.3 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

a) Regulations for accessory structures having a floor area of less than square metres:

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 1.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area of between 10 and 18 square metres:

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

LOT COVERAGE
Maximum 5%

HEIGHT
Maximum 4.0 metres

[1] *By-law No. 4577-00 November 6, 2000*

c) Regulations for accessory structures having an area greater than 18 square metres:

- must comply to required yard setbacks and regulations for principle dwelling.

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling.

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

MAXIMUM SIZE
41 metres square

HEIGHT
Maximum 4.0 metres

REGULATIONS FOR AN URBAN FARM

14.4 REGULATIONS FOR AN URBAN FARM[1]

14.4.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

14.5 REGULATIONS FOR A COMMUNITY GARDEN[1]

14.5.1 The use shall comply with the provisions of Section 6.28.

[1] *By-law No. 14-275 September 24, 2014*

HIGH DENSITY MULTIPLE DWELLING ZONE (RM4)

HIGH DENSITY MULTIPLE DWELLING ZONE (RM4)

SECTION 15: HIGH DENSITY MULTIPLE DWELLING ZONE (RM4)

PURPOSE

The purpose of this zone is to provide for high density residential development in the form of apartments.

PERMITTED USES

15.1 PERMITTED USES

15.1.1 AN APARTMENT BUILDING

15.1.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

15.1.3 URBAN FARM[1]

15.1.4 COMMUNITY GARDEN[1]

REGULATIONS FOR APARTMENT BUILDINGS

15.2 REGULATIONS FOR APARTMENT BUILDINGS

15.2.1 AREA REQUIREMENTS

15.2.1.1	LOT AREA Minimum	1380.0 square metres
15.2.1.2	LOT FRONTAGE Minimum	30.0 metres

15.2.2 YARD REQUIREMENTS

15.2.2.1	FRONT YARD Minimum	7.5 metres
15.2.2.2	SIDE YARD Minimum	40 per cent of the building height
15.2.2.3	REAR YARD Minimum	7.5 metres

15.2.3 HEIGHT
Maximum 16.5 metres

15.2.4 DENSITY
Maximum 125 dwelling units per hectare

15.2.5 FLOOR AREA

The minimum floor area per dwelling unit shall be as follows:

i)	bachelor units	42.0 square metres
ii)	one bedroom units	55.0 square metres
iii)	two or more bedroom units	65.0 square metres

[1] *By-law No. 14-275 September 24, 2014*

15.2.6 OFF-STREET PARKING AND LOADING

See SECTION 7.

15.2.7 LANDSCAPING REQUIREMENTS

15.2.7.1 LANDSCAPED AREA
Minimum 30 per cent of the site area shall be landscaped

15.2.7.2 BUFFER STRIP
The landscaped area requirements contained in subclause 15.2.7.1 shall include a buffer strip of not less than 3.0 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3, R3A, R4 or R6 Zone.[1]

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

15.3 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

a) Regulations for accessory structures having a floor area of less than 10 square metres:

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 1.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area of between 10 and 18 square metres:

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

LOT COVERAGE
Maximum 5%

HEIGHT
Maximum 4.0 metres

[1] *By-law No. 4577-00 November 6, 2000*

c) Regulations for accessory structures having an area greater than 18 square metres:

- must comply to required yard setbacks and regulations for principle dwelling.

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling.

LOCATION
Rear yard or non-required side yard

SETBACK FROM SIDE LOT LINE

Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

MAXIMUM SIZE
41 metres square

HEIGHT
Maximum 4.0 metres

REGULATIONS FOR AN URBAN FARM

15.4 REGULATIONS FOR AN URBAN FARM[1]

15.4.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

15.5 REGULATIONS FOR A COMMUNITY GARDEN[1]

15.5.1 The use shall comply with the provisions of Section 6.28.

[1] *By-law No. 14-275 September 24, 2014*

RESIDENTIAL AND COMMERCIAL CONVERSION ZONE (R.C.C.)

RESIDENTIAL AND COMMERCIAL CONVERSION ZONE (R.C.C.)

SECTION 15A: RESIDENTIAL AND COMMERCIAL CONVERSION ZONE (R.C.C.)

PURPOSE

The purpose of this zone is to provide for residential development and the conversion of existing residential uses to office and service commercial-type uses.

PERMITTED USES

15A.1 PERMITTED USES

15A.1.1 A SINGLE DETACHED DWELLING

15A.1.2 A SEMI-DETACHED DWELLING

15A.1.3 A DUPLEX DWELLING

15A.1.4 (Deleted).[1,2]

15A.1.5 (Deleted).[2]

15A.1.6 COMMERCIAL CONVERSIONS WITHIN EXISTING BUILDINGS, INCLUDING:

15A.1.6.1 Studio for the production and selling of artworks and handicrafts such as jewellery, painting, macrame, ceramics, stained glass and other similar items.

15A.1.6.2 Accounting and bookkeeping services

15A.1.6.3 Offices of lawyers and notaries

15A.1.6.4 Business associations

15A.1.6.5 Professional membership associations

15A.1.6.6 Labour organizations

15A.1.6.7 Civic and fraternal organizations

15A.1.6.8 Photographers

15A.1.6.9 Insurance and Real Estate Agent Industries

15A.1.6.10 Offices of Physicians, Surgeons and Dentists' Private Practice

15A.1.6.11 Offices of the Health Practitioners

15A.1.6.12 Offices of Social Services Practitioners

15A.1.6.13 Child Care Centres

15A.1.6.14 Religious Organizations

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[1] *By-law No. 22-134 June 08, 2022*

[2] *By-law No. 22-192 August 12, 2022*

15A.1.7 ACCESSORY BUILDINGS AND STRUCTURES AND USES

15A.1.8 (Deleted)t.[1]

15A.1.9 URBAN FARM[2]

15A.1.10 COMMUNITY GARDEN[2]

REGULATIONS FOR SINGLE DETACHED DWELLINGS

15A.2 REGULATIONS FOR SINGLE DETACHED DWELLINGS

15A.2.1 AREA REQUIREMENTS

15A.2.1.1 LOT AREA
Minimum - 450.0 square metres

15A.2.1.2 LOT FRONTAGE
Minimum - 15.0 metres

15A.2.2 YARD REQUIREMENTS

15A.2.2.1 FRONT YARD
Minimum - 6.0 metres

15A.2.2.2 SIDE YARD
Minimum - 1.2 metres, except:

i) 3.5 metres where the side yard abuts the flankage street of a corner lot;

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage;

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot; and,

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

15A.2.2.3 REAR YARD
Minimum - 7.5 metres

15A.2.3 HEIGHT
Maximum 10.5 metres

15A.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

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[1] *By-law No. 21-073 May 12, 2021*

[2] *By-law No. 14-275 September 24, 2014*

REGULATIONS FOR SEMI-DETACHED DWELLINGS

15A.3 REGULATIONS FOR SEMI-DETACHED DWELLINGS

15A.3.1 AREA REQUIREMENTS

15A.3.1.1 LOT AREA
Minimum - 630.0 square metres

15A.3.1.2 LOT FRONTAGE
Minimum - 21.0 metres

15A.3.2 YARD REQUIREMENTS

15A.3.2.1 FRONT YARD
Minimum 6.0 metres

15A.3.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot;

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage;

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot; and,

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

15A.3.2.3 REAR YARD
Minimum - 7.5 metres

15A.3.3 HEIGHT
Maximum 10.5 metres

15A.3.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR DUPLEX DWELLINGS

15A.4 REGULATIONS FOR DUPLEX DWELLINGS

15A.4.1 AREA REQUIREMENTS

15A.4.1.1 LOT AREA
Minimum - 540.0 square metres

15A.4.1.2 LOT FRONTAGE
Minimum - 18.0 metres

15A.4.2 YARD REQUIREMENTS

15A.4.2.1 FRONT YARD
Minimum - 6.0 metres

15A.4.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot;

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage;

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot; and,

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

15A.4.2.3 REAR YARD
Minimum 7.5 metres

15A.4.3 HEIGHT
Maximum 10.5 metres

15A.4.4 OFF-STREET PARKING AND LOADING
See SECTION 7

REGULATIONS FOR CONVERSIONS

15A.5 REGULATIONS FOR CONVERSIONS, GREATER THAN TWO UP TO A MAXIMUM OF FOUR (4) SEPARATE DWELLING UNITS[2]

15A.5.1 GENERAL REQUIREMENTS[1]

15A.5.1.1 STRUCTURAL SUITABILITY
The dwelling must be structurally suitable for the proposed conversion.

15A.5.1.2 CALCULATION OF FLOOR AREA
Only the floor area of the dwelling as it existed prior to January 1, 1941 shall be used in calculating the minimum floor area requirement for each dwelling unit to be converted.

15A.5.1.3 OUTSIDE STAIRWAYS
No outside stairway, other than an unenclosed fire escape, shall be used or erected.

15A.5.2 AREA REQUIREMENTS

15A.5.2.1 LOT AREA
Minimum 630.0 square metres

15A.5.2.2 LOT FRONTAGE
Minimum 18.0 metres

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[1] *By-law No. 4091-93 June 21, 1993*
[2] *By-law No. 22-134 June 08, 2022*

15A.5.3 YARD REQUIREMENTS

15A.5.3.1 FRONT YARD
Minimum - 6.0 metres

15A.5.3.2 SIDE YARD
Minimum - 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot;

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage;

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot; and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

15A.5.3.3 REAR YARD
Minimum 7.5 metres

15A.5.4 HEIGHT
Maximum 10.5 metres

15A.5.5 FLOOR AREA
Minimum per dwelling unit: 60 square metres, provided that one dwelling unit is a minimum of 90.0 square metres.

15A.5.6 OFF-STREET PARKING AND LOADING

15A.5.6.1 One parking space shall be required for the fourth Dwelling Unit of a conversion, provided the required parking spaces which existed on June 08, 2022 for the existing dwelling shall continue to be provided and maintained

i) In addition to 15A.5.6.1, on a lot containing a Secondary Dwelling Unit – Detached, one parking space shall be required for the third Dwelling Unit of a conversion. [1]

15A.5.7 DWELLING UNITS ON A LOT[1]

In conjunction with Section 15A.11 – Regulations for a Secondary Dwelling Unit, no more than four Dwelling Units shall be permitted on a lot.

[1] *By-law No. 22-134 June 08, 2022*

FOR LODGING HOUSES AND GROUP HOMES

15A.6.1 AREA REQUIREMENTS

15A.6.1.1. LOT AREA
Minimum450.0 square metres

15A.6.1.2 LOT FRONTAGE
Minimum 15.0 metres

15A.6.2 YARD REQUIREMENTS

15A.6.2.1 FRONT YARD
Minimum 6.0 metres

15A.6.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot.

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage;

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot; and,

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

15A.6.2.3 REAR YARD
Minimum - 7.5 metres

15A.6.3 HEIGHT
Maximum 10.5 metres

15A.6.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

15A.6.5 RADIAL SEPARATION DISTANCE
The minimum radial distance between lots upon which a Group Home may be located shall be 275.0 metres as measured between the respective lot lines in closest proximity to each other.

15A.6.6 ACCOMMODATION
The maximum number of residents shall not exceed six persons.

REGULATIONS FOR COMMERCIAL CONVERSIONS IN EXISTING BUILDINGS

15A.7 REGULATIONS FOR COMMERCIAL CONVERSIONS IN EXISTING BUILDINGS

15A.7.1 Existing at the time of passing the Zoning By-law.

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

15A.8 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

15A.8.1 LOCATION
Rear yard or a non-required side yard.

15A.8.2 SETBACK FROM SIDE LOT LINE
Minimum -1.0 metres, except 6.0 metres from the flankage street of a corner lot.

15A.8.3 SETBACK FROM REAR LOT LINE
Minimum - 1.0 metres

15A.8.4 LOT COVERAGE
Maximum for Buildings - An area equal to 30 percent of the rear yard.

15A.8.5 HEIGHT
Maximum - 4.5 metres.

REGULATIONS FOR AN URBAN FARM

15A.9 **REGULATIONS FOR AN URBAN FARM**[1]

15A.9.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

15A.10 **REGULATIONS FOR A COMMUNITY GARDEN**[1]

15A.10.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED

15A.11 **REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED** [2,4]

15A.11.1 Shall comply with the provisions of Section 6.31. [3]

REGULATIONS FOR CONVERTED DWELLINGS

15A.12 **REGULATIONS FOR CONVERTED DWELLINGS** [4]

15A.12.1 Shall comply with the provisions of Section 6.32.

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[1] *By-law No. 14-275* *September 24, 2014*
[2] *By-law No. 21-073* *May 12, 2021*
[3] *By-law No. 22-134* *June 08, 2021*
[4] *By-law No. 22-192* *August 12, 2022*

SINGLE DETACHED RESIDENTIAL ZONE: CROSS-MELVILLE HERITAGE DISTRICT (RH-1)

SINGLE DETACHED RESIDENTIAL ZONE: CROSS-MELVILLE HERITAGE DISTRICT (RH-1)

SECTION 15B: SINGLE DETACHED RESIDENTIAL ZONE: CROSS-MELVILLE HERITAGE DISTRICT (RH-1)[1]

PURPOSE

The purpose of this zone is to provide for low-density residential development within the context and character of the Cross-Melville Heritage District.[5]

15B.1 PERMITTED USES

15B.1.1 A SINGLE DETACHED DWELLING

15B.1.2 A BED AND BREAKFAST ESTABLISHMENT in a single detached dwelling existing on September 4, 1996.[2]

15B.1.3 (Deleted).[3]

15B.1.4 ACCESSORY BUILDINGS, STRUCTURES AND USES

15B.1.5 A SEMI-DETACHED DWELLING [5]

15B.1.6 A DUPLEX DWELLING [5]

15B.1.7 A STREET TOWNHOUSE DWELLING [5]

15B.2 REGULATIONS FOR SINGLE DETACHED AND DUPLEX DWELLINGS[5]

15B.2.1 AREA REQUIREMENTS

15B2.1.1 LOT AREA
Minimum 1400.0 square metres

15B2.1.2 LOT FRONTAGE
Minimum 21 metres

15B.2.2 YARD REQUIREMENTS

15B2.2.1 FRONT YARD
Minimum 3.0 metres

15B2.2.2 SIDE YARD
Minimum 1.2 metres except

i) 3.5 metres where the side yard abuts the flankage street off a corner lot,

ii) 3.0 metres where the side yard provides access to parking area, rear yard garage, or is utilized as the parking area.

15B2.2.3[3] REAR YARD
Minimum 7.5 metres

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[1] *By-law No. 4280-96 May 6, 1996*
[2] *By-law No. 4482-99 May 17, 1999*
[3] *By-law No. 21-073 May 12, 2021*
[4] *By-law No. 22-134 June 08, 2022*

[5] *By-law No. 22-192 August 12, 2022*

15B.2.3 HEIGHT
Maximum - 10.5 metres

15B.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7

15B.3 REGULATIONS FOR BED AND BREAKFAST ESTABLISHMENTS IN AN EXISTING SINGLE DETACHED DWELLING [1]

15B.3.1[4] LOCATION

A Bed and Breakfast Establishment must be located within the legal conforming principle dwelling on the lot.

15B.3.2[4] PERMITS

An approved Town of Dundas Building Permit must be obtained for every Bed and Breakfast Establishment.

15B.3 REGULATIONS FOR BED AND BREAKFAST ESTABLISHMENTS IN ANEXISTING SINGLE DETACHED DWELLING[2]

15B.3.3[4] OFF-STREET PARKING AND LOADING
See SECTION 7

15B.4 REGULATIONS FOR ACCESSORY STRUCTURES AND BUILDINGS [3]

a) Regulations for accessory structure having a floor area of less than 10 square metres

LOCATION
Rear yard or non-required side yard

SETBACK FORM SIDE LOT LINE
Minimum 1.0 metres, except 3.0 metres from the flankage street of a corner lot if the front of the dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

SETBACK FROM REAR LOT LINE
Minimum 1.0 metres

HEIGHT
Maximum 2.0 metres

b) Regulations for accessory structures having a floor area between 10 and 28 square metres

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.5 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

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[1] *By-law No. 4306-96 September 4, 1996*
[2] *By-law No. 4306-96 September 4, 1996*
[3] *By-law No. 4280-96 May 6, 1996*
[4] *By-law No. 22-134 June 08, 2022*

15B.4 REGULATIONS FOR ACCESSORY STRUCTURES AND BUILDINGS [1]

SETBACK FROM REAR LOT LINE
Minimum 2.0 metres

HEIGHT
Maximum 4.0 metres

c) Regulations for accessory structures having an area greater than 18 square metres:

* Must comply to the required yard setbacks and regulations for principle dwelling

d) Regulations for accessory structures on properties where a garage does not form part of a principle dwelling:

LOCATION
Rear yard or non-required side yard.

SETBACK FROM SIDE LOT LINE
Minimum 2.0 metres, except 3.0 metres from the flankage street of a corner lot; if front of dwelling faces flankage street, then not closer to the flankage street line than the principle dwelling.

Principle dwelling must have a minimum side yard, on one side of an internal lot, of 3.0 metres.

SETBACK FROM THE REAR LOT LINE
Minimum 2.0 metres

MAXIMUM SIZE
42 square metres

HEIGHT[2]
Maximum 4.0 metres

REGULATIONS FOR SEMI-DETACHED DWELLINGS

15B.7 REGULATIONS FOR SEMI-DETACHED DWELLINGS [4]

15B.5.1 The use shall comply with the provisions of Section 10.3 and the applicable regulations of Section 15B.

REGULATIONS FOR STREET TOWNHOUSE DWELLINGS

15B.6 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS [4]

15B.6.1 The use shall comply with the provisions of Section 12.4 and the applicable regulations of Section 15B.

REGULATIONS FOR SECONDARY DWELLING UNTIS AND SECONDARY DWELLING UNITS – DETACHED

15B.7 REGULATIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED [3,4]

15B.7.1 Shall comply with the provisions of Section 6.31.

REGULATIONS FOR CONVERTED DWELLINGS

15B.8 REGULATIONS FOR CONVERTED DWELLINGS [4]

15B.8.1 The use shall comply with the provisions of Section 6.32.

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[1] *By-law No. 4280-96 May 6, 1996*

[2] *By-law No. 15-068 March 11, 2015*

3 By-law No. 21-073 May 12, 2021

4 By-law No. 22-192 August 12, 2022

NEIGHBOURHOOD COMMERCIAL ZONE (C.N.)

NEIGHBOURHOOD COMMERCIAL ZONE (C.N)

SECTION 16: NEIGHBOURHOOD COMMERCIAL ZONE (C.N.)

PURPOSE

The purpose of this zone is to provide for neighbourhood oriented retail commercial and personal service uses located individually or collectively on a site, and designed primarily to serve the day to day convenience needs of residents living within walking distance.

PERMITTED USES

16.1 PERMITTED USES

See SECTION 20, "USES PERMITTED IN COMMERCIAL ZONES".

REGULATIONS FOR COMMERCIAL USES

16.2 REGULATIONS FOR COMMERCIAL USES

16.2.1 AREA REQUIREMENTS

16.2.1.1 SITE AREA
Maximum 2000.0 square metres

16.2.2 YARD REQUIREMENTS

16.2.2.1 Minimum 7.5 metres from any street line.

16.2.2.2 Minimum 7.5 metres from the property line of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3, RM4, OS, PR1, PPS, RU, U, UR, SP1 or SP2 Zone.[1]

16.2.2.3 Minimum 3.0 metres from the property line of any R.C.C., C.N, C.SC, C.A.C, C.H, I.L, I.G, or I.LS Zone.

16.2.3 FLOOR AREA
The maximum gross floor area of any one store shall not exceed 230.0 square metres.

16.2.4 HEIGHT
Maximum 10.5 metres

16.2.5 OFF-STREET PARKING AND LOADING
See SECTION 7.

16.2.6 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

REGULATIONS FOR APARTMENTS IN COMMERCIAL BUILDINGS

16.3 REGULATIONS FOR APARTMENTS IN COMMERCIAL BUILDINGS

16.3.1 LOCATION
No residential use or part thereof shall be located:

i) within the first storey of any building or below a commercial use; or

[1] *By-law No. 4577-00 November 6, 2000*

ii) on the same floor as a commercial use, except in such a manner as will completely segregate from any commercial use pedestrian movement to and from any residential use.

16.3.2 FLOOR AREA
Minimum 65.0 square metres per dwelling unit

16.3.3 GROSS FLOOR AREA
The gross floor area for residential uses shall not exceed the gross floor area for commercial uses provided at grade.

16.3.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

REGULATIONS FOR RETIREMENT HOMES

16.4 REGULATIONS FOR RETIREMENT HOMES

16.4.1 AREA REQUIREMENTS

16.4.1.1. LOT AREA
Minimum 450.0 square metres

16.4.1.2 LOT FRONTAGE
Minimum 15.0 metres

16.4.2 YARD REQUIREMENTS

16.4.2.1 FRONT YARD
Minimum 6.0 metres

16.4.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

16.4.2.3 REAR YARD
Minimum 7.5 metres

16.4.3 HEIGHT
Maximum 10.5 metres

16.4.4 OUTDOOR AMENITY AREA
A minimum landscaped area of 12 square metres per resident, but not less than 100 square metres in total, shall be provided and maintained in the rear or side yard.

16.4.5 MINIMUM DISTANCE SEPARATION
A Retirement Home shall be situated on a lot having a minimum radial separation distance of 150 metres measured from the lot line to the lot line of any other lot occupied or as may be occupied by a Retirement Home.

16.4.6 OFF-STREET PARKING AND LOADING
See SECTION 7.

16.4.7 ACCOMMODATION
The maximum number of residents shall not exceed 16 persons.

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

16.5 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

16.5.1 LOCATION
Any yard except for a required yard abutting a street line.

16.5.2 SETBACK FROM LOT LINES
Minimum 1.5 metres

16.5.3 HEIGHT
Maximum 4.5 metres

DISTRICT SHOPPING CENTRE ZONE (C.SC)

DISTRICT SHOPPING CENTRE ZONE (C.SC)

SECTION 17: DISTRICT SHOPPING CENTRE ZONE (C.SC)

PURPOSE

The purpose of this zone is to provide for a wide variety of retail commercial and personal service uses located collectively on a site.

PERMITTED USES

17.1 PERMITTED USES

See SECTION 20, "USES PERMITTED IN COMMERCIAL ZONES".

REGULATIONS FOR COMMERCIAL USES

17.2 REGULATIONS FOR COMMERCIAL USES

17.2.1 YARD REQUIREMENTS

17.2.1.1 Minimum 7.5 metres from any street line.

17.2.1.2 Minimum 7.5 metres from the property line of any R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3, RM4, OS, PR1, PPS, U, UR, SP1 or SP2 Zone.[1]

17.2.1.3 Minimum 3.0 metres from the property line of any R.C.C., C.N, C.SC, C.A.C, C.H, I.L, I.G, or I.LS Zone.

17.2.2 HEIGHT
Maximum 15.0 metres

17.2.3 OFF-STREET PARKING AND LOADING
See SECTION 7.

17.2.4 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

REGULATIONS FOR GASOLINE SERVICE STATIONS

17.3 REGULATIONS FOR GASOLINE SERVICE STATIONS

17.3.1 AREA REQUIREMENTS

17.3.1.1 LOT FRONTAGE
Minimum 46.0 metres

17.3.1.2 LOT DEPTH
Minimum 30.0 metres

17.3.2 YARD REQUIREMENTS

17.3.2.1 FRONT YARD
Minimum 12.0 metres

[1] *By-law No. 4577-00 November 6, 2000*

17.3.2.2 SIDE YARD
Minimum 7.5 metres, except for a corner lot the minimum side yard on the flankage street shall be 12.0 metres

17.3.2.3 REAR YARD
Minimum 7.5 metres

17.3.3 HEIGHT
Maximum 10.5 metres

17.3.4 SETBACKS FOR CERTAIN STRUCTURES
Light standards, signs, fuel pump islands and canopies, and fuel pumps may be erected and used in any required yard provided that such structures shall not be located closer than 4.5 metres to any lot line abutting a public thoroughfare. For the purposes of this clause, no part of a required visibility triangle shall be considered as part of a required yard.

17.3.5 OFF-STREET PARKING AND LOADING
See SECTION 7.

17.3.6 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

REGULATIONS FOR RETIREMENT HOMES

17.4 REGULATIONS FOR RETIREMENT HOMES

17.4.1 AREA REQUIREMENTS

17.4.1.1 LOT AREA
Minimum 450.0 square metres

17.4.1.2 LOT FRONTAGE
Minimum 15.0 metres

17.4.2 YARD REQUIREMENTS

17.4.2.1 FRONT YARD
Minimum 6.0 metres

17.4.2.2 SIDE YARD
Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

17.4.2.3 REAR YARD
Minimum 7.5 metres

17.4.3 HEIGHT
Maximum 10.5 metres

17.4.4 OUTDOOR AMENITY AREA
A minimum landscaped area of 12 square metres per resident, but not less than 100 square metres in total, shall be provided and maintained in the rear or side yard.

17.4.5 MINIMUM DISTANCE SEPARATION
A Retirement Home shall be situated on a lot having a minimum radial separation distance of 150 metres measured from the lot line to the lot line of any other lot occupied or as may be occupied by a Retirement Home.

17.4.6 OFF-STREET PARKING AND LOADING
See SECTION 7.

17.4.7 ACCOMMODATION
The maximum number of residents shall not exceed 16 persons.

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

17.5 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

17.5.1 LOCATION
Any yard except for a required yard abutting a street line.

17.5.2 SETBACK FROM LOT LINES
Minimum 1.5 metres

17.5.3 HEIGHT
Maximum 4.5 metres

REGULATIONS FOR AN URBAN FARM

17.6 REGULATIONS FOR AN URBAN FARM[1]

17.6.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

17.7 REGULATIONS FOR A COMMUNITY GARDEN[1]

17.7.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR AN URBAN FARMERS MARKET

17.8 REGULATIONS FOR AN URBAN FARMERS MARKET[2]

17.8.1 The use shall comply with the provisions of Section 6.30.

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[1] *By-law No. 14-275 September 24, 2014*

[2] *By-law No. 15-102 April 22, 2015*

CENTRAL AREA COMMERCIAL ZONE (C.A.C)

CENTRAL AREA COMMERCIAL ZONE (C.A.C)

SECTION 18: CENTRAL AREA COMMERCIAL ZONE (C.A.C)

PURPOSE

The purpose of this zone is to provide for a wide variety of retail commercial and personal service uses, and to allow for residential dwelling accommodation within a commercial development.

It is also the intent of this zone to recognize the Central Area's unique turn of the century historical and architectural character by encouraging the continuity of streetscape through the maintenance of low profile buildings and their rehabilitation.

PERMITTED USES

18.1 PERMITTED USES

See SECTION 20, "USES PERMITTED IN COMMERCIAL ZONES".

REGULATIONS FOR COMMERCIAL USES

18.2 REGULATIONS FOR COMMERCIAL USES

18.2.1 YARD REQUIREMENTS

18.2.1.1 FRONT YARD
Minimum: not required, except 6.0 metres from any street line for that portion of a building over 10.5 metres in height.

18.2.1.2 SIDE YARD
Minimum: not required, except 4.5 metres where a side lot line abuts any R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3, or RM4 Zone.[1]

18.2.1.3 REAR YARD
Minimum: 12.0 metres

18.2.2 GROSS FLOOR AREA
The total gross floor area of all buildings on a site shall not exceed 2.5 times the lot area.

18.2.3 HEIGHT
Maximum: 16.5 metres

18.2.4 OFF-STREET PARKING

18.2.4.1 MINIMUM REQUIREMENTS
Not less than the number of parking spaces at the ratio mentioned in COLUMN 2 for the corresponding use mentioned in COLUMN 1 shall be provided on the lot.

[1] *By-law No. 4577-00 November 6, 2000*

	COLUMN 1 USE	COLUMN 2 MINIMUM NUMBER OF REQUIRED PARKING SPACES
a)	• Insurance and Real Estate Agent Industries; • Employment Agencies and Personnel Suppliers; • Computer and Related Services; • Accounting and Bookkeeping Services; • Advertising Services; • Architectural, Engineering and Other Scientific and Technical Services; • Offices of Lawyers and Notaries; • Management Consulting Services; • Other Business Services; Child Welfare Services; Family Planning Services; • Crises Intervention Services; • Offices of Physicians, Surgeons and Dentists, Private Practice; • Offices of Other Health Practitioners; • Offices of Social Service Practitioners	1 space per 27.0 m^2 or fraction thereof of ground floor area, plus 1 space per 69.0 square metres of remaining gross floor area
b)	• Ballet Schools; • Barbering Schools; Beauty Culture Schools; • Business Schools (non-university), • Commercial Schools (non-university); Correspondence Schools; • Modelling Schools; • Other Educational Services; Restaurants, Licenced; • Restaurants Unlicenced; • Drive-In Restaurants; • Taverns, Bars and Night Clubs; • Regular Motion Picture Theatres; • Theatrical and Other Staged • Entertainment Services; • Athletic - Clubs; • Amateur Boxing Clubs; • Health Clubs; • Martial Arts Clubs; • Bowling Alleys; • Billiard Halls; • Dance Halls, Studios and Schools	1 space for each 10 people or fraction thereof maximum designed capacity.
c)	Any other permitted use not mentioned in (a) or (b) above	1 space per 46.0 m^2 or fraction thereof of gross floor area.

18.2.4.1 Notwithstanding a), b) and c) above, for any permitted commercial use(s) within the Central Area Commercial (C.A.C) Zone, except "Offices of Physicians, Surgeons and Dentists, Private Practice" and "Offices of Other Health Practitioners", located in all or part of a building existing on the effective date of this By-law, no parking spaces are required provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained. Where an addition or expansion of an existing building is proposed, the parking requirements of clauses a), b) and c) above, shall only apply to the commercial use or uses contained within the increased gross floor area.

18.2.4.2 LOCATION

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:

a) 1.0 m from any lot line; or

b) 3.0 m from any public thoroughfare; or

c) 4.5 m from the boundary of any residential zone; or

d) 4.5 m from window of a habitable room measured in any direction; except that the provisions of this clause shall not apply to any parking space located within any private garage, carport, or underground garage.

18.2.4.3 DIMENSIONS FOR THE DESIGN OF PARKING AREAS - See Subsection 7.14

18.2.4.4 SURFACING AND MARKING
See Subsection 7.9.

18.2.4.5 LIGHTING
All parking areas shall be provided with suitable lighting facilities which shall be so installed and maintained as to ensure that the light is deflected away from all nearby residential zones.

18.2.5 LANDSCAPE REQUIREMENTS
Only the provisions of clause 6.11.2 shall apply.

REGULATIONS FOR RESIDENTIAL-COMMERCIAL BUILDINGS

18.3 REGULATIONS FOR RESIDENTIAL-COMMERCIAL BUILDINGS

18.3.1 LOCATION

No residential use or part thereof shall be located:

i) within the first storey of any building or below a commercial use; or

ii) on the same floor as a commercial use, except in such a manner as will completely segregate from any commercial use pedestrian movement to and from any residential use.

18.3.2 YARD REQUIREMENTS

18.3.2.1 FRONT YARD
Minimum not required, except 6.0 metres from any street line for that portion of a building over 10.5 metres in height.

18.3.2.2 SIDE YARD
Minimum not required, except:

i) 4.5 metres where a side lot line abuts any R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3, or RM4 Zone;[1]

ii) 4.5 metres where a window to a habitable room is located on the wall of the building or structure facing a side yard.

18.3.2.3 REAR YARD
Minimum 12.0 metres

18.3.2.4 VERTICAL STEPPING IN PLAN
The required yards for the residential component of a building need only be provided from the lowest floor elevation of the residential occupancy upwards.

18.3.3 GROSS FLOOR AREA
The total gross floor area of all buildings on a site shall not exceed 2.5 times the lot area, provided that a minimum of 25 per cent of the gross floor area shall be used for commercial purposes.

18.3.4 HEIGHT
Maximum 16.5 metres

18.3.5 LOT COVERAGE
Maximum 50 per cent

18.3.6 FLOOR AREA
The minimum floor area per dwelling unit shall be as follows:

i) bachelor dwelling units 42.0 square metres

ii) one bedroom dwelling units 55.0 square metres

iii) two or more bedroom dwelling units 65.0 square metres

18.3.7 OFF-STREET PARKING
The provisions of clause 18.2.4. shall apply, and a minimum of 1 parking space per dwelling unit shall be provided on the lot.

18.3.8 LANDSCAPED AREA

i) Minimum - 10 per cent at grade

ii) Only the provisions of clause 6.11.2 shall apply.

[1] *By-law No.4577-00 November 6, 2000*

REGULATIONS FOR EXISTING GASOLINE SERVICE STATIONS AND CAR WASHES

18.4 REGULATIONS FOR EXISTING GASOLINE SERVICE STATIONS AND CAR WASHES

18.4.1 AREA REQUIREMENTS

18.4.1.1 LOT FRONTAGE
Minimum 46.0 metres

18.4.1.2 LOT DEPTH
Minimum 30.0 metres

18.4.2 YARD REQUIREMENTS

18.4.2.1 FRONT YARD
Minimum 12.0 metres

18.4.2.2 SIDE YARD
Minimum 7.5 metres, except for a corner lot the minimum side yard on the flankage street shall be 12.0 metres

18.4.2.3 REAR YARD
Minimum 7.5 metres

18.4.3 HEIGHT
Maximum 10.5 metres

18.4.4 SETBACKS FOR CERTAIN STRUCTURES
Light standards, signs, fuel pump islands and canopies, and fuel pumps may be erected and used in any required yard provided that such structures shall not be located closer than 4.5 metres to any lot line abutting a public thoroughfare. For the purposes of this clause, no part of a required visibility triangle shall be considered as part of a required yard.

18.4.5 OFF-STREET PARKING AND LOADING
See SECTION 7.

18.4.6 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

REGULATIONS FOR RETIREMENT HOMES

18.5 REGULATIONS FOR RETIREMENT HOMES

18.5.1 AREA REQUIREMENTS

18.5.1.1 LOT AREA
Minimum 450.0 square metres

18.5.1.2 LOT FRONTAGE
Minimum 15.0 metres

18.5.2 YARD REQUIREMENTS

18.5.2.1 FRONT YARD
Minimum 6.0 metres

18.5.2.2 SIDE YARD

Minimum 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

18.5.2.3 REAR YARD
Minimum 7.5 metres

18.5.3 HEIGHT
Maximum 10.5 metres

18.5.4 OUTDOOR AMENITY AREA
A minimum landscaped area of 12 square metres per resident, but not less than 100 square metres in total, shall be provided and maintained in the rear or side yard.

18.5.5 MINIMUM DISTANCE SEPARATION
A Retirement Home shall be situated on a lot having a minimum radial separation distance of 150 metres measured from the lot line to the lot line of any other lot occupied or as may be occupied by a Retirement Home.

18.5.6 OFF-STREET PARKING AND LOADING
See SECTION 7.

18.5.7 ACCOMMODATION
The maximum number of residents shall not exceed 16 persons.

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

18.6 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

18.6.1 LOCATION
Any yard except for a required yard abutting a street line.

18.6.2 SETBACK FROM LOT LINES
Minimum 1.5 metres

18.6.3 HEIGHT
Maximum 4.5 metres

REGULATIONS FOR AN URBAN FARM

18.7 REGULATIONS FOR AN URBAN FARM[1]

18.7.1 The use shall comply with the provisions of Section 6.27.

[1] *By-law No. 14-275 September 24, 2014*

REGULATIONS FOR A COMMUNITY GARDEN

18.8 **REGULATIONS FOR A COMMUNITY GARDEN**[1]

18.8.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR AN URBAN FARMERS MARKET

18.9 **REGULATIONS FOR AN URBAN FARMERS MARKET**[2]

18.9.1 The use shall comply with the provisions of Section 6.30.

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[1] *By-law No. 14-275 September 24, 2014*

[2] *By-law No. 15-102 April 22, 2015*

HIGHWAY
COMMERCIAL ZONE (C.H)

HIGHWAY COMMERCIAL ZONE (C.H)

SECTION 19: HIGHWAY COMMERCIAL ZONE (C.H)

PURPOSE

The purpose of this zone is to provide for certain commercial uses primarily serving the travelling public or which, by their nature, require locations on major streets with heavy traffic volumes, a high degree of exposure, and ease of access.

PERMITTED USES

19.1 PERMITTED USES

See SECTION 20, "USES PERMITTED IN COMMERCIAL ZONES".

REGULATIONS FOR COMMERCIAL USE

19.2 REGULATIONS FOR COMMERCIAL USES

19.2.1 AREA REQUIREMENTS

19.2.1.1 LOT FRONTAGE
Minimum 30.0 metres

19.2.2 YARD REQUIREMENTS

19.2.2.1 Minimum 7.5 metres from any street line.

19.2.2.2 Minimum 7.5 metres from the property line of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3, RM4, OS, PR1, PPS, RU, U, UR, SP1 or SP2 Zone.[1]

19.2.2.3 Minimum 3.0 metres from the property line of any R.C.C., C.N, C.SC, C.A.C, C.H, I.L, I.G, or I.LS Zone.

19.2.3 HEIGHT
Maximum 10.5 metres

19.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

19.2.5 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

19.2.6 OUTSIDE DISPLAY AREAS

Outside display areas shall be permitted provided that any such displays are:

i) located such that they do not encroach upon any required yard areas; and

ii) limited to examples of goods, merchandise or articles offered for sale, lease or rent by the business located on the site.

[1] *By-law No. 4577-00 November 6, 2000*

REGULATIONS FOR GASOLINE SERVICE STATIONS AND CAR WASHES

19.3 REGULATIONS FOR GASOLINE SERVICE STATIONS AND CAR WASHES

19.3.1 AREA REQUIREMENTS

19.3.1.1 LOT FRONTAGE
Minimum 46.0 metres

19.3.1.2 LOT DEPTH
Minimum 30.0 metres

19.3.2 YARD REQUIREMENTS

19.3.2.1 FRONT YARD
Minimum 12.0 metres

19.3.2.2 SIDE YARD
Minimum 7.5 metres, except for a corner lot the minimum side yard on the flankage street shall be 12.0 metres

19.3.2.3 REAR YARD
Minimum 7.5 metres

19.3.3 HEIGHT
Maximum 10.5 metres

19.3.4 SETBACKS FOR CERTAIN STRUCTURES
Light standards, signs, fuel pump islands and canopies, and fuel pumps may be erected and used in any required yard provided that such structures shall not be located closer than 4.5 metres to any lot line abutting a public thoroughfare. For the purposes of this clause, no part of a required visibility triangle shall be considered as part of a required yard.

19.3.5 OFF-STREET PARKING AND LOADING
See SECTION 7.

19.3.6 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

REGULATIONS FOR RETIREMENT HOMES

19.4 REGULATIONS FOR RETIREMENT HOMES

19.4.1 AREA REQUIREMENTS

19.4.1.1 LOT AREA
Minimum 450.0 square metres

19.4.1.2 LOT FRONTAGE
Minimum 15.0 metres

19.4.2 YARD REQUIREMENTS

19.4.2.1 FRONT YARD
Minimum 6.0 metres

19.4.2.2 SIDE YARD
Minimum - 1.2 metres, except

i) 3.5 metres where the side yard abuts the flankage street of a corner lot,

ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage,

iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

19.4.2.3 REAR YARD
Minimum 7.5 metres

19.4.3 HEIGHT
Maximum 10.5 metres

19.4.4 OUTDOOR AMENITY AREA
A minimum landscaped area of 12 square metres per resident, but not less than 100 square metres in total, shall be provided and maintained in the rear or side yard.

19.4.5 MINIMUM DISTANCE SEPARATION
A Retirement Home shall be situated on a lot having a minimum radial separation distance of 150 metres measured from the lot line to the lot line of any other lot occupied or as may be occupied by a Retirement Home.

19.4.6 OFF-STREET PARKING AND LOADING
See SECTION 7.

19.4.7 ACCOMMODATION
The maximum number of residents shall not exceed 16 persons.

19.5 REGULATIONS FOR RESIDENTIAL-COMMERCIAL BUILDINGS

19.5.1 LOCATION
No residential use or part thereof shall be located:

i) within the first storey of any building or below a commercial use; or

ii) on the same floor as a commercial use, except in such a manner as will completely segregate from any commercial use pedestrian movement to and from any residential use.

19.5.2 YARD REQUIREMENTS

19.5.2.1 FRONT YARD
Minimum Not required, except 6.0 metres from any street line for that portion of a building over 10.5 metres in height.

19.5.2.2 SIDE YARD
Minimum Not required, except:

i) 4.5 metres, where a side lot line abuts any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone;[1]

ii) 4.5 metres where a window to a habitable room is located on the wall of the building or structure facing a side yard.

19.5.2.3 REAR YARD
Minimum 12.0 metres

19.5.2.4 VERTICAL STEPPING IN PLAN
The required yards for the residential component of a building need only be provided from the lowest floor elevation of the residential occupancy upwards.

19.5.3 GROSS FLOOR AREA
The total gross floor area of all buildings on a site shall not exceed 2.5 times the lot area, provided that a minimum of 25 percent of the gross floor area shall be used for commercial purposes.

19.5.4 HEIGHT
Maximum 16.5 metres

19.5.5 LOT COVERAGE
Maximum 50 percent

19.5.6 FLOOR AREA
The minimum floor area per dwelling unit shall be as follows:

i) bachelor dwelling units 42.0 square metres

ii) one bedroom dwelling units 55.0 square metres

iii) two or more bedroom dwelling units 65.0 square metres

19.5.7 OFF-STREET PARKING
The provisions of clause 18.2.4 shall apply and a minimum of one parking space per dwelling unit shall be provided on the lot.

[1] *By-law No. 4577-00 November 6, 2000*

19.5.8 LANDSCAPED AREA

i) Minimum - 10 percent at grade

ii) Only the provisions of Clause 6.11.2 shall apply.

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

19.6 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

19.6.1 LOCATION
Any yard except for a required yard abutting a street line.

19.6.2 SETBACK FROM LOT LINES
Minimum 1.5 metres

19.6.3 HEIGHT
Maximum 4.5 metres

REGULATIONS FOR AN URBAN FARM

19.7 REGULATIONS FOR AN URBAN FARM[1]

19.7.1 The use shall comply with the provisions of Section 6.27.

REGULATIONS FOR A COMMUNITY GARDEN

19.8 REGULATIONS FOR A COMMUNITY GARDEN[1]

19.8.1 The use shall comply with the provisions of Section 6.28.

REGULATIONS FOR AN URBAN FARMERS MARKET

19.9 REGULATIONS FOR AN URBAN FARMERS MARKET[2]

19.9.1 The use shall comply with the provisions of Section 6.30.

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[1] *By-law No. 14-275 September 24, 2014*

[2] *By-law No. 15-102 April 22, 2015*

USES PERMITTED IN COMMERCIAL ZONES

USES PERMITTED IN COMMERCIAL ZONES

SECTION 20: USES PERMITTED IN COMMERCIAL ZONES EXPLANATORY NOTE

The list of permitted uses as set out under the first column of the following table has been derived from the STANDARD INDUSTRIAL CLASSIFICATION (S.I.C) 1980. Any use thus defined represents a level of organization by type of specialization as recorded in the S.I.C.

An asterisk (*) appearing under a zone column (e.g. NEIGHBOURHOOD COMMERCIAL ZONE (C.N)) means that any uses included under the corresponding S.I.C classification are permitted within the zone.

	Standard Industrial Classification (S.I.C) 1980	Neighbourhood Commercial Zone (C.N)	District Shopping Centre (C.SC)	Central Area Commercial Zone (C.A.C)	Highway Commercial Zone (C.H)
1. AGRICULTURAL AND RELATED SERVICE INDUSTRIES					
1.1 Veterinary Services	0211			*	*
1.2 Community Garden[1]		*	*	*	*
1.3 Urban Farm[1]		*	*	*	*
2. MANUFACTURING INDUSTRIES					
2.1 Printing, Publishing and Allied Industries	28			*	*
3. CONSTRUCTION INDUSTRIES					
3.1 Project Management, Construction	441			*	*
4. TRANSPORTATION AND STORAGE INDUSTRIES					
4.1 Taxicab Industry	4581			*	*
5. COMMUNICATION AND OTHER UTILITY INDUSTRIES					
5.1 Telecommunication Broadcasting Industries	481			*	*
5.2 Telecommunication Carriers Industry	482			*	*
5.3 Other Telecommunication Industries	483			*	*
5.4 Courier Service Industry	4842			*	*

[1] *By-law No. 14-275 September 24, 2014*

		S.I.C 1980	C.N	C.SC	C.A.C	C.H
6.	**RETAIL TRADE INDUSTRIES**					
6.1	Food, Beverage and Drug Industries, Retail	60	*	*	*	*
6.2	Shoe, Apparel, Fabric and Yarn Industries, Retail	61	*	*	*	*
6.3	Household Furniture, Appliances and Furnishings Industries, Retail	62		*	*	*
6.4	Automobile Dealers	631				*
6.5	Existing Automobile Dealers	631			*	
6.6	Recreational Vehicle Dealers	632				*
6.7	Gasoline Service Stations (primarily for the sale of gasoline and other motor vehicle fuels)	633		*		*
6.8	Existing Gasoline Service Stations (primarily for the sale of gasoline and other motor vehicle fuels)	633			*	
6.9	Automotive Parts and Accessories Stores	634		*		*
6.10	Existing Automotive Parts and Accessories Stories	635			*	
6.11	Existing Motor Vehicle Repair Shops, excluding:	635			*	
	1. Paint and Body Repair Shops	6352				
6.12	Motor Vehicle Repair Shops limited to:	635				
	1. Garages (General Repairs)	6351		*		*
6.13	Other Motor Vehicle Services	639				*
6.14	Other Existing Motor Vehicle Services	639			*	
6.15	General Merchandise Stores	641		*	*	*
6.16	A Variety Store	6413	*	*	*	*

		S.I.C 1980	C.N	C.SC	C.A.C	C.H
6.17	Book and Stationery Stores	651	*	*	*	*
6.18	Florists, Lawn and Garden Centres	652	*	*	*	*
6.19	Hardware, Paint, Glass and Wallpaper Stores	653	*	*	*	*
6.20	Sporting Goods and Bicycle Shops	654	*	*	*	*
6.21	Musical Instruments and Record Stores	655	*	*	*	*
6.22	Jewellery Stores and Watch and Jewellery Repair Shops	656	*	*	*	*
6.23	Camera and Photographic Supply Stores	657	*	*	*	*
6.24	Toy, Hobby, Novelty, and Souvenir Stores	658	*	*	*	*
6.25	Other Retail Stores, excluding:	659	*	*	*	*
	1. Monument and Tombstone Dealers	6595				
	2. Mobile Home Dealers	6598				
6.26	Monument and Tombstone Dealers	6595				*
6.27	Mobile Home Dealers	6598				*
6.28	Vending Machine Operators	691	*	*	*	*
6.29	Direct Sellers	692	*	*	*	*
6.30	Urban Farmers Market[1]		*	*	*	*
7.	**FINANCE AND INSURANCE INDUSTRIES**					
7.1	Deposit Accepting Intermediary Industries	70	*	*	*	*
7.2	Consumer and Business Financing Intermediary Industries	71		*	*	*
7.3	Investment Intermediary Industries	72		*	*	*
7.4	Insurance Industries	73			*	*
7.5	Other Financial Intermediary Industries	74			*	*

[1] *By-law No. 15-102 April 22, 2015*

		S.I.C 1980	C.N	C.SC	C.A.C	C.H
8.	**REAL ESTATE OPERATOR AND INSURANCE AGENT INDUSTRIES**					
8.1	Insurance and Real Estate Agent Industries	76	*	*	*	*
9.	**BUSINESS SERVICE INDUSTRIES**					
9.1	Employment Agencies and Personnel Suppliers	771			*	*
9.2	Computer and Related Services	772			*	*
9.3	Accounting and Bookkeeping Services	773		*	*	*
9.4	Advertising Services	774			*	*
9.5	Architectural Engineering and Other Scientific and Technical Services	775			*	*
9.6	Offices of Lawyers and Notaries	776		*	*	*
9.7	Management Consulting Services	777			*	*
9.8	Other Business Services	779			*	*
10.	**EDUCATIONAL SERVICE INDUSTRIES**					
10.1	Post-Secondary Non-University Education, limited to:	8521				
	1. Ballet Schools				*	*
	2. Barbering Schools				*	*
	3. Beauty Culture Schools				*	*
	4. Business Schools (non-university)				*	*
	5. Commercial Schools (non-university)				*	*
	6. Correspondence Schools				*	*
	7. Modelling Schools				*	*
10.2	Other Educational Services	859			*	

		S.I.C 1980	C.N	C.SC	C.A.C	C.H
11.	**HEALTH AND SOCIAL SERVICE INDUSTRIES**					
11.1	Child Welfare Services	8642			*	*
11.2	Family Planning Services	8643			*	*
11.3	Crisis Intervention	8648			*	*
11.4	Offices of Physicians, Surgeons and Dentists, Private Practice	865	*	*	*	*
11.5	Offices of Other Health Practitioners	866	*	*	*	*
11.6	Office of Social Service Practitioners	867	*	*	*	*
11.7	Child Care Centres	N/A	*		*	*
12.	**ACCOMMODATION, FOOD AND BEVERAGE SERVICE INDUSTRIES**					
12.1	Hotels and Motor Hotels	9111			*	*
12.2	Motels	9112				*
12.3	Guest Houses and Tourist Homes	9114			*	
12.4	Restaurants, Licenced	9211	*	*	*	*
12.5	Restaurants, Unlicenced (Including Drive-Ins)	9212				*
12.6	Restaurants, Unlicenced (Excluding Drive-Ins)	9212	*	*	*	
12.7	Take-Out Food Services	9213	*	*	*	*
12.8	Taverns, Bars and Night Clubs	922		*	*	*
13.	**OTHER SERVICE INDUSTRIES**					
13.1	Regular Motion Picture Theatres	9621		*	*	*
13.2	Theatrical and Other Staged Entertainment Services	963			*	*
13.3	Other Sports and Recreation Clubs, limited to:	9659				
	1. Athletic Clubs			*	*	*
	2. Boxing Clubs, Amateur			*	*	*

		S.I.C 1980	C.N	C.SC	C.A.C	C.H
	3. Health Clubs (excluding health spas and reducing salons)			*	*	*
	4. Martial Arts Clubs			*	*	*
13.4	Bowling Alleys and Billiard Parlours	9691		*	*	*
13.5	Dance Halls, Studios and Schools	9693		*	*	*
13.5.1	Coin Operated Amusement Devices[1]	9694		*	*	*
	a) Permitted only in billiard parlours and/or establishments licenced under the Liquor Licence Act of Ontario and any other By-law of the Corporation of the Town of Dundas permitting the same.					
	b) A maximum limit of three coin operated amusement machines be provided for each establishment licenced under the Liquor Licence Act of Ontario.					
13.6	Barber and Beauty Shops	971	*	*	*	*
13.7	Laundries and Cleaners, limited to:					
	1. Power Laundries and/or Dry Cleaners	9721		*	*	*
	2. Distributors and/or Agents for Dry Cleaners	9722	*	*	*	*
	3. Self-serve Laundries and/or Dry Cleaners	9723	*	*	*	*
	4. Valet Services, Pressing and/or Repairs	9724	*	*	*	*
	5. Other Laundry and Dry Cleaning Services	9729		*	*	*
13.8	Funeral Homes	9731			*	*
13.9	Other Personal and Household Services, excluding:	979		*	*	*
	1. Massage Parlors	9799				
	2. Turkish Bath Houses	9799				

[1] *By-law No. 4152-94 May 2, 1994*

		S.I.C 1980	C.N	C.SC	C.A.C	C.H
13.10	Business Associations	982			*	*
13.11	Professional Membership Associations	983			*	*
13.12	Labour Organizations	984			*	*
13.13	Political Organizations	985			*	*
13.14	Civic and Fraternal Organizations	986			*	*
13.15	Machinery and Equipment Rental and Leasing Services, excluding:	991			*	*
	1. Industrial machinery and equipment rental and leasing	9911				
13.16	Automobile and Truck Rental and Leasing Services	992				*
13.17	Automobile and Truck Rental and Leasing Services, excluding:	992			*	
	1. Truck Rental	9921				
13.18	Photographers	993		*	*	*
13.19	Other Repair Services	9949		*	*	*
13.20	Services to Buildings and Dwellings	995			*	*
13.21	Travel Services	996		*	*	*
13.22	Parking Lots and Parking Garages	9991		*	*	*
13.23	Other Services	9999			*	*
14.	**RESIDENTIAL USES**					
14.1	Apartments in Commercial Buildings	N/A	*		*	*
14.2	Retirement Homes	N/A	*	*	*	*
15.	**ACCESSORY USES**					
15.1	Accessory Buildings, Structures, and Uses	N/A	*	*	*	*

LIGHT INDUSTRIAL ZONE (I.L)

LIGHT INDUSTRIAL ZONE (I.L.)

SECTION 21: LIGHT INDUSTRIAL ZONE (I.L)

PURPOSE

The purpose of this zone is to provide for a wide range of wholly enclosed industrial and business uses which are compatible with each other and do not adversely affect surrounding non-industrial land uses.

PERMITTED USES

21.1 PERMITTED USES

See SECTION 24, "USES PERMITTED IN INDUSTRIAL ZONES".

REGULATIONS FOR INDUSTRIAL USES

21.2 REGULATIONS FOR INDUSTRIAL USES

21.2.1 AREA REQUIREMENTS

21.2.1.1 LOT AREA
Minimum 540.0 square metres

21.2.1.2 LOT FRONTAGE
Minimum 15.0 metres

21.2.2 YARD REQUIREMENTS

21.2.2.1 FRONT YARD
Minimum 9.0 metres

21.2.2.2 SIDE YARD
Minimum 4.5 metres, except:

i) for a corner lot the minimum side yard on the flankage street shall be 7.5 metres; and

ii) the minimum side yard abutting any RU/S-58, R1, R2, R3, R3A, R4, R6, R4, RM1, RM2, RM3, RM4, OS, PR1, PPS, RU, U, UR, SP1 or SP2 Zone shall be 7.5 metres.[1]

21.2.2.3 REAR YARD
Minimum 7.5 metres

21.2.3 HEIGHT
Maximum 16.5 metres

21.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

21.2.5 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

[1] *By-law No.4577-00 November 6, 2000*

21.2.6 STORAGE REQUIREMENTS

21.2.6.1 LOCATION[1]

No front yard shall be used for outside storage and no part of a side yard or rear yard used for outside storage shall be located less than 6.0 metres from an abutting street line or from the boundary of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone.

21.2.6.2 LOT COVERAGE

The total area used for storage outside of a building or structure shall not exceed five per cent of the lot area.

21.2.6.3 SCREENING

Every side yard or rear yard that is used for storage of any material or equipment shall be completely screened from external view by a solid fence not less than 1.5 metres in height and not more than 3.0 metres in height.

21.2.7 WASTE TRANSFER FACILITY AND WASTE PROCESSING FACILITY

In addition to the Regulations of SECTION 21.2, 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.[2]

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

21.3 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

21.3.1 LOCATION
Any yard except for a required yard abutting a street line.

21.3.2 SETBACK FROM LOT LINES
Minimum 1.5 metres

21.3.3 HEIGHT
Maximum 4.5 metres

[1] *By-law No. 4577-00 November 6, 2000*
[2] *By-law No. 09-131 June 10, 2009*

GENERAL INDUSTRIAL ZONE (I.G)

GENERAL INDUSTRIAL ZONE (I.G)

SECTION 22: GENERAL INDUSTRIAL ZONE (I.G)

PURPOSE

The purpose of this zone is primarily to provide for general manufacturing, assembling and fabricating industries, and related wholesale and retail commercial uses.

PERMITTED USES

22.1 PERMITTED USES

See SECTION 24, "USES PERMITTED IN INDUSTRIAL ZONES".

REGULATIONS FOR INDUSTRIAL USES

22.2 REGULATIONS FOR INDUSTRIAL USES

22.2.1 AREA REQUIREMENTS

22.2.1.1 LOT AREA
Minimum 540.0 square metres

22.2.1.2 LOT FRONTAGE
Minimum 15.0 metres

22.2.2 YARD REQUIREMENTS

22.2.2.1 FRONT YARD
Minimum 7.5 metres

22.2.2.2 SIDE YARD
Minimum 3.0 metres, except:

i) for a corner lot the minimum side yard on the flankage street shall be 7.5 metres; and

ii) the minimum side yard abutting any R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3, RM4, OS, PR1, PPS, U, UR, SP1 or SP2 Zone shall be 9.0 metres.[1]

22.2.2.3 REAR YARD
Minimum 7.5 metres

22.2.3 HEIGHT
Maximum 16.5 metres

22.2.4 OFF-STREET PARKING AND LOADING
See SECTION 7.

22.2.5 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

[1] *By-law No.4577-00 November 6, 2000*

22.2.6 STORAGE REQUIREMENTS

22.2.6.1 LOCATION

No front yard shall be used for outside storage and no part of a side yard or rear yard used for outside storage shall be located less than 6.0 metres from an abutting street line or from the boundary of any R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone.[1]

22.2.6.2 LOT COVERAGE

The total area used for storage outside of a building or structure shall not exceed five per cent of the lot area.

22.2.6.3 SCREENING

Every side yard or rear yard that is used for storage of any material or equipment shall be completely screened from external view by a solid fence not less than 1.5 metres in height and not more than 3.0 metres in height.

22.2.7 WASTE TRANSFER FACILITY AND WASTE PROCESSING FACILITY

In addition to the Regulations of SECTION 22.2, 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.[2]

REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

22.3 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

22.3.1 LOCATION
Any yard except for a required yard abutting a street line.

22.3.2 SETBACK FROM LOT LINES
Minimum 1.5 metres

22.3.3 HEIGHT
Maximum 4.5 metres

[1] *By-law No.4577-00 November 6, 2000*

[2] *By-law No.09-131 June 10, 2009*

LIMITED SERVICE INDUSTRIAL ZONE (I.LS)

LIMITED SERVICE INDUSTRIAL ZONE (I.LS)

SECTION 23: LIMITED SERVICE INDUSTRIAL ZONE (I.LS)

PURPOSE

The purpose of this zone is to limit development to existing uses until such time as further planning studies have been conducted to determine the future use of the lands so designated.

PERMITTED USES

23.1 PERMITTED USES

23.1.1 EXISTING USES, BUILDINGS AND STRUCTURES

USES PERMITTED IN INDUSTRIAL ZONES

USES PERMITTED IN INDUSTRIAL ZONES

SECTION 24: USES PERMITTED IN INDUSTRIAL ZONES

EXPLANATORY NOTE

The list of permitted uses as set out under the first column of the following table has been derived from the STANDARD INDUSTRIAL CLASSIFICATION (S.I.C) 1980. Any use thus defined represents a level of organization by type of specialization as recorded in the S.I.C.

An asterisk (*) appearing under a zone column (e.g. LIGHT INDUSTRIAL ZONE (I.L)) means that any uses included under the corresponding S.I.C classification are permitted within the zone.

		STANDARD INDUSTRIAL CLASSIFICATION (S.I.C.) 1980	LIGHT INDUSTRIAL ZONE (I.L.)	GENERAL INDUSTRIAL ZONE (I.G.)
1.	**MANUFACTURING INDUSTRIES**			
1.1	Fruit and Vegetable Industries	103		*
1.2	Dairy Products Industries	104		*
1.3	Flour, Prepared Cereal Food and Feed Industries	105	*	
1.4	Vegetable Oil Mills (Except Corn Oil)	106		*
1.5	Bakery Products Industries	107	*	*
1.6	Sugar and Sugar Confectionery Industries	108		*
1.7	Other Food Products Industries	109		*
1.8	Soft Drink Industry	111	*	*
1.9	Tobacco Products Industry	122		*
1.10	Plastic Products Industries	16	*	*
1.11	Footwear Industry	1712	*	*
1.12	Luggage, Purse and Handbag Industry	1713	*	*
1.13	Other Leather and Allied Products Industries	1719	*	*
1.14	Primary Textile Industries	18	*	*

		STANDARD INDUSTRIAL CLASSIFICATION (S.I.C.) 1980	LIGHT INDUSTRIAL ZONE (I.L.)	GENERAL INDUSTRIAL ZONE (I.G.)
1.15	Textile Products Industries	19		*
1.16	Clothing Industries	24	*	*
1.17	Sawmill, Planing Mill and Shingle Mill Products Industries	251	*	*
1.18	Veneer and Plywood Industries	252	*	*
1.19	Sash, Door and Other Millwork Industries	254	*	
1.20	Wooden Box and Pallet Industry	256	*	*
1.21	Coffin and Casket Industry	258	*	*
1.22	Other Wood Industries	259	*	*
1.23	Furniture and Fixture Industries	26	*	*
1.24	Paper Box and Bag Industries	273	*	*
1.25	Other Converted Paper Products Industries	279	*	*
1.26	Printing, Publishing and Allied Industries	28	*	*
1.27	Aluminum Rolling, Casting and Extruding Industry	296		*
1.28	Copper and Copper Alloy Rolling, Casting and Extruding Industry	297		*
1.29	Other Rolled, Cast and Extruded Non-Ferrous Metal Product Industries	299		*
1.30	Ornamental and Architectural Metal Products Industries	303	*	*
1.31	Stamped, Pressed and Coated Metal Products Industries	304		*
1.32	Wire and Wire Products Industries	305		*
1.33	Hardware, Tool and Cutlery Industries	306	*	*
1.34	Heating Equipment Industry	307		*

		STANDARD INDUSTRIAL CLASSIFICATION (S.I.C.) 1980	LIGHT INDUSTRIAL ZONE (I.L.)	GENERAL INDUSTRIAL ZONE (I.G.)
1.35	Machine Shop Industry	308	*	*
1.36	Other Metal Fabricating Industries	309		*
1.37	Agricultural Implement Industry	311	*	*
1.38	Commercial Refrigeration and Air Conditioning Equipment Industry	312	*	*
1.39	Other Machinery and Equipment Industries	319	*	*
1.40	Truck and Bus Body and Trailer Industries	324		*
1.41	Motor Vehicle Parts and Accessories Industries	325		*
1.42	Plastic Parts and Accessories for Motor Vehicles Industry	3256	*	*
1.43	Boatbuilding and Repair Industry	328		*
1.44	Other Transportation Equipment Industries	329		*
1.45	Electrical and Electronic Products Industries	33	*	*
1.46	Clay Products Industries	351		*
1.47	Concrete Products Industries	354		*
1.48	Glass and Glass Products Industries	356		*
1.49	Abrasives Industry	357		*
1.50	Pharmaceutical and Medicine Industry	374		*
1.51	Soap and Cleaning Compounds Industry	376		*
1.52	Toilet Preparations Industry	377		*
1.53	Scientific and Professional Equipment Industries	391	*	*
1.54	Jewellery and Precious Metals Industries	392	*	*
1.55	Sporting Goods and Toy Industries	393	*	*
1.56	Sign and Display Industries	397	*	*
1.57	Other Manufactured Products Industry	399	*	*

		STANDARD INDUSTRIAL CLASSIFICATION (S.I.C.) 1980	LIGHT INDUSTRIAL ZONE (I.L.)	GENERAL INDUSTRIAL ZONE (I.G.)
2.	**CONSTRUCTION INDUSTRIES**			
2.1	Building, Developing and General Contracting Industries	40		*
2.2	Industries and Heavy (Engineering) Construction Industries	41		*
2.3	Trade Contracting Industries	42	*	*
2.4	Service Industries Incidental to Construction	44	*	*
3.	**TRANSPORTATION AND STORAGE INDUSTRIES**			
3.1	Truck Transport Industries	456		*
3.2	Used Goods Moving and Storage Industry	4562	*	*
3.3	Public Passenger Transit System Industries, limited to:	457		
	1. School Bus Operations Industry	4573	*	*
	2. Charter and Sightseeing Bus Services Industry	4574	*	*
	3. Limousine Service to Airports and Stations Industry	4575	*	*
3.4	Other Storage and Warehousing Industries	479	*	*
4.	**COMMUNICATION AND OTHER UTILITY INDUSTRIES**			
4.1	Communication Industries, excluding:	48	*	*
	1. Postal Service Industry	4841		
5.	**WHOLESALE TRADE INDUSTRIES**			
5.1	Petroleum Products Industries, Wholesale	51		*
5.2	Food, Beverage, Drug and Tobacco Industries, Wholesale	52	*	*
5.3	Apparel and Dry Goods Industries, Wholesale	53	*	*

		STANDARD INDUSTRIAL CLASSIFICATION (S.I.C.) 1980	LIGHT INDUSTRIAL ZONE (I.L.)	GENERAL INDUSTRIAL ZONE (I.G.)
5.4	Household Goods Industries, Wholesale	54	*	*
5.5	Motor Vehicle Parts and Accessories, Wholesale	552	*	*
5.6	Hardware and Plumbing, Heating and Air Conditioning Equipment and Supplies, Wholesale	562	*	*
5.7	Lumber and Building Materials, Wholesale	563	*	*
5.8	Construction, Forestry and Mining Machinery Equipment and Supplies, Wholesale	572		*
5.9	Industrial Machinery, Equipment and Supplies, Wholesale	573		*
5.10	Electrical and Electronic Machinery, Equipment and Supplies, Wholesale	574	*	*
5.11	Other Machinery, Equipment and Supplies, Wholesale	579	*	*
5.12	Other Products Industries, Wholesale, excluding:	59	*	*
	1. Waste Materials, Wholesale	591		
6.	**RETAIL TRADE INDUSTRIES**			
6.1	Furniture Refinishing and Repair Shops	6213	*	*
6.2	Appliance, Television, Radio and Stereo Repair Shops	6223	*	*
6.3	Motor Vehicle Repair Shops	635	*	*
6.4	Other Motor Vehicle Services	639	*	*
6.5	Vending Machine Operators	691	*	*
7.	**HEALTH AND SOCIAL SERVICE INDUSTRIES**			
7.1	Medical and Other Health Laboratories	868	*	*

		STANDARD INDUSTRIAL CLASSIFICATION (S.I.C.) 1980	LIGHT INDUSTRIAL ZONE (I.L.)	GENERAL INDUSTRIAL ZONE (I.G.)
8.	**OTHER SERVICE INDUSTRIES**			
8.1	Motion Picture, Audio and Video Production and Distribution	961	*	*
8.2	Laundries and Cleaners, excluding:	972	*	*
	1. Self-Service Laundries and/or Dry Cleaners	9723		
8.3	Machinery and Equipment Rental and Leasing Service	991	*	*
8.4	Other Repair Services	994	*	*
8.5	Services to Buildings and Dwellings	995	*	*
9.	**ACCESSORY USES**			
9.1	Accessory Buildings, Structures and Uses	N/A	*	*
10	**WASTE TRANSFER FACILITY AND WASTE PROCESSING FACILITY[1]**			
10.1	Waste Transfer Facility		*	*
10.2	Waste Processing Facility[1]		*	*

[1] *By-law No.09-131 June 10, 2009*

OPEN SPACE - CONSERVATION ZONE (OS)

OPEN SPACE - CONSERVATION ZONE (OS)

SECTION 25: OPEN SPACE - CONSERVATION ZONE (OS)

PURPOSE

The purpose of this zone is to protect lands unsuitable for general urban development due to their physiographic characteristics or their ecological significance. With the exception of special public works for conservation purposes and limited development which enhances the cultural, recreational and natural resources of the zone, these lands are intended to be maintained in their natural state.

PERMITTED USES

25.1 PERMITTED USES

25.1.1 BOTANICAL GARDENS, operated by a Public Authority.

25.1.2 OUTDOOR RECREATIONAL USES, operated by a Public Authority.

25.1.3 NATURE AND INTERPRETIVE CENTRES AND FACILITIES, operated by a Public Authority.

25.1.4 WILDLIFE SANCTUARIES, operated by a Public Authority.

25.1.5 ACCESSORY BUILDINGS, STRUCTURES AND USES to any permitted use in clauses 25.1.1 to 25.1.4 inclusive, including an accessory commercial use, operated by a Public Authority.

25.1.6 AGRICULTURAL USES, limited to:

1. Field Crop Farms
2. Fruit and Vegetable Farms.

REGULATIONS FOR PERMITTED USES

25.2 REGULATIONS FOR PERMITTED USES

25.2.1 YARD REQUIREMENTS [1]
No building or structure shall be erected, altered or used within 15.0 metres of the boundary of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone.

25.2.2 HEIGHT
Maximum 10.5 metres

[1] *By-law No. 4577-00 November 6, 2000*

PARK AND RECREATION ZONE (PR1)

PARK AND RECREATION ZONE (PR1)

SECTION 26: PARK AND RECREATION ZONE (PR1)

PURPOSE

The purpose of this zone is to provide for active and passive recreational uses, including landscape enhancement and conservation.

PERMITTED USES

26.1 PERMITTED USES

26.1.1 PARKS AND PLAYGROUNDS

26.1.2 PICNIC AREAS

26.1.3 CAMPING GROUNDS AND TRAVEL TRAILER PARKS

26.1.4 PARK MAINTENANCE, STORAGE AND ADMINISTRATION FACILITIES

26.1.5 GOLF COURSES

26.1.6 OTHER RECREATIONAL USES, including but not limited to:

1. Curling Clubs
2. Arenas
3. Stadiums
4. Swimming Pools
5. Tennis Clubs

26.1.7 ACCESSORY BUILDINGS, STRUCTURES AND USES.

REGULATIONS FOR PERMITTED USES

26.2 REGULATIONS FOR PERMITTED USES

26.2.1 YARD REQUIREMENTS[1]

26.2.1.1 FRONT YARD
Minimum 12.0 metres

26.2.1.2 SIDE YARD
Minimum 4.5 metres, except that no building or structure shall be erected, altered or used within 15.0 metres of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone.

26.2.1.3 REAR YARD
Minimum 7.5 metres, except that no building or structure shall be erected, altered or used within 15.0 metres of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone.

[1] *By-law No. 4577-00 November 6, 2000*

26.2.2 HEIGHT
Maximum 10.5 metres

26.2.3 OFF-STREET PARKING AND LOADING
See SECTION 7.

26.2.4 LANDSCAPE REQUIREMENTS
See Subsection 6.11.

PUBLIC AND PRIVATE SERVICE ZONE (PPS)

PUBLIC AND PRIVATE SERVICE ZONE (PPS)

SECTION 27: PUBLIC AND PRIVATE SERVICE ZONE (PPS)

PURPOSE

The purpose of this zone is to make provision for services to the community provided by the Corporation of the Town of Dundas, Government or Public Authorities, Private and Non-Government Agencies.

PERMITTED USES

27.1 PERMITTED USES

		S.I.C CODE 1980
1.	**TRANSPORTATION AND STORAGE INDUSTRIES**	
1.1	Urban Transit Systems Industry	4571
1.2	Interurban and Rural Transit Systems Industry	4572
2.	**COMMUNICATION AND OTHER UTILITY INDUSTRIES**	
2.1	Postal Service Industry	4841
3.	**GOVERNMENT SERVICE INDUSTRIES**	
3.1	Federal Government Service Industries	81
3.2	Provincial and Territorial Government Service Industries	82
3.3	Local Government Service Industries	83
4.	**EDUCATIONAL SERVICE INDUSTRIES**	
4.1	Elementary and Secondary Education	851
4.2	Post-Secondary Non-University Education, excluding:	8521

1. Ballet Schools
2. Barbering Schools
3. Beauty Culture Schools
4. Business Schools (Non-University)
5. Commercial Schools (Non-University)
6. Correspondence Schools
7. Modelling Schools
8. School of Trucking and Heavy Equipment Operation

4.3	University Education	853
4.4	Library Services	854
4.5	Museums and Archives	855

		S.I.C CODE 1980
5.	**HEALTH AND SOCIAL SERVICE INDUSTRIES**	
5.1	Hospitals	861
5.2	Child Care Centres	N/A
5.3	Nursing Homes	862
6.	**OTHER SERVICE INDUSTRIES**	
6.1	Botanical and Zoological Gardens	9696
6.2	Cemeteries and Crematoria, provided that a crematorium shall only be permitted in conjunction with a cemetery.	9732
6.3	Religious Organizations	981
7.	**OTHER USES**	
7.1	Accessory Buildings, Structures and Uses	N/A

REGULATIONS FOR PERMITTED USES

27.2 REGULATIONS FOR PERMITTED USES

27.2.1 YARD REQUIREMENTS[1]

27.2.1.1 FRONT YARD
Minimum 7.5 metres

27.2.1.2 SIDE YARD
Minimum 4.5 metres, except that no building or structure shall be erected, altered or used within 15.0 metres of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone.

27.2.1.3 REAR YARD
Minimum 7.5 metres, except that no building or structure shall be erected, altered or used within 15.0 metres of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone.

27.2.2 SETBACK FOR CREMATORIA

Notwithstanding Clause 27.2.1, a crematorium shall be set back a minimum of 30.0 metres from the boundary of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3 or RM4 Zone.

[1] *By-law No. 4577-00 November 6, 2000*

27.2.3 HEIGHT

Maximum 10.5 metres

27.2.4 OFF-STREET PARKING AND LOADING

See SECTION 7.

PUBLIC UTILITIES ZONE (U)

PUBLIC UTILITIES ZONE (U)

SECTION 28: PUBLIC UTILITIES ZONE (U)

PURPOSE

The purpose of this zone is to provide for public utility installation and facilities including rights-of-way required by public utility agencies.

PERMITTED USES

28.1 PERMITTED USES

28.1.1 GOVERNMENT AND PUBLIC UTILITY INSTALLATIONS

28.1.2 PUBLIC UTILITY MAINTENANCE AND EQUIPMENT STORAGE FACILITIES

28.1.3 PUBLIC WORKS YARDS, including Administration Offices

28.1.4 WASTE TRANSFER FACILITY[2]

28.1.5 WASTE PROCESSING FACILITY[2]

28.1.6 ACCESSORY BUILDINGS, STRUCTURES AND USES

REGULATIONS FOR PERMITTED USES

28.2 REGULATIONS FOR PERMITTED USES[1]

No building, structure, equipment or material shall be located within 15.0 metres of the boundary of any RU/S-58, R1, R2, R3, R3A, R4, R6, RM1, RM2, RM3, RM4, OS, PR1, PPS, RU, U, UR, SP1 or SP2 Zone.

WASTE TRANSFER FACILITY AND WASTE PROCESSING FACILITY

28.3 WASTE TRANSFER FACILITY AND WASTE PROCESSING FACILITY

Notwithstanding SECTION 28.2, 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.[2]

PRIOR EXISTING USES

28.4 PRIOR EXISTING USES

Notwithstanding SECTION 28.1 and SECTION 28.3 above, the Waste Management Facility, as existing at the time of passing of By-law 09-131, shall also be permitted on the following property:

27 Olympic Drive[2]

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[1] *By-law No. 4577-00 November 6, 2000*
[2] *By-law No. 09-131 June 10, 2009*

URBAN RESERVE ZONE (UR)

URBAN RESERVE ZONE (UR)

SECTION 29: URBAN RESERVE ZONE (UR)

PURPOSE

The purpose of this zone is to protect land suited for urban development from premature subdivision and development which may prejudice the future use of the land, or which may have a disruptive influence on the community, until such time as development of the land can proceed in an orderly and economic manner consistent with the policies of the Official Plan, when it shall be rezoned accordingly.

PERMITTED USES

29.1 PERMITTED USES

29.1.1 AGRICULTURAL USES, limited to:

1. Field Crop Farms.
2. Fruit and Vegetable Farms.

29.1.2 EXISTING RESIDENTIAL USES, including accessory buildings, structures and uses.

RURAL ZONE (RU)

RURAL ZONE (RU)

SECTION 29A: RURAL ZONE (RU)[1]

PURPOSE

The purpose of this zone is to retain lands so zoned in an open space setting for agricultural purposes including very limited farm-related development.

29A.1 PERMITTED USES

29A.1.1 AGRICULTURAL USES, limited to:

1. Field Crop Farms
2. Fruit and Vegetable Farms
3. Accessory Residence and Farm Buildings.

29A.1.2 NON-FARM RESIDENTIAL DWELLINGS

29A.1.3 EXISTING RESIDENTIAL USES, including accessory buildings, structures and uses SUBJECT TO THE PROVISIONS OF SUBSECTION 6.1.2 OF BY-LAW NO. 3581-86.

29A.2 REGULATIONS FOR AGRICULTURAL USES (including one single detached residence accessory thereto) AND FOR NON-FARM RESIDENTIAL DWELLINGS

29A.2.1 AREA REQUIREMENTS

29A.2.1.1	LOT AREA Minimum	10 hectares
29A.2.2.1	LOT FRONTAGE Minimum	135 metres

29A.2.2 YARD REQUIREMENTS[2]

29A.2.2.1	FRONT YARD Minimum	15.0 metres
29A.2.2.2	SIDE YARD Minimum	15.0 metres
29A.2.2.3	REAR YARD Minimum	20.0 metres

29A.2.3 HEIGHT
Maximum 7.5 metres

29A.2.4 LOT COVERAGE
Maximum 300 square metres for all buildings

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[1] *By-law No. 4066-93 February 15, 1993*

[2] *By-law No. 15-068 March 11, 2015*

29A.3 REGULATIONS FOR ACCESSORY BUILDINGS AND FARM STRUCTURES[1]

29A.3.1 LOCATION
Rear yard or a side yard

29A.3.2 SETBACK FROM SIDE LOT LINE
Minimum 10.0 metres

29A.3.3 SETBACK FROM REAR LOT LINE
Minimum 20.0 metres

29A.3.4 HEIGHT
Maximum 7.5 metres

29A.3.5 LOT COVERAGE
As in 29A.2.4 above

29A.4 ADDITIONAL REQUIREMENTS

29A.4.1 Notwithstanding any other requirement of this section, any existing lot in the RU zone with a lot area of less than 10 hectares may be used for a field crop farm or a fruit and vegetable farm.

29A.4.2 No accessory buildings including an accessory residence shall be permitted as part of any agricultural operation conducted pursuant to Subsection 29A.4.1 above.

29A.4.3 Notwithstanding any other requirement of this section, no building, structure or tile field, except a fence shall be permitted adjacent to lands zoned OPEN SPACE - CONSERVATION ZONE (OS) where any portion of a building, structure or tile field is closer than 15 metres from the valley "fill" lines, as determined by the Conservation Authority having jurisdiction.

[1] *By-law No. 15-068 March 11, 2015*

SPECIAL POLICY AREA ONE - NIAGARA ESCARPMENT COMMISSION DEVELOPMENT CONTROL ZONE (SP1)

SPECIAL POLICY AREA ONE - N.E.C. DEVELOPMENT CONTROL ZONE (SP1)

SECTION 30: SPECIAL POLICY AREA ONE - NIAGARA ESCARPMENT COMMISSION DEVELOPMENT CONTROL ZONE (SP1)

PURPOSE

The purpose of this zone is to define that area within the Town of Dundas which is subject to the Development Control Regulations of the Niagara Escarpment Commission.

DEFINED AREA

30.1 DEFINED AREA

The area designated Special Policy Area One (SP1) on Schedules "N" and "S", attached to and forming part of this By-law, comprises all lands within the corporate limits of the Town of Dundas which are subject to the Niagara Escarpment Commission Development Control Regulation pursuant to the Niagara Escarpment Planning and Development Act, 1973.

PERMITTED USES

30.2 PERMITTED USES

Notwithstanding any other provisions of this By-law, no development shall be permitted in an SP1 Zone unless a development permit for such development has first been issued by the Niagara Escarpment Commission or unless such development is of a class exempted therefrom pursuant to Ontario Regulation 453/75, as amended.

SPECIAL POLICY AREA TWO - PARKWAY BELT WEST PLAN ZONE (SP2)

SPECIAL POLICY AREA TWO - PARKWAY BELT WEST PLAN ZONE (SP2)

SECTION 31: SPECIAL POLICY AREA TWO - PARKWAY BELT WEST PLAN ZONE (SP2)

PURPOSE

The purpose of this zone is to identify those areas within the Town of Dundas which are subject to development regulations pursuant to the provisions of the Parkway Belt West Plan, 1978.

DEFINED AREA

31.1 DEFINED AREA

The area designated Special Policy Area Two (SP2) on Schedules "Q" and "R", attached to and forming part of this By-law, comprises all lands within the corporate limits of the Town of Dundas designated "Special Complementary Use Area" on Map 2, Escarpment Link, Parkway Belt West Plan, 1978.

PERMITTED USES

31.2 PERMITTED USES

31.2.1 All uses and accessory buildings, structures and uses legally existing on the date of passing of this By-law.

31.2.2 No development shall be permitted in an SP2 Zone unless it conforms with the provisions respecting the "Special Complementary Use Area" as contained in the Parkway Belt West Plan, 1978.

EXCEPTIONS

SECTION 32: EXCEPTIONS

PURPOSE

The purpose of this section is to identify those properties within the Town of Dundas which are subject to special zoning regulations.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-1	N/A	Spencer Creek	Notwithstanding subsection 22.1 PERMITTED USES of SECTION 22: LIGHT INDUSTRIAL ZONE (I.G.), and subclause 7.12.4.4 of clause 7.12.4 OTHER USES of subsection 7.12 OFF-STREET PARKING SPACE REQUIREMENTS of SECTION 7: OFF-STREET PARKING AND LOADING, those lands shown as "I.G/S-1" on Schedule "L" may be used only for a curling rink and accessory uses except for a residential use, subject to the following special provision: 1. Parking shall be provided at a rate of one parking space per 37.0 square metres or fraction thereof of gross floor area.
S-2	N/A	Pleasant Valley East	Notwithstanding clause 13.2.4 DENSITY of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS of SECTION 13: LOW DENSITY MULTIPLE DWELLING ZONE (RM2), the maximum number of dwelling units permitted on those lands shown as "RM2/S-2" on Schedule "J" shall be four.
S-2a	3726-88	Pleasant Valley East	Notwithstanding Subsection 13.1: PERMITTED USES of SECTION 13: LOW DENSITY MULTIPLE DWELLING "RM2" ZONE, the following additional residential uses shall be permitted on those lands shown as "RM2/S-2" on Schedule "J": (a) Single-family dwellings subject to SECTION 10: LOW DENSITY RESIDENTIAL "R3" ZONE provisions; and (b) Semi-detached dwellings subject to SECTION 10: LOW DENSITY RESIDENTIAL "R3" ZONE provisions.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-3	N/A	Spencer Creek	Notwithstanding subsection 9.1 PERMITTED USES of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the existing building situated on the lands shown as "R2/S-3" on Schedule "L" may continue to be used for a Restaurant and Catering Service purposes and that nothing in this by-law shall prevent the replacement of the existing building or structure provided that such replacement will not increase the height, area or volume or change the use of such building or structure.
S-4	N/A	York Road	The provisions of clause 11.1.5 A LODGING HOUSE, and clause 11.1.6 A GROUP HOME, of subsection 11.1 PERMITTED USES of SECTION 11: LOW DENSITY RESIDENTIAL ZONE (R4), shall not apply to those lands shown as "R4/S-4" on Schedule "Q".
S-5	N/A	Central Business District	Notwithstanding the provisions of subclause iii) of clause 12.5.7 MINIMUM DISTANCE SEPARATION of subsection 12.5 REGULATIONS FOR GROUP DEVELOPMENT OF SECTION 12: LOW DENSITY MULTIPLE DWELLING ZONE (RM1), the following special provisions shall apply to those lands shown as "RM1/S-5" on Schedule "A": 1. The existing seven unit building shall be permitted. 2. The minimum distance between residential buildings on the lot may be 12.80 m where the exterior walls opposite each other contain windows to habitable rooms.
S-6	N/A	Central Business District	Notwithstanding the provisions of subsection 18.1 PERMITTED USES of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (C.A.C.), those lands shown as "C.A.C./S-6" on Schedule "A", and more particularly described as being Lot 21, Registrar's Compiled Plan No. 1300, shall only be used for a parking lot.
S-7	N/A	Creighton East	Notwithstanding the provisions of subsection 25.1 PERMITTED USES of SECTION 25: OPEN SPACE - CONSERVATION ZONE (OS), the existing parking lot on the lands shown as "OS/S-7" on Schedule "C", shall be permitted as an accessory use to the industrial use to the north (i.e. Valley City Mfg. Co.).
S-8	N/A	Creighton West	Notwithstanding the provisions of clause 12.5.4 DENSITY of subsection 12.5 REGULATIONS FOR GROUP DEVELOPMENT of SECTION 12: LOW DENSITY MULTIPLE DWELLING ZONE (RM1), the maximum number of units permitted on those lands shown as "RM1/S-8" on Schedule "D" shall be twenty-seven.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-9	N/A	Spencer Creek	Notwithstanding the provisions of SECTION 12: LOW DENSITY MULTIPLE DWELLING ZONE (RM1), the following special provisions shall apply to those lands shown as "RM1/S-9" on Schedule "L": 1. The minimum lot frontage shall be 22.5 m. 2. The maximum number of dwelling units shall be fourteen. 3. There shall be erected and maintained a closed board fence having a minimum height of 1.7 m along the perimeter of the lands, except for that portion of the said lands along the 22.5 m frontage on Brock Street and the portion of land at the north-west corner of Brock and Hatt Streets running in a westerly direction a distance of 86.5938 m.
S-10	N/A	Creighton East	1. Notwithstanding the provisions of subsection 28.1 PERMITTED USES, and subclauses 28.2.1.2 SIDE YARD, 28.2.1.3 REAR YARD of SECTION 28: PUBLIC AND PRIVATE SERVICE ZONE (PPS), the following special provisions shall apply to those lands shown as "PPS/S-10" on Schedule "C": 1.1 Only a church and accessory buildings and uses to the foregoing shall be permitted. 1.2 The minimum required side yard between any building or structure and the westerly property line shall be 12.19 m. 1.3 The minimum required yard between any building or structure and the boundary of the OPEN SPACE - CONSERVATION ZONE (OS) shall be 7.5 m. 2. Notwithstanding the provisions of subclause 7.12.4.2 of clause 7.12.4 PUBLIC AND INSTITUTIONAL USES of subsection 7.12 OFF-STREET PARKING REQUIREMENTS of SECTION 7: OFF-STREET PARKING AND LOADING, and SECTION 26: OPEN SPACE - CONSERVATION ZONE (OS), the following special parking provisions shall apply to those lands shown as "PPS/S-10" and "OS/S-10" on Schedule "C":

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			2.1 Accessory parking for the principal use shall be permitted in the PUBLIC AND PRIVATE SERVICE ZONE (PPS) and the OPEN SPACE - CONSERVATION ZONE (OS), on the basis of at least 1 parking space for every 4.5 persons designed capacity of the church sanctuary or assembly area for worship. 2.2 No vehicle parking area shall be located closer to the easterly lot line than 6.1 m nor closer to a public highway than 7.5 m. 2.3 No vehicle parking area shall be permitted within the minimum required side yard stipulated in subsection 1.2 above.
S-11	Deleted by 4429-98	Highland Hills East	Notwithstanding the provisions of SECTION 8: SINGLE-DETACHED RESIDENTIAL ZONE (R1), those lands shown as "R1/S-11" on Schedule "G" may be used as a home for handicapped children subject to the following special provisions: 1. The number of handicapped children residing in the building shall be limited to 22. 2. The minimum lot area shall be as existing. 3. No addition or extension to the existing building shall be permitted. 4. Development on the lands shall be subject to SITE PLAN CONTROL. 5. The building shall revert to a single-detached dwelling use when the Dr. Rygiel Home no longer requires the use of the building. 6. No severances shall be permitted from the property during its use as Dr. Rygiel's home.
S-12	3334-82	University Gardens	Notwithstanding the provisions of subsection 16.3 REGULATIONS FOR APARTMENTS IN IN MIXED-USE BUILDINGS of SECTION 16: NEIGHBOURHOOD COMMERCIAL ZONE (C.N.), the following provisions shall apply to Lot 176 on Registered Plan 856, shown as "C.N/S-12" on Schedule "O":

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			1. In addition to the two existing dwelling units located on the second storey of the existing building, one additional dwelling unit shall be permitted on the first storey of the existing building at the rear of the commercial use, as an accessory dwelling unit, for the use of the proprietor of the first storey commercial use. 2. The Maximum Permitted Floor Area of the first storey dwelling unit shall be 65 sq.m. 3. One off-street parking space for the first storey dwelling unit shall be provided in either the side yard or the rear yard.
S-13	N/A	Central Business District	Notwithstanding the provisions of clauses 12.5.3 HEIGHT, 12.5.4 DENSITY AND 12.5.7 MINIMUM DISTANCE SEPARATION of subsection 12.5 REGULATIONS FOR GROUP DEVELOPMENT of SECTION 12: LOW DENSITY MULTIPLE DWELLING ZONE (RM1), the following special provisions shall apply to those lands shown as "RM1/S-13" on Schedule "A". 1. The maximum building height shall be 13.5 m. 2. The maximum number of dwelling units on the lot shall be 28. 3. The minimum distance between the exterior walls of two or more buildings on the lot shall be 7.6 m.
S-14	N/A	Central Business District	Notwithstanding the provisions of clauses 18.3.1 LOCATION, 18.3.2 YARD REQUIREMENTS and18.3.3 GROSS FLOOR AREA of subsection 18.3 REGULATIONS FOR RESIDENTIAL COMMERCIAL BUILDINGS of SECTION 18: CENTRAL AREA COMMERCIAL ZONE, (C.A.C.), and subsections 7.8 ENCROACHMENT INTO YARDS, 7.12 OFF-STREET PARKING SPACE REQUIREMENTS, 7.13 OFF-STREET LOADING SPACE REQUIREMENTS and 7.14 DIMENSIONS FOR THE DESIGN OF PARKING AREAS of SECTION 7: OFF-STREET PARKING AND LOADING, the following special requirements shall apply to those lands shown as "C.A.C/S-14" on Schedule "A": 1. Residential uses shall be permitted within the first storey of the proposed building. 2. The minimum southerly side yard adjacent to the residential "R4" Zone shall be 0.15 metres for the parking garage structure and 3.96 metres for the residential-commercial building.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			3. The minimum rear yard for the parking garage structure shall be 1.8 metres. 4. A minimum of 116 square metres of commercial floor space shall be provided. 5. The surface parking spaces shall be not less than 3.0 metres in width nor less than 5.3 metres in length and the manoeuvring area shall be not less than 3.0 metres in width nor less than 5.3 metres in length.
S-15	N/A	Spencer Creek	Notwithstanding the provisions of subsection 21.1 PERMITTED USES of SECTION 21: LIGHT INDUSTRIAL ZONE (I.L) and subsection 22.1 PERMITTED USES of SECTION 22: GENERAL INDUSTRIAL ZONE (I.G), the existing building on those lands shown as "I.L/S-15" and "I.G/S-15" on Schedule "L" may be used for the manufacture of garden chemicals.
S-16	N/A	Central Business District	Notwithstanding the provisions of subsection 18.1 PERMITTED USES of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (C.A.C.), the existing uses shall be permitted within the existing building situated on the lands shown as "C.A.C./S-16" on Schedule "A".
S-17	N/A	Central Business District	Notwithstanding the provisions of subsection 18.1 PERMITTED USES and clause 18.2.4 OFF-STREET PARKING of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (C.A.C.), the following special provisions shall apply to those lands shown as "C.A.C-FP/S-17" on SCHEDULE "A": 1. Only a retail kitchen and bath display centre shall be permitted within the existing building on the subject lands. 2. Only the uses referred to in clause (1) shall be exempt from minimum parking requirements applicable to the subject lands.
S-18	4066-93	Pleasant View	Deleted. See S-59.
S-19	N/A	Central Business District	1. "RM4-FP/S-19" Notwithstanding the provisions of subclauses 15.2.2.2 SIDE YARD and 15.2.2.3 REAR YARD of clause 15.2.2 YARD REQUIREMENTS, and Clauses 15.2.3 HEIGHT and 15.2.4 DENSITY of Subsection 15.2 REGULATIONS FOR APARTMENTS of SECTION 15: HIGH DENSITY MULTIPLE DWELLING ZONE

(RM4), and clause 3.2.52 "LOT LINE, FRONT" of SECTION 3: DEFINITIONS, the following special provisions shall apply to those lands shown as "RM4-FP/S-19" on SCHEDULE "A":

1.1 The minimum side yard shall be 3.35 m.

1.2 The density of development shall not exceed 150 units per ha.

1.3 The maximum building height shall be 16.76 m.

1.4 The front lot line shall be deemed to be the lot line which abuts Dundas Street.

2. "RM1-FP/S-19"

Notwithstanding the provisions of Subsection 12.1 PERMITTED USES, and Subclause 12.3.1.1 LOT FRONTAGE of Clause 12.3.1 AREA REQUIREMENTS, and Subclauses 12.3.2.2 SIDEYARD and 12.3.2.3 REAR YARD of Clause 12.3.2 YARD REQUIREMENTS, and Clause 12.3.4 DENSITY of Subsection 12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS, and Subclause 12.5.1.1 LOT FRONTAGE of Clause 12.5.1 AREA REQUIREMENTS, and Subclause 12.5.2.2. SIDE YARD of Clause 12.5.2 YARD REQUIREMENTS, and Clause 12.5.7 ii) MINIMUM DISTANCE SEPARATION of Subsection 12.5 REGULATIONS FOR GROUP DEVELOPMENT of SECTION 12: LOW DENSITY MULTIPLE DWELLING ZONE (RM1), the following special provisions shall apply to those lands shown as "RM1-FP/S-19" on SCHEDULE "A":

2.1 In addition to other permitted uses, one semi-detached dwelling shall be permitted.

2.2 The minimum lot frontage shall be 18.30 m.

2.3 A minimum side yard of 6.0 m shall be provided along the easterly property line.

2.4 A minimum side yard of 15.24 m shall be provided along the westerly property line.

2.5 The maximum number of units permitted on the site shall be 37 units per ha.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			2.6 The distance between buildings on the lot between two exterior walls, one of which contains windows to habitable rooms, shall be a minimum of 4.0 m.
S-20 S-20a	N/A 3608-86	Central Business District	Notwithstanding the provisions of Clauses 18.3.6 FLOOR AREA and 18.3.4 OFF-STREET PARKING of Subsection 18.3 REGULATIONS FOR RESIDENTIAL COMMERCIAL BUILDINGS of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (C.A.C.), the following special provisions shall apply to those lands shown as "C.A.C./S-20" on SCHEDULE "A". 1. The minimum floor area per dwelling unit shall be 48.0 sq.m., and the number of dwelling units shall not exceed 12. 2. A minimum of 14 parking spaces shall be provided and may be located off-site.
S-21	N/A 4299-96	Central Business District	Notwithstanding the provisions of Subsection 11.1 of SECTION 11: - LOW DENSITY RESIDENTIAL ZONE (R4), the following uses shall be permitted within the existing building on lands located at 15 Baldwin Street shown as "R4/S-21" on SCHEDULE "A": (a) Offices of lawyers and notaries; (b) Insurance and real estate agents; (c) Offices of Health practitioners; (d) Accounting and bookkeeping services; (e) Offices of physicians, surgeons and dentists; (f) Property Management Business; (g) General Business Offices; and, (h) Residential in a Commercial Building.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(i) An Adult Education Day Facility for developmentally challenged adults.
S-22	N/A	Dundas West	Notwithstanding the provisions of Clauses 14.2.2.1 FRONT YARD and 14.2.2.2 SIDE YARD of Clause 14.2.2 YARD REQUIREMENTS, and of Subsection 14.2.4 DENSITY and 14.2.5 FLOOR AREA of Subsection 14.2 REGULATIONS FOR APARTMENT BUILDINGS of SECTION 14: MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM3), and Subclause 7.12.1.5 APARTMENT BUILDINGS of Clause 7.12.1 RESIDENTIAL USES of Subsection 7.12 OFF-STREET PARKING AND LOADING, the following special provisions shall apply to those lands shown as "RM3/S-22" on SCHEDULE "F". 1. That a minimum front yard of 16.5 m shall be provided. 2. That a minimum southerly side yard of 27.0 m shall be provided from the right-of-way of the Toronto Hamilton and Buffalo Railway. 3. That a maximum of 40 dwelling units shall be permitted. 4. That the minimum floor area for a dwelling unit shall be 46.0 sq.m. 5. That a minimum of 1.0 parking space per dwelling unit shall be provided.
S-23	N/A	Colborne Neighbourhood	Notwithstanding the provisions of Subsection 9.1 PERMITTED USES of SECTION 9: SINGLE - DETACHED RESIDENTIAL ZONE (R2), the following special provisions shall apply to those lands shown as "R2/S-23" on SCHEDULE "B". 1. The ground floor of the existing dwelling may be used as a law office, provided that a minimum of four parking spaces shall be provided and maintained on the lot for the law office use.
S-24	N/A	Central Business District	Notwithstanding the provisions of Subclauses 9.2.1.1 LOT AREA and 9.2.1.2 LOT FRONTAGE of Clause 9.2.1 AREA REQUIREMENTS of Subsection 9.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following special provisions shall apply to those lands shown as "R2-FP/S-24" on SCHEDULE "A":

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			1. The minimum lot area shall be 426.0 sq.m. 2. The minimum lot frontage shall be 11.28 m.
S-24	4373-97	Central Business District	An office for a non-profit institutional use within the existing building at 34 Dundas Street is permitted with a minimum of 4 car parking spaces in the rear yard and a screen fence on the eastern property boundary set back 6 metres from the front lot line. The vehicular access way to the parking is permitted within 3 metres of the eastern property line notwithstanding a 3 metre setback generally required in Section 7.3.4"
S-25	N/A	Central Business District	Notwithstanding the provisions of subclauses 13.2.2.2, SIDE YARD and 13.2.2.3 REAR YARD of clause 13.2.2 YARD REQUIREMENTS, and clauses 13.2.3 HEIGHT, 13.2.4 DENSITY and 13.2.7 LANDSCAPING REQUIREMENTS of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS of SECTION 13: LOW DENSITY MULTIPLE DWELLING ZONE (RM2); and clause 7.1.2 of subsection 7.1 LOCATION of SECTION 7: OFF STREET PARKING AND LOADING; and clause 3.2.42 LANDSCAPED AREA of SECTION 3: DEFINITIONS, the following special provisions shall apply to those lands shown as "RM2/S-25" on SCHEDULE "A": 1) A maximum of 50 dwelling units shall be permitted in the existing building. 2) A minimum of 25% of the site shall be landscaped area. 3) "Landscaped Area" shall include the provision of a roof deck area. 4) A minimum 1.0 m wide landscaped area shall be provided along the front lot line (Main Street).
S-26	N/A	Central Business District	Notwithstanding the provisions of Subsection 18.1 PERMITTED USES of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (C.A.C.), a paint and auto body repair shop shall be permitted within the existing building situated at No. 16 Foundry Street, shown as "C.A.C./S-26" on Schedule "A". In the event of the total destruction of the existing building, it may be replaced by a building having, as a maximum, the same external dimensions as the existing building.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-27	3666-87	Central Business District	Notwithstanding the provisions of Subsection 18.1 of SECTION 18: - CENTRAL AREA COMMERCIAL ZONE (C.A.C.), a custom woodworking workshop shall be permitted with a maximum of three (3) persons employed, including the proprietor, on lands located at 59 - 61 King Street West, shown as "C.A.C./S-27" on Schedule "A".
S-28	3666-87	Central Business District	Notwithstanding the provisions of Subsection 19.2 of SECTION 19: - HIGHWAY COMMERCIAL ZONE (C.H.), the following special provisions shall apply to any future development and/or redevelopment of lands located at 124, 140 and 150 King Street East, shown as "C.H-FP/S-28" on Schedule "A". 1. There shall be provided a buffer strip having a minimum width of 4.5 m abutting the rear property line. 2. There shall be provided within the buffer strip a visual barrier not exceeding 1.8 m in height.
S-28A	3666-87	Central Business District District	Notwithstanding the provisions of Subsection 19.1 of SECTION 19: - HIGHWAY COMMERCIAL ZONE (C.H.), the existing moving and storage use and building shall be permitted on lands located at 140 King Street East, shown as "C.H-FP/S-28A" on Schedule "A" subject to the following special provisions: (a) The minimum number of on-site parking shall be seven (7) spaces; and, (b) No side yard shall be required from the easterly lot line.
S-29	3666-87	Central Business District	Notwithstanding the provisions of Subsection 18.1 of SECTION 18: - CENTRAL AREA COMMERCIAL ZONE (C.A.C.), the existing building supply and lumber store shall be permitted on lands located at 133 - 137 King Street West, shown as "C.A.C/S-29" on Schedule "A".
S-30	3666-87	Colborne	Notwithstanding the provisions of Subsection 9.1 of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), a heating and air-conditioning shop shall be permitted on lands located at 361 King Street West, shown as "R2/S-30" on Schedule "B".
S-31	3666-87	Central Business District	Notwithstanding the provisions of Subsection 11.1 of SECTION 11: - LOW DENSITY RESIDENTIAL ZONE (R4), the following uses shall be permitted within the existing building on lands located at 16 York Street, shown as "R4/S-31" on Schedule "A":

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(a) Electrical Contractor; (b) Offices of lawyers and notaries; (c) Insurance and real estate agents; (d) Offices of health practitioners; (e) Accounting and bookkeeping services; (f) Offices of physicians, surgeons and dentists; (g) General business offices; and, (h) Residential in a commercial building to a maximum of four (4) separate dwelling units.
S-32	3666-87	Sydenham	Notwithstanding Clause 11.7.5 MINIMUM DISTANCE SEPARATION of Subsection 11.7 REGULATIONS FOR RETIREMENT HOMES of SECTION 11: LOW DENSITY RESIDENTIAL ZONE (R4), a "Retirement Home" shall be permitted on the lands located at 53 Park Street West, shown as "R4/S-32" on Schedule "M".
S-33	3666-87	Sydenham	Notwithstanding Clause 11.7.5 MINIMUM DISTANCE SEPARATION of Subsection 11.7 REGULATIONS FOR RETIREMENT HOMES of SECTION 11: LOW DENSITY RESIDENTIAL ZONE (R4), a "Retirement Home" shall be permitted on the lands located at 12 Melville Street, shown as "R4/S-33" on Schedule "M".
S-34	3666-87	Central Business District	Notwithstanding the provisions of Subsection 18.1 PERMITTED USES and 18.2 REGULATIONS FOR COMMERCIAL USES of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (C.A.C.), The following special provisions shall apply to those lands located at 21 Hatt Street, shown as "C.A.C./S-34" on Schedule "A". 1. A retirement home for a maximum of 42 residents shall be permitted within the existing building, including the proposed stairwell extension.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			2. The minimum radial separation distance shall be 90 metres. 3. A closed board fence of 1.8 m in height shall be provided along: the northerly lot line; the westerly lot line, excluding that portion within 8.2 m of the front lot line; and the easterly lot line where the parking area, except for access, abuts the street line.
S-35	3681-87	York Road	Notwithstanding the provisions of: 1) Clause 9.3.3. SETBACK FROM REAR LOT LINE of Subsection 9.3 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following special provision shall apply to the lands shown as R2/S-35 on SCHEDULE "Q": i) No building or structure, except a fence, shall be located less than 7.6 metres from the "top of bank" as shown in By-law 3681-87. 2) SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following special provision shall apply to the lands within the area shown as R-2/S-35 on SCHEDULE "Q": i) No development shall be permitted below the "top of bank" as shown in By-law 3681-87.
S-36	3697-87	York Heights	The provisions of Sub-clause 9.2.1.2. LOT FRONTAGE of Clause 9.2.1 AREA REQUIREMENTS of Subsection 9.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2) shall not apply to the lands shown as "R2/S-36" on SCHEDULE "P".
S-37	3742-88	Sydenham	Notwithstanding the provisions of SUBSECTION 12.1 PERMITTED USES and Clause 12.5.4 REGULATIONS FOR GROUP DEVELOPMENT of SECTION 12: LOW DENSITY MULTIPLE DWELLING ZONE (RM1), only Group Townhouse Dwellings having a maximum of 50 units shall be permitted on those lands shown as "RM1/S-37" on SCHEDULE "M".

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-38	3742-88	Colborne Sydenham	Notwithstanding the provisions of SUBSECTION 10.1 PERMITTED USES, of SECTION 10: LOW DENSITY RESIDENTIAL ZONE (R3), only Semi-Detached Dwellings shall be permitted on the lands shown as "R3/S-38" on SCHEDULES "B" and "M".
S-39	3742-88	Colborne	Notwithstanding the provisions of Subclause 9.2.2.3 REAR YARD, of Clause 9.2.2 YARD REQUIREMENTS and Clause 9.2.1 AREA REQUIREMENTS of Subsection 9.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2) and Clause 3.2.48 LOT DEPTH of Subsection 3.2 DEFINITIONS of SECTION 3: DEFINITIONS, the following provisions shall apply to those lands shown as "R2/S-39" on SCHEDULES "B" and "M": (1) Lot Depth Every lot shall have a minimum lot depth of 30.0 metres as measured from the front lot line to the top-of-bank as determined by an Ontario Land Surveyor.
S-40	3757-88	York Road	Notwithstanding the requirements of Clause 9.2.2.3 REAR YARD of Subsection 9.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS and Clause 9.3.3 SETBACK FROM REAR LOT LINE of Subsection 9.3 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following special provisions shall apply to the lands within the area shown as Block "4": (i) No building or structure, except a fence, shall be located below top of bank or less than 7.6 metres from the "top of bank" as defined on the attached map designated as Schedule "B".
S-41	3781-89	Colborne	Notwithstanding the provisions of Subsection 9.1 PERMITTED USES of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following special provisions shall apply to those lands located at 361 King Street West, shown as "R2/S-41" on Schedule "B": (1) The following uses shall be permitted within the existing building: (a) A heating and air conditioning shop; (b) Offices of lawyers and notaries:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(c) Insurance and real estate agents; (d) Offices of health practitioners; (e) Accounting and bookkeeping services; (f) Offices of physicians, surgeons and dentists. (2) A one storey addition for only a double private garage to allow the loading and unloading of vehicles in connection with the existing business shall be permitted in the rear yard, provided that the following yards are maintained: (a) A minimum easterly side yard setback of 3.9 m; (b) A minimum westerly side yard setback of 7.0 m from Bond Street; (c) A minimum rear yard setback of 3.0 m. (3) A visual barrier not less than 1.2 m in height and not greater than 2.0 m in height and a minimum 3.0 m wide buffer strip shall be provided and maintained along the easterly side lot line.
S-41a	3766-88	Central Business District	(i) Notwithstanding Subsection 13.1 PERMITTED USES of SECTION 13: LOW DENSITY MULTIPLE DWELLING ZONE (RM2), group development shall be permitted. (ii) Notwithstanding subclause 13.2.2.2 SIDE YARD Clause 13.2.2 YARD REQUIREMENTS of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS of SECTION 13: LOW DENSITY MULTIPLE DWELLING ZONE (RM2), the minimum required side yard shall be 7.5 m, except that where no window of a habitable room overlooks a side yard the yard may be reduced to 3.0 m. (iii) Notwithstanding clauses 13.2.3 HEIGHT, 13.2.4 DENSITY and 13.2.7 LANDSCAPING REQUIREMENTS of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS of SECTION 13: LOW DENSITY MULTIPLE DWELLING ZONE (RM2), the maximum building height shall be 11.5 m, the maximum number of

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			dwelling units shall be 40, and the minimum landscaped area shall be 50% of the site area including Block "2". (iv) Notwithstanding clause 13.2.6 OFF-STREET PARKING AND LOADING of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS of SECTION 13: LOW DENSITY MULTIPLE DWELLING ZONE (RM2), the required parking for each dwelling unit shall be one space; and subsection 7.13 OFF-STREET LOADING SPACE REQUIREMENTS of SECTION 7: OFF-STREET PARKING AND LOADING shall not apply. (v) Notwithstanding SECTION 13: LOW DENSITY MULTIPLE DWELLING ZONE (RM2) the following additional provisions shall apply: 1) FENCING A solid fence not less than 1.5 m in height nor greater than 2.0 m in height shall be provided and maintained along the full length of the easterly lot line between Hatt Street and Spencer Creek. 2) MINIMUM DISTANCE SEPARATION BETWEEN BUILDINGS 2.1 Between two exterior walls which contain no windows to habitable rooms, the minimum separation between buildings shall be 3.5 m. 2.2 Between two exterior walls, one of which contains windows to a habitable room, the minimum separation between buildings shall be 9.0 m. 2.3 Between two exterior walls both of which contain windows to a habitable room, the minimum separation between buildings shall be 15.0 m.
S-42	3822-89	Spencer Creek	Notwithstanding the provisions of Subsection 9.1 PERMITTED USES of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following special provision shall apply to those lands shown as "R2/S-42" on Schedule "L": 1. The following use shall also be permitted:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			a) A semi-detached dwelling, subject to compliance with the regulations of Subsection 10.3 REGULATIONS FOR SEMI-DETACHED DWELLINGS of SECTION 10: LOW DENSITY RESIDENTIAL ZONE (R3) of Zoning By-law No. 3581-86, except that Subclause 10.3.1.2 LOT FRONTAGE shall not apply.
S-43	3829-89	York Road	Notwithstanding the provisions of Clauses 9.4.3 SETBACK FROM SIDE LOT LINE or 9.4.3 SETBACK FROM REAR LOT LINE of Subsection 9.4 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES and Clauses 9.2.2.2 SIDE YARD and 9.2.2.3 REAR YARD of Subsection 9.2 REGULATIONS FOR SINGLE DETACHED DWELLINGS and Clauses 9.3.2.2 SIDE YARD and 9.3.2.3 REAR YARD of Subsection 9.3 REGULATIONS FOR RETIREMENT HOMES of SECTION 9: SINGLE DETACHED RESIDENTIAL ZONE (R2), the following special provision shall apply to the lands within the area shown as Block "B": (i) No building or structure, except a fence, shall be located less than 7.6 meters from the "top of bank" as shown on the attached Schedule "A".
S-44	3839-89	Pleasant Valley East	Notwithstanding the provisions of: (1) Clauses 9.1.1 and 9.1.2 of Subsection 9.1 PERMITTED USES of SECTION 9 SINGLE-DETACHED RESIDENTIAL ZONE (R-2), the following special provisions shall apply to the lands within the area shown as Block "B" on the attached Schedule "A": (i) No building or structure or use except accessory buildings, structures and uses shall be permitted.
S-45	3840-89	Central Business District	Notwithstanding the provisions of: (1) Subsection 11 - HEALTH AND SOCIAL SERVICES INDUSTRIES of SECTION 20: USES PERMITTED IN COMMERCIAL ZONES, the following use shall be permitted on the lands as shown on Schedule "A" attached hereto: (i) Ambulance Services 8631

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(2) Clause 7.12.2.5 of Subsection 7.12 OFF-STREET PARKING SPACE REQUIREMENTS of SECTION 7: OFF-STREET PARKING AND LOADING, the following special provision shall apply to the lands as shown on Schedule "A" attached hereto: (i) Ambulance Services 1.0 space per 119.0 square meters of gross floor area.
S-46	3857-90	Central Business District	A) Notwithstanding the provisions of SECTION 10: LOW DENSITY RESIDENTIAL ZONE (R3), the following special provisions shall apply to those lands shown as "R3/S-46" on Schedule "A": 1) Notwithstanding the provisions of Clause 10.1.4 - A RETIREMENT HOME of Subsection 10.1 - PERMITTED USES, the following shall also be permitted: (a) A retirement home including one dwelling unit for occupancy only by the owner or an employee of the retirement home. 2) Notwithstanding the provisions of Subclause 10.5.6 - OFF STREET PARKING AND LOADING of Subsection 10.5 - REGULATIONS FOR RETIREMENT HOMES, a minimum of seven parking spaces shall be provided on-site.
	4348-97	Central Business District	B) A physicians' clinic with a minimum of 8 car parking spaces."
S-47	3863-90	Dundana West	Notwithstanding the provisions of SECTION 8: SINGLE-DETACHED RESIDENTIAL ZONE (R1), the following provision shall apply to those lands shown as "R1/S-47": a) Notwithstanding Clause 8.2.2 YARD REQUIREMENTS of Subsection 8.2 - REGULATIONS FOR SINGLE-DETACHED DWELLINGS, no building or structure shall be located less than 7.62 m from the "top-of-bank".
S-48	3866-90 4485-99	Creighton West	Notwithstanding the provisions of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following provisions shall apply to those lands shown as "R2/S-48":

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(1) Notwithstanding the provisions of Clause 9.3.2 - YARD REQUIREMENTS of Subsection 9.3 -REGULATIONS FOR RETIREMENT HOMES, no building or structure shall be located less than 7.62 m from the boundary of Block "2" abutting Block "3". (2) Notwithstanding the provisions of Clause 9.3.7 ACCOMMODATION of Subsection 9.3 REGULATIONS FOR RETIREMENT HOMES, the maximum number of residents shall not exceed 80. (3) A minimum of 197 sq.m. of Indoor Amenity Space shall be provided. (4) For the purposes of this By-law, "Indoor Amenity Space" shall include, but not be limited to, the following: (a) Library; (b) Entertainment Room; (c) Fitness Area/Whirlpool; (d) Craft Centre; and (e) Attached Greenhouse. (5) Only one (1) vehicular access driveway shall be provided from Governor's Road.
S-49	3892-90	Central Business District	Notwithstanding the provisions of SECTION 13: LOW DENSITY MULTIPLE DWELLING ZONE (R SQ.M.), the following provision shall apply to those lands shown as "RM2/S-49": (a) Notwithstanding Subsection 13.1 - PERMITTED USES, the lands shall only be used for amenity space/landscaped area in conjunction with the lands to the east.
S-50 S-50A	3911-90 3982-91	Central Business District	Notwithstanding the provisions of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (C.A.C.), the following variances and special requirements shall apply to those lands shown as "C.A.C./S-50" on SCHEDULE "A": i) Notwithstanding Section 18.1 - PERMITTED USES and SECTION 20: USES PERMITTED IN COMMERCIAL ZONES, two apartment buildings having a total of 62 dwelling units shall also be permitted; ii) For the purposes of this By-law, the regulations as contained in Subsection 18.3 - REGULATIONS FOR RESIDENTIAL - COMMERCIAL BUILDINGS shall apply to the apartment buildings;

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

iii) Clause 18.3.1 - LOCATION of Subsection 18.3 - REGULATIONS FOR RESIDENTIAL - COMMERCIAL BUILDINGS shall not apply to the buildings fronting on Main Street and Ogilvie Street;

iv) Subclause 18.3.2.1 - FRONT YARD of Clause 18.3.2 YARD REQUIREMENTS of Subsection 18.3 - REGULATIONS FOR RESIDENTIAL - COMMERCIAL BUILDINGS shall not apply;

v) Subclause 18.3.2.2. - SIDE YARD of Clause 18.3.2 - YARD REQUIREMENTS of Subsection 18.3 - REGULATIONS FOR RESIDENTIAL - COMMERCIAL BUILDINGS shall not apply;

vi) Notwithstanding Clause 18.3.3 - GROSS FLOOR AREA of Subsection 18.3 - REGULATIONS FOR RESIDENTIAL - COMMERCIAL BUILDINGS a minimum of 14.8% of the gross floor area shall be used for commercial purposes;

vii) Notwithstanding Clause 18.3.4 - HEIGHT of Subsection 18.3 - REGULATIONS FOR RESIDENTIAL - COMMERCIAL BUILDINGS, the following height limitations shall apply;

1) the building fronting on King Street West shall not exceed a maximum height of 10.4 m;

2) the buildings fronting on Ogilvie and Main Street shall not exceed a maximum height of 12.4 m.

viii) Notwithstanding Clause 18.3.8 - LANDSCAPED AREA of Subsection 18.3 - REGULATIONS FOR RESIDENTIAL - COMMERCIAL BUILDINGS, a minimum of 541 sq.m. of landscaped area shall be provided at grade;

ix) A minimum of two loading spaces having minimum dimensions of 9.0 m x 3.7 m x 4.3 m shall be provided and maintained;

x) A minimum 1.5 m wide landscaped strip shall be provided and maintained along the southerly lot line;

xi) A visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the southerly lot line.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			Notwithstanding the provisions of Subsection 18.1 - PERMITTED USES of SECTION 18 - CENTRAL AREA COMMERCIAL ZONE (C.A.C.) and SECTION 20 - USES PERMITTED IN COMMERCIAL ZONES the following uses shall also be permitted on those lands occupied by the building known as 2 King Street West which building fronts on King Street: a) offices of the Regional Municipality of Hamilton-Wentworth Police; b) offices of the Regional Municipality of Hamilton-Wentworth Health Unit; provided that: (i) a minimum of 53 percent of the area of the ground (street level) floor shall be used for only those uses permitted by Subsection 20.6 - RETAIL TRADE INDUSTRIES of SECTION 20 - USES PERMITTED IN COMMERCIAL ZONES under the column indicated as CENTRAL AREA COMMERCIAL ZONE (C.A.C). (ii) not more than 47 percent of the ground (street level) floor shall be occupied for the uses set out in a) and b) above. (iii) the balance of any ground (street level) floor not occupied for the uses set out in a) and b) above shall be used in accordance with the provisions of i) above.
S-51	3933-91	Dundas East	Notwithstanding the provisions of Clause 9.2.2 - YARD REQUIREMENTS of Subsection 9.2 - REGULATIONS FOR SINGLE-DETACHED DWELLINGS of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following special provisions shall apply to those lands shown as "R2/S-51" on Schedule "R": (a) No building or structure, except a fence, shall be located less than 22.9 m from the "top-of-bank" as shown in By-law No. 3933-91.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-52	4006-92	Highland Hills West	Notwithstanding the provisions of SECTION 16: NEIGHBOURHOOD COMMERCIAL ZONE (C.N.) the following provisions shall apply to those lands shown as "C.N./S-52": a) Notwithstanding the provisions of Clause 16.1 - PERMITTED USES and SECTION 20 - USES PERMITTED IN COMMERCIAL ZONES the following uses will also be permitted: S.I.C. Code — Use 62 — Household furniture, appliances and furnishing industries, retail; 772 — Computer and related services; 776 — Offices of lawyers and notaries; 9659 — Martial Arts Clubs; 996 — Travel Services. b) Notwithstanding clause 16.2.1.1. - SITE AREA of clause 16.2.1 AREA REQUIREMENTS of clause 16.2 - REGULATIONS FOR COMMERCIAL USES, a maximum site area of 0.36 hectare will be permitted.
S-53	4016-92 4395-98	Spencer Creek	Notwithstanding the provisions of SECTION 12: LOW DENSITY RESIDENTIAL ZONE (RM1), the following special provisions shall apply to those lands shown as "RM1/S-53" on Schedule "L". 1) Notwithstanding the provisions of Subsection 12.1 - PERMITTED USES, an apartment building containing a total of nine maximum two-bedroom dwelling units shall be permitted within the existing structure on the property as expanded by the addition of a 2.65 m by 10.0 m structure to the south (rear) of the existing structure. 2) Notwithstanding the provisions of Subsection 12.2 - REGULATIONS FOR APARTMENT BUILDINGS, the following special provisions shall be permitted:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			i) Notwithstanding the provisions of Subsection 12.2.1.1 - LOT AREA of Subsection 12.2.1 - AREA REQUIREMENTS, a minimum lot area of 750 m. sq. shall be permitted. ii) Notwithstanding the provisions of Subsection 12.2.1.2 - LOT FRONTAGE of Subsection 12.2.1 - AREA REQUIREMENTS, a minimum lot frontage of 18.5 m. shall be permitted. iii) Notwithstanding the provisions of Subsection 12.2.2.2 - SIDE YARD of Subsection 12.2.2 - YARD REQUIREMENTS, a minimum side yard (west) of 0.0 m shall be permitted and a minimum side yard (east) of 2.3 m shall be permitted. iv) Notwithstanding the provisions of Subsection 12.2.2.3 - REAR YARD of Subsection 12.2.2 - YARD REQUIREMENTS, a minimum rear yard of 2.3 m shall be permitted. v) Notwithstanding the provisions of Section 7.13.1.1, a loading bay will not be required. vi) Notwithstanding the provisions of Section 12.2.7.1, the minimum landscaped area will be 27%. 3) Notwithstanding the provisions of Subsection 7.1 - LOCATION of SECTION 7: OFF STREET PARKING AND LOADING, required parking spaces will be permitted in the front yard of this apartment building development site.
S-54	3910-90	York Heights	Notwithstanding the provisions of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following provisions shall apply to those lands shown as "R2/S-54": a) Subclause 9.2.1.2 - LOT FRONTAGE of Clause 9.2.1 - AREA REQUIREMENTS of Subsection 9.2 - REGULATIONS FOR SINGLE-DETACHED DWELLINGS shall not apply. b) Notwithstanding Clause 3.2.52 - LOT LINE, FRONT of SECTION 3: DEFINITIONS, and Subclause 9.2.2.1 - FRONT YARD of Clause 9.2.2 - YARD REQUIREMENTS of Subsection 9.2 - REGULATIONS FOR SINGLE-DETACHED DWELLINGS, the westerly yard shall be considered the front yard and a minimum depth of 13.0 m shall be provided and maintained.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-54	4066-93	Guelph	Notwithstanding the provisions of SECTION 19: HIGHWAY COMMERCIAL ZONE (C.H), the following provision shall apply to the lands located at the south-west corner of Highway No. 6 and York Road, shown as "C.H/S-54" on Schedule "F-1": a) Notwithstanding Subsection 19.1 - PERMITTED USES, only those uses existing at the date of the passing of the by-law and those determined by the Committee of Adjustment to be similar to the purpose for which the land, building or structure was used on the day the by-law was passed, shall be permitted.
S-55	4066-93	Pleasant View	REPEALED – SEE S-101 – OMB ORDER #0442 DATED MARCH 12, 2002
S-56	4066-93	Desjardin's, Guelph, Pleasant View	Notwithstanding the provisions of SECTION 27: PUBLIC AND PRIVATE SERVICE ZONE (PPS) the following special provision shall apply to lands located south of Northcliffe Avenue, West of Highway No. 6, and the properties known as Nos. 200 and 252 Old Guelph Road, shown as "PPS/S-56" on Schedules "D-1", "F-1" and "K-1": a) Notwithstanding Clause 27.1 - PERMITTED USES, only those uses existing at the date of the passing of the by-law and those determined by the Committee of Adjustment to be similar to the purpose for which the land, building or structure was used on the day the by-law was passed, shall be permitted.
S-56a	4066-93	Desjardin's, Guelph, Patterson, Pleasant View, Simcoe	i) As permitted under the temporary use provisions of Section 39 of the Planning Act (R.S.O. 1990) for a maximum three year period commencing on the day of the passing of this amending By-law, being the 12th day of July, 2019 and expiring on the 12fh day of July, 2022, on the land shown as "H-PPS/S-056a" on Schedule "F-1" attached hereto, the following use shall be permitted: a) Within the existing building municipally known as 574 Northcliffe Avenue (Building B), a dormitory having a maximum capacity of 138 occupants shall be permitted temporarily and only within the building existing on the date of passing of this By-law. b) A Holding Symbol (H) pursuant to Section 36 of the Planning Ad, R.S.O. 1990, c.P 13 and Subsection 4.9 of By-law No. 3581-86 is applied to the PPS Zone category as it applies to 574 Northcliffe Avenue (Building B).The permitted use in clause a) shall be limited to a maximum capacity of 96 occupants for such time as the Holding Symbol (H) is applicable to 574 Northcliffe Avenue (Building 'B').

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			c) Condition for Holding Provision Removal i) The applicant / proponent shall demonstrate and have attained all of the necessary approvals to provide adequate services to increase the capacity beyond 96 students to accommodate a dormitory having a maximum capacity of 138 occupants to the satisfaction of the Niagara Escarpment Commission, Director, Development Planning and Ministry of Environment, Conservation and Parks. d) Notwithstanding Clause 7.3.1 - ACCESS of SECTION 7 - OFF STREET PARKING AND LOADING an existing driveway located on lands zoned PPS/S-56 and U/S-57 shall be permitted to be used for access to 574 Northcliffe Avenue (Building 'B').
S-57	4066-93	Desjardin's, Guelph, Patterson, Pleasant View, Simcoe	Notwithstanding the provisions of SECTION 28: PUBLIC UTILITIES ZONE (U), the following special provision shall apply to lands shown as "U/S-57" on Schedules "D-1", "F-1", "I-1", "K-1" and "K-2": a) Notwithstanding Clause 28.1 - PERMITTED USES, Waste Treatment Facilities shall be prohibited.
S-58	4066-93	Desjardin's, Guelph, Patterson, Pleasant View	Notwithstanding the provisions of Section 29A.1, 29A.2, 29A.3, 29A.4.1 and 29A4.2, the following special provisions shall apply to the lands shown as "RU/S-58 EXCEPTION ZONE on Schedules D-1, F-1, I-1 and K-1: 1. <u>PERMITTED USES</u> 1.1 A single detached dwelling legally existing as of August 14, 1998;

1.2 A new single detached dwelling in accordance with a valid building permit issued by the Chief Building Official prior to August 14, 1998 and the construction of which has not been completed by August 14, 1998;

1.3 A new single detached dwelling in accordance with a site plan approval granted by Council prior to August 14, 1998 and for which a building permit has not been issued by August 14, 1998;

1.4 A new single detached dwelling in accordance with an amendment to Ontario Regulation No. 484/73 or 486/73 granted prior to August 14, 1998 by the Minister of Municipal Affairs and Housing and for which a building permit has not yet been issued by August 14, 1998;

1.5 Accessory buildings, structures and uses.

2. REGULATIONS FOR EXISTING AND APPROVED NEW DETACHED DWELLINGS

2.1 LOT AREA

Minimum 0.8 hectares with municipal water supply

The required lot area may be larger than 0.8 hectares where deemed necessary by the agency having jurisdiction for the approval of on-site private sewage disposal systems pursuant to the provisions of the Environmental Protection Act, Chapter E.19, R.S.O. 1990, as amended from time to time or pursuant to any successor legislation.

2.2 LOT FRONTAGE

Minimum 18.0 metres

2.3 YARD REQUIREMENTS

2.3.1 FRONT YARD

Minimum 6.0 metres

2.3.2 SIDE YARD

Minimum 1.5 metres, except

(i) 3.5 metres where the side yard abuts the flankage street of a corner lot.

(ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage.

(iii) 6.0 metres for that portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot, and

(iv) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

2.3.3 REAR YARD

Minimum 7.5 metres

2.3.4 HEIGHT

Maximum 7.5 metres

2.3.5 LOT COVERAGE

Maximum 250 square metres for all buildings

2.4 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

2.4.1 LOCATION

Rear yard or a non-required side yard

2.4.2 SETBACK FROM SIDE LOT LINE

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

Minimum 1.0 metres, except 6.0 metres from the flankage street of a corner lot.

2.4.3 SETBACK FROM REAR LOT LINE

Minimum 1.0 metres

2.4.4 HEIGHT

Maximum 4.0 metres

2.4.5 LOT COVERAGE

As specified in Subsection 2.3.5 above.

2.5 OFF-STREET PARKING

As specified in SECTION 7.

S-59	4066-93	Pleasant View	Notwithstanding any other provisions of this By-law, the following special provisions shall apply to the lands municipally known as No. 85 Rosina Avenue, shown as "RU/S-59" on Schedule "K-1":

1. PERMITTED USES

1.1 Only one single detached dwelling, and

1.2 Uses, buildings or structures accessory to the foregoing permitted use shall be permitted on the subject lands.

2. REGULATIONS FOR SINGLE DETACHED DWELLING

2.1 Minimum Front Yard 9 metres

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

2.2	Minimum Side Yard	3 metres
2.3	Minimum Rear Yard	10 metres
2.4	Maximum Height	11 metres
2.5	Minimum Floor Area	
	One Storey	116 sq.m.
	One and One-Half Storeys	139 sq.m.
	Two to Two and One Half Storeys	158 sq.m.

3. REGULATIONS FOR ACCESSORY BUILDINGS

3.1 No accessory building or structure shall be closer to the front lot line than the single detached dwelling on the same lot.

3.2 No accessory building or structure shall be closer than 1.8 metres to a single detached dwelling.

3.3 No accessory building or structure shall be closer than 1.2 metres to any lot line.

3.4 Maximum building height shall be 3.6 metres.

3.5 Maximum lot coverage shall be 10%.

3.6 No accessory building or structure shall be used for human habitation.

S-60 | 4066-93 | Pleasant View

Notwithstanding any other provisions of this By-law, the following special provisions shall apply to the lands located between 89 and 95 Best Avenue shown as "RU/S-59" on Schedule "K-1":

1. Notwithstanding Clause 3.2.55 of SECTION 3: DEFINITIONS, for purposes of this by-law, the rear lot line shall be Old Guelph Road.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			2. PERMITTED USE 2.1 Only a private garage accessory to the single detached dwelling at 94 Best Avenue. 3. REGULATIONS FOR THE GARAGE 3.2 Minimum Front Yard 18.4 metres 3.3 Minimum Side Yard 1.5 metres 3.4 Minimum Rear Yard 49.6 metres 3.5 Maximum Floor Area 152 sq.m. 3.6 Maximum Height 4.5 metres.
S-60	4070-93	York Heights	Notwithstanding the provisions of SECTION 16 - NEIGHBOURHOOD COMMERCIAL ZONE (C.N), the following shall apply to those lands shown as "C.N/S-60": i) Notwithstanding Subsection 16.3.1 LOCATION - a 16 unit Retirement Home may be located on the first floor in the east portion of the commercial building shown on Schedule "A". ii) Notwithstanding Subsection 16.4.6 OFF STREET PARKING AND LOADING - Parking may be located in the required front yard of the commercial building shown on Schedule "A".
S-61	4093-93 4122-93	Central Business District	i) Notwithstanding the requirements of Clause 12.3.2.3 REAR YARD of Subsection 12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS, and Clause 12.5.2.3 REAR YARD of Subsection 12.5 REGULATIONS FOR GROUP DEVELOPMENT a rear yard setback of 4.4 metres is permitted on the lands within the area shown as BLOCK "1". ii) Notwithstanding the requirements of Clause 12.3.6.1 LANDSCAPED AREA of Subsection 12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS, and clause 12.5.6.1 LANDSCAPED AREA, a minimum landscaped area of 40% of the site is permitted on the lands within the area shown as Block "1".
S-62	4096-93	Highland Hills	Notwithstanding the provisions of Subsection 6.16 ONE DWELLING PER LOT of SECTION 6:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
		East	GENERAL REGULATIONS, the following special provision shall apply to those lands located at 56 Governor's Road, shown as "RM4/S-62" on Schedule "G": A maximum of two apartment buildings shall be permitted on the subject lands.
S-63	4138-94	Creighton West, Spencer Creek Creek	i) Notwithstanding the requirements of Clause 21.2.6.2 LOT COVERAGE of Subsection 21.2 REGULATIONS FOR INDUSTRIAL USES, an outside storage area in excess of five percent to a maximum coverage of 100 percent of the lot area is permitted on the lands within the area shown as Block "2". ii) Notwithstanding the requirements of Clause 21.2.6.3 SCREENING of Subsection 21.2 REGULATIONS FOR INDUSTRIAL USES, a solid screening fence is not required around the south, east and west property lines on the lands within the area shown as Block "2".
S-64	4161-94	Sydenham	1. Notwithstanding the provisions of Clause 9.1 -PERMITTED USES OF SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following use shall also be permitted: A second floor dwelling unit in the existing rear accessory structure. 2. Notwithstanding the provisions of Clause 6.2.1 - USES PERMITTED of SECTION 6.2 - ACCESSORY BUILDINGS the following uses shall be permitted: Human Habitation solely in the second floor of the rear existing accessory structure. Home Occupation solely in the first floor of the rear existing accessory structure.
S-65	4198-95	York	1. Notwithstanding the provisions of Subsection 12.2.2 YARD REQUIREMENTS of Section 12: LOW DENSITY MULTIPLE DWELLING ZONE (RM1), the following special provisions shall apply: i) a minimum front yard setback of 6.0 metres ii) a minimum side yard setback of 1.9 metres 2. Notwithstanding the provisions of Subsection 7.1 LOCATION of Section 7: OFF-STREET PARKING AND LOADING, the following provision shall apply

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			i) the existing parking spaces located in the front yard shall be permitted.
S-66	4219-95		Notwithstanding the requirements of Subsection 7A.2.1.2 LOT FRONTAGE of Section 7A: RURAL ESTATED RESIDENTIAL ZONE (RER), a lot frontage pf 22.61 metres is permitted on the lands illustrated as block "1".
S-67	4224-95 4391-98	Creighton East	1. Not withstanding the requirements of Section 9.2.2.1, a minimum front yard setback of 3.0 metres is permitted on the lands within the area shown as blocks "1", "2", "3" and "4" except for that portion of a dwelling comprising an attached garage or carport. 2. Notwithstanding the requirements of Section 3.2.2 and 9.5, no building or structure, except a fence, shall be permitted beyond the "Building Setback Line" as defined on Schedule "B" and as staked out in the field within the area shown as Blocks "1", "2", "3" and "4". 3. Notwithstanding the requirements of Section 9.2.3, no building or structure shall exceed two storeys or 9.0 metres (29.5 feet) in height within the area shown as Blocks "1", "2", "3" and "4".
S-68	4235-95	Creighton West	1. Notwithstanding subsection 21.2.2.1 FRONT YARD of Section 21: LIGHT INDUSTRIAL ZONE (I.L.), a minimum front yard setback of 0.3 metres (1ft) shall be permitted. 2. Notwithstanding subsection 7.1 LOCATION of Section 7 OFF-STREET PARKING AND LOADING, parking shall be permitted in the front yard.
S-69	4238-95	Sobel	1. Notwithstanding the provisions of Subsection 12.5.7 MINIMUM DISTANCE SEPARATION of Section 12.5 REGULATIONS FOR GROUP DEVELOPMENT, a minimum spatial separation distance between two exterior walls both having windows to habitable rooms between Block "1" and "2" of 7.15 metres shall apply. 2. Notwithstanding the provisions of Subsection 12.3.2 YARD REQUIREMENTS of Section 12.3 REGULATIONS FOR MAISONETTE DWELLING AND TOWNHOUSE DWELLINGS AND TOWNHOUSE DWELLINGS, Subsection 12.5.2 YARD REQUIREMENTS of Section 12.5 REGULATIONS FOR GROUP DEVELOPMENTS and Subsection 12.4.2 YARD REQUIREMENTS of Section 12.4 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS, the following special provisions shall apply (Refer to Schedule "B" for illustration of Blocks and Units)

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			i) Front yard setback for Block 3 Condominium Townhouses of 6.0 metres. ii) Side yard setback for freehold townhouse unit #19, of 6.0 metres. iii) Side yard setback for freehold townhouse unit #18 of 5.26 metres. iv) Side yard setback for freehold townhouse unit #24 of 3.0 metres. v) Rear yard setback for freehold townhouse unit #14 of 6.5 metres.
S-70	4239-95	Sobel	Notwithstanding the provisions of clause 16.2.1.1 SITE AREA of Subsection 16.2 REGULATIONS FOR COMMERCIAL USES, a maximum site area of 4946.6 square metres shall apply.
S-71	4252-95	Creighton West	Notwithstanding Subsection 9.2.1.2 LOT FRONTAGE of Section 9: SINGLE-DETACHED RESIDENTIAL ZONE, a minimum lot frontage of 18.0 metres shall be required.
S-72	4262-96	Spencer Creek	1. Notwithstanding the requirements of Subsection 21.2.2: YARD REQUIREMENTS of Section 21: LIGHT INDUSTRIAL ZONE, the following provisions shall be maintained for the principle units on each lot: i) Front yard setback of 5.3 metres ii) East and West side yard setbacks of 0.0 metres iii) Rear yard setback of 0.0 metres 2. Notwithstanding the requirements of Subsection 6.11.2: BUFFER STRIP of Section 6: GENERAL REGULATIONS, the following provision for each lot shall be maintained: i) The existing vegetation along the east side of #334 and the south lot line of both #334 and #334A be maintained as a buffer strip. 3. Notwithstanding the requirements of Section 7: OFF-STREET PARKING AND LOADING: the following provisions shall be maintained for both #334 and #334A Hatt Street:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			i) A minimum of 18 parking spaces shall be maintained and shared within the parking areas of both #334 and #334A Hatt Street. The 18 parking spaces are comprised of the existing parking areas located in the front yard of #334A and #334 and the side yard (west) of #334A. ii) The existing parking area surface be maintained on each lot. iii) The existing loading space located on the east side of #334 Hatt Street be maintained. iv) The existing Loading Space located along the west side of #334A Hatt Street be maintained.
S-73	4302-96	Central Business District	1. Notwithstanding the requirements of Subsection 18.3.1: LOCATION of Section 18.3: REGULATIONS FOR RESIDENTIAL-COMMERCIAL BUILDINGS, the following provision shall be permitted: i) A basement apartment in the existing dwelling 2. Notwithstanding the requirements of Subsection 18.2.4.2: LOCATION of Section 18.2.4: OFF-STREET PARKING, the following variances shall be permitted: i) A required rear yard parking setback of 0.7 metres. ii) A required side yard parking setback of 1.5 metres. 3. Notwithstanding the requirements of Section 7.4: ABUTTING A RESIDENTIAL ZONE of Section 7: OFF-STREET PARKING AND LOADING and Subsection 6.11.2: BUFFER STRIP of Section 6.11: LANDSCAPE REQUIREMENTS, the following variance shall be permitted: i) A buffer Zone setback along the easterly rear yard of 0.8 metres. 4. Notwithstanding the requirements of Section 7.14: DIMENSIONS FOR THE DESIGN OF PARKING AREAS of Section 7: OFF-STREET PARKING AND LOADING, the following variance shall be permitted:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			i) Permit six, 5.0 metre in length, parking spaces.
S-74	4351-97	Creighton East	1. Notwithstanding the side yard setback requirement for the RM-3 district, a set back for the eastern side yard shall be a minimum of 4.5 metres with balcony overhangs of a maximum of 1.2 metres. 2. Notwithstanding the front yard setback requirement for the RM-3 district, a basement garage setback shall be a minimum of 1.7 metres. 3. Notwithstanding the side yard setback requirement for the RM-3 district, a setback for the western side yard shall be a minimum of 6.7 metres for basement parking and 1.2 metres minimum for surface level car parking. 4. Notwithstanding the rear yard setback for the RM-3 district, a setback for basement parking shall be a minimum of 1.2 metres. 5. Notwithstanding the loading bay requirements for the RM-3 district, the minimum length of 13 metres for the loading bay shall be required. 6. Notwithstanding the height limitation requirements for the RM-3 district, a roof covering roof level structures shall be permitted with an apex level 3.5 metres above the top of the structure.
S-76	4396-98	Dundana East	1. Notwithstanding Section 13.3.2.1 the minimum lot area for 47 Osler Drive is 604 square metres and the minimum lot area for 49 Osler Drive is 599 square metres. 2. Notwithstanding Section 13.3.2.2 the minimum lot frontage for 47 Osler Drive is 16 metres and the minimum lot frontage for 49 Osler Drive is 15.8 metres.
S-77	4429-98	Highland Hills East	1. Notwithstanding the requirements of Section 8.2, Regulations for R1 Single Detached Dwellings, the following provisions for each lot shall be required: (a) 5 Overfield Street – minimum front yard setback – 43 metres, minimum frontage for two lots fronting on Overfield Street – 38 metres and 6 metres.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(b) 7 Overfield Street – minimum front yard setback for existing house – 36 metres, minimum front yard setback for house on new lot – 42 metres, minimum lot frontage for existing house – 50 metres, minimum lot frontage for the two lots on Lantern Lane – 18 metres and 30 metres.
			(c) 11 Overfield Street – minimum front yard setback for house – 35 metres, minimum frontage – 33 metres.
S-78 S-79 S-80 S-81 S-82 S-83 S-84	4436-98	Central Business	**DEFINITION** Notwithstanding the definition of "height" of SECTION 3: DEFINITIONS, SUBSECTION 3.2: DEFINITIONS, Clause 3.2.26 ii) HEIGHT, with reference to a building, height shall mean the vertical distance from grade to the ceiling of the uppermost floor and, in addition to the structures identified in Clause 3.2.26 ii), shall exclude a roof on the lands identified as CAC/S-78, CAC/S-79, RM3/S-80, H-RM3/S-81, RM3/S-81, RM4/S-82, RM4/S-83 and PR1/S-84 on Schedule A. **STREET ORIENTED COMMERCIAL FLOOR SPACE** A maximum of 1,400 square metres of street oriented commercial uses shall be permitted on the lands identified as "CAC/S-78" and "CAC/S-79" on Schedule A. **DENSITY** A maximum of 322 dwelling units shall be permitted on the lands identified as "RM3/S-80", "RM3/S-81", "H-RM3/S-81", "RM4/S-82" and "RM4/S-83" on Schedule A.
S-78	04-270		**COMMERCIAL/OFFICE (CAC/S-78)** 1. Notwithstanding the permitted uses, minimum front yard, minimum side yard, gross floor area, maximum height and off-street parking regulations of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (CAC), Subsection 18.2 REGULATIONS FOR COMMERCIAL USES, Clauses 18.1, 18.2.1.1, 18.2.1.2, 18.2.2, 18.2,3. 18.2.4.1 the following regulations shall apply to those lands identified as CAC/S-78 on Schedule A: (a) **Permitted Uses** **SIC 1980**

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION	
			(i) Street-oriented commercial uses limited to the following uses:	
			Food, Beverage and Drug Industries, Retail	60
			Variety Stores	6413
			Opticians' Shops	6592
			Restaurants, Licenced	9211
			Restaurants, Unlicenced (excluding Drive-Ins)	9212
			Takeout Food Service	9213
			Taverns, Bars and Night Clubs	922
			Coin Operated Amusement Devices	9694
			a) permitted only in billiard parlours and/or establishments licenced under the Liquor Licence Act of Ontario and any other By-law of the Corporation of the Town of Dundas permitting the same.	
			b) a maximum limit of three coin operated amusement machines be provided for each establishment licenced under the Liquor Licence Act of Ontario.	
			Barber and Beauty Shops	971
			Laundries and Cleaners limited to:	
			1. Distributors and/or Agents for Dry Cleaners	9722
			2. Valet Services, Pressing and/or Repairs	9724
			Other Personal and Household Services, excluding:	979
			1. Massage Parlours	9799
			2. Turkish Bath Houses	9799
			Photographers	993
			Travel Services	996
			(ii) **Other Uses**:	
			Veterinary Services, limited to:	
			1. Pets and Small Animals except the keeping of animals outside is not permitted	0211
			Project Management, Construction	441
			Telecommunications Broadcasting Industries	481
			Direct Sellers	692

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION	
			Deposit Accepting Intermediary Industries	70
			Consumer and Business Financing Industries	71
			Investment Intermediary Industries	72
			Insurance Industries	73
			Other Financing Intermediary Industries	74
			Employment Agencies and Personnel Services	771
			Computer and Related Services	772
			Accounting and Bookkeeping Services	773
			Advertising Services	774
			Architectural Engineering and Other Scientific and Technical Services	775
			Offices of Lawyers and Notaries	776
			Management Consulting Services	777
			Other Business Services	779
			Other Education Services	859
			Child Welfare Services	8642
			Family Planning Services	8643
			Crisis Intervention	8648
			Offices of Physicians, Surgeons, Dentists, Private Practice	865
			Offices of Other Health Practitioners	866
			Offices of Social Service Practitioners	867
			Other Sports and Recreation Clubs limited to:	9659
			1. Athletic Clubs	
			2. Boxing Clubs, Amateur	
			3. Health Clubs including Health Spas and Reducing Salons	
			4. Martial Arts Clubs	
			Business Associations	982
			Professional Membership Associations	983
			Labour Organizations	984
			Political Organizations	985
			Civic and Fraternal Organizations	986
			Parking Lots and Parking Garages	9991
			Accessory Buildings, Structures and Uses	N/A

(b) Minimum Front Yard - 2 metres.

(c) Minimum Side Yard - No side yard shall be required; except where a side yard abuts an industrial zone, where the minimum side yard shall be 3.0 metres.

(d) Gross Floor Area - The total gross floor area of all buildings on a site shall not exceed 1.20 times the lot area.

(e) Maximum Height - 8 metres.

(f) Parking and Loading

(i) A minimum of 32 parking spaces shall be provided on-site. The remainder of the required parking facilities shall be provided in accordance with The Planning Act, R.S.O. 1990, Chap. P.13, Section 40(1). The calculation and provisions of the parking spaces required for these lands shall be pursuant to the regulations of Clause 18.2.4.1.

(ii) On-street (off-site) loading shall be permitted to service these lands.

S-79 **COMMERCIAL/OFFICE (H-CAC/S-79)**

1. Notwithstanding the permitted uses, minimum front yard, minimum side yard, gross floor area, maximum height and off-street parking regulations, of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (CAC), Subsection 18.2 REGULATIONS FOR COMMERCIAL USES, Clauses 18.1, 18.2.1.1, 18.2.1.2, 18.2.2, 18.2.3, 18.2.4.1 the following regulations shall apply to those lands identified as H-CAC/S-79 on the attached Schedule A:

(a) **Permitted Uses** **SIC 1980**

(i) Street-oriented commercial uses limited to the following:

Food, Beverage and Drug Industries, Retail	60
Variety Stores	6413
Opticians' Shops	6592
Other Medical Related Retail	N/A

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION	
			Restaurants, Licenced	9211
			Restaurants, Unlicenced (excluding Drive-Ins)	9212
			Take-Out Food Service	9213
			Taverns, Bars and Night Clubs	922
			Coin-Operated Amusement Devices	9694
			a) permitted only in billiard parlours and/or establishments licenced under the Liquor Licence Act of Ontario and any other By-law of the Corporation of the Town of Dundas permitting same.	
			b) a maximum limit of three coin operated amusement machines be provided for each establishment licenced under the Liquor Licence Act of Ontario and any any other By-Law of the Corporation of the Town of Dundas permitting same.	
			Barber and Beauty Shops	971
			Laundries and Cleaners limited to:	
			1. Distributors and/or Agents for Dry Cleaners	9722
			2. Valet Services, Pressing and/or Repairs	9724
			Other Personal and Household Services, including:	979
			1. Massage Parlours	9799
			2. Turkish Bath Houses	9799
			(ii) **Other Uses**:	
			Non-Institutional Health Services, excluding	863
			1. Ambulance Services	8631
			Non-Institutional Social Services	864
			Offices of Physicians, Surgeons, Dentists, Private Practice	865
			Offices of Other Health Practitioners	866
			Offices of Social Services Practitioners	867
			Medical and Other Health Laboratories	868
			Health and Social Service Associations and Agencies	869
			Other Sports and Recreation Clubs limited to:	9659

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

1. Athletic Clubs
2. Boxing Clubs, Amateur
3. Health Clubs, including Health Spas and Reducing Salons
4. Martial Arts Clubs

(b) Minimum Front Yard - 2 metres including any portion of a building over 10.5 metres in height.

(c) Minimum Side Yard - No side yard shall be required; except where a side yard abuts an flankage street, where the minimum side yard shall be 1.4 metres.

(d) Gross Floor Area - The total gross floor area of all buildings shall not exceed 2.0 times the lot area.

(e) Maximum Height - 12.8 metres.

(f) Parking and Loading

(i) A minimum of 22 parking spaces shall be provided on-site. The remainder of the required parking facilities shall be provided in accordance with The Planning Act, R.S.O. 1990, Chap. P.13, Section 40(1). The calculation and provisions of the parking spaces required for these lands shall be pursuant to the regulations of Clause 18.2.4.1.

(ii) On-street (off-site) loading shall be permitted to service these lands.

2. Notwithstanding the definition of LOT LINE, FRONT, of SECTION 3, DEFINITIONS, the Front Lot Line shall be deemed to be the lot line dividing the lot from Hatt Street.

S-80 05-052 **RETIREMENT HOME (H-CAC/S-80) deleted by By-law No. 05-052 and replaced with the following:**

APARTMENTS (RM3/S-80)

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

1. Notwithstanding the permitted uses and regulations of SECTION 14: MEDIUM TO HIGH DENSITY MULTIPLE DWELLING (RM3) ZONE, the following uses and regulations shall apply to the lands identified as RM3/S-80 on Schedule "A":

(a) PERMITTED USES

(i) Apartment Buildings
(ii) Accessory uses to the uses identified above

(b) REGULATIONS FOR ALL USES (i) TO (ii) IDENTIFIED ABOVE

(i) Minimum Lot Area – 0.3 hectares
(ii) Minimum Lot Frontage – 30 metres
(iii) Minimum Front Yard – 2 metres
(iv) Minimum Side Yard – 0.0 metres, except 1.4 metres where a side yard abuts a flankage street
(v) Minimum Rear Yard – 7.5 metres
(vi) Maximum Lot Coverage – 64%
(vii) Maximum Building Height – 15 metres
(viii) Minimum Landscaped Area – 35%

(c) REGULATIONS FOR APARTMENT BUILDINGS

(i) Maximum Density – 215 dwelling units per hectare
(ii) Minimum Parking and Loading Requirements
(a) All required parking for the permitted residential uses shall be provided below grade pursuant to SECTION 7.0: OFF-STREET PARKING AND LOADING of the Zoning By-law. Below grade, off site parking shall be permitted, provided the below grade parking is located on the adjacent lot.
(b) All required visitor parking shall be provided above grade pursuant to SECTION 7.0: OFF-STREET PARKING AND LOADING of the Zoning By-law.

(d) Notwithstanding the definition of LOT LINE, FRONT of Section 3, DEFINITIONS, the Front Lot Line shall be determined to be the lot line dividing the lot from Hatt Street.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			e) Where individual lots are developed contiguous to one another under a single and comprehensive site plan, all lots shall be deemed to be one lot for the purposes of applying zoning regulations.
S-80	05-52		2. That in addition to the uses and provisions permitted, the following additional use shall apply to lands known Municipally as 54 Hatt Street, shown as "RM3/S-80" on Schedule "A". (a) The retirement homes consisting of a maximum of 22 studio and one-bedroom units for 22 residents with an associated dining area shall be permitted within a 5 storey building under construction at the time of passing the amending Dundas Zoning by-law. (b) REGULATIONS FOR RETIREMENT HOMES (i) Minimum Distance Separation – A minimum radial separation distance to the lot line of any other lot occupied or as may be occupied by a retirement home shall not apply. (ii) Off-Street Parking – Parking shall be in accordance with the Off-Street Parking Provision of Section 7 of Dundas Zoning by-law.
S-81	05-052		**MIXED RESIDENTIAL/COMMERCIAL USE DEVELOPMENT (H-RM3/S-81) deleted by By-law No. 05-052 and replaced with the following:** **APARTMENTS/RETIREMENT HOME (RM3/S-81 and H-RM3/S-81)** (a) **PERMITTED USES** (i) Apartment Buildings. (ii) Retirement Home, Senior's Residence or Home for the Aged. (iii) Accessory uses to the uses identified above. (b) REGULATIONS FOR ALL USES (i) TO (ii) IDENTIFIED ABOVE (i) Minimum Lot Area – 1,300 square metres (ii) Minimum Lot Frontage – 30 metres (iii) Minimum Front Yard – 2 metres (iv) Minimum Side Yard – 0.0 metres (v) Minimum Flankage Side Yard – where a lot has flankage on Hatt Street, Ogilvie Street or Creekside Drive, the minimum front yard regulation shall apply to the flankage side yard (vi) Minimum Rear Yard – 7.5 metres

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(vii) Maximum Building Height – 17.5 metres (vii) Minimum Landscaped Area – 35% (viii) Minimum Lot Coverage – 64% (c) REGULATIONS FOR APARTMENT BUILDINGS (i) The regulations of the 'RM3/S-80" Zone are applicable. (d) REGULATIONS FOR RETIREMENT HOMES

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

(i) Minimum Distance Separation - A minimum radial separation distance to the lot line of any other lot occupied or as may be occupied by a retirement home shall not apply.

(ii) Off-Street Parking and Loading – Pursuant to SECTION 7: OFF-STREET PARKING AND LOADING of Zoning By-law No. 3581-86.

(iii) Outdoor Amenity Area – A minimum outdoor amenity area of 84 square metres shall be provided and maintained in the rear yard. Additional landscape area shall be provided to service the outdoor amenity needs of the residents on the lands identified as PR1/S-84 – Part 2 on Schedule A to By-law No. 05-052.

(iv) Maximum Accommodation – The maximum number of residents shall not exceed 151 persons.

(e) Where individual lots are developed contiguous to one another under a single and comprehensive site plan, all lots shall be deemed to be one lot for the purposes of applying zoning regulations.

S-82 02-228
S-83 04-002

APARTMENTS (RM4/S-82 AND RM4/S-83)

1. Notwithstanding the area, yard, height, density and parking/loading requirements of SECTION 15: HIGH DENSITY ZONE (RM4), Subsection 15.2 REGULATIONS FOR APARTMENT BUILDINGS, Clauses 15.2.1,

15.2.2, 15.2.3 and 15.2.4, the following special provisions shall apply to those lands identified as RM4/S-82 and RM4/S-83 on Schedule A:

(a) Minimum Lot Area - 0.3 hectares.

(b) Minimum Lot Frontage - 50 metres.

(c) Minimum Front Yard

(i) Ground Floor and Second Storey - 11 metres; except for columns and supporting structures, where the minimum front yard setback shall be 2.0 metres;

(ii) Third to Ninth Storeys - 2 metres.

(d) Minimum Side Yard - 13 metres except:

(i) where the side yard abuts a flanking street of a corner lot, the minimum side yard shall be 6 metres; and,

(ii) where the side yard abuts a commercial zone, the minimum side yard shall be 2.0 metres.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

(e) Minimum Separation Distance Between Apartment Buildings - 28 metres.

(f) Minimum Rear Yard - 7.5 metres.

(g) Maximum Density - 206.5 units per hectare.

(h) Maximum Height - 27.5 metres.

(i) Maximum Lot Coverage - 30%.

(j) Minimum Landscaped Area - 30%.

(k) Minimum Parking and Loading Requirements

(i) Parking spaces may be located in the front yard of a lot;

(ii) A minimum of 1.0 parking spaces per dwelling unit shall be provided below grade, on-or off-site. Below grade, off-site parking shall be permitted; provided the below grade parking is located on the adjacent lot;

(iii) A minimum of 0.25 visitor parking spaces per dwelling unit shall be provided either above grade on-site or on the adjacent street;

(iv) The required loading spaces shall have a minimum length of 13.5 metres, a minimum width of 3.5m metres and a minimum height of 4.3 metres. The minimum front yard setback from the street for loading spaces shall be 5 metres.

(v) All other requirements with respect to parking and loading shall be provided pursuant of SECTION 7: OFF-STREET PARKING AND LOADING of the Zoning By-law.

S-84

CLUB HOUSE (H-PR1/S-84)

1. Notwithstanding the permitted uses and regulations of SECTION 26: PARK AND RECREATION ZONE (PR1), the following uses and regulations shall apply to those lands identified as H-PR1/S-84 on the attached Schedule A:

(a) **PERMITTED USES**

(i) A club house including an indoor swimming pool (an outdoor swimming pool shall not be permitted); and,

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

(ii) Accessory uses including, but not restricted to, exercise rooms, a community room, administration office and kitchen.

(b) **REGULATIONS FOR PERMITTED USES**

(i) Minimum Lot Frontage - 70 metres.

(ii) Minimum Front Yard - 4.5 metres.

(iii) Minimum Side Yard - 17 metres.

(iv) Maximum Height - 8 metres.

(v) Landscape Requirements

Pursuant to the landscape requirements of SECTION 6: GENERAL REGULATIONS, Subsection 6.11 LANDSCAPE REQUIREMENTS.

(vi) Outdoor Amenity Area

A minimum landscape area with a total combined area of 2,000 square metres shall be provided and maintained in the side and rear yards and shall be used for outdoor amenity purposes.

(vii) Parking Requirements

No on-site parking shall be required.

S-85 4468-98 Hunter

1. Notwithstanding the permitted uses and minimum front yard regulations of Section 26 – Park and Recreation Zone (PR1), Subsection 26.1 – Permitted Uses and Subsection 26.2 – Regulations for Permitted Uses, Clauses 26.1 and 26.2.1.1, the following regulations shall apply to those lands identified as H-PR1-FP/S-85 on the attached Schedule A:

(a) **PERMITTED USES** — **SIC 1980**

Parks and Playgrounds	N/A
Picnic Areas	N/A
Park Maintenance, Storage and Administration Facilities	N/A
Mini-Golf	N/A

Other Recreational Uses, including, but not limited to:

1. Swimming Pools
2. Tennis Clubs

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			Other Amusement and Recreation Services excluding: 1. Carnivals 2. Circuses 3. Gasoline-Powered Recreational Vehicles (such as Go-Carts and Bumper-Boats) Restaurants, Licenced Restaurants, Unlicenced excluding Drive-In Restaurants Take-Out Food Services Accessory Buildings, Structures and Uses (b) MINIMUM FRONT YARD - 9.0 metres 2. The maximum LOT COVERAGE on those lands identified as H-PR1-FP/S-85 on the attached Schedule A shall be 25%. 3. Notwithstanding the definition of LOT LINE FRONT of SECTION 3, DEFINITIONS, the Front Lot Line on the lands identified as H-PR1-FP/S-85 on the attached Schedule A shall be deemed to be the south boundary of Parts 4 and 5 as shown on Plan 62R-13990.
S-85A	4451-98	Dundana East Dundana West	Notwithstanding the requirements of Section 8.2 and 9.2, Regulations for R1 and R2 Single Family Detached Dwellings, the following provisions for each lot shall be required: (i) Minimum lot frontages to be 21.3 metres (70 feet) for those properties municipally known as 24, 29, 30, 53 and 68 South Street. (ii) Notwithstanding Section 3.2.57 of the Zoning By-law, the lot frontage shall be measured at the street frontage of any new lot severed from 29 South Street.
S-86	4463-99	Spencer Creek	For the property known as 5, 7 and 9 Brock Street South: 1) Notwithstanding the exception to Section 11.3.1.1, the minimum lot area of 143 square metres (1,539 square feet). 2) Notwithstanding Section 11.3.2.2, the minimum lot frontage is 7.5 metres (24.6 feet). 3) Notwithstanding Section 11.3.2.1, the minimum front yard is 2.1 metres (7 feet). 4) Notwithstanding Section 11.3.2.3, the minimum rear yard is 4.5 metres (15 feet). 5) Notwithstanding Section 11.3.3, the maximum height is 11.3 metres (37 feet).

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			6) Notwithstanding Section 6.6.9, the minimum front yard for an unenclosed porch is 1.2 metres (4 feet).
S-87	4469-99	Creighton East	For the property known as 36 McMurray Street: a) Notwithstanding the limitation on the number of residents for the R2 District, a maximum number of 64 residents shall be permitted. b) Notwithstanding the rear yard setback of 7.5 metres, a minimum of 5.6 metres shall be required for the rear yard setback.
S-87A	4518-99	Pleasant View	Notwithstanding the requirements of Section 29A.2.1.1, the minimum lot area shall be 1.4 hectares and notwithstanding the requirements of Section 29A.2.1.2, the minimum lot frontage shall be 91 metres for the property known as 711 York Road.
S-88	4482-99	Sydenham	Notwithstanding the retirement home restriction to a maximum of 16 persons, a maximum of 24 persons are permitted at 12 Melville Street.
S-89	4561-00	Spencer Creek	Notwithstanding the parking requirement of Section 7.12.3.1, Off Street Parking and Loading for any industrial use, the parking standard shall be one space per 186 square metres for 47 Head Street. The western side yard for 47 Head Street shall be 1.5 metres notwithstanding Section 22.2.2.2.
S-90	4540-00	Highlands Hills East	1. Notwithstanding the requirements of Subsection 27.2 of Section 27; Public and Private Service Zone (PPS). The following provisions shall apply: (i) The maximum height for any future addition to the north of the existing Villa shall not exceed 123.3 metres above sea level as surveyed from a reference benchmark established by the Geodetic Survey of Canada; (ii) The maximum height for any future addition to the south of the existing Villa shall not exceed 120 metres above sea level as surveyed from a reference benchmark established by the Geodetic Survey of Canada; and, (iii) The minimum rear yard setback for any addition to the south of the existing Villa shall be 25 metres. 2. Notwithstanding the requirements of Subsection 7.3.4 and Subsection 7.4.1, the following provisions shall apply:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(i) A minimum setback of 15 metres shall be required from any adjoining residential zone boundary to any parking lot and access driveway accessible to or from Overfield Street. 3. No vehicular access driveway shall be permitted across lands known as 56 Governor's Road from Overfield Street to the residential apartments known as St. Joseph's Estates. 4. A Holding Symbol (H) pursuant to Section 36 of The Planning Act, R.S.O. 1990, c.P. 13 and Subsection 4.9 of By-Law No. 3581-86 is hereby applied to the PPS Zone category as it applies to 56 Governor's Road. Such Holding Symbol (H) shall continue to apply to the subject lands until removed by subsequent by-law amendment. Council shall remove the Holding Symbol (H) by by-law amendment upon all of the following requirements having been addressed to its satisfaction: (i) Approval by Council of a detailed grading and landscaping plan adjacent to the south boundary of 56 Govenor's Road extending from Overfield Street easterly to the east limit of Walnut Grove to be secured by a letter of credit; (ii) Receipt of a written undertaking in a form satisfactory to the municipal solicitor from the Sisters of St. Joseph of Hamilton to construct a new vehicular access to St. Joseph's Estates from Ogilvie Street to the satisfaction of the Director of Public Works and including a commitment that no direct vehicular access driveway will be permitted across 56 Governor's Road from Ogilvie Street to St. Joseph's Estates once the new access from Ogilvie is open; (iii) Receipt of a written undertaking in a form satisfactory to the municipal solicitor from the Sisters of St. Joseph of Hamilton to construct at their cost a sidewalk along the north limits of 56 Governor's Road adjacent to Governor's Road including receipt of a letter of credit and to the satisfaction of the Director of Public Works; and, (iv) Receipt of written approval from the Director of Public Works for the design of the southernmost parking lot and access driveway adjacent to Overfield Street.
S-91	4543-00	Central Business District	1. Notwithstanding Section 18.2.3 relating to maximum height limits for commercial buildings and Section 18.3.4 relating to maximum height limits for commercial – residential buildings, a maximum height of 10.5 metres

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			and 3 storeys is permitted unless deemed by Council to conform with the Urban Design Guidelines in the Official Plan and the King Street Urban Design Guidelines, if applicable, where a maximum height limit of 13.5 metres and 4 storeys shall be permitted. An "H" Holding Symbol is hereby added to the subject lands and will be removed by Council or by-law to allow an increase in height to a maximum of 13.4 metres and/or 4 storeys when the Urban Design Guidelines are met. 2. Notwithstanding Section 18.2.1.1 relating to front yard requirements for commercial buildings and Section 18.3.2.1, relating to front yard requirements for commercial – residential buildings, a front yard set back shall not be required. 3. All buildings existing on the date of this By-law that legally meet the maximum height requirements immediately prior to the passage of this By-law are permitted as legal conforming buildings with respect to height even if they do not meet provisions 1) and 2). 4. The minimum height at the façade of a building facing onto a public street is not permitted to be less than 6 metres in height including any parapet. 5. The minimum number of storeys at the façade of a building facing onto a public street is not permitted to be less than 2, both with floors above ground level. 6. The visibility triangles generally applied under Section 6.21 of By-law No. 3581-86 are not applicable.
S-92	4577-00 (OMB ORDER)	Turnbull	1. Notwithstanding the provisions of Subsection 10.3.3, the following height provision shall apply: 10.3.3 <u>HEIGHT</u> Maximum 8.3 metres
S-93	4577-00 (OMB ORDER)	Turnbull	1. Notwithstanding the provisions of Subsection 10.3.2, the following special provisions shall apply: 10.3.2 <u>YARD REQUIREMENTS</u> 10.3.2.1 <u>FRONT YARD</u> Minimum for dwelling unit 3.5 metres

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			10.3.2.3 REAR YARD Minimum: 6.25 metres, except that the rear yard for the semi-detached residences on Lot 6, Plan 62M-799 shall not be less than 5.97 metres taken from the rear walls to the boundary of the Town of Dundas 0.3 metre (1.0 ft) reserve.
S-94	4577-00	Turnbull	Notwithstanding the provisions of subsection 9.2.2, a minimum front yard setback of 3 metres shall be required to the dwelling's living area and a minimum front yard setback of 4.5 metres for an attached garage.
S-95	4577-00	Morden	1. Notwithstanding the provisions of Subsection 9.2.2, the following special requirements shall apply to the lands identified as S-95; (a) Lots 5, 6, 8, 9, and 10, Registered Plan 62M-863, and proposed lots 5, 6, 7, 16, 17, 19, 20, 21, 22, 23, 24, 25, and 26 as shown on preliminary plan of subdivision for Conservation Run, Phase 2, Stage 3B, prepared by L.G. Woods Surveying Inc., Index #99-937, dated February 9, 2000, shall have a minimum lot frontage of 12.2 metres; (b) Lots 4, and 7, Registered Plan 62M-863, and proposed lots 3, 4, 8, 11, 12, 15, 18 and 27 as shown on preliminary plan of subdivision for Conservation Run, Phase 2, Stage 3B, prepared by L.G. Woods Surveying Inc., Index #99-937, dated February 9, 2000, shall have a minimum frontage of 13.7 metres; (c) Except as otherwise provided below, Lots 1, 2, and 3, Registered Plan 62M-863 and Proposed Lots 1, 2, 9, 10, 13, 14, 28, and 29 as shown on preliminary plan of subdivision for Conservation Run, Phase 2, Stage 3B, prepared by L.G. Woods Surveying Inc., Index #99-937, dated February 9, 2000, shall be subject to the provisions of Section 9: SINGLE-DETACHED RESIDENTIAL ZONE (2); (d) Proposed Lots 1, 2, 13, and 14 as shown on preliminary plan of subdivision for Conservation Run, Phase 2, Stage 3B, prepared by L.G. Woods Surveying Inc., Index #99-937, dated February 9, 2000, shall have a minimum front yard setback of 4.0 metres for the dwelling's living area and a minimum front yard setback of 6.0 metres for an attached garage; (e) Proposed Lots 29 to 37 both inclusive as shown on preliminary registered plan for Conservation Run, Phase 2, Stage 3B, prepared by L.G. Woods Surveying Inc., Index #99-937, dated February 9, 2000, shall have a minimum front yard setback of 7.0 metres for an attached garage;

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(f) All lots on Registered Plan 62M-863 and proposed lots on preliminary plan of subdivision for Conservation Run, Phase 2, Stage 3B, prepared by L.G. Woods Surveying Inc., Index #99-937, dated February 9, 2000, are to be provided with a minimum of 6.0 metre wide driveways with the exception of proposed lots 29 to 37 both inclusive, which will have 5.0 metre wide driveways.
S-96	4577-00	Morden	Notwithstanding the provisions of Subsection 9.2.2.2, the minimum side yard requirement for the westerly side yard for the residence on Lot 7, Plan 62M-859 shall be 0.6 metres.
S-97	4577-00	Morden	Notwithstanding the provisions of Subsection 6.6.10 Unitary Equipment, for property known as 12 Newcombe Road a central air conditioning unit shall be permitted to be located in the side yard provided such unit is not closer than 0.4 metres from the side lot line.
S-98	4575-00	Dundas East	1. Notwithstanding Section 9.1, only a single detached dwelling and accessory buildings, structures and uses are permitted. 2. Notwithstanding Section 9.2.2.1, the minimum front yard shall be 7.5 metres. 3. Notwithstanding Section 9.2.2.2, the minimum side yards required are 1.2 metres and 3 metres with the 3 metres adjacent to the flankage road where applicable. 4. Notwithstanding Section 9.2.3, the maximum height shall be 7.5 metres. 5 The floor area of a single detached dwelling excluding garage and basement shall be no greater than 240 square metres with at least two thirds of the floor area on the ground. 6 The maximum lot coverage of a single detached dwelling and accessory buildings shall be no greater than 30%.
S-99	4580-00	Desjardins	Notwithstanding the Section 6.16, two dwellings are permitted on the lot at 136 Parkview Avenue, one being the principle dwelling and the other being a garden suite. The garden suite is limited to the conversion of an existing barn and a 10 year limitation from the date of passing of the Zoning By-law amendment under Section 39 of the Planning Act relating to temporary use provisions (November 6, 2000).
S-100	02-003	Colborne Sydenham	1. Notwithstanding the provisions of clauses 9.2.1.1 LOT AREA and 9.2.1.2 LOT FRONTAGE of subsection 9.2.1 AREA REQUIREMENTS and clauses 9.2.2.1 FRONT YARD, 9.2.2.2 SIDE YARD and 9.2.2.3 REAR YARD of subsection 9.2.2 YARD REQUIREMENTS, of Subsection 9.2 REGULATIONS FOR SINGLE-DETACHED DWELLINGS, the following special provisions shall apply to those lands shown as "R2/S-100":

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

(a) Lot Area

i) Every lot fronting onto Livingstone Drive shall have a minimum lot area of 378 sq.m.

ii) Every lot within Block "1" and "6" which does not front onto Livingstone Drive shall have a minimum lot area of 365 sq.m. excluding any land area below the top-bank as shown on the final plan of subdivision.

iii) Every lot within Blocks "2" and "5" shall have a minimum lot area of 450 sq.m. excluding any land area below the top-bank as shown on the final plan of subdivision.

iv) Every lot within Block "4" shall have a minimum lot area of 450 sq.m., except that a maximum of nine (9) lots may have a minimum lot area of 430 sq.m.

(b) Lot Frontage

i) A maximum of seventy-five (75) lots shall have a minimum lot frontage of 12.0 metres.

ii) A minimum of fifty (50) lots shall have a minimum lot frontage of 15.0 metres.

(c) Lot Depth

i) Every lot within Blocks "1" and "2" shall have a minimum lot depth of 30.0 metres as measured from the front lot line to the top-of-bank as determined by an Ontario Land Surveyor.

ii) Every lot within Block "6" shall have a minimum lot depth of 28.5 metres as measured from the front lot line to the top-of-bank as determined by an Ontario Land Surveyor.

(d) Front Yard

(i) For every lot fronting onto Livingstone Drive and every lot within Block "6", a minimum front yard of 4.5 metres shall be required for a dwelling, except any portion of a dwelling comprised of a garage shall provide a minimum front yard of 6.0 metres.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(e) Side Yard (i) Where the side yard abuts the flankage street of a corner lot, an unenclosed covered porch may encroach a maximum of 2.0 metres into a required side yard abutting the flankage street. (ii) Notwithstanding the provisions of Subsection 6.6 ENCROACHMENT INTO YARDS, a chimney and/or bay window with or without foundation may encroach a maximum of 0.6 metres into a required side yard. (f) No building or structure, except a fence shall be located less than 7.5 metres from the top-of-bank as determined by an Ontario Land Surveyor, for those lands shown as "R2/S-100". (g) Every dwelling shall provide a minimum setback of 30.0 metres from a railway right-of-way, for those lands shown as "R2/S-100". 3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R2" Zone provisions, subject to the special requirements referred to in Section 2.
S-101		Pleasant View	**LIGHT INDUSTRIAL – HOLDING ZONE "H-IL/S-101"**
	OMB Order #0442 dated March12, 2002 - Repealed S-55		Notwithstanding the provisions of Section 21: Light Industrial Zone (I.L.) the following Special Provisions shall apply to the lands municipally known as No. 1810 Highway No. 6, shown as "H- IL/S-101" on Schedule "K-1": (a) Notwithstanding Sub-section 21.1: Permitted Uses, only the following shall be permitted uses: (i) Light manufacturing uses requiring small amounts of water and limited truck access together with related administration and business offices, research and development facilities, scientific laboratory, warehouse, repair and ancillary sales. (ii) Fixed Mini-Storage Units

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

(iii) Manufacturing of candles subject to (e).

(b) Notwithstanding Sub-section 21.2 Regulations for Industrial Uses, the following Regulations shall apply:

(i) Minimum Lot Area: 0.8 ha.

(ii) Minimum Lot Frontage: 30.0 metres

(iii) Maximum Building Coverage: 20% (Additional 20% if utilized for fixed mini-storage units.)

(iv) Minimum Front Yard Setback: 30 metres

(v) Minimum Side Yard Setback: 3.0 metres (6.0 metres along the west and north side yards abutting the existing residential lots which front onto Old Guelph Road.)

(vi) Minimum Rear Yard Setback: 3.0 metres

(vii) Maximum Building Height: 11.0 metres

(viii) Landscape requirements: in accordance with Section 6.11

(ix) No outdoor storage is permitted

(c) For the purposes of interpreting subsection (b) above, the portion of the property fronting onto Old Guelph Road shall be deemed the front lot line.

(d) Access to Old Guelph Road by way of tractor-trailer/semi-trucks will not be permitted. Notwithstanding this provision, nothing will prevent access of vehicles which typically serve a residential neighbourhood on an infrequent basis such as moving vans.

(e) For a candle manufacturing use, no truck access is permitted onto Old Guelph Road.

(f) Full Site Plan Approval is required for any physical change to the site or for the establishment of

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			any uses other than the candle manufacturing operation which existed on the property at the time of the passage of this by-law. (OMB Order #0442, March 12, 2002)
S-102 NOTE:	02-173 Consult By-law No. 02-173 for Holding Provision Conditions	Colborne	a) Notwithstanding clause 12.4.2.1 FRONT YARD, of Subsection 12.4.2 YARD REQUIREMENTS, of Subsection 12.4 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS, of Section 12: LOW TO MEDIUM DENSITY MULTIPLE DWELLING ZONE a minimum front yard of 4.5 metres shall be required for a street townhouse dwelling, except any portion of a street townhouse dwelling comprised of a garage shall provide a minimum front yard of 6.0 metres; and, notwithstanding clause 12.4.2.2 SIDE YARD, of Subsection 12.4.2 YARD REQUIREMENTS, of Subsection 12.4 REGULATIONS FOR STREET TOWNHOUSE DWELLINGS, of Section 12: LOW TO MEDIUM DENSITY MULTIPLE DWELLING ZONE, the following side yards shall be required: (i) A minimum side yard of 4.5 metres shall be required for a street townhouse dwelling, with or without windows to a habitable room overlooking such yard, where the side yard abuts a public thoroughfare; and, (ii) A minimum westerly side yard of 3.0 metres shall be required for a street townhouse dwelling, with or without windows to a habitable room overlooking such yard, where the side yard abuts a minimum 3.0 metres buffer strip; and, b) A minimum 3.0 metres wide buffer strip, in addition to required yards, and a visual barrier not less than 1.2 metres in height and not more than 1.8 metres in height, shall be required adjacent to the entire westerly lot line of Blocks "1", "2" and "4" where it abuts an industrial zone or use; and, c) Notwithstanding the requirements of Section 12: LOW TO MEDIUM DENSITY MULTIPLE DWELLING ZONE, no building or structure, except a fence, shall be located in Block "4". No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RM-1" Zone provisions for Blocks "1", "2" and "4", subject to the special requirements referred to in Section 3 and the "OS" Zone provisions for Block "3".

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-103	03-333	Central Business District	MEDIUM DENSITY MULTIPLE DWELLING-FLOODPLAIN ZONE (RM2-FP/S-103) Permitted Uses Only an apartment building having a maximum of 6 units and buildings, structures or uses accessory to the apartment building shall be permitted. Regulations Notwithstanding the provisions of subsection 13.1 PERMITTED USES, and subclauses 13.2.1.1 LOT AREA, 13.2.1.2 LOT FRONTAGE, 13.2.2.2 SIDE YARD, 13.2.2.3 REAR YARD, of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS OF SECTION 13: MEDIUM DENSITY MULTIPLE DWELLING ZONE and subclause 7.13.1.1 of subsection 7.13, OFF-STREET LOADING SPACE REQUIREMENTS OF SECTION 7: OFF-STREET PARKING AND LOADING, the following provisions shall apply to the lands shown as "RM2-FP/S-103" on Schedule "A": 1. The minimum lot area shall be 1,372.5 square metres. 2. The minimum lot frontage shall be 12 metres. 3. The minimum exterior side yard shall be 3 metres. 4. The minimum rear yard shall be 3 metres. 5. A loading space shall not be required. 6. The minimum elevation for building openings shall be 82.6 metres geodetic. All other regulations of Section 13, Medium Density Multiple Residential (RM2) Zone, Section 6, General Provisions and Section 7, Parking and Loading of Zoning By-law 3581-86 (Dundas) shall continue to apply.
S-105	05-090	Colborne	**MEDIUM DENSITY MULTIPLE DWELLING H-RM2/S105** (i) Notwithstanding the provisions of SUBSECTION 13.1: PERMITTED USES of SECTION 13: MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM2), the following additional uses shall be permitted only within the building existing on April 13, 2005 on the lands shown as "RM2/S-105" on Schedule "B":

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

(a) Trade Contracting Industries and Service Industries Incidental to Construction;

(b) Postal Service Industries;

(c) Furniture Refinishing and Repair Shops;

(d) Appliance, Television, Radio and Stereo Shops;

(e) Medical and other Health Laboratories;

(f) Motion Picture, Audio and Video Production and Distribution;

(g) Laundries and Cleaners (excluding Self-service Laundries and/or Dry Cleaners);

(h) Accessory Uses (to a maximum of 25% of the gross floor area of the principle use); and

(i) *(Deleted).*

(ii) Notwithstanding Section 6.32 (ii), a Converted Dwelling is permitted and shall comply with the provisions of Section 6.32.

(a) Subsection 13.3.1.1, 13.3.1.3, 13.3.5, and 13.3.6;

(b) Only the floor area of the building as existing prior to November 10, 2004, shall be used in calculating the minimum floor area requirement for each dwelling unit to be converted.

(iii) Notwithstanding the provisions of subclauses 7.1.1, 7.2, 7.3.2 (i), (ii) (a) and (b), 7.3.4, 7.4.1, 7.6.3, 7.4.4, 7.10 and 7.12.3 of SECTION 7: OFF-STREET PARKING AND LOADING, the following special requirements shall apply only to the building existing on April 13, 2005 and only for the additional permitted uses on the lands shown as "RM2/S-105" on Schedule "B":

(a) Minimum number of Parking Spaces – 8, except as provided in 2 (ii)(a).

(b) That clauses 7.1.1, 7.2, 7.3.2 (i), (ii) (a) and (b), 7.3.4, 7.4.1, 7.4.4 and 7.6.3 shall not apply.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(c) That the following vehicles shall be permitted to park on the subject property: 1. A vehicle which is up to a maximum of 8 metres in length; 2. A vehicle which is equipped with dual rear wheels or tandem axles. (iv) Notwithstanding the provisions in subclauses 6.11.1 LANDSCAPING ALONG STREET LINES, and 6.11.2.2 WIDTH OF BUFFER STRIP of Subsection 6.11: LANDSCAPE REQUIREMENTS, the following special requirement shall apply only to the building existing on the date of the passing of By-law No. 05-090 (April 13, 2005) on the lands shown as "RM2/S-105": WIDTH OF BUFFER STRIP A 1.8 metre high solid privacy fence for the purposes of providing a visual screen shall be provided and maintained along the southerly property line, and a minimum 1 metre wide buffer strip including a 1.8 metre high solid privacy fence and planting material for the purposes of providing a visual screen shall be provided and maintained along the westerly property line. (v) All other regulations of Section 13: Medium Density Multiple Residential (RM2) Zone; Section 6: General Regulations; and Section 7: Off-Street Parking and Loading of Zoning By-law 3581-86 (Dundas) shall continue to apply. (vi) On those lands zoned "H-RM2/S-105" by By-law No. 05-090, the Holding "H" Symbol may be removed by City Council and thereby give effect to the "RM2/S-105" Zone provisions by enactment of an amending By-law upon: (a) the owner completing and submitting a noise study to the satisfaction of the Director of Development and Real Estate, and CN Rail; and, (b) the owner submitting a signed copy of a Record of Site Condition to the satisfaction of the Director of Development and Real Estate, including the acknowledgement of receipt of that Record of Site Condition by the Ministry of the Environment (vii) While zoned "H-RM2/S-105", no residential use shall be permitted on the subject lands. All other provisions of the "H-RM2/S-105" Zone shall apply.
S-105a	08-127	Colborne	MEDIUM DENSITY MULTIPLE DWELLING ZONE (H-RM2/S-105a) (i) As permitted under the temporary use provisions of Section 39 of the *Planning Act* (R.S.O. 1990) for a maximum two year period commencing on the day of the passing of this amending By-law, being the 28th day of May, 2008 and expiring on the 28th day of May, 2010, on the land shown as "H-RM2/S-105a" on Schedule "B" attached hereto, shall,

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(a) Notwithstanding the provisions of SUBSECTION 13.1: PERMITTED USES of SECTION 13: MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM2) and Section (i) of By-law No. 05-090, firefighting services use shall be permitted temporarily and only within the building existing on the date of the passing of this By-law. (b) Notwithstanding the provisions of Zoning By-law No. 3581-86 (Dundas), as amended, no provisions shall apply to this temporary use as identified in (i)(a).
S-106	05-360	Pleaseant Valley West	RESIDENTIAL ZONE (R2/S-106) Notwithstanding the provisions of SUBSECTION 6.1 6 ONE DWELLING PER LOT of SECTION 6: GENERAL REGULATIONS and of SUBSECTION 9.1 : PERMITTED USES, and SUBSECTION 9.2: REGULATIONS FOR RESIDENTIAL ZONE (R2) the following uses and regulations shall apply on the lands shown as "R2/S-106" on Schedule "K: (a) PERMITTED USES (i) Single-Detached Dwelling Units (ii) Accessory Uses to the uses identified above. (b) REGULATIONS FOR ALL SINGLE-DETACHED DWELLING UNITS (i) Minimum Lot Area - 1.2 hectares. (ii) Minimum Lot Frontage - 18.0 metres. (iii) Minimum Front Yard - 6.0 metres. (iv) Minimum Side Yard and Rear Yard - 7.5 metres. (v) Maximum Building Height - 10.5 metres, maximum 2 storeys (vi) Minimum Landscaped Area - 50%. (vii) Maximum Floor Area of a Second Floor - 60% of the Floor Area of the ground floor, including the garage. (viii) Off-Street Parking - minimum 4.0 parking spaces per dwelling unit which may be arranged in tandem and 2 spaces of which may be included in a garage.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(c) Subsection 9.5: REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES shall continue to apply.
S-108	05-333	Turnbull	PUBLIC AND PRIVATE SERVICE ZONE (PPS/S-108-H) Notwithstanding the provisions of Subsection 27.1 PERMITTED USES, of SECTION 27, the following additional use shall be permitted on the lands shown as "PPS/S-108-H" on Schedule "N". (a) Permitted Uses (i) A parking area for Dundas Highland High School and Couldrey Park (b) The 'H' symbol applicable to the lands described in Section 1 of this By-law, shall be removed conditional upon: (i) An archaeological assessment being granted final approval by the Ministry of Culture; (ii) Completion of a final Traffic Impact Study which shall include a functional plan of Governor's Road for the westbound left turn lane, to the satisfaction of the Director of Operations and Maintenance, Public Works Department; and, (iii) Completion of an Environmental Assessment, if the final Traffic Impact Study requires a continuous westbound turn lane from the signalized Governor's Road/Bridlewood Drive intersection to the proposed entrance from Governor's Road; to the satisfaction of the Director of Capital Planning and Implementation, Public Works Department. (c) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands described in Section 1 may at such time proceed in accordance with the "PPS/S-108" (Public and Private Service) Zone provisions.
S-109	08-229	York Road	OPEN SPACE – CONSERVATION ZONE (OS/S-109) (a) Notwithstanding the provisions of SUBSECTION 25.1 : PERMITTED USES of SECTION 25: OPEN SPACE - CONSERVATION ZONE (OS) the existing single detached dwelling shall also be permitted.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-110	08-249	York Heights	MEDIUM DENSITY MULTIPLE DWELLING – FLOOD PLAIN ZONE (RM1-FP/S-110) That Notwithstanding the provisions of Section 12: Low to Medium Density Multiple Dwelling - Flood Plain Zone (RMIFP) the following Special Provisions shall apply to the lands known Municipally as No. 17 Park Street East, shown as "RM1-FP/S-110" on Schedule "P". (a) Notwithstanding Sub-section 12.1, Permitted Uses, only the following uses shall be permitted: (i) Single-detached Residential Dwellings (b) Notwithstanding Section 3.2.47, Definition for a LOT, frontage onto a private condominium road shall be permitted and considered a public thoroughfare. (c) Notwithstanding Sections 12.2, 12.3, 12.4 and 12.5, Regulations for RMI - Low to Medium Density Multiple Dwellings, only the following special regulations shall apply for single-detached residential dwellings: (i) Minimum Lot Area of 450.0 square metres. (ii) Minimum Lot Frontage shall be 7.5m for each unit fronting onto a private condominium road. (iii) Minimum Lot Frontage fronting onto Park Street East shall be 14.0m. (iv) Minimum Front Yard for each unit shall be 5.0m and that this be measured from the private condominium road. (v) At least one side yard having a width not less than 1.2m. (vi) No eaves, gutters or footings for a single family dwelling may encroach onto the abutting lot except in accordance with, a) an encroachment agreement between the owners of the abutting land; and b) a maintenance easement entered into between the parties, registered on the title of each of the abutting lots. (vii) The Maximum Lot Coverage shall be 30% for each unit. (viii) Minimum Front Yard landscaping shall not apply for each unit.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(ix) Maximum height of 10.5 metres. (d) Notwithstanding Section 7.1 2.1, Parking Space Requirements shall be provided for each unit in accordance with the Single-detached Dwellings provision. (e) A minimum 3.0m wide buffer strip shall be provided and maintained along the side lot lines abutting 15 and 23 Park Street East and a minimum 1.4m wide buffer strip, which can include a curb and/or retaining wall, shall be provided and maintained along the westerly lot line, and all shall comply with the definition detailed in Section 6.1 1.2.3. (f) A minimum 2.0m high visual barrier shall be shall be provided and maintained along the southerly lot line. (g) Notwithstanding Section 6.6.1 0, 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 or a required flankage yard, provided equipment shall have a minimum setback of 3.0m from the private road, a minimum setback of 0.6m from a side lot line and is screened from the road by an enclosure or landscaping; and, (ii) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6m from the side lot line or rear lot line.
S-111	09-044	Pleasant View	RURAL ZONE (RU/S-111) That Notwithstanding the provisions of the Rural Zone (RU), the following Special Provisions shall apply to the lands known municipally as No. 675 York Road, shown as "RU/S-111" on Schedule "K-1". 1. PERMITTED USES: Non Farm Residential Dwelling Accessory Structures and/or buildings 2. REGULATIONS FOR EXISTING AND APPROVED NEW DETACHED DWELLINGS

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

2.1 LOT AREA

Minimum 0.8 hectares with municipal water supply. The required lot area may be larger than 0.8hectares where deemed necessary by the agency having jurisdiction for the approval of on-site private sewage disposal systems pursuant to the provisions of the Environmental Protection Act, Chapter E.19, R.S.O. 1990, as amended from time to time or pursuant to any successor legislation.

2.2 LOT FRONTAGE

Minimum 18.0 metres.

2.3 YARD REQUIREMENTS

2.3.1 FRONT YARD

Minimum 35.0 metres from York Road.

2.3.2 SIDE YARD

Minimum 1.5 metres, except

(i) 20.0 metres where the side yard abuts the flankage street (Old Guelph Road) of a corner lot.

(ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage.

(iii) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

2.3.4 REAR YARD

Minimum 7.5 metres.

2.3.5 HEIGHT

Maximum 2 storeys and shall not exceed 9.7 metres.

2.3.5 LOT COVERAGE

Maximum 325 square metres for all buildings.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			2.4 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURS 2.4.1 LOCATION Rear yard or a non-required side yard. 2.4.2 SETBACK FROM SIDE LOT LINE Minimum 1.0 metre, except 20.0 metres from the flankage street (Old Guelph Road) of a corner lot. 2.4.3 SETBACK FROM REAR LOT LINE Minimum 1.0 metres. 2.4.4 HEIGHT Maximum 4.0 metres. 2.4.5 LOT COVERAGE As specified in Subsection 2.3.5 above. 2.5 OFF STREET PARKING As specified in Section 7.
S-112	08-252	Spencer Creek	MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM1/S-112) That notwithstanding the provisions of Paragraphs 12.4.1.1, and 12.4.2.1 -1 2.4.2.3 of Subsection 12.4 "Regulations for Street Townhouse Dwellings" of Section 12: Low to Medium Density Multiple Dwelling Zone "RM1" Zone, and the provisions of Paragraphs 6.6.8 and 6.6.9 of Subsection 6.6 "Encroachment Into Yards" of Section 6: General Regulations, the following special provisions shall apply only to the townhouse dwelling units existing on the date of the passing of this By-law, being the 29th day of October, 2008: (a) Minimum Lot Area – 158 square metres (b) Minimum Front Yard Setback – 0.6 metres

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(c) Side Yard Setbacks: i) Minimum Side Yard Setback – 0 metres for a Habitable Room with a Window ii) Minimum Exterior Side Yard – 0 metres Setback iii) Minimum Interior Side Yard – 0.5 metres Setback (d) Minimum Rear Yard Setback – 6 metres (e) Minimum Setback from the Nearest Street Line – 1.4 metres (f) An unenclosed porch is permitted 0.0 metres from the front lot line and 0.2 metres from an exterior side lot line. (g) All other provisions of Section 12: Low to Medium Density Multiple Dwelling Zone, and Section 6: General Regulations shall apply.
S-113	08-252	Spencer Creek	MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM1/S-113) That notwithstanding the provisions of Paragraphs 12.4.2.1 and 12.4.2.2, of Subsection 12.4 "Regulations for Street Townhouse Dwellings" of Section 12: Low to Medium Density Multiple Dwelling Zone "RM1" Zone, the provisions of Paragraphs 6.6.9 of Subsection 6.6 "Encroachment Into Yards" of Section 6: General Regulations, and the provisions of Paragraph 7.1.1 of Subsection 7.1 "Location", and the provisions of Paragraph 7.12.1.4 of Subsection 7.12 "Off-Street Parking Space Requirements" of Section 7: Off Street Parking and Loading, the following special provisions shall apply only to the townhouse dwelling unit existing on the date of the passing of this By-law being the 29th day of October, 2008: (a) Minimum Front Yard Setback – 0.6 metres (b) Minimum Side Yard Setback for a Habitable Room with a Window – 3.4 metres (c) Minimum Front Yard Setback for an Unenclosed Porch – 0.09 metres (d) Off-street Parking – N/A (e) All other provisions of Section 12: Low to Medium Density Multiple Dwelling Zone, Section 6: General Regulations, and Section 7: Off Street Parking and Loading shall apply.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
S-114	08-252	Spencer Creek	SINGLE DETACHED DWELLING ZONE (R2/S-114) That notwithstanding the provisions of Paragraphs 9.2.1 .I, 9.2.1.2, 9.2.2.2, and 9.2.2.3 of Subsection 9.2 "Regulations for Single Detached Dwelling" of Section 9: Single-Detached Residential "R2" Zone, and the provisions of Paragraph 7.1 .I, of Subsection 7.1 "Location" of Section 7: Off Street Parking and Loading, the following special provisions shall apply: (a) Minimum Lot Area – 190 square metres (b) Minimum Lot Frontage – 7.6 metres (c) i) Minimum Southerly Side Yard – 0.9 metres ii) Minimum Northerly Side Yard – 1.0 metres iii) Sections 9.2.2.2 and 9.2.2.2 iv) shall not apply. (d) One required parking space is permitted within the front yard. (e) All other provisions of Section 12: Low to Medium Density Multiple Dwelling Zone, Section 6: General Regulations, and Section 7: Off Street Parking and Loading shall apply.
S-116	09-063	Central Business District	LOW DENSITY RESIDENTIAL ZONE (R4/S-116) That notwithstanding the provisions of Section 11: Low Density Residential Zone (R4), Sections 6.11.1 Landscaping Along Street Lines, 6.11.2 Buffer Strip and 7.12 Off-Street Parking Space Requirements, the following Special Provisions shall apply to the lands known municipally as 16 Sydenham Street, shown as R4/S-116 on Schedule "A". 1. PERMITTED USES: A licensed restaurant and an accessory dwelling unit shall also be permitted only within the building existing on the date of the passing of this by-law, being the 1st day of April, 2009, An outdoor patio having a maximum seating capacity of 30 persons shall also be permitted ancillary to a licensed restaurant. 2. REGULATIONS FOR A LICENSED RESTAURANT AND ONE ACCESSORY DWELLING UNIT

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			2.1 OFF-STREET PARKING No off-street parking shall be required or provided and maintained on the subject lands for a licensed restaurant, or an accessory dwelling unit. 2.2 BUFFERING Minimum: 2.0m wide shall be provided and maintained where abutting a residential zone. 2.3 LANDSCAPING ALONG STREET LINES Minimum: 2.0m wide shall be provided and maintained. 3. REGULATIONS FOR OUTDOOR PATIO 3.1 LOCATION Shall be located only in the southerly side yard. 3.2 USE That portion of a lot on which the outdoor patio is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.
S-117	12-010 (OMB)	Highland Hills East	HIGH DENSITY MULTIPLE DWELLING ZONE (H-RM4/S-117) Notwithstanding the provisions of Section 15: High Density Multiple Dwelling Zone (RM4) the following Special Provisions shall apply to Block 1 on lands known Municipally as No. 56 Governor's Road, shown as "H-RM4/S-117" on Schedule "G" (a) Notwithstanding Sub-Section 15.1, Permitted Uses, the following use shall also be permitted: 15.1 PERMITTED USES 15.1.3 A mixed-use building consisting of office uses and those uses permitted in the Neighbourhood Commercial "C.N." Zone on the first and second floor only. The maximum size of any one Neighbourhood Commercial store shall not exceed 465m^2. (b) Notwithstanding Section 15.2.2, 15.2.3, 15.2.4, Regulations for Apartment Buildings, the following special regulations shall apply for all uses: 15.2.2 Yard Requirements

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

15.2.2.1 Front Yard – Minimum 0.0 metres

15.2.2.2 Side Yard (Ogilvie Street) – Minimum 0.0 metres

Side Yard (Westerly) – Minimum 5.0 metres

15.2.3 Height – Maximum 32m or 10 storeys (whichever is the greater)

15.2.4 Density – Maximum 88 Dwelling Units and 3,500 square metres of retail and office uses.

(c) Section 6.16 shall not apply.

(d) Notwithstanding Section 6.21, the following shall be permitted:

6.21 VISIBILITY TRIANGLE

A structure or building will be permitted to encroach into the "Visibility Triangle".

(e) Notwithstanding Section 6.11.3, the following shall apply:

6.11.3 LANDSCAPING IN RESIDENTIAL FRONT YARDS

No minimum front yard landscaping shall be required.

(f) Notwithstanding Section 7.3 Access, the following shall apply:

7.3.4 Where a non-residential use is adjacent to a residential zone, every access driveway to or from the non-residential use shall be permitted to be located adjacent to the common boundary with the residential zone.

(g) A Holding Symbol (H) pursuant to Section 36 of *The Planning Act*, R.S.O 1990, c.P. 13, and Subsection 4.9 of By-law No. 3581-86 is hereby applied to the RM4-117 Zone category as it applies to 56 Governor's Road. Such Holding Symbol (H) shall continue to apply to the subject lands until removed by subsequent By-law amendment. Council shall remove all of the following requirements having been addressed, to it's satisfaction:

(i) That the Class C EA for the widening of Governor's Road from Creighton to Osler, as identified in the Hamilton Transportation Master Plan, or other required works, as identified in the Dundas Transportation Master Plan, has been completed and implemented, to the

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			satisfaction of the Manager of Traffic Engineering and Operations; or that altematively, submission of a Traffic Impact Study, demonstrating that sufficient road and, intersection capacity is available to support additional development on the lands of the applicant. (ii) A Stage 3 and Stage 4 archaeological assessment be undertaken on the sites identified as H1 and H2 in the Stage 1 and Stage 2 Archaeological Assessment report, dated September 2008, to the satisfaction of the Ontario Ministry of Culture and the Director of Planning. (iii) That site plan approval be obtained wherein the detailed design of the Front Yard and Exterior Side Yard (Ogilvie Street) interface between the Street Line and the building are reviewed given the grades in the area and addressed to the satisfaction of the Director of Planning.
S-119	10-124	Central Business District	CENTRAL AREA COMMERCIAL ZONE (C.A.C/S-119) That notwithstanding the provisions of Section 18: Central Area Commercial, Section 6.11.2: Buffer Strip, Section 7: Off-Street Parking and Loading, and Section 3.2.56: Front Lot Line, the following Special Provisions shall apply to the lands known municipally as 104 King Street West, shown as C.A.C./S-119 on Schedule "A". 1. PERMITTED USES: Only the following uses shall be permitted and only within the building existing on the date of the passing of this bylaw, being the 26th day of May, 2010: Courier Service Industry (SIC 4842) Food Stores (SIC 601) Liquor, Wine and Beer Stores (SIC 602) Shoe, Apparel, Fabric and Yarn Industries, Retail (SIC 61) General Merchandise Stores (SIC 641) Book and Stationery Stores (SIC 651) Florist Shops (SIC 6521) Jewellery Stores and Watch and Jewellery Repair Shops (SIC 656) Toy, Hobby, Novelty, and Souvenir Stores (SIC 658) Other Retail Stores excluding (659) 1. Monument and Tombstone Dealers; and, 2. Mobile Home Dealers Deposit Accepting Intermediary Industries (SIC 70)

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION	
			Consumer and Business Financing Intermediary Industries	(SIC 71)
			Investment Intermediary Industries	(SIC 72)
			Insurance Industries	(SIC 73)
			Other Financial Intermediary Industries	(SIC 74)
			Insurance and Real Estate Agent Industries	(SIC 76)
			Accounting and Bookkeeping Services	(SIC 773)
			Advertising Services	(SIC 774)
			Architectural Engineering and Other Scientific and Technical Services	(SIC 775)
			Offices of Lawyers and Notaries	(SIC 776)
			Management Consulting Services	(SIC 777)
			Other Business Services	(SIC 779)
			Restaurants, Licenced	(SIC 9211)
			Restaurants, Unlicenced (Excluding Drive-ins)	(SIC 9212)
			Other Sports and Recreation Clubs, limited to Health Clubs (excluding health spas and reducing salons)	(SIC 9659)
			Dance Halls, Studios and Schools	(SIC 9693)
			Barber and Beauty Shops	(SIC 971)
			Business Associations	(SIC 982)
			Professional Membership Associations	(SIC 983)
			Labour Organizations	(SIC 984)
			Political Organizations	(SIC 985)
			Civic and Fraternal Organizations	(SIC 986)
			Photographers	(SIC 993)
			Travel Services	(SIC 996)
			Other Services (excluding Humane Societies Taxidermy, and Trade Fairs)	(SIC 9999)
			Accessory Buildings, Structures and Uses.	

2. REGULATIONS FOR PERMITTED USES

2.1 Off-Street Parking and Loading

A minimum of five (5) Parking Spaces and one (1) Loading Space shall be provided and maintained on the subject lands.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

2.1.1 Location

Parking and Loading Spaces shall be provided and maintained only in the easterly side yard and shall be permitted to be 0.0m from a public thoroughfare.

2.1.2 Dimensions for the Design of Parking Areas

Each required parking space shall be not less than 2.6 metres in width and 5.5 metres in length.

2.1.3 Maneuvering Space

Maneuvering space for off-street parking and loading spaces may be provided off-site.

2.2 Front Lot Line

The front lot line shall be the property line which abuts King Street West.

2. Built Heritage Structure and Features

2.6.1 Building Envelope

The external appearance of the east, west, north, and south building facades, including building materials, stone sills and lintels, brickwork, existing door and window openings, and the height and form of all roofs, dormers, and roofing materials shall be retained in their appearance and condition as of the date of the passing of this by-law, being the 26th day of May, 2010.

2.6.2 Windows and Doors

Notwithstanding the provisions of 2.6.1, the installation of new windows and doors into existing and unaltered window and door openings shall be permitted if required by the Ontario Building Code.

2.6.3 Mechanical Equipment

Notwithstanding the provisions of 2.6.1, the installation of required mechanical equipment in the flat roof area at the rear of the existing heritage structure shall be permitted if required by the Ontario Building Code.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			2.6.4 Ontario Heritage Act Notwithstanding the above, should the lands be designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with Section 2.6.
S-120	10-175	Colborne	HIGH DENSITY MULTIPLE DWELLING ZONE (RM3/S-120-H) Notwithstanding the provisions of Section 14: Medium to High Density Multiple Dwelling "RM3" ZONE, the following special provisions shall apply on the lands zoned "H-RM3/S-120" on Schedule "B" (Colborne): 14.4 Permitted Uses: Notwithstanding Section 14.1: Permitted Uses, only a Multiple Dwelling having a maximum 45 units within the building existing on the date of the passing of this by-law, being the 8th day of July, 2010, shall be permitted. 14.4.1 Definitions: Notwithstanding Section 3.2.54: Lot Line, Front, and Section 3.2.55: Lot Line, Rear: King Street West shall be deemed the front lot line, and any lot line abutting the rail corridor, save and except for the 44.96m lot line to the west, shall be deemed a rear lot line. Notwithstanding Section 3.2.97: Visual Barrier, a visual barrier shall include a continuous planting of suitable trees or shrubs, together with a reserved width of planting area appropriate for healthy plant growth. 14.4.2 Fences: Notwithstanding Section 6.8: Fences, any fence, free standing walls or similar structures shall be a maximum of 1.9 metres in heights, save and except for a Crash Wall as required by the Canadian National Railway Company. 14.4.3 Access: Notwithstanding Section 7.3.3: Access, any vehicular access shall be permitted within 2.0m of any zone boundary, and shall include a visual barrier of not less than 1.2 metres nor greater than 1.8 metres in height for any access proposed from Park Street West.

			14.4.4 Loading Spaces: Notwithstanding Section 7.6: Loading Spaces, no loading space shall be required

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

14.4.5 Dimensions for the Design of Parking Areas:

Notwithstanding Section 7.14: Dimensions for the Design of Parking Areas, no Parking Space shall be less than 2.6 metres in width by 5.5 metres in length, save and except for a Barrier Free parking space which shall be a minimum of 4.4 metres in width by 5.5 metres in length.

14.4.6 Buffer Strip:

Notwithstanding Section 14.2.7: Landscaping Requirements, a buffer strip of not less than 3.0m in width, which shall permit the inclusion of a ground floor patio and shall also include a 0.9m high privacy fence, shall be provided and maintained along the east property line from the limit of King Street West for a distance of 16.8m, and a 1.83m high fence shall be provided and maintained along the remainder of the east property line extending to Park Street West.

A buffer strip of not less than 2.0m in width shall be provided and maintained along the north and east side of the proposed vehicular access from Park Street West, and shall include a visual barrier, as defined above under Subsection 14.4.1.

14.4.7 Built Heritage Structure and Features:

14.4.7.1 Building Facades and Features:

The entire south (front) façade, the east façade extending a minimum of 6.7 metres from the front façade, and the west façade extending a minimum of 18.7 metres from the front façade shall be retained in its appearance and condition as of the date of the passing of this by-law, being the 8th day of July, 2010, save and except for two ground floor patio access doors on the west façade and one ground floor patio access door on the east façade.

14.4.7.2 Building Height:

The height of the existing flat roof, to a depth of at least 18.7 metres measured from the front façade, shall be retained with the exception of the addition of any required mechanical equipment, elevator

penthouse, or skylight windows, as of the date of the passing of this by-law, being the 8th day of July, 2010.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

14.4.7.3 Windows:

With the exception of the transoms and the leaded windows over the two main entrances on the south elevation, the replacement of windows shall be permitted.

14.4.7.4 Front and Side Yards:

No buildings or structures shall be permitted in the front yard or side yards as of the date of the passing of this by-law, being the 8th day of July, 2010.

14.4.7.5 Ontario Heritage Act:

Notwithstanding the above, should the lands be designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit, shall be deemed to comply with Section 14.4 of this By-law.

The 'H' symbol may be removed at such time as the following have been satisfied:

a. The owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton's current RSC administration fee.

b. The owner/applicant has submitted and received clearance of a Natural Heritage Assessment (Spring Inventory) regarding the proposed Storm Water Management Option, for the areas identified by and to the satisfaction of the Hamilton Conservation Authority.

S-121	11-308	Central Business District	PUBLIC OR PRIVATE SERVICE ZONE (PPS/S-121)

That notwithstanding the provisions of Section 27: Public and Private Service Zone (PPS), the following Special Provisions shall apply to the lands known municipally as 133 and 139 Park Street West, shown as PPS/S-121 on Schedule "A".

1. PERMITTED USES:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

Only the following uses shall be permitted, and only within the buildings existing on the date of the passing of this By-law, being the 14th day of December, 2011, and additions thereto:

Library Services	(SIC 854)
Museums and Archives	(SIC 855)
Accessory Buildings, Structures, and Uses	(SIC N/A)

2. REGULATIONS FOR PERMITTED USES:

The following regulations shall apply to additions to buildings existing on the date of the passing of this By-law, being the 14th day of December, 2011:

Side Yard (Minimum)	4.5 metres
Rear Yard (Minimum)	7.5 metres

3. All other regulations of Section 27 shall apply.

S-123 | 13-212 13-300 (OMB) 15-208 | Colborne

MEDIUM DENSITY MULTIPLE DWELLING - (RM1-'H'/S-123)

That Notwithstanding the provisions of Section 14: Medium to High Density Multiple Dwelling Zone 11 (RM3), the following Special Provisions shall apply to lands known Municipally as No. 24 Brock Street North, shown as "RM3/ "S-123" on Schedule "A".

(a) For the purpose, of this By-law, the following shall apply:

(i) The setbacks which apply to the apartment building shall also apply to the underground parking area.

(ii) Notwithstanding Sections 3.2.34 (Grade) and 3.2.38 (Height) within By-law No. 3581-86 (Dundas), for the purpose of this by-law the following shall apply:

Building Height shall be determined by the mean elevation of all the existing ground adjoining the building or structure and within 4.5 metres of it.

(b) Notwithstanding Section 14.2 Regulations for Apartment Buildings, the following special regulations shall apply:

14.2 REGULATIONS FOR APARTMENT BUILDINGS

14.2.2.1 FRONT YARD

Minimum: 1.6 metres

14.2.2.2 SIDE YARD (southerly)

Minimum: 5.1m

Notwithstanding Section 14.2.2.2, the setbacks from the northerly side yard shall not apply.

14.2.2.3 REAR YARD (westerly, being 25.61 metres in length).

Minimum: 3.9 metres.

REAR YARD (westerly, being 32.34 metres in length).

Minimum: 5.3 metres.

14.2.3 HEIGHT

Maximum: 11.4 metres (excluding a mechanical penthouse, which shall be a maximum of 2.7m in height and maximum 30sq.m in area).

14.2.4 DENSITY

Maximum: 48 units.

14.2.7 LANDSCAPED AREA

Minimum: 30% of the site area which may include outdoor terraces used for amenity areas and green roof areas.

(c) Notwithstanding Section 6.6 Encroachment into Yards, the following shall apply:

6.6.1 BALCONIES

No projections shall be permitted into the northerly side yard located adjacent to the "P5" Zone.

(d) Notwithstanding Section 7.6, Loading Spaces, 7.13 Off-Street Parking and Section 7.14 Dimensions for the Design of Parking Areas, the following shall apply:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

7.6 LOADING SPACES

7.6.3 A loading space may be located a minimum distance of 5.5 metres from a public thoroughfare.

7.12 OFF-STREET PARKING SPACE REQUIREMENTS

7.12.1.5	Apartment Buildings	1.5 spaces per dwelling unit, of which 0.25 spaces per dwelling unit shall be provided for Visitor Parking.

7.13 OFF-STREET LOADING REQUIREMENTS

7.13.1 RESIDENTIAL USES

Minimum Width: 3.7m
Minimum Length: 9.0m
Minimum Height: 4.0m

7.14 DIMENSIONS FOR THE DESIGN OF PARKING AREAS

7.14.1 MINIMUM DIMENSIONS

Angle: 90 degrees
Width: 2.6m
Length: 5.5m

That an (H) Holding Symbol, pursuant to Section 36 of The Plannin.q Act, R.S.O. 1990, c.P. 13 and Sub-section 4.9 of By-law No. 3581-86, is hereby applied to the RM3/S-123 Zone category as it applies to 24 Brock Street. Such Holding Symbol (H) shall continue to apply to the subject lands until removed by subsequent By-law Amendment. Council shall remove the (H) Holding Symbol by By-law Amendment upon the following requirement having been addressed:

(i) A Construction Management Plan has been approved, to the satisfaction of the Manager of Development Planning, in consultation with the Hamilton Conservation Authority.

(ii) The Senior Director of Growth Management confirms that he is satisfied there is sufficient and adequate water service and water pressure available, including sufficient and adequate water

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			service and pressure for firefighting purposes, for any development at 24 Brock Street North, permitted by By-law 3581-86, as amended.
S-125	13-207 15-151	Central Business District	CENTRAL AREA COMMERCIAL (C.A.C./S-125) That notwithstanding the provisions of Section 18 Central Area Commercial Zone (C.A.C.) and the provisions of Section 7 Off-Street Parking and Loading, the following Special Provisions shall apply to the lands known municipally as 65 Hatt Street, shown as C.A.C./S-125 on Schedule "A". 1. PERMITTED USES: The following additional use shall be permitted, and only within the building existing on the date of the passing of this By-law, being the 16th day of August, 2013: Craft Brewery (SIC 1131) For the purposes of this By-law, a Craft Brewery shall be defined as: a facility at which malt beverages fermented on the premises are packaged and sold for distribution, retail, or wholesale. The facility may include retail sales, tours, and a hospitality and tasting area, but shall not include a restaurant, tavern, bar, night club, or take-out food service. 2. YARD REQUIREMENTS The building existing at the date of passing of this By-law, being the 16th day of August, 2013, shall be deemed to comply with the provisions of the Zoning By-law. 3. GROSS FLOOR AREA The maximum gross floor area devoted to the retail and tasting component of the Craft Brewery shall not exceed 450 sq. m. 4. OFF-STREET PARKING AND LOADING: No off-street parking or loading is required for the use identified in Clause 1 above.
	15-151		That the 'H' symbol may be removed at such time as the following has been satisfied:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			(i) That the applicant/owner applies for and is issued an Environmental Compliance Approval (ECA) - Air from the Ministry of Environment (MOE) to address and mitigate any potential odour and noise emissions from the proposed Craft Brewery, to the satisfaction of the City of Hamilton, Director of Planning.
S-126	13-261	Central Business District	CENTRAL AREA COMMERCIAL ZONE (CAC/S-126) That notwithstanding the provisions Of Section 18: Central Area Commercial (CAC) Zone, the following Special Provisions shall apply to lands known municipally as 16 and 22 King Street East, shown as "CAC/S-126" on Schedule "A". (i) Notwithstanding Section 18.1 Permitted Uses, Commercial uses shall be required along the King Street frontage. (ii) Notwithstanding Section 18.3.2 Regulations for Residential-Commercial Buildings, the following special regulations shall apply: 18.3.2 <u>YARD REQUIREMENTS</u> 18.3.2.1 FRONT YARD (i) 0.0m. (ii) 3.9m for the front principal wall of the building 16.5m and above in height. (iii) 6.5m for the front principle wall of the building 19.0m and above in height. 18.3.2.2 SIDE YARD Minimum: 0.16m. 18.3.2.3 REAR YARD Minimum: 1.08m.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

18.3.3 GROSS FLOOR AREA

The total gross floor area of all buildings on a site shall not exceed 7,623 sq. m., provided that a minimum of 6.0 percent of the gross floor area shall be used for commercial purposes.

18.3.4 HEIGHT

Maximum: 25 metres (excluding an elevator bulkhead, which shall be a maximum of 2.5 metres in height).

18.3.5 LOT COVERAGE

Maximum: 97 percent.

18.3.6 FLOOR AREA

The minimum floor area per dwelling unit shall be as follows:

(i) Studio dwelling units:

36 sq. m.

(ii) One-bedroom dwelling units:

46 sq. m.

18.3.8 LANDSCAPED AREA

(i) Minimum: 3.0 percent.

18.3.7 OFF-STREET PARKING

The provisions of Clause 18.2.4 shall apply, and no less than the number of parking spaces shall be provided in a lot:

(i) 0.3 parking space shall be provided per unit for units 60 sq. m. or less;

(ii) 1 parking space shall be provided per unit for units more than 60 sq. m.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

18.2.4.2 LOCATION

No parking space or part thereof shall be located, and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of not less than:

(a) (i) O.Om from the front lot line.

(ii) 0.16m from the westerly side lot line.

(iii) 1.08m from the rear lot line.

(iv) 0.19m from the easterly side lot line.

(b) 3.0m from any public thoroughfare for only parking located at-grade.

(iii) Notwithstanding Section 7.0 Regulations for Off-street Parking and Loading, the following special provisions shall apply:

7.14 DIMENSIONS FOR THE DESIGN OF PARKING AREAS

(i) No Parking Space shall be less than 2.6m in width by 5.5m in length, save and except for a Barrier Free Parking Space which shall be a minimum of 4.4m in width by 5.5m in length.

(iv) A minimum of 50 percent of the area of the ground floor facade along the King Street West lot line shall be composed of windows and doors.

S-127 | 14-029 14-306 (OMB) | Spencer Creek

HOLDING – MEDIUM TO HIGH DENSITY MULTIPLE DWELLING ZONE (H-RM3/S-127)

That notwithstanding the provisions of Section 14: Medium to High Density Multiple Dwelling Zone, the following Special Provisions shall apply to lands known municipally as 336 and 338 King Street West, shown as "RM3/S-127" on Schedule "A".

(i) Notwithstanding Section 14.1 Permitted Uses, the following special regulation shall apply:

14.1.1 A MIXED-USE 4 STOREY APARTMENT BUILDING with two commercial units, located on the ground floor having a combined maximum floor area of 199 square metres along the King Street lot line. The commercial uses shall be limited to uses listed under Retail Trade Industries excluding any automotive and motor vehicle uses, restaurant use.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

14.1.2 Uses listed under Health and Social Service Industries shall be prohibited, including medical clinics and Child Care Centres.

(ii) Notwithstanding Section 14.2 Regulations for Apartment Buildings, the following special requirements shall apply:

14.2 REGULATIONS FOR APARTMENT BUILDINGS

14.2.1 AREA REQUIREMENTS

14.2.1.1 LOT AREA
Minimum 740 square metres

14.2.1.2 LOT FRONTAGE
Minimum 20 metres

14.2.2 YARD REQUIREMENTS

14.2.2.1 FRONT YARD
Minimum 1.5 metres

14.2.2.2 SIDE YARD (easterly)
Minimum 2.0 metres

14.2.2.2 SIDE YARD (westerly)
Minimum 1.2 metres

14.2.2.3 REAR YARD
Minimum 3.5 metres (including underground parking wall)

14.2.4 DENSITY

Maximum 175 dwelling units per hectare

14.2.7 LANDSCAPING REQUIREMENTS

14.2.7.1 LANDSCAPED AREA
Minimum 15 percent of the site area shall be landscaped.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

14.2.7.2 BUFFER STRIP (westerly)
Minimum 1.2 metres

BUFFER STRIP (rear yard)
Minimum 2.0 metres

(iii) Notwithstanding Section 6.11 Landscape Requirements, the following special regulations shall apply:

6.11 LANDSCAPE REQUIREMENTS

6.11.1 LANDSCAPING ALONG STREET LINES
Minimum 2.0 metres along Brock Street
1.5 metres along King Street West

6.11.3 LANDSCAPING IN RESIDENTIAL FRONT YARDS
Minimum 20 percent

(iv) Notwithstanding Section 7.12 Off-Street Parking and Section 7.13 Off- Street Loading Space, the following shall apply:

7.12 OFF-STREET PARKING SPACE REQUIREMENTS

7.12.1 RESIDENTIAL/COMMERCIAL USES

A total of 18 spaces shall be provided for an apartment building with two commercial units and thirteen residential units.

7.13 OFF-STREET LOADING REQUIREMENTS

0 (zero) loading spaces shall be provided instead of the required 1.

7.14 DIMENSIONS FOR THE DESIGN OF PARKING AREAS

The minimum dimensions for the provisions of required parking spaces shall be 2.6 metres wide and 5.5 metres in length.

That the 'H' symbol may be removed at such time as the following has been satisfied:

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			a) The owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton's current RSC administration fee. b) The owner/applicant shall investigate noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environment's recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner/applicant and shall be submitted to the satisfaction of the Director of Planning. c) The owner/applicant shall investigate anticipated residential water usage and fire flow through the submission of a Watermain Hydraulic Analysis Report to the satisfaction of the Senior Director of Growth Management.
S-127a	19-196	Spencer Creek	Low to Medium Density Multiple Dwelling Zoning ZONE (RM1/S-127a) i) Notwithstanding Subsections 6.6.2, 6.6.8, and 6.6.9, and in addition to 6.6.9 (i), (ii), (iii), and (iv), the following special regulations shall apply: 6.0 <u>GENERAL REGULATIONS</u> 6.6 <u>ENCROACHMENTS INTO YARDS</u> 6.6.2 CANOPIES A canopy may project: (i) into a required front yard, not more than 1.0 metres provided that no such projection be closer to a street line than 0.30 metres; and, ii) into the required easterly side yard not more than 0.85 metres provided that no

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

6.6.8 UNCOVERED PORCHES

A terrace, uncovered porch, platform or ornamental feature which does not extend more than 2.0 metres above the floor level of the second storey may project 3.0 metres into a required yard.

6.6.9 UNENCLOSED PORCHES

A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level including eaves and gutters may project into a required yard to a distance of not more than 3.0 metres, and shall be permitted to be 0.0 metres from the easterly side lot line.

ii) Subsection 6.11.3 shall not apply.

ii) In addition to Subsection 7.3, no vehicular access or parking space shall be permitted in the side yard abutting the Brock Street South street line.

iii) Notwithstanding Subsection 7.12.1.3, 1.0 parking space per dwelling unit shall be provided.

iv) Notwithstanding Subsections 12.3.1.1, 12.3.2.1, 12.3.2.2, 12.3.2.3, 12.3.3, 12.3.4.2, 12.3.6.1, 12.3.6.2, the following special regulations shall apply:

12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS

12.3.1 AREA REQUIREMENTS

12.3.1.1 LOT FRONTAGE

Minimum 20 metres

12.3.2 YARD REQUIREMENTS

12.3.2.1 FRONT YARD

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			Minimum 1.4 metres, except that a minimum front yard setback of 0.87 metres may be provided to a daylight radius 12.3.2.2 SIDE YARD Minimum 0.9 metres for an easterly side yard, except that a minimum side yard setback of 0.87 metres may be provided to a daylight radius: and, 6.0 metres for a westerly side yard 12.3.2.3 REAR YARD Minimum 1.5 metres 12.3.3 HEIGHT Maximum 15.7 metres 12.3.4 DENISTY 12.3.4.2 TOWNHOUSE DWELLINGS Maximum 81 dwelling units per hectare 12.3.6 LANDSCAPING REQUIREMENTS 12.3.6.1 LANDSCAPED AREA Minimum 12 per cent of the site area shall be landscaped. 12.3.6.2 BUFFER STRIP The landscaped are requirements contained in subclause 12.3.6.1 shall not include a buffer strip of not less than 0.40 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3, R3A, R4, or R6 Zone.
S-128	14-288	Highland Hills West	SINGLE DETACHED RESIDENTIAL ZONE (R1/S-128) That Notwithstanding Sub-section 8.1 PERMITTED USES of SECTION 8: SINGLE-DETACHED RESIDENTIAL ZONE (R1) and Clause 7.12.2.3 of Subsection 7.12 OFF-STREET PARKING SPACE

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			REQUIREMENTS of SECTION 7: OFF-STREET PARKING AND LOADING, the following Special Provisions shall apply to lands known municipally as 252 Governor's Road, shown as "R1/S-128" on Schedule "A". (i) A Child Care Centre having a maximum capacity of 26 children shall also be permitted only within the dwelling existing on the date of the passing of this By-law being the 24th day of September, 2014. (ii) Parking shall be provided at a rate of one space for each 125.0 square metres of gross floor area that accommodates such use and may be provided within the required front yard and in tandem. (iii) Passenger drop-off and pick-up and staff parking shall be provided by the owner, subject to entering and maintaining an agreement with the owner of the lands located at 1-5 Lyndale Drive, to the satisfaction of the Director of Planning.
S-129	15-299		Notwithstanding the provisions of Section 3: Definitions, Section 14: Medium to High Density Multiple Dwelling Zone, Section 7: Off-street Parking and Loading, the following special provisions shall apply to lands known municipally as 71 Main Street and 10 Baldwin Street, shown as Block 1 and Block 2 on the attached Schedule "A". (i) Notwithstanding Sections 3.2.54 and 3.2.57, the subject lands shall be deemed to be a Lot, Interior and the Lot Line, Front shall be deemed to be the lot line along Main Street (ii) Notwithstanding Section 14.2 Regulations for Apartment Buildings, the following special regulations shall apply:

14.2 REGULATIONS FOR APARTMENT BUILDINGS

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

14.2.2 YARD REQUIREMENTS

14.2.2.1 FRONT YARD

Minimum (1st to 3rd storey)	0.0 metres
Minimum (4th storey & above)	2.0 metres

14.2.2.2 SIDE YARD

Southerly

Minimum (1st storey)	5.5 metres
Minimum (2nd storey & above)	2.0 metres

Northerly

Minimum (1st storey)	0.0 metres
Minimum (for a portion of the 2nd & 3rd storeys extending a maximum of 0.0 metres from the front facade)	0.0 metres
Minimum (for the portion of the 2nd & 3rd storeys extending beyond 10.0 metres from the front facade and all storeys above)	5.5 metres

14.2.2.3 REAR YARD

Minimum (1st storey)	12.5 metres
Minimum (2nd to 6th storeys)	17.5 metres

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Minimum (7th storey)	19.0 metres
Minimum (8th storey)	20.5 metres
Minimum (9th storey)	22.0 metres

14.2.3 HEIGHT

Maximum 29.1 metres.

14.2.4 DENSITY

Maximum 465 dwelling units per hectare.

14.2.5 FLOOR AREA

Notwithstanding Subsection 14.2.5 (ii), a maximum of 28 one bedroom units may have a floor area less than 55.0 square metres. All other provisions of Subsection 14.2.5 shall apply to the remainder of the units.

4.2.7 LANDSCAPING REQUIREMENTS

14.2.7.1 LANDSCAPE AREA

Minimum zero per cent of the site area shall be landscaped

14.2.7.2 BUFFER STRIP

Notwithstanding subclause 14.2.7.1 above, a buffer strip of no less than 1.4 metres in width shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2,R3, R3A, R4 or R6 Zone along the rear lot line.

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(iii) Notwithstanding Section 6.6: Encroachment into Yards and 6.16: One Dwelling Per Lot, the following special regulations shall apply:

6.6.1 BALCONIES

Balconies may project a maximum of 1.5 metres into any required yard.

6.16 ONE DWELLING PER LOT

A multiple dwelling and the existing single detached dwelling shall be permitted on one lot.

(iv) Notwithstanding, Section 7.2: Manoeuvering Space, Section 7.4: Abutting a Residential Zone, Section 7.5: Visitor Parking, Section 7.6: Loading Spaces, Section 7.8: Encroachment into Yards,

Section 7.12: Off-street Parking Space Requirements, Section 7.13: Off-Street Parking and Loading Requirements, and Section 7.14: Dimensions for the Design of Parking Areas, the following special regulations shall apply:

7.2 MANOEUVERING SPACE

7.2.1 All required parking spaces shall be designed and located such that all vehicles using such spaces can be parked and manoeuvred entirely within the bounds of the parking areas within which such spaces are located, and without moving any other vehicle within such parking area. Manoeuvering space for two parking spaces located in parallel within the southerly side yard may be provided via the adjoining public alley.

7.4 ABUTTING A RESIDENTIAL ZONE

7.4.1 The boundary of every parking area containing five or more parking spaces, or a loading space located on the surface of a lot adjoining any residential zone, shall be located not less than 1.4 metres from the residential zoning boundary.

7.4.4 This clause shall not apply.

7.5 VISITOR PARKING

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
		7.5.1	This clause shall not apply.
		7.6	LOADING SPACES
		7.6.1	Maneuvering space may be provided via the adjoining public alley.
		7.6.2	This clause shall not apply.
		7.6.3	This clause shall not apply.
		7.8	ENCROACHMENT INTO YARDS
			This Section shall not apply.
		7.12	OFF-STREET PARKING REQUIREMENTS
		7.12.1	RESIDENTIAL USES
		7.12.1.5	Apartment Buildings 1.0 space per dwelling unit.
		7.13	OFF-STREET LOADING SPACE REQUIREMENTS
		7.13.1.2	A loading space with the following minimum dimensions is permitted:
			Length: 6.7 m
			Width: 3.4 m
			Height: 4.3 m
		7.14	DIMENSIONS FOR THE DESIGN OF PARKING AREAS
		7.14.1	The minimum dimension for the provision of required parking spaces shall be 5.5

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			metres in length and 2.6 metres in width. Notwithstanding, a minimum of 1 space shall be 5.5 metres in length and 4.4 metres in width.
			(vi) A minimum of 10 storage spaces for bicycles will be provided within the multiple dwelling.
S-130	15-299		Notwithstanding anything in Dundas Zoning By-law 3581-86 or this amendment, the following special provisions shall apply to a portion of the lands known municipally as 10 Baldwin Street, shown as Block 3 on the attached Schedule "A". i) The existing single detached dwelling will be permitted and deemed to conform to the by-law after the passing of this amendment. ii) Besides modifications and enhancements to landscaping, no further development is permitted.
S-132	17-182	Colborne	That notwithstanding the provisions of Section 6.9, 6.11.1, 6.11.2.2 7.3.4, 22.2.2.1, 22.2.2.2: the following Special Provisions shall apply to lands known municipally as 118 Hatt Street Shown as IG-FP/S-132 on Schedule "A". 6.9 <u>Front Yards Adjoining a Residential Zone</u> Minimum Front Yard Setback: 0.0 metres 6.11.1 <u>Landscaping Along Street Lines (Front Yard and Easterly Yard)</u> When a lot is used for a non-residential use, there shall be provided and maintained on the lot, except for the area occupied by an access driveway or walkway, a landscaped area having a minimum depth of 0.0 metres directly abutting any street line.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION

6.11.2.2 Buffer Strip
Minimum width of buffer strip: 0.9 metres along westerly lot line.

7.3.4 Access
Where a non-residential use is adjacent to a residential zone, every access driveway to or from the non-residential use shall be located not less than 0.9 metres from the common boundary with the residential zone.

(i) In addition to Section 22.1: Permitted Uses, the following uses shall also be permitted:

- A Medical Office, specifically Offices of Physicians, Surgeons and Dentists, Private Practice; and,

- Business Service Industries:

  - Employment agencies and personnel suppliers;
  - Computer and related services;
  - Accounting and bookkeeping services;
  - Advertising services;
  - Architectural engineering and other scientific and technical services;
  - Offices of lawyers and notaries;
  - Management consulting services; and,
  - Other business services.

22.2.2.1 Minimum Front Yard
Minimum Front Yard Setback: 0.0

22.2.2.2 i) Minimum Side Yard – East (Flankage Street)
Minimum Side Yard Setback: 0.0 metres to the hypotenuse of the daylight triangle at the corner of Hatt Street and McMurray Street.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			22.2.2.2 ii) Minimum Side Yard - West Minimum Side Yard Setback: 4.5 metres.
S-139	19-055		(i) Notwithstanding Subsections 6.6.8, 7.12.1.3, 12.3.2.1, 12.3.2.2, 12.3.3, 12.3.4, 12.3.6, the following special regulations shall apply: 12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS 12.3.2 YARD REQUIRMENTS 12.3.2.1 FRONT YARD Minimum 3.92 metres 12.3.2.2 SIDE YARD Minimum 3.35 metres (easterly) 2.5 metres (westerly) 12.3.3 HEIGHT Maximum a) 10.5 metres b) Notwithstanding a) above, 13.5 metres for a three storey townhouse provided a minimum setback of 35 metres to the rear lot line is provided. 12.3.4 DENSITY

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			Maximum Townhouse Dwellings 49 dwelling units per hectare

12.3.6 LANDSCAPING REQUIREMENTS

12.3.6.1 LANDSCAPED AREA

Minimum 30 percent of the site area shall be landscaped

12.3.6.2 BUFFER STRIP

The landscaped area requirements contained in subclause 12.3.6.1 shall include a buffer strip of not less than 2.5 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts an R1, R2, R3, R3A, R4 or R6 Zone. The buffer strip shall be provided and maintained within the minimum yard requirements of the zone.

12.3.7 AMENITY AREA REQUIREMENTS

For each three storey townhouse dwelling, a minimum private amenity area of 6.0 square metres shall be provided in the form of a second storey deck or rooftop patio.

6.6.8 UNCOVERED PORCHES

A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metres above the first floor level of the first storey may not project into a required front yard.

"S" NUMBER	BY-LAW NUMBER	NEIGHBOURHOOD	EXCEPTION
			7.12.1.3 Townhouse Dwellings 2.25 spaces per dwelling unit, of which 0.25 spaces per dwelling unit shall be provided for visitor parking.
			(ii). That the "H" symbol may be removed at such time as the following has been satisfied:
			(i) That the owner / applicant provide an update, submit and implement the Documentation and Salvage Report to further detail their approach for removing, labelling, storing, and if required, reassembly of material salvaged from the buildings on-site and how they intend to incorporate any of the salvaged materials on-site, to the satisfaction of the Director of Planning and Chief Planner.

SCHEDULES