SCHEDULE "C"

SPECIAL EXCEPTIONS FOR SPECIFIC LANDS

1. Notwithstanding Section 6.5.3 of this Bylaw, within the lands zoned Downtown D5 Zone, identified on Map 910 of Schedule "A" – Zoning Maps and described as 47 Caroline Street North, a multiple dwelling is permitted subject to the following:

    a. The height of the building shall not exceed 18.0 metres in height;

    b. A minimum front yard of 2.9 metres shall be required for the fourth, fifth and sixth floors;

    c. A minimum northerly side yard of 3.2 metres shall be required for the fourth, fifth and sixth floors;

    d. A minimum southerly side yard of 3.0 metres shall be required for the second, third, fourth, fifth and sixth floors;

    e. A minimum rear yard of 2.1 metres shall be provided and maintained for the first and second floors;

    f. A minimum rear yard of 3.5 metres shall be required for the second, third, fourth, fifth and sixth floors;

    g. A maximum gross floor area of 4,800 square metres shall be permitted;

    h. A minimum of 14% of the ground area of the lot shall be provided and maintained as landscaped area; and,

    i. A minimum of 24% of the lot area shall be provided and maintained as amenity area on the second and fourth floors.

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

2. Notwithstanding Section 8.2.1 of this By-law, within the lands zoned Community Institutional (I2) Zone, identified on Map 910 of Schedule "A" and described as 147 Cannon Street West and 79 Bay Street North (Sir John A. McDonald Secondary School – District Energy), a utility plant for the generation and transmission of heat, steam and electricity shall also be permitted.

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

3. Notwithstanding Section 7.1.3 d) of this By-law, a building accessory to Lawn Bowling/Bocce Court(s) shall be permitted to a maximum gross floor area of 38 square metres (Lisgar Park)

(June 14, 2006, By-law 06-166)

4. Notwithstanding section 8.1.3.1 i) and Section 6.5.3.4 of this By-law, the following Maximum Capacity shall be permitted for the respective property.

i) 12 Melville Street, as identified on Map 861 of Schedule "A" – Zoning Maps, 24 residents
ii) 46 West Avenue South, as identified on Map 995 of Schedule "A" – Zoning Maps, 20 residents
iii) 160 Park Street South, as identified on Map 952, 994 of Schedule "A" - Zoning Maps, 20 residents
iv) 65 East Avenue South, as identified on Map 995, 996 of Schedule "A" – Zoning Maps, 20 residents
v) 7 Blake Street, as identified on Map 997, 1041 of Schedule "A" – Zoning Maps, 40 residents

(By-law 07-101, March 28, 2007)
(By-law 18-114, May 9, 2018)

5. Notwithstanding section 8.2.3.1 g) of this By-law, the Maximum Capacity for 1320-1322 King Street East shall be 64 residents.
(By-law 07-101, March 28, 2007)

6. Notwithstanding Sections 9.1.1 and 9.1.3 of this By-law, within the boundaries of the lands affected by this subsection and zoned Research and Development (M1) Zone, identified on Maps 950a and 992a of Schedule "A" – Zoning Maps, the following shall apply:

a. The existing railway use shall also be permitted, including any new use, building or structure accessory thereto, and subject to the planting strip in subsection c) below not required for such use.

b. The building height shall not exceed a height of 22.0 metres when located within 60.0 metres of a Residential zone; and,

c. A 6.0 metre planting strip shall be required along that portion of the property line abutting a railway right-of-way.

(By-law 07-043, February 15, 2007)

7. Notwithstanding Sections 9.1.1 and 9.1.3 of this By-law, within the boundaries of the lands affected by this subsection and zoned Research and Development (M1)

Zone, identified on Maps 949, 950 and 991 of Schedule "A" – Zoning Maps, the following shall also apply:

a. A Museum shall also be permitted; and,

b. Educational Establishment and Multiple Dwelling uses shall also be permitted, subject to the following regulations:

i. The Maximum Gross Floor Area for Educational Establishment shall be limited to 14,000 square metres and Multiple Dwelling shall be limited to 5,750 square metres;

ii. Notwithstanding (i) above, the Maximum Gross Floor Area for Educational Establishment(s) may be increased beyond the 14,000 square metres, to a maximum of 46,500 square metres, provided that any additional gross floor area for such educational use shall be limited to a maximum of 33% of the total gross floor area of all existing buildings, which are used for other permitted M1 uses, located on the said lands, save and except for the following uses:

1. Educational Establishments;
2. Multiple Dwelling(s);
3. Commercial Parking Facilities; and,
4. Warehouse (as a primary use).

iii. Notwithstanding (i) above, the Maximum Gross Floor Area for Multiple Dwelling(s) may be increased beyond the 5,750 square metres, to a maximum of 11,500 square metres, provided that any additional gross floor area for such multiple dwelling use shall be limited to a maximum of 8% of the total gross floor area of all existing buildings, which are used for other permitted M1 uses, located on the said lands, save and except for the following uses:

1. Educational Establishments;
2. Multiple Dwelling(s);
3. Commercial Parking Facilities; and,
4. Warehouse (as a primary use).

iv. Multiple dwellings shall be restricted to locating in a maximum of 2 buildings.

v. Notwithstanding (ii) and (iii) above, the combined total gross floor area accommodating both Educational Establishment and Multiple Dwelling uses shall not exceed 46,500 square metres.

8. Notwithstanding Sections 8.3.2.1 and 8.3.2.2 of this By-law, on those lands zoned Major Institutional (I3) Zone, identified on Maps 1291 and 1344 of Schedule "A" – Zoning Maps and described as 1321, 1329, 1335, 1339, 1343, 1347, 1349, and 1355 Upper Wellington Street, the following special provisions shall also apply:

   a. A maximum of 121 dwelling units shall also be permitted within one or more buildings;

   b. Minimum Lot Frontage – 19.0 metres;

   c. Section 8.3.2.2 c) shall not apply; and,

   d. Section 8.3.2 shall not apply to the existing single detached dwelling and no further additions shall be permitted.

   (By-law 07-330, November 14, 2007)

9. Notwithstanding Sections 9.1.1, 9.1.2 and 9.1.3 of By-law 05-200, on those lands zoned Research and Development (M1) Zone, identified on Maps 908 and 950 of Schedule "A" – Zoning Maps and described as 501 Main Street West, the following special provisions shall also apply:

   a. The following uses shall also be permitted:

      i. The primary production of asphalt and/or concrete;
      ii. Recycling of concrete, asphalt products and bricks;
      iii. Crushing, screening, processing, outdoor storage/ stockpiling, and the sale of rock, sand, gravel, used concrete, used asphalt, concrete products and bricks;
      iv. Outdoor storage of equipment used for road building which shall include but not be limited to detour signs, barricades, and/or traffic cones;
      v. Outdoor storage of machinery and equipment used for a permitted use; and,
      vi. Uses accessory thereto.

   b. Maximum Building Gross Floor Area - 250 square metres;

   c. Maximum envelope to accommodate an asphalt plant structure or concrete ready mix plant shall not exceed 5000 square metres;

   d. Maximum Building Height – 25.0 m;

e. Notwithstanding sub-section (d) above, no building or structure greater than 15 metres in height, shall be located within 40.0 metres of Main Street West; and,

f. Section 4.1.9, of By-law 05-200, shall not apply.
(OMB – November 21, 2007)

10. Notwithstanding Sections 9.3.1, 9.3.3(i)(i) and 5.6(c) of this By-law, on those lands zoned Prestige Business Park (M3,10) Zone, as identified on map No. 1499 of Schedule "A" – Zoning Maps, and described as 260 Nebo Road (Hamilton), the following special requirements shall apply:

(a) A Medical Office(s) and a Medical Clinic shall be permitted, only on the ground floor of the building existing on the date of the passing of the By-law being the 30th day of November, 2011;

(b) A minimum 4.3 metre wide Landscaped Area shall be provided and maintained abutting Lancing Drive, except for points of ingress and egress; and,

(c) A minimum of 1 parking space for each 29 square metres of gross floor area, which accommodates such use, shall be provided for a Medical Clinic or Medical Office(s).
(By-law 11-291, November 30, 2011)

12. Within the lands zoned Major Institutional (I3) Zone, identified on Maps 871 and 913 of Schedule "A" and described as 460 Wentworth Street North, the following special provisions shall apply:

a) Notwithstanding Section 5 of this By-law, a minimum of 30 parking spaces shall be provided for the Community Centre on site and a street or laneway shall also be considered a right-of-way.

b) For the purposes of this By-law, a driveway shall be permitted to lead directly from a private right-of-way.

c) Notwithstanding Section 8.3.1 the following uses shall not be permitted:

Hospital

Lodging House

Long Term Care Facility

Medical Clinic

Multiple Dwelling

Place of Worship

Residential Care Facility

Retirement Home

d) In addition to Section 8.3.1 of this By-law, the following uses shall be permitted:

Bicycle Repair Shop

Second Hand Goods Exchange and Sales

Museum

Retail

Outdoor Farm Market

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

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

a) Shall only be located within the building existing on the date of the passing of this By- law, being the 10th day of July 2008;

b) Shall be limited to a maximum GFA of 85 square metres for each use; and,

c) Shall be operated as a non-for-profit establishment.

ii) Open Air Market

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

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

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

c) Minimum Front Yard: i) 3.0 metres.

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

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

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

(By-law 10-181 – OMB Approval))

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

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

(By-law 10-181, OMB Approval)

15. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map 951 of Schedule "A" and described as 153 George Street, the following special provisions shall apply:

(a) Notwithstanding Section 8.1-2, g) of this By-law, the minimum rear yard setback for all 3 storey (10.5 m in height) structures shall be 4.5m; the minimum rear yard setback for all 2 storey structures shall be 3m; and, the minimum rear yard setback for all single storey structures shall be 1.2m.

(b) Notwithstanding section 8.1-2 i) of this By-law, the Maximum Capacity for a Residential Care Facility shall not exceed 24 residents.

(c) Notwithstanding Section 8.1-2 j) ii) of this By-law, the existing Residential Care Facility may be expanded to accommodate not more than 24 residents.

(d) Notwithstanding section 8.1-2 k) and Section 5 of this By-law, a minimum of 2 parking spaces shall be provided.

(e) Notwithstanding Section 5.1 a) v) of this By-law, parking spaces and aisles shall not be located within 1.5m of a street line.

(f) Notwithstanding Section 5.2 a) of this By-law, no visual barrier shall be provided along the lot line of the parking area which abuts a Residential Zone.

(By-law No. 08-286, December 10, 2008)

16. Within the lands zoned Neighbourhood Institution (I1) Zone, identified on Map Nos. 1228, 1229, 1174 and 1175, of Schedule "A" – Zoning Maps and described as 265 Wilson Street East, Ancaster, the following special provisions shall apply:

a) That in addition to Section 3, as it relates to a "Landscape Parking Island", for a parking area existing on the date of the passing of this By-law, the following definition shall apply:

Landscape Parking Island	Shall mean a portion of land for the growing of ornamental shrubs or trees, flowers, grass, and other

		vegetation, suitable to the soil and climatic conditions of the area of land for the purpose of landscaping within a parking lot, and shall include walkways, fire hydrants, decorative walls, or features, and light standards, and shall not form part of a Planting Strip or Landscaped Area.

b) Notwithstanding Section 4.6 a) as it relates to the usual projections of chimney breasts, the following regulations shall apply:

i)	Permitted Yard Encroachments	The chimney existing on the date of the passing of this By-law may encroach 0.45 metres into the required side yard.

c) Notwithstanding Sections 5.2 b), f), and 5.6 c) as it relates to a Place of Worship and in addition to Section 5.2 c) the following regulations shall apply:

i)	Design Standards	A) The parking spaces existing on the date of the passing of this By-law shall be a minimum width of 2.6 metres in width and 5.5 metres in length.
		B) The barrier-free parking spaces existing on the date of the passing of this By-law shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres.
ii)	Parking Schedule for all Zones, except the Downtown Zones	A) A minimum of 58 parking spaces shall be provided and maintained for a Place of Worship existing on the

date of the passing of this By-law.

B) Notwithstanding Section c) ii) A) above, Section 5.6 c) shall apply, for all other uses and all new buildings, additions, or expansions.

d) Notwithstanding Sections 8.1.3.1 d), e) and h), the following regulations shall apply:

i) Minimum Front Yard

A) A minimum front yard of 0.0 metres shall be required for any portion of a building existing on the date of the passing of this By-law.

B) Notwithstanding Section d) i) A) above, Section 8.1.3.1 d) shall apply to all new buildings, additions, or expansion.

ii) Minimum Side Yard

A) A minimum side yard of 0.6 metres shall be required for any portion of a building existing on the date of the passing of this By-law.

B) Notwithstanding Section d) ii) A) above, Section 8.1.3.1 e) shall apply to all new buildings, additions, or expansions.

iii) Maximum Building Height

A) The building height of the building existing on the date of the passing of this By-law.

B) Notwithstanding Section d) iii) A) above, Section 8.1.3.1 h) shall apply to all new buildings, additions, or expansions.

(By-law No. 08-266, November 12, 2008)
(By-law No. 24-132, July 12, 2024)

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

2 Bond Street North	235 Bowman Street
266 Bowman Street	7 Butty Place
125 Cline Avenue South	215 Cline Avenue North
80 Ewen Road	84 Ewen Road
900 King Street West	1140 King Street West
143 Lower Horning Road	150 Lower Horning Road
1152 Main Street West	1155 Main Street West
1349 Main Street West	1355 Main Street West
100 Macklin Street North	96-100 North Oval
99 North Oval	201 Paradise Road North
69 Sanders Boulevard	125 Rifle Range Road
200 Whitney Avenue	261 Whitney Avenue
28 Wilmont Court	

as it relates to the following permitted uses:

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

the following special provisions shall apply:

a) notwithstanding Sections 8.1.3.3 g) and 8.2.3.3 g), of By-law 05-200, no building or structure shall exceed 2 storeys or 9.0 metres in height;

b) no building or structure shall have a gross floor area greater than the area within the zone of the lot on which it is situate, multiplied by the floor area ration factor of 0.45;

c) notwithstanding Section 2, of By-law 05-200, for the purposes of this By-law gross floor area is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:

i) an attached garage;

ii) a detached garage; and,

iii) the floor area occupied by heating, air conditioning and laundry equipment.

d) for purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9;

e) notwithstanding Section 5.6 c), of By-law 05-200 and for the purposes of this By-law, parking shall be calculated based on the following:

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

where "habitable room" means any room of a residential building , used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods.
(By-law 08-227, September 24, 2008)

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

a) That notwithstanding Section 8.2.1 of this By-law, a Community Centre shall also be permitted;

b) That notwithstanding Section 8.2.3.2 b) the Maximum Building Height shall be in accordance with Figure 1 of Schedule "F" – Special Figures of Zoning By-law 05-200;

c) That notwithstanding Section 3 of this By-law, the definition of the Front Lot Line shall mean the lot line abutting Ferguson Avenue North;

d) That Section 5.1a) v) and Section 5.1a) vi) of this By-law shall not apply;

e) That Section 5.2 a) of this By-law shall not apply; and,

f) That notwithstanding Section 5.6a) ii. a) of this By-law, a minimum of 39 parking spaces shall be provided and maintained for an Elementary school and Community Centre.

(By-law 09-027, February 11, 2009)
(By-law 18-114, May 9, 2018)

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

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

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

b) That notwithstanding Section 8.1.3.3 (b) i) of By-law 05-200, the maximum Building Height for an Elementary School shall be 13.5 metres.

c) That notwithstanding Section 4.3 (a) of By-law 05-200, frontage on a street shall not be required for an Elementary School.

d) That for the purposes of this By-law, the north-westerly lot line abutting the future road allowance shall be deemed to be the front lot line.

(By-law 09-066, April 1, 2009)
(By-law No. 25-155, August 06, 2025)

20. Notwithstanding Sections 8.2.1 and 4.8.1 of this By-law, within the lands zoned Community Institutional (I2) Zone, identified on Map No. 947 of Schedule "A" to By-law 05-200, and described as 69 Sanders Boulevard, the following special provisions shall apply:

(a) In addition to the permitted uses in Section 8.2.1, a lodging house for the accommodation of a maximum of 50 residents shall be permitted only within the building existing on the date of passing of the By-law.

(b) That for purposes of this By-law, the lot line fronting onto Main Street West shall be deemed to be the front lot line, and the lot line fronting onto Sanders Boulevard shall be deemed to be the rear lot line.

(c) That for the purposes of this By-law, vehicular ingress and egress shall not be permitted from Sanders Boulevard.

(d) That notwithstanding Section 4.8.1(a), buildings accessory to the lodging house shall also be permitted in the front yard, but shall not be located within 40 metres of the front lot line.

(e) That notwithstanding Section 4.8.1(b), all buildings accessory to the lodging house shall not exceed a total gross floor area of 30 square metres.

(By-law 09-114, May 27, 2009)

21. Within the lands zoned Neighbourhood Institutional (I1, 21) Zone, identified on Map 1337 of Schedule "A", and described as 625 Garner Road East, the following special provisions shall apply:

(a) Notwithstanding Section 8.1.3.2 b) i) of this By-law, the Maximum Building Height shall be 13.5m.

(By-law 09-161 July 9, 2009)

22. Notwithstanding Sections 5.6 and 8.2.1 of this By-law, within the lands zoned Community Institutional (I2) Zone, identified on Map No. 994 of Schedule "A" to By-law 05-200, and described as 280 Bay Street South, the following special provisions shall apply:

(a) In addition to the permitted uses in Section 8.2.1, a multiple dwelling with a maximum of three units within the building existing at the time of the passing of the By-law.

(b) A minimum Side Yard setback of 1.0 metre shall be permitted; and,

(c) notwithstanding Section 5.6c) of By-law 05-200, and for the purposes of this By-law, no parking spaces shall be required for a multiple dwelling with a maximum of three units within the building existing at the time of the passing of the By-law.

(By-law 09-181, August 13, 2009)

23. Within the lands zoned Conservation/Hazard (P5,23) Zone, identified on Map 1406 of Schedule "A" and described as 22 Green Mountain Road West, the following special provisions shall apply:

(a) No person shall erect, or use any land, building, or structure, in whole or part, within a Conservation/Hazard Land (P5) Zone for any purpose other than that listed in Section (b) below;

(b) Permitted Use – Archaeological Conservation which, for the purpose of this By-law, shall mean the preservation of an archaeological resource or resources in place.

(By-law No. 10-327, OMB approval December 9, 2010)

24. That notwithstanding Section 8.2.3.1 (d) of this By-law, on those lands zoned Community Institutional (I2) Zone, on Maps 1285, 1231 and 1232 of Schedule "A", the maximum building height for any building or structure shall be 15.0 metres.
(By-law 09-250, December 9, 2009)

25. In addition to Section 9.11.1, on those lands zoned Airport Prestige Business (M11) Zone, identified on Maps 1388 and 1389 of Schedule "A" – Zoning Maps and described as 618 Garner Road East, a golf driving range and accessory uses and structures shall also be permitted.
(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

26. In addition to Section 9.11.1, on those lands zoned Airport Prestige Business (M11) Zone, identified on Maps 1387, 1388, 1438, 1439 and 1487 of Schedule "A" – Zoning Maps and described as the south west corner of Garner Road East and Highway No.6, a banquet facility and conference or convention centre may also be permitted.
(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

27. Notwithstanding Section 8.3.1, on those lands zoned Major Institutional (I3) Zone, identified on Maps 1337, 1389, 1390 and 1440, of Schedule "A" – Zoning Maps, and described as lands located at the south-east corner of Smith Road and Garner Road East, be amended to provide for the following special requirements.

a) all residential uses shall be prohibited;

b) Notwithstanding clause a), a multiple dwelling or lodging home may be permitted on the same lot as and in conjunction with an educational establishment in accordance with Section 8.3.2.2 c) and provided the multiple dwelling or lodging home is used for students from the educational establishment .

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

28. Notwithstanding Section 9.11.3 c) ii) and e), on those lands zoned Airport Prestige Business (M11) Zone, identified on Maps1493 and 1494 of Schedule "A" – Zoning Maps, any building or structure used for Manufacturing shall be setback a minimum 20.0 metres from Twenty Road West.

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

29. Notwithstanding Section 2.5f) of this By-law, within the lands zoned Conservation/Hazard Land (P5, 29) Zone, Modified, identified on Maps 1404, 1454, and 1455, the lands so zoned may be used for the purpose of calculating lot area and setbacks for development on the lots or blocks on which the P5 lands are part of.
(By-law 11-092, March 23, 2011)

31. Notwithstanding Sections 9.3.1; 9.3.3(i)(i) and (ii) and 5.6(c), only as it relates to an "Office", on those lands zoned Prestige Business Park (M3) Zone, on Map 1502 of Schedule "A" – Zoning Maps, the following provisions shall apply:

(i)	Landscaped Area and Planting Requirements	A minimum 1.17 metre wide landscape area and planting strip shall be provided and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress
(ii)	Office (within building at time of passage of by-law)	A minimum of eleven (11) parking spaces shall be provided and maintained, with one space being Barrier Free.

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

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

a. Subsection 8.1.3.1 j) i) shall not apply to a residential care facility on the lands subject to this special provision.

b.	Maximum number of residents in a residential care facility:	36 residents
c.	Maximum building height:	11.5 metres
d.	Minimum front yard setback:	3.0 metres
e.	Minimum yard for a porch or deck adjacent to southerly lot line:	0.6 metres
f.	Minimum Number of Parking Spaces:	10 spaces

g. Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street shall not be located within 2.0 metres from a street line, and subject to a 2.0 metre wide planting strip being provided and permanently maintained between the streetline and the said parking spaces or aisle.

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

33. Notwithstanding Section 5.6 c) ii) of this By-law, within the lands zoned Neighbourhood Institutional (11, 33) Zone, Modified, identified on Maps 901 and 943, the minimum required parking spaces for the existing place of worship shall be 67. Where an addition, alteration, or expansion of an existing building is proposed, the additional parking requirements of Subsection 5.6 c) shall only apply to the increased gross floor area of the building.
(By-law 10-258, October 13, 2010)

34. In addition to Section 9.11.1, on those lands zoned Airport Prestige Business (M11) Zone, identified on Map 1388 of Schedule "A" – Zoning Maps and described as 534 Garner Road East, a restaurant shall also be permitted.
(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

35. In addition to Section 9.11.1 and 9.11.2 i) and ii), on those lands zoned Airport Prestige Business (M11) Zone, identified on Maps 1493, 1494, 1540 and 1541 of Schedule "A" – Zoning Maps a garden centre, and outdoor display and outdoor storage shall also be permitted.
(By-law No. 10-288, October 13, 2010 – OMB approval April 10, 2015)

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

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

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

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

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

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

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

38. Notwithstanding Sections 8.1.1 and 8.1.3 of this By-law, within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map No. 445 of Schedule "A" to By-law 05-200, and described as 273 Parkside Drive, the following special provisions apply:

a) PERMITTED USES
Only the following uses shall be permitted:

(i) Single-Detached Dwelling

(ii) A Social Services Establishment, which shall be limited to a Youth Centre

b) REGULATIONS FOR A SINGLE DETACHED DWELLING

(i) Minimum Lot Width 7.8 metres for a corner lot.

(ii) All other regulations in accordance with Section 8.1.3.3

c) REGULATIONS FOR A YOUTH CENTRE

(I) Minimum Lot Width 7.8 metres.

(ii) Minimum Front Yard 2.5 metres

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

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

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

a. offices for a religious organization;
b. conference and convention centre;
c. lodging house for short term accommodation in conjunction with the educational establishment;
d. recreation; and,
e. educational establishment for a religious organization.

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

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

(a) A minimum front yard of 4.0 metres shall be provided and maintained;

(b) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be permitted 0.0 metres from a street line, and no planting strip is required between the street line and the said parking spaces or aisle;

(c) A minimum 1.5 metre wide planting strip and a minimum 2.0 metre high board-on-board fence and maximum 3.0 metre high board-on-board fence shall be provided and maintained along the southerly rear lot line; and,

(d) Parking shall be provided for a Place of Worship at a ratio of 1 parking space for every 10.75 square metres of gross floor area, inclusive of a basement or cellar, to accommodate such use.

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

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

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

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

b.	Minimum Side and Rear Yard	0 metres.
c.	Maximum Building Height, Exclusive of any Attached Stadium Lighting	40.0 metres.
d.	Maximum Size for Retail	Shall not apply to retail uses located within stadium building.
e.	Location of Loading Facilities	Shall be permitted in a yard abutting a street.
f.	Location of Parking Facilities for School Located at 77 Melrose Avenue North	Shall be permitted on the subject lands notwithstanding that the lot to accommodate the parking facilities is not located in the same zone as the school.

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

43. Within the lands zoned Major Institutional (I3, 43) Zone, Modified, identified on Map 1447 of Schedule "A" and described as 1620 Upper Wentworth Street and 401 Rymal Road West, the following special provisions shall apply:

a) Notwithstanding Sections 8.3.2.1 c) and 8.3.2.2 b) of this By-law, a maximum building height of 37 metres shall be permitted for the Retirement Home/Multiple Dwelling portion of the building.

b) Notwithstanding Section 8.3.2.1 b) of this By-law, the minimum required side yard shall be of 0.65 metres.

c) Notwithstanding Section 8.3.2.2 c) of this By-law, an Educational Establishment shall not be required on the same lot as a medical clinic or multiple dwelling.

d) Notwithstanding the definition of Lot as noted in Section 3, and notwithstanding any change in land ownership or any severance, partition or division of the property subject to this special provision shall be considered one lot for the purposes of the Zoning By-law.

e) Notwithstanding section 5.1 d) of this By-law, parking lot may be located between the building façade and the front lot line facing Upper Wentworth Street.

f) Notwithstanding Section 5.6 a) of this By-law, parking for a retirement home shall be provided at the rate of one parking space for every three bachelor unit or one-bedroom unit.

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

(By-law 12-083, March 28, 2012)
(By-law 17-113, June 14, 2017)

44. In addition to the uses permitted in Section 9.3: Industrial Zones, on those lands zoned Prestige Business Park (M3, 44) Zone, as identified on Map 612 of Schedule "A" – Zoning Maps, also described as 70 Innovation Drive, an Indoor Sports Facility and accessory uses, having a maximum Gross Floor Area of 1,785 square metres within the existing building, is also permitted.
(By-law 11-292, November 30, 2011)

45. In addition to Section 7.5.1, on those lands zoned Conservation/Hazard Lands (P5) Zone, identified on Maps 1441, 1442, 1490 and 1491 of Schedule A- Zoning Maps and described as 550 Glancaster Road, the existing single detached dwelling, including any additions thereto, shall also be permitted.
(OMB Settlement December 11, 2011)

46. In addition to Sections 9.9.1 and 9.9.2 of Zoning By-law 05-200, on those lands zoned Airport Reserve (M9) Zone, as identified on Map 1671 of Schedule "A" -

Zoning Maps, and described as 2826 Upper James Street, be amended to provide for the following special requirements:

a. The following uses shall also be permitted:

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

b. The following regulations shall also apply:

i)	Additional Requirements for the Existing Single Detached Dwelling	1. The existing single detached welling may be increased in size to a maximum gross floor area of 240 square metres. 2. Maximum Height – 10.7 metres 3. Minimum front yard – 7.5 metres 4. Minimum side yards – 3.0 metres 5. Minimum rear yard – 10.7 metres
ii)	Additional Requirements for Personal Service, Landscape Contracting Establishment, Transportation Depot and Repair Service	1. No new buildings shall be constructed to accommodate the Personal Service, Landscape Contracting Establishment, Transportation Depot and Repair Service. 2. Notwithstanding b)ii) 1. above, Repair Service shall be permitted within a building accessory to a residential dwelling.

iii)	Additional Requirements for Accessory Buildings	1. Shall not be permitted within the front yard. 2. A building accessory to a Single Detached Dwelling shall be limited to a maximum gross floor area of size of 36 square metres and a maximum height of 4.5 metres.
iv)	Home Business Regulations	1. In accordance with the requirements of Section 4.21.

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

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

a. The following uses shall also be permitted:

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

b. The following regulations shall also apply:

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

(OMB Settlement December 11, 2011)
(By-law No.17-245, July 4, 2017)
(By-law No. 24-137, July 12, 2024)

49. Notwithstanding 9.3.3 b) ii) of Zoning By-law 05-200, on those lands zoned Prestige Business Park (M3) Zone, as identified on Map Nos. 1635, 1636, 1677 and 1678 of Schedule "A" – Zoning Maps, and described being located at the south-west corner of Twenty Road East and Glover Road, be amended to provide that Section 9.3.3 b) ii) shall not apply and that Section 9.3.3 b) shall not apply only for a structure(s) for security purposes.
(By-law 11-277, November 16, 2011)
(By-law 12-132, June 13, 2012)

50. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 113 of Schedule "A" – Zoning Maps and described as 2 Station Street, a Feed Mill shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

2012 Governors Road	Map 114
2024 Governors Road	Map 114
2030 Governors Road	Map 114
2038 Governor's Road	Maps 113 and 114
1045 Highway No. 52 North	Maps 113 and 114

The following uses shall be prohibited:

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

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

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

2192 Governors Road	Maps 113 and 122
2208 Governors Road	Map 122
2170 Governors Road	Maps 113 and 122
Part of 49 Inksetter Road	Maps 113 and 114
Part of 37 Highway No. 52 North	Map 113
122 Highway No. 52 North	Map 113

102 Highway No. 52 North	Map 113
Part of 393 Concession 5 West	Map 60
395 Concession 5 West	Map 60
Part of 971 Highway 6	Map 60

The Minimum Lot Area shall be 1.0 hectare.
(By-law No. 15-173, July 10, 2015)

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

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

The Minimum Lot Area shall be 0.5 hectares.
(By-law No. 15-173, July 10, 2015)

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

Part of 1052 Golf Club Road	Map 195
1078 Golf Club Road	Map 195
1088 Golf Club Road	Map 195
1102 Golf Club Road	Map 195
1128 Golf Club Road	Map 195
1136 Golf Club Road	Map 195
1142 Golf Club Road	Map 195
1152 Golf Club Road	Map 195
1164 Golf Club Road	Map 195
1184 Golf Club Road	Map 195
1204 Golf Club Road	Map 195

1214 Golf Club Road	Map 195
1232 Golf Club Road	Map 195
1242 Golf Club Road	Map 195
1248 Golf Club Road	Map 195
1260 Golf Club Road	Map 195
1278 Golf Club Road	Map 195
520 Woodburn Road	Map 195
550 Woodburn Road	Map 195
568 Woodburn Road	Map 195
575 Woodburn Road	Map 195
584 Woodburn Road	Map 195
585 Woodburn Road	Map 195
595 Woodburn Road	Map 195
602 Woodburn Road	Map 195
618 Woodburn Road	Map 195
1095 Woodburn Road	Map 195
1120 Woodburn Road	Map 195
1130 Woodburn Road	Map 195
1144 Woodburn Road	Map 195
1182 Woodburn Road	Map 195
1196 Woodburn Road	Map 195
1208 Woodburn Road	Map 195
1220 Woodburn Road	Map 195
1230 Woodburn Road	Map 195
1242 Woodburn Road	Map 195
1259 Woodburn Road	Map 195
1268 Woodburn Road	Map 195
1291 Woodburn Road	Map 195
1299 Woodburn Road	Map 195
Part of 1320 Woodburn Road	Map 195
1327 Woodburn Road	Map 195
1333 Woodburn Road	Map 195
1339 Woodburn Road	Map 195
1344 Woodburn Road	Map 195
1354 Woodburn Road	Map 195
Part of 1355 Woodburn Road	Map 195
Part of 1375 Woodburn Road	Map 195

a) The following regulations shall apply:

i) Minimum Lot Area 0.8 hectares

ii) Maximum Lot Width 76.0 metres

(By-law No. 15-173, July 10, 2015)
(By-law No. 18-219, August 17, 2018)

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

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

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

56. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as 298 Carlisle Road, permitted uses are restricted to the existing Multiple Dwelling.
(By-law No. 15-173, July 10, 2015)

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

    a) The following use shall also be permitted:

        i) Tree Care Service Establishment

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

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

    c) The following regulation shall apply:

        i) Minimum Interior Side Yard 2.31 metres.

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

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

    a) The following use shall also be permitted:

        Motor Vehicle Sales and Service Establishment

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

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

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

59. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 25 of Schedule "A" – Zoning Maps and described as 835 Regional Road No. 97, a Medical Clinic with a maximum gross floor area of 98.0 square metres shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

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

The Minimum Lot Area shall be 0.9 hectares.
(By-law No. 15-173, July 10, 2015)

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

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

The Minimum Lot Area shall be 1.4 hectares.
(By-law No. 15-173, July 10, 2015)

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

a) The following use shall also be permitted:

retirement home

b) The maximum number of dwelling units within the retirement home shall be 29.

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

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

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

a) The following uses shall also be permitted:

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

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

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

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

i)	Maximum Gross Floor Area	1,600.0 square metres of which, a Maximum Gross Floor Area for a restaurant shall be 500.0 square metres and a Maximum Gross Floor Area for accessory retail shall be 450.0 square metres;
ii)	Parking	Minimum parking requirement of 1 space per 20.0 square metres of Gross Floor Area to a maximum of 95 spaces;
iii)	Maximum Gross Floor Area for Retail	558.0 square metres.
iv)	No livestock building or structure, including associated manure storage facility shall be located within 500 metres of the southerly most property line.	
v)	No outdoor tents or marquees for events shall be permitted.	
vi)	A visual barrier shall be provided on the north and west side of any parking area and the north side of the	

	agritourism buildings, to be comprised of a continuous planting of suitable trees or shrubs, with a minimum 3.0 metre wide planting area appropriate for healthy plant growth, such trees to have a minimum height of 1.8 metres.
vii)	Permeable pavers and/or gravel shall be permitted for all parking and loading spaces, except the main driveway.
viii)	No part of the land on which a patio or courtyard is situated shall be used as a place of entertainment for the purpose of providing entertainment or amusement including live or recorded music or dance facilities.

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

65. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as part of 2340 Wilson Street West, one accessory dwelling unit may be permitted with a commercial use.
(By-law No. 15-173, July 10, 2015)

66. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as 2318 Wilson Street West, a Motor Vehicle Dealership shall also be permitted.
(By-law No. 15-173, July 10, 2015)
(By-law 22-084, April 13, 2022)

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

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

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

68. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 51 of Schedule "A" – Zoning Maps and described as part of 519 Parkside Drive, a temporary sales office for home sales shall also be permitted.
(By-law No. 15-173, July 10, 2015)

69. Notwithstanding Section 12.2.3.1 c), on those lands zoned Rural (A2) Zone, identified on Map 38 of Schedule "A" – Zoning Maps and described as part of 1142 Centre Road, a minimum side yard of 2.0 metres shall be permitted for an agricultural building.
(By-law No. 15-173, July 10, 2015)

70. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Maps 49, 61 and 62 of Schedule "A" – Zoning Maps and described as part of 715 Centre Road, a cemetery shall also be permitted.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

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

392 Moxley Road	Map 94
394 Moxley Road	Map 94
396 Moxley Road	Map 94
404 Moxley Road	Map 94
361 Brock Road	Map 94
383 Old Brock Road	Map 94
387 Old Brock Road	Map 94
2 Short Road	Map 95
622 Harvest Road	Map 95
632 Harvest Road	Map 95
5 Kirby Ave	Maps 94 and 106
293 Brock Road	Maps 94, 106 and 107

a) The following regulations shall apply:

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

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

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

397 Old Brock Road	Map 94
399 Old Brock Road	Map 94

430 Old Brock Road	Map 94
436 Old Brock Road	Map 94
594 Harvest Road	Map 95

a) The following regulations shall apply:

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

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

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

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

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

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

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

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

The Minimum Rear Yard and Minimum Side Yard shall be 30.0 metres from the Brow of the Niagara Escarpment.
(By-law No. 15-173, July 10, 2015)

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

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

a) The following regulations shall apply:

i)	Minimum Rear Yard	i)	15.0 metres for 57 and 75 Marshboro Avenue;
		ii)	10.0 metres for remaining lots identified as SE76.
ii)	Minimum Side Yard	i)	1.8 metres;
		ii)	Notwithstanding i) above, the Minimum Side Yard for 57 and 75 Marshboro Avenue which abuts 69 Marshboro Avenue shall be 15.0 metres.

iii)	The installation of underground lawn watering and irrigation systems and the filling of swimming pools from well water supplies is prohibited.

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

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

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

a) The following regulations shall apply:

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

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

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

a) The following uses shall also be permitted:

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

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

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

a) The following uses shall be permitted:

i) Single Detached Dwelling existing on the date of the passing of this By-law

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

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

i) Minimum Rear Yard 6.64 m

ii) No Planting strip is required.

iii) A Visual Barrier shall be maintained along the length of the rear lot line and along the side lot lines for a distance of 30 m from the rear lot line.

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

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

i) Maximum Floor Area 50.2 sq m

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

i) Existing Frame Shed 3.0 m

ii) Existing Concrete Bin 4.0 m

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

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

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

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

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

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

a) Minimum Lot Area 1.22 hectares; and,

b) Minimum Lot Width 33.5 metres.

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

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

a) Minimum Lot Width 5.0 metres.

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

83. Notwithstanding Sections 4.5 and in addition to 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 35, 36, 46 and 47 of Schedule "A" – Zoning Maps, and described as part of 771 Safari Road, a maximum of 5 single detached dwellings shall be permitted on one lot.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

84. Notwithstanding Sections 4.5 and in addition to 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 179 and 192 of Schedule "A" – Zoning Maps, and described as part of 1511 Nebo Road, a maximum of 2 single detached dwellings shall be permitted on one lot.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

85. Notwithstanding Sections 4.5, and in addition to 12.2.1, 7.7.1 and 7.8.1, on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 46 and 47 of Schedule "A" – Zoning Maps, and described as part of 784 Safari Road, a maximum of 4 single detached dwellings shall be permitted on one lot.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

86. Notwithstanding Sections 4.5 and in addition to 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 122 and 131 of Schedule "A" – Zoning Maps, and described as part of 1341, 1375 and 1399 Powerline Road West, a maximum of 3 single detached dwellings shall be permitted on one lot.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

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

a) Only the following uses shall be permitted:

i) Craftsperson shop;

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

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

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

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

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

ii) Existing accessory single detached dwellings for employees.

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

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

a) The following uses shall also be permitted

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

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

i)	Minimum Lot Area	3.0 hectares;
ii)	Maximum Lot Coverage for non-residential buildings within the	5 percent of the total lot area.

	manufactured and mobile home park	
iii)	Minimum Lot Width	200.0 metres;
iv)	Maximum Height	11.0 metres;
v)	Minimum Front Yard	15.0 metres;
vi)	Minimum Rear Yard	15.0 metres;
vii)	Minimum Interior Side Yard	15.0 metres;
viii)	Minimum Planting Strip	6.0 metres width along each lot line
ix)	Minimum Flankage Yard	15.0 metres;
x)	Minimum Landscaped Open Space	30 percent

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

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

(By-law No. 15-173, July 10, 2015)
(By-law No. 21-189, October 13, 2021)

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

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

a) The following uses shall also be permitted:

i) A manufactured and mobile home park with a maximum of 76 units;
ii) A maximum of five existing rental cabins; and,
iii) One Existing Single Detached Dwelling.

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

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

ix)	Minimum Flankage Yard	15.0 metres;
x)	Minimum Landscaped Open Space	8 percent

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

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

(By-law No. 15-173, July 10, 2015)
(By-law No. 21-189, October 13, 2021)

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

a) The following use shall also be permitted:

i) A manufactured and mobile home park with a maximum of 475 units, subject to the following:

1. All units shall have a maximum of 1 bedroom.

2. In addition to 1. above, a minimum of 25% of the total dwelling units shall have a maximum gross floor area of 111.0 square metres.

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

i)	Minimum Lot Area	3.0 hectares;
ii)	Maximum Lot Coverage for non-residential buildings within the Manufactured and Mobile Home Park	5 percent of the total lot area.
iii)	Minimum Lot Width	200.0 metres;
iv)	Maximum Height	11.0 metres;
v)	Minimum Front Yard	15.0 metres;
vi)	Minimum Rear Yard	15.0 metres;
vii)	Minimum Interior Side Yard	15.0 metres;
viii)	Minimum Planting Strip	30.0 metres width along each lot line
ix)	Minimum Flankage Yard	15.0 metres;
x)	Minimum Landscaped Open Space	30 percent

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

i)	Minimum Lot Area	370.0 square metres;
ii)	Minimum Lot Width	12.0 metres;
iii)	Minimum Front Yard	3.0 metres;
iv)	Minimum Rear Yard	3.0 metres;

v)	Minimum Interior Side Yard	1.5 metres;
vi)	Minimum Flankage Yard	3.0 metres;
vii)	Maximum Lot Coverage	35 percent;
viii)	Minimum Landscaped Open Space	10 percent
ix)	Open Storage	Shall not be permitted

(By-law No. 15-173, July 10, 2015)
(By-law No. 21-189, October 13, 2021)

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

a) The following uses shall also be permitted:

i) A mobile home park with a maximum of 186 units;
ii) seasonal campground;
iii) Community Hall; and,
iv) Existing Single Detached Dwellings.

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

i) A maximum area of 12.14 hectares shall be permitted for the mobile home park;
ii) A minimum area of 300.0 square metres shall be permitted for each mobile home site;
iii) A minimum frontage of 10.0 metres shall be permitted for each mobile home site;
iv) Measured from the building face, every dwelling and mobile home shall be separated from any other dwelling or mobile home by a minimum of:

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

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

c) The following regulations shall apply to the seasonal campground:

i) The maximum area shall be 0.4 hectares;
ii) A maximum of 12 sites shall be permitted for recreational vehicles or tents.

d) The following regulations shall apply to an individual seasonal camping site:

i) The minimum area shall be 200.0 square metres;
ii) The minimum frontage shall be 7.5 metres;
iii) The maximum coverage shall be 35 percent;
iv) The minimum front yard setback shall be 3.0 metres;
v) Measured from the building face, every recreational vehicle shall be separated from any other recreational vehicle or mobile home by a minimum of:

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

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

(By-law No. 15-173, July 10, 2015)
(By-law No. 21-189, October 13, 2021)

93. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 166 of Schedule "A" – Zoning Maps and described as 54 and 62 Upper Centennial Parkway, a Salvage Yard shall also be permitted and in accordance with the provisions of Section 12.7.3.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

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

a) The following uses shall also be permitted:

i) A mobile home park with a maximum of 15 units;
ii) Seasonal Campground; and,

iii) One existing Single Detached Dwelling.

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

i)	Minimum Lot Area	3.0 hectares;
ii)	Maximum Lot Coverage for non-residential buildings within the mobile home park	5 percent of the total lot area.
iii)	Maximum Height	11.0 metres;
iv)	Minimum Front Yard	15.0 metres;
v)	Minimum Rear Yard	15.0 metres;
vi)	Minimum Interior Side Yard	15.0 metres;
vii)	Minimum Planting Strip	30.0 metres width along each lot line
viii)	Minimum Flankage Yard	15.0 metres;
ix)	Minimum Landscaped Open Space	30 percent

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

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

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

(By-law No. 15-173, July 10, 2015)
(By-law No. 21-189, October 13, 2021)

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

a) The following use shall also be permitted:

i) A manufactured and mobile home park with a maximum of 7 units.

b) The following regulations shall apply to the Manufactured and Mobile Home Park:

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

x)	Minimum Landscaped Open Space	8 percent

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

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

(By-law No. 15-173, July 10, 2015)
(By-law No. 21-189, October 13, 2021)

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

a) The following use shall also be permitted:

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

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

topsoil preparation and supply business	Shall mean a business in which soil, manure, and mulches are screened,

	mixed and/or stored on site for distribution off premises.

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

a)	Maximum floor area for a maintenance building	700 square metres	
b)	Minimum front yard (excluding a single detached dwelling)	145 metres	
c)	Minimum setback from the westerly lot line, northerly lot line and any Conservation/Hazard Land - Rural (P8) Zone	30 metres	
d)	Parking	A)	In accordance with Section 5 of this By-law.
		B)	Notwithstanding A) above, a minimum of 10 spaces shall be required.
e)	A landscaped berm having a height of one (1) metre shall be provided along the entire 30 metre setback from the P8 Zone		

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

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

a) The following uses shall also be permitted:

i) Aggregate Storing;
ii) Crushing and Screening of Aggregate;
iii) Concrete Mix Manufacturing;
iv) Concrete Product Manufacturing;
v) Recycling of Concrete;
vi) Repair and refurbishment of Construction and/or Aggregate machinery and equipment; and,

vii) Accessory Uses, which may include but no be limited to business, professional or administrative offices, outdoor storage, retailing or wholesaling of goods produced on the premises.

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

i)	Maximum Building Height	15 metres
ii)	Maximum Lot Coverage	50 percent
iii)	Minimum Front Yard	7.5 metres
iv)	Minimum Rear Yard	A) 7.5 metres B) Notwithstanding A) above, the minimum required rear yard shall be 10 metres abutting a Residential Zone or use
v)	Minimum Side Yard	A) 3.0 metres B) Notwithstanding A) above, the minimum required side yard shall be 10 metres abutting a Residential Zone or use
vi)	Minimum Flankage Yard	10 metres
vii)	Minimum yard for accessory buildings	15 metres
viii)	Minimum Planting Strip	A 7.5 metre planting strip is required along the entire front lot line, flankage lot line and adjacent to any lot line which abuts a residential use. The required planting strip shall be bermed throughout to a minimum height of one (1) metre, and shall contain trees and shrubs with a minimum

		height of one (1) metre on planting.	
ix)	Parking	A)	In accordance with Section 5 of this By-law.
		B)	Notwithstanding A) above, 1 space for each 50 square metres of gross floor area.
x)	Outdoor Storage	Shall not be permitted in any required Front or Flankage Yard	

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

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

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

The following special provisions shall also apply:

a) The following use shall also be permitted:

Kennel

b) The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.6 b) through f).

c) For the property located at 1469 Sawmill Road, the following regulations shall also apply to a Kennel:

i) A maximum of 12 animal runs are permitted.

ii) Notwithstanding Section 12.2.3.6 b) ii), minimum setback for animal runs shall be 24.0 metres from all lot lines.

iii) A visual barrier shall be provided and maintained at the entrance to the kennel and between any location where the kennel faces an abutting property.

d) For the property located at 416 Trinity Road South, the following regulations shall also apply to a Kennel:

i) A kennel is only permitted within an existing accessory building

ii) Dog runs must be enclosed and shall not exceed 4.5 metres in length

iii) A 1.5 metre wide planting strip shall be provided along any lot line abutting the residential use located at 424 Trinity Road South

iv) Notwithstanding Section 12.2.3.6 b) ii), outdoor animal play areas shall be located a minimum of 30 metres from any lot line abutting a residential use

v) A solid fence 1.8 metres in height is required around the perimeter of all dog runs

vi) Max 75 dogs and 25 cats.

e) Notwithstanding Sections 12.2.3.6 b) i) and c), for the property located at 226 Carluke Road East, the following regulations shall also apply to a Kennel:

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

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

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

241 and 245 Campbellville Road	Map 9
1149 Westover Road	Map 57
1774 Valens Road	Map 32
1552 Highway 6	Map 36
420 and 424 Highway 5 West	Map 84
265 Middletown Line and 1117 2nd Concession Road West	Map 105
Part of 329 6th Concession Road East	Maps 38 and 49
575 Shaver Road	Map 145
3203 Jerseyville Road West	Map 141
2869 Upper James Street	Map 177
218 Glover Road	Map 138
Part of 907 Highway 8	Map 138
1455 Highway 8	Map 139
Part of 10 Bridgman Lane	Map 139
218 Mud Street East	Map 167
653 Mud Street East	Map 168
Part of 41 5th Concession Road East	Map 61
63 Regional Road 20	Map 166
583 Tapleytown Road	Map 152
2149 Upper James Street	Map 162

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

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

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

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

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

1346 4th Concession Road West	Map 81

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

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

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

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

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

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

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

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

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

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

The following special provisions shall also apply:

a) the existing Tradesperson's Shop shall also be permitted within existing buildings.

b) In addition to a) above, for the property located at 360 Regional Road 20, the following regulations apply:

i) Minimum parking setback – 1.5 metres from a rear lot line and 7.5 metres from any lot line which abuts a street or a lot used primarily for residential purposes;

ii) A planting strip with a minimum width of 1.5 metres shall be provided adjacent to any lot line which abuts a lot used primarily for residential purposes.

c) Notwithstanding a) above, for the property located at 1235 and 1287 Trinity Road South, the following regulations apply:

i) The maximum gross floor area of the existing building to be used in conjunction with the Tradesperson Shop shall not exceed 350 square metres.

ii) Open storage shall be permitted to a maximum area of 465 square metres.

iii) The total lot area to be used in connection with the Tradesperson Shop shall not exceed 2, 815 square metres.

iv) All outdoor storage and parking associated with the Tradesperson Shop shall be setback a minimum of 128 metres from Trinity Road.

d) In addition to a) above, for the properties located at 952 Brock Road, 829 6th Concession Road West and 1002 6th Concession Road West, open storage shall be prohibited.

e) In addition to a) above, for the property located at 494 6th Concession Road West, outdoor storage shall be limited to a 37 square metre area to the east of the accessory building and shall be screened by a 1.8 m high wood privacy fence.

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

103. In addition to Sections 12.1.1, 12.2.1 and 12.6.1 and notwithstanding Section 12.6.3, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing

Rural Commercial (E1) Zone, identified on Maps 18, 36, 47, 49, 50, 61, 71 and 73 of Schedule "A" – Zoning Maps, described as addresses:

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

The following special provisions shall also apply:

a) For the properties at 6 8th Concession Road East and 643 Robson Road, the existing landscape contracting establishment shall also be permitted.

b) For the property located at 831 Centre Road, a landscape operation shall also be permitted and shall be subject to the following regulations:

i) A maximum gross floor area of 310.8 square metres shall be permitted for the landscaping shop;

ii) A maximum gross floor area of 378.9 square metres shall be permitted for the office associated with the landscaping operation; and,

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

c) For the property located at 850 Centre Road, a landscaping operation shall also be permitted and shall be subject to the following regulations:

i) A maximum gross floor area of 260.0 square metres shall be permitted for the landscaping operation; and,

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

d) For the property located at 437 Parkside Drive, a landscaping operation shall also be permitted and shall be subject to the following regulations:

i) A maximum gross floor area of 50.7 square metres shall be permitted for the landscaping shop; and,

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

e) For the property located at Part of 557 Carlisle Road, a landscape contractor shall also be permitted and shall be subject to the following regulations:

i) A maximum gross floor area of 196.0 square metres shall be permitted for the landscape shop; and,

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

f) For the property located at Part of 22 5th Concession Road East, a landscaping business shall also be permitted and shall be subject to the following regulations:

i) A maximum gross floor area of 350.0 square metres shall be permitted for the landscape business; and,

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

g) For the property located at 717 Brock Road, a landscaping operation shall also be permitted and shall be subject to the following regulations:

i) A maximum gross floor area of 235.0 square metres shall be permitted for the landscape business;

ii) All landscaping equipment shall be stored within the landscape shop;

iii) The open storage of materials shall be limited to an area that is 31.7 metres wide by 15.24 metres deep behind the landscaping shop on the west side of the property;

iv) A 2.0 metre high solid privacy fence shall be erected along the south lot line; and,

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

h) For the property located at Part of 624 Millgrove Side Road, a lawn maintenance and snow plowing business shall also be permitted and shall be subject to the following regulations:

i) A maximum gross floor area of 53.5 square metres shall be permitted for the lawn maintenance and snow plowing operation; and,

ii) In accordance with Section 12.1.3.1 b), c), d), e) and f).

i) For the property located at 35 Parkside Drive, a lawn care and tree feeding business shall also be permitted and shall be subject to the following regulations:

i) A maximum gross floor area of 37.16 square metres shall be permitted for the lawn care and tree feeding business; and,

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

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

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

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

a) The following use shall also be permitted:

Garden Centre

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

i) The Garden Centre located at 340 Regional Road 20 shall be in accordance with Section 12.1.3.1 b), c), d) e) and g);

ii) The Garden Centre located at 163 Highway No. 5 West, the following regulations shall apply:

1. In accordance with Section 12.2.3.1 b), and d).

2. Notwithstanding Section 12.2.3.1 c), the minimum side yard setback shall be 11 metres.

3. Notwithstanding Section 12.2.3.1 f), outdoor storage existing on the date of the passing of this by-law shall be permitted.

4. Notwithstanding Section 12.2.3.1 g), accessory buildings shall be permitted 0.4 metres from the required side yard.

(By-law No. 18-259, September 12, 2018)
(By-law No. 21-189, October 13, 2021)

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

1. Maximum gross floor area shall be 30 percent of the total floor area of the greenhouses on the same lot;

2. Open storage shall only be used for a retail sales and display area; and,

3. In accordance with Section 12.2.3.1 b), c), d) and g).

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

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

1618 Regional Road 97	Map 32
242 8th Concession Road East	Map 37
1050 Regional Road 56	Map 181
628 Ofield Road North	Maps 72 and 84
1361 Edgewood Road	Map 36
510 4th Concession Road West	Map 72
113 6th Concession Road East	Map 49
4663 Highway 6	Map 209

460 Regional Road 20	Map 182
Part of 1413 Highway 8	Map 139
1597 4th Concession Road West	Map 91
3058 Wilson Street West	Map 156
Part of 1062 Gore Road	Map 15
Part of 278 Highway 52 North	Map 132
590 Highway 5 West	Maps 84 and 95
1092 Highway 6	Map 48
1489 Highway 6	Map 36
Part of 1451 Highway No. 8	Map 139
2623 Wilson Street West	Map 157
5 6th Concession Road East	Map 60
1129 Highway 5 W	Map 93

a) The following use shall also be permitted:

Motor Vehicle Service Station

b) The following special provisions shall also apply to the Motor Vehicle Service Stations located at 1618 Regional Road 97, 242 8th Concession Road East, 1050 Regional Road 56, 628 Ofield Road North, 1361 Edgewood Road, 113 6th Concession Road East, 1062 Gore Road and 278 Highway 52 North:

i) The sale of fuel is prohibited;

c) The regulations pertaining the use identified in a) above shall be in accordance with Section 12.6.3 b) through k).

d) Notwithstanding Section 12.6.3 i), the following special provision shall also apply to the Motor Vehicle Service Stations located at 242 8th Concession Road East and 628 Ofield Road North;

i) Open storage is prohibited;

e) In addition to a) above and notwithstanding the definition of Motor Vehicle Service Station and Section 12.6.3 i), for the property located at 1050 Regional Road 56, the following special provisions shall also apply:

i) The following use shall also be permitted:

the sale of four (4) motor vehicles accessory to the Motor Vehicle Service Station

ii) The following regulations shall also apply:

A) Servicing of commercial tractors is also permitted;

B) Maximum area of open storage – 425 square metres;

C) Open storage areas shall be fenced with a solid wood fence with a maximum height of 1.8 metres;

D) Access is restricted to one driveway;

f) Notwithstanding the definition of Motor Vehicle Service Station, for the property located at 510 4th Concession Road West, the servicing of Commercial Motor Vehicles is also permitted.

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

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

a) The following use shall also be permitted:

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

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

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

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

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

The following special provisions shall also apply:

a) The following use shall also be permitted:

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

b) The following regulation shall also apply:

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

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

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

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

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

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

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

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

The following special provisions shall also apply:

a) The following use shall also be permitted:

Restaurant

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

i) Notwithstanding Section 12.6.3 c), the minimum easterly side yard shall be 1.7 m.

ii) In addition to Section 12.6.1, one dwelling unit shall be permitted on the second floor.

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

110. Notwithstanding Sections12.2.3.7 d) and e), on those lands zone Rural (A2) Zone, identified on Map 73 of Schedule "A" – Zoning Maps, described as addresses:

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

The following special provisions shall apply:

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

i)	Minimum Front Yard	7.5 metres
ii)	Minimum Interior Side Yard	1.8 metres

iii)	Minimum Flankage Yard	3.0 metres

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

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

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

The following special provisions shall also apply:

a) The following use shall also be permitted:

flea market

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

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

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

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

a) The following use shall also be permitted:

Warehouse

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

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

A) The warehouse areas must be fully enclosed and the buildings related to the warehouse operation shall not exceed a maximum gross floor area of 1,984 square metres and shall be set back a minimum of 6.0 metres from all lot lines;

B) One dwelling unit shall be permitted within a building also containing the office and an enclosed storage area related to the warehouse operation;

C) The retail sale of packing materials and supplies may be permitted as an accessory use to the warehouse;

D) A minimum of 18 parking spaces shall be provided;

E) Notwithstanding Section 5.2 e), required parking areas may also be constructed with gravel surface which is permanently maintained and provided with adequate drainage; and,

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

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

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

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

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

a) The following uses shall also be permitted:

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

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

i) The veterinary service shall have a maximum of three practitioners;

ii) The veterinary service must be fully enclosed;

iii) The following regulations apply to the existing Kennel:

A) Maximum floor area – 376.0 square metres.

B) The kennel must be used for the training of dogs only. The keeping and boarding of dogs and/or domestic pets; dog sport competition events and dog shows are prohibited.

C) No animals shall be kept in any open area and no buildings or structures associated with a kennel may be located within 90 metres of any residential use on any adjacent lot.

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

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

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

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

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

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

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

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

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

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

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

The following special provisions shall also apply:

a) The properties shall be deemed to be lots.

b) The following regulations shall also apply:

i) For the property located at 2854 Jerseyville Road West, the eastern lot line is deemed to be the front lot line.

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

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

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

a) The following use shall also be permitted:

private school

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

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

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

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

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

118. Within the lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Conservation / Hazard Land – Rural (P6) Zone, identified on Maps 53, 65, 92, 93, 100, 103, 104, 109, 112, 113, 114, 128, 129, 130, 140, 141, 175, 179, 180, 188, 191, 193, 194,

200, 201, 203, 206, 207, 213, 214, 215, 219, 223, 224, and 225 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
Part of 2330 Guyatt Road	193, 194
1433 Guyatt Road	206
2860 Kirk Road	213
1115 Hendershot Road	194
9305 Chippewa Road West	201
3316 Highway 56	213
Part of 1400 Seaton Road	53
Part of 1270 Trinity Church Road	179
3316 Golf Club Road	180
6175 White Church Road	203
3157 Hendershot Road	214
2147 Woodburn Road	207, 215
1280 Hendershot Road	194
1240 Seaton Road	65
6363 White Church Road East	191, 203
Part of 1700 Hall Road	219, 223
Part of 435 Lynden Road	129, 141
2505 Highway No. 5 West	100, 109
Part of 3291 Jerseyville Road West	141
160 Norsworthy Road	188, 200
701 Lynden Road	129
Part of 3667 Indian Trail Road	128, 140, 141
Part of 4500 Governor's Road	128
1280 Hendershot Road	194
345 Bell Road	224, 225
6266 Chippewa Road	203
Part of 186 Binbrook Road	215
Part of 49 Inksetter Road	113, 114
1230 Sodom Road	92, 93
5200 Berry Road	225
Part of 2040 Hall Road	219, 223
3600 Guyatt Road	193
2274 Power Line Road	130
2350 Westbrook Road	207, 215
280 Butter Road West	175
Part of 1557 Concession 2 Road West	103, 104, 112, 113
2069 Binbrook Road	214
9350 Haldibrook Road	201, 209
1640 Trinity Church Road	192

5015 Tyneside Road	210, 211

The following special provisions shall apply:

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

Single Detached Dwelling
Residential Care Facility

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

i) In addition to Subsection 12.1.2, for the lands located at 1433 Guyatt Road, the housing of livestock shall be prohibited within barns existing on May 13, 2009.

ii) In addition to Subsection 12.1.2, for the lands located at 2860 Kirk Road, the housing of livestock shall be prohibited within barns existing on May 14, 2008.

iii) In addition to Subsection 12.1.2, for the lands located at 2147 Woodburn Road, the housing of livestock shall be prohibited within barns existing on December 14, 2005.

iv) Notwithstanding Subsection 12.1.3.1 c), for the lands located at 3316 Highway 56, the minimum side yard for agricultural buildings and structures shall be 10.2 metres.

v) Notwithstanding Subsection 12.2.3.1 a), for the lands located at 49 Inksetter Road, the minimum lot area shall be 37 hectares.

vi) Notwithstanding Subsection 12.2.3.1 a), for the lands located at 1226 Sodom Road, the minimum lot area shall be 18 hectares.

vii) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 5200 Berry Road, the minimum lot area shall be 37 hectares.

viii) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 280 Butter Road, the minimum lot area shall be 39 hectares.

ix) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 3600 Guyatt Road, the minimum lot area shall be 21 hectares.

x) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 2274 Power Line Road West, the minimum lot area shall be 23 hectares.

xi) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 6330 Chippewa Road East, the minimum lot area shall be 36 hectares.

c) The following regulation shall also apply for the property located at 3316 Highway 56:

The minimum side yard for the agricultural buildings and structures shall be 10.2 metres.

d) The following regulations shall also apply for the property located at 2069 Binbrook Road:

i) Notwithstanding Subsection 12.1.1, a Residential Care Facility shall be prohibited on the subject lands.

ii) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 2069 Binbrook Road, the minimum lot area shall be 34.0 hectares.

e) The following regulations shall also apply for the property located at 9350 Haldibrook Road:

i) Notwithstanding Subsection 12.1.3.1 a), the minimum lot area shall be 32.0 hectares.

e) The following regulations shall also apply for the property located at 1650 Trinity Church Road:

i) Notwithstanding Subsection 12.1.3.1 a), the minimum lot area shall be 35.8 hectares.

f) The following regulations shall also apply for the property located at 5015 Tyneside Road:

i) Notwithstanding Subsection 12.1.1 a Single Detached Dwelling and Residential Care Facility shall be prohibited on the subject lands.

(By-law No. 15-173, July 10, 2015, As amended by OMB Decision PL150805 dated May 3, 2016)
(By-law No. 21-189, October 13, 2021, By-law No. 21-040, March 21, 2021)
(By-law No. 22-113, May 11, 2022)
(By-law No. 22-114, May 11, 2022)
(By-law No. 22-166, July 08, 2022)

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

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

120. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 35 of Schedule "A" – Zoning Maps and described as 1436 Brock Road, a medical clinic shall also be permitted within an existing building and shall be in accordance with Section 12.2.3.1 b) through h).
(By-law No. 15-173, July 10, 2015)

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

a) The following use shall also be permitted:

saw mill

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

i)	Open Storage	A minimum setback of 25.0 metres from the front lot line;
ii)	Parking	Minimum 15 spaces.
iii)	In accordance with Section 12.2.3.1 b), c), d), e) and g).	

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

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

a) The following uses shall also be permitted:

i) Existing commercial storage operation; and,

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

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

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

i)	Open Storage	1. Shall be restricted to the storage of major recreational equipment;

		2. Shall be located a minimum of 12.0 metres from any lot line;
		3. Maximum area devoted to open storage shall be 25% of the gross floor area of the commercial storage buildings or 2970.0 square metres, whichever is less.
	ii) Planting Strip	1. Minimum 5.0 metre wide planting strip along the front lot line, flankage lot line and any lot line abutting a residential use;
		2. In addition to ii) 1. above, a minimum 3.0 metre planting strip shall be required along all other lot lines;
		3. All plantings must have a minimum height of 0.8 metres.
	iii) Parking	1. Minimum of 4 parking spaces;
		2. In addition to iii) 1. above, 1 barrier free parking space shall be provided.

iv) No driving aisle or maneuvering space is permitted between a commercial storage building and any adjacent residential use.

v) No windows or doors shall be located along the wall of any commercial storage building abutting a residential use

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

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

a) Only the following use shall be permitted:

i) Establishment for the rendering and recycling of food and meat by-products and the extracting of oil from fish or animal matter and the processing of oil products.

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

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

a) Only the following use shall be permitted:

water treatment facilities accessory to the rendering and manufacturing use located on the same lot.

b) The regulations pertaining the use identified in a) above shall be in accordance with Section 12.2.3.1 b) through h).

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

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

a) The following uses shall also be permitted:

i) Animal oriented events such as rodeos and exhibitions;
ii) Casino
iii) Commercial Entertainment;

iv) Flea Markets;
v) Auctions;
vi) Horse Racetrack and Racing of Animals;
vii) Horse Breeding;
viii) Park;
ix) Public Assembly events such as meetings, cultural and educational gatherings; and,
x) Seasonal Campground

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

(By-law No. 15-173, July 10, 2015)
(By-law No. 18-219, August 17, 2018)

126. In addition to Section 7.4.1, on those lands zoned Open Space (P4) Zone, identified on Map 67 of Schedule "A" – Zoning Maps and described as 1049 Kirkwall Road, a museum shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

a) The following uses shall also be permitted:

i) aircraft maintenance and storage;
ii) Building and Lumber Supply Establishment;
iii) Manufacturing;
iv) Motor Vehicle Service Station, excluding the sale of fuel;
v) Office;
vi) Tradesperson's Shop;
vii) Warehouse; and,
viii) Water bottling plant.

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

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

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

a) The following use shall also be permitted:

Veterinary Service

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

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

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

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

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

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

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

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

a) The following uses shall also be permitted within the existing building:

i) Restaurant; and,
ii) Retail.

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

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

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

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

a) The following use shall also be permitted:

i) Existing assembly and distribution business.

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

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

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

134. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 38 and 39 of Schedule "A" – Zoning Maps and described as 442 6th Concession Road East, general contracting, including servicing of equipment and vehicles and associated open storage, shall also be permitted and shall be in accordance with Section 12.1.3.1 b), c), d), e) and g).
(By-law No. 15-173, July 10, 2015)

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

a) The following use shall also be permitted:

i) wholesale and retail sale of nursery stock, related pre-packaged fertilizer and chemical fertilizers.

b) The following use shall also be prohibited:

i) blending and bulk fertilizer storage.

c) The regulations pertaining the use identified in a) above, shall be in accordance with Section 12.2.3.1 b) through h).

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

136. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 35 of Schedule "A" – Zoning Maps and described as 1407

Brock Road, a propane distribution depot, a refreshment vehicle and a retail establishment shall also be permitted.

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

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

a) The following uses shall also be permitted:

i) Manufacturing; and,
ii) Retail establishment for the sale of sporting goods.

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

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

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

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

a) The following uses shall also be permitted:

i) Manufacturing
ii) Motor Vehicle Service Station; and,
iii) Transport Terminal.

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

140. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 61 of Schedule "A" – Zoning Maps and described as part of 823 Highway 6, a patio furniture outlet and a retail establishment for the sale of antiques and crafts shall also be permitted shall be in accordance with Section 12.2.3.1 b) through h). (By-law No. 15-173, July 10, 2015)

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

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

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

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

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

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

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

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

a) Only the following uses shall be permitted:

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

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

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

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

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

c) For the property at 630 Trinity Road South, the following regulations shall apply to the uses identified in a) i) above:

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

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

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

a) The following use shall also be permitted:

warehousing operation

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

i) No parking space located adjacent to Highland Road shall be permitted to be used for the parking of rental trucks or rental trailers;

ii) A maximum of 10 rental trucks and 5 rental trailers shall also be permitted.

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

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

a) The following use shall also be permitted:

liquid petroleum transfer business

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

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

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

146. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified as Map 166 on Schedule "A" – Zoning Maps and described as 146 Upper Centennial Parkway, the existing outdoor storage and rental of construction and industrial equipment shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

a) The following use shall also be permitted

Bakery

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

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

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

i)	Maximum Gross Floor Area	36,510 square metres;	
ii)	Maximum Lot Coverage	40%	
iii)	Minimum Front Yard	A.	50.0 metres;
		B.	Notwithstanding A. above, 35.0 metres shall be provided for buildings existing as of April 26, 2006.
iv)	Minimum Side Yard	13.0 metres;	
v)	Minimum Flankage Yard	13.0 metres;	
vi)	Minimum Rear Yard	A.	7.6 metres
		B.	Notwithstanding A. above, 3.0 metres for the existing temporary storage building.
vii)	Planting Strip	A minimum 3.0 metre wide planting strip shall be provided and maintained along the boundary line adjacent to Fiddler's Green Road, except for the driveway area	

viii)	Parking	123 spaces, plus one additional space for every 140.0 square metres of gross floor area in excess of 18, 720 square metres shall be required.
ix)	Outdoor Storage	Shall be subject to regulations c) iii), iv), v) and vi) above. (By-law No. 15-237, October 14, 2015)

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

148. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as 2692 Wilson Street West, a Hotel shall also be permitted.
(By-law No. 15-173, July 10, 2015)

149. In addition to Section 12.6.1 on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 120 and 129 of Schedule "A" – Zoning Maps and described as 4206 Governor's Road, a variety or grocery store, a post office, and one dwelling unit shall also be permitted within an existing building.
(By-law No. 15-173, July 10, 2015)

150. In addition to Section 9.12.1, on those lands zoned Extractive Industrial (M12) Zone, identified on Map 146 of Schedule "A" – Zoning Maps and described as part of 658 Fiddlers Green Road, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) The operations and equipment storage of an excavation contractor; and,
ii) Transportation Depot and Truck Terminal.

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

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

151. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 205 of Schedule "A" – Zoning Maps and described as part of 2187 Regional Road 56, a motor vehicle storage, sales and repair operation, Motor Vehicle Service Station and an office for a travel agency shall also be permitted.
(By-law No. 15-173, July 10, 2015)
(By-law No. 15-286, December 9, 2015)

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

a) The following uses shall also be permitted:

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

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

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

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

i)	Minimum Lot Width	45.0 metres;
ii)	Minimum Lot Depth	60.0 metres;
iii)	Maximum Lot Coverage	30 percent;
iv)	Minimum Front Yard	14.0 metres;
v)	Minimum Side Yard	14.0 metres;
vi)	Minimum Rear Yard	14.0 metres

vii)	Maximum Building Height	10.7 metres;	
viii)	Parking	i)	No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1.5 metres of any rear lot line, or within 3 metres of any street line or the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes;
		ii)	The maximum number of outside parking spaces and/or the maximum capacity of outside parking areas associated with the uses permitted in this special exception shall be ten (10) motor vehicles. All other parking on the subject lot shall be wholly enclosed and/or screened from view with a solid fence having a minimum height of 1.8 metres.
ix)	Planting Strip	A minimum width of 3 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes;	

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

(By-law No. 15-173, July 10, 2015)
(By-law No. 21-189, October 13, 2021)

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

a) The following use shall also be permitted:

existing building and house moving business

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

i)	Outdoor Storage	Shall not exceed an area of 1,400.0 square metres.
ii)	Commercial Motor Vehicles	A Maximum of three commercial motor vehicles shall be

		parked/stored on the property.
iii)	In accordance with Section 12.1.3.1 b), c), d), e), g) and h).	

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

154. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 211 and 217 of Schedule "A" – Zoning Maps and described as part of 5364 Tyneside Road, a storage and wholesaling establishment for metal products shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

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

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

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

a) The following use shall also be permitted:

cheese processing operation

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

i) Minimum side yard shall be 7.5 metres.

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

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

a) The following uses shall also be permitted:

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

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

i) Minimum front yard shall be 30.0 metres;

ii) Maximum number of employees permitted shall be 3;

iii) A landscape area having a minimum width of 6.0 metres shall be provided and maintained along any lot line adjacent to Regional Road 20;

iv) A landscape area having a minimum width of 3 metres; and a fence having a minimum height of 1.8 metres and a maximum height of 2.1 metres shall be provided and maintained along any portion of any lot line adjacent to a commercial use.

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

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

a) The following use shall also be permitted:

pipe storage, processing and distribution operation

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

i) The height of the pipes in the outdoor storage area measured from ground level shall not exceed 2.3 metres;

ii) An earth berm with a minimum height of 1.8 metres and a planting strip along the top of the berm consisting of evergreens with a minimum height of 1.5 metres shall be provided along any lot line adjacent to a street or a residential use.

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

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

a) The following use shall also be permitted:

Existing Holistic Wellness Centre

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

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

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

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

a) The following use shall also be permitted:

Existing go-kart track

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

i)	The length of the go-kart track shall not exceed 0.8 km.

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

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

a) The following uses shall be prohibited even as an accessory use:

i) Mausoleum;
ii) Columbarium; and,
iii) Crematorium.

b) The following regulations shall apply:

i) Maximum lot coverage 2 percent;

ii) No grave, building or structure shall be located within 45.0 metres of the centre line of Binbrook Road;

iii) Minimum yards (including graves) – 30 metres from any adjoining land which is used for residential purposes, 15 metres for any other lot line;

iv) Minimum setback for parking areas – 15 metres from any adjoining land which is used for residential purposes, 7.5 metres for any other lot line;

v) A planting strip consisting of coniferous trees and having a minimum width of 7.5 metres shall be provided along the western lot line of the subject lands;

vi) A planting strip having a minimum width of 3 metres shall be proved along the eastern lot line of the subject lands;

vii) A fence with a minimum height of 1.8 metres shall be provided along the western lot line of the subject lands;

viii) A fence with a minimum height of 1.8 metres shall be provided along the southern and eastern lot lines of the subject lands, and along the northern portion of the lands which are being actively developed at any one time;

ix) The internal vehicular road system shall be a minimum of 7.5 metres in width;

x) No buildings or structures are permitted for an agricultural use.

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

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

a) The following use shall also be permitted:

Barnboard and Beam Business

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

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

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

163. In addition to Section 7.3.1, on those lands zoned City Wide Park (P3) Zone, identified on Map 204 of Schedule "A" – Zoning Maps and described as part of 4300 Binbrook Road, a municipal administration office shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

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

b) Minimum yards for all golf tees, fairways, greens and practice areas shall be 30.0 metres from any lot line that abuts a public street or a lot used for residential or institutional purposes;

c) A landscaped area with a minimum width of 10.0 metres shall be provided adjacent to any lot line that abuts a public street or a lot used for residential or institutional purposes.

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

165. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 182 of Schedule "A" – Zoning Maps and described as 443 Regional Road 20, a Restaurant and banquet centre shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

a) Minimum flankage yard shall be as per the existing building, but in no case less than 10.0 metres

b) Maximum flankage yard 115.0 metres;

c) Minimum front yard 85.0 metres;

d) Maximum front yard 200.0 metres;

e) Maximum coverage permitted within the building envelope established through a), b), c), and d) above shall be 30 percent;

f) Maximum coverage permitted for accessory buildings within the established building envelope shall be 5 percent;

g) Maximum height 7.5 metres;

h) Any accessory retail uses must be located on the ground floor of the principal building and must not exceed 20 percent of the gross floor area of that building;

i) One parking space is required for every 28.0 square metres of gross floor area devoted to accessory retail uses;

j) One parking space is required for every 100.0 square metres of gross floor area devoted to the agricultural-related use;

k) No parking space or lot shall be located closer than 30.0 metres from the front lot line or 10 metres from the flankage lot line;

l) Open air operations, outdoor storage, and outdoor display of goods or materials other than operative motor vehicles, trucks, or operative agricultural equipment are prohibited.

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

167. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 944 Highway 8, the processing, wholesaling, warehousing, storage of agricultural and food products and associated buildings and structures shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

a) The following uses shall also be permitted:

i) Place of Worship;
ii) Child Care Centre; and,
iii) Educational Establishment.

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

i) In accordance with Section 12.1.3.1b) through g); and,
ii) Parking shall be provided in accordance with Section 5.6c)ii).

(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)
(By-law No. 25-155, August 06, 2025)

169. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 166 on Schedule "A" – Zoning Maps and described as part of 154 Upper Centennial Parkway, the sales and rental of golf equipment and snow and ice removal equipment shall also be permitted.
(By-law No. 15-173, July 10, 2015)

170. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 35 on Schedule "A" – Zoning Maps and described 793 8th Concession Road West, the existing custom workshop for the sale, service and distribution of water pumps, tanks and related accessories shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

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

a) The following use shall also be permitted:

farmer's market

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

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

172. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 36 on Schedule "A" – Zoning Maps and described as part of 20 and 24 Carlisle Road, a trailer manufacturing business shall also be permitted.
(By-law No. 15-173, July 10, 2015)

173. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 50 and 62 on Schedule "A" – Zoning Maps and described as 407 and 411 Parkside Drive, an extraction and refining operation of abrasive material for industrial cleaning shall also be permitted.
(By-law No. 15-173, July 10, 2015)

174. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 31 on Schedule "A" – Zoning Maps and described as part of 1817 and 1829 Regional Road 97, a bakery, pallet manufacturing operation and welding operation shall also be permitted.
(By-law No. 15-173, July 10, 2015)

175. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 66 on Schedule "A" – Zoning Maps and described as part of 1074 Highway 8, the existing outdoor storage operation shall also be permitted.
(By-law No. 15-173, July 10, 2015)

176. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 70 and 202 on Schedule "A" – Zoning Maps and described as part of 8155 Chippewa Road and 971 5th Concession Road West, Manufacturing shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

a) The following use shall also be permitted:

Agricultural Processing Establishment – Stand Alone

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

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

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

178. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 190 on Schedule "A" – Zoning Maps and described as 3727 and 3737 Highway 6, warehousing and sales of flooring products such as ceramic, marble and vinyl flooring, and related products shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

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

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

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

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

c) Notwithstanding Section 8.3.2.1 b), c and d), and Section 8.3.2.2 a) and b), the following regulations shall apply to the uses listed in a) above:

i)	Minimum Setback from the Side Lot Line	7.5 metres
ii)	Minimum Setback from the Rear Lot Line	7.5 metres
iii)	Maximum Building Height	11.0 metres

d) In addition to Section 8.3.2.1 and Section 8.3.2.2, the following regulations shall apply to the uses listed in a) above:

i) Minimum Setback from the Front Lot Line 15.0 metres

ii) Minimum setback from the Flankage Lot Line 15.0 metres

iii) A Minimum Planting Strip of 3.0 m adjacent to a street line shall be provided and maintained.

e) Access shall be permitted through a zone that does not permit the uses listed in a) above.

(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

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

a) Only the following use shall be permitted:

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

b) The following additional regulation shall apply:

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

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

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

a) The following uses shall also be permitted:

i) Garden Centre; and,
ii) A maximum of two Home Industries per lot.

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

i) A minimum 9.0 metre wide landscape strip shall be provided and maintained along the westerly lot line;

ii) A minimum 6.0 metre wide landscape strip shall be provided and maintained along the southerly lot line except for points of ingress and egress;

iii) A minimum flankage side yard of 45.0 metres shall be required;

iv) Accessory outdoor storage will not be permitted in the flankage side yard or the front yard.

v) In accordance with Section 12.1.3.1 b), d), e), g) and h).

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

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

a) The following use shall also be permitted:

A maximum of two Home Industries per lot

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

i) A minimum 6.0 metre wide landscape strip shall be provided and maintained along the easterly zone boundary and southerly lot line except for points of ingress and egress;

ii) Accessory outdoor storage will not be permitted in the front yard.

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

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

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

of motor vehicles, recreational vehicles and recreational trailers shall also be permitted.
(By-law No. 15-173, July 10, 2015)

184. In addition to Section 12.6.1 and notwithstanding Section 12.6.3 i), on those lands zoned Existing Rural Commercial (E1) Zone, identified as Map 180 on Schedule "A" – Zoning Maps and described as 603 Fletcher Road, the existing wholly enclosed equipment rental operation shall also be permitted.
(By-law No. 15-173, July 10, 2015)

185. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 113 of Schedule "A" – Zoning Maps and described as 153 Highway 52, a Veterinary Service use, in conjunction with a Veterinary Service-Farm Animal use, comprising the entire existing area of the barn and paddock, shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

a) The following use shall also be permitted:

i) Existing custom workshop and garage door contracting business.

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

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

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

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

a) Only the following uses shall be permitted:

i) Manufacturing;
ii) Motor Vehicle Collision Repair Establishment;

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

b) The following uses shall be prohibited:

i) Abattoir; and,
ii) Open Storage.

(By-law No. 15-173, July 10, 2015)
(By-law 22-084, April 13, 2022)

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

a) Only the following uses shall be permitted:

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

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

i)	Maximum Lot Coverage	5 percent;	
ii)	Minimum Yards	60.0 metres;	
iii)	Maximum Height	10.7 metres;	
iv)	Minimum Parking requirements	1)	Parking spaces shall be provided on the same lot on which the principal use is located, sufficient in number to accommodate the employees of, and the visitors to, the permitted waste disposal facility and landfill site; and,

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

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

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

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

Establishment shall also be permitted, including the sales and service of motorcycles, recreational equipment and the storage of domestic fuel.
(By-law No. 15-173, July 10, 2015)
(By-law No. 24-137, July 12, 2024)

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

a) The following uses shall also be permitted:

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

b) The following regulation shall also apply:

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

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

192. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 31 of Schedule "A" – Zoning Maps and described as part of 1802 and 1824 Regional Road 97, a Livestock Assembly Point shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).
(By-law No. 15-173, July 10, 2015)

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

a) The following uses shall also be permitted:

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

b) The following regulation shall also apply:

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

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

194. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 189 and 190 of Schedule "A" – Zoning Maps and described as 3868 Highway 6, a marine equipment sales, service and storage establishment shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

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

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

a) In addition to the above and notwithstanding Section 4.8, for the property located at 4427 Miles Road, an accessory structure with habitable rooms shall also be permitted.

b) In addition to the above and notwithstanding Section 4.8.1 b), for the property located at 757 Old Highway 8, a maximum gross floor area of 332.0 square metres for an accessory building shall be permitted.
(By-law No. 15-237, October 14, 2015)

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

196. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 61 of Schedule "A" – Zoning Maps and described as 100 Concession 5 Road East, a compressor station and accessory uses for the transportation and distribution of petroleum resources shall also be permitted.
(By-law No. 15-173, July 10, 2015)

197. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 71 of Schedule "A" – Zoning Maps and described as 910 Brock Road, a Child Care Centre shall also be permitted and shall be in accordance with Section 12.2.3.7 c), d), e), f), i) and j).
(By-law No. 15-173, July 10, 2015)
(By-law No. 25-155, August 06, 2025)

198. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 78 of Schedule "A" – Zoning Maps and described as part of 921

Lynden Road, a wholesale warehouse for the distribution of dental supplies shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).
(By-law No. 15-173, July 10, 2015)

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

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

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

a) The following use shall also be permitted:

seed storage and distribution business

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

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

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

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

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

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

a) Existing commercial use (meat store);
b) Existing single detached dwelling; and,
c) Existing barn, as an accessory building to either or both a) and b) above.

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

203. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 146 of Schedule "A" – Zoning Maps and described as part of 558 Fiddler's Green Road, heating fuel storage shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

a) The following uses shall also be permitted:

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

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

i) On-site parking spaces shall be provided at the minimum standard of one (1) parking space for every three (3) horse stalls plus one (1) parking space for every two (2) employees plus one (1) parking space for every four (4) persons that can be accommodated in the restaurant at any one time (maximum designed capacity).

ii) The maximum gross floor area of the restaurant, including the kitchen, storage and public areas, shall be 242.0 square metres.

iii) The maximum gross floor area of the short term overnight accommodation facilities shall be 242.0 square metres and the maximum designed capacity shall be 16 beds.

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

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

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

a) The minimum required front yard to a monument shall be 10.0 metres;

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

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

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

a) The following uses shall also be permitted:

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

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

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

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

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

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

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

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

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

207. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 904 Highway 8, a convenience food store and an accessory dwelling unit shall also be permitted.
(By-law No. 15-173, July 10, 2015)

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

a) The following uses shall also be permitted:

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

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

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

a) The following uses shall also be permitted:

i) Warehouse; and,
ii) Agricultural Processing Establishment – Stand Alone, including accessory Retail.

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

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

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

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

a) The following regulations shall apply to a Kennel:

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

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

211. Notwithstanding Section 7.6.2.3 a) i), on those lands zoned Conservation/Hazard Land – Rural (P6) Zone, identified on Map 6 of Schedule "A" – Zoning Maps and described as part of 15 Timberrun Court, a Single Detached Dwelling on a vacant lot shall also be permitted.
(By-law No. 15-173, July 10, 2015)

212. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 90 of Schedule "A" – Zoning Maps and described as 556 Woodhill Road, Manufacturing shall also be permitted.
(By-law No. 15-173, July 10, 2015)

213. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Map 42 of Schedule "A" – Zoning Maps and described as part of 1605 Kirkwall Road, the Minimum Lot Area shall be 0.55 hectares.
(By-law No. 15-173, July 10, 2015)

214. Notwithstanding Sections 4.5 and 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 131, 132, 143 and 144 of Schedule "A" – Zoning Maps,

and described as part of 1440 and 1450 Jerseyville Road West, a maximum of 2 single detached dwellings shall be permitted on one lot.
(By-law No. 15-173, July 10, 2015)

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

a) The following uses shall also be permitted:

i) Kennel, Accessory to an agricultural use; and,

ii) Accessory Retail for a Kennel, occupying no greater than 5 percent of the gross floor area.

b) For the purposes of Special Exception No. 215 the following definition shall apply:

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

c) The following regulations shall apply to a Kennel:

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

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

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

a) The following uses shall also be permitted:

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

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

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

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

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

a) The following uses shall also be permitted:

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

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

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

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

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

a) The following uses shall also be permitted:

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

b) Section 12.7.3 (g) and (i) shall not apply to the subject lands.

c) Notwithstanding Section 12.7.3 e), the minimum rear yard for the lands located at 600 Highway 5 West shall be 3.0 m.

d) Notwithstanding Section 12.7.3 f), the maximum building height shall be 25.0 m.

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

219. In addition to Section 9.12.1, on those lands zoned Extractive Industrial (M12) Zone, identified on Maps 70, 71, 82 and 83 of Schedule "A" – Zoning Maps and described as part of 685 Brock Road and 807 Brock Road, concrete and asphalt mix manufacturing shall also be permitted and shall be in accordance with Section 9.12.3.4.
(By-law No. 15-173, July 10, 2015)

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

a) The following uses shall also be permitted:

i) automobile repair shop, including accessory motor vehicle sales; and,
ii) custom workshop.

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

i) The maximum gross floor area for the automobile repair shop shall be 185.8 square metres.

ii) The maximum gross floor area for the custom workshop shall be 371.6 square metres.

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

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

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

a) The following use shall also be permitted:

trucking operation

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

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

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

a) The following use shall also be permitted:

Single Detached Dwelling

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

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

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

223. Notwithstanding Section 7.8.1 and Section 7.8.2, on those lands zoned Conservation/Hazard Land – Rural (P8) Zone, identified on Map 152 of Schedule "A" – Zoning Maps and described as part of 520 Fifth Road East, the following special provisions shall also apply:

a) The following use shall also be permitted:

Single Detached Dwelling

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

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

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

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

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

(By-law No. 15-173, July 10, 2015)
(By-law 22-084, April 13, 2022)

225. Within the lands zoned City Wide Park (P3) Zone, identified on Map 26 of Schedule "A" – Zoning Maps, and described as part of 159 – 165 Carlisle Road, the following special provisions shall also apply:

a) Notwithstanding Subsection 7.3.1, only the following uses shall be permitted:

i. Recreation
ii. Single Detached Dwelling, existing on the date of passing of this By-law (July 10, 2015)
(By-law No. 18-219, August 17, 2018)

226. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps and described as part of 533 Millgrove Side Road, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) A second dwelling unit within the existing building;
ii) gift shop;
iii) restaurant;
iv) place of assembly;
v) fruit or vegetable market, selling produce grown on the property and/or local farms; and,
vi) An ancillary petting zoo.

b) The uses identified in a) above shall be subject to the regulations contained within Section 12.1.3.1 b) through h).

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

227. In addition to Sections 12.2.2 and 12.2.3, on those lands zoned Rural (A2) Zone, identified on Map 204 of Schedule "A" – Zoning Maps and described as part of 3075 Tisdale Road, the following special provisions shall also apply:

a) The following use shall also be permitted:

Place of Worship

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

i) The minimum setback for any buildings or structures shall be 16.0 metres from the barn on the abutting property to the north.

ii) Maximum Gross Floor Area 1,340 square metres

iii) Minimum Landscaped Open Space 10 percent

iv) Minimum Planting Strip 3.0 metre width across all lot lines adjacent to a street except for point of ingress and egress.

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

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

228. In addition to the Section 12.7.1 and notwithstanding Section 12.7.3 i), on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 92 of Schedule "A" – Zoning Maps and described as 466 Highway 52, 489 Highway 8 and 1379 Highway 5 West, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) Accessory Outdoor Storage;
ii) Commercial Motor Vehicle Sales, Rental and Service Establishment;
iii) Concrete Batching Plant;
iv) Manufacturing;
v) Office;
vi) the blending, sale and storage of fertilizers;
vii) the sale and servicing of lawn and garden and industrial equipment; and,
viii) Transport Terminal.

b) In addition to a) above, for the property located at 1379 Highway 5 West, the following uses shall also be permitted:

i) fuel depot;
ii) Motor Vehicle Collision Repair Establishment;
iii) Towing Establishment; and,
iv) Warehouse.

c) For the purposes of Special Exception 228 the following definition shall apply:

Concrete Batching Plant Shall mean a plant where dry materials are weighted, batched and distributed to trucks as part of the process to produce concrete. The dry material may be mixed with the water in the truck or mixed with water in a stationary mixer prior to being distributed to the truck.

d) Section 12.7.3 i) shall not apply to the subject lands.
(By-law No. 15-173, July 10, 2015)

229. In addition to Section 12.1.1 and Section 7.7.1, on those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Map 45 of Schedule "A" – Zoning Maps and described as part of 1233 Safari Road, a Medical Clinic with a maximum of one health care professional shall also be permitted within a Single Detached Dwelling.
(By-law No. 15-173, July 10, 2015)

230. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 91 of Schedule "A" – Zoning Maps and described as 634 Valens Road, a lumber supply establishment shall also be permitted.
(By-law No. 15-173, July 10, 2015)

231. In addition to Section 12.6.1 and notwithstanding Section 12.6.3, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 190 of Schedule "A" – Zoning Maps and described as 3761 Highway No. 6, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) Motor Vehicle Sales and Rental Establishment;
ii) Motor Vehicle Service Station; and,
iii) Restaurant.

b) For the purposes of Special Exception 231 the following definition shall apply:

Motor Vehicle Sales and Rental Establishment	The use of land, building or structure, or part thereof, where Motor Vehicles or parts for such vehicles are stored and displayed for the purpose of sale, lease, or rental.

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

i)	Maximum Height	10.7 metres;
ii)	Maximum Lot Coverage	23 percent;
iii)	Minimum Front Yard Setback	14.0 metres;

iv)	Minimum Rear Yard Setback	18.0 metres;
v)	Minimum Northerly Side Yard Setback	1.5 metres;
vi)	Minimum Southerly Side Yard Setback	6.0 metres;
vii)	Minimum Parking Requirements	In accordance with the requirements of Section 5 of this By-law;
viii)	Minimum Loading Requirements	In accordance with the requirements of Section 5 of this By-law;
ix)	Minimum Landscaping Requirements	A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such area shall be continuous except for the required driveway(s);
x)	Outside Storage	Outside storage shall not be permitted. Notwithstanding the foregoing, the parking of Motor Vehicles awaiting repair at a Motor Vehicle Service Station shall be permitted outside on the premises.

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

232. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 49 of Schedule "A" – Zoning Maps and described as 937 Centre Road, a Commercial School shall also be permitted.
(By-law No. 15-173, July 10, 2015)

233. Notwithstanding Section 12.4.3, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as 1442 Centre Road, permitted uses shall only be permitted within the Existing building.
(By-law No. 15-173, July 10, 2015)

234. Notwithstanding Section 12.2.3.7 a), on those lands zoned Rural (A2) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 10 and 17 of Schedule "A" – Zoning Maps and described 1, 2, 5, 6, 9, 10, 14, 15, 17, 18, 21 and 22 Stonebury Place, the following special provision shall also apply:

a) The following regulation shall apply for a Single Detached Dwelling:

i)	Minimum Lot Area	1.0 ha

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

235. Notwithstanding Section 12.2.3.7 a) and Section 12.2.3.7 b), on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P7) and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 20, 21, 30 and 31 of Schedule "A" – Zoning Maps and described as 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 40, 44, 48 and 52 Pioneer Way and 2030, 2048 and 2058 Concession 10 West, the following special provision shall apply:

a) The following regulations shall apply for a Single Detached Dwelling:

i)	Minimum Lot Area	0.6 ha
ii)	Minimum Lot Width	36.0 metres

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

236. Notwithstanding Section 7.4.1, Section 7.4.2, Section 7.6.1 and Section 7.6.2, on those lands zoned Open Space (P4) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 205 and 213 of Schedule "A" – Zoning Maps and described as part of 2527 Binbrook Road, the following special provisions shall apply:

a) Only the following use shall be permitted:

Golf Course with a maximum of 18 holes

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

i)	Minimum clubhouse setback from Regional Road 56	150.0 metres;

ii)	Minimum setback for all golf tees, fairways, greens and practice areas from any lot line	30.0 metres;
iii)	Minimum landscaped area width adjacent to a residential use	10.0 metres;
iv)	Buffering, screening and/or fencing	Shall be provided adjacent to every lot line that abuts an agricultural use;
v)	Principal public access to the Golf Course facilities	Shall be restricted to Regional Road 56.

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

237. In addition to Section 12.5.1, on those lands zoned Settlement Institutional (S3) Zone, identified on Map 62 of Schedule "A" – Zoning Maps and described as part of 715 Centre Road, a convent shall also be permitted.
(By-law No. 15-173, July 10, 2015)

238. Notwithstanding Section 7.2.1 and Section 7.2.2, on those lands zoned Community Park (P2) Zone, identified on Map 95 of Schedule "A" – Zoning Maps and described as part of 71 Tews Lane, no development shall be permitted.
(By-law No. 15-173, July 10, 2015)

239. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 84 and 95 of Schedule "A" – Zoning Maps and described as 419, 433, 437, 441, 451, 459, 465 and 477 Ofield Road South and 588 Highway No. 5 West, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) Building and Lumber Supply Establishment;
ii) Commercial Motor Vehicle Sales, Rental and Service Establishment;
iii) Equipment and Machinery Sales, Rental and Service Establishment;
iv) Existing Social Services Establishment;
v) Manufacturing;
vi) Office;
vii) Transport Terminal; and,
viii) Warehouse.

b) Notwithstanding Sections 12.7.3 (f) and (i), the following regulations shall apply to the property located at 588 Highway No. 5 West:

i)	Maximum height of silo	24.4 metres
ii)	Maximum height of all other buildings and structures	18.2 metres
iii)	Open storage shall be permitted in the front yard at a minimum horizontal distance of 9.14 m from the front lot line and no planting strip shall be required for the open storage areas.	

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

240. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 5 and 9 of Schedule "A" – Zoning Maps and described as 341 Mountsberg Road, the following special provisions shall apply:

a) The following use shall also be permitted:

Existing Accessory Building

b) The following regulations shall also apply for the Existing Accessory Building:

i)	Minimum Front Yard	10.0 metres;
ii)	Maximum Height	10.0 metres.

c) For the purposes of Special Exception 240 the following definition shall apply:

Existing Accessory Building Shall mean a detached building or structure which:

(i) is used for an accessory use;
(ii) cannot contain food preparation facilities;
(iii) cannot be used for human habitation; and
(iv) includes a detached garage, detached carport and deck.

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

241. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 182 of Schedule "A" – Zoning Maps and described as part of 340 Regional Road 20, the following special provisions shall also apply:

a) The following use shall also be permitted:

landscape contracting operation

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

i)	Maximum Gross Floor Area	618.0 square metres
ii)	Outside Storage	Shall not exceed an area of 8,094 square metres
iii)	Minimum Lot Area being used for Agricultural production	22.2 hectares

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

242. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.1 and 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 196 of Schedule "A" – Zoning Maps and described as part of 420 Westbrook Road, the following special provisions shall apply:

a) The following uses shall also be permitted as accessory uses to the Agricultural operation on the other lands included within the existing lot:

i) Sale of produce and trees grown on site;
ii) Sale of farm and garden supplies;
iii) Sale and repair of farm machinery;

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

i)	Minimum Frontage	30.0 metres;
ii)	Maximum Flankage	200.0 metres;
iii)	Maximum Area	0.6 hectares;
iv)	Minimum Yard Adjacent to a Street	15.0 metres;

v)	Minimum Building Setback from Other Boundary Lines	7.5 metres;
vi)	Maximum Lot Coverage	25 percent
vii)	Maximum Building Height	10.7 metres;
viii)	Minimum Parking Requirements	1. One (1) parking space for every 45 square metres of gross floor area, with a minimum of ten (10) parking spaces shall be provided on-site.
		2. All parking areas shall be setback a minimum distance of 3.0 metres from all streets and boundary lines.
ix)	Minimum Landscaping Requirements	1. A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of the subject lands that abuts Highway No. 20 and Westbrook Road.
		2. All portions of the subject lands not covered by buildings or structures or not used for driveways, parking, loading, outside storage and/or display, walkways or cultivation, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.

x)	Outside Display and Storage	The outside display and/or storage of the permitted goods, materials and equipment shall be setback a minimum distance of 15.0 metres from any street line and shall be setback a minimum distance of 7.5 metres from all other boundary lines.
xi)	Access	Shall be restricted to Westbrook Road.

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

243. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 62 of Schedule "A" – Zoning Maps and described as part of 619 Centre Road, a stormwater management pond shall also be permitted.
(By-law No. 15-173, July 10, 2015)

244. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.1 and 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 190 of Schedule "A" – Zoning Maps and described as Part of Lot 8, Concession 5 (Glanford), the following special provisions shall apply:

a) The following uses shall also be permitted:

i) A general office facility for a sod company;
ii) Minor repair, maintenance and storage of sod-related agricultural equipment;

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

i)	Minimum Front Yard	45.0 metres;
ii)	Maximum Gross Floor Area of the building	929.0 square metres;
iii)	Maximum Building Height	7.5 metres;
iv)	Minimum Parking Requirements	1. No parking space or part thereof shall be located and no land

		shall be used for the temporary parking of any motor vehicle at a distance of less than 22.5 metres from Airport Road and 7.5 metres from any other lot lines.
		2. The minimum number of parking spaces shall be one (1) space for each 46.0 square metres of gross floor area.
v)	Minimum Landscaping Requirements	1. A landscaped area having a minimum width of 22.5 metres shall be provided and thereafter maintained adjacent to Airport Road (except the driveway).
		2. All portions of the lot not covered by buildings or structures or not used for driveways, storage, parking, walkways or agricultural crops, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.
vi)	Outside Storage Requirements	1. No outside storage shall be permitted at a distance of less than 45.0 metres from Airport Road.
		2. All outside storage shall be screened with a solid fence with a minimum height of 1.8 metres and/or planting strip

		consisting of coniferous trees having a minimum initial height of 1.5 metres.

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

245. In addition to Section 7.4.1, on those lands zoned Open Space (P4) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 58 12th Concession Road East, the following special provision shall apply:

a) Only the following use shall be permitted:

i) private sewage treatment plant with dispersal fields and water distribution system.

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

246. In addition to Section 7.4.1 and notwithstanding Section 7.4.2 and Section 5, on those lands zoned Open Space (P4) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 58 12th Concession Road East, the following special provisions shall also apply:

a) For the purposes of Special Exception 246, a Seasonal Campground may include as ancillary uses a residential dwelling for a manager of the park, a recreational building or pavilion, excluding outdoor entertainment facilities and amphitheater, with a convenience store, an administrative office, utility buildings for maintenance equipment and accessory sport fields without lighting.

b) For the purposes of Special Exception 246, the following definition shall apply:

Seasonal	The occupancy of individual camping sites shall be permitted only during the period between April 15th to October 31st.

c) The following regulations shall apply to a Seasonal Campground:

i)	The total number of recreational camping sites shall not exceed 100.	
ii)	Minimum Lot Area	4.0 ha;
iii)	Maximum Lot Area	13.1 ha;

iv)	Maximum Lot Coverage	0.5%;
v)	Minimum Front Yard	A seasonal trailer site shall not be permitted within 94.0 metres of the front property line;
vi)	Minimum Rear Yard	1. A seasonal trailer site shall not be permitted within 45.0 metres of the rear property line and shall include a 15.0 metre wide naturalized planting strip.
		2. A building for recreation or entertainment purposes or park offices, garbage enclosures and visitors parking shall not be permitted within 90.0 metres of the rear property line.
vii)	Minimum Side Yard	A seasonal trailer site shall not be permitted within 7.6 metres of the side property line.
viii)	Parking	1. One parking space per seasonal trailer site and 0.25 spaces per seasonal trailer site for visitors.
		2. Visitor parking shall be provided in one or more designated parking areas on the property.
		3. Parking spaces for camping sites or visitors shall have minimum

		dimensions of 2.6 X 5.5 metres.
ix)	Open Storage	No open storage shall be permitted.
x)	Planting Strip	1. A planting strip shall not be required along the front property line.
		2. A minimum 15.0 metre wide naturalized planting strip shall be provided along the rear property line.
xi)	Minimum Width of Internal Roads	6.0 metres for two way travel.

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

247. Notwithstanding Section 7.8.1, on those lands zoned Conservation/Hazard Land – Rural (P8) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 57 and 58 12th Concession Road East, the following special provision shall apply:

a) Only the following use shall be permitted:

i) Conservation; and,
ii) Any buildings or structures associated with flood or erosion control, drainage or watercourse protection.

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

248. In addition to Section 12.2.1 and Section 12.2.2 and notwithstanding Section 5, on those lands zoned Rural (A2) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 57 12th Concession Road East, the following special provisions shall apply:

a) The following uses shall also be permitted:

i) mobile home park;
ii) clubhouse, accessory to the mobile home park, which may include as ancillary uses to the park, administrative offices, a convenience store, a hotel consisting of 20 suites, a restaurant and tavern, a dining area, games room , fitness and

leisure facilities including a pool, hot tub, sauna, showers, and fitness room;

iii) One manager's suite and two staff apartments, adjacent to the existing clubhouse;

iv) Maintenance, utility and storage buildings; and,

v) Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.

b) The use permitted in a) i) above, shall be subject to the removal of Holding Provisions "H9" and "H10".

c) The uses permitted in a) ii), iii), iv) and v) above, shall be subject to the removal of Holding Provision "H9" only.

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

i)	The total number of mobile home sites shall not exceed 150.	
ii)	Minimum Lot Area	3.0 ha;
iii)	Maximum Lot Area	19.4 ha;
iv)	Minimum Park and Place of Recreation Area	12.4 % of Lot Area;
v)	Maximum Lot Coverage for Clubhouse	1.5 % of the Lot;
vi)	Minimum Lot Frontage	106.0 metres;
vii)	Maximum Height	1. Existing Buildings shall be recognized;
		2. No new buildings or additions shall exceed 11.0 metres.
viii)	Minimum Front Yard	1. 15.0 metres for new mobile home units;
		2. Existing club house and attached residential

		suits shall not be located closer than 25.0 metres from the front property line.
ix)	Minimum Rear Yard	1. 15.0 metres for all new buildings;
		2. 8.5 metres for Existing buildings.
x)	Minimum Side Yard	1. 15.0 metres for all new buildings;
		2. 6.5 metres for Existing buildings.
xi)	Parking	1. One parking space per mobile home site and 0.25 spaces per mobile home site for visitor's parking;
		2. Visitor parking shall be located only within a designated parking area on the property.
		3. Parking spaces shall have minimum dimensions of 2.6 X 5.5 metres.
xii)	Minimum Width of Internal Roads	3.0 metres for one way travel only.

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

i)	Minimum Lot Area	234.0 square metres;
ii)	Minimum Lot Frontage	4.1 metres;

iii)	Maximum Lot Coverage	1. Existing mobile home units, garages, carports, and accessory structures shall be recognized;
		2. Replacement mobile home units and all other buildings or structures shall not exceed the lesser of 144.0 square metres or 50% of the total lot area.
iv)	Minimum Front Yard	1. Front Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;
		2. 1.5 metres for replacement mobile home units.
v)	Minimum Rear Yard	1. Rear Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;
		2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) ix) above.
vi)	Minimum Interior Side Yard	1. Interior Side Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;

		2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) x) above.
vii)	Minimum Flankage Yard	1. Flankage Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;
		2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) x) above.
viii)	Minimum Landscaped Open Space	10%
ix)	Open Storage	No open storage shall be permitted.

(By-law No. 15-173, July 10, 2015)
(By-law No. 21-189, October 13, 2021)

249. In addition to Sections 12.2.1 and 12.7.1, on those lands zoned Rural (A2) Zone and Existing Rural Industrial (E2) Zone, identified on Map 48 of Schedule "A" – Zoning Maps and described as part of 1046, 1055, 1056 and 1064 Highway 6, the following uses shall also be permitted:

a) Commercial Motor Vehicle Sales, Rental and Service Establishment;

b) Manufacturing; and,

c) Warehouse.

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

i) In accordance with Section 12.7.3.

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

250. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 120 of Schedule "A" – Zoning Maps and described as part of 1974 Concession 2 West, the following provisions shall also apply:

a) The following uses shall also be permitted:

i) Private School.

b) Sections 12.1.3.1b) through g) shall apply for a Private School; and,

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

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

251. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 120 of Schedule "A" – Zoning Maps and described as part of 1974 Concession 2 West, a pet cemetery shall also be permitted and shall be subject to Section 12.1.3.1 b) through g).
(By-law No. 15-173, July 10, 2015)

252. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 70 on Schedule "A" – Zoning Maps and described as 1072 5th Concession Road West, a towing operation shall also be permitted.
(By-law No. 15-173, July 10, 2015)

253. In addition to Sections 12.1.1, 12.2.1, 12.3.1, 12.6.1, 7.4.1, 7.6.1 and 7.7.1 on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone, Settlement Residential (S1) Zone, Existing Rural Commercial (E1) Zone, Open Space (P4) Zone, Conservation/Hazard Land – Rural (P6) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 25, 27, 35, 39, 45, 46, 47, 48, 49, 50, 58, 60, 61, 66, 69, 70, 71, 72, 73, 80, 82, 84, 110, 111, 112, 113, 122, 131, 132, 141, 143, 144, 146, 156, 173 and 186 on Schedule "A" – Zoning Maps and described as addresses:

Property	Map(s)	Special Exception Area
Part of 3517 Indian Trail	Map 141	6,520 square metres (0.65 Ha)
Part of 534 Concession 5 West	Maps 60 and 72	19,205 square metres (1.92 Ha) and set back 137 metres from Concession 5 West

Property	Map(s)	Special Exception Area
Part of 1431 Centre Road	Map 27	1,690 square metres (0.17 Ha) and set back 44 metres from Centre Road
Two Parts of 183 Orkney Road	Map 112	9,153 square metres (0.91 Ha) Part 1 – 562 square metres (0.05 Ha) and set back 36 set back metres from Orkney Road Part 2 – 8,591 square metres (0.86 Ha) and set back 20 metres from Orkney Road
Part of 682 Ofield Road North	Map 72	1,630 square metres (0.16 Ha) and set back 150 metres from Concession 4 West
Part of 1 Karendale Crescent	Map 25	986 square metres (0.1 Ha)
Part of 1299 Highway 6 North	Map 47	1,411 square metres (0.14 Ha)
Two Parts of 912 Beeforth Road	Map 39	10,971 square metres (1.1 Ha) Part 1 – 2,973 square metres (0.3 Ha) and set back 67 metres from Beeforth Road Part 2 – 7,998 square metres (0.80 Ha) and set back 243 metres from Beeforth Road
Part of 262 Lynden Road	Map 111	2,413 square metres (0.24 Ha)
Part of 313 Sunnyridge Road	Map 156	1,920 square metres (0.19 Ha) and set back 59 metres from Sunnyridge Road
Part of 561 Concession 5 Road West	Map 60	4,705 square metres (0.47 Ha) and set back 25 metres from Concession 5 West
Part of 658 Concession 5 Road West	Map 71	17,789 square metres (1.78 Ha)
Part of 72 Shelton Lane	Map 72	20,290 square metres (2.03 Ha)
Part of 728 Highway 6	Map 73	6,934 square metres (0.69 Ha) and set back 118 metres from Highway 6
Part of 996 Jerseyville Road West	Maps 132 and 144	29,393 square metres (2.94 Ha) and set back 229 metres from Jerseyville Road West

Property	Map(s)	Special Exception Area
Part of 98 Concession 7 Road East	Map 48	1,353 square metres (0.14 Ha) and set back 144 metres from Concession 7 East
Part of 877 Westover Road	Map 69	1,851 square metres (0.19 Ha) and set back 20 metres from Westover Road
Part of 148 Concession 6 Road East	Maps 49	5,788 square metres (0.58 Ha) and set back 125 metres from Concession 6 Road East
Part of 11 Parkside Drive	Map 73	15,475 square metres (1.55 Ha)
Part of 631 Robson Road	Map 50	5,810 square metres (0.58 Ha) and set back 85 metres from Robson Road
Part of 1650 Powerline Road West	Map 131	2,841 square metres (0.28 Ha) and set back 126 metres from Power Line Road West
Two Parts of 1420 Concession 2 Road West	Map 113	9,862 square metres (0.99 Ha) Part 1 – 4,137 square metres (0.41 Ha) Part 2 – 5,725 square metres (0.57 Ha) and set back154 metres from Concession 2 West
Part of 751 Middletown Road	Map 82	1,019 square metres (0.1 Ha) and set back 86 metres from Middletown Road
Part of 460 Highway 5 West	Map 84	7,756 square metres (0.78 Ha) and set back 17 metres from Highway 5 West
Part of 1326 Butter Road West	Maps 173 and 186	22,101 square metres (2.21 Ha) and set back 65 metres from Butter Road West and 192 metres from Trinity Road South
Part of 1441 Jerseyville Road West	Map 132	1,354 square metres (0.14 Ha) and set back 113 metres from Jerseyville Road West
Part of 510 Ofield Road North	Map 84	1,869 square metres (0.19 Ha) and set back 162 metres from Ofield Road North and 174 metres from Highway No. 5 West

Property	Map(s)	Special Exception Area
Part of 65 Concession 6 Road East	Map 48	1,220 square metres (0.12 Ha) and set back 176 metres from Concession 6 East
Part of 797 Concession 8 Road West	Map 35	307 square metres (0.03 Ha) and set back 48 metres from Concession 8 West
Part of 940 Concession 5 Road West	Map 70	1,702 square metres (0.17 Ha) and set back 57 metres from Concession 5 West
Part of 1182 Brock Road	Map 46	1,373 square metres (0.14 Ha) and set back 76 metres from Brock Road
Part of 143 Concession 6 Road East	Map 49	868 square metres (0.09 Ha) and set back 33 metres from Concession 6 East
Part of 1049 Concession 6 Road West	Map 58	1,503 square metres (0.15 Ha) and set back 118 metres from Concession 6 West
Part of 181 Concession 6 Road East	Map 49	40,658 square metres (4.07 Ha) and set back 557 metres from Concession 6 Road East
Part of 136 Concession 5 Road East	Map 61	20,446 square metres (2.04 Ha)
Part of 598 Middletown Road	Maps 82 and 93	20,464 square metres (2.05 Ha) and set back 46 metres from Concession 4 West and 102 metres from Middletown Road
Part of 367 Highway 5 West	Map 84	8,800 square metres (0.88 Ha) and set back 74 metres from Highway 5 West
Part of 888 Beeforth Road	Map 39	6,078 square metres (0.61 Ha) and set back 160 metres from Beeforth Road
Part of 44 Garner Road East	Map 146	1,979 square metres (0.20 Ha) and set back 123 metres from Garner Road West and 182 metres from Fiddler's Green Road (By-law No. 15-238, October 14, 2015)
Part of 1765 Sawmill Road	Map 173	1,250 square metres (0.12 Ha) and set back 24 metres from Sawmill Road (By-law No. 15-238, October 14, 2015)

Property	Map(s)	Special Exception Area
Part of 3363 Jerseyville Road West	Map 141	5,494 square metres (0.55 Ha) and set back 175 metres from Jerseyville Road West (By-law No. 15-238, October 14, 2015)
Part of 2288 Troy Road	Map 110	776 square metres (0.08 Ha) (By-law No. 15-238, October 14, 2015)
Part of 1288 Brock Road	Map 46	1,109 square metres (0.11 Ha)
Part of 1434 Middletown Road	Map 45	2,691 square metres (0.27 Ha) and set back 74 metres from Middletown Road (By-law No. 15-238, October 14, 2015)
Two Parts of 2532 Governors Road	Map 122	13,857 square metres (1.38 Ha) Part 1 – 3,998 square metres (0.40 Ha) and set back 89 set back metres from Governors Road Part 2 – 9,859 square metres (0.98 Ha) and set back 310 metres from Governors Road (By-law No. 15-238, October 14, 2015)
Part of 1911 Jerseyville Road West	Map 143	2,209 square metres (0.22 Ha) (By-law No. 15-238, October 14, 2015)
Part of 1480 Concession 2 Road West	Map 113	925 square metres (0.09 Ha) and set back 49 metres from Concession 2 Road West (By-law No. 15-238, October 14, 2015)
Part of 627 Concession 6 Road West	Map 47	9,350 square metres (0.93 Ha) and set back 149 metres from Concession 6 Road West (By-law No. 15-238, October 14, 2015)
Part of property on southwest corner of Concession 5 Road West and Valens Road	Map 80	18,196 square metres (1.82 Ha) (By-law No. 15-238, October 14, 2015)
Part of 861 Brock Road	Map 71	2,679 square metres (0.27 Ha) Part 1 – 1,760 square metres (0.17 Ha) and set back 44 metres set back metres from Brock Road Part 2 – 919 square metres (0.09 Ha) and set back 49 metres from Brock Road (By-law No. 15-238, October 14, 2015)
Part of 1117 Highway 8	Map 66	8,400 square metres (0.84 Ha) (By-law No. 15-238, October 14, 2015)

Property	Map(s)	Special Exception Area
Part of 1414 Concession 4 Road West	Map 92	1,735 square metres (0.17 Ha) and set back 328 metres from Concession 4 Road West (By-law No. 15-238, October 14, 2015)
Two Parts of 928 Regional Road 97	Map 25	1,298 square metres (1.38 Ha) Part 1 – 931 square metres (0.09 Ha) and set back 57 set back metres from Regional Road 97 Part 2 – 367 square metres (0.98 Ha) and set back 129 metres from Regional Road 97 (By-law No. 15-238, October 14, 2015)
Part of 43 Concession 7 Road East	Map 48	2,429 square metres (0.24 Ha) and set back 47 metres from Concession 7 Road East (By-law No. 15-238, October 14, 2015)
Part of 470 Concession 5 Road West	Map 60	3,242 square metres (0.32 Ha) and set back 61 metres from Concession 5 Road West (By-law No. 15-238, October 14, 2015)
Part of 85 Concession 6 Road East	Map 49	1,687 square metres (0.17 Ha) and set back 65 metres from Concession 6 Road East (By-law No. 15-238, October 14, 2015)
Part of 240 and 246 Concession 6 Road East	Map 49	3,811 square metres (0.38 Ha) and set back 78 metres from Concession 6 Road East (By-law No. 15-238, October 14, 2015)
Part of 435 Concession 4 Road West	Map 72	2,271 square metres (0.23 Ha) and set back 52 metres from Concession 4 Road West (By-law No. 15-238, October 14, 2015)
Part of 609 Robson Road	Map 50	2,353 square metres (0.23 Ha) and set back 71 metres from Robson Road (By-law No. 15-238, October 14, 2015)
Part of 414 Concession 5 Road West	Map 60	2,126 square metres (0.21 Ha) and set back 39 metres from Concession 5 Road West (By-law No. 15-238, October 14, 2015)
Part of 1017 Highway 6	Map 60	7,992 square metres (0.8 Ha) and set back 72 metres from Highway 6 (By-law No. 15-238, October 14, 2015)

The following special provisions shall also apply:

a) The following use shall also be permitted:

landscape contracting establishment

b) For the purposes of Special Exception No. 253 the following definition shall apply:

Landscape Contracting Establishment	Shall mean the use of land building or structure, or part thereof for the storage of soil, composted materials and other soil amendments, mulch, rock, screening and other similar materials along with the provision of landscape design services and off-site landscape installation services; storage of landscaping and horticultural maintenance equipment; composting and mixing of soil and soil amendments; and Accessory storage of snow removal equipment.

c) Notwithstanding a) above, for the property located at 534 Concession 5 West, two landscape contracting establishments shall be permitted.

d) Notwithstanding a) above, for the property located at 996 Jerseyville Road West, multiple landscape contracting establishments shall be permitted.

e) In addition to a) above, for the property located at 367 Highway 5 West, a flea market shall also be permitted.

f) The following regulations shall apply to the use identified in a), c) and d) above:

i)	Minimum Setbacks	All buildings or structures shall be setback a minimum of 15.0 metres from any lot line.
ii)	Outdoor Storage	Shall be setback a minimum of 30.0 metres from any lot line and screened by a visual barrier in accordance with Section 4.19 of this By-law.

iii)	Access	Access shall be permitted through a zone that does not permit the use.

(By-law No. 15-173, July 10, 2015)
(By-law No. 15-238, October 14, 2015)

254. In addition to Section 12.1.1 and Section 12.6.1 and notwithstanding Section 12.6.3f), on those lands zoned Existing Rural Commercial (E1) Zone and Agriculture (A1) Zone, identified on Map 168 on Schedule "A" – Zoning Maps and described as 735 Mud Street East, a salvage yard shall also be permitted with an aggregate maximum gross floor area of 5,349 square metres in three buildings, and a maximum height of 7.3 m.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

255. Notwithstanding Section 12.4.3, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 65 of Schedule "A" – Zoning Maps and described as 1292 Old Highway 8, permitted uses shall be restricted to Office.
(By-law No. 15-173, July 10, 2015)

256. In addition to Section 12.2.1 and Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone and Rural (A2) Zone, identified on Maps 48 and 60 of Schedule "A" – Zoning Maps and described as 992 Highway 6, an Agricultural Processing Establishment for the packaging, treating and storing of produce grown on or off the premises shall be permitted, and in accordance with the provisions of Section 12.6.3.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

257. In addition to Section 7.6.1, Section 7.7.1, and Section 7.8.1 and notwithstanding Section 7.6.2, Section 7.7.2, and Section 7.8.2, on those lands zoned Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone, and Conservation/Hazard Land – Rural (P8) Zone identified on Maps 6 and 10 of Schedule "A" – Zoning Maps and described as part of 353 Concession 11 East, part of 385 Concession 11 East, part of 475 Concession 11 East, part of 515 Concession 11 East and part of Part Lot 2, Lot 3 Concession 11, the following special provisions shall apply:

a) The following use shall be prohibited:

Mineral Aggregate Operation

b) The following regulations shall apply:

No new buildings or structures shall be permitted.

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

258. In addition to Section 12.2.2, on those lands zoned Rural (A2) Zone identified on Map 10 of Schedule "A" – Zoning Maps and described as part of 353 Concession 11 East, part of 385 Concession 11 East, part of 475 Concession 11 East, and part of Part Lot 2, Lot 3 Concession 11, the following special provisions shall apply:

a) The following use shall be prohibited:

Mineral Aggregate Operation

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

259. In addition to Section 7.6.1 on those lands zoned Conservation Hazard Land – Rural (P6) Zone, identified on Maps 6 and 10 of Schedule "A" – Zoning Maps and described as part of 515 Concession 11 East, the following special provisions shall apply:

a) The following use shall be prohibited:

Mineral Aggregate Operation

b) The following use shall be permitted:

Single Detached Dwelling and accessory uses, in accordance with Sections 7.6.2.3 and 4.8.2.

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

260. Notwithstanding Section 12.1.3.3 d), on those lands zoned Agriculture (A1) Zone, identified on Map 76 of Schedule "A" – Zoning Maps and described as 2530 Concession 6 Road West, a Minimum Front Yard of 6.4 metres shall be permitted for a Single Detached Dwelling.
(By-law No. 15-173, July 10, 2015)

261. Notwithstanding Section 12.3.3 b), on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described as 25 Park Avenue, a Minimum Lot Width of 20 metres shall be permitted for a Single Detached Dwelling.
(By-law No. 15-173, July 10, 2015)

262. In addition to Section 12.1.3.1 j), on those lands zoned Agriculture (A1) Zone, identified on Map 76 of Schedule "A" – Zoning Maps and described as 1709 Highway 5 West, the following special provisions shall also apply:

a) A Farm Labour Residence may be permitted in the form of a Single Detached Dwelling which is not of temporary construction.

b) Subsection 12.1.3.1 j) ii) 1 shall not apply.
(By-law No. 15-173, July 10, 2015)

263. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 60 of Schedule "A" – Zoning Maps and described as part of 524 Concession 6 Road West, Manufacturing shall also be permitted and in accordance with the provisions of Section 12.7.3.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

264. Notwithstanding Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 81 of Schedule "A" – Zoning Maps and described as part of 1419-1421 Concession 4 Road West, the following uses shall also be permitted:

a) Manufacturing;
b) motor vehicle repair shop;
b) sawmill; and,
c) welding shop.
(By-law No. 15-173, July 10, 2015)

265. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described as part of 18 Short Road, the following uses shall also be permitted within the existing building:

a) Tradesperson's Shop; and,
b) storage.
(By-law No. 15-173, July 10, 2015)

266. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described as part of 18 Short Road, the following uses shall also be permitted within the existing building:

a) Craftsperson Shop;
b) Office;
c) Personal Service;
d) retail store; and,
e) one residential unit.
(By-law No. 15-173, July 10, 2015)
(By-law No. 24-137, July 12, 2024)

267. In addition to a Single Detached Dwelling as identified within Section 4.7, on those lands zoned Agriculture (A1) Zone, identified on Map 65 of Schedule "A" – Zoning

Maps and described as 1190 Highway No. 8, Section 4.7 shall also apply to any other permitted uses within the Agriculture (A1) Zone.
(By-law No. 15-173, July 10, 2015)

268. Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 169 of Schedule "A" – Zoning Maps and described as part of 913 Mud Street, a contractor's establishment shall also be permitted and in accordance with the provisions of Section 12.7.3.
(By-law No. 15-173, July 10, 2015)
(By-law No. 19-062, March 27, 2019)

269. Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 83 of Schedule "A" – Zoning Maps and described as 565 Brock Road, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) Aggregate, concrete and asphalt storage and recycling;
ii) Topsoil preparation; and,
iii) Accessory repair, maintenance and storage of Commercial Motor Vehicles associated with the uses in i) and ii) above.

b) The following regulation shall also apply:

i) An earth berm with a minimum height of 2.0 metres and a planting strip along the top of the berm consisting of evergreens with a minimum height of 1.5 metres shall be provided along the front property line from the north east corner of the property and extending 115 metres south. The earth berm shall be setback 6.0 metres from the front property line.

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

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

270. Notwithstanding Sections 12.2.3.6 b) i) and c) and the definition of a Kennel, on those lands zoned Rural (A2) Zone, identified on Map 71 of Schedule "A" – Zoning Maps and described as 899 Brock Road, the following special provisions shall apply:

a) For the purposes of Special Exception No. 270 the following definition shall apply:

Kennel	Shall mean a commercial establishment for the training of domestic animals.

b) The following regulations shall apply to a Kennel:

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

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

271. Notwithstanding Sections 12.2.3.1 m) i) and ii), on those lands zoned Rural (A2) Zone, identified on Maps 35 and 36 of Schedule "A" – Zoning Maps and described as part of 780 Concession 8 Road West, a maximum gross floor area of 21,500.0 square metres shall be permitted for all buildings and structures associated with a Cannabis Growing and Harvesting Facility.
(By-law No. 15-173, July 10, 2015)
(By-law No. 18-266, September 12, 2018)

272. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 161 and 176 of Schedule "A" – Zoning Maps and described as addresses:

0 Airport Road	Map 176
9705 Airport Road	Map 176
9879 Airport Road	Map 176
0 White Church Road	Map 176
0 Glancaster Road	Map 176
2115 Glancaster Road	Map 176
1867 Glancaster Road	Map 176
9890 Airport Road	Map 176
1731 Glancaster Road	Map 176
1691 Glancaster Road	Map 176
1665 Glancaster Road	Map 176
1659 Glancaster Road	Map 176
1651 Glancaster Road	Map 176
1645 Glancaster Road	Map 176
1635 Glancaster Road	Map 176
1629 Glancaster Road	Map 176
1603 Glancaster Road	Maps 161 and 176
1370 Glancaster Road	Map 176

1292 Glancaster Road	Maps 161 and 176
1208 Glancaster Road	Map 161

a) Only the following uses shall be permitted:

i) Airport;
ii) Airport Storage, Maintenance and Operation Facilities; and,
iii) Uses Existing at the Effective Date of this By-law.

b) The use identified in a) i) above shall be subject to the regulations of Section 13.1.2.

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

i)	Minimum Yard Abutting a Street	A.	3.0 metres;
		B.	Notwithstanding A. above, a minimum yard of 6.0 metres shall be required where a property abuts Highway No. 6 or Glancaster Road.
ii)	Maximum Building Height	In accordance with the requirements of Section 4.17 of this By-law.	
iii)	Landscaped Area	A.	Minimum 3.0 metre wide Landscaped Area shall be provided and maintained abutting a street, except for point of ingress and egress;
		B.	In addition to A. above, for properties adjacent to Highway No. 6, a minimum 6.0 metre wide Landscaped Area shall be provided and maintained.

iv)	Location and Screening of Outdoor Storage and Outdoor Assembly	A.	Outdoor Storage and Outdoor Assembly shall not be permitted in a required Front Yard or a Required Flankage Yard;
		B.	Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area;
		C.	Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this By-law.
v)	Parking	In accordance with the requirements of Section 5 of this By-law.	
vi)	Accessory Buildings	In accordance with the requirements of b) i) and ii) above.	

(By-law No. 15-236, October 14, 2015)

273. Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 176 and 189 of Schedule "A" – Zoning Maps and described as part of 2004 Glancaster Road, the following special provisions shall also apply:

a) The following use shall also be permitted

wire basket making and moss products business, and use accessory thereto

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

i)	Front Lot Line	Shall be the lot line abutting the road allowances of Glancaster Road and Carluke Road East.	
ii)	Minimum Front Yard	12 metres	
iii)	Minimum Side and Rear Yard	7.5 metres	
iv)	Maximum Lot Coverage	13 percent, but shall not exceed 8,900 square metres	
v)	Maximum Building Height	10.5 metres	
vi)	Outdoor Storage	A.	Shall only be permitted in side, front or rear yards;
		B.	Shall be located a minimum of 5.0 metres from the westerly side lot line.
vii)	Minimum Landscaping	A minimum 3.0 metre wide planting strip shall be provided and maintained abutting a street, except for points of ingress and egress.	

(By-law No. 15-236, October 14, 2015)
(By-law No. 20-203, September 30, 2020)

274. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 176 of Schedule "A" Zoning Maps and described as part of 493 Butter Road East, the following special provisions shall also apply:

a) The following use shall also be permitted:

Restoration and storage of Antique Motor Vehicles within the building existing at the date of adoption of By-law 15-173

b) For the purposes of Special Exception 274, the following definitions shall apply:

Antique Motor Vehicle	Shall mean a motor vehicle the date of manufacture of which is more than fifteen (15) years ago.
Restoration	Shall mean the returning of motor vehicles to their original production condition, including, without limiting the meaning of this paragraph, tires, external appearance and mechanical operation.

(By-law No. 15-236, October 14, 2015)

275. Notwithstanding Sections 7.4.1 and 7.4.2 d), on those lands zoned Open Space (P4) Zone, identified on Map 160 of Schedule "A" Zoning Maps and described as 330 Book Road East, the following special provisions shall also apply:

a) Only the following use shall be permitted:

pet cemetery

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

i)	Parking	A minimum six parking spaces shall be provided.

(By-law No. 15-236, October 14, 2015)

276. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 146 of Schedule "A" Zoning Maps and described as 587 Fiddler's Green Road, the following special provisions shall also apply:

a) The following use shall also be permitted:

sale, repair and storage of fencing materials and rental related equipment

b) For the purposes of Special Exception 276, the following definition shall apply:

fencing material	Shall include wood, wire, plastic, steel or such similar materials used in the construction of privacy screens and/or fences.

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

i)	Maximum Lot Coverage	20 percent

ii)	Minimum Front Yard	30.0 metres
iii)	Minimum Side Yard	6.0 metres
iv)	Minimum Rear Yard	11.0 metres
v)	Parking	A minimum 25 parking spaces shall be provided.
vi)	Loading Areas	All loading areas, including loading ramps and docks, shall be located in the rear yard only.

(By-law No. 15-236, October 14, 2015)

277. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 146 of Schedule "A" Zoning Maps and described as 591 Fiddler's Green Road, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) nursery; and,
ii) retail garden centre which shall include land, buildings and structures used for the growing or selling of nursery stock, and/or flowers, tropical plants, bedding plants, fertilizer, peat moss, soil mixtures, seeds, bulbs, planting pots, gardening literature, plant hangers, landscaping ornaments, rocks, garden implements including gardening equipment.

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

i)	Maximum Lot Coverage	20 percent	
ii)	Minimum Front Yard	30.5 metres	
iii)	Minimum Side Yard	6.0 metres	
iv)	Minimum Rear Yard	10.6 metres	
v)	Parking	A.	Minimum of one parking space for every 28.0 square metres, or fraction thereof, of floor area devoted to retailing of products;

		B.	No parking space shall be located within 1.5 metres of any lot line.

(By-law No. 15-236, October 14, 2015)

278. Notwithstanding Sections 12.2.1, 12.2.3.1 i) and 12.2.3.2 g) ii), on those lands zoned Rural (A2) Zone, identified on Map 134 of Schedule "A" Zoning Maps and described as part of 944 Garner Road East, the following special provisions shall also apply:

a) The following uses shall also be permitted:

Farm Market
outdoor seasonal retail

b) For the purposes of Special Exception 278, the following definition shall apply:

Farm Market	Shall mean a building or structure where fresh fruit and vegetables, flowers and plants grown and other products derived from the Agricultural operation on the same property as well as other farms are offered for sale.

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

i)	Maximum Gross Floor Area for Farm Market	1,050.0 square metres
ii)	Maximum Gross Floor Area for Agricultural Brewery/Cidery/Winery	925.0 square metres
iii)	Maximum Gross Floor Area for outdoor seasonal retail	435.0 square metres

(By-law No. 15-236, October 14, 2015)
(By-law No. 21-189, October 13, 2021)

279. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 134 of Schedule "A" Zoning Maps and described as 876 and part of 880 Garner Road East, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) Cemetery; and,
ii) Place of Worship.

b) The uses identified in a) above shall be in accordance with the provisions of Section 12.2.3.1.

(By-law No. 15-236, October 14, 2015)
(By-law No. 19-062, March 27, 2019)

280. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 134 of Schedule "A" Zoning Maps and described as 992 Garner Road East, the following special provisions shall also apply:

a) The following use shall also be permitted:

landscape business

b) Notwithstanding a) above, only agricultural uses, which include the plant growing operation of the landscape business, shall be permitted on the southerly most 52.4 metres of the subject lands.

c) For the purposes of Special Exception No. 280 the following definitions shall apply:

Landscape Business	Shall mean a property that is used for a landscape contractor's business, which may also include a plant growing operation and an accessory snow removal business. This landscape contractor's business may include building, structures and the outdoor storage of goods and equipment such as landscaping materials and associated machinery. Wood chipping shall be prohibited.
Plant Growing Operation	Shall mean the use of land and/or buildings (e.g., polyhouses, greenhouses and/or accessory buildings) for plant propagation and the growing of plants and nursery

	stock. The plant material may either be transplanted outdoors on the subject lands or be transplanted onto other properties as part of the service of the landscape business. The plants and nursery stock shall not be sold in a nursery or garden centre manner from the subject lands.

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

i)	Minimum Front Yard	90.0 metres	
ii)	Minimum Side and Rear Yards	A.	Greenhouses and polyhouses shall have a minimum side yard and rear yard of 4.5 metres.
		B.	An accessory storage building for the plant growing operation, with a maximum gross floor area of 90.0 square metres, shall have a minimum side yard and rear yard of 8.0 metres.
		C.	Buildings associated with the landscape business and the plant growing operation, other than those specifically identified in A. and B. above, shall be setback a minimum distance of 15.0 metres from any side and/or rear lot line.
iii)	Maximum Gross Floor Area	A.	The maximum gross floor area of all buildings associated with the landscape business,

			excluding the plant growing operation, shall be 400.0 square metres.
		B.	The maximum ground floor area of all buildings on the subject lands shall be 1,100 square metres.
iv)	Landscaping Requirements	A.	A planting strip with a minimum width of 2.0 metres and a closed board fence with a minimum height of 1.5 metres shall be provided along the portion of any side lot line that is adjacent to a parking area(s) and/or outdoor storage area(s).
		B.	The existing berm planted with evergreen trees located in the front of the existing metal clad frame building and the existing cedar hedge located along the east lot line, shall continue to be provided.
		C.	A berm with a minimum width of 5.0 metres planted with evergreen trees shall be provided 65.0 metres south of the front lot line commencing at the easterly side lot line and extending generally perpendicular from this lot line for a minimum distance of 15.0 metres.

(By-law No. 15-236, October 14, 2015)

281. Notwithstanding Sections 4.8.1 a), 4.8.1 d) and 5.1 b) iii), on those lands zoned Settlement Residential (S1) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as part of 348 Carlisle Road, following the following special provisions shall apply:

a) The accessory building connected to the principle dwelling by a breezeway may be permitted in the front yard;

b) That the maximum height of an accessory building shall be 5.8 metres; and,

c) Section 5.1 b) iii) shall not apply.
(By-law No. 15-237, October 14, 2015)

282. Notwithstanding Sections 7.7.2.2 a) and 5.1 b) iii), on those lands zoned Conservation/Hazard Land – Rural (P7) Zone, identified on Map 144 of Schedule "A" – Zoning Maps and described as part of 186 Highway 52 South, the following special provisions shall apply:

a) A swimming pool shall be permitted; and,

b) Section 5.1 b) iii) shall not apply.
(By-law No. 15-237, October 14, 2015)

283. In addition to Section 12.6.1 and notwithstanding Section 5.6 c), on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps, described as 261 Highway 5 West, the following special provisions shall also apply:

a) The following uses shall also be permitted:

i) Motor Vehicle Service Station; and,
ii) take-out restaurant with Drive Through Facility.
(By-law No. 15-237, October 14, 2015)

284. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 73 of Schedule "A" – Zoning Maps, described as 11 Parkside Drive, the following special provisions shall also apply:

a) The following uses shall also be permitted:

Place of Worship

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

i)	Maximum Gross Floor Area	1,500 square metres
ii)	Minimum Landscape Open Space	10 percent
iii)	Minimum Planting Strip	3.0 metre width across all lot lines adjacent to a street except for point of ingress and egress.
iv)	Parking shall be provided in accordance with Section 5.6 c) ii).	

(By-law No. 15-237, October 14, 2015)
(By-law No. 19-062, March 27, 2019)

285. Notwithstanding Section 7.4, on those lands zoned Open Space (P4) Zone, identified on Maps 46 and 143 of Schedule "A" – Zoning Maps and described as part of 1288 Brock Road and part of 1911 Jerseyville Road West, a Single Detached Dwelling shall also be permitted and shall be limited to one per lot.
(By-law No. 15-237, October 14, 2015)

286. Notwithstanding Section 4.3 a), on those lands zoned Rural (A2) Zone, identified on Maps 134 and 147 of Schedule "A" Zoning Maps and described as 828 and 830 Garner Road East, the following special provisions shall also apply:

a) The properties shall be deemed to be lots.

b) The following regulation shall also apply:

The westerly lot line shall be deemed to be the front lot line.
(By-law No. 15-236, October 14, 2015)

287. Notwithstanding Sections 4.8.1 a), 5.1 b) i), 5.1 b) iii), 5.1 b) ix), 5.2 b) and 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as 374 Moxley Road, the following special provisions shall apply:

a) The minimum lot area shall be 0.27 ha;

b) The minimum parking space size for a parking space in the garage shall be 2.5 m in width by 5.5 in length; and,

c) Sections 4.8.1 a), 5.1 b) i), 5.1 b) iii), and 5.1 b) ix) shall not apply.
(By-law No. 15-237, October 14, 2015)

288. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 49 of Schedule "A" – Zoning Maps, described as 917 Centre Road, a Warehouse within the existing buildings shall also be permitted.
(By-law No. 15-286, December 9, 2015)

289. Notwithstanding Sections 11.1.1 and 11.1.2, on those lands zoned Mixed Use (TOC1) Zone, identified on Maps 909, 947, 948, and 949 of Schedule "A" – Zoning Maps and described as:

1445 Main Street West	Map 947
1289 Main Street West	Map 948
1050 and 1058 Main Street West	Map 949
648 King Street West	Map 909

The existing motor vehicle related use shall also be permitted.
(By-law No. 16-265, October 12, 2016)

290. Notwithstanding Sections 11.1.1, 11.1.2, 11.1.3, 11.1.4, 11.1.5, 11.1.6, 11.1.7 and 11.1.8, on those lands zoned Mixed Use (TOC 1) Zone, identified on Map 909 of Schedule "A" – Zoning Maps and described as:

426 King Street West	Map 909
430 King Street West	Map 909
431 King Street West	Map 909
434 King Street West	Map 909
435 King Street West	Map 909
440 King Street West	Map 909
449 King Street West	Map 909
455 King Street West	Map 909
453 King Street West	Map 909
451 King Street West	Map 909
458 King Street West	Map 909
462 King Street West	Map 909
463 King Street West	Map 909
466 King Street West	Map 909
467 King Street West	Map 909
470 King Street West	Map 909
473 King Street West	Map 909
483 King Street West	Map 909
491 King Street West	Map 909
505 King Street West	Map 909
545 King Street West	Map 909
547 King Street West	Map 909

554 King Street West	Map 909
560 King Street West	Map 909
570 King Street West	Map 909
573 King Street West	Map 909
575 King Street West	Map 909
579 King Street West	Map 909
581 King Street West	Map 909
595 King Street West	Map 909
610 King Street West	Map 909
612 King Street West	Map 909
615 King Street West	Map 909
619 King Street West	Map 909
621 King Street West	Map 909
631 King Street West	Map 909
7 Pearl Street North	Map 909
13 Pearl Street North	Map 909
15 Pearl Street North	Map 909
12 Pearl Street South	Map 909
14 Pearl Street South	Map 909
11 Strathcona Avenue North	Map 909
13 Strathcona Avenue North	Map 909
15 Strathcona Avenue North	Map 909
2 Strathcona Avenue South	Map 909
6 Strathcona Avenue South	Map 909
8 Strathcona Avenue South	Map 909
8 Locke Street North	Map 909
14 Locke Street South	Map 909

The following special provisions shall apply:

1) **PERMITTED USES** Catering Service
Child Care Centre (By-law No. 25-155, August 06, 2025)
Commercial School
Community Garden
Craftsperson Shop
Dwelling Unit(s)
Financial Establishment
Laboratory
Medical Clinic
Multiple Dwelling

		Office Personal Service Repair Service Restaurant Retail Studio Tradesperson's Shop Transportation Depot Urban Farm Urban Farmer's Market Veterinary Service
2)	**PROHIBITED USES**	Notwithstanding Section 11.2.1, the following uses are prohibited, even as an accessory use: Commercial Driving School Drive-Through Facility
3)	**REGULATIONS**	
a)	Maximum Building Setback from a Street Line	2.0 metres except where a visibility triangle is required for driveway access;
b)	Minimum Rear Yard	7.5 metres;
c)	Minimum Interior Side Yard	1.5 metres, except 3.0 metres abutting a Residential or Institutional Zone.
d)	Building Height	i) Minimum 7.5 metres; and, ii) Maximum 22.0 metres.
e)	Maximum Total Gross Floor Area for an Individual Office and Medical Clinic	500.0 square metres per unit.
f)	Maximum Total Gross Floor Area for Commercial Uses	10,000.0 square metres;

g)	Screening	Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
h)	Restriction of Residential Uses within a Building	The following uses shall only be permitted above the ground floor, except for access, accessory office and utility areas: Child Care Centre Dwelling Units Multiple Dwelling
i)	Visual Barrier Requirement	A visual barrier shall be required along any side or rear lot line abutting a Downtown D5 Zone or Downtown D6 Zone, Institutional Zone or Residential Zone property line in accordance with the requirements of Section 4.19 of this By-law.
j)	Outdoor Storage	i) No outdoor storage of goods, materials, or equipment shall be permitted; ii) Notwithstanding i) above, the display of goods or materials for retail purposes that are accessory to a retail use shall only be permitted in the front yard or flankage yard.
4)	**ACCESSORY BUILDINGS**	In accordance with the requirements of Sections 4.8 of this By-law.
5)	**PARKING**	In accordance with the requirements of Section 5 of this By-law.
6)	**URBAN FARM**	i) In accordance with the requirements of Subsection 4.26 (c) of this By-law.

		ii) In addition to i) above, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building.
7)	**COMMUNITY GARDEN**	In accordance with the requirements of Subsection 4.27 of this By-law.
8)	**URBAN FARMERS MARKET**	In accordance with the requirements of Section 4.28 of this By-law.

(By-law No. 16-265, October 12, 2016)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

291. Notwithstanding Sections 11.1.1, 11.1.2,11.1.3 a) i), ii) and 11.1.3 d) i), ii), and iii), on those lands zoned Mixed Use (TOC1) Zone, identified on Maps 908 and 909 of Schedule "A" – Zoning Maps and described as 50 Dundurn Street South, the following special provisions shall apply:

a) The existing Drive-Through Facility shall also be permitted.

b) The following regulations shall apply:

i)	Maximum Building Setback from a Street Line	2.0 metres;
ii)	Building Height	1. Minimum 7.5 metres. 2. Maximum 42.0 metres.

(By-law No. 16-265, October 12, 2016)

292. Notwithstanding Section 8.1.1, on those lands zoned Neighbourhood Institutional (I1) Zone, identified on Maps 906, 948, 953, 954, 995, 996, and 1043 of Schedule "A" – Zoning Maps and described as:

20 East Avenue South	Map 996
420 King Street East	Map 954
1150 Main Street West	Map 948
1349 Main Street West	Map 948
1355 Main Street West	Map 948
1153 Main Street East	Map 1043

The following special provisions shall apply:

a) The following uses shall also be permitted:

i) Community Garden

ii) Urban Farm

b) The following uses shall be prohibited:

i) Semi-Detached Dwelling
ii) Single Detached Dwelling
iii) Street townhouse Dwelling

c) The following regulations shall also apply:

i)	**URBAN FARMS**	In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building.
ii)	**COMMUNITY GARDENS**	In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principle building.

293. Notwithstanding Section 8.2.1, on those lands zoned Community Institutional (I2) Zone, identified on Maps 907, 908, 948, 949, 954, 996 1043 and 1089 of Schedule "A" – Zoning Maps and described as:

700 Main Street West	Map 908
1284 Main Street East	Map 1043
30 Wentworth Street North	Map 996

The following special provisions shall apply:

a) The following uses shall also be permitted:

i) Community Garden
ii) Urban Farm

b) The following uses shall be prohibited:

i) Semi-Detached Dwelling
ii) Single Detached Dwelling
iii) Street townhouse

c) The following regulations shall also apply:

i)	**URBAN FARMS**	In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building.
ii)	**COMMUNITY GARDENS**	In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principle building.

(By-law No. 16-265, October 12, 2016)

294. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as 255, 257 and 259 Main Street West, the following special provisions shall apply:

a) Notwithstanding Subsection 10.5.1, only the following uses shall be permitted:

i) Child Care Centre
ii) Craftsperson Shop
iii) Educational Establishment
iv) Financial Establishment
v) Hotel
vi) Medical Clinic
vii) Multiple Dwelling
viii) Office
ix) Personal Service
x) Place of Worship
xi) Residential Care Facility
xii) Restaurant, within an Existing building
xiii) Retail, within an Existing building
xiv) Retirement Home
xv) Studio

b) Notwithstanding Subsection 10.5.3 d), the Maximum Building Height shall be 14.0 metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

295. Notwithstanding Sections 11.1.3 a) i) and ii), on those lands zoned Mixed Use (TOC1) Zone, identified on Maps 909 and 951 of Schedule "A" – Zoning Maps and described as:

354 King Street West	Map 909
363 King Street West	Map 909
368 King Street West	Map 909
370 King Street West	Map 909
374 King Street West	Map 909
378 King Street West	Map 909
391 King Street West	Map 909
393 King Street West	Map 909
403 King Street West	Map 909
407 King Street West	Map 909
413 King Street West	Map 909
415 King Street West	Map 909
417 King Street West	Map 909
423 King Street West	Map 909
21 Queen Street North	Map 909
23 Queen Street North	Map 909
4 Queen Street South	Map 909
2 Ray Street South	Map 909
10 Ray Street South	Map 909
12 Ray Street South	Map 909
14 Ray Street South	Map 909

The following regulation shall apply:

Maximum Building Setback from a Street Line	2.0 metres;

(By-law No. 16-265, October 12, 2016)

296. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 947 and 948 of Schedule "A" – Zoning Maps and described as:

13 Leland Street	Map 948
15 Leland Street	Map 948
23 Leland Street	Maps 947 and 948
80 Sussex Street	Map 948
82 Sussex Street	Map 948
86 Sussex Street	Map 948
90 Sussex Street	Map 948
94 Sussex Street	Map 948
98 Sussex Street	Map 948
102 Sussex Street	Map 948
43 Forsyth Avenue South	Map 948
47 Forsyth Avenue South	Map 948
51 Forsyth Avenue South	Map 948
50 Dalewood Avenue	Map 948
75 Traymore Avenue	Map 948
77 Traymore Avenue	Map 948
81 Traymore Avenue	Map 948
83 Traymore Avenue	Map 948
99 Traymore Avenue	Map 948
103 Traymore Avenue	Map 948
107 Traymore Avenue	Map 948
111 Traymore Avenue	Map 948
115 Traymore Avenue	Map 948

i) In addition to Subsection 11.1.1 and notwithstanding Subsection 11.1.2 i), a Single Detached Dwelling shall also be permitted.

ii) The following regulations shall apply for a Single Detached Dwelling:

a) No building or structure shall have a gross floor area greater than the area within the Zone of the lot on which it is situated, multiplied by the floor area ratio factor of 0.45;

b) Notwithstanding the Section 3, as it relates to the definition of Gross Floor Area, for the purposes of this Special Exception the Gross floor Area shall be the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:

1. An attached garage;
2. A detached garage; and,

3. The floor occupied by heating, air conditioning and laundry equipment.

c) For the purpose of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9;

d) Where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3 metres above grade.

e) Notwithstanding Section 11.1.3 d) of this By-law, no building or structure shall exceed 9.0 metres in height.

(By-law No. 16-265, October 12, 2016)
(By-law No. 18-219, August 17, 2018)

297. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
131 George Street	951
133 George Street	951
137 George Street	951
250 Main Street West	951
252 Main Street West	951
260 Main Street West	951
264 Main Street West	951
34 Queen Street South	951
36 Queen Street South	951
54 Queen Street South	951

The following special provisions shall apply:

a) Notwithstanding Subsection 10.5.3 d), the Maximum Building Height shall be 14.0 metres.

The following special provisions shall apply for 235 Main Street West:

b) Notwithstanding Subsections 10.5.1, a Commercial Parking Facility shall be prohibited.

c) In addition to Section 3: Definitions, the definition of Planting Strip shall also include the following:

Planting Strip	A. A garbage storage shed, visual barrier, intake/exhaust grills having a total maximum area of 5.5 square metres and the existing metal shed and concrete wall existing on March 28, 2012 shall be permitted in a planting strip. B. A minimum 1.0 metre wide planting strip shall be provided for every parking area adjoining a Residential Zone.

d) In addition to Subsection 5.1 a) v), the boundary of the parking area shall not be less than 1.0 metre from a Residential Zone.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)
(By-law 20-230, October 28, 2020)

298. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 909 and 951 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
358 Jackson Street West	951
65 Locke Street South	951
80 Locke Street South	951
85 Locke Street South	951
87, 89 Locke Street South, and 348 Jackson Street West	951
90 Locke Street South	951
96 Locke Street South	951
324 Main Street West	951
334 Main Street West	951
336 Main Street West	951
338 Main Street West	951
340 Main Street West	951
342 Main Street West	951
344 Main Street West	951
352 Main Street West	909 and 951
353 Main Street West	951
358 Main Street West	909 and 951

Property Address	Map Number
358 Main Street West	909 and 951
359 Main Street West	951
360 Main Street West	909 and 951
364 Main Street West	909 and 951
365 Main Street West	951
368 Main Street West	909 and 951
369 Main Street West	951
370 Main Street West	909 and 951
374 Main Street West	909 and 951
377 Main Street West	951
379 Main Street West	951
381 Main Street West	951
383 Main Street West	951
385 Main Street West	951
388 Main Street West	909
389 Main Street West	951
391 Main Street West	951
399 Main Street West	909 and 951
401, 405 Main Street West	909 and 951
415 Main Street West	909 and 951
418 Main Street West	909
420 Main Street West	909
428 Main Street West	909
433 Main Street West	909 and 951
443 Main Street West	909
447 Main Street West	909
68 Margaret Street	909
69 Margaret Street	909
72 Margaret Street	909
74 Margaret Street	909
Part of 52 Pearl Street South	951
9 Poulette Street	951
54 Strathcona Avenue South	909
56 Strathcona Avenue South	909
59 Strathcona Avenue South	909
61 Strathcona Avenue South	909
63 Strathcona Avenue South	909
65 Strathcona Avenue South	909
67 Strathcona Avenue South	909

The following special provisions shall apply:

a) Notwithstanding Subsection 10.5.1, only the following uses shall be permitted:

i) Child Care Centre
ii) Craftsperson Shop
iii) Educational Establishment
iv) Financial Establishment
v) Hotel
vi) Medical Clinic
vii) Multiple Dwelling
viii) Office
ix) Personal Service
x) Place of Worship
xi) Residential Care Facility
xii) Retirement Home
xiii) Studio

b) In addition to Clause a), for the property located 443 Main Street West a drive-through facility in conjunction with a Restaurant within the Existing building shall also be permitted.

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

299. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described:

Property Address	Map Number
261 Main Street West	951
265 Main Street West	951
267 Main Street West	951
269 Main Street West	951
271 Main Street West	951
275 Main Street West	951
276 Main Street West	951
277 Main Street West	951
278 Main Street West	951
279 Main Street West	951
280 Main Street West	951
282 Main Street West	951
283 Main Street West	951
284 Main Street West	951
286 Main Street West	951

Property Address	Map Number
287 Main Street West	951
291 Main Street West	951
299 Main Street West	951
301 Main Street West	951
302 Main Street West	951
303 Main Street West	951
304 Main Street West	951
305 Main Street West	951
307 Main Street West	951
309 Main Street West	951
310 Main Street West	951
311, 313 Main Street West	951
315, 317 Main Street West	951
319 Main Street West	951
321 Main Street West	951
323 Main Street West	951
327 Main Street West	951
329 Main Street West	951
331 Main Street West	951
333 Main Street West	951
53 Pearl Street South	951
55 Pearl Street South	951
75 Pearl Street South	951
67 Ray Street South	951
68 Ray Street South	951

The following special provisions shall apply:

a) Notwithstanding Subsection 10.5.1, only the following uses shall be permitted:

i) Child Care Centre
ii) Craftsperson Shop
iii) Educational Establishment
iv) Financial Establishment
v) Hotel
vi) Medical Clinic
vii) Multiple Dwelling
viii) Office
ix) Personal Service
x) Place of Worship
xi) Residential Care Facility

xii) Restaurant, within an Existing building
xiii) Retail, within an Existing building
xiv) Retirement Home
xv) Studio

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

300. Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone, District Commercial (C6) Zone, and Arterial Commercial (C7) Zone, identified on Maps 950, 956, 957, 998, 999, 1046, 1184 and 1238 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
194 Avondale Street	956
196 Avondale Street	956
197 Avondale Street	956
198 Avondale Street	956
199 Avondale Street	956
200 Avondale Street	956
201 Avondale Street	956
203 Avondale Street	956
204 Avondale Street	956
205 Avondale Street	956
206 Avondale Street	956
207 Avondale Street	956
208 Avondale Street	956
209 Avondale Street	956
210 Avondale Street	956
212 Avondale Street	956
214 Avondale Street	956
216 Avondale Street	956
217 Avondale Street	956
218 Avondale Street	956
219 Avondale Street	956
220 Avondale Street	956
221 Avondale Street	956
222 Avondale Street	956
223 Avondale Street	956
224 Avondale Street	956
226 Avondale Street	956
228 Avondale Street	956

Property Address	Map Number
230 Avondale Street	956
235 Avondale Street	956
797 Barton Street East	956
799 Barton Street East	956
889 Barton Street East	956
891 Barton Street East	956
893 Barton Street East	956
895 Barton Street East	956
897 Barton Street East	956
901 Barton Street East	956
903 Barton Street East	956
905, 907 Barton Street East	956
909, 911 Barton Street East	956
913 Barton Street East	956
915 Barton Street East	956
954 Barton Street East	956 and 957
970 Barton Street East	957 and 999
Part of 973 Barton Street East	957
975, 981, 983 Barton Street East	957
984 Barton Street East	957 and 999
985 Barton Street East	957
986 Barton Street East	957 and 999
991 Barton Street East	957
999 Barton Street East	957 and 999
1015 Barton Street East	957 and 999
1850 Barton Street East	1046
1860 Barton Street East	1046
1870 Barton Street East	1046
1880 Barton Street East	1046
1890 Barton Street East	1046
1900 Barton Street East	1046
1910 Barton Street East	1046
1920 Barton Street East	1046
1930 Barton Street East	1046
1940 Barton Street East	1046
1950 Barton Street East	1046
1960 Barton Street East	1046
1970 Barton Street East	1046
1980 Barton Street East	1046
1990 Barton Street East	1046
190 Cavell Avenue	956
192 Cavell Avenue	956

Property Address	Map Number
193 Cavell Avenue	956
194 Cavell Avenue	956
196 Cavell Avenue	956
198 Cavell Avenue	956
120 Chatham Street	950
204 Gage Avenue North	956
208 Gage Avenue North	956
210 Gage Avenue North	956
212 Gage Avenue North	956
214 Gage Avenue North	956
216 Gage Avenue North	956
218 Gage Avenue North	956
220 Gage Avenue North	956
230 Gage Avenue North	956
200 Glendale Avenue North	957, 998 and 999
240 Glendale Avenue North	998 and 999
242 Glendale Avenue North	998 and 999
244 Glendale Avenue North	998 and 999
246 Glendale Avenue North	998, 956 and 999
248 Glendale Avenue North	956, 957, 998, and 999
250 Glendale Avenue North	956 and 957
1 Gordon Street	956
3, 5, 7 Gordon Street	956
9 Gordon Street	956
10 Gordon Street	956
11 Gordon Street	956
12 Gordon Street	956
13 Gordon Street	956
14 Gordon Street	956
16 Gordon Street	956
17 Gordon Street	956
18 Gordon Street	956
19 Gordon Street	956 and 957
20 Gordon Street	956
21 Gordon Street	956 and 957
22 Gordon Street	956
23 Gordon Street	957
24 Gordon Street	956 and 957
25 Gordon Street	957
26 Gordon Street	956 and 957
28 Gordon Street	956 and 957
30 Gordon Street	957

Property Address	Map Number
32 Gordon Street	957
34 Gordon Street	957
36 Gordon Street	957
38 Gordon Street	957
40 Gordon Street	957
42 Gordon Street	957
44 Gordon Street	957
46 Gordon Street	957
48 Gordon Street	957
50 Gordon Street	957
51 Gordon Street	957
53 Gordon Street	957
132 Hester Street	1238
138 Hester Street	1238
141 Hester Street	1184 and 1238
143 Hester Street	1184 and 1238
146 Hester Street	1238
151 Hester Street	1238
152 Hester Street	1238
158 Hester Street	1238
160 Hester Street	1238
8 Lincoln Street	957
10 Lincoln Street	957
11 Lincoln Street	957
12 Lincoln Street	957
13 Lincoln Street	957
14 Lincoln Street	957
15 Lincoln Street	957
16 Lincoln Street	957
17 Lincoln Street	957
18 Lincoln Street	957
19 Lincoln Street	957
20 Lincoln Street	957
21 Lincoln Street	957
22 Lincoln Street	957
23 Lincoln Street	957
25 Lincoln Street	957
26 Lincoln Street	957
27 Lincoln Street	957
29 Lincoln Street	957
32, 34, 36, 38 Lincoln Street	957
33 Lincoln Street	957

Property Address	Map Number
16 Linden Street	956 and 957
18 Linden Street	957
30 Linden Street	957
2 Lloyd Street	956
4 Lloyd Street	956
6 Lloyd Street	956
8 Lloyd Street	956
10 Lloyd Street	956
12 Lloyd Street	956
20 Lloyd Street	956
26 Lloyd Street	956
32 Lloyd Street	956
34 Lloyd Street	956
36 Lloyd Street	956
38 Lloyd Street	956
40 Lloyd Street	956
42 Lloyd Street	956
44 Lloyd Street	956
46 Lloyd Street	956
50 Lloyd Street	956
52 Lloyd Street	956
54 Lloyd Street	956
56 Lloyd Street	956
Part of 221 Melvin Avenue	1046
295 Melvin Avenue	1046
291 Rosslyn Avenue North	957
1012 Upper Wellington Street	1238
1020 Upper Wellington Street	1238
1028 Upper Wellington Street	1238
1042 Upper Wellington Street	1238
Part of 335 Woodward Avenue	1046

The following special provisions shall apply:

a) In addition to Subsections 10.2.1, 10.3.1, 10.5.1, 10.6.1, and 10.7.1, existing industrial uses shall also be permitted.

(By-law No. 17-240, November 8, 2017)

301. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1258, 1259, 1311, and 1312 of Schedule "A" – Zoning Maps and described as 1310 and

1360 South Service Road, 400 Winona Road, and 395 Fifty Road, the following special provisions shall apply:

a) In addition to Subsection 10.6.1, the following uses shall also be permitted:

i) Post Office
ii) Kennel

b) In addition to Subsection 10.6.1.1, the following restrictions shall also apply:

i) The maximum Gross Leasable Floor Area for all commercial uses shall be 41,200 square metres; and

ii) The maximum Gross floor area permitted for a single department store shall be 17,000 square metres, of which the maximum gross floor area for the sale and display of food shall be 4,180 square metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 21-189, October 13, 2021)

302. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Maps 1239 and 1292 of Schedule "A" – Zoning Maps and described as 883 and 999 Upper Wentworth Street and 508, 520 and 524 Limeridge Road East, shown as Figure 25 of Schedule "F" – Special Figures, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions and for the purpose of Special Exception 302:

i) Front Lot Line shall mean the lot line of the lot abutting Upper Wentworth Street.

ii) Commercial recreation or commercial entertainment may include an Amusement arcade.

b) In addition to Section 3: Definitions, for the purpose of Special Exception No. 302, the following definition shall apply:

Motor Vehicle Show Room	Shall mean an establishment located within a building where motor vehicles are displayed for the purpose of sale or leasing, and may include service bays, accessory retailing of souvenir merchandise

	and storage of motor vehicles and shall not include a Motor Vehicle Service Station.

c) In addition to Subsection 10.4.1, following uses shall also be permitted:

i) Motor Vehicle Showroom
ii) Educational Establishment

d) For the purposes of Special Exception No. 302 the following special regulations shall apply to **Areas A to E,** as shown on Figure 25 of Schedule "F" – Special Figures

i) In addition to Section 4.19 and notwithstanding Subsections 5.2b) and 5.2f), the following regulations shall apply:

1)	Parking Space Size Dimension	A minimum parking space size of 2.6 metres by 5.5 metres shall be provided
2)	Barrier Free Space Size Dimension	A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.

e) For the purposes of Special Exception No. 302 the following special regulations shall apply to **Areas A to D** as shown on Figure 25 of Schedule "F" – Special Figures

i) Notwithstanding Subsection 10.4.3d) i), a minimum building height of 6.0 metres shall be provided for any commercial building having a maximum Gross Floor Area of 1,000 square metres and fronting on Upper Wentworth Street or Limeridge Road East containing only one or more of the following uses

1) Financial Establishment
2) Personal Service
3) Restaurant
4) Retail

ii) Notwithstanding 10.4.3d) i), for a commercial building greater than 1,000 square metres of Gross Floor Area, the minimum building height shall be 7.5 metres;

iii) The ground floor façade facing a front lot line and access driveway to the site shall be greater than or equal to 50% of the measurement of

the width identified for Area A1 to D in Figure 25 for buildings greater than 1,000 square metres and shall exclude access driveways and lands within a required yard.

iv) In addition to Clauses e) i) and ii) and notwithstanding Subsection 5.1 a) v), the following regulations shall also apply to Area A:

1) Notwithstanding Subsection 10.4.3g) ii), parking spaces and aisles may be permitted within 2.0 m of the front lot line for Area A.

2) A 2.0 metre planting strip shall be provided and maintained for Area A where parking spaces or aisles abut Upper Wentworth Street.

3) Subsection 10.4.3 a) shall not apply.

f) For the purposes of Special Exception No. 302 the following special regulations shall apply to **Area E** as shown on Figure 25 of Schedule "F" – Special Figures:

i) In addition to 10.4.3 d) i), the following heights shall apply:

1)	Commercial Building	No minimum
2)	Office Building	Minimum 11 metres
3)	Residential Building	Minimum 11 metres
4)	Mixed commercial/residential Building	Minimum 11 metres

ii) Subsections 10.4 3 a), 10.4.3. g)ii), and 10.4.3. g)iii) shall not apply.

iii) In addition to Subsection 10.4.3 k)ii), display of goods and materials for retail purposes accessory to a retail use, shall be permitted in any yard.

iv) Subsection 10.4.3 k)ii) and clause f)iii) shall not apply to motor vehicles.

iv) In addition to Section 4.19 and notwithstanding Subsection 10.4.3 j), the following regulation shall apply:

1)	Visual Barrier	The chain link fence existing on the date of the passing of the By-law and located along the eastern boundary shall also be considered as a Visual Barrier.

(By-law No. 17-240, November 8, 2017)
(By-law 22-084, April 13, 2022)

303. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1445 and 1494 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1821 Upper James Street	1445
1853 Upper James Street	1445 and 1494
1861 Upper James Street	1445 and 1494
1879 Upper James Street	1494
1885 Upper James Street	1494
1899 Upper James Street	1494
1915 Upper James Street	1494
1927 Upper James Street	1494
1937 Upper James Street	1494
1947 Upper James Street	1494
1955 Upper James Street	1494
1977 Upper James Street	1494
8518 Twenty Road East	1494

The following special provisions shall apply:

a) Notwithstanding Subsection 10.7.1 and in addition to Subsection 10.7.2, the following uses shall be prohibited:

i) Commercial Entertainment
ii) Commercial Recreation

The following special provisions shall also apply for the property located at 1955 Upper James Street:

b) In addition to Subsection 10.7.1, the following uses shall also be permitted:

i) Labour Association Hall
ii) Place of Worship

c) Notwithstanding the definition of Place of Worship under Section 3: Definitions, the following shall apply:

Place of Worship	A building used by any religious organization for public worship or other ecclesiastical functions and may include accessory or ancillary uses including but not be limited to an assembly hall, auditorium, convent, monastery, rectory, cemetery, Child Care Centre and educational or recreational uses.

d) Notwithstanding Subsections 5.2b), 5.2f), 5.5 a), 5.5 c) and 10.7.3 b), c), the following regulations shall apply only to a Place of Worship:

i)	Minimum Northerly Side Yard	1. 1.9 metres for westerly side of building; and, 2. 4.6 metres for easterly side of building.
ii)	Minimum Southerly Side Yard	2.8 metres for the easterly building
iii)	Minimum Rear Yard	16.0 metres
iv)	Landscaped Area	1. A landscaped area in the form of a 2.0 metre wide planting strip and a board fence shall be provided between the parking area and the northerly side yard, except for that portion of land between the front lot line and the existing westerly building. 2. A landscaped area with a minimum width of 3.7 metres shall be provided along the street line, and it shall be continuous except for driveways required for access to such parking area.
v)	Minimum Number of Parking Spaces	51, including 1 barrier free parking space

vi) Parking Space Size Dimension — A minimum parking space size of 2.6 metres by 5.5 metres shall be provided.

vii) Barrier Free Space Size Dimension — A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)
(By-law No. 25-155, August 06, 2025)

304. Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 482, 860, 903, 912, 947, 956, 958, 1039, 1042, 1085, 1136, 1175, 1234, 1238, 1251, 1287, 1291, 1302, 1389, 1398, 1502 and 1956 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
925 Barton Street East	956
19 Flamboro Street	482
473-489 Upper Wellington Street	1039 and 1085
139 and 141 Oak Avenue	912
902 Main Street East	1042
386 Upper Gage Avenue and 63 East 39th Street	1136
283 and 289 Highway No. 8	1251
889 Upper Paradise Road	1234 and 1287
200 King Street West	860
121 King Street West	860
134, 138 King Street West	860
16 Foundry Street	860
1 Osler Drive	903
1655 Main Street West	947
407, 413 Wilson Street East	1175
82 King Street East	1302 and 1249
605 Garner Road East	1389
136-146 Upper Mount Albion Road	1502
3194 Regional Road 56	1956
517 Kenilworth Avenue North	958
209 and 221 Limeridge Road East	1238 and 1291
902 Main Street East	1042
92 Stapleton Avenue	958
1368 Upper Gage Avenue	1398

The following special provisions shall apply:

a) In addition to Subsections 10.2.1, 10.3.1, 10.5.1, 10.5a.1, the existing motor vehicle related use shall also be permitted.

b) In addition to Subsections 10.3.1 and 10.5a.1, for the lands located at 136-146 Upper Mount Albion Road and 19 Flamboro Street, a Motor Vehicle Washing Establishment shall also be permitted.

c) In addition to Subsection 10.5a.1, for the lands located at 3194 Regional Road 56, a Motor Vehicle Gas Bar shall also be permitted.

d) In addition to Subsection 10.3.1, for the lands located at 1 Osler Drive, a Motor Vehicle Service Station and a Motor Vehicle Rental Establishment shall also be permitted.

e) Notwithstanding Subsections 5.2b) and 5.2f), for lands located at 386 Upper Gage Avenue, the following special Parking regulations shall also apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

f) In addition to Subsection 10.5.1 for lands located at 925 Barton Street East, the existing Motor Vehicle Service Station and Motor Vehicle Collision Repair Establishment shall also be permitted.

(By-law No. 17-240, November 8, 2017)
(By-law No. 22-071, April 13, 2022)
(By-law 22-084, April 13, 2022)

305. Within the lands zoned District Commercial (C6) Zone, identified on Map 1748 of Schedule "A" – Zoning Maps and described as 3234A Homestead Drive, the following special provision shall apply:

a) In addition to Subsection 10.6.1, existing Manufacturing use shall also be permitted.

(By-law No. 17-240, November 8, 2017)

306. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 860 of Schedule "A" – Zoning Maps and described as being located at 16 Foundry Street, the following special provision shall apply:

a) In addition to Subsection 10.5.1, a Tradesperson Shop shall also be permitted.

(By-law No. 17-240, November 8, 2017)

307. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 911 and 912 of Schedule "A" – Zoning Maps, and described as 268, 270, 272, 276 Wellington Street North and 240 Barton Street East, the following special provisions shall apply:

a) No visual barrier shall be required along the rear lot line between a Commercial Parking Facility and the existing dwelling at 266 Wellington Street North.

b) Subsection 10.5a.1.1 i) 3. A. shall not apply.

c) Notwithstanding Subsections 5.1a)v), 5.2b), 5.2f), and 10.5a.3) i), the following regulations shall apply to a Commercial Parking Facility:

i)	Planting Strip Requirements	1. Minimum width of 1.2 metres shall be provided and maintained at the rear lot line. 2. A planting strip may be obstructed by a visual barrier and may be obstructed by an existing building of the adjacent property located at 266 Wellington Street North. 3. Minimum width of 2.0 metres shall be provided and maintained along a lot line abutting a street.
ii)	Distance of Parking Lot from Street	A parking lot, excluding driveways extending directly from the street, shall not be located within 2.0 metres of a street line.

iii)	Parking Space Size Dimension	A minimum parking space size of 2.6 metres by 5.5 metres shall be provided.
iv)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)

308. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1084, 1132 and 1133 of Schedule "A" – Zoning Maps and described as 657, 659, 661, 663, 665, 667, 673, 675, 677 Upper James Street, the following special provisions shall apply:

a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions of this By-law, the definition of the Front Lot Line shall mean any lot line of the lot abutting Upper James Street.

b) Notwithstanding Subsections 4.19, 5.2b), 5.2f), 5.6 c), 10.6.3 a), b), c), and i), the following regulations shall apply:

i)	Minimum Front Yard	2.3 metres.
ii)	Minimum Rear Yard	7.3 metres.
iii)	Minimum Side Yard	4.9 metres (southerly side yard) with further eave projection.
iv)	Parking Requirement	1 space per 27 square metres of Gross Leasable Floor Area for any permitted commercial use.
v)	Parking Space Size Dimension	A minimum parking space size of 2.5 metres by 5.5 metres shall be provided.
vi)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
vii)	Visual Barrier	Maximum height of 2.6 metres Noise Attenuation Wall provided along the

portion of the Easterly lot line abutting a Residential Zone.

c) Notwithstanding Subsection 5.2.1 c), loading doors and associated loading facilities shall also be permitted in the rear yard abutting a Residential Zone or Institutional Zone and 1.5 metres away from the rear lot line.

(By-law No. 17-240, November 8, 2017)

309. Notwithstanding Sections 5.1 a)v)b), 5.2.1 c) and 5.6 e) iii., on those lands zoned Mixed Use (TOC1) Zone, identified on Map 1090, of Schedule "A" – Zoning Maps and described as 1440 Main Street East, the following special provisions shall apply to the existing building and associated parking areas:

a) A 1.2 metre wide planting strip shall be provided and maintained along Main Street East.

b) Loading doors shall be permitted in a required yard abutting a residential use or Residential Zone.

c) A planting strip of not less than 1.4 metres in width shall be provided and maintained along the westerly side lot line adjoining a residential use or Residential Zone, except where a building, structure or accessory building is located.

d) A parking ratio of 1 space for every 24m2 of gross floor area shall be provided for the Medical Clinic use.

e) The boundary of every parking area on the surface of a lot adjoining a Residential Zone shall be located not less than 1.4 metres from the adjoining Residential Zone boundary.

310. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 907 and 949 of Schedule "A" – Zoning Maps and described as 906 Main Street West and 122 Longwood Road South, the following special provisions shall apply:

a) The Front Lot Line shall be deemed to be the Lot line abutting Main Street West; and,

b) The lands described as 906 Main Street West and 122 Longwood Road South shall be considered one lot for zoning purposes.

c) Subsection 11.1.3c) shall not apply to the westerly interior side lot line.

(By-law No. 18-219, August 17, 2018)
(By-law No. 19-062, March 27, 2019)

311. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 912 of Schedule "A" - Zoning Maps and described as 448 Barton Street East, the following special provisions shall apply:

a) In addition to Subsection 10.5a.1, the existing Manufacturing use shall also be permitted.

(By-law No. 17-240, November 8, 2017)

312. Within those lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1911 and 1934 of Schedule "A" - Zoning Maps, and described as 2550, 2640, 2651, and 2654 Regional Road 56, the following special provision shall apply:

a) In addition to Subsection 10.5.1, a fairground shall also be permitted.

(By-law No. 17-240, November 8, 2017)

313. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Maps 1241, 1248, 1249, and 1252 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
454 – 458 Highway 8	1252
30, 32, 36 Lake Avenue Drive	1248 and 1249
796 Upper Gage Avenue	1241

The following special provisions shall apply:

a) In addition to Subsection 10.2.1, a Funeral Home shall also be permitted.

b) In addition to Clause a), a Parking Lot accessory to a Funeral Home shall also be permitted at 30 Lake Avenue Drive.

(By-law No. 17-240, November 8, 2017)

314. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1260 of Schedule "A" – Zoning Maps and described as 3 and 15 Lockport Way, the following special provisions shall apply:

a) In addition to Subsection 10.3.1, the following uses shall also be permitted:

i) Commercial Recreation
ii) Place of Assembly
iii) Equipment and Machinery Sales
iv) Rental and Service Establishment
v) Funeral Home
vi) Commercial Entertainment
vii) Museum
viii) Place of Worship

(By-law No. 17-240, November 8, 2017)

315. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1499, 1505, 1506, 1546, 1635 and 1636 of Schedule "A" – Zoning Maps and described as 1170, 1188 and 1205 Rymal Road East, 267, 275 - 283 and 293 Upper Centennial Parkway and 5365 Twenty Road East, the following special provisions shall apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted:

i) Retail
ii) Office
iii) Personal Service

b) In addition to Subsection 10.7.1 and Clause a) and notwithstanding Clause a) ii), for the lands located at 267, 275, 277, 279, 283 and 293 Upper Centennial Parkway, the following uses shall also be permitted:

i) Financial Establishment
ii) Medical Clinic
iii) Office, provided it is located above the ground floor

c) In addition to Subsection 10.7.1 and Clause a), for the lands located at 5365 Twenty Road East, the following uses shall also be permitted:

i) Child Care Centre
ii) Custom Workshop
iii) Financial Establishment
iv) Manufacturing, except for the uses listed below which shall be prohibited, even as an accessory use:

Beverage Distillation
Breweries
Concrete Crushing
Manufacturing of Asbestos, Phosphate or Sulphur Products

Primary Production of Chemicals, Synthetic Rubber, Plastic, Asphalt or Cement, not including mixing, blending, treatment or similar process
Processing or Refining of Petroleum or Coal
Processing, Milling or Packaging of Animal Feed
Rock Crushing
Salvage Yard
Slaughtering, Eviscerating, Rendering or Cleaning of Meat, Poultry or Fish or by-products thereof
Smelting of Ore or Metal
Tanning or Chemical Processing of Pelts or Leather
Vulcanizing or Rubber or Rubber Products
Explosives Manufacturing
Pulp and Paper Mills

v) Medical Clinic

d) Notwithstanding Subsections 5.1 a) v) b), 5.6c) and 10.7.3a), b), c), and d), for the lands located at 267, 275, 277, 279, 283 and 293 Upper Centennial Parkway, the following regulations shall apply:

i)	Minimum Front Yard	3.0 metres
ii)	Maximum Front Yard	6.0 metres
iii)	Minimum Side Yard	3.0 metres
iv)	Minimum Rear Yard	1.0 metres
v)	Maximum Height	15.0 metres
vi)	Minimum Landscape Open Space	1. A landscape strip having a minimum width of 3.0 metres shall be provided adjacent to any street except for points of ingress and egress. 2. A landscape strip having a minimum width of at least 3.0 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than

		a commercial or industrial zone.
vii)	Minimum Parking Requirements	A minimum of one parking space per 28 square metres of gross floor area or fraction thereof shall be required.
viii)	Minimum Loading Requirements	1 loading space shall be required.

ix) A minimum of 40 percent of the ground floor façade shall be composed of windows and doors for the buildings fronting Mud Street West and Upper Centennial Parkway

x) The minimum combined width of the ground floor façade of all buildings located along Mud Street West shall be equal to 40 percent or more of the measurement of the front lot line, and shall be subject to a maximum building setback of 6.0 metres.

xi) The minimum combined width of the ground floor façade of all buildings located along Upper Centennial Parkway shall be equal to 40 percent or more of the measurement of the side lot line, and shall be subject to a maximum building setback of 6.0 metres.

e) Notwithstanding Subsections 5.1 a) v) b) and 10.7.3 a), for the lands located at 5365 Twenty Road East, the following regulations shall also apply:

i)	Minimum Lot Frontage	45.0 metres
ii)	Minimum Lot Depth	75.0 metres
iii)	Minimum Lot Area	0.4 hectares
iv)	Minimum Front Yard	15.0 metres
v)	Minimum Landscaping Requirements	A. A landscaped area having a minimum width of 7.5 metres shall be provided and thereafter maintained

adjacent to every portion of any lot line that abuts a street line (except driveways) or any Zone where the adjoining land is used for residential or institutional purposes.

B. All portions of any lot not covered by buildings or structures or not used for driveways, storage, parking, loading or walkways, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.

(By-law No. 17-240, November 8, 2017)
(By-law No. 25-155, August 06, 2025)

316. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1039 and 1085 of Schedule "A" – Zoning Maps and described as 488 Upper Wellington Street, the following special provisions shall apply:

a) In addition to Subsection 10.5a.1, only one of the following uses shall also be permitted.

i) Townhouse Dwellings
ii) Multiple Dwellings

b) In addition to Clause i), a maximum of 12 townhouse dwelling units shall be permitted or a maximum of 18 multiple dwelling units shall be permitted.

c) Notwithstanding Subsections 5.1a) v) a), 10.5a.3 a), and d) ii) and iii), the following regulations shall apply:

i)	Minimum Lot Area	3,600 square metres
ii)	Maximum Height	11.0 metres or two storeys
iii)	Yard abutting Northerly Lot Line	A yard having a minimum depth of 3 metres in the case of multiple

		dwellings or 6 metres in the case of townhouse dwellings shall be provided and maintained along the northerly lot line.
iv)	Location of Parking Spaces	Parking spaces shall be separated from the street by a building or structure, or by a planting strip having a minimum of 3.0 metres in the case of multiple dwellings, or 6.0 metres in the case of townhouse dwellings, except for any areas used for vehicular access.

(By-law No. 17-240, November 8, 2017)

317. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1040, 1044, 1934 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
473 Concession Street	1040
130 Kenilworth Avenue North	1044
2660, 2668 Binbrook Road	1934
2651 Regional Road 56	1934

The following special provision shall apply:

a) In addition to Subsection 10.5a.1 and notwithstanding Section 10.5a.2 ii), the following uses shall also be permitted:

i) Drive-Through Facility

b) Notwithstanding Subsections 5.2b) and 5.2f), 5.6c) for the lands located at 2660, 2668 Binbrook Road and 2651 Regional Road 56, the following special regulations shall also apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.

ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.0 metres by 5.5 metres shall be provided.
iii)	Parking Requirements	1. 1 space per residential unit; and, 2. 1 space per 31.5 square metres of Gross Floor Area for any commercial use.

(By-law No. 17-240, November 8, 2017)

318. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1342, 1394 and 1395 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
25 Rymal Road West	1394
35 Rymal Road West	1394
41 Rymal Road West	1394
49 Rymal Road East	1394 and 1395
55 Rymal Road East	1394 and 1395
57 Rymal Road West	1394
71 Rymal Road West	1394
79 Rymal Road West	1394

The following special provisions shall apply:

a) In addition to Subsection 10.5.1 and notwithstanding Subsection 10.5.2, the following uses shall also be permitted:

i) Commercial Motor Vehicle Sales, Rental and Service Establishment
ii) Equipment and Machinery Sales, Rental and Service Establishment
iii) Garden Centre
iv) Major Recreational Equipment Sales, Rental and Service Establishment
v) Motor Vehicle Dealership
vi) Motor Vehicle Rental Establishment
vii) Surveying, Engineering, Planning or Design Business
viii) Warehouse

b) Notwithstanding the definition of Planting Strip and Landscaped Area in Section 3: Definitions and notwithstanding Subsections 4.19, 10.5.3 i), and in

addition to Subsection 10.5.3 j) for lands located at 55 Rymal Road East, the following regulations shall also apply:

i) For the purposes of Special Exception No. 318 the following definitions shall also apply:

Planting Strip	Means an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a visual barrier or buffer, and shall include light standards.
Landscaped Area	1) Shall mean an area of land provided and maintained on the same lot on which the building or structure is situated and shall include light standards and signage. No part of the Landscaped Area shall be other than: i) Fully and completely open and exposed to natural light and air and unobstructed above the surface; ii) Used exclusively for scenic, recreational or like uses; and, iii) Not less than 50% of which shall be natural earth comprised of the natural planting of grass lawns, trees, shrubs and flowers in such manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot, and may include a planting strip.

2) In addition to the regulations of 3(k)(i), signage in a landscaped area shall only be permitted in the front yard.

3) And shall not include area used for parking space, manoeuvring space, access or egress driveways or any other vehicular purpose of any kind, nor any area occupied by an accessory building, nor any open space beneath, within or on the roof of any building except where permitted in a zone.

ii) In addition to Subsection 5.3.1 a), for every parking lot and loading space on a lot adjoining a Residential Zone, a Landscaped Area with a Planting Strip of not less than 1.5 metres in width between the parking lot and the lot line abutting a Residential use, and a visual barrier being 2.0 metres in height, shall be provided and maintained.

c) Notwithstanding Sections 10.5.3a), b), c), d), and k), the following regulations shall apply only to the uses listed in Clause a):

	Minimum Front Yard Setback	18.0 metres
i)	Minimum Rear Yard	i) 6.0 metres; and, ii) 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
ii)	Minimum Side Yard	i) 1.5 metres; and, ii) 4.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
iii)	Building Height	Maximum 14.0 metres.

iv) Subsections 10.5.3g) ii), iii), iv), and vi) shall not apply.

v) Outdoor Storage

i) The display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in the front, side, and rear yard;

ii) Notwithstanding Clause i), an outdoor storage area shall not be located on a planting strip, or required parking or loading area; and,

iii) An Outdoor storage area shall be located a of minimum 6.0 metres from a Residential or Institutional Zone or lot containing a residential use, or a lot line fronting onto a street, and shall be screened or fenced from view.

iv) An outdoor storage area attached to a building shall not exceed 500 square metres, or an area equivalent to 5% of the Gross Floor Area, whichever is lesser.

(By-law No. 17-240, November 8, 2017)
(By-law 19-233, September 25, 2019)
(By-law 25-187, October 8, 2025)
(By-law No. 26-052, March 04, 2026)

319. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1452, 1453, 1501, 1502 of Schedule "A" – Zoning Maps and described as Heritage Green, shown as Figure 8 of Schedule "F" – Special Figures, the following special provisions shall apply:

a) In addition to Section 3: Definitions, the following definitions shall also apply:

Dwelling Group	Means a group of more than one maisonette, townhouse or apartment or any combination thereof.
Maisonette	Shall mean a back to back townhouse dwelling.
Live/Work Unit	Shall mean a dwelling unit having a residence and business in the same location which consists of a ground floor commercial unit having a maximum of 50 square metres of gross floor area and an upper level residential unit. Commercial uses in a "Live / Work Unit" shall be limited to a personal service shop, a professional office, and a retail store.
Wholesale and Retail Warehouse Facility	Shall mean a large scale building, with a minimum Gross Floor Area of 4,645 square metres, which distributes a broad range of goods or distributes high volumes of a specific type of merchandise and functions in a warehouse format where most goods are stored, displayed and offered for sale in one and the same area, but excludes department stores and supermarkets.
Warehouse Membership Club	Shall mean a building with a minimum Gross Floor Area of 4,645 square metres, occupied by a single user, where the principal use is the sale of food and non-food products which are generally stored, displayed and offered for sale in one and the same area in a warehouse format and where customers, whether retail or wholesale, are generally required to be members of the club, but excludes department stores and supermarkets.

b) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area A** as shown on Figure 8 of Schedule "F" – Special Figures:

A) In addition to Subsection 10.5.1, the following uses shall also be permitted:

i) Building or Contracting Supply Establishment
ii) Building and Lumber Supply Establishment
iii) Home Improvement Supply Establishment
iv) Warehouse Membership Club
v) Wholesale and Retail Warehouse Facility

B) In addition to Subsection 10.5.2, the following use shall also be prohibited:

i) Food Store

C) Notwithstanding Subsections 5.6c), 10.5.3 a), c), d), g)ii) and iii), the following Regulations shall apply:

i)	Maximum Lot Coverage	25 percent
ii)	Minimum and Maximum Setback	A. Minimum 6.0 metres from the south lot line; B. Minimum 6.0 metres from east lot line (for Wholesale and Retail Warehouse Facility, Warehouse Membership Club, Building Supply Outlet in an enclosed building); C. Maximum 2.0 metres from the east lot line (for all other uses).
iii)	Maximum Building Height	12.0 metres.

iv)	Additional Regulations for buildings fronting on Upper Mount Albion	A. Minimum built frontage shall not be less than 30% of the total distance of the street frontage within 210.0 metres of Paramount Drive. B. Maximum building depth shall be 25.0 metres within 210.0 metres of Paramount Drive.
v)	Built Form	Each use, other than an accessory use, shall be contained in a building having all of its customer access doors opening directly outdoors and shall not open onto another store or unenclosed corridor.
vi)	Landscaped Area	A. Minimum Landscaped Open Space shall be 15% of the lot area, a portion which shall include the following where appropriate: 1. A planting strip having a minimum width of 6.0 metres shall be provided adjacent to any public street, except for points of ingress and egress, and between the street and any building along the east lot line; and, 2. A minimum width of 7.5 metres shall be provided adjacent to the north and west property lines.

vii)	Parking	A. 4.5 spaces for each 93.0 square metres; and, B. No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6.0 metres from the east and south lot lines or closer than 7.5 metres from the north and west lot lines.
viii)	Additional Regulations for Wholesale and Retail Warehouse Facility, Warehouse Membership Club, Building Supply Outlet in an enclosed building and Retail Establishments	A. 28,335 square metres Maximum Total Gross Floor area; B. In addition to Clause A., 14,500 square metres Maximum Gross Floor Area per unit; C. In addition to Clause A., 1,860 square metres Minimum Gross Floor Area per unit; and, D. Notwithstanding Clause 1., for every square metre of office space built in excess of 2,272 square metres in

Area A, an equal amount of retail space will be permitted to a maximum of 2,272 square metres.

c) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area B** as shown on Figure 8 of Schedule "F" – Special Figures:

1. Notwithstanding Subsection 10.5.1, the permitted uses shall be limited to the following:

   i) Art Galleries
   ii) Child Care Centre
   ii) Commercial Recreation
   iii) Commercial School
   iv) Commercial Entertainment
   v) Conference or Convention Centre
   vi) Convenience Food Stores
   viii) Dry Cleaning or Laundering Establishments
   ix) Financial Establishment
   x) Libraries
   xi) Medical Clinics
   xii) Offices
   xiii) Personal Service
   xiv) Private Club or Lodge
   xv) Restaurant.

2. Notwithstanding Subsections 5.1.a) v), 10.5.3a), b), c) and g) v) the following regulations shall apply:

i)	Maximum Lot Coverage	25%
ii)	Minimum Gross Floor Area for Office	1,000 square metres.
iii)	Maximum Front Yard	2.0 metres shall be provided for those buildings along Upper mount Albion Road.
iv)	Minimum Side Yard	6.0 metres shall be provided along Paramount Drive.

v)	Maximum Side Yard	3.0 metres along the proposed street.
vii)	Minimum Rear Yard	6.0 metres shall be provided along Winterberry Drive.
viii)	Landscape Requirements	A planting strip having a minimum width of 6.0 metres shall be provided adjacent to any street, except for points of ingress and egress, and between the street and any building along Upper Mount Albion Road and the north limits of Area B as shown in Figure 8 of Schedule "F".
ix)	Parking	In addition to Section 5 of this By-law, no parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6.0 metres from any street line.
x)	Additional Regulations for buildings fronting on Upper Mount Albion	The minimum built frontage shall be 20% of the total distance of the street frontage in any one block.
xi)	Built Form	Each use, other than an accessory use, shall be contained in a building having all of its customer access doors opening directly outdoors and

shall not open onto another store or unenclosed corridor.

d) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area C** as shown on Figure 8 of Schedule "F" – Special Figures:

1. Notwithstanding Subsection 10.5.1, the permitted uses shall be limited to the following:

   i) Child Care Centre
   ii) Financial Establishment
   iii) Home Business
   iv) Multiple Dwelling
   v) Office
   vi) Personal Service Establishment
   vii) Restaurant
   viii) Studio

2. Notwithstanding Subsections 5.6 c), 10.5.3a), b). c), d), e), f), h), and k) ii), the following regulations shall apply:

i)	Minimum Lot Area	1,200 square metres
ii)	Minimum Lot Frontage	20.0 metres
iii)	Maximum Lot Coverage	30 percent
iv)	Maximum Gross Floor Area	600.0 square metres
v)	Maximum Front Yard	3.0 metres
vi)	Minimum Interior Side Yard	3.0 metres
vii)	Maximum Exterior Side Yard	3.0 metres
viii)	Minimum Rear Yard	9.0 metres

ix)	Maximum Building Height	13.5 metres or 3 storeys
x)	Restriction of Commercial Uses	No commercial uses are permitted except where contained jointly with multiple dwelling units in the same building.
xi)	Maximum Residential Density	80 units per hectare.
xii)	Minimum Amenity Area per Dwelling Unit	A. 14.0 square metres per Bachelor Unit; B. 18.0 square metres per One Bedroom Unit; C. 53.0 square metres per Two Bedroom Unit; and, D. 88.0 square metres per Three Bedroom Unit. E. 125.0 square metres per Four Bedroom Unit
xiii)	Minimum Landscaped Open Space	A. A Landscaped Area shall not be less than 50 percent of the lot area of which at least 25 percent shall be in one area other than the front yard; B. A portion of the landscaped area shall be a planting strip having a minimum width of 3.0 metres provided adjacent to any street, except for points of ingress and egress, and between the street and any building along Upper Mount

		Albion Road and the south lot line.
xiv)	Outdoor Storage	Outdoor Storage shall be prohibited.
xv)	Parking	A. In accordance with Section 5 of this By-law; B. Notwithstanding A. above, 1.5 spaces shall be provided per dwelling unit.

e) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area D** as shown on Figure 8 of Schedule "F" – Special Figures:

1. For lands located in Area D-1, D-2, and D-3, notwithstanding Subsection 10.5.1, permitted uses shall be limited to the following:

   i) Dwelling Groups
   ii) Home Business
   iii) Live/Work Units
   iv) Multiple Dwelling
   v) Townhouses

2. For lands located in Area D-4, notwithstanding Subsection 10.5.1, permitted uses shall be limited to the following:

   i) Dwelling Groups
   ii) Home Business
   iii) Live/Work Units
   iv) Multiple Dwelling
   v) Townhouses

3. Notwithstanding the definition of Front Lot Line in Section 3: Definitions of this By-law, the definition of the Front Lot Line shall mean any lot line of the lot abutting Artfrank Drive.

4. Notwithstanding Subsections 4.6d), 10.5.3a), b), c), d), g) ii) and iii), and h), the following regulations shall apply:

i)	Minimum Yard Depth from Daylight Triangle	1.5 metres from the hypotenuse of the daylight triangle
ii)	Yard Projection of a Balcony	A balcony may project a maximum of 4.5 metres into any required rear yard and 1.6 metres into any required side yard.
iii)	Maximum Setback Abutting a Street	6.6 metres, except that the maximum setback from the south lot line shall not apply to a Multiple Dwelling.
iv)	Minimum Interior Side Yard for Townhouses and Dwelling Groups:	3.0 metres, except that a minimum 9.0 metres shall be provided and maintained for the easterly townhouse block adjacent to lands zoned Mixed Use Medium Density (C5, SE 319) Zone, with a Special Exception, known municipally as 182 and 188 Upper Mount Albion Road.
v)	Side Yard for Multiple Dwellings	
	1. Minimum Interior	9.0 metres
	2. Maximum Exterior	6.7 metres
vi)	Minimum Rear Yard for Multiple Dwellings	8.8 metres
vii)	Maximum Density	200 units per hectare
viii)	Maximum Building Height of Townhouse, Maisonette, Live/Work	3 storeys or 13.5 metres

	Units, and/or Dwelling Groups located in Area D-4	
ix)	Maximum Building Height for Apartment Buildings	Area D-1: 7 storeys or 24.1 metres, however the building shall be stepped in from both ends of the building a minimum of 3.0 metres for each storey above 16 metres of building height. Area D-2: 12 Storeys or 40.6 metres Area D-3: 8 storeys or 27.4 metres
x)	Privacy Areas	Notwithstanding the yard requirements above, each maisonette and townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 2.5 metres.
xi)	Minimum Landscape Area	39.0 percent
xii)	Subsection 10.5.3h) shall not apply.	

5. Notwithstanding Subsections 5.2b)i), ii), and iii), 5.2f), and 5.6c) the following regulations shall apply:

i)	Minimum Parking Space Size Dimensions	For other than 90 degree perpendicular parking spaces and for parking spaces within private residential garages designed to accommodate one motor vehicle, the parking space shall not be less than 2.6 metres in width or less than 5.5 metres in length exclusive of any land used for access, manouvering, driveways, or a similar purpose.
ii)	Projections into Parking Spaces	In addition to Clause i), a single step, hose bibs, electrical devices and/or ductwork and closet enclosures may project not more than 0.3 metres into the required length or width of a parking space.
iii)	Barrier-Free Parking Requirements	At least 1 percent of the required parking spaces, with a minimum of one parking space, on any parking lot having more than 10 parking spaces shall have a minimum rectangular dimension of 4.4 metres by 5.5 metres.
iv)	Parking Restrictions in Residential Zones	Parking spaces shall have a width of not less than 2.6 metres and a length of not less than 5.5 metres and barrier free parking spaces shall have a width of not less than 4.4 metres and a length of not less than 5.5 metres, exclusive of any land used to permit ingress or egress to

		said parking spaces, manouvering areas, driveways or aisles. One parking space within a private residential garage shall not be less than 2.6 metres in width or less than 5.5 metres in length.
v)	Parking Requirement for Townhouse / Maisonette Dwellings	2.1 spaces per unit, which includes visitor spaces.
vi)	Parking Requirement for Bachelor / One Bedroom Multiple Dwelling Units	1.55 spaces per unit, which includes visitor spaces.
vii)	Parking Requirement for Two Bedroom Multiple Dwelling Units	1.8 spaces per unit, which includes visitor spaces.
viii)	Parking Requirement for Three Bedroom Multiple Dwelling Units	2.05 spaces per unit, which includes visitor spaces.
ix)	Parking Location	Where there is a grouping of three or more parking spaces, no parking shall be provided closer than 0.9 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within an underground garage.

f) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area E** as shown on Figure 8 of Schedule "F" – Special Figures:

1. Notwithstanding Subsection 10.5.1, permitted uses shall be limited to the following:

i) Home Business
ii) Multiple Dwelling
iii) Stormwater management facility

2. Notwithstanding Subsections 5.1a) v), 5.6 c), 10.5.3 a), b), c), d), and h), the following regulations shall apply:

i)	Minimum Lot Area	4,000 square metres
ii)	Minimum Lot Frontage	45.0 metres
iii)	Minimum Front Yard	7.5 metres
iv)	Minimum Side Yard	7.5 metres
v)	Minimum Flankage Yard	9.0 metres
vi)	Minimum Rear Yard	7.5 metres
vii)	Increased Yards	Notwithstanding iii) – vi) above, Front yard, side yard and rear yard requirements shall each be increased by 1.0 metre for each 3.0 metres or part thereof by which the building exceeds a height of 15 metres.
viii)	Maximum Lot Coverage	35 percent
ix)	Maximum Residential Density	100 dwelling units per hectare
x)	Maximum Building Height	25 metres
xi)	Minimum Landscaped Open Space	A. The landscaped area shall not be less than 50 percent of the lot area of which at least 25 percent shall be in

		one area which is not the front yard
		B. A planting strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress.
xii)	Minimum Distance between Residential Buildings on the Same Lot	21.0 metres
xiii)	Minimum Amenity Areas per Dwelling Type	A. 1.5 square metres per bachelor unit; B. 2.0 square metres per one bedroom unit; C. 3.0 square metres per two bedroom unit; D. 4.0 square metres per three bedroom unit; E. 4.0 square metres per four bedroom unit; and, F. In addition to Clauses A.-E., not less than 10 percent of the total of the amenity areas shall be provided inside the applicable multiple dwelling building, and such inside area shall not be less than 93.0 square metres.

xiv)	Parking	A. 1.25 parking spaces and 0.35 visitor parking spaces for each bachelor or one bedroom multiple dwelling unit; B. 1.5 parking spaces and 0.35 visitor parking spaces for each two bedroom multiple dwelling unit; C. 1.75 parking spaces and 0.35 visitor parking spaces for each multiple dwelling unit having three or more bedrooms; D. No common parking space shall be located closer than 3.0 metres from a single detached, semi-detached or duplex residential zone; and, E. At least 60 percent of the required tenant parking shall be underground and/or within the multiple dwelling. Underground parking shall not be bound by setback requirements; however underground parking above grade shall be setback a

minimum of 3.0 metres from any lot line.

g) For the purposes of Special Exception No. 319 the following special provisions shall apply to **Area F** as shown on Figure 8 of Schedule "F" – Special Figures:

1. Notwithstanding Subsection 10.5.1, permitted uses are limited to the following:

   i) Botanical Gardens
   ii) Cemeteries
   iii) Conservation Uses
   iv) Fishing Preserves
   v) Golf Courses
   vi) Hazard Lands
   vii) Nature Trails
   viii) Public and Private Parks
   ix) Public Greenhouses
   x) Wildlife Management Areas
   xi) Woodlots

2. Notwithstanding Subsections 10.5.3a), b) and c), the following regulations shall apply:

i)	Maximum Lot Coverage	20 percent;
ii)	Minimum Front Yard	15.0 metres;
iii)	Minimum Side Yard	15.0 metres;
iv)	Minimum Rear Yard	15.0 metres;
v)	Minimum Landscaped Area	75 percent of the lot area;
vi)	Outdoor Storage	No outdoor storage shall be permitted.
vii)	Parking	In accordance with Section 5 of this By-law.

(By-law No. 17-240, November 8, 2017)

(By-law No. 19-062, March 27, 2019)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

320. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1434 and 1435 of Schedule "A" – Zoning Maps and described as 1060, 1080, 1090, 1096, 1100, 1110, 1122, 1130, 1136, 1142, 1144, 1146 and 1147 Wilson Street West and 1051 Garner Road West, the following special provisions shall apply:

a) In addition to Subsection 10.6.2, the following uses shall also be prohibited:

i) Welding and Sheet Metal Shop.

b) In addition to Subsection 10.6.1, the following uses shall also be permitted:

i) Home Improvement Supply Establishment
ii) Building and Lumber Supply Establishment

c) In addition to Subsection 10.6.3 f) the maximum gross floor area for all buildings shall be 38,000 square metres, including any garden centre which is located in a permanent building or structure, but excludes Hotel, Motor Vehicle Gas Bar and Motor Vehicle Car Washing Establishment.

d) Subsections 10.6.3 g) ii) and iii) shall not apply for individual new buildings with a maximum gross floor area of 500 square metres.

e) Notwithstanding Subsection 10.6.3 j), the following outdoor storage regulations shall apply:

i) Outdoor storage shall not be permitted in any minimum yard abutting a street;

ii) Outdoor storage shall be located a minimum of 3 metres from any side or rear yard not abutting a street;

iii) Outdoor storage shall be screened from view from any street by way of a minimum 1.5 metre decorative, solid board fence, or a minimum 3 metre planting strip; and,

iv) Outdoor storage areas shall not exceed an area equal to 4% of the gross floor area of the building to which it is accessory.

(By-law No. 17-240, November 8, 2017)

321. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1295 of Schedule "A" - Zoning Maps and described as 902 Mohawk Road East, the following special provision shall apply:

a) Notwithstanding Subsection 10.3.1 and in addition to Subsection 10.3.2, a Restaurant shall be prohibited.

(By-law No. 17-240, November 8, 2017)

322. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 912 of Schedule "A" – Zoning Maps and described as 401.5 Barton Street East, the following special provision shall apply:

a) Notwithstanding Subsection 10.5a.1, existing residential uses shall also be permitted on the ground floor.

(By-law No. 17-240, November 8, 2017)

323. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1306 of Schedule "A" – Zoning Maps and described as 604 Highway No. 8, the following special provisions shall apply:

a) Notwithstanding Subsection 10.2.1, the permitted uses shall be located within the existing heritage building and shall be limited to the following:

i) Medical clinic
ii) Professional office
iii) One (1) accessory dwelling unit, provided such use is located together with a permitted commercial use within the same heritage building and is not located on the ground floor or in the cellar or basement

b) Notwithstanding Subsections 10.2.3b), d) and j), the following regulations shall apply:

i)	Existing heritage building	The external appearance and height, comprising of the entire north, west and east facades and hip roof, and all associated building material and architectural features of the two-and-one-half storey heritage structure, shall be preserved and maintained. These materials and features include, but are not limited to, the high stone foundation, wrap-around verandah, entranceways and doors,

		windows and leaded glass, stone sills and lintels, brickwork, chimneys, cross gables and hip roof and all associated decorative woodwork existing on November 27, 2002.
ii)	Landscaped strip	The minimum landscaped strip along the east property line and the rear lot line, between the east property line and detached garage, shall be 2.5 metres.
iii)	Minimum Rear Yard Setback	1.5 metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)

324. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1436 of Schedule "A" – Zoning Maps and described as 21 Panabaker Drive, the following special provisions shall apply:

a) In addition to Subsection 10.2.1, the following uses shall also be permitted:

i) Establishments providing Education or Instructional Services
ii) Gymnasiums or Health Clubs excluding body rub parlours
iii) Medical and Dental laboratories
iv) Printing Establishment
v) Retail, excluding adult-oriented video rental outlets and similar retail outlets
vi) Service shop
vii) Sub-Post Office

b) In addition to Subsection 3, for the purpose of Special Exception No. 324 the following definition shall apply:

Sub-Post Office	Means a Government of Canada postal sub-station or a commercial parcel pick-up and delivery service.

c) Notwithstanding Subsections 5.6 c) and 10.2.3 h), the following regulations shall also apply:

i) A fast food restaurant shall not exceed more than 40% of the total Gross Floor Area.

ii) Gymnasiums or Health Clubs, excluding Body Rub Parlours, shall not exceed more than 40% of the total Gross Floor Area.

iii) A Medical Clinic shall not exceed more than 40% of the total Gross Floor Area.

iv) Medical and Dental Laboratories shall not exceed more than 35% of the total Gross Floor Area.

v) A Restaurant shall not exceed more than 25% of the total Gross Floor Area.

vi) A minimum of 1 parking space for every 22 square metres of Gross Floor Area for all permitted uses shall be provided.

(By-law No. 17-240, November 8, 2017)

325. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1247 of Schedule "A" – Zoning Maps and described as 2791 King Street East, the following special provisions shall apply:

a) In addition to Subsection 10.2.1, an existing parking lot in conjunction with an existing medical clinic located at 2803 King Street East shall also be permitted.

b) Notwithstanding 5.2b), 5.2f) and 5.2i), the following regulations shall also apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
iii)	Minimum Aisle Width	A minimum aisle width with a 90 degree angle to a parking space shall be 5.5 metres.

(By-law No. 17-240, November 8, 2017)

326. Within the lands zoned District Commercial (C6) Zone, identified on Maps 549, 581, 582, 612 of Schedule "A" – Zoning Maps and described as Clappison's Corner, shown as Figure 9 of Schedule "F" – Special Figures, the following special provisions shall apply:

a) In addition to Subsection 10.6.1, the following uses shall also apply:

i) Automotive Convenience Centre
ii) Child Care Centre
iii) Commercial Entertainment
iv) Commercial Recreation
v) Commercial School
vi) Conference or Convention Centre
vii) Dry Cleaning Distribution Station
viii) Dry Cleaning Establishment
ix) Financial Institution
x) Funeral Home
xi) Hotel
xii) Industrial Research and Development Establishment
xiii) Medical Clinic
xiv) Mini Storage uses within a wholly enclosed building(s) with no associated outdoor storage
xv) Motel
xvi) Motor Vehicle Gas Bar
xvii) Motor Vehicle Service Station
xviii) Motor Vehicle Washing Establishment
xix) Office
xx) Outdoor Storage Areas associated with Garden Centre and Home Improvement/Building Supplies Establishment
xxi) Personal Service
xxii) Printing Establishment
xxiii) Restaurant
xxiv) Retail
xxv) Warehouse
xxvi) Wholesale and Retail Warehouse Facility
xxvii) Wholesale Membership Club
xxviii) Veterinary Service

b) Notwithstanding Subsections 10.6.3a), b), c) i), d), f), and g) ii), iii), iv), v), and in addition to Subsection 10.6.3 i) and j), the following regulations shall apply:

i) Minimum Lot Frontage 30 metres.

ii)	Minimum Lot Area – Restaurant	1,240 square metres.
iii)	Minimum Lot Area – All Other Uses	1,500 square metres.
iv)	Maximum Lot Coverage	30% except a lot with only Business, Professional, or Administrative Office use or uses shall be permitted a maximum lot coverage of 50%.
v)	Yard Abutting a streetline other than a Provincial Highway	3.0 metres.
vi)	Minimum Yard Abutting a Provincial Highway	14.0 metres.
vii)	Minimum Interior Side Yard	3.0 metres, but 15 metres where abutting any Open Space or Conservation Management Zone within By-law 05-200 or By-law 90-45-Z.
viii)	Minimum Rear Yard not abutting a streetline or Provincial Highway	6.0 metres.
ix)	Maximum Height	15.0 metres.
x)	Minimum Planting Strip	1. 6.0 metres width across all lot lines abutting a street except 3.0 metres where a building is located adjacent to a street. 2. Applicable only to Block B on Figure 9 of this By-law, a transformer is permitted to be located within the required Planting Strip.
xi)	Provision of Visibility Triangle	Notwithstanding the regulations in Clauses i) to ix), a minimum 15 metre by 15 metre landscaped triangle shall

		be provided and maintained for corner lots with one streetline on Dundas Street East, and a minimum 12 metre by 12 metre landscaped triangle shall be provided and maintained for corner lots in all other cases, which shall be suitably landscaped and designed to provide an attractive appearance. The required 15 metre by 15 metre landscaped triangle shall also include a gateway feature which shall be defined through site plan approval.
xii)	Maximum total gross floor area for all uses in Blocks A and B combined, with hotel/motel, community centre and public uses not being included in the calculation of gross floor area in the determination of maximum total gross floor area	39,870 square metres.
xiii)	Maximum total gross floor area for all uses in Block C, with hotel/motel, community centre and public uses not being included in the calculation of gross floor area in the determination of maximum total gross floor area	7,000 square metres.

xiv)	Maximum total gross floor area for all uses in Block D, with hotel/motel, community centre and public uses not being included in the calculation of gross floor area in the determination of maximum total gross floor area	30,000 square metres.
xv)	Maximum total gross floor area for all uses in Block E, with hotel/motel, community centre and public uses not being included in the calculation of gross floor area in the determination of maximum total gross floor area	31,000 square metres.
xvi)	Maximum total gross floor area for all uses in Block F, with hotel/motel, community centre and public uses not being included in the calculation of gross floor area in the determination of maximum total gross floor area	31,000 square metres.
xvii)	Regulation on Door Openings	Each use other than accessory uses shall be contained in a building having all of its customer access doors opening directly outdoors and shall not open onto another store or an unenclosed corridor.

xviii)	Open Storage requirements	1. Refuse containers are permitted to be located in an exterior side yard for Block B of Figure 9. 2. All outdoor storage, including a garden centre and a home improvement / building supplies area, shall be permitted provided that they are screened from view.
xix)	Limitation on Mini-Storage Use	For Blocks C, D, and E only, notwithstanding i) above, only one Mini-Storage use shall be permitted and only if setback of 150 metres from both Highway No. 5 (Dundas Street East) and from Highway No. 6. For lands located within Blocks A and B, only one Mini-Storage use shall be permitted and only if setback a minimum of 150 metres from Highway No. 5 (Dundas Street East) and setback a minimum of 100 metres from Highway No. 6.
xx)	Minimum Yard for Motor Vehicle Gas Bar Canopies from the lot line.	3.5 metres.

c) Notwithstanding Subsections 5.2c), 5.2 f), 5.2.1 b) and 5.6 c), the following special parking and loading regulations shall apply:

i)	Minimum Parking Requirements not including Motel, Hotel, Community Centre, Exhibition Conference Hall, and Public Use	1. 5.0 spaces per 100 square metres of Gross Floor Area. 2. Notwithstanding Clause 1., a minimum 1.0 space per 30 square metres of Gross Floor Area for Block B of Figure 9. 3. Notwithstanding Clause 1, 347 parking spaces shall be provided for Block B on Figure 9.

ii)	Loading Requirements	For Block B of Figure 9, for a building or structure with a total floor area of over 7,000 square metres, 3 loading spaces shall be provided and maintained, and that loading spaces are permitted to be located within an exterior side yard.
iii)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
iv)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

d) In addition to Subsection 3: Definitions, for the purposes of Special Exception No. 326, the following definition shall apply:

Warehouse Membership Club	A building with a minimum Gross Floor Area of 7,000 square metres, occupied by a single user, where the principal use is the sale of food and non-food products which are generally stored, displayed and offered for sale in one and the same area in a warehouse format and where customers, whether retail or wholesale, are generally required to be members of the club, but excludes department stores and supermarkets.
Automotive Convenience Centre	Shall mean a single building, containing more than one individual outlet, with a minimum Gross Floor Area of 465 square metres and a maximum of 1,050 square metres and which contains a gas bar and/or car wash on the same lot and which building is designed, developed, and maintained by the owner of the lot and the use of which may include a combination of individual outlets which may include a maximum of 1 convenience retail outlet and a maximum of 2 restaurants (including standard, convenience and fast food), regardless of whether such outlets are separately leased and have

customer access from inside or outside the Automotive Convenience Centre.

e) The following additional provisions shall apply to lands labelled "F" on Special Figure 9 of Schedule "F":

i) Retirement Home and Long Term Care Home uses shall also be permitted in accordance with the following additional exceptions:

1. Clauses 5.1 d), 10.6.1.1 .i) 1. and 10.6.3 g) vi) and vii) shall not apply.

2. Notwithstanding Clause 10.6.3 d) and Schedule C - Special Exceptions, Clause 326 b) ix), Maximum Height shall be 29.3 metres, inclusive of mechanical penthouses and elevator penthouses, notwithstanding the definition of building height.

3. Notwithstanding Schedule C - Special Exceptions, Clause 326 c) i) 1., parking shall be provided in accordance with Subsection 5.6 c).

4. A minimum landscaped area of 10% of the total lot area shall be required, inclusive of any landscaped areas, islands, buffers and planting strips required by any other section of the by-law.

ii) Clause 10.6.1 .1.i) 2. shall not apply.

iii) Notwithstanding Clause 10.6.3 e), Maximum Gross Floor Area for an Office use is 4,000 square metres.

iv) Notwithstanding Schedule C - Special Exceptions, Clause 326 b) iv), Maximum Lot Coverage shall not apply.

v) For the purposes of this by-law, "Retirement Home" means a retirement home as defined in the Retirement Homes Act, 2010.

vi) For the purposes of this by-law, "Long-Term Care Home" means a long-term care home as defined in the Fixing Long-

Term Care Act, 2021.

f) That the remaining Subsections in 10.6 shall also apply.

(By-law No. 17-240-OLT-05, March 14, 2022)
(By-law No. 23-250-OLT, August 04, 2023)
(By-law No. 25-155, August 06, 2025)

327. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1552 and 1597 of Schedule "A" - Zoning Maps and described as:

Property Address	Map Number
135, 139 and 143 Upper Centennial Parkway	1552 and 1597
151 Upper Centennial Parkway	1552

The following special provisions shall apply:

a) In addition to Subsection 10.7.1 and notwithstanding Subsection 10.7.2, the following uses shall also be permitted:

i) Beverage Making Establishment
ii) Catering Service
iii) Child Care Centre
iv) Commercial School
v) Communications Establishment
vi) Craftsperson Shop
vii) Dwelling Units(s)
viii) Financial Establishment
ix) Laboratory
x) Medical Clinic
xi) Multiple Dwelling
xii) Office
xiii) Personal Service
xiv) Place of Assembly
xv) Retail
xvi) Social Services Establishment
xvii) Studio
xviii) Urban Farmers Market

b) The regulations pertaining to the uses identified in Clause a) shall be in accordance with Subsection 10.7.3.

c) Notwithstanding Clause b), the uses identified in Clauses a) vii) and a) xi), shall also be subject to the following regulation:

Restriction of Uses within a Building	The following uses shall only be permitted above the ground floor except for access, accessory office and utility areas, and shall not, as a stand-alone use or in combination, occupy more than 50% of the total gross floor area: Dwelling Unit(s) Multiple Dwelling Office

(By-law No. 17-240, November 8, 2017)
(By-law No. 25-155, August 06, 2025)

328. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1388 of Schedule "A" – Zoning Maps and described as part of 515, 523, 527 and 535 Garner Road East, the following special provision shall apply:

a) Notwithstanding Subsection 10.2.3 h), the maximum gross floor area for commercial uses shall be 1,800.0 square metres.

(By-law No. 17-240, November 8, 2017)

329. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1178 and 1179 of Schedule "A" – Zoning Maps and described as 1173 and 1203 Old Golf Links Road, the following special provisions shall apply:

a) Notwithstanding Subsections 10.5.3 a), b), c), d) and g) and 5.1 a) v), the following regulations shall apply:

i)	Maximum Lot Coverage	60%;
ii)	Minimum Front Yard Setback	15.0 metres, except 5.0 metres to a canopy, 1.5 metres to a below-grade parking structure, and 1.5 metres to an above-grade parking structure;
iii)	Minimum Side Yard Setback	1.5 metres, except 1.5 metres to a below-grade parking structure, and 6.5 metres to an above-grade parking structure;
iv)	Minimum Rear Yard Setback	1.5 metres, except 0.3 metres to a below-grade parking structure,

		and 0.9 metres to an above-grade parking structure;
v)	Maximum Height	22.0 metres and 6 storeys.
vi)	Parking Regulation	A minimum of 301 parking spaces shall be provided and maintained for a Hotel containing a maximum of 113 units and Offices with a maximum gross floor area of 7,397 square metres;
vii)	Parking Location	No parking space shall be located closer to a street line or a lot line not abutting a street than 0.3 metres.

(By-law No. 17-240, November 8, 2017)

330. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Maps 1448 and 1497 of Schedule "A" – Zoning Maps and described as 741 Rymal Road East, the following special provisions shall apply:

a) Notwithstanding Subsections 10.2.1, 10.2.3 f), g) and h), only a mixed-use building comprised of residential units above commercial uses on the ground floor shall be permitted, subject to the following special provisions:

i) Permitted Residential Uses:

A. One dwelling unit for each 180.0 square metres of area of the lot which the building is situated, provided that the building does not exceed 2 storeys in height, and the gross floor area (GFA) of the building used for dwelling units shall be at least equivalent to the Commercial GFA and shall not exceed 455.0 square metres.

ii) Permitted Commercial Uses:

A. Commercial School
B. Office
C. Financial Establishment
D. Child Care Centre
E. Private Club, Lodge, Fraternity or Sorority House or Labour Union Hall
F. Restaurant which shall not include an outdoor commercial patio, and/or any dancing or other entertainment except music

G. Retail
H. Photographer's or Artist's Studio, but not including a motion picture studio

b) Notwithstanding the height requirement in Subsection 4.19, Subsections 10.2.1 a) and l), and in addition to Subsections 10.2.3 k), the following regulations shall also apply:

i)	Storage	Storage or goods to be manufactured, assembled, or sold upon the premises shall be permitted only within the cellar of the building.
ii)	Minimum Front Yard	6.0 metres
iii)	Access	No vehicular ingress or egress shall be permitted from the subject lands onto Eva Street and/or Eaglewood Drive.
iv)	Garbage Areas	Any garbage areas shall be contained entirely within the principal building.
v)	Visual Barrier Minimum Height	2.1 metres

(By-law No. 17-240, November 8, 2017)
(By-law No. 25-155, August 06, 2025)

331. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Maps 1242 and 1295 of Schedule "A" – Zoning Maps and described as 788 Upper Ottawa Street, the following special provisions shall apply:

a) Notwithstanding Subsections 5.2b), 5.2f), 10.2.3 a), b) ii), c) ii) and d), the following regulations shall apply:

i)	Minimum Front Yard	0.0 metres;
ii)	Minimum Setback from Residential Zone	9.0 metres;
iii)	Maximum Building Height	3-storeys and / or 13.0 metres;

iv)	Minimum Loading Requirements	No loading space shall be required.
v)	Restriction of Uses within a Building	1. Commercial uses shall only be permitted on the ground floor of a mixed-use building; and, 2. Residential units, to a minimum of 4 dwelling units and a maximum of 8 dwelling units, shall be required above any use permitted on the ground floor.
vi)	Access Driveway	An access driveway shall be located not less than 1.5 metres from the common boundary with a Residential Zone.
vii)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
viii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)

332. Within lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 909 of Schedule "A" - Zoning Map and described as part of Part of 100 and 120 Ray Street North, and 337 and 339 York Boulevard, following special provisions shall also apply:

a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions, the following definition shall apply:

Front Lot Line: Shall mean any lot line of the lot abutting York Boulevard.

b) Notwithstanding Subsection 10.5.3 d) ii) the maximum height shall be 53.0 metres.

(By-law No. 17-240, November 8, 2017)

333. Within those lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1389 of Schedule "A" – Zoning Maps and described as 587 Garner Road East, the following special provisions shall apply:

a) In addition to Subsection 10.2.1, a retail showroom for a spa and pool business with accessory offices and storage areas shall also be permitted.

b) In addition to Subsection 10.2.3, the maximum floor area for the use identified in Clause a) shall be 610.0 square metres.

c) Notwithstanding Subsection 4.8, accessory buildings existing as of February 8, 2012 shall be permitted.

(By-law No. 17-240, November 8, 2017)

334. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1259 of Schedule "A" – Zoning Maps and described as 1365 and 1367 Baseline Road, the following special provisions shall apply:

a) In addition to Subsection 10.3.1, Commercial Recreation shall also be permitted.

b) In addition to Subsection 10.3.2, a Drive-Through Facility shall also be prohibited.

c) Notwithstanding Subsections 5.2b), 5.2f), 5.6c), 10.3.3 a), d), and j), the following regulations shall apply:

i)	Minimum Front Yard	4.0 metres;
ii)	Minimum Flankage Side Yard	1.3 metres;
iii)	Maximum Building Height	11.5 metres;
iv)	Minimum Landscape Open Space	A. The landscaped area shall not be less than 30 percent of the lot area; B. A landscaped strip having a minimum width of 1.3 metres and an average width of 3.0 metres shall be provided and maintained

		along North Service Road, and a landscape strip having a minimum width of 4.0 metres shall be provided and maintained along Baseline Road, except for points of ingress and egress; C. A landscape strip having a minimum width of 2.0 metres with a minimum 1.8 metre high board-on-board fence shall be provided and maintained adjacent to every portion of any lot line that abuts any zone other than a Commercial or Industrial Zone.
v)	Minimum Barrier Free Parking Requirements	A minimum of 2 of the required spaces shall be barrier free spaces.
vi)	Minimum Loading Requirements	A minimum of one loading space shall be provided and maintained.
vii)	Restriction of Uses within a Building	No commercial uses are permitted, except on the ground floor where contained jointly with apartment dwelling unit(s) in the same building, provided that the gross floor area of the building used for commercial purposes does not exceed the floor area being used for residential purposes, including residential common areas.
viii)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.

ix)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)

335. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1594 of Schedule "A" – Zoning Maps and described as 1962, 1970 and 1976 Rymal Road East, the following special provisions shall apply:

a) In addition to Subsection 10.3.1 and notwithstanding Subsections 10.3.2, the following uses shall also be permitted:

i) Drive-Through Facility
ii) Nursery school
iii) Service Shop

b) Notwithstanding the definition of Front Lot Line in Section 3: Definitions, and Subsections 10.3.3 a), b), c), d), g) and i) and 5.6 c), the following regulations shall also apply:

i)	Maximum Lot Coverage	30%
ii)	Total Maximum Gross Leasable Floor Area	2,500 square metres
iii)	Maximum Gross Leasable Floor Area for each individual establishment	Not more than one half of the total gross leasable floor area provided on the site.
iv)	Maximum Gross Floor Area for a Medical Clinic	555.0 square metres
v)	Minimum Front Yard	7.5 metres
vi)	Minimum Interior Side Yard	3.0 metres
vii)	Minimum Exterior Side Yard	4.5 metres

viii)	Minimum Rear Yard	10.0 metres
ix)	The lot line that abuts Rymal Road East shall be deemed to be the front lot line.	
x)	Maximum Height	14.0 metres
xi)	Minimum Number of Parking Spaces	One (1) space for each 18.0 square metres of gross floor area or fraction thereof.

(By-law No. 17-240, November 8, 2017)

336. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1199, 1200 and 1450 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
621, 625 Barton Street and 311, 315, 327, 331 Fruitland Road	1199, 1200
1120 Stone Church Road East	1450

The following special provision shall apply:

a) In addition to Subsection 10.6.1, a Warehouse shall also be permitted.

(By-law No. 17-240, November 8, 2017)

337. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1911 and 1912 of Schedule "A" – Zoning Maps and described as 10 Fall Fair Way, Part of 39 Garinger Crescent and 2490 Regional Road 56 the following special provisions shall apply:

a) In addition to Subsection 10.6.1 and notwithstanding Section 10.6.2, a Garden Centre shall also be permitted.

(By-law No. 17-240, November 8, 2017)

338. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1595, 1596, 1639 and 1640 of Schedule "A" – Zoning Maps and described as 2100, 2120, 2130, 2140, 2150, 2160, 2170, 2172, 2176, 2180, and 2190 Rymal Road East, the following special provisions shall apply:

a) In addition to Subsection 10.5.1 and notwithstanding Subsection 10.5.2, the following uses shall also be permitted:

i) Block townhouse dwelling
ii) Duplex dwelling
iii) Long Term Care Facility
iv) Semi-detached dwelling
v) Triplex dwelling
vi) Garden Centre
vii) Motor Vehicle Rental Establishment

b) In addition to Subsection 4.25 b) and Notwithstanding the definition of Front Lot Line in Section 3: Definitions and Subsections 5.1 a)v), 5.2 b), 5.2 f), 5.2h), 5.6 c), 10.5.3 a), b), c), d), g) ii) and iii) and v), i) and k), the following regulations shall apply to all Commercial uses:

i)	Minimum Front Yard	7.5 metres
ii)	For the purposes of Special Exception No. 338, the lot line that abuts Rymal Road shall be deemed to be the front lot line.	
iii)	Minimum Side Yard	3 metres except: 1. 7.5 metres abutting a side lot line which is the boundary of any Residential or Institutional Zone or where ground floor residential use or an institutional use is located on the adjoining land; and 2. 7.5 metres on a corner lot for the side yard abutting the flankage street.
iv)	Minimum Rear Yard	7.5 metres, except where a rear yard abuts a street, Residential or Institutional Zone, a ground floor residential use or institutional use, the minimum yard shall be 9 metres.
v)	Maximum Height	10.7 metres
vi)	Minimum Landscaping Requirements	A. A landscaped area in the form of a planting strip having a minimum width of 4.5 metres and a fence having a minimum height of 1.8

metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential or Institutional Zone or any Zone where the adjoining land use is used for residential or institutional purposes.

B. A landscaped area having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such landscaped are shall be continuous except for the required driveway(s).

C. Notwithstanding Clause B., a landscaped area in the form of a planting strip having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of a lot line that abuts Terry Berry Way and Bellagio Avenue.
(By-law No. 17-240-OLT-05, March 14, 2022)

vii) Outside Storage and Display

A. Outside storage shall not be permitted in any front yard, however, the outside display of vehicles or plants accessory to the principal use on the subject lot may be permitted in the front yard.

B. Outside storage and display areas shall not be permitted less than 4.5 metres from any street and/or the boundary of any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

		C. Outside storage areas shall be screened from view and enclosed with a fence having a minimum height of 1.8 metres.
viii)	Maximum Gross Leasable Floor Area	47,940 square metres
ix)	Gross Leasable Floor Area (GLFA) for individual retail stores	A. Retail Stores (Minimum) – 1,860 square metres; B. Retail Stores (Maximum) – 17,650 square metres; and, C. Notwithstanding Clause 1., a maximum a maximum GLFA of 11,200 square metres for retail stores between 460 and 1,860 square metres shall be permitted, in addition to not more than 20% of the 11,200 square metre maximum GFLA for retail stores having a minimum of 110 square metres.
x)	Minimum Parking Requirements	A. A minimum of 4.6 parking spaces for each 100 square metres of gross floor area of fraction thereof shall be provided and maintained. B. No parking space shall be less than 2.6 metres in width by 5.5 metres in length. (By-law No. 17-240-OLT-05, March 14, 2022)
xi)	Minimum Aisle Width	The aisle giving access to a parallel parking space shall have a minimum width of 3.6 metres for one-way traffic, and a minimum width of 6.0 metres for two-way traffic; and,
xii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 in width metres by 5.5 metres in length shall be provided.

(By-law No. 17-240-OLT-05, March 14, 2022)

xiii) A minimum driveway width of 4.0 metres shall be provided and maintained for a drive-through and no drive-through lane, stacking lane or pick-up window, shall be located between the building and a street.

xiv) Notwithstanding the definition of a Lot, those lands zoned Mixed Use Medium Density (C5, 338) Zone, Modified shall be considered as one lot, notwithstanding any consolidation or division of the same.

xv) For buildings constructed after July 9, 2009, a maximum 3.0 metre front yard setback, which area shall be provided and maintained as a landscape area, shall apply to not less than 37.5% or more of the measurement of the front lot line.

c) Notwithstanding Subsections 4.6 a), d), e), 5.6 c), 10.5.3 a), b), d) and h), the following regulations shall apply to the uses identified in Clause a) i), ii), iv) and v):

i)	Maximum Density	50 dwelling units per hectare
ii)	Minimum Landscaped Area	40 percent of the lot area, which may include the required privacy area
iii)	Minimum Lot Frontage	45.0 metres and 4.5 metres for an individual townhouse unit.
iv)	Minimum Lot Area	0.3 hectares and 80 square metres for an individual townhouse.
v)	Minimum Front Yard	4.5 metres
vi)	Minimum Interior Side and Rear Yards	1.2 metres for end units
vii)	Minimum Rear Yard	7.0 metres
viii)	Minimum Separation Distance Between Buildings	1. 2.4 metres between end walls, except 10.0 metres between end walls separated by a private road;

2. 15.0 metres between front walls;

3. 12.0 metres between rear walls;

4. 12.5 metres between front and side walls;

5. 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,

6. 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.

ix) Permitted Encroachments

1. Unenclosed porched, both covered and uncovered, may project a maximum 2.5 metres into the required front yard and/or 6.0 metres into the required side yard.

2. Stairs used to provide access to porches, both covered and uncovered, may project a maximum of 0.6 metres beyond the limits of the porch into the required front yard and/or side yard.

3. Window projections with or without foundations, and architectural elements without a foundation such as, but not limited to, fireplaces, chimneys, pilasters, and corbels, may project a maximum of 0.61 metres beyond the front, end or rear walls.

4. Balconies, canopies, awnings and fruit cellars may project a maximum of 2.0 metres into the required front or rear yard and/or

		0.6 metres into the required side yard. 5. Decks may project 3.5 metres beyond the rear wall.
x)	Maximum Driveway Width	The maximum driveway width shall be the distance between the exterior walls of the garage.
xi)	Garage Projections	1. The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided: a) The main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and b) The second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.
xii)	Minimum Garage Setback	5.8 metres from the limits of a private road
xiii)	Maximum Height	12.6 metres
xiv)	Visual Barrier	A visual barrier shall be required along any lot line abutting a Residential Zone.
xv)	Minimum Privacy Area	A minimum of 30.0 square metres per townhouse dwelling unit shall be provided adjacent to the unit.
xvi)	Minimum Amenity Area	A minimum of 5 square metres per dwelling unit shall be provided and thereafter maintained, and may be

		provided in a common element condominium.
xvii)	Dwelling Unit Placement	1. Not more than eight (8) dwelling units shall be attached in a continuous row; and, 2. Not more than four (4) attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling a minimum of 1.0 metres or without varying the exterior design and materials of the front face or wall of the dwelling.
xviii)	Minimum Parking Requirements	1. Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; 2. Each dwelling unit shall have one (1) of the two (2) required parking spaces located within an attached private garage and the second parking space shall be provided contiguous to the unit; however, both parking spaces may be located underground or in a parking structure; 3. A minimum of two (2) parking spaces per dwelling unit shall be provided plus 0.25 visitor parking spaces for each dwelling unit; and 4. No parking space or area, save and except a space or area contiguous to a dwelling unit, shall be located closer to a street line than 6.0 metres, and not be closer than 3.0 metres to any Residential Zone or where the adjoining land use is used for residential purposes, unless such parking is

located within a below-grade communal parking structure.

xix) For the purposes of the lot frontage, lot area, front yard, and side yard requirements only, a condominium road shall be deemed to be a public street.

xx) Visitor parking may be provided in a common element condominium.

d) Notwithstanding Subsections 5.6c), 10.5.3 a), b), c), d), g)ii) and iii), and h), the following regulations shall apply to Multiple Dwellings, Retirement Homes and the use identified in Clause a) iii):

i)	Maximum Lot Area	5.25 hectares
ii)	Maximum Density for Multiple Dwellings	50 dwelling units per hectare
iii)	Minimum Parking Requirements	A. Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; B. A minimum of 1.5 spaces per dwelling shall be provided for a Multiple Dwelling and 0.4 spaces per unit for a Long Term Care Facility and Retirement Home; and, C. No parking space or area, shall be located closer to a street line than 6.0 metres and not be closer than 3.0 metres to any Residential Zone or where the adjoining land use is used for residential purposes, unless such parking is located within a below-grade communal parking structure.
iv)	Minimum Lot Frontage	30 metres

v)	Minimum Lot Area	0.4 hectares
vi)	Maximum Lot Coverage	25 percent
vii)	Minimum Front Yard	9 metres
viii)	Minimum Side and Rear Yards	9 metres
ix)	Minimum Floor Area per Dwelling Unit	A. Bachelor Unit – 45 square metres B. One Bedroom Unit – 60 square metres C. Two Bedroom Unit – 75 square metres D. Three or More Bedrooms – 85 square metres
x)	Maximum Height	10.7 metres
xi)	Minimum Amenity Area	A minimum of 5 square metres per dwelling unit shall be provided and thereafter maintained.
xii)	Minimum Landscaped Area	40 percent of the lot area excluding the amenity area.

(By-law No. 17-240, November 8, 2017)
(By-law No. 17-240-OLT-05, March 14, 2022)

339. Within the those lands zoned Arterial Commercial (C7) Zone, identified on Map 1048 of Schedule "A" – Zoning Maps and described as 45 Goderich Road, the following special provisions shall apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted:

i) Medical Clinic
ii) Office
iii) Retail

(By-law No. 17-240, November 8, 2017)

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

340. Within the lands zoned Community Commercial (C3) Zone, identified on Map 958 of Schedule "A" – Zoning Maps and described as 360 Beach Road, the following special provisions shall apply:

a) In addition to Subsection 10.3.1, all permitted uses shall be contained within the building existing as of April 11, 2012.

b) In addition to Subsection 10.3.1, the following uses shall also be permitted:

i) Kennel, with no outside cages or runs
ii) Funeral Home

c) In addition to Subsection 10.3.2, the following uses shall also be prohibited:

i) Motor Vehicle Gas Bar
ii) Motor Vehicle Service Station
iii) Motor Vehicle Washing Establishment
iv) Commercial Parking Facility

d) Notwithstanding Subsections 5.2b), 5.2f), and 5.6c), the following regulations shall also apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
Iii)	Parking Space Requirement	1 space per 33 square metres of Gross Leasable Floor Area for any permitted commercial use.

(By-law No. 17-240, November 8, 2017)

341. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1433 and 1434 of Schedule "A" – Zoning Maps and described as 120 and 128 Portia Drive, the following special provisions shall apply:

a) Notwithstanding Subsection 10.7.1, the following uses shall be permitted up to a maximum aggregate gross floor area of 11,788 square metres:

i) Veterinary Service
ii) Building and Lumber Supply Establishment
ii) Convenience Retail in conjunction with a Motor Vehicle Gas Bar
iv) Catering Service
v) Conference or Convention Centre
vi) Craftsperson Shop
vii) Home Furnishing Retail Establishment
viii) Home Improvement Supply Establishment
ix) Hotel
x) Motor Vehicle Gas Bar
xi) Motor Vehicle Dealership
xii) Commercial Parking Facility
xiii) Commercial Recreation
iv) Major Recreational Equipment Sales, Rental and Service Establishment
v) Rental Establishment
vi) Restaurant

b) Notwithstanding Subsection 10.7.1, the following uses shall be permitted up to a maximum aggregate gross floor area of 10,525 square metres, provided the permitted uses contained in Clause a) and this section shall not exceed an aggregate gross floor area of 11,788 square metres:

i) Financial Institution
ii) Office
iii) Brewers Retail Store
iv) Personal Service
v) Travel Agency
vi) Farmer's Market
vii) Gymnasium
viii) Insurance Office
ix) Library, Museum, and Art Gallery
x) Liquor Control Board of Ontario Stores
xi) Drug Store
xii) Retail Store
xiii) Convenience Retail Store

c) In addition to Subsection 10.7.2, the following uses shall also be prohibited:

i) Movie Theatre(s)
ii) Department Store
iii) Warehouse Membership Club

iv) Residential Uses

d) Notwithstanding Subsections 5.1a) v), 5.6 c), 10.7.3 a), b) and c), the following regulations shall also apply:

i)	Minimum Front Yard	1.5 metres, except 3.0 metres when providing for a planting strip under subsection v).
ii)	Minimum Side Yard	1.5 metres, except where an interior side yard abuts a private vehicular turnaround, a 0.0 metre side yard shall be permitted.
iii)	Minimum Rear Yard	10 metres.
iv)	Minimum Parking Requirement for all uses	3.5 spaces for each 93 square metres of gross floor area.
v)	Planting Strip Requirements	3.0 metres strip shall be provided adjacent to each lot line which abuts a public street or lot containing a dwelling comprising one or two dwelling units, and shall permit the location of principal buildings, walkways and sidewalks, retaining walls, curbs, signs, and light standards within the required landscaping strip.
vi)	Notwithstanding Section 10.7.3a), the Minimum Building Setback from a Street Line for a Warehouse shall be 250.0 metres.	

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-039, February 27, 2019, NOT FINAL AND BINDING)

342. Notwithstanding Section 11.3.2 e) ii), on those lands zoned Multiple Residential (TOC3) Zone, identified on Map 908 of Schedule "A" – Zoning Maps and describes as part of 690 Main Street West, a maximum building height of 35.0 metres shall be permitted."

(By-law 16-265, October 12, 2016)

343. Within the lands zoned Community Commercial (C3) Zone, identified on Maps 1339 and 1340 of Schedule "A" – Zoning Maps and described as 1160 Upper Paradise Road, the following special provisions shall apply:

a) Notwithstanding Subsection 10.3.3 j), a planting strip of not less than 6.0 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a Residential Zone or use.

(By-law No. 17-240, November 8, 2017)

344. Within the land zoned District Commercial (C6) Zone, identified on Map 1748 of Schedule "A" – Zoning Maps and described as 3250 Homestead Drive, the following special provisions shall apply:

a) In addition to Subsection 10.6.2, the following use shall also be prohibited:

i) Financial Establishment

b) In addition to Subsection 10.6.1, the following use shall also be permitted:

i) A maximum of 12 residential units shall be permitted within the principal building, provided they are located above the permitted ground floor commercial.

c) In addition to Subsection 5.2.1 and notwithstanding Subsections 5.1a) v), 5.2b), 5.2f), 10.6.3 a), c), g), h), i) and j), the following regulations shall also apply:

i)	Maximum Lot Coverage	37%
ii)	Minimum Front Yard	6.7 metres
iii)	Minimum Side Yard	0.0 metres on a corner lot for the side yard abutting the flankage street.
iv)	Parking	No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 2.6 metres from any rear lot line, or 1.0 metres from any street line, or 2.0 metres from the boundary of any Residential or Institutional Zone or any Zone where the adjoining lands are used for residential or institutional purposes.

v)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
vi)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
vii)	Minimum Loading Requirements	A minimum of one loading space shall be provided and maintained for the entire development with a minimum dimension of 2.6 metres wide x 5.5 metres long.
viii)	Minimum Landscaping Requirements	1. A landscaped area, in the form of a planting strip having a minimum width of 1.8 metres and a fence having a minimum height of 1.8 metres, shall be provided and maintained adjacent to any lot line that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes; 2. Notwithstanding Clause 1., the required minimum 1.8 metre planting strip shall be comprised of Eastern White Cedars (Thuja Occidentalis) with a minimum size of 200 or 250 cm W.B., and a board on board fence with a minimum height of 1.8 metres, along the rear lot line abutting 3 Longview Drive; 3. A landscaped area having a minimum width of 3.0 metres shall be provided and maintained along every portion of any lot line that abuts

Homestead Drive, and 0.0 metres shall be provided along any portion abutting the building along Longview Drive, and a minimum of 1.0 metres for all other portions abutting Longview Drive.

ix) Any garbage enclosure shall only be provided and maintained within the interior of the building.

x) A minimum of 50% of the ground floor façade along Longview Drive shall be composed of windows and doors.

xi) Residential and visitor's parking areas shall be physically and functionally separated from the commercial parking area.

xii) No balconies shall be permitted on the west façade of the proposed development.

(By-law No. 17-240, November 8, 2017)

345. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 903 of Schedule "A" – Zoning Maps and described as 15 and 17 Ogilvie Street, the following special provision shall apply:

a) In addition to Subsection 10.5.1, a Semi-Detached Dwelling shall also be permitted.

(By-law No. 17-240, November 8, 2017)

346. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1399 and 1450 of Schedule "A" – Zoning Maps and described as 1381 and 1395 Upper Ottawa Street, the following special provisions shall apply:

a) Notwithstanding Subsection 10.6.3 c), a minimum westerly side yard of 3.1 metres shall be provided and maintained;

b) Notwithstanding Subsection 10.6.3 b), a minimum rear yard of 3.1 metres shall be provided and maintained; and,

c) Notwithstanding Subsection 5.2b), every parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 5.5 metres long.

(By-law No. 17-240, November 8, 2017)

347. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1956 of Schedule "A" – Zoning Maps and described as 3200 Regional Road 56, the following special provisions shall apply:

a) Notwithstanding Subsections 10.5a.1, only the following uses shall be permitted:

i) Child Care Centre
ii) Commercial School
iii) Financial Establishment
iv) Office
v) Personal Service
vi) Restaurant
vii) Retail
viii) Residential units on the ground floor have 50% of the floor area combined with permitted commercial uses having 50% of the floor area

b) In addition to Clause a), residential units shall be required above any commercial use permitted on the ground floor.

c) In addition to Clause a), the Commercial School shall only be permitted in the cellar of the existing building.

d) In addition to Subsection 5.2.1 and notwithstanding Subsections 4.19, 5.1 a)v), 5.2b), 5.2f), 5.6 c), 10.5a.3) c), i) and k), the following regulations shall apply:

i)	Minimum Front Yard	3.0 metres;
ii)	Minimum Side Yard	3.0 metres, except 7.5 metres abutting a side lot line which is the boundary of any Residential Zone, or where a ground floor residential use is located on the adjoining lands.
iii)	Minimum Parking Requirements	A. Parking spaces shall be provided at a rate of 1.25 spaces per residential dwelling unit, and 1 space per every 60 square metres of gross floor area for commercial uses;

		B. Visitor parking shall be shared with the commercial parking space.
iv)	Minimum Loading Requirements	One (1) loading space shall be required and shared for the residential and commercial uses.
v)	Minimum Landscaping Requirements	A. A landscaped area in the form of a planting strip having a minimum width of 6.0 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every part of any lot line that abuts a Residential use; B. A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such landscaped area shall be continuous except for required driveway(s).
vi)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
vii)	Barrier Free Space Size Dimension	A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.
viii)	Outside Storage and Display	A. Outside storage and display areas shall not be permitted less than 6.0 metres from any street and/or the boundary of any Residential Zone or any Zone where the adjoining land is used for residential;

B. Outside storage areas shall be screened from view and enclosed with a fence having a minimum height of 1.8 metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

348. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 994 of Schedule "A" – Zoning Maps and described as 151 John Street South, the following special provisions shall apply:

a) In addition to Subsection 10.5.1, a Multiple Dwelling within the existing building containing no more than 16 dwelling units shall also be permitted; and,

b) Notwithstanding Subsection 5.6, zero (0) parking spaces shall be required.

(By-law No. 17-240, November 8, 2017)

349. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1501 and 1502 of Schedule "A" – Zoning Maps and described as 512 Highland Road West, the following special provisions shall apply:

a) In addition to Subsection 10.6.1, the following use shall also be permitted:

i) Retail, including one Supermarket

b) Notwithstanding the definition of Retail in Section 3: Definitions and Subsections 4.6, 4.25 c) ii), 5.1 a) v), 5.2 b), 5.2 f), 5.6 c) and, 10.6.3 a), b), c), e), f), g) ii), g) iii), g) vi), g) vii) 1),, the following regulations shall apply:

i)	Total Minimum Gross Leasable Floor Area	2,000.0 square metres
ii)	Total Maximum Gross Leasable Floor Area	19,500.0 square metres
iii)	Maximum Gross Leasable Floor Area for one Supermarket	5,100.0 square metres
iv)	Maximum Gross Leasable Floor Area for	6,000.0 square metres

	one Retail Department Store shall not be permitted prior to the year 2018	
v)	Minimum Yard Abutting the Westerly Lot Line along the Trinity Church Road Extension	11.0 metres
vi)	Minimum Yard Abutting the Northerly Lot Line along Stone Church Road East	6.0 metres
vii)	Minimum Yard Abutting the Easterly Lot Line along Upper Mount Albion Road	6.0 metres
viii)	Minimum Yard Abutting the Southerly Lot Line along Highland Road West	6.0 metres
ix)	Minimum Landscaped Area	A. A landscaped strip, having a minimum width of 3.0 metres, shall be provided and maintained adjacent to any public street, except for points of ingress and egress. B. A landscaped strip, having a minimum width of 6.0 metres, shall be provided and maintained along the westerly lot line (future Trinity Church Road Extension). C. An outdoor patio may be permitted to encroach into the required front yard and landscape strip.
x)	Minimum Commercial Parking Requirements	4 spaces per 93 square metres of gross floor area

xi)	Minimum Parking Space Size	No parking space shall be less than 2.6 metres in width by 5.5 metres in length.
xii)	Barrier Free Space Size Dimension	A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.
xiii)	Built form for New Development	The minimum combined width of the ground floor façade of all buildings located within 20 metres of the Upper Mount Albion Road lot line shall be equal to 40% or more of the measurement of the front lot line, and shall be subject to the following: A. A maximum building setback of 6.0 metres shall apply; B. All principal entrances shall be accessible from the building façade with direct access from the public sidewalk; and, C. No parking, driveways, drive through lanes, stacking lanes, or aisles shall be located between the building façade and the public street.

(By-law No. 17-240, November 8, 2017)
(By-law No. 21-189, October 13, 2021)

350. In addition to the uses permitted in Section 9.6.1, on those lands zoned Light Industrial (M6) Zone, identified on Maps 870, 871, 913, 914, 915, 916, 956, 957, 958, 959, 1000, 1001 and 1002 of Schedule "A" – Zoning Maps and described as addresses:

480 Kenilworth Avenue North (Maps 958, 959, 1000, 1001)
560 Ottawa Street North (Maps 915, 916, 957, 958)
464 Rennie Street (Map 1002)
245 Lottridge Street (Maps 913, 914, 956)
495 Wentworth Street North (Maps 870, 871)
217-223 Lottridge Street, 103 Clinton Street (Map 956)

the existing Waste Management Facility shall also be permitted.
(By-law 10-128, May 26, 2010)

351. Notwithstanding Section 9.5.3 g), on those lands zoned General Industrial (M5) Zone, identified on Maps 871, 914, 959, 960, 1001 and 1002 of Schedule "A" – Zoning Maps and described as addresses:

77 Brant Street	(Map 871)
15 Biggar Avenue	(Map 914)
1640 Brampton Street	(Maps 959, 960, 1001, 1002)

the existing Waste Management Facility shall also be permitted.
(By-law 10-128, May 26, 2010)

352. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1147 and 1198 of Schedule "A" – Zoning Maps and described as 331-337 Leaside Avenue, the existing Waste Management Facility shall also be permitted.
(By-law 10-128, June 28, 2011)

353. Notwithstanding Section 9.2.3 f), on those lands zoned General Business Park (M2) Zone, identified on Map 1201 of Schedule "A" – Zoning Maps and described as 350 Jones Road, the existing Waste Management Facility shall also be permitted.
(By-law 10-128, May 26, 2010)

354. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1634, 1676 and 1677 of Schedule "A" – Zoning Maps and described as addresses:

899 Nebo Road	(Maps 1634, 1676, 1677)
900 Nebo Road	(Maps 1676)

a Waste Processing Facility and a Waste Transfer Facility shall also be permitted.
(by-law 10-128, June 28, 2011)

355. In addition Section 9.6.1 and Section 9.6.3, on those lands zoned Light Industrial (M6) Zone, identified on Maps 871 and 913 of Schedule "A" – Zoning Maps and described as 70 Brant Street and 6 Hillyard Street, a Waste Processing Facility shall also be permitted, subject to the following special provisions:

a. the Waste Processing Facility shall be limited to the processing of latex paint; and,

b. the Waste Processing Facility shall only be permitted within the existing building.
(By-law 10-128, May 26, 2010)

356. Notwithstanding Section 9.2.3 f), on those lands zoned General Business Park (M2) Zone, identified on Map 1147 of Schedule "A" – Zoning Maps and described as 384-390 Millen Road, a Waste Processing Facility shall also be permitted.
(By-law 10-128, May 26, 2010)

357. In addition to the uses permitted in Section 9.6.1, on those lands zoned Light Industrial (M6) Zone, identified on Maps 914 and 956 of Schedule "A" – Zoning Maps and described as 239 Lottridge Street, the existing Hazardous Waste Management Facility shall also be permitted, subject to the following:

i) Notwithstanding the above, no expansion to the existing Hazardous Waste Management Facility shall be permitted.
(By-law 10-128, May 26, 2010)
(By-law No. 25-155, August 06, 2025)

358. In addition to the uses permitted in Section 9.5.1, on those lands zoned General Industrial (M5) Zone, identified on Maps 871, 913 and 914 of Schedule "A" – Zoning Maps and described as addresses:

227 Brant Street	(Maps 871, 913, 914)
52 Imperial Street	(Map 914)

The existing Hazardous Waste Management Facility shall also be permitted, subject to the following:
i) Notwithstanding the above, no expansion to the existing Hazardous Waste Management Facility shall be permitted.
(By-law 10-128, May 26, 2010)
(By-law No. 25-155, August 06, 2025)

359. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1498 and 1499 of Schedule "A" – Zoning Maps and described as 1650 Upper Ottawa Street, the existing Hazardous Waste Management Facility shall also be permitted, subject to the following:

i) Notwithstanding the above, no expansion to the existing Hazardous Waste Management Facility shall be permitted.
(By-law 10-128, June 28, 2011)
(By-law No. 25-155, August 06, 2025)

360. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 1481 and 1528 of Schedule "A" – Zoning Maps and described

as 1574 Wilson Street West, Units 1, 2 and 3, the existing Hazardous Waste Management Facility shall also be permitted, subject to the following:

i) Notwithstanding the above, no expansion to the existing Hazardous Waste Management Facility shall be permitted.

(By-law 10-128, June 28, 2011)
(By-law No. 25-155, August 06, 2025)

361. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1050, 1051, 1096 and 1097 of Schedule "A" – Zoning Maps and described as 144-190 South Service Road, Units 162-178, a Hazardous Waste Management Facility shall also be permitted, subject to the following:

i) Notwithstanding the above, no expansion to the existing Hazardous Waste Management Facility shall be permitted.

(By-law 10-128, June 28, 2011)
(By-law No. 25-155, August 06, 2025)

362. In addition to the uses permitted in Section 9.3.1 and Section 9.5.1, on those lands zoned Prestige Business Park (M3) Zone and General Industrial (M5) Zone, identified on Maps 1048, 1499 and 1546 of Schedule "A" – Zoning Maps and described as addresses:

37 Kilbride Road	(Maps 1499, 1546)
460 Kenora Avenue	(Map 1048)

a Waste Management Facility shall also be permitted.
(By-law 10-128, June 28, 2011)

363. In addition to the uses permitted in Section 9.1.1, Section 9.2.1 and Section 9.3.1, on those lands zoned Research and Development (M1) Zone, General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 950, 1096, 1482 and 1501 of Schedule "A" – Zoning Maps and described as addresses:

95 Frid Street	(Map 950)
1330 Sandhill Drive	(Map 1482)
30 Harlowe Road	(Map 1501)
456 Grays Road	(Map 1096)

a Gymnastics Studio shall also be permitted.
(By-law 10-128, June 28, 2011)

364. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1147 and 1198 of Schedule "A" –

Zoning Maps and described as 371-383 Barton Street, a Restaurant shall also be permitted.
(By-law 10-128, June 28, 2011)

365. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1450 and 1451 of Schedule "A" – Zoning Maps and described as 45 Nebo Road, a Pet Food Store shall also be permitted.
(By-law 10-128, June 28, 2011)

366. In addition to the uses permitted in Section 9.6.1 and notwithstanding Section 9.6.2 ii), on those lands zoned Light Industrial (M6) Zone, identified on Maps 956, 957, 1003 and 1047 of Schedule "A" – Zoning Maps and described as addresses:

728 Rennie Street	(Maps 1003, 1047)
734 Rennie Street	(Maps 1003, 1047)
29 Linden Street	(Maps 956, 957)

the existing Place of Worship shall also be permitted.
(By-law 10-128, May 26, 2010)
(By-law No. 25-155, August 06, 2025)

367. In addition to Section 9.2.3, on those lands zoned General Business Park (M2) Zone, identified on Map 1200 of Schedule "A" – Zoning Maps and described as 30 Sunnyhurst Avenue, an accessory garage to the existing single detached dwelling shall also be permitted, subject to the following Regulations:

a.	Maximum Size	67.0 square metres
b.	Minimum Side Yard	1.2 metres
c.	Minimum Rear Yard	7.0 metres
d.	Maximum Building Height	i) 5.5 metres; ii) In addition to i) above, the maximum height of the underside of any fascia eaves, overhang or the lower ends of the roof joists, rafters or trusses shall be 3.0 metres.
e.	Location Restriction	The accessory garage shall not be permitted in the required Front Yard.

(By-law 10-128, June 28, 2011)

368. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1499 of Schedule "A" – Zoning Maps and described as 1275 Rymal Road East and 230 Lancing Drive, the following uses shall also be permitted:

a. Medical Office

b. Home Furnishings Retail Establishment

c. Restaurant

(By-law 10-128, June 28, 2011, By-law 11-276 November 16, 2011)

369. In addition to the uses permitted in Section 9.2.1, Section 9.3.1 and Section 9.4.1 and notwithstanding Section 9.3.2 ii) and 9.4.2 ii), on those lands zoned General Business Park (M2) Zone, Prestige Business Park (M3) Zone and Business Park Support (M4) Zone, identified on Maps 1096, 1145, 1450, 1451, 1452, 1501, 1547, 1548 and 1592 of Schedule "A" – Zoning Maps and described as addresses:

1338 Stone Church Road East	(Map 1451)
1545 Stone Church Road East	(Map 1452)
1150 Stone Church Road East	(Map 1450)
60 Harlowe Road, Units 12 and 13	(Map 1501)
75 Harlowe Road	(Map 1501)
1562 Rymal Road East	(Maps 1547, 1548, 1592)
2799 Barton Street East	(Maps 1096, 1145)
1439 Upper Ottawa Street	(Map 1450)

a Place of Worship shall also be permitted.

(By-law 10-128, June 28, 2011)

370. In addition to the uses permitted in Section 9.3.1 and notwithstanding Section 9.3.2 ii), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1500, 1501, 1547, and 1548 of Schedule "A" – Zoning Maps and described as 250 Pritchard Road, a Place of Worship shall also be permitted.

(By-law 10-128, June 28, 2011)

371. In addition to the uses permitted in Section 9.6.1 and notwithstanding Section 9.6.2 i), 9.6.3 k), 9.6.3 l) and 9.6.3 m), on those lands zoned Light Industrial (M6) Zone, identified on Maps 870 and 871 of Schedule "A" – Zoning Maps and described as 495 Wentworth Street North, the following special provisions shall also apply:

a. The following uses shall also be permitted:

i) Salvage Yard shall also be permitted; and,

ii) Waste Management Facility, excluding any food, human, biodegradable or compostable materials.

b. Sections 9.6.3 k), 9.6.3 l), 9.6.3 m) and 9.6.3 p) shall not apply as it relates to a Salvage Yard and Waste Management Facility

(By-law 10-128, March 25, 2011)

372. Notwithstanding Section 5.2.1 a), Section 5.6 c) only as it relates to the parking requirement for Manufacturing and Section 9.3.3 c) ii), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1591 and 1635 of Schedule "A" – Zoning Maps and described as 863 Nebo Road, the following special provisions shall apply:

a. Loading doors and associated loading facilities shall be permitted within a Front Yard, subject to being screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and,

b. Parking for Manufacturing — A minimum of 199 parking spaces shall be provided and maintained.

c. Subsection 9.3.3 b) ii) shall not apply.

(Zoning By-law No. 10-128, June 28, 2011)
(Zoning By-law No. 23-079, May 10, 2023)

373. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 1146, 1147, 1198 and 1199 of Schedule "A" – Zoning Maps and described as addresses:

299 Barton Street (Mountain View Public School) (Map 1146)
481 Barton Street, 340-346 Leaside Avenue (Mohawk College of Applied Arts and Technology - STARRT Institute) (Maps 1147, 1198 and 1199)

an Educational Establishment shall also be permitted.

(By-law 10-128, June 28, 2011)

374. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1203, 1204, 1257, 1258 and 1452 of Schedule "A" – Zoning Maps and described as addresses:

1599 Stone Church Road East (Map 1452)
395 Lewis Road (Maps 1203, 1204, 1257, 1258)

a Home Furnishings Retail Establishment shall also be permitted.

(By-law 10-128, June 28, 2011)

375. Within the lands zoned Prestige Business Park (M3 Zone), General Industrial (M5) Zone and Light Industrial (M6) Zone, identified on Maps 829, 870, 871, 912, 913, 914, 915, 956, 957, 958, 959, 1147, 1198, 1199, and 1256 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1-18, 20, 22-37, 39, 41, 43 Albemarle Street	915, 956, 957
362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street	914, 915, 956, 957
31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 59, 61, 63, 65, 67, 69, 73, 75, 77, 79, 81, 83, 89, 91, 93, 104, 105, 107-113, 116-118, 120, 122, 124, 126, 128, 130, 132, 136, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160-164, 166, 167, 169, 172, 173, 175-177, 179-182, 184, 186, 188, 190, 192, 194, 195, 203, 205, 207, 211, 213, 215, 217, 219, 221, 223, 227, 229, 233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road	914, 956, 957, 958, 959
3, 8-10, 12-15, 20, 22 Beatty Avenue	958
2, 4, 8, 16 Birmingham Street	914
450, 517, 520, 539, 553, 555, 561, 563, 569, 571, 573, 577 Burlington Street East	971
29, 43, 110, 112, 114, 116, 118, 120, 122, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166 Burton Street	870, 912
83, 85, 87, 89, 91-105 Cheever Street	912
3, 16, 18, 20, 22, 24, 32, 36 Clark Avenue	870, 912
5-7, 21, 23, 25, 27, 29-31, 33, 35, 37, 39, 40, 45, 47-49 Depew Street	915, 957
12-22, 24-28, 30, 31, 33 Dickson Street	871
6, 8, 10, 16 Douglas Avenue	912
350, 353, 360, 362, 364, 366, 368, 373, 375, 377, 391, 393, 395 Emerald Street North	870, 912
304, 322, 332, 334, 337, 342, 344, 348, 350, 352, 357 Gage Avenue North	914, 956
3, 17, 20, 22, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43-58, 60, 62, 64, 66, 69, 70, 72-79, 81-84, 86,	914, 915, 957

87-95, 97, 99, 101-103, 105, 107, 109, 113, 115 Gertrude Street	
5, 59, 61, 63, 65-71, 73-75, 78, 79, 81, 91, 93, 95, 97-99, 101-103, 105, 107, 109, 111, 113, 115-119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141 Hillyard Street	871, 913
1, 3, 5, 7, 9, 11, 13, 15-17, 19-21, 23, 25, 34, 36, 38, 40, 42 Land Street	915, 957
1, 4-12, 14-16, 18, 19, 21-24, 26-28, 30-37 Lyndhurst Street	915, 957
2, 6, 8, 10, 16, 20, 22, 24-27, 30, 31, 35, 36, 38-41, 43, 45 Macallum Street	870, 871
17, 23, 25, 27, 29, 31 McKinstry Street	871
333 McNeilly Road	1256
52, 56, 58, 60, 64 Munroe Street	913
66, 67, 69-71, 73-76, 78, 82, 84, 86, 88, 98, 99, 102-104, 106-110, 112-131, 133-135, 137, 139, 141, 143, 152, 163, 167, 171 Niagara Street	829, 871
2, 4, 10, 12, 20, 26, 28, 32 Northcote Street	957
1 Norton Street	914
5 Roadway	871, 914, 915, 956, 957
1, 2, 4, 6, 8 Roosevelt Avenue	958
1, 3, 5-20, 22-25, 27-29, 31, 33, 35-37 Rowanwood Street	957
15, 17, 20-27, 29-36, 38, 40, 48, 50, 52, 56, 58, 60, 64, 65, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 103, 107, 109, 111, 113, 115, 117-119, 170, 175 Shaw Street	912, 913
366, 390, 400 Victoria Avenue North	870, 912
335, 517, 519, 521, 527, 529, 531, 533, 536, 540, 560, 562, 564, 566, 568, 570, 572, 574, 578, 580, 582, 584, 600, 610, 612, 618 Wentworth Street North	829, 871, 912, 913
2, 4, 6, 8, 10-25, 27, 28, 30, 32, 34, 36, 38, 40 44, 46-48, 50 Whitfield Avenue	914

The following special provisions shall apply:

a) In addition to Subsections 9.3.1, 9.5.1 and 9.6.1, and notwithstanding Subsections 9.5.2 and 9.6.2 ii), the legally established residential uses existing on the date of passing of this By-law (May 26, 2010) shall also be permitted.

b) In addition to clause a), an Additional Dwelling Unit may be permitted within a legally established single detached dwelling, semi-detached dwelling, street townhouse, or block townhouse dwelling existing as of May 26, 2010 and shall be in accordance with Section 4.33 of the By-law.

c) Notwithstanding Subsections 9.3.3, 9.5.3 and 9.6.3, the following regulations shall apply to the use permitted in Clause a):

i)	Minimum Front Yard	6.0 metres
ii)	Maximum Building Height	14.0 metres
iii)	Minimum Side Yard	0.6 metres
iv)	Minimum Rear Yard	7.5 metres
v)	Accessory buildings shall be subject to Subsection 4.8.1	

(By-law No. 18-219, August 17, 2018)
(By-law No. 19-062, March 27, 2019)
(By-law No. 21-071, May 12, 2021)
(By-law No. 22-084, April 13, 2022)
(By-law No. 22-132, June 08, 2022)
(By-law No. 24-137, July 10, 2024)

376. Notwithstanding Section 9.3.3 b) and Section 9.3.3 i), within the boundaries of the lands affected by this subsection and zoned Prestige Business Park (M3) Zone, identified on Maps 1434 and 1483 of Schedule "A" – Zoning Maps, the following special provisions shall also apply:

a. Garner Road West shall be deemed to be the front lot line;

b. Minimum Yard Abutting Osprey Drive — 3.0 metres

c. Landscaped Area Abutting Osprey Drive
   i) Minimum 3.0 metre width shall be provided and maintained, except for points of ingress and egress;

ii) In addition to i) above, where a parking space, aisle or driveway is located in a yard abutting Osprey Drive, a minimum 3.0 metre wide Planting Strip shall be required and maintained between the said parking space, aisle or driveway and Osprey Drive, except for points of ingress and egress.

(By-law 10-128, June 28, 2011)

377. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1482 of Schedule "A" – Zoning Maps and described as 1492 Wilson Street West, the following uses shall also be permitted:

a. Restaurant

b. Financial Establishment

(By-law 10-128, June 28, 2011)

378. In addition to the uses permitted in Section 7.5.1 and Section 9.3.1, on those lands zoned Conservation/Hazard Land (P5) Zone and Prestige Business Park (M3) Zone, identified on Maps 1481 and 1482 of Schedule "A" – Zoning Maps and described as 1505 Wilson Street West, a Golf Course shall also be permitted.
(By-law 10-128, June 28, 2011)

379. Notwithstanding Section 5.1 a) v), Section 5.2.1 b), Section 9.3.2 ii), Section 9.3.3 c), Section 9.3.3 j), Section 9.3.3 l) and Section 9.3.3 m), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1546 and 1591 of Schedule "A" – Zoning Maps and described as 583-595 Nebo Road and 615 Nebo Road, the following special provisions shall apply:

a. A manufacturing operation involving the primary production of concrete and the recycling of concrete shall also be permitted;

b. Section 5.1 a) v), Section 5.2.1 b), Section 9.3.3 c), Section 9.3.3 j), Section 9.3.3 l) and Section 9.3.3 m) shall not apply to the use identified in a. above.

(By-law 10-128, June 28, 2011)

380. Notwithstanding Section 9.3.3 b) and Section 9.3.3 i), within the boundaries of the lands affected by this subsection and zoned Prestige Business Park (M3) Zone,

identified on Maps 1481 and 1482 of Schedule "A" – Zoning Maps, the following special provisions shall also apply:

a.	Wilson Street shall be deemed to be the front lot line;	
b.	Minimum Yard Abutting Sandhill Drive	3.0 metres
c.	Landscaped Area Abutting Sandhill Drive	i) Minimum 3.0 metre width shall be provided and maintained, except for points of ingress and egress; ii) In addition to i) above, where a parking space, aisle or driveway is located in a yard abutting Sandhill Drive, a minimum 3.0 metre wide Planting Strip shall be required and maintained between the said parking space, aisle or driveway and Sandhill Drive, except for points of ingress and egress.

(By-law 10-128, June 28, 2011)

381. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1434 and 1483 of Schedule "A" – Zoning Maps and described as 1034 Garner Road West, the following uses shall also be permitted:

a. Restaurant
b. the existing Dwelling Unit.

(By-law 10-128, June 28, 2011)

382. In addition Section 9.2.1 and Section 9.2.3, on those lands zoned General Business Park (M2) Zone, identified on Map 1529 of Schedule "A" – Zoning Maps and described as 611 Tradewind Drive, an Office shall also be permitted, provided that the maximum gross floor area shall not be 10,000 square metres or greater.
(By-law 10-128, May 26, 2010)

383. *Deleted*.
(By-law 10-128, June 28, 2011)
(By-law No. 22-084, April 13, 2022)

384. *Deleted*.
(By-law 10-128, June 28, 2011)
(By-law No. 22-084, April 13, 2022)

385. Notwithstanding Section 9.6.2 i), on those lands zoned Light Industrial (M6) Zone, identified on Map 859 of Schedule "A" – Zoning Maps and described as 32-40 Head Street, the Primary Production of Chemicals as part of the existing Manufacturing use shall also be permitted.
(By-law 10-128, May 26, 2010)

386. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 580, 581, 611 and 612 of Schedule "A" – Zoning Maps and described as 27 Highway 5 West, Recreation shall also be permitted.
(By-law 10-128, June 28, 2011)

387. In addition to the uses permitted in Section 9.6.1 and notwithstanding Section 9.6.2 i), Section 9.6.3 k) i) and Section 9.6.3 m) v), on those lands zoned Light Industrial (M6) Zone, identified on Maps 871 and 913 of Schedule "A" – Zoning Maps and described as 80 Brant Street, the following special provisions shall also apply:

a. A Salvage Yard shall also be permitted;

b. Section 9.6.3 k) i) and Section 9.6.3 m) v) shall not apply.
(By-law 10-128, June 28, 2011, By-law 11-276, November 16, 2011)

388. Notwithstanding Section 9.3.3 b) and Section 9.3.3 i), within the boundaries of the lands affected by this subsection and zoned Prestige Business Park (M3) Zone, identified on Maps 515 and 549 of Schedule "A" – Zoning Maps, the following special provisions shall also apply:

a.	Minimum Yard Abutting a Street	3.0 metres
b.	Landscaped Area	i) Minimum 3.0 metre width shall be provided and maintained, except for points of ingress and egress;
		ii) In addition to i) above, where a parking space, aisle or driveway is located in a yard abutting a street, a minimum 3.0 metre wide Planting Strip shall be required and maintained between the said parking space, aisle or driveway and a street, except

for points of ingress and egress.

(By-law 10-128, June 28, 2011)

389. On those lands zoned General Business Park (M2) Zone, identified on Maps 580 and 611 of Schedule "A" – Zoning Maps and described as 91 Highway 5 West (Coreslab), the following special provisions shall also apply:

a. In addition to Section 9.2.3 c), the following Landscaped Area regulations shall also apply:

i) Minimum 5.0 metre width shall be provided and maintained along the northerly lot line;

ii) Minimum 5.0 metre width shall be provided and maintained along the westerly lot line from the rear lot line south to a distance of 408 metres;

iii) Minimum 50.0 metre width, including a minimum 7.5 metre high berm, shall be provided and maintained along the easterly lot line from the rear lot line south to a distance of 243 metres; and,

iv) Minimum 10.0 metre width, including a minimum 3.5 metre high noise wall, shall be provided and maintained along the easterly lot line from the southerly limit of the Landscaped Area as required in a. iii) above, south to a distance of 165 metres.

b. In addition to Section 9.2.3 d), the following regulation shall also apply:

Outdoor Storage	Upon removal of the "H" Holding symbol, the lands within 20.0 metres of the westerly limit of the Landscaped Area, as required in a. iii) above, shall only be used for the outdoor storage of operational assets of the permitted Manufacturing use, to a maximum height of 3.0 metres.

c. In addition to Section 9.2.3, the following regulation shall also apply:

Easterly Side Yard	Minimum 300 metres for all Buildings and Structures within 408 metres of the northerly rear lot line.

d. An accessory crushing operation shall only be permitted on the west side of the existing Building or Structure.

(By-law 10-128, May 26, 2010)

390. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1500 and 1501 of Schedule "A" – Zoning Maps and described as 320 Anchor Road, a Correction Facility shall also be permitted.
(By-law 10-128, June 28, 2011)

391. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451 and 1500 of Schedule "A" – Zoning Maps and described as 4-6 Dartnall Road, the existing Garden Centre shall also be permitted.
(By-law 10-128, June 28, 2011)

392. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1500 of Schedule "A" – Zoning Maps and described as 10 Dartnall Road, the existing Retail and existing Farm Product Supply Dealer shall also be permitted.
(By-law 10-128, June 28, 2011)

393. In addition to the uses permitted in Section 9.3.1 and notwithstanding Section 9.3.2 ii), on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1500 of Schedule "A" – Zoning Maps and described as 81 Dartnall Road, the following uses shall also be permitted:

a. the existing Dwelling Unit(s)

b. a Snow Removal Service

(By-law 10-128, June 28, 2011)

394. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1499 and 1546 of Schedule "A" – Zoning Maps and described as 1188 Rymal Road East, the following uses shall also be permitted:

a. Retail

b. Home Furnishings Retail Establishment

c. Restaurant

d. Personal Service

e. Medical Office

(By-law 10-128, June 28, 2011)
(By-law No. 24-137, July 12, 2024)

395. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1547 of Schedule "A" – Zoning Maps and described as 245 Dartnall Road, an Animal Shelter shall also be permitted.
(By-law 10-128, June 28, 2011)

396. On those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1452 and 1501 of Schedule "A" – Zoning Maps and described as 1520 Stone Church Road East, the following special provisions shall apply:

a. Notwithstanding Section 9.3.3 j), the following regulation shall apply:

Landscaped Area and Planting Strip Requirements	i)	Minimum 3.5 metre wide Landscaped Area shall be provided and maintained abutting Stone Church Road East, except for points of ingress and egress;
	ii)	Minimum 2.6 metre wide Landscaped Area shall be provided and maintained abutting Anchor Road, except for points of ingress and egress;

b. In addition to Section 9.3.3, the following regulations shall also apply:

Special Regulations for Hotel	i)	Maximum of 53 rooms
	ii)	Maximum Building Height: 27.0 metres and 8 storeys

c. Notwithstanding Section 5.6 c), only as it relates to the parking requirements for Conference or Convention Centre and Hotel, the following shall apply:

Parking for the Existing Conference or Convention Centre and Hotel	A minimum of 175 parking spaces shall be provided and maintained.

d. Notwithstanding Section 5.1 a) i), a total of 44 of the required 175 parking spaces shall be provided and maintained at the property known as 270 Anchor Road.

(By-law 10-128, June 28, 2011)

397. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1199 of Schedule "A" – Zoning Maps and described as 615 Barton Street, a Private Club shall also be permitted.

(By-law 10-128, June 28, 2011)

398. In addition Section 9.2.1, Section 9.2.3, Section 9.3.1 and Section 9.3.3, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Map 1146 of Schedule "A" – Zoning Maps and described as 263-265 Barton Street and 333 Green Road, the following special provisions shall also apply:

a. The following uses shall also be permitted:

i) Commercial School

ii) Financial Institution

iii) Retail

b. The uses identified in a. above, shall only be permitted within the existing buildings.

(By-law 10-128, June 28, 2011)

399. In addition to Section 9.3.1 and Section 9.3.3, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1149 and 1200 of Schedule "A" – Zoning Maps and described as 650 South Service Road, the following special provisions shall also apply:

a. That the following uses shall also be permitted:

i) Restaurant
ii) Financial Establishment
iii) Retail
iv) Personal Service

b. That the following regulations shall also apply:

i) Notwithstanding any other regulation within this by-law, a restaurant shall not be limited in size;

ii) No drive through facility shall be permitted even as an accessory use;
iii) No Restaurant shall be located within 40 m of Fruitland Road;
iv) An individual Retail Establishment shall be restricted to a maximum gross floor area of 500 square metres; and,
v) Notwithstanding any other regulation within this by-law, the maximum gross floor area related to Retail and Personal Services shall be limited to 15% of the total gross floor area.

(By-law 10-128, June, 28, 2011)
(By-law No. 24-137, July 12, 2024)

400. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1200 of Schedule "A" – Zoning Maps and described as 348-354 Fruitland Road, a Landscape Contracting Establishment shall also be permitted.
(By-law 10-128, June 28, 2011)

401. In addition to the uses permitted in Section 9.3.1 and notwithstanding Section 9.3.2 i), on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1149 of Schedule "A" – Zoning Maps and described as 404 Fruitland Road, the existing Motor Vehicle Wrecking Establishment shall also be permitted.
(By-law 10-128, June 28, 2011)

402. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, within the boundaries of the lands affected by this subsection and zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 1203, 1204, 1257 and 1258 of Schedule "A" – Zoning Maps, the following uses shall also be permitted:

a. Home Furnishings Retail Establishment

b. Restaurant
c. The following special provisions shall also apply for properties located at 360 and 410 Lewis Road:

i) In addition to Sections 9.2.1 and 9.3.1, the following uses shall also be permitted:

1. Commercial Recreation;

2. Commercial Entertainment;

3. Commercial School;

4. Financial Establishment;

5. Place of Worship;

6. Medical Clinic;

7. Studio; and,

8. Veterinary Clinic.

ii) The Maximum Gross Floor Area for a Place of Worship shall be 500 square metres.

(By-law 10-128, June, 28, 2011)
(By-law 17-143, July 14, 2011)
(By-law 17-145, September 14, 2017)

403. In addition to Section 9.2.1, Section 9.2.3 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 1257 and 1310 of Schedule "A" – Zoning Maps, and described as 1081 Barton Street, the following special provisions shall also apply:

a. The following uses shall also be permitted:

i) Financial Establishment

ii) Office

iii) Conference or Convention Centre

b. In addition to Section 9.2.3, the following regulation shall apply to Office Use:

Maximum gross floor area for Office use within an individual building, excluding accessory office, shall be limited to 3,000 square metres.

(By-law 10-128, June 28, 2011)

404. Within the lands zoned Prestige Business Park (M3, 404,H215) Zone, identified on Map Nos. 1260 and 1313 of Schedule "A" – Zoning Maps and described as 1400 South Service Road, the extent and boundaries of "Part B" which are shown on Schedule "A" to this By-law, the following special provisions shall be modified:

a. Notwithstanding Special Exception 404 subsection b. iv), the minimum landscape strip along the easterly lot line shall be 1.5 metres.

b. Notwithstanding Subsection 9.3.3 g), the maximum permitted gross floor area for Office use within an individual building, excluding accessory office, shall be limited to 3,995 square metres

(By-law 10-128, June 28, 2011)
(By-law 26-025-OLT, July 22, 2025)

405. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Map 1256 of Schedule "A" – Zoning Maps and described as 967-977 Barton Street, the existing Mini Golf and the existing Golf Driving Range shall also be permitted.
(By-law 10-128, June 28, 2011)

406. Notwithstanding Section 9.3.2 i), on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1591 of Schedule "A" – Zoning Maps and described as 669 Nebo Road, a manufacturing operation involving the primary production of asphalt or cement shall also be permitted.
(By-law 10-128, June 28, 2011)

407. In addition to Section 9.3.1 and Section 9.3.3 and notwithstanding Section 3 only as it relates to the definition of Building or Contracting Supply Establishment, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1452 of Schedule "A" – Zoning Maps and described as 1525 Stone Church Road East, the following special provisions shall also apply:

a. The following uses shall also be permitted:

i) Financial Establishment

ii) Restaurant

iii) Fitness Club

iv) Bowling Alley, including an accessory restaurant

b. The following Regulation shall also apply:

Restriction for Restaurant Use	i)	Shall be limited to one Restaurant on the property, not including a restaurant accessory to a Bowling Alley;

ii) In addition to i) above, no drive-thru or stacking lane shall be located between any building and a street line.

c. For the purpose of this special exception, a Building or Contracting Supply Establishment shall be defined as follows:

"Shall mean the use of land, building or structure, or part thereof, in which building, construction or home improvement materials are stored or offered for wholesale or retail sale."

(By-law 10-128, June 28, 2011)

408. On those lands zoned Prestige Business Park (M3) Zone, identified on Map 1500 of Schedule "A" – Zoning Maps and described as 50 Dartnall Road, the following special provisions shall also apply:

a. In addition to Section 9.3.3, the following regulations shall also apply:

i)	Minimum Northerly Side Yard	1.4 metres
ii)	Minimum Rear Yard	2.8 metres

b. Notwithstanding Section 9.3.3 i), Section 9.3.3 k) v) and Section 5.2 e), the following regulations shall apply:

i)	Landscaped Area and Planting Strip Requirements	1. Minimum 3.0 metre width shall be provided and maintained, except for points of ingress and egress;
		2. In addition to i) above, where a parking space, aisle or driveway is located in a yard abutting a street, a minimum 3.0 metre wide Planting Strip shall be required and maintained between the

		said parking space, aisle or driveway and a street, except for points of ingress and egress.
ii)	Screening of Outdoor Storage and Outdoor Assembly	Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier having a minimum of 1.5 metres and a maximum height 3.0 metres.
iii)	Existing Parking Area	The existing gravel parking area, maneuvering space, loading space and access driveway shall also be permitted.

(By-law 10-128, June 28, 2011)

409. Notwithstanding Section 9.3.2 i), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1545 and 1546 of Schedule "A" – Zoning Maps and described as 1680 Upper Ottawa Street, a manufacturing operation involving the primary production of asphalt shall also be permitted.
(By-law 10-128, June 28, 2011)

410. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Map 1148 of Schedule "A" – Zoning Maps and described as 560 Seaman Street and 565 Seaman Street, Commercial Recreation shall also be permitted.
(By-law 10-128, June 28, 2011)

411. On those lands zoned Light Industrial (M6) Zone, identified on Map 1238 of Schedule "A" – Zoning Maps and described as 1050-1056 Upper Wellington Street, Section 9.6.3 m iv) shall not apply to the existing Building and Lumber Supply Establishment.
(By-law 10-128, May 26, 2010, By-law 11-276, November 16, 2011)

412. Notwithstanding Section 9.3.1, on those lands zoned Prestige Business Park (M3), identified on Map 1501 of Schedule "A" – Zoning Maps and described as 38 Bigwin Road, a Motor Vehicle Collision Repair Establishment shall not be permitted.
(By-law 10-128, June 28, 2011)

413. Notwithstanding Section 9.3.3 f), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1545, 1590 and 1591 of Schedule "A" – Zoning Maps and described as 610 Nebo Road, Section 9.3.3 f) shall not apply.
(By-law 10-128, June, 28, 2011)

414. In addition to the uses permitted in Section 9.2.1 and 9.6.1 and notwithstanding Section 9.2.2 i) and Section 9.6.2 i), on those lands zoned General Business Park (M2) Zone and Light Industrial (M6) Zone, identified on Maps 1047, 1048, 1093, 1094, 1095 and 1096 of Schedule "A" – Zoning Maps and described as:

20 Brockley Drive	(Maps 1095, 1096)
21 Brockley Drive	(Map 1095)
330 Nash Road	(Maps 1047, 1048, 1093, 1094)

the following uses shall also be permitted:

a. Restaurant

b. Beverage Distillation

c. Breweries

d. Processing, Milling or Packaging of Animal Feed

e. Slaughtering, Eviscerating, Rendering or Cleaning of Meat, Poultry or Fish or by-products thereof

(By-law 10-128, May 26, 2010, June 28, 2011)

415. Notwithstanding Section 3 only as it relates to the definition of Warehouse, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1547 and 1592 of Schedule "A" – Zoning Maps and described as 90 Glover Road, retail accessory to a Warehouse shall also be permitted.
(By-law 10-128, June, 28, 2011)

416. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1634 of Schedule "A" – Zoning Maps and described as 858 Nebo Road, a Towing Establishment shall also be permitted.
(By-law 10-128, June 28, 2011)

417. In addition to the uses permitted in Section 9.6.1, on those lands zoned Light Industrial (M6) Zone, identified on Maps 1047 and 1093 of Schedule "A" – Zoning Maps and described as 279 Nash Road and 2255 Barton Street East, Retail shall also be permitted.
(By-law 10-128, May 26, 2010)

418. On those lands zoned Light Industrial (M6) Zone, identified on Maps 915, 916, 957 and 958 of Schedule "A" – Zoning Maps and described as 560 Ottawa Street North, the following shall also apply:

a. Section 9.6.3 k) shall not apply to that portion of the property abutting Beach Road;

b. In addition to Section 9.6.3, for development abutting Beach Road, a Visual Barrier shall be provided along that portion of the property lot line abutting Beach Road, in accordance with Section 4.19 of this By-law.

(By-law 10-128, May 26, 2010, By-law 11-276, November 16, 2011)

419. Notwithstanding Section 9.5, within the boundaries of the lands affected by this subsection and zoned General Industrial (M5) Zone, identified on Maps 958, 1000, 1001 and 1002 of Schedule "A" – Zoning Maps, the following special provisions shall only apply:

a. The following uses shall only be permitted:

i) Railway terminal and uses, buildings and structures accessory thereto, including commercial, industrial and office uses; and,

ii) Transport Terminal.

b. Dwelling unit shall be prohibited.

(By-law 10-128, May 26, 2010)

420. In addition to Section 9.2.1 and notwithstanding Section 9.2.3 d) and Section 5.6 c) only as it relates to the parking requirement for a Place of Worship, on those lands zoned General Business Park (M2) Zone, identified on Map 1095 of Schedule "A" – Zoning Maps and described as 80-86 Covington Street and 86 Cascade Street, the following special provisions shall also apply:

a. A Place of Worship shall also be permitted;

b. Section 9.2.3 d) shall not apply to a Place of Worship;

c. Parking for the Place of Worship	A minimum of 188 parking spaces shall be provided and maintained.

(By-law 10-128, June 28, 2011)

421. On those lands zoned General Business Park (M2) Zone, identified on Map 1095 of Schedule "A" – Zoning Maps and described as 70 Covington Street, Section 5.2.1 a) and Section 5.2.1 b) shall not apply to the existing building.
(By-law 10-128, June 28, 2011)

422. In addition to the uses permitted in Section 9.2.1, on those lands zoned General Business Park (M2) Zone, identified on Map 1200 of Schedule "A" – Zoning Maps and described as 29-35 Sunnyhurst Avenue, a Motor Vehicle Service Station shall also be permitted.
(By-law 10-128, June 28, 2011)

423. In addition to Section 9.3.1 and notwithstanding Section 9.3.3 n), on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1200 and 1254 of Schedule "A" – Zoning Maps and described as 681-695 Barton Street, the following special provisions shall also apply:

a. Commercial Recreation shall also be permitted;

b. The maximum gross floor area devoted to accessory retail and showroom area shall be 1,120 square metres for any permitted use.

(By-law 10-128, March 25, 2011)

424. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1434 and 1483 of Schedule "A" – Zoning Maps and described as 1046 Garner Road West, the following uses shall also be permitted:

a. Financial Establishment

b. Restaurant

(By-law 10-128, June 28, 2011)

425. Within the boundaries of the lands affected by this subsection and zoned Prestige Business Park (M3) Zone, identified on Maps 1636 and 1637 of Schedule "A" – Zoning Maps, and described as 280, 328, 338 Trinity Church Road the following special provisions shall also apply:

a. Notwithstanding Section 9.3.3 a) and Section 9.3.3 b), the following regulations shall apply:

i) Minimum Lot Area 3,000 square metres

b. Notwithstanding Section 9.3.3, the following regulation shall apply:

i) Minimum Lot Width 25.0 metres

c. Notwithstanding Section 9.3.2 ii) and Section 9.3.3 c) and in addition to Section 9.3.3, an accessory dwelling unit shall also be permitted, subject to the following regulations:

i)	Yard Abutting a Street	1. Minimum 6.0 metres; 2. Maximum 15.0 metres
ii)	Maximum Dwelling Size	180.0 square metres

d. Section 9.3.3 k) ii) and Section 9.3.3 o) shall not apply.
(By-law 10-128, June 28, 2011, By-law 11-276, November 16, 2011)

426. In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1482 of Schedule "A" – Zoning Maps and described as 1330 Sandhill Drive, a Martial Arts Studio shall also be permitted.
(By-law 10-128, June 28, 2011)

427. In addition to the uses permitted in Section 9.2.1 and Section 9.3.1, on those lands zoned General Business Park (M2) Zone and Prestige Business Park (M3) Zone, identified on Maps 612,1148, 1199, 1482 and 1529 of Schedule "A" – Zoning Maps and described as addresses:

12 Innovation Drive	(Map 612)
1378 Sandhill Drive	(Map 1482 and 1529)
1442 Osprey Drive	(Map 1529)
515 Arvin Avenue	(Map 1148 and 1199)

a Dance Studio shall also be permitted.
(By-law 10-128, May 26, 2010)

428. On those lands zoned Prestige Business Park (M3) Zone, identified on Map 1484 of Schedule "A" – Zoning Maps and described as 754 Shaver Road, the following special provisions shall also apply:

a. In addition to the uses permitted in Section 9.3.1, a Tennis School shall also be permitted;

b. Notwithstanding Section 9.3.3i) i) and Section 9.3.3 i) ii), and Section 5.1 v) a minimum 2.8 metre wide landscaped area shall be provided and maintained abutting a street, except for points of ingress and egress;

c. Notwithstanding Section 5.2 e), the portion of the parking areas at the north side of the building containing nine parking spaces shall be constructed with a hard/dustless compact surface instead of being constructed with a stable surface of concrete or asphalt.

(By-law 10-128, June 28, 2011, By-law 11-276, November 16, 2011)

429. In addition to the uses permitted in Section 9.2.1, on those lands zoned General Business Park (M2) Zone, identified on Map 1482 of Schedule "A" – Zoning Maps and described as 1370 Sandhill Drive, a Music School shall also be permitted.
(By-law 10-128, May 26, 2010)

430. On those lands zoned Prestige Business Park (M3) Zone, identified on Map 1148 of Schedule "A" – Zoning Maps and described as 565 Seaman Street, the following special provisions shall also apply:

a. In addition to the uses permitted in Section 9.3.1, Commercial Recreation, including an accessory restaurant shall also be permitted;

b. Notwithstanding Section 5.6 c) only as it relates to the parking requirement for Commercial Recreation, a minimum of 180 parking spaces shall be provided and maintained.

(By-law 10-128, June 28, 2011)

431. On those lands zoned Prestige Business Park (M3) Zone, identified on Maps 611 and 642 of Schedule "A" – Zoning Maps and described as 91 Highway 5 West (Block 11), the following special provisions shall also apply:

a. In addition to Section 9.3.1, the following uses shall also be permitted:

i) Landscape Contracting Establishment
ii) Waste Processing Facility
iii) Waste Transfer Facility

b. Notwithstanding Section 9.3.2, the following uses shall be prohibited:

PROHIBITED USES	i)	Notwithstanding Section 9.3.2, the following types of manufacturing uses are prohibited, except if these uses are considered only as an accessory use to another permitted manufacturing use:

Beverage Distillation
Breweries
Manufacturing of Asbestos, Phosphate or Sulphur Products
Primary Production of Chemicals, Synthetic Rubber or Plastic
Processing or Refining of Petroleum or Coal
Processing, Milling or Packaging of Animal Feed
Salvage Yard
Slaughtering, Eviscerating, Rendering or Cleaning of Meat, Poultry or Fish or by-products thereof
Smelting of Ore or Metal
Tanning or Chemical Processing of Pelts or Leather
Vulcanizing of Rubber or Rubber Products
Explosives Manufacturing
Pulp and Paper Mills

ii) Notwithstanding Section 9.3.2, the following uses are prohibited, even as accessory uses:

Child Care Centre
Dwelling Unit

c. Notwithstanding Section 9.3.3 b), Section 9.3.3 i), Section 9.3.3 k) and Section 9.3.3 l), the following regulations shall apply:

i)	Minimum Yard Abutting a Street	3.0 metres
ii)	Landscaped Area and Planting Strip Requirements	1. Minimum 3.0 metre wide Landscaped Area shall be provided and maintained

abutting a street, except for points of ingress and egress;

2. In addition to i) above, where a parking space, aisle or driveway is located in a Yard abutting a street, a minimum 3.0 metre wide Planting Strip shall also be required and maintained between the said parking space, aisle or driveway and a street, except for points of ingress and egress.

iii) Location and Screening of Outdoor Storage and Outdoor Assembly

Outdoor Storage and Outdoor Assembly of goods, materials or equipment shall be permitted only as an accessory use and the following regulations shall apply:

1. Outdoor Storage and Outdoor assembly shall be permitted in a yard abutting a street, but shall be no closer than 3.0 metres to the lot line;

2. Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area;

3. Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this By-law.

iv) Location of Outdoor Display

Outdoor Display of goods, materials or equipment shall be permitted only as an accessory use and shall be permitted in a yard abutting a street, but shall be no closer than 3.0 metres to the lot line.

(By-law 10-128, June 28, 2011)

432. In addition to Section 9.3.1 and Section 9.3.3, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451, 1452, 1500 and 1501 of Schedule "A" – Zoning Maps and described as 230 Anchor Road, Retail shall also be permitted only within the existing building.
(By-law 10-128, June 28, 2011)

433. Notwithstanding Section 5.6 c), 9.5.3 b), and 9.5.3 c), on those lands zoned General Industrial (M5) Zone, identified on Maps 749-751, 789-791, 830-832, 872-874 and 914-916 and described as 386 Wilcox Street, Sections 5.6 c), 9.5.3 b) and 9.5.3 c) shall not apply.
(By-law 10-128, May 26, 2010)

434. In addition to Section 9.2.1, Section 9.3.1, on those lands zoned General Business Park (M2) Zone identified on Map 1529 of Schedule "A" – Zoning Maps, described as 680 Tradewind Drive, and Prestige Business Park (M3) Zone identified on Maps 1149 and 1200 of Schedule "A", described as 620 South Service Road, Commercial Recreation shall also be permitted. In addition, the following shall apply to the lands at 620 South Service Road:

a. Notwithstanding Section 9.3.3 i), no landscape area or planting strip shall be required adjacent to Fruitland Road.(By-law No. 14-143, June 11, 2014)

(By-law 10-128, May 26, 2010, By-law 11-276, November 16, 2011, By-law 12-028, February 8, 2012)

435. In addition to Section 9.2.1 and Section 9.2.3, on those lands zoned General Business Park (M2) Zone, identified on Map 1529 of Schedule "A" – Zoning Maps and described as 1425 Cormorant Road, the following shall also apply:

i) The following uses shall also be permitted:

a. Office
b. Industrial Administration Office
c. Surveying, Engineering, Planning or Design Business

ii) Gross Floor Area for Office Use – Maximum gross floor area for Office use within an individual building, excluding accessory office, shall be limited to 3,000 square metres.

(By-law 11-276, November 16, 2011)

436. In addition to Section 9.5.1 and notwithstanding Section 9.5.3 i) and Section 5.6 c) only as it relates to the parking requirement for Manufacturing, on those lands zoned General Industrial (M5) Zone, identified on Map 870 of Schedule "A" – Zoning Maps and described as 400, 424, 442 and 446 Burlington Street East, the following special provisions shall also apply:

a.	Parking Requirement for Manufacturing	i) No parking spaces are required provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained.
		ii) Notwithstanding i) above, for any new construction on the property, parking shall be calculated at 1 space for each 30 square metres of gross floor area, which accommodates the Office component.

(By-law 10-128, March 25, 2011)

437. In addition to Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 548 and 549 of Schedule "A" – Zoning Maps and described as lands fronting Parkside Drive, the following uses shall also be permitted:

a. Fitness Club
b. Medical Clinic

(By-law 10-128, March 25, 2011, November 16, 2011)

438 In addition to Section 9.6.1, on the lands zoned Light Industrial (M6) Zone, identified on Map 956 of Schedule "A" - Zoning Maps and described as 39, 43, 45 and 67 Lloyd Street, the following uses shall also be permitted:

a. Smelting of metal only as an accessory use
b. Auctioneering

(By-law 10-128, March 25, 2011)

439. In addition to Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1149 and 1200 of Schedule "A" – Zoning Maps and described as 620 South Service Road, a stand-alone car wash, accessory to a Motor Vehicle Service Station, shall also be permitted.

(By-law 10-128, June 28, 2011)

440. In addition to Section 5.2.1, 9.3.3 c), 9.3.3 e), 9.3.3 k) for those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1256, 1257, 1309 and 1310 of Schedule "A" – Zoning Maps, and described as 1047-1049 Barton Street, the following special provisions shall also apply:

a. In addition to Section 5.2.1, the following shall also apply:

i) Loading Spaces shall not be permitted on any west elevation of a building on 1047-1049 Barton Street that faces the eastern lot line of 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road, except where separated by another building; and,

ii) Notwithstanding i) above, should a loading space be located within 40.0 metres of the eastern lot line of 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road, the following shall apply:

1. The loading space shall be limited to a maximum length of 10.0 metres; and,

2. Shall be screened from the above noted property line by a noise attenuation wall attached to the building equal in length to the loading space.

b. In addition to Section 9.3.3 the following shall also apply:

i) Minimum Yard abutting any portion of a property line of the properties known as 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road shall be 9.0 metres within which no parking shall be located.

c. In addition to Section 9.3.3 e) the following shall also apply:

i) No portion of a building or structure abutting any portion of a property lot line of the properties known as 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road shall be used for Manufacturing within a setback of 28.0 metres.

d. Notwithstanding Section 4.19 and 9.3.3 j) a minimum 1.8 metre to a maximum 3.0 metre berm and solid wall or fence shall be provided within 9.0 metres of the eastern lot line of 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road.

(By-law 10-128, June, 28, 2011)

441. In addition to Section 9.3.1 and notwithstanding Section 9.3.2, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1634, 1676 and 1677 of Schedule "A" – Zoning Maps and described as 899 Nebo Road, a rock crushing and concrete crushing operation shall be permitted only as an accessory use to a Waste Processing Facility.
(By-law 11-276, November 16, 2011)

442. Notwithstanding Section 6.2, on those lands zoned Downtown Mixed Use – Pedestrian Focus (D2) Zone, identified on Maps 867 and 868 of Schedule "A" – Zoning Maps, and described as:

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within the Downtown Mixed Use – Pedestrian Focus (D2) Zone

Property Address	Map Number
Part of 271 Bay Street North	868
Part of 128 Barton Street West	868
239, 259 Caroline Street North, 175 Stuart Street	868
249 Hess Street North	868
Part of 242 Queen Street North	868
Part 243, 245 Queen Street North	867, 868
107 Stuart Street	868
Part of 232 Stuart Street	867, 868
26 Tiffany Street	868
28 Tiffany Street	868
30 Tiffany Street	868
32, 36 Tiffany Street	868

The following provisions shall apply:

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within the Downtown Mixed Use – Pedestrian Focus (D2) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the following prescribed regulation.

a) PERMITTED USES

Artist Studio
Commercial Entertainment
Commercial Parking Facility
Commercial Recreation
Commercial School
Conference or Convention Centre
Craftsperson Shop
Financial Establishment
Medical Clinic
Office
Personal Service

Performing Arts Theatre
Production Studio
Recreation
Restaurant
Retail
Tradesperson's Shop

b) RESTRICTED USES

i) In addition to Section a) PERMITTED USES the following uses shall only be permitted in accordance Section c) and the following additional restrictions:

A) Commercial Parking Facility

1) Shall only be contained within a building; and,

2) With the exception of an access driveway to the parking facility, the ground floor of the facility which faces any street shall only be used for uses listed in Section a), other than parking.

B) Production Studio

1) The soundstage/warehousing associated with a Production Studio shall only be permitted in conjunction with office and retail use(s).

2) The soundstage/warehousing associated with a Production Studio shall only be contained within the building of the site.

C) Permitted Uses in the portion of the Building abutting the Street

Notwithstanding Section a), the portion of the building(s) that is within the minimum and maximum building setback from a street line shall be limited to the following uses:

Artist Studio
Commercial Entertainment
Commercial Recreation
Commercial School
Craftsperson Shop
Financial Establishment
Medical Clinic
Office
Personal Services
Performing Arts Theatre
Production Studio
Recreation
Restaurant
Retail

c) PROHIBITED USES

i) Notwithstanding Section a), the following uses are prohibited even as an accessory use:

Dwelling Unit(s)
Drive-Through Facility
Hotel

ii) Notwithstanding Section a), the following uses are prohibited except as an accessory use:

Garden Centre
Dry Cleaning Plant

iii) Notwithstanding Subsection a), a Production Studio shall be prohibited on the following properties:

271 Bay Street North
107 Stuart Street
26 Tiffany Street
28 Tiffany Street
30 Tiffany Street
32, 36 Tiffany Street

d)		REGULATIONS
i)	Building Setback from a Street Line	A) Minimum 3.0 metres; and, B) Maximum 4.5 metres. C) Clause d)i)A) shall not apply for any portion of a building that exceeds the requirement of Clause d)ix)A).
ii)	Minimum Rear Yard	6.0 metres abutting a Residential Zone property line;
iii)	Minimum Interior Side Yard	3.0 metres abutting a Residential Zone property line;
iv)	Maximum Building Height	15.0 metres;
v)	Maximum Gross Floor Area for each Retail Unit	6,000 square metres;
vi)	Maximum Lot Coverage for Retail Uses	20 percent;
vii)	Maximum Floor Area Ratio for Retail Uses	0.2;
viii)	Maximum Gross Floor Area for Office Uses within each Building	3,000 square metres;
ix)	Built Form for New Development	In the case of buildings constructed or alterations to the exterior of existing buildings, excluding any alterations to façade, fenestration or doors, after the effective date of this Bylaw:

		A) For an interior lot, corner lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 25% of the measurement of the front lot line and shall exclude access driveways and lands within a required yard. B) No parking, driveways or aisles shall be located between a building façade and the public street. C) A minimum of one principal entrance shall be provided: 1) within the ground floor façade that is set back is closest to a street; and, 2) shall be accessible from the building façade with direct access from the public sidewalk; and, 3) A walkway shall be permitted in a Planting Strip where required by the Bylaw.
x)	Maximum Gross Floor Area for Soundstage/ Warehouse associated with a Production Studio	2,000 square metres
xi)	Minimum Gross Floor Area of Permitted Uses in Conjunction with the Soundstage/Warehouse associated with a Production Studio	For every 1.0 square metres of gross floor area dedicated to a soundstage/warehousing associated with a Production Studio, a minimum of 1.0 square metres of gross floor area must be dedicated to any use identified in Subsection a).

xii)	Minimum Distance of soundstage/warehousing associated with a Production Studio from a Public Street	The soundstage/warehousing associated with a Production Studio shall be no closer than 40.0 metres from a Downtown Multiple Residential (D6) Zone.
xiii)	Visual Barrier Requirements	A visual barrier is required along any yard abutting a Downtown Residential (D5) or Downtown Multiple Residential (D6) Zone, except where a building is located or the area used for an access driveway, in accordance with Section 4.19 of this By-law.
xiv)	Outdoor Storage	A) No outdoor storage of goods, material or equipment shall be permitted. B) Notwithstanding Clause xi) A), the display of goods or materials shall be permitted.
xv)	Accessory Buildings	In accordance with the requirements of Section 4.8 of this By-law.
xvi)	Parking	A) In accordance with the requirements of Section 5 of this By-law. B) Notwithstanding Subsection 5.1a)v)a), parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall not be located within 4.0 metres of a street line. C) Notwithstanding Subsection 5.1a)v)b), a 4.0 metre wide planting strip and visual barrier being required and permanently

maintained between the street line and the parking spaces or aisle.

(By-law 19-066, April 10, 2019)
(By-law No. 24-137, July 12, 2024)

443. Notwithstanding Section 6.6, on those lands zoned Downtown Multiple Residential (D6) Zone, identified on Maps 867 and 868 of Schedule "A" – Zoning Maps, the following special provisions shall apply:

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within the Downtown Multiple Residential (D6) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the following prescribed regulations:

a) **PERMITTED USES**

Residential	Multiple Dwelling Home Business
Commercial	The following commercial uses shall only be permitted as part of a mixed-use building where the Commercial uses are contained jointly with residential uses in the same building or structure: Child Care Centre Commercial Entertainment Commercial Recreation Commercial School Conference or Convention Centre Craftsperson Shop Financial Establishment Medical Clinic Office Personal Service Recreation Repair Service Restaurant Retail Studio Tradesperson's Shop Veterinary Service

b)	**PROHIBITED USES**	Notwithstanding a) above, the following uses are prohibited, even as an accessory use: Drive Through Facility Garden Centre Hotel Dry Cleaning Plant
c)	**REGULATIONS**	
i)	Restriction of Commercial Uses permitted as part of a mixed use building	A) Commercial uses shall only be permitted on the ground floor; B) The gross floor area of the Commercial uses shall not exceed the gross floor area of the Residential uses; and, C) Pedestrian access to any Residential use shall be completely segregated from any Commercial use.
ii)	Minimum Side Yard	3.0 metres;
iii)	Minimum Rear Yard	6.0 metres;
iv)	Density Requirements for Multiple Dwellings	Maximum 150 units per hectare;
v)	Maximum Floor Area Ratio	0.6;
vi)	Built Form for New Development	In the case of buildings constructed or alterations to existing buildings after the effective date of this By-law: A) The minimum width of the ground floor façade shall be equal to 25% or more of the measurement of any street line

		and shall be subject to the following: 1) A minimum building setback of 3.0 metres; and, 2) A maximum building setback of 4.5 metres; and, 3) Where a building(s) exists on a lot in conformity with A)1) and A)2) above, with a ground floor façade being equal to 25% or more of the measurement of any street line, section 2) above shall not apply to any additional buildings(s); and, 4) All principle entrances shall be accessible from the building façade with direct access from the public sidewalk; and, 5) No parking, driveways or aisles shall be located between a building façade and the public street.
vii)	Building Height	A) Minimum 7.5 metres and 2 storeys; and, B) Maximum 15.0 metres.
viii)	Visual Barrier Requirements	A visual barrier is required along any yard abutting a (D5) Zone, except where a building is located or the area used for any access

		driveway, in accordance with Section 4.19 of this By-law.
ix)	Outdoor Storage	A) No outdoor storage of goods materials or equipment shall be permitted. B) Notwithstanding A) above, the display of goods or materials for retail purposes shall be permitted.
xi)	Accessory Buildings	In accordance with the requirements of Section 4.8.1 of this By-law.
xi)	Parking	In accordance with the requirements of Section 5 of this By-law.

(By-law 12-164, June 26, 2012)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

444. Notwithstanding Section 6.5.1, 6.5.2.1 f), 6.5.2.2 f), 6.5.2.3 f), 6.5.2.4, 6.5.2.5, on those lands zoned Downtown Residential (D5) Zone, identified on Map 868 of Schedule "A" – Zoning Maps, the following special provisions shall apply:

a) PERMITTED USES

Single Detached Dwelling
Semi Detached Dwelling
Street Townhouse Dwelling

b) SINGLE DETACHED DWELLING REGULATIONS

i) Maximum Building Height 11.25 metres;

c) SEMI-DETACHED DWELLING REGULATIONS

i) Maximum Building Height 11.25 metres;

d) STREET TOWNHOUSE DWELLING REGULATIONS

i) Maximum Building Height 11.25 metres;
(By-law 12-164, June 26, 2012)

445. Notwithstanding Section 3, as it relate to the definition of "Grade", Section 4.6(d), 6.6 of this By-law, on those lands zoned Downtown Multiple Residential (D6) Zone, as identified on Map No. 868 of Schedule "A" – Zoning Maps and legally described as Part of Lot 3 and All of Lots 4, 5, 6, and 7, Block 30, Registered Plan 127 in the City of Hamilton. Designated as Parts 3, 4, 5, 6, 7, 8 on Plan 62R-19307; and, as shown on Figure 16 of Schedule "F" – Special Figures, the following special provisions shall apply:

a) For the purposes of Special Exception No. 445, "Grade" shall mean the average level of the proposed or finished ground of the Bay Street elevation.

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within the Downtown Multiple Residential (D6) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the following prescribed regulations:

b) PERMITTED USES

Residential	Multiple Dwelling Home Business
Commercial	The following commercial uses shall only be permitted as part of a mixed use building where the Commercial uses are contained jointly with residential uses in the same building or structure: Child Care Centre Commercial Entertainment Commercial Recreation Commercial School Conference or Convention Centre Craftsperson Shop Financial Establishment Medical Clinic Office Personal Service

Recreation
Repair Service
Restaurant
Retail
Studio
Tradesperson's Shop
Veterinary Service

c) PROHIBITED USES

Notwithstanding b) above, the following uses are prohibited, even as an accessory use:

Drive Through Facility
Garden Centre
Hotel
Dry Cleaning Plant

d) REGULATIONS

i) Restriction of Commercial Uses permitted as part of a mixed use building

A) Commercial uses shall only be permitted on the ground floor;

B) The gross floor area of the Commercial uses shall not exceed the gross floor area of the Residential uses; and,

C) Pedestrian access to any Residential use shall be completely segregated from any Commercial use.

ii) Building Setback from a Street Line

A) Maximum 4.5 metres, except;

B) Where a visibility triangle shall be provided for a driveway access;

C) Notwithstanding A) above, the following regulations shall apply:

		1. Where the ground floor is used for residential purposes the minimum setback shall be 3.0 metres; 2. Minimum setback shall be 6.5 metres for the fourth to eighth storeys; and, 3. Minimum 6.0 metres for that portion of a building providing an access driveway to a garage.
iii)	Minimum Southerly Side Yard	A) 4.5 metres; and, B) 6.5 metres for the fifth to eighth storeys.
iv)	Minimum Northerly Side Yard	A) 7.0 metres, and, B) 9.0 metres for the fifth to eight storeys.
v)	Building Height	A) Where the ground floor is used for commercial purposes: 1. Minimum 8.3 metres and two storeys; 2. Minimum 4.5 metres for the first storey; and 3. Maximum 30.8 metres and eight storeys. B) Where the ground floor is used for residential purposes: 1. Minimum 11.3 metres and three storeys;

2. Minimum 3.8 metres for the first storey; and,

3. Maximum 30.0 metres and eight storeys.

vi) Density Requirements for Multiple Dwellings — Maximum 300 units per hectare.

vii) Built form for New Development — In the case of buildings constructed or alterations to existing buildings after the effective date of this By-law:

A) The minimum width of the ground floor façade shall be equal to 25% or more of the measurement of the front lot line and shall be subject to the following:

1. Where a building(s) exists on a lot in conformity with d) ii) above, with a ground floor façade being equal to 25% or more of the measurement of any street line, section A) above shall not apply to any additional building(s); and,

2. All principle entrances shall be accessible from the building façade with direct access from the public sidewalk; and,

3. No parking, driveways or aisles shall be located between a building façade and the public street.

viii) Planting Strip Requirements — Where a property line abuts a property line within a Downtown

		Residential D5 Zone, or a Downtown Multiple Residential D6 Zone a minimum 3.0 metre wide Planting Strip shall be provided and maintained.
ix)	Visual Barrier Requirements	A visual barrier is required along any yard abutting a Downtown Residential (D5) Zone, except where a building is located or the area used for any access driveway, in accordance with Section 4.19 of this By-law.
x)	Outdoor Storage	A) No outdoor storage of goods, materials or equipment shall be permitted. B) Notwithstanding A) above, the display of goods or materials for retail purposes shall be permitted.
xi)	Permitted Yard Encroachments	A porch, deck or canopy may encroach into any required yard to a maximum of 1.8 metres, or to a maximum of half the distance of the required yard.
xii)	Accessory Buildings	In accordance with the requirements of Section 4.8.1 of this By-law.
xiii)	Parking	In accordance with the requirements of Section 5 of this By-law.
xiv)	Amenity Area Restriction	Outdoor amenity areas are prohibited in the rear yard and northerly side yard.

(By-law 12-164, June 26, 2012)
(By-law No. 23-079, May 10, 2023)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

446. Within the lands zoned Neighourhood Commercial (C2, 446, H108) Zone, identified on Map No. 820 of Schedule "A" - Zoning Maps and described as 211 York Road, the following special requirements shall apply:

a) In addition to Section 10.2.1, and notwithstanding Section 10.2.1.1 ii), Dwelling Units may be permitted on the ground floor of the existing building provided there is a minimum of 650 square metres of ground floor commercial use.;

b) Notwithstanding Subsections 4.8 b), 10.2.3 a), b), c), d), and e), the location and height of the principal building or accessory buildings and any other such lot conditions existing on the date of passing of this By-law shall be deemed to conform.

c) Notwithstanding Subsection 5.1 a), v), parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:

i) Shall not be located within 2.5 metres of a street line;

ii) Shall provide a 2.5 metre wide planting strip being required and permanently maintained between the street line and the said parking s paces or aisle; and,

iii) Where a Planting Strip is provided, as per ii) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.

d) Notwithstanding Subsection 10.2.3 k), a visual barrier that consists of a fence or wall along the western property line measuring 63.7 metres shall not be located within 1.36 metres of a street line. All other requirements of Section 4.19 shall apply.

(By-law No. 23-131, July 14, 2023)

447. Notwithstanding Sections 9.6.1, 9.6.2 and 9.6.3 of this By-law, on those lands zoned Light Industrial (M6) Zone, as identified on Map Nos. 958 and 959 of Schedule "A" - Zoning Maps, and described as 586 Beach Road (Hamilton), the following special requirements shall apply:

(a) A Salvage Yard, only in conjunction with the existing Salvage Yard at 610 Beach Road, shall also be permitted;

(b) An acoustical noise barrier fence of a height of 5.0m shall be provided and maintained along the westerly side lot line that measures 74.98m in length. This fence shall be setback a minimum of 5.0m from this property line. A

landscaped berm shall be provided and maintained between the fence and the property line.

(c) A 5.0m high acoustical noise barrier fence or berm, or combination of acoustical noise barrier fence and berm, shall be provided and maintained along the northerly side lot line that measures 44.5m in length; and,

(d) The lands located within 55m of the westerly side lot line that measures 74.98m in length shall only be used for the storage of finished sorted product, and no processing activity shall be permitted in this area.
(By-law No. 12-287, December 12, 2012)

448. Notwithstanding Sections 9.6.1 and 9.6.2 of this By-law, on those lands zoned Light Industrial (M6,448) Zone, as identified on Map No. 1002 of Schedule "A" – Zoning Maps, and described as 440 Rennie Street (Hamilton), a Waste Management Facility shall be permitted in conjunction with the existing Waste Management Facility at 464 Rennie Street.
(By-law 12-131, June 13, 2012)

449. That notwithstanding Sections 8.3.1, 8.3.2.1(b), 8.3.2.1(c), 5.1(v)(a), 5.1(v)(b), 5.1(d)(i), and 4.6 of this By-law, on those lands zoned Major Institutional (13) Zone, on Map 1249 of Schedule "A" - Zoning Maps and described as 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), the following regulations shall also apply:

(a) In conjunction with and attached to a use permitted in the Major Institutional (13) Zone, a maximum 93 square metre restaurant and a maximum of 300 square metres of offices shall also be permitted;

(b) A minimum northerly and easterly side yard of 6.0 metres; a minimum westerly side yard of 4.5 metres; and a minimum southerly side yard of 5.0 metres shall be provided and maintained;

(c) One parking space off King Street East is permitted within 3.0 metres of a street line separated from the street line by a minimum 2.0 metre wide planting strip;

(d) For the portion of the building abutting Passmore Street, a minimum of 37.0 metres of the facade length shall be a maximum of 1-storey in height; and,

(e) A pergola may encroach into a rear yard.
(By-law 12-181, August 16, 2012)

450. Notwithstanding Section 7, 5.1 of this By-law, within the lands zoned Conservation/Hazard Land (P5) Zone, identified on Map No. 817 of Schedule "A"

to By-law 05-200, and described as 24 Brock Street North, the following shall apply:

a) PERMITTED USES

Only the following use shall be permitted:

(i) Conservation

(By-law No. 13-301, OMB Approval on November 22, 2013)

451. Notwithstanding Sections 6.2.3 of this By-law, within the lands zoned Downtown Prime Retail Streets (D2, 451) Zone, identified on Maps 910 and 911 of Schedule "A" – Zoning Maps, and described as 108 James Street North and 111 and 115 Hughson Street North, and as further detailed and informed through attached Concept Plan (Schedule "F" – Figure 17), the following special provisions shall apply:

a) PERMITTED USES

i) Notwithstanding Subsection 6.2.1 Permitted uses:

a) A theatre within the building existing at the time of the passing of this by-law shall be the only permitted use on the lands identified as 111 Hughson Street North.

b) A 106 unit multiple dwelling and associated commercial uses in accordance with Subsection 6.2.1 shall be permitted on lands identified as 108 James Street North only in conjunction with, and accessory to, the existing theatre auditorium located on lands identified as 111 Hughson Street North.

c) For the lands identified as 115 Hughson Street North, uses within Subsection 6.2.1 shall be permitted only within the building existing at the time of the passing of this by-law.

ii) That a maximum of 106 residential units are permitted on lands identified as 108 James Street North.

b) REGULATIONS

a) Minimum Setback from a Street Line

i) 0.0 metres for the first three storeys and 3.0 metres at the 4th to the 22nd storey on lands identified as 108 James Street North.

ii) The existing setbacks for the buildings identified as 111 and 115 Hughson Street North, existing at the time of the passing of this by-law, shall be permitted and maintained.

b) Building Height

Notwithstanding Section 6.2.3 c) ii) the following shall apply:

i) A Maximum building height of 76 metres shall be permitted for lands identified as 108 James Street North.

ii) The existing height for the buildings identified as 111 and 115 Hughson Street North, existing at the time of this by-law, shall be permitted and maintained.

c) Built Form for New Development

Notwithstanding Section 6.2.3 c)iii)1., 2, .3. and 4, the following shall apply:

i) Minimum of 70% of the ground floor façade along James Street North shall be composed of windows and doors.

ii) Minimum of 0% of the ground floor façade along Hughson Street North shall be composed of windows and doors.

iii) Minimum of 60% of the second and 60% of the third storey façades along James

Street North shall be composed of windows.

iv) Minimum of 0% of the second and 0% of the third storey façades along Hughson Street North shall be composed of windows.

v) Minimum of 20% of the north and south elevations from the 4th to 22nd storeys for the lands identified as 108 James Street North, shall be composed of windows and glazing and which shall include the transparent material used to enclose the external fire escape.

vi) The ground floor storey along James Street North shall be no less than 3.6 metres in height and no greater than 6.0 metres in height.

vii) The second and third storeys along James Street North shall each be no less than 3.0 metres in height and no greater than 5 metres in height.

d) Parking

i) In addition to Section 5.2 Design Standards a parking stacking system shall be permitted. For the purpose of this By-law, a parking stacker shall be defined as a mechanical motor vehicle parking facility which:

1. Are positioned above each other.
2. Have dimensions of not less than 2.6 metres in width and 5.6 metres in length; and,
3. May not be readily accessible at all times without manoeuvring another vehicle or a device.

ii) Notwithstanding Subsection 5.5 Barrier Free Parking, a minimum of 1 barrier free parking spaces shall be required.

		iii) Notwithstanding Subsection 5.6a)i Parking Schedules, parking for a Multiple Dwelling within a mixed-use building shall be provided on the basis of a minimum of 0.5 parking spaces for each dwelling unit.
		iv) Notwithstanding Subsection 5.6a)iv, no parking shall be required for commercial uses within lands identified as 108 James Street North, 111 Hughson Street North or 115 Hughson Street North.
e)	Restriction of uses within a building	i) Notwithstanding 6.2e) i) a commercial entertainment use shall be permitted within the first 3 storeys.
f)	Location of Patio	Notwithstanding Section 4.20 c) i) an Outdoor Outdoor Commercial Patio is permitted fronting onto James Street North.
g)	Front Lot Line	For the purposes of this By-law, the James Street North Lot Line is to be considered the Front Lot Line.

(By-law No. 15-188, August 14, 2015)
(By-law No. 22-084, April 13, 2022)

452. Within the lands zoned Conservation/Hazard Land (P5, 452) Zone, identified on Maps 1354 and 1406 of Schedule "A" and described as 601 Upper Centennial Parkway, the following special provisions shall apply:

Notwithstanding Section 7.5.1, the following shall apply:

One private access for the purposes of servicing and a road/pedestrian crossing, which includes a bridge from the residential development located at 601 Upper Centennial Parkway to Street "G" of the approved "Victory Ridge" Draft Plan of Subdivision, the specific location and alignment shall be determined by the Senior Director of Growth Management in consultation with the Hamilton Conservation Authority.
(By-law No. 13-210, August 16, 2013)

453. Notwithstanding Section 8.2.1 of this By-law, within the lands zoned Community Institutional (12) Zone, identified on Map No. 996 of Schedule "A", and known as 22 - 24 Emerald Street South, Hamilton, a Corrections Residence, having a maximum capacity of 36 residents, shall be permitted in conjunction with a Social Services Establishment, subject to the following special provisions:

(a) That the Social Services Establishment shall have a maximum floor area of 391 sq.m., restricted to the ground floor, and be limited to serving a maximum of 12 individuals at any one time who do not reside on the premises;

(b) That notwithstanding Section 8.2.3.1 (a) of this By-law, the minimum lot width shall be 25.9m;

(c) That notwithstanding Section 8.2.3.1 (c) of this By-law, the minimum northerly side yard shall be 0.29m;

(d) That notwithstanding Section 8.2.3.1 (c) of this By-law, the minimum southerly side yard shall be 3.18m;

(e) That notwithstanding Section 8.2.3.1 (e) of this By-law, the maximum building height shall be 14.02m;

(f) That notwithstanding Section 8.2.3.1 (h) of this By-law, a minimum radial separation distance between a Corrections Residence and a Residential Care Facility of 137m shall be permitted; and,

(g) That notwithstanding Section 5.6 (c) (i) and (ii) of this By-law, the minimum required number of parking spaces shall be seven (7).
(By-law No. 13-269, October 23, 2013)

454. Within the lands zoned Business Park Support (M4, 454) Zone, identified on Map 1452 of Schedule "A" and described as 211 Pritchard Road, the following special provisions shall apply:

In addition to Section 9.4.1, the following uses shall also apply:

Computer, Electronic and Data Processing Establishment
Equipment and Machinery Sales, Rental and Service Establishment
Household Furniture and Appliances Sales, Service and Repair
Social Services Establishment

Notwithstanding Section 9.4.3, Paragraphs b)ii), g), h), and k) i), ii), and iii), the following shall apply:

b)	Yard Abutting a Street:	ii) Maximum 45.0m.
g)	Maximum Gross Floor Area for Medical Clinic:	Shall be limited to a combined total of 3,700 sq. m.
h)	Gross Floor Area for Office Use:	Maximum Gross Floor Area for Office Use within an individual building, excluding accessory office, shall be limited to 3,300 square metres.
k)	Landscape Area and Planting Strip Requirements:	i) A minimum 1.0m wide landscape area/planting strip shall be provided and maintained abutting a portion of the Pritchard Road lot line from the northerly lot line to the 1.8m wide sidewalk to the south; and, A minimum 1.0m wide landscape area/planting strip shall be provided and maintained abutting the Lincoln Alexander Parkway.

ii) A minimum 1.0m wide landscape area/planting strip shall be required and maintained between parking spaces, aisles, or driveways, and a street along a portion of the Pritchard Road lot line from the northerly lot line to the 1.8m wide sidewalk to the south; and,

A minimum 1.0m wide landscape area/planting strip shall be required and maintained between parking spaces, aisles, or driveways, and a street along the Lincoln Alexander Parkway right-of-way.

iii) One Sign shall be permitted within the required landscape area.

Notwithstanding Section 5 a) v) of the Parking Provisions, the following shall apply:

a) Parking spaces and aisles, giving direct access to abutting parking spaces excluding driveways extending directly from the street, shall be subject to the following:

a) Shall not be located within 1.0m of a street line.

b) Shall provide a 1.0m wide planting strip abutting a portion of the Pritchard Road lot line from the northerly lot line to the 1.8m wide sidewalk to the south, the lands further south of the walkway shall provide an average landscape area of 6.0m, of which 3.0m shall be plantings.

c) Shall provide a 1.0m wide planting strip along the Lincoln Alexander Parkway right-of-way.

d) Shall provide a 1.5m wide planting strip for all other lot lines.

(By-law No. 13-161, October 23, 2013)

455. Within the lands zoned Open Space and Parks (P4-455) Zone, identified on Map 415 of Schedule "A", and described as part of 392 Dundas Street East, being Block 2 on Schedule "A" of this By-law, the following special provision shall apply:

a) In addition to the uses permitted within Section 4.4 and Section 7.4 of By-law 05-200, the subject property shall also be permitted to be used for a municipal water tower.

(By-law No. 13-246, October 9, 2013)

456. Within the lands zoned Community Institutional (I2) Zone, identified on Map 995 of Schedule "A" – Zoning Maps and described as 121 Augusta Street, the following special provisions shall apply:

a) Notwithstanding Section 3, a Social Services Establishment may include overnight accommodation.

b) In addition to Subsection 5.2 b) i), a maximum of three parking spaces may be a minimum of 5.2 metres in length.

c) Notwithstanding Subsection 5.6 c), a minimum of 15 parking spaces shall be provided.

d) In addition to Subsection 8.2.1, an Office shall be permitted within the building existing on May 13, 1995.

e) In addition to Subsection 8.2.3.1, the maximum capacity for a Social Services Establishment shall not exceed eight (8) residents.

f) In addition to Subsection 8.2.3.1 and notwithstanding Subsection 4.19, a Visual Barrier with a minimum height of 1.0 metre shall be provided and maintained along the easterly lot line adjoining the parking area.

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

457. Within the lands zoned Community Institutional (I2, 457) Zone, identified on Map No. 1344 of Schedule "A" – Zoning Maps and described as 299, 307 and 325 Fiddlers Green Road, Ancaster, the following special provisions shall apply:

a) Notwithstanding Section 8.2.3.1 b), c), d), e), f) and g) the following regulations shall apply:

i) Minimum Front Yard	A)	6.0 metres for the lands included in Block 1 of Figure No. 47 of Schedule "F" – Special Figures.
	B)	15.0 metres for the lands included in Block 2 of Figure No. 47 of Schedule "F" – Special Figures
ii) Minimum Side Yard	A)	6.7 metres for a building and 3.0 metres to an underground parking garage from the side lot line measuring 68.6 metres for the lands included in Block 1 of Figure No. 47 of Schedule "F" – Special Figures
	B)	23.8 metres from the side lot line measuring 22.7 metres for the lands included in Block 2 of Figure No. 47 of Schedule "F" – Special Figures
	C)	10.0 metres from the side lot line measuring 30.5 metres for the lands included in Block 2 of Figure No. 47 of Schedule "F" – Special Figures

		D)	7.5 metres from the side lot line measuring 85.4 metres for the lands included in Block 2 of Figure No. 47 of Schedule "F" – Special Figures
iii)	Minimum Rear Yard		12.0 metres for the lands included in Block 2 of Figure No. 47 of Schedule "F" – Special Figures
iv)	Maximum Building Height	A)	13.0 metres for the lands included in Block 1 of Figure No. 47 of Schedule "F" – Special Figures
		B)	9.5 metres for the lands included in Block 2 of Figure No. 47 of Schedule "F" – Special Figures
v)	Minimum Landscaped Area		34% of the lot area
vi)	Maximum Capacity for Emergency Shelter, Residential Care Facility and Retirement Home		A total of 167 suites and not more than 220 residents

b) In addition to Section 8.2.3.1, the following regulations shall also apply:

i)	Minimum Planting Strip	3.0 metres along northerly lot line with a visual barrier consisting of landscape materials including trees, shrubs, and/or hedges
ii)	Maximum Lot Coverage	35%

c) Notwithstanding Section 5.2.1 a), the following regulation shall apply:

i)	Minimum Parking Space Dimensions	2.6 metres in width and 5.5 metres in length

d) Notwithstanding Section 5.2.2 a), the following regulation shall apply:

i)	Minimum Accessible Parking Space Width and Accessibility Aisle Requirements	A)	4.4 metres in width and 5.5 metres in length for the lands
		B)	Notwithstanding i) above one accessible parking space shall have a minimum width of 2.4 metres and minimum length of 5.8 metres and shall be accompanied by an unobstructed accessibility aisle having a minimum width of 1.5 metre

(By-law No. 14-043, July 16, 2015)
(By-law No. 26-026-OLT, September 15, 2025)

458. Notwithstanding Section 8.1 Neighbourhood Institutional (I1) Zone of this By-law, in particular subsection 8.1.1 Permitted Uses, the use on the subject lands shall be restricted to a child care centre.
(By-law No. 14-178, July 11, 2014)
(By-law No. 25-155, August 06, 2025)

459. Notwithstanding Sections 12.2.3.1 m), i) and ii) and 12.2.3.1 c), on those lands zoned Rural (A2) Zone, identified on Map 61 of Schedule "A" – Zoning Maps and described as part of 97 5th Concession Road East, the following special provisions shall also apply:

a) A maximum gross floor area of 10,000 square metres shall be permitted for all buildings and structures associated with a Cannabis Growing and Harvesting Facility; and,

b) All buildings associated with a Cannabis Growing and Harvesting Facility shall have a minimum side yard setback of 13.0 metres.
(By-law No. 15-173, July 10, 2015, As amended by OMB Decision PL150805 dated February 28, 2017)

(By-law No. 18-266, September 12, 2018)

460. Notwithstanding Sections 9.2.1, 9.2.2, 9.2.3 (c), 9.3.1, 9.3.2, 9.3.3 (i), 5.1 (v) (b), and 5.2.1 (a) and (b) of this By-law, within the lands zoned Prestige Business Park (M3) Zone, Modified, and General Business Park (M2) Zone, Modified, identified on Maps 1202 and 1256 of Schedule "A" - Zoning Maps and described as 950 and 956 South Service Road, the following special provisions shall apply:

a. The following uses shall also be permitted:

Brewery, beverage distillation, and the production of wine, cider and related associated products, including ready-to- drink alcoholic beverages, energy and sports drinks.

b. Restriction on Uses: A maximum of one brewery shall be permitted on the lands subject to Special Exception 460.

c. Location of Loading Facilities: The loading door on the north facade of the building existing at the date of passing of this By-law, on the lands located at 950 South Service Road, shall be deemed to comply with the provisions of Section 5.2.1.

d. Landscaped Area: A minimum 6.0 m wide landscaped area shall be provided between the street line and parking spaces or aisles, except for points of ingress and egress. A row of trees and/or shrub plantings, which may be non-continuous, shall be provided within the landscaped area, but a Planting Strip as defined is not required.

(By-law No. 14-268, September 24, 2014)

461. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1091 of Schedule "A" - Zoning Maps to Zoning By-law 05- 200, and described as 55 Queenston Road, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions of this By-law, as it relates to the Lot Line - Front Lot Line, the Queenston Road frontage shall be deemed the front lot line.

b) Notwithstanding Section 11.1 of this By-law, the following special regulations shall apply:

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations.

i) Permitted Uses

Child Care Centre
Commercial Entertainment
Commercial Recreation
Commercial School
Craftsperson Shop
Educational Establishment
Financial Establishment
Hotel
Laboratory
Long Term Care Facility
Medical Clinic
Multiple Dwelling
Office
Personal Service
Place of Worship
Private Club or Lodge
Restaurant
Retail
Retirement Home
Social Services Establishment
Studio
Tradesperson's Shop
Transportation Depot

ii) Prohibited Uses

Notwithstanding i) above, the following uses are prohibited, even as an accessory use:

Conference or Convention Centre
Drive-Through Facility
Dry Cleaning Plant

c) REGULATIONS

i)	Building Setback from a Street Line	1. Minimum 0.0 metres for 1-3storeys;
		2. Notwithstanding 1. above, a minimum 1.5 metres for storeys 1-3 along the westerly side lot line and southerly rear lot line.
		3. Maximum 3.5 metres for storeys 1-3; and,
		4. In addition to 1.-3. above, minimum 2.0 metres, for 4-6 storeys.
		5. In addition to 1.-4. Above, minimum 5.0 metres for 7-8 storeys.
ii)	Building Height	1. Minimum 7.5 metres;
		2. In addition to 1. above, minimum 8.5 metres facade height, for any portion of a building along a street line; and,
		3. Maximum 30 metres.
iii)	Built Form for New Development	1. The minimum width of the ground floor façade shall be equal to 75% or more of the measurement of the front lot line;
		2. The ground floor storey shall be 4.5 metres in height;
		3. All principal entrances shall be accessible from the building facade with direct access from the public sidewalk; and,

		4. No parking, driveways, or aisles shall be located between a building facade and a public street.
iv)	Restriction of Uses within a Building	1. A multiple dwelling shall only be permitted above the ground floor, except for access, accessory office and utility areas, for any building fronting on Queenston Road.
		2. Notwithstanding 1. above, a Multiple Dwelling shall be permitted within any portion of building facing a lot line other than the front lot line.
v)	Parking	1. In accordance with the requirements of Section 5.6 a) of this By-law; and,
		2. In addition to Section v) 1. above, 1 parking space shall be required for each 30 square metres of gross floor area of commercial uses not listed in Section 5.6 a).
		3. In addition to 1. & 2.. above, 0.1 long term, secure bicycle parking spaces shall be provided per residential unit.
vi)	Planting Strip	Minimum 2.0 metre wide Planting Strip shall be provided and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress

(By-law No. 14-267, September 24, 2014)
(By-law No. 18-219, August 17, 2018)
(By-law No. 19-062, March 27, 2019)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

462. In addition to any provisions to the contrary of Section 8.1.1 Permitted Uses, and Section 8.1.3, Regulations, of Section 8.1, Neighbourhood

Institutional (I1) Zone, of By-law 05-200 (Hamilton), the following use and special provisions shall apply to the lands zoned (I1,462):

Permitted Uses

A Retirement Home for a maximum of 48 residents which may include the following ancillary uses:

Medical Offices
Hair Salon
Coffee Shop
Convenience Store
Pharmacy

A Place of Worship which may include a Community Centre

Community Centre shall mean a place for cultural activities and services including but not limited to parties, banquets, dinners, weddings, religious studies, recreation, cultural and language programs.

Provisions

In accordance with Section 8.1.3.1 with the following special provisions:

Maximum Building Coverage	30%
Minimum Rear Yard	3m
Maximum Building Height	4 storeys and 15.1metres
Maximum Capacity for Residential Care Facility and Retirement Home	48 residents
Minimum Buffer	A minimum buffer of 3m shall be provided from a Conservation/Hazard Land (P5) Zone.
Parking Facilities on Shared Site	Parking for the retirement home, the ancillary commercial uses and for the place of worship/community centre shall be shared, except for areas on

	site where staff only parking is required.
Parking for Places of Worship and Community Centre	Parking for both uses shall be based on the requirement of 1 space per 20 square metres of gross floor area.
Parking for Commercial Uses	Parking shall be in accordance with Section 5, By-law 05-200.

(By-law No. 14-343, December 3, 2014, OMB approval)
(By-law No. 21-189, October 13, 2021)

463. Notwithstanding Section 8.2.1, on those lands zoned Community Institutional (I2) Zone, identified on Maps 1339, 1388 and 1391 of Schedule "A" – Zoning Maps and described as No. 582 Southcote Road, and Nos. 92-116 Glancaster Road, only the uses existing at the date of the passing of this by-law shall be permitted.
(By-law No. 10-288, October 13, 2010/ By-law No. 15-118, April 10, 2015 – OMB approval)

464. Notwithstanding Section 12.2.3.3 b), for the lands located at 6266 Chippewa Road, the minimum lot width shall be 13.72 m.
(By-law No. 19-257, October 23, 2019)

465. Within the lands zoned Prestige Business Park (M3, 465) Zone, identified on Maps 1500 and 1501 of Schedule "A" and described as 406 Pritchard Road, the following special provisions shall apply:

In addition to Section 9.3.1, the following uses shall also apply:

A private community centre, including a place of worship.
(By-law No. 14-296, September 24, 2014)

466. That Section 7.5, Conservation / Hazard Land (P5) Zone of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following Subsection: Permitted Uses

The following uses shall be permitted:

Conservation
Storm Water Management Facilities
An Underground Sanitary Pumping Station and By-pass Tank
(By-law No. 15-128, May 13, 2015)

467. In addition to Section 6.2.3 of this By-law, within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2, 467, H56) Holding Zone, identified on

Map 952 of Schedule "A" to By-law 05-200 and described as 98 James Street South, the following special provisions shall apply:

a) PERMITTED USES

i) In addition to Subsection 6.2.1 Permitted Uses, a 259 unit multiple dwelling is permitted only in conjunction with the existing structure.

ii) That a maximum of 259 dwelling units are permitted.

b) REGULATIONS

a) Maximum / Minimum Building Setback from a Street Line

i) Maximum 6.5 metres (Jackson Street)

ii) Minimum 14 metres from James Street South for any portion of the building in excess of 24 metres in height.

b) Building Height

i) Maximum building height of 106 metres.

c) Built Form for New Development

i) Minimum of 11% of the ground floor facade along James Street South shall be composed of windows and doors.

ii) Minimum of 30% of the ground floor facade along Jackson Street shall be composed of windows and doors.

iii) Maximum of 45% of the second and third storey facades along James Street South shall be composed of windows.

iv) Maximum of 62% of the second and third storey facades along Jackson Street shall be composed of windows.

v) The ground floor storey shall be no less than 3.6 metres in height and no greater than 7.4 metres in height.

vi) The second and third storeys shall each be no less than 3.0 metres in height and no greater than 6.6 metres in height.

d) Parking

i) In addition to Section 5.2 Design Standards a parking stacking system shall be permitted. A parking stacking system shall permit a parking space that is positioned above or below another parking space and is accessed by means of an elevating device.

ii) Notwithstanding Subsection 5.5 Barrier Free Parking, a minimum of 1 barrier free parking space shall be required.

iii) Notwithstanding Subsection 5.6a)i Parking Schedules, parking for Multiple Dwelling within a mixed-use building shall be provided on the basis of a minimum of 0.47 parking spaces for each dwelling unit.

iv) In addition to Subsection 5.6a)i Parking Schedules, the development shall provide a minimum of 50 bicycle spaces.

(By-law No. 15-024, January 21, 2015)
(By-law No. 18-114, May 9, 2018)
(By-law No. 22-084, April 13, 2022)

468. Within the lands zoned Conservation / Hazard Land (P5, 468) Zone, identified on Maps No. 1442 and 1443 of Schedule "A", Section 4.23 d) shall not apply.

(By-law 20-161, LPAT July 8, 2020)

469. In addition to Section 9.3 of this By-law, within the lands zoned Prestige Business Park (M3, 469, H58) Holding Zone, Modified, identified on Map 515 of Schedule "A" to By-law 05-200 and described as 82 Parkside Drive, the following special provisions shall apply:

a) **PERMITTED USES** — In addition to Subsection 9.3.1 Permitted Uses, a motor vehicle car washing establishment with accessory pet washing bays and motor vehicle vacuuming bays shall be permitted.

b) **REGULATIONS**

i) Minimum Lot Area — 3,500 square metres

ii) Parking — Notwithstanding Subsection 5.6 c) iv. Parking Schedules, five (5) parking spaces shall be provided for a motor vehicle car washing establishment with accessory pet washing bays and motor vehicle vacuuming bays, having a total maximum gross floor area of 715 square metres.

(By-law No. 15-183, August 14, 2015)

470 In addition to Sections 5.6(a) and 6.3.3 of this By-law, within the lands zoned Downtown Mixed Use (D3, 470) Zone, as identified on Map No. 953 of Schedule "A" – Zoning Maps, and described as 220 Cannon Street East (Hamilton), the following special provisions shall apply:

REGULATIONS

(a) Building Height — i) A minimum 6.4 metres façade height, for any portion of a building along Cathcart Street that is 2-storeys in height shall be provided and maintained whereas a minimum 7.5 metres façade height, for the remaining portions of a building along Cathcart Street and for any portion of a building along

			Cannon Street East shall be provided and maintained.
		ii)	A maximum building height of 38 metres shall be permitted.
(b)	Visual Barrier	i)	That a visual barrier shall not be required along any lot line abutting a Downtown Residential (D5) Zone.
(c)	Parking	i)	Notwithstanding Subsection 5.6a)i, Parking Schedules, parking for a Multiple Dwelling within a Mixed Use Building shall be provided on the basis of a minimum of 0.64 parking spaces for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each such unit.
		ii)	Notwithstanding Subsection 5.6a)i, Parking Schedules, parking for a Retirement Home shall be provided on the basis of a minimum of 1 parking space for each 3.1 persons accommodated or designed for accommodation.

(By-law No. 15-257, November 11, 2015)

471. In addition to Sections 9.3, and Exceptions 354 and 441 of Schedule 'C' of this By-law, within the lands zoned Prestige Business Park (M3, 354, 441, 471, H61) Zone, Modified, identified on Maps 1634, 1676, and 1677 of Schedule "A" – Zoning Maps and described as 899 Nebo Road, the following special provisions shall apply:

(a)	PERMITTED USES	In addition to Subsection 9.3.1 Permitted uses and Exceptions 354 and 441 of Schedule 'C', a Hazardous Waste Transfer Facility on the same property with

an existing Waste Processing Facility and Waste Transfer Facility shall also be permitted.

(b) PROHIBITED USES — In addition to Subsection 9.3.2 Prohibited Uses, a Hazardous Waste Processing Facility shall also be prohibited.

(c) REGULATIONS

i) Location Restrictions of Hazardous Waste Transfer Facility — Shall only be permitted within an Enclosed building with a maximum setback of 60 m from the rear lot line.

ii) Size Restriction of Hazardous Waste Transfer Facility — The maximum gross floor area for a Hazardous Waste Transfer Facility shall be 900 square metres, within which a maximum of 49 square metres containing a maximum 9 cells shall be devoted to the temporary storage of hazardous wastes.

(By-law No. 21-106-LPAT-03 September 25, 2015)

472 Notwithstanding Section 7.5.1 of Zoning By-law 05-200, on those lands zoned Conservation/Hazard Lands (P5) Zone, identified on Map No. 482 of Schedule "A"- Zoning Maps the following special provision shall apply:

(a) Recreation, Passive shall be prohibited.

(By-law No. 16-135, OMB approval May 3, 2016)

473. Within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2, 473) Zone, identified on Map 952 of Schedule "A to By-law 05-200 and described as 46-52 James Street North, the following special provisions shall apply:

Notwithstanding Sections 5.5, 5.6a) i., 6.2,3a) i), ii), and iv),6.2.3b) and 6.2.3c)ii)the following special provisions shall also apply:

b) REGULATIONS

a)	Building Setback From a Street Line	i) Maximum 0 metres for the first 4 storeys from James Street North;
		ii) Minimum 3 metres from James Street North for any portion of the building in excess of 4 storeys in height and 12 metres for any portion of the building in excess of 18 storeys;
		iii) Maximum 15.0 metres from Rebecca Street for the first storey;18.5 metres for the second, third and fourth storeys; and 24 metres for any portion of the building in excess of 4 storeys; and,
		iv) Maximum 15 metres from Rebecca Street for that portion of the building providing an access driveway to a garage.
b)	Building Height	i) Maximum building height shall be 67 metres.
c)	Parking	i) A minimum of 1 barrier free parking space shall be required.
		ii) Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of: 2 Bedrooms Units or less with an average gross floor area of 51.5 square metres or less

No. of Units	Required Parking Spaces
0-8	0
>9	0.3 per unit

More than 2 Bedroom Units with an average gross floor area greater than 51.5 square metres

No. of Units	Required Parking Spaces
0-10	0
>11	0.66 per unit

iii) A minimum of 265 bicycle parking spaces within the building and a minimum of 19 bicycle parking spaces outside the building.

d)	Glazing Requirements above Fourth Storey	A minimum of 30% and a maximum of 70% of the entire building facade for any portion of the building above the fourth storey shall be glazed.
e)	Minimum Building Setback from a Property Line	Minimum 3.0 metres from the north property line to the building, 4.0 metres from the south property line and 3.7 metres from the east property line to the building for any portion of the building above the fourth storey.
f)	Width of a Ground Floor Facade	The minimum width of the ground floor facade for any portion of a building fronting onto Rebecca Street shall be 50% of the measurement of the front lot line.

(By-law No. 16-054, February 24, 2016)
(By-law 18-114, May 9, 2018)

475. Within the lands zoned Community Institutional (I2) Zone, Modified, identified on Map 998 of Schedule "A" – Zoning Maps and described as the South Stadium Precinct block bound by King Street East, Melrose Avenue North, Cannon Street East and Balsam Avenue North, the following special provisions shall apply:

a) Notwithstanding Section 4.16 a) of this By-law, the South Stadium Precinct block shall be considered to be one consolidated lot for the purpose of a joint development by the City of Hamilton and the Hamilton-Wentworth District School Board and the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law as amended relative to the consolidated lot development and its external lot lines are complied with.

b) Parking facilities for a Secondary School and Recreation uses located within the South Stadium Precinct block bound shall be permitted at 60 Balsam Avenue North, notwithstanding Section 5.1 a) i) of this By-law, and notwithstanding the requirement within Section 5.1 a) ii) that the lot to accommodate the parking facilities (i.e. 60 Balsam Avenue North) is not situated in a Commercial, Industrial, Downtown Zone or within the same zone as the use requiring such parking. Section 5.1 a) iii) of this By-law shall continue to apply.

c) Notwithstanding Sections 5.2.1 a) and 5.2.1 b) of this By-law, loading doors and associated loading facilities shall be permitted in a yard abutting a street and subject to Site Plan Approval.

d) The Permitted Uses listed in Section 8.2.1 of this By-law shall be Permitted Uses, excluding Duplex Dwelling, Semi-Detached Dwelling, Single Detached Dwelling and Street Townhouse Dwelling.
(By-law No. 16-120, April 27, 2016)

476. Within the lands zoned Neighbourhood Institutional (I1) Zone, Modified, identified on Map 998 of Schedule "A" – Zoning Maps and described as 60 Balsam Avenue North, the following special provision shall apply:

Parking facilities for a Secondary School and Recreation uses located within the South Stadium Precinct block bound by King Street East, Melrose Avenue North, Cannon Street East and Balsam Avenue North shall be permitted at 60 Balsam Avenue North, notwithstanding Section

5.1 a) i) of this By-law, and notwithstanding the requirement within Section 5.1 a) ii) that the lot to accommodate the parking facilities (i.e. 60 Balsam Avenue North) is not situated in a Commercial, Industrial, Downtown Zone or within the same zone as the use requiring such parking. Section 5.1 a) iii) of this By-law shall continue to apply.

(By-law No. 16-120, April 27, 2016)

477. In addition to Section 8.2.3.3 of this By-law, within the lands zoned Community Institutional (12, 477) Zone, as identified on Map Nos. 1909, 1910, 1932 and 1933 of Schedule "A"- Zoning Maps, and described as part of 3105 Fletcher Road (Glanbrook), the following special provisions shall apply:

(a)	Minimum Lot Area	i)	300 square metres (interior or corner lots)
(b)	Minimum Lot Width	i)	10 metres;
		ii)	Notwithstanding i) above, 13.0 metres shall be required for a corner lot.

(By-law No. 16-169, May 20, 2016)

478. Within the lands zoned General Business Park (M2, 478) Zone, Modified, identified on Maps 1049 and 1095 of Schedule "A" to By-law No. 05-200 and described as 50 Covington Street, the following special provisions shall apply:

1) In addition to the uses listed under Provision 9.2.1 – Permitted Uses, a Motor Vehicle Repair Garage shall also be permitted.

2) For the purposes of this by-law, a Motor Vehicle Repair Garage shall mean the use of land, building or structure, or part thereof for general repairs and servicing such as, but no limited to, the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering systems, tires; wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication, engine conversion or replacement, emissions testing and the accessory retail of automotive parts but shall not include a Motor

Vehicle Service Station, Motor Vehicle Collision Repair Establishment or a Motor Vehicle Wrecking Establishment.

3) Notwithstanding any provision of Zoning By-law No. 05-200, the subject lands and any development located thereon, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required landscaping areas, planting strips, parking facilities, loading facilities and visual barriers relative only to the use existing on the effective date of this By-law.

(By-law No. 17-024, February 8, 2017)

480. In addition to Subsections 9.11.1 and 9.11.3, notwithstanding Subsection 9.11.2ii) of this By-law, and in addition to Section 5 of this By-law, within the lands zoned Airport Prestige Business (M11,480) Zone, identified on Maps 1936, 1494, 1540, and 1541 of Schedule "A" to By-law 05-200 and described as 2060 Upper James shall apply:

(a)	PERMITTED USES	Place of Worship;
(b)	YARD ABUTTING A STREET	Subsection 9.11.3c) shall not apply to a Place of Worship
(c)	MINIMUM LANDSCAPED AREA	Subsection 9.11.3k) ii) shall not apply to a Place of Worship; and,
(d)	PARKING	One (1) parking space for every 11.8 square metres of gross floor area, inclusive of a basement or cellar, to accommodate such use.

(By-law No. 17-090-OMB, May 02, 2017)

481. (a) Notwithstanding Section 9.4.3, Regulations h), and o) i) of Zoning By-law 05-200, on those lands zoned Business Park Support (M4, 481) Zone, Modified as identified on Map Nos. 1501 and 1548, as shown on Schedule "A" - Zoning Maps, shown as Blocks 1, 2, 4, 5 and 6 on Schedule "A", described as 99 Highland Road West and 665 Pritchard Road, be amended to provide for the following special requirements:

h) The maximum gross floor area for Office use within an individual building, excluding accessory office, shall be limited to 9,999 square metres.

o) i) The Maximum Combined Gross Floor Area for Accessory Retail and Showroom Area shall be 50% of the gross floor area of the principal use.

(b) Notwithstanding Section 2.5, Interpretation of Zone Boundaries, of Zoning By-law No. 05-200, the southern limit of Blocks 5 and 6 on Schedule "A" annexed hereto described as 99 Highland Road West and 665 Pritchard Road, shall not apply as a zoning boundary to the abutting lands to the south described as 1603 Rymal Road East.

(By-law No. 16-228, August 12, 2016)
(By-law No. 23-079, May 10, 2023)

482. *Deleted.*

(By-law No. 16-330, December 14, 2016)
(By-law No. 21-189, October 13, 2021)

483. In addition to Sections 14.1.1 and 14.1.2, on those lands zoned Waterfront – Multiple Residential (WF1) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and Block 7 on Figure 10 to Schedule F – Special Figures to Zoning By-law 05-200, and described as Pier 8, 65 Guise Street, the following special provisions shall apply:

a) The following use shall also be permitted:

Commercial Parking Facility.

b) The following regulations shall apply:

i)	Location of Parking Gate	The parking gate of a commercial parking facility shall have a minimum distance of 6.5 metres from the street.
ii)	Parking Structures	Above grade parking structures including a commercial parking facility shall be located within buildings and fronted on all levels and all sides by commercial or residential uses.

iii)	Commercial Parking Facility	In addition to a) above, where a commercial parking facility is proposed, all permitted uses for Block 6 and Block 7 shall be allowed to front the parking facility on all sides and on all levels and a maximum 2,000 square metre floor area of commercial uses shall be permitted for Blocks 6 and 7.

(By-law No. 17-095-LPAT-01, May 24, 2017)

484. In addition to Sections 14.3.1 and 14.3.2, on those lands zoned Waterfront – Prime Retail Streets (WF3) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and Block 6 on Figure 10 to Schedule F – Special Figures to Zoning By-law 05-200, and described as Pier 8, 65 Guise Street, the following special provisions shall apply:

a) The following use shall also be permitted:

Commercial Parking Facility.

b) The following regulations shall apply:

i)	Location of Parking Gate	The parking gate of a commercial parking facility shall have a minimum distance of 6.5 metres from the street.
ii)	Parking Structures	Above grade parking structures including a commercial parking facility shall be located within buildings and fronted on all levels and all sides by commercial or residential uses.
iii)	Commercial Parking Facility	In addition to a) above, where a commercial parking facility is proposed, all permitted uses for Block 6 and Block 7 shall be allowed to front the parking facility on all sides and on all levels and a maximum 2,000 square metre floor area of commercial uses shall be permitted for Blocks 6 and 7.

(By-law No. 17-095-LPAT-01, May 24, 2017)

485. In addition to Sections 7.4.1 and 7.4.2, within the lands zoned Open Space (P4) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and Block 14 on Figure 10 to Schedule F – Special Figures to Zoning By-law 05-200, and described as Pier 8, 65 Guise Street, the following special provision shall apply:

a) the following uses shall also be permitted:

Botanical gardens
Conservation
Nature Centres
Recreation
Restaurant
Marina
Recreational equipment rental and maintenance facilities

b) the following regulations shall apply:

i)	Minimum Side and Rear Yard Setbacks	7.5 metres.
ii)	Maximum Building Height	11.0 metres.
iii)	Parking	Notwithstanding Section 5.6a) Parking shall be in accordance with Section 14.0 D) of this By-law.
iv)	Minimum Side and Rear Yard for Accessory Buildings	7.5 metres in case of any building or structure abutting a Residential or Institutional Zone.
v)	Restaurant	Shall not exceed two storeys and up to 8.0 metres in height and shall not exceed a total floor area of 1,500 square metres.

(By-law No. 17-095-LPAT-01, May 24, 2017)
(By-law No. 21-189, October 13, 2021)

486. In addition to Sections 8.2.1 and 8.2.3 on those lands zoned Community Institutional (I2) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and Block 16 on Figure 10 to Schedule F – Special Figures to

Zoning By-law 05-200, and described as Pier 8, 65 Guise Street, the following special provision shall apply:

a) the following uses shall also be permitted:

Child Care Centre
Educational Establishment
Library
Medical Office
Museum
Place of Worship
Recreation
Social Services Establishment
Long Term Care Facility

b) the following regulations shall apply:

i)	Minimum Lot Width	30.0 metres
ii)	Minimum Side and Rear Yard Setbacks	2.0 metres
iii)	Building Height	1. Minimum 2 storeys and up to 8.0 metres and maximum 4 storeys and up to 15 metres; and, 2. In addition to 1. Above, minimum 4.5 metres façade height for any portion of a building along a street line.
iv)	Minimum Landscaped Area	10% of the Lot Area
v)	Parking	Notwithstanding Section 5.6a) Parking shall be in accordance with Section 14.0 D) of this By-law.

(By-law No. 17-095-LPAT-01, May 24, 2017)
(By-law No. 21-189, October 13, 2021)
(By-law No. 25-155, August 06, 2025)

493. Within the lands zoned Conservation / Hazard Land (P5, 493) Zone on Map No. 1247 of Schedule "A" to By-law No. 05-200 and described as 2750 King Street East, the following special provisions shall apply:

1) That Subsection 4.23d) of Zoning By-law 05-200 shall not apply to the northerly zone boundary of the Conservation / Hazard Land (P5) Zone.

2) A fence shall be required along the northern zone boundary of the Conservation / Hazard Land (P5) Zone.

(By-law No. 16-333, December 14, 2016)

499. Within the lands zoned Residential Character Commercial (C1, 499) Zone and Neighbourhood Commercial (C2) Zone, identified on Maps 735, 793, and 834 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
328 Beach Boulevard	834
336 Beach Boulevard	834
344 Beach Boulevard	834
400 Beach Boulevard	735
532 Beach Boulevard	793
536 Beach Boulevard	793
538 Beach Boulevard	793

The following special provisions shall apply:

a) Section 4.6 d) shall not apply to the side yard.

b) Notwithstanding Section 4.8.1, the following provisions shall apply:

i) No accessory building shall be located within a front yard or side yard.

ii) Minimum Rear Yard 0.6 metres

iii) Maximum Height 4.5 metres

iv) All accessory buildings shall not exceed 30% total lot coverage of the yard in which the accessory buildings are located, included areas devoted exclusively to parking.

v) Where an accessory building is designed and intended for parking of motor vehicles, such accessory building shall be set back a minimum of 6.0 metres from any street line.

vi) In no cases shall an eave or gutter extend more than 0.3 metres into a minimum yard.

c) Notwithstanding Section 10.2.3 c) i), the following provision shall apply:

i) Minimum Interior Side Yard 1.7 metres

d) In addition to Section 10.2.3: Regulations, the following provisions shall apply:

i) The minimum ground floor elevation of any building or any building addition shall be 76.5 metres above mean sea level, as defined by the Geodetic Survey Datum, except for any building addition less than 14 square metres in ground floor area, and any accessory building or structure.

ii) No basement or cellar shall be permitted for any buildings.

iii) Any building addition less than 14 square metres in ground floor area, shall have a minimum ground floor elevation at or above the existing ground floor elevation of the building.

e) Notwithstanding clause c) of this By-law, an interior side yard may be reduced to a minimum 1.5 metres, provided a common swale between the interior side yard and the adjoining property has been approved under an approved Site Plan.

f) Notwithstanding any other provisions of this By-law, any lot and the location thereof of any building or structure, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, façade building length, flankage yard, rear yard, lot width, lot area and building height and are permitted by this By-law.

g) For the properties located at 328, 336 and 344 Beach Boulevard, the following regulation shall also apply to a single detached dwelling or duplex dwelling:

i) Notwithstanding, Section 10.1.4 a), the maximum front yard setback abutting a street shall be 11.2 m.

ii) a minimum height of 0.75 metres between the ground and the bottom of a fence or wall.

(By-law No. 19-278, November 13, 2019)
(By-law No. 20-144, July 17, 2020)

502, H95. Within the lands zoned Community Institutional (I2, 502, H95) Zone, Modified identified on Maps 1246 and 1299 of Schedule A to By-law 05-200 and described as 50 Albright Road (Hamilton), the following special provisions shall apply:

PERMITTED USES

Notwithstanding the uses permitted in Section 8.2.1, only the following uses shall be permitted:

Semi Detached Dwelling
Street Townhouse Dwelling

SEMI DETACHED DWELLINGS (Block 5)

Notwithstanding Sections 8.2.3.4 a) i), c) i), and e), the following special provisions shall apply to Semi Detached Dwellings

REGULATIONS

a) Minimum Lot Area	i) 190 square metres for each semi detached dwelling unit
b) Minimum Front Yard	i) 4.5 metres for an interior lot, and 2.1 metres for a corner lot.
c) minimum Flankage	2.1 metres.

STREET TOWNHOUSES
(Blocks "1" , "3" , "4" and "6")

Notwithstanding Sections 8.2.3.5 a), b), c) i), e), f) and g), Section 4.6 e), Section 4.23 d) and Section 5.1c) iii), the following special provisions shall apply to Street Townhouses:

a) Minimum Lot Area	i) 129 square metres for each three storey dwelling unit in Block "1" ; 139 square metres for each interior dwelling unit in Block 3 ; 152 square metres for each two storey dwelling unit in Block "4 ; and 152 square metres for each three storey dwelling unit in Block "6. ii) Notwithstanding i) above, 129 square metres in Block 1 ; 195.0 square metres in Block "S"; 152 square metres in Block "4" ; and 152 square metres in Block "6 shall be required for a corner lot.
b) Minimum Unit Width	6.0 metres, except 5.4 metres in Block "1".

c) Minimum Front Yard	i) 4.5 metres, except 2.8 metres for a corner lot in Blocks "1" , "4" and 6".
d) Minimum Flankage Yard	3.0 metres, except 2.0 metres to a street line or common element sidewalk in Blocks "4" and "6".
e) Minimum Rear Yard	7.0 metres, except 5.8 metres for each dwelling unit in Block "3" and 2.6 metres for an end unit in Block "4".
f) Maximum Building Height	11 metres and two storeys for each dwelling unit in Block "4" and 13.5 metres and three storeys for each dwelling unit in Blocks "1", "3" and "6".
g) Yard Encroachments for Balconies	A balcony may encroach into the required rear yard a maximum of 1.5 metres for each dwelling unit in Block "3".
h) Minimum Setback from (P5) Zone	2.6 metres in Block 4.
i) Maximum Driveway Width	A driveway may be widened to a maximum of 65% of the lot width or 6.0 metres, whichever is the lesser, except for 76.6% or 4.6 metres in Block "3".

SPECIAL PROVISIONS FOR "12, 502" ZONE

Notwithstanding Sections 4.6 d), 4.9, and 5.1 c) iii), the following special provisions

shall also apply to development within the "12, 502 Zone:	
a) Yard Encroachments for Decks	deck may encroach into a required rear yard to a maximum of 3 metres for dwelling units for each dwelling unit in Blocks "1", "4", "5" and "6".
b) Location of Air Conditioning Units (A/C) Units	Air conditioning units shall be located only in accordance with the following regulations: For each dwelling unit in Block 3, A/C units shall be located only above garages. For each dwelling unit in Blocks "1", "4" "5" and "6", A/C units shall be permitted only in rear yards with a minimum setback of 0.6 metres from a side or a rear lot line.
In addition to Sections 4, 4.8 d), f) and g), the following special provisions shall also apply to development within the I2, 502 Zone:	
a) Accessory Buildings	Accessory buildings shall only be permitted for a dwelling unit located in Blocks "4", 5" and "6".
b) Minimum Landscaped Area	The overall landscaped area shall be a minimum of 37% of the entire site and shall exclude the P5 Zone.
c) Minimum Visitor Parking	

d) Tandem Parking	Parking for visitors shall be provided on the basis of 0.3 spaces per dwelling unit. Parking for each dwelling unit may be arranged as tandem or stacked parking for each dwelling unit in Blocks "1", "3", "4", "5" and "6".

(By-law No. 17-112, June 14, 2017)

550. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1250 and 1251 of Schedule "A" – Zoning Maps and described as 259, 261 Highway No. 8, the following special provisions shall apply:

a) Notwithstanding Subsections 10.5.1, only the following uses shall be permitted:

i) Animal hospital, only if wholly enclosed within a building
ii) Denture clinic
iii) Restaurant
iv) Financial Institution
v) Office
vi) Optometrist
vii) Personal Service
viii) Retail

b) Notwithstanding Subsection 5.6 c), the following parking ratio shall apply to the uses identified in Clause a):

i) 1 space per 31.0 square metres of Gross Floor Area.

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)

551. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1251 of Schedule "A" – Zoning Maps and described as 303 Highway No. 8, the following special provisions shall apply:

a) Notwithstanding Subsections 10.5.3 a) ii) and b) and in addition to Section 3: Definitions and Subsection 10.5.3 i), the following regulations shall also apply:

i)	Maximum Front Yard	3.0 metres, except that a minimum front yard of 7.5 metres shall be provided and maintained for the building or a portion of the building existing as of April 24, 2013.
ii)	Minimum Rear Yard	5.0 metres.
iii)	Minimum Landscaped Open Space	10 percent of the lot area, a portion of which shall include the following, where applicable: A. A Planting Strip having a minimum width of 4.5 metres shall be provided and maintained adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress; B. A Planting Strip having a minimum width of 4.5 metres shall be provided and maintained adjacent to every portion of any lot line that abuts any Zone other than a Commercial and Mixed Use or Industrial Zone, except that a Planting Strip having a minimum width of 3.0 metres is permitted along the easterly side lot line; C. No Planting Strip shall be required adjacent to a portion of any lot line that abuts a Commercial and Mixed Use or Industrial Zone; and, D. A retaining wall is permitted in a Planting Strip.

(By-law No. 17-240, November 8, 2017)

552. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1185 and 1239 of Schedule "A" – Zoning Maps and described as 800 Upper Wentworth Street and 362 Mohawk Road East, the following special provisions shall apply:

a) Notwithstanding Subsection 10.5.1, for the lands located at 800 Upper Wentworth Street, only the following use shall be permitted within the building existing as of June 15, 2011:

i) Personal Service

b) In addition Subsection 10.5.1 and notwithstanding Subsection 4.21a), for the lands located at 362 Mohawk Street East, the following shall also apply:

i) A Single Detached Dwelling within the building existing as of June 15, 2011 shall also be permitted; and,

ii) A home occupation shall not be permitted within the use identified in Clause b) i).

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)

553. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1183 of Schedule "A" – Zoning Maps and described as 830, 836 and 840 Upper James Street, the following special provisions shall apply:

a) In addition to Subsection 10.5.2, a Drive-Through Facility shall be prohibited.

b) Notwithstanding Subsection 5.2b) and 5.2f), the following special Parking provision shall also apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)

554. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 860 of Schedule "A" – Zoning Maps and described as 104 King Street West, the following special provisions shall apply:

a) In addition to Subsection 10.5a.1, all permitted uses shall be contained within the building existing as of May 26, 2010.

b) Notwithstanding the definition of Front Lot Line in Section 3: Definitions, Subsections 5.1 a) v), 5.2 c) and 5.2.1, and 10.5a.3g), the following regulations shall apply:

i)	Minimum Parking and Loading Requirements	A minimum of five (5) parking spaces and one (1) loading space shall be provided and maintained on the subject lands.
ii)	Location of Parking and Loading Spaces	Shall be provided and maintained only in the easterly side yard and shall be permitted to be 0.0 metres from a public thoroughfare.
iii)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
iv)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
v)	Manoeuvering space for off-street parking and loading spaces may be provided off-site.	
vi)	Front Lot Line	The front lot line shall be the property line which abuts King Street West.
vii)	Building Envelope	The external appearance of the east, west, north, and south building facades, including building materials, stone sills and lintels, brickwork, existing door and window openings,

and the height and form of all roofs, dormers, and roofing materials shall be retained in their appearance and condition as existing on May 26, 2010.

viii) Windows and Doors — Notwithstanding Clause v), the installation of new windows and doors into existing and unaltered window and door openings shall be permitted if required by the Ontario Building Code.

ix) Mechanical Equipment — Notwithstanding Clause v), the installation of required mechanical equipment in the flat roof area of the rear of the existing heritage structure shall be permitted if required by the Ontario Building Code.

x) Ontario Heritage Act — Notwithstanding Clause v), vi) and vii), should the lands be designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with Clause v), vi) and vii).

(By-law No. 17-240, November 8, 2017)

555. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 861 and 903 of Schedule "A" – Zoning Maps and described as 16 and 22 King Street East, the following special provisions shall apply:

a) Notwithstanding Subsections 10.5a.3 a), b), c) and d) the following regulations shall apply:

i) Front Yard
A. 0.0 metres;

B. 3.9 metres for the front principal wall of the building 16.5 metres and above in height; and,

		C. 6.5 metres for the front principal wall of the building 19.0 metres and above in height.
ii)	Minimum Side Yard	0.15 metres.
iii)	Minimum Rear Yard	1.0 metres.
iv)	Maximum Height	25.0 metres
v)	Maximum Lot Coverage	97 percent
vi)	Landscaped Area	3.0 percent
vii)	Total Gross Floor Area	The total gross floor area of all buildings on a site shall not exceed 7,623 square metres, provided that a minimum of 6.0 percent of the gross floor area shall be used for commercial purposes.
viii)	Ground Floor Façade Glazing	A Minimum 50% of the area of the ground floor façade along the King Street West lot line shall be composed of windows and doors.

b) In addition to Subsection 5.1a) v) a) and notwithstanding Subsections 5.2b), 5.2f), 5.6 c), the following parking regulations shall apply:

i)	Minimum Parking Requirements	A. 0.3 parking space per dwelling unit 60 square metres or less; and,
		B. 1.0 parking space per dwelling unit more than 60 square metres.
ii)	Parking Location	No parking space or part thereof shall be located, and no land shall be used for the temporary parking or storage of any vehicle at a distance of less than:
		A. 0.0 metres from the front lot line;

B. 0.16 metres from the westerly side lot line;

C. 1.08 metres from the rear lot line;
D. 0.19 metres from the easterly lot line; and,

E. 3.0 metres from any public thoroughfare for only parking located at-grade.

iii)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
iv)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)

556. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1040 of Schedule "A" – Zoning Maps and described as 489 and 489½ Concession Street, the following special provisions shall apply:

a) In addition to Subsection 10.5a.1, the following use shall also be permitted:

i) Two dwelling units within the northerly building, and two dwelling units and a commercial unit shall be permitted within the southerly building existing on February 13, 2013.

b) Notwithstanding Subsections 5.2 b), 5.6 d), 5.6 c), 10.5a.3 b) and c), the following regulations shall also apply:

i)	Minimum Parking	No less than 3 on-site parking spaces shall be provided and maintained for 2 duplex buildings (4 dwelling units total).
ii)	Manoeuvring Space	A minimum 5.1 metre manoeuvring space shall be provided and maintained for a 90 degree parking space.

iii)	Parking Space Dimensions	A parking space shall have dimensions not less than 2.7 metres wide and 5.5 metres long.
iv)	Minimum Side Yard	A minimum easterly side yard setback of 0.0 metres and a minimum westerly side yard setback of 0.4 metres shall be permitted for the building existing on February 13, 2013.
v)	Minimum Rear Yard	A minimum rear yard setback of 0.0 metres shall be permitted for the building existing on February 13, 2013.

(By-law No. 17-240, November 8, 2017)

557. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as 99 and 103 Locke Street South, the following special provisions shall apply:

a) Notwithstanding Subsections 5.2.1, 5.2b), 5.2f), 5.6 c), 10.5a.3 a), b), d), h) iii), h) viii) and i), the following regulations shall apply to a mixed-use building with ground floor commercial uses and 84 dwelling units located above:

i)	Maximum Building Height	6 storeys and 22.5 metres;

ii) A mechanical penthouse, which is located above the main roof, shall be allowed an additional maximum height of 4.0 metres and 300 square metres in area and may contain associated enclosed amenity/multi-purpose area.

iii)	Minimum Yards	A. A minimum of 0.0 metres shall be provided and maintained for the side yard abutting Jackson Street West;
		B. A minimum of 1.6 metres shall be provided and maintained for the side yard abutting Canada Street;

C. A minimum of 0.0 metres shall be provided and maintained for the front yard abutting Locke Street South;

D. A minimum of 0.0 metres shall be provided and maintained for the rear yard (including northerly 0.77 metres and easterly 31 metre lot lines) for the first two storeys and a minimum of 7.15 (excluding balconies) shall be provided to the 0.77 metres rear lot line for all remaining storeys above the first two (2) storeys.

iii) The gross floor area of the primary building shall be 8,500 square metres with a floor area ratio of 4.25.

iv) No landscaped/planting area shall be provided and maintained along any side lot line and rear lot line adjoining a Residential Zone or use.

v)	Minimum Parking	Ninety (90) underground parking spaces shall be provided.
vi)	Parking Space Size Dimension	A minimum parking space size dimension of 2.7 metres by 5.5 metres shall be provided.
vii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
viii)	Loading Space Requirements	A. A minimum loading space dimension of: 3.7 metres in width by 9.0 metres in length shall be provided and maintained; and, B. The manoeuvring space for the loading space shall be provided off-site and access driveways shall be located 0.0 metres from a Residential Zone.

ix) A minimum of 60% of the ground floor façade fronting Locke Street South shall be comprised of windows and doors.

x) A minimum block face of 75% (excluding portions of the building to be used for access) shall be provided for every lot line fronting a public street.

(By-law No. 17-240, November 8, 2017)

558. Within the lands zoned District Commercial (C6) Zone, identified on Map 1413 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
95 Portia Drive	Map 1434
103, 109 Portia Drive	Map 1434

The following special provisions apply:

a) i) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:

Supermarket — A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.

ii) In addition to the definition of Lot in Section 3: Definitions, the lands described as 95, 103, 109 Portia Drive shall be considered one lot for zoning purposes.

b) Notwithstanding Subsection 10.6.1, only the following uses shall be permitted:

i) Art Gallery
ii) Auctioneer Establishment
iii) Building and Lumber Supply Establishment, within a wholly enclosed building
iv) Catering Service

v) Child Care Centre
vi) Cold Storage Locker Establishment
vii) Commercial Entertainment, within a wholly enclosed building
viii) Commercial Parking Facility
ix) Commercial Recreation, within a wholly enclosed building
x) Community Garden
xi) Craftsperson Shop
xii) Educational Establishment
xiii) Financial Establishment
xiv) Funeral Home
xv) Laboratory
xvi) Library
xvii) Major Recreational Equipment Sales, Rental and Service Establishment
xxiii) Manufacturing, limited to a Printing and / or Publishing Establishment
xix) Medical Clinic
xx) Museum
xxi) Office
xxii) Personal Service
xxiii) Post Office
xxiv) Private Club or Lodge
xxv) Repair Service
xxvi) Restaurant
xxvii) Retail, not including a Supermarket
xxviii) Transportation Depot
xxix) Urban Farm
xxx) Urban Farmer's Market

c) Notwithstanding Subsection 10.6.1.1 i) 1. B., a two-storey building containing office uses on both the first and second floor is also permitted.

d) In addition to Subsection 10.6.2, the following uses shall also be prohibited, even as an accessory use:

i) Body Rub Parlour
ii) Department Store
iii) Dwelling Unit
iv) Open Storage
v) Supermarket

e) Notwithstanding Subsections 5.6 c), 10.6.3 a), b), c), f) and g), and in addition to Subsection 10.6.3 h), the following regulations apply:

i)	Minimum Front Yard	1.5 metres, except as provided in Clause vii)
ii)	Minimum Side Yard	1.5 metres, except where an interior side yard abuts a private vehicular turnaround, a 0.0 metre side yard shall be permitted.
iii)	Minimum Rear Yard	10.0 metres
iv)	Minimum Frontage	30.0 metres
v)	Maximum Total Aggregate Gross Floor Area for all Commercial Uses	3,300 square metres
vi)	Built Form for New Development	Within 20 metres of the Wilson Street West Lot Line, the minimum façade shall be greater than or equal to 40% of the measurement of the Wilson Street Lot Line, excluding access driveways to Wilson Street West and enhanced bioswale areas, and shall be subject to the following: 1. A maximum building setback of 6.0 metres is permitted 2. A minimum of 40% of the area of the ground floor façade facing Wilson Street West shall be composed of windows and doors 3. No parking, driveways, drive through lanes, stacking lanes, or aisles shall be located between the building façade facing Wilson Street West and Wilson Street West
vii)	Minimum Planting Strip	3.0 metres adjacent to each lot line which abuts a public street or lot

		containing a dwelling comprising one or two dwelling units (but shall permit the location of principal buildings, walkways / sidewalks, retaining walls, curbs, signs, and light standards within required Planting Strips).
	viii) Minimum Parking Requirement:	Parking for all uses shall be provided at a rate of 3.5 spaces for each 93 square metres of Gross Floor Area, or part thereof.

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

559. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1290 of Schedule "A" – Zoning Maps and described as 1187 Upper James Street, the following special provisions shall apply:

a) That notwithstanding Subsections 4.20 b) and 4.20 c) i), and in addition to Subsection 4.20, the following regulations shall apply:

	i) Outdoor Commercial Patios	1. An Outdoor Commercial Patio shall be permitted in the rear yard; 2. An Outdoor Commercial Patio shall not exceed an area of 30.0 square metres; and, 3. An Outdoor Commercial Patio shall be set back a minimum of 12.0 metres from the rear lot line.

b) That notwithstanding Subsections 5.2.1 a), 5.2.2 a), b), and c), the following regulations shall apply:

	i) Minimum Parking Space Dimensions	Parking space sizes shall be a minimum of 2.6 metres in width and 5.5 metres in length.

ii)	Minimum Accessible Parking Space Dimensions	Each accessible parking space shall have a minimum width of 4.4 metres and a minimum length 5.5 metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 25-187, October 8, 2025)
(By-law No. 26-052, March 04, 2026)

560. *Deleted.*

(By-law No. 17-240, November 08, 2017)
(By-law No. 25-187, October 08, 2025)
(By-law No. 26-052, March 04, 2026)

561. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 993 of Schedule "A" – Zoning Maps and described as part of 252 and 254 Locke Street South, the following special provision shall apply:

a) Notwithstanding Subsection 4.20 b) and c), an outdoor commercial patio with a maximum seating accommodation of 36 persons adjoining a Residential Zone shall be permitted to be located in the rear yard and an outdoor commercial patio with a maximum seating accommodation of 6 persons shall be permitted to be located in the north-east side yard.

(By-law No. 17-240, November 8, 2017)

562. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 1258 and 1259 of Schedule "A - Zoning Maps and described as 1290 South Service Road and 5 and 23 Vince Mazza Way, the following special provisions shall apply:

a) In addition to Section 5.2 e) and notwithstanding Sections 5.2 f) and h), 5,5 a), 5.6 c), and 5.7 c) and d), the following regulations shall apply:

i)	Surfaces of Parking Spaces and Parking Lots	May include exhaust and intake vents provided at grade
ii)	Barrier Free Parking Space Sizes	Notwithstanding Section 5.2 b), barrier free parking spaces shall be a minimum of 2.8 metres in width and 5.8 metres in length,

		accompanied by a painted aisle of not less than 1.5 metres in width
iii)	Landscaped Area(s) or Landscaped Parking Island(s) Within a Parking Lot	Landscaped Area(s) or Landscaped Parking Island(s) with a minimum combined area of 7% of the area of the parking lot and associated access driveway and maneuvering areas shall be provided and maintained.
iv)	Minimum Number of Barrier Free Parking Spaces	11 spaces
v)	Number of Parking Spaces for a Multiple Dwelling	a) Minimum 1.25 parking spaces per dwelling unit; and, b) Maximum 1.5 parking spaces per dwelling unit.
vi)	Number of Parking Spaces for Commercial Uses	a) 0 where a commercial unit is less than 450.0 square metres in gross floor area per commercial unit; and, b) 1 for each 17.0 square metres of any gross floor area between 450.0 square metres and 4,000 square metres per commercial unit.
vii)	Bicycle Parking Requirements	a) A minimum of 94 short-term bicycle parking spaces shall be provided for all Multiple Dwellings; and, b) For any Commercial unit less than 450.0 square metres no short-term bicycle parking space(s) shall be required.

b) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, the following uses shall be prohibited:

Commercial Entertainment;
Commercial Parking Facility;
Commercial Recreation;
Conference or Convention Centre;
Educational Establishment;
Emergency Shelter;
Funeral Home;
Hotel;
Laboratory; Lodging House;
Motor Vehicle Gas Bar;
Motor Vehicle Service Station;
Motor Vehicle Washing Establishment;
Performing Arts Theatre;
Place of Assembly;
Place of Worship;
Residential Care Facility;
Retirement Home; and,
Transportation Depot.

c) Notwithstanding Sections 10.5.3 a), b), d), and g) and in addition to Section 10.5.3 h), the following regulations shall apply:

i)	Building Setback from a Street Line	From Vince Mazza Way: a) Minimum 0.9 metres and maximum 4.5 metres to a ground floor commercial use; and, b) Minimum 3.0 metres and maximum 5.5 metres to a ground floor dwelling unit. From Winona Road: a) Minimum 7.0 metres from a front façade; b) Minimum 3.0 metres from an end façade; and, c) No maximum. From a daylight triangle or curve:

		a) Minimum 0.6 metres.
ii)	Building Height	a) Minimum 5.0 metre façade height for any portion of a building along a street line located less than 3.0 metres from the street line; b) Minimum 7.5 metre façade height for any portion of a building along a street line located at or more than 3.0 metres from the street line; and, c) Maximum 16.0 metres.
iii)	Minimum Gross Floor Area for Retail and Service Commercial Uses	1,900 square metres.
v)	Built form for New Development	In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law: a) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street; b) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% of the measurement of the front lot line; c) For a corner lot the minimum combined width of the ground floor façade facing the front lot line an flankage lot line shall be greater

		than or equal to 50% of the measurement of all lot lines abutting a street; d) In addition to Subsections a), b) and c) above, the minimum width of the ground floor façade facing the front a d flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street; e) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line; f) A minimum of one principal entrance to a building containing commercial uses shall be provided: 1. Within the ground floor façade that is set bac is closest to a street; and, 2. Shall be accessible from the building façade with direct access from the public sidewalk. g) A walkway shall be permitted in a Planting Strip where required by the By-law.
vi)	Minimum Amenity Area for Dwelling Units and Multiple Dwellings	In addition to the Minimum Amenity Area requirements, any balcony or rooftop amenity area shall be less than 4.0 metres in depth.

(By-law No. 17-240, November 8, 2017)

563. Within the lands zoned Mixed Use Medium Density Pedestrian Focus (C5a) Zone and Parking (U3) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as 154, 158, 162, 162½, and 164 Locke Street South, the following special provisions shall apply:

a) Notwithstanding Subsection 5.1a) v) 5.2b), 5.2f), and 5.2i) and in addition to Subsection 5.2c) the following special regulations shall also apply for the portion of lands zoned Mixed Use Pedestrian Focus (C5a) Zone and Parking (U3) Zone:

i)	Parking Space Size Dimension	A. A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided; and, B. Notwithstanding Clause A., every parking space within an attached garage shall have dimensions not less than 2.7 metres by 6.0 metres long;
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.
iii)	Minimum Driveway Aisle Width	A. A Driveway Aisle shall have a minimum width of 5.0 metres; and, B. A Driveway Aisle shall have a minimum of 4.0 metres for one-way traffic.
iv)	Location of Driveway Aisle and Parking Space	Required parking space and driveway aisle for uses permitted under the Mixed Use Pedestrian

		Focus (C5a) Zone shall be permitted to be provided on the portion of lands zoned Parking (U3) Zone;
v)	Ingress and Egress of Parking Lot	Points of ingress and egress from a parking lot shall be a minimum of 0.0 metres from a residential district.
vi)	Setback of Surface Parking Lot	A surface parking lot shall not be less than 1.0 metre from the westerly lot line, and 0.0 metre from the northerly and southerly lot line.

b) Notwithstanding Subsection 12.3.2 g), the following special regulations shall also apply for the portion of lands zoned Parking (U3) Zone:

i) A Landscaped Area, where not less than 50% shall consist of a Planting Strip, with a minimum of 1.0 metre, shall be provided and maintained along the western lot line.

c) The following special regulations shall also apply for the portion of lands zoned Mixed Use Medium Density Pedestrian Focus (C5a) Zone:

i) Notwithstanding Subsection 10.5a.1.1i)3.A., a surface Commercial Parking Facility shall also be permitted.

(By-law No. 17-240, November 8, 2017)

564. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 414 of Schedule "A" – Zoning Maps and described as the south easterly portion of 490 Dundas Street East, the following special provisions shall apply:

a) In addition to Subsection 10.5.1, the following uses shall also be permitted:

i) Street Townhouse Dwelling

(By-law No. 17-240, November 8, 2017)

565. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1280 of Schedule "A" – Zoning Maps and described as 128 and 134 Wilson Street West, the following special provisions shall apply:

a) Notwithstanding Subsection 10.5.1, the following uses shall be limited to the following:

i) Single Detached Dwelling
ii) Office located within the building existing at the time of the passing of the By-law

b) Notwithstanding Subsection 10.5.3a), the minimum Front Yard Setback is 15.0 metres.

c) Notwithstanding Subsection 10.5.3g)v), the regulation shall not apply.

(By-law No. 17-240, November 8, 2017)
(By-law No. 21-189, October 13, 2021)

566. Within the lands zoned Mixed Use Medium – Pedestrian Focus (C5a) Zone, identified on Map 1040 and 1086 of Schedule "A" – Zoning Maps and described as 37 and 39 Cliff Avenue, and 569 Concession Street, the special provisions shall apply:

a) Notwithstanding Section 10.5a.1, permitted uses are limited to the following:

i) Dwelling Units in Conjunction with a Commercial Use
ii) Medical Clinic
iii) Office
iv) Personal Service
v) Social Services Establishment
vi) Studio

(By-law No. 17-240, November 8, 2017)

567. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1280 and 1281 of Schedule "A" – Zoning Maps and described as 54 Wilson Street West, the following special provisions shall apply:

a) Notwithstanding Subsections 10.5.3 d) ii) and iii), the following regulations shall also apply:

i)	Maximum Building Height	11.0 metres.
ii)	Access	No access shall be permitted from Carrington Court to the subject lands.

(By-law No. 17-240, November 8, 2017)

568. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1175 of Schedule "A" – Zoning Maps and described as 370 Wilson Street East, the following special provisions shall apply:

a) In addition to Section 10.5a.1 and notwithstanding Section 10.5a.2) ii), the following use shall also be permitted:

i) Drive through facility within the building existing as of August 16, 2013.

b) Notwithstanding Subsection 10.5a.3 d) ii) and iii), the maximum building height of 9.0 metres shall be permitted.

(By-law No. 17-240, November 8, 2017)

569. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1175 of Schedule "A" – Zoning Maps and described as 385 Wilson Street East, the following special provisions shall apply:

a) Notwithstanding Subsection 10.5a.3 d) ii) and iii) a maximum building height of 12.63 metres shall be permitted.

(By-law No. 17-240, November 8, 2017)

570. Within the lands zoned District Commercial (C6) Zone, Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 860, 861, 903, 907, 908, 946, 947, 948, 988, 990, 1124, 1175, 1228, 1229, 1280, 1281, 1911, 1912, 1934, 1935 and 1956 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
15 Albert Street	860
Binbrook, Con. 3, Blk 3, Part Lot 5	1935
2548 Binbrook Road	1935

Property Address	Map Number
2553 Binbrook Road	1935
2562 Binbrook Road	1935
2567 Binbrook Road	1935
2572 Binbrook Road	1935
2575 Binbrook Road	1935
2583 Binbrook Road	1935
2584 Binbrook Road	1935
2592 Binbrook Road	1935
2600 Binbrook Road	1935
Plan 62M 1016, Block 103	1935
2617 Binbrook Road	1934 and 1935
2620 Binbrook Road	1935
2623 Binbrook Road	1935
2630 Binbrook Road	1935
2623 Binbrook Road	1935
2630 Binbrook Road	1935
2641 Binbrook Road	1934 and 1935
2647 Binbrook Road	1934 and 1935
2653 Binbrook Road	1934
2657 Binbrook Road	1934
2660 Binbrook Road	1934
2665 Binbrook Road	1934
2666 Binbrook Road	1935
3015 Binbrook Road	1934
3020 Binbrook Road	1934
3027 Binbrook Road	1934
3028 Binbrook Road	1934
3034 Binbrook Road	1934
3038 Binbrook Road	1934
3042 Binbrook Road	1934
3048 Binbrook Road	1934
3060 Binbrook Road	1934
3072 Binbrook Road	1934
3073 Binbrook Road	1934
3078 Binbrook Road	1934
3084 Binbrook Road	1934
3089 Binbrook Road	1934
3092 Binbrook Road	1934
3100 Binbrook Road	1934
3105 Binbrook Road	1934
3106 Binbrook Road	1934
3114 Binbrook Road	1934

Property Address	Map Number
3115 Binbrook Road	1934
3125 Binbrook Road	1934
3130 Binbrook Road	1934
2 Bond Street South	907
2 Bond Street South	907
6 Bond Street South	907
10 Bond Street South	907
53 Carrington Court	1280 and 1281
1 Cross Street	861
3 Cross Street	861
5 Cross Street	861
7 Cross Street	861
11 Cross Street	861
Part of 14 and 16 Cross Street	861
103 Emerson Street	948
104 Emerson Street	948
105 Emerson Street	948
106 Emerson Street	948
109 Emerson Street	948
110 Emerson Street	948
112 Emerson Street	948
113 Emerson Street	948
114 Emerson Street	948
116 Emerson Street	948
117 Emerson Street	948
119 Emerson Street	948
120 Emerson Street	948
125 Emerson Street	948
131 Emerson Street	948
135 Emerson Street	948 and 990
136 Emerson Street	948 and 990
139 Emerson Street	948 and 990
142 Emerson Street	948 and 990
143 Emerson Street	990
144 Emerson Street	990
150 Emerson Street	990
151 Emerson Street	990
10 Ewen Road	947
11 Ewen Road	947
4 Fall Fair Way	1911 and 1912
10 Fall Fair Way	1911 and 1912
39 Garinger Crescent	1911

Property Address	Map Number
15 Great Oak Trail	1934
37 Halson Street	1229
2400 Regional Road 56	1911 and 1912
Part of 2431 Regional Road 56	1912
2441 Regional Road 56	1912
2450 Regional Road 56	1911 and 1912
2451 Regional Road 56	1912
2461 Regional Road 56	1912
2471 Regional Road 56	1912
2474 Regional Road 56	1911 and 1912
2486 Regional Road 56	1911 and 1912
2487 Regional Road 56	1912
2490 Regional Road 56	1911 and 1912
2501 Regional Road 56	1912
2506 Regional Road 56	1911 and 1912
2525 Regional Road 56	1912
2532 Regional Road 56	1911
2537 Regional Road 56	1912
2544 Regional Road 56	1911
2545 Regional Road 56	1912
2550 Regional Road 56	1912
2555 Regional Road 56	1912
2565 Regional Road 56	1911,1912 and 1935
2575 Regional Road 56	1911,1912, 1934 and 1935
2585 Regional Road 56	1934 and 1935
2595 Regional Road 56	1934 and 1935
2600 Regional Road 56	1934
2605 Regional Road 56	1934 and 1935
2610 Regional Road 56	1934
2620 Regional Road 56	1934
2621 Regional Road 56	1934 and 1935
2626 Regional Road 56	1934
2634 Regional Road 56	1934
2640 Regional Road 56	1934
Part of 2641 Regional Road 56	1934 and 1935
2651 Regional Road 56	1934
2666 Regional Road 56	1934
3011 Regional Road 56	1934
3013 Regional Road 56	1934
3029 Regional Road 56	1934
3033 Regional Road 56	1934
3038 Regional Road 56	1934

Property Address	Map Number
3041 Regional Road 56	1934
3044 Regional Road 56	1934
3046 Regional Road 56	1934
3047 Regional Road 56	1934
3053 Regional Road 56	1934
3056 Regional Road 56	1934
3059 Regional Road 56	1934
3064 Regional Road 56	1934
3065 Regional Road 56	1934
3070 Regional Road 56	1934
3078 Regional Road 56	1934
3079 Regional Road 56	1934
3084 Regional Road 56	1934
3087 Regional Road 56	1934
3097 Regional Road 56	1934
3111 Regional Road 56	1934 and 1956
3125 Regional Road 56	1956
3137 Regional Road 56	1956
3150 Regional Road 56	1956
3153 Regional Road 56	1956
3160 Regional Road 56	1956
3167 Regional Road 56	1956
3168 Regional Road 56	1956
3180 Regional Road 56	1956
3181 Regional Road 56	1956
3190 Regional Road 56	1956
3194 Regional Road 56	1956
3200 Regional Road 56	1956
7 John Street	860
1 King Street East	861
2 King Street East	861
3 King Street East	861
5 King Street East	861
7 King Street East	861
8 King Street East	861
9 King Street East	861
10 King Street East	861
11 King Street East	861
12 King Street East	861
23 King Street East	861
27 King Street East	861
49 King Street East	861

Property Address	Map Number
1 King Street West	861
2 King Street West	861
3 King Street West	861
7 King Street West	861
9 King Street West	861
10 King Street West	861
11 King Street West	861
12 King Street West	861
13 King Street West	861
14 King Street West	861
15 King Street West	861
18 King Street West	861
19 King Street West	861
21 King Street West	861
22 King Street West	861
24 King Street West	861
25 King Street West	861
26 King Street West	861
28 King Street West	861
32 King Street West	860 and 861
33 King Street West	861
36 King Street West	860 and 861
38 King Street West	860 and 861
40 King Street West	860
41 King Street West	861
43 King Street West	861
44 King Street West	860
45 King Street West	860 and 861
46 King Street West	860
48 King Street West	860
49 King Street West	860 and 861
50 King Street West	860
51 King Street West	860
55 King Street West	860
56 King Street West	860
57 King Street West	860
58 King Street West	860
59 King Street West	860
61 King Street West	860
62 King Street West	860
63 King Street West	860
65 King Street West	860

Property Address	Map Number
66 King Street West	860
67 King Street West	860
70 King Street West	860
71 King Street West	860
75 King Street West	860
77 King Street West	860
82 King Street West	860
83 King Street West	860
89 King Street West	860
90 King Street West	860
93 King Street West	860
105 King Street West	860
107 King Street West	860
112 King Street West	860
113 King Street West	860
115 King Street West	860
116 King Street West	860
117 King Street West	860
118 King Street West	860
121 King Street West	860
126 King Street West	860
130 King Street West	860
132 King Street West	860
134 King Street West	860
138 King Street West	860
142 King Street West	860
144 King Street West	860
146 King Street West	860
153 King Street West	860
155 King Street West	860
157 King Street West	860
159 King Street West	860
160 King Street West	860
168 King Street West	860
169 King Street West	860
170 King Street West	860
173 King Street West	860
174 King Street West	860
178 King Street West	860
179 King Street West	860
181 King Street West	860
182 King Street West	860

Property Address	Map Number
183 King Street West	860
184 King Street West	860
186 King Street West	860
190 King Street West	860
194 King Street West	860
195 King Street West	860
199 King Street West	860
200 King Street West	860
203 King Street West	860
207 King Street West	860
209 King Street West	860
732 King Street West	908
734 King Street West	908
736 King Street West	908
738 King Street West	908
742 King Street West	908
746 King Street West	908
750 King Street West	908
754 King Street West	908
756 King Street West	908
766 King Street West	908
768 King Street West	908
772 King Street West	908
775 King Street West	908
777 King Street West	908
780 King Street West	908
782 King Street West	908
784 King Street West	908
785 King Street West	908
789 King Street West	908
790 King Street West	908
791 King Street West	908
797 King Street West	908
802 King Street West	908
804 King Street West	908
811 King Street West	908
816 King Street West	908
824 King Street West	908
832 King Street West	908
840 King Street West	908
848 King Street West	908
850 King Street West	908

Property Address	Map Number
854 King Street West	908
856 King Street West	908
860 King Street West	908
864 King Street West	908
866 King Street West	907 and 908
868 King Street West	907 and 908
870 King Street West	907 and 908
876 King Street West	907
878 King Street West	907
881 King Street West	907
889 King Street West	907
893 King Street West	907
895 King Street West	907
897 King Street West	907
899 King Street West	907
925 King Street West	907
938 King Street West	907
942 King Street West	907
944 King Street West	907
946 King Street West	907
948 King Street West	907
950 King Street West	907
951 King Street West	907
955 King Street West	907
972 King Street West	907
981 King Street West	907
985 King Street West	907
986 King Street West	907
988 King Street West	907
990 King Street West	907
992 King Street West	907
998 King Street West	907
999 King Street West	907
1000 King Street West	907
1004 King Street West	907
1005 King Street West	907
1006 King Street West	907
1008 King Street West	907
1009 King Street West	907
1011 King Street West	907
1012 King Street West	907
1014 King Street West	907

Property Address	Map Number
1015 King Street West	907
1018 King Street West	907
1019 King Street West	907
1020 King Street West	907
1023 King Street West	907
1024 King Street West	907
1027 King Street West	907
1028 King Street West	907
1030 King Street West	907
1031 King Street West	907
1033 King Street West	907
1034 King Street West	907
1035 King Street West	907
1036 King Street West	907
1037 King Street West	907
1038 King Street West	907
1041 King Street West	907
1043 King Street West	907
1044 King Street West	907
1045 King Street West	907
1046 King Street West	907
1048 King Street West	907
1049 King Street West	907
1050 King Street West	907
1056 King Street West	907
1059 King Street West	907
1060 King Street West	907
1061 King Street West	907
1066 King Street West	907
1067 King Street West	907
4, 8 Longwood Road North	907
45 Maggie Johnson Drive	1912
3 Main Street	861
8 Main Street	861 and 903
11, 13, 15 Main Street	861 and 903
23 Main Street	861 and 903
24 Main Street	903
26 Main Street	903
28 Main Street	903
30 Main Street	903
32 Main Street	903
34 Main Street	903

Property Address	Map Number
53 Main Street	903
56 Main Street	903
58 Main Street	903
63 Main Street	903
1481 Main Street West	947
1483 Main Street West	947
1487 Main Street West	947
1501 Main Street West	947
1503 Main Street West	947
1507 Main Street West	947
1546 Main Street West	947
1550 Main Street West	947
1551 Main Street West	947
1554 Main Street West	947
1555 Main Street West	947
1556 Main Street West	947
1557 Main Street West	947
1559 Main Street West	947
1560 Main Street West	947
1561 Main Street West	947
1564 Main Street West	947
1566 Main Street West	947
1568 Main Street West	947
1574 Main Street West	947
1580 Main Street West	947
1590 Main Street West	947
1610 Main Street West	947
1612 Main Street West	947
1629 Main Street West	947
1630 Main Street West	947
1632 Main Street West	947
1635 Main Street West	947
1655 Main Street West	947
8 McMurray Street	860
4, 8 North Oval	907
4 Ogilvie Street	861
5 Ogilvie Street	861 and 903
8 Ogilvie Street	861
10 Ogilvie Street	861
15 Ogilvie Street	903
17 Ogilvie Street	903
21 Ogilvie Street	903

Property Address	Map Number
4, 8 Paisley Avenue North	907
2, 4 Paisley Avenue South	907
11 Paisley Avenue South	907
224 Cline Avenue North	907
47 Royal Avenue	990
49 Royal Avenue	990
6 Sydenham Street	860
9 Sydenham Street	860
11 Sydenham Street	860
37 Ward Avenue	948
41 Ward Avenue	948
44, 48 Ward Avenue	948
1 Westbourne Road	947
193 Wilson Street East	1228
201 Wilson Street East	1228
213 Wilson Street East	1228
219 Wilson Street East	1228
223 Wilson Street East	1228
231 Wilson Street East	1228
240 Wilson Street East	1228 and 1229
241 Wilson Street East	1228 and 1229
245 Wilson Street East	1228 and 1229
253 Wilson Street East	1228 and 1229
259 Wilson Street East	1228 and 1229
277 Wilson Street East	1229 and 1175
280 Wilson Street East	1229 and 1175
283 Wilson Street East	1175
284 Wilson Street East	1175
286 Wilson Street East	1175
287 Wilson Street East	1175
289 Wilson Street East	1175
Part of 291 Wilson Street East	1129 and 1175
293 Wilson Street East	1175
297 Wilson Street East	1175
300 Wilson Street East	1175
303 Wilson Street East	1175
310 Wilson Street East	1175
311 Wilson Street East	1175
312 Wilson Street East	1175
314 Wilson Street East	1175
323 Wilson Street East	1175
326 Wilson Street East	1175

Property Address	Map Number
327 Wilson Street East	1175
334 Wilson Street East	1175
335 Wilson Street East	1175
339 Wilson Street East	1175
340 Wilson Street East	1175
342 Wilson Street East	1175
343 Wilson Street East	1175
346 Wilson Street East	1175
347 Wilson Street East	1175
349 Wilson Street East	1175
356 Wilson Street East	1175
363 Wilson Street East	1175
365 Wilson Street East	1175
367 Wilson Street East	1175
371 Wilson Street East	1175
375 Wilson Street East	1175
378 Wilson Street East	1175
380 Wilson Street East	1175
382 Wilson Street East	1175
386 Wilson Street East	1175
389 Wilson Street East	1174 and 1175
392 Wilson Street East	1175
397 Wilson Street East	1175
398 Wilson Street East	1175
400 Wilson Street East	1175
402 Wilson Street East	1175
401 Wilson Street East	1175
406 Wilson Street East	1175
407 Wilson Street East	1175
412 Wilson Street East	1175
413 Wilson Street East	1175
419 Wilson Street East	1175
420 Wilson Street East	1175
425 Wilson Street East	1175
426 Wilson Street East	1175
430 Wilson Street East	1175
436 Wilson Street East	1175
449 Wilson Street East	1124 and 1175
469 Wilson Street East	1124
548 Old Dundas Road	1124
16 Wilson Street West	1281
33 Wilson Street West	1281

Property Address	Map Number
35 Wilson Street West	1280 and 1281
81 Wilson Street West	1280
88 Wilson Street West	1280
95 Wilson Street West	1280
98 Wilson Street West	1280
110 Wilson Street West	1280
114 Wilson Street West	1280
120 Wilson Street West	1280
124 Wilson Street West	1280

(By-law No. 25-155, August 06, 2025)
(By-law No. 26-051, March 04, 2026)

The following special provisions shall apply:

a) Notwithstanding Subsections 10.6.3 d), 10.5.3 d) ii) and iii) and 10.5a.3 d) ii) and iii), a maximum building height of 11.0 metres shall be permitted.

b) Notwithstanding Clause a), a maximum building height of 9.0 metres shall be permitted on those lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone and described as follows:

Property Address	Map Number
37 Halson Street	1229
193 Wilson Street East	1228
201 Wilson Street East	1228
213 Wilson Street East	1228
219 Wilson Street East	1228
223 Wilson Street East	1228
231 Wilson Street East	1228 and 1229
240 Wilson Street East	1228 and 1229
259 Wilson Street East	1228 and 1229
277 Wilson Street East	1229 and 1175
280 Wilson Street East	1229 and 1175
283 Wilson Street East	1175
284 Wilson Street East	1175
286 Wilson Street East	1175
287 Wilson Street East	1175
289 Wilson Street East	1174 and 1175
293 Wilson Street East	1175
297 Wilson Street East	1175
300 Wilson Street East	1175

Property Address	Map Number
303 Wilson Street East	1175
310 Wilson Street East	1175
311 Wilson Street East	1175
312 Wilson Street East	1175
314 Wilson Street East	1175
323 Wilson Street East	1175
326 Wilson Street East	1175
327 Wilson Street East	1175
334 Wilson Street East	1175
335 Wilson Street East	1175
339 Wilson Street East	1175
340 Wilson Street East	1175
342 Wilson Street East	1175
343 Wilson Street East	1175
346 Wilson Street East	1175
347 Wilson Street East	1175
356 Wilson Street East	1175
363 Wilson Street East	1175
365 Wilson Street East	1175
367 Wilson Street East	1175
371 Wilson Street East	1175
375 Wilson Street East	1175
378 Wilson Street East	1175
380 Wilson Street East	1175
389 Wilson Street East	1175
392 Wilson Street East	1175
397 Wilson Street East	1175
398 Wilson Street East	1175
400 Wilson Street East	1175
401 Wilson Street East	1175
402 Wilson Street East	1175
406 Wilson Street East	1175
407 Wilson Street East	1175
412 Wilson Street East	1175
413 Wilson Street East	1175
419 Wilson Street East	1175
420 Wilson Street East	1175
425 Wilson Street East	1175
426 Wilson Street East	1175
430 Wilson Street East	1175
436 Wilson Street East	1175
449 Wilson Street East	1124 and 1175

Property Address	Map Number
469 Wilson Street East	1124

(NOT FINAL AND BINDING: By-law No. 17-240, November 8, 2017)

571. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1177 of Schedule "A" – Zoning Maps and described as 737 and 771 Golf Links Road, the following special provision shall apply:

a) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, a department store and grocery store shall also not be permitted.

(By-law No. 17-240, November 8, 2017)

572. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1175 of Schedule "A" – Zoning Maps and described as 393 Wilson Street East, the following special provisions shall apply:

a) In addition to the definition of Landscaping in Section 3: Definitions, for the purposes of Special Exception No. 572, the definition of Landscaping may also include a transformer pad.

b) General Provisions

ii) Notwithstanding Subsection 4.6 a),

1. The eaves and troughs for the building may be permitted in any yard provided that no such feature shall project more than 0.7 metres into any minimum side yard, or 1.6 metres into any minimum front or minimum rear yard; and,

2. The eaves and troughs for an accessory structure shall not extend more than 0.3 metres into a required yard.

iii) Notwithstanding Subsections 4.8.1 b) to h), the following special regulations shall apply:

1. Accessory buildings shall not be located in a side yard;

2. Accessory buildings shall be located a minimum of 0.75 metres from any lot line;

3. The maximum Gross Floor Area for accessory buildings shall be 90 square metres provided the coverage of all buildings on the lot does not exceed a Maximum Lot Coverage of 30%; and,

4. The maximum height for accessory buildings shall be 4.5 metres.

c) Parking Regulations

i) Notwithstanding Subsections 5.1 a) ii), iii) and iv), and 5.2 b), d), f), h) and i), each parking space shall:

1. Parking areas may be located within 150 metres of the lot occupied by the commercial building, subject to a registered agreement that such areas shall be reserved for the exclusive use of the subject commercial building;

2. Each parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres; and,

3. Each barrier free parking space shall have a minimum width of 3.5 metres and a minimum length of 5.5 metres.

ii) In addition to Sections 5 and 10.5a, the following regulations shall also apply:

1. Each commercial parking space shall be maintained for the shared use between the commercial use and the residential visitor use;

2. Each commercial parking space shall have a sign erected and legibly marked that the parking spaces are for the use of both the commercial and residential visitor parking;

3. Each commercial parking space shall be maintained readily accessible for either use, free and clear of all obstructions;

4. Any below-grade communal parking structure shall require a minimum side yard and minimum rear yard setback of 1.5 metres and shall require from any street line the same setback as the principal building; and,

5. All parking areas containing four or more spaces shall have lighting sufficient in intensity and number to provide for public safety, such lighting shall be directed away from abutting properties and streets, and the equipment shall be permanently maintained.

iii) Notwithstanding Subsection 5.6 c), parking spaces shall be provided and maintained at a rate of:

Dwelling Unit	2.0 per unit
Commercial Unit	3.0 per unit

d) Notwithstanding Subsections 10.5a.1 and 10.5a.2 i), only the following uses shall be permitted:

i) Artist Studio
ii) Auctioneer Establishment
iii) Catering Service
iv) Child Care Centre
v) Commercial Recreation
vi) Commercial School
vii) Community Garden
viii) Craftsperson Shop
ix) Dwelling Unit, Mixed Use
x) Financial Establishment
xi) Funeral Home
xii) Office
xiii) Personal Service
xiv) Post Office
xv) Restaurant
xvi) Repair Service
xvii) Retail
xviii) Tradesperson's Shop
xix) Urban Farm
xx) Urban Farmer's Market

e) In addition to Subsection 10.5a.1.1 i) and ii), the following uses shall be permitted in accordance with the following restrictions:

i) Uses Only Permitted on the Ground Floor

1. One (1) commercial ground floor unit having a maximum gross floor area of 54 square metres.

ii) Uses Only Permitted Above the Ground Floor

1. Notwithstanding Subsection 10.5a.1, a maximum of six (6) dwelling units shall be permitted above the ground floor; and,

2. Notwithstanding Clause e) ii) 1., access, parking areas, accessory office and utility areas for the residential uses may be provided at the ground level.

f) In addition to Subsection 10.5a.2, the following uses shall be prohibited, even as an accessory use:

i) Laboratory
ii) Medical Clinic
iii) Private Club or Lodge

g) Notwithstanding Subsections 10.5a.3, 10.5a.6 and 10.5a.7, the following regulations shall apply:

i)	Maximum Lot Coverage	62%
ii)	Maximum Building Setback from a Streetline	3.4 metres
iii)	Minimum Rear Yard	12 metres
iv)	Maximum Height	10.8 metres
v)	Minimum Landscape Coverage	30%

(By-law No. 17-240, November 8, 2017)
(By-law No. 21-189, October 13, 2021)
(By-law No. 25-155, August 06, 2025)

573. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 481 and 482 of Schedule "A" – Zoning Maps and described as 61 Hamilton Street North, the following special provision shall apply:

a) In addition to Subsection 10.5a.1, the existing Building and Lumber Supply Establishment shall also be permitted.

(By-law No. 17-240, November 8, 2017)
(By-law No. 22-071, April 13, 2022)

574. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 999 of Schedule "A" - Zoning Maps and described as 1099 and 1101 Cannon Street East and 164 Kensington Avenue North, the following special provision shall apply:

a) In addition to Subsection 10.2.1, the manufacturing of pasta products shall also be permitted.

(By-law No. 17-240, November 8, 2017)

575. Within the lands zoned Community Commercial (C3) Zone, identified on Maps 954 and 955 of Schedule "A" – Zoning Maps and described as 24 to 60 Sanford Avenue North, the following special provision shall apply:

a) In addition to Subsection 10.3.1, a Warehouse shall also be permitted.

(By-law No. 17-240, November 8, 2017)

576. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1100 of Schedule "A" – Zoning Maps and described as 518 Fruitland Road, the following special provision shall apply:

a) Notwithstanding Subsection 10.3.1, permitted uses shall be limited to a Restaurant, private club, Office or any similar use within the existing building provided that the basic structure and character of the building is maintained.

(By-law No. 17-240, November 8, 2017)

577. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1051 of Schedule "A" – Zoning Maps and described as 199 and 213 North Service Road, the following special provisions shall apply:

a) In addition to Subsection 10.2.1, the following uses shall also be permitted:

i) Sales and service of lawn and marine equipment
ii) Lawn and garden centre
iii) Growing and retail sales of greenhouse produce and uses accessory thereto

b) In addition to Subsection 10.2.2 and notwithstanding Subsection 10.2.1, the following uses shall also be prohibited:

i) Any residential use
ii) Any outdoor operations and outdoor display

c) Notwithstanding Subsection 10.2.3 l) the following regulation shall also apply:

i) A maximum of 310.0 square metres of outdoor storage area shall be permitted and shall be totally enclosed by a fence having a minimum height of 1.8 metres and screened from view of the North Service Road by landscaping, decorative walls or any combination thereof.

(By-law No. 17-240, November 8, 2017)

578. Within the lands zoned Mixed Use Medium (C5) Zone, identified on Map 1178 Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1000 Golf Links Road	1178
1136 Golf Links Road	1178

The following special provisions shall apply:

a) In addition to Subsection 10.5.2, fast food restaurants and restaurants with drive-through service shall be prohibited.

b) The maximum Gross Floor Area of Food Store and Department Store shall be 950 square metres per individual establishment.

c) The following regulations shall apply to 1000 Golf Links Road:

i) Notwithstanding the definition of Lot Line – Front in Section 3: Definitions, the front lot line shall be defined as the lot line flanking Golf Links Road.

ii) Notwithstanding Subsection 10.5.3 b) and c) the following regulations shall apply:

1) Minimum Rear Yard 11.0 metres.

2) Minimum Easterly Side Yard 3.0 metres.

iii) Notwithstanding Subsection 5.6 c), a minimum of 109 parking spaces and 4 handicapped parking spaces shall be provided.

d) Notwithstanding Subsection 10.5.3 b) and c), the following regulations shall apply to 1136 Golf Links Road for a Motor Vehicle Gas Bar:

i) Minimum Rear Yard 3.0 metres.

ii) Minimum Side Yard 3.0 metres.

(By-law No. 17-240, November 8, 2017)

579. Within the lands zoned Neighbourhood Commercial (C2) Zone and Community Commercial (C3) Zone, identified on Maps 1100, 1145, 1146, 1185, 1194, 1196, 1198, 1199, 1205, 1247, 1248, 1249, 1251, 1252, 1259, 1260, 1305, 1306, 1403, 1405, 1454, 1503 and 1640 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
168 Barton Street	1145
178 Barton Street	1145
188 Barton Street	1145
198 Barton Street	1145
210 Barton Street	1145
214 Barton Street	1145
232 Barton Street	1146
274 Barton Street	1146
276 Barton Street	1146
386 Barton Street	1198
412 Barton Street	1198
520 Barton Street	1199
2800 Barton Street East	1145
2806 Barton Street East	1145
2814 Barton Street East	1145
2820 Barton Street East	1145
2824 Barton Street East	1145
2842 Barton Street East	1145
1365 Baseline Road	1259
1367 Baseline Road	1259
92 Centennial Parkway South	1194
500 Fifty Road	1259 and 1260
518 Fruitland Road	1100

Property Address	Map Number
110 Gordon Drummond Avenue	1503
288 Grays Road	1145
294 Grays Road	1145
298 Grays Road	1145
302 Grays Road	1145
304 Grays Road	1145
305 Grays Road	1145
308 Grays Road	1145
309 Grays Road	1145
312 Grays Road	1145
316 Grays Road	1145
80 Green Mountain Road	1405
364 Highway 8	1251
410 Highway 8	1252
411 Highway 8	1252
418 Highway 8	1252
419 Highway 8	1252
420 Highway 8	1252
421 Highway 8	1252
423 Highway 8	1252
424 Highway 8	1252
426 Highway 8	1252
427 Highway 8	1252
430 Highway 8	1252
432 Highway 8	1252
436 Highway 8	1252
438 Highway 8	1252
440 Highway 8	1252
446 Highway 8	1252
448, 450 Highway 8	1252
452 Highway 8	1252
454 Highway 8	1252 and 1305
466 Highway 8	1252 and 1305
483 Highway 8	1252
171 Margaret Avenue	1252
173 Margaret Avenue	1252
520 Highway 8	1305
521 Highway 8	1252 and 1305
538 Highway 8	1305
542, 548 Highway 8	1305 and 1306
570 Highway 8	1306
604 Highway 8	1306

Property Address	Map Number
100 King Street West	1248
102 King Street West	1247 and 1248
30 Lake Avenue Drive	1248 and 1249
32 Lake Avenue Drive	1248 and 1249
36 Lake Avenue Drive	1248 and 1249
3 Lockport Way	1260
15 Lockport Way	1260
256, 270, 276, 280, 284, 288, 294, 300 Mud Street West	1454
74 Neil Avenue	1194
1050 Paramount Drive	1403 and 1454
Part of 2157 Rymal Road and Concession 8 Pt Lot 27 SLT SC RP 62R15203	1596 and 1640
136 – 146 Upper Mount Albion Road	1502
775-779 Upper Wentworth Street	1185 and 1239
524, 526, 530 Winona Road	1205

The following special provisions shall apply:

a) Notwithstanding Subsections 10.2.3 e) and 10.3.3 f) and g) the maximum gross floor area of any individual commercial establishment shall be 500.0 square metres; and,

b) Notwithstanding Subsection 10.2.3 h, the maximum gross floor area of any grouping of commercial uses shall be 1,500.0 square metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)
(By-law No. 21-189, October 13, 2021)
(By-law No. 22-084, April 13, 2022)

580. Within the lands zoned District Commercial (C6) Zone, identified on Maps 947, 1710, 1711, 1748, 1749 and 1785 of Schedule "A" – Zoning Maps and describes as:

Property Address	Map Number
20 Ewen Road	947
22 Ewen Road	947
28 Ewen Road	947
5 Ofield Road	947
58 Ewen Road	947

Property Address	Map Number
60 Ewen Road	947
8521 Airport Road	1749
8526 Airport Road	1749
8527 Airport Road	1749
8533 Airport Road	1748, 1749
8536 Airport Road	1749
8541 Airport Road	1748, 1749
8552 Airport Road	1748, 1749
8555 Airport Road	1748
8558 Airport Road	1748
9013 Airport Road	1748
9023 Airport Road	1748
9026 Airport Road	1748
9027 Airport Road	1748
9031 Airport Road	1748
9032 Airport Road	1748
9037 Airport Road	1748
9038 Airport Road	1748
9045 Airport Road	1748
9046 Airport Road	1748
9056 Airport Road	1748
9061 Airport Road	1748
9066 Airport Road	1748
9074 Airport Road	1748
9075 Airport Road	1748
9078 Airport Road	1748
9086 Airport Road	1748
9089 Airport Road	1748
9092 Airport Road	1748
9100 Airport Road	1748
9105 Airport Road	1748
Part of 9110 Airport Road	1748
9115 Airport Road	1748
Part of 9120 Airport Road	1748
9125 Airport Road	1748
Part of 9132 Airport Road	1748
9135 Airport Road	1748
9142 Airport Road	1748
9152 Airport Road	1748
9158 Airport Road	1748
9166 Airport Road	1748
9169 Airport Road	1748

Property Address	Map Number
9174 Airport Road	1748
9178 Airport Road	1748
9181 Airport Road	1748
9184 Airport Road	1748
9189 Airport Road	1748
9191 Airport Road	1748
9192 Airport Road	1748
9197 Airport Road	1748
9202 Airport Road	1748
9205 Airport Road	1748
9210 Airport Road	1748
9213 Airport Road	1748
9220 Airport Road	1748
9221 Airport Road	1748
2910 Homestead Drive	1711
2950 Homestead Drive	1711
2958 Homestead Drive	1711
2965 Homestead Drive	1711
2966 Homestead Drive	1711
2975 Homestead Drive	1711
2976 Homestead Drive	1711
2982 Homestead Drive	1711
2983 Homestead Drive	1711
2990 Homestead Drive	1711
2995 Homestead Drive	1711
3000 Homestead Drive	1711
3002 Homestead Drive	1711
3003 Homestead Drive	1711
3011 Homestead Drive	1711
3012 Homestead Drive	1711
3017 Homestead Drive	1711
3020 Homestead Drive	1711
3022, 3024 Homestead Drive	1710 and 1711
3026 Homestead Drive	1710 and 1711
3034 Homestead Drive	1710 and 1711
3044 Homestead Drive	1710 and 1711
3054 Homestead Drive	1710 and 1711
3055 Homestead Drive	1749 and 1171
3063 Homestead Drive	1749
3091 Homestead Drive	1748 and 1949
3102 Homestead Drive	1748
3114, 3116 Homestead Drive	1748

Property Address	Map Number
3117 Homestead Drive	1748 and 1949
3124 Homestead Drive	1748
3127 Homestead Drive	1748 and 1949
3129 Homestead Drive	1748
3130 Homestead Drive	1748
3136 Homestead Drive	1748
3141 Homestead Drive	1748
3144 Homestead Drive	1748
3145 Homestead Drive	1748
3151 Homestead Drive	1748
3150 Homestead Drive	1748
3154 Homestead Drive	1748
3155 Homestead Drive	1748
3200 Homestead Drive	1748
3201 Homestead Drive	1748
3210 Homestead Drive	1748
3219 Homestead Drive	1748
3223 and 3231 Homestead Drive	1748
Part of 3234 Homestead Drive	1748
2910 Upper James Street	1711
2918 Upper James Street	1711

The following special provision shall apply:

a) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.2, the following uses shall be prohibited:

i) Child Care Centre
ii) Dwelling Unit(s)
iii) Multiple Dwelling

(NOT FINAL AND BINDING: By-law No. 17-240, November 8, 2017)
(By-law No. 25-155, August 06, 2025)

581. Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 861, 862, 902 and 903 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
41 Baldwin Street	903
45 Baldwin Street	903
47 Baldwin Street	903

Property Address	Map Number
4 Cootes Drive	903
10 Cootes Drive	903
16 Cootes Drive	903
32 Cootes Drive	903
33, 35 Cootes Drive	861 and 903
39 Cootes Drive	861 and 903
40 Cootes Drive	903
42 Cootes Drive	903
47 Cootes Drive	861
50 Cootes Drive	903
10 Court Street	861 and 903
11 Court Street	861 and 903
25 Court Street	903
27 Court Street	903
29 Court Street	903
81 Dundas Street	903
1 East Street North	861 and 862
3 East Street North	861
7 Governors Road	903
10 Governors Road	903
2 Hatt Street	903
6 Hatt Street	903
122 Hatt Street	860 and 902
33 King Street East	861
49 King Street East	861
69 King Street East	861
72 King Street East	861
76 King Street East	861
78 King Street East	861
80 King Street East	861 and 903
82 King Street East	861
84 King Street East	861
86 King Street East	861
90 King Street East	861
92 King Street East	861
94 King Street East	861
96 King Street East	861
106 King Street East	861
108 King Street East	861
124 King Street East	862
140 King Street East	862
RCP 14111 Pt Lot 8 RP 62R20092 Pt 1	862

Property Address	Map Number
1 Osler Drive	903
86, 90, 94 Main Street	903
Part of 68 South Street West	903
4 Thorpe Street	861
8 Thorpe Street	861
9 Thorpe Street	861
22 Thorpe Street	903
24 Thorpe Street	903
32 York Road	861
44 York Road	861
48 York Road	861
30 York Street	903

(By-law No. 26-049, March 04, 2026)

The following special provision shall apply:

a) Notwithstanding Subsections 10.2.1, 10.3.1, 10.5.1 and 10.5a.1, and in addition to Subsections 10.2.2, 10.3.2, 10.5.2 and 10.5a.2, the following uses shall be prohibited:

i) Child Care Centre
ii) Hospital
iii) Long Term Care Facility
iv) Residential Care Facility
v) Retirement Home
vi) Warehouse

b) Notwithstanding Subsection 10.5.3 h), no Habitable Room within a Dwelling Unit(s) or Multiple Dwelling shall be permitted in a basement or cellar.

c) Clause a) shall not apply on those lands zoned Community Commercial (C3) Zone and described as:

Property Address	Map Number
122 Hatt Street	860 and 902
7 Governor's Road	903
10 Governor's Road	903
86, 90, 94 Main Street	903

d) Notwithstanding Section 10.5.3c), for lands located at 51 – 55 Cootes Drive and 110 King Street East, the following regulation shall apply:

i)	Minimum Interior Side Yard	1.3 metres shall be provided along the southerly portion of the building facing Cootes Drive.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)
(Zoning By-law No. 23-079, May 10, 2023)
(By-law No. 25-155, August 06, 2025)

582. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 445 and 481 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
115 Hamilton Street North	445 and 481

a) Notwithstanding Section 4.12 (f)(ii), for the lands located at 115 Hamilton Street North, expansions to buildings legally existing at the date of the passing of the by-law may be permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 1,475 square metres.

(By-law No. 17-240, November 8, 2017)
(by-law No. 22-071, April 13, 2022)

583. Within the lands zoned District Commercial (C6) Zone, identified on Maps 444 and 445 of Schedule "A" – Zoning Maps and described as the southeasterly portion of 619 Centre Road and 645 Wigood Drive, the following special provisions shall apply:

a) In addition to Subsection 10.6.1, the following use shall also be permitted:

i) Multiple Dwellings
ii) Retirement Home

b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.2, the following uses shall also be prohibited:

i) Hotel
ii) Motor Vehicle Rental Establishment
iii) Motor Vehicle Service Station
iv) Motor Vehicle Washing Establishment

c) Notwithstanding Subsection 10.6.1.1i)1.A. the following regulation shall apply:

i) A minimum of 1,858.0 square metres of Commercial gross floor area shall be provided within the extent of the lands subject to Special Exception No. 583.

(By-law No. 17-240, November 8, 2017)

584. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 414 of Schedule "A" – Zoning Maps and described as Part of 485 Dundas Street East, the following special provisions shall apply:

a) In addition to Subsection 10.5.1 the following use shall also be permitted:

i) Live-Work Unit

b) In addition to Section 3: Definitions, for the purpose of Special Exception No. 584, the following definition shall apply:

Live-Work Unit	A street townhouse or townhouse dwelling that may contain residential uses and the following commercial uses on the ground floor: Retail; Personal Service; Service Shop; Office; and, Dry Cleaning Distribution Station.

c) Notwithstanding the definition of Lot Line – Front in Section 3: Definitions, Sections 4.6 a), d), e), f), 5.6 c), 10.5.3 a), b), c), d), g) v), and j, the following regulations shall apply to the use identified in Clause a):

i)	Minimum Lot Area	165.0 square metres;
ii)	Minimum Lot Frontage	6.0 metres;
iii	Maximum Height	12.5 metres;

iv) Minimum Front Yard Setback — 1.5 metres;

v) Minimum Rear Yard Setback — 6.0 metres;

vi) Minimum Interior Yard Setback — 1.2 metres, except for the side yard related to the common wall of the street townhouses, in which case a minimum side yard of 0.0 metres shall be provided.

vii) Minimum Exterior Yard Setback — 2.5 metres;

viii) Planting Strip — Section 5.2 v) b) shall not apply.

ix) Yard Encroachments

Structure or Item	**Yard Into Which Encroachment is Permitted**	**Maximum Encroachment Permitted Into Required Yard**
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters, eaves, or gutters	All	0.65 metres
Bay, Bow or Box Window with our without a foundation	Required front, required rear, and required exterior side yard	1.0 metres plus a further 0.3 metres for eaves
Steps, enclosed and	Required front, required rear, and required	Porches – 2.0 metres; Steps – 0.6

unenclosed porches	exterior side yard	metres from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front, required rear, and required exterior side yard	0.3 metres minimum setback from the hypotenuse of a sight triangle

x) Principal building entrances for Commercial uses shall face Spring Creek Drive which shall be deemed the front yard.

x) Spring Creek Drive shall be deemed the front lot line.

xii) Notwithstanding Section 5.6, any commercial uses at-grade shall be exempt from the applicable parking requirement.

xiii) Commercial Uses – permitted only within the at-grade portion of the unit except accessory storage may be permitted on floors below grade.

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)

585. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 414 of Schedule "A" – Zoning Maps and described as 493 Dundas Street East, the following special provisions shall apply:

a) Notwithstanding Subsections 10.5.1, only the following uses shall be permitted within the building existing as of August 14, 2015, and any additions and alterations to the building existing as of August 14, 2015:

i) Uses existing as of August 14, 2015, not in conjunction with any other permitted use
ii) Art Gallery, Museum or Public Use
iii) Custom Work Shop
iv) Financial Institution
v) Funeral Home
vi) Personal Service
vii) Office
viii) Retail
ix) Service Shop

b) Notwithstanding Subsection 5.1a)v)b), 5.2b)i), 5.2f), and 5.2i) the following regulations shall also apply:

i)	Parking Space Access	A minimum two-way access driveway width of 6.0 metres shall be provided except for a minimum two-way access driveway width of 5.0 metres which shall be provided to provide vehicular access to the westerly portion of the parking lot.
ii)	Dimensions of Parking Spaces	All required surface parking spaces shall have minimum dimensions of 2.5 x 5.8 metres.
iii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.1 metres by 5.8 metres shall be provided.

iv) Subsection 5.1a)v)b) shall not apply.

c) In addition to Subsection 10.5.3g) vi), and notwithstanding Subsections 10.5.3a), b), g)ii), iii), iv), and vii), and i) the following regulations shall also apply:

i)	Maximum Yard Abutting a Street	14.2 metres
ii)	Minimum Rear Yard Setback	1.0 metres
iii)	Principal Entrance of the Building	A minimum of one principal entrance shall be provided on the west building façade of the building, and shall be accessible from the building façade with direct access from the public sidewalk.

iv)	Rear Yard Planting Strip	A minimum of 1.0 metres planting strip shall be provided between the rear lot line and the garage.
v)	Location of Parking Spaces	Parking spaces and driveway providing access to the parking spaces shall be permitted in the front yard located within 5.5 metres from the front lot line, and shall be permitted between the building and the west lot line.
vi)	Subsections 10.5.3g)ii) and iii) shall not apply	

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)

586. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1457, 1505, 1506 of Schedule "A" – Zoning Maps and described as 3 Green Mountain Road and 333 Upper Centennial Parkway, the following special provisions shall apply:

a) In addition to Subsection 10.7.1, uses permitted under Subsection 10.6.1 shall also be permitted.

b) Notwithstanding Subsection 10.7.3 b), 10.7.4 c), the following shall apply for a Motor Vehicle Service Station and a Car Washing Establishment on a property located at 3 Green Mountain Road:

i)	Minimum Rear Yard	1.5 metres
ii)	Minimum Landscape Open Space	A landscaped strip shall only be required adjacent to every portion of any lot line that abuts any street, except for points of ingress and egress, and be a minimum width of 3.2 metres.
iii)	Width of Entrance and Exit Ramp	The width of an entrance or exit ramp shall be not more than 12.9 metres abutting Upper Centennial Parkway and 12.4 metres abutting Green Mountain Road West. The width of an entrance or exit ramp shall be not less than 9.0 metres along either street.

iii)	Additional features of a Landscape Strip	A gateway feature shall be required within the Landscaped Strip at the corner of Green Mountain Road West and Upper Centennial Parkway which may include, but not be limited to, a decorative wall, signage, lighting and / or metal works.

(By-law No. 17-240, November 8, 2017)

587. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1505, 1456 of Schedule "A" – Zoning Maps and described as 272 First Road West, the following special provisions shall apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted:

i) Uses permitted under Section 10.6.1
ii) Library
iii) Movie Theatres

b) In addition to Clause a) above, the following regulations shall also apply:

i)	Maximum Gross Floor Area for Individual Commercial Uses	10,000 square metres.
ii)	Maximum Total Gross Floor Area for Office	2,000 square metres.

(By-law No. 17-240, November 8, 2017)

588. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1505 and 1552 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
Part of 219 Upper Centennial Parkway	1552, 1505
225 Upper Centennial Parkway	1505
Part of 237 Upper Centennial Parkway	1505
249 Upper Centennial Parkway	1505

The following special provisions shall apply:

a) In addition to Subsections 10.7.1, the following uses shall also be permitted:

i) Place of Worship
ii) Child Care Centre

b) In addition to Subsection 10.7.3 f), a 15 metres landscaped area shall be provided and maintained along the Upper Centennial Parkway lot line.

(NOT FINAL AND BINDING: By-law No. 17-240, November 8, 2017)
(By-law No. 25-155, August 06, 2025)

589. Within the lands zoned Mixed Use Medium Density (C5) Zone and Arterial Commercial (C7) Zone, identified on Maps 1548, 1549, 1593, 1594 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
Portions of 1645 Rymal Road East	1548
1655 Rymal Road East	1548
1825 Rymal Road East	1548
1829 Rymal Road East	1548
Portions of 1831 Rymal Road East	1548
1835 Rymal Road East	1548
1837 Rymal Road East	1548
1841 Rymal Road East	1548
1843 Rymal Road East	1548
1845 Rymal Road East	1548
1847 Rymal Road East	1548
1865 Rymal Road East	1548, 1593
1869 Rymal Road East	1548, 1593
1873 Rymal Road East	1549, 1593, 1594
1877 Rymal Road East	1594
1883 Rymal Road East	1594
1885 Rymal Road East	1594
1889 Rymal Road East	1594
1893 Rymal Road East	1594
1897 Rymal Road East	1594
1899 Rymal Road East	1594
1901 Rymal Road East	1594
1907 Rymal Road East	1594
1911 Rymal Road East	1594
1925 Rymal Road East	1594
1933 Rymal Road East	1594

Property Address	Map Number
1937 Rymal Road East	1594
1941 Rymal Road East	1594

The following special provisions shall apply:

a) In addition to Subsection 10.5.2 and notwithstanding Subsection 10.5.1, the follow use shall also be prohibited:

i) Hotel

b) Notwithstanding Subsection 10.5.3 d), the maximum height shall be 14.0 metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 21-189, October 13, 2021)

590. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 909 and 951 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
74 New Street	909
76 New Street	909
78 New Street	909
448 Main Street West	909
450 Main Street West	909
451 Main Street West	909
452 Main Street West	909
453 Main Street West	909
455 Main Street West	909
457 Main Street West	909
459 Main Street West	909
460 Main Street West	909
461 Main Street West	909
463 Main Street West	909
465 Main Street West	909
454 Jackson Street West	909 and 951
456 Jackson Street West	909 and 951
25 Dundurn Street South	909
33 Dundurn Street South	909
35 Dundurn Street South	909
37 Dundurn Street South	909
39 Dundurn Street South	909
41 Dundurn Street South	909

Property Address	Map Number
47 Dundurn Street South	909
49 Dundurn Street South	909
51, 53 Dundurn Street South	909
57 Dundurn Street South	909
59 Dundurn Street South	909
61 Dundurn Street South	909
63 Dundurn Street South	909
67 Dundurn Street South	909
71 Dundurn Street South	909
75 Dundurn Street South	909
91 Dundurn Street South	909
93 Dundurn Street South	909
95 Dundurn Street South	909

a) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, the following uses shall also be prohibited:

i) Motor Vehicle Gas Bar
ii) Motor Vehicle Washing Establishment

(By-law No. 17-240, November 8, 2017)

591. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1046 of Schedule "A" – Zoning Maps and described as Part of 221 Melvin Avenue, the following special provisions shall apply:

a) In addition to Subsection 10.7.1, parking lot serving the Multiple Dwelling located at 221 Melvin Avenue shall also be permitted.

(By-law No. 17-240, November 8, 2017)

592. With the lands zoned Parking (U3) Zone, identified on Map 1124 of Schedule "A" – Zoning Maps and described as 0 Old Dundas Road the following special provisions shall apply:

a) Notwithstanding Subsection 12.3.1, with an approximate frontage of 43 metres and depth of 72 metres, shall only be used for a parking area in conjunction with the commercial uses permitted on 548 Old Dundas Road.

(By-law No. 17-240, November 8, 2017)

593. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 482 of Schedule "A" – Zoning Maps and described as 272 Dundas Street East, the following special provisions shall apply:

a) Notwithstanding Subsection 10.2.3b), c), d) and j) and in addition to Section 5.1 v), the following regulations shall apply:

i)	Maximum Height	12.0 metres.
ii)	Minimum Lot Coverage	46%.
iii)	Minimum Rear Yard	0.0 metres shall be provided to the decorative archway which forms part of the principal building.
iv)	Minimum Interior Side Yard	0.0 metres shall be provided to a decorative archway which forms part of the principal building.
v)	Planting Strip Requirements abutting a Street	No Planting Strip shall be provided across all lot lines adjacent to a street.
vi)	Planting Strip Requirements abutting Rear and Interior Side Lot Lines	No Planting Strip shall be provided along the rear and interior side lot line.
vii)	Parking Area Location	The parking area shall be 0.0 metres from the boundary of a residential zone.
viii)	Underground Parking Area	The underground parking area shall be 0.0 metres from any lot line.

b) Notwithstanding Subsection 10.2.1 and in addition to Subsection 10.2.2, the following uses are prohibited, even as an accessory use:

Motor Vehicle Service Station
Motor Vehicle Gas Bar

(By-law No. 17-240, November 8, 2017)
(By-law No. 22-071, April 13, 2022)

594. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 860 and 902 of Schedule "A" - Zoning Maps and described as 65 Hatt Street, the following special provisions shall apply:

a) In addition to Subsection 10.5.1, the following use shall also be permitted and only within the building existing as of August 16, 2013:

a) Craft Brewery

b) In addition to Section 3: Definitions, for the purpose of Special Exception No. 594, the following definition shall apply:

Craft Brewery	A facility at which malt beverages fermented on the premises are packaged and sold for distribution, retail, or wholesale. The facility may include retail sales, tours, and a hospitality and tasting area, but shall not include a restaurant, tavern, bar, night club, or take-out food service.

c) The following regulation shall apply to the use identified in Clause a) above:

Maximum Gross Floor Area	The maximum gross floor area devoted to the retail and tasting component of the Craft Brewery shall not exceed 450.0 square metres.

(By-law No. 17-240, November 8, 2017)

595. Within the lands zoned District Commercial (C6) Zone, identified on Map 1711 of Schedule "A" - Zoning Maps and described as 3017 Homestead Drive, the following special provision shall apply:

a) In addition to Subsections 10.6.1, and notwithstanding Subsection 10.6.2, the following uses shall also be permitted:

i) Garden Centre
ii) A Single Detached Dwelling on the same lot existing on the date of the passing of this By-law

b) In addition to Subsection 10.6.2 and notwithstanding Subsection 10.6.1, the following uses shall be prohibited:

i) Boat and/or motorized snow vehicle sales establishments
ii) Cold storage locker establishments
iii) Dairies
iv) Farm equipment sales establishments
v) Recreational vehicle sales establishments
vi) Taxi Establishment
vii) Motor Vehicle Service Station

c) Notwithstanding Subsection 10.6.3 c), a minimum southerly side yard of 2.3 metres shall be provided and maintained.

d) In addition to Subsections 10.6.1, the single detached dwelling existing on the date of the passing of this By-law, and buildings and structures accessory thereto shall be permitted as an ancillary residential use to the garden centre.

(By-law No. 17-240, November 8, 2017)

596. Within the lands zoned Mixed Use Medium Density Pedestrian Focus (C5a) Zone, identified on Map 1935 of Schedule "A" - Zoning Maps and described as 2605 Binbrook Road East, the following special provision shall apply:

a) Notwithstanding Subsections 10.5a.1, permitted uses shall be limited to the following:

i) Financial Establishment
ii) Retail
iii) Commercial School
iv) Child Care Centre
v) Personal Service
vi) Funeral Home
vii) Hotel
viii) Office
ix) Studio
x) Commercial Entertainment
xi) Place of Assembly
xii) Restaurant
xiii) Veterinary Service
xiv) Dwelling Unit

b) Dwelling units are permitted above any use permitted on the ground floor. Dwelling units are permitted on the ground floor (but not in a basement or cellar) but shall not be located on the portion of the ground floor facing Binbrook Road East or Southbrook Drive.

c) Notwithstanding Subsections 10.5a.3 a), c) and d), the following regulations shall also apply to the uses identified in Clause a):

i)	Minimum Front Yard	0.0 metres
ii)	Minimum Side Yard	0.0 metre except 7.5 metres abutting a side lot line which is the boundary of any Residential or Institutional Zone.
iii)	Maximum Height	10.7 metres but a maximum height of 14.1 metres is permitted to the top of an ornamental dome or other such architectural feature.

d) In addition to Subsection 5.1 a) v), no parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1.5 m of the boundary of any Residential Zone or within 1.25 m of any Institutional Zone.

e) Notwithstanding Subsections 10.5a.3 i) and j), a landscaped area in the form of a planting strip having a minimum width of 1.5 m and a fence having a minimum height of 1.8 m shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential Zone. A landscaped area having a minimum width of 1.25 m shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts an Institutional Zone. A transformer shall be permitted within the planting strips.

f) In addition to Subsection 5.1a) v) c), a transformer is permitted within the 3.0 metre planting strip that abuts the street line.

g) Notwithstanding Subsections 5.2 f), each barrier-free parking space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres, except where two (2) barrier-free parking spaces are located together, a minimum width of 3.5 metres for each space shall be permitted.

h) In addition to Subsection 5.1 a) v), where a parking area which is required to provide for more than four (4) vehicles abuts any Residential Zone, a landscaped area consisting of a permanently maintained planting strip with a minimum width of 1.5 m shall be provided and shall also include fencing to provide a solid and effective screen. Where a parking area which is required to provide for more

than four (4) vehicles abuts any Institutional Zone, a landscaped area with a minimum width of 1.25 m shall be provided.

i) Notwithstanding Subsection 5.6 c), parking spaces shall be provided at a rate of 1.25 spaces per residential dwelling unit, and 1 space per every 34.0 square metres of gross floor area for all other permitted uses, and visitor parking for the residential uses is permitted to be shared with parking for other permitted uses.

j) Notwithstanding Subsection 5.2 b), each parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 25-155, August 06, 2025)

597. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1434 and 1483 of Schedule "A" - Zoning Maps and described as 1172 Wilson Street West, the following special provision shall apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted within the existing building:

i) Retail
ii) Personal Service
iii) Restaurant
iv) Commercial School
v) Medical Clinic
vi) Office
vii) Financial Establishment

(By-law No. 17-240, November 8, 2017)

598. Within the lands zoned Community Commercial (C3) Zone, identified on Maps 1548 and 1593 of Schedule "A" – Zoning Maps and described as 21 and 31 Trinity Church Road and 1816 Rymal Road East, the following special provisions shall apply:

a) Notwithstanding Subsection 10.3.1 and in addition to Subsection 10.3.1 10.3.2, the following use shall also be prohibited:

i) Motor Vehicle Service Station

b) In addition to Subsection 10.3.1 and notwithstanding Subsection 10.3.2, the following use shall also be permitted:

i) Drive-Through Restaurant accessory to a Motor Vehicle Gas Bar

c) Notwithstanding the definition of Motor Vehicle Gas Bar, Medical Clinic, and Office in Section 3: Definitions, for the purpose of Special Exception No. 598, the following definitions shall apply:

Motor Vehicle Gas Bar	A place with one or more pump islands consisting of one or more fuel pumps for the sale of fuel, liquids and small accessories essential for the operation of motor vehicles, and may include a shelter and a Motor Vehicle Washing Establishment accessory to a Motor Vehicle Gas Bar, but does not include motor vehicle repairs, oil changes or greasing.
Medical Clinic	A building or part thereof used by qualified medical practitioner(s), dentist(s), chiropractor(s), physiotherapist(s), osteopath(s) or other drugless practitioner(s), for public or private medical, surgical physio-therapeutic or other human health purposes, except when included within or accessory to a private or public hospital.
Office	Any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients receive advise, but does not include a medical clinic or personal service shop.

d) Notwithstanding Subsections 5.1a) v), 5.6 c), 10.3.3 a), b), c), g) and j), the following regulations shall apply:

i)	Maximum Gross Leasable Floor Area of Any Individual Commercial Establishment:	Not more than half of the total leasable floor area provided on the site.
ii)	Maximum Gross Leasable Floor Area	2,500 square metres

	of any Group of Local Commercial Uses:	
iii)	Maximum Gross Leasable Floor Area of any Group of Medical Clinic Uses:	210 square metres
iv)	Minimum Front Yard:	1.3 metres
v)	Minimum Easterly Side Yard:	4.5 metres
vi)	Minimum Westerly Side Yard:	3.7 metres (except for a Motor Vehicle Gas Bar and accessory uses to a Motor Vehicle Gas Bar, a Minimum Westerly Side Yard of 25 metres is required)
vii)	Minimum Rear Yard:	1.5 metres
viii)	Minimum Number of Parking Spaces:	A minimum of one parking space for every 25.5 square metres of gross floor area.
ix)	Parking Space Requirements:	1. A drive-through lane shall have a minimum width of 4 metres. 2. The access driveway located between the canopy of a Motor Vehicle Gas Bar and a Drive-Through lane shall have a minimum width of 4.2 metres. 3. A landscaped area along Rymal Road East with a minimum average width of 2 metres but not less than 1.3 metres shall be provided and thereafter maintained along the street line, and it shall be continuous except for driveways required for access to such parking area.

4. A landscaped area along Trinity Church Road with a minimum width of 3 metres shall be provided and thereafter maintained along the street line, and it shall be continuous except for driveways required for access to such parking area.

x)	Minimum Landscaping Requirements:	A landscape area in the form of a planting strip having a minimum width of 4.5 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a Residential Zone or any Zone where the adjoining land is used for residential purposes.

e) Notwithstanding Subsection 5.2b) and 5.2f), the following regulations shall also apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)

599. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1547 of Schedule "A" – Zoning Map and described as Part of 212 Glover Road and 0 Rymal Road, the following special provisions shall apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted:

i) Banks, Financial Institutions, and Personal Service
ii) Food Stores
iii) Hardware Stores, Beer Store, LCBO Stores, and Drug Store
iv) Offices

v) Retail Stores
vi) Stores primarily selling apparel, housewares, electronics, sporting goods, or general merchandise

b) The maximum total combined gross floor area for uses identified in Subsection retail, food store, and stores primarily selling apparel, housewares, electronics, sporting goods, or general merchandise shall be 10,000 square metres.

c) The total maximum gross floor area for office shall be 2,000 square metres.

d) Maximum gross floor area for all other uses shall not apply.

(By-law No. 17-240, November 8, 2017)

600. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1499 of Schedule "A" - Zoning Map and described as 1575 Upper Ottawa Street, the following special provisions shall apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted:

i) Retail
ii) Personal Service
iii) Financial Establishment

b) In addition to Subsection 10.7.3, the following regulation shall apply:

i)	Combined Maximum Gross Floor Area for Office	1,767 square metres for each lot.
ii)	Combined Maximum Gross Floor Area for Retail	1,500 square metres for each lot."

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)
(By-law No. 24-137, July 12, 2024)

601. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1413 and 1483 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
111, 115 Portia Drive & 1175, 1179 Wilson Street West	1434 and 1483
117, 123, 129 Portia Drive & 1183, 1187, 1191 Wilson Street West	1434

The following special provisions shall apply:

a) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:

Supermarket: A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.

i) In addition to the definition of Lot in Section 3: Definitions, the lands described as 111, 115, 117, 123, 129 Portia Drive and 1143, 1175, 1179, 1183, 1187, 1191 Wilson Street West shall be considered one lot for zoning purposes.

b) In addition to Subsection 10.6.1, the following uses shall also be permitted:

i) Art Gallery
ii) Auctioneer Establishments
iii) Building and Lumber Supply Establishment, within a wholly enclosed building
iv) Child Care Centre
v) Cold Storage Locker Establishment
vi) Commercial Entertainment, within a wholly enclosed building
vii) Commercial Parking Facility
viii) Commercial Recreation, within a wholly enclosed building
ix) Community Garden
x) Craftsperson Shop
xi) Educational Establishment
xii) Financial Establishment
xiii) Funeral Home
xiv) Laboratory

xv) Library
xvi) Major Recreational Equipment Sales, Rental and Service Establishment
xvii) Manufacturing, limited to a Printing and / or Publishing Establishment
xviii) Medical Clinic
xix) Museum
xx) Office
xxi) Personal Service
xxii) Post Office
xxiii) Private Club or Lodge
xxiv) Repair Service
xxv) Restaurant
xxvi) Retail
xxvii) Supermarket
xxviii) Transportation Depot
xxix) Urban Farm
xxx) Urban Farmer's Market

c) In addition to Subsection 10.6.2, the following uses shall also be prohibited:

i) Body Rub Parlour
ii) Department Store
iii) Dwelling Unit
iv) Open Storage

d) Notwithstanding Subsections 5.6 c), 10.6.3 a), b), c), f), g), and in addition to Subsection 10.6.3 h), the following regulations apply:

i)	Minimum Front Yard:	1.5 metres, except as provided in Clause viii) below
ii)	Minimum Side Yard:	1.5 metres, except where an interior side yard abuts a private vehicular turnaround, a 0.0 metre side yard shall be permitted
iii)	Minimum Rear Yard:	10.0 metres
iv)	Minimum Frontage:	30.0 metres
v)	Maximum Total Aggregate Gross	4,975 square metres

	Floor Area for all uses not including a Supermarket:	
vi)	Maximum Gross Floor Area for a Supermarket:	4,725 square metres
vii)	Built Form for New Development:	Within 20 metres of the Wilson Street West Lot Line, the minimum façade shall be greater than or equal to 40% of the measurement of the Wilson Street Lot Line, excluding access driveways to Wilson Street West and enhanced bioswale areas, and shall be subject to the following: A) A maximum building setback of 6.0 metres is permitted B) A minimum of 40% of the area of the ground floor façade facing Wilson Street West shall be composed of windows and doors, except that 80 metres of façade facing the Wilson Street West frontage shall be exempt from this requirement C) No parking, driveways, drive through lanes, stacking lanes, or aisles shall be located between the building façade facing Wilson Street West and Wilson Street West
viii)	Minimum Planting Strip:	3.0 metres adjacent to each lot line which abuts a public street or lot containing a dwelling comprising one or two dwelling units (but shall permit the location of principal buildings, walkways / sidewalks, retaining walls, curbs, signs, and light standards within required Planting Strips).
ix)	Minimum Parking Requirement:	Parking for all uses shall be provided at a rate of 3.5 spaces for each 93 square

metres of Gross Floor Area, or part thereof.

(By-law No. 17-240, November 8, 2017)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

602. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1126, 1127, 1177, 1178, 1179, 1462, 1463, 1501, 1502 of Schedule "A" - Zoning Maps and described as:

Property Address	Map Number
122 Martindale Crescent	1127, 1179
1775 Stone Church Road East	1452, 1453, 1501, 1502

The following special provisions shall apply:

a) Notwithstanding Subsection 10.5.3 k), the display of goods or materials for retail purposes accessory to a Retail use shall be permitted on any yard;

b) Notwithstanding Clause a), an Outdoor Storage area shall not be located on a planting strip, or required parking or loading area; and,

c) Notwithstanding Subsection 10.5.3 k), an Outdoor Storage area shall be located 6.0 metres from a Residential or Institutional Zone or lot containing a residential use, or a lot line fronting onto a street, and shall be screened or fenced from view.

d) Notwithstanding Subsection 10.5.3 k), an Outdoor Storage area attached to a building shall not exceed 500 square metres, or an area equivalent to 5% of the floor area, whichever is lesser.

(By-law No. 17-240, November 8, 2017)

603. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1187 of Schedule "A" - Zoning Map and described as 726 Upper Gage Avenue, the following special provisions shall apply:

a) Notwithstanding Subsection 5.6 c), for a Medical Clinic, 1 parking space shall be provided for every 22.0 square metres.

b) Notwithstanding Subsection 5.2b) and 5.2f), the following regulations shall also apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4 metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)

604. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1548 and 1593 of Schedule "A" - Zoning Map and described as Part of 1831 Rymal Road East, the following special provisions shall apply:

a) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, the following uses shall be prohibited, even as an accessory use:

i) Drive-Through Facilities
ii) Motor Vehicle Gas Bar
iii) Motor Vehicle Washing Establishments
iv) Motor Vehicle Dealerships
v) Garden Centres
vi) Hospitals
vii) Hotels

b) Notwithstanding Subsection 10.5.1 and in addition to Subsection 10.5.2, the following uses shall be prohibited as a primary use:

i) Motor Vehicle Service Stations
ii) Garden Centres

c) In addition to Subsection 10.5.1, the following uses shall also be permitted:

i) Masionettes
ii) Townhouses

d) Notwithstanding Subsection 10.5.3 d) ii) and iii), the maximum building height shall be 16.5 metres, or 4 storeys.

e) Notwithstanding the definition of Lot Line – Front Lot Line in Section 3: Definitions, and in addition to Section 3: Definitions, for the purpose of Special Exception No. 604, the following definitions shall apply:

Dwelling – Masionette:	Means back to back townhouse dwellings, containing not more than sixteen maisonette dwelling units within a block intended for maisonette dwellings.
Dwelling – Townhouse:	Means a building containing not less than three and not more than nine dwelling units with each unit separated by a common or party wall or walls, with a separate outside entrance to each unit.
Lot Line – Front Lot Line:	The frontage along Street "A" of the Draft Plan of "Part of Lot 33 – Concession 8", 25T-201401, shall be deemed to be the front lot line.
"Highway" or "Street"	For the purpose of this Zone, the private driveway(s) or condominium road(s) are deemed to be a street(s), and parking, landscaping and amenity areas are permitted within the street(s).

f) Notwithstanding the definition of Lot within Section 3: Definitions, those lands used for Maisonettes and Townhouses shall be considered as one lot.

g) In addition to Subsections 4.6 b), d), f), 5.6 c), f), 10.5.3 a), b), c), d) and h), the following regulations shall only apply to Maisonettes and Townhouses:

i)	Minimum Front Yard	0.6 metres
ii)	Minimum Side Yard	6.0 metres for any side yard including a flankage yard
iii)	Minimum Rear Yard	6.0 metres; except for an end wall abutting a street, a minimum 2.4 metres shall be provided and maintained.

iv)	Minimum Distance Between Buildings on the Same Lot	A) 12 metres between front walls; B) 2.4 metres between end walls of a block townhouse and / or a block of maisonette units; C) 12 metres between rear walls of a block of townhouses and / or a block of maisonette units D) 7.0 metres between end walls and rear walls of a block of townhouse and / or a block of maisonette units E) Separation distance shall not be applied to individual townhouse or maisonette units and / or their future property boundaries created by way of an application to remove part lot control and / or established by a condominium corporation.
v)	Density	A minimum density of 55 units per net residential hectare and a maximum density of 75 units per net residential hectare shall apply.
vi)	Maximum Building Height	13.5 metres or 3 storeys.
vii)	Maximum Lot Coverage	Not applicable
viii)	Privacy Area per Unit	Notwithstanding the yard requirements in Clause i), ii), and iii), each townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 3.5 metres. No privacy area shall be required for maisonette units.
ix)	Minimum Landscape Open Space	20%, except that landscape strips shall not be required between privacy areas

		and any lot line, nor adjacent to any portion of any lot that abuts a street.
x)	Parking Requirement	2 parking spaces for each maisonette and townhouse dwelling unit, and 0.25 visitors spaces shall be provided within the condominium road(s). Tandem parking is permitted for non-visitors parking spaces.
xi)	Parking Setback	No parking areas may be located closer than 2.75 metres from a dwelling unit on the same lot. Future property and / or unit boundaries created through a Condominium Act or Planning Act application shall not be subject to this requirement.
xii)	Barrier-free Parking Space Dimensions	4.4 metres x 5.5 metres
xiii)	Yard Encroachment	A) Stairs may project into any required front yard a distance of not more than 3.5 metres; B) Bay windows, with or without foundations, may project into any required front, rear and / or flankage yard a distance of not more than 0.9 metres; and, C) Covered porches may project into any require front yard a distance of not more than 3.0 metres, and 1.8 metres for a flankage yard.

(By-law No. 17-240, November 8, 2017)

605. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1500, 1546, 1547 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1308 and 1318 Rymal Road East	Map 1546, 1547
1315 Rymal Road East	Map 1500

1324 Rymal Road East	Map 1547
1333 Rymal Road East	Map 1500, 1547
1360 Rymal Road East	Map 1547
1361 Rymal Road East	Map 1547
1368 Rymal Road East	Map 1547
1380 Rymal Road East	Map 1547
1384 Rymal Road East	Map 1547
1400 Rymal Road East	Map 1547
1411 Rymal Road East	Map 1500, 1547
145 Dartnall Road	Map 1500, 1547
172 Dartnall Road	Map 1547
173 Dartnall Road	Map 1547

The following special provisions shall apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted:

   i) Adult Entertainment Parlours
   ii) Body Rub Parlours

b) In addition to Subsection 10.7.1, the following use shall also be permitted on lands located at 1308 – 1318 Rymal Road East:

   i) Manufacturing

(By-law No. 17-240, November 8, 2017)
(By-law No. 21-189, October 13, 2021)

606. Within the lands zoned District Commercial (C6) Zone, identified on Map 1450 of Schedule "A" – Zoning Maps, and described as 1070 Stone Church Road East, the following special provisions shall apply:

a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions of this By-law, the definition of the Front Lot Line shall mean any lot line of the lot abutting Stone Church Road East.

b) Notwithstanding Section 4.20c)i) and ii), an outdoor patio shall be permitted on the lot where any lot line abuts a Residential Zone, but shall not be permitted on portions of land between Tunbridge Crescent and a building.

c) Notwithstanding Sections 5.1v) and 10.6.4c), parking spaces and aisles giving direct access to the abutting parking space, shall not be located within 1.5 metres of a street line or Residential Zone or Institutional Zone except for points for ingress and egress, and a 1.5 metres planting strip being required and permanently maintained between the street line and the said parking spaces or aisles.

(By-law No. 17-240, November 8, 2017)

607. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1499 of Schedule "A" – Zoning Maps, and described as 1112 Rymal Road East, the following special provision shall apply:

a) Notwithstanding Subsection 10.7.1, the following uses shall be permitted within the building existing on the date of the passing of the By-law:

i) Medical Clinic
ii) Office

(By-law No. 17-240, November 8, 2017)

608. In addition to Subsection 9.4.1 of this By-law, within the lands zoned Business Park Support (M4, 608) Zone, identified on Map 1450 of Schedule "A" to By-law 05-200 and described as 1439 Upper Ottawa Street, the following use shall also be permitted:

i) Computer, Electronic and Data Processing Establishment;

ii) Outdoor Commercial Patios (accessory to a Restaurant).

(By-law No. 17-115, July 14, 2017)

609. In addition to Subsection 9.4.1 of this By-law, within the lands zoned Business Park Support (M4, 609) Zone, identified on Map 1450 of Schedule "A" to By-law 05-200 and described as 1447 Upper Ottawa Street, the following use shall also be permitted:

i) Outdoor Commercial Patios (accessory to a Restaurant); and,

ii) Computer, Electronic and Data Processing Establishment;

(By-law No. 17-115, July 14, 2017)

610. Within the lands zoned General Business Park (M2, 611) Zone, identified on Map No. 1528 and 1529 of Schedule "A" and described as 620 Tradewind Drive, the following special provisions shall apply:

SPECIAL PROVISIONS FOR "M2, 611" ZONE

In addition to Subsection 9.2.1	The following uses shall also be permitted: • Office; • Restaurant contained within a multi-unit building; however a stand-alone restaurant shall be prohibited; • Medical Office; and, • Motor Vehicle Service Station excluding the sale of fuel, automotive accessories and/or convenience goods.

(By-law No. 18-231, August 17, 2018)

611. Within the lands zoned General Business Park (M2, 611) Zone, identified on Map No. 1528 and 1529 of Schedule "A" and described as 620 Tradewind Drive, the following special provisions shall apply:

SPECIAL PROVISIONS FOR "M2, 611" ZONE

In addition to Subsection 9.2.1	The following uses shall also be permitted: • Office • Restaurant contained within a multi-unit building; however a stand-alone restaurant shall be prohibited; • Medical Office; and,

- Motor Vehicle Service Station excluding the sale of fuel, automotive accessories and / or convenience goods.

(By-law No. 18-231, August 17, 2018)

613. *Deleted*

(By-law No. 17-151, July 14, 2017)
(By-law No. 21-189, October 13, 2021)

615. Within the lands zoned Community Institutional (I2) Zone, identified on Map Nos. 1548 and 1549 of Schedule A and described as 26 Upper Mount Albion Road, the following special provisions shall apply:

a) In addition to Section 8.2.1, a Multiple Dwelling, for the purposes of a Residential Care Facility, shall also be permitted;

b) For the purpose of this By-law, the regulations of Section 8.2.3.1 shall apply to a Multiple Dwelling;

c) Notwithstanding any of the provisions of Section 8.2 and Section 4.8 the dwelling existing on the date of the passing of this By-law, and uses, buildings, and structures accessory thereto, shall also be permitted as an accessory use, including residential for onsite staff;

d) Sections 5.1 a) v) and 5.1 d) shall not apply; and,

e) No below grade fuel and chemical storage tanks shall be permitted.

(By-law No. 17-147, July 14, 2017)

616. *Deleted*

(By-law No. 17-151, July 14, 2017)
(By-law No. 21-189, October 13, 2021)

618. Within the lands zoned Community Institutional (I2) Zone, identified on Map 910 of Schedule "A" – Zoning Maps and described as 130 York Boulevard the following special provisions shall apply:

a) In addition to Section 8.2.1 of By-law 05-200, the following uses shall also be permitted:

Beverage Making Establishment
Catering Service
Commercial Entertainment
Commercial Parking Facility
Commercial Recreation
Commercial School
Conference or Convention Centre
Craftsperson Shop
Dwelling Unit(s)
Exhibition Facility
Financial Establishment
Hotel
Laboratory
Lodging House
Long Term Care Facility
Medical Clinic
Microbrewery
Motor Vehicle Rental Establishment
Multiple Dwelling
Office
Personal Service
Place of Assembly
Repair Service
Restaurant
Retail
Studio
Tradesperson's Shop
Transportation Depot
Veterinary Service

b) The uses permitted in a) above, shall comply with the regulations of Section 6.1.3 of this By-law.

(By-law 18-114, May 9, 2018)
(By-law No. 24-137, July 12, 2024)

619. Notwithstanding Section 6.5.1 of this By-law, within the lands zoned Downtown Residential (D5) Zone, identified on Map 952 of Schedule "A" – Zoning Maps and described as 1-22 Wesandford Place and 130, 134, 136, 138, 140, 142, and 144 Hunter Street West only Single Detached Dwelling shall be permitted.
(By-law 18-114, May 9, 2018)

620. Notwithstanding Section 6.2.1.1 i) 1. A. of this By-law, within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2) Zone, identified on Map 911 of Schedule "A" – Zoning Maps and described as 252-254 James Street North a Place of Worship shall be permitted within the ground floor façade.
(By-law 18-114, May 9, 2018)

621. In addition to Section 6.2.1 of this By-law, within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2) Zone, identified on Maps 910 and 911 of Schedule "A" – Zoning Maps and described as 200 James Street North an Armoury shall also be permitted.
(By-law 18-114, May 9, 2018)

622. Notwithstanding Section 13.2.1 of this By-law, within the lands zoned Utility (U2) Zone, identified on Maps 952 and 994 of Schedule "A" - Zoning Maps and described as 36 Hunter Street East (Hunter Street GO Station) an Office shall also be permitted.
(By-law 18-114, May 9, 2018)

625. Within the lands zoned Downtown Prime Retail Streets (D2, 625) Zone, identified on Maps 909, 910, 951 and 952 of Schedule A Zoning Maps and described as 15 Queen Street South, the following special provisions shall apply:

a) Notwithstanding Sections 5.5 a), 5.6 a) i., 6.2.3 b) ii) and 6.2.3c) iii) 1, 2., and 4., the following special provisions shall also apply:

b) REGULATIONS

a) Building Height	ii) Maximum building height shall be 78.0 metres.
c) Built Form for New Development	iii) For the lots delineated as a Heritage Character Zone on Figure 2 of Schedule F - Special Figures, where construction and/or alteration to the facade of a building are proposed, the following regulations shall also apply: 1. A minimum of 50% of the area of the ground floor façade shall be comprised of clear glazed windows and doors. Window and door frames, clear glazed transoms and sidelights,

	doors with at least 50% clear glazing, and a sill up to 0.6m in height are permitted to be included in the calculation of the clear glazed area. Signage and opaque/spandrel glazing shall not be included in the calculation of the clear glazed area; 2. A minimum of 25% and a maximum of 70% of the façade of the second and third storeys shall be composed of windows; 4. Exterior building cladding for the first three storeys, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than four of the following materials: • brick; • concrete or concrete panels; • stone block, stone veneer or artificial stone; • stucco; • metal, metal panel, or metal grilles (excluding aluminium siding or any metal variant thereof); and, • glass.
d) Parking	i) A minimum of 4 barrier free parking spaces shall be required. ii) Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of: 0.75 spaces per dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces per dwelling unit.

iii) No parking space shall be less than 2.6 metres in width by 5.5 metres in length.

(By-law No. 17-219, October 25, 2017)

626. Within the lands zoned Downtown Prime Retail Streets (D2, 626) Zone, identified on Maps 910, 911, 952 and 953 of Schedule "A" – Zoning Maps and described as 43 to 51 King Street East and 60 King William Street, the following special provisions shall apply:

a) Notwithstanding Sections 5.2 b), 5.6 a), 5.7, and 6.2.3 a) ii), iii) and b) ii) the following special provisions shall also apply:

b) REGULATIONS

a)	Maximum Building Setback from a Street Line (Podium)	ii) 2 metres for the second and third storeys from property line along Hughson Street North and King William Street;
		iii) That Section 6.2.3 a) iii) shall not apply.
b)	Building Height	ii) Maximum building height shall be 94 metres.
c)	Minimum Building Setback from a Street Line or Property Line (North Tower)	i) 6.0 metres from the King William Street street line to the building, 3.0 metres from the easterly property line to the building, 12.0 metres from the southerly property line to the building and a minimum average setback of 8.25 metres, but not less than 6.5 metres from the Hughson Street North street line to the building, for any portion of the building above the fourth storey.
		ii) In addition to the above, a minimum 23.0 metres from the Hughson Street North street line to the building, for any portion of the building above the sixth storey.

d)	Minimum Building Setback from a Street Line or Property Line (South Tower)	i) 4.0 metres from the King Street East street line to the building, 4.5 metres from the easterly property line to the building, 8.0 metres from the King William Street street line to the building and a minimum average setback of 5.5 metres, but not less than 4.5 metres from the Hughson Street North street line to the building, for any portion of the building above the fourth storey. ii) In addition to the above, a minimum 41.0 metres from the King William Street street line to the building, for any portion of the building above the sixth storey.
e)	Minimum Tower Separation	16.0 metre separation distance from a tower to another tower located on the same lot.
f)	Parking	Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of: i) 0.74 spaces per dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, park ng shall be provided at a rate of 0.3 spaces per dwelling unit. ii) No parking space shall be less than 2.6 metres in width by 5.5 metres in length. iii) A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided.

g) Bicycle Parking — Bicycle Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:

0.35 Bicycle Parking spaces per dwelling unit of which 10% are to be maintained as short term Bicycle Parking spaces.

h) Notwithstanding Subsection 5.2i), the minimum aisle width shall be 5.5 metres.

(By-law No. 18-011, January 24, 2018)
(By-law No. 19-062, March 27, 2019)

627. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Maps 1141 and 1142 of Schedule "A" – Zoning Maps, and described as 531 Queenston Road, the following special provisions shall apply:

a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law:

Medical Clinic

b) Planting Strip A planting strip with an average width of 1.0 metre, but not less than 0.9 metres, shall be provided and maintained along the northerly lot line, commencing at the easterly lot line, westerly for a distance of at least 8.0 metres.

c) Visual Barrier Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire northerly lot line.

(By-law No. 18-032, February 14, 2018)

628. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Maps 1141 and 1143 of Schedule "A" – Zoning Maps, and described as 535 and 537 Queenston Road, the following special provisions shall apply:

a) In addition to Subsection 11.3.1, the following uses shall also be permitted within the building existing on the date of passing of this By-law:

Medical Clinic.

b) In addition to Clause a), the maximum Gross Floor Area of the use permitted in Clause a) shall be 65 square metres.

c) Notwithstanding Subsection 5.1 a) v) b), a 3.0 metre wide planting strip shall be required and permanently maintained between the street line and any parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, only where an encroachment agreement has not been entered into with the City of Hamilton, for a minimum 3.0 metre planting strip within the widened road allowance limits of Queenston Road.

d) Subsection 5.1.b) v) shall not apply for the existing building(s).

e) Subsection 5.1.b) ix) shall not apply for the existing building(s).

f) Visual Barrier

i) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire northerly lot line for the lands located at 535 Queenston Road.

ii) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire easterly and northerly lot lines for the lands located at 537 Queenston Road.

(By-law No. 18-032, February 14, 2018)

629. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 1142, 1193, 1194 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
32 Centennial Parkway North	Map 1413
40 Centennial Parkway North	Map 1413
48 Centennial Parkway North	Map 1413
54 Centennial Parkway North	Map 1413
58 Centennial Parkway North	Map 1413
68 Centennial Parkway North	Map 1413
82 Centennial Parkway North	Map 1413
86 Centennial Parkway North	Map 1413
90 Centennial Parkway North	Map 1413
92 Centennial Parkway North	Map 1413
96 Centennial Parkway North	Map 1413
106 Centennial Parkway North	Map 1413
133 Centennial Parkway North	Map 1413
155 Centennial Parkway North	Map 1413
163 Centennial Parkway North	Map 1094, 1413
173 Centennial Parkway North	Map 1094
183 Centennial Parkway North	Map 1094
Part of 191 Centennial Parkway North	Map 1094
Part of 203 Centennial Parkway North	Map 1094
207 Centennial Parkway North	Map 1094
211 Centennial Parkway North	Map 1094
219 Centennial Parkway North	Map 1094
2444 Barton Street East	Map 1094
2450 Barton Street East	Map 1094
711 Queenston Road	Map 1142
714 Queenston Road	Map 1142
720 Queenston Road	Map 1142
724 Queenston Road	Map 1142
727 Queenston Road	Map 1142
732 Queenston Road	Map 1142
735 Queenston Road	Map 1142
736 Queenston Road	Map 1142
744 Queenston Road	Map 1142 and Map 1193
750 Queenston Road	Map 1142 and Map 1193
754 Queenston Road	Map 1142 and Map 1193
771 Queenston Road	Map 1142
816 Queenston Road	Map 1194
822 Queenston Road	Map 1194
16 Clapham Road	Map 1142

(By-law No. 26-049, March 04, 2026)

The following special provisions also apply:

a) Notwithstanding Subsection 11.1.1, only the following uses shall be permitted:

Artist Studio
Beverage Making Establishment
Catering Service
Child Care Centre
Commercial Entertainment
Commercial Recreation
Commercial School
Communications Establishment
Craftsperson Shop
Dwelling Unit(s) in conjunction with a Commercial Use
Financial Establishment
Hotel
Laboratory
Medical Clinic
Microbrewery
Office
Performing Arts Theatre
Personal Service
Place of Assembly
Place of Worship
Repair Service
Restaurant
Retail
Social Services Establishment
Tradesperson's Shop
Transportation Depot
Urban Farmer's Market
Veterinary Service

b) Notwithstanding Subsections 11.1.3 g).iii).1., and h), and in addition to Subsections 11.1.1, 11.1.3 d) and 11.1.3 g) ii) and iii) 2., the following regulations shall also apply:

i) Restricted Uses — In addition to Subsection 11.4.1, the following use shall be permitted in accordance with the following restrictions:

A. Notwithstanding Subsection 11.4.1, a Dwelling Unit(s) in conjunction with a Commercial Use shall only be permitted above the ground floor.

B. Notwithstanding Subsection 11.4.1, a Child Care Centre shall only be permitted above the ground floor.

ii) Building Height

In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;

B. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the

uppermost point of the building to the uppermost point of the rooftop enclosure.

iii) Built Form for New Development

1. For a corner lot, the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 75% of the measurement of the front lot line and flankage lot line; and,

2. In addition to Subsection 11.1.3 g) ii) and iii) 2., and in addition to Clause b) iii) 1., the minimum width of the ground floor façade facing the front lot line shall exclude access driveways and required yards along a lot line abutting a street.

iv) Minimum Amenity Area for Dwelling Units in Conjunction with a Commercial Use

On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:

1. An area of 4.0 square metres for each dwelling unit less than 50 square metres;

2. An area of 6.0 square metres for each dwelling unit more than 50 square metres;

3. In addition to the definition of Amenity Area, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air; and,

4. In addition to the definition of Amenity Area, the required Amenity

		Area shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with any commercial component.
	v) Screening	Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.

(By-law No. 18-032, February 14, 2018)
(By-law No. 18-219, August 17, 2018)
(By-law No. 25-155, August 06, 2025)

630. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Map 1142 of Schedule "A" – Zoning Maps, and described as part of 695 and 697 Queenston Road, the following special provisions shall also apply:

a) Notwithstanding Subsection 4.20 c), the existing outdoor commercial patio shall be permitted in the front yard.

b) Notwithstanding Subsection 11.4.3 d) ii) and iv), the maximum Building Height shall be 22.0 metres.

(By-law No. 18-032, February 14, 2018)

631. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule "A" – Zoning Maps, and described as 7 & 9 Greenford Drive, 760 Queenston Road, and part of 770 Queenston Road, the following special provision shall also apply:

a) Notwithstanding Subsection 11.4.3 d) ii) and iv), the maximum Building Height shall be 22.0 metres.

(By-law No. 18-032, February 14, 2018)

632. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, 1193 and 1194 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
25, 27, 29 Delawana Drive	1413
118, 120 Centennial Parkway North	1413

130 Centennial Parkway North	1413
140 Centennial Parkway North	1413
150 Centennial Parkway North	1413
160 Centennial Parkway North	1413
333 Centennial Parkway North	1048, 1094
347 Centennial Parkway North	1048
350 Centennial Parkway North	1048, 1049, 1094
185 Bancroft Street	1048
25 Arrowsmith Road	1048, 1094
Part of 770 Queenston Road	1142, 1143, 1193 & 1194
792 Queenston Road	1194
800 Queenston Road	1194
817 Queenston Road	1143 & 1194

(By-law No. 26-049, March 04, 2026)

The following provisions shall apply:

a) Notwithstanding Subsection 11.4.3 d) ii) and iv), and in addition to Subsection 11.4.3 d) i) and iii), the following regulations shall apply:

i) Maximum Building Height shall be 47.0 metres; and,

ii) Any portion of a building above 22.0 metres in height, to a maximum of 47.0 metres, shall be setback a minimum of 29.5 metres from the rear or interior side lot line when abutting a Residential or Institutional Zone.

(By-law No. 18-032, February 14, 2018)

633. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, and 1194 of Schedule "A" – Zoning Maps, and described as 75 Centennial Parkway North (Eastgate Square), shown as Figure 18 of Schedule "F" – Special Figures, the following special provisions shall also apply:

The following Table 1 is provided for information only:

Table 1

Gross Floor Area (GFA) (square metres)	Application

30,763.0	Shall be considered 50% of the total site GFA existing on the date of passing of this By-law (February 14, 2018) This number is for the purposes of maximum alterations and building footprint redistribution permitted under the Vacuum Clause This number is also for the purposes of minimum demolition and reconstruction prior to trigger of Mixed Use Development (plus 0.1 square metre)
59,992.0	Shall be considered the GFA of the principal shopping centre building (Eastgate Square) existing on the date of passing of this By-law (February 14, 2018)
60,000.0	Shall be considered the GFA of the principal shopping centre building (Eastgate Square) existing on the date of passing of this By-law (February 14, 2018), rounded up to the nearest ten
61,525.0	Shall be considered the total site GFA existing on the date of passing of this By-law (February 14, 2018), including the principal shopping centre building (59,992.0) and the two existing stand-alone commercial buildings (511.0 + 1,022.0)
80,405.0	Shall be considered 130% of the GFA of the existing principal shopping centre building (59,992.0), plus the GFA approved by HM/A-08:316 (1,858.0) This number is for the purposes of expansions under the Vacuum Clause
91,288.0	Shall be considered 150% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)

a) The lands described as 75 Centennial Parkway North (Eastgate Square), as shown as Figure 18 of Schedule "F" – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.

b) Notwithstanding the Definitions in Section 3, for the purposes of this By-law, the front lot line is deemed to be Centennial Parkway North.

c) For the purposes of Special Exception No. 633, the following provisions shall apply to **Area A** as shown on Figure 18 of Schedule "F" – Special Figures:

A) In addition to the Definitions in Section 3, for the purpose of Special Exception No. 633, the following definition shall apply:

Block Townhouse Dwelling	Shall mean a dwelling divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a maisonette.

B) In addition to the Permitted Uses [Subsection 11.4.1], the following uses shall also be permitted:

Dwelling Unit(s)
Multiple Dwelling

C) Notwithstanding the Permitted Uses [Subsection 11.4.1] and in addition to the Prohibited Uses [Subsection 11.4.2], a Block Townhouse Dwelling(s) shall not be permitted.

D) Notwithstanding the Restricted Uses [Subsection 11.4.1.1], the residential uses contained in Subsection 11.4.1 and Clause b) B) of Special Exception No. 633 shall be permitted on the ground floor.

E) Notwithstanding the Building Height requirements [Subsection 11.4.3 d)] the following Building Height shall apply:

i) Minimum 7.5 metres; and,

ii) Maximum 11.0 metres.

d) For the purposes of Special Exception No. 633, the following provisions shall apply to **Area B** as shown on Figure 18 of Schedule "F" – Special Figures:

A) Notwithstanding the minimum and maximum Building Height requirements [Subsection 11.4.3 d) i), ii) and iv)], and

in addition to the Building Height stepback requirements [Subsection 11.4.3 d) iii)], the following regulations shall apply to new development:

i) The minimum building height abutting Queenston Road shall be 11.0 metres;

ii) The minimum building height abutting Centennial Parkway North shall be 7.5 metres;

iii) The maximum building height shall be 62.0 metres; and,

iv) Any portion of a building above 22.0 metres in height, to a maximum of 62.0 metres, shall be setback a minimum of 89.5 metres from any streetline abutting Kenora Avenue and Delawana Drive within the extent of the boundaries of Area A.

B) Notwithstanding the minimum Building Height requirements [Subsection 11.4.3 d)i)], a minimum height of 6.0 metres shall be permitted for any addition to the principal building existing on the date of passing of this By-law.

C) Notwithstanding the regulations for Outdoor Commercial Patios [Subsection 4.20 c) and d)], an outdoor commercial patio shall be permitted to provide commercial entertainment consisting of recorded music only, on a lot where such lot is separated from a Residential Zone by a laneway or street.

D) Notwithstanding the minimum Building Façade Facing the Front and Flankage Lot Line requirements [Subsection 11.4.3 g) ii) and iii)], the following regulations apply:

i) The minimum width of the ground floor façade facing Queenston Road within Area B shall:

1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Queenston Road located within Area B;

2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].

ii) The minimum width of the ground floor façade facing Centennial Parkway North within Area B shall:

1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Centennial Parkway North located within Area B; and,

2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].

iii) In addition to the minimum Building Façade Facing the Front and Flankage Lot Line requirements [Subsection 11.4.3 g) iv) and clauses d) D) i) and ii) of Special Exception No. 633], the calculation of the measurement of the streetline width shall not include:

1. Any portion of the lot width occupied by a public transit facility; and,

2. Any portion of the lot width occupied by an existing building within 25.0 metres of the streetline abutting Centennial Parkway North.

E) Expansions to Existing Principal Shopping Centre Building

Notwithstanding Expansion Regulations for Existing Buildings [Subsections 4.12 e)ii)], maximum Building Setback from a Street Line [Subsection 11.4.3 a)i)], minimum Building Height [Subsection 11.4.3 d)i)], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii)] and in addition to Location of Buildings Existing on the date of Passing of the Bylaw [Subsection 4.12 e)i)], the following regulations in Table 2 shall apply to the principal shopping centre building legally existing on the date of passing of the By-law:

Table 2	Maximum GFA of the Resulting Building	Minimum GFA of the Resulting Building
Expansions (not including any demolition)	80,405.0 square metres	N/A

Reconfiguration (with demolition and alteration)	80,405.0 square metres	30,764.0 square metres

F) Trigger for Mixed Use Development – Expansions of Existing Buildings on the Lot

i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development on the lot in the form of new buildings or additions to existing buildings exceeds 30,763 square metres, resulting in a total gross floor area that exceeds 91,288 square metres for the entire lot, the following regulation shall apply:

1. For each square metre of commercial or institutional use provided above 91,288 square metres, a minimum of 3.0 square metres of residential use shall be required.

G) Trigger for Mixed Use Development – Demolitions with Reconstruction of Existing Buildings on the Lot

i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development or redevelopment occurs on the lot in the form of demolitions with reconstruction, where the demolished portion exceeds a gross floor area of 30,763 square metres, the following regulation shall apply:

1. For each square metre of commercial or institutional use provided above 61,525 square metres, a minimum of 3.0 square metres of residential use shall be required.

H) Notwithstanding the minimum Building Height [Subsection 11.4.3 d)i) and Clause d)A) i) and ii) of Special Exception No. 633], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii) and Clause d)D) of Special Exception No. 633] and Built Form Requirements for Small Scale Commercial Buildings [Subsection 11.4.3 g)viii)], for commercial development

existing at the time of passing of this by-law, Subsections 11.4.3 g) ii) and iii) and Clause d)D) of Special Exception No. 633 shall not apply to new commercial buildings subject to the following requirements:

i) The maximum Gross Floor Area of each building shall be 1,000 square metres for single occupant commercial buildings;

ii) The maximum Gross Floor Area of each building shall be 1,200 square metres for multi-tenant commercial buildings; and,

iii) The minimum Building Height shall be 6.0 metres.

l) The Principal Entrance requirements [Subsection 11.4.3 g) vi)] shall only apply to buildings constructed after the date of passing of this By-law (February 14, 2018).

(By-law No. 18-032, February 14, 2018)
(By-law No. 22-084, April 13, 2022)

634. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1091 of Schedule "A" – Zoning Maps, and described as 165 Queenston Road, the following special provisions apply:

a) In addition to Subsection 11.1.1 Permitted Uses, and Notwithstanding Subsection 11.1.2 Prohibited Uses, the existing Motor Vehicle Service Station shall also be permitted.

b) In addition to Subsection 4.12 e), Section 5, and Subsection 11.1.3, any parking spaces and drive aisles existing on the date of passing of this By-law (February 14, 2018) shall be deemed to comply with the regulations for any required setbacks, location on the lot, and number of parking spaces.

(By-law No. 18-032, February 14, 2018)

635. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1141 of Schedule "A" – Zoning Maps, and described as 505 Queenston Road, the following special provisions apply:

a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law.

Office

b) In addition to Subsection 5.1 a) v), a minimum of 140 square metres of landscaped area shall be provided and maintained within the required front yard.

c) In addition to Clause a), a visual barrier shall be required along any lot line abutting an Institutional Zone or Residential Zone, with the exception of TOC3 Zone, in accordance with the requirements of Subsection 4.19 of this By-law.

(By-law No. 18-032, February 14, 2018)

636. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1141 of Schedule "A" – Zoning Maps, and described as 509 Queenston Road, the following special provisions shall also apply:

a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law:

Denture Clinic

b) Notwithstanding Subsection 5.1 a) v), a 1.5 metre wide planting strip shall be required and permanently maintained between the street line and any parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, only where an encroachment agreement has not been entered into with the City of Hamilton, for a minimum 1.5 metre planting strip within the widened road allowance limits of Queenston Road.

c) Subsection 5.1.b) iii) shall not apply for the existing building(s).

d) Subsection 5.1.b) ix) shall not apply for the existing building(s).

e) Visual Barrier i) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be required and maintained along the northerly lot line.

ii) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be required and maintained along the easterly lot line, commencing at the northerly lot line, southerly for a distance of at least 26.0 metres.

(By-law No. 18-032, February 14, 2018)

637. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule "A" – Zoning Maps, and described as 670, 674, 686, 692, 700 and 706 Queenston Road, shown as Figure 19 of Schedule "F" – Special Figures, the following special provisions shall also apply:

The following Table 1 is provided for information only:

Table 1

Gross Floor Area (GFA) (square metres)	Application
8,867.0	Shall be considered 50% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)
9,671.0	Shall be considered the GFA of the largest stand-alone commercial building existing on the date of passing of this Bylaw (February 14, 2018) This number is for the purposes of minimum demolition and reconstruction prior to trigger of Mixed Use Development
13,540.0	Shall be considered 140% of the GFA of the largest standalone commercial building existing on the date of passing of this By-law (February 14, 2018) This number is for the purposes of expansions under the Vacuum Clause
17,733.0	Shall be considered the total site GFA existing on the date of passing of this By-law (February 14, 2018), including the multi-unit commercial building (6,245.0), large scale standalone commercial building (9,671.0),

	gas bar (108.0), four small scale stand-alone commercial buildings (282.0 + 277.0 + 500.0 + 650.0)
21,602.0	Shall be considered the total site GFA assuming a 40% expansion to the existing largest stand-alone commercial building existing on the date of passing of this By-law (February 14, 2018)
26,600.0	Shall be considered 150% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)

a) For the purposes of Special Exception No. 637, the following special regulations shall apply to **Areas A and B**, as shown on Figure 19 of Schedule "F" – Special Figure:

A) The lands described as 670, 674, 686, 692, 700 and 706 Queenston Road, as shown as Figure 19 of Schedule "F" – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.

B) Notwithstanding Section 3, for the purposes of this By-law, the front lot line is deemed to be Queenston Road.

C) Notwithstanding Prohibited Uses [Subsection 11.4.2 i)], the following provisions apply:

i) A Drive-Through Facility, existing on the date of passing of this By-law shall be permitted in Areas A1, A2, A3 and A5.

ii) A Motor Vehicle Service Station, existing on the date of
passing of this By-law, shall be permitted only as an accessory use and may be permitted in Areas A and B.

iii) A Motor Vehicle Gas Bar, existing on the date of passing of this By-law, shall only be permitted in Area A4.

D) For the existing building with a drive through facility located within Area A1, the following special regulations shall apply:

i) Subsection 4.25 c) ii) shall not apply; and,

ii) Subsection 11.4.3 g) v) shall not apply.

E) Relocation of Drive Through Facilities outside Areas A1, A2, A3 and A5

i) The existing drive through facilities located within Areas A1, A2, A3 and A5 may be permitted to relocate on the same lot outside of Areas A1, A2, A3 and A5 subject to the following requirements:

1. A maximum of four drive through facilities shall be permitted on the lot; and,

2. All relocated drive through facilities shall comply with the Drive Through regulations and Built Form for New Development regulations [Subsections 4.25 and 11.4.3 g)].

F) Reconstruction of Drive Through Facilities within Areas A1, A2, A3 and A5

i) Notwithstanding Subsection 11.4.3 g), the existing drive through facilities located within Areas A1, A2, A3 and A5 may be demolished and reconstructed within Areas A1, A2, A3 and A5; and,

ii) Notwithstanding Subsection 11.4.3 d)i) the minimum building height shall be 4.5 metres.

G) The existing Motor Vehicle Gas Bar located within Area A4 may be permitted to relocate on the same lot outside of Area A4 subject to the following requirements:

i)	Minimum Yard abutting a street	60.0 metres
ii)	Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies	60.0 metres
iii)	Minimum Planting Strip Requirements	3.0 metres in width shall be required abutting any

		Residential Zone or Institutional Zone property line
iv)	Maximum Gross Floor Area for Accessory Retail Uses to a Motor Vehicle Gas Bar	175.0 square metres

H) Trigger for Mixed Use Development – Expansions of Existing Buildings on the Lot

i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development on the lot in the form of new buildings or additions to existing buildings exceeds 9,671.0 square metres, resulting in a total gross floor area that exceeds 26,600.0 square metres for the entire lot, the following regulation shall apply:

1. For each square metre of commercial or institutional use provided above 26,600.0 square metres, a minimum of 3.0 square metres of residential use shall be required.

I) Trigger for Mixed Use Development – Demolitions with Reconstruction of Existing Buildings on the Lot

i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development or redevelopment occurs on the lot in the form of demolitions with reconstruction, where the demolished portion exceeds a gross floor area of 9,671.0 square metres, the following regulation shall apply:

1. For each square metre of commercial or institutional use provided above 21,602.0 square metres, a minimum of 3.0 square metres of residential use shall be required.

J) Notwithstanding the minimum Building Height [Subsection 11.4.3 d) i)], a minimum height of 6.0 metres shall be permitted for any addition to any building existing on the date of the passing of this By-law.

K) Expansions to Existing Buildings:

Notwithstanding the Expansion Regulations for Existing Buildings [Subsections 4.12 e)ii)], the maximum Building Setback from a Street Line [Subsection 11.4.3 a)i)], minimum Building Height [Subsection 11.4.3 d)i)], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii)] and in addition to Location Regulations of Buildings Existing on the date of Passing of the By-law [Subsection 4.12 e)i)], the following regulations in Table 2 shall apply to the buildings existing on the date of passing of the By-law:

Table 2	Maximum GFA of the Resulting Building	Minimum GFA of the Resulting Building
Existing Largest Stand-Alone Commercial Building (at corner of Nash Road South and Dover Drive)		
Expansions and reconfiguration	13,540.0 square metres	N/A
All other Existing Buildings		
Expansions (not including any demolition)	110% of the GFA of the buildings existing on the date of passing of this by-law	N/A

b) For the purposes of Special Exception No. 637, the following special regulations shall apply to **Area A** as shown on Figure 19 of Schedule "F" – Special Figures:

A) Notwithstanding the minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g) ii) and iii)], the following regulations apply:

i) The minimum width of the ground floor façade facing Queenston Road within Area A shall:

1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Queenston Road located within Area A;

2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].

ii) The minimum width of the ground floor façade facing Nash Road within Area A shall:

1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Nash Road located within Area A; and,

2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].

iii) In addition to Subsection 11.4.3 g) iv) and clauses b) A) i) and ii) of Special Exception No. 637, the calculation of the measurement of the streetline may not include the width of any lands located within Area A4.

c) For the purposes of Special Exception No. 637, the following special provisions shall apply to **Area B** as shown on Figure 19 of Schedule "F" – Special Figures:

A) In addition to the Definitions of Section 3, for the purpose of Special Exception No. 637, the following definition shall apply:

Block Townhouse Dwelling	Shall mean a dwelling divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a maisonette.

B) In addition to the Permitted Uses [Subsection 11.4.1], the following uses shall also be permitted:

Block Townhouse Dwelling
Conference or Convention Centre
Dwelling Unit(s)
Educational Establishment
Emergency Shelter
Lodging House
Long Term Care Facility
Multiple Dwelling
Residential Care Facility
Retirement Home

C) Notwithstanding the Restricted Uses [Subsection 11.4.1.1], residential uses contained in Subsection 11.4.1 and Clause c) B) shall be permitted on the ground floor.

D) In addition to the Restricted Uses regulations [Subsection 11.4.1.1], the following restriction of uses shall apply:

i) Residential Care Facility

1. Maximum capacity for a Residential Care Facility is 20 residents.

ii) Emergency Shelter

2. Maximum capacity for an Emergency Shelter is 50 residents.

iii) Emergency Shelter and Residential Care Facility:

1. Except as provided in Clause c) D) iii) 2., every Emergency Shelter or Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility; and,

2. Where the radial separation distance from the lot line of an Emergency Shelter, or Residential

Care Facility existing on the date of passing of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility, the existing Residential Care Facility may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.

E) Notwithstanding the maximum Building Setback from a Street Line, minimum and maximum Building Height, stepback regulations, and minimum Building Façade Facing the Front or Flankage Lot Line requirements [Subsection 11.4.3 a), d) i), ii), iii) and iv), g) iii)], the following regulations shall apply:

i) Building Setback from a Street

1. Minimum 3.0 metres for a building with residential units on the ground floor facing a street;

2. Maximum 4.5 metres, except where a visibility triangle is required for a driveway access;

3. Notwithstanding Clause c) E) i) 2., a minimum setback of 6.0 metres is required for that portion of a building providing access to a driveway or garage; and,

4. Where a building(s) exists and complies with Subsection c) E) iii) 1., additional building(s) constructed on the lot shall not be subject to Clauses c) E) i) 1. and 2.

ii) Building Height

1. Minimum 7.5 metres;

2. Maximum 22.0 metres;

3. In addition to minimum Building Height [Subsection 11.4.3 d) i)] and notwithstanding maximum Building Height [Clause c) E) ii) 2.], the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Subsections 11.4.3 b) and c), when abutting a Residential or Institutional Zone, to a maximum of 22.0 metres.

iii) Built Form for New Development

1. The minimum width of the ground floor façade facing Nash Road within Area B shall be greater than or equal to 40% of the measurement of that portion of the streetline abutting Nash Road located within Area B.

F) Notwithstanding any other provisions of this By-law, vehicular access for commercial purposes shall be prohibited from Dover Drive.

(By-law No. 18-032, February 14, 2018)
(By-law No. 18-219, August 17, 2018)
(By-law No. 22-084, April 13, 2022)

638. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1142 of Schedule "A" – Zoning Maps, and described as 558 Queenston Road, the following special provisions shall also apply:

a) Notwithstanding Subsection 4.20 c) i), an outdoor commercial patio shall be permitted on a lot where any lot line abuts a Residential Zone; and,

b) Notwithstanding Subsection 11.1.3 b), no minimum rear yard setback is required.

(By-law No. 18-032, February 14, 2018)

639. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1234 and 1287 of Schedule "A" – Zoning Maps, and described as 630 Stone Church Road West, the following special provisions shall also apply:

a) Notwithstanding Subsection 4.6 a), 4.8.1 c), 4. 19, 5.1 a) v) a) and b), 5.2 b), f) and i), 5.2.1 c), 5.5 a), and 5.6 c) as it relates to "Retail within a Commercial and Mixed Use Zone", the following regulations shall apply:

i)	Permitted Yard Encroachments	The usual projections of window sills, cornices, eaves, troughs, and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard provided that no such feature shall project more than 0.5 metres into the required yard and shall be no less than 0.4 metres from the rear lot line.
ii)	Accessory Buildings in Commercial and Mixed Use Zones	Accessory buildings having a maximum gross floor area of less than 11.0 square metres and a maximum building height of 3.0 metres may be located in a required rear yard or a required side yard.
iii)	Visual Barrier	a) A visual barrier shall have a minimum height of 1.7 metres. b) All other applicable provisions of Section 4. 19 shall apply.
iv)	Parking Location	Parking spaces and aisles giving direct access to abutting parking spaces,

		excluding driveways extending directly from the street, shall not be located within 0.9 metres of a street line and a minimum 0.9 metre planting strip shall be required and permanently maintained between the street line and the parking spaces and/or aisles, excluding driveways extending directly from the street.
v)	Parking Space Sizes	a) Minimum 2.7 metres in width and 5.5 metres in length. b) Notwithstanding a) above, in the case of a barrier free parking space, each parking space shall have a minimum width of 2.7 metres and a minimum length of 5.5 metres plus an abutting 1.9 metre wide shared aisle.
vi)	Parking Aisle Width	The minimum aisle width shall be 5.8 metres.
vii)	Location of Loading Facilities	A loading space/area shall be located within the required easterly side yard and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.
viii)	Minimum Number of Required Parking Spaces	13, including 1 barrier free parking space.

b) Notwithstanding Subsection 10.3.3. a) ii), b) ii), c) i), and i) vi) and vii) 2., the following regulations shall apply:

i)	Maximum Building Setback from a Street.	20.1 metres except the maximum building setback shall not apply to accessory buildings.
ii)	Minimum Rear Yard	0.8 metres
iii)	Minimum Interior Side Yard	1.2 metres
iv)	Built Form for New Development	a) Parking spaces and aisles shall be permitted to be located between a building façade and the front lot line. b) The principal entrance shall be accessible from the building façade but shall not be required to have direct access from the public sidewalk.

(By-law No. 20-029, February 12, 2020)

640. Within the lands zoned General Industrial (M5) Zone and Light Industrial (M6) Zone, identified on Maps 1047, 1093, and 1094 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
2289 Barton Street East	1093, 1094
2311, 2333 Barton Street East	1093, 1094
2371 Barton Street East and 306, 308, 310 Kenora Avenue	1094
285, 291, 295, 297, 301, 307, 309, 311, 315, 317, 319, 323, 329 Nash Road North	1047
351 Nash Road North	1047

The following special provisions shall apply:

a) In addition to Section 9.6.1, the following uses shall only be permitted within the building existing on the date of the passing of

this By-law, being the 14th of July, 2017 for lands located at 2289 Barton Street East:

i) Commercial Recreation in conjunction with a permitted use;

ii) Motor Vehicle Dealership;

iii) Place of Assembly; and,

iv) Retail.

b) In addition to Section 9.6.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 2311, 2333 Barton Street East:

i) Motor Vehicle Dealership.

c) In addition to Section 9.6.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 2371 Barton Street East and 306, 308, 310 Kenora Avenue:

i) Retail.

d) In addition to Section 9.6.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 285, 291, 295, 297, 301, 307, 309, 311, 315, 317, 319, 323, 329 Nash Road North, and 351 Nash Road North:

i) Retail.

(By-law No. 17-150, June 14, 2017)

641. Within the lands zoned General Industrial (M5) Zone, identified on Maps 1047, 1048 of Schedule "A" – Zoning Maps and described as 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street, the following special provisions shall apply:

a) In addition to Section 9.5.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street:

i) Commercial Recreation in conjunction with another permitted use;

ii) Retail; and,

iii) Studio.

(By-law No. 17-149, June 14, 2017)

642. *Deleted*

(By-law No. 17-202, September 27, 2017)
(By-law No. 19-140, June 12, 2019)
(By-law No. 19-209, September 11, 2019)
(By-law No. 19-248, October 9, 2019)
(By-law No. 19-257, October 23, 2019)
(By-law No. 20-201-LPAT, September 21, 2020)
(By-law No. 21-189, October 13, 2021)

643. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 643) Zone, identified on Maps 1175 and 1229 of Schedule "A" – Zoning Maps and described as 280 Wilson Street East, the following special provisions shall apply:

a) Notwithstanding Subsection 5.2 i), a One-Way and Two-Way Aisle Width of 3.5 m shall be provided.

b) Notwithstanding Subsection 5.2.1 c) a loading space shall be permitted in a required southerly side yard abutting an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.

c) Notwithstanding Subsection 5.6 c) Parking Schedule for all Zones, except Downtown Zones for Dwelling Units and Dwelling Units in Conjunction with Commercial Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones):

ii)	Dwelling units greater than 50.0 square metres in gross floor area	1.7 per unit

d) In addition to Subsection 10.5.a.1 and 10.5a.1.1, a multiple dwelling shall be permitted and restricted in accordance with the following provisions:

i) A Multiple Dwelling shall have a minimum 12.0 metre setback from the front lot line.

ii) Notwithstanding Subsection 10.5a.1.1 ii) 2., residential uses shall be permitted on the ground floor.

e) Notwithstanding Subsection 10.5a.3 b), c), d)i), d)ii), and d)iii) the following regulations shall apply to a multiple dwelling having a minimum setback of 12 metres from the front lot line:

i)	Minimum Rear Yard	3.0 metres.
ii)	Minimum Side Yard	3.0 metres, abutting a Residential or Institutional Zone or lot containing a residential use except as detailed in Figure 1 of Schedule "B" – Property Details.
iii)	Maximum Building Height	14.3 metres

f) Notwithstanding any other provisions of this By-law, the building existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, façade length, and building height.

g) Notwithstanding any other provisions of this By-law, Subsections 10.5a.3 h) ii), iv), v), vi), viii), and ix) shall not apply to New Development on lands where the building existing as of the date of passing of this by-law remains on site.

h) In addition to Subsection 10.5a.7, visitor parking shall be provided at a rate of 0.25 spaces per dwelling unit.

(By-law No. 19-299, December 11, 2019)

644. Within the lands zoned Community Institutional (I2) Zone, identified on Map Nos. 1174 and 1175 of Schedule A" - Zoning Maps and described as 357 Wilson Street East, Ancaster, the following special provisions shall apply:

a) For the purposes of Special Exception 644 the following definition shall apply:

Performing Arts Theatre	Shall mean a building or structure or part thereof, used for the presentation of musical,

theatrical, dance, or other live performances and may include lounges, dressing rooms, workshop rooms, storage areas, but shall not include a cinema.

b) Section 4.23 d) shall not apply.

c) In addition to the uses permitted in Section 8.2.1 of this By-law, the following uses shall also be permitted:

Multiple Dwelling
Performing Arts Theatre
Place of Assembly
Artist Studio

d) In addition to Section 8.2.3 the following special provisions shall apply:

A. **PERFORMING ARTS THEATRE, PLACE OF ASSEMBLY, STUDIO REGULATIONS**

i)	Minimum Yard	1. 6.0 metres where property line abuts a Residential Zone property line. 2. Notwithstanding 1. above, no building or part thereof shall be permitted between the building facade and Wilson Street East.
ii)	Minimum Rear Yard	7.0 metres;
iii)	Maximum Building Height	1. 15.0 metres; 2. Notwithstanding 1. above, the building shall not exceed 3 storeys.

iv)	Parking for Performing Arts Theatre	Notwithstanding Section 5 of this By-law, 1 parking space shall be provided for every 10 persons accommodated
v)	Accessory Buildings	In accordance with the requirements of Section 4.8 of this By-law.
vi)	Visual Barrier	Shall be provided along that portion of a property lot line abutting a Residential Zone, in accordance with Section 4.19 of this By-law.

B. **MULTIPLE DWELLING REGULATIONS**

i)	Minimum setback from a Residential Zone property line	2 metres;
ii)	Maximum Building Height	10.5 metres;
iii)	Visual Barrier	Shall be provided along that portion of a property lot line abutting a Residential Zone, in accordance with Section 4.19 of this By-law.
iv)	Parking	i) In accordance with Section 5 of this By-law. ii) In addition to i) above 1 parking space for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each such unit.

v)	Accessory Buildings	In accordance with the requirements of Section 4.8 of this By-law.

e) In addition to Section 8.2.3.8 and notwithstanding Section 4.28(a)(ii) of this By-law an Urban Farmers Market shall be permitted.

(By-law No. 17-254, November 27, 2017)

645. Within the lands zoned Conservation/Hazard Land (P5) Zone, identified on Map Nos. 1150 and 1151 of Schedule "A" – Zoning Maps, and described as 42, 44, 48, 52 and 54 Lakeshore Drive, the following special provisions shall apply:

a) That Section 4.23 d) shall not apply to the zone boundary of the Conservation/Hazard Land (P5) Zone.

(By-law No. 20-175, August 21, 2020)

646. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1911 and 1912 of Schedule "A" – Zoning Maps, and described as 2400 Regional Road 56, the following special provisions shall apply:

a) Notwithstanding Section 4.8.1a, an accessory building existing at the time of the passing of the By-law shall be permitted.

b) Notwithstanding Subsection 10.6.3a), the Maximum Setback Fronting onto a Street Line shall be 28.0 metres.

c) Subsection 10.6.3g)iv) shall not apply.

(By-law No. 17-240, November 8, 2017)

647. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Maps 957, 958, 999, and 1000 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1091 Barton Street East	999
1111, 1115 Barton Street East	957, 999
1145, 1147, 1149, 1183, 1187, 1191, 1211, 1219, 1223, 1231, 1241, 1249, 1259, 1263 Barton Street East	957, 958, 999, 1000
1255, 1273, 1275, 1283, 1299, 1311, 1317, 1321 Barton Street East	958, 1000

The following special regulations shall apply:

a) In addition to Subsection 10.4.1, following uses shall also be permitted:

   i) Motor Vehicle Showroom

b) In addition to Section 3: Definitions, for the purpose of Special Exception No. 647, the following definition shall apply:

Motor Vehicle Show Room	Shall mean an establishment located internal to a building where new motor vehicles are displayed for the purpose of sale or leasing, and may include accessory retailing of souvenir merchandise, and shall not include the storage of motor vehicles and Motor Vehicle Service Station.

c) A minimum building height of 6.0 metres shall be provided for commercial buildings containing only one or more of the following uses:

   i) Financial Establishment
   ii) Personal Service
   iii) Restaurant
   iv) Retail

d) Where a building(s) on a lot exists on the date of the passing of the By-law, and have frontage on Barton Street East and/or Kenilworth Avenue North, Subsection 10.4.3a)i) shall not apply to any additional buildings.

e) Notwithstanding Subsection 5.2 b)i) and 5.2 f), for the lands located at 1283 Barton Street East, the following special parking regulations shall also apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided.
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size dimension of 4.4

metres by 5.5 metres shall be provided.

(By-law No. 17-240, November 8, 2017)
(By-law No.17-240-OLT-05, March 14, 2022)

648. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1546 and 1547 of Schedule "A" – Zoning Maps and described as 1324 Rymal Road East and 172 Dartnall Road, the following special provisions shall apply:

a) Notwithstanding Subsections 5.1v), 10.7.3a), and f), the following special regulations shall also apply:

i)	Maximum Yard Abutting a Street (Northerly Lot Line)	3.0 metres within 30.0 metres of the intersection of the northerly and easterly lot lines.
ii)	Maximum Yard Abutting a Street (Easterly Lot Line)	3.0 metres except a maximum setback of 6.0 metres shall be provided and maintained within 30.0 metres of the intersection of the northerly and easterly lot lines.
iii)	Landscaped Area along Rymal Road East and Dartnall Road	3.0 metres in depth and abutting the street line shall be provided and maintained.
iv)	Planting Strip Requirements	A Planting Strip of not less than 1.5 metres in width shall be provided and maintained along every rear and side lot lines not abutting a street.
v)	Minimum Building Façade Requirement	A minimum width of the building façade shall be equal to 45% of the measurement of the northerly lot line and within 50 metres of the Dartnall lot line.

vi)	Window Requirements	All buildings shall have windows with a maximum sill height of 1.0 metres and a minimum height from finished floor to top of window of 2.4 metres for a minimum of 25% of the length of the façade facing the street.
vii)	Locational Requirement of a Parking space	No parking space or part thereof shall be located, and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of not less than 6.0 metres from a street line or closer than 1.5 metres from the lot lines not abutting the street.

(By-law No. 17-240, November 8, 2017)

649. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1433 and 1482 of Schedule "A" – Zoning Maps and described as the northwest corner of Wilson Street West and Mason Drive, the following special provisions shall apply:

a) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:

Supermarket	A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.

b) Notwithstanding Subsection 10.6.1, only the following uses shall be permitted:

i) Art Gallery
ii) Auctioneer Establishment
iii) Building and Lumber Supply Establishment, within a wholly enclosed building

iv) Catering Service
v) Child Care Centre
vi) Cold Storage Locker Establishment
vii) Commercial Entertainment, within a wholly enclosed building
viii) Commercial Parking Facility
ix) Commercial Recreation, within a wholly enclosed building
x) Community Garden
xi) Craftsperson Shop
xii) Educational Establishment
xiii) Financial Establishment
xiv) Funeral Home
xv) Laboratory
xvi) Library
xvii) Major Recreational Equipment Sales, Rental and Service Establishment
xviii) Manufacturing, limited to a Printing and / or Publishing Establishment
xix) Medical Clinic
xx) Motor Vehicle Dealership
xxi) Museum
xxii) Office
xxiii) Personal Service
xxiv) Post Office
xxv) Private Club or Lodge
xxvi) Recreational Vehicle Sales and Service Establishment
xxvii) Repair Service
xxviii) Restaurant
xxix) Retail, not including a Supermarket
xxx) Transportation Depot
xxxi) Urban Farm
xxxii) Urban Farmer's Market

c) Notwithstanding Subsection 10.6.1.1 i) 1. B., a two-storey building containing office uses on both the first and second floor is also permitted.

d) In addition to Subsection 10.6.2, the following uses shall also be prohibited, even as an accessory use:

i) Body Rub Parlour
ii) Department Store
iii) Dwelling Unit
iv) Open Storage
v) Supermarket

e) Notwithstanding Subsection 10.6.3e) and f), the maximum Gross Floor Area for all uses shall be 10,000 square metres, and shall not apply to Motor Vehicle Sales and Service Establishment and Major Recreational Vehicle Sales, Service, and Rental Establishment.

(By-law No. 17-240, November 8, 2017)
(By-law No. 22-084, April 13, 2022)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

650. Within the lands zoned Arterial Commercial (C7) Zone, identified on Maps 1433, 1434, 1482 and 1483 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
Lands located at the northwest corner of Portia Drive and Mason Drive	1433
Lands located at the northeast corner of Portia Drive and Mason Drive	1433 & 1434
100 Portia Drive	1434
30 Mason Drive	1433, 1434, 1482 & 1483
1147 Garner Road West	1434 & 1483
1151 Garner Road West	1434 & 1483
374 Shaver Road	1383
1019 Wilson Street West	1434 & 1383
1025 Wilson Street West	1434
1059 Wilson Street West	1434
1075 Wilson Street West	1434
1089 Wilson Street West	1434
1097 Wilson Street West	1434
1154 Wilson Street West	1434
1160 Wilson Street West	1434 & 1483
1172 Wilson Street West	1434 & 1483
1180, 1184, 1198 and 1206 Wilson Street West	1434 & 1483

The following special regulations shall apply:

a) In addition to Subsection 10.7.1, following uses shall also be permitted:

i) Financial Establishment

b) Notwithstanding Section 10.7.3a), the Minimum Building Setback from a Street Line for a Warehouse shall be 250.0 metres.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-039, February 27, 2019, NOT FINAL AND BINDING)

651. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1175 of Schedule "A" – Zoning Maps and described as 392 Wilson Street East, the following special regulation shall apply:

a) Notwithstanding Subsection 10.5a.3 b), the minimum rear yard shall be 3.0 metres.

(By-law No. 17-240, November 8, 2017)

652. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1748, 1749, and 1785 of Schedule "A" - Zoning Maps and described as:

Property Address	Map Number
3311 Homestead Drive (part of lands)	1748 & 1749
3239 Homestead Drive	1748 & 1785
3249 Homestead Drive	1748
3253 Homestead Drive	1748
3263 Homestead Drive	1748
3269 Homestead Drive	1748
3275 Homestead Drive	1748
3260 Homestead Drive	1748
3266 Homestead Drive	1748
3272 Homestead Drive	1748
3287 Homestead Drive	1785
3307 Homestead Drive	1785
3311 Homestead Drive	1748, 1749 and 1785
3313 Homestead Drive	1785
3323 Homestead Drive	1785
3325 Homestead Drive	1785
3329 Homestead Drive	1785
3331 Homestead Drive	1785
3300 Homestead Drive	1785

The following special provisions shall apply:

a) In addition to Subsection 10.5.1, the following additional uses shall be permitted:

i) Street townhouse Dwellings
ii) Single Detached and Duplex Dwellings existing at the date of the passing of the by-law (November 8, 2017)

b) Notwithstanding Subsection 10.5.3 a), 10.5.3 b), 10.5.3 d), and in addition to Subsection 10.5.3, the following special regulations shall apply:

i)	Minimum building setback from a street line	9.0 metres
ii)	Minimum Rear Yard	10.7 metres
iii)	Maximum Building Height	10.7 metres
iv)	Lot coverage	25%.

(By-law No. 17-240, November 8, 2017)

653. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1239 and 1292 of Schedule "A" - Zoning Maps and described as 970 Upper Wentworth Street, the following special provisions shall apply:

a) For the building located at the south-west corner of Upper Wentworth Street and King Fisher Drive, the following special regulations shall apply:

i) Notwithstanding Subsection 4.25 c) ii), the stacking lane for the drive through facility may be located within 16.5 metres of King Fisher Drive.

ii) Notwithstanding Subsection 5.2 b) i), the minimum parking space size dimension of 2.7 metres by 6.0 metres shall be provided and maintained.

iii) Subsection 5.2.1 a) shall not apply.

iv) Notwithstanding Subsection 10.5.3 a) ii), the maximum setback from the street line shall be:

1) 16.3 metres from Upper Wentworth Street; and,
2) 13 metres from King Fisher Drive.

b) Notwithstanding Subsection 5.6 c), 338 parking spaces shall be provided and maintained for the entire site.

(By-law No. 17-240, November 8, 2017)

654. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1443 of Schedule "A" – Zoning Maps and described as 2000 Garth Street, the following special provisions shall apply:

a) Notwithstanding Subsections 5.2 b) i), 5.2 f), 5.2 h) i), 5.2 h) ii), 10.3.3 a), 10.3.3 i) i), 10.3.3 i) ii), the following regulations shall apply:

i)	Maximum Building setback from a street line	4.7 metres
ii)	Minimum width of a ground floor facade	30%
iii)	Landscaped area in the parking lot	2% of the area of the parking lot
iv)	Parking space size	2.6 metres x 5.5 metres
v)	Barrier free parking space size	4.4 metres x 5.5 metres

(By-law No. 17-240, November 8, 2017)

655. Within the lands zoned District Commercial (C6) Zone, identified on Map 1434 of Schedule "A" – Zoning Maps and described as 1060 Wilson Street West, the following special provisions shall apply:

a) For the building located at the north-east corner of Wilson Street West and the access to the site, the following special regulations shall apply:

i) Notwithstanding Subsection 5.2 b) i), the minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.

ii) Section 5.2.1 a) shall not apply.

iii) Notwithstanding Section 10.5.3 a) ii), the maximum setback from the street line shall be 5.0 metres from Wilson Street West.

b) Notwithstanding Section 5.6 c), the following number of parking spaces shall be provided and maintained for the entire site:

i) 385 parking spaces; and,
ii) 8 barrier free spaces.

(By-law No. 17-240, November 8, 2017)
(By-law No. 19-062, March 27, 2019)

657. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map No. 1087 of Schedule "A7" – Zoning Maps and described as 952 – 954 Concession Street, the following special provisions shall apply:

a) Notwithstanding Subsection 4.6 a), the usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may project not more than 0.35 metres into the required front yard, and not more than 0.3 metres into the required side yard along the easterly lot line.

b) Notwithstanding Subsection 4.6 b), an exterior staircase may encroach into the required front yard to a maximum of 0.35 metres, and into the required side yard along the easterly lot line to a maximum of 0.3 metres.

c) Notwithstanding Subsection 4.6 e), a balcony may encroach into the required front yard to a maximum of 0.35 metres, and into the required side yard along the easterly lot line to a maximum of 0.3 metres.

d) Section 5.1 a) v) shall not apply.

e) Notwithstanding Subsection 5.1 d) i), with the exception of any visitor parking or barrier free parking required by Section 5.6, required parking for multiple dwellings shall not be located between

the façade and the front lot line or between the façade and flankage lot line.

f) Notwithstanding Subsection 5.2 b) i), parking space sizes shall be a minimum 2.75 metres in width and 5.8 metres in length.

g) Notwithstanding Subsections 5.6 c) and g), the following regulations shall apply:

i) 10 parking spaces shall be provided, which shall include one parking space per Dwelling Unit, one visitor parking space for all Dwelling Units, and one barrier free parking space.

ii) The required visitor parking space shall be maintained for the shared use between the commercial use(s) and residential use, have a sign legibly marking that the parking space is for the shared use of both commercial and residential visitor parking, and shall be maintained readily accessible for either use, free and clear of all obstructions.

h) Notwithstanding Subsections 5.7 c) and f), no short-term bicycle parking shall be required.

i) In addition to Section 10.2.1, a Martial Arts Club shall be permitted.

j) In addition to Section 10.2.1.1, the following restrictions shall apply:

i) A Restaurant, with a maximum seating capacity of 25 shall be permitted.

ii) A Veterinary Service, excluding cremation shall be permitted.

iii) Commercial uses shall be restricted to the ground floor of the building, and further, the basement or cellar of the building, whichever is applicable, shall be used for storage for the commercial uses only.

k) Notwithstanding Section 10.2.1.1 ii), a maximum of 3 Dwelling Units shall be permitted in conjunction with a commercial use and shall only be permitted above the ground floor except for access, accessory office and utility areas, and further, shall not occupy more than 50% of the total gross floor area of all the building(s) within the lot.

l) In addition to Section 10.2.2, an outdoor patio is prohibited, even as an accessory use.

m) Notwithstanding Section 10.2.3 a), the following regulations shall apply:

i) The building setback from a street line shall be a minimum of 0.35 metres (Concession Street).

ii) The building setback from a street line shall be a minimum of 0.30 metres (Upper Gage Avenue).

n) Notwithstanding Section 10.2.3 b), a minimum rear yard setback of 0.0 metres shall be required.

o) Notwithstanding Section 10.2.3 j), a minimum 0.9 metre wide Planting Strip shall be provided and maintained along the westerly property lot line.

(By-law No. 21-189, October 15, 2021)

658. Within the lands zoned Extractive Industrial (M12) Zone, identified on Map No. 83 of Schedule "A" – Zoning Maps and described as 582, 626, 632, 634 and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4 West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road, Flamborough, the following special provision shall apply:

a) Notwithstanding Section 9.12.3.4 a), a minimum setback for excavation of 15 metres shall be required adjacent to the southerly property line of 559 and 565 Moxley Road and 582 Brock Road.

(By-law No. 17-257, November 22, 2017)

659. Within the lands zoned Major Institutional (I3, 659) Zone, identified on Map No. 1230 of Schedule A and described as 558 Golf Links Road, the following special provisions shall apply:

PERMITTED USES

Notwithstanding the uses permitted in Section 8.2.1, only the following uses shall be permitted:

Retirement Home
Long Term Care Facility

Multiple Dwelling

SPECIAL PROVISIONS FOR "I3, 659" ZONE

Subsection 4.23 d): Special Setback	Shall not apply.
In addition to Subsection 5.2 x) Design Standards	Multiple Dwelling in conjunction with a Retirement Home shall also apply.
Notwithstanding Subsections 8.3.2.1 c) and 8.3.2.2 b) Maximum Building Height	Three storeys, measured from grade.

In addition to Section 8.3, the following special provisions shall also apply to the development within the "I3, 659" Zone

a) Basement	Where there is a basement, no more than 50% of its area may be devoted to dwelling units.
b) Separation of Massing	A minimum of two, one storey sections of the building, having a minimum length of 9.0 metres, each shall be incorporated into the building.

DEFINITIONS

Notwithstanding the definition of Grade in Section 3: Definitions

Grade	Shall mean the average level of the proposed or finished ground adjoining a building calculated along the exterior wall at the

front of the building, having the principal entrance on the private road.

(By-law No. 17-283, December 8, 2017)

660. In addition to Section 6.1.1 of this By-law within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 911 of Schedule "A" – Zoning Maps and described as 136-146 Cannon Street East the following uses shall also be permitted:

Duplex Dwelling
Single Detached Dwelling
Semi-Detached Dwelling
Street Townhouse Dwelling

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

663. Within the lands zoned Conservation / Hazard Lands (P5, 663) Zone, identified on Map No. 1230 of Schedule "A" and described as 558 Golf Links Road, the following special provisions shall apply"

SPECIAL PROVISIONS FOR "P5, 663" ZONE

a) Location of retaining wall	Shall only be permitted along the southwesterly lot line, southerly lot line, and adjacent to a required driveway access.
b) Service Road Access	A private service road access shall be permitted from Southcote Road.
c) Services	Connections for a private water and wastewater services shall be permitted in conjunction with the private service road access.

(By-law No. 17-283, December 8, 2017)

664 Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 912 of Schedule "A" - Zoning Maps and described as 252-256 Victoria Avenue North and 290 Barton Street East, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions, for the purposes of this Special Exception, the front lot line shall be deemed Victoria Avenue North.

b) Notwithstanding Subsection 5.2 b) i), the minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.

c) In addition to section 10.5 a), a minimum of landscaped strip of 2.0 metres in width shall be provided and maintained along Victoria Avenue North.

(By-law No. 17-240, November 8, 2017)

665. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1241 of Schedule "A" – Zoning Maps and described as 675 Mohawk Road East, the following special regulations shall apply:

a) Subsection 4.25 (c)(ii) shall not apply.

b) Subsection 10.3.3(i)(vi) shall not apply.

(By-law No. 17-240, November 8, 2017)

666. Within the lands zoned District Commercial (C6) Zone, identified on Map 1187 of Schedule "A" – Zoning Maps and described as 601 Upper Gage Avenue and 952 Fennell Avenue East, the following special regulation shall apply:

a) Notwithstanding Subsection 4.12 (f)(ii), expansions to buildings legally existing on the date of the passing of the by-law may be

permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 2,973 square metres.

(By-law No. 17-240, November 8, 2017)

667. Within the lands zoned District Commercial (C6) Zone, identified on Map 1447 of Schedule "A" – Zoning Maps and described as 505 Rymal Road East, the following special regulation shall apply:

a) Notwithstanding Subsection 4.12 (f)(ii), expansions to buildings legally existing on the date of the passing of the by-law may be permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 4,180 square metres.

(By-law No. 17-240, November 8, 2017)

669. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1051 and 1097 of Schedule "A" – Zoning Maps and described as 461 Green Road, the following special provisions shall apply:

a) In addition to Section 3 of this By-law, any reserve block abutting a lot line shall be considered a street.

b) In addition to 4.23 a) and Section 5.2 e) and notwithstanding Sections 5.1 a) v) b), 5.1 d), 5.2 b) and f), 5.2.1 c), 5.2 (h) i), and 5.6 c) and e), the following regulations shall apply:

i)	Special Setbacks	Electrical and communication facilities, noise walls, and fences existing on the effective date of this By-law shall be deemed to comply with the regulations for any required setbacks and are permitted by this By-law.
ii)	Planting Strip	Shall provide a 2.8 metre wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisles, except for that portion where a building, not including any accessory structure or mechanical or unitary equipment, is located between

		the street line and parking spaces and aisles.
ii)	Parking Location	Parking spaces in excess of the required parking and aisles shall be permitted between the required building façade and the front lot line.
iv)	Parking Space Sizes	a) Minimum 2.75 metres in width and 5.8 metres in length. b) Notwithstanding a) above, barrier free parking spaces shall be a minimum of 2.8 metres in width and 5.8 metres in length, accompanied by a painted aisle of not less than 1.5 metres in width.
v)	Surfaces of Parking Spaces and Parking Lots	May include exhaust and intake vents provided at grade.
vi)	Loading Facilities	A Loading Facility shall be permitted in a required yard abutting a Residential Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.
vii)	Number of Parking Spaces for a Multiple Dwelling and Commercial or Institutional Uses	a) Minimum 1.25 parking spaces and 0.25 visitor parking spaces per dwelling unit. b) Maximum 1.5 parking spaces and 0.35 visitor parking spaces per dwelling unit.

c) No parking spaces shall be required for Commercial or Institutional Uses.

d) Each shared commercial and residential visitor parking space shall:

a. be maintained for the use of both the commercial and residential visitor parking;

b. have a sign erected and legibly marked that the parking spaces are for the use of both commercial and residential visitor parking: and,

c. be maintained and readily accessible for either use, free and clear of all obstructions.

viii)	Landscaped Area	Landscaped Area(s) with a minimum combined area of 2% of the area of the parking lot and associated access driveway and maneuvering areas shall be provided and maintained.

c) Notwithstanding Sections 10.5.3 a), d), g), i), and j), and in addition to Sections 10.5.1.1 and 10.5.3 h), the following regulations shall apply:

i)	Building Setback from a Street Line	From Green Road: a) Minimum 0.4 metres; and, b) Maximum 8.5 metres.

		From North Service Road: a) Maximum 16.5 metres.
ii)	Restricted Uses	a) Multiple Dwelling Unit(s) shall only be permitted in conjunction with a Commercial Use.
iii)	Building Height	a) Minimum 7.5 metre façade height for any portion of a building along a street line; b) Maximum 46.0 metres; c) In addition to a) and notwithstanding b) above, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Sections 10.5.3 b) and c) of this By-law when abutting a Residential Zone, to a maximum of 46.0 metres; and, d) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the

uppermost point of the building, subject to the following regulations:

a. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;

b. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

c. The wholly enclosed or partially enclosed structure belonging to an

		amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
iv)	Built form for New Development	In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law: a) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street. b) The minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street. c) In addition to Subsections a) and b) above, the minimum width of the ground floor façade facing the front and flankage lot lines

		shall exclude access driveways and any required yards within a lot line abutting a street. d) No parking spaces and/or aisles shall be permitted between the required building façade and the flankage lot line. e) A minimum of one principal entrance shall be provided: a. within the ground floor façade that is set back is closest to a street; and, b. shall be accessible from the building façade with direct access from the public sidewalk. f) A walkway shall be permitted in a Planting Strip where required by the By-law.
v)	Minimum Amenity Area for Dwelling Units and Multiple Dwellings	In addition to the Minimum Amenity Area requirements, a rooftop amenity area that has exposure to the front lot line shall be less than 4.0 metres in depth.
vi)	Planting Strip	a) A minimum 0.7 metres wide Planting Strip shall be provided and maintained along the rear lot line abutting a Residential zone

between the rear lot line, and, parking aisles and exhaust and intake vents; and,

b) A minimum 2.0 metre wide Planting Strip, which may include a noise wall, shall be provided and maintained along the remainder of the rear lot line abutting a Residential zone.

vii)	Visual Barrier Requirement	A visual barrier shall be required along any lot line abutting a Residential Zone property line in accordance with Section 4.19 of this By-law, except between the rear lot line and exhaust and intake vents.
viii)	Density	a) Minimum 100 dwelling units per net residential hectare. b) Maximum 349 dwelling units per net residential hectare.

d) Section 10.5.1.1 i) 1) shall not apply.

(By-law No. 20-036, February 27, 2020)
(By-law No. 21-189, October 15, 2020)

670. Within the lands zoned Conservation / Hazard Land (P5) Zone, identified on Map No. 1435 of Schedule "A' – Zoning Maps and described as 503 and 515 Garner Road West, the following special provisions shall apply:

a) Notwithstanding Subsection 4.23 d), all buildings or structures located on the subject property shall be setback a minimum of 6.0 metres from the Conservation / Hazard Land (P5) Zone.

(By-law No. 18-052, February 14, 2018)

671. Within the lands zoned Open Space (P4) Zone, identified on Map 876 of Schedule "A" – Zoning Maps and described as part of 175 Pier 24 Gateway, the following special provisions shall apply:

a) In addition to Subsection 7.4.1, the following use shall also be permitted:

i) Private Access Road.

(By-law No. 18-093, April 11, 2018)

672. Within the lands zoned Conservation / Hazard Land (P5) Zone, identified on Map 1034 of Schedule "A" – Zoning Maps, and described as Part of 870 Scenic Drive, the following special provisions shall apply:

a) In addition to Subsection 7.5.1, the following uses shall be permitted only within the building existing as of June 22, 2012 (known as the Long and Bisby Building):

i) A maximum of 12 dwelling units;

ii) Commercial uses limited to:
Art Gallery
Artist Studio
Business or Professional Office
Child Care Centre
Community Centre
Craftsperson Shop
Lecture Room
Library
Museum
Personal Service
Restaurant, to a maximum gross floor area of 200 square metres
Retail Store, excluding a Convenience Store, to a maximum gross floor area of 200 square metres

iii) Accessory uses limited to:
Child Care Centre
Craftsperson Shop
Home Occupation
Medical Clinic
Office
Personal Service

Studio
Retail Store, to a maximum gross floor area of 200 square metres

(By-law No. 18-219, August 17, 2018)
(By-law No. 25-155, August 06, 2025)

673. Within the lands zoned Neighbourhood Commercial (C2, 673) Zone, identified on Map No. 1252 of Schedule "A" Zoning Maps and described as 417, 419, 421, & 423 Highway No. 8, and the rear portions of the lands located at 176 Millen Road and 175 Margaret Avenue, the following special provisions shall apply:

a) Notwithstanding Section 5.2 b), h) and 5.6 c) the following special parking regulations shall apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.75 metres by 5.8 metres shall be provided;
ii)	Section 5.2 h) shall not apply	
iii)	Minimum Parking Requirement	59 parking spaces shall be provided and maintained for the entire site

b) In addition to Section 10.2.3 a) ii) and Notwithstanding Sections 10.2.3 c) ii), d), f), and g) the special regulations shall apply:

i)	Maximum Building Setback from a Street Line	5.3 metres for the building existing on the date of the passing of this By-law.
ii)	Minimum Interior Side Yard	2.7 metres abutting a Residential or Institutional Zone or lot containing a residential use;
iii)	Maximum Height	15.0 metres;
iv)	Section 10.2.3 f) shall not apply;	
v)	Maximum Gross Floor Area for Commercial Uses on a Lot	1,800 square metres;

vi)	Maximum Glazing of Façade	A maximum of 50% of glazing on west facing windows shall be composed of transparent vision glass.

(By-law No. 18-087, April 11, 2018)
(By-law No. 24-137, July 12, 2024)

674. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 1934 and 1956 of Schedule "A14", and described as:

Property Address	Map Number
3100 Regional Road 56	1934
3110 Regional Road 56	1934
3120 Regional Road 56	1934, 1956
3140 Regional Road 56	1934, 1956
Block 131 of Registered Plan of Subdivision 62M-1062	1934

The following special provisions apply:

a) Notwithstanding the definition of "Front Lot Line" in Section 3, Regional Road 56 shall be deemed the front lot line.

b) In addition to the definition of "Landscaped Area" in Section 3, Landscaped Areas may also include hydro transformers and similar appurtenances.

c) The lands described as 3100, 3110, 3120, 3140 Regional Road 56 and Block 131 of Registered Plan of Subdivision 62M-1062 shall be deemed one lot for zoning purposes.

d) In addition to Subsection 5.1 d) i) and 5.6 c), and notwithstanding Subsections 5.1 a) v), 5.2 b) and f), and 5.6 c) i. and iv., the following regulations shall apply:

   i) The minimum parking space size shall be 3.0 metres in width and 5.8 metres in length.

   ii) The minimum barrier-free parking space size shall be 4.4 metres in width and 5.8 metres in length, except where two (2) barrier-free parking spaces are located together, a minimum 3.5 metres in width shall be permitted for each space.

iii) Minimum Parking Requirements

i. Residential Uses

Dwelling Unit and	1 space per unit.
Dwelling Unit, Mixed Use	0.5 visitor spaces per unit.

ii. Commercial Uses

All Commercial Uses	1 for each 30 square metres of Gross Floor Area which accommodates such use

iv) Minimum Loading Space Requirements: 1 space

e) Notwithstanding Subsection 4.6 a), d), e), and f), the following regulations apply:

i) Sills, belt courses, cornices, eaves and gutters, chimneys, bay windows, and pilasters may project into any required yard a maximum 3.0 metres; and,

ii) Balconies, canopies, fruit cellars, and unenclosed porches may project into any required front, rear or side yard a maximum 3.0 metres.

f) In addition to Subsection 10.5a.1, the following uses shall also be permitted:

i) Dwelling Unit

ii) Multiple Dwelling

iii) Private Club or Lodge

g) Notwithstanding Subsection 10.5a.1.1 ii) 2., Dwelling Units shall be permitted on the ground floor.

h) Notwithstanding Subsections 10.5a.3 a), d), h) x), i), and in addition to Subsection 10.5a.3. j), the following regulations shall apply:

i)	Maximum Building Setback from a Street Line	No Maximum
ii)	Building Height	The maximum building height shall be 11 metres.
iii)	Built Form for New Development	The first storey shall have a minimum height of 3.5 metres and a maximum height of 4.5 metres.
iv)	Planting Strip Requirements	Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 6.0 metre wide Planting Strip shall be provided and maintained.
v)	Visual Barier	A Visual Barrier shall also be required where a loading space abuts any Residential or Institutional Zone or a residential or institutional use.

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)

675. *Deleted*
(By-law No. 21-189, October 15, 2021)

676. Within the lands zoned City Wide Park (P3) Zone, identified on Maps 1341, 1342, 1393 and 1394 of Schedule "A" – Zoning Maps, and described as a portion of 1086 West 5th Street, the following special provisions shall apply:

a) In addition to Section 3, the following definition shall apply:

Archaeological Conservation	Shall mean the preservation of an archaeological resource or resources in place.

b) Notwithstanding Subsection 7.3.1, only Archaeological Conservation shall be permitted.

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

677. Within the lands zoned Light Industrial (M6) Zone, identified on Maps 870 and 871 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
440 Victoria Avenue North	870
3 Studebaker Place	870
4 Studebaker Place	870
7 Studebaker Place	870
8 Studebaker Place	870
11 Studebaker Place	870
12 Studebaker Place	870
15 Studebaker Place	870
16 Studebaker Place	870
19 Studebaker Place	870
20 Studebaker Place	870
23 Studebaker Place	870
24 Studebaker Place	870
27 Studebaker Place	870 and 871
28 Studebaker Place	870
341 Ferrie Street East	870
345 Ferrie Street East	870
349 Ferrie Street East	870
Lands on the north side of Mars Avenue, in the area of Cheever Street	870 and 871

The following special provisions shall apply:

a) In addition to Subsection 9.6.1, the following uses shall also be permitted:

i) Animal Shelter;
ii) Biotechnical Establishment;
iii) Commercial Motor Vehicle Washing Establishment;
iv) Commercial School;
v) Commercial Recreation;
vi) Landscape Contracting Establishment;
vii) Microbrewery;
viii) Pharmaceutical and Medical Establishment; and,

ix) Science and Technology Establishment.

b) Notwithstanding Subsections 9.6.3 a), b), c), e)i), i), and o)i), the following special regulations shall also apply:

i)	Minimum Lot Area	3,130 square metres
ii)	Minimum Lot Width	28 metres
iii)	Minimum Yard Abutting a Street	1. 3.0 metres along Studebaker Place; and, 2. 0.0 metres abutting Victoria Avenue
iv)	Gross Floor Area for Office Use	Maximum Gross Floor Area for Office use within an individual building, shall be limited to 4,000 square metres.
v)	Maximum combined Floor Area for Accessory Retail and Showroom area	25% of the gross floor area of the principal use.

d) Notwithstanding Subsections 5.2b) and f), the following parking regulations shall apply:

i)	Parking Space Size Dimension	A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.
ii)	Barrier Free Parking Space Size Dimension	A minimum barrier parking space size dimension of 4.4 metres by 5.5 metres shall be provided and maintained.

e) The following special regulations shall also apply for the property located at 440 Victoria Avenue North:

i) notwithstanding Subsections 9.6.3 c) and k) , the minimum yard abutting Ferrie Street East shall be 0.0 metres.

f) The following special regulations shall also apply for the property located at 16, 20, 24 and 28 Studebaker Place;

i) Notwithstanding Subsection 9.6.3 c) and k), the minimum yard abutting Mars Avenue shall be 0.0 metres.

g) The following special regulations shall also apply for the property located at 3, 7, 11, 15, 19, 23 and 27 Studebaker place;

i) Notwithstanding Subsection 9.6.3 g) shall not apply.

(By-law No. 18-093, April 11, 2018)

678. Within the lands zoned General Business Park (M2) Zone, Prestige Business Park (M3) Zone, Business Park Support (M4) Zone, identified on Maps 1433, 1434, 1435, 1481, 1482, 1483, 1484, 1528, 1529, 1530, 1531, 1573 and 1574 of Schedule "A" – Zoning Maps, and described as the Ancaster Business Park, shown as Figure 3 of Schedule "F" – Special Figures, the following special provision shall also apply:

a) In addition to Subsections 9.2.1, 9.3.1 and 9.4.1, the following uses shall also be permitted:
Children's Play-gym
Gymnastics Studio

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

679. Notwithstanding Section 4.23 d), the minimum setback from any building or structure to Conservation / Hazard Land (P5) Zone will be 1.2 metres for any residential side yards and will be 7.0 metres for any rear yards.

(By-law No. 18-056, February 28, 2018)

681. Within the lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 199 Glover Road, the following special provisions shall apply:

a) In addition to Subsection 12.1.1, a Long Term Care Facility shall also be permitted.

b) In addition to Subsection 4.12 d), Section 5, and Subsection 12.1.3, any parking spaces and drive aisles existing as of July 10, 2015 shall be deemed to comply with the regulations for any required setbacks, location on the lot, and number of parking spaces.

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

682. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1100 of Schedule "A" – Zoning Maps and described as 86, 88, 90, 92 and 94 Lakeview Drive and a portion of 96 Lakeview Drive, the following special provisions shall apply:

a) Notwithstanding Section 5.6 c), the parking requirement shall be 1.3 per dwelling unit.

b) Modify Subsection 10.5.1 by deleting "Dwelling Unit(s)" and replacing it with "Dwelling Unit(s) in conjunction with a Commercial Use".

c) Notwithstanding Subsection 10.5.3 a) ii), the minimum building setback from a street line shall be 1.5 metres, up to a maximum of 4.5 metres, except where a visibility triangle is required for a driveway access.

d) Subsection 10.5.3 g) ii), iii) and iv) shall not apply.

(By-law No. 19-010, January 23, 2019)

687. Within the lands zoned Mixed Use – Medium Density (C5, 687) Zone, identified on Map No. 1195 of Schedule "A" and described as 121 and 125 Highway No. 8, the following special provisions shall apply:

a) Notwithstanding Sections 5.2 h) ii), 10.5.1.1 i) 1., 10.5.3 a) i), 10.5.3 d) ii), 10.5.3 d) iv) B. and C., and in addition to Section 3, the following special provisions shall also apply:

b) REGULATIONS

a)	Design Standards	Each Landscaped Area shall have a minimum width of 1.1 metres and a minimum area of 10.0 square metres and each landscape parking island shall have a minimum width of 2.8 metres and a minimum area of 10.0 square metres.
b)	Restriction of Uses within a Building	1. The finished floor elevation of any dwelling unit shall be a minimum of 0.0 metres above

			grade.
		2.	All at grade residential units which front a street shall have a principal entrance facing the street and be accessible from the building façade with direct access from the street.
c)	Building Setback from a Street Line	i)	Minimum 2.5 metres for a building with residential units on the ground floor facing a street.
d)	Building Height	ii)	Maximum 26.0 metres.
e)	Definitions		For the purposes of this By-law, the definition of Building Height shall not include a furniture storage area within a mechanical penthouse and vestibule connected and providing access to the elevator bulkhead and mechanical penthouse.

(By-law No. 18-239, August 17, 2018)

688. Notwithstanding Section 6.1.1 of this By-law within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 910 of Schedule "A" – Zoning Maps and described as 107 MacNab Street North, Clothing Manufacturing shall also be permitted.

(By-law No. 18-114, May 9, 2018)

689. Within those lands zoned Agriculture (A1) Zone, identified on Maps RU131 and RU143, of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1915, 1995 and 1997 Jerseyville Rd W.	RU131 and RU143

The following special provisions shall apply:

a) In addition to Section 3: Definitions, for the purposes of this By-law, the definition of Greenhouse shall mean a building or structure used

for Agriculture that is climatically controlled and made primarily of translucent building material.

b) In addition to Section 3: Definitions, for the purposes of this Special Exception, the definition of Cannabis Growing and Harvesting Facility shall mean a wholly enclosed building or structure used for growing harvesting, testing, destroying, packaging and shipping of cannabis, for a facility where a licence, permit or authorization has been issued under applicable federal law.

c) Notwithstanding Subsection 12.1.3.1 m) i), the following applies to the combined subject lands:

i) One greenhouse for a Cannabis Growing and Harvesting Facility shall be permitted and shall not exceed 13,00 square metres of gross floor area.
ii) In addition to i) above, the maximum gross floor area for any new Cannabis Growing and Harvesting Facility shall not exceed 2,000 square metres per building.

iii) All buildings and structures shall not exceed a combined lot coverage of 20%

iv) Sections 4.1(b) and 4.1(c)(iv) of Zoning By-law No. 18-266 shall not apply.

(By-law No. 19-133-LPAT, May 14, 2019)

691. Within those lands zoned Rural (A2) Zone, identified on Maps RU25 and RU26, of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1633, 1649 and 1653 Highway No. 6 North Flamborough	RU25 and RU26

a) The following special provisions shall apply to 1649 and 1633 Highway No. 6 North:

i) Notwithstanding Subsection 12.2.3.1 m) and 12.2.3.2 d) i), the maximum gross floor area for all buildings and structures devoted to the Cannabis Growing and Harvesting Facility shall not exceed 9,505 square metres and shall be comprised of:

1.	Growing and Harvesting of Cannabis	A maximum gross floor area of 6,305 square metres
2.	Agricultural Processing – Secondary	A maximum gross floor area of 600 square metres
3.	Accessory Uses (office, testing, packaging, storage, internal corridors and shipping and loading)	A maximum gross floor area of 2,600 square metres

ii) Notwithstanding Section 12.2.3.1 e), the maximum lot coverage for all buildings and structures, devoted to a Cannabis Growing and Harvesting Facility shall not exceed 37% of the combined lot area.

b) The following special provisions shall applu to 1649 Highway No.6 North:

i) Notwithstanding Subsection 12.2.3.1 m) iv)2., and Subsection 4.12 d) any building or structure used for a Cannabis Growing and Harvesting Facility shall be setback a minimum of 125 metres from the existing single detached dwelling located at 1653 Highway No. 6 North.

c) The following special provisions shall apply to 1633 Highway No.6 North:

i) In addition to Subsection 7.7.1, an office use in conjunction with the Cannabis Growing and Harvesting Facility and the uses identified in Subsections 12.2.1 and 12.2.3.2 a) shall be permitted within the building existing at the sate of the passing of the by-law on May 22nd, 2019.

ii) Notwithstanding Clause i) the following uses shall be prohibited:

1. Cannabis Growing and Harvesting Facility;
2. Single Detached Dwellings;
3. Residential Care Facility;
4. Farm Labour Residence; and,
5. Agricultural Processing Establishment – Secondary

iii) Notwithstanding Subsection 7.7.2.1 b), no expansions to the existing building shall be permitted.

d) The following special provisions shall apply to 1653 Highway No.6 North:

i) No expansions to the existing single detached dwelling shall be permitted.

(By-law No. 19-130, May 22, 2019)

694. Within the lands zoned Community Institutional (I2) Zone, identified on Map Nos. 1280 and 1333 of Schedule "A" – Zoning Maps and described as 179, 183, and 189 Wilson Street West, Ancaster, the following special provisions shall apply:

a) In addition to Subsection 8.2.3.1 c), and notwithstanding Subsection 8.2.3.1 d), and g) the following regulations shall apply:

ii)	Minimum Side Yard	2 metres for a ramp or retaining wall for an underground parking area.
ii)	Minimum Rear Yard	15 metres
iv)	Maximum Capacity for a Retirement Home	Shall not exceed 134 residents

(By-law No. 20-010, January 22, 2020)

695. Within the lands zoned Mixed Used Medium Density – Pedestrian Focus (C5a, 695) Zone, identified on Map No. 482 of Schedule "A" and described as 21 Mill Street North, the following special provisions shall apply:

a. Notwithstanding Section 5.2 (b), a parking space size shall be 2.6 metres in width and 5.5 metres in length;

b. Notwithstanding Section 5.2(f) a barrier free parking space shall be 4.4 metres in width and 5.5 metres in length;

c. Notwithstanding Section 5.2(i) no minimum aisle width shall be required when abutting a public laneway.

(By-law No. 19-025, February 14, 2019)

696. Within the lands zoned Downtown Multiple Residential (D6, 696) Zone, identified on Map No. 1092 of Schedule "A"- Zoning Maps and described as 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions and only for the purposes of Special Exception No. 696 the following definitions shall apply:

i)	Block Townhouse Dwelling	Shall mean a building divided vertically by a common or party wall, into a minimum of three and a maximum of eight Dwelling Units fronting on a laneway or common condominium driveway, each of which having an independent entrance at grade, but shall not include a maisonette.
ii)	Maisonette Dwelling	Shall mean a building used exclusively for residential purposes divided vertically into a minimum of four and a maximum of 16 back-to-back Dwelling Units, by two or more common walls which prevent internal access between units and extend from the base of the foundation to the roof line, and each Dwelling Unit having an independent entrance at grade.
iii)	Stacked Townhouse Dwelling	Shall mean a building divided vertically and horizontally into a minimum of three and a maximum of 24 Dwelling Units, by common walls which prevent internal access between units, with each Dwelling Unit having one or more private entrances at grade.

b) Notwithstanding Section 4.3 b), 4.6 d) and e) 4.23 d) and in addition to Section 4.21 c) of this By-law the following shall apply:

A) Section 4.3 b) shall not apply to **Blocks "2", "4", "4a", "5"**, **"7", and "7a"** for a standard condominium.

B) Permitted Yard Encroachments

1. A porch, deck or canopy including any associated stairs may encroach into

		any required yard to a maximum of 1.8 metres. 2. A balcony may encroach into any required yard to a maximum of 1.8 metres, except for a required side yard of not more than one third of its width or 1.8 metres, whichever is lesser.
C)	Home Business	Block Townhouse Dwellings, Maisonette Dwellings and Stacked Townhouse Dwellings shall be permitted to have a Home Business in accordance with Section 4.21 c) i) – iii).
D)	Setback to a Conservation / Hazard Land (P5) Zone	All buildings or structures located on a property shall be setback a minimum of 5.0 metres.

c) Notwithstanding Section 5.1 a) v) c) and 5.6 a) of this By-law the following special provisions shall apply:

A)	Restriction of Architectural Wall or Feature within a Required Planting Strip	Where a planting strip is provided, as per Section 5.1 a) v) c), any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 2.0 metres.
B)	Parking Requirements	Parking spaces shall be provided in the minimum quantity specified below:
	Block Townhouse Dwelling Maisonette Dwelling Stacked Townhouse Dwelling	1 for each dwelling unit. No additional parking shall be required for an Accessory Dwelling Unit.

Multiple Dwelling

i)	Dwelling units less than 50.0 square metres in gross floor area	0.3 per unit;
ii)	Dwelling units greater than 50.0 square metres in gross floor area	1. 0.80 for each dwelling unit; 2. Notwithstanding B) ii) 1. above, 0.45 for each dwelling unit in a multiple dwelling in **Block "7"** as shown on Figure 20 of Schedule "F" – Special Figures.
iii)	Units with 3 or more bedrooms	0.3 per unit.

d) For the purposes of Special Exception No. 696 a maximum of 840 dwelling units shall be permitted.

e) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "1" and "3"** as shown on Figure 20 of Schedule "F" – Special Figures:

i) Notwithstanding Section 6.6.1 the permitted uses shall be restricted to Street Townhouse Dwelling Units.

ii) In addition to i) above, an accessory dwelling unit shall only be permitted within an end unit.

iii) Notwithstanding Section 6.6.2.2 the following special provisions shall apply:

A)	Minimum Lot Area	120.0 square metres for each dwelling unit.
B)	Minimum Unit Width	4.8 metres for each dwelling unit.
C)	Minimum Front Yard	1. 4.5 metres for the dwelling; and,

		2. 6.0 metres for the garage.
D)	Minimum Side Yard	1. Minimum 1.2 metres except for the side yard related to the common wall of the dwelling unit, which shall have a minimum 0 metre side yard; 2. 1.5 metres to a flankage yard.
E)	Minimum Rear Yard	7.0 metres
F)	Building Height	1. Minimum 9.0 metres; and, 2. Maximum 12.0 metres.
G)	Maximum Number of Street Townhouse Dwelling Units in a Row	8

f) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "2"** as shown on Figure 20 of Schedule "F" – Special Figures:

i) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Block Townhouse Dwelling Units.

ii) In addition to i) above, an accessory unit shall only be permitted within an end unit.

iii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the lot line abutting Ayr Avenue shall be deemed the front lot line.

iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following special provisions shall apply to Block Townhouse Dwellings:

A)	Minimum Lot Width	12.0 metres;

B)	Minimum Front Yard	1.5 metres;	
C)	Maximum Flankage Yard	3.0 metres;	
D)	Minimum Side Yard	6.0 metres;	
E)	Minimum Rear Yard	1.5 metres;	
F)	Building Height	1.	Minimum 9.0 metres; and,
		2.	Maximum 12.0 metres;
G)	Required Parking Space Location	1.	The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from the condominium road.
H)	Minimum Setback to a Condo Road	1.	4.5 metres to the dwelling.
I)	Minimum Distance between End Walls	2.4 metres;	
J)	Visitor Parking Spaces	1.	Parking for visitors shall be provided on the basis of 0.25 per dwelling unit for each unit fronting on a condominium road.
		2.	Notwithstanding J) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.
		3.	In addition to J) 1. above, visitor parking spaces shall be provided on **Blocks "4" and "4a"** as shown on Figure 20 of

Schedule "F" – Special Figures.

g) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "4" and "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:

i) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the westerly lot line abutting Reid Avenue South shall be deemed the front lot line.

ii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted on **Block "4"** as shown on Figure 20 of Schedule "F" – Special Figures:

Stacked Townhouse Dwellings; and,
Maisonette Dwellings.

iii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted on **Block "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:

Block Townhouse Dwellings;
Stacked Townhouse Dwellings; and,
Maisonette Dwellings.

iv) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit of a Block Townhouse Dwelling.

v) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following provisions shall apply to **Block "4" and "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:

A) Minimum Lot Width 12.0 metres;

B) Minimum Front Yard 3.0 metres;

C) Minimum Rear Yard 2.0 metres;

D) Minimum Side Yard 1. 10.0 metres from northerly lot line; and,

		2. 4.5 metres from the southerly lot line.
E)	Minimum Setback to a Condominium Road	4.5 metres;
F)	Minimum Distance between End Walls	2.4 metres;
G)	Visitor Parking Spaces	1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit for each unit fronting on a condominium road. 2. Notwithstanding G) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units. 3. Visitor parking spaces required in G) 1. above shall be provided in addition to visitor parking spaces required for **Block "2"** as shown on Figure 20 of Schedule "F" – Special Figures.
H)	Minimum Landscaped Area	10 percent of the lot area.
I)	Minimum Planting Strip Requirement	1. 3.0 metres along a front lot line; and, 2. 2.0 metres along a rear lot line. 3. In addition to Sections I) 1. and 2. above, an Architectural Wall or Feature shall be provided within the required planting

strip adjacent to visitor parking abutting the Reid Avenue South street line on **Block "4a"** as shown on Figure 20 of Schedule "F" – Special Figures.

vi) In addition to v) above, the following special provisions shall apply to Block Townhouse Dwellings:

A)	Building Height	1. Minimum 9.0 metres; and, 2. Maximum 12.0 metres.
B)	Maximum Number of Dwelling Units	18
C)	Minimum Amenity Area	25.0 square metres per unit.
D)	Required Parking Space Location	Required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road.

vii) In addition to v) above, the following special provisions shall apply to Maisonette Dwellings and Stacked Townhouse Dwellings:

A)	Minimum Flankage Yard	4.5 metres;
B)	Building Height	1. Minimum 9.0 metres; and, 2. Maximum 15.0 metres;
C)	Minimum Private Amenity Area	1. 3.0 square metres per dwelling unit; and, 2. Private Amenity Area shall be designed for the exclusive use of the dwelling unit.

D)	Required Parking Space Location	1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road. 2. Notwithstanding Section D) 1. above, visitor parking spaces shall not be subject to the minimum distance requirement.

h) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "5"** as shown on Figure 20 of Schedule "F" – Special Figures:

i) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, Hayes Avenue shall be deemed the front lot line.

ii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted:

Block Townhouse Dwellings;
Maisonette Dwellings; and,
Stacked Townhouse Dwellings.

iii) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit of a Block Townhouse Dwelling.

iv) Notwithstanding the Definition of Maisonette Dwelling in Section a) ii) above, as it relates to the maximum number of back-to back Dwelling Units, a maximum of one Maisonette Dwelling may have a maximum of 20 back-to-back Dwelling Units, with all other Maisonette Dwellings having a maximum of 16 back-to-back Dwelling Units; and,

v) That Section 4.9 of this By-law shall not apply to Transformer Boxes.

vi) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following provisions shall apply to **Block "5"** as shown on Figure 20 of Schedule "F" – Special Figures:

A)	Minimum Front Yard	2.0 metres;
B)	Minimum Flankage Yard	1.0 metres;
C)	Minimum Side Yard	1. 1.2 metres; 2. Notwithstanding Section C) 1. above, no side yard setback is required to Area "1" as shown on Figure 20 of Schedule "F" – Special Figures. 3. Notwithstanding Sections C) 1. and 2. above, 6.0 metres shall be required where the side lot line abuts the Red Hill Valley Expressway.
D)	Minimum Rear Yard	6.0 metres;
E)	Minimum Setback to a Condominium Road	1.5 metres;
F)	Minimum Distance between End Walls	2.4 metres;
G)	Minimum Landscaped Area	20 percent of the lot area.
H)	Visitor Parking Spaces	1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.

2. Notwithstanding I) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.

3. Notwithstanding Section I) 1. above, no Visitor Parking shall be required for a Block Townhouse Dwelling unit or a Maisonette Dwelling Unit that fronts onto a street.

vii) In addition to iv) above, the following special provisions shall apply to Block Townhouse Dwellings:

A)	Building Height	1. Minimum 9.0 metres; and, 2. Maximum 12.0 metres.
B)	Maximum Number of Dwelling Units	18;
D)	Minimum Amenity Area	25.0 square metres per unit;
C)	Required Parking Space Location	Required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road.

viii) In addition to iv) above, the following special provisions shall apply to Maisonette Dwellings and Stacked Townhouse Dwellings:

A)	Building Height	1. Minimum 9.0 metres; and, 2. Maximum 15.0 metres;
B)	Minimum Private Amenity Area	1. 3.0 square metres per dwelling unit; and, 2. Private Amenity Area shall be designed for the

exclusive use of the dwelling unit.

C)	Required Parking Space Location	1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from a condominium road. 2. Notwithstanding Section 1. above, visitor parking spaces shall not be subject to the minimum distance requirement.

i) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "6"** as shown on Figure 20 of Schedule "F" – Special Figures:

i) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Block Townhouse Dwelling and Multiple Dwelling Units.

ii) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit.

iii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the lot line abutting Hayes Avenue shall be deemed the front lot line.

iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following special provisions shall apply to Block Townhouse Dwellings and Multiple Dwellings:

A)	Minimum Lot Width	12.0 metres;
B)	Minimum Front Yard	3.0 metres;
C)	Minimum Side Yard	6.0 metres;
D)	Minimum Rear Yard	5.0 metres;

E)	Building Height	1. Minimum 9.0 metres; and, 2. Maximum 41.5 metres.
F)	Required Parking Space Location	The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from the condominium road.
G)	Minimum Setback to a Condominium Road	4.5 metres;
H)	Minimum Distance between End Walls	2.4 metres;
I)	Visitor Parking Spaces	1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit. 2. Notwithstanding I) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.

j) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "7" and "7a"** as shown on Figure 20 of Schedule "F" – Special Figures:

i) **Blocks "7" and "7a"** as shown on Figure 20 of Schedule "F" – Special Figures, shall be considered as one lot for the purposes of implementing regulations j) iv) A) – K) below.

ii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, Reid Avenue South shall be deemed the front lot line.

iii) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Multiple Dwellings.

iv) Notwithstanding Section 6.6.2 of this By-law, the following provisions shall apply to **Block "7"** and **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures:

A)	Minimum Lot Width	12.0 metres;
B)	Minimum Front Yard	1. 8.0 metres; 2. Notwithstanding 1. above, 3.0 metres shall be permitted for a length not exceeding 20.0 metres.
C)	Minimum Flankage Yard	3.0 metres;
D)	Minimum Side Yard	3.0 metres;
E)	Minimum Rear Yard	3.0 metres;
F)	Maximum Building Height	1. 29.0 metres; 2. Notwithstanding 1. above, 38.0 metres shall be permitted in **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures.
G)	Visitor Parking Spaces	Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.
H)	Minimum Amenity Area	1. 3.0 square metres per dwelling unit located on **Block "7"** as shown on Figure 20 of Schedule "F" – Special Figures; and, 2. 5.0 square metres per dwelling unit located on **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures.

l)	Minimum Landscaped Area	10 percent of the lot area.
J)	Minimum Planting Strip Abutting a Street	3.0 metres;
k)	Minimum Bicycle Parking Requirements	1. 5 Short Term Bicycle Parking Spaces shall be provided per multiple dwelling; and, 2. 0.5 Long Term Bicycle Parking spaces shall be provided per unit.

(By-law No. 18-203, July 13, 2018)
(Amended by By-law 21-243, December 15, 2021)

697. That Map No.1194 of Schedule "A"- Zoning Maps of By-law No. 05-200, is amended, by incorporating additional Conservation/Hazard Land (P5) Zone boundaries, for the applicable lands, the extent and boundaries of which are shown as "Block 1" hereto annexed to Schedule "A".

a) In addition to the uses permitted in Section 9.11.1, the following uses shall be permitted:

Funeral Home only in conjunction with all of the following uses:

i) Motor vehicle service station;
ii) Motor vehicle collision repair;
iii) Conference or convention centre;
iv) Catering service; and,
v) Office.

REGULATIONS

l)	Visual Barrier	For the purposes of this By-law, a visual barrier will not be required for a funeral home abutting an Institutional Zone property line.

In addition to Section 5.6 c) iv) the following special provision shall also apply:

Funeral Home	1 for each 20.0 metres of gross floor area with accommodates such use.

(By-law 18-233, August 17, 2018)

698. Within the lands zoned Mixed Use - Medium Density (C5, 698, H71) Zone, identified on Map No. 1045 of Schedule "A and described as 256 Parkdale Avenue North and 205 Melvin Avenue, the following special provisions shall apply:

a) Notwithstanding Sections 5.1 a) v) b), 5.6 c) i., 10.5.1.1 i) 1, 10.5.3 (g) (vii) 2 and in addition to Section 3, the following special provisions shall also apply:

b) REGULATIONS

a)	Planting Strip	v) Unless otherwise regulated in this By-law, parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following: b) Shall provide a 3.0 metre wide planting strip being required and permanently maintained between the street line and said parking spaces or aisle, except that a hydro transformer shall be permitted within the required planting strip.
b)	Residential Parking Rate	Parking for dwelling units less than 50.0 square metres in gross floor area shall be provided at a rate of 0.21.per unit.
c)	Restriction of Uses Within a Building	1. That Section 10.5.1.1 i) 1. Shall not apply.
d)	Built form for New	vii) A minimum of one principal

	Development	entrance shall be provided: 2. shall be accessible via a walkway from any building façade directly to a public sidewalk.
e)	Definitions	For the purposes of this By-law, Parkdale Avenue North shall be deemed the front lot line.

(By-law 18-263, September 12, 2028)

699. Within the lands zoned Open Space (P4) Zone, Conservation/ Hazard Land- Rural (P7) Zone and Conservation/ Hazard Land- Rural (P8) Zone, identified on Map Nos. 212, 213, 218 and 219 of Schedule "A" Zoning Maps and described as 5050 Harrison Road, the following special provisions apply:

a) The following use shall also be permitted:

i) Zip Line Adventure Parking containing a maximum of 7 aerial courses, 1 Treewalk Village and 1 administrative building.

b) The administrative building shall only be located within the Open Space (P4, 699) Zone and shall only be permitted to have a maximum gross floor area of 150 square metres.

c) The gravel and grass parking areas existing on the date of the passing of this By-law shall be permitted.

(By-law 18-296, September 26, 2018)

700. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 700) Zone identified on Map No. 482 of Schedule "A" and described as 5 Hamilton Street North, the following additional special provisions shall apply:

a) Notwithstanding Section 5.6 (c)(i), the maximum parking for dwelling units greater than 50 m^2 shall be 1.61 spaces per unit;

b) The finished floor elevation of any dwelling unit shall be a minimum of 0.10 metres above grade;

c) Notwithstanding Section 10.5a.3 (h)(vi)(1), the principal commercial entrance within the ground floor façade shall be located on the north side of the building; and,

d) Notwithstanding 10.5a.1.1 ii) 2), dwelling units, mixed use, may be permitted on the ground floor, provided that no ground floor residential uses front onto Hamilton Street North.

(By-law 18-261, September 12, 2018)
(By-law 19-101, May 9, 2019, NOT FINAL AND BINDING)
(By-law 22-071, April 13, 2022)

701. Within the lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone identified on Map 953 of Schedule A - Zoning Maps and described as 71 Rebecca Street the following special regulations apply:

a) Notwithstanding Sections 5.2 b), 6.0 c) i) ii) and iii) 2, and 6.1.3 e), the following special provisions shall also apply:

b) REGULATIONS

a)	Stepback from the Building Base Façade Height	i)	A minimum 3.0 metre stepback shall be required from the building base façade height of 11 metres along Rebecca Street.
b)	Stepback for the portion of the Building exceeding 22.0 metres, at the southern point of the perpendicular portion of the rear lot line	i)	1.0 metres
c)	Maximum Lot Coverage		100%
d)	Parking	i)	Parking stall sizes shall be in accordance with the following: i. 62 parking stalls at 2.8 m x 5.8 m; ii. 93 parking stalls at 2.6 m x 5.8 m;

iii. 36 parking stalls at 2.8 m x 5.5 m;
iv. 13 parking stalls at 2.8 m x5.5 m;
v. 3 barrier-free parking stalls at 4.6 m x 5.8 m;
vi. 3 barrier-free parking stalls at 4.6 m x 5.5 m; and,
vii. 4 car share parking stalls, at grade at 2.6 m x 5.5 m.

(By-law 20-030, February 12, 2020)
(By-law No. 22-084, April 13, 2022)

702. Within the lands zoned Downtown Mixed Use (D1, 702, H17) Zone, identified on Maps 952 and 953 of Schedule A" Zoning Maps and described as 154 Main Street East and 49 Walnut Street South the following special provisions shall apply:

a) Notwithstanding Section 5.2b), 5.7 c), 6.0 c) i), ii) and iii) and e), and 6.1.3 b) ii) the following special provisions shall also apply:

b) REGULATIONS

a) Building Height	ii)	Maximum 80.0 metres.
b) Minimum Building Stepback from the building base façade above the 7th storey	i)	3.0 metres from Main Street East building base facade height, 2.2 metres from the Walnut Street South building base facade height, 44.6 metres from the Jackson Street East base facade height, and 3.0 metres from the easterly side building base facade height.
	ii)	That the building base facade height shall be 24.0 metres, except for that portion of the building that is located within 40.9 metres from the Jackson Street East lot line which shall have a building base facade height of 22.0 metres.

c) Minimum Stepback		The following additional stepback shall be required for any portion of a building exceeding 44.0 metres in height;
	i)	Minimum of 6.5 metres from a lot line abutting a laneway.
	ii)	Minimum of 6.0 metres from all side and rear lot lines except any flankage lot line.
d) Maximum Lot Coverage		87.5 %
e) Parking		No parking space shall be less than 2.7 metres in width by 6.0 metres in length.
f) Bicycle Parking		12 short term bicycle parking spaces for all uses.

(By-law 19-199, August 16, 2019)

703. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone, and Conservation / Hazard Lands (P5, 703) Zone, identified on Map No. 949 of Schedule "A" – Zoning Maps and described as 925 Main Street West and 150 Longwood Road South, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions, Main Street West shall be deemed the Front Lot Line.

b) Notwithstanding Section 4.23 d), all building and structures located on a property shall be setback a minimum of 3.0 metres from a (P5) Zone boundary, except below grade which shall be setback a minimum of 0.0 metres from the (P5) Zone boundary.

c) Notwithstanding Section 5.2 b) iii), where a wall or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.3 metres; except for where a column is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.1 metres.

d) Notwithstanding Section 5.6 c) i. and 5.7 c) i. and e), the following shall apply:

Column 1		Column 2
i. Residential Use(s)		
Lodging House	A)	1 parking space for each 8.3 persons accommodated or designed for accommodation.
	B)	A minimum of 5 short term bicycle spaces shall be provided.
	C)	A minimum of 0.5 long term bicycle parking spaces per unit shall be provided.

e) In addition to Subsection 7.5.1, the following use shall also be permitted:

i) PERMITTED USES

Recreation

f) Notwithstanding Subsection 11.1.3 a) i) and ii), c), d) ii) and iii), and g) iii) and v), the following special provisions shall apply:

i)	Minimum Building Setback from Main Street West	A)	0.0 metres for any portion of a building up to 22.0 metres in height, including to the hypotenuse of the daylight triangle.
		B)	6.1 metres for any portion of a building greater than 22.0 metres in height.
ii)	Minimum Building Setback from Longwood Road	A)	0.0 metres for any portion of a building up to 22.0 metres in height, including to the hypotenuse of the daylight triangle.
		B)	15.0 metres for any portion of a building greater than 22.0 metres

			in height, except 8.8 metres to the hypotenuse of the daylight triangle.
iii)	Minimum Interior Side Yard	A)	0.9 metres for any portion of a building up to 22.0 metres in height when abutting a Residential Zone.
		B)	4.0 metres for any portion of a building greater than 22.0 metres in height when abutting a Residential Zone.
iv)	Building Height	A)	Maximum 22.0 metres for the podium;
		B)	Maximum 56.0 metres for "Tower A" as shown on Figure 21 of Schedule F - Special Figures.
		C)	Maximum 62.0 metres for "Tower B" as shown on Figure 21 of Schedule F - Special Figures is 62.0 metres.
v)	Built Form for New Development	A)	Maximum of two 6.0 metre wide driveways shall be permitted for ingress and egress.
		B)	For a corner lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 50% of the measurement of the front lot line abutting the street, and the minimum width of the ground floor façade facing the flankage lot line shall be greater than or equal to 25% of the measurement of the flankage lot line abutting the street.

(By-law No. 18-257, September 12, 2018)

704. Within the lands zoned Neighbourhood Commercial (C2, 704) Zone, identified on Map No. 1934 of Schedule "A" – Zoning Maps and described as 567 Scenic Drive, Hamilton, the following special provisions shall apply:

a) In addition to Sections 10.2.1.1 and Section 10.2.3, the following special provisions shall also apply:

i)	Restriction of Commercial Uses on Site	Notwithstanding Section 10.2.1, a maximum two (2) commercial units are permitted on site.
ii)	Amenity Area	A minimum of 10.5 square metres shall be provided for each dwelling unit and may be provided as a private balcony.

b) In addition to Section 10.2.2, the following uses shall also be prohibited even as an accessory use:

i) Child Care Centre
ii) Emergency Shelter
iii) Motor Vehicle Service Station
iv) Repair Service
v) Social Services Establishment
vi) Veterinary Service

c) Notwithstanding Sections 10.2.1.1 ii) 1., 10.2.3 b) ii), 10.2.3 i) vi), and 10.2.3 j), the following regulations shall apply:

i)	Restriction of Residential Uses within a Building	Notwithstanding Section 10.2.1, a Dwelling Unit, Mixed Use shall only be permitted above the ground floor except for access, accessory office and utility areas, shall not occupy more than 63% of the total gross floor area of the building

		within the lot, being a maximum of 308 square metres, and shall not contain more than two dwelling units.
ii)	Minimum Rear Yard	3.6 metres abutting Residential Zone.
iii)	Locational Restriction of Parking Area	No parking, driveways, stacking lanes, or aisles shall be located between a building façade and the front lot line and the flankage lot line except for an accessible parking space, which may project 0.2 metres beyond the building façade facing Scenic Drive.
iv)	Planting Strip Requirements	A) A minimum 1.35 metre wide Planting Strip shall be provided and maintained along the easterly lot line. B) A minimum 1.35 metre wide Planting Strip shall be provided and maintained along the southerly lot line, except adjacent to any manoeuvring space, where a minimum 0.8 metre wide Planting Strip shall be provided and maintained.

d) In addition to Section 4.6 d) and e), the following regulation shall also apply:

i)	Permitted Rear Yard Encroachments	A) A porch or canopy may encroach into a required rear yard to a maximum of 2.0 metres.
		B) A balcony may encroach into a required rear yard to a maximum of 2.0 metres.

e) Notwithstanding Section 5.2.1 a), parking space sizes shall be a minimum of 2.6 metres in width and 5.8 metres in length.

(By-law No. 26-049, March 04, 2026)

705. Within the lands zoned Mixed Use Medium Density (C5, 705, H32) Zone, identified on Map Nos. 1194 and 1195 of Schedule "A and described as 928 Queenston Road, the following special provisions shall apply:

a) Notwithstanding Sections 5.2 b) i) and ii), 10.5.1.1 i) 1., 10.5.3 a) ii), 10.5.3 d) ii) and iii), and 10.5.3 g) vi), the following special provisions
shall also apply:

b) REGULATIONS

a)	Restriction of Uses within a Building	1.	The finished floor elevation of any dwelling unit shall be a minimum of 0.0 metres above grade.
		2.	All residential units 0.9m below grade shall have a minimum setback of 32.2. metres.
b)	Building Setback from a Street Line (Lake Avenue Drive)	ii)	Maximum 32.2 metres

c)	Minimum Building Step back from Queenston Road	i)	3.8 metres for the 5th and 10th storey and 6.3 metres for the 11th and 14th storeys.
d)	Building Height	i)	Maximum 49.0 metres; and,
		ii)	In addition to Section 10.5.3 d) i) and notwithstanding subsection ii) above, any building height above the 2nd storey shall be step-back from the rear lot line 14.5 metres for the 3rd to 6th storey, 22.3 metres for the 7th and 8th storeys, 30.9 metres for the 9th to 11th storey, 34.6 metres for the 12th storey, 37.6 metres for the 13th storey, and 41.1 metres for the 14th storey when abutting a Residential Zone to a maximum building height of 49.0 metres.
e)	Parking	i)	Parking space sizes shall be a minimum 2.75 metres in width and 5.8 metres in length;
		ii)	Notwithstanding Subsection i) above, a minimum 2.75 metres in width and 5.8 metres in length shall be permitted at grade or within an underground parking structure.
f)	Built form for New Development	iv)	No parking, stacking lanes, or aisles shall be located between the required building façade and the

	front lot line. Parking spaces and aisles are permitted to be located between the required building facade and the Lake Avenue Drive flankage lot line. (By-law 18-346, Dec 19, 2018)

706. Within those lands zoned District Commercial (C6) Zone, identified on Map 1450 of Schedule "A" – Zoning Maps and described as 1405 Upper Ottawa Street, the following special provisions shall apply:

a) In addition to Subsection 10.6.2, the following uses shall also be permitted only as an accessory use to a pet store or veterinary clinic:

i) Animal Shelter
ii) Indoor Kennel

b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.1.1, Medical Clinic and Office shall only be permitted above the ground floor.
(By-law No. 19-062, March 27, 2019)

707. Within the lands zoned Arterial Commercial (C7, 650, 707) Zone, identified on Map Nos. 1383 and 1434 of Schedule "A" – Zoning Maps and described as 1019 Wilson Street West, Ancaster, the following special provisions shall apply to a Self-Storage Facility with Accessory Retail and Ground Floor Commercial:

a) In addition to Section 3: Definitions, the following definition shall apply:

Self-Storage Facility	Shall mean the use of a building or structure, or part thereof, for the storage of items that are enclosed in individual storage units for a fee.

b) Notwithstanding Subsection 5.5 a), the following regulation shall apply:

i) A minimum of 3 barrier free parking spaces shall be designated and provided as part of the required parking spaces of Section c) below, one of which maybe internal to the building.

c) Notwithstanding Subsection 5.6 c), the following regulation shall apply:

i) A minimum of 34 parking spaces shall be provided, 4 of which may be internal to the building.

d) In addition to Subsection 10.7.1, the following use shall also be permitted in accordance with the regulations of Subsection 10.7.3 and Section f) below:

i) Self-Storage Facility

e) In addition to Subsection 10.7.1, the following use shall be permitted in accordance with the following restrictions:

i) Retail accessory to a Self-Storage Facility

1. Shall only be permitted on the ground floor of the portion of the building that is greater than 14.0 metres in height.

2. Shall not exceed 5 percent of the total gross floor area of the building.

f) Notwithstanding Subsection 10.7.3 a) and d), the following regulations shall apply:

i)	Minimum Building Setback to a Street Line	1) 16.0 metres from the Wilson Street West Line. 2) 3.5 metres from the Shaver Road Line. 3) 4.5 metres from the hypotenuse of the daylight triangle.
ii)	Minimum Height	14.0 metres
iii)	Maximum Height	24.0 metres

(By-law No. 23-071-OLT, April 19, 2023)

708. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1748 and 1749 of Schedule "A" – Zoning Maps and described as 3079 Homestead Drive, the following special provisions shall apply:

a) Notwithstanding Subsection 10.6.1, the following uses shall be prohibited:

i) Boat and/or motorized snow vehicle sales establishment;
ii) Cold storage locker establishment;
iii) Dairies;
iv) Farm equipment sales establishment;
v) Garden centre;
vi) Motor vehicle rental establishment;
vii) New and used motor vehicle dealership;
viii) Public and private parking lots and structures;
ix) Transportation depot;
x) Major recreational equipment sales, rental, and service establishment;
xi) Taxi establishment.

b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.1.1 i) 2., a Medical Clinic shall only be permitted above the ground floor.
(By-law No. 19-062, March 27, 2019)

709. Within the lands zoned Agriculture (A1) Zone, identified on Map RU207 and RU215, of Schedule "A" – Zoning Maps and described as 2282 Westbrook Road (Block 4 on Schedule "A" to this By-law), the following special provisions shall apply:

i) Notwithstanding Sections 4.8.2 c), for the lands located at 2282 Westbrook Road, only the converted barn existing on the date of the passing of the by-law having a total gross floor area 260 sq. m. and a maximum building height of 8.0 metres shall be permitted.

(By-law No. 20-201-LPAT, September 21, 2020)

710. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1043 of Schedule "A" – Zoning Maps and identified as 52 – 64 Ottawa Street North, the following special provisions shall apply:

a) Notwithstanding Subsections 5.2b), 5.2f), 5.2i), and 5.6c), the following regulations shall also apply:

i)	Parking Space Size Dimensions	A minimum parking space size of 2.7 metres by 5.7 metres shall be provided.
ii)	Barrier-free Parking Space Size Dimensions	A minimum barrier-free parking space size of 4.4 metres by 5.7 metres shall be provided.
iii)	Parking Space Requirement for Multiple Dwelling and Community Centre	0 parking spaces.
iv)	Parking Space Requirement for a Child Care Centra	2 parking spaces.
v)	Visitor Parking Space	Additional 0.16 parking spaces per dwelling unit.
vi)	Minimum Aisle Width	3.0 metres

b) In addition to Subsection 10.5a.1.1 and notwithstanding 10.5a.3c) and d) ii), the following regulations shall apply:

i)	Restriction of Uses within a Building	1. A Multiple Dwelling with a maximum of 50 dwelling units. 2. A Child Care Centre with a maximum of 31 children
ii)	Minimum Side Yard (northerly)	1.4 metres
iii)	Building Height	Maximum 20.0 metres.

(By-law No. 19-062, March 27, 2019)
(By-law No. 25-155, August 06, 2025)

711. Within the lands zone Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1934 of Schedule "A" – Zoning Maps and identified as 3079 Binbrook Road, the following special provisions shall apply:

a) In addition to Subsection 10.5a.1, the following use shall also be permitted:

i) Funeral Home

b) Notwithstanding Subsection 4.6a), the following regulation shall also apply:

i) Sills, belt cornices, eaves or gutters, chimneys, bay windows, or pilasters may project into any required yard a distance of not more than 0.7 metres

c) Notwithstanding Subsections 10.5a.3b), c), d) ii), i), h) v), and k), the following provisions shall also apply:

i)	Minimum Side Yard	1.0 metre
ii)	Minimum Rear Yard	1.5 metres
iii)	Maximum Building Height	14.0 metres
iv)	Planting Strip Requirements	Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 0.7 metre wide Planting Strip shall be provided and maintained.
v)	Parking between Building and Street	No parking or aisles may be located within 2.4 metres of any street line or 0.7 metres abutting a Residential or Institutional Zone, or lot containing a residential or institutional use.
vi)	Outdoor Storage	Outdoor display areas, in the form of benches, other street furniture, and

outdoor recreational equipment shall be permitted abutting a street and/or the boundary of any Residential or Institutional Zone or residential or institutional use and shall comprise no more than 22% of the total area of the required front yard.

d) In addition to Subsections 5.1a)v) a), b) and c), and 5.2 b) i), and 5.2b) f), the following regulations shall also apply:

i) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from a street, shall be subject to the following:

a) Shall not be located within 2.4 metres of a street line.

b) Shall provide a 2.4 metres wide Planting Strip being required and permanently maintained between the street and parking spaces or aisles.

c) Where a Planting Strip is provided as per b) above, benches, other street furniture, and outdoor recreational equipment shall be permitted within a required Planting Strip.

d) Where a parking area which is required to provide for more than four (4) vehicles abuts a Residential or Institutional Zone or a Residential or Institutional use, a Planting Strip of a minimum width of 0.7 metres shall be provided and maintained, which shall also include fencing and also permit pedestrian and access walkways.

ii)	Parking Space Size Dimension	A minimum parking space size of 2.6 metres by 5.5 metres.
iii)	Barrier Free Parking Space Size Dimension	A minimum barrier free parking space size of 4.4 metres by 5.5 metres.

712. Within those lands zoned Settlement Residential (S1) Zone, identified on Map No. 80, of Schedule A - Zoning Maps and described as 706 Highway No. 8, the following special provisions apply:

a) In addition to Section 12.3.3 the following shall apply:

i)	Maximum Capacity for Single Detached Dwellings	A single detached dwelling shall have a maximum of 3 bedrooms.
ii)	Planting Strip Requirements	A minimum 2.0 m Planting Strip shall be provided and maintained abutting 708, 712, 716 and 720 Old Highway 8.
iii)	Visual Barrier	A Visual barrier shall be provided and maintained along any lot line abutting 708, 712, 716 and 720 Old Highway 8, in accordance with the requirements of Section 4.19 of this By-law

b) Notwithstanding Section 12.3.3 a), the minimum lot area shall be 0.42 hectares.

(By-law 18-235 September 20, 2018)
(By-law No. 19-062, March 27, 2019)

713. Within those lands zoned Neighbourhood Commercial (C2, 713) Zone, identified on Map No. 1087, of Schedule "A" - Zoning Maps and described as 1274 and 1280 Mohawk Road West, the following special provisions shall apply:

Regulations

Notwithstanding Subsection 10.2.3a) of the provisions of Subsection 10.2.3 – Regulations of Section 10:

a)	Building Setback from a Street Line	i) Minimum 1.4 metres

In addition to the provisions of Subsection 10.2.3 – Regulations of Section 10:

a) Maximum Gross Floor Area for all medical clinics on a lot — 576 square metres

Notwithstanding Subsection 5.2(b)(i) and 5.2(f) – Parking Standards of Section 5:

a) Parking space size shall be a minimum of 2.6 metres in width and 5.5 metres in length.

b) Barrier free parking space sizes shall be a minimum of 3.5 metres in width and 5.5 metres in length.

(By-law No. 18-333, December 19, 2018)

714. Within the lands zoned Conservation/Hazard Land (P5-714) Zone, identified on Map No. 1126 of Schedule A and described as 941 Old Mohawk Road, the following special provisions shall apply:

4.23 SPECIAL SETBACKS
Notwithstanding any other provisions in this By-law, the following Special Setbacks shall apply:

d) Setback from a Conservation/Hazard Land (P5) Zone, Conservation/Hazard Land Rural (P7) Zone and Conservation/Hazard Land Rural (P8) Zone

All buildings or structures located on a property shall be setback a minimum of 7.0 metres from a P5 Zone Boundary.

(By-law 20-114, LPAT May 12, 2020)

715. Within those lands zoned Rural (A2) Zone, identified on Maps RU85, of Schedule "A" - Zoning Maps and described as:

Property Address	Map Number
119 Highway No. 5 W.	RU85

The following special provision shall apply:

a) Notwithstanding Section 12.2.3.3 e), the maximum gross floor area for a farm product supply dealer shall be 3,300 square metres.
(By-law 19-008, January 23, 2019)

716. Within the lands zoned Existing Industrial (E2, 716, H109) Zone, identified on Map No. RU166 of Schedule A - Zoning Maps and described as 19 Highland Road East, the following special provisions shall apply:

a) In addition to Section 12.7.1, a warehouse shall be permitted.

b) Notwithstanding Section 12.7.3(c), a side yard setback of 4.4m shall be required.

c) Notwithstanding Section 12.7.3(h), a minimum of 4 percent landscape coverage shall be required.

(By-law No. 19-013, January 23, 2019)

717. Within those lands zoned Conservation / Hazard Lands (P5, 717) Zone, identified on Maps 1205 of Schedule "A" - Zoning Maps and described as 90 Creanona Boulevard, the following special provision shall apply:

a) Section 4.23 Special Setbacks d) shall not apply the existing single detached dwelling and accessory structure.

b) In addition to Section 7.5 Conservation / Hazard Land (P5) Zone, a private driveway access shall be permitted to access the existing single detached dwelling.

(By-law 19-012, January 23, 2019)

719. Within those lands zoned Conservation / Hazard Lands (P5) Zone, identified on Map Nos. 1385 and 1436 of Schedule "A" - Zoning Maps and described as 305 and 311 Garner Road West, the following special provision shall apply:

a) Notwithstanding Subsection 4.23 d), all buildings or structures located on a property shall be setback a minimum of 0.0 metres from a P5, P7 and P8 Zone Boundary.

(By-law 19-169, July 12, 2019)

720. *Deleted*

(By-law 19-061, March 27, 2019)
(By-law 21-189, October 15, 2021)

722. Within the lands zoned Conservation / Hazard Land (P5, 722) Zone, identified on Map Nos. 1748 and 1785 of Schedule "A" – Zoning Maps and

described as Part of 78 and 80 Marion Street and 3302 and 3306 Homestead Drive, the following special provisions shall apply:

a) Notwithstanding Subsection 4.23 d), the minimum setback from any building or structure to Conservation / Hazard Land (P5) Zone will be 0 metres.

(By-law 19-118, May 22, 2019)

723. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map No. 911 of Schedule "A" – Zoning Maps and described as 80 and 92 Barton Street East and 245 Catharine Street North, the following special provisions shall apply:

a) The lands zoned Mixed Use Medium – Pedestrian Focus (C5a, 723) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, not internal lot lines resulting from any future severance.

b) In addition to Section 3: Definitions of Zoning By-law No. 05-200, the following definition shall also apply:

Stacked Townhouse Dwelling	Shall mean a building divided vertically and horizontally into a minimum of three and a maximum of 16 Dwelling Units, by common walls which prevent internal access between units, with each Dwelling Unit having one or more private entrances at grade.

c) Notwithstanding Section 3: Definitions as it relates to the definition of front lot line, Barton Street East shall be deemed to be the front lot line.

d) Notwithstanding Section 5.2 b) i), and in addition (to) Section 5.6 c), 10.5a.1 and 10.5a.1.1, the following uses shall only be permitted on a lot where a commercial use occupies more than 75% of the Barton Street East street line:

Multiple Dwelling

Stacked Townhouse Dwelling

In accordance with the following provisions:

i)	Maximum Building Setback from a Street line	3.0 metres.
ii)	Minimum Rear Yard	1.5 metres.
iii)	Minimum Side Yard	i) 3.0 metres for a Multiple Dwelling, and; ii) 0.9 for a Stacked Townhouse Dwelling
iv)	Maximum Building Height	14.0 metres.
v)	Built Form for New Development	In the case of new buildings constructed after the effective date of this by-law the following shall apply: A) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street. B) No Parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.
vi)	Minimum Amenity Area	8.6 square metres per unit.
vii)	Parking	A) In accordance with the requirements of Section 5 of this By-law.

B) Notwithstanding A) above the following parking standards shall apply:

1. 1.22 space per dwelling unit shall be required.

2. Parking space size shall be a minimum of 2.6 metres in width and 5.5 metres in length.

viii) Minimum Bicycle Parking Requirements — 0.2 Short Term Bicycle Parking Spaces shall be provided per dwelling unit.

e) Notwithstanding Sections 5.2 b) i), 10.5a.3 b), c), d) i) and ii), h) and i), and in addition to Sections 5.6 c) the following special provisions shall apply for all other uses:

i) Minimum Rear Yard — 1.0 metre.

ii) Minimum Side Yard — 0.9 metres.

iii) Building Height

A) Maximum 15.3 metres.

B) Notwithstanding A) above, any building height above 15.3 metres may be equivalently increased as the step back is increased, to a maximum of 21.0 metres.

iv) Built Form for New Development — In the case of new buildings constructed after the effective date of this by-law the following shall apply:

A) Rooftop mechanical equipment shall be located

and/or screened from view of any abutting street.

B) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street.

C) In addition to B) above, the minimum ground floor façade facing the front lot line shall exclude access driveways and required yard along a lot line abutting a street.

D) No parking, stacking lands, or aisles shall be located between the required building façade and the front lot line and flankage lot line.

E) A minimum of one principal entrance shall be provided:

1. Within the Barton Street East ground floor façade; and,

2. Shall be accessible from the building façade with direct access from the public sidewalk.

F) A minimum of 60% of the area of the ground floor façade facing the street

shall be composed of doors and windows.

G) The first storey shall have a minimum height of 3.6 metres and a maximum height of 4.5 metres.

v)	Parking	A) In accordance with the requirements of Section 5 of this By-law. B) Notwithstanding A) above the following special requirements shall apply: 1. 117 parking spaces shall be provided. 2. Parking space size shall be 2.6 metres in width and 5.5 metres in length. 3. 5.2 b) iii) shall not apply.
vii)	Loading Space	One loading space is required.
viii)	Minimum Bicycle Parking Requirements	5 Short Term Bicycle Parking Spaces shall be provided.

f) In addition to Section 10.5a.3 15% of the total lot area shall be provided as landscaped area.

(By-law No. 19-081, April 24, 2019)

724. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 724) Zone, identified on Maps 1343 of Schedule "A" – Zoning Maps and described as 1351, 1355, 1359 and 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, the following special provision shall apply:

a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions the definition of the Front Lot Line shall mean any lot line abutting Stone Church Road East.

b) Notwithstanding Section 4.6b), a fire escape or exterior stair may encroach into a required front, side or rear yard.

c) Sections 5.1.1 d), 5.3.1 a) iii), 5.3.1 e) i), 5.3.1 e) ii), 5.5.1 a) iii) shall not apply.

d) Notwithstanding Sections 5.7.1 as it relates to parking requirements for a Multiple Dwelling and Retail, 5.2.1 a) and 5.2.1 b), the following regulations shall apply:

i)	Parking Requirements	A)	Multiple Dwelling	1 space for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces for such unit (excluding 7 spaces from the total required).
			Retail	1. 0 spaces where a use is less than 450.0 square metres in gross floor area; and, 2. 1 space for each 50 square metres of gross floor area in excess of 450.0 square metres.
ii)	Parking Space Dimension			A minimum parking space size dimension of 2.8 metres by 5.8

metres shall be provided.

e) In addition to Section 11.1.1 and 11.1.1.1 i) and notwithstanding Sections 11.1.3 a) i), 11.1.3 a) ii), 11.1.3 c), 11.1.3 d) i) - iii), 11.1.3 g) iii), 11.1.3 g) iv), 11.1.3 g) vii), 11.1.3 g) viii), 11.1.3 h) i), 11.1.3 h) iii), and 11.1.3 i) i) the following shall apply:

i) Restricted Uses

A) Multiple Dwelling

1. Notwithstanding Section 11.1.1, Block 2, as shown on Figure 21 of Schedule "F" – Special Figures shall be restricted to a maximum of two Multiple Dwelling buildings.

2. Blocks 1 and 2, as shown on Figure 21 of Schedule "F" – Special Figures, shall have a maximum combined density of no greater than 200 uph or a maximum of 358 units, whichever is the lesser.

B) Restriction of Uses within a building on Block 1, as shown on Figure 21 of Schedule "F" – Special Figures

1. Uses other than a Multiple Dwelling shall be restricted to the ground floor.

ii) Setback from a Street Line

A) A maximum of 4.5 metres shall be provided for Block

		1, as shown on Figure 21 of Schedule "F" – Special Figures. B) A minimum of 2.9 metres shall be provided for Block 2, as shown on Figure 21 of Schedule "F" - Special Figures. C) Notwithstanding ii) A) above, a minimum of 6.5 metres shall be provided abutting the hypotenuse of the daylight triangle for Block 1, as shown on Figure 21 of Schedule "F" – Special Figures. D) In addition to ii) A), above, for any portion of a building on Block 1, as shown on Figure 21 of Schedule F – Special Figures, greater than 20.0 metres in height the following additional setbacks shall apply: 1. Minimum 4.0 metres from Upper James Street; and, 2. Minimum 6.0 metres from Stone Church Road East.
iii)	Minimum Interior Side Yard	4.5 metres abutting a Residential or Institutional Zone or a lot containing a residential use.
iv)	Building Height	A) Maximum 35.0 metres for Block 1, as shown on

Figure 21 of Schedule "F" – Special Figures.

B) Maximum 17.0 metres for Block 2, as shown on Figure 21 of Schedule "F" – Special Figures.

(By-law 19-233, September 25, 2019)
(By-law No. 25-187, October 8, 2025)
(By-law No. 26-052, March 4, 2026)

726. Within the lands zoned Neighbourhood Institutional (I1, 726) Zone, identified on Maps 1199 of Schedule "A" – Zoning Maps and described as 514 and 516 Barton Street and 293 Dewitt Road, the following special provision shall apply:

a) Notwithstanding Subsection 4.5 a) the following special provision shall apply:

i)	Dwelling on a Lot	Two single detached dwellings may be permitted on the same lot containing a place of worship.

b) Notwithstanding Sections 8.1.3.1d), 8.1.3.1e), 8.1.3.1g) of this By-law the following special provisions shall apply:

i)	Minimum Front Yard Setback	4.4 metres
ii)	Minimum Northerly Side Yard Setback	1.1 metres
iii)	Minimum Rear Yard Setback	4.6 metres

c) Notwithstanding Subsection 5.6b)ii) for a place of worship and in addition to Subsection 8.1.3.1 k) of this By-law the following special provision shall apply:

Parking	1 parking space for every 14 square metres of gross floor area for a place of worship, inclusive of a basement or cellar, to accommodate such use.

(By-law No. 19-153, June 26, 2019)

727. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1258 and 1311 of Schedule "A" – Zoning Maps and described as 394 Winona Road, the following special provision shall apply:

a) Notwithstanding Subsection 10.6.1.1i)2), an Office shall also be permitted on the ground floor.

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

728. The following special provisions shall apply:

a) Notwithstanding Subsection 10.6.3 d), 10.5.3 d) ii) and iii) and 10.5a.3 d) ii) and iii), a maximum building height of 11.0 metre shall be permitted; and,

b) Notwithstanding Subsections 4.23 c)ii), all buildings or structures located on a property shall be setback a minimum of 7.5 metres from a Transcanada Pipeline Right-of-Way.

(By-law No. 19-208, September 11, 2019)
(By-law No. 24-137, July 12, 2024)

729. Within the lands zone Mixed Use Medium Density – Pedestrian Focus (C5a, 729) Zone, identified on Map No. of Schedule "A" – Zoning Maps and described as 16 & 18 King Street West, the following special provisions shall apply:

a) Notwithstanding Section 4.6 e); 5.2 b); 5.2 f); 5.2 h); 5.2.1 c); 10.5a.3. b); 10.5a.3. c); 10.5a.3. d), 10.5a.3. h) x); 10.5a.3. i); and 10.5a.3.j) the following special provisions shall also apply:

i)	Minimum Setback to a Street Line	i)	0.0 metres for any portion of a building equal to or less than 20.25 metres in height
		ii)	2.0 metres for any portion of a building greater than 20.25 metres in height.
	Minimum Rear Yard	i)	16.0 metres;

	ii)	Notwithstanding i) above, 0.7 metres to a retaining or structural wall for a parking garage shall be permitted.
Minimum Side Yard	i)	0.0 metres for any portion of a building equal to or less than 11.40 metres in height.
	ii)	2.3 metres for any portion of a building greater than 11.40 metres in height along the easterly lot line.
	iii)	4.3 metres for any portion of a building greater than 11.40 metres in height along the westerly lot line.
Building Height	Maximum 27.0 metres.	
First Storey Height	The first storey shall have a minimum height of 3.6 metres and a maximum height of 5.15 metres.	
Planting Strip	Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 0.7 metre wide Planting Strip shall be provided and maintained.	
Visual Barrier	A visual barrier shall be not be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	
Balcony Projections	A balcony may encroach into any required Front Yard or Rear Yard to a maximum of 1.6 metres.	
Parking Stall Sizes	Required parking spaces for 90 degree perpendicular parking shall have a	

	minimum rectangular dimension of 2.6 metres by 5.5 metres exclusive of any lands used for access, maneuvering, driveways or a similar purpose.
Barrier Free Parking Stall Size	4.4 metres in width by 5.5 metres in length.
Planting Strip	That subsection 5.2 h) shall not apply to parking areas located within an underground parking structure.
Location of Loading Facilities	Shall be permitted within the required rear yard abutting a Residential Zone.

(NOT FINAL AND BINDING)

730. Within the lands zoned Mixed Use Medium Density (C5, 730) identified on Map 947 of Schedule "A" Zoning Maps and described as 1630 Main Street West and 69 Sanders Boulevard the following special provisions shall apply:

a) Notwithstanding Sections 5.6 c), 10.5.3 c), 10.5.3 d), and 10.5.3 h) i), 10.5.3 h) ii), 10.5.3 i); the following special provisions shall also apply:

REGULATIONS

a)	Parking Spaces	Shall be provided on the basis of 0.6 parking spaces per dwelling unit.
b)	Minimum Setback from a Street Line (West Park Avenue)	0.0 metres, except 1.0 metres for the portion of the building above the 6th storey
	Minimum Setback from a Street Line (Main Street West)	0.0 metres
	Minimum Setback from a Street Line (Sanders Boulevard)	4.5 metres

c)	Minimum Interior Side Yard Setback	7.5 metres, except 6.2 the west Interior Lot Line
d)	Minimum Interior Side Yard for an Underground Parking Structure	Nil
e)	Building Height	Maximum 30.0 metres for lands identified in Block 1 and a maximum of 11.0 metres for lands identified in Block 2 as indicated on Schedule F.
f)	Amenity Area	On a lot containing 10 dwelling units or more, the following Minimum Amenity Area requirements be provided: i) An area of 3.5 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and, ii) An area of 5.5 square metres for each dwelling unit greater than 50 square metres of gross floor area.
g)	Planting Strip	Where a property line abuts a property lot line within a Residential Zone, a minimum 0.67 metres wide Planting Strip shall be provide for Block 1.

b) Notwithstanding Section 2(a)(h) above, a planting strip shall not be required for the eastern property line of Block 3.

c) In addition to the definition of a Planting Strip in Section 3, a Planting Strip may include a concrete pad for bicycle parking in Block 3.

(By-law No. 22-015-OLT, January 26, 2022)

731. Within the lands zoned Downtown Mixed Use – Pedestrian Focus (D2, 731, H17, H19, H116) Zone, identified on Map No. 952 of Schedule "A" – Zoning Maps and described as 206 and 208 King Street West, development in accordance with the Downtown Mixed Use – Pedestrian Focus (D2, H17, H19, H20) Zone shall be permitted. Alternatively, the development of a 13 storey (44.0 metre), mixed use building containing a maximum of 123 dwellings shall only be permitted in accordance with the following special provisions.

a) Notwithstanding Section 5.1 a) i), 5.2 b) i), ii), c), f), g), and i), 5.2.1 c), and 5.7 c) and e) i), the following special provisions shall apply:

i) The manoeuvring space and access of the parking spaces can be provided off site by way of an adjacent laneway.

ii) For the purposes of special exception 731, a parking stacker system shall permit a parking space that is positioned above, below or beside another parking space and is accessed by means of an elevating device.

For the purposes of special exception 731, a parking system shall be permitted and required parking may be provided by means of a parking stacker system.

iii) Parking stall size shall be:

1. A minimum 2.6 metres in width and 5.5. metres in length for above ground or underground parking structures, when parking is provided by means of a parking stacker system.

2. Where parking is not provided in a parking stacker system the regulations of Section 5.0 – Parking, shall apply.

3. Where a wall, column, or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0 metres when parking is provided by means of a parking stacker system.

4. A Barrier Free Parking space shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres

iv) All required parking shall be provided with adequate means of ingress and egress to and from the street or private laneway without the necessity of moving any other motor vehicle, except by way of a mechanical stacker system, and shall be arranged so as not to interfere with normal public use of the street or laneway. Any parking lot shall provide for ingress and egress of vehicles to and from a street in a forward motion only.

v) A minimum aisle width of 6.0 metres is not required for parking accessed by a private laneway.

vi) Loading Facilities

Loading facilities shall be permitted in a required rear yard adjacent to a Residential Zone and shall not be required to be screened by a Visual Barrier in accordance with Section 4.19 of this By-law.

vii) Bicycle Parking

1. No short term bicycle parking spaces are required.

2. 1 long term bicycle parking space per residential unit.

b) Notwithstanding Section 6.0 b) i) and ii), and e) i) and iii), and in addition to Section 6.0 b) and Section 6.2 the following special provisions shall apply:

i)	Building Base Façade Height Caroline Street North	Notwithstanding Figure 15 – Schedule "F" – Special Figures, no stepback shall be required for the Caroline Street North Building Base Façade Height.
ii)	Building Height	In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

a) A minimum 12.5 metre stepback from the rear lot line shall be required, except for the portion of the building used for a mechanical penthouse then a 5.3 metre stepback from the rear lot line shall be required, and for the portion of the building used for an indoor amenity area a minimum 11.2 metre stepback from the rear lot line shall be required.

b) A minimum 12.5 metre stepback from the easterly side lot line shall be required, except for the portion of the building used for a mechanical penthouse then a 1.7 metre stepback from the easterly side lot line shall be required.

iii) Minimum Stepbacks

a) The following stepbacks shall be required for any portion of the building exceeding 22.0 metres, but not greater than 44.0 metres, in height:

1. A minimum 3.0 metre stepback from the easterly side lot line is required, except for the portion of the building setback less than 13.2 metres from the front line and 5.8 metres from the rear lot line then a minimum 1.7 metre stepback from the easterly side lot line is required.

2. Notwithstanding 1. above, for any portion of the building that has a stepback of less than 3.0 metres from the easterly side lot line, no windows are permitted facing the easterly side lot line except for windows that are translucent.

3. No stepback from the rear lot line is required.

iv)	Glazing	A minimum of 30% of glazing is required for the first floor.
v)	Ground Floor Height	The ground floor storey shall be no less than 3.6 metres in height and no greater than 6.5 metres in height. The second and third storeys shall each be no less than 3.0 metres in height and no greater than 4.0 metres in height.

(By-law No. 21-019, February 24, 2021)

732. Within the lands zoned Mixed Use – Medium Density (C5, 732) Zone, identified on Map No. 908 of Schedule "A" – Zoning Maps and described as 804-816 King Street West, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions as it relates to the definition of "Front Lot Line", King Street West shall be deemed to the front lot line.

b) Notwithstanding Section 5.6 c) and 5.7 g) as it relates to a multiple dwelling and any permitted commercial use with a gross floor area less than 450 square metres, the following shall apply:

i)	Parking	1) A minimum 0.6 parking spaces per dwelling unit shall be required.
ii)	Bicycle Parking	2) A total of 2 parking spaces shall be provided for any permitted commercial use with a gross floor area less than 450 square metres.

c) Notwithstanding Sections 10.5.3 b), c), d) and i), the following shall apply:

i)	Minimum Rear Yard	7.3 metres, except that a minimum 10.2 metre setback

		shall be provided above the fourth storey and a minimum 14.8 metre setback shall be provided above the fifth storey.
ii)	Minimum Interior Side Yard	3.3 metres, except that a 4.2 metre setback shall be provided above the fourth storey.
iii)	Building Height	Maximum 19.6 metres.
iv)	Planting Strip Requirements	Where a property line abuts a property line within a Residential Zone, a minimum 1.25 metre wide Planting Strip shall be provided and maintained.

(By-law No. 21-048, April 14, 2021)

733. Within the lands Zoned Mixed Use - Medium Density (C5) Zone, and identified on Map No. 948 of Schedule "A" Zoning Maps and described as at 1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue South, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue and 50 Dalewood Avenue, the following special provisions shall apply:

(a) Notwithstanding Section 3, as it relates to Amenity Area and for the purposes of Special Exception 733, roof top amenity areas shall be prohibited.

(b) Notwithstanding Section 3, as it relates to the definitions of a Lodging House and Lodging Unit for the purposes of Special Exception 733, it shall also include up to 16 accessory Dwelling Units.

(c) In addition to the definitions in Section 3, the following definition shall apply for the purposes of Special Exception 733:

"Storey" shall mean that the portion of the building or structure, other than a cellar, included between the surface of any floor and the surface of the floor, roof deck, or ridge next above it, except an attic storey.

(d) Notwithstanding Section 4.6 e), no balcony shall be permitted on any part of a building abutting Traymore Avenue, Forsyth Avenue South, or Dalewood Avenue.

(e) Notwithstanding Section 5.1 a), as it relates to the parking provision for a Lodging House and permitted accessory uses, the following shall apply:

i) A minimum of 43 parking spaces shall be provided on the lot.

ii) The greater of 35 parking spaces or 2.5 percent of the required parking shall be provided either on the lot containing the Lodging House use or on another lot within 300 metres of the lot containing the Lodging House use;

iii) The remainder of the required parking for a Lodging House may be provided on a lot that is greater than 300 metres from the lot containing the Lodging House use;

iv) Where the required parking is provided in accordance with Subsection ii) above, the owners of both lots shall enter into an agreement with the City to be registered against the title of both the lot upon which parking is to be provided and the lot containing the use requiring the parking. The lot upon which the parking is located, pursuant to the agreement, shall continue to be so used only for such purposes until

alternate parking spaces in conformity with the regulations of this By-law are provided; and,

v) The permitted accessory uses in (f) i) B) 1. shall not require parking.

(f) Notwithstanding 5.6 c), as it relates to a Lodging House, in addition to Section 5.7 c) and e), the following shall apply:

i) Parking — 1 space per 4.5 beds.

ii) Bicycle Parking

A) 352 long term bicycle parking spaces shall be provided.

B) 102 short term bicycle parking spaces shall be provided.

C) In addition to B) above, short term bicycle parking spaces are prohibited along any portion of the site with outdoor frontage and access on Traymore Avenue.

(g) Notwithstanding Section 10.5.1, only the following uses shall be permitted:

i) Permitted Uses

A) Lodging House

B) 1. In addition to A) above, the following uses shall only be permitted as accessory uses to a Lodging House:

Educational Establishment; Personal Service; Restaurant; and, Retail.

2. Notwithstanding 1. above, accessory uses shall have no frontage, no access and no signage on any part of a building abutting Traymore Avenue or Dalewood Avenue.

(h) In addition to Section 10.5.4 and notwithstanding Section 10.5.4 a) and b), the following special provisions shall apply:

i) Building Setbacks — Shall be provided in accordance with Figure 21 of Schedule F – Special Figures.

ii) Building Height

A) Maximum building height shall be limited in each Area shown on Figure 21 of Schedule F – Special Figures, by the heights, as shown and as follows:
Area A1: 7.1 metres or 2 storeys;
Area A2: 6.0 metres or 1 storey;
Area A3: 10.0 metres or 2 storeys;
Area B1: 33.0 metres or 8 storeys;
Area B2: 14.0 metres or 3 storeys;
Area C1: 39.0 metres or 10 storeys;

			Area D1: 51.0 metres or 15 storeys.
		B)	Three mechanical penthouses shall only be permitted in accordance with Areas C1, D1, and M on Figure 21 of Schedule "F" – Special Figures, shall be permitted to exceed the heights established in B) above by a maximum of 6.4 metres.
iii)	Maximum Gross Floor Area		53,500 square metres.
iv)	Built Form for New Development	A)	The principal entrance shall be provided from Main Street West and shall consist at least four doors.

(By-law No. 22-010-OLT, March 09, 2022)

734. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 860 and 902 of Schedule "A" – Zoning Maps and described as 118 Hatt Street, the following special provisions shall apply:

a) Notwithstanding Subsection 5.1 a) v) b), the following regulations shall apply:

i) A minimum 3.0 metre wide planting strip shall be provided and maintained between the street line and a parking space or aisle, except where the lot is used for a non-residential use, then no planting strip is required.

b) Notwithstanding Subsection 10.5.3 a), c) and i), the following regulations shall apply:

i)	Minimum front yard setback	0.0 metres along McMurray Street and the hypotenuse of the daylight triangle.
ii)	Minimum Flankage (east) Yard Setback	0.0 metres to the hypotenuse of the daylight triangle at the corner of Hatt Street and McMurray Street
iii)	Minimum Interior Side Yard Setback	4.5 m
iv)	Planting Strip Requirement	A minimum 0.9 metre wide planting strip shall be provided and maintained along the westerly lot line.

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)

735. *Deleted.*

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)
(By-law No. 25-187, October 08, 2025)
(By-law No. 26-052, March 4, 2026)

736. Within the lands zoned Mixed Use - Medium Density (C5) Zone, identified on Map No. 951 of Schedule "A" to By-law No. 05-200 and described as 235 Main Street West, 74 Queen Street South and 244-246 Jackson Street West, the following special provisions shall apply:

a) Notwithstanding Subsections 4.6 a) and d), the following special provisions shall apply:

i) Architectural features, ductwork, venting and other similar appurtenances may be permitted to encroach into any required setback.

ii) A porch, deck or canopy may be permitted to encroach into any required setback.

b) Notwithstanding Subsections 5.2 b) i) and iv), and 5.6 c), as it relates to a multiple dwelling, the following shall apply:

i) The minimum parking space size for not more than 11% of the provided parking spaces shall have a width of 2.6 metres and a length of 5.5. metres.

ii) A minimum of 0.3 spaces per unit shall be required.

c) Notwithstanding Subsections 10.5.1.1 i) 1, 10.5.3. a), b), c), d), g) vii), i) and j), the following special provisions shall apply:

i)	Restricted Uses	There shall be no minimum required finished floor elevation for any dwelling unit.
ii)	Building Setback from the Main Street West Street Line	1) Maximum 4.5 metres 2) Notwithstanding 1) above, a minimum 3.0 metres for any portion of a building with residential units on the ground floor facing Main Street West. 3) Notwithstanding 2) above, a minimum 1.0 metres from the Daylight Triangle.
iii)	Building Setback from the Queen Street South Street Line	1) Maximum 4.5 metres 2) Minimum 0.0 metres 3) Notwithstanding 2) above, a minimum of 1.0 metres from a Daylight Triangle.
iv)	Building Setback from the Jackson Street West Street Line	1) Maximum 4.5 metres 2) Minimum 1.5 metres 3) Notwithstanding 2) above, a minimum of 1.0 metres from a Daylight Triangle.
v)	Minimum Rear Yard	0.0 metres

vi)	Minimum Interior Side Yard	0.0 metres
vii)	Building Height	1) Minimum 7.5 metres; 2) Maximum 80.85 metres; 3) Notwithstanding 2) above, maximum building height shall be in accordance with Figure 22 of Schedule F – Special Figures of Zoning By-law 05-200.
viii)	Built form for New Development	A minimum of one principal entrance shall be provided in the façade along Main Street West.
ix)	Planting Strip	A planting strip shall not be required.
x)	Visual Barrier	A visual barrier shall not be required.

(By-law 20-230, October 28, 2020)

737. Within a portion of the lands zoned Rural (A2) Zone, identified on Maps 15 and 16 of Schedule "A" – Zoning Maps and described as 1092 Gore Road, the following special provisions shall apply:

a) In addition to the uses permitted in Section 12.2.1, the following additional uses shall be permitted; motor vehicle collision and repair establishment, including the repair of Motor Vehicles - Commercial; and, motor vehicle service station, including the repair of Motor Vehicles - Commercial.

b) Section 12.6.3 b) to h), j) and k) shall apply to uses in a).

c) Outdoor storage shall be permitted in association with the uses permitted in a) and shall be screened form view with a visual barrier in accordance with Section 4.19 of this Bylaw adjacent to the street.

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)

738. Within the lands zoned Settlement Residential (S1) Zone, identified on Map Nos. 1022 and 1068 of Schedule "A" – Zoning Maps and described as 1031 Highway No. 52 North, Ancaster, the following special provisions shall apply:

a) For the purposes of Special Exception No. 738, Finished Floor Area shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building that finished with flooring, wall covering (trimmed), and ceiling.

b) In addition to Section 12.3.3, the following regulation shall apply:

i)	Maximum Finished Floor Area for Single Detached Dwelling or Residential Care Facility.	306.5 square metres

(By-law 21-006, January 20, 2021)

739. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 994 of Schedule "A" – Zoning Maps and described as 211 and 225 John Street South and 78 Young Street, Hamilton, the following special provisions shall apply:

a) Notwithstanding the definition of "Grade" in Section 3, the following shall apply:

Grade	Shall be 102.97 metres above mean sea level as defined by the Geodetic Survey Datum.

b) Notwithstanding Sections 5.6 c) and 5.7 g) as it relates to a multiple dwelling and permitted commercial uses, the following shall apply:

i)	Parking	1) A minimum 0.6 parking spaces per unit shall be required for a multiple dwelling; and,

2) The Commercial parking requirements of Section 5.6 c) shall not apply except to a Commercial School, Financial Establishment, Hotel, Conference or Convention Centre, Medical Clinic, Office or Veterinary Service.

ii) Bicycle Parking — A minimum 0.5 long term bicycle parking spaces per dwelling unit shall be required.

c) Notwithstanding Sections 10.5.1.1 i) 1., and 10.5.3 a) i) and d), the following shall apply:

i) Restriction of Uses within a Building — The finished floor elevation of any dwelling unit shall be a minimum 0.6 metres below grade.

ii) Building Setback from a Street Line

1) For buildings with residential units on the ground floor facing a street:

A. A minimum 1.5 metres from Young Street;
B. A minimum 0.5 metres from Catharine Street South; and
C. A minimum 3.0 metres from John Street South and Forest Avenue.

2) Notwithstanding b) ii) 1) B. above, a minimum 2.2 metres from the Catharine Street South street line shall be required for a building exceeding 29.0 metres in height.

iii) Building Height

1) Minimum 5.5 metres;

2) Maximum building height shall be in accordance with Figure 23 of Schedule F – Special

Figures of Zoning By-law No. 05-200.

3) In addition to the definition of Building Height in Section 3:
Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 20% of the floor area of the storey directly beneath;
B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 2.0 metres from the exterior walls of the storey directly beneath; and,
C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

(By-law 21-038, March 31, 2021)

740. Within the lands zoned Major Institutional (I3) Zone, identified on Map 1080 of Schedule "A" – Zoning Maps and described as 555 Sanatorium Road, Subsection 8.3.2.2 c) shall not apply to the building on the date of the passing of this By-law.

(By-law 21-059, April 28, 2021)

741. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone, identified on Map No. 909 and 951 of Schedule "A" to Zoning By-law No. 05-200 and described as 354 King Street West, the following special provisions shall apply:

a) The lands zones Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone shall be deemed to be one lot for the purposes of applying the provision of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, not to internal lot lines resulting from any future severance.

b) Notwithstanding Section 5: Parking of Zoning By-law No. 05-200, as it relates to a Hotel, the following shall apply:

i) 0.75 for each guest suite.

c) Notwithstanding Section 11.1.3. d) ii) and iii), the following special provisions shall apply:

i) Building Height	d) In addition to a) above, maximum building height shall be in accordance with Figure 26 of Schedule F – Special Figures of Zoning By-law No. 05-200.

(By-law 21-081, May 12, 2021)
(By-law No. 22-084, April 13, 2022)

742. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1343 of Schedule "A" – Zoning Maps and described as 15, 17 & 21 Stone Church Road East, the following special provisions shall apply:

a) Notwithstanding Section 4.9 (a) and 5.6 (c) and in addition to 5.1 (a)(v)(b), the following regulations shall apply:

i)	Mechanical and Unitarity Equipment	Within a required front yard, provided such equipment shall have a minimum setback of 0.5 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping.
ii)	Number of Parking Spaces for a Multiple Dwelling and Commercial or Institutional Uses	a) Multiple Dwelling: i) Minimum 1 parking space per dwelling unit; and, ii) Maximum 1.25 parking spaces per dwelling unit. b) Commercial or Institutional Uses: i) 0 for less than 450.0 square metres of gross floor area; and, ii) 1 for each 17.0 square metres of gross floor area greater than 450.0 square metres.

a) Notwithstanding Section 10.5.3 (b), (c), (d) and (g), the following regulations shall apply:

i)	Minimum Rear Yard	18 metres
ii)	Minimum Interior Side Yard	15 metres abutting a Residential or Institutional Zone or lot containing a residential use.
iii)	Building Height	a) Minimum 7.5 metre façade height for any portion of a building along a street line; b) Maximum 22.0 metres; and,

c) In addition to a) and notwithstanding b) above, any building above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section ii) and iii) when abutting a Residential or Institutional Zone to a maximum of 22.0 metres.

d) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

i) The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;

ii) The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

iii) The wholly enclose or partially enclosed structure belonging to an amenity area, or portion

of a building designed to pro ide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

iv) Built Form for New Development

In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law

a) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.

b) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% of the measurement of the front lot line.

c) In addition to Subsections a) and b) above, the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.

d) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.

e) A minimum of one principal entrance shall be provided:

1. within the ground floor; and,

2. shall be accessible from the building with direct access from the public sidewalk.

f) A walkway shall be permitted in a Planting Strip where required by the By-law.

(By-law 21-131, August 13, 2021)

743. Within the lands zoned Agriculture (A1) Zone, identified on Map RU188 of Schedule "A" – Zoning Maps and described as 435 Carluke Road West, the following special provisions shall apply:

a) In addition to Subsection 12.1.3.3, residential uses shall be limited to the building existing at the date of the passing of the by-law (June 9, 2021).

(By-law 21-101, June 9, 2021)

744. Within the lands zoned Major Institutional (I3, 744) Zone, identified on Map 1252 & 1305 of Schedule '"A" – Zoning Maps and described as 466-490 Highway No. 8, the following special provisions shall apply:

a) Notwithstanding the definition of Lot as noted in Section 3: Definitions, and notwithstanding any changes in land ownership or any severance, partition or division of the property, lands subject to this special provision shall be considered as one lot for the purposes of the Zoning By-law.

b) Notwithstanding the definition of Multiple Dwelling, as defined within Section 3 of the Zoning By-law, a Multiple Dwelling shall mean a building or part thereof containing three or more dwelling units, which shall not include a street townhouse dwelling or semi-detached dwelling but may include uses permitted in accordance with Section 10.2.1 and 10.2.1.1 of the Zoning By-law, and shall not be deemed a Dwelling Unit in Conjunction with a Commercial Use.

REGULATIONS

LONG TERM CARE FACILITY

c) Notwithstanding Section 8.3.2.1 b) the following regulation shall apply:

i)	Minimum Side Yard	1. 3.5 metres abutting a street. 2. 1.8 metres where a lot line abuts the hypotenuse of the daylight triangle. 3. 7.0 metres abutting an interior side lot line.
ii)	Minimum Rear Yard	7.0 metres

MULTIPLE DWELLING

d) Notwithstanding Sections 8.3.2.2a) and b), and in addition to Section 8.3.2.2, the following regulations shall apply:

i)	Minimum Side Yard	1. 2.9 metres abutting a Neighbourhood Park (P1) Zone or a street. 2. 6.0 metres where lot line abuts a Residential Zone lot line.
ii)	Minimum Rear Yard	8.9 metres.
iii)	Maximum Building Height	30.0 metres
iv)	Maximum total gross floor area for uses permitted by Section 10.2.1.1	500 square metres

745. Within the lands zoned Major Institutional (I3, 745) Zone, identified on Maps 1375 and 1376 of Schedule '"A" – Zoning Maps and described as 1411 and 1415 Upper Wellington Street, the following special provisions shall apply:

a) Notwithstanding Section 5.2 a), a visual barrier shall not apply along the southerly lot line abutting a Residential Zone;

b) Notwithstanding uses permitted in Section 8.3.1, the following use is prohibited:

i) Street Townhouse Dwelling

c) In addition to uses permitted in Section 8.3.1, the following are permitted only as accessory uses to a Long Term Care Facility:

i) Retail

ii) Restaurant

d) Notwithstanding Section 8.3.2.1 b) and c), the following regulations shall apply to a Long Term Care Facility and Retirement Home:

i)	Minimum Side Yard	7.0 metres except as shown in Figure 2 of Schedule "B" – Property Details.
ii)	Minimum Rear Yard	7.0 metres.
iii)	Maximum Building Height	30.0 metres

(By-law 21-175, October 13, 2021)

746. Within the lands zoned Agriculture (A1) Zone, identified on Maps 174 & No. 159 of Schedule '"A" – Zoning Maps and described as 822 and 914 Brock Road West and 1276 Shaver Road, the shall apply:

1) Notwithstanding Section 12.1.3.3a), the minimum Lot Area shall be 0.3 hectares for Block 1;

2) Notwithstanding Section 4.8.2 c), the gross floor area of all buildings accessory to a single detached dwelling shall not exceed 450 square metres for Block 1;

3) Notwithstanding Section 12.1.3.3d), the minimum front yard setback shall be 8.0 metres for Block 3; and,

4) Notwithstanding Section 12.1.3.3c), the maximum building height is 11 metres.

(By-law 21-135, August 13, 2021)

747. Within the lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451 and 1452 of Schedule "A" – Zoning Maps, and described as 60 Arbour Road and 1375 Stone Church Road East (in part) the following special provisions shall also apply:

a) Notwithstanding Subsection 9.3.1, only the following uses shall be permitted:

Alcohol Production Facility
Aquaponics
Artist Studio
Biotechnological Establishment
Building and Lumber Supply Establishment
Building or Contracting Supply Establishment
Cannabis Growing and Harvesting Facility
Communications Establishment
Computer, Electronic and Data Processing Establishment
Conference or Convention Centre
Contractor's Establishment
Courier Establishment
Craftsperson Shop
Hotel
Industrial Administrative Office
Laboratory
Labour Association Hall
Office
Pharmaceutical and Medical Establishment
Production Studio
Repair Service
Research and Development Establishment
Restaurant
Science and Technology Establishment
Surveying, Engineering, Planning or Design Business
Trade School
Tradesperson's Shop

Warehouse
Wedding Chapel

b) The gross floor area of the wedding chapel shall not exceed 300 square metres.

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)

748. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1548 of Schedule "A" – Zoning Maps, and described as 1603 Rymal Road East the following special provisions shall also apply:

a) In addition to Subsection 10.7.1, the following uses shall also be permitted:

Retail
Personal Service
Office
Hotel
Financial Establishment
Medical Clinic
Child Care Centre

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

749. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1249 of Schedule "A" – Zoning Maps, and described as 141 King Street East, the following special provisions shall also apply:

a) Notwithstanding Subsections 10.2.1 and 10.2.1.1, only the following uses shall be permitted within the existing building:

Office
Personal Service

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)
(By-law No. 24-137, July 12, 2024)

750. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1228 of Schedule "A" – Zoning Maps, described as 144 Wilson Street East, the following special provisions shall also apply:

a) Notwithstanding Subsections 10.2.1 and 10.2.1.1, only the following uses shall be permitted:

Office
Medical Clinic

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)

751. Within the lands zoned Settlement Commercial (S2) Zone, identified on Map 107 of Schedule "A" – Zoning Maps, described as 78 Highway No. 8, the following special provisions shall also apply:

a) In addition to Subsection 12.4.1, a maximum of two Dwelling Units shall be permitted in conjunction with a commercial use in the same building.

(By-law No. 21-189, October 15, 2021)
(By-law No. 22-084, April 13, 2022)

752. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 446, 481, 482, 516 and 517 of Schedule "A1", "A2", "A3", "A4", "A5" and "A6" – Zoning Maps and described as:

Property Address	Map Number
4 Barton Street	482
50 Barton Street	482
54 Barton Street	482
56 Barton Street	482
Block 14 of Plan 62M-582	482, 516 and 517
Block 29 of Plan 62M-627	516
221 Dundas Street East	516
229 Dundas Street East	516
232 Dundas Street East	517
233 Dundas Street East	516 and 517
238 Dundas Street East	517
241 Dundas Street East	516 and 517
244 Dundas Street East	517
245 Dundas Street East	482 and 517
246 Dundas Street East	517
250 Dundas Street East	517
252 Dundas Street East	482 and 517
254 Dundas Street East	482 and 517

267 Dundas Street East	482
271 Dundas Street East	482
279 Dundas Street East	482
283-285 Dundas Street East	482
288 Dundas Street East	482
289 Dundas Street East	482
290 Dundas Street East	482
291 Dundas Street East	482
292 Dundas Street East	482
293 Dundas Street East	482
294 Dundas Street East	482
295 Dundas Street East	482
296 Dundas Street East	482
297 Dundas Street East	482
298 Dundas Street East	482
299 Dundas Street East	482
300 Dundas Street East	482
301 Dundas Street East	482
302 Dundas Street East	482
304 Dundas Street East	482
307-309 Dundas Street East	482
311 Dundas Street East	482
312 Dundas Street East	482
313 Dundas Street East	482
315 Dundas Street East	482
316-318 Dundas Street East	482
317 Dundas Street East	482
319 Dundas Street East	482
321 Dundas Street East	482
323 Dundas Street East	482
324 Dundas Street East	482
327 Dundas Street East	482
331 Dundas Street East	482
335 Dundas Street East	446 and 482
10 Flamboro Street	482
18 Flamboro Street	482
19 Flamboro Street	482
20 Flamboro Street	482
26 Flamboro Street	482
10 Franklin Street	482
25 Franklin Street	482
7-11 Griffin Street	482
23 Griffin Street	482

27 Griffin Street	482
5-7 Hamilton Street North	482
9 Hamilton Street North	482
18 and 20-64 Hamilton Street North	482
25 Hamilton Street North and 255 Dundas Street East	481 and 482
61 Hamilton Street North	481 and 482
70 Hamilton Street North	482
71 Hamilton Street North	481 and 482
74 Hamilton Street North	482
79 Hamilton Street North	481
80 Hamilton Street North	482
81 Hamilton Street North	481
83 Hamilton Street North	481
87 Hamilton Street North	481
89 Hamilton Street North	481
95 Hamilton Street North	481
115 Hamilton Street North	445 and 481
145 Hamilton Street North	445
3 Howard Boulevard	517
4 Howard Boulevard	517
1 Main Street North	482
9 Main Street North	482
17 Main Street North	482
20 Main Street North	482
30 Main Street North	482
34 Main Street North	482
35 Main Street North	482
40 Main Street North	482
9, 11 and 17 Main Street South	482
10 Main Street South	482
19 Main Street South	482
23, 25, 31 and 37 Main Street South	482
6 Mill Street North	446 and 482
16 Mill Street North	446 and 482
21 Mill Street North	482
24 Mill Street North	446 and 482
25 Mill Street North	482
30 Mill Street North	446 and 482
34 and 40 Mill Street North	446 and 482
5 Mill Street South	482

11 Mill Street South	482
15 Mill Street South	482
19 Mill Street South	482
22 Mill Street South	482
26 Mill Street South	482
27 Mill Street South	482
256 Parkside Drive	445 and 481
170 Rockhaven Lane	481

The following special provisions shall apply:

a) On a lot containing greater than 20 dwelling units, the required Amenity Area shall include a minimum of 40 square metres for a single common outdoor Amenity Area at the ground level;

b) The common Amenity Area required by Subsection a) of Special Exception 752 shall not include any required Planting Strips and shall have a minimum width of 4 metres; and,

c) Notwithstanding Section 10.5.3 i) and 10.5a.3 i), where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

(By-law No. 22-071, April 13, 2022)

753. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 446 and 482 of Schedule "A5" – Zoning Maps and described as:

Property Address	Map Number
4 Barton Street	482
50 Barton Street	482
54 Barton Street	482
56 Barton Street	482
279 Dundas Street East	482
283-285 Dundas Street East	482
288 Dundas Street East	482
289 Dundas Street East	482
290 Dundas Street East	482
291 Dundas Street East	482
292 Dundas Street East	482
293 Dundas Street East	482
294 Dundas Street East	482

295 Dundas Street East	482
296 Dundas Street East	482
297 Dundas Street East	482
298 Dundas Street East	482
299 Dundas Street East	482
300 Dundas Street East	482
301 Dundas Street East	482
302 Dundas Street East	482
304 Dundas Street East	482
307-309 Dundas Street East	482
311 Dundas Street East	482
312 Dundas Street East	482
313 Dundas Street East	482
315 Dundas Street East	482
316-318 Dundas Street East	482
317 Dundas Street East	482
319 Dundas Street East	482
321 Dundas Street East	482
323 Dundas Street East	482
324 Dundas Street East	482
327 Dundas Street East	482
331 Dundas Street East	482
335 Dundas Street East	446 and 482
10 Flamboro Street	482
18 Flamboro Street	482
19 Flamboro Street	482
20 Flamboro Street	482
26 Flamboro Street	482
10 Franklin Street	482
25 Franklin Street	482
7-11 Griffin Street	482
23 Griffin Street	482
27 Griffin Street	482
18 Hamilton Street North	482
1 Main Street North	482
9 Main Street North	482
17 Main Street North	482
20 Main Street North	482
30 Main Street North	482
34 Main Street North	482
35 Main Street North	482
40 Main Street North	482
9, 11 and 17 Main Street South	482

10 Main Street South	482
19 Main Street South	482
23, 25, 31 and 37 Main Street South	482
6 Mill Street North	446 and 482
16 Mill Street North	446 and 482
21 Mill Street North	482
24 Mill Street North	446 and 482
25 Mill Street North	482
30 Mill Street North	446 and 482
34 and 40 Mill Street North	446 and 482
5 Mill Street South	482
11 Mill Street South	482
15 Mill Street South	482
19 Mill Street South	482
22 Mill Street South	482
26 Mill Street South	482
27 Mill Street South	482

The following special provisions shall apply:

a) Notwithstanding Section 10.5a.1.1 iii) 1., Commercial Parking Facilities may be permitted on the ground floor and not wholly contained within a Building. A Commercial Parking Facility not wholly contained within a Building shall not be permitted on a lot with frontage on Dundas Street unless a Building is located between parking spaces and the street;

b) Where a Commercial Parking Facility is contained within a Building, with the exception of an access driveway to the parking facility, that portion of the ground floor of the facility which faces any street shall only be used for permitted uses other than parking;

c) Notwithstanding Section 10.5.3 d) ii) and iii) and Section10.5a.3 d) ii) and iii), the maximum Building Height shall be 11.0 metres;

d) Notwithstanding Section 10.5a.3 h) ix), a minimum of 80 percent of the area of the ground floor façade facing the street shall be composed of doors and windows;

e) Subsection d) of Special Exception 753 shall not apply to Existing façades;

f) In addition to Subsection d) of Special Exception 753, window and

doorframes, clear glazed transoms and sidelights, and a sill up to 0.6m in height are permitted to be included in the calculation of the door and window area. Signage and opaque/spandrel glazing shall not be included in the calculation of the door and window area;

g) A minimum of 25% and a maximum of 40% of the façade of second and third storeys shall be composed of windows. Window frames, clear glazed transoms and sidelights, and a sill up to 0.6m in height are permitted to be included in the calculation of the window area. Signage and opaque/spandrel glazing shall not be included in the calculation of the window area;

h) Exterior building cladding, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than two of the following materials:

1. Brick;
2. Concrete panels;
3. Stone block, excluding manufactured stone veneer;
4. Wood;
5. Composite siding;
6. Stucco; and,
7. Metal and metal panels, excluding aluminium siding or any metal variant thereof.

i) Notwithstanding Subsections d) to h) of Special Exception 753, for properties designated under the *Ontario Heritage Act*, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply.

(By-law No. 22-071, April 13, 2022)

754. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 481, 482, 516 and 517 of Schedules "A1", "A2", "A4", and "A6" – Zoning Maps and described as:

Property Address	Map Number
Block 14, Plan 62M-582	482, 516 and 517
Block 29, Plan 62M-627	516
221 Dundas Street East	516
229 Dundas Street East	516
232 Dundas Street East	517

233 Dundas Street East	516 and 517
238 Dundas Street East	517
241 Dundas Street East	516 and 517
244 Dundas Street East	517
245 Dundas Street East	482 and 517
246 Dundas Street East	517
250 Dundas Street East	517
252 Dundas Street East	482 and 517
254 Dundas Street East	482 and 517
267 Dundas Street East	482
271 Dundas Street East	482
9 Hamilton Street North	482
20-64 Hamilton Street North	482
25 Hamilton Street North and 255 Dundas Street East	481 and 482
61 Hamilton Street North	481 and 482
70 Hamilton Street North	482
71 Hamilton Street North	481 and 482
74 Hamilton Street North	482
79 Hamilton Street North	481
80 Hamilton Street North	482
81 Hamilton Street North	481
83 Hamilton Street North	481
87 Hamilton Street North	481
89 Hamilton Street North	481
95 Hamilton Street North	481
115 Hamilton Street North	445 and 481
145 Hamilton Street North	445
3 Howard Boulevard	517
4 Howard Boulevard	517
256 Parkside Drive	445 and 481
170 Rockhaven Lane	481

The following special provisions shall apply:

a) For Buildings greater than 11.0 metres in Building Height, a minimum Building stepback of 2.0 metres shall be required above the second storey along any Building face adjacent to a street;

b) For Buildings greater than 11.0 metres in Building Height, a minimum Building stepback of 2.5 metres shall be required above the second storey along a Building face adjacent to a Side Yard;

c) The minimum Building Setback from a street line shall be 2.0 metres;

d) Where a Commercial Parking Facility is contained within a Building in a Mixed Use Medium Density (C5) Zone, with the exception of an access driveway to the parking facility, that portion of the ground floor of the facility which faces any street shall only be used for permitted uses other than parking;

e) A minimum 3.0 metre wide Planting Strip shall be provided along every Side Lot Line and Rear Lot Line;

f) A minimum of 60 percent of the area of the ground floor façade facing the street shall be composed of doors and windows; and,

g) Subsection f) of Special Exception 754 shall not apply to Existing façades.

(By-law No. 22-071, April 13, 2022)

755. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 481 and 482 of Schedules "A2", "A4", and "A6" – Zoning Maps and described as 25, 115 and 145 Hamilton Street North and 255 Dundas Street East, the following special provisions shall apply:

a) For the lands located at 115 and 145 Hamilton Street North, the minimum combined gross floor area for all non-residential uses shall be 8,306 square metres; and,

b) For the lands located at 25 Hamilton Street North and 255 Dundas Street East, the minimum combined gross floor area for all non-residential uses shall be 8,160 square metres.

(By-law No. 22-071, April 13, 2022)

756. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Maps 445 and 446 of Schedule "A7" – Zoning Maps and described as 200 Main Street North and 80 Mill Street North, the following special provisions shall apply:

a) In addition to the permitted uses in Subsection 8.1.1, a Multiple Dwelling shall be permitted within an Existing Building designated under the *Ontario Heritage Act*, provided that no additions to the

Building are made except for minor additions to accommodate the requirements of the *Accessibility for Ontarians with Disabilities Act*.

b) A Multiple Dwelling as permitted by Subsection a) of Special Exception 756 shall comply with regulations 8.1.3.1 a), c), d), e), f), g), h), k) and l);

c) Notwithstanding Subsections 8.1.3.3 g) and 8.1.3.4 g), the maximum Building Height for Single Detached, Duplex and Semi-Detached Dwellings shall be 9.0 metres;

d) Flat roofs shall not be permitted for Single Detached, Duplex and Semi-Detached Dwellings;

e) For the purposes of Subsection d) of Special Exception 756, a flat roof shall be defined as a roof with no slope or a slope less than or equal to 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal roof area;

f) Rooftop Amenity Areas shall not be permitted; and,

g) Balconies and terraces above the first floor shall only be permitted in a Front Yard or Flankage Yard.

(By-law No. 22-071, April 13, 2022)

757. *Deleted.*

(By-law No. 22-071, April 13, 2022)
(By-law No. 23-025, February 22, 2023)

759. Within the lands zoned Downtown Prime Retail Streets (D2) Zone, identified on Map 911 of Schedule "A" – Zoning Maps and described as 9 – 11 Robert Street, the following special provisions shall apply:

a) Notwithstanding subsection 6.0b)i), a 3.0 metre stepback shall not be required from the building base facade as shown in Schedule "F".

b) Notwithstanding subsection 6.2.3a), a minimum front yard depth of 2.5 metres shall be permitted.

(By-law No. 21-189, October 15, 2021)

760. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 760) Zone, identified on Maps 1174 and 1175 of Schedule "A" – Zoning Maps and described as 327 and 335 Wilson Street East, the following special provisions shall apply:

a) Subsection 5.6 e) shall not apply to Block 1, Special Figure 30.

b) Notwithstanding Subsection 10.5a.1.1 ii)2, a dwelling unit(s) shall be permitted on the ground floor on Block 1, Special Figure 30.

c) No driveway providing direct vehicular access to Wilson Street East shall be permitted on Block 1, Special Figure 30.

d) Notwithstanding Subsection 10.5a.3 c) and i), the following regulations shall apply to Block 1, Special Figure 30:

i)	Minimum Northerly Side Yard	1.2 metres, abutting a lot containing a residential use.
ii)	Planting Strip Requirements	No Planting Strip shall be required.

e) Notwithstanding Subsection 10.5a.3 c), d), h) ix) and i), the following regulations shall apply to Block 2, Special Figure 30:

i)	Minimum Southerly Side Yard	1.2 metres, abutting a lot containing a residential use.
ii)	Building Height	Maximum 12.0 metres but no portion of a building shall be greater than 10.0 metres within 6.0 metres of the front lot line.
iii)	Built form for New Development	A minimum of 15% of the area od the ground floor façade facing the street shall be composed of doors and windows.
iv)	Planting Strip Requirements	No Planting Strip shall be required except where a Parking Area abuts a shared property line with 339 Wilson Street East, a Planting Strip with a minimum width of 1.2 metres is required.

f) Subsection 10.5a.3 j) shall not apply.

g) Notwithstanding Subsection 5.2 i), a minimum aisle width of 4.8 metres shall be provided for a parking degree angle of 90° on Block 2, Special Figure 30.

(By-law No. 22-205, August 12, 2022)

762. Within the lands zoned Agriculture (A1) Zone, identified on Maps No. 104 and No. 113 of Schedule "A" – Zoning Maps and described as 173 Highway 52, 1348 Concession 2 West and 1372 Concession 2 West, the following special provisions shall apply:

1) Notwithstanding Section 12.1.3.1a), the minimum lot area shall be 1.14 hectares for Block 1 and 37.17 hectares for Blocks 2, 3 and 4 as shown on Figure 27 of Schedule "F" – Special Figures.

(By-law No. 22-064, March 30, 2022)
(Zoning By-law No. 23-079, May 10, 2023)

763. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Map 12239 of Schedule "A" – Zoning Maps and described as 69 Mall Road, the following special provisions shall apply:

a) In addition to Subsection 10.4.3 d)i), buildings shall also be a minimum of one storey.

(By-law No. 17-240-OLT-05, March 14, 2022)

764. With in the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1597 and 1641 of Schedule "A" – Zoning Maps and described as 21 Upper Centennial Parkway, the following special provisions shall apply:

a) In addition to Subsection 10.5.3 d)i), buildings shall also be a minimum of one storey.

(By-law No. 17-240-OLT-05, March 14, 2022)

765. Within the lands zoned District Commercial (C6) Zone, identified on Maps 1132, 1133, 1183, 1184 of Schedule "A" – Zoning Maps and described as 777 Upper James Street, the following special provisions shall apply:

a) Notwithstanding Subsections 5.1a)v)a), 5.2 b)i), and 5.2 f) the following regulations shall apply:

i) No planting strip shall be provided along the Upper James Street lot line extending from the centre entrance south along

the west side of 13 parking spaces existing at the time of the passing of the By-law.

ii) A planting strip of 0.4 metres shall be provided along the Mohawk Road East lot line extending from the centre entrance along the 22 parking spaces existing at the time of the passing of the By-law, to the most easterly entrance.

iii) A planting strip of 1.7 metres shall be provided between the Upper James Street and Mohawk Road East lot lines and the existing drive through stacking lane located at the southwestern corner of the property.

iii) A parking space size of 2.7 metres by 6 metres shall be provided for each parking space for the portions of lands located south of the centre entrance.

iv) A barrier-free parking space of 4.05 metres by 6.0 metres shall be provided for the portions of lands located south of the centre entrance.

(By-law No. 17-240-OLT-05, March 14, 2022)

766. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 908, 909 and 996 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
50 Dundurn Street South	908, 909
435 – 447 Main Street East	996

The following special provisions shall also apply:

a) Notwithstanding Subsections 11.1.3(d)(i) and in addition to 11.1.3(g) the following regulations shall apply:

i) An addition or alteration to a legally existing commercial building, to a maximum of 10% of the existing Gross Floor Area existing on the date of the passing of the By-law, shall be permitted.

(By-law No. 16-265-OLT-01, June 24, 2022)

767. In addition to Sections 9.2.1, 9.2.2, and 9.3.3, on those lands zoned General Business Park (M2) Zone, identified on Map 1530 of Schedule "A" - Zoning Maps, and described as 1295 Cormorant Road the following shall also apply:

a) Offices, except for a medical office or clinic, having a total maximum floor area of 3,735 square metres, and only within the existing Building "E" as shown on Schedule "B" to By-law No. 13-061.

(By-law No. 13-061, February 27, 2013)
(By-law No. 22-084, April 13, 2022)

768. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1237 of Schedule "A" – Zoning Maps and described as 983 and 987 Upper James Street, the following special provisions shall apply:

a) Notwithstanding Subsections 5.2 b)i), the following regulation shall apply:

i) A parking space size of at least 2.6 metres by 5.8 metres shall be provided for each parking space.

(By-law No. 17-240-OLT-05, March 14, 2022)

769. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 996 of Schedule "A" – Zoning Maps and described as 435 – 447 Main Street East, the following special provisions shall also apply:

a) Notwithstanding Subsections 11.1.3(d)(i) and in addition to 11.1.3(g), the following regulations shall apply:

i) The minimum building height shall be 7.9 metres.

ii) New buildings, or expansion of existing buildings to a maximum of 10% of the existing Gross Floor Area existing on the date of the passing of this By-law, shall be permitted.

(By-law No. 16-265-OLT-01, June 24, 2022)

770. Within the lands zoned Agriculture (A1, 770) Zone, and identified on Map Nos. 201 and 209 of Schedule "A" Zoning Maps and described as 9270 Haldibrook Road, the following special provisions shall apply:

i) Notwithstanding Section 12.1.3.3 (d), the minimum front yard setback shall be 6 metres; and,

ii) Notwithstanding Section 4.8.1.2 (b), the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 325 square metres.

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

771. In addition to 9.3.3 r) i), a restaurant at 1040 Garner Road West shall be permitted.

(By-law No. 22-062, March 30, 2022)

772. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 949 of Schedule "A" Zoning Maps and described as 1107 Main Street West, the following special provisions shall apply:

a) Notwithstanding Subsections 4.8 (b) and (g) and Section 4.27 the following special provisions shall apply:

i) An accessory building (landscape feature) shall be permitted to be located within a front or flankage yard;

ii) An accessory building (landscape feature) shall have a maximum height of 9.7 metres; and,

iii) A community garden shall be permitted to be located within a front or flankage yard.

b) In addition to Section 11.1.1 and 11.1.3 b) and notwithstanding Sections 11.1.1.1 i) 1., 11.1.3 a) ii), d) ii) and iii), g) v) and i) i) and 11.1.8 a) the following special provisions shall apply:

i) A Community Garden shall also be permitted.

ii) That an accessory building (landscape features) shall include a portion of the existing building façade and shall be required to be provided within the front yard.

iii)	Minimum Finished Floor Elevation of any dwelling unit	0.5 metres above grade;
iv)	Building Setback from a Street Line	1. Maximum 13.3 metres from Main Street West

		2. Notwithstanding 1. Above, a minimum 9.3 metres from Main Street West for any portion of the building exceeding 36.0 metres in height; 3. Maximum 4.5 metres from Cline Avenue South and Dow Avenue; 4. Notwithstanding 3. above, the following minimum setbacks shall apply from Cline Avenue South and Dow Avenue; A. 5.0 metres for any portion of the building exceeding a height of 7.8 metres; B. 6.5 metres for any portion of the building exceeding a height of 16.5 metres; and, C. 14.3 metres for any portion of the building exceeding a height of 22.0 metres except for an enclosed stairwell.
v)	Minimum Rear Yard	1. 14.5 metres for any portion of the building exceeding a height of 13.5 metres; 2. 17.5 metres for any portion of the building exceeding a height of 18.0 metres; and,

		3. 33.5 metres for any portion of the building exceeding a height of 22.0 metres, except for an enclosed stairwell.
vi)	Maximum Building Height	47.0 metres
vii)	Built Form for New Development	1. A maximum of two driveways shall be permitted; 2. A driveway on Dow Avenue shall have a maximum width of 7.5 metres; and, 3. A driveway on Main Street West shall not be permitted.
viii)	Visual Barrier	A visual barrier shall be required along any lot line abutting an Institutional Zone and may include a gate.
ix)	Planning Strip	A planting strip with a minimum width of 3.0 metres shall be provided along any lot line abutting an Institutional Zone, except for a walkway to a gate.

(By-law No. 22-163, June 22, 2022)

773. Within the lands zoned Conservation/Hazard Land-Rural (P7, 773) Zone and Conservation/Hazard Land-Rural (P8, 773) Zone on Map No. 192 of Schedule "A" Zoning Maps and described as 1640 Trinity Church Road, the following special provisions shall apply:

i) Notwithstanding Section 12.1.1, a single detached dwelling and residential care facility shall be prohibited; and,

ii) Notwithstanding Section 12.1.3.1 a), the minimum lot area shall be 35.8 hectares.

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

774. Within the lands zoned Mixed Use Medium Density - Pedestrian Focus (C5a, 774, H124) Zone, identified on Map 911 of Schedule A - Zoning and described as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, the following special provisions shall apply:

a) Notwithstanding Section 5.6 c) iv) as it relates to Office and Medical Clinic the following minimum parking requirements shall apply:

i)	Office	1 space per 27 square metres of gross floor area in excess of 450 square metres, which accommodates such use.
ii)	Medical Clinic	1 space per 27 square metres of gross floor area which accommodates such use.

b) Notwithstanding Section 10.5a.3 a), d) ii); and, h) ix) and x) the following regulations shall apply:

i)	Maximum Building Setback from a Street Line	3.7 metres.
ii)	Building Height	Maximum 25.0 metres.

iii)	Built form for New Development	A) A minimum of 50% of the area of the ground floor façade facing the street shall be composed of doors and windows. B) The first storey shall have a maximum height of 5.6 metres.
iv)	Maximum Gross Floor Area for Medical Clinic	505 square metres.

(By-law No. 22-095, April 27, 2022)

775. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 570, 775) Zone identified on Map 860 of Schedule "A" – Zoning Maps, and described as 112 King Street West, the following special provision shall apply:

a) Notwithstanding Subsection 5.6 c) iv) Commercial Uses, a minimum of five (5) parking spaces shall be provided.

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

776. Within the lands zoned Neighbourhood Institutional (I1, 776) Zone, identified on Maps 1291 and 1292 of Schedule "A" – Zoning Maps, and described as 389 / 391 / 427 Limeridge Road East, the following special provision shall apply:

a) In addition to Section 8.1.1, a Cemetery shall also be permitted and shall be subject to Section 7.4.2.

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

777. Within the lands zoned Agriculture (A1, 777) Zone and Conservation/Hazard Land (P7, 777), and identified on Map Nos. 210 and 211 of Schedule "A" Zoning Maps and described as 5020 Tyneside Road, the following special provisions shall apply:

i) Notwithstanding Section 4.3 a), frontage on a street shall not be required;

ii) Notwithstanding Subsection 12.1.3.3 b), the minimum lot width shall be 0.0 metres;

iii) Notwithstanding Section 3 of this By-law, for purposes of the definition of the Interior Lot shall mean a lot with no frontage on a street excluding a corner lot;

iv) Notwithstanding Section 3 of this By-law, for the purposes of the definition of the Front Lot Line shall mean the easterly lot line shall be considered the front lot line of the subject lands;

v) Notwithstanding Section 7.7.2.2 a), new accessory buildings to an existing single detached dwelling shall be permitted. Sections 4.8 and 4.8.1.2 shall apply for new accessory buildings;

vi) The maximum gross floor area for an expansion to an existing building or structure, including an existing accessory building, shall not exceed 10% of the gross floor area of the existing building or structure including an existing accessory building and may include a deck within the permitted maximum; and,

vii) Notwithstanding Sections 7.7.2.3 i), 7.7.2.3 ii) and 7.7.2.3 iv), an existing single detached dwelling and existing accessory buildings or structures which are demolished in whole or in part may be rebuilt on a lot created subsequent to the effective date of By-law 22-166. Sections 12.1.3.3 a), c), d) e), f) shall apply for a single detached dwelling and Sections 4.8 and 4.8.1.2 shall apply for accessory buildings.

viii) In addition to Section 7.7.2.2 b) ii), for purposes of the existing single detached dwelling, Section 12.1.3.3 c), d) e) and f) and for purposes of existing accessory buildings Sections 4.8 and 4.8.1.2 shall apply.

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

778. Within the lands zoned Settlement Residential (S1, 778) Zone, identified on Map Nos. 25 and 35 of Schedule "A" – Zoning Maps, and described as 1609 & 1611 Brock Road, the following special provision shall apply:

a) Notwithstanding Section 12.3.3 a), the Minimum Lot Area shall be 0.17 hectares.

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

779. Within the lands zoned Settlement Residential (R1) Zone, identified on Map Nos. 16 and 25 of Schedule "A" – Zoning Maps, and described as 34 – 11th Concession Road East and 1800 Highway No. 6, the following special provisions shall apply:

a) Notwithstanding Section 12.3.3 a) and b), the following regulations shall apply:

i)	Minimum Lot Area	0.2 hectares
ii)	Minimum Lot Width	26.0 metres

(By-law No. 23-199-OLT, October 12, 2023)

800. Within the lands zoned Rural (A2, 800) Zone, Modified on Maps 85, 86, 96 and 97 of Schedule A - Zoning Maps, the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this By-law;

b) Section 4.33 shall not apply;
(By-law No. 22-132, June 08, 2022)

c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;

d) Notwithstanding Section 4.8 of Zoning By-law 05-200, accessory structures shall be permitted in conjunction with any of the uses permitted in Section e), below in accordance with the following:

i)	Location	Side or Rear Yard
ii)	Minimum Setback from Side Lot Line	Interior Side Lot Line: 1.0 metre Exterior Side Lot Line: 6.0 metres
iii)		1.0 metre

	Minimum Setback from Rear Lot Line	
iv)	Maximum Building Height	4.0 metres
v)	Maximum Lot Coverage	Cumulative maximum for all buildings on a lot: 250 square metre

e) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only the following uses shall be permitted;

i) Existing uses, except for single detached dwellings, that existed on or before February 16, 1993;
ii) Single detached dwellings that existed on or before August 14th, 1998;
iii) New single detached dwellings on lots having a minimum lot size of 10 hectares;
iv) Community Garden;
v) Conservation; and,
vi) Recreational, Passive;

f) Notwithstanding Section 12.2.3.7 (a)(b)(c)(d)(e) and (f) of Zoning By-law 05-200, the following regulations shall apply to the uses permitted in Section e) above:

i)	Minimum Lot Area	A) 0.8 hectares B) Notwithstanding A) above, a minimum of 10 hectares shall be required for any new single detached dwelling.
ii)	Minimum Lot Width	18 metres
iii)	Minimum Front Yard	6 metres

iv)	Minimum Side Yard	1.5 metres except: A) 3.5 metres where the side yard abuts the flankage street of a corner lot; B) 3.0 metres where the side yard provides access to a parking area or rear yard garage; C) 6.0 metres to any portion of the dwelling comprising an attached garage or carport fronting onto the flankage street of a corner lot; and, D) 5.0 metres on one side of an interior lot upon which there is no garage or carport
v)	Minimum Rear Yard	7.5 metres
vi)	Maximum Building Height	7.5 metres
vii)	Maximum Lot Coverage inclusive of any accessory building.	250 square metres

801. Within the lands zoned Rural (A2, 801) Zone, Modified on Maps 85, 86, 96 and 97 of Schedule A – Zoning Maps, the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard,

flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Section 4.33 shall not apply;
(By-law No. 22-132, June 08, 2022)

c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;

d) Notwithstanding Section 4.8 of Zoning By-law 05-200, accessory structures shall be permitted in conjunction with any of the uses permitted in Section e), below in accordance with the following:

i)	Location	Side or Rear Yard
ii)	Minimum Setback from Side Lot Line	10 metres
iii)	Minimum Setback from Rear Lot Line	20 metres
iv)	Maximum Building Height	7.5 metres
v)	Maximum Lot Coverage	Cumulative maximum for all buildings on a lot: 300 square metres

e) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only the following uses shall be permitted;

i) Existing uses, except for single detached dwellings, that existed on or before February 16, 1993;
ii) Single detached dwellings that existed on or before August 14th, 1998;

iii) New single detached dwellings on lots having a minimum lot size of 10 hectares;
iv) Conservation; and,
v) Recreational, Passive;

f) Notwithstanding Section 12.2.3.1 (a)(b)(c)(d) and (e) and Section 12.2.3.7 (a)(b)(c)(d)(e) and (f) of Zoning By-law 05-200, the following regulations shall apply:

i)	Minimum Lot Area	10 hectares
ii)	Minimum Lot Width	135 metres
iii)	Minimum Front Yard	15 metres
iv)	Minimum Side Yard	15 metres
v)	Minimum Rear Yard	20 metres
vi)	Maximum Building Height	7.5 metres
vii)	Maximum Lot Coverage	300 square metres

(By-law No. 21-231, December 15, 2021)

802. Within the lands zoned Conservation/Hazard Land (P6, 802) Zone, Modified on Maps 85, 86, 96 and 97 of Schedule A – Zoning Maps, the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established

through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Section 4.33 shall not apply;
(By-law No. 22-132, June 08, 2022)

c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;

d) Notwithstanding Section 7.6.1 of Zoning By-law 05-200, only the following uses shall be permitted:

i) Existing uses, except for single detached dwellings, that existed on or before February 16, 1993;
ii) Single detached dwellings that existed on or before August 14th, 1998;
iii) Conservation;
iv) Flood and Erosion Control Facilities; and,
v) Recreational, Passive;

e) Notwithstanding Section 7.6.2 of Zoning By-law 05-200, the following provisions shall apply:

i) No new buildings or structures shall be permitted on a vacant lot;
ii) Where a new building or structure and/or an expansion to an existing building or structure may be permitted in accordance with an existing agricultural use, such new building or structure shall be in accordance with the requirements of the Rural 801 (A2,801) Zone;
iii) Where a new building or structure and/or an expansion to an existing building or structure may be permitted in accordance with an existing residential use, such new building or structure shall be in accordance with the requirements of the Rural 800 (A2, 800) Zone; and,
iv) Notwithstanding Sections ii) above, no building or structure in accordance with an agricultural use shall be erected, altered or used within 15.0 metres of the boundary of any Rural 800 (A2, 800) Zone.

(By-law No. 21-231, December 15, 2021)

803. Within the lands zoned Conservation/Hazard Land (P7, 803) Zone, Modified on Maps 85, 86, 96 and 97 of Schedule A – Zoning Maps, the following special provisions shall apply

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Section 4.33 shall not apply;
(By-law No. 22-132, June 08, 2022)

c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;

d) Notwithstanding Section 7.7.1 of Zoning By-law 05-200, only the following uses shall be permitted:

i) Existing uses, except for single detached dwellings, that existed on or before February 16, 1993;
ii) Single detached dwellings that existed on or before August 14th, 1998;
iii) Conservation;
iv) Flood and Erosion Control Facilities; and,
v) Recreational, Passive;

e) Notwithstanding Section 7.7.2 of Zoning By-law 05-200, the following provisions shall apply:

i) No new buildings or structures shall be permitted on a vacant lot;

ii) Where an existing building or structure which is demolished in whole or in part, such existing building or structure may be rebuilt and/or expanded in accordance with the requirements of Sections iii) iv) v) and vi) below;

iii) Where an expansion to an existing building or structure may be permitted on a lot having an existing agricultural use, such expansion shall be in accordance with the requirements of the Rural (A2, 801) Zone. Notwithstanding f) iii), iv), v) and

vii) of the A2, 801 Zone, the maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure;

iv) Where an expansion to an existing building or structure may be permitted on a lot having an existing residential use, such expansion shall be in accordance with the requirements of the Rural (A2, 800) Zone. Notwithstanding f) iii), iv), v) and vii) of the A2, 800 Zone, the maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure;

v) A new building or structure may be permitted in accordance with an existing residential or agricultural use, provided the setbacks to the building or structure which had existed on the date of passing of the By-law are maintained. Notwithstanding the foregoing, a maximum increased encroachment of up to 10% of the existing setbacks, as determined above, may be permitted. Maximum building height shall be in accordance with f) vi) of the Rural 801 (A2, 801);

vi) In addition to iii), iv), and v) above, an existing legally established accessory building or structure which is demolished in whole or in part may be rebuilt provided the setbacks, building height, and gross floor area of the building or structure which had existed as of date of passing of the By-law are maintained; and,

vii) Notwithstanding iii) and v) above, no building or structure in accordance with an agricultural use shall be erected, altered or used within 15.0 metres of the boundary of any Rural (A2, 800) Zone.

(By-law No. 21-231, December 15, 2021)

804. Within the lands zoned Rural (A2, 804) Zone, Modified on Maps, 86 and 97 of Schedule A – Zoning Maps, and municipally identified as 154 Northcliffe Avenue the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara

Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Section 4.33 shall not apply;
(By-law No. 22-132, June 08, 2022)

c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;

d) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only a place of worship and a convent shall be permitted provided such uses are contained within the existing institutional building on lands municipally identified as 154 Northcliffe Avenue.

(By-law No. 21-231, December 15, 2021)

805. Within the lands zoned Rural (A2, 805) Zone, Modified on Maps 86 and 97 of Schedule A – Zoning Maps, and municipally identified as 574 Northcliffe Avenue the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Section 4.33 shall not apply;
(By-law No. 22-132, June 08, 2022)

c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;

d) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only a place of worship, convent, a residential care facility for a maximum of 35 residents, and a dormitory for a maximum of 36 students and associated accessory educational establishment shall be permitted provided such uses are contained within the existing institutional building on lands municipally identified as 574 Northcliffe Avenue; and,

e) An existing driveway located on lands zoned A2, 804 shall be permitted to be used for access to the existing structure municipally described as 574 Northcliffe Avenue.

(By-law No. 21-231, December 15, 2021)

806. Within the lands zoned Rural (A2, 806) Zone, Modified on Map 86 of Schedule A – Zoning Maps, and municipally identified as 85 Rosina Avenue the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Section 4.33 shall not apply;
(By-law No. 22-132, June 08, 2022)

c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;

d) Notwithstanding Section 4.8 of Zoning By-law 05-200, the following regulations shall apply to accessory structures or buildings:

i) No accessory building or structure shall be closer to the front lot line than the single detached dwelling on the same lot;
ii) No accessory building or structure shall be closer than 1.8 metres to any single detached dwelling;
iii) No accessory building or structure shall be closer than 1.2 metres to any lot line;
iv) Maximum building height shall be 3.6 metres; v) Maximum lot coverage shall be 10%; and,
vi) No accessory building or structure shall be used for human habitation;

e) Notwithstanding Section 12.2.1 of Zoning By-law 05-200, only a single detached dwelling and associated accessory buildings or structures shall be permitted; and,

f) Notwithstanding Section 12.2.3.7 (a)(b)(c)(d)(e) and (f) single detached dwellings shall be subject to the regulations of the Rural

800 (A2, 800) zone, as modified further by the below special provisions:

i)	Minimum Front Yard Setback	9 metres
ii)	Minimum Side Yard Setback	3 metres
iii)	Minimum Rear Yard Setback	10 metres
iv)	Maximum Building Height	11 metres

(By-law No. 21-231, December 15, 2021)

807. Within the lands zoned Existing Rural Industrial (E2, 807) Zone, Modified on Map 86 of Schedule A – Zoning Maps, and municipally identified as 1810 Highway 6 (325 Old Guelph Road), the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Notwithstanding Section 12.7.1 Permitted Uses of Zoning By-law 05- 200, only the following uses shall be permitted within wholly enclosed buildings:

i) Light manufacturing uses requiring small amounts of water and limited truck access together with related administration

and business offices, research and development facilities, scientific laboratory, warehouse, repair and ancillary sales;

ii) Fixed Mini-Storage Units; and,

iii) Manufacturing of candles subject to Subsection e) below;

c) Notwithstanding Section 12.7.3 Regulations of Zoning By-law 05-200, the following regulations shall apply:

i)	Minimum Lot Area	0.8 hectares
ii)	Minimum Lot Width	30.0 metres
iii)	Maximum Building Coverage	20% (Additional 20% if utilized for fixed mini-storage units.)
iv)	Minimum Front Yard	30 metres
v)	Minimum Side Yard	3.0 metres (6.0 metres along the west and north side yards abutting the existing residential lots which front onto Old Guelph Road.)
vi)	Minimum Rear Yard	3.0 metres
vii)	Maximum Building Height	11 metres
viii)		

	Planting Strip Requirements	3.0 metre Planting Strip abutting a street, except for points of ingress and egress and abutting a residential or institutional use shall be required.
ix)	Outdoor Storage	No outdoor storage is permitted.

d) For the purposes of interpreting subsection c) ii) above, the portion of the property fronting onto Old Guelph Road shall be deemed the front lot line;

e) Access to Old Guelph Road by way of Motor Vehicle – Commercial will not be permitted. Notwithstanding this provision, nothing will prevent access of vehicles which typically serve a residential neighbourhood on an infrequent basis such as moving vans; and,

f) For a candle manufacturing use, no Motor Vehicle – Commercial access is permitted onto Old Guelph Road.

(By-law No. 21-231, December 15, 2021)

808. Within the lands zoned Rural (A2, 808) Zone, Modified on Map 86 of Schedule A – Zoning Maps, and municipally identified as 675 York Road, the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Section 4.33 'Secondary Dwelling Unit and Secondary Dwelling Unit – Detached' shall not apply;

c) Section 4.7 'Reduction of Yards for Non-Conforming Lots' shall not apply;

d) Notwithstanding Section 4.8 of Zoning By-law 05-200, the following regulations shall apply to accessory structures or buildings:

i) Accessory buildings or structures shall be permitted in the nonrequired side or rear yard only;

ii) The minimum setback from an interior side lot line shall be 1.0 metre;

iii) The minimum setback from an exterior side lot line shall be 20.0 metres from the flankage street (Old Guelph Road);

iv) The minimum setback from a rear lot line shall be 1.0 metre;

v) The maximum height shall be 4.0 metres; and,

vi) The maximum lot coverage shall be as specified in subsection f) vii) below;

e) Notwithstanding Section 12.2.1 of Zoning By-law 05-200 only a single detached dwelling and associated accessory buildings or structures shall be permitted; and

f) Notwithstanding Section 12.2.3.7 (a)(b)(c)(d)(e) and (f), the following regulations shall apply for a single detached dwelling:

i)	Minimum Lot Area	0.8 hectares with municipal water supply. The required lot area may be larger than 0.8 hectares where deemed necessary by the agency having jurisdiction for the approval of on-site private sewage disposal systems pursuant to the provisions of the Environmental Protection Act, Chapter E.19, R.S.O. 1990, as amended from time to time or pursuant to any successor legislation.

ii)	Minimum Lot Width	18.0 metres
iii)	Minimum Front Yard	35 metres are measured from York Road
iv)	Minimum Side Yard	1.5 metres; 20.0 metres where the side yard abuts the flankage street (Old Guelph Road) of a corner lot; 3.0 metres where the side yard provides access to a parking area or rear yard garage; 5.0 metres on one side of an interior lot upon which there is no garage or carport.
v)	Minimum Rear Yard	7.5 metres
vi)	Maximum Building Height	9.7 metres
vii)	Maximum Lot Coverage	325 square metres for all buildings on the lot

(By-law No. 21-231, December 15, 2021)

809. Within the lands zoned Rural (A2, 809) Zone, Modified on Map 86 of Schedule A – Zoning Maps, and municipally identified as 200 Old Guelph Road and 252 Old Guelph Road the following special provisions shall apply:

a) In addition to Section 4.12 d), any lot and the location thereon of any use, building or structure, that was legally approved and established

through a Development Permit issuance from the Niagara Escarpment Commission, shall be deemed to comply with the regulations for any required setbacks, lot coverage, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this Bylaw;

b) Notwithstanding Section 12.2.1, only a Place of Worship shall be permitted;

c) The following regulations shall apply to a Place of Worship:

i)	Maximum Lot Coverage	20%
ii)	Minimum Rear Yard	7.5 metres
iii)	Minimum Front Yard	7.5 metres
iv)	Minimum Side Yard	4.5 metres
v)	Maximum Building Height	10.5 metres

d) Parking shall be provided in accordance with Section 5."

(By-law No. 21-131, December 15, 2021)

810. Within the lands zoned Community Institutional (I2) Zone, identified on Map no. 1183 of Schedule "A" – Zoning Maps and described as 60 – Caledon Avenue, the following special provisions shall apply:

a) In addition to the uses permitted in Section 8.2.1, a multiple dwelling shall be permitted in accordance with Section 8.2.3.1.

b) In addition to Section 8.2.3.1 and notwithstanding Sections 8.2.3.1 c), 8.2.3.1 e), 8.2.3.1 f), the following special provisions shall apply:

i)	Minimum Side Yard and Flankage Yard	A flankage yard of 5.5 metres and a minimum westerly side yard of 3 metres.

ii) Maximum Building Height 22 metres

iii) Minimum Landscaped Area 45% of the lot area

iv) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.

v) A walkway shall be permitted in a required planting strip.

vi) Minimum Amenity Area for Multiple Dwellings

1. An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area.

2. An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.

3. In addition to the definition of Amenity Area in Section 3: Definitions of By-law 05-200, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface and exposed to light and air.

c) That Section 5.1 a), v) shall not apply.

d) For the purposes of Special Exception No. 810, the following special provisions shall apply to Area A and Area B as shown on Figure 28 of Schedule "F" – Special Figures:

i) Maximum Building Height Area A 22 metres

ii) Maximum Building Height Area B 11.5 metres

(By-law No. 22-176, July 08, 2022)
(Zoning By-law No. 23-079, May 10, 2023)

811. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 811, H128) Zone, identified on Map 869 of Schedule "A" – Zoning Maps and described as 405 James Street, the following special provisions shall apply:

a) The lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 811) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, and not the individual property boundaries of any lots created by registration of Condominium Plan, Part Lot Control or Consent.

b) Sections 4.6 b) and d) shall not apply.

c) Notwithstanding 5.6 c) as it relates to parking for a Child Care Centre, the following shall apply:

Child Care Centre	1 for each 125 square metres of gross floor area in excess of 450 square metres which accommodates such use.

d) In addition to Section 5.7 e), long term bicycle parking may include electric mobility device parking.

e) Notwithstanding Sections 11.3.2 a) i), 11.3.2 e) iv), 11.3.2 f) v), the following shall apply:

i)	Building Setback from a Street Line	Minimum 3.0 metres, except 1.2 metres to the hypotenuse of a daylight triangle.
ii)	Building Height	In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a

rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 30% of the floor area of the storey directly beneath;

B. Section 11.3.2 iv) B. shall not apply;

C. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.5 metres in vertical distance from the uppermost point of the building to the uppermost

point of the rooftop enclosure.

iii) Section 11.3.2 f) v) shall not apply.

f) For the purposes of Special Exception No. 811, the following special provisions shall apply to Block "1" as shown on Figure 29 of Schedule "F" – Special Figures:

i) Notwithstanding Section 5.7 c) as it relates to short term bicycle parking for Multiple Dwellings, a minimum of 20 short term bicycle parking spaces shall be provided.

ii) Notwithstanding Section 11.3.2 e) ii) and iii), a maximum building height of 13.0 metres.

iii) Section 11.3.2 h) iii) shall not apply.

iv) In addition to Section 11.3.2, the following shall apply to groups of Multiple Dwellings on the same lot:

1. For the purposes of this By-law, "end wall" shall mean the two narrowest exterior main walls of a building and "rear or front wall" shall mean the other exterior main walls;

2. A minimum distance of 3.0 metre shall be provided between end walls;

3. A minimum distance of 7.0 metres shall be provided between an end wall and a rear or front wall; and,

4. A minimum distance of 11.0 metres shall be provided between rear or front walls.

g) For the purposes of Special Exception No. 811, the following special provisions shall apply to Block "2" as shown on Figure 29 of Schedule "F" – Special Figures:

i) Notwithstanding Section 5.6 c) as it relates to parking for a Multiple Dwelling, a minimum of 0.24 parking spaces per unit shall be provided.

ii) In addition to Section 11.3.1 and notwithstanding Section 11.3.1.1 ii), the following uses shall be permitted within the ground floor of a Multiple Dwelling:

Artist Studio
Catering Service
Child Care Centre
Commercial School
Communications Establishment
Craftperson Shop
Financial Institution
Office Performing Arts Theatre
Personal Service
Restaurant
Retail
Tradeperson's Shop

iii) Section 11.3.1.1 i) 1. shall not apply.

iv) Notwithstanding Section 11.3.2 e) ii) and iii), a maximum building height of 24.0 metres.

v) In addition to Section 11.3.2, a minimum distance of 7.0 metres shall be provided between exterior walls on the same property.

(By-law No. 22-220, August 12, 2022)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

812. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1139 of Schedule "A" – Zoning Maps and described as 1842 King Street East, the following special provisions shall apply:

a) Notwithstanding Section 5.7 c) i) and 5.7 e) i), the following shall apply:

i. A minimum of 0.5 long term bicycle parking spaces per unit;

ii. A minimum of 0.05 short term bicycle parking spaces per unit.

b) Notwithstanding Sections 10.5.1.1 i) 1, 10.5.3 d) ii), iii), and in addition to 10.5.3a) i) 10.5.3 c), 10.5.3 i) and 10.5.3 j) the following regulations shall apply:

a)	Minimum Building Setback from a Street Line	i) A minimum setback of 6.0 metres shall be provided for any portion of a building exceeding 7.5 metres in height. ii) A minimum setback of 18.0 metres shall be provided along King Street East and Lawrence road lot lines for any portion of a building exceeding 28.0 metres in height.
b)	Maximum Building Setback from a Street Line	In accordance with Figure 31 of Schedule F- Special Figures of Zoning By-law 05-200.
c)	Interior Side Yard Setback	i) Minimum 7.5 metres. ii) Notwithstanding c) i) above, the following additional setbacks shall be provided: A) A minimum setback of 9.0 metres shall be provided for any portion of a building exceeding 7.5 metres in height. B) Notwithstanding c) i) A) above, a minimum setback of 7.5 metres shall be provided for any portion of a building setback more than 30.0 metres from a street line, up to a maximum height of 14.0 metres.

C) A minimum setback of 25.5 metres from the westerly lot line for any portion of the building exceeding 22.0 metres in height.

D) A minimum setback of 18.0 metres from the easterly lot line for any portion of the building exceeding 22.0 metres in height.

E) A minimum setback of 65.0 metres from the westerly lot line for any portion of the building exceeding 28.0 metres in height.

F) A minimum setback of 55.0 metres from the easterly lot line for any portion of the building exceeding 28.0 metres in height.

d)	Building Height	i) Maximum 44.0 metres.
e)	Landscaped Area	Minimum 40% of the total lot area.
f)	Planting Strip	Minimum 3.0 metre wide planting strip along the easterly and westerly side lot lines.
g)	Visual Barrier	Minimum 1.8 metre high visual barrier along the easterly and westerly side lot line.

(By-law No. 22-224, August 12, 2022)

813. Within the lands zoned Mixed Use – Medium Density (C5) Zone, identified on Map 1502 of Schedule "A" – Zoning Maps and described as 136 and 144 Upper Mount Albion Road the following special provisions shall apply:

a) Notwithstanding Section 4.6 d) the following regulations shall apply:

i) An exterior staircase or deck may be located 1.2 metres from an interior lot line.

b) Notwithstanding Section 5.1 a) v) b) and c), the following regulation shall apply:

i) A planting strip is not required between the at-grade surface parking spaces and the street line.

c) Notwithstanding Section 10.5.3 a) i), 10.5.3 c), 10.5.3 d) ii), 10.5.3 g) vii) 1., 10.5.3 j) the following regulations shall apply:

i)	Building Setback from a Street Line	0.0 metres for a building with residential units on the ground floor facing a street.
ii)	Minimum Interior Side Yard	2.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
iii)	Building Height	Maximum 24.0 metres.
iv)	Built form for New Development	The principal entrance to the ground floor lobby of the multiple building is permitted to be located on the portion of the façade that is not setback closest to Upper Mount Albion Road.
v)	Planting Strip	A planting strip shall not be required.
vi)	Visual Barrier	A visual barrier shall not be required along the southerly lot line adjacent to a public trail.

(By-law No. 22-207, August 12, 2022)

814. Within the lands zoned Community Institutional (I2, 814, H126) Zone, identified on Maps 941 and 942 of Schedule "A" – Zoning Maps and described as 125 Pirie Drive, the following special provisions:

a) Notwithstanding Section 3: Definitions of Front Lot Line, Governor's Road shall be deemed the Front Lot Line;

b) In addition to uses permitted in Section 8.2.1, a Multiple Dwelling with a maximum of 84 dwelling units shall be permitted in conjunction with the development of a Retirement Home;

c) Notwithstanding Section 8.2.3.1 e) and g), the following regulations shall apply to a Retirement Home and a Multiple Dwelling:

(i)	Maximum Height	21.5 metres for a Retirement Home and Multiple Dwelling; and,
(ii)	Maximum Capacity	Shall not exceed 100 residents for a Retirement Home.

(By-law No. 23-038-OLT, February 27, 2023)

815. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map 869 of Schedule "A" - Zoning Maps and described as 383 and 383 ½ Hughson Street North, the following special provisions shall apply:

a) Notwithstanding Section 4.6 b) a fire escape or exterior staircase may encroach into a required side yard or rear yard with no maximum distance.

b) Notwithstanding Section 4.8.1.3 a) i) and 4.8.1.3 a) ii), the following regulations shall apply:

i)	Building Setback from a Rear Lot Line	Minimum 0.6 metres
ii)	Building Setback from a Side Lot Line	Minimum 0.6 metres

c) Notwithstanding 5.6 c), the following regulations shall apply:

i)	Parking Schedule for all Zone	
	Multiple Dwelling	0.6 per unit, except where a dwelling is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 per unit.

d) Notwithstanding Section 8.1.1, only the following use shall be permitted:

Multiple Dwelling in conjunction with the buildings and structures existing at the date of passing of this By-law.

e) For the purpose of this By-law, Section 8.1.3.1 shall apply to a multiple dwelling.

f) Notwithstanding Section 8.1.3.1 g) and h), the following regulations shall apply:

i)	Minimum Rear Yard	2.2 metres
ii)	Maximum Building Height	13 metres

g) Notwithstanding Section 3, for the purpose of this By-law 'Existing' shall mean existing on the date of passing of this By-law for the portion constructed between 1850 and 1860, including the enlargement and extension thereof.

(By-law No. 22-246, September 28, 2022)

816. Within the lands zoned Community Institutional (I2, 816) Zone, identified on Map 483 of Schedule "A" – Zoning Maps and described as 265 Mill Street South, the following special provisions shall apply:

a) Notwithstanding Subsection 4.8 a), the aggregate Gross Floor Area of Accessory Buildings shall not exceed 150.00 square metres or 7.5% total lot coverage, whichever is the lesser.

b) Notwithstanding Subsection 4.8 g), Accessory Buildings shall have a maximum height of 6.75 metres.

c) Notwithstanding Subsection 8.2.1, only the following uses shall be permitted:

Educational Establishment in conjunction with the buildings and structures existing at the date of the passing of this By-law.

Child Care Centre in conjunction with the buildings and structures existing at the date of the passing of this By-law.

Existing Single Detached Dwelling

d) Notwithstanding Subsection 8.2.3.3 as it relates to Child Care Centre, a Child care Centre shall be permitted in accordance with Subsection 8.2.3.2.

e) In addition to Subsection 8.2.3.2, the following regulation shall also apply:

i)	Maximum Gross Floor Area for an Educational Establishment and/or Child Care Centre	915 square metres

f) Notwithstanding Section 3, for the purpose of the By-law, 'Existing" shall mean existing on the date of the passing of this By-law, including the enlargement and extension thereof, and shall include the following:

i) Two storey stone constructed portion of the single detached dwelling;
ii) Single storey stone constructed portion of the single detached dwelling
iii) Hip roof of the two storey section of the single detached dwelling; and,
iv) Stone chimney of the west façade of the single detached dwelling.

(By-law No. 22-187, August 12, 2022)
(By-law No. 25-155, August 06, 2025)

818. Within the lands zoned Settlement Residential (S1, 818) Zone, identified on Map 113 of Schedule "A" - Zoning Maps and described as 1552 Concession 2 Road West, Flamborough the following special provisions:

a) In addition to Section 12.3.1, a single detached dwelling shall only be permitted in the principle building and structure existing on the date of passing of this By-law;

b) In addition to Section 12.3.3, a Single Detached Dwelling shall have a maximum of 3 bedrooms; and,

c) Notwithstanding Section 12.3.3 (a), the Minimum Lot Area shall be 0.35 hectares.

(By-law No. 22-234, September 14, 2022)

819. Within the lands zoned Waterfront - Mixed Use (WF2, 819, H94, H130) Zone, identified on Map Nos. 787 and 827 of Schedule "A" - Zoning Maps, the following special provisions shall apply:

a) Notwithstanding Section 3 as it relates to the definition of Gross Floor Area, the following shall apply:

Gross Floor Area	Shall mean the aggregate horizontal area measured from exterior faces of the exterior walls of all floors of a building (excluding any cellar) within all buildings on a lot, including any area devoted to mechanical equipment but not including balconies.

b) In addition to Section 4.6 and Notwithstanding Section 4.6 (d), the following shall apply:

i) A second floor terrace shall be permitted to encroach a maximum 1.5 metres into a required setback but shall not be closer that 0.5 metres from a lot line.

ii) A porch, deck, canopy or retaining wall may encroach a maximum 4.0 metres into the required easterly side yard.

c) Notwithstanding Section 14.2.1.1, the following shall apply:

Restricted Uses	1.	In addition to Section 14.2.1, Commercial and Institutional uses shall only be permitted on the ground and second floors.
	2.	Residential units shall be in accordance with Figure 14 of Schedule F: Special Figures.

d) Notwithstanding Section 14.2.3, the following regulations shall apply:

i) Minimum Landscaped Area		20% of the lot area
ii) Minimum Unit Width for Ground Level Live/Work or Dwelling Units		5.0 metres
iii) Minimum Amenity Area for Multiple Dwellings	1.	An area of 2.0 square metres located indoors for each dwelling unit; and,
	2.	An area of 2.0 square metres located outdoors for each dwelling, which may include balconies.
iv) Maximum Gross Floor Area	1.	38,200 square metres
	2.	The maximum Gross Floor Area for each floor within a building shall be:

		A. 850 square metres for floors 4 to 30; and B. 650 square metres for floors 31 and above.
	v) Minimum Setback from a Lot Line	1. 7.5 metres from the easterly lot line; and, 2. 1.5 metres from all other lot lines. 3. In addition to 1. and 2. above, the following minimum setbacks shall be required for any portion of a building exceeding a height of three storeys or 11.0 metres; A. 12.5 metres from the easterly and northerly lot lines; and, B. 3.0 metres from all other lot lines.
	vi) Building Height	Shall be provided in accordance with Figure 12 of Schedule F: Special Figures.

(By-law No. 23-229, November 22, 2023)

820. Within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described as 220 and 222 Main Street West and 107, 109, 115 and 117 George Street, the following special provisions shall apply:

a) Section 6.0 c) i) shall not apply where the required step back is measured to the hypotenuse of a daylight triangle.

b) Notwithstanding Sections 6.1.1.1 i) 1. A., 6.1.3 a) i) and ii), and 6.1.3 c) iv), the following special provisions shall apply:

i)	Restricted Uses	In the case of a Parking Facility developed after the effective date of this By-law, a maximum of five parking spaces shall be permitted to be located outside of a building. All other parking space shall be contained within a building.
ii)	Building Setback from a Street Line	1. For any portion of a building below 11.0 metres in height, except where a visibility triangle shall be provided for a driveway access, the following shall apply: A. Maximum 6.0 metres from the George Street Line; and, B. Maximum 4.7 metres from all other Street Lines. 2. Notwithstanding Section ii) 1. above, a maximum setback of 8.5 metres for that portion of a building providing an access driveway to a garage.
iii)	Built Form for New Development	A driveway with a maximum width of 7.7 metres shall be permitted for ingress and egress.

(By-law No. 23-024, February 22, 2023)

821. Within the lands zoned Transit Oriented Corridor Mixed Use – Medium Density (TOC1) Zone, identified on Map 909 and 951 of Schedule "A" to By-law No. 05-200 and described as 354 King Street West, the following special provisions shall apply:

a) The lands zoned Transit Oriented Corridor Mixed Use – Medium Density (TOC1, 295, 821) Zone and the lands zoned Transit Oriented Corridor Mixed Use – Medium Density (TOC1, 295, 741) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, not to internal lot lines resulting from any future severance.

b) Notwithstanding Section 5.6.c) Parking Schedule for all Zones except Downtown Zones, the following specific parking ratio shall apply to all multiple dwellings:

Column 1			Column 2
a)	Multiple Dwelling		Minimum
	i)	Dwelling units less than 50.0 square metres in gross floor area	
		Units 1-12	0 per unit
		Units 13+	0.3 per unit
	ii)	Units greater than 50.0 square metres in gross floor area	
		Units 1-12	0 per unit
		Units 13-50	0.5 per unit
		Units 51+	0.7 per unit
	iii)	Units with 3 or more bedrooms	
		Units 1-12	0 per unit
		Units 13+	0.3 per unit
b)	Commercial		
	i)	Financial Establishment	1 for each 50 square metres of gross floor area in excess of 450 square metres, which accommodates such use
	ii)	Medical clinic	1 for each 50 square metres of

			gross floor area in excess of 450 square metres, which accommodates such use
	iii)	Office	1 for each 50 square metres of gross floor area in excess of 450 square metres, which accommodates such use
	iv)	Retail	0
	v)	Personal Service	0

c) In addition to the Section 11.1.1, a minimum of 5% of the permitted dwelling units shall be comprised of 3-bedroom units.

d) In addition to Section 11.1 and notwithstanding Section 11.1.3 b), 11.1.3 c) i), 11.1.3.d) i), ii) and iii), 11.1.3 g) v), and 11.1.3.g) vii) the following special provisions shall apply:

a)	Minimum Rear Yard	i)	7.5 metres;
		ii)	Notwithstanding a) i) above, a minimum rear yard of 1.1 metres shall apply to a parking structure.
b)	Minimum Interior Side Yard	i)	0.8 metres abutting the lot line measuring 29.764 metres; and,
		ii)	1.9 metres abutting the lot line measuring 18.712 metres.

c)	Building Height	i)	Minimum 6.65 metres for structures fronting onto Market Street;
		ii)	Maximum building height shall be 24.0 metres unless otherwise indicated on Figure 26 of Schedule F – Special Figures
		iii)	In addition to c) ii) above, any portion of the building above 42 metres shall be stepped back a minimum of 17 metres from the north edge of the building.
d)	Driveway	i)	A maximum of four driveways shall be permitted.
		ii)	In addition to d) i) above, a maximum driveway width of 6.0 metres shall be permitted for ingress and egress.
e)	Principal Entrance	The principal entrance to the mixed use building shall face eastward with direct access from the public sidewalk.	

(By-law No. 22-242-OLT, August 24, 2022)

822. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1237 of Schedule "A" - Zoning Maps and described as 1020 Upper James Street, the following special provision shall apply:

a) Notwithstanding Sections 10.5.3 d) ii), iii), the following special provision shall apply:

Building Height	Maximum 28.5 metres

(By-law No. 22-273, December 7, 2022)

823. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 1748 and 1785 of Schedule "A" - Zoning Maps and described as 3250 and 3260 Homestead Drive, the following special provision shall apply:

a) Notwithstanding Sections 10.5.3 g) vii) 1., the following regulations shall apply:

i) A minimum of one principal entrance shall be provided within the ground floor facade where the setback does not abut any street.

(By-law No. 23-015, February 8, 2023)

824. In addition to Section 12.1.3.2 a), and notwithstanding Section 3 as it relates to Lot Coverage, Sections 12.1.3.1 e) and 12.1.3.1 h), on those lands zoned Agriculture (A1) Zone, identified on Maps 180, 193 of Schedule "A" of Zoning Maps and described as 3355 Golf Club Road, the following special provisions shall also apply:

a) For the purposes of Special Exception No. 824, the following definitions shall apply:

Agri-tourism Retreat	Shall mean a detached building that provides overnight accommodations and meals, up to a maximum of 12 guestrooms, and may also include education, tourist opportunities and other agritourism uses to experience organic agriculture, but shall not include a Hotel or Medical Clinic.
Ground Floor Area	Shall mean the maximum area of the ground floor of a building measured to the outside of all outside walls.

Lot Coverage	Shall mean the percentage of the entire lot located at and known municipally as 3355 Golf Club Road (as of November 23, 2022) covered by all new buildings, structures, outdoor storage, landscaped areas, Septic or Sewage Systems, berms, laneways, and parking associated with an Agri-tourism Retreat and Agritourism use, but does not include laneways shared between Agricultural uses and Agri-tourism uses existing as of the date of this by-law.
Septic or Sewage Systems	Shall mean an onsite wastewater treatment system that may include a septic tank for primary treatment and a trench or bed soil absorption system for secondary treatment of wastewater, and shall be constructed to the satisfaction of the City.

b) The following Secondary Use to Agriculture shall be permitted in accordance with the regulations of Section 12.1.3.2:

Agri-tourism Retreat

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

i)	Maximum Gross Floor Area	3,000 square metres
ii)	Maximum Ground Floor Area	1,500 square metres
iii)	Maximum Lot Coverage	3.2%
iv)	Parking	Minimum parking requirements of 1 space per guest room.

(By-law No. 23-009-OLT, January 24, 2023)

825. Within the lands zoned Community Institutional (I2) Zone, identified on Map 445 of Schedule "A" – Zoning Maps and described as 306 Parkside Drive, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions, as it relates to the definition of Front Lot Line, for the purpose of this By-law, the front lot line is deemed to be Parkside Drive.

b) Notwithstanding the regulations of Section 5.1 d), as it relates to location, required parking for Child Care Centre, Place of Worship, Multiple Dwelling, and visitor parking for residential uses shall be permitted to be located between the façade and the front lot line and up to 75% shall be used for parking and access to such parking.

c) Notwithstanding the regulations of Section 5.6 c), as it relates to a Place of Worship and Child Care Centre, a minimum of 50 total parking spaces shall be provided for a Place of Worship and Child Care Centre.

d) In addition to Subsection 8.2.1, a multiple dwelling shall also be permitted in accordance with Section 8.2.3.1.

d) Notwithstanding Section 8.2.3.1 c), as it relates to minimum required yards, the following regulations shall apply for multiple dwellings:

i.	Minimum Side Yard	7.0 metres Notwithstanding i) above, the Minimum Side Yard from the south-westerly side lot lines measuring 18.62 metres, 17.74 metres and 20.42 metres shall be 2.75 metres.

(By-law No. 23-025, February 22, 2023)
(By-law No. 25-155, August 06, 2025)

826. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4, 826), (TOC4, 632, 826) and (TOC4, 632, 826, 832) Zone, Modified, identified on Map Nos. 1048, 1049, and 1094 of Schedule "A" – Zoning Maps, and described as:

Property Address	Map Number
2411 Barton Street East	1094

2415 Barton Street East	1094
2425 Barton Street East	1094
2477 Barton Street East	1094
25 Arrowsmith Road	1048, 1094
26 Arrowsmith Road	1094
185 Bancroft Street	1048
247 Centennial Parkway North	1094
257 Centennial Parkway North	1094
258 Centennial Parkway North	1094
260 Centennial Parkway North	1094
265 Centennial Parkway North	1094
267 Centennial Parkway North	1094
282 Centennial Parkway North	1094
315 Centennial Parkway North	1094
333 Centennial Parkway North	1048, 1094
347 Centennial Parkway North	1048
350 Centennial Parkway North	1048, 1049, 1094

The following provisions shall apply:

a) In addition to Section 11.4.1.1, a building containing the following uses shall have a minimum setback of 70.0 metres from a lot line abutting an Industrial Zone:

Child Care Centre
Dwelling Unit, Mixed Use
Long Term Care Facility
Retirement Home
Social Services Establishment

(By-law No. 26-049, March 04, 2026)

828. Within the lands zoned Neighbourhood Commercial (C2, 828) Zone and District Commercial (C6, 828) Zone, identified on Map Nos. 870, 1450, 1452, 1499, 1501, 1912 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1423 Upper Ottawa Street	1450
1439 Upper Ottawa Street	1450
1447 Upper Ottawa Street	1450
1453 Upper Ottawa Street	1450
1475 Upper Ottawa Street	1450

1515 Upper Ottawa Street	1499, 1450
1521-1527 Upper Ottawa Street	1499
1555 Upper Ottawa Street	1499
390 Victoria Avenue North	870, 1912
1725 Stone Church Road East	1452, 1501
140 Mud Street	1452, 1501
Part of Lots 33 & 34, Concession 7	1452, 1501

The following special provisions shall apply:

a) Notwithstanding Sections 10.2.1 and 10.6.1, and in addition to Sections 10.2.2 and 10.6.2, the following uses are prohibited even as an accessory use:

Child Care Centre
Duplex Dwelling
Dwelling Unit, Mixed Use
Emergency Shelter
Lodging House
Long Term Care Facility
Mobile Home
Multiple Dwelling
Multiple Dwelling Townhouse
Residential Care Facility
Retirement Home
Semi-Detached Dwelling
Single Detached Dwelling
Street Townhouse Dwelling

(By-law No. 26-049, March 04, 2026)

830. Within the lands zoned Neighbourhood Commercial (C2, 830) Zone and Community Commercial (C3, 830) Zone, identified on Map Nos. 912, 913, 1307 and 1308 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
119, 121 Shaw Street	912
286 Sanford Avenue North	913
777 Highway No. 8	1307, 1308
200 Jones Road	1307

The following special provision shall apply:

a) Notwithstanding Sections 10.2.3 f) and 10.3.3 f), the maximum gross floor area for an existing Office building shall be permitted to exceed 500 square metres.

(By-law No. 26-049, March 04, 2026)

831. Within the lands zoned Arterial Commercial (C7, 831) Zone, identified on Map Nos. 1047, 1093, and 1094 on Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
279 Nash Road North	1047, 1093
2255 Barton Street East	1047, 1093
2371 Barton Street East	1094

The following special provisions shall apply:

a) In addition to Section 10.7.1, Retail shall also be permitted in accordance with Section 10.7.3.

b) Notwithstanding a) above, Retail shall be limited to a food store.

(By-law No. 26-049, March 04, 2026)

832. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4, 826, 632, 832) Zone, identified on Map Nos. 1048 and 1094 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
185 Bancroft Street	1048
25 Arrowsmith Drive	1048, 1094

The following special provisions shall apply:

a) In addition to Section 11.4.1, the following uses shall also be permitted in accordance with Section 11.4.3:

Transportation Depot
Transportation Terminal

b) Notwithstanding Section 11.4.3 a), b) and c), the following regulation shall apply to the uses permitted in Section a) above:

i)	Minimum Setback from a Lot Line	A)	15.0 metres
		B)	Notwithstanding clause A), 1.0 metre where the side and/or rear lot line abuts an Industrial Zone.

(By-law No. 26-049, March 04, 2026)

833. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 833) Zone, identified on Map No. 1934 of Schedule "A" – Zoning Maps and described as 3033, 3047, 3055, 3063 Binbrook Road, Glanbrook the following special provisions shall apply:

a) Notwithstanding Section 5.2.1 b), where a wall, column, or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.25 metres for each side which is obstructed by a wall, column, or other obstruction.

b) In addition to Section 5.5 and notwithstanding Section 5.5.1a)iii) the following regulations shall apply:

i) A minimum of one loading space shall be required; and,

ii) The location of loading doors and associated loading facilities shall be subject to the following:

A) Shall not be located closer than 1.5 metres to a side or rear lot line and shall not be located closer than 7.5 metres to any street line.

c) Notwithstanding Section 5.7.1 a) i. as it relates to a Dwelling Unit, Mixed Use, where the total number of such units is 5 or greater, the following regulations shall apply:

Column 1		**Column 2**

i. Residential Uses		
Dwelling Unit, Mixed Use, where the total number of such units is 5 or greater		0.5 spaces per units for residents, plus 0.1 visitor parking spaces per unit

d) Notwithstanding Section 5.7.1 a) iv), the following regulations shall apply:

Column 1		**Column 2**
iv. Commercial Uses		
All Commercial Uses		A minimum of 1 parking space for each 17.0 square metres of gross floor area which accommodates such uses, for that portion of a building that is in excess of 450.0 square metres.

e) In addition to Section 10.5a.1.1, a Dwelling Unit, Mixed Use shall be permitted in accordance with the following:

i) The maximum number of Dwelling Units, Mixed Use shall be 134;

ii) A minimum of 36.5 percent of the total number of Dwelling Units, Mixed Use shall be two-bedroom Dwelling Units;

iii) In addition to ii) above, all two-bedroom Dwelling Units, Mixed Use shall have a Gross Floor Area of a minimum 62.6 square metres.

f) In addition to Section 10.5a.3 a), and notwithstanding Section 4.6 a) and e), and Sections 10.5a.3 b), c), d), h) x), and l) i)and ii), the following regulations shall apply:

i)	Minimum Building Setback from a Street Line	A) 2.0 metres for the second to fifth storeys; B) 6.0 metres for the sixth storey; C) Notwithstanding A) and B) above, balconies and architectural elements such as sills, belt courses, cornices, eaves or gutters, pilasters, and brickwork framing the main entrance may encroach into the required building setback; D) Notwithstanding C) above, a maximum of 2 balconies may encroach into the required 2.0 metre building setback for the second to fifth storeys; and E) Notwithstanding C) above, balconies on the sixth and seventh storey may encroach into the required 6.0 metre building setback a distance of not more than 4.0 metres.

ii)	Minimum Rear Yard	38.0 metres
iii)	Minimum Side Yard	A) 3.0 metres, except: 1) 16.0 metres abutting to the westerly side lot line for the first to third storeys; 2) 24.0 metres abutting the westerly side lot line for the fourth and fifth storeys; 3) 27.5 metres to the westerly side lot line for the sixth and seventh storeys; 4) 9.5 metres to the easterly side lot line for the fifth storey and above. 5) Notwithstanding 1), 2)and 3) above, balconies may encroach into the required westerly side yard a maximum of 1.3 metres; 6) Notwithstanding F) above, balconies may encroach into the required easterly side yard a maximum of 1.5 metres for the first to fourth storeys and a maximum of 6.5 metres for the fifth storey and above.

iv)	Building Height	A) Minimum 4.2 metre façade height for any portion of abuilding along a street line, except for any building or portion of a building which is listed in the City of Hamilton's Inventory of Buildings of Architectural and / or Historical Interest, or listed in the Municipal Heritage Register, or designated under the Ontario Heritage Act; and B) Maximum 26.0 metres and seven storeys;
v)	Built Form for New Development	Section 10.5a.3 h) x) shall not apply to any building or any portion of a building which is listed in the City of Hamilton's Inventory of Building of Architectural and/or Historical Interest, listed in the Municipal Heritage Register, or designated under the Ontario Heritage Act.
vi)	Minimum Amenity Area for Dwelling Unit, Mixed Use	A) An area of 6.0 square metres for each dwelling unit; and, B) In addition to i), a rooftop amenity area shall not be permitted, except for balconies for use by individual dwelling units.

(By-law No. 26-049, March 04, 2026)

834. Within the lands zoned District Commercial (C6, 834) Zone and Prestige Business Park (M3, 834) Zone, identified on Map Nos. 1048 and 1049 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
502 Centennial Parkway North	1048, 1049
510 Centennial Parkway North	1048, 1049
512 Centennial Parkway North	1048, 1049
516 Centennial Parkway North	1048, 1049
518 Centennial Parkway North	1048, 1049
520 Centennial Parkway North	1048, 1049
524 Centennial Parkway North	1048, 1049
526 Centennial Parkway North	1048, 1049
528 Centennial Parkway North	1048, 1049
540 Centennial Parkway North	1048, 1049
544 Centennial Parkway North	1048, 1049
560 Centennial Parkway North	1048, 1049

The following special provisions shall apply:

a) Notwithstanding Section 3 as it relates to the definition of "Lot", the lands shall be considered one lot for the purposes of applying the regulations of the Zoning By-law. Zoning regulations shall apply only to the external lot lines of the overall lands, not the internal lot lines resulting from any future severances.

b) Notwithstanding Section 5.2.1 a), parking spaces sizes shall be a minimum of 2.6 metres in width and 5.5 metres in length.

c) In addition to Section 5.5, loading spaces provided for a Warehouse be a minimum of 3.7 metres in width, a minimum of 10.5 metres in length, and shall have a minimum vertical clearance of 3.9 metres.

d) Notwithstanding Section 5.7.1 a) iv. as it relates to Retail, the following regulations shall apply:

Column 1		**Column 2**
iv. Commercial Uses		
Retail		A minimum of 1.0 parking spaces for each 20.0 square

		metres of Gross Floor Area shall be required.

e) Notwithstanding Sections 9.3.1 and 10.6.1, and in addition to Sections 9.3.2 and 10.6.2, the following uses shall be prohibited even as an accessory use:

Child Care Centre
Duplex Dwelling
Dwelling Unit, Mixed Use
Emergency Shelter
Lodging House
Long Term Care Facility
Mobile Home
Multiple Dwelling
Multiple Dwelling Townhouse
Residential Care Facility
Retirement Home
Semi-Detached Dwelling
Single Detached Dwelling
Street Townhouse Dwelling
Waste Processing Facility
Waste Transfer Facility

f) Notwithstanding Section 9.3.3 g) and Section 10.6.3 a), b), c), d), e), and f) and in addition to Section 9.3.3 and Section 10.6.3, the following regulations shall apply:

i) Building Setback from a Street Line for all uses except a Warehouse

A) Minimum 6.0 metres from the Street Line abutting Centennial Parkway North.

B) Minimum 2.0 metres from the Street Line abutting Warrington Street.

C) Minimum 14.0 metres from the lot line abutting South Service Road for all buildings, parking and

			landscaping required by the By-law.
ii)	Building Setback from a Street Line for a Warehouse		Minimum 50.0 metres
iii)	Building Height		Maximum 60.0 metres
iv)	Gross Floor Area for Combined Office Uses		Maximum 4,000.0 square metres
v)	Gross Floor Area for Individual Commercial Use	A)	Maximum 18,600.0 square metres for one Department Store; and,
		B)	Maximum 10,000.0 square metres for all other individual Commercial uses.
vi)	Gross Floor Area for Combined Commercial Uses		The combined maximum Gross Floor Area for the following uses shall not exceed 34,142.0 square metres: Financial Establishment Personal Service Repair Service Restaurant Retail
vii)	Gross Floor Area for Warehouse Use	A)	12,900.0 square metres
		B)	Notwithstanding vii) A) above, the maximum ground floor area shall be 3,500.0 square metres.

(By-law No. 26-049, March 04, 2026)

835. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1785 of Schedule "A" – Zoning Maps and described as 91 and 95 Strathearne Place, the following special provisions shall apply:

a) Notwithstanding Section 15.1.1, a Street Townhouse Dwelling shall not be permitted.

(By-law No. 23-029, February 22, 2023)

836. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1284 of Schedule "A" – Zoning Maps and described as 343 Springbrook Avenue, the following special provisions shall apply:

a) Notwithstanding Section 15.1.1, a Street Townhouse Dwelling shall not be permitted.

(By-law No. 23-022, February 22, 2023)

837. Within the lands zoned Neighborhood Commercial (C2, 837) Zone, identified on Map Nos. 1364 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
Part of 1219 Highway No. 8	1364
1223 Highway No. 8	1364
1224 Highway No. 8	1364
1226 Highway No. 8	1364
1227 Highway No. 8	1364
1229 Highway No. 8	1364
1233 Highway No. 8	1364
1235 Highway No. 8	1364
1239 Highway No. 8	1364
1247 Highway No. 8	1364
1252 Highway No. 8	1364
1258 Highway No. 8	1364
1260 Highway No. 8	1364
1262 Highway No. 8	1364
1266 Highway No. 8	1364
1282 Highway No. 8	1364
1286 Highway No. 8	1364

1287 Highway No. 8	1364
1288 Highway No. 8	1364
1291 Highway No. 8	1364
1293 Highway No. 8	1364

The following special provision shall apply:

a) In addition to Section 10.2.3 d), the minimum building height shall be 7.5 metres.

(By-law No. 26-049, March 04, 2026)

838. Within the lands zoned Neighbourhood Commercial (C2, 838) Zone, identified on Map No. 1307 of Schedule "A" – Zoning Maps and described as 685 Highway No. 8, Stoney Creek, the following special provision shall apply:

a) In addition to Section 10.2.1, a Hotel shall be permitted in accordance with the regulations of Section 10.2.3.

(By-law No. 26-049, March 04, 2026)

839. Within the lands zoned Business Park Support (M4, 839) Zone, identified on Map No. 1548 of Schedule "A" - Zoning Maps and described as 1557 and 1565 Rymal Road East and 694 Pritchard Road, the following special provision shall apply:

a) Notwithstanding Sections 5 and 9.4.3 p), parking shall be a minimum of 1 space for each 30.0 square metres of gross floor area.

(By-law No. 23-048, March 29, 2023)

842. Within the lands zoned Business Park Support (M4, 842) Zone, identified on Map 1548 of Schedule "A" – Zoning Maps and described as 10 Trinity Church Road, the following special provisions shall apply:

a) Notwithstanding Section 9.4.3 a), 9.4.3 b) i), 9.4.3 j) i), 9.4.3 k) the following shall apply:

i) Minimum Lot Area 335.0 square metres

ii) Minimum Yard Abutting a Street 0.0 metres

iii)	Size and Location Restriction for Supportive Commercial Uses	Shall not apply for a Restaurant;
iv)	Landscaped Area and Planting Strip Requirements	Shall not apply.

(NOT FINAL AND BINDING: By-law No. 23-093, May 24, 2023)

845. Within the lands zoned Low Density Residential – Small Lot (R1a) Zone, identified on Map 950 of Schedule "A" – Zoning and described as 81 Chatham Street, the following special provisions shall apply:

a) In addition to Section 3: Definitions, as it relates to the definitions of "Landscaped Area" and "Landscaping" and notwithstanding Section 5.2 a) i), the following regulations shall apply:

i) A required landscape strip may contain a retaining wall with a maximum height of 0.6 metres along the easterly side yard;

ii) A required landscape strip may contain a concrete pad and associated fencing for the purposes of waste storage for a maximum length of 4.6 metres along the easterly side yard; and,

iii) No landscape strip shall be required for a maximum length of 5.9 metres along the easterly side yard.

b) Notwithstanding Section 5.2 i) and 5.5 the following special provisions shall apply:

i) The minimum aisle width for parking spaces with a 90° angle shall be 5.49 metres.

ii) Section 5.5 shall not apply.

c) Notwithstanding Section 5.2 e) i) a), all parking spaces and driveways shall be provided and maintained with permeable pavers.

d) In addition to Section 15.2.1, a Multiple Dwelling with a maximum of six dwelling units, subject to the requirements of Section 15.2.2.1, shall also be permitted.

e) Notwithstanding Section 15.2.2.1 c), the following regulation shall apply:

i)	Minimum Setback from the Front Lot Line	1.3 metres

(NOT FINAL AND BINDING: By-law No. 23-096, May 24, 2023)

846. Within the lands zoned Downtown Central Business District (D1) Zone, identified on Map Nos. 953 and 995 of Schedule "A" – Zoning Maps and municipally described as 101 Hunter Street East, the following special provisions shall apply:

a) Notwithstanding Sections 6.0 c) i), ii), and iii) 2., 6.1.1.1 i) 1. B., 6.1.3 b) ii) and e), the following regulations shall apply:

a) Building Base Façade Height	i)	A)	Notwithstanding Figure 15 – Schedule "F" Special Figures, a minimum 1.3 metre stepback at a height of 16.6 metres shall be provided for the Hunter Street East Building Base Façade Height.
		B)	Notwithstanding Figure 15 – Schedule "F" Special Figures a minimum 1.5 metre stepback at a height of 16.6 metres shall be provided for the Catharine Street South Building Base Façade Height.
		C)	Notwithstanding Figure 15 – Schedule "F" Special Figures, no minimum stepback shall be required from the hypotenuse of a daylight

triangle.

b)	Stepbacks	i)	A minimum 9.5 metre stepback shall be required for any portion of a building exceeding 16.6 metres in height from the northerly lot line.
		ii)	A minimum 8.3 metre stepback shall be required to an enclosed balcony or 9.8 metres to a wall without an enclosed balcony for any portion of a building exceeding 16.6 metres in height from the easterly lot line.
c)	Parking Facility		With the exception of an access driveway to the parking facility, the ground floor of the facility which faces any street shall only be used for permitted uses and bicycle parking storage, other than parking.
d)	Maximum Building Height		190.2 metres above sea level or 92.5 metres, whichever is the lesser.
e)	Maximum Lot Coverage		91%
f)	Percentage of Two and Three Bedroom Units		A minimum of 16.8% of the Dwelling Units shall be units with two or more bedrooms and an additional minimum of 1.0% of the dwelling units shall be units with three or more bedrooms.

(By-law No. 24-130, July 12, 2024)

847. Within the lands zoned Settlement Residential (S1) Zone, identified on Map No. 143 of Schedule "A" – Zoning Maps and described as 127 Freelton Road, Flamborough, the following special provisions shall apply:

a) In addition to Section 12.3.1, a single detached dwelling shall only be permitted in the principle building existing on the date of the passing of this By-law.

(NOT FINAL AND BINDING: By-law No. 23-095, May 24, 2023)

848. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1336 of Schedule "A" – Zoning Maps and described as 382 Southcote Road, the following special provisions shall apply:

a) Notwithstanding Subsection 15.1.1, the following uses shall be prohibited:

Duplex Dwelling
Semi-Detached Dwelling
Street Townhouse Dwelling"

b) Notwithstanding Subsection 15.1.2.1 d), the following provision shall apply:

i)	Minimum Side Yard Setback	a)	1.2 metres;
		b)	Notwithstanding b) i) a) above, 4.5 metres shall be provided from the side lot line abutting 540 Gray Court Drive.

(By-law No. 23-156, August 18, 2023)

849. Within the lands zoned Mixed Use Medium Density (C5, 849, H147) Zone, identified on Map 1188 of Schedule "A" – Zoning Maps and described as 1093 Fennell Avenue East, the following special provisions shall apply:

a) Notwithstanding Section 10.5.3 b), 10.5.3 c), 10.5.3 d) ii) and iii), and in addition to 10.5.3 the following special provisions shall apply:

i)	Minimum Rear Yard	1.	6.5 metres; and,
		2.	Notwithstanding 1. above, for any building greater than 9.0 metres in height, 50.0 metres shall be provided.

ii)	Minimum Interior Side Yard	1. 4.5 metres; and, 2. Notwithstanding 1. above, for any building greater than 9.0 metres in height, 45.0 metres shall be provided.
iii)	Building Height	Maximum 44.0 metres.
iv)	Minimum Gross Floor Area for Commercial Uses	2,030.0 square metres.
v)	Minimum Separation Distance for Multiple Dwellings	1. 5.25 metres between end walls; 2. 10.0 metres between front façade and end wall; and, 3. 20.0 metres between front façade and a building greater than 9.0 metres in height."
vi)	Minimum Building Stepback from the building base façade above the 2nd storey adjacent to a street	1. 3.0 metres; and, 2. Notwithstanding 1. above, 0.0 metres from a daylight triangle.

(By-law No. 23-146, August 18, 2023)

850. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1550 of Schedule "A" - Zoning Maps and described as 329 Highland Road West, the following special provisions shall apply:

a) Notwithstanding Section 4.3 b), private driveway(s) or condominium road(s) are deemed to be a street(s), and parking and landscaping are permitted within the street(s);

b) Notwithstanding Section 4.8 f), an inground waste system or other similar waste container shall be permitted to be erected prior to the erection of the principal building or structure on the lot, within the Condominium road;

c) Notwithstanding Subsection 15.1.1, Street Townhouse Dwellings uses shall be prohibited; and,

d) Notwithstanding Subsection 15.1.2.1 b) the minimum setback from a Side Lot Line shall be 0.9 metres on the non-garage side of a Single Detached Dwelling.

(By-law No. 23-129, July 14, 2023)

851. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map 1259 of Schedule "A" – Zoning Maps and described as 1310 South Service Road, the following special provisions shall apply:

a) In addition to Section 3: Definitions the following definition shall also apply:

Live/Work Unit	Shall mean a dwelling unit where a residence is permitted, and where a commercial use may also be permitted with a maximum size of 50 square metres of gross floor area and which shall be located on the ground floor. Commercial uses in a Live/Work Unit shall be limited to a personal service shop, a professional office and a retail store.

b) Notwithstanding Section 4.6 d), 4.6 e), and 4.8.1.1 a), the following special provisions shall apply:

i) A porch, deck or canopy may encroach into any required yard to a maximum of 3.5 metres.

ii) A balcony may encroach into any required yard to a maximum of 2.0 metres.

iii) The aggregate Gross Floor Area of all Accessory Buildings shall not exceed 7.5% total lot coverage.

c) Notwithstanding Section 5.1 a) v) a), 5.1 a) v) b), 5.7 a), and 5.7 c), and in addition to 5.7 e), the following special provisions shall apply:

i)	Surface Parking Spaces	Shall not be located within 25.0 metres of a street line.
ii)	Long-term Bicycle Parking	Minimum 0.25 Long-term bicycle parking spaces per unit.
iii)	Short-term Bicycle Parking	1. Minimum 20 Short-term bicycle parking spaces; and, 2. Shall be located on the lot containing the use.

d) In addition to Section 10.5.1, the following shall apply:

i)	Permitted Uses	Live/Work Unit

e) Notwithstanding Section 10.5.1.1 i) 1., 10.5.3 a), 10.5.3 d) i), 10.5.3 d) ii), and 10.5.3 d) iii), and in addition to 10.5.3, the following shall apply:

i)	Building Setback from a Street Line	1. Minimum 2.0 metres; 2. Maximum 16.5 metres from the northern property line; and, 3. Maximum 8.5 metres from the western property line.

ii)	Building Height	1. Maximum building height shall be in accordance with Figure 35 of Schedule F – Special Figures of Zoning By-law No. 05-200; and, 2. Minimum 7.5 metre façade height for any portion of a building along a street line, except that one section up to 12.0 metres in width may be permitted a reduced height of 4.5 metres.
iii)	Parking Location	Minimum of 85% of all vehicle parking spaces shall be located within an underground parking garage.
iv)	Minimum Landscaped Area	40% of the total lot area.
v)	Outdoor Amenity Area	Minimum 1,000 square metre contiguous area setback at least 25.0 metres from a Street Line shall be provided.
vi)	Minimum Density	60 units per net hectare.
vii)	Maximum Density	310 units per net hectare.

(By-law No. 23-168, July 14, 2023)

852. Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1281 of Schedule "A" – Zoning Maps and described as 111 and 115 Fiddler's Green Road, the following special provisions shall apply:

a) Notwithstanding Section 5.6 c) iv. as it relates to Medical Clinic, and 5.7 c) and 5.7 e), the following special provisions shall apply:

i)	Maximum Gross Floor Area for an Educational Establishment and/or Child Care Centre	1 parking space per 20.0 square metres of gross floor area shall be required.

ii)	Bicycle Parking	1. Minimum 0.50 Long-term bicycle parking spaces per unit; and, 2. Minimum 5 Short-term bicycle parking spaces.

b) Notwithstanding Section 10.2.1, 10.2.1.1 ii) and 10.2.3 h) and in addition to Section 10.2.1, 10.2.1.1, 10.2.2 and 10.2.3, the following special provisions shall apply:

i) The following uses shall also be permitted:

Multiple Dwelling
Street Townhouse Dwelling

ii) The following uses shall also be prohibited:

Catering Service
Financial Establishment
Motor Vehicle Service Station
Repair Services
Restaurant
Retail

iii)	Maximum Gross Floor Area for commercial uses within new standalone commercial buildings on the lot	1. 500.0 square metres. 2. Section 1. above shall not apply to any buildings existing as of July 11, 2914 and which are converted to commercial uses.

iv) Within a building containing Dwelling Unit, Mixed Use, the following uses shall be limited to the ground floor of a building:

Artist Studio
Child Care Centre
Commercial School
Emergency Shelter
Medical Clinic
Office
Personal Service
Social Services Establishment
Veterinary Service

v) Minimum density 20 units per hectare

vi) Maximum density 60 unit per hectare

vii) The following regulations apply to Multiple Dwellings:

a) Building Setback from a Street Line
1. Minimum 3.0 metres.
2. Maximum 4.5 metres, except where a visibility triangle is required for a driveway access.
3. Notwithstanding Section 2. above, minimum 6.0 metres setback for that portion of a building providing an access driveway to a garage.
4. Section 2. above shall not apply for any portion of a building that exceeds the requirement of Section f) 2. below.

b) Minimum Lot Area 360.0 square metres.

c) Minimum Landscaped Area for Multiple Dwellings 10% of the lot area shall be landscaped area.

d)	Minimum Amenity Area for Multiple Dwellings	On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided: 1. An area of 4.0 square metres for each dwelling unit less than 50 square metres. 2. An area of 6.0 metres for each dwelling unit more than 50 square metres. 3. In addition to the definition of Amenity Area, and Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air and may include balconies and patios. 4. In addition to the definition of Amenity area, the required Amenity Area shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with any commercial component.

viii) The following regulations apply to Street Townhouse Dwellings:

a)	Minimum Lot Area Per Unit	145.0 square metres.

b)	Minimum Lot Width per Unit	5.5 metres.
c)	Setback from a Street Line	1. Minimum 3.0 metres. 2. Maximum 4.5 metres except where a visibility triangle is required for a driveway access. 3. Notwithstanding 2. above, minimum 6.0 metres for that portion of a building providing an access driveway to a garage.
d)	Minimum Side Yard	1. 1.2 metres except for the side yard related to the common wall of the dwelling unit, which shall have a 0 metre side yard. 2. 3.0 metres for a flankage yard.

ix) Section 10.2.1.1 shall not apply.

(By-law No. 23-130, July 14, 2023)
(By-law No. 24-137, July 12, 2024)
(By-law No. 25-155, August 06, 2025)

853. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Map Nos. 1094 and 1143 of Schedule "A" – Zoning Maps and described as 200 Centennial Parkway North, the following special provisions shall apply:

a) Notwithstanding Section 5.1 a) ii) a), off-site parking for a multiple dwelling is permitted within a zone in which a multiple dwelling is not permitted.

b) Notwithstanding Section 5.6 c), as it relates to a multiple dwelling a minimum of 0.9 parking spaces per dwelling unit shall be required, except where a dwelling unit is 50 square metres in gross floor

area or less, in which case, parking shall be provided at a rate of 0.3 parking spaces per dwelling unit. For all other uses parking will be required in accordance with Section 5.6 c).

c) Notwithstanding Sections 4.6 a), d) and e), 10.4.1.1 ii) 1., 10.4.3 a), b), c), d) ii) and iii), the following regulations shall apply:

a) Finished Floor Elevation

i) The finished floor elevation of any dwelling unit shall be a minimum of 0 metres above grade.

ii) Notwithstanding a) i) above, a finished floor elevation of any dwelling unit facing Centennial Parkway North shall be a minimum of 0.9 metres above grade.

b) Maximum Building Setback from a Street Line

i) 4.5 metres from a streetline, except where a visibility triangle is required for a driveway access and shall not be required from Barlake Avenue.

ii) In addition to, b) i) above, the following minimum setbacks shall be provided:

A) 4.7 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 1 of Figure No. 32 of Schedule "F" – Special Figures.

B) 11.0 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 2 of Figure No. 32 of Schedule "F" – Special Figures.

C) 13.7 metres from a street line for any portion of the building greater than 39.2 metres in height, for the lands included in Block 2 of Figure No. 32 of Schedule "F" – Special Figures.

iii) Parapets, terrace dividers, privacy screens, guard rails and elements associated with a green roof or outdoor amenity space shall be permitted to be located within the minimum required setback.

iv) Balconies, balcony dividers and other architectural elements may encroach a maximum of 2.5 metres into the required yard setback.

c) Minimum Rear Yard Setback

i) 10.5 metres.

ii) In addition to, c) i) above, the following additional setbacks shall be provided:

A) 22.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 4 of Figure No. 32 of Schedule "F" – Special Figures.

B) 25.0 metres for any portion of a building exceeding 39.2 metres in height, for the lands included in Block 4 of Figure No. 32 of

Schedule "F" – Special Figures.

C) 13.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 5 of Figure No. 32 of Schedule "F" – Special Figures.

iii) In addition to, Porches, steps, balconies, walls or screens dividing porches, terraces or balconies and other architectural elements may encroach a maximum of 2.5 metres into the required easterly rear yard setbacks.

iv) In addition to, Parapets, guard rails and elements associated with a green roof or outdoor amenity space shall be permitted to be located within the minimum required easterly rear yard setbacks.

d) Minimum Interior Side Yard Setback

i) 7.5 metres.

ii) In addition to, the following additional setbacks shall be provided:

A) 21.0 metres setback from the southerly side lot line.

B) In addition to, d) ii) A) above, 34.0 metres for any portion of the building exceeding 18.0 metres in height, for the lands

included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.

C) In addition to, d) ii) A) and B) above, 40.0 metres for any portion of a building exceeding 27.0 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.

D) In addition to, d) ii) A), B) and C) above, 46.0 metres for any portion of a building exceeding 36.2 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.

iii) In addition to, d) ii) A) above, porches, steps, balconies, walls or screens dividing porches, terraces or balconies and other architectural elements located within Block 2 of Figure No. 32 of Schedule "F" – Special Figures may encroach a maximum of 2.5 metres into the required southerly side yard setback.

iv) In addition to, d) ii) above, parapets, guard rails, rooftop terraces, terrace dividers, elements associated with a green roof or outdoor amenity space located within Block 3 of Figure No. 32 of Schedule "F" – Special Figures shall be permitted to be located within the minimum required southerly side yard setbacks.

		iii)	In addition to, d) ii) B, C, and D above, balconies, balcony dividers and other architectural elements located within Block 3 of Figure No. 32 of Schedule "F" – Special Figures may encroach a maximum of 2.5 metres into the required southerly side yard setback.
e)	Building Height	i)	Maximum 40.0 metres.
		ii)	In addition to, e) i) above, the following maximum heights shall apply: A) Maximum 65.0 metre building height for lands included in Blocks 1, 2 and 3 of Figure No. 32 of Schedule "F" – Special Figures. B) Maximum 55.0 metre building height for lands included in Block 4 of Figure No. 32 of Schedule "F" – Special Figures.
g)	Ground Floor Commercial		A minimum of 50 percent of the ground floor area facing Centennial Parkway North shall be comprised of commercial uses.

h) The lands zoned Mixed Use - High Density (C4, 853) Zone shall be deemed to be one lot for the purpose of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, and not the individual property boundaries of any lots created by registration of Condominium Plan, Part Lot Control or Consent.

(By-law No. 23-151, August 18, 2023)

855. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone, identified on Map Nos. 1289, 1290, 1342, 1343, 1394, 1395, 1445, of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1151 and 1171 Upper James Street	1290
1170 and 1180 Upper James Street	1290
1179, 1195, 1183 and 1187 Upper James Street	1290
1200 Upper James Street	1290
1224 Upper James Street	1290
1215, 1221, 1243 and 1245 Upper James Street	1290
1242, 1246 and 1250 Upper James Street	1290
1270, 1276 and 1286 Upper James Street and 3 Forest Street	1290 and 1289
1259 and 1265 Upper James Street	1290
1269, 1275, 1289 and 1317 Upper James Street	1290 and 1343
1341 Upper James Street and 15 Stone Church Road East	1343
1290 and 1294 Upper James Street	1290 and 1289
1302, 1304, 1312 and 1316 Upper James Street	1290 and 1289
1350 Upper James Street	1290, 1343, 1289 and 1342
5 Rymal Road West	1394
20 Rymal Road West	1394
1632, 1638 and 1642 Upper James Street	1394
1660 and 1662 Upper James Street	1394
1666 and 1670 Upper James Street	1394 and 1445
1625, 1655, 1699, 1715, 1719 Upper James Street and 4, 10 and 20 Bartlett Avenue	1394 and 1445
1709 Upper James Street	1445
1725 Upper James Street	1445
1739 Upper James Street	1445
1749 and 1755 Upper James Street	1445

The following special provisions shall apply:

a) That in addition to Section 4.12 e) i) and notwithstanding Sections 11.1.3 a) ii), 11.1.3 d) i), and 11.1.3 g) ii) and iii), and in accordance with subsection 34(10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a use not permitted by

the by-law but existing at the date of the passing of the by-law that increases the volume or size of the building shall be permitted as follows:

i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of passing of the by-law;

b) That for additions to buildings existing at the date of passing of this By-law, Sections 11.1.3 a) ii), 11.1.3 d) i) and 11.1.3 g) ii), and iii) shall not apply, and the setback of the proposed addition shall be closer to the Street Line than the existing building.

c) For commercial development existing at the date of passing of this By-law, Section 11.1.3 g) ii) and iii) shall not apply to new commercial buildings subject to the following:

i) The maximum Gross Floor Area of each building shall be 650.0 square metres; and,

ii) Notwithstanding Section 11.1.3 d) i), the minimum building height shall be 4.5 metres.

d) An Existing Drive Through Facility shall be permitted to be relocated in accordance with Special Figure 50 of Schedule "F" – Special Figures to this By-law, subject to the following requirements:

i) A maximum of 4 Drive-Through Facilities shall be permitted in Area 1;

ii) A maximum of 2 Drive-Through Facilities shall be permitted in Area 6; and,

iii) All relocated Drive Through Facilities shall comply with Section 4.25 - Drive Through Regulations.

e) That for the lands located at 1739, 1749 and 1755 Upper James Street, the following special provision shall also apply:

i) That in addition to the requirements of Section 11.1.3, a Motor Vehicle Dealership shall provide and maintain a minimum 3.0 metre wide Planting Strip along the entire southerly lot line.

(By-law No. 25-187, October 08, 2025)
(By-law No. 26-052, March 04, 2026)

856. Within the lands zoned Low Density Residential (R1, 856) Zone, identified on Map Nos. 1255 and 1308 of Schedule "A" – Zoning Maps and described as 860 and 884 Barton Street, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 4.35 the following regulations shall apply:

i)	Landscape Requirements	On lots containing a single detached dwelling, semi-detached dwelling, duplex dwelling, or street townhouse dwelling in all zones, a minimum of 17% landscaped area in the Front Yard shall be provided and may include steps.

a) Notwithstanding Section 5.1 c) ii), iii) and vi) the following regulations shall apply:

i)	Parking Location – Street Townhouse Dwellings	A) A minimum width of 2.5 metres shall apply. B) A driveway may be a maximum 70% of the lot width or 6.0 metres, whichever is the lesser.
ii)	Finished Floor Level	A minimum of 0.15 metres above grade shall apply

a) Notwithstanding Section 15.1.2.3 a), b), c), f), and g), the following regulations shall apply:

i)	Minimum Lot Area for each Dwelling Unit	99.0 square metres
ii)	Minimum Unit Width for each Dwelling Unit	4.5 metres
iii)	Minimum Setback from the Front Lot Line	4.4 metres, except for 6.0 metres to an attached garage

iv)	Minimum Setback from the Rear Lot Line	4.5 metres
v)	Maximum Building Height	12.0 metres

(By-law No. 23-193-OLT, August 2, 2023)

857. Within the lands zoned Low Density Residential (R1, 857) Zone, identified on Map Nos. 1255 and 1308 of Schedule "A" – Zoning Maps and described as 860 Barton Street, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 4.8.1. a) the following regulations shall apply:

i)	Buildings Accessory to Residential Uses	For buildings in existence prior to the adoption of this by-law, the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 85 square metres or 7.5% total lot coverage, whichever is the lesser.

(By-law No. 23-193-OLT, August 2, 2023)

858. Within the lands zoned Mixed Use Medium Density (C5, 858) Zone, identified on Map No. 994 of Schedule "A" and described as 299-307 John Street South & 97 St. Joseph's Drive, the following special provisions shall apply:

a) That the front lot line shall be John Street South.

b) Section 5.2 b) iii) shall not apply.

c) Notwithstanding Section 5.2. i) the minimum two-way aisle width at a 90-degree parking angle shall be 5.85 metres.

d) Section 5.2.1 shall not apply to a yard abutting Charlton Avenue East.

e) In addition to the permitted uses outlined in Section 10.5.1, a Public Parking Lot shall be included as a permitted use.

f) Notwithstanding Sections 4.6.e), 10.5.1.1(i)1., 10.5.3a)(i), 10.5.3b), 10.5.3d), and, 10.5.3i) the following regulations shall apply:

Minimum Setback to a Street Line	0.0 metres, except 1.5 metres where a building exceeds 139.00 MASL in height
Minimum Rear Yard	0.9 metres
Maximum Balcony Encroachment	A balcony may encroach into any required yard to a maximum of 1.75 metres
Maximum Building Height (Podium)	139.00 MASL
Maximum Building Height (Towers)	192.00 MASL
Planting Strip Requirements	Where a property line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 1.0 metre wide Planting Strip shall be provided and maintained.

g) A minimum distance of 17.0 metres shall be provided and maintained between each habitable portion of a building above 136.0 MASL.

h) Notwithstanding Section 5.6, the following regulations shall apply:

Minimum Parking Rate for Dwelling Units less than 50.0 square metres in gross floor area	0.3 spaces/unit
Minimum Parking Rate for Dwelling Units greater than 50.0 square metres in gross floor area	0.3 spaces/unit for units 1 – 3 0.70 spaces/unit for units 4 – 14 0.85 spaces/unit for units 15 – 50 1.0 spaces/unit for units 51+

Minimum Parking Rate for Commercial	0.0 spaces
Minimum Public Parking Spaces Provided	66.0 spaces

(By-law No. 23-192-OLT, July 20, 2023)

859. Within the lands zoned Low Density Residential (R1) Zone, identified on Map Nos. 1446 and 1447 of Schedule "A" – Zoning Maps and described as 311 Rymal Road East, the following special provisions shall apply:

a) Notwithstanding Section 4.6. d), Permitted Yard Encroachments, the maximum projection of the existing porch of the single detached dwelling into the front yard setback shall be 2.61 metres;

b) Notwithstanding Section 4.8.1.1 a), Buildings Accessory to a Single Detached Dwelling, the maximum Gross Floor Area of the existing rear yard garage shall not exceed 55 square metres; and,

c) Notwithstanding Section 5.1 b) ii) and iii) the existing driveway width of 5.1 metres shall be permitted.

(By-law No. 23-152, August 18, 2023)

860. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Map No. 1175 of Schedule "A" – Zoning Maps and described as 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue, Ancaster, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions, as it related to the definition of Front Lot Line, for the purpose of the By-law, the front lot line is deemed to be Wilson Street East.

b) Notwithstanding Sections 4.8 f) and g) and 4.8.3 the following regulations shall apply:

i) An Accessory Building may be erected prior to the erection of the principal building or structure on the lot.

ii) The maximum height of an accessory building shall be 8.0 metres.

iii) The minimum setback of an accessory building to a lot line shall be 1.25 metres.

iv) The maximum gross floor area of an accessory building shall be 115.0 square metres.

c) Notwithstanding Sections 5.1 a) v) b), 5.2 a) and b) ii), 5.5 a) and 5.6 c) as it related to Multiple Dwelling and Commercial Uses the following regulations shall apply:

i) The minimum required number of designated barrier free parking spaces shall be 1.5% of the total number of required parking spaces.

ii) The maximum parking ratio for residential uses within a mixed use building shall be 1.88 spaces per dwelling unit.

iii) The minimum parking ratio for commercial uses within a mixed use building shall be 1 space per 30 square metres of gross commercial floor area.

d) Notwithstanding Sections 10.5a.3 a), b), c), d), h) vi, xi) and x), and i), the following regulations shall apply:

i)	Minimum Front Yard	a) 2.5 metres for a structure 16.7 metres in height. b) 6.0 metres for a structure 32 metres in height.
ii)	Minimum Rear Yard	56.0 metres

iii)	Minimum Side Yard Setback	a) 2.0 metres for an exterior side yard b) 2.5 metre interior side yard, for a structure four storeys in height. c) 5.0 metre interior side yard, for a structure eight storeys in height.
iv)	Maximum Building Height	32.0 metres
v)	Built Form for New Development	a) A minimum of 45% of the area of the ground floor façade facing the street shall be composed of doors and windows. b) The first storey of any building shall have a maximum height of 5.1 metres. c) A minimum of one principal entrance shall be provided within the ground floor façade fronting any street.
vi)	Planting Strip	A planting strip with a minimum width of 0.5 metre shall be provided

and maintained along property lines which abut Residential Zones.

(By-law 23-195-OLT, September 19, 2023)

861. Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 861, H155) Zone, identified on Map No. 1124 and 1175 of Schedule "A" and described as 442, 450, 454, and 462 Wilson Street East, the following special provisions shall also apply:

a) In addition to the uses permitted in Subsection 10.5a.1, a Retirement Home shall also be permitted.

b) Notwithstanding Subsection 10.5a.3 a) i), b), d), h) ix), h) x) the following special provisions shall apply:

i)	Minimum building setback from Rousseaux Street	a) 4.0 metres; b) Notwithstanding a) above, 0 metres adjacent to the northwest corner of the Hypotenuse of the Daylight Triangle; and, c) Notwithstanding a) above, 8.6 metres adjacent to the northeast corner of the Hypotenuse of the Daylight Triangle.
ii)	Minimum Rear Yard	a) 3.0 metres for all new development. b) Notwithstanding ii) a) above, 1.0 metre shall be required to the existing building at 442 Wilson Street.

iv)	Maximum Building Height	a) 11 metres; b) Notwithstanding a) above, 15 metres (237 metres above sea level) for the area shown as Block 1 on Figure 33 of Schedule "F" – Special Figures. c) Notwithstanding a) above, 22 metres (244.00 metres above sea level) for the area shown as Block 2 on Figure 33 of Schedule "F" – Special Figures.
v)	Minimum Commercial Gross Floor Area	450 square metres
vi)	Built Form for New Development	Minimum 39% percent of the area of the ground floor façade shall be composed of doors and windows.

(By-law No. 23-197-OLT, September 26, 2023)

862. Within the lands zoned Mixed Use Medium Density (C5) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 95, 99, 103 and 105 Highway 8, the following special provisions shall apply:

a) Notwithstanding Subsection 4.6 e), a balcony may encroach into any required yard to a maximum of 1.5 metres.

b) Notwithstanding Subsection 4.6 e), a balcony abutting a Street Line may encroach into the required yard to a maximum of 2.0 metres.

c) In addition to Section 10.5, the following regulations shall apply:

i) Underground garage ramps shall have a minimum required rear yard setback of 7.0 metres.

d) Notwithstanding Sections 10.5.3 a), b), c), and d) ii), iii), iv), A), B), C), the following regulations shall apply:

i) Building Setback from a Street Line	1. A minimum setback of 3.0 metres; 2. A minimum setback of 5.0 metres for any portion of the building exceeding a height of 30.5 metres; and, 3. A minimum setback of 8.0 metres for any portion of the building exceeding a height of 33.8 metres. 4. A minimum setback of 11.0 metres for any portion of the building exceeding a height of 37.1 metres. 5. A minimum setback of 14.97 metres for any portion of the building exceeding a height of 41.1 metres.
ii) Minimum Rear Yard	1. A minimum setback of 7.5 metres; 2. A minimum setback of 12 metres for any portion of the building exceeding a height of 12 metres; 3. A minimum setback of 15 metres for any portion of the building exceeding a height of 15 metres; 4. A minimum setback of 18 metres for any portion of the

		building exceeding a height of 18 metres; 5. A minimum setback of 21 metres for any portion of the building exceeding a height of 21 metres; 6. A minimum setback of 24 metres for any portion of the building exceeding a height of 24 metres; 7. A minimum setback of 27 metres for any portion of the building exceeding a height of 27 metres; 8. A minimum setback of 30 metres for any portion of the building exceeding a height of 30.5 metres; 9. A minimum setback of 33 metres for any portion of the building exceeding a height of 33.8 metres; 10. A minimum setback of 37 metres for any portion of the building exceeding a height of 37.1 metres; and, 11. A minimum setback of 43.2 metres for any portion of the building exceeding a height of 41.1 metres.
	iii) Minimum Interior Side Yard	1. A minimum setback of 3.0 metres to the portion of the garage wall that protrudes above the grade along the western side of the subject lands.

		2. A minimum setback of 14.7 metres for any portion of the building that abuts a residential lot containing a residential use.
	iv) Building Height	1. Maximum 44 metres. 2. In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations: a. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 40% of the floor area of the storey directly beneath; b. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of

0.0 metres from the exterior walls of the storey directly beneath; and,

c. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 6.0 metres vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

(By-law No. 23-158, August 18, 2023)

863. In addition to Section 7.5 and notwithstanding Section 10.5.3, on those lands zoned Conservation/Hazard (P5, 863) Zone and Mixed Use Medium Density (C5, 863) Zone identified on Map Nos. 860 and 902 of Schedule "A" - Zoning Maps, and described as 64 Hatt Street, Dundas, the following special provision shall apply:

a) The buildings existing on the date of passing of this By-law shall be permitted and no further additions or expansions to the existing buildings shall be permitted and the uses therein shall be permitted in accordance with Sections 10.5.1, 10.5.1.1 and 10.5.2.

(By-law No. 25-138, July 16, 2025)

864. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map No. 1340 of Schedule "A" – Zoning Maps and described as 631 and 639 Rymal Road West, the following special provisions shall apply:

a) Notwithstanding Subsection 4.6 e), a balcony may encroach into any required yard to a maximum of 1.5 metres.

b) Notwithstanding Subsection 5.2 b) vi), the minimum parking space size of not more than 16 required parking spaces may have a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.

c) Section 11.3.1.1 i) 1. shall not apply.

d) Notwithstanding Subsections 11.3.2 a) i), c), and e) ii) and iii), the following regulations shall apply:

i)	Building Setback from a Street Line	Minimum 0.5 metres;
ii)	Minimum Interior Side Yard	1.6 metres to the portion of the parking structure located above grade; 5.5 metres to the 1st, 2nd, 3rd and 4th storeys; 13.6 metres for the 5th, 6th and 7th storeys; 20.5 metres for the 8th storey; 25.0 metres for the 9th and 10th storeys; 26.6 metres for the 11th storey; and, 29.3 metres for the 12th storey;
iii)	Building Height	a) Maximum 40.0 metres.

(By-law No. 23-153, August 18, 2023)
(By-law No. 24-137, July 12, 2024)

865. Within the lands zoned Low Density Residential (R1a) Zone, identified on Map Nos. 1446 and 1447 of Schedule "A" – Zoning Maps and described as 311 Rymal Road East, the following special provisions shall apply:

a) Notwithstanding Section 4.35. a), Landscape Requirements, the Minimum Landscaped Area in the Front Yard for shall be 44% for Block 3, Special Figure

b) Notwithstanding Section 4.6. d), Permitted Yard Encroachments, a porch, deck or canopy may encroach into any required yard to a maximum of 1.6 metres;

c) Notwithstanding Section 15.2.2.2 b), Semi-Detached Dwelling Regulations, the Minimum Lot width for each Dwelling Unit shall be 5.6 metres for Block 3, Special Figure 34;

d) Notwithstanding Section 15.2.2.2 c), Semi-Detached Dwelling Regulations, the Minimum Setback from the Front Lot Line shall be 6.0 metres.

(By-law No. 23-152, August 18, 2023)

866. Within the lands zoned Low Density Residential - Small Lot (R1a) Zone, identified on Map No. 1639 of Schedule "A" - Zoning Maps and described as 2080 Rymal Road East, the following special provisions shall apply:

a) Notwithstanding Sections 15.2.2.3 a), b), and f), the following regulations shall apply:

a)	Minimum Lot Area for each Dwelling Unit	160 square metres;
b)	Minimum Unit Width for each Dwelling Unit	5.7 metres;
c)	Minimum Setback from the Rear Lot Line	7.4 metres

(By-law No. 23-218, November 22, 2023)

867. Within the lands zoned Low Density Residential – Small Lot (R1a, 867)

Zone, identified on Maps 1932 and 1933 of Schedule "A" – Zoning Maps and described as 3479 Binbrook Road, the following special provisions shall apply:

a) Notwithstanding Sections 15.2.2.1 a), d), e), f), g), and h), the regulations shall apply:

a)	Minimum Lot Area	235 square metres
d)	Minimum Setback from a Side Lot Line	1.2 metres on one side and 0.6 metres on the other
e)	Minimum Setback from a Flankage Lot Line	2.4 metres
f)	Minimum Setback from the Rear Lot Line	7 metres
g)	Maximum Building Height	12.5 metres
h)	Parking	Notwithstanding 5.2 b) ii), a parking space shall be a minimum 2.7 metres in width and 5.8 metres in length.

(By-law No. 23-149, August 18, 2023)

868. Within the lands zoned Low Density Residential – Small Lot (R1a, 868) Zone, identified on Maps 1932, 1933 and 1955 of Schedule "A" – Zoning Maps and described as 3479 Binbrook Road, the following special provisions shall apply:

a) Notwithstanding Sections 15.2.2.2 a), b), e), f), g), and h), the regulations shall apply:

a)	Minimum Lot Area	185 square metres
b)	Minimum Lot Width	6.5 metres

e)	Minimum Setback from a Flankage lot Line	2.4 metres
f)	Minimum Setback from the Rear Lot Line	7 metres
g)	Maximum Building Height	12.5 metres
h)	Parking	Notwithstanding 5.2 b) i), a parking space shall be a minimum 2.7 metres in width and 5.8 metres in length.

(By-law No. 23-149, August 18, 2023)

869. Within the lands zoned Low Density Residential – Small Lot (R1a, 868) Zone, identified on Maps 1910, 1932, and 1933 of Schedule "A" – Zoning Maps and described as 3479 Binbrook Road, the following special provisions shall apply:

a) Notwithstanding Sections 15.2.2.3 a), e), f), g), and h), the regulations shall apply:

a)	Minimum Lot Area	150 square metres
e)	Minimum Setback from a Flankage lot Line	2.4 metres
f)	Minimum Setback from the Rear Lot Line	7 metres
g)	Maximum Building Height	12.5 metres
h)	Parking	Notwithstanding 5.2 b) i), a parking space shall be a minimum 2.7 metres in width and 5.8 metres in length.

(By-law No. 23-149, August 18, 2023)

870. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1551 of Schedule "A" – Zoning Maps and described as 82 Carlson Street, the following special provisions shall apply:

a) Notwithstanding Subsection 15.1.1, the following use shall be prohibited:

Street Townhouse Dwelling

b) Notwithstanding Section 15.1.2.1 a), c), d) and f), the following shall apply to Single Detached Dwellings:

i)	Minimum Lot Area	300.0 square metres;
ii)	Minimum Setback from the Front Lot Line	4.5 metres, except 6.0 metres to an attached garage;
iii)	Minimum Setback from a Side Lot Line	1.2 metres on one side and 0.6 metres on the other side, provided; (a) that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots; and, (b) that the abutting lands are located in the same zone.
iv)	Minimum Setback from the Rear Lot Line	7.0 metres;

c) Notwithstanding 15.1.2.2 a), c) and f), the following shall apply to Semi-Detached Dwellings:

i)	Minimum Lot Area for each Dwelling Unit	255 square metres;

ii)	Minimum Setback from the Front Lot Line	4.5 metres, except 6.0 metres to an attached garage;
iii)	Minimum Setback from the Rear Lot Line	7.0 metres;

(By-law No. 23-179, September 27, 2023)

871. Within the lands zoned District Commercial (C6) Zone, identified on Map No. 1711 of Schedule "A" – Zoning Maps and described as 3011 Homestead Drive, Glanbrook, the following special provisions shall apply:

a) In addition to Section 3: Definitions, the following definition shall apply:

Self-Storage Facility	Shall mean the use of buildings or structures, or part thereof, for the storage of items that are enclosed in individual storage units for a fee.

b) Section 5.2 h) shall not apply.

c) In addition to Section 5.6 c), the following shall apply:

i) if two or more permitted uses are located on the lot, parking shall be provided at a minimum quantity of 1 space per 50.0 square metres of gross floor area, and;
ii) a Self-Storage Facility shall require parking at a rate of 1 space per 30.0 square metres of gross floor area for the Office portion of such use only.

d) In addition to Subsection 10.6.1, the following uses shall be permitted in accordance with the regulations of Subsection 10.6.3 and Section e) below:

i. Contractor's Establishment
ii. Computer, Electronic and Data Processing Establishment
iii. Planned Business Centre
iv. Production Studio

v. Research and Development Establishment
vi. Self-Storage Facility
vii. Surveying, Engineering, Planning or Design Business
viii. Trade School
ix. Tradesperson's Shop

e) Notwithstanding Subsection 10.6.3 a) i), ii), b) i), and c) ii), the following regulations shall apply:

i)	Building Setback from a Street Line except where a visibility triangle is required for a driveway access	A. Minimum 3.0 metres to the lot line abutting Homestead Drive, and; B. Minimum 1.5 metres to the lot line abutting Upper James Street.
ii)	Minimum Rear Yard	1.5 metres
iii)	Minimum Interior Side Yard	A. 4.0 metres abutting a Residential or Institutional Zone or lot containing a residential use B. Notwithstanding iii) A. above, a minimum 2.0 metres shall be required for the interior side yard abutting the property to the south.

(By-law No. 17-240-OLT-06, May 22, 2024)

872. Within the lands zoned Settlement Residential (S1, 872, H160) Zone, identified on Map 143 of Schedule "A" – Zoning Maps and described as 12 Louisa Street, Flamborough the following special provisions shall apply:

a) Notwithstanding Section 12.3.3 (a), the following regulation shall apply:

i)	Minimum Lot Area	0.2 hectares

(By-law No. 23-204, October 25, 2023)

873. Within the lands zoned Conservation/Hazard Land (P5P Zone on Map Nos. 787 and 827 of Schedule "A" – Zoning Maps and described as 65 Guise Street East, Hamilton the following special provisions shall apply:

a) Section 5.1.a) ii) a) shall not apply.

b) In addition to Section 7.5.1 the following uses shall also be permitted in accordance Section c) below:

Parking Lot; and,
Commercial Parking Facility.

c) The following provisions shall apply for uses listed in b) above:

i)	Restriction of Uses	The uses permitted in Section a) above, shall only be permitted underground.
ii)	Minimum Distance of a Parking Gate from a Street Line	7.0 metres.
iii)	Minimum Distance of on and off Ramps from a Street Line	7.0 metres.

(By-law No. 23-187, October 11, 2023)

874. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1395 of Schedule "A" – Zoning Maps and described as 81 and 87 Rymal Road East, the following provisions shall apply:

a) Notwithstanding Sections 11.3.1.1 i) 1., 11.3.2 e) ii), 11.3.2 e) iii), 11.3.2 f) v) and 4.9 a) the following regulations shall apply:

i)		Restriction of Uses Within a Building		The finished floor elevation of any dwelling shall be a minimum of 0.25 metres above grade.	

ii)		Building Height		1. 2. 3.	Maximum 26.5 metres. Minimum 10.3 metres. Notwithstanding 1. above, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in subsection iii) and v) below, when abutting a Residential of Institutional Zone, to a maximum of 26.5 metres.
iii)		Minimum Interior Side Yard		1. 2. 3.	3.0 metres. Notwithstanding 1. above, 7.5 metres shall be required for any building exceeding 11.0 metres in height. Notwithstanding 1. and 2. above, a Minimum Interior Side Yard shall not be required for any portion of a property line abutting a Mixed Use Medium Density (C5) Zone.
iv)		Built Form for Development		Maximum of one 7.5 metre wide driveway shall be permitted for ingress and egress.	

v)		Rear Yard		Minimum 4.5 metres.
vi)		Mechanical and Unitary Equipment		Shall be located within a required front yard, provided such equipment shall have a minimum setback of 1.0 metre 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.

(By-law No. 24-053, April 10, 2024)

875. Within the lands zoned Transit Oriented Corridor Local Commercial (TOC2) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and described as 527 James Street North, the following special provisions shall apply:

a) Notwithstanding Section 11.2.3 a) and c) the following special provisions shall apply:

i) Minimum Building Setback from a Street Line — 0.0 metres;

ii) Minimum Interior Side Yard — 0.0 metres;

(By-law No. 23-203, October 25, 2023)

876. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 1178 and 1179 of Schedule "A" - Zoning Maps and described as 1225 Old Golf Links Road, Ancaster, the following special provisions shall apply:

a) Notwithstanding Section 4.23 e) as it relates to the setback from the Lincoln Alexander Parkway, a minimum setback of 1.0 metre from the Lincoln Alexander Parkway right-of-way, excluding access ramps.

b) Notwithstanding Section 10.5.3 b), 10.5.3 d) ii), and 10.5.3 g) vii) 1. the following special provisions shall apply:

i)	Minimum Rear Yard Setback	1.0 metre
ii)	Maximum Height	18.8 metres
iii)	Principal Entrance	A principal entrance shall be permitted to face westerly and include a direct connection to the street.

(By-law No. 23-224-OLT-01, November 22, 2023)

877. Within the lands zoned Mixed Use Medium Density (C5, 877) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 851 Lawrence Road, the following special provisions shall apply:

a) Notwithstanding Section 3, as it relates to the definition of Front Lot Line,

i) For the purposes of Special Exception 877, Lawrence Road shall be deemed the Front Lot Line.

b) Notwithstanding Section 4.6 e), a balcony may encroach into any required yard to a maximum of 1.8 metres.

c) Notwithstanding Section 5.6 c) and 5.6 e) as it relates to Multiple Dwellings and Dwellings Unit(s), the following parking shall be required:

i) A minimum of 1.1 spaces per unit.

d) Notwithstanding Section 10.5.1.1 i) 1. dwelling units that do not face a street shall be permitted at grade.

e) In addition to Section 10.5.3, and notwithstanding Sections 10.5.3 a) ii), 10.5.3 d i), 10.5.3 d ii), and 10.5.3 d iii), the following regulations shall apply:

i)	Building Setback from a Street Line	Maximum setback of 7.9 metres;
ii)	Setback Between Buildings	Minimum setback of 3 metres from any building, excluding underground parking structures, existing on the date of the passing of this By-law;
iii)	Building Height	1. Minimum 10.3 metre façade height along the street. 2. Maximum building height shall be in accordance with Figure 37 of Schedule F – Special Figures.

f) In addition to 10.5.3 i) a 3.0 metre wide Planting Strip shall be required along the westerly side lot line.

(By-law No. 23-202, October 25, 2023)

878. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map Nos. 1499 and 1546 of Schedule "A" – Zoning Maps and described as 1280 Rymal Road East and 385 Nebo Road, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 4.25 c) ii), a Drive Through stacking lane may be permitted between buildings and the Rymal Road East street line and the Nebo Road street line.

b) Notwithstanding Section 5.2 h) i) and ii), the following regulations shall apply:

i) Landscaped Area(s) and Landscaped Parking Island(s) with a minimum combined area of 3% of the area of the parking lot and associated access driveway and manoeuvring areas shall be provided and maintained.

ii) Each Landscaped Area and Landscaped Parking Island shall have a minimum area od 8 square metres.

c) In addition to Section 10.7.1 and notwithstanding Section 10.7.3 a) and 10.7.4 d), the following regulations shall apply:

i)	Permitted Uses	Financial Establishment Medical Clinic Office Personal Service Retail
ii)	Minimum Building Setback to a Street Line	8.0 metres;
iii)	Maximum Fross Floor Area for Retail	11,000 square metres;
iv)	Maximum Gross Floor Area for Accessory Retail uses to a Motor Vehicle Gas Bar	250 square metres;
v)	Landscaped Area and Planting Strip Requirements	1. Minimum 6.0 metre wide Landscaped Area shall be provided and maintained abutting a street, except for points of ingress and egress; 2. In addition to i) above, within the 6.0 metre Landscaped Area, a minimum 3.0 metre wide Planting Strip shall be required and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress;

3. Where a property lot line abuts a property lot line within a Residential Zone, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

(By-law No. 23-209, November 08, 2023)

879. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map No. 1184 of Schedule "A" - Zoning Maps and described as 150 Mohawk Road East, Hamilton the following special provisions shall apply:

a) In addition to Section 4.6, the following regulations shall apply:

i) A stairwell to a parking garage may encroach into a required rear yard to a maximum of 3.0 metres.

b) Notwithstanding Section 5.1 a) v), the regulation shall not apply.

c) Notwithstanding Section 5.2 a) i), the following regulations shall apply:

i) A minimum 1.1 metre wide landscape strip which shall contain a visual barrier in accordance with Section 4.19 of this By-law.

d) Notwithstanding Section 5.2 h), the regulation shall not apply.

e) Notwithstanding Section 11.3.2, the following regulation shall apply:

i) The 12 storey Multiple Dwelling existing at the date of passing of this by-law shall be deemed to conform.

f) Notwithstanding Sections 11.3.2 a) i), 11.3.2 b), 11.3.2 c), 11.3.2 e), 11.3.2 f) iii), 11.3.2 f) iv), and 11.3.2 f) v), the following regulations shall apply:

i)	Building Setback from a Street Line	Minimum 2.5 metres, except 13.5 metres for a portion of a building greater than 13.5 metres in height.

ii)	Minimum Rear Yard	5.0 metres, except 16.0 metres for a portion of a building greater than 8.0 metres in height and 30.0 metres for a portion of a building greater than 13.5 metres in height and 2.0 metres for a stairwell.
iii)	Minimum Interior Side Yard	7.5 metres, except 32.0 metres for a portion of a building greater than 8.0 metres in height and 3.0 metres for a stairwell.
iv)	Maximum Building Height	36.0 metres.

(By-law No. 24-108, June 26, 2024)

880. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 880) Zone, identified on Map No. 1309 and 1310 of Schedule "A" - Zoning Maps and described as 262 McNeilly Road, 1036, 1038, 1054 and 1090 Barton Street, the following special provisions shall apply:

a) The lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 880) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, and not the individual property boundaries of any lots created by registration of Condominium Plan, Part Lot Control or Consent.

b) Notwithstanding Section 3: Definitions as it relates to the definition of "Front Lot Line", for the purpose of this By-law, the lot line abutting Barton Street shall be deemed to be the front lot line.

c) No direct vehicle access shall be provided to individual townhouse or maisonette dwelling units from a public right-of-way with the exception of a private road.

d) Notwithstanding Section 4.23 d), all buildings or structures located on a property shall have a minimum setback of 1.2 metres from a P5 Zone boundary.

e) Section 4.35 shall not apply.

f) Notwithstanding Section 5.1 d) i), required parking for multiple dwellings shall not be located between the facade and the front lot line. In no case shall any parking be located within the required front yard.

g) Section 5.6 e) shall not apply.

h) Notwithstanding the regulations of Paragraphs (d), (e) and (f) of Subsection 4.6 "Permitted Yard Encroachments", the following encroachments shall be permitted:

i) A porch, deck or canopy may encroach into any required front yard a maximum of 2.0 metres or into a required rear yard to a maximum of 3.0 metres.

ii) Balconies may project into a required front yard a distance of not more than 2.0 metres and may project into a required rear yard a distance of not more than 3.0 metres.

iii) A bay window or alcove, without foundation, may encroach into any required yard to a maximum of 0.9 metres. No such feature shall have a width greater than 3.0 metres.

i) Notwithstanding Sections 11.3.1.1, 11.3.2 and 11.3.3, the following shall apply:

i)	Minimum Density	60 units per net hectare
ii)	Maximum Density	75 units per net hectare
iii)	Minimum Lot Area	Shall not apply
iv)	Minimum Front Yard Setback	2.0 metres
v)	Building Setback from a Street Line	1.2 metres; any dwelling located at the intersection of two or more roads will be permitted a minimum yard to a hypotenuse of a daylight triangle of 0.5

		metres to a building and 0.3 metres to an unenclosed porch or deck.
vi)	Minimum Side Yard	1.2 metres
vii)	Minimum Rear Yard	6.0 metres
viii)	Minimum width of a Townhouse Unit	4.8 metres
ix)	Minimum Landscaped Area	10% of the lot area
x)	Minimum Amenity area for Dwelling Units	5.0 square metres per unit, in which the amenity area shall be provided on attached balcony, privacy area adjacent to the dwelling, or rooftop amenity area.
xi)	Minimum Building Height	11 metres
xii)	Maximum Building Height	15 metres

(By-law No. 24-095-OLT, March 26, 2024)

881. Within the lands zoned Mixed Use Medium Density (C5, 881) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 851 Lawrence Road and 2030 King Street East, the following special provisions shall apply:

a) Notwithstanding any other provisions of this By-law, development existing at the date of passing of this by-law shall be deemed to comply.

b) Notwithstanding Section 5.6 c) and 5.6 e) as it relates to Multiple Dwellings and Dwellings Unit(s), the following parking shall be required:

i) A minimum of 1.1 spaces per unit.

(By-law No. 23-202, October 25, 2023)

882. Within the lands zoned Low Density Residential (R1, 882) Zone, identified on Map 1309 and 1310 on Schedule "A" - Zoning Maps and described as 262 McNeilly Road, 1036, 1038, 1054 and 1090 Barton Street, the following special provision shall apply:

a) Notwithstanding Section 4.23 d), all buildings or structures located on a property shall have a minimum setback of 1.2 metres from a P5 Zone boundary.

b) Notwithstanding Section 4.35, the entire yard areas shall be landscaped area other than a driveway, an encroachment or an accessory building permitted by this by-law.

c) Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), (e) and (f) of Subsection 4.6 "Permitted Yard Encroachments", the following encroachments shall be permitted:

i) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances maybe permitted in any required front yard, rear yard, flankage yard, or side yard 1.2 metres wide or greater, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser.

ii) Eaves, troughs or gutters may project into a required side yard a distance of not more than 0.55 metres.

iii) A fire escape or exterior staircase may encroach into a required rear yard to a maximum if 1.5 metres, or to a maximum of half the distance of the required rear yard, whichever is the lesser.

iv) An unenclosed ramp for wheelchair access may encroach into any required yard, except a required side yard, to no maximum distance.

v) A porch, deck or canopy may encroach into any required front yard or rear yard to a maximum of 3.0 metres.

vi) Balconies may project into a required front yard a distance

of not more than 2.0 metres and may project into a required rear yard a distance of not more than 3.0 metres.

vii) A bay window or alcove, without foundation, may encroach into any required yard, except a required side yard, to a maximum of 0.9 metres. No such feature shall have a width greater than 3.0 metres.

d) Notwithstanding Sections 15.1.2.1 a), b), c), d), e), f) and g), the following special provisions shall apply to "Single Detached Dwelling:

i)	Minimum Lot Area	270.0 square metres
ii)	Minimum Lot Width	10.0 metres
iii)	Minimum Setback from the Front Lot Line	4.5 metres to the dwelling, except 6.0 metres to an attached garage.
iv)	Minimum Setback from a Side Lot Line	i) 1.2 metres on one side and 0.6 metres on the other side provided that the combined total for each interior lot is 1.8 metres. ii) 0.6 metres for a corner lot abutting another interior lot with a side yard of 0.6 metres or 1.2 metres, for a minimum total of 1.2 metres between buildings. iii) Minimum yard to the hypotenuse of the daylight triangle of 0.5 metres for a building; 0.3 metres for an unenclosed porch and deck.

v)	Minimum Setback from a Flankage Lot Line	2.4 metres
vi)	Minimum Setback from a Rear Lot Line	7.0 metres
vii)	Maximum Building Height	13.5 metres

e) Notwithstanding Section 15.1.2.3 a), c), d), e), f) and g), the following special provision shall apply to "Street Townhouse Dwelling":

i)	Minimum Lot Area	160.0 square metres for each dwelling unit
ii)	Minimum Setback from the Front Lot Line	4.5 metres to the dwelling, except 6.0 metres to an attached garage.
iii)	Minimum Setback from a Side Lot Line	i) 1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0.0 metre side yard shall be permitted. ii) Minimum yard to the hypotenuse of the daylight triangle of 0.5 metres for a building; 0.3 metres for an unenclosed porch and deck.
iv)	Minimum Setback from a Flankage Lot Line	2.4 metres
v)	Minimum Setback	6.0 metres

	from a Rear Lot Line	
vi)	Maximum Building Height	13.5 metres

(By-law No. 24-095-OLT, March 26, 2024)

883. Within the lands zoned Low Density Residential (R1, 883) Zone, identified on Map 1309 and 1310 on Schedule "A" – Zoning Maps and described as 262 McNeilly Road, 1036, 1038, 1054 and 1090 Barton Street, the following special provisions shall apply:

a) In addition to Section 3: Definitions the following shall be added to the definition of "Lot Width":

Provided, however, in the case of a corner lot where a daylight triangle or a radius has been established, the lot width is to be determined by measuring along the front lot line after the side lot line and the front lot line have been extended to the point of intersection of the two streets.

b) Notwithstanding Section 4.23 d), all buildings or structures located on a property shall have a minimum setback of 1.2 metres from a P5 Zone boundary.

c) Notwithstanding Section 4.35, the entire yard areas shall be landscaped area other than a driveway, an encroachment or an accessory building permitted by this by-law.

d) Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), (e) and (f) of Subsection 4.6 "Permitted Yard Encroachments", the following encroachments shall be permitted:

i) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required, front yard, rear yard, flankage yard, or side yard 1.2 metres wide or greater, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser.

ii) Eaves, troughs, or gutters may project into any required side yard a distance of not more than 0.55 metres.

iii) A fire escape or exterior staircase may encroach into a required rear yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required rear yard, whichever is the lesser.

iv) An unenclosed ramp for wheelchair access may encroach into any required yard, except a required side yard, to no maximum distance.

v) A porch, deck or canopy may encroach into any required front yard or rear yard to a maximum of 3.0 metres.

vi) Balconies may project into a required front yard a distance of not more than 2.0 metres and may project into a required rear yard a distance of not more than 3.0 metres.

vii) A bay window or alcove, without foundation, may encroach into any required yard, except a required side yard, to a maximum of 0.9 metres. No such feature shall have a width greater than 3.0 metres.

e) Notwithstanding Sections 15.1.2.3 a), b), c), d), e), f) and g), the following special provisions shall apply:

i)	Minimum Lot Area	105.0 square metres for each dwelling unit
ii)	Minimum Lot Width	4.6 metres
iii)	Minimum Setback from the Front Lot Line	4.5 metres to the dwelling, except 5.8 metres to an attached garage
iv)	Minimum Setback from a Side Lot Line	1.2 metres when abutting side lot line coincides with two exterior walls, 0.0 metres when abutting side lot lines coincide with a common wall between two dwellings. Minimum yard to the hypotenuse of the daylight

		triangle of 0.5 metres for a building; 0.3 metres for an unenclosed porch and deck.
v)	Minimum Setback from a Flankage Lot Line	2.4 metres
vi)	Minimum Setback from a Rear Lot Line	6.0 metres
vii)	Maximum Building Height	13.5 metres

(By-law No. 24-095-OLT, March 26, 2024)

884. Within the lands zoned Conservation / Hazard Land (P5) Zone, identified on Map No. 581 of Schedule "A' - Zoning Maps, the following special provision shall apply:

a) Notwithstanding Subsection 4.23 d), all buildings or structures located on properties abutting a P5 Zone boundary require no setback from the boundary.

(By-law No. 23-250-OLT, August 04, 2023)

885. Within the lands zoned Low Density Residential (R1, 885) Zone, identified on Map No. 1230 of Schedule "A" - Zoning Maps and as 26 Southcote Road, the following special provisions shall apply:

a) Notwithstanding Section 15.1.2.1 d), the minimum setback from a southerly side lot line shall be 6.0 metres.

(By-law No. 24-041, March 27, 2024)

886. Within the lands zoned Low Density Residential (R1, 886) Zone, identified on Map No. 1230 of Schedule "A" - Zoning Maps and as 26 Southcote Road, the following special provisions shall apply:

a) Notwithstanding Section 15.1.2.1 d), the minimum setback from a northerly side lot line shall be 9.0 metres.

(By-law No. 24-041, March 27, 2024)

887. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map Nos. 1395 and 1446 of Schedule "A" – Zoning Maps and described as 164, 168 and 176 Rymal Road East, Hamilton, the following special provisions shall apply:

a) The building existing on the date of the passing of this By-law located at 164 Rymal Road East, not including accessory structures, shall be retained and adaptively reused in accordance with Sections 11.3.1, 11.3.1.1, 11.3.2 and Sections b) and c) below.

b) Notwithstanding Section 5.2 c) i), 5.6 c) i), 5.7 c), and 5.7 e), as it relates to a Multiple Dwelling, the following regulations shall apply:

i) Tandem parking shall be permitted.

ii) That tandem parking outlined in a) i) above, shall only apply to providing additional parking, supplementary to any required parking.

iii) A parking ratio of 1.47 parking spaces per unit shall be permitted.

iv) 25 short term bicycle parking spaces shall be required.

c) Notwithstanding Section 11.3.1.1 i) 1., 11.3.2 b), 11.3.2 c) and 11.3.2 e) i) and ii), the following regulations shall apply:

i)	Restriction of Uses within a building	Section 11.3.1.1 i), shall not apply for the lands included in Block 2 of Figure No. 38 of Schedule "F" – Special Figures.
ii)	Minimum Rear Yard	1.5 metres

iii)	Minimum Interior Side Yard	A) 3.0 metres for lots abutting a single detached dwelling, semi-detached dwelling or street townhouse dwelling, for the lands included in Block 1 of Figure No. 38 of Schedule "F" – Special Figures. B) 6.0 metres for lots abutting a single detached dwelling, semi-detached dwelling or street townhouse dwelling for the lands included in Block 2 of Figure No. 38 of Schedule "F" – Special Figures.
iv)	Minimum Building Height	6.5 metres
v)	Maximum Building Height	11.0 metres

(By-law 24-023, February 14, 2024)

888. For the lands zoned Low Density Residential (R1, 888) Zone, on Map No. 1284 of Schedule "A"- Zoning Maps and described as 237 Springbrook Avenue, the following special provisions shall apply:

a) Notwithstanding Section 15.1.1, the following use shall be prohibited:

Street Townhouse Dwelling

b) Notwithstanding Section 15.1.2.2 e), the following regulation shall apply:

i) Minimum Setback from Flankage Lot 1.2m Line

c) In addition to Section 15.1.2.1 and 15.1.2.2, the following regulation shall also apply:

i) Maximum Lot Coverage 40 percent

(By-law No. 24-037, March 27, 2024)

892. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, on Map No. 1142 of Schedule "A" – Zoning Maps and described as 651 Queenston Road, the following special provisions shall apply:

a) Notwithstanding Section 4.6 e), a balcony may encroach into any required yard to a maximum of 1.8 metres.

b) Notwithstanding Section 11.4.1.1 i) 1. A., Dwelling Unit(s), Mixed Use and any use accessory thereto shall not be permitted on the ground floor fronting Queenston Road

c) In addition to Section 11.4.1.1 i) 1. A. Dwelling Unit(s), Mixed Use and any use accessory thereto are restricted from fronting onto Queenston Road on the ground floor, not including the hypotenuse of a daylight triangle.

d) In addition to Section 11.4.3, and notwithstanding Sections 11.4.3 a), b), d) and g) x), the following regulations shall apply:

i)	Building Setback from a Street Line	Shall be in accordance with Figure 39 of Schedule F – Special Figures.
ii)	Minimum Rear Yard	Shall be in accordance with Figure 39 of Schedule F – Special Figures.

iii)	Building Height	1. Shall be in accordance with Figure 39 of Schedule F – Special Figures. 2. In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations: A. The wholly enclosed or partially enclosed amenity area shall not exceed 266 square metres of gross floor area. B. The wholly enclosed partially enclosed amenity area shall be setback 7.25 metres from the hypotenuse of a daylight triangle. C. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop

		amenity area shall not be greater than 5.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
iv)	Built Form for New Development	1. The first storey shall have a minimum height of 3.5 metres and a maximum height of 4.5 metres. 2. A minimum of 20% of the west elevations shall be composed of windows and glazing. 3. A minimum of two cladding materials shall be used for the 2nd to 6th storeys of the west elevation located within 5.0 metres of the westerly lot line.
v)	Percentage of two and three Bedroom Units Within Dwelling Unit(s), Mixed Use	1. A minimum of 26.8 percent of the Dwelling Unit(s), Mixed Use shall be units with two bedrooms, and a minimum of 2% of the Dwelling Unit(s), Mixed Use shall be units with three or more bedrooms.

2. Where the application of the requirement in Subsection d) v) 1, above results in a numeric fraction, fractions shall be rounded up to the nearest whole number.

(By-law 24-099-OLT, May 27, 2024)

893. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1247 of Schedule "A" Zoning Maps and described as 118 King Street West, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Sections 5.2 a), 10.5.3 a) ii), 10.5.3 c), 10.5.3 d) ii) and iii), 10.5.3 i) and Section 10.5.3 j), the following shall apply:

i)	Landscape Strip and Visual Barrier Requirement for Parking Lot Adjacent to a Residential Zone	A minimum 1.0 metre landscape strip with no visual barrier shall be provided and maintained along the westerly lot line and a minimum 1.5 metre landscape strip and a Visual Barrier in accordance with Section 4.19 shall be provided and maintained along the northerly lot line.
ii)	Building Setback from a Street Line	Maximum 5.3 metres, except where a visibility triangle is required for a driveway access.
iii)	Minimum Interior Side Yard	6 metres to the building and 4.5 metres to a support column.
iv)	Building Height	1) Maximum 37.5 metres; and, 2) In addition to Section 10.5.3d)i) and notwithstanding Section 10.5.3d)ii), any building height above 11.0 metres may be equivalently increased as the

		yard increases beyond the minimum yard requirement established in Section10.5.3 b) when abutting a Residential or Institutional Zone to a maximum of 37.5 metres.
v)	Planting Strip Requirements	A minimum 1.5 metre wide Planting Strip shall be provided and maintained along the northerly lot line and a 1.0 metre wide Planting Strip shall be provided and maintained along the westerly lot line.
vi)	Visual Barrier Requirement	A visual barrier shall be required along the northerly lot line.

(By-law No. 24-118, June 26, 2024)

894. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1453 of Schedule "A" - Zoning Maps and described as 196, 198, 200 and 202 Upper Mount Albion Road, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 10.5.1, only the following uses shall be permitted:

i)	Permitted Uses	Home Business Multiple Dwelling Financial Establishment Office Personal Service Establishment Restaurant Retail Veterinary Service

b) In addition to Section 10.5.3, the following regulations shall apply:

i)	Maximum Density	460 units per net hectare
ii)	Minimum Landscaped Area	35% of the total Lot Area

c) Notwithstanding Sections 10.5.3 d) i), ii) and iv) B and g) vii), the following regulations shall apply:

iii)	Building Height	Minimum 6.0 metre façade height for any portion of a building along a street line.
iv)	Maximum Building Height	31.0 metres B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the north, south and west exterior walls of the storey directly beneath. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 31 metres from the eastern property line.
v)	Built Form for New Development	A minimum of one principal entrance for residential uses shall be provided at grade and be accessible from a pedestrian walkway connected to the public sidewalk. A minimum of one principal entrance for each commercial unit shall be provided: 1. within the ground floor façade that is setback closest to the street; and, 2. shall be accessible from the building façade with direct access from the public sidewalk.

d) Notwithstanding Section 4.6 e), Balconies shall be permitted to encroach into the required rear yard to a maximum of 1.6 metres and into any other required yard a maximum of 1.0 metre.

(By-law No. 24-154, August 16, 2024)

895. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1593 of Schedule "A" Zoning Maps and described as 1866 Rymal Road East, Glanbrook the following special provisions shall apply:

a) Notwithstanding Section 10.5.4, for the purposes of Special Exception 895, a Retirement Home shall be permitted in accordance with Section 10.5.3 and the following amendments.

b) Notwithstanding Section 10.5.1, only the following uses shall be permitted: Artist Studio, Catering Service, Commercial School, Craftsperson Shop, Child Care Centre, Dwelling Units(s), Emergency Shelter, Financial Establishment, Laboratory, Lodging House, Medical Clinic, Microbrewery, Multiple Dwelling, Office, Personal Services, Place of Worship, Repair Service, Residential Care Facility, Restaurant, Retail, Retirement Home, Social Services Establishment, Tradesperson's Shop, Urban Farmers Market, and Veterinary Service.

c) In addition to Section 10.5.1.1, the following uses shall only be permitted on the ground floor of a mixed use building: Artist Studio, Catering Service, Commercial School, Craftsperson Shop, Child Care Centre, Financial Establishment, Laboratory, Medical Clinic, Microbrewery, Office, Personal Services, Place of Worship, Repair Service, Restaurant, Retail, Social Services Establishment,Tradesperson's Shop, Urban Farmers Market, and Veterinary Service.

d) In addition to Section 10.5.3, and notwithstanding Sections 10.5.3 b), c), d) ii), d) iii), g) vii) 1., and i), the following regulations shall apply:

i) Minimum Rear Yard 14.0 metres.

ii)	Minimum Interior Side Yard	14.0 metres, except 17.0 metres for any portion of a building greater than 18.5 metres in height; 18.5 metres for any portion of a building greater than 22.0 metres in height; and, 20.0 metres for any portion of a building greater than 25.5 metres in height.
iii)	Maximum Building Height	29.0 metres.
iv)	Principal Entrance	A minimum of one principal entrance shall be provided along the Rymal Road East façade.
v)	Planting Strip	A) A minimum 3.0 metre wide Planting Strip shall be provided and maintained along a side lot line; and, B) A minimum 1.5 metre wide Planting Strip shall be provided and maintained along a rear lot line.
vi)	Minimum Density	60 units per net residential hectare.
vii)	Maximum Density	360 units per net residential hectare.

(By-law No. 24-088, June 12, 2024)
(By-law No. 25-155, August 06, 2025)

896. Within the lands zoned Low Density Residential (R1, 896) Zone, identified on Map No. 1334 of Schedule "A" - Zoning Maps and described as 285 and 293 Fiddler's Green Road, Ancaster, the following special provisions shall apply:

a) Notwithstanding Section 3 as it relates to "Front Lot Line" Section a):,

i) With reference to a corner lot, shall mean, at the option of the owner, either of the lot lines abutting a public street.

b) In addition to Section 4.3 b) and notwithstanding Section 4.8 f), and 4.35 a), the following regulations shall apply:

i) Parking, landscaping, waste bins and community mailboxes are permitted within the common element condominium road.

ii) A Molok bin, Earth bin, or other similar container shall be permitted to be erected prior to the erection of a principal building or structure on the lot.

iii) Minimum Landscaped Area in the Front Yard 48%

c) Section 5.1 b) v) shall not apply.

d) Notwithstanding Section 15.1.2.1 e), the Minimum Setback from a Flankage Lot Line for Vacant Land Unit 5 shall be 1.2 metres.

(By-law No. 24-159, September 11, 2024)

897. Within the lands zoned Mixed Use Medium Density (C5) Zone on Map Nos. 1245 and 1298 of Schedule "A" – Zone Maps and described as 399 Greenhill Avenue, the following provisions shall apply:

a) Notwithstanding Section 4.6 d) and in addition to Section 4.19, the following regulations shall apply:

i)	Porch Encroachment	A porch, deck, stairs or canopy may encroach into a required yard to a maximum of 2.5 metres adjacent to Mount Albion Road, and a canopy may encroach into a required yard to a maximum of 2.0 metres adjacent to Greenhill Avenue and Harrisford Street.

ii)	Visual Barrier	For the northerly lot line shared with 30 and 40 Harrisford Street, a fence with a height of 1.0 metres existing on the date of the passing of this By-law shall be considered a Visual Barrier for the purpose of compliance with Section 4.19

b) Notwithstanding Section 5.3.1 d), 5.5.1 a) iii) and in addition to 5.7.1 a), the following regulations shall apply:

i)	Parking Abuts a Residential Zone	A) A minimum 1.5 metre wide landscape strip which shall contain a Visual Barrier in accordance with Section 4.19 of this By-law. B) Notwithstanding i) A) above, for the lot line shared with 30 and 40 Harrisford Street, a minimum 1.5 metre wide landscape strip and a fence with a height of 1.0 metres existing on the date of the passing of this By-law shall be considered a Visual Barrier.
ii)	Loading Spaces	A loading space may be located in a yard abutting a Residential Zone for the northerly lot line shared with 30 and 40 Harrisford Street and, a fence with a height of 1.0 metres existing on the date of the passing of this By-law shall be considered a Visual Barrier for

		the purpose of compliance with Section 5.5.1 a) iii).
iii)	Shared Visitor and Non-Residential Parking Spaces	Visitor parking spaces and non-residential parking spaces may be shared and provided on a non-exclusive basis, and such parking spaces may be used towards the calculation of minimum required visitor parking spaces and non-residential parking spaces in Section 5.7.1 a)

c) Notwithstanding Section 10.5.1, 10.5.1.1 i) 1, 10.5.3 a), 10.5.3 b), 10.5.3.d) i), ii), and iii), 10.5.3 g) v) 2., and 10.5.3 g) vii), and in addition to Section 10.5.3 j), the following regulations shall apply:

i)	Permitted Uses	A) Notwithstanding the list of permitted uses in Section 10.5.1, only the following uses shall be permitted: Day Nursery Dwelling Unit(s) Financial Establishment Multiple Dwelling Office Personal Service Restaurant Retail Veterinary Service
ii)	Restriction of Uses within a Building	A) Section 10.5.1.1 i) 1, shall not apply for the lands included in Block 2 of Special Figure No. 40 of

		Schedule "F" – Special Figures.
		B) Section 10.5.1.1 i) 1), shall not apply to dwelling units that do not front a street line for the lands included in Block 1 of Special Figure No. 40 of Schedule "F" – Special Figure.
iii)	Minimum Setback from a Street Line	A) In accordance with Special Figure No. 40 of Schedule "F" – Special Figures.
		B) Notwithstanding Section iii) A), above, floor area with a maximum depth of 1.5 metres shall be permitted to project into the required building setback above a height of 13.5 metres above grade.
iv)	Minimum Rear Yard	In accordance with Special Figure No. 40 of Schedule "F" – Special Figures.
v)	Minimum North Side Yard Setback	In accordance with Special Figure No. 40 of Schedule "F" – Special Figures.
vi)	Minimum Building Height	A) Minimum 7.5 metre façade height for any portion of a building along a street line.
		B) Notwithstanding vi) A) above, a 5.0 metre

			minimum façade height for any portion of a building along the Harrisford Street line and for a portion of a building fronting onto Greenhill Avenue located within 17.0 metres of the Harrisford Street line shall be permitted.
vii)	Maximum Building Height	A)	12.0 metres
		B)	Notwithstanding vii) A) above, building heights may exceed 12.0 metres in accordance with Special Figure No. 40 of Schedule "F" – Special Figures.
viii)	Principal Entrance	A)	A principal entrance is required within the ground floor façade that is setback closest to a street, for the lands included in Block 1, of Special Figure No. 40 of Schedule "F" – Special Figures.
		B)	A principal entrance shall require direct access from the public sidewalk, for the lands included in Block 2, of Special Figure No. 40 of Schedule "F" – Special Figures.

ix)	Visual Barrier	A fence with a height of 1.0 metre existing on the date of the passing of this By-law shall be considered a Visual Barrier in accordance with the requirements of Section 4.19 of this By-law for the northerly lot line shared with 30 and 40 Harrisford Street.
x)	Percentage of two and three Bedroom Units	A minimum of 30 percent of the dwelling units shall have two bedrooms and a minimum of 5 percent of the dwelling units shall have three or more bedrooms.
xi)	Non-Residential Gross Floor Area	A) A minimum of 1,400 square metres of gross floor area for non-residential uses shall be provided on Block 1 of Special Figure No. 40 of Schedule "F" – Special Figures. B) Non-residential uses required by xi) A) above shall only include the following uses: Day Nursery, Financial Establishment, Office, Personal Service, Restaurant, Retail, Veterinary Service.

d) The following regulations shall apply:

i)	Minimum Required Number of Electric Vehicle Parking Spaces (as defined in By-law 24-052)	A minimum of 25% of all provided parking spaces, excluding visitor and non-residential parking spaces, or the requirement of Section 5 of By-law 05-200, whichever is lesser.

(By-law No. 25-081-OLT, April 15, 2025)

898. Within the lands zoned Low Density Residential (R1) Zone, identified on Map No. 518 of Schedule "A" – Zoning Maps and described as 173 and 177 Dundas Street East, Flamborough, the following special provisions shall apply:

a) Notwithstanding Sections 15.1.2.3 a), b), c), and g), 5.7.4 a), 4.9 a), 4.35 and the definition of "Parking Space, Electric Vehicle" in Section 3:

i)	Minimum Lot Area for Each Dwelling Unit	Minimum 100 square metres for units fronting onto Dundas Street East and a minimum of 140 square metres for all other street townhouses.
ii)	Minimum Unit Width for Each Dwelling Unit	Minimum 4.9 metres for the units adjacent to Dundas Street East and a minimum of 5.3 metres for all other Street Townhouse Dwellings.
iii)	Minimum Setback from the Front Lot Line	Minimum 2.5 metre setback from the street line for the units adjacent to Dundas Street East and a minimum of 4.0 metres for all other Street Townhouse Dwellings.
iv)	Maximum Building Height	11 metres.
v)	Mechanical and Unitary Equipment	Within a required front yard, provided such equipment shall have a minimum setback of 1.7 metres from the street line, a minimum setback of 0.6 metres

		from a side lot line and is screened from the street by an enclosure or landscaping for units adjacent to Dundas Street East, all other street townhouses require a minimum setback of 3.0 metres.
vi)	Landscape Requirements	A minimum of 50% for units adjacent to Dundas Street East and 35% for all other Street Townhouse Dwellings for landscape area in the Front Yard.
vii)	Minimum Electric Vehicle Parking Rate	1 residential parking space per unit, excluding any visitor parking space.
viii)	Definition of Parking Space, Electric Vehicle	Shall mean a parking space that is in proximity to electrical wiring, or to conduit that provides an opportunity for the installation of wiring, to support future electric vehicle charging equipment which is capable of providing Level 2, or greater, electric vehicle charging in accordance with the SAE International J1772 standard.

(By-law No. 24-166, September 25, 2024)

899. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4, 899, H174) Zone, on Map No. 1094 of Schedule "A" -Zoning Maps and described as 2481 Barton Street East, the following special provisions shall apply:

a) Notwithstanding Section 11.4.3 b), c), d) ii), and g) x), and in addition to Section 11.4.3 a), the following regulations shall apply:

i)	Minimum Building Setback from a Street	4.9 metres for any portion of the building exceeding a height of 19.6 metres.
ii)	Minimum Rear Yard	17.5 metres.

iii)	Minimum Easterly Interior Side Yard	A) 13.6 metres from the easterly lot line. B) In addition to 2. a), iii), A) above, 20.5 metres from any portion of a building exceeding a height of 19.6 metres, from the easterly lot line.
iv)	Minimum Westerly Interior Side Yard	A) 3.0 metres from the westerly lot line. B) In addition to 2. a), iv), a) above, 18.0 metres from any portion of the building exceeding a height of 19.6 metres, from the westerly lot line, except for an enclosed stairwell.
v)	Maximum Building Height	57.5 metres.
vi)	First Storey Height	Minimum 3.6 metres and a maximum of 5.0 metres.
vii)	Percentage of Two and Three Bedroom Units	A minimum of 39.0 percent (82 dwelling units) of the Dwelling Units shall be units with two bedrooms and a minimum of 3.9 percent (8 dwelling units) of the Dwelling Units shall be units with three or more bedrooms.

(By-law No. 24-107, June 26, 2024)

900. Within the lands zoned Major Institutional (I1, 900) Zone, identified on Map No. 860 of Schedule "A" – Zoning Maps and described as 245 Mill Street, Dundas, the following special provisions shall apply:

a) In addition to Section 8.1.1, Medical Clinic and Personal Service uses shall be permitted, subject to the requirements of Subsection 8.1.3.1.

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

901. Within the lands zoned Downtown Central Business District (D1, 901) Zone, identified on Map No. 910, of Schedule "A" – Zoning Maps and described as 221 York Boulevard, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 5.1 a) v) a) and b), the following regulations shall apply as it pertains to the existing Commercial Parking Facility:

i)	Location of Parking	Parking spaces and aisles giving direct access to abutting parking spaces shall be permitted to be located as close as 0.0m.
ii)	Planting Strip Requirements	No planting strip shall be provided between a street line and parking spaces and aisles giving direct access to abutting parking spaces.

b) In addition to Section 6.1.1 and notwithstanding Section 6.1.1.1 i) 1. A. and B., the following regulations shall apply as it pertains to the existing Commercial Parking Facility:

i) A Commercial Parking Facility shall be permitted as an accessory use to a Place of Worship;

ii) The Parking Facility shall not be required to be contained within a building; and,

iii) A surface parking lot, located on the lot, shall be permitted in addition to the permitted uses on the ground floor

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

902. Within the lands zoned Neighbourhood Park (P1, 902) Zone, identified on Map No. 827 of Schedule "A" – Zoning Maps and described as 40 Wood Street East, Hamilton, the following special provisions shall apply:

a) In addition to Section 7.1.1, and Notwithstanding Sections 7.1.2 and 7.1.3 d), the following regulations shall be permitted within the P1 Neighbourhood Park Zone:

i)	Permitted Uses	Community Centre
ii)	Maximum Building Gross Floor Area	The Building Gross Floor area existing on the date of the passing of this By-law shall be deemed to comply.

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

903. Within the lands zoned Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, identified on Map Nos. 1228 and 1229 of Schedule "A" - Zoning Maps and described as 259 Wilson Street East, Ancaster, the following special provisions shall apply:

a) Notwithstanding Section 5.1 a) v) b), and 5.2 b), f), the following regulations shall apply:

i)	Design Standards	A) The parking spaces existing on the date of the passing of this By-law shall be a minimum width of 2.6 metres in width and 5.5 metres in length.
		B) The barrier-free parking spaces existing on the date of the passing of this By-law shall have a minimum width of 4.4 metres and a minimum length of 5.5 metres.

b) Notwithstanding Section 10.5a.3 a) i), c), d) ii), i) and j), the following regulations shall apply:

i)	Maximum Building Setback from a Street Line	A) 9.34 metres shall be required for any portion of a building

		existing on the date of the passing of this By-law.
		B) Notwithstanding Section b) i) A) above, Section 10.5a.3 a) i) shall apply to any new building or any addition to an existing building.
ii)	Minimum Side Yard	A) 1.0 metres abutting a Residential or Institutional Zone or lot containing a residential use shall be required for any portion of a building.
		B) Notwithstanding Section b) ii) A) above, Section 10.5a.3 c) shall apply to all new buildings, additions, or expansions.
iii)	Maximum Building Height	A) The building height of the building existing on the date of the passing of this By-law shall be permitted.
		B) Notwithstanding Section B) iii) A) above, a maximum Building Height of 9.0 metres shall apply to all new buildings, additions, or expansions.
iv)	Planting Strip Requirements	Shall not apply along the northerly lot line.
v)	Visual Barrier Requirement	Shall not apply along the northerly lot line.

(By-law No. 24-132, July 12, 2024)

904. Within the lands zoned District Commercial (C6, 904) Zone, identified on Map No. 1251 of Schedule "A" - Zoning Maps and described as 365 Highway No. 8, Stoney Creek, the following special provisions shall apply:

a) In addition to Section 10.6.1.1 and notwithstanding Section 10.6.1.1 i), the following regulations shall apply:

i) Dwelling Units shall not be permitted on the portion of the ground floor facing a street.

b) In addition to Section 10.6.3 and notwithstanding Section 10.6.3 c) ii), and d), the following shall apply:

ii)	Minimum Interior Side Yard	7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
iii)	Building Height	A) Minimum 7.5 metre façade height for any portion of a building along a street line; B) Maximum 28.5 metres; and, C) In addition to Subsection A) above and notwithstanding Subsection B) above, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.6.3 b) when abutting a Residential Zone to a maximum of 28.5 metres. D) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost

		point of the building, subject to the following regulations: A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath; B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and, C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
	iv) Minimum Amenity Area for Dwelling Unit(s), Mixed	A. An area of 4.0 square metres for each dwelling unit less than or equal to

	Use	50 square metres of gross floor area; and,
		B) An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.
		C) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface and exposed to light and air.
v)	Minimum Gross Floor Area for Commercial Uses	270 square metres

c) In addition to Section 5.6(c), the following parking schedule shall apply for a Dwelling Unit, Mixed Use:

a. Dwelling Units less than 50.0 square metres in Gross Floor Area:

Minimum:	Maximum:
0.3 per unit	1.25 per unit

b. Dwelling Units greater than 50.0 square metres in Gross Floor Area:

	Minimum	Maximum
1 – 14 units:	0.7 per unit	1.25 per unit
15 – 50 units:	0.85 per unit	1.25 per unit
51+ units:	1.0 per unit	1.25 per unit

d) In addition to Section 5.7(c) and (e), the following bicycle parking

schedule shall apply for a Dwelling Unit, Mixed Use:

a. Short-Term Spaces: 5

b. Long-Term Spaces: 0.5 per dwelling unit

(By-law No. 24-134, July 12, 2024)

905. Within the lands zoned Conservation / Hazard Land (P5, 905) Zone, identified on Map No. 479 and 480 of Schedule "A" and described as 909 North Waterdown Drive, the following special provision shall apply:

Notwithstanding Subsection 4.23 d), buildings or structures located on a property may be setback a minimum of 0.0 metres from the west and south side of the Conservation/Hazard Land (P5, 905) Zone boundary.

(By-law No. 24-238-OLT, December 11, 2023)

906. Within the lands zoned Community Commercial (C3) Zone, identified on Map No. 1595 of Schedule "A" - Zoning Maps and described as 2064 and 2070 Rymal Road East, Glanbrook, the following special provisions shall apply:

a) In addition to Section 3, the following definition shall apply:

Building Height	Any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations: 1. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;

	2. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and, 3. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

b) Notwithstanding Section 5.2.1 c), loading doors and associated loading facilities accessory to a multiple dwelling shall not be permitted within 3.2 metres of a lot line abutting a Residential Zone or Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.

c) In addition to Section 5.6 c) iv), the number of required parking spaces for commercial uses with a gross floor area of 1,100 square metres or less within a multiple dwelling shall be 13.

d) Notwithstanding Section 5.6 c) i), as it relates to a Multiple Dwelling:

i)	Dwelling Unit less than 50.0 square metres in gross floor area	A. Minimum 0.3 per unit B. Maximum 1.25 per unit
ii)	Dwelling Units greater than 50.0 square metres in gross floor area	A. Minimum: 1. 1 – 14 units 0.7 per unit

2. 15 – 50 units 0.85 per unit

3. 51 + units 1.0 per unit

B. Maximum 1.25 per unit

e) In addition to Section 5.2 f), in the case of two barrier free parking spaces on opposite sides of a shared 1.5 metre accessibility aisle, each parking space shall have a minimum width of 3.4 metres.

f) Notwithstanding Section 10.3.1, the following uses shall be permitted;

Artist Studio
Commercial Entertainment
Commercial Recreation
Commercial School
Craftsperson Shop
Day Nursery
Dwelling Unit(s)
Emergency Shelter
Financial Establishment
Lodging House
Medical Clinic
Microbrewery
Motor Vehicle Service Station
Motor Vehicle Washing Establishment
Multiple Dwelling
Office, Personal Services
Performing Arts Theatre
Place of Worship
Repair Service
Residential Care Facility
Restaurant, Retail
Retirement Home
Social Services Establishment
Tradesperson's Shop
Urban Farmers Market
Veterinary Service

g) In addition to Section 10.3.1.1 and notwithstanding Section 10.3.1.1 ii), the following regulations shall apply:

i) Residential Care Facility or Retirement Home:

Maximum Capacity for a Residential Care Facility or Retirement Home shall be 50 residents.

ii) Restriction of Residential Uses within a Building

1. The finished floor elevation of any Dwelling Unit shall be a minimum of 0.9 metres above grade; and,

2. Notwithstanding 1. above. Dwelling Unit(s) shall be permitted in a basement or cellar.

h) In addition to Section 10.3.3 and notwithstanding Sections 10.3.3 a) i,) b), c), d), e), g), and i) ii), the following regulations shall apply:

i)	Building Setback from a Street Line	Minimum 3.0 metres for a building with Dwelling Units on the ground floor facing a street.
ii)	Minimum Rear Yard	13.0 metres, except

A. 16.0 metres for any portion of a building greater than 14.0 metres in height;

B. 20.0 metres for any portion of a building greater than 17.0 metres in height;

C. 24.0 metres for any portion of a building greater than 20.0 metres in height;

D. 28.0 metres for any portion of a building greater than 23.0 metres in height;

E. 32.0 metres for any portion of a building greater than 26.0 metres in height; and,

		F. 36.0 metres for any portion of a building greater than 29.0 metres in height.
iii)	Minimum Interior Side Yard	29.0 metres abutting a Residential or Institutional Zone
iv)	Building Height	A. Minimum 4.5 metre façade height for any portion of a building along a street line; and, B. Maximum 32.5 metres
v)	Maximum Lot Area	16,000.0 square metres.
vi)	Maximum Total Gross Floor Area for Commercial Uses	Not Applicable
vii)	Built Form for New Development	The minimum width of ground floor façade facing the front lot line shall be greater than or equal to 30.0 metres.
v)	Maximum Number of Dwelling Units	230

i) In addition to Section 10.3.3, the following regulations shall apply to an Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement Home, or Social Service Establishment:

i)	Minimum Side and Rear Yard	7.5 metres
ii)	Maximum Building Height	22.0 metres
iii)	Minimum Landscaped Area	10% of the total Lot Area

(By-law No. 24-151, August 16, 2024)

907. Within the lands zoned Community Commercial (C3) Zone, identified on Map No. 1595 of Schedule "A" - Zoning Maps and described as 2064 and 2070 Rymal Road East, Glanbrook, the following special provisions shall apply:

a) Notwithstanding Section 5.6 c) iv), a minimum of 1 parking space for each 24.0 square metres of gross floor area, except for a Motor Vehicle Service Station (oil and lube service station only) or a Motor Vehicle Washing Establishment, 0 parking spaces are required.

b) Notwithstanding Section 10.3.1, the following uses shall be permitted:

Artist Studio
Commercial Entertainment
Commercial Recreation
Commercial School
Craftsperson Shop
Day Nursery
Dwelling Unit(s)
Emergency Shelter
Financial Establishment
Lodging House
Medical Clinic
Microbrewery
Motor Vehicle Service Station
Motor Vehicle Washing Establishment
Multiple Dwelling
Office, Personal Services
Performing Arts Theatre
Place of Worship
Repair Service
Residential Care Facility
Restaurant, Retail
Retirement Home
Social Services Establishment
Tradesperson's Shop
Urban Farmers Market
Veterinary Service

c) In addition to Section 10.3.1.1 and notwithstanding Section 10.3.1.1 ii), the following regulations shall apply:

i) Residential Care Facility or Retirement Home

Maximum Capacity for a Residential Care Facility or Retirement Home shall be 50 residents.

ii) Restriction of Residential Uses within a Building:

1. The finished floor elevation of any Dwelling Unit shall be a minimum of 0.9 metres above grade; and,

2. Notwithstanding 1. above, Dwelling Unit(s) shall be permitted in a basement or cellar.

d) In addition to Section 10.3, the following regulations shall apply to an Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement Home, or Social Service Establishment:

i)	Minimum Side and Rear Yard	7.5 metres
ii)	Maximum Building Height	22.0 metres
iii)	Minimum Landscaped Area	10% of the total Lot Area

e) In addition to Section 10.3.3 and notwithstanding Sections 10.3.3 a) i), a) ii), e), and g), the following regulations shall apply:

i)	Building Setback from a Street Line	Minimum 3.0 metres for a building with Dwelling Units on the ground floor facing a street.
ii)	Building Setback from a Street Line	Maximum 25.0 metres for a commercial use existing at the date of the passing of this by-law.
iii)	Maximum Lot Area	16,000.0 square metres
iv)	Maximum Total	Not applicable

	Gross Floor Area for Commercial Uses	
v)	Maximum Density	0 units per net hectare

f) In addition to Section 10.3.3, the following regulations shall apply to an Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement Home, or Social Service Establishment:

i)	Minimum Side and Rear Yard	7.5 metres
ii)	Maximum Building Height	22.0 metres
iii)	Minimum Landscaped Area	10% of the total Lot Area

(By-law No. 24-151, August 16, 2024)

909. Within the lands zoned Downtown Mixed Use - Pedestrian Focus (D2) Zone, identified on Map No. 869 and 911 of Schedule "A" - Zoning Maps and described as 309 and 325 James Street North, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 5.2 a), no landscape strip containing a visual barrier shall be provided along the westerly lot line where the parking area abuts a Residential Zone.

b) Notwithstanding Section 6.2.3 b) ii), the following regulation shall apply:

i)	Maximum Building Height	1.	44.0 metres

(By-law No. 24-149, August 16, 2024)
(By-law No. 25-155, August 06, 2025)

910. For the lands zoned Low Density Residential – Small Lot (R1a, 910) Zone, on Map Nos. 1397, 1398, and 1449 of Schedule "A" – Zoning Maps and described as 61 Eleanor Avenue, the following special provisions shall apply:

a) Notwithstanding Section 15.2.2.1 d) e), and f) and Section 15.2.2.2 f), the following regulations shall apply:

Minimum Setback from a Side Lot Line	1.2 metres for a Single Detached Dwelling, except that the minimum interior side yard may be reduced to 0.6 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres.
Minimum Setback from a Flankage Lot Line	1.2 metres
Minimum Setback from the Rear Lot Line	6.5 metres

(By-law No. 24-187, October 23, 2024)

912. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map No. 1394 of Schedule "A" – Zoning Maps and described as 1600 Upper James Street, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 4.6, the following regulations shall apply:

i) Permitted Yard Encroachments — No part of any required yard shall be obstructed except as follows:

A) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard for any portion of a building greater than 21.0 metres in height, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser.

B) A fire escape or exterior staircase may encroach into a required side or rear yard for any portion of a building greater than 21.0 metres in height to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser.

C) An unenclosed ramp for wheelchair access may encroach into any required yard to no maximum distance.

D) A porch, deck or canopy may encroach into any required yard for any portion of a building greater than 21.0 metres in height to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser.

E) A balcony may encroach into any required yard for any portion of a building greater than 21.0 metres in height to a maximum of 1.5 metres.

b) In addition to Section 11.1.3 and a) and notwithstanding Section 11.1.3 b), c), d) ii), and d) iii), the following regulations shall apply:

i) Building Setback from a Street Line

A) Minimum 4.8 metres from a lot line abutting Upper James Street for any portion of a building greater than 21.0 metres in height; and,

B) Minimum 2.5 metres from a lot line abutting Rymal Road West for any portion of a building greater than 21.0 metres in height.

ii)	Minimum Interior side Yard	7.5 metres, except 9.0 metres for any portion of a building greater than 21.0 metres in height and 12.5 metres for any portion of a building greater than 40.5 metres in height.
iii)	Minimum Building Setback from a Rear Lot Line	2.0 metres, except 12.5 metres for any portion of a building greater than 21.0 metres in height.
iv)	Maximum Building Height	65.0 metres.
iiv)	Percentage of two and three Bedroom Units Within Dwelling Units(s), Mixed Use	A) A minimum of 17 percent of the Dwelling Unit(s), Mixed Use shall be units with two or three bedrooms. B) Where the application of a) iv) A) above results in a numeric fraction, the fraction shall be rounded up to the nearest whole number.

(By-law No. 24-164, September 25, 2024)

913. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 913, H183) Zone, identified on Map No. 1447 of Schedule "A" – Zoning Maps and described as 544 and 550 Rymal Road East, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 5.6 c), as it relates to the parking spaces within Multiple Dwelling in a Transit Oriented Corridor Zone, the parking ratio shall be 0.5 parking spaces per residential unit and 0.15 visitor parking spaces per residential unit;

b) In addition to Section 11.3.2 and notwithstanding Sections 11.3.1.1i)1, 11.3.2 a) and c), 11.3.2 e) i) ii) and iii) and 11.3.2 f) ii), iii) and v), the following regulations shall apply:

i) The finished floor elevation of any dwelling unit shall be at least 0.0m above grade.

ii)	Building Setback from a Street Line	Minimum 3.0 metres; except in accordance with Figure No. 42 of Schedule "F" – Special Figure.
iii)	Minimum Interior Side Yard abutting a single detached dwelling	4.0 metres
iv)	Building Height	Shall be in accordance with Figure No. 42 of Schedule "F" – Special Figures.
v)	Built Form for New Development	A maximum of one 7.5 metre wide driveway shall be permitted for ingress and egress.
vi)	Building Separation	A minimum 21.5 metres separation shall be provided between buildings as shown on Figure No. 42 of Schedule "F" – Special Figures.
vii)	Minimum percentage of two (2) and three (3) bedroom units	A minimum 20% of the total number of residential units shall be constructed as two (2) bedroom units and a minimum of 5% of the total number of residential units shall be constructed as three (3) bedroom units.

(By-law No. 24-183-OLT, August 15, 2024)

914. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 914, H184) Zone, identified on Map No. 1447 of Schedule "A" –

Zoning Maps and described as 544-550 Rymal Road East, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 5.6 c), as it relates to the parking spaces within Multiple Dwelling in a Transit Oriented Corridor Zone, the parking ratio shall be 0.5 parking spaces per residential unit and 0.15 visit parking spaces per residential unit;

b) Notwithstanding Sections 11.3.1.1 i)1., 11.3.2 a) and c), 11.3.2 e)i)ii) and iii), the following regulations shall apply:

i)	The finished floor elevation of any dwelling unit shall be permitted below grade.	
ii)	Building Setback from a Street Line	Minimum 6.0 metres
iii)	Minimum Interior Side Yard abutting a single detached dwelling	Minimum 6.0 metres
iv)	Building Height	Maximum 11.6 metres

(By-law No. 24-183-OLT, August 15, 2024)

915. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 915, H186) Zone, identified on Map Nos. 1043 and 1089 of Schedule "A" – Zoning Maps, and described as 1284 Main Street East, Hamilton, the following special provisions shall apply:

a) Notwithstanding Sections 4.6 d) and e) and Section 4.16 b), the following regulations shall apply:

i)	Permitted Yard Encroachments	1. Balconies may encroach into any required yard to a maximum of 1.8 metres.
		2. A porch, deck or canopy may encroach into any required yard to a maximum of 2.0 metres.

ii)	Consolidated Lot Development	Where a comprehensive condominium plan of subdivision has received draft plan approval or a conditional stratified severance has been approved, as well as any required site plan approval, and where registration of the plan is intended to occur in phases and/or stages, the lands to which the draft approved plan of condominium is to be located, shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall condominium plan, and not to internal lot lines resulting from the registration of any condominium phase or stratified severance.

b) Notwithstanding Sections 5.2.4 c), 5.7.2, and 5.7.5, the following provisions shall apply:

i)	Tandem Parking	Tandem Parking may be permitted at-grade.
ii)	Maximum Parking Rate for Multiple Dwelling, and Dwelling Unit, Mixed Use	In Parking Rate Area 1 (PRA 1), 1.2 spaces per unit, inclusive of resident and visitor parking spaces.
iii)	Minimum Short-term Bicycle Parking for Multiple Dwellings	0.05 spaces per unit.
iv)	Minimum Long-term Bicycle Parking for Multiple Dwellings	0.5 space per unit.

c) Notwithstanding Section 11.1.1.1 i) 1., 11.1.3 a) i) and a) ii), b), d) i), d) ii) and iv) C., g) v) and vii), the following regulations shall apply:

i)	Minimum Finished Floor Elevation of any dwelling unit	0.1 metres above grade.
ii)	Building Setback from a street line	Shall be in accordance with Figure No. 41 of Schedule "F" – Special Figures.
iii)	Minimum Rear Yard	Shall be in accordance with Figure No. 41 of Schedule "F" – Special Figures.
iv)	Building Height	Shall be in accordance with Figure No. 41 of Schedule "F" – Special Figures.
v)	Height of wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area	Not greater than 4.5 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
vi)	Maximum Driveway Width	7.5 metres
vii)	Principal Entrance Location	Shall not apply to buildings not fronting on a public street.
viii)	Percentage of two and three bedroom units	1. A minimum of 10.5% of the dwelling units shall have two or more bedrooms and an additional minimum of 2.4% of the dwelling units shall have three or more bedrooms. 2. Where the application of the requirement of Subsection c) viii) 1. above results in a numerical fraction, fractions

		shall be rounded down to the nearest whole number.
ix)	Minimum Setbacks for Underground Parking Garage	39.0 metres from the northerly lot line as existing on the date of the passing of this By-law. 3.0 metres from the easterly and westerly lot lines. 2.0 metres from the southernly lot line.

(By-law No. 24-194-OLT, November 5, 2024)

916. Within the lands zoned Settlement Residential (S1, 916) Zone, identified on Map No. R65 of Schedule "A" - Zoning Maps and municipally described as 1278 Old Highway 8, Flamborough, the following special provisions shall apply:

a) In addition to Section 12.3.1, permitted uses, excluding accessory structures, shall be limited to the building existing at the date of the passing of this By-law, shall be retained and adaptively reused in accordance with Sections 12.3.2, 12.3.3 and Section b) below.

b) Notwithstanding Subsection 12.3.3 a) b) and f), the following provisions shall apply for the building existing on the date of the passing of this By-law:

i)	Minimum Lot Area	0.17 hectares
ii)	Minimum Lot Width	26.9 metres
iii)	Maximum Building Height	A) The building height of the building existing on the date of the passing of this By-law. B) Notwithstanding Section b) iii) A) above, a maximum building height of 10.5

	metres shall apply to all new buildings.

(By-law No. 25-071, April 16, 2025)

918. For the lands zoned Low Density Residential – Small Lot (R1a, 918) Zone, on Map Nos. 1397 and 1398 of Schedule "A" – Zoning Maps and described as 760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor avenue, the following special provisions shall apply:

a) Notwithstanding Section 15.2.2.1 a) d), and e) the following regulations shall apply:

Minimum Lot Area	260.0 square metres
Minimum Setback from a Side Lot Line	1.2 metres for a Single Detached Dwelling, except that the minimum interior side yard may be reduced to 0.6 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres and the appropriate easements for access are created.
Minimum Setback from a Flankage Lot Line	1.5 metres

(By-law No. 24-227, December 11, 2024)

919. Within the lands zoned Airport Related Business (M8, 919) Zone, identified on Map Nos. 1747 and 1784 of Schedule "A" – Zoning Maps and described as 9555 Airport Road West, Glanbrook, the following special provisions shall apply:

a) The lands zoned Airport Related Business (M8, 919) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law, Zoning provisions shall apply only to the external lot lines of the overall lands, not internal lot lines resulting from any future severance of Part Lot Control.

b) In addition to Section 9.8.1, Warehouse shall be permitted.

c) In addition to the regulations of Section 9.8.3, the following regulations shall apply to a Warehouse:

i)	Minimum Yard Abutting a Residential Zone	A) 20 metres from any portion of a property lot line abutting a property lot line within a Residential Zone.
		B) In addition to Section 5.5.1 and notwithstanding A) above, a loading space, loading doors or loading facilities shall be a minimum of 70 metres from any portion of a property lot line abutting a property lot line within a Residential Zone.
ii)	Maximum Building Height	15.6 metres and in accordance with the regulations of Section 4.17 of this Bylaw.
iii)	Landscaped Area	Abutting Highway No.6 – Minimum of width of 1.0 metre. Abutting Street 'A' – Minimum width of 3.0 metres.

(By-law No. 24-232, December 11, 2024)

920. Within the lands zoned Conservation / Hazard Land (P5, 920) Zone, identified on Map Nos. 1747 and 1784 of Schedule "A" and described as 9555 Airport Road West Drive, the following special provisions shall apply:

a) Notwithstanding Section 4.23 d), all buildings or structures located on a property shall have a minimum setback of 0.0 metres from the east side of the Conservation / Hazard Land (P5, 920) Zone boundary.

(By-law No. 24-232, December 11, 2024)

921. For the lands zoned Low Density Residential – Small Lot (R1a, 921) Zone, on Map Nos. 1397 and 1398 of Schedule "A" – Zoning Maps and

described as 153 and 224 Eaglewood Drive, the following special provisions shall apply:

a) Notwithstanding Section 15.2.2.1 d), the following regulations shall apply:

Minimum Setback from a Side Lot Line	1.8 metres from the westerly lot line.
	0.6 metres for the easterly lot line provided the abutting lot has a minimum side yard of 1.2 metres and the appropriate easements for access are created.

(By-law No. 24-227, December 11, 2024)

922. Within the lands zoned Community Commercial (C3, 922) Zone identified on Map No. 1552 of Schedule "A" – Zoning Maps and described as 157 Upper Centennial Parkway, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 10.3.1.1 ii), a Dwelling Unit (s), Mixed Use shall be permitted above the ground floor except for access, accessory office and utility areas, and shall not occupy more than 75% of the total gross floor area of all the building(s) within the lot.

b) Notwithstanding Section 10.3.3 i) vii), one principal entrance shall not be required.

c) Notwithstanding Section 5.7.4(a)(i), no electric vehicle parking spaces shall be required.

(By-law No. 24-217-OLT, November 19, 2024)

923. Within the lands Zoned Transit Oriented Corridor – (TOC 4,923, H191), identified on Maps No 909 of Schedule A – Zoning Maps and described as 200 Market Street, 55 Queen Street North and 125 Napier Street, the following special provisions shall apply:

i) Notwithstanding the definition of Front Lot Line, the Lot Line abutting Queen Street North shall be deemed the Front Lot Line.

ii) Notwithstanding Section 4.6 e) a balcony may project into any required yard a maximum 1.5 metres from any building wall.

iii) Notwithstanding Section 4.8 g) a maximum height for an accessory building shall be 7.5 metres from average grade.

iv) Notwithstanding Section 4.8.1.3 b), and accessory building shall be permitted to be setback a minimum of 1.0 metres from any property line.

v) Notwithstanding the definition of Planting Strip, an accessory building shall be permitted to be located within a Planting Strip.

vi) Notwithstanding Section 11.4.1.1 and 11.4.3, d) i), (ii), (iii) and iv), g) ii), g) iii), g) iv), g) viii) and i) the following provisions shall apply:

a) Commercial use(s) with a minimum of 1,026 square metres of Gross Floor Area shall be required within the ground floor of the portion of the building with frontage required along Queen Street North

b) The maximum building height shall be in accordance with Schedule "F" – Special Figure 43.

c) The building location shall be in accordance with Schedule "F" – Special Figure 43.

d) For any portion of a building between 11.0 metres and 22.0 metres in height, the following special provisions shall apply:

i) Any building height above 11.0 metres to a maximum of 22.0 metres may be equivalently increased as the rear yard increases beyond 7.5 metres when abutting a Residential or Institutional Zone.

vii) In addition to Section 11.4.3, a minimum 25% of the total number of residential units shall be in the form of two bedrooms or greater.

(By-law No. 24-241-OLT, December 19, 2024)

924. Within the lands zoned Conservation/Hazard Land Rural (P6) Zone, identified on Map No. 152 of Schedule "A" – Zoning Maps and described as 475 Powerline Road, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 7.6.2.3 (a) i), one single detached dwelling shall be permitted.

b) Notwithstanding Section 4.6, the following regulations shall apply:

i. A porch, deck or canopy may encroach into any required yard to a maximum of 3.0 metres.

ii. A balcony may encroach into any required yard to a maximum of 3.0 metres.

c) Notwithstanding Section 12.1.3.3 c), the following regulations shall apply:

i. Maximum Building Height shall be 12.0 metres.

(By-law No. 25-032, March 05, 2025)

925. Within the lands zoned Community Institutional (I2, 925) Zone, identified on Map No. 1344 of Schedule "A" - Zoning Maps and described as 420 Crerar Drive, Hamilton the following special provisions shall apply:

a) In addition to Section 8.2.1, a Private Club or Lodge shall also be permitted.

b) That Section 8.2.3.2 shall also apply to a Private Club or Lodge.

(By-law No. 25-051, March 26, 2025)

926. Within the lands zoned Transit Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map Nos. 1186 and 1240 of Schedule "A" – Zoning Maps and described as 499 Mohawk Road East, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 4.6 d), 4.6 e), and 4.35 the following regulations shall apply:

i)	Permitted Yard Encroachments	No part of any required yard shall be obstructed except as follows:

A) A porch, deck or canopy may encroach into any required yard to **a maximum of 3.0 metres.**

B) A balcony may encroach into any required yard to a maximum of 2.0 **metres.**

b) In addition to Section 11.1.1 and notwithstanding Sections 11.1.2 i), 11.1.3 a), b), c), d), and g) iii) and v), the following regulations shall apply:

i) A Semi-Detached Dwelling and Street Townhouse Dwelling shall also be permitted.

ii) Notwithstanding Section 11.1.1, the following uses are prohibited, even as an accessory use: Drive-Through Facility, Duplex Dwelling, Motor Vehicle Dealership, Motor Vehicle Gas Bar, Motor Vehicle Rental Establishment, Motor Vehicle Service Station, Motor Vehicle Washing Establishment, and Single Detached Dwelling.

iii)	Building Setback from a Street Line	Minimum 3.0 metres for ground floor residential units facing a street.
iv)	**Minimum Rear** Yard	6.5 metres
v)	**Minimum Interior** Side Yard	6.5 metres
vi)	**Minimum** Separation	A) 3.0 metres for any portion of a building to a maximum of 11.0 metres in height.

	Distance Between Buildings	B) 15.0 metres for any portion of a building greater than 11.0 metres in height to a maximum of 40.0 metres in height to any portion of another building greater than 11 metres in height to a maximum of 40 metres in height. C) 25.0 metres for any portion of a building greater than 40.0 metres in height to any portion of another building greater than 40 metres in height.
vii)	Minimum Building Setback from a Property Line	In addition to the above, for the lands identified on Figure No. 44 of Schedule F – Special Figures minimum building setbacks from a property line shall be in accordance with Figure No. 44.
viii)	Minimum Building Stepback	For the lands identified on Figure No. 44 of Schedule F – Special Figures minimum building stepbacks shall be in accordance with Figure No. 44.
ix)	**Maximum** Building Height	11 metres, except for lands identified on Figure No. 44 of Schedule F – Special Figures maximum building height shall

		be in accordance with Figure No. 44.
x)	Balcony Projections	In addition to the above, a balcony may project to a maximum of 2.0 metres.
xi)	Maximum Floor Plate	750.0 square metres for any portion of a building greater than 40.0 metres in height.
xii)	**Minimum Gross** Floor Area for Commercial Uses	1,000.0 square metres.
xiii)	Percentage of Two and Three Bedroom Units Within Dwelling Unit(s), Mixed Use and Multiple Dwelling	A) A minimum of 23.0 percent of the Dwelling Unit(s), Mixed Use and Multiple Dwellings shall be units with two or three bedrooms. B) Where the application of b) viii) A) **above results in a numeric fraction**, the fraction shall be rounded down to the nearest whole number.
xiii)	Percentage three Bedroom Units Within Dwelling Units(s), Mixed Use and Multiple Dwelling	A) A minimum of 3.1 percent of the Dwelling Unit(s), Mixed Use and Multiple Dwellings shall be units with three bedrooms.

B) Where the application of b) ix) A) **above results in numeric fraction**, the fraction shall be rounded down to the nearest whole number.

(By-law No. 25-058-OLT, March 21, 2025)

927. Within the lands zoned Downtown Central Business District (D1, 927) identified on Maps 953 and 995 of Schedule "A" – Zoning Maps and described as 117 Jackson Street East, Hamilton, the following special provisions shall apply:

a) That notwithstanding Section 6.0 c) i) and Schedule "F" – Special Figure No. 15 – Building Base Façade Height, a maximum building base façade height for Catharine Street South and Jackson Street East of 16.0 metres shall be permitted;

b) That notwithstanding Section 6.0 c) i) and Subsection a) above, no stepback is required from the building base façade height to a maximum of 20% of the exterior façade for each tower;

c) That notwithstanding Section 6.1.3.b ii) and Schedule "F" – Special Figures No. 1, a maximum building height of 124.0 metres shall be permitted for the easterly tower and a maximum building height of 97.0 metres shall be permitted for the westerly tower.

(By-law No. 25-105-OLT, May 15, 2025)

929. Within the lands zoned Mixed Use Medium Density (C5, 929) Zone, identified on Map No. 954 of Schedule "A" – Zoning Maps and described as 87 to 109 Ashley Street, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 5.2.1 b) and 5.2.3 as it relates to a 90 degree parking angle, the following regulations shall apply:

i)	Required Increase in Width due to	Where a wall, column, or any other obstruction is located

	Obstruction	abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction. In a situation where a wall, column, or any other obstruction is abutting a surface parking space on both sides, the minimum width of a parking space shall be increased by 0.3 metres.

ii) Minimum Drive Aisle Width

Parking Angle Degree	One-Way and Two-Way Aisle Width
0º	3.7 m
15º	3.7 m
30º	3.7 m
45º	4.5 m
60º	5.5 m
75º	6.0 m
90º	3.0 metres subject to the approval of a maintenance agreement registered on title with the City of Hamilton. If no agreement is registered, then a minimum driveway width of 6.0 metres shall be required.

b) Notwithstanding Section 10.5.3 b) and g) vii), the following regulation shall apply:

b)	Minimum Rear Yard Setback	4.3 metres
g) vii)	Built Form for New Development	A principal entrance shall be located within 11.3 metres from the front lot line and shall be accessible from the street.

(By-law No. 25-063, April 16, 2025)

933. Within the lands zoned Mixed Use Medium Density (C5, 933) Zone, identified on Map No. 954 of Schedule "A" - Zoning Maps and described as 120 Wentworth Street North, Hamilton the following special provisions shall apply:

a) That notwithstanding Section 3 - Definitions, as it relates to "Existing", for the purposes of this By-law, "Existing" shall mean existing on the date of passing of this By-law, including the enlargement or extension thereof, and shall include the following:

a) The front (south) and side (west) exterior brick façades of the 1924 Sanctuary, including its:

a. 1953 front (south) addition with its gabled front parapet, three-bay façade with central raised entrance with decorative door surround, and various cast stone decorative elements throughout;

b. Hip roofline on the side (west) elevation with the projecting gabled central brick parapet wall; and,

c. Round-headed window openings with brick voussoirs throughout.

b) That notwithstanding the permitted uses of Section 10.5.1, only the following uses shall be permitted in conjunction

with the building existing on the date of passing of this By-law:

Artist Studio
Catering Service
Commercial Recreation
Craftsperson Shop
Day Nursery
Dwelling Unit(s)
Emergency Shelter
Lodging House
Medical Clinic
Multiple Dwelling
Office
Personal Service (NOT FINAL & BINDING: By-law No. 24-137, July 12, 2024)
Performing Arts Theatre
Place of Assembly
Place of Worship
Repair Service
Residential Care Facility
Restaurant
Retail
Retirement Home
Social Services Establishment
Urban Farmers Market
Veterinary Service

c) Notwithstanding Section 10.5.3 a) i), b), c), g) vii), and i), and in addition to 10.5.3 a), the following regulations shall apply:

a)	Building Setback from a Street Line	i) Minimum 2.7 metres except 1.0 metre to the hypotenuse of a daylight triangle for a building with residential units on the ground floor.

b)	Minimum Rear Yard	2.5 metres
c)	Minimum Interior Side Yard	1.2 metres abutting a Residential or Institutional Zone or lot containing a residential use.
g)	Built form for New Development	vii) A minimum of one principal entrance shall be accessible from a building façade with direct access from the public sidewalk.
l)	Landscaped Area Requirements	i) Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 0.3 metre wide Landscaped Area shall be provided and maintained.
		ii) Notwithstanding i) above, where a parking space abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, no Landscaped Area shall be required.

(By-law No. 25-069, April 16, 2025)

935. Within the lands zoned Low Density Residential (R1, 935) Zone, identified on Map No. 1310 of Schedule "A" – Zoning Maps and described as 255 Lewis Road, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 4.35 a), the following regulation shall apply:

a) A minimum 40% Landscaped Area in the Front Yard

b) Notwithstanding Section 15.1.2.3 g), the following regulation shall apply:
g) Maximum Building Height 11.75 metres

(By-law No. 25-214, November 19, 2025)

937. Within the lands zoned Open Space (P4, 937) Zone, identified on Map No. 869 of Schedule "A" – Zoning Maps and described as 74 Strachan Street East, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 7.4.1, any residential use lawfully existing as of the passing of this By-law shall be permitted; and,

b) Alteration or expansion of any use permitted pursuant to regulation a) above shall be in accordance with the requirements of the Low Density Residential (R1) Zone.

(By-law No. 25-155, August 06, 2025)

938. Within the lands zoned Major Institutional (I3, 938) Zone, identified on Map Nos. 1046 and 1092 of Schedule "A" – Zoning Maps and described as 785 Britannia Avenue and 384 and 390 Melvin Avenue, the following special provisions shall apply:

a) Notwithstanding Section 3 as it relates to the definition of "Lot", the following shall apply:

The extent of lands zoned (I3, 938) shall be deemed one lot for the purposes of zoning.

b) Notwithstanding Section 4.23 d), all buildings or structures located on a property shall have a minimum setback of 1.3 metres from a Conservation / Hazard Land (P5) Zone boundary.

c) Notwithstanding Section 5.3.1 c), the following regulations shall apply:

Multiple Dwelling Front and Flankage Yard Parking Restriction	In addition to Section 5.3.1 a), on a lot containing a Multiple Dwelling:

	Parking for Multiple Dwellings may be located between the façade and the front lot line or between the façade and flankage lot line. In no case shall any parking be located within 3.5 metres of a street line.

d) Notwithstanding Section 8.3.1, the following use shall be prohibited:

i) Hospital

e) Notwithstanding Section 8.3.1, a Multiple Dwelling shall only be permitted on the lands identified as Block 1 on Special Figure 48 with access onto Melvin Avenue.

f) In addition to Section 8.3.2.2 the following regulations shall apply:

i)	Minimum Front Yard	45 metres

g) Notwithstanding Section 8.3.2.2 b) and c), and Section 8.3.2.4 e), the following regulations shall apply:

i)	Maximum Building Height	22.0 metres for a Multiple Dwelling and 11 metres for all of other uses identified in 8.3.2.2.
ii)	Location of Multiple Dwelling and Lodging House	Shall not apply.
iii)	Minimum Rear Yard	1.2 metres, except a building may encroach into the required rear yard to a maximum of 1.0 metres for a maximum distance of 7.0 metres.

(By-law No. 25-151, August 6, 2025)

939. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1,939) Zone, identified on Map 1393 of Schedule "A" - Zoning Maps and described as 393 Rymal Road West, the following special provisions shall apply:

a) Notwithstanding Section 3 as it relates to the definition of Multiple Dwelling, the following shall apply:

i) Multiple Dwelling	Shall mean a building or part thereof containing three or more dwelling units

b) Notwithstanding Section 5.1.1 d), Section 5.2.4, Section 5.3.1 c) and d) and Section 5.7.1 a) iv) the following regulations shall apply:

i) Access Requirements	1. May be permitted abutting a street line. 2. Tandem parking spaces within a garage and driveway may be permitted and shall not require the minimum access aisle width, and; 3. Access to parking may be located on adjacent lot/zone
ii) Design Standards	A minimum 1.5 metre wide landscape strip which shall contain a visual barrier in accordance with Section 4.19 of this By-law shall only apply along the eastern lot line.
iii) Minimum Required Parking Rate	Commercial Uses

		A minimum combined total of 81 parking spaces shall be provided, along with any reduction that may be required from 5.3.1 e) v)

c) Notwithstanding Sections 11.1.1.1, 11.1.3 a) ii), b), c), d) i) and iii), f), g) ii), g) v), g) vi), g) vii), and i) i), the following regulations shall apply:

i)	Building Setback from a Street Line	Maximum 4.5 metres where a Building has frontage on Rymal Road West, except there shall be no maximum for all other Buildings that are greater than 4.5 metres from Rymal Road West.
ii)	Minimum Rear Yard	4.0 metres
iii)	Minimum Interior Side Yard	1. 7.5 metres, except; 2. 4.0 metres along the westerly lot lines and; 3. 0.0 metres abutting a daylight triangle.
iv)	Building Height	1. A minimum of 9.0 metres for the building closest to Rymal Road West, and a minimum of 7.5 metres for all other buildings.
v)	Maximum Gross Floor Area for an Office Building	The gross floor area for an individual Office unit shall not exceed 500.0 square metres. The total combined gross floor area of all Office uses shall not exceed 10,000.0 square metres.

vi)	Built Form for New Development	1. For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% of the measurement of the front lot line. 2. A maximum driveway width of 14.0 metres shall be provided and may be provided within another zone/lot. 3. Parking, stacking lanes, or aisles may be located between stand-alone residential buildings and front lot line.
vii)	Visual Barrier	A visual barrier shall be required along the easterly lot line in accordance with the requirements of Section 4.19 of this By-law.

(By-law No. 25-120-OLT, May 7, 2025)

940. Within the lands zoned District Commercial (C6, 940) Zone, identified on Map 1200 of Schedule "A" – Zoning Maps and described as 645 and 655 Barton Street, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 10.6.1, and in addition to Section 10.6.2, the following uses shall be prohibited:

Child Care Centre
Dwelling Unit
Dwelling Unit, Mixed Use

(By-law No. 25-155, August 06, 2025)

941. Within the lands zoned Low Density Residential – Large Lot (R2, 941) Zone, identified on Map Nos. 1174 and 1228 and described as 140 and 164 Sulphur Springs Road, the following special provisions shall apply:

a) Notwithstanding Section 4.23 d), the following special provision shall
apply to Block "2" as shown on Figure 45 of Schedule "F" – Special Figures:

i) All buildings or structures located on a property shall have a minimum setback of 7.5 metres from a P5 zone boundary, except for those boundaries indicated in accordance with Figure 45 of Schedule "F" – Special Figures.

b) That notwithstanding Section 15.3.1, only the following uses shall be permitted:

Community Garden
Duplex Dwelling
Single Detached Dwelling
Urban Farm

(By-law No. 26-071-OLT, April 07, 2026)

943. Within the lands zoned Mixed Use Medium Density (C5, 943) Zone, identified on Map No. 902 of Schedule "A" – Zoning Maps and described as 56 Hatt Street, Dundas, the following special provisions shall apply:

a) Notwithstanding Section 10.5.1.1 1) 2., a Dwelling Unit, Mixed Use shall not be permitted in a basement or cellar; and,

b) Notwithstanding Section 10.5.3 d), the maximum building height shall be 16 metres.

(By-law No. 25-155, August 06, 2025)

944. Within the lands zoned Mixed Use Medium Density (C5, 944, H205) Zone, identified on Map No. 1394 of Schedule "A" – Zoning Maps and described as 25 and 35 Rymal Road West, Hamilton, the following special provisions shall apply:

d) That in addition to Section 10.5.1, and notwithstanding Section 10.5.2, the following uses shall also be permitted:

i) Commercial Motor Vehicle Sales, Rental and Service Establishment
ii) Equipment and Machinery Sales, Rental and Service Establishment
iii) Garden Centre
iv) Major Recreational Equipment Sales, Rental and Service Establishment
v) Motor Vehicle Dealership
vi) Motor Vehicle Rental Establishment
vii) Surveying, Engineering, Planning or Design Business
viii) Warehouse

e) That notwithstanding Sections 10.5.3 a), b), c), d), and k), the following regulations shall apply only to the uses listed in Subsection a):

c)	Minimum Front Yard		18.0 metres.
ii)	Minimum Rear Yard	A)	6.0 metres.
		B)	Notwithstanding Subsection b) ii) A) above, 7.5 metres abutting a Residential or Institutional Zone or a lot containing a residential use.
iii)	Minimum Interior Side Yard	A)	1.5 metres.
		B)	Notwithstanding Subsection b) iii) A) above, 4.5 metres abutting a Residential or Institutional Zone or a lot containing a residential use.
iv)	Building Height		Maximum 14.0 metres
v)	Outdoor Storage	A)	No outdoor storage of goods, materials, or equipment shall be permitted except the display of goods or materials for retail purposes accessory to a Retail use.

B) Outdoor Storage shall not be located within a required parking or loading area.

C) Outdoor Storage shall be set back a minimum of 6.0 metres from a street line.

i) Outdoor Storage shall be set back a minimum of 6.0 metres from a Residential or Institutional Zone or a lot containing a residential use, and shall be screened by a Visual Barrier in accordance with Section 4.19 of this Bylaw.

D) Outdoor Storage attached to a building shall not exceed 500 square metres, or 5% of the total Gross Floor Area of all buildings, whichever is lesser.

c) That notwithstanding Section 4.6 e) and Sections 10.5.3 a) iii), b) i), d) ii) iii), and g) ii), the following regulations shall apply:

i)	Permitted Yard Encroachments	A balcony may encroach into any required yard, to a maximum of 1.0 metres, except into a required side yard of not more than onethird of its width or 1.0 metres, whichever is the lesser, and shall not project into a required rear yard.
ii)	Building Setback from a Street Line	A maximum 13.8 metres for that portion of a building

			providing an access driveway to a garage.
iii)	Minimum Rear Yard	A)	9.0 metres for any portion of a building up to a maximum Building Height of 13.0 metres.
		B)	15.0 metres for any portion of a building greater than 13.0 metres in Building Height.
iv)	Building Height		Maximum 38.0 metres
v)	Built Form for New Development		For an interior lot or a through lot, the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 23% of the measurement of the front lot line.

d) That in addition to Section 10.5.3, the following regulations shall apply:

i)	Minimum Ratio of Two and Three Bedroom Units	A minimum of 30% of dwelling units shall contain two or more bedrooms.

(By-law No. 25-182, October 8, 2025)

945. Within the lands zoned Mid Rise Residential – Large Scale (R4a, 945) Zone identified on Map No. 1339 of Schedule "A" – Zoning Maps and described as 1117 Garner Road East, Ancaster the following special provisions shall apply:

a) Notwithstanding Sections 15.6.2.1 c) and d), the following regulations shall apply:

c)	Minimum Setback from a Side Lot Line	i)	2.5 metres from the Easterly Side Lot Line;

		ii)	All other Minimum Setbacks from a Side Lot Line shall comply with Section 15.6.2.1 c).
d)	Minimum Setback from a Rear Lot Line	i)	1.0 metre.

(By-law No. 25-189, October 08, 2025)

947. Within the lands zoned Transit Oriented Corridor Mixed Use (TOC4, 947) Zone, identified on Map Nos. 1342, 1343, 1394, 1395, 1342 of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1379 Upper James Street	1343
1400 Upper James Street	1342 and 1343
1389 Upper James Street	1343
1405 Upper James Street	1342 and 1343
1425 Upper James Street	1342 and 1343
1441 Upper James Street	1342 and 1343
1462 Upper James Street	1342
1471 Upper James Street	1342 and 1343
1508 Upper James Street	1394
1495 Upper James Street	1394 and 1395
1505 Upper James Street	1394 and 1395
1515 Upper James Street	1394 and 1395
1508 Upper James Street	1394 and 1342
1527 Upper James Street	1394
1545 Upper James Street	1394 and 1395
1550 Upper James Street	1394
1576 Upper James Street	1394
1565 Upper James Street	1394 and 1395
1587 Upper James Street	1394
1599 Upper James Street	1394
1588 Upper James Street	1394
1694 Upper James Street and 18 Alderson Drive	1445

The following special provisions shall apply:

a) That in addition to Section 4.12 e) i) and notwithstanding Sections

11.4.3a)i), 11.4.3 d), 11.4.3 i), 11.4.3 g) ii) and iii), and in accordance with subsection 34(10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a use not permitted by the by-law but existing at the date of the passing of the by-law that increases the volume or size of the building shall be permitted as follows:

i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of passing of the by-law;

b) That for additions to buildings existing at the date of passing of this By-law, Sections 11.4.3 a) i), 11.4.3 d) i) and 11.4.3 g) ii), shall not apply, and the setback of the proposed addition shall be closer to the Street Line than the existing building.

c) An Existing Drive Through Facility shall be permitted to be relocated in accordance with Special Figure 50 of Schedule "F" – Special Figures to this By-law, subject to the following requirements:

i) A maximum of 1 Drive-Through Facility shall be permitted in Area 2;

ii) A maximum of 2 Drive-Through Facilities shall be permitted in Area 3;

iii) A maximum of 5 Drive-Through Facilities shall be permitted in Area 4;

iv) A maximum of 2 Drive-Through Facilities shall be permitted in Area 5;

v) All relocated Drive Through Facilities shall comply with Section 4.25 - Drive Through Regulations.

(By-law No. 25-187, October 08, 2025)
(By-law No. 26-052, March 04, 2026)

948. Within the lands zoned Transit Oriented Corridor Mixed Use (TOC4, 948) Zone, identified on Map Nos. 1342, 1343, 1394, 1395, 1342, of Schedule "A" – Zoning Maps and described as:

Property Address	Map Number
1379 Upper James Street	1343
1400 Upper James Street	1342 and 1343
1389 Upper James Street	1343

1405 Upper James Street	1342 and 1343
1425 Upper James Street	1342 and 1343
1441 Upper James Street	1342 and 1343
1462 Upper James Street	1342
1471 Upper James Street	1342 and 1343
1508 Upper James Street	1394
1495 Upper James Street	1394 and 1395
1505 Upper James Street	1394 and 1395
1515 Upper James Street	1394 and 1395
1508 Upper James Street	1394 and 1342
1527 Upper James Street	1394
1545 Upper James Street	1394 and 1395
1550 Upper James Street	1394
1576 Upper James Street	1394
1565 Upper James Street	1394 and 1395
1587 Upper James Street	1394
1599 Upper James Street	1394
1588 Upper James Street	1394
1694 Upper James Street and 18 Alderson Drive	1445

a) That notwithstanding Section 11.4, for the purposes of this special exception, the title and explanatory note shall read as follows:

Transit Oriented Corridor Mixed Use High Density (TOC4) Zone

Explanatory Note: The TOC4, 948 Zone is a modified Transit Oriented Corridor Mixed Use High Density (TOC4) Zone that may be applied beyond the Centennial Sub-Regional Service Node, along arterial roads that function or are planned to function as a higher order transit corridor, thereby providing further residential intensification opportunities through a mixture of service commercial, retail, and residential uses in standalone or mixed use buildings. The intent of the built form requirements is to create complete streets that are transit supportive and will provide for active and pedestrian oriented streets.

b) That in addition to the permitted uses of Section 11.4.1 Permitted Uses, the following additional use shall be permitted:

Multiple Dwelling

c) That Sections 11.4.1.1 and 11.4.3 d) iii) and iv) shall not apply.

d) That notwithstanding Sections 11.4.3 a), 11.4.3 b), and 11.4.3 c), the following regulations shall apply:

a)	Building Setback From a Street Line	i) Maximum 4.5 metres, except where a visibility triangle is required for a driveway access;
		ii) In addition to Subsection i) above, the minimum setback from a street line shall be 6.0 metres for any portion of a building exceeding 14.0 metres in height;
		iii) Notwithstanding Subsection i) above, a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage; and,
		iv) Where a building(s) exists and complies with Subsection 11.4.3 g) ii) and iii), additional buildings(s) constructed on the lot shall not be subject to Subsections i) and iii) above as it relates to setback from a lot line.
b)	Minimum Setback From the Rear Lot Line	i) 7.5 metres for the first 14.0 metres in height of a building;
		ii) 14.0 metres for any portion of the building exceeding 14.0 metres in height; and,
		iii) In the case of a corner lot where a rear lot line is abutting a street line, the requirements of Subsection a) above shall apply.

c)	Minimum Setback From a Side Lot Line	For lots abutting a Low Density Residential (R1), Low Density Residential – Small Lot (R1a), Low Density Residential – Large Lot (R2), Neighbourhood Institutional (I1), or Community Institutional (I2) Zone, or where windows of a Habitable Room face a side lot line: i) 7.5 metres for the first 14.0 metres in height of a building; and, ii) 10.0 metres for the building exceeding 14.0 metres in height.

e) In addition to Section 11.4.3 – Regulations, the following new regulations shall apply:

i)	Minimum Distance Between Buildings on a Lot	a)	Between two exterior walls which contain no windows to a habitable room:	6.0 metres
		b)	Between two exterior walls, at least one of which contains windows to a habitable room:	
			1) For any portion of the building equal to or less than 14.0 metres in height.	15.0 metres
			2) For any portion of the building exceeding 14.0 metres in height.	20.0 metres
ii)	Minimum Landscaped Area			30% of the Lot Area;

(By-law No. 25-187, October 08, 2025)
(By-law No. 26-052, March 04, 2026)

949. Within the lands zoned Airport Prestige Business (M11, 949, H37, H209) Zone, identified on Map Nos. 1670, 1671, 1710 and 1711 of Schedule "A" – Zone Maps and described as 2876 Upper James Street, the following special provisions shall apply:

a) Notwithstanding Section 4.23(d), the following regulation shall apply:

i)	Setback from a Conservation/Hazard Land (P5) Zone, Conservation/Hazard Land Rural (P7) Zone and Conservation/Hazard Land Rural (P8) Zone	All buildings or structures located on a property shall have a minimum setback of 6.0 metres from a P5, P7, and P8 Zone boundary.

b) Notwithstanding Section 9.11.3 a), the following regulations shall apply:

i)	Minimum Lot Area	2300.0 square metres

c) Sections 9.11.3 c) ii) and iii) and k) i) shall not apply.

(By-law No. 26-023-OLT, November 14, 2025)

950. Within the lands zoned Conservation/Hazard Land (P5, 950, H37, H209) Zone, identified on Map Nos. 1670, 1671, 1710, and 1711 of Schedule "A" – Zone Maps and described as 2876 Upper James Street, the following special provisions shall apply:

a) In addition to Section 7.5, permitted Flood and Erosion Control Facilities shall be separated from an abutting lot zoned Conservation/Hazard Land (P5) Zone by a minimum of 7.5 metres.

(By-law No. 26-023-OLT, November 14, 2025)

951. Within the lands zoned Mixed Use Medium Density - Pedestrian Focus (C5a, 951) Zone, identified on Map Nos. 1934 and 1935 of Schedule "A" – Zoning Maps and described as 2640, 2646, and 2654 Binbrook Road, Glanbrook, the following special provisions shall apply:

a) That in addition to Section 10.5a.1, a Multiple Dwelling Townhouse shall also be permitted.

b) That notwithstanding Sections 10.5a.3 b), 10.5a.3 c), 10.5a.3 d) ii) and iii), 10.5a.3 h) vi), 10.5a.3 h) x), and Section 10.5a.3 (l), the following regulations shall apply:

i)	Minimum Rear Yard		6.0 metres
ii)	Minimum Side Yard	A)	1.2 metres abutting a Residential or Institutional Zone or lot containing a residential use;
		B)	Notwithstanding A) above, where the rear façade of a building faces a side lot line, a minimum side yard of 6.0 metres shall be required.
iii)	Maximum Building Height		12.0 metres
iv)	Built form for New Development	A)	Subsection 10.5a.3 h) vi) shall not apply to residential uses; and,
		B)	The first storey of buildings or portions thereof containing residential uses shall have a minimum height of 3.0 metres and a maximum height of 4.0 metres. The first storey of buildings or portions thereof containing commercial uses shall have a minimum height of 3.6 metres and a maximum height of 4.5 metres.

v) That Section 10.5a.3 (l) shall not apply.

c) That in addition to Section 10.5a.3, the following regulations shall apply:

i) Minimum Gross Floor Area for Commercial Areas	A minimum Gross Floor Area of 200.0 square metres shall be required for a building facing the Street

(By-law No. 26-051, March 04, 2026)

952. Within the lands zoned Mixed Use Medium Density (C5, 952) Zone, identified on Map No. 947 of Schedule "A" – Zoning Maps and described as 1570 Main Street West, Hamilton, the following special provisions shall apply:

a) That Notwithstanding Section 3 – Definitions, as it relates to Lot Line – Front, Main Street West shall be deemed the front lot line.

b) That Notwithstanding Subsection 4.6 b) and d) and in addition to Section 4.6 the following regulations shall apply:

i) An exterior staircase may encroach into any required yard to a maximum of 1.0 metre.

ii) A porch, deck or canopy may encroach into any required yard to a maximum of 1.0 metre.

iii) An attached concrete planter box may encroach into a required front yard to a maximum of 1.0 metre.

c) That notwithstanding Subsection 5.5.1 a) iii), the following regulations shall apply:

The location of loading doors and associated loading facilities shall be permitted in a yard abutting a Residential Zone or an Institutional Zone, shall be a minimum of 6.0 metres from the northerly lot line and shall be screened from view by a Visual Barrier that is in accordance with Section 4.19 of this By-law.

d) That notwithstanding Subsections 10.5.3 a) i), 10.5.3 b) i), 10.5.3 d) ii), iii), 10.5.3 h) i), ii), and 10.5.3 i), the following regulations shall apply:

i)	Building Height	ii) Maximum 38.5 metres
ii)	Minimum Rear Yard	9.0 metres
iii)	Minimum Amenity Area for Dwelling Units and Multiple Dwellings	Minimum of 4.0 square metres per unit shall be provided.
iv)	Planting Strip Requirements	Minimum of 1.3 metres shall be provided along the northerly property line which shall also contain a Visual Barrier in accordance with Section 4.19 of this By-law.

(By-law No. 25-231, December 10, 2025)

956. That the Airside Industrial (M7) Zone regulations, as contained in Section 9.7 of Zoning By-law No. 05-200, are modified to include the following regulations for the lands zoned Airside Industrial (M7,956), Modified:

a) In addition to the uses contained in Section 9.7.1, the following uses shall be permitted within the Airside Industrial (M7,956), Modified Zone:

i) Aquaponics

ii) Building and Lumber Supply Establishment

iii) Building or Contracting Supply Establishment

iv) Computer, Electronic & Data Processing Establishment

v) Educational Establishment

vi) Equipment and Machinery Sales, Rental and Service Establishment

vii) Greenhouse

viii) Industrial Administrative Office

ix) Laboratory

x) Labour Association Hall

xi) Motor Vehicle Dealership

xii) Motor Vehicle Rental Establishment

xiii) Repair Service

xiv) Surveying, Engineering, Planning or Design Business

xv) Trade School

xvi) Tradesperson's Shop

b) Notwithstanding Section 5.5.1 a) i), loading doors, loading facilities, and parking spaces shall be permitted within a front yard.

(By-law No. 25-192-OLT, August 25, 2025)

957. Within the lands zoned Mixed Use Medium Density (C5, 957, H213) Zone, identified on Map Nos. 1000 and 1044 of Schedule "A" – Zoning Maps and described as 70 Hope Avenue, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 5.2.4 (a) the following regulations shall apply:

i) Access to parking may be provided via the municipal laneway opened by By-law No. 9746.

ii) The adjacent laneway opened by By-law No. 9746 may be used as an access driveway for parking.

iii) Ingress and egress of vehicles from a Parking Lot to the municipal laneway opened by By-law No. 9746 is not required to be provided in a forward motion only.

b) Notwithstanding Sections 5.3.1 (a)(i) and (ii), the following regulation shall apply:

i) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be permitted 0.0 metres from the municipal laneway opened by By-law No. 9746, and no planting strip is required between the municipal laneway opened by By-law No. 9746 and the said parking spaces or aisle.

c) In addition to Section 10.5.1, the following use shall also be permitted:

i) Multiple Dwelling Townhouse

d) Notwithstanding Section 10.5.1 and in addition to Section 10.5.2 the following uses shall be prohibited:

i) Commercial Entertainment
ii) Commercial Recreation
iii) Conference or Convention Centre
iv) Financial Establishment
v) Funeral Home
vi) Hotel
vii) Microbrewery
viii) Motor Vehicle Gas Bar
ix) Motor Vehicle Service Station
x) Motor Vehicle Washing Establishment
xi) Transportation Depot

e) In addition to Section 10.5.3, the following regulations shall apply:

i) The total maximum gross floor area of non-residential uses shall be 225.0 square metres.

ii) A Multiple Dwelling Townhouse use shall be subject to the following additional regulations:

A.	Dwelling Unit Arrangement	Not more than eight (8) Dwelling Units shall be attached in a continuous row.
B.	Minimum Unit Width for each Dwelling Unit	i) 6.0 metres where the Dwelling Unit contains a garage; and,

		ii) 5.0 metres where the Dwelling Unit does not contain a garage.
C.	Minimum Setback from Hope Avenue	3.0 metres.
D.	Minimum Distance Between Buildings on a Lot	i) Between two exterior walls which contain no windows to a Habitable Room: 3.0 metres; ii) Between two exterior walls, at least one of which contains windows to a Habitable Room: 6.0 metres; and, iii) Between two exterior walls, both of which contain windows to a Habitable Room: 12.0 metres.
E.	Pedestrian Accesses	Any ground floor Dwelling Unit adjacent to a yard abutting a street must have a minimum of one pedestrian entrance which is located in a façade facing a street.
F.	Maximum Height of a Principal Pedestrian Entrance	The height of the floor level of any principal pedestrian entrance shall be a maximum of 1.2 metres above grade.
G.	Waste Storage	Outdoor waste storage shall be fully enclosed

and shall not be located in the front yard.

f. Notwithstanding Sections 10.5.3 a) ii) and iii), c), and d) ii), the following regulations shall apply:

a) Maximum Building Setback from a Street Line	8.0 metres
b) Minimum Interior Side Yard	5.0 metres to the easterly side lot line and 1.5 metres to the westerly side lot line.
c) Building Height	Maximum 14.0 metres.

(By-law No. 26-013, January 21, 2026)

958. Notwithstanding the regulations contained in Sections 4 and 5 and Subsection 6.3.3 of this By-law, within the lands zoned Downtown Mixed Use (D3, 958) Zone, identified on Map 952 of Schedule "A" to By-law No. 05-200 and described as 163 Jackson Street West, the following special provisions shall apply:

A. REGULATIONS

a) Building Setbacks	i. No portion of any *building* or *structure* erected or used above established grade is located otherwise than wholly within the heavy lines on Schedule 'B' attached hereto and forming part of this By-law, with the exception of the following which shall be permitted despite restrictions on height as established by subsection b): Cornices, light fixtures, ornamental elements, parapets, patios, trellises,

		balconies, terraces, eaves, window sills, architectural flutes, pillars, planters, ventilation shafts, elements, required for the functional operation of a building, guardrails, balustrades, seating area, railings, retaining walls, stairs, stair towers and enclosures, doors, wheelchair ramps, fences, screens, decorative/acoustic doors and screens, site servicing features, awnings and canopies, and other minor features, pergolas, landscape features, solar panels and equipment, window washing equipment, terraces and balcony dividers and guards may project beyond heavy lines shown on Schedule 'B', attached to this By-law.
b)	Building Height	i. No portion of any building or structure on the lot shall have a height in metres greater than the height limits specified by the numbers following the letter H on Schedule 'B' attached to and forming part of this Bylaw, expect for: Roof assembly, lighting rods, eaves, canopies, cornices, lighting fixtures, awnings, fences and safety railings, guard rails, architectural features,

parapets, trellises, bollards, balustrades, window sills, window washing equipment, privacy screens, architectural screens, guardrails, pergolas, stairs, stair towers and enclosures, ventilation or cooling equipment such as chimneys, vents, stacks, flues, and air intakes, antennas, satellite dishes, cellular arrays, terraces, platforms, terraces and balcony dividers and guards, planters, emergency generator, architectural elements, public art features, roof drainage, green roof elements, roof access hatches, elevator roof of the building used for outside or open air recreation, safety or wind protection purposes.

c) Parking Requirements

Parking for a Multiple Dwelling or within a mixed use building shall be provided on the basis of:

i. Dwelling units less than 50.0 square metres in gross floor area shall provide 0 spaces per unit for units 1-12 and for 0.3 spaces per unit for units 13+.

ii. Dwelling units greater than 50.0 square metres in gross floor area shall

		provide 0 spaces per unit for units 1-12, 0.5 spaces per unit for units 13-50 and 0.66 for units 51+.
		iii. Dwelling units with 3 or more bedrooms shall provide 0 spaces per unit for units 1-12 and 0.3 spaces per unit for units 13+.
		iv. No parking for permitted commercial uses.
	d) Amenity Area	i. Minimum Amenity of 1,145 square metres including 424 square metres of indoor residential amenity and 721 square metres of outdoor residential amenity.
	e) Bicycle Parking	i. A minimum of 238 bicycle parking spaces shall be provided.

(By-law No. 26-001-LPAT, February 21, 2020)

959. Within the lands zoned Conservation/Hazard Land (P5, 959) Zone, identified on Map Nos. 1909 and 1910 of Schedule "A" – Zoning Maps and described as 2655 Fletcher Road, Glanbrook, the following special provisions shall apply:

a) Section 4.23 d) shall not apply.

b) In addition to Section 7.5.1 – Permitted Uses of this By-law, on those lands zoned Conservation/Hazard Land (P5, 959) Zone, the following uses shall also be permitted:

	i. Permitted Uses	Recreation and surface parking only ancillary to an Educational Establishment

(By-law No. 26-031, February 11, 2026)

960. Within the lands zoned **Low Density Residential (R1, 960) Zone**, identified on Map No. 1287 of Schedule "A" – Zoning Maps and described as 974 and 980 Upper Paradise Road, Hamilton, the following special provisions shall apply:

a) That in addition to Section 15.1.1, a Multiple Dwelling Townhouse shall also be permitted.

b) That in addition to Section 15.1.2 the following regulations shall apply to a Multiple Dwelling Townhouse:

i)	Dwelling Unit Arrangement	Not more than eight (8) Dwelling Units shall be attached in a continuous row.
ii)	Minimum Unit Width for each Dwelling Unit	5.5 metres;
iii)	Minimum Setback from a Street Line	4.0 metres;
iv)	Minimum Setback from a Side or Rear Lot Line	i) For the first 25.0 metres measured from the intersection of the lot line and a street: 1.2 metres if the wall contains no windows to a Habitable Room and 6.5 metres if the wall contains windows to a Habitable Room; and, ii) Beyond 25.0 metres measured from the intersection of the lot line and a street: 6.5 metres.

v)	Minimum Distance Between Buildings on a Lot	i) Between two exterior walls which contain no windows to a Habitable Room: 3.0 metres;
		ii) Between two exterior walls, at least one of which contains windows to a Habitable Room: 6.0 metres; and,
		iii) Between two exterior walls, both of which contain windows to a Habitable Room: 12.0 metres.
vi)	Maximum Building Height	12.0 metres
vii)	Built Form for New Development	Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
viii)	Minimum Landscaped Area	30% of the Lot Area;
ix)	Minimum Amenity Area per Dwelling Unit	i) 5.0 square metres per Dwelling Unit, which may be provided in a communal area, exclusive to the Dwelling Unit or a

		combination of both; and,
		ii) In addition to the definition of Amenity Area, an Amenity Area shall be located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air and may include balconies and patios.
x)	Location of Parking	No parking spaces shall be located between a Façade and the Front Lot Line, except that parking shall be permitted on individual driveways leading to garages forming part of a Dwelling Unit.
xi)	Maximum Number of Vehicular Accesses on a Lot	One access driveway.
xii)	Maximum Height of a Principal Pedestrian Entrance	The height of the floor level of any principal pedestrian entrance shall be a maximum of 1.2 metres above Grade.
xiii)	Waste Storage	Outdoor waste storage shall be fully enclosed and

shall not be located in the front yard.

(By-law No. 26-078, April 22, 2026)

962. Within the lands zoned Low Density Residential (R1, 962) Zone, identified on Map Nos. 1310, 1311, 1363, and 1364 of Schedule "A" – Zone Maps and described as 286 Lewis Road, the following special provisions shall apply:

a) Notwithstanding Sections 4.6 d), e) and f), the following regulations shall apply:

d) i) A porch, deck or canopy may encroach into any required yard to a maximum of 3.0 metres; and,

ii) A minimum setback of 0.3 metres shall be provided from an unenclosed porch or deck to the hypotenuse of a daylight triangle.

e) A balcony may encroach into a required front yard a maximum of 2.0 metres, and may encroach into a required rear yard a maximum of 3.0 metres; and,

f) A bay window or alcove, without foundation, may encroach into any required yard to a maximum of 0.9metres. No such feature shall have a width greater than3.0 metres;

b) Notwithstanding Sections 4.23 d) the following regulations shall apply:

d) Setback from a Conservation/Hazard Land (P5) Zone	All buildings and structures located on a property shall have a minimum setback of 1.2 metres from a P5 Zone boundary, which is determined by flood and fill line mapping as prepared by the Conservation Authority having jurisdiction and amended from time to time.

c) Sections 4.35 a) and b) shall not apply:

d) That notwithstanding Sections 15.1.2.3 a), c), e), f), g) and h), and in addition to Section 15.1.2.3 d), the following regulations shall apply:

a)	Minimum Lot Area for each Dwelling Unit	160.0 square metres for each dwelling unit.
c)	Minimum Setback from the Front Lot Line	4.5 metres, except for 5.8 metres to an attached garage.
d)	Minimum Setback from a Side Lot Line	0.5 metres from the hypotenuse of a daylight triangle.
e)	Minimum Setback from a Flankage Lot Line	2.3 metres.
f)	Minimum Setback from a Rear Lot Line	6.0 metres.
g)	Maximum Building Height	13.5 metres.

(By-law No. 26-020-OLT, January 12, 2026)

963. Within the lands zoned Major Institutional (I3, 963) Zone identified on Map No. 1308 of Schedule "A" – Zoning Maps and described as 861 Highway No. 8, Stoney Creek, the following special provisions shall apply:

a) Notwithstanding Section 4.8.2 a) and b), for an Accessory Building, the following regulations shall apply:

i)	Building Setback from a Side Lot Line	Minimum 1.8 metres

b) Notwithstanding Section 5.2.1 a), the following regulations shall apply:

i)	Minimum Parking Space Dimensions	Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.75 metres in width and 5.8 metres in length.

c) In addition to Section 8.3.1, Dwelling Unit(s) shall also be permitted.

d) Notwithstanding Sections 8.3.2.1 b) and d), the following regulations shall apply:

i)	Minimum Easterly Side Yard	A. 3.0 metres
		B. 10.0 metres for any portion of the Building greater than 4.2 metres in height;
		C. A maximum of 45% of the wall of the principal Building facing the easterly Side Lot Line is permitted to be setback less than 10.0 metres, but in no case less than 4.5 metres.
ii.	Minimum Westerly Side Yard	11.0 metres
iii.	Maximum Building Height	23.0 metres

e) In addition to Section 8.3.2.1, the following regulations shall apply:

i)	Location of Dwelling Unit(s) and Multiple Dwelling	A Dwelling Unit(s) and Multiple Dwelling shall only be permitted in the same building as a Long Term Care Facility.

(By-law No. 26-069, April 01, 2026)

964. Within the lands zoned Mixed Use Medium Density (C5, 964, H215) Zone, identified on Map Nos. 1312 and 1313 of Schedule "A" – Zoning Maps and described as 1400 South Service Road, the extent and boundaries of "Part B" which are shown on Schedule "A" to this Bylaw, the following special provisions shall apply:

a) Notwithstanding Subsection 10.5.3 c), the minimum required interior side yard shall be 4.5 metres.

b) Notwithstanding Subsection 10.5.3(d) the maximum building height shall be 56.0 metres, in accordance with Schedule "B" of this by-law

c) Notwithstanding Section 10.5.1, a Multiple Dwelling shall be permitted in Part 'B' on Schedule "A" to this By-law, with the construction of a minimum of 2,750 square metres of nonresidential uses in the M3 404 zone, as shown in Part 'B' on Schedule "A" to this By-law.

d) Notwithstanding Section 10.5.3 g) the Built form for New Development provisions shall not apply.

(By-law No. 26-025-OLT, July 22, 2025)