TOWN of FLAMBOROUGH

(NOW CITY of HAMILTON)

Zoning By-law No. 90-145-Z

Office Consolidation

This edition has been prepared by the Planning and Economic Development Department of the City of Hamilton for the purpose of convenience only.

For accurate reference and approved amendments, the original By-laws, as lodged in the office of the City Clerk, should be consulted.

Revised – May 2026

NOTE TO USERS

The following document is an office consolidation of By-law No. 90-145-Z as originally enacted by Town of Flamborough Council on November 5, 1990, and its subsequent amendments. It includes modifications to the text and maps. The By-laws which amend the text are noted in **bold**. This consolidation has been prepared for convenience purposes only. For interpretation of accurate reference, please refer to the original By-law No. 90-145-Z and specific amendments thereto.

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By-law No. 90-145-Z	November 5, 1990	Council Approved
	December 21, 1992	O.M.B. Approved

List of Amendments			
BY-LAW No.	**ZONE CHANGE**	**SCHEDULE**	**NOTES**
91-21-Z	R2, O2 & CM	A-33	Savona (Plan 62M-755)
91-23-Z	'H' Removal	A-26	Shynal (F-98-90)
91-57-Z	TUB	A-14	Lang (Jun. 17/91 to Jun. 16/94)
91-60-Z	R3	A-3	Gonnsen (Plan 62M-754)
91-90-Z	TUB	A-17	Light (Aug. 19/91 to Aug. 19/94)
91-96-Z	R2	A-26	Suscola Farms (F-111 & 112-90)
91-109-Z	I	A-10	Family Services of H-W
91-117-Z	A	A-17	Project Maranatha for Youth
91-125-Z	P	A-30	Waterdown Fire Hall
91-148-Z	O3	A-25	Flamborough Hills Golf Course
91-150-Z	O3	A-25	Beverly Golf & Country Club
91-152-Z	R1-1A, R6(H) & O2	A-30	Rockcliffe 3A/B (62M-698)
92-06-Z	R2	A-45	Neven (F-13 & 14-91)
92-10-Z	HC-8	A-36	Mogavero
92-16-Z	R1, R4, R6 & O2	A-30	Belmont (Plans 62M-739, 740 & 741)
92-22-Z	Text	-	General Amendment
92-26-Z	H Removal	A-26	Brender a Brandis (F-60-91)
92-34-Z	Text	-	General Amendment
92-37-Z	R1 & O1-1	A-30	Highland Hills Estates
92-39-Z	O3	A-11	Ideal Gardening
92-40-Z	TUB	A-24	Martin (Apr. 6/92 to Jul. 16/92)
92-41-Z	TUB	A-24	Clark (Apr. 6/92 to Apr. 17/93)
92-42-Z	TUB	A-5	Stemmler (Apr. 6/92 to Oct. 1/92)
92-43-Z	TUB	A-3	Orosz (Apr. 6/92 to Feb. 4/93)
92-45-Z	TUB	A-10	Shelton (Apr. 6/92 to Apr. 6/95)
92-90-Z	R1-1, R1-8 & R6	A-30	Waco Drywall (Plan 62M-744)
92-93-Z	I	A-4	Our Lady of Mt. Carmel

List of Amendments

BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
92-106-Z	TUB	A-24	Martin (Jul. 17/92 to Jul. 16/95)
92-110-Z (1)	SC-13	A-26	Carlisle Medical Centre
92-129-Z	R1-1, O2 & I	A-30	Valley Lo Investments (Plan 62M-)
92-142-Z	R1-1 & R4	A-30	Aqua-gui (Plan 62M-)
92-144-Z	TUB	A-10 & A-37	Steetley Quarry Products (Oct. 19/92 to Apr. 19-93)
92-153-Z	I	A-5	Christian Fellowship Centre
92-156-Z	R9 & O2	A-16 & A-48	Makerry Holdings
92-167-Z	R1-1 & O2	A-30	Culo Investments (Plan 62M-773)
92-170-Z	A	A-17	McPhee
92-177-Z	H Removal	A-30	Royaledge (75 Ryans Way)
92-185-Z	TUB	A-5	Stemmler (Dec. 21/92 to Dec. 20/95)
93-16-Z	R3-3	A-1	Dryden
93-17-Z	R1-1, R1-2, R4 &R6-2	A-30	Sequin (Plan 62M-765)
93-18-Z	Text	-	Kennels
93-19-Z	SC-13; Repeals #92-110-Z	A-26	Carlisle Medical Centre
93-44-Z (1)	R1, R4, R6, O2 & NEC	A-31	Gatesbury (Plans 62M-711, 712 & 713)
93-45-Z	TUB	A-22	Wojtasik (Apr. 19/93 to Apr. 19/96)
93-46-Z	R4	A-30	Waco Drywall (Plan 62M-744)
93-59-Z	I	A-5	Town Cemetery
93-65-Z	R9-1	A-2	Sundance (Dellcroft Village)
93-98-Z	R2-20	A-35	Hayden (F-35-92)
93-99-Z	R1-12	A-6	Carey (F-16-93)
93-113-Z	R2-5(H), O2 & CM	A-26	Palomino
93-126-Z	CA	A-17	Pullin
93-133-Z	A-21	A-5	Cetinski (F-35-93)
94-06-Z	SC-5	A-37	Bravo
94-08-Z	M3-13	A-10	Town/Region (Flam. Quarries)
94-15-Z	M3	A-19	Interprovincial Pipe Line Inc.
94-16-Z	H Removal	A-38	Browview
94-17-Z	H Removal	A-38	Sundusk
94-18-Z	CA	A-4	Wasser (Regional Ford)
94-25-Z	R2	A-33	Braden (F-11 & 12-94)
94-26-Z	R1, R4, R6, R7-3 & O2	A-30	Rockview Summit (Plan 62M-775)

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BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
94-27-Z	R2, R2-21, R2-22 & O2	A-37	Spencer Creek Estates (Ramacieri)
94-28-Z	R1-13 & R6-3	A-31	Naccarato
94-29-Z	R1-1	A-30	Culo Investments (Plan 62M-773)
94-39-Z	TUB	A-11	Finnamore (Jun. 20/94 to Jun. 20/97)
94-40-Z	H Removal	A-37	Ofield Business Park
94-48-Z	R1-7 & R6-4	A-31	Maple Keys
94-49-Z	R2 & R2-23	A-38	Sundusk
94-60-Z	I	A-31	St. James United Church
94-62-Z	R1-10	A-6	Chevrier (F-9-94)
94-63-Z	TUB	A-6	Homerski (Sep. 19/94 to Sep. 19-97)
94-64-Z	AC-4	A-30	Sunoco
94-65-Z	R1-14	A-6	Hunter Park
94-67-Z	R2-24(H) & A-22	A-38	Browview/Sundusk
94-74-Z	H Removal	A-7	Harris
94-75-Z	H Removal	A-26	Tuckaweye
94-76-Z	H Removal	A-40	Dabner (F-36 & 37-93)
94-87-Z	SC-15	A-33	Hagens
94-88-Z	CM-1	A-12	Fortin
94-95-Z	UC-3	A-30	Sequin (Plaza)
94-100-Z	R4	A-30	Sequin (Semi-detached)
94-102-Z	R3(H)	A-7	Frandsen
95-08-Z	H Removal	A-43	Thompson (F-30 & 31-94)
95-20-Z	M1-1	A-29	Rosart (6 & 5)
95-22-Z	H Removal	A-26	Garrett (F-41-93)
95-37-Z	R6-5	A-31	Stonehaven Homes
95-38-Z	R2-25	A-26	Beaumont (F-58-94)
95-39-Z	TUB	A-18	Priest (Apr. 19/95 to Apr. 19/05)
95-40-Z	H Removal	A-26	Beaumont (F-58-94)
95-44-Z	SC-14	A-33	Mathies
95-45-Z	I(H)	A-41	Independent Reformed Church of Sheffield
95-69-Z	M1-1, M1-2, M1-3, M1-7, M2-1	A-29	Flamborough Business Park
95-70-Z	M1-5, M1-6	A-29	Flamborough Business Park

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BY-LAW No.	**ZONE CHANGE**	**SCHEDULE**	**NOTES**
95-72-Z	UC-3	A-30	Sequin (Plaza)
95-83-Z	O3-7	A-11	Ideal Gardening
95-86-Z	H Removal	A-2	Dellcroft Village
95-92-Z	M1-8	A-29	Airways Transit
95-93-Z	TUB	A-13	Lapsley (Sep. 25/95 to Sep. 24/05)
95-97-Z	R1-1	A-30	839843 Ontario Ltd (Zoo's)
95-98-Z	TUB	A-9	Tuffin (Oct. 23/95 to Oct. 22/05)
95-99-Z	TUB	A-31	Farmers Market (May 1/96 to May 1/99)
95-100-Z	TUB	A-23	Donovan (Oct. 23/95 to Oct. 23/05)
95-102-Z	I	A-6	WCBE (N. Parkside School)
95-116-Z	M3-14, A-23(H), A-24, A-25	A-7	Freelton Industrial Park
96-09-Z	H Removal	A-30	Fembrook Homes (Plan 62M-741)
96-10-Z	R5-2	A-31	Kitching-Steepe Funeral Home
96-11-Z	R6-6	A-30	Rockview Summit
96-13-Z	sec. 5.31, 5.32, 5.33	-	Rural Business Development
96-20-Z	A	A-7	Wright (Freelton Industrial Park)
96-33-Z	R1-17	A-30	Copeland (F-22-96)
96-41-Z	R1-16	A-31	Gatesbury Phase 4
96-42-Z	R3-4	A-2	Country Green Homes
96-56-Z	A	A-10	Thompson
96-57-Z	R1-18, R4-1, R6-7, HC-9	A-31	Gatesbury Phase 3
96-58-Z	A-26	A-24	Will, Hubert
96-59-Z (1)	A	A-6	Drummond
96-69-Z	R1, R1-1, R1-2, R1-6, O2; sec. 6.3.1; sec. 16.3.4; repeals #93-44-Z	A-30	House Keeping; West Waterdown
96-70-Z	repeals #96-59-Z	-	-
96-75-Z	R1-1	A-30	Rockview Heights Inc.
96-87-Z	I(H)	A-6	Drummond, Ross
96-92-Z	sec. 3 (def'n's); 5.2.5; 5.4.3; 5.21.9.1; 5.24.2; 5.30; UC-1; M3-10; SC	A-30; A-22; A-26	House Keeping 2
96-94-Z	R9-2(H)	A-7	Bishop (Canusa Park)
96-96-Z	A-27	A-6	Terra Greenhouses

List of Amendments

BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
96-97-Z	sec. 21.3.4 (AC-4)	A-30	Sunoco Inc.
96-106-Z	TUB	A-26	Lauret (Dec. 16/96 to Aug. 31/99)
97-03-Z	I(H)	A-37	New Life in Christ Fellowship
97-04-Z	R6-8; R6-9; R6-10	A-30	Belmont Properties
97-12-Z	A-28(H)	A-18	Rockton Transport Ltd.
97-13-Z	R1-8	A-30	Schindelhauer
97-20-Z	A-29	A-20	Jonkman
97-23-Z	R9-3(H)	A-2	Waterdown Sportmen's Club Inc.
97-24-Z	H Removal	A-37	Passant
97-39-Z	H Removal	A-47	Bonham (F-16-95 + F-17-95)
97-53-Z	CA	A-19	Nimijohn
97-54-Z	A-30	A-9	Brockview Welding
97-55-Z	A-31	A-3	Carlisle Canoe Co.
97-56-Z	A-33	A-4	Corby Enterprises
97-57-Z	A-34	A-1	CountryRoad Enterprises
97-58-Z	A-36	A-9	Flamborough Animal Control
97-59-Z	A-35	A-9	Flamboro Machine Shop Ltd.
97-60-Z	A-37	A-6	Jan Gelderman Landscaping
97-61-Z	A-39	A-6	M + M Products
97-62-Z	A-40	A-21	Mcarthur Medical Sales Inc.
97-63-Z (1)	A-37	A-6	Mike's Landscaping
97-64-Z	A-42	A-9	Room To Go Inc.
97-65-Z (1)	A-37	A-6	Shademaster Landscaping Ltd.
97-66-Z (1)	A-43	A-11	Valdesign Interiors Ltd.
97-75-Z	A-38	A-9	Ketchie's Plastics + Woodworking
97-76-Z	A-41	A-22	Rockton Berry Farm
97-77-Z	A-44; repeals #97-63-Z	A-6	Mike's Landscaping
97-78-Z	A-45; repeals #97-65-Z	A-6	Shademaster Landscaping Ltd.
97-80-Z	H Removal	A-26	Suscola Farms Ltd.
97-87-Z	R6-11	A-30	Stonehaven Homes Inc.
97-89-Z	UC-4; UC-5; UC-6; UC-7	A-30; A-31	Waterdown Commercial Expansion
97-91-Z	M1-1	A-29	Tandarich

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BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
97-92-Z	R1-21	A-30	Turkstra
97-93-Z	O2-4	A-37	Town of Flamborough
97-97-Z	H Removal	A-35	Axisa
97-101-Z	H Removal	A-37	Greenworld Enterprises Ltd.
97-103-Z	H Removal	A-38	Ross
97-105-Z	A-46	A-4	WCBE (Balaclava)
97-108-Z	H Removal	A-29	Beverly Tire Service Ltd.
97-110-Z	TUB	A-8	Brule (Aug. 25/97 to Aug. 24/07)
97-121-Z	O2-5	A-6	Town of Flamborough
97-129-Z	R3-5	A-9	Jeffbrett Enterprises Ltd.
97-140-Z	A-43	A-11	Valdesign Interiors Ltd.
97-146-Z	H Removal	A-26	1167625 Ontario Limited
98-02-Z	M1-9	A-29	Town of Flamborough
98-14-Z	A-47	A-8	B.F. Contracting Ltd.
98-15-Z	A-48	A-6	B & J Chappel Landscaping Services
98-16-Z	A-49	A-14	Campbell Custom Fabrication
98-17-Z	A-50	A-11	Dave Moning's Lawn Maintenance
98-18-Z	A-51	A-4	Environmental Design Landscape Contractors Ltd.
98-19-Z	A-52	A-10	Expocrete Ltd. & Exon Door Systems
98-20-Z	A-54	A-8	J.D.J. Trailer Manufacturers Inc.
98-21-Z	A-55	A-11	John Paul Automotive
98-22-Z	A-56	A-9	Ted's Welding
98-23-Z	A-57	A-9	Water Your World Inc.
98-33-Z	H Removal	A-37	Hanek ,Michael
98-34-Z	H Removal	A-38	Bloom, Krista
98-57-Z	H Removal	A-37	Greenworld Enterprises Ltd.
98-58-Z	H Removal	A-5	Viiland, Jack
98-67-Z	HC-10	A-31	Moretti Properties Ltd.
98-71-Z	H Removal	A-7	Bisop
98-72-Z	repeals #97-66-Z	-	-
98-74-Z	R2	A-38	L.S. Ross Enterprises Ltd.
98-75-Z	A-58	A-5	Venne, Martin (Murray's Mobile Auto Repair)
98-76-Z	A-35	A-9	Vanwyngaarden

List of Amendments

BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
98-92-Z	R1-19	A-30	Town of Flamborough
98-95-Z	R1-15	A-30	Kirkness, Alan & Saletta, Angela
98-96-Z	H Removal	A-26	Bridle, Anne
98-114-Z	UC-8(H)	A-30	Town of Flamborough
98-117-Z	I	A-6	Town of Flamborough
98-123-Z	TUB	A-6	Homerski (Oct. 26/98 to Oct. 26/08)
98-137-Z	H Removal	A-6	Flamborough Centre Baptist Church
99-03-Z	5.21.1; 5.21.5; 16.2; 17.2; UC-9	A-30	Waterdown Urban Guidelines Design
99-04-Z	TUB	A-9	Dionne (Jan. 25/99 to Jan. 25/09)
99-05-Z	A	A-9	Rudolph, Sandra
99-10-Z	A-64	A-9	Performance Plus Automotive
99-11-Z	A-62	A-6	John Schotsman Carpentry
99-12-Z	A-59	A-11	Automotive Panel Products Co.
99-22-Z (1)	R1-22	A-30	Hauzar, John
99-26-Z	R1-22; repeals #99-22-Z	A-30	Hauzar, John
99-27-Z	A-65	A-6	Turf, Trees'N Things
99-28-Z	TUB	A-31	Farmer's Market (May 1/99 to May 1/00)
99-29-Z	R1-1	A-30	Young, Stanley & Verna
99-30-Z	R2-26	A-33	Van Wyngaarden, Janice and Hall, Peter
99-31-Z	A-61	A-6	Four Seasons Lawn Care
99-47-Z	M1-10	A-29	Part of Lots24 and 25, Concession 3 (West Flamborough)
99-51-Z	A-63	A-9	O'Connor Well Drilling Ltd.
99-52-Z	H Removal	A-45	Holland, Roy & Joan
99-58-Z	I-6; O2-6	A-6	Hamilton-Wentworth Catholic District School Board
99-62-Z	I	A-37	Dundas Congregation of Jehovah's Witnesses
99-70-Z	M1-5(H)	A-29	Rosart Properties Inc.
99-72-Z	A-65	A-4	Part of Lot 10, Concession 9 (Flamborough)
99-76-Z	H Removal	A-33	Van Wyngaarden, Janice and Hall, Peter
99-91-Z	5.21.9	-	Use of Parking Spaces (Town of Flamborough)
99-97-Z	Various	Various	House Keeping 3 (Town of Flamborough)
99-98-Z	R1-23	A-30	Schmidt, Conrad

List of Amendments			
BY-LAW No.	**ZONE CHANGE**	**SCHEDULE**	**NOTES**
99-103-Z	I-7	A-35	Teed, Wendy & Lionel
99-113-Z	O3-6	A-22	Century Pines Limited
99-114-Z	H Removal	A-35	Teed, Wendy & Lionel
OMB Order 1994 (Oct.29/99)	O3-6(H)	A-5	342 8th Concession Road East (Flamborough)
2000-04-Z	H Removal	A-26	1167625 Ontario Limited
2000-05-Z	A-37	A-6	Jan Gelderman Landscaping
2000-06-Z	A	A-11	Town of Flamborough
2000-07-Z	H Removal	A-5	Viirland, Jack
2000-08-Z(1)	I-8	A-9	Ivanic, Frank
2000-09-Z	H Removal	A-2	Bronte Creek Developments Inc.
2000-21-Z	A-67(H)	A-24	Part of Lots 15 and 16, Concession 1 (Beverly)
2000-35-Z	R1-1	A-30	Waco Drywall Services Limited
2000-38-Z	A-53	A-17	First Services Dental Supply Corp.
2000-39-Z	A-65	A-4	Part of Lot 10, Concession 9 (East Flamborough)
2000-41-Z	A-68	A-10	Tim Cruickshanks
2000-43-Z	H Removal	A-37	Greenworld Enterprises Limited
2000-47-Z	TUB	A-8	Fluter (May 24/00 to May 24/10)
2000-52-Z	H Removal	A-24	Will, Hubert, Irene, Steven & Allison
2000-56-Z	M3-15	A-37	Part of Lot 9, Concession 2 (West Flamborough)
2000-58-Z	H Removal	A-10	Tim Cruickshanks
2000-64-Z	H Removal	A-37	Sherry Huisman
2000-66-Z	R2 & CM	A-28	Block A, Plan 62M-262
2000-68-Z	I-9 & A	A-11	Part of Lot 13, Concession 3 (West Flamborough)
2000-69-Z	A & CM	A-17	Part of Lot 12, Concession 6 (Beverly)
2000-73-Z	A-6	A-16	Town of Flamborough
2000-74-Z	H Removal	A-26	Part Lot 6, Concession 9 (East Flamborough)
2000-75-Z	H Removal	A-33	Part of Lots 5 and 6, Concession 9 (West Flamborough)
2000-97-Z	R2-27	A-26	Part of Lot 6, Concession 9 (East Flamborough)
2000-115-Z	R1-25 & R1-25(H)	A-30	Part of Lot 25, Registered Plan 1084 (East Flamborough)

List of Amendments

BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
2000-116-Z	R1-24	A-30	Block 81, Plan 62M-773 & Block 19, Plan 62M-857 (East Flamborough)
01-083	R1-26	A-31	25 Elgin Street and 140 Victoria Street (Waterdown)
01-103	R2	A-26	Alger Court and Carlisle Road (East Flamborough)
01-152	A-69 (TUB)	A-24	2835 Governor's Road (Flamborough)
01-153	R2-14	A-37	Old Brock Road (West Flamborough)
01-212	A-70 (TUB)	A-5	1268 Highway No. 6 North (Flamborough)
02-103	H Removal	A-26	1437 Progreston Road (East Flamborough)
02-124	A	A-10	685 Brock Road (Flamborough) owned by Flamboro Quarries Limited
02-131	H Removal	A-26	3, 6, 7, 11, 12, 15, 18, 19, 23 & 24 Creekview Court (Flamborough) owned by 1419769 Ontario Inc., Tony Zeitler and Tony Matich
02-148	A-71	A-9	30 Moffat Road (Flamborough) owned by Annie and Alexander Nagy
02-187	H Removal	A-26	Part of the S-E Corner of Lot 4, Concession 9 (East Flamborough) owned by 1167625 Ontario Limited
02-191	I-5	A-30	132 Dundas Street East (Flamborough) owned by Todd and Debbie Osborne
02-209	sec. 5.34	-	City of Hamilton
02-229	H Removal	A-40	1576 Kirkwall Road (Flamborough) owned by Brad Jacobs and Karen Ricketts
02-230	H Removal	A-37	419 Ofield Road South (Flamborough) owned by 1090370 Ontario Limited
02-258	UC-8	A-30	214 and 216 Dundas Street (Flamborough)
02-265	A-72	A-9	988 Brock Road (Flamborough) owned by Gord and Shelley Detzler
02-299	A	A-10	685 Brock Road (Flamborough) owned by Flamboro Quarries Limited
02-302	A-73	A-14	1153 Regional Road No. 97 (Flamborough) owned by Tracey Jarrett and Wendy Awrey
02-311	H Removal	A-25	1430 & 1472 2nd Concession Road West (Flamborough) owned by Copetown Woods Golf Club Inc. and Hydro One Networks Inc.
03-067	H Removal	A-39	Part of Lot 10, Concession 1 (West Flamborough) owned by Gary Neven
03-124	H Removal	A-2	Part of Lot 4, Concession 11 (East Flamborough)
03-163	sec. 3 (def'n's); sec. 5.35	-	Model Homes in Draft Plans of Subdivision City of Hamilton

List of Amendments

BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
03-166	A-74	A-9	1108 5th Concession Road West (Flamborough) owned by Jose and Charlotte Fernandes
03-184	R2-24	A-38	73 Oak Avenue (West Flamborough)
03-202	A-76	A-8	1345 Highway No. 6 North (Flamborough)
03-225	A-75	A-4	166 Carlisle Road (Flamborough)
03-248	H Removal	A-38	75 Oak Avenue West (West Flamborough)
03-264	CM & A-77(H)	A-10	682 5th Concession Road West (Flamborough) owned by Ed Dokter (Millgrove Garden Supplies)
03-316	R4-2; R4-3	A-30	220 Dundas Street (Flamborough)
03-332	MI-11-1(H), MI-11-2(H) and MI-11-(H)	A-29	Part of Lots 12 & 13, Concession 3 (East Flamborough)
03-343	CA-5	A-5	992 Highway No. 6 North (Flamborough)
04-090	H Removal	A-37	7 Short Road (West Flamborough)
04-203	P(H), R6-13(H), R6-12(H), R1-27(H), R1-30(H), UC(H) & UD(H)	A-32	Concession 3, Part Lot 3, Registered Plan 62R782 Part 1 (Flamborough)
04-215	M1-11-1 & M1-11-2(H)	A-29	52 Highway No. 5 East (Flamborough)
04-219	R1-3	A-30	26 Dennis Avenue (Flamborough)
04-263	sec. 33.3.69; amends #01-152	-	2835 Governors Road (Flamborough)
04-265	R5-1	A-43	814 Old Highway No. 8 (Flamborough)
04-276	R2 & SC-16	A-26	448 Carlisle Road (Flamborough)
05-083	R1-28	A-30	43 Bayview Avenue (Flamborough)
05-159	Add 5.36		Consolidated Lot Development (City of Hamilton)
05-203	R1-29	A-30	80 Rockcliffe Road (Flamborough)
05-207	SC-17	A-29	Part of Lot 23, Concession 3 (West Flamborough)
05-216	H-Removal	A-10	Part of Lots 10 and 11, Concession 4 (Flamborough)
05-238	Add 5.36		Consolidated Lot Development (City of Hamilton)
05-312	HC-12	A-31	447 and 453 Dundas Street East (Flamborough)
05-350	SC-17	A-28	937 Centre Road (Flamborough)
05-390 (OMB)	I-8	A-9	928 Brock Road (Ivanic, Frank)
06-013	I-10	A-6	715 Centre Road (Flamborough)
06-015	M2-2	A-11 & A-29	91 Highway 5 West (Flamborough)
06-016	H-Removal	A-46	1564 Second Concession Road West (Flamborough)
06-030	H-Removal	A-37	397 Old Brock Road (Flamborough)
06-038	Add 5.27		Adequate Services (City of Hamilton)
06-052	R2-28	A-42	Part of Lot 30, Concession 5 (Beverly, Flamborough) Waverly Winds
06-085	A	A-21	Part of Lot 18, Concession 4 (Flamborough)

List of Amendments			
BY-LAW No.	**ZONE CHANGE**	**SCHEDULE**	**NOTES**
06-104	A-80	A-15	1896 8th Concession Road West (Flamborough)
06-158	R2-30	A-37	Part of Lots 11 and 12, Concession 2 (West Flamborough)
06-184	R2-15	A-33	17 Gavin Drive (Flamborough)
06-229	H-Removal	A-29	Part of Lots 12 and 13, Concession 3 (East Flamborough)
06-236	A-27	A-6	855 Centre Road (Flamborough)
06-237	R1-32 & R1-33	A-30	143 Dundas Street East (Flamborough)
06-286	SC-4 & CM	A-37	838 Crooks Hollow Road and 154 Highway No. 8 (Flamborough)
06-306	H-Removal	A-32	Part of Lot 3, Concession 3 (Flamborough)
07-001	A-81	A-9	1143 Edgewood Road (Flamborough)
07-005	A-79	A-10	783 Brock Road (Flamborough)
07-048	O3-9	A-25	93 Highway No. 52 (Flamborough)
07-064	R1-35	A-30	18 Dennis Avenue (Flamborough)
07-109	UC(H)	A-32	477 Dundas Street East (Flamborough)
07-112	Section 4.8: MDS		Minimum Distance Separation Formulae
07-134 (OMB)	R2-31 & CM	A-39	141 Highway No. 8, Concession 1 Part of Lot 7 (Flamborough)
07-135 (OMB)	R1-34, R6-15, R6-16, I, P, O2, O2-8,	A-6	619 Centre Road, Waterdown
07-165	A-41	A-22	621 Highway No. 8 (Flamborough)
07-185	H-Removal	A-5	342 8th Concession Road East (Flamborough)
07-200 (OMB)	R1-31, R6-14 & CM	A-6	203 Parkside Drive (Flamborough)
07-239	SC-17	A-28	937 Centre Road (Flamborough)
07-304 14-317 (OMB)	R1-36 & R1-37	A-30	8 McDonald Court
08-022	H-Removal	A-39	141 Highway No. 8 (Flamborough)
08-030	R6-17(H)	A-31	40 & 46 Flamboro Street, 62 Barton Street (Flamborough)
08-041	O1-2	A-30	55 Rockcliffe Road (Flamborough)
08-047	A-77(H)	A-10	682 Concession Road West (Flamborough)
08-118	H-Removal	A-42	1322 6th Concession Road West (Flamborough)
08-230	33.3.76 Amendment	A-8	1345 Highway No. 6 North (Flamborough)
08-276	H-Removal	A-33	110 Freelton Road (Flamborough)
09-022	R1-41 & R1-42	A-30	75 Overdale Avenue (Flamborough)
09-029	P-1	A-30	163 Dundas Street East (Flamborough)

09-054	M1-13	A-29	86 Dundas Street East (Flamborough)

List of Amendments

BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
09-062	R1-43 & R1-44	A-30	182 Parkside Drive (Flamborough)
09-074	A-86	A-25	153 Highway No. 52 (Flamborough)
09-075	H-Removal	A-38	65 Oak Avenue (Flamborough)
09-105	H-Removal	A-31	40 & 46 Flamboro Street, 62 Barton Street (Flamborough)
09-115	A-87	A-25	1396 Seaton Road (Flamborough)
09-131	Section 3, 23, 29, 30 amended		Waste Management Facilities (City of Hamilton)
09-158	R1-1	A-30	236 Parkside Drive
09-204	H-Removal	A-32	470 Parkside Drive, 12, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89 Blue Sky Trail (Flamborough)
09-210	Section 3, 5 amended		Outdoor Commercial Patios (City of Hamilton)
10-075	I-11 & CM-5	A-11	497 and 533 Millgrove Side Road (Flamborough)
10-076	Sections 3 and 5		Housekeeping (City of Hamilton)
10-139	SC-18	A-43	11 Carruthers Lane (Flamborough)
10-161	O3-11	A-25	1163 2nd Concession Road West and 315 Highway 8 (Flamborough)
10-181 (OMB)	R1-38, R1-39, R6-19, R6-20(H), R6-21	A-31	392 Dundas Street East
10-222	R1-45	A-30	15 McDondald Court, 45 Scott Street (Flamborough)
10-243	R2-32(H)	A-37	403 Old Brock Road (Flamborough)
10-256	R1-52	A-6	111 Parkside Drive (Flamborough)
10-259	R1-47	A-30	45 Brian Boulevard (Flamborough)
10-261	M1-12-2(H)	A-29	Parts of Lots 12 and 13, Concession 3 (East Flamborough)
10-292 (OMB)	R1-31(H), R6-14(H) & UD(H)	A-6	203 Parkside Drive
11-022 (OMB)	R6-26(H) & R1-53(H)	A-6	Part of Lot 11, Concession 4, Parkside Drive (Flamborough)
11-042 (OMB)	R1-54	A-6	Parts of Lots 9 and 10, Concession 4 (Flamborough)
11-089	R6-15, R4 & R1-34	A-6	249 and 251 Parkside Drive, 12 Cole Street (Flamborough)
11-140	R1-56	A-30	23 Orchard Drive (Flamborough)
11-214 (OMB)	R1-40, R4-4, R4-5, R6-22, R6-23 & R6-24	A-6	Part of Lot 11, Concession 4 (East Flamborough)
11-227	EI-1	A-10	834 Brock Road (Flamborough)

List of Amendments

BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
11-289	M1-12	A-29	522 Highway No. 6; 5, 6, 11, 28 Clappison Avenue, 4, 10, 24, 30, 36, 50 Horseshoe Crescent; 95 Dundas Street East (Flamborough)
12-017	A-89	A-17	1214 Highway No. 8 (Flamborough)
12-029	R1-40	A-6	111 Parkside Drive (Flamborough)
12-066	R1-58	A-30	17 Howard Boulevard (Flamborough)
12-149	O3-12 & CM	A-22	592 Westover Road
12-210	H-Removal	A-31	392 Dundas Street East
13-051 (OMB)	R1-34, R1-34(H), R6-27, R6-27(H), R6-28, UC-10, UC-10(H), UC-11, UC-11(H), O2-8 & CM	A-6	619 Centre Road
13-097	R1-59, R1-60 & R4	A-6	249, 251and 255 Parkside Drive and 60 Truedell Circle
13-143	R6-26(H)	A-6	257-267 Parkside Drive
13-174	R1-61	A-31	99 Wellington Street (Waterdown)
13-195	H-Removal	A-37	43, 47, 51, 55, 59 and 63 Tews Lane
13-203	A-90(H)	A-11	533 Millgrove Side Road
13-238 14-099 (OMB)	R1-62, R1-62(H), R1-63, R1-64, R4-6, R6-30, , R6-31, R6-32, R6-32(H), UD, UC-12(H), UC-13, UC-14(H) & CM-6	A-31 & A-32	392, 488, and 530 Dundas Street East, Part of Lots 2, 3, 4, and 5, Concession 3 (East Flamborough)
13-279	R6-33(H)	A-30	215 Dundas Street East
13-286	H-Removal	A-6	257-267 Parkside Drive
13-314	H-Removal	A-32	Concession 3, Part Lot 3, Parts 1, 4, 5 and 7 of Reference Plan 62R-19558 (East Flamborough)
14-013	H-Removal	A-6	203 Parkside Drive (Flamborough)
14-059	R1-30	A-32	South Side of Parkside Drive, West of Spring Creek Drive (East Flamborough)
14-080	H-Removal	A-30	215 Dundas Street East
14-097	R9-6-1(H), R9-6-2(H), O3-10-(H), CM-4	A-2	57 & 58 12th Concession Road East, Flamborough
14-155	R4-7, R4-7(H) & R6-34	A-6	111 Parkside Drive
14-203	H-Removal	A-6	65 Springview Drive
14-206	R1-66	A-30	22 Dennis Avenue
14-207	R1-67	A-30	25 Howard Boulevard
14-271	R6-36	A-30	122 Dundas Street East

List of Amendments

BY-LAW No.	ZONE CHANGE	SCHEDULE	NOTES
14-276			Community Gardens and Urban Farms
14-284	SC-19(H)	A-41	1292 Old Highway No. 8 (Beverly)
14-285	R3-6(H)	A-15	1605 Kirkwall Road (Beverly)
14-307 (OMB)	A-91	A-2	341 Mountsberg Road (East Flamborough)
14-313 (OMB)	R1-68	A-30	176 Parkside Drive
15-052	A-94	A-11	548 Millgrove Side Road, Flamborough
15-069	Sections 2, 3 and 5		Housekeeping
15-103			Urban Farmers Market
15-108	CM, A-93	A-11	250 Concession Road 4 West, Flamborough
15-140	R6-37 & R6-38	A-32	157 Parkside Drive
15-163	H Removal	A-26	348 Carlisle Road
15-186	R1-69, R1-70, R6-39, R6-40, R6-41(H), R6-42(H), UC-15 & UC-16	A-32	Part of Lots 2 and 3, Concession 3, East Flamborough
15-258	H Removal	A	1046 Highway 6
15-289	Sections 3 and 5		Housekeeping
16-007	H Removal	A-11	497 & 533 Millgrove Side Road
16-074 (OMB)	M1-12-1, M1-12-2, M1-12-3(H), M1-13,M1-11(H), M1-11-1, M1-11-2(H)M1-14(H)	A-29	Part of Lots 11, 12 and 13, Concession 3
16-084	R1-71 & R1-72	A-30	100 Sunnycroft Court
16-087	H Removal	A-15	1885, 1889, 1893 and 1897 Concession 8 West
16-117	R6-44	A-30	219 Dundas Sreet East
16-136 (OMB)	R6-43	A-31	40 Hamilton Street South (formerly 70 Barton Street)
16-138 (OMB)	R8-1	A-31	30 Hamilton Street South (formerly 70 Barton Street)
16-287	H-Removal	A-32	470 Parkside Drive and 493 Dundas Street East
17-009	R6-35	A-30	10 Dennis Avenue
17-034	H Removal	A-31	392, 488 and 530 Dundas Street East
17-154	R1-73	A-30	21 Howard Boulevard
17-157	R1	A-31	383 Dundas Street East
17-193	UC-17	A-31	100 Hamilton Street
17-208	H Removal	A-32	477 Dundas Street East
18-005	H Removal	A-31, A-32	446, 460 and 470 Dundas Street East
18-097	H Removal	A-36	218 Highway No. 8
18-260	UC-18(H)	A-30	5 Hamilton Street N

List of Amendments			
BY-LAW No.	**ZONE CHANGE**	**SCHEDULE**	**NOTES**
19-079	H Removal	A-36	612 Harvest Road
20-054	H Removal	A-31	392, 488 and 530 Dundas Street East
20-095	H Removal	A-31	383 Dundas Street East
20-120	H Removal	A-31	392, 488 and 530 Dundas Street East
21-074	Secondary Dwelling Unit Regulations		Townwide
21-129	H Removal	A-31	585 Skinner Road
21-137	UC-13	A-32	10, 39, and 40 Mallard Trail and 488 Dundas Street East
21-138	UC-14(H)	A-32	585 Skinner Road
21-167	Secondary Dwelling Unit Regulations		Townwide
21-185	Modification and updates to Administration and Enforcement		Townwide
22-072	Waterdown Node Secondary Plan Area	A-31	Established R1-74 and R1-74a through R1-74h. Deleted R1-13, R1-26, R1-61. Modified Section 10: Core Area Residential "R5" Zone. Established R5-3.
22-078	Modification to Outdoor Commercial Patio Regulations		Townwide
22-135	Modifications and Updates to Secondary Dwelling Unit and Secondary Dwelling Unit-Detached Regulations		Townwide
22-193	Modifications and Updates to Low Density Residential Zones		Townwide
22-238	H- Removal		619 Centre Road
23-249-OLT	Changing zoning District Commercial (C6, 326, H92) Zone to High Density Residential "R8-2 (H1, H2, H3)" Zone. Modifications to Section 13	A-29	
24-237-OLT	Changing Zoning from Agriculture "A" zone to the Medium Density Residential "R6-50" zone	A-6	909 North Waterdown Drive
24-142-PED	Deleting (H) holding symbol	A-32	585 Skinner Road
25-036	Revision to Section 5: General Provisions		Updates to Secondary Dwelling Unit and Secondary Dwelling Unit-Detached Regulations
25-156	Revisions to Section 3: Definitions and Section 5: General Provisions		115 Vansitmart Avenue, Hamilton 10 Baldwin Street, Dundas
26-114-OLT	Zone change from Settlement Residential (R2-14(H)) Zone, Modified, Holding to the Settlement	A-37	655 Cramer Road

List of Amendments			
BY-LAW No.	**ZONE CHANGE**	**SCHEDULE**	**NOTES**
	Residential (R2-52) Zone, Modified.		

TUB = Temporary Use Bylaw.

(1) Indicates that this by-law has been repealed.

TOWN OF
FLAMBOROUGH

BY-LAW NO. 90-145-Z

BEING A BY-LAW, UNDER
THE PROVISIONS OF
SECTION 34 OF THE
PLANNING ACT,
R.S.O. 1983, CHAPTER 1, AS
AMENDED FROM TIME TO
TIME, TO REGULATE THE
USE OF LANDS AND THE
USE, LOCATION AND
CHARACTER OF
BUILDINGS AND
STRUCTURES WITHIN THE
TOWN OF FLAMBOROUGH.

THE COUNCIL OF THE CORPORATION OF THE
TOWN OF FLAMBOROUGH ENACTS AS
FOLLOWS:

SECTION 1 APPLICATION, INTERPRETATION AND SCOPE

1.1 TITLE

This By-law shall be known as the Zoning By-law of the Town of Flamborough.

1.2 DEFINED AREA

The provisions of this By-law shall apply to all lands within the Town of Flamborough, with the following exceptions:

(a) Those lands subject to Referral or Deferral from the Town of Flamborough Official Plan, under Section 17 of the Planning Act, R.S.O. 1983, as amended from time to time, until such time as those Referrals and Deferrals are dealt with by the Minister of Municipal Affairs.

(b) Those lands within the Parkway Belt West Plan, where Regulation 482/1973 shall take precedence over the regulations of this By-law, until such time as the Minister of Municipal Affairs revokes said Regulation. At that time, the regulations contained within this By-law shall come into full force and effect.

(c) Those lands lying within the Development Control Area pursuant to the Niagara Escarpment Planning and Development Act, R.S.O. 1980, Chapter 316, as amended from time to time. In these areas, the permit requirements under Ontario Regulation 685/80, as amended, shall supersede the regulations of this By-law, until such time as the Minister of the Environment revokes said Regulation from any lands so affected. At that time, the regulations in this By-law shall come into full force and effect on said lands.

1.3 REPEAL OF EXISTING BY-LAWS

All previous By-laws passed pursuant to Section 34 of the Planning Act, 1983, as amended from time to time, or a predecessor thereof, shall be deemed to have been repealed, specifically the former Township of East Flamborough Zoning By-law No. 75-65-EF-Z, as amended; the former Township of West Flamborough Zoning By-law No. 2287, as amended; the former Township of Beverly By-law No. 72-22, as amended and the former Village of Waterdown Zoning By-law No.791, as amended.

1.4 INTERPRETATION

1.4.1 In this By-law:

(a) the word “shall” is mandatory;

(b) words used in the present tense shall include the future tense;

1.4.2 The measurements in this By-law shall be provided in the metric system. The imperial equivalents are provided in Appendix B for convenience only and shall not form part of this By-law.

1.5 SCOPE AND EFFECT

1.5.1 No person shall erect, alter or use any building, structure or lot within the limits of the Town except in conformity with the provisions of this By-law.

1.5.2 No use of land shall be changed, nor shall any building be changed, nor any land divided, if the effect of such change, construction or division contravenes any of the provisions of this By-law.

1.5.3 No lot, nor any building or structure located on a lot shall be deemed to contravene any provisions of this By-law due solely to the fact that a portion of such lot has been or is conveyed to or acquired by the Town, the Region, Her Majesty in right of Ontario, Her Majesty in right of Canada or any board or commission of the foregoing.

1.6 VALIDITY

If any section, clause or provision of this By-law, including anything contained in the attached Schedules, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining sections, clauses or provisions of this By-law.

SECTION 2 ADMINISTRATION AND ENFORCEMENT

2.1 ADMINISTRATION

This By-law shall be administered by the City's Director, Planning Division, Chief Planner. **#15-069, #21-185**

2.2 COMPLIANCE WITH OTHER RESTRICTIONS

This By-law shall not be construed so as to reduce or mitigate any restrictions or regulations lawfully imposed by the Town or by any governmental authority having jurisdiction to make such restrictions or regulations. Where the requirements of the By-law are greater, the provisions of this By-law shall apply.

2.3 BUILDING AND OTHER PERMITS

2.3.1 No Municipal permit, certificate or license shall be issue for a use of a lot or a proposed erection, alteration, enlargement or use of any building or structure that would be in violation of any of the provisions of this By-law, except as provided in the Planning Act, R.S.O. 1983, Chapter 1, as amended from time to time.

2.3.2 No excavation for any building or structure shall be commenced until a Building Permit has been issued by an authorized employee of the Town.

2.3.3 No person shall occupy a new building or structure, in whole or in part, until such time as a final inspection has been satisfactorily completed.

2.3.4 Where Ontario Fill, Construction and Alterations to Waterways Regulations are in effect, a permit from the Conservation Authority having jurisdiction or any other authority having jurisdiction is required prior to any grading/excavation taking place.

2.4 INSPECTION OF PREMISES

2.4.1 Subject to 2.4.2, a By-law Enforcement Officer, as designated from time to time by the Council of the Town of Flamborough, is hereby authorized to enter upon any property or premises for the purpose of discharging his or her duties and obligations under this By-law if there is reason to believe that the provisions of the By-law are not being complied with in whole or in part.

2.4.2 Notwithstanding anything to the contrary in subsection 2.4.1, no officer or employee of this Corporation shall enter any room or place actually being used as a dwelling unit or part thereof without the consent of the occupant except under the authority of a search warrant issued under the Provincial Offences Act, R.S.O. 1980, chapter 400, as amended from time to time.

2.5 PENALTY

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a penalty within the limits permitted in the Planning Act, R.S.O. 1983, Chapter 1, as amended from time to time, exclusive of costs, and recoverable under the Provincial Offences Act, R.S.O. 1980, chapter 400, as amended from time to time.

2.5.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and is liable:

(a) on a first conviction to a fine of not more than $20,000; and,

(b) on a subsequent conviction to a fine of not more than $10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

2.5.2 Where a corporation is convicted of contravening any of the provisions of this By-law, the maximum penalty that may be imposed is:

(a) on a first conviction a fine of not more than $50,000; and,

(b) on a subsequent conviction a fine of not more than $25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

2.6 REMEDIES

Where any building or structure is or is proposed to be erected, altered, reconstructed, extended or used, or any land is, or is proposed to be used, in contravention of any provision of this By-law, such contravention may be restrained by action at the instance of any ratepayer or the Town pursuant to the provision of the Planning Act, R.S.O. 1983, Chapter 1, as amended from time to time, or the Municipal Act, R.S.O. 1980, chapter 302, as amended from time to time.

SECTION 3 DEFINITIONS

Whenever used in this By-law, all words and phrases shall have their customary meaning with the exception of the following words and phrases which shall have the following meanings:

Accessory Use shall mean a use naturally and normally incidental, subordinate and exclusively devoted to the principal use of the *lot* and located on the same *lot*.

Accessory building* or *structure shall mean a detached *building* or *structure* which is used for an *accessory use*, but which is not used for human habitation, and includes a detached garage, detached carport and deck. **#96-92-Z**

Adult Entertainment Parlour shall mean any *building* or *structure*, or part thereof, in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations which includes:

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

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

Aerodrome shall mean any *lot*, *building* or *structure*, used or designed, equipped or set apart, in whole or in part, for the arrival and departure, movement and servicing of aircraft.

Aggregate shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, and rock, other than metallic ores.

Aggregate Storage shall mean an area in which *aggregate* may be stored in conjunction with a *pit* or *quarry*.

Agriculture shall mean a use of a *lot*, *building* or *structure* for the purpose of keeping livestock, bee-keeping, fallow, field crops, forestry, fruit farming, mushroom farming, horticulture, market gardening, removal of sod, pasturage, or greenhouses including the packing, treating or storing of produce produced on the premises, the sale of produce grown on the premises, and may also include a *single detached dwelling* in addition to any other permitted use. Livestock shall include the raising of swine, poultry, cattle, horses, goats, or any similar livestock or rabbits, mink or any other fur bearing animals. **Agricultural** shall have a corresponding meaning.

Agriculture Processing Establishment shall mean a *lot*, *building* or *structure* used for the processing of products directly derived from *agriculture* and may include the processing, storage and transport of such products and an abattoir.

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

access, *loading space* or *parking area*. The words **altered** and **alteration** shall have corresponding meanings. **#96-92-Z**

Animal Hospital shall mean a *building* or *structure* that is used by a qualified veterinarian for the treatment of animals or birds.

Automobile Body Shop shall mean a *building* used for the painting or repairing of motor vehicle bodies, or parts thereof, but shall not include an *automobile repair garage*, an *automobile service station*, a *gas bar*, a *car wash* or an *automobile wrecking yard*. **#96-92-Z**

Automobile Repair Garage shall mean a *building* used for the repair or replacement of parts in a motor vehicle and without limiting the generality of the foregoing, includes the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, electrical systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement but shall not include an *automobile body shop*, a *gas bar*, a *car wash*, or an *automobile wrecking establishment*. **#96-92-Z**

Automobile Sales and Service Establishment shall mean any *building* or *lot* where new and/or used motor vehicles are stored or displayed for the purpose of sale or hire and may include a *building* for the storage and sale of accessories and lubricants for motor vehicles and an *automobile repair garage*.

Automobile Service Station shall mean a *lot*, *building* or *structure* used for the sale of fuel, lubricants and accessories for motor vehicles and may also include an *automobile repair garage*.

Automobile Towing Establishment shall mean a *lot*, *building* or *structure* which is used for the keeping of tow trucks and may include a pound for the temporary storage of vehicles. **#96-97-Z**

Automobile Wrecking Establishment shall mean a *salvage yard* in which three or more unlicensed derelict motor vehicles are stored outdoors. **#96-92-Z**

Basement shall mean that portion of a *building* between two floor levels which is partly below ground level and is at least 50 percent above ground relative to the average finished *grade* adjacent to the exterior walls of the building.

Bed and Breakfast shall mean a home-based business within a *single detached dwelling* for the temporary accommodation of the travelling public, but shall not include a *hotel* or a *motel*.

Berm shall mean a landscaped mound of earth.

Building shall mean any *structure*, whether temporary or permanent, consisting of walls and a roof, used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels.

Building Supply Outlet shall mean a *lot*, *building* or *structure* in which building, construction or landscape materials and tools are offered for sale. **#99-97-Z**

Bunkhouse shall mean a *building* with a common room for sleeping and shared food preparation and

sanitary facilities. **#96-92-Z**

Carport shall mean a *building* or *structure* with not more than 60% of the wall area enclosed, used for the parking or storage of motor vehicles.

Car Wash shall mean a *building* or *lot* used for the washing of motor vehicles.

Cellar shall mean that portion of a *building* between two floor levels which is partly or wholly below ground level and which is more than 50 percent below ground relative to the average finished *grade* adjacent to the exterior walls of the *building*.

Cemetery shall mean a *lot* that is used as a place for the internment of the dead and may include a *building* or *structure* used for a columbarium or mausoleum.

Centreline of Street shall mean the centreline of the *street* right-of-way and shall not include the centreline of the travelled *street* or any widened road allowance.

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

Clinic shall mean a *building*, or part thereof, that is used by physicians, dentists or physical or mental health practitioners and their staff for the purpose of consultation, diagnosis and treatment of out-patients and may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the facility.

Commercial Airport Transit Service shall mean a *lot*, *building* or *structure* used for the storage of motor vehicles that are used for the transportation of individuals to and from airports, but does not include a taxi establishment. **#99-97-Z**

Commercial Motor Vehicle shall mean a commercial motor vehicle as defined in the Highway Traffic Act, as amended from time to time. **#99-91-Z**

Community Centre shall mean any *lot*, *building* or *structure* owned and/or operated by the Region or the Town used for the purpose of social and recreational activities and may include a *child care centre* but shall not include a *private club*. **#25-256**

Community Garden shall mean land used for the growing and harvesting of plants, grains, vegetables, or fruits and provided the crops are for the sole use, donation or consumption by the individual or individuals growing or working the community garden. It shall not be considered as landscaped area, landscape open space, landscaped strip or landscaping. **#14-276**

Conservation shall mean the use of a *lot*, *building* or *structure* for the purpose of management of natural resources, fish and wildlife.

Convenience Retail Store shall mean a *building* or *structure* not exceeding 340 square metres in *gross floor area*, used for the sale of food, beverages, pharmaceutical, magazines, newspapers, stationery, smoking supplies and other similar goods.

Cottage Industry shall mean a small scale business operation and may include value-added farm produce distribution, a trade, a profession, a *custom workshop*, metal or woodworking shop, small engine and equipment repair, arts and crafts studio, home made foodstuffs, home based *personal service establishment*, and a teacher of not more than four pupils simultaneously or not more than one musical pupil at a time; but shall not include an *automobile sales and service establishment*, an *automobile body shop*, an *automobile repair garage*, an *automobile service station*, a *gas bar*, a *fuel depot*, a *truck depot*, a *flea market*, a *restaurant* or any other use prohibited by this bylaw.

Council shall mean the Council of the Corporation of the Town of Flamborough.

Coverage shall mean that percentage of the *lot area* covered by any *buildings* and *structures* on or above ground level.

Custom Workshop shall mean a *building*, or part thereof, used by a trade, craft or guild for the repair, servicing or custom assembly of articles but shall not include an *automobile repair garage* or an *automobile body shop*.

Day Nursery **del #95-22-Z #25-156**

Deck shall mean a structure accessory to a building with or without roof or walls, which may include visual partitions and railings, and is constructed on piers or a foundation at a minimum of 0.15 metres above-grade. **#15-069**

Density shall mean the ratio between the number of *dwelling units* located or proposed to be located on a *lot* and the area of the *lot* zoned as Residential where the area to be measured shall include all lands within the *lot* proposed to be used for *buildings*, *structures*, *streets*, *parking areas*, *landscaped open space* or any other purpose.

Driveway shall mean a motor vehicle access provided between a *street* and a *parking area*, a *parking space* or between two *parking areas*.

Dry Cleaning Distribution Station shall mean a *building*, or part thereof, used for the purpose of receiving articles or fabric to be dry-cleaned, dyed or laundered elsewhere and for the pressing and distribution of any such articles, goods or fabric.

Dry Cleaning Establishment shall mean a *building* or part thereof used for dry cleaning, dry dying, cleaning or pressing of articles or fabrics and may include an accessory *dry cleaning distribution station*.

Dwelling shall mean a *building* used or intended to be used for human habitation but shall not include a *recreational vehicle*. A *dwelling* may include a private attached garage or *carport* attached thereto as an *accessory building* or *structure*. **#96-92-Z**

> ***Apartment building*** shall mean a *building* containing four or more *dwelling units* with common entrance from *street* level and each unit served by a common corridor or hallway and stairway.
>
> ***Apartment Unit*** shall mean a *dwelling unit* contained within an *apartment building*, or a *dwelling unit* contained within a *building* which has one or more permitted uses on the first floor.

Bachelor Unit shall mean an *apartment unit* wherein the living area includes the area for sleeping arrangements, and no separate bedroom is provided.

Converted Dwelling shall mean a shall mean a dwelling altered to contain a greater number of *Dwelling Units*. **#22-193**

Duplex Dwelling shall mean one of two *dwelling units* contained within a *building* divided horizontally into two separate units, where each unit has an independent entrance directly from the outside or through a common vestibule.

Link Dwelling shall mean one of two *dwelling units* attached vertically by a below *grade* common wall, each of which has an independent entrance directly from the outside.

Manufactured Home shall mean a *dwelling unit* not less than 3.65 metres in width and 11.5 metres in length that is designed to be built in a factory and transported to the site to provide a permanent residence for one or more persons but shall not include a *recreational vehicle*.
#92-156-Z #93-65-Z #96-92-Z

Mobile Home shall mean any *dwelling*, exceeding 2.6 metres in width or 11 metres in length, that is designed to be made mobile and constructed or manufactured to provide a permanent *dwelling* unit for one or more persons but shall not include a *recreational vehicle* as defined herein.

Quadruplex shall mean a *dwelling* divided into four *dwelling units*, each of which has an independent entrance directly from the outside or through a common vestibule.

Single Detached Dwelling shall mean a separate *dwelling* containing one *dwelling unit*.

Semi-Detached Dwelling shall mean one of two *dwelling units* attached vertically by an above and below grade common wall, each of which has an independent entrance directly from the outside or through a common vestibule.

Street Townhouse shall mean a *townhouse* with each *dwelling unit* having frontage on a public *street*.

Townhouse shall mean a *dwelling* divided vertically, by an above and below grade common wall, into three or more *dwelling units*, with a maximum of eight units, each of which has independent entrances to the *front* and *rear yards* or *front* and *side yards*. **#96-92-Z**

Triplex Dwelling shall mean one of three *dwelling units* contained within a *building* divided into three separate units, where each unit has an independent entrance directly from the outside or through a common vestibule.

Dwelling Unit shall mean a suite of two or more rooms used or intended to be used by one or more persons living together as one household, in which food preparation and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway.

Erect shall mean to build, construct, reconstruct or relocate and, without limiting the generality of the foregoing, also includes:

(a) any preliminary operation such as excavation, filling or draining;

(b) the altering of any existing *building* or *structure* by an addition, enlargement, extension or other structural change;

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

(d) any work requiring a Building Permit under the By-law of the Town and the Ontario Building Code Act, R.S.O. 1980, Chapter 51, as amended from time to time.

Erected and **Erection** shall have corresponding meanings.

Exhibition and Conference Hall shall mean a *building* used to accommodate trade fairs, conventions and exhibitions on a permanent or temporary basis.

Existing shall mean legally existing on the date of passing of this By-law.

Farm Produce/Product Stand shall mean a building or structure used for the sale of fresh fruit, vegetables, grains and edible plants which are grown on an urban farm on a seasonal basis. Products derived from the urban farm produce may also be sold. **#14-276**

Farm Supply Outlet shall mean a *lot*, *building* or *structure* used for the sale and distribution of agricultural products, including fertilizers, feeds and seeds. **#99-97-Z**

Farm Vacation Home shall mean a home based business within a *single detached dwelling* associated with agriculture, for the temporary accommodation of the travelling public, but shall not include a *hotel* or a *motel*.

Financial Institution shall mean a *lot*, *building* or *structure* occupied by a bank or trust company. **#99-97-Z**

Feed Mill shall mean a *lot*, *building* or *structure* used for the collection, blending, packaging, sale and distribution of agricultural feed, seed and fertilizers. **#99-97-Z**

Fence shall mean any fence, hedge, freestanding wall or similar *structure*, used to delineate a property boundary, or erected within any property boundary.

Flea Market shall mean a *lot*, *building* or *structure* on or within which goods and/or services are offered to the public for sale by different vendors from individual stalls or stands, and may include a Convenience Restaurant, but shall exclude the sale of any motor vehicle or vehicle, as defined under the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended from time to time, or any recreational vehicle, motorized snow vehicle or boat. **#99-97-Z**

Food and Beverage Plant shall mean a *lot*, *building* or *structure* used for the assembling, processing, packaging storing and distribution of food and beverage products. **#99-97-Z**

Forestry shall mean the use of a *lot* for the raising and harvesting of wood and shall include, but not be limited to, the raising and cutting of fuel wood, pulp wood, lumber, veneer, Christmas trees and other

forest products.

Foundary Operation shall mean a *lot*, *building* or *structure* used for the manufacturing and processing of iron, steel or metal products. **#99-97-Z**

Fuel Depot shall mean a *lot* where bulk storage of fuel, including petroleum products and propane takes place, and where wholesaling of these products may be carried on, and shall not include an *automobile service station* or *gas bar*. **#96-92-Z**

Garden Centre shall mean a *lot*, *building* or *structure* where plant materials such as seeds, plants, bushes and trees and associated supplies are offered for sale together with accessory items, including but not limited to, garden equipment, garden chemicals, garden furniture, swimming pool supplies, flowers and pot plants, and where seasonal outdoor storage of bulky garden items takes place.

Gas Bar shall mean a *building*, *structure* or *lot* where motor vehicle fuels, lubricants and accessories are sold, and may include a *convenience retail store*, but shall not include the conducting of repairs, cleaning or maintenance of motor vehicles. **#99-97-Z**

General Contracting shall mean a *lot*, *building* or *structure* used for a construction or building trade. **#99-97-Z**

Golf Course shall mean a lot used for the playing of golf and may include a pro-shop, a club house, restaurant or lounge, mini golf and driving range.

Grade shall mean the average level of proposed or finished ground adjoining a *building* at all exterior walls. **#96-92-Z**

Gross Floor Area shall mean the total sum of the horizontal areas of a *building* or *structure* measured from the exterior faces of the exterior wall or from the centreline of any common or partition wall but shall not include the horizontal area of any *cellar*, attic, enclosed *parking area*, enclosed *loading space*, or any unenclosed porch, verandah, balcony or similar *structure*.

Gross Leasable Floor Area shall mean the total sum of the horizontal areas of a *building* or *structure* for which tenants pay rent and have exclusive occupancy, measured from the centreline of partition walls and the exterior face of outside walls, and includes all such floor area on a main floor, mezzanine upper storeys and in *basements* or *cellar*, but shall not include any floor area used in common by the tenants of the building such as a mall, aisle or hallway, elevator shaft or lobby, stairwell, mechanical or electrical or utility room, and any *parking area* provided within the *building*. **#96-92-Z**

Group Home shall mean a household located within a *single detached dwelling* in which 3 to 10 residents, excluding staff or receiving household, live under responsible supervision consistent with the requirements of its residents and relevant Provincial guidelines. **#96-92-Z**

Hazardous Waste shall mean materials that are defined as hazardous waste under Ontario Regulation 347 to the *Environmental Protection Act*. **#09-131-Z**

Height shall mean the vertical distance between the grade of a building or structure and:

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

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

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

(c) in the case of a structure not having a roof, the top part of the structure.

#15-069-*REPEALED* **#15-289**

Help House shall mean a *single detached dwelling*, *mobile home* or *bunk house*, accessory to and located on the same *lot* as a full-time operating farm.

Home Child Care shall mean a portion of a *dwelling* used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that:

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

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

Home Improvement shall mean a *lot*, *building* or *structure* where products and services are provided for the repair and maintenance of residential dwellings. **#99-97-Z**

Home Occupation shall mean an occupation conducted as an accessory use within a *dwelling unit*.

Hospital, Private shall mean a hospital as defined by the Private Hospitals Act, R.S.O. 1990, Chapter P.24, as amended from time to time. **#92-22-Z**

Hospital, Public shall mean a hospital as defined by the Public Hospitals Act, R.S.O. 1980, Chapter 410, as amended from time to time.

Hotel shall mean an establishment providing accommodation for the travelling public, with or without accessory food, beverage or other services. Each suite shall have access from the interior of the *building* and may also be accessible from the outside.

Institutional Use shall mean an establishment of cultural, educational, health, welfare, religious or governmental activity which serves the community, generally under the jurisdiction of a local board or public or private agency, and shall include, but not be restricted to, a school, *place of worship*, hospital, *clinic*, residence for the elderly, *nursing home*, museum, *child care centre* or *park*. **#25-156**

Kennel shall mean any *lot*, *building* or *structure* used at any time for the breeding, raising, keeping, training or boarding of four or more dogs. **#93-18-Z**

Landscape Operation shall mean a *lot, building* or *structure* used to store motor vehicles, vehicles and equipment for the maintenance of lawns and landscaped areas, and may include snow removal equipment. **#99-97-Z**

Landscaped Open Space shall mean a *lot*, or part thereof, which is used for the growth and maintenance of grass, shrubs, flowers, trees and similar types of vegetation and may include surfaced walkways, patios, fences and similar appurtenances.

Laundromat shall mean a *building*, or part thereof, wherein self-serve washing machines and/or driers are available for *public use* for a fee.

Loading Space shall mean a *lot*, or part thereof, which is provided for the temporary parking of one vehicle for the loading or unloading of merchandise, materials or persons.

Local Agricultural Products shall be defined as fruits, vegetables, grains, seeds, flowers, herbs, dairy, fish, meat and poultry, maple, or honey bee products that have been grown or produced as part of Ontario farm operations. **#15-103**

Lot shall mean a parcel of land which fronts onto a *street* which has been opened and which:

(a) is the whole of a *lot* upon a Registered Plan of Subdivision except a Registered Plan of Subdivision which has been deemed to be not a Registered Plan of Subdivision under the provisions of the Planning Act, R.S.O. 1983, Chapter 1, as amended from time to time, or a predecessor thereof; or,

(b) comprises all the land described in a conveyance by way of deed, transfer, mortgage, charge or agreement of sale and purchase to which consent has been given under the provisions of the Planning Act, RS.O. 1983, Chapter 1, as amended from time to time; or,

(c) may be legally conveyed by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under the provisions of the Planning Act, R.S.O. 1983, Chapter 1, as amended from time to time,

For the purpose of this definition, no parcel or tract of land ceases to be a *lot* by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Town, the Region, Her Majesty in right of Ontario, or Her Majesty in right of Canada or any board or commission of the foregoing.

Corner Lot shall mean:

(a) a *lot* situated at the intersection of two or more *streets* or a *lot* abutting on one or more parts of the same *street* where such intersections have an angle of intersection of 135 degrees or less;

(b) a *lot* located on the curve of a *street* where the angle of intersection of the projected tangents of the *streetline* does not exceed 135 degrees.

Interior lot shall mean a *lot* with the *front lot line* being contiguous with a *streetline* and shall exclude a *corner lot*.

Through lot shall mean a *lot* with opposite sides being contiguous with a *streetline* other than a *corner lot* unless three or more *lot* lines of a *corner lot* are contiguous with a *streetline*.

Lot Area shall mean the total horizontal area within the *lot lines* of a *lot*. **#96-92-Z**

Lot coverage shall mean the percentage of the lot covered by all buildings, but shall not include swimming pools and decks. **#96-92-Z, #15-069**

Lot Frontage shall mean the horizontal distance between the *side lot lines*, measured at right angles along the *front lot line*. Where the *front lot line* is not a straight line, or where the *side lot lines* are not parallel, the *lot frontage* shall be measured by a line 7.5 metres back from and parallel to the chord of the *lot frontage*. For the purpose of this By-law, the chord of the *lot frontage* is a straight line joining the two points where the *side lot lines* intersect the *front lot line*.

Lot Line shall mean any boundary of a *lot* and the vertical projection thereof.

Front lot line shall mean the *lot line* that abuts the *street* except that:

(a) in the case of a *corner lot* or *through lot*, the shorter *lot line* abutting a *street* shall be deemed the *front lot line*;

(b) in the case of a *corner* or a *through lot* with two *lot lines* of equal length abutting *streets*, the *lot line* that abuts the wider *street* shall be deemed to be the *front lot line*. Where the *streets* are of equal width, the *lot line* which abuts a Regional or Provincial Highway shall be deemed to be the *front lot line*. In the case of both *streets* being under the same jurisdiction and of the same width, the Town shall designate which *streetline* shall be the *front lot line*. **#96-92-Z**

Rear Lot Line shall mean the *lot line* opposite to the *front lot line* except where the *side lot lines* intersect, as in the case of a triangular lot, the *rear lot line* shall be represented by the point of intersection of the *side lot lines*.

Side Lot Line shall mean a *lot line* other than the *front lot line* or *rear lot line*. **#96-92-Z**

Exterior Side Lot Line shall mean a *side lot line* abutting a *street*.

Interior Lot Line shall mean any *lot line* other than a *lot line* contiguous with a *streetline*.

Interior Side Lot Line shall mean an *interior lot line* other than a *rear lot line*.

Maisonette: For the purpose of this By-law, a Maisonette shall be defined as a building not more than one single detached dwelling unit in height, designed to contain not less than six dwelling units and not exceeding 14 dwelling units, fully attached to each other, side-by-side, in two rows arranged back-to-back and in substantial harmony with each other, each of which dwelling unit:

(a) Has a separate front entrance;
(b) Is joined on one or both sides by a party wall to another dwelling unit in the same row; and,
(c) Is joined by a common vertical back wall extending the length of the building.

Manufactured Home Park shall mean a *lot* containing more than one *manufactured home site* and may include private parks and open space; and accessory recreational, commercial and administrative facilities. **#92-156-Z #93-65-Z**

Manufactured Home Site shall mean a parcel of a *manufactured home park* intended for the

accommodation of a *manufactured home* and for the exclusive use of the occupants but not for a *recreation vehicle*. **#92-156-Z #93-65-Z #96-92-Z**

Mobile Home Park shall mean a *lot* for the permanent placement of one or more *mobile homes* on individual *mobile home sites*, and may include a *park*, *place of recreation*, *convenience retail store*, *dry cleaning distribution station*, *laundromat* and *personal service establishment*. **#96-92-Z**

Mobile Home Site shall mean a parcel of serviced land within a *mobile home park* intended for the accommodation of a *mobile home* and for the exclusive use of the occupants but not for a *recreational vehicle*. **#96-92-Z**

Model Home means a single detached dwelling, semi-detached dwelling, street townhouse dwelling or a block of townhouse dwelling units used in the interim for the sole purpose of an office and/or show room and/or sales centre each of which shall promote the sale of residential units within a draft approved plan of subdivision or a registered plan of subdivision. **#15-289-Z**

Motel shall mean an establishment providing accommodation for the travelling public, with or without food, beverage or other services. Each suite shall have access from the exterior only.

Motorhome shall mean a self propelled vehicle that includes as an integral part, temporary accommodation for travel, vacation or recreational use.

Motor Vehicle shall mean a motor vehicle as defined by the Highway Traffic Act. **#96-92-Z**

Net Residential Hectare shall mean the area of a site used in the calculation of net residential density. In the case of low density development, the area shall include only the land for residential *lots* and shall exclude public roads, public parkland and hazard land. In the case of medium and high density development, the area shall include the land for *buildings*, internal driveways, *parking areas*, open space and other associated amenities.

Non-Complying shall mean a *building* or *structure* which does not meet with one or more provisions of this By-law. **#96-92-Z**

Non-Conforming shall mean a use of a *lot*, *building* or *structure*, or any part thereof, which is not permitted by this By-law. **#96-92-Z**

Noxious Use shall mean a health hazard or offensive trade within the meaning of the Health Promotion and Protection Act, R.S.O. 1980, as amended from time to time, or any use, business or trade which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, vibration or refuse matter.

Nursing Home shall mean any *building* where lodging, meals and nursing care are provided for two or more persons, as defined under the Nursing Homes Act, R.S.O. 1980, Chapter 320, as amended from time to time.

Outdoor Commercial Patio shall mean any outdoor area used in conjunction with any establishment licensed under the Liquor License Act, where meals or refreshments are sewed to the public for consumption on the premises. **#09-210-Z**

Park shall mean an area of open space where facilities are provided for recreational activities including, but not limited to, playfields, pedestrian and bicycle paths, tennis courts, picnic pavilions and other related uses, but shall not include any *dwelling unit*.

Parking Area shall mean a *lot*, *building* or *structure*, or part thereof, provided and maintained for the temporary parking of *motor vehicles* and shall include all *parking spaces*, driveways, aisles and manoeuvring areas.

Parking Space shall mean a portion of a *parking area* used for the temporary parking or storage of one *motor vehicle* or *vehicle* and may include a garage or *carport*. **#96-92-Z**

Permitted shall mean allowed or authorized by this By-law. **#96-92-Z**

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

Personal Service Establishment shall mean a *building* or part thereof in which persons are employed in furnishing services and otherwise administering to individual and personal needs and may include the premises of a barber, hairdresser, beautician, and shoe repair establishment but shall not include an *adult entertainment parlour*. The sale of merchandise shall be permitted only as an *accessory use* to the personal service provided.

Pit shall mean a place where unconsolidated gravel, stone, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes but shall not include a *wayside pit*.

Place of Entertainment shall mean a *lot*, *structure* or *building*, or part thereof, where facilities are provided for entertainment or cultural activities and may include an auditorium, a motion picture or other theatre, billiard or pool room, bingo hall, bowling alley, amusement arcade, music hall or dance hall but shall not include an *adult entertainment parlour*.

Place of Recreation shall mean a *lot*, *structure*, *building* or part thereof where facilities are provided for recreation and may include an arena, gymnasium, fitness centre, ice or roller skating rink or curling rink but shall not include an *adult entertainment parlour*.

Place of Worship shall mean a *lot*, *building* or *structure*, or part thereof, used for a church, synagogue, mosque, temple, or other public worship and may include a *cemetery* and one *dwelling unit*.

Planting Strip shall mean an area of a *lot* located adjacent to a *lot line*, or part thereof, which shall be used for *landscaped open space* to achieve buffering between uses and to enhance the appearance of a site, and shall contain one or more of the following:

(a) a continuous row of trees;

(b) a continuous hedgerow of evergreens or shrubs;

(c) a continuous solid *fence* or wall;

(d) a discontinuous solid *fence* or wall, together with associated shrubs or tree planting.

Portable Sign **del #92-22-Z**

Private Club shall mean a *lot*, *building* or *structure*, or part thereof, used as a meeting place for athletic, social or recreational functions carried out by a private organization solely for its members and their guests.

Private Home Day Care **del #25-156**

Propane and Natural Gas Conversion and Repair Shop shall mean any *building* or *structure* where motor vehicles are converted from gasoline or diesel to motor vehicles which can operate on propane, natural gas or a combination of propane and natural gas and gasoline; or any *building* or *structure* used for the repair of such converted motor vehicles.

Public Information Sign **del #92-22-Z**

Public Use shall mean the use of a *lot*, *building* or *structure* by a Municipal, Regional, Provincial or Federal Government or any board or commission thereof, not otherwise identified in this By-law, including, but not limited to:

(a) municipal offices, libraries, post offices, police stations, fire halls;

(b) water treating, pumping and storage facilities, sewage pumping or treating facilities and works yards.

(c) waste management facility **#09-131-Z**

Pylon Sign **(deleted) #96-92-Z**

Quarry shall mean a place where consolidated rock has been or is being removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes but shall not include a *wayside quarry*.

Recreational Camping Establishment shall mean a *lot* used for recreational tenting and camping facilities and/or for the temporary use of *recreational vehicles* and may include administrative offices, a *laundromat* and a *park*.

Recreational Vehicle shall mean a *vehicle* designed to be used as temporary accommodation for travel, vacation or recreational use, including, but not restricted to *motorhomes*, *trailers* and *truck campers*, but shall not include a *mobile home*. **#96-92-Z**

Region or ***Regional*** shall mean or refer to the Regional Municipality of Hamilton-Wentworth.

Required shall mean the minimum obligation to meet any provisions contained in this by-law. **#96-92-Z**

Restaurant, Convenience shall mean an establishment where food or refreshments are sold from a counter in a ready to consume state, for consumption on or off the premises, with a *gross floor area* not in excess of 100 square metres, with or without seating, and which is normally located in a *building* or *structure* primarily devoted to another use or uses. **#96-92-Z**

Restaurant, Fast Food shall mean an establishment located in a *building* or *structure* or part thereof where food or refreshments are sold from a counter or window, in a ready to consume state, for consumption on or off the premises, and has a *gross floor area* in excess of 100 square metres, with or without seating. **#96-92-Z**

Restaurant, Standard shall mean an establishment within a *building* or *structure* or part thereof where food or refreshments are sold in a ready to consume state for consumption on the premises, generally by table service, but does not include a *fast food restaurant* or a *convenience restaurant*.

Retail Establishment shall mean a *building*, or part thereof, used for the retail sale of goods, wares, merchandise, foodstuffs or articles but shall not include a *salvage yard* or *automobile sales and service establishment*.

Retirement Home shall mean a *building* for the accommodation of senior citizens, within single or double rooms or suites which do not contain kitchens, and where central kitchen, dining and laundry facilities are provided for the residents, together with other communal facilities, under the supervision of resident and other staff, but which shall not include a *nursing home*. **#96-92-Z**

Salvage Yard shall mean a *lot*, *building* or *structure* used for the dismantling, storing, processing for further use and/or sale of used or scrap goods, wares, merchandise, vehicles or articles and may include a junk yard, scrap metal yard and an *automobile wrecking establishment*. **#96-92-Z**

School, Commercial shall mean a school operated for gain or profit, providing instruction in dance, music, arts, business, vocations or other specialized subjects but shall not include a *private school*.

School, Private shall mean a school under the jurisdiction of a private non-profit board of trustees or governors, a religious organization or a charitable institution but shall not include a *public school* or *commercial school*. **#96-92-Z**

School, Public shall mean a school under the jurisdiction of a Board as defined in the Education Act, R.S.O. 1980, Chapter 129, as amended from time to time.

Secondary Dwelling Unit shall mean a separate and self-contained Dwelling Unit that is accessory to and located within the principal dwelling. **#22-135**

Secondary Dwelling Unit – Detached shall mean a separate and self-contained detached Dwelling Unit that is accessory to and located on the same lot as the principal dwelling.**#22-135**

Service Shop shall mean a *building*, or part thereof, used for the repair, refurbishing or servicing of household articles or goods but shall not include any industrial or manufacturing operation or an *automobile repair garage* or *custom workshop* or a *propane and natural gas conversion and repair shop*.

Setback shall mean the minimum horizontal linear distance from the *lot line* to the nearest part of any

building, *structure* or excavation on the *lot*, as measured perpendicular to such *lot line*. **#96-92-Z**

Shopping Centre shall mean a group of commercial uses with at least three individual businesses designed and developed as a single comprehensive planned development and greater than 2,000 square metres *gross leasable floor area*.

Sight Triangle shall mean a triangular area formed by the intersecting *streetlines* abutting a *corner lot* and by a third line drawn from a point on one of the *streetlines* to a point on the other *streetline*. Where the two *streetlines* do not intersect at a point, the point of intersection of the *streetlines* shall be the intersection of the projection of the *streetlines* or the intersection of the tangents to the *streetlines*. **#96-92-Z**

Sign **deleted #96-92-Z**

Sign Area **deleted #92-22-Z**

Stacked Townhouse for the purpose of this By-law, a *Stacked Townhouse* shall be defined as a building divided vertically and horizontally, not more than two dwelling units in height, with a maximum of ten dwelling units, each having a separate front entrance at grade.

Storey shall mean the portion of a *building* between any floor and the floor, ceiling or roof next above it but shall not include a *basement* or *cellar*.

Street shall mean a highway as defined by the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, which has been assumed for *public use*.

Streetline shall mean the limit of the *street* right-of-way and shall be the boundary between a *lot* and a *street*.

Structure shall mean anything constructed or erected which requires location on or in the ground or is attached to something having location on or in the ground but shall not include a *fence*, a retaining wall less than 1.2 metres in height, lawn ornament, hedge, or a parking structure which is entirely underground. **#92-22-Z**

Tavern shall mean an establishment primarily engaged in selling alcoholic beverages for consumption on the premises, where food is normally sold as a secondary activity.

Taxi Establishment shall mean a *lot*, *building* or *structure* used for the storage of *motor vehicles* to transport individuals, but shall not include a *commercial airport transit service*. **#99-974**

Temporary Use shall mean a use that is authorized under Section 38 of the Planning Act, R.S.O. 1983, Chapter 1, as amended from time to time.

Thermal Treatment shall mean the processing of waste into a waste-based fuel and/or the disposal of waste under controlled conditions by heating or combusting the materials and shall include refuse derived fuel manufacturing and energy from waste activities. **#09-131-Z**

Town shall mean or refer to the Corporation of the Town of Flamborough.

Trailer shall mean any vehicle constructed for the purpose of being drawn or propelled by a *motor vehicle* for use as temporary accommodation for travel, vacation or recreation.

Truck Camper shall mean a *structure* mounted on the bed or chassis of a truck, with or without an over-cab section, for use as temporary accommodation for travel, vacation or recreation.

Truck Cartage Terminal shall mean a *lot*, *building* or *structure* for the packing, trucking and transfer of freight by *trailers*, boxes or containers.

Truck Depot shall mean a *lot*, *building* or *structure* where two or more commercial motor vehicles are parked overnight or for longer periods or stored and where minor repairs may take place.

Urban Farm shall mean land that is used for the growing and harvesting of edible plants, grains, vegetables or fruits and that the edible plants, grains, fruits and vegetables grown on-site may be sold on-site. It may include buildings and structures such as farm produce/product stand, greenhouses, hoop houses or cold frames. It shall not include a medical marihuana growing and harvesting facility, an aquaponics or aquaculture facility, livestock operation or a mushroom operation. It shall not be considered as landscaped area, landscape open space, landscaped strip or landscaping. **#14-276**

Urban Farmers Market shall mean a temporary public market operated by a community organization, or a non-profit corporation, at which the majority of persons who operate the stalls sell local agricultural products, value added local agricultural products, or VQA wines provided the products are produced by persons who operate the stalls. **#15-103**

Use shall mean the purpose for which any *lot*, *building* or *structure*, or part or combination thereof, is arranged, designed, intended, occupied or maintained. The words **used**, to **use** and **uses** shall have a corresponding meaning.

Value-added Local Agricultural Products shall mean raw local agricultural products that have been grown or produced as part of farm operations in the City of Hamilton or Ontario farms which have been transformed into another product. **#15-103**

Vehicle shall mean a vehicle as defined by the Highway Traffic Act. **#96-92-Z**

Wall Sign **del #92-22-Z**

Waste Disposal Site **deleted by #10-076**

Waste shall mean materials that are defined as waste under Part V of the *Environmental Protection Act.* **#92-144-Z #09-131-Z**

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

Waste Management Facility shall mean the use of land, building, structure, or part thereof, for the storage, processing or disposition of waste or hazardous waste and for which a Certificate of Approval for such purpose under Part V of the *Environmental Protection Act* is required. Waste management facilities shall include the following uses: waste processing facilities; waste transfer facilities; hazardous waste management facilities; and, waste disposal facilities. **#09-131-Z**

Waste Processing Facility shall mean the use of land, building, structure, or part thereof, for the sorting and processing of waste and recyclable materials and for which a Certificate of Approval for such purpose under Part V of the *Environmental Protection Act* is required. Waste processing facilities shall include but not be limited to: thermal treatment, blue box recyclable recovery facilities, open-air or in-vessel organics processing, wood waste recycling, construction and demolition waste recycling and/or a Co-generation Energy Facility, but shall not include a Motor vehicle Wrecking Establishment or a Salvage Yard.**#09-131-Z**

Waste Transfer Facility shall mean the use of land, building, structure or part thereof, for the temporary storage and collection of waste and for which a Certificate of Approval for such purpose under Part V of the *Environmental Protection Act* is required. A waste transfer facility may also include limited sorting of such waste prior to its transport. **#09-131-Z**

Wayside Pit* or *Wayside Quarry shall mean a temporary *pit* or *quarry* opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the *street* right-of-way.

Wholesale and Retail Warehouse Facility shall mean a large scale building, with minimum floor space of 1858 square metres, which distributes a broad range of goods or distributes hih 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. **#99-97-Z**

Yard shall mean a space between a *building*, *structure* or excavation on a *lot* and the *lot lines* of the *lot* which shall be open, uncovered and unoccupied except for such *buildings*, *structures* or uses as are specifically permitted in this By-law. Any yard requirements shall be the minimum horizontal linear distance from the *lot line* to the nearest part of any *building*, *structure* or excavation on the *lot* as measured perpendicular to such *lot line*. **#96-92-Z**

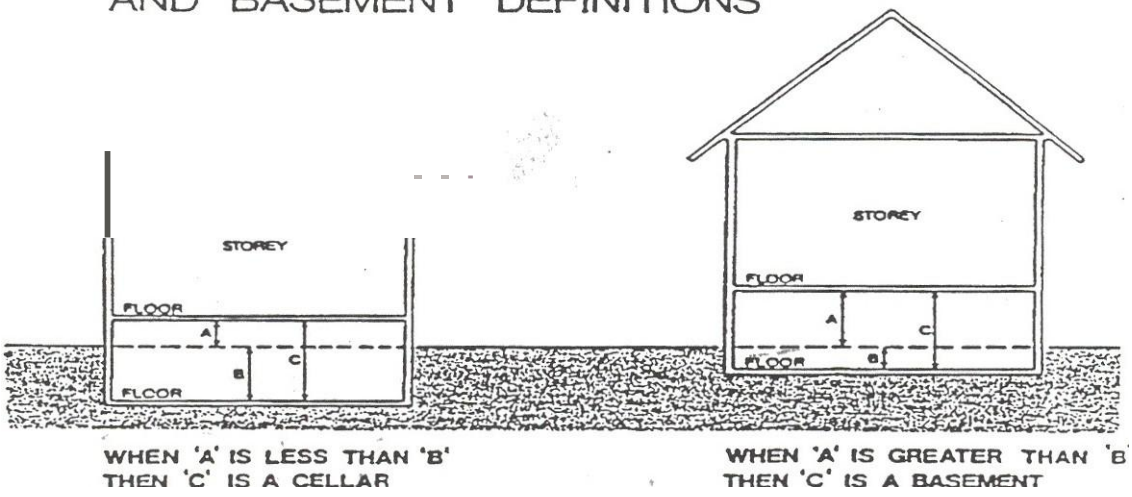
> ***Front Yard*** shall mean a *yard* extending across the full width of a *lot* between the *front lot line* and the nearest part of any *building*, *structure* or excavation on the *lot*. **#96-92-Z**
>
> ***Rear Yard*** shall mean a yard extending across the full width of a *lot* between the *rear lot line* and the nearest part of any *building*, *structure* or excavation on the *lot*. **#96-92-Z**
>
> ***Interior Side Yard*** shall mean a *yard* extending from the *front yard* to the *rear yard* and from the *interior side lot line* to the nearest part of any *building*, *structure* or excavation on the *lot*. **#96-92-Z**
>
> ***Exterior Side Yard*** shall mean a *yard* extending from the *front yard* to the *rear yard* and from the *exterior side lot line* to the nearest part of any *building*, *structur*e or excavation of the *lot*. **#96-92-Z**

Zone shall mean an area delineated on the Zoning Maps and established by this By-law for a specific

use or range of uses.

ILLUSTRATION OF SIGHT TRIANGLE

ILLUSTRATIONS OF CELLAR AND BASEMENT DEFINITIONS

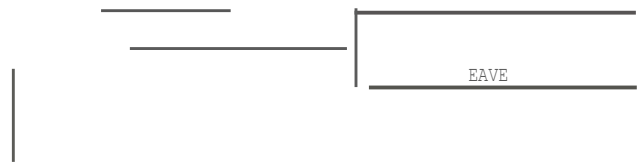


NOTE: The above illustrations are for convenience only and do not form part of this by-law.

ILLUSTRATION OF BUILDING HEIGHT DEFINITIONS

FLAT ROOF

--MANSARD ROOF



All OTHER ROOFS

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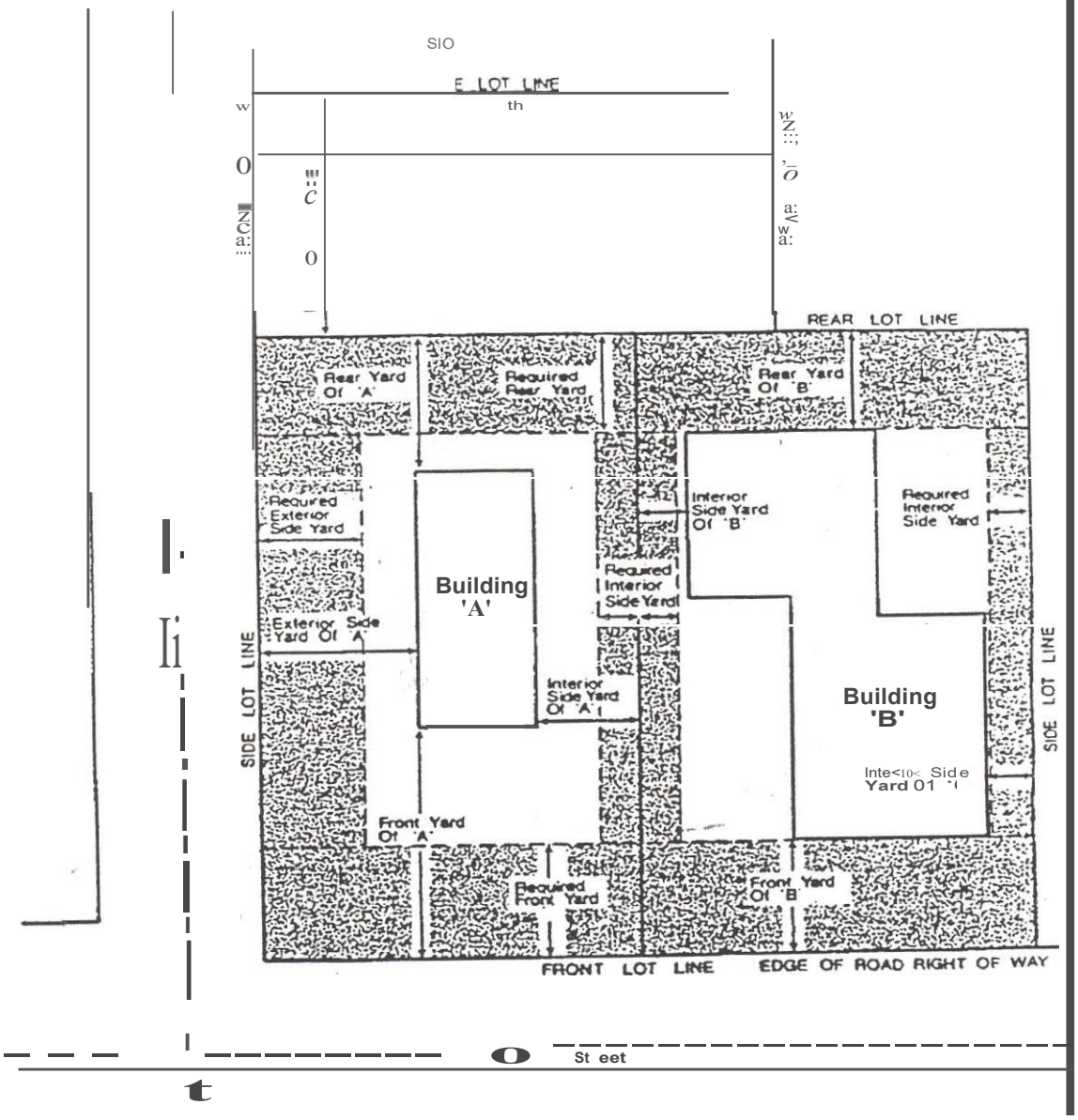
NOTE: The above illustrations are for convenience only and do not form part of this by-law.

ILLUSTRATION OF YARD DEFINITIONS



NOTE: The above illustrations are for convenience only and do not form part of this by-law.

4.1 ZONES AND SYMBOLS

For the purposes of this By-law, the following zones are established within the Town. Each zone may be referred to by its respective symbol.

ZONE	SYMBOL
Urban Residential (Single Detached) Zone	R1
Settlement Residential Zone	R2
Estate Residential Zone	R3
Urban Residential (Semi-Detached and Link) Zone	R4
Core Area Residential Zone	R5
Medium Density Residential Zone	R6
Medium-High Density Residential Zone	R7
High Density Residential Zone	R8
Residential Mobile Home Zone	R9
Urban Development Zone	UD
Business District Zone	BD
Urban Commercial Zone	UC
Neighbourhood Commercial Zone	NC
Settlement Commercial Zone	SC
Highway Commercial Zone	HC
Automotive Commercial Zone	AC
Institutional Zone	I
Public Use Zone	P
Parkway Belt Open Space Zone	O1
Park Open Space Zone	O2
Recreation Open Space Zone	O3
Special Open Space Zone	O4
Conservation Management Zone	CM
Prestige Industrial Zone	M1
General Industrial Zone	M2
Rural Industrial Zone	M3
Extractive Industrial Zone	EI
Agriculture Zone	A
Commercial Agriculture Zone	CA

4.2 ZONING MAPS

The extent and boundaries of all zones set out in Section 4.1 are shown upon Schedules A-1 to A-48 inclusive, attached hereto and forming part of this By-law. Schedules A-1 to A-48 inclusive shall be referred to as the Zoning Maps.

4.3 INTERPRETATION OF BOUNDARIES

When interpreting the location of zone boundaries, the following provisions shall apply:

(a) A zone boundary which is indicated as following a highway, street, lane, right-of-way, transmission line or watercourse shall be the centreline of such highway, street, lane, right-of-way, transmission line or watercourse;

(b) A zone boundary which is indicated as following the lot lines of any lot shall be deemed to follow such lot lines;

(c) A Conservation Management (CM) zone boundary which is indicated as following the flood and fill line mapping as prepared by the Conservation Authority having jurisdiction shall be the flood and fill line as determined from time to time by the Conservation Authority having jurisdiction;

(d) Where the provisions of subsections 4.3 (a), (b) and (c) are not applicable in determining the location of a zone boundary, the zone boundary shall be scaled from the original Schedules A-1 to A-48 inclusive as contained in the Town Offices and shall be deemed to be the centreline of the zone boundary line; and,

(e) In the event that a street or lane, or part thereof, is closed, the property formerly within such street or lane shall be included within the zone of the adjoining property on either side of closed street or lane. If a closed street or lane was the boundary between two or more different zones, the new zone boundary shall be the former centreline of the closed street or lane.

4.4 MAP DETAILS

Any street or other names or property boundaries shown on the attached Schedules A-1 to A-48 inclusive are for reference purposes only.

4.5 HOLDING ZONES (H)

Notwithstanding any other provisions of this By-law, where the zone symbol on Schedules A-1 to A-48 inclusive has the suffix (H), no lot shall be used or no building or structure shall be erected, located or used therein except for the following purposes until the suffix (H) has

been removed from the zone symbol by a by-law passed pursuant to Sections 34 and 35(4) of the Planning Act, R.S.O. 1983, Chapter 1, as amended from time to time:

(a) Existing Uses; and,

(b) General provisions in accordance with the provisions of Section 5 hereof.

4.6 EXCEPTION TO THE ZONE PROVISIONS

Where a symbol on Schedules A-1 to A-48 inclusive is followed by a dash and a number (for example R1-7), the lot, buildings and structures shall be subject to all the regulations of the zone except as otherwise provided by the regulations specified in an exception number to that zone.

4.7 FLOODPLAIN MANAGEMENT AREA PREFIX (F)

Where any zone symbol on Schedule A-35 has the prefix (F), all new development as well as expansion to existing buildings and structures may be permitted, provided such buildings and structures are flood protected to the Regional storm elevation and a permit, pursuant to the Conservation Authorities Act, as amended from time to time, shall be obtained from the Conservation Authority having jurisdiction.

4.8 MINIMUM DISTANCE SEPARATION FORMULAS

#07-112

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

4.9 METRIC CONVERSION

The Metric Conversion Tables as set out in Appendix B and attached hereto are included for reference purposes only and shall not form part of this By-law.

4.10 SPECIAL FIGURES

#22-193

Section 4.10: Special Figures exists where figures referenced in the text of Zoning By-law No. 90-145-Z are used to more clearly identify areas and/or properties affected by regulations required by this By-law, applicable to the area delineated in the special figure.

5.1 APPLICATION

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

5.2 ACCESSORY USES

5.2.1 Accessory Uses Permitted in All Zones

Where this By-law permits a lot to be used or a building or structure to be erected or used for a purpose, that purpose shall include any accessory building, structure or use. No accessory building or structure shall be used as a dwelling unit or part thereof, with the exception of a help house, as defined and regulated herein.

(a) For the purposes of Section 5.43.2, a Secondary Dwelling Unit – Detached, shall not be considered an accessory building or structure. **#22-135**

5.2.2 Height Restriction

No accessory building or structure shall exceed 4.6 metres in height subject to the provisions of subsection 5.9.

5.2.3 Yard Requirements

Accessory buildings or structures may be located in accordance with the following provisions:

(a) no accessory building or structure shall be permitted within a required front yard or a required exterior side yard;

(b) notwithstanding subsection 5.2.3 (a), no deck shall be permitted in any required front yard or in any required exterior side yard, or in any required interior side yard;

(c) no accessory building or structure shall be located within 1 metre of an interior side lot line or rear lot line, except for a jointly owned double garage which may be across a mutual side lot line;

(d) notwithstanding subsection 5.2.3 (a), a building or structure used as a station for parking attendants or security personnel may be erected in any front or exterior side yard; and,

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

i) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,

ii) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line. **#99-97-Z, #15-069**

5.2.4 Lot Coverage

The total lot coverage of all accessory buildings or structures on a lot, except for swimming pools, shall not exceed 5 percent of the lot area. The lot coverage of all accessory buildings or structures shall be included within the total lot coverage on any lot.

5.2.5 Erection of Accessory Buildings or Structures

No accessory buildings or structures shall be erected prior to the erection of a permitted building or structure on the lot. **#96-92-Z**

5.2.6 Accessory Used Motor Vehicle Sales

Used motor vehicle sales are permitted as an accessory use to an automobile repair garage and automobile service station and automobile body shop. **#99-97-Z**

5.3 CONSTRUCTION USES

Notwithstanding Section 5.2.5, the following construction uses shall be permitted in all zones: construction or work camp, tool sheds, scaffolds or other building or structure incidental to and necessary for construction work on a premise, but only for as long as such use, building or structure is necessary for construction work which has not been finished or abandoned.

5.4 DWELLING UNITS

5.4.1 Dwellings per Lot (maximum)

A maximum of one dwelling per lot in a zone where a dwelling is a permitted use except where more than one dwelling per lot is specifically permitted.

5.4.2 Dwelling Unit Area (minimum)

No dwelling unit shall be erected or used unless it has the following minimum gross floor area:

(a) a single detached dwelling - 83 square metres or as specified within a zone; and,

(b) all other dwelling units - to be calculated as the total of 42 square metres for a bachelor dwelling unit plus an additional 14 square metres for each bedroom within the dwelling unit.

5.4.3 Truck, Bus and Coach Bodies

No truck, bus, coach, street car body or railway car or other vehicle shall be used as a dwelling whether or not the same is mounted on wheels or other form of mounting or foundation except for a mobile home where specifically permitted in this By-law. **#96-92-Z**

5.4.4 Location

Dwelling units located in a basement or cellar must be in accordance with the requirements of the Ontario Building Code and all other relevant municipal standards and regulations. **#15-069**

5.5 EASEMENT

(a) Notwithstanding any other provisions of this By-law, no part of any easement conveyed to the Town, Region or other public utility shall be obstructed by any structure or building, or part thereof, from the ground to the sky.

(b) In any Residential R1, R2, R3, R4 and R5 zone, and any R6 zone with the exception of apartments, the minimum distance between the nearest part of the principal building and any easement along the rear lot line shall be 6 metres, provided that the sum of the width of the easement on the property and the distance between the easement and the nearest part of the principal building is not less than the required rear yard in the zone. In the latter case, the required rear yard setback shall prevail.

5.6 FENCES
#99-97-Z

Subject to the provision of subsection 5.27 and a Noise Impact Study, if required, a fence or wall may be located in any yard subject to the following provisions:

(a) within any industrial zone, the maximum fence height shall be 3 metres;

(b) within any other zone, the maximum height shall be 2 metres;

(c) within any front yard, the maximum height within 6 metres of the front lot line shall be one metre; and,

(d) within any zone where a tennis court is located, the maximum height of a fence shall be 3 metres, provided that such tennis court is not located in a required front or side yard.

5.7 FRONTAGE REQUIREMENT

No building or structure shall be erected, altered or enlarged on any lot which does not have the required lot frontage on a street, subject to the provision of subsection 5.14, except for a lot located on a plan of subdivision registered prior to the date of passing of this By-law.

5.8 GROUP HOME

A group home shall be permitted in any zone except any industrial zone subject to the following provisions:

(a) the group home is licensed or approved under Provincial Statute;

(b) the group home is located within a single detached dwelling containing a minimum of 20 square metres of gross floor area per person residing within the said dwelling unit;

(c) in the rural area no group home shall be located within 1 kilometre of any other group home;

(d) in the Urban Area and within Rural Settlement Areas, no group home shall be located within 350 metres of any other group home;

(e) when any conflict regarding the required separation distances specified in (c) and (d) occurs, the more restrictive of the two distances shall be used;

(f) all group homes shall be listed on a Municipal Register; and,

(g) in the rural area, no group home shall be located within 1 kilometre of any Rural Settlement Area boundary.

5.9 HEIGHT EXEMPTION

Any height limitations of this By-law shall not apply to church spires, belfries, cupolas or penthouses which are not used as a dwelling unit, nor to chimneys, ventilators, flagpoles, skylights, watertanks, windsocks, solar collectors, windmills, barns, silos, grain elevators, or similar features, or necessary mechanical structures or electrical supply facilities usually situated above the roof level.

5.10 HELP HOUSES

One help house shall be permitted as an accessory use in an Agriculture-A zone, where it is located on the same lot as a full-time operating farm whose viability shall be confirmed by the Ontario Ministry of Agriculture and Food, where an existing single detached dwelling is located, provided that the two dwellings are occupied only by the farm operator and the farm helper, together with their respective families, and provided that both the farm operator and

the farm helper work full-time on the farm and derive their main source of income from the farm operation, and provided that it is essential that the farm helper reside on the farm. A help house may be a single detached dwelling, a mobile home or a bunk house, and shall be provided in accordance with the zone provisions as set out for the Agriculture A zone and the following general provisions:

(a) a help house shall not be permitted in the front yard or side yard abutting the flankage street of the principal dwelling on the same lot;

(b) prior to the occupancy of the help house, the Owner shall obtain from the Town a Certificate of Occupancy specifying the use of the house for agricultural purposes. In addition, the Owner must obtain a new Certificate of Occupancy prior to any change in the type of use of the help house;

(c) a single detached dwelling shall have a minimum floor area of 65.06 square metres and a maximum floor area of 116.2 square metres and a maximum height of 8.8 metres or two storeys;

(d) a mobile home shall have a minimum floor area of 28.6 square metres; and,

(e) a bunk house shall have a minimum floor area of 65.06 square metres OR 8.36 square metres per resident, whichever is greater, and shall have a maximum height of 8.8 metres or two storeys.

5.11 HOME OCCUPATIONS

A home occupation shall be permitted as an accessory use in any dwelling unit provided that the dwelling is separated from any other dwelling by a vertical separation only, subject to the following provisions:

(a) the home occupation is clearly subordinate to the residential use;

#99-97-Z (b) no exterior evidence of a home occupation, including a display, or parking area not associated with the principal use, which would indicate that any part of the building is being used for any purpose other than a dwelling unit;

(c) no open storage of materials, equipment or goods;

(d) no home occupation shall occupy more than 25 percent of the total floor area of the dwelling unit up to a maximum of 30 square metres;

(e) a home occupation shall be contained entirely within the dwelling unit excluding the area of an attached garage or carport;

(f) no goods or merchandise shall be exposed for sale;

(g) no mechanical or other equipment shall be used or kept except such as is

customarily employed in a dwelling unit for recreational hobbies, domestic or household purposes; and,

(h) the home occupation shall be carried on only by members of the household residing on the premises.

5.12 LANDSCAPING

5.12.1 Landscaped Open Space

Landscaped open space shall be provided in accordance with zone provisions as set out for any zone and the following general provisions:

(a) all parts of a lot which are not occupied by buildings, structures, parking areas, loading spaces, driveways, excavations, agriculture uses or permitted outdoor storage shall be maintained as landscaped open space;

(b) nothing in this By-law shall apply to prevent a landscaped open space from being crossed by a pedestrian walkway or a driveway;

(c) no part of any driveway, parking area, loading space, rooftop terrace, balcony or space enclosed within a building, other than a landscaped area located above an underground parking area, shall be considered part of the required landscaped open space for a lot; and,

(d) within any Residential R1, R2, R3, R4, R5 and R6 (street townhouse) zone, a minimum of 50% of the front yard shall be landscaped open space and notwithstanding 5.12.1 (b), shall not be crossed by a driveway.

5.12.2 Planting Strips

#92-22-Z

Planting strips shall be provided in accordance with the zone provisions as set out for any zone and the following general provisions:

(a) a planting strip shall be maintained along all lot lines adjacent to a street of a lot zoned for Commercial, Institutional, Public Use, Open Space with the exception of parks, Industrial, Medium Density Residential with the exception of street townhouses, and High Density Residential uses;

(b) on any through lot within the Prestige Industrial 'Ml' zone, a planting strip shall be maintained along all lot lines adjacent to a street, and notwithstanding the provisions of 5.12.2(e) below, the planting strip adjacent to any highway frontage shall have a minimum width of 3 metres;

(c) a planting strip shall be maintained along the rear and interior side lot lines of a lot zoned for any commercial or industrial use, excluding an extractive industrial use, where such lot line is adjacent to any Residential zone or any Institutional zone;

(d) a planting strip shall be maintained along the rear and interior side lot lines of a lot zoned Medium Density Residential R-6, Medium-High Density Residential R-7 or High Density Residential R-8, where such lot line is adjacent to any other Residential zone or any Institutional zone;

(e) a planting strip shall be maintained along the rear and interior side lot lines of a lot zoned Institutional 'I' where such lot line is adjacent to a R1, R2, R3, R4 or R5 zone;

(f) where a lot is zoned Extractive Industrial 'EI', a planting strip shall be maintained along any lot line which is adjacent to a streetline and along the rear and interior side lot lines where such lot line is adjacent to any Residential use or zone;

(g) a planting strip shall have a minimum width throughout of 3 metres measured perpendicular to the adjacent lot line except when a continuous solid fence or continuous solid wall is provided, the minimum width shall be a minimum of 1.5 metres;

(h) a planting strip may include a berm except that within a sight triangle, the maximum combined height of the berm and vegetation shall not exceed 0.60 metres, as per Section 5.27;

(i) nothing in this By-law shall prevent a planting strip from being crossed by a pedestrian walkway or driveway;

(j) where a planting strip is required and is crossed by a pedestrian walkway or by a driveway, such planting strip shall not be required to extend closer than 1 metre to the edge of the pedestrian walkway or driveway. The intervening space between the planting strip and the pedestrian walkway or driveway shall be maintained as landscaped open space;

(k) any planting strip required by this section shall be separated from any other use on the lot other than an area of landscaped open space by a continuous concrete barrier curb or a continuous brick or wooden barrier; and,

(l) a planting strip may form part of any landscaped open space required by this By-law.

5.12.3 Special Treatment Areas

Notwithstanding subsections 5.12.2 (c), (g) and (11), for those areas zoned O2-3 on Schedule A-29, Special Treatment Areas shall be provided in accordance with the following general provisions. The Special Treatment Area shall: **#92-22-Z**

(a) be used for no other purpose than a solid fence or masonry wall and a continuous hedgerow of evergreens or shrubs and may include a berm;

(b) have a minimum width of 4 metres; and,

(c) be not less than 2 metres above the elevation of the ground at the nearest lot line, except that within a sight triangle the maximum height shall be 0.60 metres.

5.13 LOADING REGULATIONS

5.13.1 Loading Space Requirements

(a) the owner or occupant of any lot, building or structure in any Commercial zone, any Industrial zone, or any Medium Density Residential R6 Zone or any High Density Residential R7 Zone, erected or used for any purpose which involves the shipping, receiving, loading or unloading of goods, wares, merchandise or raw materials, shall provide and maintain facilities comprising one or more loading spaces, in accordance with the following:

Total Floor Area of Building or Structure	Number of Loading Spaces Required
280 square metres or less	None
Over 280 square metres up to and including 2325 square metres	1
Over 2325 square metres up to and including 7000 square metres	2
Over 7000 square metres	3, plus 1 additional space for each additional 9300 square metres or part thereof in excess of 7000 square metres

(b) The owner of any apartment building containing 25 or more dwelling units shall provide and maintain 1 loading space.

5.13.2 Dimensions of Loading Spaces

A loading space shall have minimum dimensions of 12 metres long, 3.5 metres wide and a minimum vertical clearance of 4 metres.

5.13.3 Location of Loading Space

Required loading spaces shall be provided on the same lot occupied by the building or structure which requires the loading spaces and shall not form a part of any driveway. Within the Industrial (M1, M2 and M3), Business District (BD) and Urban Commercial (UC) zones, the required loading space or spaces shall not be located in the front or exterior side yard.

5.13.4 Access to Loading Spaces

Access to loading spaces shall be provided in accordance with the following general provision:

(a) one or more driveways which have a minimum unobstructed width of at least 4.6 metres shall be required;

5.13.5 Surface and Drainage of Loading Spaces and Driveways

All loading spaces and driveways shall be provided and maintained with a stable surface which is treated in a manner to prevent the raising of dust or loose particles and shall be drained in a manner to prevent the pooling of surface water or the flow of surface water to adjacent lots.

5.13.6 Additions to Buildings or Structures

When a building or structure has insufficient loading spaces to comply with the requirements of subsection 5.13.1, on the date of passing of this By-law, this By-law shall not be interpreted to require the deficiency to be rectified. If any addition is made to the building or structure which increases the total floor area, additional loading space(s) shall be provided as required by subsection 5.13.1 for the total floor area of such addition.

5.14 LOT AREA AND FRONTAGE REQUIREMENTS

All lots without either municipal water service or sanitary sewers or both shall be subject to the requirements of the Regional Department of Health Services for the minimum lot area, provided that if the requirements of the Regional Department of Health Services are less than the requirements of this By-law, this By-law shall prevail.

5.15 LOTS WITH LESS LOT AREA AND/OR LOT FRONTAGE THAN REQUIRED

Where an existing lot has less than the minimum lot area and/or lot frontage than that required by this By-law or where such a lot is created as a result of an expropriation, the lot may be used and a building or structure may be altered, erected or used on such lot provided that the use, building or structure is permitted in the zone and that all other requirements of this By-law are complied with.

5.16 LOTS WITH MORE THAN ONE ZONE

5.16.1 Where a lot is divided into two or more zones, each portion of the lot shall be used according to the applicable provisions of the zone.

5.16.2 Notwithstanding anything to the contrary in subsection 5.16.1, where a lot is divided into two or more zones and a use is permitted in each of the zones, the entire lot shall be considered one lot for the purpose of applying the more restrictive zone provisions.

5.17 MINIMUM DISTANCE SEPARATION

The following setbacks shall apply to any agricultural use and any adjacent use:

(a) no dwelling unit, recreational use or institutional use shall be established or enlarged adjacent to a lot containing any buildings or structures used for livestock, excluding a dwelling unit on the same lot as the livestock use, except in accordance with the requirements of the Minimum Distance Separation Formula One included in Appendix A attached to this By-law; and,

(b) no building or structure used or intended to be used for the raising of livestock shall be established or enlarged on a lot except in accordance with the requirements of the Minimum Distance Separation Formula Two included in Appendix A attached to this By-law.

5.18 NIAGARA ESCARPMENT PLAN AND PARKWAY BELT WEST PLAN

5.18.1 Lands lying within the Development Control Area pursuant to the Niagara Escarpment Planning and Development Act, R.S.O. 1980, Chapter 316, as amended from time to time, are subject to Permit Requirements under Ontario Regulation 685/80, as amended, which supersede the regulations of this By-law.

5.18.2 For those lands lying within the Parkway Belt West Plan, the provisions of the Plan, Regulation 482/1973, take precedence over the zoning regulations contained within this By-law, except as specified in Section 2.2 herein.

5.19 NON-CONFORMING USES

Nothing in this By-law shall:

(a) make legal any use of any land, building or structure or a location of a building or structure which was illegal under any previous zoning by-law within the Town of Flamborough;

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

(c) prevent the erection or use for a purpose prohibited by the By-law of any building or structure for which a permit has been issued under Section 5 of the Building Code Act, R.S.O. 1980, Chapter 51, as amended from time to time, prior to the day of the passing of the By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under Section 6 of the Building Code Act, R.S.O. 1980, Chapter 51, as amended from time to time.

5.19.1 Restoration or Repair Permitted

Nothing in this By-law shall prevent the repair or restoration of any existing, non-conforming building or structure, or part thereof, to a safe condition provided that such repair or restoration will not increase the height, area or volume of such building or structure and that the building or structure continues to be used for the same purpose and in the same manner as it was used on the date of passing of this By-law.

5.19.2 Extensions to Non-Complying Buildings or Structures

Nothing contained in this By-law shall prevent an extension or an addition to a building or structure which is non-complying to this By-law provided that such extension or addition does not contravene any provision of this By-law or cause further increase to the non-compliance.

5.20 OPEN STORAGE

Except where permitted by the zone provisions as set out for any zone, open storage shall be permitted in accordance with the following general provisions:

(a) no open storage shall be permitted in any front or exterior side yard except within an Agriculture A zone;

(b) all open storage areas shall be screened from view from any street or from any Residential zone with a planting strip or wood screen fence, or combination thereof, except for an open storage area in conjunction with a permitted agricultural use;

(c) no parking spaces or loading spaces, as required by this By-law, shall be used for open storage purposes; and,

(d) within any Medium, except for street townhouse, Medium High and High Density Residential, Institutional, Public Use, Open Space, Commercial, Industrial and Commercial Agriculture zone, all refuse and refuse containers shall be located in the interior side yard or rear yard and shall be screened from view by a solid fence or wall around three sides, and gates on the fourth side, all having a minimum height of 1.8 metres, except where refuse is to be collected within an 18 hour period.

5.21 PARKING REGULATIONS

5.21.1 Parking Space Requirements

The owner of any building, structure or use shall provide and maintain parking spaces on the same lot and within the same zone, in accordance with the following:

Type of Use	Minimum Number of Parking Spaces Required
Residential (a) Single detached, Semi-detached, Duplex and Triplex dwellings, Street Townhouses and farm related residences **#22-193**	1 parking space per dwelling unit
(aa) Golf Driving Range, Miniature Golf Course	1.5 parking space per hole
(aaa) Secondary Dwelling Unit Secondary Dwelling Unit – Detached **#21-074**	1.0 space per unit
(b) Mobile Home Park	1 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
(bb) Automobile Service Station, Gas Bar **#92-22-Z**	2 parking spaced per lot
(c) Townhouse, Apartment	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
(cc) Automobile Repair Garage, Automobile Body Shop, Car Wash **#92-22-Z**	3 parking spaces per bay
(d) Quadruplex	2 parking spaces per dwelling unit

Type of Use	Minimum Number of Parking Spaces Required
(dd) Animal Hospital **#92-22-Z**	3 parking spaces per practitioner
(e) Retirement Home	1 parking space per 6 beds plus 1 parking space per employee
(ee) All other non residential uses not otherwise specified in this table **#92-22-Z**	1 parking space per 30 square metres of gross floor area
(f) Nursing Home	1 parking space per 4 patient beds plus 1 parking space per every 4 employees
(g) Private or Public Hospital	1 parking space per patient bed
(h) Public or Private Elementary Schools	1.5 parking space per classroom or teaching area
(i) Public or Private Secondary School, Commercial School	5 parking spaces per classroom or teaching area
(j) Place of Worship	either 1 parking space for every 8 seats or 5 metres of pew space, or part thereof
(k) Clinic or Office of Physical or Medical Health Practitioner, Physician or Dentist	6 parking spaces per practitioner for the first 5 practitioners plus 4 parking spaces for each additional practitioner
(l) Art Gallery, Museum or Public Use **#99-03-Z**	1 parking space per 46 square metres of gross floor area
(m) Place of Entertainment, Community Centre, Private Club, Place of Recreation or Adult Entertainment Parlour	1 parking space per 4 persons according to designed maximum capacity

Type of Use	Minimum Number of Parking Spaces Required
(n) Hotel or Motel	1 parking space per guest room plus the required parking spaces for any accessory uses
(o) Tavern or Standard Restaurant except where located in the main building of a Shopping Centre	1 parking space per 4 persons according to designed maximum capacity
(p) Fast Food Restaurant except where located in the main building of a Shopping Centre	1 parking space per 4 persons according to designed maximum capacity
(q) Convenience Restaurant except where located in the main building of a Shopping Centre	1 parking space per 19 square metres of gross floor area or 1 parking space per 28 square metres of gross floor area in a Business District 'BD' zone **#99-03-Z**
(r) Office	1 parking space per 28 square metres of gross floor area
(s) Financial Institution	1 parking space per 17 square metres of gross floor area
(t) Retail Establishment, Service Shop, Personal Service Establishment, Convenience Retail Store, Custom Work-shop **#92-22-Z**	1 parking space per 19 square metres of gross floor area or 1 parking space per 28 square metres of gross floor area in a Business District 'BD' zone **#99-03-Z**
(u) Supermarket	1 parking space per 9 square metres of gross floor area
(v) Shopping Centre	1 parking space per 15.5 square metres of gross floor area or 1 parking space per 28 square metres of gross floor area in a Business District 'BD' zone **#99-03-Z**

Type of Use	Minimum Number of Parking Spaces Required
(w) Funeral Home	1 parking space per 23 square metres of gross floor area
(x) Industrial	1 parking space per 50 square metres of gross floor area
(y) Wholesale, Warehousing and Storage	1 parking space per 100 square metres of gross floor area
(z) Golf Course	8 parking spaces per hole
(t) Retail Establishment, Service Shop, Personal Service Establishment, Convenience Retail Store, Custom Work-shop **#92-22-Z**	1 parking space per 19 square metres of gross floor area or 1 parking space per 28 square metres of gross floor area in a Business District 'BD' zone **#99-03-Z**

5.21.2 Calculation of Parking Requirements

5.21.2.1 Where a portion of a parking space is required in accordance with subsection 5.21.1, such portion shall be considered one parking space for the purpose of calculating the total parking requirements for the use.

5.21.2.2 When a building, structure or lot contains more than one type of use, the parking space requirement for all uses on the lot shall be the sum of the requirements for each separate use unless otherwise specified in this By-law.

5.21.2.3 Where the number of parking spaces required in subsection 5.21.1 is based on the maximum designed capacity of the building or structure, such capacity shall be deemed to be the same as the maximum capacity for such building or structure permitted by the Ontario Building Code, the Ontario Fire Code, or, where applicable, The Liquor Licensing Board of Ontario.

5.21.2.4 Notwithstanding Subsection 5.21.1 above, for any permitted commercial use(s) within the Business District "BD" Zone, except "Clinic or Office of Physical or Medical Health Practitioner, Physician or Dentist," located in all or part of a building existing on the effective date of this By-law, no parking spaces are required provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained. Where an addition or expansion of an existing building is proposed, the parking requirements of Section 5.21.1 above, shall only apply to the commercial use or uses contained within the increased gross floor area. **#15-069**

5.21.3 Provision of Parking Spaces for Disabled Persons

In addition to the parking spaces required in subsection 5.21.1, the owner of any building, structure or use, except for single detached, link, semi-detached, duplex, triplex and quadruplex dwellings, townhouse, street townhouse, and a mobile home, shall provide and maintain reserved parking spaces for disabled persons as follows:

#92-22-Z

Capacity of Parking Area (Number of Parking Spaces)	Minimum Number of Spaces to be Reserved for Disabled Persons
1 - 19	0
20 - 99	1
100 - 199	2
200 - 299	3
300 - 399	4
400 - 499	5

#92-22-Z

Capacity of Parking Area (Number of Parking Spaces)	Minimum Number of Spaces to be Reserved for Disabled Persons at Hospitals, Medical Offices or Clinics
1 - 30	1
31 - 60	2
61 - 100	3
Each additional 30 or part thereof	1 to maximum of 12

5.21.4 Dimensions of Parking Spaces

#92-22-Z Each parking space shall have a minimum width of 2.6 metres and minimum length of 5.8 metres except for a parallel parking space which shall have a minimum width of 2.5 metres and a minimum length of 6.5 metres. Notwithstanding the minimum width dimensions of this provision, a parking space for disabled persons shall have a minimum width of 4.4 metres.

5.21.5 Location of Parking on a Lot

Notwithstanding any yard requirements of this By-law to the contrary, uncovered surface parking areas shall be permitted in any required yard subject to the provisions of subsection 5.27 except as follows:

#92-22-Z (a) in all Residential zones, the required parking spaces shall be prohibited within the required front yard or required exterior side yard except that a driveway within the required front yard or required exterior side yard which is provided for any single detached, link, semi-detached, duplex, triplex or quadruplex dwellings, townhouse or street townhouse or mobile home may be used to provide additional parking supplementary to the parking required in this By-law, and provided that the maximum width of the driveway, or cumulative width of the driveways, shall not exceed 12 metres; #22-193

(b) in all Industrial zones, no parking area shall be permitted within 5 metres of a boundary of any Residential zone or any A-4 zone;

(c) in all zones except Residential, no parking area shall be permitted within 3 metres of a boundary of a Residential zone;

(d) in all Medium, Medium-High and High Density Residential zones, R6, R7 and R8, no parking area shall be located within 6 metres of a window of a habitable room that is in the basement or first floor of a retirement home or apartment building; and,

#92-22-Z (e) in all zones with the exception of the Residential zones specified in (a) above, no parking area shall be permitted within 3 metres of any street line, except as provided for in Section 5.12.2 (g) herein.

#99-03-Z (f) in the Business District 'BD' and Urban Commercial 'UC' zones, no parking shall be permitted in any yard abutting a street.

5.21.6 Access to Parking Spaces

Access to parking spaces, except those accessory to a single detached, link, semi-detached, duplex, triplex or quadruplex dwelling or street townhouse, shall be provided in accordance with the following general provisions: **#22-193**

(a) driveways with one-way vehicular movement shall have a minimum unobstructed width of not less than 4.6 metres; and,

(b) driveways with two-way vehicular movement shall have a minimum unobstructed width of not less than 6.4 metres.

5.21.7 Surface and Drainage of Parking Areas and Driveways

All parking spaces, areas and driveways shall be provided and maintained with a stable surface which is treated in a manner to prevent the raising of dust or loose particles and shall be drained in a manner to prevent the pooling of surface water or the flow of surface water to adjacent lots.

5.21.8 Addition or Change of Use

#92-22-Z Where an existing building, structure or lot has an insufficient number of parking spaces to comply with the requirements contained in subsection 5.21.1, this By-law shall not be interpreted to require that the deficiency be rectified. If any addition is made to the building or structure, or if any change of use takes place, additional parking space(s) shall be provided and maintained in accordance with subsection 5.21.1.

5.21.9 Use of Parking Spaces
#99-91-Z

5.21.9.1 In any Urban Residential 'R1', 'R4' and 'R5' zone, a portion of a lot may be used for the parking or storage of operative motor vehicles which are normally incidental to the permitted uses on the lot, subject to the following:

(a) parking shall be for the exclusive use of the residents of the dwelling unit on the lot;

(b) motor vehicles for the personal use of the residents on the lot;

(c) a maximum of one commercial vehicle with a capacity not exceeding 1 tonne;

(d) the parking of commercial vehicles exceeding 1 tonne and school buses is not permitted; and

(e) a maximum of one recreational vehicle, or one boat or snowmobile together with an accessory trailer, or one trailer, provided that:

(i) the recreational vehicle, boat, snowmobile, accessory trailer or trailer has a maximum height of 3.7 metres;

(ii) the recreational vehicle, boat, snowmobile, accessory trailer or trailer has a maximum length of 7 metres exclusive of hitch and tongue;

(iii) it is not permitted in a required exterior side yard; and

(iv) it is not permitted within 1 metre of an interior side or rear lot line

5.21.9.2 In any Medium Density Residential 'R6', Medium-High Density Residential 'R7' or High Density Residential 'R8' zone, a portion of a lot may be used for the parking or storage of operative motor vehicles which are normally incidental to the permitted uses on the lot, subject to the following:

(a) adequate resident and visitor parking spaces shall be provided;

(b) no commercial motor vehicle or school bus parking shall be permitted;

(c) the parking of recreational vehicles, or boats or snowmobiles together with their accessory trailers, or trailers, provided that:

(i) the recreational vehicle, boat, snowmobile, accessory trailer or trailer has a maximum height of 3.7 metres;

(ii) the recreational vehicle, boat, snowmobile, accessory trailer or trailer has a maximum length of 7 metres exclusive of hitch or tongue;

(iii) parking is not permitted in a required exterior side yard;

(iv) parking in not permitted within 1 metre of an interior side or rear lot line;

(v) parking shall not be permitted on any driveway which provides required vehicular access to any required parking space.

5.21.9.3 In any Settlement Residential 'R2', Estate Residential 'R3' or Agricultural 'A-4' zone, a portion of a lot may be used for the parking or storage of operative motor vehicles which are normally incidental to the permitted uses on the lot, subject to the following:

(a) parking shall be for the exclusive use of the residents of the dwelling unit on the lot;

(b) motor vehicles for the personal use of the residents on the lot;

(c) a maximum of one commercial vehicle with a capacity not exceeding 1 tonne;

(b) the parking of commercial vehicles exceeding 1 tonne and school buses is not permitted, except within a totally enclosed building;

(e) the parking of not more than two recreational vehicles, boats or snowmobiles together with their accessory trailers, or trailers, provided that:

(i) the maximum height of any recreational vehicle, boat, snowmobile, accessory trailer or trailer is 3.7 metres;

(ii) the maximum length of any recreational vehicle, boat, snowmobile, accessory trailer or trailer is 7 metres exclusive of hitch or tongue;

(iii) parking is not permitted in a front or exterior side yard;

(iv) parking is not permitted within 1 metre of an interior side or rear lot line;

5.21.9.4 In any Agricultural 'A' zone, except an 'A-4' zone, or in any Parkway Belt Open Space 'O1' zone, a portion of a lot may be used for the parking or storage of operative motor vehicles which are normally incidental to the permitted uses on the lot, subject to the following:

(a) a maximum of one commercial vehicle with a capacity not exceeding 1 tonne;

(b) commercial motor vehicles accessory to and required for agricultural use;

(c) a maximum of one commercial vehicle with a capacity exceeding 1 tonne, provided that:

(i) no parking shall be permitted within 20 metres of any lot line, except that where such parking is located abutting a lot containing an existing dwelling unit, no parking shall be permitted within 50 metres of said dwelling unit;

(ii) adequate maneuvering space is available on the lot so that the vehicle can drive onto a street frontward;

(iii) access must be approved by the appropriate road authority; and

(iv) on-site maintenance is only permitted within a totally enclosed building.

(d) the parking of recreational vehicles, boats or snowmobiles together with their accessory trailers, or trailers, provided that:

(i) the recreational vehicle, boat, snowmobile, accessory trailer or trailer has a maximum height of 3.7 metres;

(ii) the recreational vehicle, boat, snowmobile, accessory trailer or trailer has a

maximum length of 7 metres exclusive of hitch or tongue;

(iii) parking is not permitted in a front or exterior side yard; and

(iv) parking is not permitted in a required rear or interior side yard.

5.21.10 Visitor Parking

Where parking spaces are required in subsection 5.21.1 to be provided for the use of visitors, such parking spaces shall be clearly defined and identified as being reserved for the exclusive use of such visitors.

5.21.11 Enclosed Parking

In any zone, where an enclosed parking structure is provided, it shall be subject to the following provisions:

(a) any enclosed parking structure or building, or any part of an enclosed parking structure that projects more than 1.2 metres above the grade of the abutting land, is subject to the setback requirements of the principal building of the particular zone; and,

#92-22-Z (b) any enclosed parking structure below grade or less than 1.2 metres above grade shall be set back a minimum of 1 metre from each lot line.

5.22 SWIMMING POOLS

#99-97-Z

Outdoor swimming pools shall be permitted as follows:

(a) in an R1, R2, R3, R4, R5, R6 (Street Townhouse and Quadruplex) zones and in Agricultural zone A

(i) not permitted in a required front yard;

(ii) the minimum setback for an inground pool shall be 1.2 metres from the rear lot line and 1.8 metres from all other lot lines;

(iii) the minimum setback for an above-ground or on-ground pool shall be 1.2 metres from the rear lot line and 1.8 metres from all other lot lines. If an above ground or on-ground pool is surrounded by a deck, the required setback, as specified above, shall be measured from the outside edge of the deck structure.

(b) in a R6 (Townhouse, Apartment Building and Retirement Home), R7, R8, R9, I, P, O2, O3, M1, M2, M3 and EI zones;

(i) not permitted in a required front yard or required exterior side yard;

(ii) the minimum setback for an inground pool from the property line shall be 9.1 metres;

(iii) the minimum setback for an above-ground or on-ground pool shall be 9.1 metres. If an above-ground or on-ground pool is surrounded by a deck, the required setback, as specified above, shall be measured from the outside edge of the deck structure.

(c) Setbacks for swimming pools, with the exception of those specified in (a)(iii) and (b)(iii) above, shall be measured from the inside edge of the swimming pool.

5.23 USES PERMITTED IN ALL ZONES

#92-34-Z

Nothing in this By-law shall prevent the use of any lot or the erection or use of any building or structure in any zone for the provision of the following public utilities, provided that the use complies with the provisions of Section 5 of this By-law:

(a) a public street;

(b) facilities essential to the operation of any public utility as specified in the Public Utilities Act, R.S.O. 1990, Chapter P.54, as amended from time to time, or in the Power Corporation Act, R.S.O. 1990, Chapter P.18, as amended from time to time, including any associated utility service building or structure, but excluding any building used for retail commercial or office purposes;

(c) a railway line;

(d) any properly authorized traffic sign or signal;

(e) any sign or notice of the Town, Region or other governmental authority; and,

(f) conservation uses.

5.24 USES PROHIBITED

5.24.1 Noxious Uses

Notwithstanding any other provision of this By-law, no use shall be permitted which is considered under the terms of the Health Protection and Promotion Act, R.S.O. 1983, as amended from time to time, to be a health hazard or noxious use as defined herein.

5.24.2 Prohibited Uses

(a) No person shall use any land or erect or use any building or structure for any purpose other than one or more of the uses listed under the heading “Permitted Uses” for each

zone category in which such land, building or structure is located, or as permitted under Section 5 of this By-law.

(b) Prohibited Uses, in all zones shall include, but not be limited to the following:

#96-92-Z

- Salvage yard
- A track for the racing of motor vehicles or motor cycles or for the operation of go-carts
- Glue manufacturing
- Automobile wrecking establishment
- Bloodboiling
- Boneboiling
- Rendering fats
- Fish products processing
- Extraction of oil from fish and animal matter
- Manufacturing and/or storage of fertilizers from dead animal or animal waste
- Vegetable oil mill
- Hide processing
- Pulp and paper mill
- Asbestos products manufacturing
- Petroleum refinery
- Manufacturing of explosives

#10-075 (OMB)

- Waste disposal facility, except as approved pursuant to the Environmental Assessment Act or the Environmental Protection Act.

5.25 RESIDENTIAL AREAS - LIVESTOCK PROHIBITED

#92-22-Z

5.25.1 The keeping or raising of farm animals, including but not restricted to cattle, sheep, goats, swine, poultry, reptiles, birds, or any wild animals, including tamed or domesticated wild animals or mink or other fur-bearing animals, shall be prohibited within any Residential Zone, and within the A-4 zone and on any residential lot.

5.25.2 The keeping or raising of any horse, pony, mule or donkey shall be prohibited within any of the following Residential zones and any exception numbers thereto: R1, R2, R4, R5, R6, R7, R8 and R9.

5.25.3 The keeping or raising of any horse, pony, mule or donkey on any residential lot other than those specified in 5.25.2 or any lot zoned Estate Residential R3, shall be prohibited within 15 metres of any lot line and within 60 metres of any building used for other than agricultural purposes.

5.26 SIGNS

5.26.1 Sign Regulations

Sign regulations will be included in a separate Sign By-law, and all signage will be subject to the regulations contained therein.

5.27 SIGHT TRIANGLES

On any corner lot within any zone, any building, structure or use which would obstruct or impair the vision of an operator of a motor vehicle or any fence or vegetation which exceeds 0.60 metres above the grade of the streets that abut the lot shall be prohibited within any sight triangle. Notwithstanding the requirements of this By-law, the sight triangle provisions of the region shall apply to all Regional roads.

5.28 SPECIAL SETBACKS

5.28.1 Setback from Provincial Highways and Regional Roads

Notwithstanding any other provisions of this By-law, minimum yard requirements for any buildings or structures adjacent to any Provincial Highway or Regional Road shall be as required by the Ministry of Transportation and the Regional Municipality of Hamilton-Wentworth respectively.

5.28.2 Setback from Conservation Management Zone-CM

Notwithstanding any other provisions of this By-law, no building or structure shall be erected within 15 metres of the Conservation Management-CM zone boundary without the written approval of the Conservation Authority having jurisdiction.

5.28.3 Setback From Railways

OMB

Notwithstanding any other provisions of this By-law, within a Residential zone, any new construction which results in the creation of an additional dwelling unit, shall maintain a minimum setback of 30 metres from a railway right-of-way.

5.29 WAYSIDE PIT OR QUARRY

A wayside pit or wayside quarry is a permitted use in all zones except a Settlement Commercial, Urban Commercial or Business District zone or any Residential zone.

5.30 YARD ENCROACHMENTS PERMITTED

No part of any required yard shall be obstructed by any structure or building, or part thereof; from the ground to the sky except as follows:

Structure	Yard into which Encroachment is permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney breasts, bay windows, pilasters, eaves or gutters	All	0.65 metres
Balconies, canopies, awnings, steps or unenclosed porches	Required front, required rear and required exterior side	1.5 metres
Fire escapes or exterior staircases	Required exterior side and required rear	1.5 metres
Unenclosed ramps for wheelchair access	All	Unlimited

#96-92-Z

5.31 BED AND BREAKFAST

#96-13-Z

A bed and breakfast may be permitted as an accessory use to a single detached dwelling in an agricultural 'A' zone, subject to the following provisions:

(a) the use is secondary and accessory to the residential use;

(b) there is no change in the residential character;

(c) a maximum of three (3) guest bedrooms may be available for rent to the public;

(d) in addition to the parking required for the residential use on the property, a minimum of one parking space is required for each guest bedroom;

(e) there shall be no nuisance created that would interfere with the ordinary enjoyment of surrounding properties; and

(f) services, facilities and amenities such as meals, laundry, play equipment and a swimming pool may be permitted.

5.32 COTTAGE INDUSTRY

#96-13-Z

A cottage industry may be permitted in an agricultural 'A' zone, subject to the following provisions:

(a) the cottage industry is secondary or accessory to an active agricultural use;

(b) a cottage industry must be operated by the resident farm owner;

(c) a cottage industry may be permitted in an existing farm or accessory building or in a portion of a single detached dwelling;

(d) the maximum gross floor area that may be used for a cottage industry is 93 square metres;

(e) the maximum gross floor area that may be used for retail sales is 25 percent of the gross floor area occupied by the cottage industry;

(f) the outdoor storage and display of goods shall not exceed 10 square metres;

(g) any building used for a cottage industry shall have minimum yards equal to those of the use on the lot;

(h) off-street parking and access driveways shall be provided in accordance with subsection 5.21 of this by-law;

(i) the parking of commercial vehicles is not permitted except as required for temporary parking to permit normal pick-up or delivery; and,

(j) the use shall not be obnoxious by reason of odour, noise, vibration, dust, smoke, gas, fumes or interference with radio and television reception to the extent of interfering with the ordinary enjoyment of surrounding property.

5.33 FARM VACATION HOME

#96-13-Z

A farm vacation home may be permitted as an accessory use to a single detached dwelling associated with Agriculture, in an agricultural 'A' zone, subject to the following provisions:

(a) the use is secondary and accessory to the residential and agricultural uses;

(b) there is no change in the residential character;

(c) a farm vacation home must include some form of participation or observation in an agricultural activity;

(d) a maximum of three (3) guest bedrooms may be available for rent to the public;

(e) in addition to the parking required for the residential use of the property, a minimum of one parking space is required for each guest bedroom;

(f) there shall be no nuisance created that would interfere with the ordinary enjoyment of surrounding properties; and,

(g) services, facilities and amenities such as meals, laundry, play equipment and a swimming pool may be permitted.

5.34 PHASED REGISTRATION OF CONDOMINIUMS

#02-209-Z

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

5.35 MODEL HOMES IN PLANS OF SUBDIVISION

#15-289-Z

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

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

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

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

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

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

5.36 REGULATION FOR CONSOLIDATED LOT DEVELOPMENT
#05-159-Z

Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law relative to the consolidated lot development and its external lot lines are complied with.

5.37 ADEQUATE SERVICES
#06-038-Z

Except for Section 5.35 - Model Homes in Draft Plans of Subdivision, no buildings or structures may be erected, used or occupied unless:

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

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

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

5.38 OUTDOOR COMMERCIAL PATIOS
#09-210-Z

Notwithstanding any provisions of this By-law, every Outdoor Commercial Patio, inclusive of all outdoor areas and portions of the patio that cross property lines such as road allowances, shall comply with the following: **#15-069, #22-078**

(a) Design Requirements Outdoor Commercial Patios shall be designed and used to accommodate seating of customers

(b) Seating Capacity Requirements **#15-069**

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

(c) Location Requirements:

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

(ii) Where only the rear lot line abuts a Residential Zone or the lot is separated from the Residential Zone by a laneway, an outdoor commercial patio shall only be permitted in the front yard.

5.39 URBAN FARM
#14-276

(a) Every urban farm in a residential zone, as a principle use, shall comply with the following:

i) Notwithstanding the minimum lot area of any zone, the minimum lot area shall be not less than 0.4 ha.

ii) Notwithstanding the size of the accessory structures of the particular zone in which the farm produce/product stand is located, only one farm produce/product stand shall be permitted and it shall not exceed a maximum area of 18.5 square metres.

iii) Notwithstanding the maximum building size of any zone, the maximum gross floor area of all buildings and structures on the site associated with the urban farm use shall not exceed 280 square metres, and no single building shall exceed 140 square metres.

iv) Any building or structure associated with the urban farm use which is greater than 35 square metres shall be considered as a principle building;

v) Notwithstanding the height requirement of any zone in which the principle building is located, the maximum height of any building or structure associated with the urban farm use shall not exceed 10.5 metres.

vi) Any building or structure associated with the urban farm use which is 35 square metres or less shall be considered as an accessory building or structure.

vii) Notwithstanding the setback requirements for a principle building or accessory structure in any zone, a greenhouse shall have a minimum 7.5 metre setback from any property line.

(b) Notwithstanding Section 5.37 a), an urban farm, as a principle use, may locate on a lot less than 0.4 ha in size provided that:

i) there are no buildings or structures erected on the lot in which the urban farm is located.

ii) Notwithstanding the definition of urban farm, no retail sales shall be permitted on-site.

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

i) All equipment associated with an urban farm shall be located within a building or structure.

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

iii) Notwithstanding, Section 5.2.2, where an urban farm is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

iv) Notwithstanding the definition of urban farm, no retail sales shall be permitted on-site.

5.40 COMMUNITY GARDENS
#14-276

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

(b) Notwithstanding, Section 5.2.2, where a community garden is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

5.41 COMMON ELEMENTS CONDOMINIUMS
#15-069

Notwithstanding the regulations of the "R6" Zone, townhouse dwelling units may be developed in accordance with the applicable street townhouse regulations of the "R6" Zone. For the purposes of this Zone, the private driveway(s) or condominium road(s) are deemed to be a street(s) and parking and landscaping are permitted within the street(s).

5.42 URBAN FARMERS MARKET
#15-103

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

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

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

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

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

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

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

5.43 SECONDARY DWELLING UNIT AND SECONDARY DWELLING UNIT – DETACHED

(a) Parking shall be provided in accordance with Section 5.21 of this By-law and the following:

(i) No additional parking space shall be required for either a Secondary Dwelling Unit or a Secondary Dwelling Unit - Detached, provided the required parking spaces which existed on May 12, 2021 for the existing dwelling shall continue to be provided and maintained;

(A) Notwithstanding Section 5.43 (a) (i), one parking space shall be required for a Secondary Dwelling Unit – Detached if it constitutes the fourth Dwelling unit on a lot. **#22-193**

(ii) Notwithstanding Section 5.21.5 (a) as it regulates the location of required parking spaces, a maximum of two parking spaces for a Secondary Dwelling Unit and/or Secondary Dwelling Unit - Detached may be provided in the required Front Yard; and,

(iii) Notwithstanding Section 5.21.5 (a) as it regulates the location of required parking spaces, parking for a Secondary Dwelling Unit and/or Secondary Dwelling Unit – Detached may be provided in the required Exterior Side Yard and shall maintain a minimum of 50% landscaped area in the Exterior Side Yard.

(b) Notwithstanding Section 1.2 or 1.5 of this By-law, the following provisions shall apply:

i) A Building Permit application for a Secondary Dwelling Unit or Secondary Dwelling Unit - Detached, received by the City of Hamilton prior to the date By-law No. 22-135 was approved by Council, will be evaluated against the provisions of Section 5.43 of this By-law, in effect before By-law No. 22-135 came into effect.

(A) Notwithstanding Section 5.43 (b) i), if a Building Permit is not issued within 180 days of the effective date of this By-law, By-law No. 22-135 shall apply in all respects to the Building Permit in question.

ii) A Building Permit may be issued to permit a Secondary Dwelling Unit or Secondary Dwelling Unit – Detached, in accordance with any Minor Variance that has been approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law 22-135 was approved by Council, provided the Building Permit application complies with Section

5.43 of this By-law, in effect the day before By-law No. 22-135 came into effect.

iii) For the purposes of determining zoning conformity, the following shall apply:

(A) This By-law is deemed to be modified to the extent necessary to permit a Secondary Dwelling Unit or Secondary Dwelling Unit – Detached that is constructed in accordance with Section 5.43 (b) i) or ii).

(B) Once a Building Permit has been issued under Section 5.43 (b) i) or ii), or more than 180 days has transpired as per Section 5.43(b) i) (A), the provisions of this By-law apply in all other respects.

#21-074, #21-167, #22-135

5.43.1 SECONDARY DWELLING UNIT

(a) For lands within a R1, R4, R5, R6 and UC Zone, a maximum of one Secondary Dwelling Unit shall be permitted within a Single Detached Dwelling, Semi-Detached Dwelling, Link or Street Townhouse Dwelling on a divided or undivided lot and shall not result in a change to the defined dwelling type on the lot.

(b) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 5.43.1.

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

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

(d) maximum of one entrance shall be permitted on the front façade of a dwelling containing a Secondary Dwelling Unit. **#22-135**

5.43.2 SECONDARY DWELLING UNIT – DETACHED

(a) For lands within a R1, R4, R5, R6 and UC Zone, a maximum of one Secondary Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, a Semi-Detached Dwelling, Link or a Street Townhouse Dwelling.

NOTE: In accordance with Section 35.1 (1) of the *Planning Act*, R.S.O. 1990, a maximum of two Secondary Dwelling Units will be permitted within a Single-Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a lot. A Secondary Dwelling Unit –

Detached will not be permitted on a lot containing two or more Secondary Dwelling Units.

(b) In addition to Section 5.43.2 (a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Secondary Dwelling Unit - Detached permitted on a lot containing an existing Single Detached Dwelling, Semi-Detached Dwelling, or Street Townhouse Dwelling subject to the following provision:

(i) Any additions over 10% of the existing gross floor area of the legally established accessory building to create a Secondary Dwelling Unit – Detached shall be in accordance with the regulations of Section 5.43.2.

(c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 5.43.2.

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

(e) A minimum 1.2 metre setback shall be provided from the interior side lot line and rear lot line.

(i) Notwithstanding Section 5.43.2 (e), an eave or a gutter may extend a maximum of 30 centimetres into a required minimum setback area.

(ii) In addition to Section 5.43.2 (e), a landscape strip is required to be provided within the required side yard adjacent to a Secondary Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip.

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

(g) An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Secondary Dwelling Unit – Detached shall be provided and maintained.

(h) The following building separation shall be provided:

(i) Where a Secondary Dwelling Unit – Detached is located in the Rear Yard, a minimum distance of 4.0 metres shall be required between the rear wall of the principal dwelling and the Secondary Dwelling Unit – Detached. **#25-036**

(ii) Where a Secondary Dwelling Unit – Detached is located in an interior Side Yard, the following is required:

(A) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and a Secondary Dwelling Unit – Detached; and,

(B) A Secondary Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.

(i) A maximum height of 6.0 metres shall be permitted.

(i) Notwithstanding Section 5.43.2 (i), balconies and rooftop patios shall be prohibited above the first floor level.

(j) The maximum gross floor area shall not exceed the lesser of 75 square metres or the gross floor area of the principal dwelling.

(i) In addition to Sections 5.43.2 (j) and 5.43.2 (j) (ii), and notwithstanding any other provisions of this By-law, the maximum combined lot coverage of all buildings and structures on a lot containing a Secondary Dwelling Unit – Detached shall be 45%. **#25-036**

(ii) In addition to Section 5.43.2 (j), the ground floor area of a Secondary Dwelling Unit – Detached shall not exceed 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres.

(k) A minimum landscaped area of 12.0 square metres shall be provided and maintained within the Rear Yard. **#22-135**

5.44 CONVERTED DWELLINGS

(a) For the purpose of Section 5.44, a Converted Dwelling shall mean a single detached, semi-detached, or link dwelling, existing as of XX, 2022, converted to contain greater than two but no more than four Dwelling Units.

(b) A Converted Dwelling shall only be permitted on a lot in a R1, R4, or R5 Zone, identified on Figure 1 of Section 35: Special Figures.

(c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 5.44.

(d) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot subject to Converted Dwelling permissions and identified in Section 5.44 (b).

(e) No parking spaces are required for Dwelling Units within a Converted Dwelling, provided the required parking spaces which existed on XX, 2022 for the existing dwelling shall continue to be provided and maintained.

(i) Notwithstanding Section 5.44 (e), one parking space is

5.45 HOME CHILD CARE

required for the following conditions:

A. For the fourth Dwelling Unit in a Converted Dwelling; and,

B. For the fourth Dwelling Unit on a lot. **#22-193**

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

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

(c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply. **#25-156**

SECTION 6 – Urban Residential (Single Detached) Zone R1

6.1 PERMITTED USES

(a) Single Detached Dwelling

(b) Urban Farm **#14-276**

(c) Community Garden **#14-276**

(d) In addition to the uses permitted in Section 6.1 (a), (b), and (c), on a lot identified on Figure 1 of Section 35: Special Figures, the following additional uses are permitted:

(i) Semi-Detached Dwelling

(ii) Duplex Dwelling

(iii) Street Townhouse **#22-193**

6.2 ZONE PROVISIONS FOR SINGLE DETACHED DWELLINGS **#22-193**

(a) Lot Area (minimum).....665 square metres

(b) Lot Frontage (minimum) .....18 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 25%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....1.2 metres

(h) Exterior Side Yard (minimum).....7.5 metres

(i) Landscaped Open Space (minimum).....No Minimum

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

6.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 (a), (b) and (c).

(b) Notwithstanding Section 6.1(b), and in addition to the provisions of Section 5.39 (c), an urban farm shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	From	To
1	Franklin Street	Dundas Street	Griffin Street
2	Dundas Street (Hwy 5)	Mill Street	Hamilton Drive
3	Mill Street	Griffin Street	Cedar Street
4	Main Street	Barton Street	Cedar Street
5	Flamboro street	Barton Street	Dundas Street

6.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 (a) and (b).

(b) Notwithstanding Section 6.1(c), and in addition to the provisions of Section 5.40 (b), a community garden shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	From	To
1	Franklin Street	Dundas Street	Griffin Street
2	Dundas Street (Hwy 5)	Mill Street	Hamilton Drive
3	Mill Street	Griffin Street	Cedar Street
4	Main Street	Barton Street	Cedar Street
5	Flamboro street	Barton Street	Dundas Street

6.2.3 ZONE PROVISIONS FOR USES PERMITTED IN SECTION 6.1 (d)
#22-193

(a) Semi-detached dwellings shall comply with the provisions of Section 10.2 and the applicable regulations of Section 6.

(b) Duplex dwellings shall comply with the provisions of Section 10.2 and the applicable regulations of Section 6.

(c) Street townhouse dwellings shall comply with the provisions of Section 11.2 (ii) and the applicable regulations of Section 6.

6.2.4 ZONE PROVISIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED
#21-074

(a) Shall comply with the provisions of Section 5.43. **#22-193**

6.2.5 ZONE PROVISIONS FOR CONVERTED DWELLINGS
#22-193

(a) Shall comply with the provisions of Section 5.44.

6.3 EXCEPTION NUMBERS

6.3.1 R1-1 (See Schedule Numbers A-30 and A-31)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

#96-69-Z (a) Lot Area (minimum).....366 square metres

(b) Lot Frontage (minimum) .....12 metres

(c) Lot Coverage (maximum) 40%

(d) Exterior Side Yard (minimum).....6 metres

(e) All other zone provisions of Subsection 6.2 shall apply.

6.3.1.A R1-1-A (See Schedule Number A-30)
#91-152-Z

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Minimum Lot Frontage

Internal Lot .....12.2 metres
Corner Lot .....15 metres

(b) Lot Area (minimum).....371.9 square metres

(c) Exterior Side Yard (minimum).....4.5 metres

(d) All other zone provisions of Subsection 6.3.1 shall apply.

6.3.2 R1-2 (See Schedule Numbers A-30 and A-31)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....495 square metres

(b) Lot Frontage (minimum) .....15 metres

(c) Lot Coverage (maximum) 30%

(d) Exterior Side Yard (minimum).....7.5 metres

(e) All other zone provisions of Subsection 6.2 shall apply.

6.3.3 R1-3 (See Schedule Number A-31)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....650 square metres

(b) Lot Frontage (minimum) .....21 metres

(c) All other zone provisions of Subsection 6.2 shall apply.

6.3.4 R1-4 (See Schedule Numbers A-30 and A-31)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....835 square metres

(b) Lot Frontage (minimum) .....19 metres

(c) All other zone provisions of Subsection 6.2 shall apply.

6.3.5 R1-5 (See Schedule Numbers A-6, A-30 and A-31)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....975 square metres

(b) Lot Frontage (minimum) .....22 metres

(c) All other zone provisions of Subsection 6.2 shall apply.

6.3.6 R1-6 (See Schedule Numbers A-6, A-30 and A-31)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....1390 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....8.2 metres

(d) Lot Coverage (maximum) 15%

(e) Interior Side Yard (minimum).....3 metres

(f) Floor Space (maximum)

1 storey .....186 square metres

1-1/2 storeys .....186 square metres on main floor

2 storeys.....372 square metres

(g) All other zone provisions of Section 7.2 shall apply.

6.3.7 R1-7 (See Schedule Number A-30)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....415 square metres

(b) Lot Frontage (minimum) .....12 metres

(c) Lot Coverage (maximum) 30%

(d) Interior Side Yard (minimum).....1.5 metres

(e) All other zone provisions of Subsection 6.2 shall apply.

6.3.8 R1-8 (See Schedule Number A-30)
#99-97-Z

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....417.5 square metres

(b) Lot Frontage (minimum) .....13.7 metres

(c) Lot Coverage (maximum) 35%

(d) Front Yard (minimum) .....7.5 metres

(e) Interior Side Yard (minimum).....1.2 metres

(f) Exterior Side Yard (minimum).....6 metres

(g) Rear Yard (minimum).....7.5 metres

(h) Floor Space (minimum)

1 storey .....97.5 square metres

1-1/2 storeys .....106.5 square metres
or split level

2 or 2-1/2 storeys .....116 square metres

(i) General Provisions - in accordance with the provisions of Section 5 hereof.

6.3.9 R1-9 (See Schedule Number A-30)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....495 square metres

(b) Lot Frontage (minimum) .....13 metres

(c) Exterior Side Yard (minimum).....6 metres
for Lots 11 and 12 only.

(d) All other zone provisions of Subsection 6.2 shall apply.

6.3.10 R1-10 (See Schedule Number A-30)
#94-62-Z

Permitted Uses:

(a) Section 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....425 square metres

(b) Lot Frontage (minimum) .....13.5 metres

(c) All other zone provisions of Subsection 6.2 shall apply.

6.3.11 R1-11 (See Schedule Numbers A-30 and A-31)

Permitted Uses:

(a) Section 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....465 square metres

(b) Lot Frontage (minimum) .....15.24 metres

(c) All other zone provisions of Subsection 6.2 shall apply.

6.3.12 R1-12 (See Schedule Number A-6)
#93-99-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum).....929 square metres

(b) Lot Frontage (minimum) .....24 metres

(c) Height (maximum) .....8.2 metres

(d) Lot Coverage (maximum) 20%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....3 metres

(h) Exterior Side Yard (minimum).....7.2 metres

(i) Landscaped Open Space (minimum).....no minimum

(j) General provisions in accordance with the provisions of Section 5 hereof.

6.3.13 R1-13 (See Schedule Number A-31)
#94-28-Z
deleted #22-072

6.3.14 R1-14 (See Schedule Number A-6)
#94-65-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum).....557.4 sq. metres

(b) Lot Frontage (minimum) .....18 metres

(c) Height (maximum) .....8.2 metres

(d) Lot Coverage (maximum) 35%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....1.8 metres

(h) Exterior Side Yard (minimum).....7.5 metres

(i) Floor Space (maximum)

1 storey .....167.2 sq. metres

1-1/2 storeys .....209.0 sq. metres

2 storeys.....250.8 sq. metres

(j) Landscaped Open Space (minimum).....no minimum

(k) General provisions - in accordance with the provisions of Section 5 hereof.

6.3.15 R1-15 (See Schedule Number A-30)
#98-95-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum).....885 sq. metres

(b) Lot Frontage (minimum) .....26 metres

(c) Height (maximum) .....8.2 metres

(d) Lot Coverage (maximum) 20%

(e) Floor Space (maximum)

1 storey .....177 sq. metres

1-1/2 storeys .....221.3 sq. metres

2 storeys.....265.5 sq. metres

(f) All other zone provisions of Subsection 6.2 shall apply.

6.3.16 R1-16 (See Schedule Number A-31)
#96-41-Z

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....395 sq. metres

(b) Lot Frontage (minimum) .....12 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 35%

(e) Exterior Side Yard (minimum).....4.2 metres

(f) All other Zone Provisions of Subsection 6.2 shall apply.

6.3.17 R1-17 (See Schedule Number A-30)
#96-33-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum).....880 sq. metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....8.2 metres

(d) Lot Coverage (maximum) 20%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....1.8 metres

(h) Exterior Side Yard (minimum).....7.5 metres

(i) Landscaped Open Space (minimum).....no minimum

(j) General provisions - in accordance with the provisions of Section 5 hereof.

6.3.18 R1-18 (See Schedule NumberA-31)
#96-57-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum).....395 sq. metres

(b) Lot Frontage (minimum) .....12 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 40%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....1.2 metres

(h) Exterior Side Yard (minimum).....4.5 metres

(i) Landscaped Open Space (minimum).....no minimum

(j) General provisions - in accordance with the provisions of Section 5 hereof.

6.3.19 R1-19 (See Schedule A-30)
#98-92-Z

Permitted Uses:

(a) Single detached dwelling

Zone Provisions:

(a) Lot Area (minimum).....924 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....8.2 metres

(d) Rear Yard (existing house) (minimum).....4.5 metres

(e) Interior Side Yard (minimum).....3 metres

(f) Exterior Side Yard (minimum).....7.5 metres

(g) Lot Coverage (maximum) 25%

(h) All other zone provisions of Section 6.2 shall apply.

6.3.21 R1-21 (See Schedule Number A-30)

#97-92-Z

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....425 sq. metres

(b) Lot Frontage (minimum) .....13.5 metres

(c) Lot Coverage (maximum)

(i) Bungalow.....40%
(ii) 1-1/2 Storey 35%
(iii) Two Storey 25%

(d) Exterior Side Yard (minimum).....4.2 metres

(e) All other zone provisions of Subsection 6.2 shall apply.

6.3.22 R1-22 (See Schedule Number A-30)

#99-26-Z

Permitted Uses:

(a) Single detached dwelling

Zone Provisions:

(a) Lot Area (minimum).....575 sq. metres

(b) Lot Frontage (minimum) .....18.5 metres

(c) Height (maximum) .....8.2 metres

(d) Rear yard (existing house) (minimum).....4.2 metres

(e) Interior side yard (minimum) .....1.5 metres

(f) Lot Coverage (maximum) 35%

(g) Floor Space (maximum)

(i) 1 storey .....201.25 sq. metres
(ii) 1-1/2 Storey .....251.56 sq. metres
(iii) Two Storey .....not permitted

For the purpose of this by-law, "half storey" means that portion of the building

situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 7 feet 6 inches over a floor area which is not less than one third or more than two thirds of the floor area of the storey next below.

(h) A 1.8 metre high solid privacy fence shall be erected along the north lot line of the property to be reserved.

(a) All other zone provisions of Subsection 6.2 shall apply.

6.3.23 R1-23 (See Schedule Number A-30)
#99-98-Z

Permitted Uses:

(a) Single detached dwelling

Zone Provisions:

(a) Lot Area (minimum).....700 sq. metres

(b) Lot Frontage (minimum) .....25 metres

(c) Height (maximum) .....9.5 metres

(d) Interior side yard (minimum) .....3 metres

(e) Lot Coverage (maximum) 25%

(f) All other zone provisions of Subsection 6.2 shall apply.

6.3.24 R1-24 (See Schedule A-30)
#00-116-Z

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Exterior Side Yard (minimum).....4.2 metres

(b) All other zone provisions of Subsection 6.3.1 shall apply.

6.3.25 R1-25 (See Schedule A-30)
#00-115-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum).....460 square metres

(b) Lot Frontage (minimum) .....15 metres

(c) Height (maximum) .....8.2 metres

(d) Lot Coverage (maximum) 30%

(e) Interior Side Yard (minimum).....1.5 metres

(f) Exterior Side Yard (minimum).....5 metres

(g) All other zone provisions of Subsection 6.2 shall apply

6.3.26 R1-26 (See Schedule Number A-31)
#01-083
deleted #22-072

6.3.27 R1-27 (See Schedule A-32)
#04-203
#06-306
#13-314 Permitted Uses

Subsection 6.1 shall apply.

Zone Provisions

(a)	Lot Area (minimum)	247.0 metres
(b)	Lot Frontage (minimum)	9.5 metres
(c)	Lot Coverage (maximum)	N/A
(d)	Front Yard (minimum)	3.5 metres, except6.0 metres to an attached garage or attached carport
(e)	Rear Yard (minimum)	6.5 metres
(f)	Interior Side Yard (minimum)	1.2 metres one side, and 0.60 metres other side
(g)	Exterior Side Yard (minimum)	3.5 metres, except 6.0 metres to an

attached garage or attached carport

(h) Landscaped open Space N/A

(j) Yard Encroachments in accordance with the following:

Structure or Item	Yard into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney breasts, pilasters, eaves or gutters	ALL	0.65 metres, except 0.60 metres into a required 0.60 metre side yard
Bay windows with or without a foundation	Required front and required exterior side yard	1.0 metre
Steps and unenclosed porches	Required front, required rear, and required exterior side yard	Porches – 2.0 metres Steps – 0.60 metres from the streetline
Setback of all structures from site triangles	Required front and required exterior side yard	0.30 metre minimum setback from a site triangle

k) General Provisions – Other than contained herein, the provisions of Section 5 shall apply.

l) All other zone provisions of Subsection 6.2 shall apply.

#06-306
#13-314

The Holding provisions shall not be removed until such time as the following condition has been satisfied:

(i) That the EA process for the Transportation Master Plan is proceeding expeditiously and has advanced to the stage where the alternatives have been identified and the potential routes have been identified for evaluation and the subject lands have been confirmed to not be included as alternatives or potential routes.

6.3.28 R1-28 (See Schedule A-30)
#05-083-Z

Permitted Uses:

(a) Single detached dwelling

Zone Provisions:

(a) Lot Frontage (minimum) 21.0m

(b) Lot Area (minimum).....669.0m^2

(c) Front Yard (minimum):

(i) 6.8m for a Single Detached Dwelling existing on the lands as of the date of the passing of By-law No. 05-083

(ii) 7.5m for any other Single Detached Dwelling.

(d) Interior Side Yard (minimum).....3.0m

(e) Lot Coverage (maximum) 25%

(f) Height (maximum) 8.2m

(g) All other provisions of Section 6.2, 'R1' Zone shall apply.

6.3.29 R1-29 (See Schedule A-30)
#05-203

Permitted Uses

(a) Single Detached Dwelling

Zone Provisions

(a) Lot Area (minimum)……1,200 square metres

(b) Lot Frontage (minimum)……..30 metres

(c) Height (maximum)……8.2 metres

(d) Lot Coverage (maximum)…….25%

(e) Interior Side Yard (minimum)……..3 metres

(f) Floor Space (maximum):

1 storey……..274 square metres

1-1/2 storeys……..274 square metres on main floor

2 storeys…….372 square metres

(g) All other zone provisions of Section 6.2, "R1" Zone shall apply.

6.3.30 R1-30 (See Schedule A-32)
#04-203

Permitted Uses

(a) Single Detached Dwelling

(b) Street Townhouse

Zone Provisions

#14-059 (a) Number of Dwelling Units (Maximum) — 71 units total, of which, no more than 45 street townhouses are permitted.

(b) Single Detached Dwelling shall comply with all other zone provisions of Subsection 6.3.27.

(c) Street Townhouses shall comply with all other zone provisions of Subsection 11.3.12.

#06-306 (H Removal) The Holding provisions shall not be removed until such time as the following condition has been satisfied:

(i) That the EA process for the Transportation Master Plan is proceeding expeditiously and has advanced to the stage where the alternatives have been identified and the potential routes have been identified for evaluation and the subject lands have been confirmed to not be included as alternatives or potential routes.

6.3.31 R1-31 (See Schedule A-6)
#07-200
(OMB)

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum) ..... 270.0 square metres

(b) Lot Frontage (minimum) ..... 10 metres

(c) Lot Coverage (maximum) ..... N/A

(d) Front Yard (minimum) ..... 4.5 metres, except 6.0 metres to an attached garage or carport

(e) Rear Yard (minimum) ..... 6.5 metres

(f) Interior Side Yard (minimum) ..... 1.2 metres on one side, and 0.9 metres other side

(g) Exterior Side Yard (minimum) ..... 3.5 metres, except that an attached garage or attached carport which fronts on the

flankage lot line shall not be located within 6.0 metres of the flankage lot line

(h) Landscaped Open Space..... N/A

(j) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(k) Subsection 5.28.2 shall not apply.

(l) All other zone provisions of Subsection 6.2 shall apply.

#14-013 The Holding provision shall not be removed until such time as the following condition has been
#14-203 completed:

(i) The Holding provision shall preclude development of the subject lands until such time that the Class Environmental Assessment Report for the East-West road has been approved and the final alignment of the corridor has been determined to the satisfaction of the Director of Development Engineering.

City Council may remove the 'H' symbol, and thereby give effect to the Medium Density Residential "R6-14" Zone, the Urban Residential "R1-31" Zone, and the Urban Development 'UD" Zone by enactment of an amending By-law once the above condition has been satisfied.

6.3.32 R1-32 (See Schedule A-30)
#06-237

Permitted Uses

(a) Subsection 6.1 shall apply.

Zone Provisions

(a)	Lot Area (minimum)	920 square metres
(b)	Lot Frontage (minimum)	22.8 metres
(c)	Height (maximum)	8.2 metres
(d)	Lot Coverage (maximum)	21%
(e)	Interior Side Yard (minimum)	3 metres
(f)	Rear Yard (minimum)	5.5 metres
(g)	Floor Space (maximum)	
	1 storey	186 square metres
	1-1 /2 storeys	186 square metres
	2 storeys	372 square metres

(h) For the accessory structure, being a wood deck, existing on the day of the passing of this by-law, being the 9th day of August, 2006, a minimum rear yard setback of 0.5 metre shall be required.

(i) A 1.8 metre high solid privacy fence shall be erected along the northerly side lot line of the subject property.

(j) All other zone provisions of Section 6.2 shall apply.

6.3.33 R1-33 (See Schedule A-30)
#06-237

Permitted Uses

(a) Subsection 6.1 shall apply.

Zone Provisions

(a)	Lot Frontage (minimum)	21.0m
(b)	Lot Area (minimum)	652.0m^2
(c)	Height (maximum)	8.2 metres
(d)	Lot Coverage (maximum)	32%

(e) Floor Space (maximum)

(i)	1 storey	233 square metres
(ii)	1-1 /2 storeys	233 square metres
(iii)	2 storeys	372 square metres

(f) A solid 1.8 metre high privacy fence shall be provided along the North lot line

(g) All other zone provisions of Section 6.2 shall apply.

6.3.34 R1-34 (See Schedule A-6)
07-135
(OMB Order
0631) Permitted Uses

(a) Single Detached Dwelling

(b) Semi-Detached Dwelling

Zone Provisions

(a) Lot Area (minimum)

(i) Single Detached Dwelling.....270 square metres
(ii) Semi-Detached Dwelling .....162 square metres

(b) Lot Frontage (minimum)

(i) Single Detached Dwelling.....10 metres
(ii) Semi-Detached Dwelling .....6.1 metres

(c) Lot Coverage (maximum) .....N/A

(d) Front Yard (minimum) 4.5 metres, except 6.0 metres to an attached garage or attached carport

(e) Rear Yard (minimum) .....7.0 metres

(f) Interior Side Yard (minimum) 1.2 metres one side, and 0.6 metres the other side, except for the side yard related to the common wall of a semi detached dwelling, in which case a

minimum side yard of 0.0 metres shall be provided

(g) Exterior Side Yard (minimum) 2.4 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line

(h) Landscaped Open Space..... N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(j) General Provisions – Other than contain therein, the provisions of Section 5 shall apply.

(k) All other zone provisions of Subsection 6.2 shall apply.

6.3.35 R1-35 (See Schedule A-30)
#07-064

Zone Provisions

(a) Lot Area (minimum) 730 square metres

(b) Lot Frontage (minimum) 15 metres

(c) Lot Coverage (maximum) 30 percent

(d) Exterior Side Yard (minimum) 15 metres

(e) All other Zone provisions of Section 6.2 "R1" Zone shall apply.

6.3.36 R1 -36 (See Schedule A-30)
#07-304
#14-317
(OMB)

Permitted Uses

(a) Single Detached Dwelling

Zone Provisions

(a)	Lot Area (minimum)	1,055 square metres
(b)	Lot Frontage (minimum)	28.5 metres
(c)	Height (maximum)	8.2 metres
(d)	Lot Coverage (maximum)	15%
(e)	Northerly Interior Side Yard (minimum)	1.5 metres
(f)	Southerly Interior Side Yard (minimum)	3 metres
(g)	Floor Space (maximum)	
	1 storey	186 square metres
	1-1/2 storeys	186 square metres on main floor
	2 storeys	372 square metres

(h) All other zone provisions of Subsection 6.2 shall apply.

6.3.3 7 R1-37 (See Schedule A-30)
#07-304
#14-317
(OMB)

Permitted Uses

(a) Single Detached Dwelling

Zone Provisions

(a)	Lot Area (minimum)	646 square metres
(b)	Lot Frontage (minimum)	25.3 metres

(c)	Height (maximum)	7 metres **#14-317 (OMB)**
(d)	Lot Coverage (maximum)	21 %
(e)	Interior Side Yard (minimum)	1.2 metres
(f)	Exterior Side Yard (minimum)	7.5 metres **#14-317 (OMB)**
(g)	Rear Yard (minimum)	6 metres
(h)	Floor Space (maximum)	
	1 storey	186 square metres
	1 -1/2 storeys	186 square metres on main floor
	2 storeys	372 square metres

(i) All other zone provisions of Subsection 6.2 shall apply.

6.3.38 R1-38 (See Schedule A-31)
#10-181 (OMB)

Permitted Uses

(a) Single Detached Dwelling

Zone Provisions

(a)	Lot Area (minimum)	380 square metres
(b)	Lot frontage (minimum)	14.0 metres
(c)	Lot Coverage (maximum)	N/A
(d)	Front Yard (minimum)	3.0 metres, except 5.8 metres to an attached garage or attached carport
(e)	Rear Yard (minimum)	7.0 metres
(f)	Interior Side Yard (minimum)	1.2 metres, except 0.6 metres on the side with an attached garage or attached carport
(g)	Exterior Side Yard (minimum)	3.0 metres, except that an

attached garage or carport which fronts on the flankage lot line shall not be located within 5.8 metres of the flankage lot line

(h) Landscape Open Space N/A

(i) Height (Maximum) 2 storeys

(j) Yard. Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.00 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(l) All other zone provisions of Subsection 6.2 shall apply.

6.3.39 R1-39 (See Schedule A-31)
#10-181
(OMB)

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions

(a) Lot Area (minimum) 315 square metres

(b) Lot frontage (minimum) 11.5 metres

(c)	Lot Coverage (maximum)	N/A
(d)	Front Yard (minimum)	3.0 metres, except 5.8 metres to an attached garage or attached carport
(e)	Rear Yard (minimum)	7.0 metres
(f)	Interior Side Yard (minimum)	1.2 metres, except 0.6 metres on the side with an attached garage or attached carport
(g)	Exerior Side Yard (minimum)	2.4 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within 5.8 metres of the flankage lot line
(h)	Landscape Open Space	N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.00 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(k) All other zone provisions of Subsection 6.2 shall apply.

6.3.40 R1-40 (See Schedule A-6)
#11-214

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions

(a)	Lot Area (minimum)	270 square metres
(b)	Lot Frontage (minimum)	10.5 metres
(c)	Lot Coverage (maximum)	N/A
(d)	Front Yard (minimum)	4.5 metres, except 6.0 metres to an attached garage or carport
(e)	Rear Yard (minimum)	7.0 metres, except 20 metres from any hydrocarbon transmission line
(f)	Interior Side Yard (minimum)	1.2 metres on one side, and 0.6 metres on the other side wall.
(g)	Exterior Side Yard (minimum)	2.4 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line.
(h)	Landscape Open Space	N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres

Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(k) All other zone provisions of Subsection 6.2 shall apply.

6.3.41 R1-41 (See Schedule A-30)
#09-022

Zone Provisions:

(a) Lot Area (minimum) — 835 square metres

(b) Lot Frontage (minimum) — 25.0 metres

(c) Front Yard (minimum) — 7.5 metres

(d) Interior Side Yard (minimum) — 3.0 metres

(e) Height (maximum) — 8.2 metres

(f) Floor Space (maximum)

(i) 1 Storey — 186 square metres

(ii) 1-1/2 Storeys — 186 square metres on main floor

(iii) 2 Storeys — 372 square metres

(g) Lot Coverage (maximum) — 25%

(h) A maximum of one required parking space shall be permitted within the required front yard.

6.3.42 R1-42 (See Schedule A-30)
#09-022

Zone Provisions:

(a) Lot Area (minimum) — 680 square metres

(b)	Lot Frontage (minimum)	20.0 metres
(c)	Front Yard (minimum)	9.0 metres
(d)	Interior Side Yard (minimum)	3.0 metres
(e)	Height (maximum)	10.5 metres
(f)	Floor Space (maximum)	
	(i) 1 Storey	186 square metres
	(ii) 1-1/2 Storeys	186 square metres on main floor
	(iii) 2 Storeys	385 square metres
(g)	Lot Coverage (maximum)	30%

(h) All other zone provisions of Subsection of 6.2 of Zoning By-law No. 90- 145-Z (Flamborough) shall apply.

6.3.43 R1-43 (see Schedule A-30)
#09-062

Permitted Uses

(a) Single Detached Dwelling

Zoning Provisions

(a)	Lot Area (minimum)	618 square metres
(b)	Lot Frontage (minimum)	10.8 metres
(c)	Lot Coverage (maximum)	25%
(d)	Rear Yard (minimum)	7.5 metres, except 3 metres for the dwelling existing on the date of the passing of this Bylaw, being the 1st day of April, 2009.

(e) All other zone provisions of Subsection 6.3.6 shall apply.

6.3.44 R1-44 (see Schedule A-30)
#09-062

Permitted Uses

(a) Single Detached Dwelling

Zoning Provisions

(a)	Lot Area (minimum)	690 square metres
(b)	Lot Frontage (minimum)	22.8 metres
(c)	Lot Coverage (maximum) 2	5%

(d) All other zone provisions of Subsection 6.3.6 shall apply.

6.3.45 R1-45 (See Schedule A-30)
#10-222

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a)	Lot Coverage: interior lot only.	(Maximum) 29% for
(b)	Minimum Lot Area:	658 square metres.
(c)	Rear Yard: existing on the date of September, 2010.	2.4 metres for the building passing of the By-law, being the 15th day of
(d)	Floor Space: (Maximum)	
	1 storey	186 square metres.
	1-1/2 storeys	186 square metres on main floor.
	2 storeys	372 square metres.

(e) All other zone provisions of Subsection 6.2 shall apply.

6.3.47 R1-47 (See Schedule A-30)
#10-259

Permitted Uses:

(a) Subsection 6.1 shall apply.

Zone Provisions:

(a)	Lot Area (minimum)	900 square metres
(b)	Lot Frontage (minimum)	30 metres
(c)	Lot Coverage (maximum)	30%
(d)	Rear Yard (minimum) dwelling existing on the By-law, being the 13th day of October, 2010.	5.2 metres for the date of passing of the

(e) All other zone provisions of Subsection 6.2 shall apply.

6.3.48 R1-48 (See Schedule A-6)
OMB PL081128

Permitted Uses:

(a) Single Detached Dwelling

(b) Semi-detached Dwelling

(c) Any buildings or structures associated with flood control or erosion control, drainage or watercourse protection, as per the provisions of the Conservation Management Zone – CM.

Zone Provisions:

(a) Lot Area (minimum)

(i)	Single Detached Dwelling	270 square metres
(ii)	Semi-detached Dwelling	162.0 square metres

(b) Lot Frontage (minimum)

(i)	Single Detached Dwelling	10 metres
(ii)	Semi-detached Dwelling	6.1 metres

(d) Lot Coverage (maximum) N/A

(e)	Front Yard (minimum)	4.5 metres, except 6.0 metres to an attached garage or carport
(f)	Rear Yard (minimum)	7.0 metres
(g)	Interior Side Yard (minimum)	1.2 metres one side, and 0.6 metres on the other side, except for the side yard related to the common wall of a semi-detached dwelling, in which case a minimum side yard of 0.0 metres shall be provided
(h)	Exterior Side Yard (minimum)	2.4 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line.
(i)	Landscaped Open Space	N/A

(j) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(k) Section 5.28.2 shall not apply.

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

(m) All other zone provisions of Subsection 6.2 shall apply.

6.3.49 R1-49 (See Schedule A-6)
OMB PL081128

Permitted Uses:

Subsection 5.1 shall apply.

Zone Provisions:

(a)	Lot Area (minimum)	270 square metres
(b)	Lot Frontage (minimum)	10 metres
(c)	Lot Coverage (maximum)	N/A
(d)	Front Yard (minimum)	4.5 metres, except 6.0 metres to an attached garage or attached carport
(e)	Rear Yard (minimum)	6.5 metres
(f)	Interior Side Yard (minimum)	1.2 metres one side, and 0.9 metres on the other side
(g)	Exterior Side Yard (minimum)	3.5 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line.
(h)	Landscaped Open Space	N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres

Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(j) Section 5.28.2 shall not apply.

(k) All other zone provisions of Subsection 6.2 shall apply.

6.3.52 R1-52 (See Schedule A-6)
#10-256

Zone Provisions:

(a) Lot Frontage (minimum) 10.0 metres

(b) All other zone provisions of the Urban Residential (Single Detached) "R1-40" Zone, Modified shall apply.

6.3.53 R1-53 (See Schedule A-6)
#11-022

Permitted Uses

(a) Single Detached Dwelling

(b) Semi-Detached Dwelling

Zone Provisions

(a) Lot Area (minimum)

(i) Single Detached Dwelling 270.0 square metres
(ii) Semi-Detached Dwelling 162.0 square metres

(b) Lot Frontage (minimum)

(i) Single Detached Dwelling 10.0 metres
(ii) Semi-Detached Dwelling 6.1 metres

(c) Lot Coverage (maximum) N/A

(d) Front Yard (minimum) 4.5 metres, except 6.0 metres to an attached garage or carport

(e) Rear Yard (minimum) 7.0 metres

(f) Interior Side Yard (minimum) — 1.2 metres on one side, and 0.6 metres on the other side, except for the side yard related to the common wall of a semi-detached dwelling, in which case a minimum side yard of 0.0 metres shall be provided; subject to a maintenance easement for any minimum side yard that is less than 1.2 metres with said maintenance easement permitting encroachment for maintenance purposes only, for no more than 0.6 metres into the side yard of the lot adjacent to the yard with a side yard setback less than 1.2 metres.

(g) Exterior Side Yard (minimum) — 2.4 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line.

(h) Landscaped Open Space — N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(j) Section 5.28.2 shall not apply.

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

(l) All other zone provisions of Subsection 6.2 shall apply.

6.3.54 R1-54 (See Schedule A-6)
#11-042

Permitted Uses

Subsection 6.1 shall apply.

Zone Provisions

(a) Rear Yard (minimum) — 5.0 metres

(b) All other zone provisions of the Urban Residential "R1-31" Zone shall apply.

6.3.56 R1-56 (See Schedule A-30)
#11-140

Permitted Uses:

(a) Sub-section 6.1 shall apply.

Zone Provisions:

(a) Minimum Lot Area — 635 square metres.

(b) Minimum Lot Frontage — 13.9 metres.

(c) Maximum Lot Coverage — 45% for a 1 storey dwelling

35% for a 1.5 or 2 storey dwelling

(d) Maximum Floor Space:

1 storey	195 square metres
1 - 1/2 storeys	195 square metres on the main floor
2 storeys	390 square metres

(e) All other zone provisions of Subsection 6.2 shall apply.

6.3.57 R1-57 (See Schedule A-30)
#11-140

Permitted Uses:

(a) Sub-section 6.1 shall apply.

Zone Provisions:

(a)	Minimum Lot Area	750 square metres.
(b)	Minimum Lot Frontage	16.5 metres.
(c)	Minimum Side Yard Setback	1.2 metres, except 1.1 metres for the dwelling existing on the date of the passing of this By-law, being the 25th day of May, 2011.
(d)	Maximum Floor Space:	
	1 storey	186 square metres.
	1-1/2 storeys	186 square metres on the main floor.
	2 storeys	372 square metres.

(e) Notwithstanding Section 5.21(a), the required parking space may be located within the required front yard for the dwelling existing on the date of the passing of the By-law, being the 25th day of May, 2011.

(f) All other zone provisions of Sub-section 6.2 shall apply.

6.3.58 R1-58 (See Schedule A-30)
#12-066

Permitted Uses:

(a) Sub-section 6.1 shall apply.

Zone Provisions:

(a)	Lot Area (minimum)	689 square metres.
(b)	Lot Frontage (minimum)	17 metres.
(c)	Height (maximum)	8.2 metres.

(d)	Lot Coverage (maximum)	40 per cent.
(e)	Side yard setback for a dwelling existing on the date of the passing of this By-law, being the 28th day of March, 2012 (minimum)	1.1 metres
(f)	Side Yard Setback (minimum) side yard and 1.2 metres	1.8 metres for the easterly for the westerly side yard.
(g)	Floor Space (maximum)	
	1 storey	186 square metres.
	1 - 1/2 storeys	186 square metres on main floor.
	2 storeys	372 square metres.

(h) All other zone provisions of Sub-section 6.2 shall apply.

6.3.59 R1-59 (See Schedule A-6)
#13-097

Permitted Uses:

(a) Sub-section 6.3.34 shall apply.

Zone Provisions:

(a) Lot Frontage (minimum)

(i) Single Detached Dwelling 7.8m.

(b) All other zone provisions of Sub-section 6.3.34 shall apply.

General Provisions:

Other than contained herein, the provisions of Section 5 shall apply.

6.3.60 R1-60 (See Schedule A-6)
#13-097

Permitted Uses:

(a) Sub-section 6.3.6 shall apply.

Zone Provisions:

(a) Lot Area (minimum) 1,180.0 sq. m.

(b) All other zone provisions of Sub-section 6.3.6 shall apply.

General Provisions:

Other than contained herein, the provisions of Section 5 shall apply.

6.3.61 R1-61 (See Schedule A-31)
#13-174
deleted #22-072

6.3.62 R1-62 (See Schedule A-31)
#13-238
#14-099
(OMB)
#17-034
H Removal

Permitted Uses:

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

Zone Provisions:

(a)	Lot Area (minimum)	350 sq. m.
(b)	Lot frontage (minimum)	13.0m, except 18.2m shall be provided where a lot abuts a linear Open Space Block (Block No. 884 of the Draft Plan).
(c)	Height (Maximum)	2½ storeys, except where a lot abuts a linear Open Space Block (Block No. 884 of the Draft Plan), a maximum height of 2½ storeys is permitted provided the floor area above the second floor is contained within the roof peak and that windows above the second floor are contained in dormers facing the front yard, height shall be measured at the front façade.
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m

(g) Interior Side Yard (minimum) 1.2m

(h) Exterior Side Yard (minimum) 3.0m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.

(i) Landscape Open Space N/A

(j) Density (maximum) 22 units per net residential ha (upnrh).

(k) Yard Encroachments in accordance with the following:

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

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

(m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

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

6.3.63 R1-63 (See Schedule A-32)
#13-238
#14-099
(OMB)
#20-120
(H Removal)

Permitted Uses:

(a) Single Detached Dwelling

(b) Storm Water Management Pond

General Provisions:

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

Zone Provisions:

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

(k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is	Maximum Encroachment

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

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

(m) Rear Lot Line shall be fenced with a 1.2m (minimum) high black chain link fence.

(n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

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

(H) Holding Symbol:

Where an (H) symbol is prefixed to a Zone identified in Schedule "A", the following conditions must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands as noted below:

For Blocks 13, 14, 15, 17, 18, and 19 - all Lots abutting a SWM Facility are subject to a "H" provision, which shall not be removed until the size and shape of the abutting SWM Facility is designed adequately, as per South Waterdown Subwatershed Study recommendations, to the satisfaction of the Senior Director of Growth Management and Conservation Halton.

6.3.64 R1-64 (See Schedules A-31 & A-32)
#13-238
#14-099
(OMB)
#20-120
(H Removal)

Permitted Uses:

(a) Single Detached Dwellings

(b) Semi-detached Dwellings

(c) Street Townhouses

(d) Storm Water Management Pond

General Provisions:

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

Zone Provisions for (a) - Single Detached Dwellings:

(a)	Lot Area (minimum)	310 sq. m.
(b)	Lot frontage (minimum)	11.5m
(c)	Height (maximum)	2½ storeys, height shall be measured at the front façade, a ½ storey shall have a floor area of 50% or less of the floor area below.
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	1.2m on the garage side and 0.6m on the non garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m. A 0.6m side yard setback shall not be permitted adjacent to any side lot line less than 1.2m, except: On a lot where an emergency spillway/overland flow route shall be located, a minimum 2.0m side yard separation

between buildings shall be provided and maintained between buildings along one common lot line.

(h) Exterior Side Yard (minimum) — On a corner lot, the minimum side yard abutting the flankage street shall be 2.4m, except that an attached garage which fronts on the flankage street shall not be located within 5.8m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required.

(i) Landscape Open Space — N/A

(j) Overall Density — 22 - 40 upnrh for the lands zoned as "R1-64".

(k) Yard Encroachments in accordance with the following:

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

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

(m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(n) Lots backing onto Mountain Brow Road shall have decorative fencing along the rear lot line. Solid, board-on-board or chain link fencing is not permitted.

(o) Notwithstanding Section 5 - General Provisions, accessory buildings within the rear yards of those Lots backing onto Mountain Brow Road shall have a maximum height of 2.5m and a maximum floor area of 6.0 sq. m.

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

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

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

(k) Yard Encroachments in accordance with the following:

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

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

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

(m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

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

<u>Zone Provisions for (c) - Street Townhouses</u>:

(a)	Lot Area (minimum)	150 sq. m.
(b)	Lot frontage (minimum)	5.5m
(c)	Height (maximum)	2½ storeys, height shall be measured at the front façade, a ½ storey shall have a floor area of 50% or less of the floor area below.
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0 m
(g)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.

(h) Exterior Side Yard (minimum) 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.

(i) Landscape Open Space N/A

(j) Overall Density 22 - 40 upnrh for the lands zoned as "R1-64".

(k) Yard Encroachments in accordance with the following:

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

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

(m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

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

(H) Holding Symbol:

Where an (H) symbol is prefixed to a Zone identified in Schedule "A", the following conditions must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands as noted below:

For Blocks 13, 14, 15, **17**, 18, and 19 - all Lots abutting a SWM Facility are subject to a "H" provision, which shall not be removed until the size and shape of the abutting SWM Facility is

designed adequately, as per South Waterdown Subwatershed Study recommendations, to the satisfaction of the Senior Director of Growth Management and Conservation Halton.

6.3.66 R1-66 (See Schedule A-31)
#14-206

Permitted Uses

(a) Subsection 6.1 shall apply.

Zone Provisions

(a)	Lot Area (minimum)	865 sq. m.
(b)	Lot Frontage (minimum)	25m
(c)	Interior Side Yard Setback (minimum)	3m, except for 1.8m for the dwelling existing on the date of the passing of this by-law.
(d)	Building Height (maximum)	8.2m

(e) That the Dennis Avenue lot line be defined as the front lot line for the corner lot.

(f) All other zone provisions of Subsection 6.2 shall apply.

(g) That notwithstanding Section 5.2.3 a) the accessory building existing on the date of the passing of this by-law be permitted to be located within a required exterior side yard.

6.3.67 R1-67 (See Schedule A-31)
#14-207

Permitted Uses

(a) Subsection 6.1 shall apply.

Zone Provisions

(a)	Lot Area (minimum)	696 sq m
(b)	Lot Frontage (minimum)	17.2 m
(c)	Interior Side Yard Setback (minimum)	1.8 m
(d)	Lot Coverage (Maximum)	32%
(e)	Building Height (Maximum)	8.2 m
(f)	Floor Space(Maximum) 1 storey	186 sq m

1 ½ storey	186 sq m on main floor
2 storey	372 sq m

(g) All other zone provisions of Subsection 6.2 shall apply.

6.3.68 R1-68 (See Schedule A-30)
#14-313
(OMB)

Permitted Uses:

(a) Single Detached Dwellings

Zoning Provisions

(a)	Lot Area (minimum)	600 square metres
(b)	Lot Coverage (maximum)	32%
(c)	Interior Side Yard (minimum)	1.5 metres
(d)	Rear Yard (minimum)	7.5 metres, except 2.1 metres for The 176 Parkside Drive dwelling existing on the date of this Bylaw passing, being the 16th day of July, 2014.

(e) A deck existing on the date of this By-law passing, being the 16th day of July, 2014, shall be permitted within the interior side yard.

(f) All other zone provisions of Subsection 6.2 shall apply.

6.3.69 R1-69 (LD1 – Block "1")
#15-186

Definition:

For the purposes of this By-law, the following definitions shall apply

Boxout: A projection that is a maximum of 3.0 metres wide with or without a foundation and may contain afloor area.

Permitted Uses

(a) Single Detached Dwelling

Zone Provisions

(a)	Lot Area (minimum)	245 sq m Interior 315 sq m Corner

(b)	Lot Frontage (minimum)	9.1 m
(c)	Height (maximum)	12.5 m
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard Setback (minimum)	2.7 m, except 5.8 m to an attached garage or attached carport
(f)	Rear Yard Setback (minimum)	7.0 m
(g)	Interior Yard Setback (minimum)	i) 1.2 m on the garage side and 0.6 m on non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 m into the side yard with a side yard setback less than 1.2 m. A 0.6 m side yard setback shall not be permitted adjacent to any side lot line less than 1.2 m. ii) On a lot where an emergency/overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0 m side yard separation between buildings shall be provided and maintained along one common lot line.
(h)	Exterior Side Yard (minimum)	On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 m, except that an attached garage which fronts on the flankage street shall not be located within 5.8 m of the flanking street line.
(i)	Landscaped Open Space	N/A

(j) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted Into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters, eaves, or gutters	All	0.65 m
Bay, Bow or Box Window with or without a foundation	Required front, required rear, and required exterior side yard	1.0 m plus a further 0.3 m for eaves
Steps, enclosed and unenclosed porches	Required front, reqired rear, and required exterior side yard	Porches – 2.2 m Steps – 0.6 m from the streetline
Setback of all structures from a corner sight (daylight) triangle	Required front, required rear, and required exterior side yard	0.5 m minimum setback from the hypotenuse of a sight triangle
Boxout with or without a foundation to a maximum of two storeys	Required rear yard	3.0 m maximum length along the face of the dwelling with 0.6 m maximum projection

(k) Landscape Open Space – General Provisions 5.12.1 shall not apply.

(l) Planting Strip – General Provisions 5.12.2 shall not apply.

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

6.3.70 R1-70 (LD1 – Block "2")
#15-186

Permitted Uses

(a) Single Detached Dwelling

Zone Provisions

In accordance with the provisions of the "R1-69" Zone, with the following exceptions:

(a) Front Yard Setback (minimum) — 3.0 m, except 5.8 m to an attached garage or attached carport

(b) Rear Yard Setback (minimum) — 6.7 m

6.3.71 R1-71 (See Schedule A-30")
#16-084

Permitted Uses

(a) Subsection 6.1 shall apply.

Zoning Provisions

Notwithstanding the yard requirements of Section 6.2, the following yard requirements shall apply:

(a)	Front Yard (minimum)	6.0 m
(b)	Interior Side Yard (minimum)	2.0 m

(c) All other zone provisions of Sub-section 6.2 shall apply.

Notwithstanding the yard requirements of Section 6.2 or any other provision of the By-law, no buildings, accessory structures, pools or sheds shall be permitted within Block "2".

6.3.72 R1-72 (See Schedule A-30")
#16-084

Permitted Uses

(a) Subsection 6.1 shall apply.

Zoning Provisions

Notwithstanding the yard requirements of Section 6.2, the following yard requirements shall apply:

(a)	Interior Side Yard (minimum)	2.0 m

(b) All other zone provisions of Sub-section 6.2 shall apply.

Notwithstanding the yard requirements of Section 6.2 or any other provision of the By-law, no buildings, accessory structures, pools or sheds shall be permitted within Block "4".

6.3.73 R1-73 (See Schedule A-30")
#17-154

Permitted Uses

(a) Subsection 6.1 shall apply.

Zoning Provisions

Notwithstanding the yard requirements of Section 6.2, the following yard requirements shall apply:

(a)	Lot Area (minimum)	695 square metres

(b)	Lot Fronatage (minimum)	17 metres
(c)	Lot Coverage (maximum)	40%
(d)	Interior Side Yard Setback (minimum)	1.8 metres

(e) All other zone provisions in section 6.3.6 shall apply.

6.3.74 R1-74 (See Schedule A-31")
#22-072

(a) Notwithstanding Sections 2.3.1 and 2.3.2 of By-law No. 90-145-Z, the following shall apply and be numbered accordingly:

i) Notwithstanding any other provisions of this By-law, any lot within the R1-74, R1-74a, R1-74b, R1-74c, R1-74d, R1-74e, R1-74f, R1-74g or R1-74h Zone of this By-law, and the location thereon 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, exterior yard, rear yard, lot width, lot area, building height, legally established flat roofs, legally established balconies, rooftop terraces and decks above the first storey and legally established U-shaped driveway alignment and are permitted by this By-law;

ii) Notwithstanding any other provisions of this By-law, within an R1-74, R1-74a, R1-74b, R1-74c, R1-74d, R1-74e, R1-74f, R1-74g or R1-74h Zone, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law No. 22-072 was passed by Council, provided the Building Permit application complies with the provisions of Zoning By-law No. 90-145-Z, as amended, that affected the lot before By-law No. 22-072 came into effect. For the purposes of determining zoning conformity, the following shall apply:

1) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection ii) above; and,

2) Once the permit or approval under Subsection ii) above, has been granted, the provisions of this By-law apply in all other respects to the land in question.

(b) For the purposes of this zone, the following definitions shall apply:

Dormer shall mean a roof structure, which may contain a window, which projects vertically and horizontally beyond the plane of a pitched roof;

Dwelling Depth shall mean the depth of a dwelling measured from the outside of the front wall to the outside of the rear wall inclusive of an attached garage, but exclusive of any unenclosed porches, decks or structures;

Pitch, Roof shall mean a roof with a slope of greater than 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizonal area;

Flat, Roof shall mean a roof with a slope less than or equal to 1.0 vertical units for every 4.0 horizonal units, occupying an area greater than or equal to 50% of the total horizontal area;

(c) Notwithstanding Section 5.2.4, the aggregate Gross Floor Area of all accessory buildings or structures on a lot, except for swimming pools, shall not exceed 55 square metres or 7.5% of the lot area, whichever is lesser;

(d) Notwithstanding Section 5.2.2 and 5.2.4, one accessory building or structure that is less than or equal to 10 square metres and less than or equal to 2.5 metres in height, shall not contribute to the total Lot Coverage or Gross Floor Area;

(e) Notwithstanding Section 5.21.5(a) only 1 curb cut is permitted to provide access to a residential lot, to a maximum width of 6 metres;

(f) In addition to the permitted uses of Section 6.1, a Duplex Dwelling shall also be permitted;

(g) Sections 6.2 (a), (b), (c), (e), (g), and (h) shall be deleted and replaced with the following:

(i) Lot Area (minimum);

(a) Single Detached Dwelling - 665 square metres; and,
(b) Duplex Dwelling - 665 square metres;

(ii) Lot Frontage (minimum);

(a) Single Detached Dwelling - 18 metres; and,
(b) Duplex Dwelling - 18 metres;

(iii) Height (maximum);

(a) Dwellings with fewer than two storeys - 6.5 metres; and,
(b) Dwellings that are two or more storeys - 8.5 metres;

(iv)

Required Front Yard (minimum and maximum)		
a.	For a Lot located between two Interior lots or one Interior lot and one Corner Lot that has the adjacent dwellings facing the same street.	Within 20% of the average front yard setback of the two nearest principal dwellings on either side of the lot.*
b.	For a Lot located between an Interior lot or a Corner Lot that has one adjacent dwelling facing another street.	Within 20% of the average front yard setback of the one nearest principal dwelling of the interior lot. *
c.	For a Corner Lot that has one adjacent dwelling facing the same street.	Within 20% of the average front yard setback of the one nearest principal dwelling facing the same street. *
d.	Other cases not described in this table.	5.0 – 10.0 metres
	* In no cases shall the front yard setback be less than 5.0 metres.	

(v) Interior Side Yard (minimum);

(a) 1.2 metres for a principal dwelling that is less than or equal to 6.5 metres and is fewer than two storeys in Height; and,

(b) 1.8 metres for a principal dwelling that is less than or equal to 8.5 metres and is two or more storeys in Height;

(vi) Exterior Side Yard (minimum);

(a) Within 20% of the front yard setback of the nearest principal dwelling facing the same street as the Exterior Side Yard; and,

(b) In no cases shall the Exterior Side Yard setback be greater than 7.5 metres;

(h) In addition to Section 5.6(c), the following shall apply and be numbered accordingly:

(i) Within any required Front Yard or required Exterior Side Yard where the principle dwelling faces the Exterior Side Lot Line, a visual barrier, excluding vegetation, shall not be greater than 0.9 metres in height;

(i) In addition to the regulations in Section 6.2, the following shall also apply and be numbered accordingly:

(i) Dwelling Depth (maximum) - 20 metres;

(ii) Driveways - A maximum of one driveway that is perpendicular to a public right of way shall be permitted. U-Shaped or T-shaped driveways shall be prohibited in front and exterior side yards; and,

(iii) Garage and Carport Requirements

(a) Attached and detached garages and Carports shall not project beyond the front fapade of a dwelling or a side fapade of a dwelling situated on a Corner Lot; and,

(b) Minimum Setback from Front or Exterior Side Fagade of a Dwelling for attached and detached garages and Carports:

Setback	Garage / Carport Width
0 metres 0-3 metres	0 metres 0-3 metres
2 metres 3.1 - 4.5 metres	2 metres 3.1 - 4.5 metres
4 metres 4.6-7 metres	4 metres 4.6-7 metres
6 metres 7.1-8 metres	6 metres 7.1-8 metres

(c) The maximum width of any attached or detached garage shall be 8 metres;

(d) Attached garages greater than 5 metres in width shall require a division to establish two doors;

(e) Attached garages shall not occupy greater than 50% of the linear frontage of a Dwelling facing a Front Lot Line or Exterior Side Lot Line;

(f) Flat roofs and shed roofs shall be permitted for the portion of the garage or Carport that is less than 6.5 metres in Height;

(g) Notwithstanding 6.3.74 i) (iii) d), if a garage door faces a rear yard, division requirements do not apply.

(iv) Flat roofs shall not be permitted on any portion of the principle dwelling that is visible from a public street;

(v) Dormers are permitted to occupy a maximum of 75% of each horizontal roof length on each side of a roof;

(vi) Balconies, roof top terraces or decks shall be prohibited above the first floor;

(vii) Exterior Insultation and Finish System (EIFS) is not permitted;

(viii) No more than two of the following materials: brick, stone, historic stucco, and wood or wood composite siding shall be permitted on the exterior building cladding of the front fapade of dwellings and the exterior side fagade of dwellings on Corner Lots, except for decorative building elements (such as window and door frames, sills, lintels, surrounds and cornices), unless otherwise approved through a heritage permit;

(ix) Notwithstanding any other provision of this by-law, 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 with this Zoning By-law;

(x) Duplex Dwelling provisions:

(a) Parking shall be provided in accordance with Section 5.21 of this By-law;
(b) Notwithstanding Section 5.21.5(a) only 1 curb cut is permitted to provide access to a Duplex Dwelling, to a maximum width of 6 metres;
(c) Notwithstanding 6.3.74 i) (x) (b) for a Corner Lot, a maximum of one driveway shall be permitted from each street frontage, to a maximum width of 3 metres per driveway; and,
(d) Any separate entrance to a Duplex Dwelling shall be oriented toward the Side Lot Line or Rear Lot Line, or in the case of a Corner Lot, the street frontage where the principal entrance is not located.

6.3.75 R1-74a (See Schedule A-31")
#22-072

Permitted Uses

(a) Subsection 6.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply;

(b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii) and 6.2(d), the following requirements shall apply:

i) Lot Area (minimum)…….. 366 square metres;
ii) Lot Frontage (minimum)……12 metres; and,
iii) Lot Coverage (maximum)……...40%.

6.3.76 R1-74b (See Schedule A-31")
#22-072

Permitted Uses

(a) Subsection 6.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply;

(b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii) and 6.2(d), the following requirements shall apply:

i) Lot Area (minimum)…….. 495 square metres;
ii) Lot Frontage (minimum)……15 metres; and,
iii) Lot Coverage (maximum)……...30%.

6.3.77 R1-74c (See Schedule A-31")
#22-072

Permitted Uses

(a) Subsection 6.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply;

(b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii) and 6.3.74 g)(iii), the following requirements shall apply:

i) Lot Area (minimum)…….. 650 square metres;
ii) Lot Frontage (minimum)……21 metres; and,
iii) Height (maximum)…….....6.5 mettres.

6.3.78 R1-74d (See Schedule A-31")
#22-072

Permitted Uses

(a) Subsection 6.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply;

(b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii) and 6.3.74 g)(iii), the following requirements shall apply:

i) Lot Area (minimum)…….. 975 square metres;
ii) Lot Frontage (minimum)……22 metres; and,
iii) Height (maximum)…….....6.5 metres.

6.3.79 R1-74e (See Schedule A-31")
#22-072

Permitted Uses

(a) Subsection 6.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply;

(b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii), 6.3.74 g)(iii), 6.2(d) and 6.3.74g)(v), the following requirements shall apply:

i) Lot Area (minimum)……..1390 square metres;
ii) Lot Frontage (minimum)……30 metres; and,
iii) Height (maximum)…….....8.2 metres.
iv) Lot Coverage (maximum)……..15%;
v) Interior Side Yard (minimum)……3 metres; and
vi) Floor Space (maximum) shall be:

a) 1 storey - 186 square metres;
b) 1.5 storeys - 186 square metres; and,
c) 2 storeys - 372 square metres;

(c) Notwithstanding Subsection 6.3.74i)(iii)(a) and 6.3.74i)(iii)(b), attached garages, detached garages and carports shall be permitted to project beyond the front fagade of a dwelling or the exterior side fagade of a dwelling situated on a Corner Lot; and,

(d) Notwithstanding Subsection 6.3.74i)(i), balconies and rooftop terraces are permitted on a fagade not facing a public road.

6.3.80 R1-74f (See Schedule A-31")
#22-072

Permitted Uses

(a) Subsection 6.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply;

(b) Notwithstanding Subsections 6.3.74.g)(i), 6.3.74g)(iii) and 6.2(d), the following requirements shall apply:

i) Lot Area (minimum)…….. 700 square metres;
ii) Height (maximum)……..... 6.5 metres; and,
iii) Lot Coverage (maximum)…….. 30%.

6.3.81 R1-74g (See Schedule A-31")
#22-072

Permitted Uses

(a) Subsection 6.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply;

(b) Notwithstanding Subsections 6.3.74.g)(i), 6.2(d), 6.3.74.g)(iii), 6.3.74g)(v) and 6.3.74g)(vi), the following requirements shall apply:

i) Lot Area (minimum)…… 485 square metres;
ii) Lot Coverage (maximum)…… 31%;
iii) Height (maximum)……... 6.5 metres;
iv) Interior Side Yard (minimum)……. 0.6 metres; and,
v) Exterior Side Yard (minimum)…… 3.6 metres.

6.3.82 R1-74h (See Schedule A-31")
#22-072

Permitted Uses

(a) Subsection 6.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply;

(b) Notwithstanding Subsections 6.3.74.g)(iii), the following requirements shall apply:

i) Height (maximum)……... 6.5 metres;

SECTION 7 – Settlement Residential Zone R2

No person shall use any lot or erect, alter or use any building or structure within any Settlement Residential Zone - R2 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 7.3.

7.1 PERMITTED USES

(a) Single Detached Dwelling

7.2 ZONE PROVISIONS

(a) Lot Area (minimum).....2000 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 20%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....10 metres

(g) Interior Side Yard (minimum).....1.8 metres

(h) Exterior Side Yard (minimum).....7.5 metres

(i) Landscaped Open Space (minimum).....No Minimum

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

7.3 EXCEPTION NUMBERS

7.3.1 R2-1 (See Schedule Number A-33)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....2180 square metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.2 R2-2 (See Schedule Number A-45)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....1390 square metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.3 R2-3 (See Schedule Numbers A-37, A-40, A-41 and A-43)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....5060 square metres

(b) Lot Coverage (maximum) 15%

(c) Interior Side Yard (minimum).....3 metres

(d) All other zone provisions of Subsection 7.2 shall apply.

7.3.4 R2-4 (See Schedule Number A-47)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....2850 square metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.5 R2-5 (See Schedule Numbers A-26 and A-45)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Frontage (minimum) .....24.4 metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.6 R2-6 (See Schedule Number A-26)

Permitted Uses:

(a) Subsection 7.1 shall apply.

(b) Tree care service establishment.

Zone Provisions:

(a) Lot Frontage (minimum) .....28.5 metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.7 R2-7 (See Schedule Number A-33)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Floor Space (minimum):

1 storey .....106 square metres

1-1/2 storeys .....125 square metres

2 storeys.....150 square metres

Where no basement or cellar is provided, all minimum floor area requirements shall be increased by 9 square metres.

7.3.8 R2-8 (See Schedule Numbers A-37, A-38 and A-39)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Height (maximum) .....8.2 metres

(b) Lot Coverage (maximum) 15%

(c) Interior Side Yard (minimum).....3 metres

(d) Floor Space (maximum):

1 storey .....186 square metres

1-1/2 storeys .....186 square metres on main floor

2 storeys.....372 square metres

(e) All other zone provisions of Section 7.2 shall apply.

7.3.9 R2-9 (See Schedule Numbers A-37 and A-43)

Permitted Uses:

(a) Subsection 7.1 shall apply.

ZONE PROVISIONS

(a) Lot Area (minimum).....6000 square metres

(b) Lot Frontage (minimum) .....36 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 10%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....10 metres

(g) Interior Side Yard (minimum).....3 metres

(h) Exterior Side Yard (minimum).....7.5 metres

(i) Landscaped Open Space (minimum).....No Minimum

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

7.3.10 R2-10 (See Schedule Number A-41)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....14 160 square metres

(b) All other zone provisions of Subsection 7.3.9 shall apply.

7.3.11 R2-11 (See Schedule Numbers A-34 and A-43)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....9000 square metres

(b) All other zone provisions of Subsection 7.3.9 shall apply.

7.3.12 R2-12 (See Schedule Numbers A-35 and A-44)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....10 000 square metres

(b) All other zone provisions of Subsection 7.3.9 shall apply.

7.3.13 R2-13 (See Schedule Number A-43)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....7000 square metres

(b) Lot Frontage (minimum) .....35 metres

(c) All other zone provisions of Subsection 7.3.9 shall apply.

7.3.14 R2-14 (See Schedule Numbers A-36, A-37 and A-43)
#19-079
(H Removal)

Permitted Uses:

(a) Subsection 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....8000 square metres

(b) Lot Frontage (minimum) .....35 metres

(c) All other zone provisions of Subsection 7.3.9 shall apply.

7.3.15 R2-15 (See Schedule Number A-33)

Permitted Uses:

(a) Senior citizens housing.

Zone Provisions:

(a) Lot Area (minimum).....4500 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 30%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Side Yard (minimum).....7.5 metres

(h) Landscaped Open Space (minimum).....30%

(i) Planting Strip .....3 metres across entire frontage

(j) Parking Spaces.....1 space per dwelling unit

plus 0.5 visitor spaces per dwelling unit.

(k) General Provisions - in accordance with the provisions of Section 5 hereof, notwithstanding the provisions of Subsection 5.21.1.

7.3.16 R2-16 (See Schedule Number A-43)

Permitted Uses:

(a) Section 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....10 000 square metres

(b) Lot Frontage (minimum) .....16 metres

(c) All other zone provisions of Subsection 7.3.9 shall apply.

7.3.17 R2-17 (See Schedule Number A-43)

Permitted Uses:

(a) Section 7.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....4400 square metres

(b) Lot Frontage (minimum) .....45 metres

(c) All other zone provisions of Subsection 7.2 shall apply.

7.3.18 R2-18 (See Schedule Number A-39)

Permitted Uses shall be restricted to:

(a) Existing residential uses.

Zone Provisions:

(a) As existing.

(b) General provisions in accordance with Section 5 hereof.

7.3.19 R2-19 (See Schedule Number A-33)
#92-22-Z

Permitted Uses shall be restricted to:

(a) Single detached dwelling.

(b) Custom workshop within existing accessory building.

Zone Provisions:

(a) Lot Area (minimum).....2180 square metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.19 R2-19 (See Schedule Number A-38)
OMB

Permitted Uses shall be restricted to:

(a) Existing residential uses.

Zone Provisions:

(a) As existing.

(b) General provisions in accordance with Section 5 hereof.

Additional Requirements

Notwithstanding anything in this by-law to the contrary, the holding symbol (H) shall not be removed pursuant to Section 35 of the Planning Act, 1983, until and unless a Secondary Plan for Greensville has been approved as an amendment to the Official Plan.

7.3.20 R2-20 (See Schedule Number A-35)
#93-98-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area.....3800 square metres

(b) Lot Frontage (minimum) .....24 metres

(c) All other zone provisions of Subsection 7.2 shall apply.

7.3.21 R2-21 (See Schedule Number A-37)
#94-27-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum).....7285 square metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.22 R2-22 (See Schedule Number A-37)
#94-27-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum).....3800 square metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.23 R2-23 (See Schedule Number A-38)
#94-49-Z

Permitted Uses:

(a) Single Detached Dwelling

Zone Provisions:

(a) Rear Yard (minimum for buildings & septic systems).....30 metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.24 R2-24 (H) (See Schedule Number A-38)
#94-67-Z

Permitted Uses:

(a) Single Detached Dwelling

#99-97-Z (b) All other zone provisions of Subsection 7.2 shall apply.

Zone Provisions:

(a) Rear Yard or Side Yard
(minimum for buildings and septic systems on lots which are not existing lots of record)
.....30 metres from the Brow of the Niagara Escarpment, as shown an Schedule 'A' to this By-law.

7.3.25 R2-25 (See Schedule Number A-26)

Permitted Uses:

(a) Section 7.1 shall apply.

Zone Provisions:

(a) Side yard setback from all boundaries of old cemetery property to the west (minimum) for all structure and above-ground and in-ground swimming pools
.....4.5 metres

(b) All other zone provisions of Subsection 7.2 shall apply.

7.3.26 R2-26 (See Schedule Number A-33)

Permitted Uses:

(a) Subsection 7.1 shall apply

(b) Optometry Office

Zone Provisions:

(a) Gross Floor Area (maximum) .....98 square metres for the Optometry Office

(b) Open Storage .....shall be prohibited.

(c) All other zone provisions of Subsection 7.2 shall apply.

7.3.27 R2-27 (See Schedule A-26)
#00-97-Z

Permitted Uses:

a) Subsection 7.1 shall apply

Zone Provisions:

a) Lot Frontage (minimum)……..17 metres

b) All other zone provisions of Subsection 7.2 shall apply.

7.3.28 R2-28 (see Schedule A-42)
#06-052-Z

Permitted Uses:

In accordance with Section 7.1

Zone Provisions:

(a) Minimum setback from Conservation Management "CM" Zone
30 metres for all buildings and structures, including septic systems, swimming pools and driveways.

(c) All other provisions of Subsection 7.2 "R2" Zone shall apply.

7.3.30 R2-30 (See Schedule A-37)
#06-158-Z

Permitted Uses

(a) Subsection 7.1 shall apply

Zone Provisions

(a) Lot Area (minimum) 5,599 square metres

(b) Lot Frontage (minimum) 32 metres

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

(d) All other zone provisions of Subsection 7.2 shall apply.

7.3.31 R2-31 (See Schedule A-39)
#07-134
(OMB)

Permitted Uses

(a) Subsection 7.1 shall apply

Zone Provisions

(a)	Lot Area (minimum)	4,047 square metres
(b)	Rear Yard (minimum).	
	(i) Abutting a Conservation Management Zone	15 metres
	(ii) Abutting all other zones	10 metres
(c)	Interior Side Yard (minimum)	
	(i) Abutting a Conservation Management Zone	15 metres
	(ii) Abutting all other zones	1.8 metres

(d) Where a Holding "H" provision applies to this zone it shall be lifted when the recommendations of the Greensviile Subwatershed Study have been prepared to determine if these lands are required for a centralized stormwater management pond for this catchment area. Should said recommendation not be prepared by January 31st, 2008 then the Holding "H" provision shall be lifted.

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

(f) All other zone provisions of Subsection 7.2 shall apply.

7.3.32 R2-32 (See Schedule A-37)
#10-243

Permitted Uses

(a) Subsection 7.1 shall apply.

Zone Provisions

(a)	Lot Area (minimum)	6,300 square metres.
(b)	Lot Frontage (minimum) corner lots which shall be	35 metres (except for 20 metres).

(c) All other zone provisions of Subsection 7.3.9 shall apply.

7.3.52 R2-52 (See Schedule **A-37**)
#26-114-OLT

Permitted Uses

(a) Subsection 7.1 shall apply.

Zone Provisions

(a) Lot Area (minimum)…….....7000 square metres

(b) Lot Frontage (minimum)……..…21 metres

(c) All other zone provisions of Subsection 7.3.9 shall apply.

No person shall use any lot or erect, alter or use any building or structure within any Estate Residential Zone – R3 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 8.3.

8.1 PERMITTED USES

(a) Single Detached Dwelling

8.2 ZONE PROVISIONS

(a) Lot Area (minimum).....6000 square metres

(b) Lot Frontage (minimum) .....36 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 10%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....10 metres

(g) Interior Side Yard (minimum).....3 metres

(h) Exterior Side Yard (minimum).....7.5 metres

(i) Landscaped Open Space (minimum).....No Minimum

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

8.3 EXCEPTION NUMBERS

8.3.1 R3-1 (See Schedule Number A-3)

Permitted Uses:

a) Subsection 8.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....10 100 square metres

(b) Landscaped Open Space:

A Landscaped Open Space area shall be provided with a width of 30 metres as measured horizontally from the zone boundary. The removal of flora, except for weeds, shall be prohibited.

(c) All other zone provisions of Subsection 8.2 shall apply.

8.3.2 R3-2 (See Schedule Number A-8)

Permitted Uses:

(a) Condominium comprising five single detached dwellings.

Zone Provisions:

(a) Lot Area (minimum).....25.5 hectares

(b) Lot Frontage (minimum) .....420 metres

(c) All other zone provisions of Subsection 8.2 shall apply.

8.3.3 R3-3 (See Schedule Number A-1)
#93-16-Z

Permitted Uses:

(a) Subsection 8.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum).....1.22 hectares

(b) Lot Frontage (minimum) .....33.5 metres

(c) Landscaped Open Space: a 15 metre wide landscape buffer shall be maintained along the perimeter of the subject lands and shall remain free of any development.

(d) All other zone provisions of Subsection 8.2 shall apply.

8.3.4 R3-4 (See Schedule Number A-2)
#96-42-Z

Permitted Uses:

(a) Subsection 8.1 shall apply.

Zone Provisions:

(a) Lot Frontage (minimum) .....5 metres

(c) Landscaped Open Space:

A 15 metre wide landscape buffer shall be maintained along the perimeter of the subject lands and shall remain free of any development, except a driveway.

(d) All other zone provisions of Subsection 8.2 shall apply.

8.3.5 R3-5 (See Schedule Number A-9)
#97-129-Z

Permitted Uses:

(a) Four single detached dwellings.

Zone Provisions:

(a) Lot Area (minimum).....21.33 hectares

(b) Lot Frontage (minimum) .....212 metres.

(c) The provisions of Subsection 8.2 shall apply.

8.3.6 R3-6 (See Schedule A-15)
#14-285
#16-087
(H Removal)

Permitted Uses

(a) Subsection 6.1 shall apply.

Zone Provisions

(a) Lot Area (minimum) 5,500 sq. m.

(b) All other zone provisions of Subsection 8.2 shall apply.

.

No person shall use any lot or erect, alter or use any building or structure within any Urban Residential (Semi-Detached and Link) Zone - R4 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 9.3.

9.1 PERMITTED USES

(a) Link Dwelling

(b) Semi-Detached Dwelling

(c) Urban Farm **#14-276**

(e) Community Garden **#14-276**

(f) In addition to the uses permitted in Section 9.1 (a), (b), (c), and (d), on a lot identified on Figure 1 of Section 35: Special Figures, the following additional uses are permitted:

(i) Duplex Dwelling

(ii) Street Townhouse **#22-193**

9.2 ZONE PROVISIONS FOR SINGLE DETACHED AND SEMI0DETACHED DWELLINGS
#22-193

(a) Lot Area (minimum):

(i) Semi-Detached Dwelling.....205 square metres per dwelling unit

(ii) Link Dwelling.....315 square metres per dwelling unit

(b) Lot Frontage (minimum):

(i) Semi-Detached Dwelling.....6.7 metres per dwelling unit

(ii) Link Dwelling.....9.5 metres per dwelling unit

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 40%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum):

(i) Semi-Detached Dwelling.....0 metres on common side

.....1.2 metres on other side

(ii) Link Dwelling.....0.3 metres on common side

.....1.2 metres on other side

(h) Exterior Side Yard (minimum).....4.2 metres

(i) Landscaped Open Space (minimum).....No Minimum

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

9.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

9.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

9.2.3 ZONE PROVISIONS FOR USES PERMITTED IN SECTION 9.1 (e)
#22-193

(a) Duplex dwellings shall comply with the provisions of Section 10.2 and the applicable regulations of Section 9.

(b) Street townhouse dwellings shall comply with the provisions of Section 11.2 (ii) and the applicable regulations of Section 9.

9.2.4 ZONE PROVISIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED
#21-074
#22-193

(a) Shall comply with the provisions of Section 5.43.

9.2.5 ZONE PROVISIONS FOR CONVERTED DWELLINGS
#22-193

(a) Shall comply with the provisions of Section 5.44.

9.3 EXCEPTION NUMBERS

9.3.1 R4-1 (See Schedule Number A-31)
#96-42-Z

Permitted Uses:

(a) Semi-Detached Dwelling

Zone Provisions:

(a) Front Yard (minimum) .....6 metres

(b) All other zone provisions of subsection 9.2 shall apply.

9.3.2 R4-2 (See Schedule A-30)
#03-316

Zone Provisions:

(a) Minimum Lot Frontage .....6.1 metres

(b) Minimum Front Yard Setback.....3.0 metres for the front face of the dwelling, except that the garage shall be setback a minimum of 6.0 metres.

(c) Minimum Rear Yard Setback.....11.5 metres

(d) Maximum Lot Coverage.....45%

(e) Maximum Number of Semi Detached Dwellings 14

(f) No Accessory building or structure shall be permitted within 4 metres of the rear lot line, except that a chain link fence shall be permitted along the northerly rear lot line.

(g) All other provisions of Zoning By-law No. 90-145-Z as applicable to the Urban Residential (Semi-Detached and Link) "R4" Zone shall continue to apply.

9.3.3 R4-3 (See Schedule A-30)
#03-316-Z

Zone Provisions:

(a) Minimum Lot Frontage .....6.1 metres

(b) Minimum Front Yard Setback.....6.0 metres

(d) Maximum Lot Coverage.....45%

(e) Maximum Number of Semi Detached Dwellings 12

(g) All other provisions of Zoning By-law No. 90-145-Z, as applicable to the Urban

Residential (Semi-Detached and Link) "R4" Zone shall continue to apply.

9.3.4 R4-4 (See Schedule A-6)
#11-214

Permitted Uses

(a) Semi-Detached Dwelling

(b) Link Dwelling

Zone Provisions

(a)	Lot Area (minimum)	218 square metres, except on a corner lot the minimum lot area shall be 260 square metres.
(b)	Lot Frontage (minimum)	
	(i) Semi Detached Dwelling	8.2 metres
	(ii) Link Dwelling	9.0 metres
(c)	Lot Coverage (maximum)	N/A
(d)	Front Yard (minimum)	4.5 metres, except 6.0 metres to an attached garage or attached carport.
(e)	Rear Yard (minimum)	7.0 metres, except 20 metres from any hydrocarbon transmission line
(f)	Interior Side Yard (minimum)	
	(i) Semi-Detached Dwelling	1.2 metres, except 0.0 metres on the common wall side
	(ii) Link Dwelling	1.2 metres on one side and 0.6 metres on the other common side wall
(g)	Exterior Side Yard (minimum)	2.4 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line.

(h) Landscape Open Space..... N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	Yard into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney breasts, pilasters, eaves or gutters	ALL	0.65 metres
Bay windows with or without a foundation	Required front and required exterior side yard	1.0 metre
Steps and unenclosed porches	Required front, required rear, and required exterior side yard	Porches – 2.0 metres Steps – 0.60 metres from the streetline
Setback of all structures from site triangles	Required front and required exterior side yard	0.30 metre minimum setback from a site triangle

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

(k) All other Zone Provisions of Subsection 9.2 shall apply.

9.3.5 R4-5 (See Schedule A-6)
#11-214

Permitted Uses

(a) Semi-Detached Dwelling

(b) Link Dwelling

Zone Provisions

(a) Lot Area (minimum) .....225 square metres

(b) Lot Frontage (minimum).....9.0 metres

(c) Lot Depth (minimum) .....25 metres

(d) Lot Coverage (maximum) .....N/A

(e) Front Yard (minimum) 4.5 metres, except 6.0 metres to an attached garage or attached carport.

(f) Rear Yard (minimum) ..... 7.0 metres

(g) Interior Side Yard (minimum)

(i) Semi-Detached Dwelling ..... 1.2 metres, except 0.0 metres on the common side wall

(ii) Link Dwelling ..... 1.2 metres on one side and 0.6 metres on the other common side wall

(h) Landscape Open Space..... N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into Which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney breasts, pilasters, eaves or gutters	ALL	0.65 metres
Bay windows with or without a foundation	Required front and required exterior side yard	1.0 metre
Steps and unenclosed porches	Required front, required rear, and required exterior side yard	Porches – 2.0 metres Steps – 0.60 metres from the streetline
Setback of all structures from site triangles	Required front and required exterior side yard	0.30 metre minimum setback from a site triangle

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

(k) All other zone provisions of Subsection 9.2 shall apply.

9.3.6 R4-6 (See Schedules A-31 & A-32)
#13-238
#14-099
(OMB)
#20-054
(H Removal)

Permitted Uses:

(a) Single Detached Dwelling

(b) Semi-detached Dwelling

(c) Street Townhouse

(d) Storm Water Management Pond

Zone Provisions for (a) - Single Detached Dwelling:

(a)	Lot Area (minimum)	310 sq. m.
(b)	Lot frontage (minimum)	11.5m
(c)	Height (maximum)	3 storeys, height shall be measured at the front façade.
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	1.2m on the garage side and 0.6m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m. A 0.6m side yard setback shall not be permitted adjacent to any side lot line less than 1.2m, except: On a lot where an emergency spillway/overland flow route shall be located, a minimum 2.0m side yard separation between buildings shall be provided and maintained between buildings along one common lot line.
(h)	Exterior Side Yard (minimum)	On a corner lot, the minimum side yard abutting the flankage street shall be 2.4m, except that an attached garage which fronts on the flankage street shall not be located within 5.8m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required.
(i)	Landscape Open Space	N/A

(j) Overall Density — 30 - 60 upnrh for the lands Zoned as "R4-6".

(k) Maximum Number of Singles — Single detached dwellings shall comprise no more than 60%of the housing units for the lands zoned as "R4-6".

(l) Yard Encroachments in accordance with the following:

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

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

(n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

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

<u>Zone Provisions for (b) - Semi-Detached Dwelling</u>:

(a) Lot Area (minimum) — 200 sq. m.

(b) Lot frontage (minimum) — 7.5m

(c) Height (maximum) — 3 storeys, height shall be measured at the front façade.

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

(k) Yard Encroachments in accordance with the following:

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

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

(m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

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

Zone Provisions for (c) - Street Townhouse:

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

(k) Yard Encroachments in accordance with the following:

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

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

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

(m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

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

(H) Holding Symbol:

Where an (H) symbol is prefixed to a Zone identified in Schedule "A", the following conditions must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands as noted below:

For Blocks 13, **14**, 15, 17, 18, and 19 - all Lots abutting a SWM Facility are subject to a "H" provision, which shall not be removed until the size and shape of the abutting SWM Facility is designed adequately, as per South Waterdown Subwatershed Study recommendations, to the satisfaction of the Senior Director of Growth Management and Conservation Halton.

9.3.7 R4-7(H) (See Schedule A-6)
#14-155

Permitted Uses:

(a) Semi-Detached Dwelling

Zone Provisions:

In accordance with the zoning provisions of Subsection 9.3.4 with the exception of the following:

(a)	Lot Area (Minimum)	188 sq. m. per dwelling unit
(b)	Lot Frontage (Minimum)	7.1 m, except 8.3m for a temporary corner lot abutting Eager Drive
(c)	Temporary Visibility Triangles	Minimum 5 m X 5 m visibility triangles shall be provided on lots which abut Eager Drive.

General Provisions:

Other than contained herein, all other the provisions of the Flamborough Zoning By-law shall apply.

Holding Removal:

The Holding Provision "H" shall remain in effect until the following matters have been addressed to the satisfaction of the Director of Planning and the Senior Director of Growth Management:

(i) The owner has provided a Record of Site Condition for the lands within Eager Drive to the satisfaction of the Senior Director of Growth Management and the Director of Planning.

(ii) An alternative access has been provided to the subdivision to allow for the creation of the lots within Eager Drive, either on the adjacent DiMarco Estates or by means of the East-West Corridor to the satisfaction of the Senior Director of Growth Management and the Director of Planning.

(iii) The temporary watermains servicing the Silverwoods Subdivision within Eager Drive have been decommissioned to the satisfaction of the Senior Director of Growth Management.

No person shall use any lot or erect, alter or use any building or structure within any Core Area Residential Zone - R5 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 10.3.

NOTE: Section 10 was modified by By-law No. 22-072. This consolidation of the Zoning By-law has incorporated some of the modifications made through that by-law, as noted by the By-law # reference (**#22-072**). Please refer to By-law No. 22-072 for the complete list of amendments to Section 10. Not incorporated are Items 3.1, 3.2, 3.3, 3.4, 3.5, and 3.15 to By-law No. 22-072.

By-law No. 22-072 is available here:
https://www.hamilton.ca/city-council/by-laws-enforcement/search-by-laws

For assistance, please contact Zoning staff at (905) 546-2424 Ext. 2719

10.1 PERMITTED USES
#22-072

(i) Single Detached Dwelling;

(ii) Semi-Detached Dwelling;

(iii) Duplex Dwelling;

(iv) Triplex Dwelling;

(v) Urban Farm; and,

(vi) Community Garden.

10.2 ZONE PROVISIONS
#22-072

(a) Lot Area (minimum):

(i) Single Detached Dwelling.....510 square metres

(ii) Semi-Detached Dwelling.....330 square metres per dwelling unit

(iii) Duplex Dwelling .....510 square metres

(iv) Triplex Dwelling .....710 square metres

(b) Lot Frontage (minimum)

(i) Single Detached Dwelling.....15 metres

(ii) Semi-Detached Dwelling.....9 metres per dwelling unit

(iii) Duplex Dwelling .....15 metres

(iv) Triplex Dwelling .....21 metres

(c) Height (maximum)

(i) Dwelling with fewer than two storeys…….6.5 metres; and,

(ii) Dwellings that are two or more storeys……8.5 metres.

(d)

Lot Coverage (maximum)		
i.	Dwelling greater than 6.5 metres in height	25%
ii.	Dwelling less than or equal to 6.5 metres in height	35%

(e)

Required Front Yard (minimum and maximum)		
a.	For a Lot located between two Interior lots or one Interior lot and one Corner Lot that has the adjacent dwellings facing the same street.	Within 20% of the average front yard setback of the two nearest principal dwellings on either side of the lot.*
b.	For a Lot located between an Interior lot or a Corner Lot that has one adjacent dwelling facing another street.	Within 20% of the average front yard setback of the one nearest principal dwelling of the interior lot. *
c.	For a Corner Lot that has one adjacent dwelling facing the same street.	Within 20% of the average front yard setback of the one nearest principal dwelling facing the same street. *
d.	Other cases not described in this table.	5.0 – 10.0 metres
	* In no cases shall the front yard setback be less than 5.0 metres.	

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum)

(a) 1.2 metres for a principal dwelling that is less than or equal to 6.5 metres and is fewer than two storeys in height; and,

(b) 1.8 metres for a principal dwelling that is less than or equal to 8.5 metres and is two or more storeys in height.

(h) Exterior Side Yard (minimum)

(a) Within 20% of the front yard setback of the nearest principal dwelling facing the sam street as the Exterior Side Yard; and,

(b) In no cases shall the Exterior Side Yard setback be greater than 7.5 metres.

(i) Landscaped Open Space (minimum).....No Minimum

(j) **deleted #22-072**

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

10.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

10.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

10.2.3 ZONE PROVISIONS FOR THE USE PERMITTED IN SECTION 10.1(a) (vii):
#22-193

(a) Street townhouse dwellings shall comply with the provisions of Section 11.2 (ii) and the applicable regulations of Section 10.

10.2.4 ZONE PROVISIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED
#21-074
#22-193

(a) Shall comply with the provisions of Section 5.43.

10.2.5 ZONE PROVISIONS FOR CONVERTED DWELLINGS
#22-193

(a) Shall comply with the provisions of Section 5.44.

10.3 EXCEPTION NUMBERS

10.3.1 R5-1 (See Schedule Numbers A-26, A-33, A-34, A-35, A-37, A-38, A-39, A-40, A-41, A-43, A-45 and A-47)

Permitted Uses:

(a) Subsection 10.1 shall apply.

Zone Provisions:

(a) Lot Area (minimum):

(i) Semi-Detached Dwelling.....1000 square metres per dwelling unit

(ii) All other uses.....2000 square metres

(b) Lot Frontage (minimum):

(i) Semi-Detached Dwelling.....15 metres per dwelling unit

(ii) All other uses.....30 metres

(c) Lot Coverage (maximum).....25%

(d) All other zone provisions of Subsection 10.2 shall apply.

10.3.2 R5-2 (See Schedule Number A-31)

Permitted Uses:

(a) Funeral Home

(b) Any use permitted in a R5 zone.

Zone Provisions:

(a) Subsection 10.2 shall apply.

10.3.4 R5-3 (See Schedule Number A-31)
#22-072

Permitted Uses:

(a) Subsection 10.1 shall apply;

Zone Provisions:

(a) The provisions outlined in Subsection 10.2 shall apply;

(b) Notwithstanding the lot area and lot frontage requirements in Subsection 10.2 (a) and

(b), the following requirement shall apply:

(i) Lot Area (minimum).....650 square metres; and,
(ii) Lot Frontage (minimum)…….21 metres.

No person shall use any lot or erect, alter or use any building or structure within any Medium Density Residential Zone - R6 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 11.3.

11.1 PERMITTED USES

(a) Townhouse

(b) Street Townhouse

(c) Apartment Building

(d) Quadruplex

(e) Retirement Home

(f) Urban Farm **#14-276**

(g) Community Garden **#14-276**

11.2 ZONE PROVISIONS

(i) TOWNHOUSE

(a) Lot Area (minimum).....280 square metres per dwelling unit

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 40%

#92-22-Z (e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....3.0 metres, except in the common interior side

(h) Exterior Side Yard (minimum).....7.5 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Landscaped Open Space (minimum).....30%

(k) Density (maximum).....40 dwelling units per net hectare

(l) General Provisions in accordance with the provisions of Section 5 hereof.

(ii) STREET TOWNHOUSE

(a) Lot Area (minimum).....210 square metres

(b) Lot Frontage (minimum) .....6.5 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 40%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....3.0 metres except in the common interior side

(h) Exterior Side Yard.....7.5 metres

(i) Planting Strip .....No minimum

(j) Landscaped Open Space (minimum).....30%

#99-97-Z (k) General Provisions - in accordance with the provisions of Section 5 hereof.

(iii) APARTMENT BUILDING

(a) Lot Area (minimum).....2000 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 30%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....3.0 metres

(h) Exterior Side Yard (minimum).....7.5 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Landscaped Open Space (minimum).....30%

(k) Density (maximum).....49 dwelling units per net hectare

(l) General Provisions - in accordance with the provisions of Section 5 hereof.

(iv) RETIREMENT HOME

(a) Lot Area (minimum).....2000 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 40%

(e) Front Yard (minimum) .....10 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....3.0 metres

(h) Exterior Side Yard (minimum).....7.5 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Landscaped Open Space.....30%

(k) General Provision - in accordance with the provisions of Section 5 hereof.

(v) QUADRUPLEX

(a) Lot Area (minimum).....800 square metres

(b) Lot Frontage (minimum) .....20 metres

(c) Height (maximum) .....2 storeys

(d) Front Yard (minimum) .....16 metres

(e) Lot depth (minimum) .....40 metres

(f) Rear Yard (minimum) .....6 metres

(g) Interior Side Yard (minimum).....3.5 metres for the two dwelling units closest to the front lot line.

.....1.8 metres for the two dwelling units closest to the rear lot line.

(h) Lot Coverage (maximum) 50%

(i) Exterior Side Yard (minimum).....6 metres

(j) Planting Strip (minimum).....2 metres across entire frontage

.....1.8 metres through front yard, between parking spaces on one side of the lot and parking spaces on opposite side of the lot.

(k) Landscaped Open Space.....10% of front yard

.....30 square metres for each dwelling, suitable for a private amenity area with a minimum width of 4.5 metres.

(l) The maximum cumulative width of the driveway(s) shall not exceed 6 metres.

(m) No swimming pools, detached garages or carports are permitted.

(n) The entire rear yard and each private amenity area, shall be enclosed with a 1.8 metre high wood screen fence.

11.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

(b) Notwithstanding Section 11.1(f), and in addition to the provisions of Section 5.39 (c) , an urban farm shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Franklin Street	Dundas Street	Griffin Street
2	Dundas Street (Hwy 5)	Mill Street	Hamilton Drive
3	Mill Street	Griffin Street	Cedar Street
4	Main Street	Barton Street	Cedar Street
5	Flamboro street	Barton Street	Dundas Street

11.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

(b) Notwithstanding Section 11.1(g), and in addition to the provisions of Section 5.40 (b), a community garden farm shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Franklin Street	Dundas Street	Griffin Street
2	Dundas Street (Hwy 5)	Mill Street	Hamilton Drive
3	Mill Street	Griffin Street	Cedar Street
4	Main Street	Barton Street	Cedar Street
5	Flamboro street	Barton Street	Dundas Street

11.2.3 ZONE PROVISIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED
#21-074
#22-193

(a) Shall comply with the provisions of Section 5.43.

11.3 EXCEPTION NUMBERS

11.3.1 R6-1 (See Schedule Number A-30)

Permitted Uses shall be restricted to:

(a) One apartment building with a maximum of five apartment units, one of which shall be permitted in a cellar.

Zone Provisions:

(a) Lot Frontage (minimum) .....22 metres

(b) All other zone provisions of Subsection 11.2 shall apply.

11.3.2 R6-2 (See Schedule Number A-30)
#93-17-Z

Permitted Uses:

Quadruplex

Zone Provisions:

(a) Lot Area (minimum)

(i) Front Unit .....178 square metres
(ii) Rear Unit .....222 square metres

(b) Lot Frontage (minimum) .....5 metres per dwelling unit

#99-97-Z (c) Height (maximum) .....11 metres

(d) Front Yard (minimum)

(i) Front Unit .....16 metres
(ii) Rear Unit .....25 metres

(e) Lot Depth (minimum)

(i) Front Unit .....25 metres
(ii) Rear Unit .....40 metres

(f) Rear Yard (minimum)

(i) Front unit .....0 metres
(ii) Rear Unit .....6 metres

(g) Interior side Yard (minimum)

(i) Front unit .....3 metres
(ii) Rear Unit .....1.8 metres

(h) Lot Coverage (maximum) 50%

(i) Exterior Side Yard (minimum)

(i) Front unit .....6 metres
(ii) Rear Unit .....4.8 metres

(j) Planting Strip (minimum).....2 metres across entire frontage and adjacent to the entire length of the driveway

(k) Landscaped open Space.....10% of front yard

.....30 square metres for each dwelling, suitable for a private amenity area with a minimum width of 4.5 metres

(l) The maximum cumulative width of the driveway(s) shall not exceed 6 metres.

(m) No swimming pools, detached garages or carports are permitted.

(n) The entire rear yard and each private amenity area, shall be enclosed with a 1.8 metre high wood screen fence.

11.3.3 R6-3 (See Schedule Number A-31)
#94-28-Z

Permitted Uses:

Townhouses

Zone Provisions:

(a) Lot Frontage (minimum) .....16.2 metres

(b) Height (maximum) .....7.5 metres

(c) Rear Yard (minimum) .....3 metres for end units

(d) Density (maximum).....23 dwelling units per net hectare

(e) All other zone provisions of Subsection 11.2 shall apply.

(f) Notwithstanding the provisions of Subsection 5.2.3(e), no air conditioning unit, heat

pump, or other similar device shall be located within any required interior side yard or required rear yard.

11.3.4 R6-4 (See Schedule Number A-31)
#94-48-Z

Permitted Uses:

Townhouses

Zone Provisions:

(a) Lot Area (minimum).....273 square metres per dwelling unit

(b) All other zone provisions of Section 11.2(i) shall apply.

11.3.5 R6-5 (See Schedule A-31)
#95-37-Z

Permitted Uses shall be restricted to:

(a) Townhouse

Zone Provisions:

(a) Lot Frontage (minimum) .....10.5 m

(b) Interior Side Yard (minimum).....7.5 m

(c) Maximum number of units 20

(d) Height (maximum) .....8.2 m

(e) All other zone provisions of Section 11.2 shall apply.

11.3.6 R6-6 (See Schedule A-30)
#96-11-Z

Permitted Uses shall be restricted to:

(a) Street Townhouses

Zone Provisions:

#99-97-Z (a) Lot Frontage (minimum) .....6.1 metres

#99-97-Z (b) Front Yard (minimum) .....6.0 metres

(c) Interior Side Yard (minimum).....1.5 metres

(d) All other zone provisions of Subsection 11.2 shall apply.

11.3.7 R6-7 (See Schedule Number A-31)
#96-57-Z

Permitted Uses:

(a) Quadruplex

Zone Provisions:

(a) Lot Area (minimum)

(i) Front Unit .....168 sq. metres
(ii) Rear Unit .....215 sq. metres

(b) Lot Frontage (minimum) .....5 metres per dwelling unit

#99-97-Z (c) Height (maximum) .....11 metres

(d) Front Yard (minimum)

(i) Front Unit .....13 metres
(ii) Rear Unit .....22 metres

(e) Lot Depth (minimum)

(i) Front Unit .....23 metres
(ii) Rear Unit .....36 metres

(f) Rear Yard (minimum)

(i) Front Unit .....0 metres
(ii) Rear Unit .....4 metres

(g) Interior Side Yard (minimum)

(i) Front Unit .....3 metres
(ii) Rear Unit .....1.8 metres

(h) Lot Coverage (maximum) 50%

(i) Exterior Side Yard (minimum)

(i) Front Unit .....6 metres
(ii) Rear Unit .....4.8 metres

(j) Planting Strip (minimum).....2 metres across entire

frontage and adjacent to the entire length of the driveway

(k) Landscaped Open Space.....10% of front yard

.....28 sq. metres for each dwelling, suitable for a private amenity area with a minimum width of 4.5 metres.

(l) The maximum cumulative width of the driveway(s) shall not exceed 6 metres.

(m) No swimming pools, detached garages or carports are permitted.

(n) The entire rear yard and each private amenity area, shall be enclosed with a 1.8 metre high wood screen fence.

11.3.8 R6-8 (See Schedule Number A-30)
#97-04-Z

Permitted Uses:

(a) Street townhouse

Zone Provisions:

(a) Interior Side Yard (minimum).....1.5 metres

(b) Exterior Side Yard (minimum).....5 metres

(c) All other zone provisions of Subsection 11.2 shall apply.

11.3.9 R6-9 (See Schedule Number A-30)
#97-04-Z

Permitted Uses:

(a) Street townhouse

Zone Provisions:

(a) Lot Frontage (minimum) .....6.3 metres

(b) Interior Side Yard (minimum).....1.5 metres

(c) Exterior Side Yard (minimum).....5 metres

(d) All other zone provisions of Subsection 11.2 shall apply.

11.3.10 R6-10 (See Schedule Number A-30)
#97-04-Z

Permitted Uses:

(a) Street townhouse

Zone Provisions:

(a) Rear Yard (minimum) .....5 metres

(b) Interior Side Yard (minimum).....1.5 metres

(c) Exterior Side Yard (minimum).....5 metres

(d) All other zone provisions of Subsection 11.2 shall apply.

11.3.11 R6-11 (See Schedule Number A-30)
#97-87-Z

Permitted Uses:

(a) Apartment Building

(b) Semi-detached Dwelling

(c) Townhouse

Zone Provisions:

(a) Lot Area (minimum).....2.055 hectares

(b) Lot Frontage (minimum) .....62 metres

(c) Lot Coverage (maximum) 39%

(d) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street and adjacent to any residential zone.

(e) Height:

(i) Apartment Building (maximum) .....14.5 metres

(ii) Townhouse (maximum).....11 metres

(iii) Semi-detached Dwelling (maximum).....11 metres

(f) Front Yard (minimum) .....7.5 metres

(g) Rear Yard (minimum) .....3.0 metres

(h) Interior Side Yard (minimum).....7.5 metres

(i) Exterior Side Yard (minimum).....14.75 metres

(j) Density.....48 Dwelling units per net residential hectare.

(k) General Provisions - in accordance with Section 5 hereof.

11.3.12 R6-12 (See Schedule A-32)
#04-203-Z

Permitted Uses

(a) Street Townhouse

Zone Provisions

(a) Lot Area (minimum)……..156.0 square metres

(b) Lot Frontage (minimum)……6.0 metres

(c) Lot Coverage (maximum)……..N/A

(d) Front Yard (minimum)……...3.5 metres, except 6.0 metres to an attached garage or attached carport

(e) Rear Yard (minimurn)……6.5 metres

(f) Interior Side Yard (minimum)……1.2 metres, except in the common interior side

g) Exterior Side Yard (minimum)……...3.5 metres, except 6.0 metres to an attached garage or attached carport

h) Landscaped Open Space…….N/A

j) Yard Encroachments in accordance with the following:

Structure or Item	Yard into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney breasts, pilasters, eaves or gutters	ALL	0.65 metres
Bay windows with or without a foundation	Required front and required exterior side yard	1.00 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.60 metres From the streetline
Setback of all structures from site triangles	Required front and required exterior side yard	0.3 metre minimum setback from a site triangle.

k) General Provisions – Other than contained herein, the provisions of Section 5 shall apply.

l) All other zone provisions of Subsection 11.2 shall apply.

#06-306 (H Removal)

The Holding provisions shall not be removed until such time as the following condition has been satisfied:

(i) That the EA process for the Transportation Master Plan is proceeding expeditiously and has advanced to the stage where the alternatives have been identified and the potential routes have been identified for evaluation and the subject lands have been confirmed to not be included as alternatives or potential routes.

11.3.13 **#04-203-Z**

R6-13 (See Schedule A-32)

Permitted Uses

(a) Street Townhouse

Zone Provisions

(a) Lot Area (minimum)……..195 square metres

(b) Lot Frontage (minimum)……7.5 metres

(c) All other zone provisions of Section 11.3.12 shall apply.

#06-306 (H Removal)

The Holding provisions shall not be removed until such time as the following condition has been satisfied:

(i) That the EA process for the Transportation Master Plan is proceeding

expeditiously and has advanced to the stage where the alternatives have been identified and the potential routes have been identified for evaluation and the subject lands have been confirmed to not be included as alternatives or potential routes.

11.3.14 R6-14 (See Schedule A-6)
#07-200
(OMB)

Permitted Uses:

(a) Street Townhouse

Zone Provisions:

(a) Lot Area (minimum) ..... 156.0 square metres

(b) Lot Frontage (minimum)..... 6.0 metres

(c) Lot Coverage (maximum) ..... N/A

(d) Front Yard (minimum)..... 4.5 metres, except 6.0 metres to an attached garage or attached carport

(e) Rear Yard (minimum) ..... 6.5 metres

(f) Interior Side Yard (minimum) 1.2 metres, except in the common interior side

(g) Exterior Side Yard (minimum) 3.5 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line

(h) Landscaped Open Space..... N/A

(j) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney,	All	0.65 metres

breasts, pilasters, eaves or gutters		
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(k) General Provisions – Other than contained herein, the provisions of Section 5 shall apply

(l) All other zone provisions of Subsection 11.2 shall apply.

#14-013 The Holding provision shall not be removed until such time as the following condition has been completed:

(i) The Holding provision shall preclude development of the subject lands until such time that the Class Environmental Assessment Report for the East-West road has been approved and the final alignment of the corridor has been determined to the satisfaction of the Director of Development Engineering.

City Council may remove the 'H' symbol, and thereby give effect to the Medium Density Residential "R6-14" Zone, the Urban Residential "R1-31" Zone, and the Urban Development 'UD" Zone by enactment of an amending By-law once the above condition has been satisfied.

11.3.15 R6-15 (See Schedule A-6)
07-135
(OMB Order 0631)

Permitted Uses:

(a) Street Townhouse

(b) Semi-detached Dwelling

Zone Provisions

(a) Lot Area (minimum)

(i) Street Townhouse..... 156.0 square metres
(ii) Semi-detached Dwelling ..... 162.0 square metres

(b) Lot Frontage (minimum)

(i) Street Townhouse..... 5.5 metres

(ii) Semi-detached Dwelling ..... 6.1 metres

(c) Lot Coverage (maximum) ..... N/A

(d) Front Yard (minimum) ..... 4.5 metres, except 5.8 metres for an attached garage or attached carport

(e) Rear Yard (minimum) ..... 7.0 metres

(f) Interior Side Yard (minimum)..... 1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided

(g) Exterior Side Yard (minimum) ..... 2.4 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within a minimum of 5.8 metres of the flankage lot line

(h) Landscaped Open Space..... N/A

(i) Maximum Density..... 46 units per net residential hectare

(j) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(k) General Provisions – Other than contain herein, the provisions of Section 5 shall

apply.

(l) All other zone provisions of Subsection 11.2 shall apply.

11.3.16 R6-16 (See Schedule A-6)
07-135
(OMB Order
0631) Permitted Uses:

(a) Retail Establishment

(b) Personal Service Establishment

(c) Service Shop

(d) Dry Cleaning Distribution Station

(e) Office

(f) Street Townhouse Dwelling

(g) Duplex

(h) Stacked Townhouse Dwelling

Zone Provisions

(a) The uses permitted in paragraphs (a) to (d) inclusive, above, shall only be permitted on the ground floor

(b) Lot Area (minimum) ..... 156.0 square metres

(c) Lot Frontage (minimum) ..... 7.0 metres

(d) Lot Coverage (maximum) ..... N/A

(e) Front Yard (minimum) 0.5 metres (for the purposes of this by-law, the front yard of a through lot shall be measured from the lot line located adjacent to the street with the greater right of way width

(f) Rear Yard (minimum) ..... 7.0 metres

(g) Interior Side Yard (minimum) ..... 1.2 metres, except for the side yard related to the common wall

of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided

(h) Exterior Side Yard (minimum) ..... 2.4 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within a minimum of 6.0 metres of the flankage lot line

(i) Landscaped Open Space..... N/A

(j) Maximum Building Height ..... 4 storeys

(k) Loading Spaces ..... N/A

(l) Parking Spaces (minimum) ..... 4 spaces per lot. Stacked parking is permitted

(m) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(o) All other zone provisions of Subsection 11.2 shall apply.

11.3.17 R6-17(H) (See Schedule A-31) (see By-law #08-030 for Holding Provisions)
#08-030

Permitted Uses:

(a) In addition to the Permitted Uses identified in Subsection 11 .I of Zoning By-law No. 90-145-2, the single detached dwelling existing on the day of the passing of this By-law, being the 13h day of February, 2008 and accessory structures thereto shall be permitted.

Zone Provisions:

(a) As existing, for the single detached dwelling and church building existing on the day of the passing of this By-law, being the 13th day of February, 2008.

(b) A minimum of 1.25 parking spaces per dwelling unit shall be provided and maintained for a reuse of the existing church building for a permitted residential use.

(c) All other zone provisions of subsection 11.2 shall apply.

11.3.19 R6-19 (See Schedule A-31)
#10-181
(OMB)

Permitted Uses

Street Townhouses

Zone Provisions

(a)	Lot Area (minimum)	156.0 square metres
(b)	Lot frontage (minimum)	6.0 metres
(c)	Lot Coverage (maximum)	N/A
(d)	Front Yard (minimum)	3.0 metres, except 5.8 metres to an attached garage or attached carport
(e)	Rear Yard (minimum)	7.0 metres
(f)	Interior Side Yard (minimum)	1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided

(g) Exterior Side Yard (minimum) — 2.4 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within a minimum of 5.8 metres of the flankage lot line

(h Landscape Open Space — N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.00 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(k) All other zone provisions of Subsection 11.2 shall apply.

11.3.20 R6-20(H) (See Schedule A-31)
#10-181
(OMB)

Permitted Uses

(a) Retail Establishment

(b) Personal Service Establishment

(c) Service Shop

(d) Dry Cleaning Distribution Station

(e) Office

(f) Street Townhouse Dwelling

(g) Duplex

(h) Stacked Townhouse Dwelling

Zone Provisions

(a) The uses peimitted in paragraphs (a) to (d) inclusive, above, shall only be permitted on the ground floor.

(b)	Lot Area (minimum)	156.0 square metres
(c)	Lot frontage (minimum)	6.0 metres
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	0.5 metres except 5.8 metres to an attached garage or attached carport
(f)	Rear Yard (minimum)	7.0 metres
(g)	Interior Side Yard (minimum)	1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided
(h)	Exterior Side Yard (minimum)	3.0 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within a minimum of 5.8 metres of the flankage lot line
(i)	Landscape Open Space	N/A
(j)	Maximum Building Height	4 storeys
(k)	Loading Spaces	N/A
(l)	Parking Spaces (minimum)	4 spaces per lot. Stacked parking is permitted

(m) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.00 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(o) All other zone provisions of Subsection 11.2 shall apply.

#12-210 The holding provision shall not be removed until such time as the following condition has been completed:

(i) The owner deeds the lands required to accommodate a modern roundabout including a daylight triangle, designed for a 36 metre arterial road to a 26 metre collector road at the intersection of Street "A" and Street "B", Draft Plan of Subdivision 25T200513, or the intersection of Street "A" and Street "B" is designed to the satisfaction of the Director Development Engineering.

11.3.21 R6-21 (See Schedule A-31)
#10-181
(OMB)

Permitted Uses

(a) Street Townhouses

Zone Provisions

(a) Lot Area (minimum) 156.0 square metres

(b) Lot frontage (minimum) 5.5 metres

(c)	Lot Coverage (maximum)	N/A
(d)	Front Yard (minimum) `	3.0 metres, except 5.8 metres to an attached garage or attached carport
(e)	Rear Yard (minimum)	7.0 metres
(f)	Interior Side Yard (minimum)	1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided
(g)	Exterior Side Yard (minimum)	2.4 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within a minimum of 5.8 metres of the flankage lot line
(h)	Landscape Open Space	N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(k) All other zone provisions of Subsection 11.2 shall apply.

11.3.22 R6-22 (See Schedule A-6)
#11-214

Permitted Uses

(a) Street Townhouses

Zone Provisions

(a) Lot Area (minimum) — 182.0 square metres per dwelling unit, except on a corner lot the minimum lot area shall be 230 square metres per dwelling unit.

(b) Lot frontage (minimum) ..... 7.0 metres

(c) Lot Coverage (maximum) ..... N/A

(d) Front Yard (minimum) ..... 4.5 metres, except 6.0 metres to an attached garage or attached carport

(e) Rear Yard (minimum) ..... 7.0 metres

(f) Interior Side Yard (minimum) ..... 1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided

(g) Exterior Side Yard (minimum) ..... 2.4 metres, except that an attached garage or carport which front on the flankage lot line shall not be located within a minimum of 6.0 metres of the flankage lot line

(h) Landscape Open Space ..... N/A

(i) Yard Encroachments in accordance with the following:

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

Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(k) All other zone provisions of Subsection 11.2 shall apply.

11.3.23 R6-23 (See Schedule A-6)
#11-214

Permitted Uses

(a) Street Townhouses

Zone Provisions

(a) Lot Area (minimum) ..... 175.0 square metres per dwelling unit, except on a corner lot the minimum lot area shall be 220 square metres.

(b) Lot Frontage (minimum)..... 7.0 metres

(c) Lot Coverage (maximum) ..... N/A

(d) Front Yard (minimum)..... 4.5 metres, except 6.0 metres to an attached garage or attached carport.

(e) Rear Yard (minimum) ..... 4.5 metres, except 6.0 metres to an attached garage or attached carport.

(f) Interior Side Yard (minimum)..... 1.2 metres, except for the side yard related to the common wall

of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided.

(g) Exterior Side Yard (minimum) ..... 2.4 metres, except that an attached garage or carport which front on the flankage lot line shall not be located within a minimum of 6.0 metres of the flankage lot line.

(h) Landscape Open Space..... N/A

(i) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(k) All other zone provisions of Subsection 11.2 shall apply.

11.2.24 R6-24 (See Schedule A-6)
#11-214

Permitted Uses

(a) Townhouse

Zone Provisions

(a) Lot Area (minimum) — 0.19 hectares of total parcel area and 182 square metres per dwelling unit.

(b) Lot Frontage (minimum) — 45 metres of total parcel frontage and 7 metres per dwelling unit

(c) Lot Coverage (maximum) ..... N/A

(d) Front Yard (minimum) ..... 4.0 metres, except 6.0 metres to an attached garage or attached carport

(e) Rear Yard (minimum) ..... 6.5 metres

(f) Interior Side Yard (minimum)..... 1.2 metres, except for the side yard related to the common wall, in which case a minimum side yard of 0.0 metres shall be provided

(g) Exterior Side Yard (minimum) ..... 4.2 metres, except 1.5 metres to the hypotenuse to a sight triangle

(h) Planting Strip (minimum)..... 3.0 metres width across all lot lines adjacent to a street, except 1.5 metres to the hypotenuse to a sight triangle

(i) Landscape Open Space..... N/A

(j) Maximum Density..... 38 dwelling units per net residential hectare

(k) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres

Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(l) Parking ..... 2 spaces per dwelling unit

(m) For the purposes of this By-law a private condominium road for two-way vehicular movement shall have a minimum unobstructed width of not less than 6.0 metres

(n) In addition, to the provisions of Definitions Section 3 – "Street" a private condominium road shall also be considered to be a highway for the purpose of creating lot frontage and front yard setback.

(o) For the purposes of this By-law the front lot line for the total parcel area shall be considered the lot line abutting Parkside Drive.

(p) For the purpose of this By-law townhouses fronting onto a private condominium road shall be considered a block townhouse development.

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

(r) All other zone provisions of Subsection 11.2 shall apply.

11.3.26 R6-26 (See Schedule A-6)
#11-022

Permitted Uses

(a) Street Townhouse

(b) Semi-Detached Dwelling

(c) Single Detached Dwelling

Zone Provisions

(a) Lot Area (minimum)

(i) Street Townhouse ..... 156.0 square metres
(ii) Semi-Detached Dwelling ..... Min. 162.0 square metres

(iii) Single Detached Dwelling.....Min. 270.0 square metres

(b) Lot Frontage (minimum)

(i) Street Townhouse.....5.5 metres
(ii) Semi-Detached Dwelling .....6.1 metres
(iii) Single Detached Dwelling.....10.0 metres

(c) Lot Coverage (maximum) .....N/A

(d) Front Yard (minimum) 4.5 metres, except 6.0 metres for an attached garage or carport

(e) Rear Yard (minimum) ..... 7.0 metres

(f) Interior Side Yard (minimum)..... 1.2 metres one side, and 0.6 metres on the other side, except for the side yard related to the common wall of a semi-detached/townhouse dwelling, in which case a minimum side yard of 0.0 metres shall be provided; subject to a maintenance easement for any minimum side yard that is less than 1.2m with said maintenance easement permitting encroachment for maintenance purposes only, for no more than 0.6 metres into the side yard of the lot adjacent to the yard with a side yard setback of less than 1.2 metres.

(g) Exterior Side Yard (minimum) ..... 2.4 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within a minimum of 6.0 metres of the flankage lot line.

(h) Landscape Open Space..... N/A

(i) Density ..... Street Townhouses shall comprise a minimum of 50% of this zoning designation

(j) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

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

(l) All other zone provisions of Subsection 11.2 shall apply.

11.3.26 R6-26 (See Schedule A-6)
#13-143
#13-286

Permitted Uses:

(a) Townhouse Dwelling

(b) Maisonette Dwelling

For the purpose of this amending By-law, a Maisonette Dwelling shall mean:

A building not more than one single detached dwelling unit in height, designed to contain not less than six dwelling units, fully attached to each other, side-by-side, in two rows arranged back-to-back and in substantial harmony with each other, each of which dwelling units:

a. Has a separate front entrance;

b. Is joined on one or both sides by a party wall to another dwelling unit in the same row; and,

c. Is joined by a common vertical back wall extending the length of the building.

For the purpose of this amending By-law, Hamilton Street North shall be deemed the front lot line, the southerly property boundary shall be deemed the rear lot line, the westerly property line shall be deemed the side lot line, and Parkside Drive shall be deemed the exterior side lot line.

Zone Provisions:

(a) Lot Area (Minimum)	175 sq. m. per dwelling unit.
(b) Lot Frontage (Minimum)	30m
(c) Lot Coverage (Maximum)	35%
(d) Front Yard (Minimum)	2.0m
(e) Rear Yard (Minimum)	6.0m
(f) Exterior Side Yard (Minimum)	
(i) Townhouse Dwelling	3.4m
(ii) Maisonette Dwelling	3.1m
(g) Setback from a Daylighting Triangle	1.1m from the hypotenuse of an intersection daylighting triangle, except 0.1m for a front porch.
(h) Planting Strip (Minimum)	2m, except 0m along Hamilton Street North, Parkside Drive, and abutting internal roads.
(i) Building Height (Maximum)	3-storeys and 11m
(j) Parking Spaces (Minimum)	2 spaces per unit, one of which includes the garage. Visitor parking shall be provided at a rate of 0.40 spaces per unit (18 spaces).
(k) Density (Maximum)	44 dwelling units
(l) Landscaped Open Space (Minimum)	30%.
(i) Townhouse Dwelling	9 sq. m. minimum for each dwelling unit fronting Hamilton

	Street North, including terraces suitable for a private amenity area; and for all other townhouse dwellings, 16 sq. m. minimum for each dwelling unit at-grade with a maximum depth of 3m, and which shall include screening on both sides suitable.
(ii) Townhouse Dwelling, Maisonette	3 sq. m. min., including a balcony suitable for a private amenity area.
(m) Location of Visitors Parking from Streetline	1.9m. min
(n) Loading Spaces	Not Required.
(o) Minimum Size of Parking Space	Each parking space shall be a minimum of 2.6m by 5.8m, except visitor parking spaces which shall be a minimum of 2.6m x 5.5m, and parallel spaces which shall be a minimum of 2.6m x 6.5m.
(p) Minimum Condominium Road Width	6.0m
(q) Minimum Interior Size of Garage for Parking	3m x 6m with a one-step encroachment.

(r) No vehicular access shall be permitted to Hamilton Street North and from the subject lands to Truedell Circle.

(s) Yard Encroachments in accordance with the following:

Structure or Item	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Balconies	Rear and Exterior Side Yard	2.4m

#13-286 Holding Removal:

The Holding Provision "H" shall remain in effect until the following matters have been addressed through the Development Agreement, to the satisfaction of the Director of Planning and the Senior Director of Growth Management:

(i) The owner has undertaken and implemented a servicing strategy for the external storm and sanitary services that are required for the residential development. The provisions of the strategy shall include the extension of the storm sewer on Parkside Drive to pick up the drainage from the subject lands and appropriate external areas; to secure the future extension of the storm sewer on Parkside Drive across the full frontage of the subject lands; and the works required to the sanitary sewer on Parkside Drive to alleviate downstream capacity issues, to the satisfaction of the Director of Planning and the Senior Director of Growth Management.

General Provisions:

Other than contained herein, all other the provisions of the Flamborough Zoning By-law shall apply.

11.3.27 R6-27(H) (See Schedule A-6)
#13-051
(OMB)

Permitted Uses

(a) Townhouse
(b) Street Townhouse
(c) Back-to-Back Townhouse
(d) Stacked Townhouse
(e) Apartment Building

Zone Provisions

(a)	Lot Area (minimum)	
	(i) Townhouse/Street Townhouse	112 sq. m.
	(ii) Back-to-Back Townhouse	70 sq. m.
(b)	Lot Frontage (minimum)	
	(i) Townhouse/Street Townhouse	5.5m
	(ii) Back-to-Back Townhouse	6.0m
(c)	Lot Coverage	N/A
(d)	Front Yard (minimum)	4.5m, except 5.8m to an attached garage or attached carport.
(e)	Rear Yard (minimum)	
	(i) Townhouse/Street Townhouse	5m

	(ii) Back-to-Back Townhouse	0.0m
(f)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of a dwelling, in which case a minimum of 0.0m shall be provided.
(g)	Exterior Side Yard (minimum)	2.4m
(h)	Landscaped Open Space	N/A
(i)	Building Height (maximum)	4-storeys
(j)	Parking Spaces (minimum)	2 spaces per unit, one of which includes the garage. Visitor parking shall be provided at a rate of .25 per unit ONLY for those townhouse units fronting on a private road.
(k)	Density (maximum)	N/A
(l)	Number of units in a row (maximum)	10 dwelling units

(m) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.00 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(n) For the purpose of this section, a back-to-back townhouse unit shall mean a townhouse dwelling with two or more common walls, each of which has a minimum of one independent entrance directly from the outside.

(o) For the purpose of this section, a street townhouse shall mean a townhouse with each dwelling unit having frontage onto a private road or public street.

(p) Where a townhouse or a street townhouse has a garage being accessed from a private lane, the following provisions shall apply:

Front Yard:	Minimum 0.5m
Side Yard:	Minimum 1.2m
Rear Yard:	Minimum (from the lane) 5.8m
Amenity Area:	Minimum of 15 sq. m and shall include; porches, decks, balconies, and verandahs.

(q) For the purpose of this section, a stacked townhouse means a residential apartment building containing a minimum of four, and a maximum of twenty units, each of which has an independent entrance, provided that:

i. Stacked townhouse buildings shall have a maximum length of 60m.

ii. Not more than half of all dwelling units shall be on the ground floor.

iii. Dwelling units shall be fully attached to adjoining units, and are attached vertically or horizontally.

iv. Access to all second level units shall be from an interior stairway within the stacked townhouse building.

(r) All other zone provisions of Sub-section 11.2 shall apply.

(s) For apartment buildings the zone provisions of Section 11.2 shall apply except that the maximum density shall not exceed 125 units per net hectare.

<u>General Provisions</u>

Other than contained herein, the provisions of Section 5 shall apply.

The following condition must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands, as noted below:

a. The final alignment of the East-West Corridor has been determined, to the satisfaction of the City of Hamilton.

b. That no commercial uses be developed within Blocks 2 and 3 of Schedule "A" until such time that the East-West Corridor has been constructed adjacent Blocks 2 and 3 of Schedule "A".

11.3.28 R6-28 (See Schedule A-6)
#13-051
(OMB)

Permitted Uses

The following uses are permitted in addition to the uses permitted by Sub-section 11.1:

(a) Back-to-Back Townhouse

(b) Duplex Dwelling

(c) Stacked Townhouse

(d) Live/Work Dwelling Unit

Zone Provisions for Back-to-Back Townhouse Units

(a)	Lot Area (minimum)	70 sq. m.
(b)	Lot Frontage (minimum)	6m
(c)	Lot Coverage	N/A
(d)	Front Yard (minimum)	0.5m, except 5.8m to an attached garage or attached carport.
(e)	Rear Yard (minimum)	0m.
(f)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of a dwelling, in which case a minimum of 0.0m shall be provided.
(g)	Exterior Side Yard (minimum)	2.4m
(h)	Landscaped Open Space	N/A
(i)	Maximum Building Height	4-storeys

(j) Parking Spaces (minimum) — 2 spaces per unit, one of which includes the garage. Visitor parking shall be provided at a rate of .25 per unit ONLY for those townhouse units fronting on a private road.

(k) Loading spaces — N/A

(l) Density (maximum) — N/A

(m) Number of units in a row (maximum) — 10 dwelling units

(n) Yard Encroachments in accordance with the following:

Structure or Item	**Yard into which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, chimney, breasts, pilasters, eaves or gutters	All	0.65 metres
Bay windows with or without a foundation	Required in Front and required exterior side yard	1.0 metres
Steps and unenclosed porches	Required front, required rear and required exterior side yard	Porches – 2.0 metres Steps – 0.6 metres from the streetline
Setback for all structures from sight triangles	Required front and required exterior side yard	0.3 metre minimum setback from a sight triangle

(o) For the purpose of this section, a back-to-back townhouse unit shall mean a townhouse dwelling with two or more common walls, each of which has a minimum of one independent entrance directly from the outside.

(p) For the purpose of this section, a street townhouse shall mean a townhouse with each dwelling .unit having frontage onto a private road or public street.

(q) For the Purposes of this Section, a live/work dwelling unit shall mean a dwelling unit in a townhouse, a stacked townhouse or back-to-back townhouse where the ground floor, or part thereof, is used for commercial purposes arid where the commercial and residential components are accessed by a common internal entrance.

Only the following uses may' be incorporated into the unit and must be located on the ground floor:

i. Retail establishment
ii. Personal service establishment
iii. Service shop
iv. Dry cleaning distribution station
v. Office

(r) For the purposes of Section 9.4 of City of Hamilton By-law 03-294 "To Establish Site Plan Control"- all development within Block 5 shall be considered innovative housing and, therefore, be subject to Site Plan Control.

(s) All other zone provisions of Sub-section 11.2 shall apply.

General Provisions

Other than contained herein, the provisions of Section 5 shall Apply.

11.3.30 R6-30 (See Schedules A-31 & A-32)
#13-238
#14-099
(OMB)
#20-054
(H Removal)

Permitted Uses:

(a) Single Detached Dwelling

(b) Semi-Detached Dwelling

(c) Street Townhouse

(d) Townhouse

(e) Stacked Townhouse

(f) Maisonette

(g) Low Rise Apartment Building

(h) Storm Water Management Pond

Zone Provisions for (a) - Single Detached Dwellings:

(a)	Lot Area (minimum)	310 sq. m.
(b)	Lot frontage (minimum)	11.5m

(c)	Height (maximum)	3 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	1.2m on the garage side and 0.6m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m. A 0.6m side yard setback shall not be permitted adjacent to any side lot line less than 1.2m, except: On a lot where an emergency spillway/overland flow route shall be located, a minimum 2.0m side yard separation between buildings shall be provided and maintained between buildings along one common lot line.
(h)	Exterior Side Yard (minimum)	On a corner lot, the minimum side yard abutting the flankage street shall be 2.4m, except that an attached garage which fronts on the flankage street shall not be located within 5.8m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required.
(i)	Landscape Open Space	N/A
(j)	Overall Density	60 - 75 upnrh for the lands Zoned as “R6-30”.
(k)	Maximum Number of Singles	Single detached dwellings shall comprise no more than 25% of the housing units for the lands zoned as “R6-30”.

(l) Yard Encroachments in accordance with the following:

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

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

(n) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.

(o) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

<u>Zone Provisions for (b) - Semi-Detached Dwellings</u>:

(a)	Lot Area (minimum)	200 sq. m.
(b)	Lot frontage (minimum)	7.5m
(c)	Height (maximum)	3 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	0.0m on the common side and 1.2m on other side.

(h) Exterior Side Yard (minimum) 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.

(i) Landscape Open Space N/A

(j) Overall Density 60 - 75 upnrh for the lands zoned as "R6-30".

(k) Yard Encroachments in accordance with the following:

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

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

(m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(n) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

<u>Zone Provisions for (c) - Street Townhouse</u>:

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

(b) Lot frontage (minimum) 5.5m

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

(l) Yard Encroachments in accordance with the following:

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

site triangles	yard	triangle

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

(n) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.

(o) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

Zone Provisions for (d) - Townhouse:

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

(l) Yard Encroachments in accordance with the following:

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

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

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

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

(o) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.

(p) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(q) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

Zone Provisions for (e) - Stacked Townhouse:

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

i. Stacked townhouse buildings shall have a maximum length of 60m.

ii. Not more than half of all dwelling units shall be on or below the ground floor.

iii. Dwelling units shall be fully attached to adjoining units, and are attached vertically or horizontally.

iv. Access to all second level units shall be from an interior stairway within the stacked

townhouse building.

(a)	Lot Area (minimum)	120 sq. m. per dwelling unit.
(b)	Lot frontage (minimum)	30m
(c)	Height (maximum)	4 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of the townhouse, in which case a minimum side yard of 0.0m shall be provided.
(h)	Exterior Side Yard (minimum)	2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
(i)	Landscape Open Space	N/A
(j)	Overall Density	60 - 75 upnrh for the lands zoned as “R6-30”.

(k) Yard Encroachments in accordance with the following:

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

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

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

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

(n) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.

(o) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.

(p) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

<u>Zone Provisions for (f) - Townhouse-Maisonette</u>:

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

i. Has a separate front entrance;

ii. Is joined on one or both sides by a party wall to another dwelling unit in the same row;

iii. Is joined by a common vertical back wall extending the length of the building.

(a)	Lot Area (minimum)	120 sq. m. per dwelling unit.
(b)	Lot frontage (minimum)	30m
(c)	Height (maximum)	4 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of the townhouse, in which case

a minimum side yard of 0.0m shall be provided.

(h) Exterior Side Yard (minimum) 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.

(i) Landscape Open Space N/A

(j) Overall Density 60 - 75 upnrh for the lands zoned as "R6-30".

(k) Yard Encroachments in accordance with the following:

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

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

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

(n) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.

(o) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.

(p) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

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

(a)	Lot Area (minimum)	2000 sq. m.
(b)	Lot frontage (minimum)	30m
(c)	Height (maximum)	4 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	3.0m
(h)	Exterior Side Yard (minimum)	4.5m
(i)	Planting Strip	N/A
(j)	Landscape Open Space	5%
(k)	Overall Density	60 - 75 upnrh for the lands zoned as "R6-30".

(l) Yard Encroachments in accordance with the following:

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

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

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

(n) Notwithstanding Section 5.21.4, the dimensions for a surface parking space shall be 2.6m x 5.5m.

(o) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.

(p) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.

(q) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

(H) Holding Symbol:

Where an (H) symbol is prefixed to a Zone identified in Schedule "A", the following conditions must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands as noted below:

For Blocks **13**, 14, 15, 17, 18, and 19 - all Lots abutting a SWM Facility are subject to a "H" provision, which shall not be removed until the size and shape of the abutting SWM Facility is designed adequately, as per South Waterdown Subwatershed Study recommendations, to the satisfaction of the Senior Director of Growth Management and Conservation Halton.

11.3.31R6-31 (See Schedules A-31 & A-32)
#13-238
#14-099
(OMB)

Permitted Uses:

(a) Retail Establishment
(b) Personal Service Establishment
(c) Service Shop
(d) Dry Cleaning Distribution Station
(e) Office
(f) Street Townhouse Dwelling
(g) Townhouse Dwelling
(h) Stacked Townhouse Dwelling
(i) Apartment Building with or without uses (a) - (e) at grade
(j) Live-Work unit - (Street Townhouse (freehold) with residential and uses (a) - (e) at grade)
(k) Stormwater Management Pond

Prohibited Uses:

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

General Zone Provisions:

(a) The uses permitted in Paragraphs (a) to (d), inclusive, above, shall only be permitted on the ground floor.

(b) Maximum Gross Floor Area for the uses permitted in Paragraphs (a) to (d) on a single lot shall be 300 sq. m. Maximum Gross Floor Area for use permitted in Paragraph (e) on a single lot shall be 500 sq. m.

(c) Any permitted commercial use at grade within a building containing residential uses, including a Live-Work unit, shall be exempt from the applicable parking requirement.

(d) Parking for multiple dwellings, excluding street townhouses, shall not be permitted between the front lot line and the building.

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

(a)	Lot Area (minimum)	150 sq. m.
(b)	Lot frontage (minimum)	5.5m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line, for the Block located at Skinner Road and Street "A" - Street "A", the East lot line, shall be deemed the front lot line.
(c)	Height (maximum)	4 storeys (commercial uses only permitted on ground floor, as per Sub-section (a) of General Zone Provision.
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	0.0m
(f)	Rear Yard (minimum)	7.0m, except 3.0m where abutting lands zoned for Open Space purposes.
(g)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.

(h) Exterior Side Yard (minimum) — 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.

(i) Planting Strip — N/A

(j) Landscape Open Space — N/A

(k) Overall Density — 50 - 75 upnrh for the lands zoned as "R6-31".

(l) Yard Encroachments in accordance with the following:

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

(m) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.5m.

(n) Parking shall not be located between the front lot line and the building.

(o) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.

(p) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

<u>Zone Provisions for (f) - Street Townhouse</u>:

(a)	Lot Area (minimum)	150 sq. m.
(b)	Lot frontage (minimum)	5.5m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line; for the Block located at Skinner Road and Street "A" - Street "A" shall be deemed the front lot line.
(c)	Height (maximum)	4 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	0.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m, except 3.0m where abutting lands zoned for Open Space purposes.
(g)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.
(h)	Exterior Side Yard (minimum)	2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
(i)	Planting Strip	N/A
(j)	Landscape Open Space	N/A
(k)	Overall Density	50 - 75 upnrh for the lands zoned as "R6-31".

(l) Yard Encroachments in accordance with the following:

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

	yard	
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

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

(n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(o) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

Zone Provisions for (g) - Townhouse:

(a)	Lot Area (minimum)	150 sq. m. per dwelling unit.
(b)	Lot frontage (minimum)	30m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line; for the Block located at Skinner Road and Street "A" - Street "A" shall be deemed the front lot line.
(c)	Height (maximum)	4 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	0.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m, except 3.0m where abutting lands zoned for Open Space purposes.
(g)	Interior Side Yard (minimum)	1.2m except for the side yard related to the common wall of the townhouse, in which case a minimum side yard of 0.0m shall be provided.
(h)	Exterior Side Yard (minimum)	2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.

(i) Planting Strip N/A

(j) Landscape Open Space N/A

(k) Overall Density 50 - 75 upnrh for the lands zoned as "R6-31".

(l) Yard Encroachments in accordance with the following:

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

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

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

(o) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.

(p) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(q) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

<u>Zone Provisions for (h) - Stacked Townhouse</u>:

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

i. Stacked townhouse buildings shall have a maximum length of 60m.

ii. Not more than half of all dwelling units shall be on or below the ground floor.

iii. Dwelling units shall be fully attached to adjoining units, and are attached vertically or horizontally.

iv. Access to all second level units shall be from an interior stairway within the stacked townhouse building.

(a)	Lot Area (minimum)	120 sq. m. per dwelling unit.
(b)	Lot frontage (minimum)	30m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line; for the Block located at Skinner Road and Street "A" - Street "A" shall be deemed the front lot line.
(c)	Height (maximum)	4 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	0.0m, except 5.8m to an attached garage or attached carport.
(f)	Rear Yard (minimum)	7.0m, except 3.0m where abutting lands zoned for Open Space purposes.
(g)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of the townhouse, in which case a minimum side yard of 0.0m shall be provided.
(h)	Exterior Side Yard (minimum)	2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
(i)	Landscape Open Space	N/A
(j)	Overall Density	50 - 75 upnrh for the lands zoned as "R6-31".

(k) Yard Encroachments in accordance with the following:

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

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

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

(n) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.

(o) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(p) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

<u>Zone Provisions for (i) - Apartment Building</u>:

(a) Lot Area (minimum) — 2,000 sq. m.

(b) Lot frontage (minimum) — 30m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line; for the Block located at Skinner Road and Street “A” - Street “A” shall be deemed the front lot line.

(c) Height (maximum) — 4 storeys

(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	0.0m
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	3.0m
(h)	Exterior Side Yard (minimum)	4.5m
(i)	Planting Strip	N/A
(j)	Landscape Open Space	5%
(k)	Overall Density	50 - 75 upnrh for the lands zoned as "R6-31".

(l) Yard Encroachments in accordance with the following:

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

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

(n) Notwithstanding Section 5.21.4, the dimensions for a surface parking space shall be 2.6m x 5.5m.

(o) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.

(p) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(q) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

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

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

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

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

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

11.3.32 R6-32 (See Schedules A-31 & A-32)
#13-238
#14-099
(OMB)
#17-034
H Removal

Permitted Uses:

(a) Street Townhouses

(b) Storm Water Management Pond

Zone Provisions for Street Townhouse:

(a)	Lot Area (minimum)	1,506 sq. m.
(b)	Lot frontage (minimum)	5.5m
(c)	Height (maximum)	4 storeys, height shall be measured at the front façade.
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m, except 5.8m to an attached garage or

		attached carport.
(f)	Rear Yard (minimum)	7.0m
(g)	Interior Side Yard (minimum)	1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.
(h)	Exterior Side Yard (minimum)	2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
(i)	Planting Strip	N/A
(j)	Landscape Open Space	N/A
(k)	Overall Density	30 - 60 upnrh for the lands zoned as "R6-32".

(l) Yard Encroachments in accordance with the following:

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

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

(n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(o) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

11.3.33 R6-33 (See Schedule A-30)
#13-279
#14-080

Permitted Uses:

(a) Townhouses

a. Notwithstanding the definition of Townhouse, one block may contain a maximum of 10 units.

(b) Maisonette

For the purposes of this amending By-law, a Maisonette Dwelling shall mean:

A building of not more than 1 single-detached dwelling unit in height, designed to contain not less than 6 dwelling units and not exceeding 16 dwelling units, fully attached to each other, side-by-side, in two rows arranged back-to-back and in substantial harmony with each other, each of which dwelling unit:

a. Has a separate front entrance;

b. Is joined on one or both sides by a party wall to another dwelling unit in the same row; and,

c. Is joined by a common vertical back wall extending the length of the building.

Zone Provisions:

(a)	Lot Area (Minimum)	195 sq. m. per dwelling.
(b)	Front Yard (Minimum)	2.4 m
(c)	Rear Yard (Minimum)	7.0m
(d)	Side Yard - Easterly (Minimum)	2.2 m
(e)	Planting Strip (Minimum)	No Planting strip shall be required across Dundas Street frontage.
(f)	Density	55 dwelling units per net ha.

(g)	Parking Spaces (Minimum)	1.5 spaces per unit for a Maisonette, one of which is included in the garage. Visitor parking shall be provided at a rate of 0.25 spaces per unit for a Maisonette.
(h)	Parking Space (Minimum) (Visitor Parking)	Each parking space shall have a minimum of 2.6m x 5.5m.
	Parking Space (Minimum) (Barrier-Free Parking)	Each parking space shall have a minimum of 4.4m x 5.5m.

(i) A minimum interior size of a garage for parking shall be 3m x 6m with an unobstructed dimension of 2.6m x 5.8m.

(j)	Condominium Road Width (Minimum)	6.0m

#14-080 Holding Provision:

The Holding Provision 'H' shall remain in effect until the following matters have been addressed through Site Plan Control, to the satisfaction of the Director of Planning and the Senior Director of Growth Management:

(i) The owner has submitted and received approval of a Grading, Stormwater Management, and Erosion Control Plan, to the satisfaction of the Senior Director of Growth Management.

General Provisions:

Other than contained therein, all other provisions of the Flamborough Zoning By-law shall apply.

11.3.34 R6-34 (See Schedule A-6)
#14-155

Permitted Uses:

(a) Street Townhouse Dwelling

Zone Provisions:

In accordance with the zoning provisions of Subsection 11.3.22, with the exception of the following:

(a)	Lot Area (Minimum)	165 sq. m. per dwelling unit
(b)	Lot Frontage (Minimum)	6.2 m, except 8.8 m for a temporary corner lot abutting Eager Drive.
(c)	Temporary Visibility Triangles	Minimum 5 m X 5 m visibility triangles shall be provided on lots which abut Eager Drive.

11.3.45 R6-45 (See Schedule A-30)
#17-009

Permitted Uses:

(a) Street Townhouse

Zone Provisions

Notwithstanding Section 11.2 (ii), (a), (f), (g), and (h), the following provisions shall apply:

(a)	Lot Area (Minimum)	205 sq m
(b)	Rear Yard (Minimum)	7.5 m, except 5.4 m for a corner lot.
(c)	Interior Side Yard (Minimum)	1.5 m for an end unit, except 0.0 m for common interior wall
(d)	Exterior Side Yard (Minimum)	3.75 m

(e) All other zone provisions of Sub-section 11.2 shall apply.

Notwithstanding Section 5.12.2, a Planting Strip shall not be required.

Notwithstanding Section 5.21.5 (a), required parking spaces shall be permitted within the required front yard.

Notwithstanding Section 5.30, an unenclosed porch may encroach 2.5 m into the required exterior side yard.

General Provisions:

Other than contained herein, all other the provisions of the Flamborough Zoning By-law shall apply.

11.3.45 R6-46 (See Schedule A-31)
#17-009

#20-095
(H Removal)

Permitted Uses:

(a) Townhouse

(b) Maisonette

(c) Stacked Townhouse

Zone Provisions

(a)	Lot Area (minimum)	10,000 sq m
(b)	Lot Frontage (minimum)	30.0 m
(c)	Height (maximum)	12.8 m
(d)	Lot Coverage (maximum)	40%
(e)	Density (maximum)	72.7 uph but not exceeding 79 units in total
(f)	Landscaped Open Space (minimum)	25%
(g)	Front Yard (minimum)	5.25 m
(h)	Rear Yard (minimum)	7.5 m
(i)	Interior Side Yard (minimum)	7.5 m from a rear wall of a dwelling unit to any interior side lot line 1.6 m from an end wall of a dwelling unit to any interior side lot line
(j)	Exterior Side Yard (minimum)	3.25 m abutting First Street 1.25 m abutting the hypotenuse lot line between Dundas Street East and First Street

(k) Minimum Distance Between Buildings on the Same Lot

2.4 m between end walls

(l) Landscaped Open Space General Provision 5.12.1(d) shall not apply.

(m) Planting Strip – General Provision 5.12.2 shall not apply.

(n) Loading Space Requirements – General Provision 5.13.1(a) and 5.13.3 shall not apply.

(o) Notwithstanding Paragraph (c) of Section 5.21.1, the following parking provisions shall apply:

Type of Use	**Minimum Number of Parking Spaces Required**
Townhouse	2.0 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Stacked Townhouse	2.0 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Maisonette	2.0 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit

(p) Notwithstanding Section 5.21.4, each parking space shall have a minimum width of 2.6 m and a minimum length of 5.5 m. A parking space for disabled persons shall have a minimum width of 3.9 m and a minimum length of 5.5 m.

(q) Tandem parking shall be permitted for those parking spaces located in the attached garages and driveways appurtenant to the maisonettes, townhouses and stacked townhouses.

(r) Notwithstanding Section 5.21.6(b), driveways with two-way vehicular movement shall have a minimum unobstructed width of not less than 6.0 m.

(s) In addition to Section 5.30 Yard Encroachments Permitted, the following shall apply:

No part of any required yard shall be obstructed by any structure or building, or part

thereof; from the ground floor to the sky except as follows:

Structure	Yard into which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Balconies	Required front yard	3.5 m
Canopies, awnings, steps or unenclosed porches	Required front, required rear yard, required exterior side yard, and required interior side yard	3.5 m

(t) Notwithstanding any provisions to the contrary, no rear deck or balcony shall exceed a height of 1.5 m above grade on dwelling units directly abutting any lot line with a single detached dwelling. For the purposes of this regulation, and notwithstanding the definition of grade in Section 3: Definitions, grade shall be measured at the rear wall of the perimeter dwelling units.

(u) Notwithstanding subsection (t) above:

(i) within 36 m of First Street rear balconies shall be permitted along the rear wall of dwellings fronting onto Dundas Street East provided the rear balcony is a minimum of 13 m from the opposite lot line;

(ii) front balconies shall be permitted to extend a maximum of 1.8 m beyond the front wall of a maisonette dwelling;

(iii) rear balconies shall be permitted to extend a maximum of 4.1 m beyond the rear wall of a stacked townhouse dwelling; and,

(v) Notwithstanding any provisions to the contrary, vehicular access to the site shall not be permitted from First Street.

(w) Notwithstanding any provisions to the contrary, vehicular access to the site shall not be permitted from Boulding Avenue.

(x) General Provisions – Other than contained herein, all other provisions of Section 5 shall apply.

(y) All other zone provisions of Section 11.2 shall apply.

11.3.36 R6-36 (See Schedule A-30)
#14-271

Permitted Uses:

(a) Townhouses

Zone Provisions:

(a)	Lot Area (Minimum)	210 sq. m. per dwelling.
(b)	Front Yard (Minimum)	6.0m
(c)	Rear Yard (Minimum)	3.0 m
(d)	Density (Maximum)	48 dwelling units per net ha.
(e)	Size of Visitor Parking Spaces	2.6m x 5.5m
(f)	Condominium Road Width (Minimum)	6.0m

(g) All other zone provisions of Flamborough Zoning By-law No. 90-145-Z shall apply.

11.3.39 "R6-37" (See Schedule A-32)
#15-140

Permitted Uses:

(a) Street Townhouse

<u>Zone Provisions</u>

(a)	Lot Area (minimum):	155 square metres
(b)	Lot Frontage (minimum):	5.9 metres
(c)	Height (maximum):	11 metres (3 Storeys)
(d)	Lot Coverage (maximum):	56%
(e)	Front Yard (minimum):	6.0 metres
(f)	Rear Yard (minimum):	6.0 metres
(g)	Interior Side Yard (minimum):	1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided

(h) Exterior Side Yard (minimum):	2.4 metres except for any side yard adjacent the future East-West Corridor in which the minimum side yard shall be 4.0 metres.
(i) Planting Strip:	0.0 m adjacent to Residential Zone
(j) Landscape Open Space:	45%
(k) Overall Density (maximum)	48 upnrh for the combined area of lands Zoned as "R6- 37" and "R6-38".

11.3.40 "R6-38" (See Schedule Number A-32)

Permitted Uses

(a) Townhouse

Zone Provisions

(a) Lot Area (minimum):	120 square metres
(b) Lot Frontage (minimum):	5.4 metres
(c) Height (maximum):	11 metres (3 storeys)
(d) Lot Coverage (maximum):	52%
(e) Front Yard (minimum):	3.5 metres, except 5.8 metres to an attached garage or attached carport 6.0 metres
(f) Rear Yard (minimum):	6.0 metres
(g) Interior Side Yard (minimum):	1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided
(h) Exterior Side Yard (minimum):	2.4 metres, except for any side yard adjacent the future East-West Corridor in which the minimum side yard shall be 4.0 metres.

		And, except that an attached garage or carport which fronts on the exterior lot line shall not be within 5.8 metres of the exterior lot line. And except that a porch (open or enclosed) and stairs are permitted to encroach a maximum of 1.5m into a required side yard.
(i)	Planting Strip:	No minimum
(j)	Landscape Open Space Front Yard (minimum):	38%
(k)	Overall Density (maximum):	48 upnrh for the combined area of lands Zoned as "R6- 37" and "R6-38"
(l)	Minimum Parking Space Size	2.6 m wide and 5.8 m length
(m)	Access to Parking Spaces:	6.0 metres minimum width
(n)	Visitor Parking (minimum):	44 spaces

(o) A condominium road shall be deemed to be a public street for zoning purposes.

(p) All visitor parking shall be setback a minimum of 3 metres from an adjacent residential zone or public street (not including the condominium road).

11.3.39 "R6-39" (See Schedule A-32)
#15-186

Permitted Uses:

(a) Street Townhouse

Zone Provisions for Street Townhouse:

(a)	Lot Area (Minimum)	160 sq m
(b)	Lot Frontage (Minimum)	6.5 m – Interior 8.2 m – Interior End 9.6 m – Corner
(c)	Height (Maximum)	12.0 m
(d)	Lot Coverage (Maximum)	N/A

(e)	Front Yard Setback (Minimum)	3.0 m, except 5.8 m to an attached garage or attached carport.
(f)	Rear Yard Setback (Minimum)	6.9 m
(g)	Interior Side Yard Setback (Minimum)	1.2 m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 m shall be provided.
(h)	Exterior Yard Setback (Minimum)	2.4 m
(i)	Planting Strip	N/A
(j)	Landscaped Open Space	N/A

(k) Yard Encroachments in accordance with the following:

Structure or Item	**Yard Into Which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from the hypotenuse of a sight triangle

(l) Dimension of Parking Spaces – All required surface parking spaces shall have minimum dimensions of 2.6 m x 5.8 m.

(m) Landscaped Open Space – General Provision 5.12 shall not apply.

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

11.3.40 "R6-40" (See Schedule A-32
#15-186

Permitted Uses:

(a) Street Townhouse

Zone Provisions for Street Townhouse:

In accordance with the provisions of the "R6-39" Zone, with the following exception:

(a)	Rear Yard Setback (Minimum)	5.5 m

11.3.41 "R6-41" (See Schedule A-32
#15-186
#16-287
(H Removal)

Permitted Uses:

(a) Townhouse

(b) Rear Lane Townhouse

For the purpose of this amending By-law, a Rear Lane Townhouse shall mean:

Townhouse dwelling where driveway vehicle access is provided in the rear yard from a lane.

For the purpose of this amending By-law, Lane shall mean:

A public or private thoroughfare which provides secondary means of access to abutting lots and which is not intended for general traffic circulation.

Zone Provisions for (a) Street Townhouse along a Common Element Road:

(a)	Lot Area (Minimum)	105 sq m
(b)	Lot Frontage (Minimum)	6.0 m
(c)	Height (Maximum)	12.5 m
(d)	Lot Coverage (Maximum)	N/A
(e)	Front Yard Setback (Minimum)	3.0 m, except 5.8 m to an attached garage or attached carport

(f) Rear Yard Setback (Minimum) 6 m

(g) Interior Yard Setback (Minimum) 1.2 m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 m shall be provided

(h) Exterior Side Yard (Minimum) 2.4 m

(i) Density (Maximum) N/A

(j) Landscaped Open Space N/A

(k) Yard Encroachments in accordance with the following:

Structure or Item	**Yard Into Which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation at 1 or 2 storeys, 3m wide	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front and required exterior side yard	0.30m minimum setback from the hypotenuse of a sight triangle

(l) Subsection 5.12.1 (d) (Landscaped Areas) shall not apply.

(m) The private condominium road shall be considered a public road for the purposes of individual lot frontage.

(n) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dwelling unit, which include a garage and driveway space, and 0.4 spaces per unit for visitor.

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

<u>Zone Provisions for (b) Rear Lane Townhouse along a Common Element Road:</u>

(a)	Lot Area (Minimum)	90 sq m
(b)	Lot Frontage (Maximum)	6.0 m
(c)	Height (Maximum)	13.0 m
(d)	Lot Coverage (Minimum)	N/A
(e)	Front Yard Setback (Minimum)	2.0 m
(f)	Rear Yard Setback (Minimum)	3.25 m, except for 0.6 m to an attached garage or attached carport
(g)	Interior Yard Setback (Minimum)	1.2 m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 m shall be provided
(h)	Exterior Side Yard (Minimum)	2.4 m
(i)	Landscaped Open Space (Minimum)	N/A
(j)	Planting Strip (Minimum)	N/A
(k)	Density (Maximum)	N/A

(l) Access is to be provided via a Common Element road which shall serve as a rear lane.

(m) Yard Encroachments in accordance with the following:

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

gutters		
Bay, Bow or Box Windows with or without a foundation at 1, 2, or 3 storeys, 3m wide	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches, decks and balconies	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front and required exterior side yard	0.30m minimum setback from the hypotenuse of a sight triangle

(n) Subsection 5.12.1 (d) (Landscaped Areas) shall not apply.

(o) Planting Strip – General Provisions 5.12.2 shall not apply.

(p) The Common Element condominium road shall be considered a public road for the purposes of indivudal lot frontage.

(q) The East-West Corridor shall be deemed the Front Lot Line.

(r) Parking – Notwithstanding the General Provisions 5.12, parking shall be based on 2 spaces per dwelling unit and 0.4 spaces per unit for visitors.

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

11.3.42 "R6-42" (See Schedule A-32)
#15-186
#16-287
(H Removal)

Permitted Uses:

(a) Townhouse

(b) Rear Lane Townhouse

For the purpose of this amending By-law, a Rear Lane Townhouse shall mean:

Townhouse dwelling where driveway vehicle access is provided in the rear yard from a lane.

For the purpose of this amending By-law, Lane shall mean:

A public or private thoroughfare which provides secondary means of access to abutting lots and which is not intended for general traffic circulation.

(c) Maisonette Townhouse

For the purpose of this amending By-law, a Maisonette Dwelling shall mean:

A building containing a minimum of 6 and no more than 16 dwelling units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front yard or exterior side yard.

Zone Provisions for (a) Street Townhouse along a Common Element Road:

(a)	Lot Area (Minimum)	130 sq m
(b)	Lot Frontage (Minimum)	7.0 m
(c)	Height (Maximum)	12.5 m
(d)	Lot Coverage (Minimum)	N/A
(e)	Front Yard Setback (Minimum)	3.0 m, except 5.8 m to an attached garage or attached carport
(f)	Rear Yard Setback (Minimum)	7 m
(g)	Interior Yard Setback (Minimum)	1.2 m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 m shall be provided
(h)	Exterior Side Yard (Minimum)	2.4 m
(i)	Density (Maximum)	N/A
(j)	Landscaped Open Space	N/A
(k)	Planting Strip (Minimum)	N/A

(l) Yard Encroachments in accordance with the following:

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

		Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation at 1 or 2 storeys, 3m wide	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline

(m) Subesction 5.12.1 (d) (Landscaped Areas) shall not apply.

(n) Planting Strip – General Provisions 5.12.2 shall not apply.

(o) The Common Element condominium road shall be considered a public road for the purposes of individual lot frontage.

(p) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dewelling unit, which include a garage and driveway space, and 0.4 spaces per unit for visitors.

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

<u>Zone Provisions for (b) Rear Lane Townhouse along a Common Element Road:</u>

(a)	Lot Area (Minimum)	90 sq m
(b)	Lot Frontage (Minimum)	6.0 m
(c)	Height (Maximum)	13 m
(d)	Lot Coverage (Maximum)	N/A
(e)	Front Yard Setback (Minimum)	2.0 m
(f)	Rear Yard Setback (Minimum)	3.25 m, except 0.6 m to an attached garage or attached carport
(g)	Interior Yard Setback (Minimum)	1.2 m, except for the side yard related to the common wall of the street townhouse, in which case a

minimum side yard of 0.0 m shall be provided

(h) Exterior Side Yard (Minimum) 2.4 m

(i) Landscaped Open Space N/A

(j) Planting Strip (Minimum) N/A

(k) Density (Maximum) N/A

(l) Dundas Street East shall be deemed the Front Lot Line.

(m) Access is to be provided via a Common Element condominium road which shall serve as a rear lane.

(n) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation at 1, 2 or 3 storeys, 3m wide	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m into front yard (Dundas Street East)
Setback of all structures from a corner sight triangle on a common element road	Required front and required exterior side yard	0.30m minimum setback from the hypotenuse of a sight triangle

(o) Landscape Open Space – General Provisions 5.12.1 shall not apply.

(p) Planting Strip – General Provisions 5.12.2 shall not apply.

(q) The private condominium road shall be considered a public road for the purposes of this by-law.

(r) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dewelling unit and 0.4 spaces per unit for visitors.

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

Zone Provisions for (c) Maisonette Townhouse along a Common Element Road:

(a)	Lot Area (Minimum)	80 sq m
(b)	Lot Frontage (Minimum)	6.0 m
(c)	Height (Maximum)	13.5 m
(d)	Lot Coverage (Maximum)	N/A
(e)	Front Yard Setback (Minimum)	2.0 m, except 5.8 m to an attached garage or attached carport
(f)	Rear Yard Setback (Minimum)	0 m
(g)	Interior Yard Setback (Minimum)	1.2 m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 m shall be provided
(h)	Exterior Side Yard (Minimum)	2.3 m
(i)	Landscaped Open Space	N/A
(j)	Density (Maximum)	N/A
(k)	Planting Strip (Minimum)	N/A

(l) Yard Encroachments in accordance with the following:

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

gutters		
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps – 0.6m from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front and required exterior side yard	0.30m minimum setback from the hypotenuse of a sight triangle

(m) Landscape Open Space – General Provisions 5.12.1 shall not apply.

(n) Planting Strip – General Provisions 5.12.2 shall not apply.

(o) The private condominium road shall be considered a public road for the purposes of this by-law.

(p) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dewelling unit and 0.4 spaces per unit for visitors.

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

11.3.43 "R6-43" (See Schedule A-31)
#16-136 (OMB)

Zone Provisions (for Block Townhouse)

(a) Front Yard (minimum): 4.5 m

(b) Exterior Side Yard (minimum): 3.6m

(c) Height (maximum): 13 m

(d) Planting Strip across all lot lines adjacent to a street: 2.0 m

(e) Planting Strip adjacent to “Block 2: 0 m

(f) Loading Space: Not required

(g) Minimum Driveway Access Width: 6.0 m

(h)	Yard Encroachments Permitted:	Unenclosed porches may encroach into required front yard, required rear yard, required interior sideyard, and required exterior side yard to a maximum of 1.5 metres

11.3.44 "R6-44" (See Schedule A-30)
#16-117

Permitted Uses:

(a) Retail Establishment

(b) Personal Service Establishment

(c) Service Shop

(d) Dry Cleaning Distribution Station

(e) Office

(f) Townhouse

(g) Street Townhouse

(h) Stacked Townhouse

(i) Maisonette

(j) Live Work Unit

(k) Apartment Unit located in the same building as a commercial use permitted in Paragraphs (a) to (e) above

For the purpose of this amending By-law, a Live Work Unit shall mean:

A dwelling unit that may cntain residential uses and the following commercial uses on the ground floor: retail establishment, personal service establishment, service sop, office or dry cleaning distribution station. The commercial and residential units componens of Live Work Units are accessed by a common internal entrance.

For the purpose of this amending By-law, a Maisonette shall mean:

A building not more than one single detached dwelling unit in height, designed to not contain not less than six dweling units and not exceeding 12 dwelling units, fully attached to each other, side-by-side, in two rows arranged back to back and in substantial hormony with each other, each of which dwelling unit:

a. Has a separate front entrance

b. Is joined on one or both sides by a party wall to anther dwelling unit in the same row

c. Is joined by a common vertical back wall extending the length of the building.

For the purpose of this amending By-law, a Stacked Townhouse shall mean:

A building divided vertically and horizontally, not more than two dwelling units in height, with a maximum of twn dwelling units, each having a separate front entrance at grade.

Restriction of Uses:

(a) The buildings fronting Dundas Street East shall only be Live Work Units or buildings with commercial uses on the ground floor and Apartment Units located above the ground floor. Single use buildings shall not be permitted fronting Dundas Street East. The commercial uses permitted in paragraphs (a) to (e) above shall only be permitted on the ground floor of buildings fronting Dundas Street East in conjunction with residential uses on the second and third floors of the building.

(b) In addition to Paragraph (a) above, Apartment Units shall not be permitted within the same building as Live Work Units.

(c) The combined maximum Gross Floor Area (GFA) for the uses permitted in paragraphs (a) to (e) above shall be 540.0 sq m on a single lot, of which the maximum Gross Floor Area for uses permitted in paragraph (e) above shall be 300 sq m.

General Zone Provisions

(a)	Lot Area (minimum)	6,600 sq m
(b)	Lot Frontage (minimum)	50.0 m:
(c)	Height (maximum)	12.5 m for buildings adjacent to Dundas Street East 11.0 m for Maisonettes and Stacked Townhouses 8.5 m for buildings abutting the rear property line

(d)	Lot Coverage (maximum)	40%
(e)	Front Yard (minimum)	2.4 m
(f)	Interior Side Yard (minimum)	1.5 m for northeasterly and southwesterly side lot lines 6.3 m for northwesterly side lot line
(g)	Exterior Side Yard (minimum)	N/A
(h)	Planting Strip	No Planting Strip shall be required across the lot line adjacent to Dundas Street
(i)	Density (maximum)	65 dwelling units per net hectare

(j) Notwithstanding Section 5.12.2(d) of Zoning By-law No. 90-145-Z, a planting strip of 1.5 m in width shall be provided and maintained along the rear lot line of a lot zoned Medium Density Residential "R6-44" Zone, Modified, where such a lot line is adjacent to any other Residential Zone or Institutional Zone.

(k) In addition to Paragraph (j) above, a continuous solid fence or a continuous solid wall shall be provided and maintained along the rear and interior side lot lines of a lot zoned Medium Density Residential "R6-44" Zone, Modified, where such a lot line is adjacent to any other Residential Zone or Institutional Zone.

(l) Notwithstanding Paragraphs (c), (ee), (r), and (t) of Section 5.21.1, the following parking provisions shall apply:

Type of Use	Minimum Number of Parking Spaces Required
Retail Establishment	1 parking space per 50 sq m of gross floor area
Personal Service Establishment	1 parking space per 50 sq m of gross floor area
Service Shop	1 parking space per 50 sq m of

	gross floor area
Dry Cleaning Distribution Station	1 parking space per 50 sq m of gross floor area
Office	1 parking space per 50 sq m of gross floor area
Townhouse	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Street Townhouse	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Stacked Townhouse	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Maisonette	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Live Work Unit	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit, and 1 parking space per 50 sq m of commercial gross floor area
Apartment Unit	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit

(m) Notwithstanding Section 5.21.4 of Zoning By-law No. 90-145-Z, each parking space shall have a minimum width of 2.6 m and a minimum length of 5.5 m. A parking space for disabled persons shall have a minimum width of 4.4 m and a minimum length of 5.5 m.

(n) Notwithstanding any provisions to the contrary, a garage for parking shall have a minimum interior width of 3.0 m and a minimum interior length of 6.0 m with an unobstructed width of 2.6 m and an unobstructed length of 5.5 m wherein no encroachments are permitted.

(o) Tandem parking shall be permitted for those parking spaces located in the attached garages and driveways appurtenant to the maisonettes and townhouses.

(p) Notwithstanding any provision to the contrary, the required minimum number of spaces to be reserved for disabled persons may be included in the required residential, visitor, and commercial parking rates.

(q) Notwithstanding Section 5.21.6(b), driveways with two-way vehicular movement shall have a minimum unobstructed width of not less than 6.0m.

(r) Notwithstanding Sections 5.13.1(a) and 5.13.3 of Zoning By-law No. 90-145-Z, no loading spaces shall be required.

(s) In addition to Section 5.9 of Zoning By-law No. 90-145-Z, stairwells providing access to the roof of maisonettes and / or stacked townhouses are permitted to project a maximum of 1.5 m above the permitted height of the primary structure.

(t) Notwithstanding any provisions to the contrary, rear balconies shall not be permitted on dwelling units located adjacent to any lot with a single detached dwelling.

(u) All other zone provisions of Section 11.2 shall apply.

11.3.45 "R6-45" (See Schedule A-30)
#16-136 (OMB)

Permitted Uses:

a) Street Townhouse

Zone Provisions

Notwithstanding Section 11.2 (ii), (a), (f), (g), and (h), the following provisions shall apply:

(a) Lot Area Minimum	205 sq m
(b) Rear Yard (Minimum)	7.5 m, except 5.4 m for a corner lot
(c) Interior Side Yard (Minimum)	1.5 m for an end unit, except 0.0 m for common interior wall.
(d) Exterior Side Yard (Minimum)	3.75 m

(e)All other zone provisions of Sub-section 11.2 shall apply.

Notwithstanding Section 5.12.2, a Planting Strip shall not be required.

Notwithstanding Section 5.21.5 (a), required parking spaces shall be permitted within the required front yard.

Notwithstanding Section 5.30, an unenclosed porch may encroach 2.5m into the required exterior side yard.

11.3.46 "R6-49" (See Schedule A-6)
#24-237-OLT

Permitted Uses shall be restricted to:

(a) Stacked Townhouse Dwelling

For the purpose of this amending By-law, a Stacked Townhouse means a residential building containing a minimum of 10 and a maximum of 18 units, each of which has an independent entrance, provided that:

i. Not more than half of all dwelling units shall be on the ground floor.

ii. Dwelling units shall be fully attached to adjoining units and are attached vertically and horizontally

iii. Access to all upper level units shall be from an interior stairway within the stacked townhouse building, in addition to exterior stair cases

iv. Maximum of 3 storeys

Definitions

Notwithstanding Sub-Section 11.2 (i) (a), (b), (c), (d), (e), (f), (g), (i), (j), and (k) the following provisions shall apply:

(a)	Lot Area (minimum)	12,900 square metres
(b)	Lot Frontage (minimum)	208.8 metres
(c)	Height (maximum)	Does not apply
(d)	Lot Coverage	Does not apply
(e)	Front Yard (minimum)	3 metres
(f)	Rear Yard (minimum)	12.4 metres
(g)	Side Yard (minimum westerly)	17 metres
(h)	Side Yard (minimum easterly)	2.0 metres
(i)	Interior Side Yard (minimum)	Does not apply
(j)	Planting Strip (minimum)	0 metres width across all lot lines adjacent to a street or lot line
(k)	Landscaped Open Space (minimum)	20%
(l)	Parking	Notwithstanding Subsection 5.21.1 (c) 2 parking spaces per dwelling unit plus 0.2 visitor parking spaces per dwelling unit are required Notwithstanding Subsection 5.21.5 (d), parking spaces are permitted within 6 metres of a window of a habitable room that is in the basement or first floor. Parking Space Dimensions Notwithstanding Subsection 5.21.4, the following dimensions apply:

	Compact Space: 2.5 m x 5.5 m Standard Space: 2.6 m x 5.8 m Parallel Space: 2.4 m x 6.7 m
(m)	Zone Setbacks Notwithstanding Section 5.16, Lots with more than one Zone, zone lines shall not be deemed to be lot lines for the purposes of setback requirements, unless a zone line is otherwise specified in this zone as a lot line
(n)	Encroachments Notwithstanding Section 5.3, Yard Encroachments permitted, unenclosed porches, balconies, and stairs may encroach 3.0 metres into any required yard. Air conditioners and other mechanical equipment can encroach into the front yard a maximum of 2.0 metres.

11.3.47 "R6-50" (See Schedule A-6)
#24-237-OLT

Permitted Uses shall be restricted to:

(a) Apartment

Definitions

That notwithstanding Sub-Section 3 Lot Area, for the purposes of this amending By-law Lot Area means the horizontal area within the zone boundaries of a zone.

That notwithstanding Sub-Section 3 Front Lot Line, for the purposes of this amending By-law Front Lot Line means the lot line that is also the shared zone boundary line between the Medium Density Residential "R6-49" Zone, and to the Medium Density Residential "R6-50" Zone.

Zone Provisions

Notwithstanding Sub-Section 11.2 (iii) (c), (d), (e), (f), (g), (i), (j), and (k) the following provisions shall apply:

(a)	Lot Area	0.5 hectares
(b)	Height (maximum)	8 storeys and 30 metres, excluding mechanical equipment, elevator shafts, air conditions equipment, roof top amenity space, etc.
(c)	Lot Coverage	Does not apply
(d)	Front Yard (minimum)	6 metres
(e)	Rear Yard (minimum)	1.2 metres
(f)	Side Yard (minimum westerly)	25 metres

(g)	Side Yard (minimum easterly)	3.5 metres
(h)	Planting Strip (minimum)	0 metres width across all lot lines adjacent to a street or lot line
(I)	Landscaped Open Space (minimum)	20%
(j)	Parking	Notwithstanding Subsection 5.21.1 (c) 1 parking spaces per dwelling unit plus 0.1 visitor parking spaces per dwelling unit are required Notwithstanding Subsection 5.21.5 (d), parking spaces are permitted within 6 metres of a window of a habitable room that is in the basement or first floor. Parking Space Dimensions Notwithstanding Subsection 5.21.4, the following dimensions apply: Compact Space: 2.5 m x 5.5 m Standard Space: 2.6 m x 5.8 m Parallel Space: 2.4 m x 6.7 m
(m)	Zone Setbacks	Notwithstanding Section 5.16, Lots with more than one Zone, zone lines shall not be deemed to be lot lines for the purposes of setback requirements, unless a zone line is otherwise specified in this zone as a lot line.
(n)	Encroachments	Notwithstanding Sub-Section 5.30, Yard Encroachments permitted, air intakes for underground parking garages are permitted in any yard.

No person shall use any lot or erect, alter or use any building or structure within any Medium-High Density Residential Zone - R7 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 12.3.

12.1 PERMITTED USES

(a) Apartment Building

(b) Urban Farm **#14-276**

(c) Community Garden **#14-276**

12.2 ZONE PROVISIONS

(a) Lot Area (minimum).....4000 square metres

(b) Lot Frontage (minimum) .....45 metres

(c) Height (maximum) .....33 metres

(d) Lot Coverage (maximum) 40%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....10 metres

(g) Interior Side Yard (minimum).....7.5 metres

(h) Exterior Side Yard (minimum).....7.5 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Landscaped Open Space (minimum).....30%

(k) Density (maximum).....99 dwelling units per net hectare

(l) General Provisions - in accordance with the provisions of Section 5 hereof.

12.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

(b) Notwithstanding Section 12.1(b), and in addition to the provisions of Section 5.39 (c), an

urban farm shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	From	To
1	Franklin Street	Dundas Street	Griffin Street
2	Dundas Street (Hwy 5)	Mill Street	Hamilton Drive
3	Mill Street	Griffin Street	Cedar Street
4	Main Street	Barton Street	Cedar Street
5	Flamboro street	Barton Street	Dundas Street

12.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

(b) Notwithstanding Section 12.1(c), and in addition to the provisions of Section 5.40 (b), a community garden shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	From	To
1	Franklin Street	Dundas Street	Griffin Street
2	Dundas Street (Hwy 5)	Mill Street	Hamilton Drive
3	Mill Street	Griffin Street	Cedar Street
4	Main Street	Barton Street	Cedar Street
5	Flamboro street	Barton Street	Dundas Street

12.3 EXCEPTION NUMBERS

12.3.1 R7-1 (See Schedule Number A-31)

Permitted Uses:

(a) Subsection 12.1 shall apply.

Zone Provisions:

(a) Height (maximum) .....15 metres

(b) Density (maximum).....60 dwelling units per net hectare

(c) All other zone provisions of Subsection 12.2 shall apply.

12.3.2 R7-2 (See Schedule Number A-26)

Permitted Uses restricted to:

(a) Senior citizen apartment building

Zone Provisions:

(a) Lot Frontage (minimum) .....8.5 metres

(b) Height (maximum) .....11 metres

(c) All other zone provisions of Subsection 12.2 shall apply.

12.3.3 R7-3 (See Schedule Number A-30)

this section deleted by #99-97-Z

No person shall use any lot or erect, alter or use any building or structure within any High Density Residential Zone - R8 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 13.3.

13.1 PERMITTED USES

(a) Apartment Building

(b) Urban Farm **#14-276**

(c) Community Garden **#14-276**

13.2 ZONE PROVISIONS

(a) Lot Area (minimum).....4000 square metres

(b) Lot Frontage (minimum) 45

metres (c) Height (maximum)

.....44 metres (d) Lot Coverage

(maximum) 40%

(e) Front Yard (minimum) 7.5

metres (f) Rear Yard (minimum)

.....10 metres (g) Interior Side Yard

(minimum).....7.5 metres (h) Exterior Side

Yard (minimum).....7.5 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Landscaped Open Space (minimum).....30%

(k) Density (maximum).....150 dwelling units per net hectare

(l) General Provisions - in accordance with the provisions of Section 5 hereof.

13.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

13.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

13.3 EXCEPTION NUMBERS

13.3.1 "R8-1" (See Schedule A-31)
#16-138 (OMB)

Permitted Uses:

(a) Subsection 13.1 shall apply.

(b) In addition to the uses permitted in Section 13.1, a retirement home, nursing home, or long-term care home shall also be permitted, together with accessory uses thereto, within the building or a part thereof, but only where such accessory uses are within a retirement home, nursing home, or long-term care home.

Definitions:For the purposes of this By-law:

(a) "Nursing home" shall mean any building .where lodging, meals and "nursing care", as defined under the Long-Term Care Homes Act, 2007, S,O. 2007, c. 8, as amended from time to time, are provided for two or more persons;

(b) "Long-term care home" shall mean a long-term care home as defined and licensed under the Long-Term Care Homes Act, 2007, S.O. 2007, c. 8.;

(c) "Grade" shall be defined as an elevation of 226.4 m above sea level; and,

(d) "Landscaped Open Space" may also contain signs, transformer's and utility appurtenances.

Zoning Provisions:

Notwithstanding the requirements of Section 13.2, the following requirements shall apply:

(a) Lot Coverage (maximum): 45%

(b) Front Yard (minimum):

i. To a retaining wall: 2 metres

ii. To an enclosed parking structure: 4 metres

iii. To a principle building: 6 metres

(c) Interior Side Yard Setback (minimum):

i. At first and second storeys: 5 metres

ii. At fifth storey: 12 metres

iii. At the sixth and seventh storeys: 21 metres

iv. Notwithstanding c) iii) above a six storey stairwell may be located 10 m from the Interior Side Yard

(d) Exterior Side Yard Setback (minimum):

i. To an enclosed parking structure: 1 metres

ii. To a principle buiding: 4 metres

(e) Planting Strip (minimum): 0 metres

(f) Density (maximum): 165 dwellings per net residential hectare for an apartment building

(g) In addition to the requirements of Section 13.2, the following requirements shall also apply:

i. Landscaped Open Space Width (average)

1. Between an enclosed parking structure and a street line: 2.5 metres

ii. Landscaped Open Space Width (minimum)

1. Between an enclosed parking structure and a street line: 1.0 metres

iii. Landscaped Open Space Width (minimum)

1. Adjacent to a residential and/or institutional use: 2.0 metres

(h) Notwithstanding Section 5.30, steps shall be permitted to encroach into a required front yard or required interior side yard.

(i) Section 5.12.2 shall not apply.

(j) Notwithstanding Section 5.21, the following parking requirements shall apply to Block "2":

i. 1.25 parking spaces shall be required per dwelling unit;

ii. 0.25 parking spaces shall be required per dwelling unit for visitors;

iii. 1 parking space shall be provided per 3 beds accommodated in a retirement home, nursing home or long term care facility;

iv. Tandem parking spaces are permitted up to a maximum of 8 spaces;

v. Dimensions of Parking Spaces- all required parking spaces shall have minimum dimensions of 2.6m x 5.5m;

vi. Dimensions of Parking Spaces for the disabled - all required parking spaces shall have minimum dimensions of 4.4m x 5.5m;

vii. Driveways with two-way vehicular movement shall have a minimum width of 6 m and,

viii. Provision 5.21.11 shall not apply.

(k) All other zone provisions of Sub-section 13.2 shall apply.

13.3.2 "R8-2 (H1, H2, H3)"

Permitted Uses:

(a) Uses permitted in Subsection 13.1
(b) Retirement Home
(c) Long Term Care Home
(d) Maisonette
(e) Stacked Townhouse
(f) Townhouse
(g) Street Townhouse, on the same lot as an Apartment Building, Maisonette, Stacked Townhouse or Townhouse
(h) Existing Uses
(i) Public Park
(j) On the ground floor of a use identified in (a) through (c) above and only in the area shown on Figure 2:
    a. Day Nursery
    b. Financial Institution
    c. Office
    d. Personal Service Establishment
    e. Restaurant – Standard, Convencience, or Fast Food
    f. Retail Establishment
    g. Service Shop

Zone Pervisions:

i. Apartment Building, Stacked Townhouse, Retirement Home, Long Term Care Home, Existing Uses

(a) Lot Area (minimum)	300 square metres
(b) Lot Frontage (minimum)	12 metres
(c) Height	
(i) Minimum	10 metres and 3 storeys
(ii) Maximum	In accordance with Figure 1
(d) Lot Coverage (maximum)	60% for lots 1 hectate and greater (N/A for lots less than 1 hectare)

(e) Front Yard (minimum)	4 metres
(f) Rear Yard (minimum)	7.5 metres
(g) Interior Yard (minimum)	3 metres
(h) Exterior Yard (minimum)	4 metres
(i) Planting Strip (minimum)	3 metres across all lot lines adjacent to a street
(j) Landscape Open Space (minimum)	15% of lot area
(k) Density (maximum)	N/A
(l) Total Amenity Area (maximum) – Apartment Building, Stacked Townhouse	6 square metres per dwelling units
(m) Surface Parking (maximum) – Apartment Building, Stacked Townhouse, Retirement Home, Long Term Care Home	the greater of 25% of parking spaces or 25% of lot area
(n) For the purposes of this by-law, Surface Parking shall be defined as parking spaces located at grade and outside of a building. Surface Parking shall include the drive aisle directly abutting each parking space.	
(o) Additional regulations for Apartment Buildings: i. Maximum podium height at the street line shall be 6 storeys. ii. Minimum separation distance between towers shall be 30 metres.	
(p) General Provisions – in accordance with the provision of Section 5 and as modified by above and in subsection iii. below.	

ii. Street Townhouse, Townhouse and Maisonette:

(a) Lot Area (minimum)	50.0 square metres
(b) Lot Frontage (minimum) All uses excluding Street Townhouses with individual driveways leading to the front of the unit from a public road Street Townhouses with individual driveways leading to the front of the unit from a public road	5 metres 6 metres
(c) Height	
(i) Minimum	9 metres and 3 storeys
(ii) Maximum	In accordance with Figure 1
(d) Lot Coverage (minimum)	60% for lots 1 hectate and greater (N/A for lots less than 1 hectare)
(e) Front Yard (minimum)	3 metres
(f) Rear Yard (minimum)	6 metres (0 metres where rear yard is related to the common wall of the dwelling unit)
(g) Interior Side Yard (minimum)	1.2 metres (0 metres where side yard is related to the common wall of the dwelling unit)
(h) Exterior Yard (minimum)	3.0 metres

(i) Planting Strip (minimum) – Townhouse, Maisonette	3 metres across all lot lines adjacent to a street
(j) Landscape Open Space (minimum) – Townhouse, Maisonette	15% of lot area
(k) Density (maximum)	N/A
(l) Amenity Area (minimum)	
(i) Maisonette	4 square metres per dwelling unit
(ii) Townhouse, Street Townhouse	20 square metres per dwelling unit
(m) General Provisions – in accordance with the provision of Section 5 as modified by above an in subsection iii. below.	

iii. The following additional provision apply to all uses within the R8-2 zone:
   a. Section 5.4.2 - Dwelling Unit Area (minimum), shall not apply
   b. Maximum building height shall be inclusive of all mechanical penthouses and elevator penthouses.
   c. Section 5.13.1 and 5.13.2 – Loading requirements, shall not apply.
   d. The location of any loading doors and associated loading facilities shall be subject to the following:
      i. Shall not be permitted in any yard abutting a street, except where screened from street view by a Visual Barrier
      ii. for the purposes of this clause, a Visual Barrier shall be a minimum height of 1.8 m and consist of the following:
         1. a wall / fence, provided it is not taller than 2.5 m or located within 3 m of a street line;
         2. A continuous planting of suitable trees or shrubs, together with a reserved width of planting area appropriate for healthy plant growth;
         3. Earth berms; or,
         4. Any combination of the above.
   e. Notwithstanding Subsection 5.21.1:

Apartment Building, Stacked Townhouse	1 space per dwelling unit
Street Townhouse, Townhouse and Maisonette	1 space per dwelling unit
Retirement Home, Long Term Care Home	1 for each 3 persons accommodated or designed for accommodation.
Day Nursery	1 for each 125.0 square metres of gross floor area which accommodates such use.
Financial Establishment	1 for each 30.0 square metres of gross floor area, which accommodates such use.
Office	i) 0 where a use is less than 450.0 square metres in gross floor area; and, ii) 1 for each 30.0 square metres of gross floor area which accommodates such use, for that portion of a building that is in excess of 450.0 square metres.
Personal Service	i) 0 where a use is less than 450.0 square metres in gross floor area; and, ii) 1 for each 16.0 square metres of gross floor area which accommodates such use, for that portion

	of a building that is in excess of 450.0 square metres.
Service Shop	1 for each 30.0 square metres of gross floor area which accommodates the Office, Retail, and Showroom component of the use.
Restaurant	i) 0 where a use is less than 450.0 square metres in gross floor area; and, ii) 1 for each 50.0 square metres of gross floor area which accommodates such use for that portion of a building that is in excess of 450.0 square metres.
Retail	i) 0 where a use is less than 450.0 square metres in gross floor area; ii) 1 for each 17.0 square metres any gross floor area between 450.0 square metres and 4,000.0 square metres; and, iii) 1 for each 50.0 square metres of gross floor area greater than 4,000.0 square metres.

f. Location of Surface Parking:
   i. For all uses except Street Townhouse, parking shall not be located between the façade and the front lot line or between the façade and flankage lot line and shall not be within 3.0 metres of a street line. Visitor parking may be permitted between the façade and a street provided that no more than 50% of the front yard shall be used for visitor parking and access to such parking.

      Notwithstanding anything in this by-law, parking for Street Townhouses with individual driveways leading to the front of the unit from a public road is permitted in the front yard and shall be a minimum width of 2.7 metres and maximum width of 6 metres or 50% of the lot width, whichever is lesser. An adjacent walkway shall also be permitted.

g. Notwithstanding Provision 5.21.6 (b), a two-way driveway shall have a minimum unobstructed width of not less than 6 metres.
h. Existing Uses shall not be subject to minimum height provisions.
i. Notwithstanding anything in this by-law, Street Townhouses shall not compose more than 50% of the frontage of any one street located within the R8-2 zone, measured between the two closest intersections of two different streets, the two closest vertices of the same street which is angled or a between the closest vertex and intersection, as applicable. Street Townhouses are not permitted in the location shown on Figure 2.
j. For apartment buildings, a minimum of 100 square metres of the required amenity area shall be provided in a common amenity area.
k. Above grade structured parking shall be permitted within Apartment Buildings, Retirement Homes and Long Term Care Homes provided that:
   i. At the grade level, the public street fronting portions of the structured parking are blocked from street view with other uses within the same building which may include lobby areas, dwelling units, commercial uses, amenity rooms, utility rooms and other such elements standard to normal functioning of the building; and,
   ii. All facades of the structured parking which are public facing, shall include decorative architectural elements.
l. Surface parking areas of Apartment Buildings, Retirement Homes

and Long Term Care Homes shall require Landscaped Parking Islands as follows:

i. One Landscaped Parking Island shall be provided within a surface parking area for every 20 surface parking spaces proposed.

ii. Landscaped Parking Island shall mean a portion of land with a minimum area of 10 square metres located within a surface parking area for the purposes of growing trees. Landscaped Parking Islands may also include other plantings and be combined with walkways.

iii. The minimum number of required parking spaces shall be reduced by the number of Landscaped Parking Islands provided up to a maximum of 10% of the required parking spaces.

m. For the purposes of this by-law, "Retirement Home" means a retirement home as defined in the Retirement Homes Act, 2010.

n. 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.

o. General Provisions – In accordance with the provisions of Section 5, except as otherwise specified above.

iv. (H1) Holding Symbol

a. This Holding Symbol shall not be removed for the lands within the R8-2 zone, or part thereof, until the following conditions are met for such lands:

i. Arrangements are made for the provision of an active transportation connection across Borer's Creek on public property between the area zoned R8-2 and Medicorum Place.

ii. Permission is received from Conservation Halton prior to undertaking any development within Conservation Halton's regulated area, if applicable.

iii. For development beyond 1,340 units:

1. Confirmation that, after the addition of the vehicles attributable to the proposed development, a satisfactory level of vehicular service will be achieved within the adjacent road network or if not, improvements are been made, to the satisfaction of the City, to achieve a satisfactory level of vehicular service; and,

2. The extension of Leavitt Boulevard from Dundas Street East to Horseshoe Crescent, west of Clappison Avenue occurs or alternative improvements to the adjacent road network have been made in order to

achieve a satisfactory level of vehicular service to the area zoned R8-2
inclusive of vehicles from the proposed development, to the satisfaction of the City.

iv. In addition to iii. above, for development beyond 2,325 persons, determination that there is sufficient capacity within the wastewater system to accommodate the proposed development.

b. Notwithstanding a.iii. above, this Holding Symbol can be removed from the lands associated with the first 1,340 residential units, including associated commercial uses within the same building as said units, provided that conditions i. and
ii. above, have been satisfied, subject to c. below.

c. Notwithstanding a.iv. above, this Holding Symbol can be removed from the lands associated with the first 2,325 persons, including associated commercial uses within the same building as said units, provided that conditions i. and ii. above have been satisfied, subject to b. above.

d. This Holding Symbol shall not apply to Existing Uses, including any proposed alteration, expansion and addition to thereof.

v. (H2) Holding Symbol

a. This Holding Symbol shall only be applicable to the areas identified on Figure 1 and only for buildings greater than 47.9 metres.

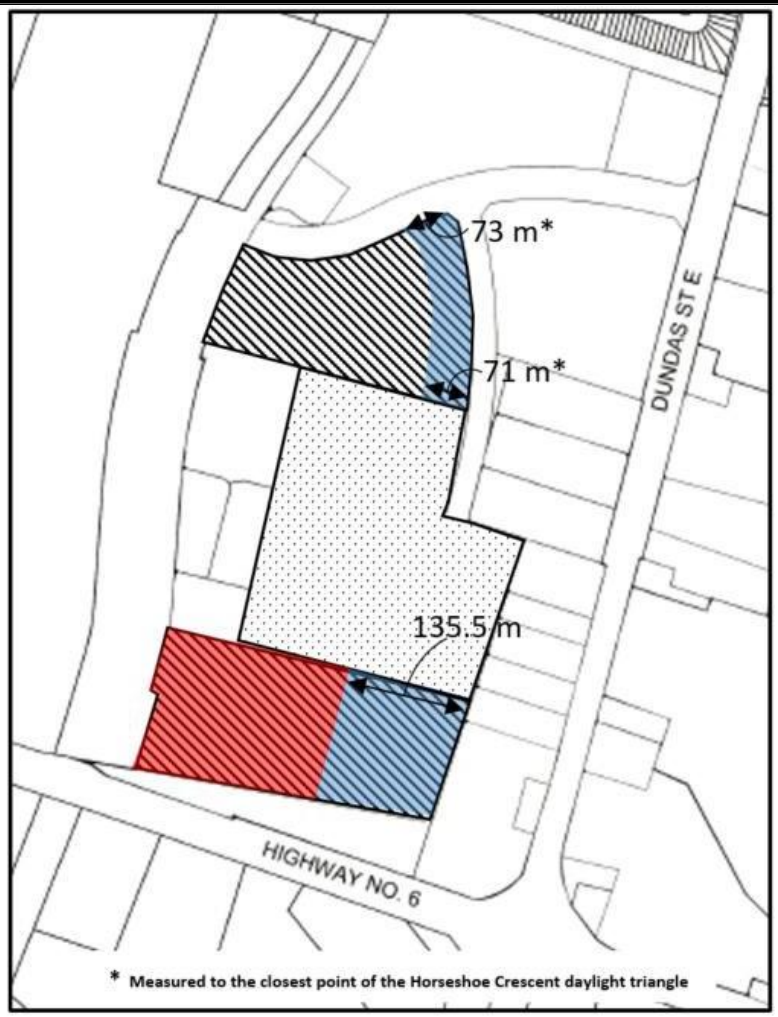
b. This Holding Symbol shall not be removed from the lands shown on Figure 1, or portions thereof, until such time as a Visual Impact Assessment is submitted to the satisfaction of the City.

vi. (H3) Holding Symbol

a. This Holding Symbol shall only be applicable to the areas identified on Figure 1 and only for buildings greater than 60.3 metres.

b. This Holding Symbol shall not be removed from the lands shown on Figure 1, or portions thereof, until such time as a Visual Impact Assessment is submitted to the satisfaction of the City.

vii. Figure 1 for Zone R8-2 – Maximum Building Heights



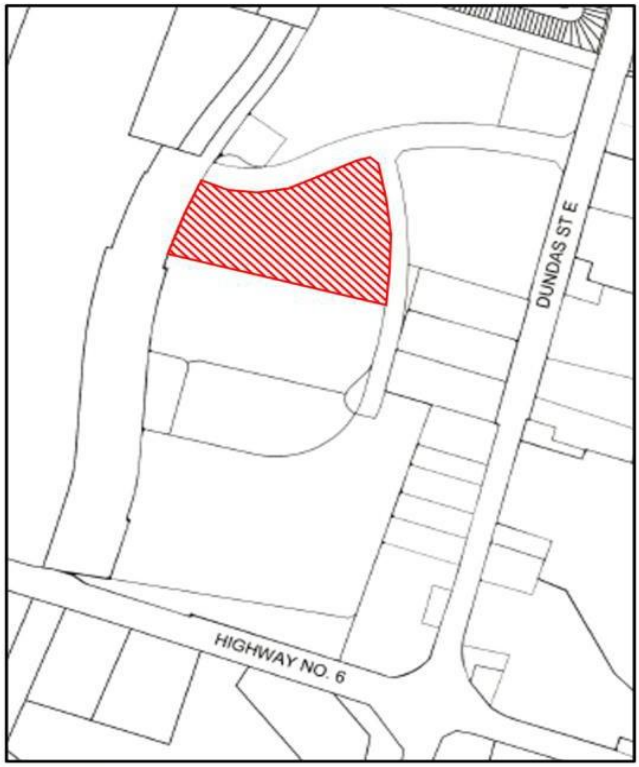
Maximum Building Height: 41.7 metres and 12 storeys

Maximum Building Height: 66.5 metres and 20 storeys

VIA Required for Buildings Above 47.9 metres per Holding Symbol H2

VIA Required for Buildings Above 60.3 metres per Holding Symbol H3

viii. Figure 2 for Zone R8-2 – Commercial and Street Townhouse Permissions



Additional uses permitted on ground floor, Street Townhouse Dwellings not permitted

No person shall use any lot or erect, alter or use any building or structure within any Residential Mobile Home Zone - R9 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 14.3.

14.1 PERMITTED USES

(a) Mobile Home Park

(b) Park, accessory to the Mobile Home Park Use

(c) Place of Recreation, accessory to the Mobile Home Park Use

(d) Convenience Retail Store, accessory to the Mobile Home Park Use

(e) Dry Cleaning Distribution Station, accessory to the Mobile Home Park Use

(f) Laundromat, accessory to the Mobile Home Park Use

(g) Personal Service Establishment, accessory to the Mobile Home Park Use

14.2 ZONE PROVISIONS

(i) MOBILE HOME PARK

(a) Lot Area (minimum).....3 hectares

- Park and Place of Recreation.....8% of Lot Area

(b) Lot Coverage (maximum):

- Personal Service Establishment, Convenience Retail Store, Dry Cleaning Distribution Station, and Laundromat

.....Total of 5% of lot area

(c) Lot Frontage (minimum) .....200 metres

(d) Height (maximum) .....11 metres

(e) Front Yard (minimum) .....15 metres

(f) Rear Yard (minimum) .....15 metres

(g) Interior Side Yard (minimum).....15 metres

(h) Planting Strip (minimum).....30 metres width along each lot line

(i) Exterior Side Yard (minimum).....15 metres

(j) Landscaped Open Space (minimum).....30%

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

(ii) MOBILE HOME SITE

(a) Area (minimum) .....370 square metres

(b) Frontage (minimum).....12 metres

(c) Coverage (maximum).....35%

(d) Front Yard (minimum) .....3 metres

(e) Rear Yard (minimum) .....3 metres

(f) Interior Side Yard (minimum).....1.5 metres

(g) Exterior Side Yard (minimum).....3 metres

(h) Landscaped Open Space (minimum).....10%

(i) Open Storage .....no open storage shall be permitted

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

14.3 EXCEPTION NUMBERS

14.3.1 R9-1 (See Schedule Number A-2) (H) Removed; **#95-86-Z** **#93-65-Z**

Permitted Uses:

(a) Manufactured and Mobile Home Park. The total number of manufactured and mobile home units in the park shall not exceed 76. **OMB - April 14, 1994**

(b) Administrative facilities necessary to the operation of the park.

(c) Five existing rental cabins.

(d) One accessory single detached dwelling unit.

(e) All other uses permitted in Subsection 14.1.

Zone Provisions:

(a) Manufactured Home Park

-Lot Frontage (minimum).....13.7 metres
-Lot Coverage of Non-Residential Building (maximum) ...5%
-Parks and open space (minimum) 8%
-Planting Strip (minimum along lot lines).....6 metres
-all other zone provisions of subsection 14.2 shall apply
-General Provisions - in accordance with Section 5 hereof.

(b) Manufactured Home Site

-Site Area (minimum).....370 square metres
-All other zone provisions of subsection 14.2 shall apply
-General Provisions in accordance with Section 5 hereof.

14.3.2 R9-2 (H) (See Schedule Number A-7)
#96-94-Z; H removed #98-71-Z

Permitted Uses:

(a) Manufactured and Mobile Home Park, except that commercial facilities are not permitted.

(b) Administrative facilities necessary to the operation of the park.

(c) Existing recreational lodge (6500 square feet) with kitchen, cafeteria, washrooms.

(d) Existing laundry and washroom facilities.

(e) One single detached dwelling.

Zone Provisions:

(i) Manufactured Home Park

(a) Planting strip along lot lines (minimum).....6 metres

(b) All other zone provisions of Subsection 14.2 shall apply.

(c) General Provisions - in accordance with Section 5.

(ii) Manufactured Home Site

(a) The zone provisions of Subsection 14.2 shall apply.

(b) General Provisions - in accordance with Section 5 hereof.

14.3.3 R9-3 (H) (See Schedule Number A-2)
#97-23-Z

Permitted Uses:

(a) Manufactured and Mobile Home Park, except that commercial facilities are not permitted.

(b) Administrative facilities necessary to the operation of the park.

(c) Existing clubhouse.

(d) Swimming pool.

(e) Accessory buildings and structures.

Zone Provisions:

(i) Manufactured Home Park

(a) Planting strip along lot lines (minimum).....6 metres

(b) All other zone provisions of Subsection 14.2 shall apply.

(c) General Provisions - in accordance with Section 5.

(ii) Manufactured Home Site

(a) The zone provisions of Subsection 14.2 shall apply.

(b) General Provisions - in accordance with Section 5 hereof.

14.3.2 R9-4(H)
#01-321

Permitted Uses

(a) Mobile Home Park
(b) Administrative facilities necessary to the operation of the park.
(c) Existing convenience retail to a maximum of 300 square feet.
(d) Existing laundry and washroom facilities.

(e) Existing singe detached dwelling.
(f) Uses accessory to the above permitted uses.

Zone Provisions

(i) Mobile Home Park

(a) A maximum area of three (3) acres.
(b) A maximum of 15 sites for Mobile Homes.
(c) A maximum height of 11 metres.
(d) General Provisions in accordance with Section 5 of Zoning By-law 90-145-Z.

(ii) Mobile Home Site

(a) A minimum area of 370 square metres.
(b) A minimum frontage of 12 metres.
(c) A maximum coverage of 35%.
(d) A minimum front yard of 3 metres.
(e) A minimum rear yard of 3 metres.
(f) A minimum interior side yard of 1.5 metres.
(g) A minimum exterior side yard of 3 metres.
(h) A minimum landscaped open space of 10%.
(i) General Provisions in accordance with Section 5 of Zoning By-law 90-145-Z.

14.3.5 R9-5
#03-365

Permitted Uses

(a) Mobile Home Park.
(b) Recreational Camping.
(c) Existing Dwellings.
(d) Park, accessory to the Mobile Home Park.
(e) Community hall, accessory to the Mobile Home Park.
(f) Administrative and Maintenance facilities.
(g) Convenience Retail, accessory to the Mobile Home Park.
(h) Laundry and washroom facilities, accessory to the Mobile Home Park.
(i) Personal Service Establishment, accessory to the Mobile Home Park.
(j) Sale of mobile homes or recreational vehicles for use on the property, but not including the manufacture of either mobile homes or recreational vehicles, accessory to the Mobile Home Park.
(k) Uses accessory to the above permitted uses.

Zone Provisions

(i) Mobile Home Park

(a) A maximum area of 12.14 hectares.
(b) A maximum of 186 sites for Existing Dwellings and Mobile Homes.

(ii) Mobile Home Site

(a) A minimum area of 300 square metres.
(b) A minimum frontage of 10 metres.
(c) A maximum coverage of 35%.
(d) A minimum front yard setback of 3 metres.
(e) Measured from the building face, every dwelling and mobile home shall be separated from any other dwelling or mobile home by a minimum of:
Side to side: 3.0 metres,
End to side: 2.4 metres,
End to end: 1.8 metres.
(f) All sites shall have frontage on a road with 6.0 metres of clear width.

(iii) Recreational Camping

(a) A maximum area of 0.4 hectares.
(b) A maximum of 12 sites for Recreational Vehicles or Tents.

(iv) Recreation Camping site

(a) A minimum area of 200 square metres.
(b) A minimum frontage of 7.5 metres.
(c) A maximum coverage of 35%.
(d) A minimum front yard setback of 3 metres.
(e) Measured from the building face, every recreational vehicle shall be separated from any other recreational vehicle or mobile home by a minimum of:
Side to side: 3.0 metres,
End to side: 2.4 metres,
End to end: 1.8 metres.
(f) All sites shall have frontage on a road with 6.0 metres of clear width.

14.3.6 R9-6-1(H) and R9-6-2(H) (see Schedule A-2)
#14-097
(OMB)

(1) That notwithstanding the provisions of Section 14 of Zoning By-law No. 90-145-Z (Flamborough), the following special provisions shall apply to the lands zoned R9-6-1(H) and R9-6-2(H):

Permitted Uses

(a) Mobile Home Park

(b) Clubhouse, accessory to the Manufactured and 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.

(c) One Manager's suite and two staff apartments, adjacent to the existing clubhouse.

(d) Maintenance, utility and storage buildings; and,

(e) Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.

Permitted uses noted above in Section 2(1)(a) shall be subject to the completion of Holding Removal Condition, "I(H)" and "2(H)" provided in Section 2(2) of this By-law.

Permitted uses noted above in Section 2(1) (b),(c),(d) and (e) shall be subject to the completion of Holding Removal Conditions, "I(H)" only provided in Section 2(2) of this By-law.

<u>Zone Provisions</u>

(i) MOBILE HOME PARK

(a) Total number of mobile home sites shall not exceed 150.

(b) Lot Area (minimum): ..... 3.0 ha.
(maximum): ..... 19.4 ha.

- Park and Place of Recreation Area (minimum) to include existing park and recreation facilities (pond, children's play area, outdoor pool and hot tub, courts for tennis, volleyball and basketball, picnic areas) ..... 12.4% of Lot Area.

(c) Lot Coverage (Maximum)

- Clubhouse, including all ancillary uses within clubhouse building and attached Manager's residences 1.5% of the Lot.

(d) Lot Frontage (minimum): ..... 106 m.

(e) Height (maximum):

- Existing buildings shall be recognized, however, no new building or addition shall exceed 11 m.

(f) Front Yard (minimum):

- 15 m. for new mobile home units, however the existing clubhouse and attached residential suites shall not be located closer than 25m to the front property line.

(g) Rear Yard (minimum):

- All buildings shall be a minimum of 15 metres from the rear property line with the exception of existing lots along the northeasterly property boundary which shall be permitted to be 8.5 metres,

(h) Side Yard (minimum):

- All buildings shall be a minimum of 15 metres from the side property line with the exception of existing lots along the westerly property boundary which shall be permitted to be 6.5 metres.

(i) Parking Spaces for a Mobile Home Park:

- One parking space per mobile home site, and 0.25 spaces per mobile home site for visitor's parking,

- Visitor parking shall be located only within a designated parking area on the property.

(j) Minimum Parking Space Stall Size:

- 2.6 metres by 5.5 metres.

(k) Minimum Width of Internal Roads:

- 3.0 metres for one way travel only.

(l) General Provisions - in accordance with the provisions of Section 5

(ii) MOBILE HOME SITE

(a) Area (minimum): ..... 234 square metres

(b) Frontage (minimum): ..... 4.1 metres

(c) Coverage (maximum):

- Existing mobile home units, garages carports, and accessory structures at the date of passing of the Amending By-law shall be recognized, however replacement mobile home units and all other buildings or structures shall not exceed the lesser of 144 square metres or 50% of the total site area.

(d) Front Yard (minimum):

- The front yard setbacks for existing mobile home unit, garages or carports, existing at the date of passing of the Amending By-law shall, be recognize, however, replacement mobile home units shall require a minimum 1.5-metre front setback.

(e) Rear Yard (minimum):

- The rear yard setbacks for existing mobile home unit, garages or structures existing at the date of passing of the Amending By-law, shall be recognized, however, replacement mobile home units, and all other buildings or structures shall require minimum 1.5-metre setbacks, except where noted in the preceding Zoning Provisions for Mobile Home Parks.

(f) Interior Side Yard (minimum):

- The interior side yard setbacks for mobile home unit, garages or structures existing at the date of passing of the Amending By-law shall be recognized, however, replacement mobile home units and all other buildings or structures shall require minimum 1.5-metre setbacks, except where noted in the preceding Zoning Provisions for Mobile Home Parks.

(g) Exterior Side Yard (minimum):

- The exterior side yard setbacks for mobile home unit, garages or structures existing at the date of passing of the Amending By-law shall be recognized; however, replacement mobile home units, and all other buildings or structures shall require minimum 1.5-metre setbacks, except where noted in the preceding Zoning Provisions for Mobile Home Parks.

(h) Landscaped Open Space (minimum): ..... 10%.

(i) Open Storage shall not be permitted.

(j) General Provisions - in accordance with the provisions of Section 5.

(2) That the amending By-law apply a Holding provision for those lands zoned Residential Mobile Home “Rg-6-1(H)" Holding Zone, Modified and Residential Mobile Home "R9-6-2(H)" Holding Zone, Modified (Block "1") in Section 2 of this By-law by introducing the 'H' Holding symbol as a suffix to the Residential Mobile Home "R9-6" Zone, Modified.

<u>Holding Provision "R9-6-1(H)" Holding Zone</u>

The removal of the Holding provision "1(H)" will allow for the development of up to 50 permanent mobile home sites (units) on Block "1" as well as the following uses provided in Section 2(1):

(b) Clubhouse, accessory to the Manufactured and 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.

(c) One Manager's suite and two staff apartments, adjacent to the existing clubhouse.

(d) Maintenance, utility and storage buildings; and,

(e) Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.

The Holding provision "1(H)" shall remain in effect until such time as the completion of the following conditions:

(1) Site Plan Agreement

The Owner shall enter into a Site Plan Agreement with the City and register it on title, for Block "1"- North Lands to address required improvements and upgrades to the servicing, infrastructure, and layout of the mobile home park in a multi-phase plan to be developed through the Site Plan approval process, through which the required financial securities for the construction of works identified through Site Plan approval process will be specified by the City and posted by the Owner prior to Site Plan approval of each phase.

(2) Municipal ResponsibilityAgreement

The Owner shall register the signed Municipal Responsibility Agreement and associate Trust Agreement on title. Prior to registration, the Owner shall post the financial securities required thereunder to the satisfaction of Senior Director of Growth Management, the Director of Hamilton Water, Public Works, and the Director of Planning.

(3) Conservation Halton

(a) A Flood Emergency Plan to the satisfaction of Conservation Halton is required to ensure a safe evacuation of residents during a flood emergency.

(b) The completion of fill placement/grading and pedestrian bridge upgrades as recommended in the March 6, 2008, Stantec letter report, is required to ensure safe ingress/egress during Regulatory Storm Events to the satisfaction of Conservation Halton.

City Council shall remove the 'H' symbol "I(H)" and, thereby, give effect to the Residential Mobile Home "R9-6-2(H)", Zone, Modified, Holding provisions, to allow for up to 50 permanent mobile home sites by enactment of an amending By-law, once the above-noted conditions 1, 2, and 3, are satisfied.

SECTION 14 – Residential Mobile Home Zone R9

Holding Provision "R9-6-2(H)" Holding Zone

The removal of the Holding provision "2(H)" will allow for the development of an additional 100 permanent mobile home sites on Block "1" for a total of 150 permanent mobile home sites. The Holding provision "2(H)" shall remain in effect until such time as the completion of the following conditions:

a) Undertake a Hydrogeological Study for at least one (1) year, with the assistance of a Qualified Person, to characterize the following:

   i) The direction of groundwater flow;

   ii) The existence of both an upstream and downstream monitoring well whose location reflects the groundwater flow regime;

   iii) Confirm that the downstream well is located within the effluent plume and at least 40 metres from the septic system and tile field;

   iv) Confirm that the monitoring wel! number and the monitoring well information provided to date was sampled from the upstream and downstream monitoring wells identified in (ii) and (iii), above;

   v) Determine appropriate effluent trigger limits at the monitoring wells;

   vi) If recommended by the Hydrogeologist, install additional monitoring wells in order to address items (i) to (v).

b) Following the collection of at least three consecutive years of monitoring data, the Owner shall reassess the Hydrogeological Study to confirm effluent trigger limits and provide recommendations on any required infrastructure upgrades, referencing the monitoring data in conjunction with the water and waste water flow rate and occupancy records;

c) Submission of theoretical design flows for both the water and wastewater systems, based on full occupancy of the Fern Brook Development (150 permanent and 100 season sites), following MOE Design Guidelines (2008), City of Hamilton Engineering Guidelines (2006), and the Ontario Building Code;

d) Submission of historical water and wastewater flow rates which are based on Ministry of Environment Design Criteria and accompanied by occupancy records for the related time period;

e) Demonstration that the rated capacity of the Water Treatment System is capable of servicing the full Fern Brook Development (150 permanent and 100 seasonal sites), with the rated capacity being based on the largest unit for each process component out of service, and that the system is adequately designed to meet the MOE/Hamilton Fire Department fire storage and fire flow requirements;

f) Demonstration that the Sewage Treatment System will: i) function adequately for the design flows of the full Fern Brook Development (150 permanent sites and 100 seasonal sites), identifying the need for additional equipment in order to meet the rated firm capacity with the largest unit out of service; ii) operate in accordance with the associated Certificate of Approval; iii) produce an effluent, at the discharge point of the treatment system, with a nitrate concentration less than, or equal to 10 rag/L; and iv) maintain a nitrate concentration, at the property boundary downstream of the sewage treatment system, that does not exceed 2.5 mg/L.; and,

g) Revisions to the Operations and Maintenance Manuals for the water and wastewater treatment facilities which follow MOE's prescribed format and which include a comprehensive set of operating instructions and a process narrative to explain how the facility is intended to operate in accordance with the required treatment system as determined through the ongoing engineering analysis and in consultation with the City.

City Council shall remove the 'H' symbol "2(H)" and, thereby, give effect to the Residential Mobile Home Zone "R9-6", Modified provisions, to allow for 100 permanent mobile home sites to a maximum of 150 mobile home sites by enactment of an amending By-law, once the above-noted conditions are satisfied.

NOTES FOR HOLDING REMOVAL:

1. In order to allow for the development of the first 50 permanent mobile home sites and services, it will be necessary to first remove the Holding provision from the South Lands. This will accommodate the relocation of the seasonal camping sites from the North Lands to the South Lands.

No person shall use any lot or erect, alter or use any building or structure within any Urban Development Zone - UD except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 15.3.

15.1 PERMITTED USES

(a) Existing uses, buildings and structures.

(b) Urban Farm **#14-276**

(c) Community Garden **#14-276**

15.2 ZONE PROVISIONS

(a) As existing

(b) General Provisions in accordance with the provisions of Section 5 hereof.

15.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

15.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

15.3 EXCEPTION NUMBERS

SECTION 16 – Business Districtt Zone BD

No person shall use any lot or erect, alter or use any building or structure within any Business District Zone - BD except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 16.3.

16.1 PERMITTED USES

(a) Apartment unit(s) within a building having any or all permitted uses on the first floor

(b) Clinic

(c) Commercial School

(d) Child Care Centre

(e) Dry Cleaning Distribution Station

(f) Dry Cleaning Establishment

(g) Financial Institution

(h) Funeral Home

(i) Hotel

(j) Institutional Uses

(k) Laundromat

(1) Office

(m) Parking Area or Parking Structure

(n) Personal Service Establishment

(o) Place of Entertainment

(p) Place of Recreation

(q) Printing and Publishing Establishment

(r) Private Club

(s) Public Use

(t) Restaurant - Standard, Convenience

(u) Retail Establishment

(v) Service Shop

(w) Shopping Centre

(x) Tavern

(y) Taxi Establishment

(z) Urban Farm **#14-276**

(aa) Community Garden **#14-276**

(bb) Urban Farmers Market **#15-103**

16.2 ZONE PROVISIONS

(a) Lot Area (minimum).....275 square metres

(b) Lot Frontage (minimum) .....9 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 80%

(e) Front Yard (minimum) .....No Minimum

(f) Rear Yard (minimum) .....1.5 metres

(g) Interior Side Yard (minimum).....No Minimum

(h) Exterior Side Yard (minimum).....No Minimum

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to the street, except where the building or structure is less than 3 metres from the street line.

#99-03-Z

(j) Open Storage: No open storage shall be permitted except as permitted in Subsection

5.20 (d).

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

16.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

(b) Notwithstanding Section 16.1(z), and in addition to the provisions of Section 5.39 (c), an urban farm shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	Franklin Street	Dundas Street	Griffin Street
2	Dundas Street (Hwy	Mill Street	Hamilton e
3	Mill Street	Griffin Street	Cedar Street
4	Main Street	Barton Street	Cedar Street
5	Flamboro street	Barton Street	Dundas Street

16.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

16.2.3 ZONE PROVISIONS FOR AN URBAN FARMERS MARKET
#15-103

(a) The use shall comply with the provisions of Section 5.42

16.3 EXCEPTION NUMBERS

16.3.1 BD-1 (See Schedule Number A-31)

Permitted Uses shall be restricted to:

(a) Retail Establishment

Zone Provisions:

(a) Subsection 16.2 shall apply.

16.3.2 BD-2 (See Schedule Number A-31)

#99-97-Z Permitted Uses:

(a) Automobile Service Station

(b) Any use permitted in a BD zone, excluding a Dry Cleaning Establishment and Taxi Establishment, subject to Subsection 16.2.

Zone Provisions:

(a) No open storage permitted

(b) All other zone provisions of Subsection 21.2 shall apply.

16.3.3 BD-3 (See Schedule Number A-31)

#99-97-Z Permitted Uses:

(a) Gas Bar and Car Wash

(b) Any use permitted in a BD zone, excluding a Dry Cleaning Establishment and Taxi Establishment, subject to Subsection 16.2.

Zone Provisions:

(a) No open storage permitted, except as permitted in Subsection 5.20(d)

(b) All other zone provisions of Subsection 21.2 shall apply.

16.3.4 BD-4 (See Schedule Number A-31)

Permitted Uses:

(a) Any use permitted in a BD zone, subject to Subsection 162.

#96-69-Z (b) Automobile Repair Garage

#96-69-Z (c) Automobile Sales and Service Establishment

#96-69-Z (d) Custom Workshop

(e) Existing Car Wash with Offices on second floor.

Zone Provisions:

(a) Floor Space of carwash/office building (maximum) - 669 square metres

(b) No open storage permitted, except as permitted in Subsection 5.20(d)

(c) All other zone provisions of Subsection 21.2 shall apply.

No person shall use any lot or erect, alter or use any building or structure within any Urban Commercial Zone - UC except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 17.3.

17.1 PERMITTED USES

(a) Animal Hospital within a wholly enclosed building

(b) Apartment unit(s) within a building having any or all permitted uses on the first floor

(c) Automobile Sales and Service Establishment and accessory open storage

(d) Clinic

(e) Child Care Centre

(f) Dry Cleaning Distribution Station

(g) Dry Cleaning Establishment

(h) Financial Institution

(i) Funeral Home

(j) Hotel

(k) Laundromat

(l) Motel

(m) Office

(n) Personal Service Establishment

(o) Place of Entertainment

(p) Place of Recreation

(q) Private Club

(r) Public Use

(s) Restaurant - Standard, Convenience, Fast Food

(t) Retail Establishment

(u) Service Shop

(v) Shopping Centre

(w) Tavern

(x) Urban Farm **#14-276**

(y) Community Garden **#14-276**

(z) Urban Farmers Market **#15-103**

(aa) *Deleted.* **#22-193**

17.2 ZONE PROVISIONS

(a) Lot Area (minimum).....275 square metres

(b) Lot Frontage (minimum) .....9 metres

(c) Height (maximum) .....10 metres

(d) Lot Coverage (maximum)

(i) Shopping Centre 30%

(ii) All other Permitted uses 40%

#99-03-Z (e) Front Yard (minimum) .....No minimum

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum)

(i) Abutting a Residential zone.....7.5 metres

(ii) Abutting all other zones.....3.0 metres

#99-03-Z (h) Exterior Side Yard (minimum).....No minimum

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street, except where the

#99-03-Z

building or structure is less than 3 metres from the street line.

(j) Landscaped Open Space (minimum).....5%

(k) Gross Leasable Floor Area (maximum)

(i) Shopping Centre .....13 500 square metres

(l) Open Storage:

(i) Automobile Sales and Service Establishment .....Open storage shall be used only for a retail sales and display area and as permitted in Subsection 5.20(d)

(ii) All other Permitted Uses - No open storage shall be permitted except as permitted in Subsection 5.20(d)

(m) Shopping Centre - If a shopping centre is located on more than one lot or parts thereof, the entire site on which the shopping centre is located shall be deemed to be one lot for the purpose of applying the zone provisions.

(n) General Provisions - in accordance with the provisions of Section 5 hereof.

17.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

17.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

17.2.3 ZONE PROVISIONS FOR AN URBAN FARMERS MARKET
#15-103

(a) The use shall comply with the provisions of Section 5.42

17.2.4 ZONE PROVISIONS FOR SECONDARY DWELLING UNITS AND SECONDARY DWELLING UNITS – DETACHED
#22-193

(a) Shall comply with the provisions of Section 5.43

17.3 EXCEPTION NUMBERS

17.3.1 UC-1 (See Schedule Number A-30)

Permitted Uses:

#96-92-Z (a) Subsection 17.1 shall apply

Zone Provisions:

(a) Open Storage

Maximum area of 70 square metres, minimum rear yard of 5.85 metres, minimum interior side yard of 2.8 metres, minimum exterior side yard of 4.5 metres, maximum height of 3 metres, all to be screened with a wood privacy fence not less than 1.8 metres in height.

(b) All other zone provisions of Subsection 17.2 shall apply.

17.3.2 UC-2 (See Schedule Number A-30)
#92-22-Z

Permitted Uses

(a) Subsection 17.1 shall apply.

Zone Provisions:

(a) Planting Strip:

In addition to the planting strip requirements in Subsection 17.2 (i) above, a minimum 7.6 metre wide bermed planting strip shall be provided along the entire lot line adjacent to Culotta Drive.

(b) All other zone provisions of Subsection 17.2 shall apply.

17.3.3 UC-3 (See Schedule Number A-30)
#95-72-Z

By-law #94-95-Z is repealed.

Permitted Uses:

(a) Any use permitted in a UC zone

(b) Apartment building

(c) Place of worship

(d) Public use

Zone Provisions:

(a) The maximum gross leasable floor area devoted to supermarket space shall be 2787 square metres. Additional supermarket floor space to a maximum of 929 square metres shall be allowed in the year 1998 with the first full year of operation of the total 3716 square metre supermarket use being 1999.

(b) For the purposes of this by-law supermarket space shall be defined as an establishment primarily engaged in retailing a balanced line of goods including canned, bottled, packaged and frozen food; fresh meat and poultry; fish; fresh fruit and vegetables; prepared food products including delicatessen food; bakery products; dairy; candy and confectionary; and other food lines. In addition, newspapers, magazines, paper products, soft drinks, tobacco products, health and beauty aids, housewares, flowers, plants and non prescription drugs shall be permitted.

(c) For the purposes of this by-law, gross leasable floor area shall be defined as the area within the supermarket use devoted to storage, food preparation, sales and display areas.

(d) The maximum gross floor area devoted to drug store space shall be 929 square metres.

(e) The zone provisions of the Medium Density Zone 'R6' shall apply to the construction of any apartment building. In addition, a maximum of twenty-five (25) percent of the land area affected by this by-law may be used for apartment buildings including accessory parking, driveway and landscaped areas.

(f) All other provisions of Section 17.2 shall apply.

17.3.4 UC-4 (See Schedule Number A-30)
#97-89-Z

Permitted Uses:

(a) Single Detached Dwelling, not in conjunction with any other permitted use.

(b) Any use permitted in a UC zone

Zone Provisions:

(a) Subsection 17.2 shall apply.

17.3.5 UC-5 (See Schedule Number A-30)
#97-89-Z

Permitted Uses:

(a) Retirement Home, subject to the provisions of Subsection 11.2 (iv) and not in conjunction with any other permitted use.

(b) Any use permitted in a UC zone

Zone Provisions:

(a) Subsection 17.2 shall apply.

17.3.6 UC-6 (See Schedule Number A-30)
#97-89-Z

Permitted Uses:

(a) One Apartment Building with a maximum of five units, one of which shall be permitted in the cellar, not in conjunction with any other permitted use.

(b) Any use permitted in a UC zone

Zone Provisions:

(a) Subsection 17.2 shall apply.

17.3.7 UC-7 (See Schedule Number A-31)
#97-89-Z

Permitted Uses:

(a) Townhouses, not in conjunction with any other permitted use.

(b) Any use permitted in a UC zone

Zone Provisions:

(a) Subsection 17.2 shall apply.

17.3.8 UC-8 (See Schedule A-30)
#98-114-Z
#02-258-Z

Permitted Uses:

a) Single Detached Dwelling, subject to the provisions of Subsection 6.3.2, and not in conjunction with any other permitted use.

b) Any use permitted in a Urban Residential "R4" Zone, subject to the provisions of Section 9.2 and not in conjunction with any other permitted use and notwithstanding the following special zone provisions for Semi-detached Dwellings:

1.	Minimum Front Yard Setback	5.0m
2.	Maximum Deck Coverage	5.2%
3.	Maximum Lot coverage for Principle Dwellings	49%
4.	That each lot within Block 4 on the draft plan comprise of a lot frontage of 6.1 metres, and a lot area of 188 square metres.	

c) Any use permitted in a Medium Density Residential "R6" zone, subject to the provisions of Subsection 11.2 and not in conjunction with any other permitted use.

d) Any use permitted in a UC zone.

Zone Provisions:

a) Subsection 17.2 shall apply.

17.3.9 UC-9 (See Schedule Number A-30)
#99-03-Z

Permitted Uses:

(a) Subsection 17.1 shall apply.

Zone Provisions:

(a) Notwithstanding the provisions of Subsection 5.21, no additional parking spaces are required if double-access retail buildings are constructed along Dundas Street and Hamilton Street and the minimum parking requirements cannot be accommodated on site.

(b) All other zone provisions of Subsection 17.2 shall apply.

17.3.10 UC-10(H) (See Schedule A-6)
#13-051
(OMB)

Prohibited Uses

(a) Hotels, motels, and automobile sales and service.

Zone Provisions

a) Height (maximum) 4-storeys.

b) A minimum of 1,858m2 of the following uses identified in Section 17.1 (d), (f), (g), (h), (k), (m), (n), (o), (s), (t), (u), (v), (w), and gymnasium, fitness centre.

c) All other zone provisions of Section 17 shall apply.

The following condition must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands, as noted below:

a. That no commercial uses be developed within Blocks 2 and 3 of Schedule "A" until such time that the East-West Corridor has been constructed adjacent Blocks 2 and 3 of Schedule "A".

17.3.11 UC-11(H) (See Schedule A-6)
#13-051
(OMB)

Permitted Uses

In addition to the uses permitted by Section 17.1, the following uses are permitted:

(a) apartment buildings, stacked townhouses, and retirement apartments.

The following uses are not permitted:

(b) hotels, motels, and automobile sales and service.

Zone Provisions

a) Height (maximum) 4-storeys.
b) All other zone provisions of Section 17 shall apply.
c) For the purpose of this section, a stacked townhouse means a residential apartment building containing a minimum of four, and a maximum of twenty units, each of which has an independent entrance, provided that:

i) Stacked townhouse buildings shall have a maximum length of 60m.

ii) Not more than half of all dwelling units shall be on the ground floor.

iii) Dwelling units shall be fully attached to adjoining units, and are attached vertically or horizontally.

iv) Access to all second level units shall be from an interior stairway within the stacked townhouse building.

d) Density (maximum) for residential uses, excluding those identified in Sub-section 17.1 (b) - shall be 125 units per net hectare.

e) The zone provisions of"R6-27" (Block 1) shall apply for stacked townhouses.

The following condition must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands, as noted below:

a. That no commercial uses be developed within Blocks 2 and 3 of Schedule "A" until such time that the East-West Corridor has been constructed adjacent Blocks 2 and 3 of Schedule "A".

17.3.12 UC-12(H) (See Schedules A-31 & A-32)
#13-238
#14-099
(OMB)

Permitted Uses:

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

(i) Apartment Building
(ii) Gas Bar
(iii) Car Wash accessory to Item (ii)
(iv) Public Uses

Prohibited Uses:

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

General Provisions:

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

Zone Provisions:

(a)	Lot Area (minimum)	275 sq. m.
(b)	Lot frontage (minimum)	9.0m
(c)	Height (maximum)	8 storeys (following removal of the Holding provision, the maximum height will be increased to 12 storeys).
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (minimum)	3.0m
(f)	Rear Yard (minimum)	3.0m
(g)	Interior Side Yard (minimum)	3.0m
(h)	Exterior Side Yard (minimum)	4.5m
(i)	Planting Strip (minimum)	A planting strip having a minimum width of 3.0m shall be provided between the street line

		and parking spaces.
(j)	Landscaped Open Space (minimum)	5%
(k)	Density	60 to 200 units per net residential ha for exclusive residential developments of up to 8 storeys in height. 200-300 units per net residential ha shall be permitted, subject to the removal of the Holding provision.
(l)	Floor Space Index (FSI)	Maximum of 2.5 times the lot area.
(m)	Gross Leasable Floor Area	Maximum GLFA for retail and service commercial uses shall not exceed a total of 25,000 sq. m. when combined with the GLFA of the UC-13 Zone (Mixed-Use Medium Retail Main Street) and the UC-14 Zone (District Commercial Zone), exclusive of office and service commercial uses above the ground floor.

(n) Notwithstanding Section 5.21, 1.25 parking spaces, including visitor parking, shall be required per apartment dwelling unit.

(o) Loading doors shall not be permitted in a yard abutting a street or a yard abutting a Residential Zone or Institutional Zone, except where screened from view by a Visual Barrier which may include overhead doors.

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

(q) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.5m.

(H) Holding Symbol:

Where an (H) symbol is prefixed to a Zone identified in Schedule "A", the following conditions must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands as noted below:

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

The Holding Provision may be removed subject to the completion of a Visual Impact Assessment,

to the satisfaction of the City, the Niagara Escarpment Commission, and the Director of Planning.

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

17.3.13 UC-13 (See Schedule A-32)
#13-238
#14-099
(OMB)
#21-137

Permitted Uses:

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

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

Prohibited Uses:

(a) Car Washes
(b) Automobile Service Stations
(c) Gas Bars
(d) Vehicle Dealerships
(e) Garden Centres as primary use
(f) Drive through facilities
(g) Funeral Homes
(h) Automobile Sales and Service Establishment
(i) Dry Cleaning Establishment
(j) Open storage of goods and materials

Zone Provisions (i.e. Freehold):

(a)	Lot Area (minimum)	150 sq. m.
(b)	Lot frontage (minimum)	6.0m
(c)	Height (maximum)	8 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard (maximum)	1.0m

(f)	Rear Yard (minimum)	5.8m
(g)	Interior Side Yard (maximum)	1.5m, except for the side yard related to the common wall of a Live-Work Unit, in which case a minimum side yard of 0.0m shall be provided.
(h)	Exterior Side Yard (maximum)	1.0m
(i)	Planting Strip (minimum)	A planting strip having a minimum width of 3.0m shall be provided between the street line and parking spaces.
(j)	Landscaped Open Space (minimum)	N/A
(l)	Gross Leasable Floor Area	Minimum of 3,600 sq. m. of retail and service commercial floor space is to be provided within the lands Zoned UC-13 (Mixed-Use Medium - Retail Main Street Zone).
(m)	Gross Leasable Floor Area	Maximum GLFA for retail and service commercial uses shall not exceed a total of 25,000 sq. m. when combined with the GLFA of the UC-12 Zone (Mixed-Use Medium) and UC-14 Zone (District Commercial Zone), exclusive of office and service commercial uses above the ground floor.
(n)	Floor Space Index (FSI)	Maximum of 2.5 times the lot area.

(o) Principal building entrances for Commercial uses shall face the Street.

(p) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.5m.

(q) Notwithstanding Section 5.12, any commercial use at grade shall be exempt from the applicable parking requirement.

(r) Loading doors shall not be permitted in a yard abutting a street, or a yard abutting a Residential Zone or Institutional Zone, except where screened from view by a Visual Barrier, which may include overhead doors.

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

<u>UC-13</u> (Block 1) (See Schedule A-32)

In addition to By-law No. 14-099, the following provisions shall apply:
Permitted Uses

(a) That all uses permitted by Section 17.1, except residential, shall count towards the minimum retail and service commercial total gross floor area calculation built out on the first and second floor.
(b)
(c) Ground floor accessory/associated uses such as fitness rooms, amenity areas and access to residential uses above.

That Sections 17.3.13 (l), (m) and (q) of By-law No. 14-099 be deleted and replaced with the following:

(l)	Gross Floor Area	(i)	Minimum of 1,256 sq m of retail and service commercial floor space is to be provided within the lands zoned UC-13 (Mixed-Use Medium – Retail Main Street Zone).
		(ii)	The distribution of the minimum gross floor area shall be provided as follows: 10 Mallard Trail: minimum 306 sq m. 40 Mallard Trail: minimum 950 sq m.
(m)	Gross Floor Area		Maximum GFA for retail and service commercial uses shall not exceed a total of 25,000 sq m when combined with the GFA of the UC-12 Zone (Mixed-Use Medium) and UC-14 Zone (District Commercial Zone), exclusive of office and service commercial uses above the ground floor.

(q) Notwithstanding Section 5.21, any commercial use at grade shall be exempt from the applicable parking requirement.

UC-13 (Block 2a) (See Schedule A-32)

In addition to By-law No.14-099, the following provisions shall apply:

Permitted Uses

(a) That all uses permitted by Section 17.1, except residential, shall count towards the minimum retail and service commercial total gross floor area calculation built out on the first and second floor.

(b) Ground floor accessory/associated uses such as fitness rooms, amenity areas and access to residential uses above.

Zone Provisions

(a) Notwithstanding Sections 5.21.1 and 5.21.3, Parking spaces for disabled persons shall be designated and provided as part of the required parking spaces in accordance with the following requirements: 1.25 parking space, including visitor parking spaces, shall be provided per apartment dwelling unit and may be provided across zone limits.

(b) Notwithstanding Subsection 5.13.1 (a) and (b), one (1) loading space, which shall also be permitted to be used for waste collection, shall be provided for all buildings in this development across zone limits.

(c) Notwithstanding Subsection 5.4.2 (b) "Dwelling Unit Area (Minimum)", a minimum gross floor area of 46 square metres shall be provided for bachelor and one bedroom dwelling units and a minimum gross floor area of 63 square metres shall be provided for two or more bedroom dwelling units.

(d) Notwithstanding Subsection 5.21.5 (f) "Location of Parking on a Lot", parking shall be permitted to be located in a yard abutting a street.

(e) Notwithstanding Subsection 5.21.6.b) driveways with two- way vehicular movement shall have a minimum unobstructed width of not less than 6.0 metres.

(f) Notwithstanding Subsection 5.21.11 (b) "Enclosed Parking", any enclosed parking structure below grade or less than 1.2 metres above grade shall be set back a minimum of 0.7 metres from each lot line except 0.0 metres from the lot line at the hypotenuse of the daylight triangle at the corner of Dundas Street East and Mallard Trail.

(g) All parking spaces and access for this development shall be permitted to be used by all uses proposed for this development and may be provided across zone limits.

(h) The regulations of Section 5.16.2 "Lots with More than One Zone" shall not apply.

(i) Section 5.20 (d) of Flamborough Zoning By-law No. 90-145-Z shall not apply.

That Sections 17.3.13 (h), (l), (m), and (q) of By-law No. 14-099 be deleted and replaced with the following provisions :

(h) A maximum exterior side yard shall not be required to the Valley Trail Place exterior side lot line and to the exterior side lot line at the hypotenuse of the daylight triangle at the corner of Valley Trail Place.

(l)	Gross Floor Area	Minimum of 306 sq m of retail and service commercial floor space is to be provided within the lands zoned UC-13 (Mixed-Use Medium – Retail Main Street Zone).
(m)	Gross Floor Area	Maximum GFA for retail and service commercial uses shall not exceed a total of 25,000 sq m when combined with the GFA of the UC-12 Zone (Mixed-Use Medium) and UC-14 Zone (District Commercial Zone), exclusive of office and service commercial uses above the ground floor.

(q) Notwithstanding Section 5.21, any commercial use at grade shall be exempt from the applicable parking requirement.

UC-13 (Block 2b) (See Schedule A-32)

In addition to By-law No.14-099, the following provisions shall apply:

Permitted Uses

(a) Notwithstanding Section 17.1(b), apartment units shall be permitted however, they shall not be located within the first/ground floor, except for access, accessory office, utility areas and fitness rooms.

(b) That all uses permitted by Section 17.1, except residential, shall count towards the minimum retail and service commercial total gross floor area calculation built out on the first and second floor.

(c) Planting Strip – General Provisions Section 5.12.2(a) shall not apply.

(d) Notwithstanding Subsection 5.21.5 (f) "Location of Parking on a Lot", parking shall be permitted to be located in a yard abutting a street.

(e) Notwithstanding Subsection 5.21.6.b) driveways with two- way vehicular movement shall have a minimum unobstructed width of not less than 6.0 metres.

(f) In addition to Section 5.13, a loading space shall also be permitted to be used for waste collection.

(g) In addition to the definition of "Planting Strip" in Section 3 of Flamborough Zoning By-law No. 90-145-Z, a "transformer" shall be permitted within a planting strip.

That Sections 17.3.13 (g), (i), (l), (m) and (q) of By-law No. 14-099 be deleted and replaced with

the following regulations:

(g)	Interior Side Yard (maximum):	3.5 metres, except for the side yard related to the common wall of a Live-Work Unit, in which case a minimum side yard of 0.0 metres shall be provided.
(i)	Planting Strip (minimum):	A planting strip shall not be required between Mallard Trail and the parking spaces.
(l)	Gross Floor Area	Minimum of 418 sq m of retail and service commercial floor space is to be provided within the lands zoned UC-13 (Mixed-Use Medium – Retail Main Street Zone).
(m)	Gross Floor Area	Maximum GFA for retail and service commercial uses shall not exceed a total of 25,000 sq m when combined with the GFA of the UC-12 Zone (Mixed-Use Medium) and UC-14 Zone (District Commercial Zone), exclusive of office and service commercial uses above the ground floor.

(q) Notwithstanding Section 5.21, any commercial use at grade shall be exempt from the applicable parking requirement.

17.3.14 UC-14 (See Schedule A-32)
#13-238
#14-099
(OMB)
#21-129
#21-138
#24-142-PED

Permitted Uses:

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

(i) Automobile Service Station
(ii) Gas Bar
(iii) Car Wash accessory to item (i) and (ii)
(iv) Live-Work Unit

For the purpose of this Zone, a Live-Work Unit shall be defined as a street townhouse or a townhouse dwelling that may contain residential uses and the following commercial uses on the ground floor: retail establishment, personal services, service shop, office, or

dry cleaning distribution station. Any permitted commercial use at grade within a Live-Work Unit shall be exempt from the applicable parking requirement

Prohibited Uses:

(i) Funeral Home

(ii) Automobile Sales and Service Establishment

(iii) Dry Cleaning Establishment

(iv) Open storage of goods and materials

(v) Hotels, Motels, Places of Entertainment, and Private Clubs are permitted, provided the total floor area of such uses does not exceed 6,000 sq. m.

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

(a)	Lot Area (minimum)	275 sq. m.
(b)	Lot frontage (minimum)	9.0m
(c)	Height (maximum)	4 storeys
(d)	Lot Coverage (maximum)	N/A
(e)	Front Yard:	
	(i) (Minimum)	0.0m
	(ii) (Maximum)	3.0m (Skinner Road)
(f)	Rear Yard (minimum)	7.5m
(g)	Interior Side Yard (minimum)	3.0m
(h)	Exterior Side Yard (minimum)	3.0m
(i)	Planting Strip (minimum)	A planting strip having a minimum width of 3.0m shall be provided between the street line and parking spaces.
(j)	Landscaped Open Space (minimum)	N/A

(k) Gross Leasable Floor Area (maximum) - 9,300 sq. m of retail and service commercial floor space comprised of a supermarket of not more than 7,500 sq. m., and other permitted retail and service commercial floor space to a maximum of 1,800 sq. m. The maximum

GLFA is exclusive of office and service commercial uses located above the ground floor.

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

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

(l)	GLA for single user (maximum)	A single user over 10,000 sq. m. shall not be permitted.
(m)	GLA for Office Uses	Office uses on the same lot shall not exceed 2,000 sq. m.

(n) Dimensions of Parking Spaces - all required parking spaces shall have minimum dimensions of 2.6m x 5.5m.

(o) Loading doors shall not be permitted in a yard abutting a street or a yard abutting a Residential Zone or Institutional Zone, except where screened from view by a Visual Barrier, which may include overhead doors.

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

<u>Zone Provisions for Live Work Unit</u>:

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

(h) Exterior Side Yard (minimum) 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.

(i) Planting Strip N/A

(j) Landscape Open Space N/A

(k) Overall Density 75 upnrh maximum for the lands zoned "UC-14".

(l) Yard Encroachments in accordance with the following:

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

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

(n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

(o) Planting Strip - General Provision 5.12.2 (d) shall not apply.

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

(H) Holding Symbol:

Blocks 10, 16 and 20 are subject to a Holding Provision. Puruant to:

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

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

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

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

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

17.3.15 "UC-15" (See Schedule A-32)
#15-186
#16-287
(H Removal)

Permitted Uses:

Notwithstanding the uses permitted in Section 17.1, the following uses shall only e permitted within the building existing at the date of passing of the By-law:

(a) Use existing at the passing of this by-law not in conjunction with any other permitted use

(b) Art Gallery, Museum or Public Use

(c) Custom Work Shop

(d) Financial Institution

(e) Funeral Home

(f) Personal Service Establishment

(g) Professional Office

(h) Retail Establishment

(i) Service Shop

Zone Provisions:

(a) Parking Space Access – Notwithstanding Section 5.21.6, the minimum two-way vehicular driveway width from Dundas Street Shall be 5.0 m.

(b) Dimension of Parking Spaces – All required surface parking spaces shall hae minimum dimensions of 2.6 m x 5.8 m.

(c) Planting Strip (Minimum) – 3 m across Dundas Street East, and in accordance with the provisions of Section 5.12.2 (a) and (c), except where an existing building or structure encroaches.

(d) Landscape Open Space (Minimum) – the provisions of Section 5.12.1 (a), (b), and (c) shall not apply.

(e) General Provisions – Other than contained herein, the provision of Section 5 shall apply.

17.3.16 "UC-16" (See Schedule A-32)
#15-186

Permitted Uses:

In addition to the uses permitted in Section 17.1, the following addional uses shall also be permitted:

(a) Live-Work Unit

For the purpose of this Zone, a Live-Work Unit shall be defined as a street townhouse or Townhouse dwelling that may contain residential uses and the following commercial uses on the ground floor: Retail Establishment, Personal Service Shop, Service Shop, Office, Dry Cleaning Distribution Station.

Zone Provisions for (a) Live-Work Unit:

(a)	Lot Area (Minimum)	165 sq m
(b)	Lot Frontage (Minimum)	6.0 m
(c)	Height (Maximum)	12.5 m

(d)	Lot Coverage (Maximum)	N/A
(e)	Front Yard Setback (Minimum)	1.5 m
(f)	Rear Yard Setback (Minimum)	6.0 m
(g)	Interior Yard Setback (Minimum)	1.2 m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 m shall be provided
(h)	Exterior Side Yard (Minimum)	2.5 m
(i)	Landscaped Open Space (Minimum)	N/A
(j)	Planting Strip	N/A
(k)	Gross leaseable Area (Minimum)	N/A

(l) Yard Encroachments in accordance with the following:

Structure or Item	**Yard Into Which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Yard**
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front, required rear, and required exterior side yard	0.3m minimum setback from the hypotenuse of a sight triangle

(m) Principal building entrances for Commercial uses shall face Spring Creek Drive which shall be deemed the front yard.

(n) Spring Creek Drive shall be deemed the front lot line.

(o) Notwithstanding Section 5.21, any commercial uses at-grade shall be exempt from the applicable parking requirement.

(p) Comercial Uses – Permitted only within the at-grade portion of the unit except accessory storagemay be permitted on floors below grade.

(q) Landscape Open Space – General Provisions 5.12.1 shall not apply.

(r) Planting Strip – General Provisions 5.12.2 shall not apply.

(s) The private condominium road shall be considered a public road for the purposes of this by-law.

(t) General Provisions – in accordance with Section 5 hereof.

17.3.17 "UC-17" (See Schedule A-33)
#17-193

Permitted Uses:

In addition to the uses permitted in Section 17.1, an Apartment Building and a Retirement Home shall also be permitted either as stand-alone uses or in conjunction with any other use permitted in Section 17.1.

Zone Provisions:

Notwithstanding Sub-Section 17.2 (c), (d), (g)(i) and (i), the following provisions shall apply:

(c)	Height (maximum)	28 metres
(d)	Lot Coverage (maximum) for all permitted uses	55%
(g)	Interior Side Yard (minimum)	
	(i) Abutting a Residential Zone	2.7 metres
(i)	Planting Strip (minimum)	0.0 m

(e) All other zone provisions of Sub-section 17.2 shall apply.

Sections 5.12.2(a), 5.12.2(c), 5.21.5(c), 5.21.5(e), 5.21.5(f) and 5.21.11(b) shall not

apply.

17.3.18 "UC-18(H)" (See Schedule A-30)
#18-290

(a) Notwithstanding Subsection 17.2 (c), the maximum height shall be 19.5 metres.

(b) Notwithstanding Subsection 5.21.1 (c), the maximum parking space requirement for an apartment dwelling shall be 1.61 spaces per unit.

(c) Notwithstanding Subsection 5.21.1 (t), a Retail Establishment, Service Shop Personal Serciec Establishment, Convenience Retail Store or Custom Wrkshop shall not require a minimum parking space.

(d) Notwithstanding Subsection 5.21.1 (r), an Office shall not require a minimum parking space.

(e) Notwithstanding Subsection 5.21.6 (b), a driveway with two-way vehicular movement shall have a minimum unobstructed width of 6.0 metres.

(f) Notwithstanding Subsection 5.21.11 (b), an enclosed parking structure shall be setback a minimum of 0.1 metres from any lot line.

(g) Notwithstanding Subsection 17.3.18 "UC-18(H)", ground floor residential units fronting onto Hamilton Street North, shall be prohibited.

(H) Holding Symbol:

Where an (H) Symbol is prefixed to a Zone identifies in Shcedule "A", the following condition must be fulfilled, to the satisfaction of the City, pruor to the listing of the (H) provision on any portion of the lands:

i) That an updated Trafic Impact Study is submitted, approved, and implemented to the satisfaction of the Manager, Transportation Planning, Planning and Economic Development Department.

No person shall use any lot or erect, alter or use any building or structure within any Neighbourhood Commercial Zone - NC except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 18.3.

18.1 PERMITTED USES

(a) Apartment unit(s) within a building containing a permitted use on the first floor

(b) Convenience Retail Store

(c) Dry Cleaning Distribution Establishment

(d) Personal Service Establishment

(e) Urban Farm **#14-276**

(f) Community Garden **#14-276**

(g) Urban Farmers Market **#15-103**

18.2 ZONE PROVISIONS

(a) Lot Area (minimum).....450 square metres

(b) Lot Frontage (minimum) .....15 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 40%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum)

(i) Abutting a Residential zone.....6 metres

(ii) Abutting all other zones.....3 metres

(h) Exterior Side Yard (minimum).....7.5 metres

#92-22-Z (i) Planting Strip (minimum) .....3.0 metres width

across all lot lines adjacent to a street

(j) Open Storage .....No open storage shall be permitted except as permitted in Subsection 5.20 (d)

(k) General Provisions in accordance with the provisions of Section 5 hereof.

18.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c).

18.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

18.2.3 ZONE PROVISIONS FOR AN URBAN FARMERS MARKET
#15-103

(a) The use shall comply with the provisions of Section 5.42

18.3 EXCEPTION NUMBERS

18.3.1 NC-1 (See Schedule Number A-6)

Permitted Uses:

(a) Any use permitted in a NC zone.

(b) Florist Shop

Zone Provisions:

(a) Subsection 18.2 shall apply.

18.3.2 NC-2 (See Schedule Number A-6)

Permitted Uses:

(a) Any use permitted in a NC zone.

(b) Convenience Restaurant

Zone Provisions:

(a) Subsection 18.2 shall apply.

SECTION 19 – Settlement Commercial Zone SC

No person shall use any lot or erect, alter or use any building or structure within any Settlement Commercial Zone - SC except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 19.3.

19.1 PERMITTED USES

(a) Animal Hospital within a wholly enclosed building

(b) Apartment unit(s) within a building containing a permitted use on the first floor

(c) Clinic

(d) Custom Workshop

(e) Child Care Centre

(f) Dry Cleaning Distribution Establishment

(g) Financial Institution

(h) Funeral Home

(i) Laundromat

(j) Offices

(k) Personal Service Establishment

(l) Place of Entertainment

(m) Place of Recreation

(n) Private Club

(o) Public Use

(p) Restaurant - Standard, Convenience

(q) Retail Establishment

(r) Service Shop

(s) Tavern

19.2 ZONE PROVISIONS

(a) Lot Area (minimum).....600 square metres

(b) Lot Frontage (minimum) .....20 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 30%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum)

(i) Abutting a Residential zone.....6 metres

(ii) Abutting all other zones.....3 metres

(h) Exterior Side Yard (minimum).....7.5 metres

(i) Open Storage .....No open storage shall be permitted except as permitted in Subsection 5.20 (d).

#92-22-Z (j) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

19.3 EXCEPTION NUMBERS

19.3.1 SC-1 (See Schedule Number A-33)

Permitted Uses:

#99-97-Z

(a) Any use permitted in a SC zone

(b) Farm Supply Outlet.

(c) Feed Mill

(d) Propane Distribution Depot

(e) Retail Building Supply Establishment

Zone Provisions:

(a) Open Storage:

Open Storage shall be used only for a retail sales and display area and as permitted in Subsection 5.20 (d).

(b) All other zone provisions of Subsection 19.2 shall apply.

19.3.2 SC-2 (See Schedule Number A-33)

Permitted Uses:

(a) Any use permitted in a SC zone.

(b) Poultry Keeping Operation

Zone Provisions:

(a) Subsection 19.2 shall apply.

19.3.3 SC-3 (See Schedule Number A-47)

Permitted Uses:

(a) Any use permitted in a SC zone.

(b) Farm Supply Outlet

(c) Feed Mill

Zone Provisions:

(a) Subsection 19.2 shall apply.

19.3.4 SC-4 (See Schedule Number A-37)

Permitted Uses:

(a) Any use permitted in a SC zone.

(b) Automobile Body Shop and accessory open storage

(c) Lawn Maintenance Establishment

(d) Wholesale Establishment

Zone Provisions:

(a) Open Storage:

Open Storage shall be prohibited in any front yard or interior side yard.

(b) All other zone provisions of Subsection 19.2 shall apply.

19.3.5 SC-5 (See Schedule Number A-37)

Permitted Uses:

(a) Any use permitted in a SC zone.

#94-06-Z (b) Automobile Repair Garage

#99-97-Z (c) Metal fabrication

Zone Provisions:

(a) Open Storage:

Open Storage shall be prohibited in any required front yard or required exterior side yard.

(b) All other zone provisions of Subsection 19.2 shall apply.

19.3.6 SC-6 (See Schedule Number A-45)

Permitted Uses:

#99-97-Z

(a) Any use permitted in a SC zone.

(b) Farm Supply Outlet

(c) Fuel Storage Depot for home and farm sales

(d) Garden Supply Centre

(e) Storage, custom blending and retail sale of agricultural chemicals, bulk fertilizers, liquid fertilizer, feed and seed supplies

Zone Provisions:

(a) Open Storage:

Open Storage shall be prohibited in any required front yard.

(b) All other zone provisions of Subsection 19.2 shall apply.

19.3.7 SC-7 (See Schedule Number A-41)

Permitted Uses shall be restricted to:

#99-97-Z (a) Garden Centre

Zone Provisions:

(a) Subsection 19.2 shall apply.

19.3.8 SC-8 (See Schedule Number A-28)

Permitted Uses shall be restricted to:

#99-97-Z (a) Automotive Sales and Service Establishment

Zone Provisions:

(a) Open Storage:

Open Storage shall be used only for a retail sales and display area except as permitted in Subsection 5.20 (d).

(b) All other zone provisions of Subsection 19.2 shall apply.

19.3.9 SC-9 (See Schedule Number A-39)

Permitted Uses shall be restricted to:

(a) Construction, Haulage and Swimming Pool Contracting

Zone Provisions:

(a) Subsection 19.2 shall apply.

19.3.10 SC-10 (See Schedule Number A-26)

Permitted Uses:

(a) one Pylon Sign.

(b) Subsection 19.2 shall apply.

Zone Provisions:

(a) Pylon Sign:
Maximum height of 3.6 metres and maximum area of 2.3 square metres.

(b) All other zone provisions of Subsection 19.2 shall apply.

19.3.11 SC-11 (See Schedule Number A-33)

Permitted Uses shall be restricted to:

#99-97-Z (a) Single Detached Dwelling

(b) Hairdressing establishment with a maximum of two client chairs

Zone Provisions:

(a) Subsection 19.2 shall apply.

19.3.12 SC-12 (See Schedule Number A-33)

Permitted Uses shall be restricted to:

#99-97-Z (a) Single Detached Dwelling

(b) Graphic Arts Studio

Zone Provisions:

(a) Subsection 19.2 shall apply.

19.3.13 SC-13 (See Schedule Number A-26)

Permitted Uses shall be restricted to:

#93-19-Z

(a) Clinic

(b) Single Detached Dwelling

19.3.14 SC-14 (See Schedule Number A-33)

#95-44-Z

Permitted Uses shall be restricted to:

(a) Custom Workshop

(b) Financial Institution

(c) Offices

(d) Public Use

(e) Retail Establishment

(f) Service Shop

Zone Provisions:

(a) Subsection 19.2 shall apply.

19.3.15 SC-15 (See Schedule Number A-33)

#94-87-Z

Permitted Uses shall be restricted to:

(a) Apartment unit within a building containing a permitted use.

(b) Custom Workshop

#99-97-Z (c) Single Detached Dwelling

(d) Financial Institution

(e) Offices

(f) Public Use

(g) Retail Establishment

(h) Service Shop

Zone Provisions:

(a) Subsection 19.2 shall apply.

19.3.16 SC-16 (See Schedule A-26)
#04-276-Z

Permitted Uses:

(i) Permitted Uses

Notwithstanding Section 19.1, only a Tree Care Service Establishment, shall be permitted.

For the purpose of this By-law, a Tree Care Service Establishment shall mean a business which includes the maintenance, fertilizing and removal of trees, shrubs and evergreens, and includes arboricultural training.

Zone Provisions:

The following special zoning provisions shall apply to the permitted use of Tree Care Service Establishment:

(i) Interior Side Yard .....Notwithstanding Section 19.2(g), the minimum interior side yard shall be 2.31 metres.

19.3.17 SC-17 (See Schedule A-28)
#05-350
#07-239

Permitted Use:

(a) Any use permitted in an SC Zone.

(b) A commercial school.

Zone Provisions:

(a) All other zone provisions of Subsection 19.2 shall apply.

19.3.18 SC-18 (See Schedule A-43)
#10-075

Zone Provisions:

a) The building existing on the date of the passing of this by-law, being the 9th day of

June, 2010, shall be deemed to comply with all the provisions of Section 19.2; and,

b) All other provisions of Section 19 shall apply.

19.3.19 SC-19(H) (See Schedule A-41)
#14-284

Permitted Uses shall be restricted to:

(a) Offices

Zone Provisions:

(a) In accordance with Subsection 19.2, with the addition of the following Holding provision:

Holding Removal:

The Holding Provision "H" shall remain in effect until the following matter has been addressed to the satisfaction of the Director of Water and Wastewater Planning and Capital:

(i) That no development take place until such time as the proposed private servicing strategy, including design details and monitoring, has been approved by the Sourcewater Protection Section, to the satisfaction of the Director of Water and Wastewater Planning and Capital.

General Provisions:

Other than contained herein, all other the provisions of the Flamborough Zoning By-law shall apply.

No person shall use any lot or erect, alter or use any building or structure within any Highway Commercial Zone - HC except n accordance with the following provisions or as otherwise specified in the provisions of Subsection 20.3.

20.1 PERMITTED USES

(a) Accessory Open Storage

(b) Agricultural Equipment Sales, Rentals and Service

(c) Any permitted use in an Automotive Commercial Zone AC subject to the provisions of Subsection 21.2.

(d) Automobile Sales and Service Establishment and accessory open storage.

(e) Convenience Retail Store

(f) Fruit and Vegetable Market

(g) Garden Centre

(h) Hotel

(i) Motel

(j) One Dwelling Unit within a building containing a permitted use on the first floor

(k) Restaurant - Standard, Convenience, Fast Food

(l) Retail Establishment for the sale of Antiques and Crafts

(m) Urban Farm **#14-276**

(n) Community Garden **#14-276**

(o) Urban Farmers Market **#15-103**

20.2 ZONE PROVISIONS

(a) Lot Area (minimum).....1850 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 30%

(e) Front Yard (minimum) .....10 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....6 metres

(h) Exterior Side Yard (minimum).....10 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Open Storage .....Open Storage shall be used only for a retail sales and display area except as permitted in Subsection 5.20 (d).

.....Open Storage shall be prohibited within 2 metres of any exterior side lot line.

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

20.2.1 ZONE PROVISIONS FOR AN URBAN FARM
#14-276

(a) The use shall comply with the provisions of Section 5.39 a), b) and c)..

20.2.2 ZONE PROVISIONS FOR A COMMUNITY GARDEN
#14-276

(a) The use shall comply with the provisions of Section 5.40 a) and b).

20.2.3 ZONE PROVISIONS FOR AN URBAN FARMERS MARKET
#15-103

(a) The use shall comply with the provisions of Section 5.42

20.3 EXCEPTION NUMBERS

20.3.1 HC-1

Permitted Uses:

(a) Adult Entertainment Parlour

(b) Any use permitted in a HC zone.

Zone Provisions:

(a) No Adult Entertainment Parlour shall be permitted closer than 200 metres from any lot containing a residential use or any Residential zone.

(b) All other zone provisions of Subsection 20.2 shall apply.

20.3.2 HC-2 (See Schedule Numbers A-12 and A-31)

Permitted Uses shall be restricted to:

(a) Garden Centre

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.3 HC-3 (See Schedule Number A-10)

Permitted Uses shall be restricted to:

(a) Animal Hospital with accessory retail sales of veterinary supplies

(b) Any permitted use in an Automotive Commercial Zone - AC, subject to the provisions of Subsection 21.2.

(c) Any use permitted in an HC zone, but does not include a Hotel or Motel.

(d) Automobile Rustprooflng Establishment

(e) Convenience Retail Store

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.4 HC-4 (See Schedule Number A-11)

Permitted Uses shall be restricted to:

#92-22-Z (a) Flea Market

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.5 HC-5 (See Schedule Number A-32)

Permitted Uses shall be restricted to:

(a) Agricultural Equipment Sales, Rentals and Service

(b) Any permitted uses in an Automotive Commercial Zone - AC, subject to the provisions of Subsection 21.2.

(c) Garden Centre and Accessory Administrative Office

(d) Hotel

(e) Motel

#92-22-Z (f) Restaurant - Standard, Convenience, Fast Food

(g) Retail Establishment, restricted to a fruit and vegetable market, florist, Convenience Retail, meat, antiques and crafts.

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.6 HC-6 (See Schedule Number A-6)

Permitted Uses:

(a) Animal Hospital within a wholly enclosed building

(b) Any use permitted in a HC zone.

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.7 HC-7 (See Schedule Number A-11)

Permitted Uses:

(a) Any use permitted in a HC zone.

(b) Construction Equipment Sales, Rentals and Service.

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.8 HC-8 (See Schedule Number A-36)
#92-10-Z

Permitted Uses Shall be restricted to:

(a) an Animal Hospital, Service Shop, Retail Establishment, Office, Dry Cleaning Distribution Station, Custom Workshop, accessory residential Apartment Unit on the second storey.

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.9 HC-9 (See Schedule Number A-31)
#96-57-Z

Permitted Uses Shall be restricted to:

(a) Convenience Retail Store

(b) Office

(c) Personal Services Establishment

#99-97-Z (d) Restaurant, Standard

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.10 HC-10 (See Schedule Number A-31)
#98-67-Z

Permitted Uses Shall be restricted to:

(a) Any use permitted in a HC zone.

(b) Clinic

(c) Dry Cleaning Distribution Station

(d) Financial Institution

(e) Laundromat

(f) Office

(g) Personal Service Establishment

(h) Place of Entertainment

(i) Retail Establishment

(j) Service Shop

Zone Provisions:

(a) Subsection 20.2 shall apply.

20.3.12 HC-12 (See Schedule A-31)
#05-312

Permitted Uses:

(a) Any use permitted in a HC Zone.

(b) A Specialty Food Store for the Sale of Nuts and Nut Related Products, and including but not limited to other Food and Accessory Products.

Notwithstanding the provisions of Subsections 5.13.2, 5.21.5 (c) and 5.21.6 (b) of Section 5: General Provisions, of Zoning By-law No. 90-1 45-2 (Flamborough), the following special provisions shall apply to the lands zoned as "HC-12":

Dimensions of Loading Spaces

(1) A loading space having minimum dimensions of 8.5 metres long, 3.5 metres wide and a minimum vertical clearance of 4 metres shall be provided and maintained. Location of Parking on a Lot

(2) A parking area may be permitted a minimum of 1.5 metres from the boundary of a Residential Zone, provided that a continuous 1.5 metre wide planting strip and a visual barrier not less than 1.8 metres and not greater than 2.0 metres in height, is provided and maintained along any lot line abutting a Residential Zone.

Access to Parking Spaces

(3) A driveway with two-way vehicular movement shall have a minimum unobstructed width of not less than 6.0 metres.

Maximum Gross Floor Area

(4) A Specialty Food Store for the Sale of Nuts and Nut Related Products, and including but not limited to other Food and Accessory Products, shall have a maximum Gross Floor Area of 385 square metres.

SECTION 21 – Automotive Commercial Zone AC

No person shall use any lot or erect, alter or use any building or structure within any Automotive Commercial Zone - AC except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 21.3.

21.1 PERMITTED USES

(a) Accessory Open Storage

(b) Automobile Repair Garage

(c) Automobile Service Station

(d) Car Wash

(e) Gas Bar

21.2 ZONE PROVISIONS

(a) Lot Area (minimum).....1200 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....9.5 metres

(d) Lot Coverage (maximum) 30%

(e) Front Yard (minimum):

(i) Buildings.....13 metres

(ii) Fuel Pumps .....4.5 metres

(iii) Canopy.....3 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum):

(i) abutting any Residential zone.....7.5 metres

(ii) abutting all other zones.....3 metres

(h) Exterior Side Yard (minimum):

(i) Buildings.....15 metres

(ii) Fuel Pumps .....4.5 metres

(iii) Canopy.....3.0 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Landscaped Open Space (minimum).....10%

(k) Open Storage .....Open storage shall be prohibited in any required front yard or required exterior side yard.

.....Open Storage shall be used only for the storage of licensed motor vehicles except as permitted in Subsection 5.20(d).

(l) General Provisions – in accordance with the provisions of Section 5 hereof.

21.3 EXCEPTION NUMBERS

21.3.1 AC-1 (See Schedule Number A-28)

Permitted Uses:

(a) Any use permitted in an AC zone.

(b) Convenience Retail Store

(c) Dry Cleaning Distribution Establishment

Zone Provisions:

(a) Subsection 21.2 shall apply.

21.3.2 AC-2 (See Schedule Number A-6)

Permitted Uses:

(a) Any use permitted in an AC zone.

(b) Fuel Depot

Zone Provisions:

(a) Subsection 21.2 shall apply.

21.3.3 AC-3 (See Schedule Number A-6)

Permitted Uses:

(a) Any use permitted in an AC zone.

(b) Automobile Sales and Service Establishment

Zone Provisions:

(a) Subsection 21.2 shall apply.

21.3.4 AC-4 (See Schedule Number A-30)
#94-64-Z

Permitted Uses:

(a) Any use permitted in an AC zone.

(b) Dry Cleaning Distributing Station **(#96-97-Z)**

(c) Restaurant, Convenience

(d) Retail Establishment

Zone Provisions:

(a) Subsection 21.2 shall apply.

SECTION 22 – Institutional Zone I

No person shall use any lot or erect, alter or use any building or structure within any Institutional Zone - I except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 22.3.

22.1 PERMITTED USES

(a) Art Gallery

(b) Cemetery

(c) Clinic

(d) Child Care Centre

(e) Hospital, Private

(f) Hospital, Public

(g) Museum

(h) Nursing Home

(i) Park

(j) Place of Worship

(k) Public Use

(l) Retirement Home, subject to the provisions of Subsection 11.2 (iv)

(m) School, Private

(n) School, Public

22.2 ZONE PROVISIONS

(a) Lot Area (minimum).....1500 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 50%

(e) Front Yard (minimum) .....10 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....5 metres

(h) Exterior Side Yard (minimum).....7.5 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Landscaped Open Space (minimum).....10%

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

22.3 EXCEPTION NUMBERS

22.3.1 I-1 (See Schedule Numbers A-1, A-2, A-3, A-4, A-9, A-10, A-11, A-12, A-16, A-17, A-19, A-20, A-22, A-25 and A-38)

Permitted Uses:

(a) Subsection 22.1 shall apply.

Zone Provisions:

(a) Lot Area (maximum).....20 000 square metres

(b) All other zone provisions of Subsection 22.2 shall apply.

22.3.2 I-2 (See Schedule Numbers A-4 and A-25)

Permitted Uses:

(a) Subsection 22.1 shall apply.

Zone Provisions:

(a) Lot area (maximum).....21 000 square metres

(b) All other zone provisions of Subsection 22.2 shall apply.

22.3.3 I-3 (See Schedule Numbers A-5 and A-32)

Permitted Uses:

(a) Subsection 22.1 shall apply.

Zone Provisions:

(a) Lot area (maximum) .....32 500 square metres

(b) All other zone provisions of Subsection 22.2 shall apply.

22.3.4 I-4 (See Schedule Numbers A-17 and A-25)

Permitted Uses:

(a) Subsection 22.1 shall apply.

Zone Provisions:

(a) Lot area (maximum) .....57 500 square metres

(b) All other zone provision of Subsection 22.2 shall apply.

22.3.5 I-5 (see Schedule A-30)
#01-314

Permitted Uses

(a) One Dwelling Unit; or

(b) Child Care Centre with One Dwelling

Unit. Zone Provisions

(a) Maximum height to top of roof shall be 8.6 metres. This distance is to be measured from the front (north elevation) of the building.

(b) Maximum lot coverage shall be 25%.

(c) All other provisions.

22.3.6 I-6 (See Schedule Numbers A-6)
#99-58-Z

Permitted Uses:

(a) Place of worship

(b) School, Public

Zone Provisions:

(a) The provisions of Subsection 22.2 shall apply.

22.3.7 I-7 (See Schedule A-35)
#99-103-Z
#25-156

Permitted Uses:

(a) Child Care Centre with one

dwelling unit or

(b) Single Detached Dwelling

Zone Provisions:

(a) Child Care Centre.....maximum of 24 children

(b) All other zone provision of Subsection 22.2 shall apply.

22.3.8 I-8 (See Schedule A-9)
#2000-08-Z
#05-390
(OMB)
#25-156

Permitted Uses:

(a) Child Care Centre

(b) One Dwelling Unit in conjunction with one operating Child Care Centre.

Zone Provisions:

(a) Child Care Centre.....maximum of 31 children

(b) One Dwelling Unit shall only be located within the same building as the permitted Child Care Centre.

(c) The maximum Gross Floor Area of the Dwelling Unit part of the permitted building is 186 square metres.

(d) All other zone provision of Subsection 22.2 shall apply.

22.3.9 I-9 (See Schedule A-11)
#2000-68-Z

Permitted Uses:

(a) School, Private

(b) School, Public

Zone Provisions:

(a) Lot Area (maximum).....36 400 square metres

(b) All other zone provisions of Subsection 22.2 shall apply.

22.3.10 I-10 (See Schedule A-6)
#06-013

(a) Permitted Uses

That in addition to the uses permitted in Subsection 22.3.6, a Convent and a Day Care Centre shall be permitted.

(b) Zone Provisions

The provisions of Subsection 22.2 shall apply.

22.3.11 I-11 (See Schedule A- 11)
#10-075
#16-007
(H) Removal

Permitted Uses

(a) A private school.

Zone Provisions

(a) Notwithstanding Subsection 22. 1(a), the maximum Lot Area for a school shall be 2.85 hectares.

(b) All other zone provisions of Subsection 22.2 shall apply.

SECTION 23 – Public Zone P

No person shall use any lot or erect, alter or use any building or structure within any Public Use Zone - P except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 23.2.

23.1 PERMITTED USES

(a) Public Use

23.2 ZONE PROVISIONS

(a) Lot Area (minimum).....1500 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....No Maximum

(d) Lot Coverage (maximum) 50%

(e) Front Yard (minimum) .....10 metres

(f) Rear Yard (minimum) .....10 metres

(g) Interior Side Yard (minimum).....5 metres

(h) Exterior Side Yard (minimum).....10 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street

(j) Landscaped Open Space (minimum).....No Minimum

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

#09-131-Z(l) Waste Transfer Facility and Waste Processing Facility In addition to the regulations of SECTION 23, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

23.3 EXCEPTION NUMBERS

23.3.1 P-1 (See Schedule A-30)
#09-029

Permitted Uses:

(a) Any use permitted in a P zone.

(b) Private Professional Offices, excluding Medical Offices.

Zone Provisions:

(a) The provisions of Subsection 2.3 shall apply.

SECTION 24 – Parkway Belt Open Space Zone O1

No person shall use any lot or erect, alter or use any building or structure within any Parkway Belt Open Space Zone – O1 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 24.3.

24.1 PERMITTED USES

(a) Agriculture, subject to the provisions of Subsection 33.2

(b) Conservation

(c) Park

24.2 ZONE PROVISIONS

(a) Lot Area (minimum).....2000 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 10%

(e) Front Yard (minimum) .....15 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....7.5 metres

(h) Exterior Side Yard (minimum).....15 metres

(i) Landscaped Open Space (minimum).....No Minimum

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

24.3 EXCEPTION NUMBERS

24.3.1 O1-1 (See Schedule Numbers A-12and A-31)

Permitted Uses:

(a) Any use permitted in an O1 zone.

(b) Single Detached Dwelling

Zone Provisions:

(a) Lot Coverage (maximum) 20%

(b) Front Yard (minimum) .....7.5 metres

(c) Rear Yard (minimum) .....10 metres

(d) Interior Side Yard (minimum).....1.8 metres

(e) Exterior Side Yard.....7.5 metres

(f) All other zone provisions of Subsection 24.2 shall apply.

24.3.2 O1-2 (See Schedule A-30)
#08-041

Permitted Uses:

(a) Any use permitted in the O1 Zone

(b) Single Detached Dwelling

Zone Provisions:

(a) Lot Area (minimum)	500 square metres
(b) Lot Frontage (minimum)	20 metres
(c) Lot Coverage (maximum)	30 percent
(d) Front Yard (minimum)	7.5 metres
(e) Rear Yard (minimum)	9.5 metres for all buildings, structures, pools, sheds or any other accessory structure, including a fence.
(f) Southerly Side Yard (minimum)	4.0 metres
(g) Northerly Side Yard (minimum)	2.0 metres

(h) All other zone provisions of Subsection 24.2 shall apply.

SECTION 25 – Park Open Space Zone O2

No person shall use any lot or erect, alter or use any building or structure within any Park Open Space Zone - O2 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 25.3.

25.1 PERMITTED USES

(a) Cemetery

(b) Community Centre

(c) Conservation

(d) Forestry

(e) Park

25.2 ZONE PROVISIONS

(a) Lot Area (minimum).....No Minimum

(b) Lot Frontage (minimum) .....15 metres

(c) Height (minimum) .....11 metres

(d) Lot Coverage (maximum) 10%

(e) Front Yard (minimum) .....15 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....7.5 metres

(h) Exterior Side Yard (minimum).....15 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street. Not required for Park, Conservation or Forestry uses.

(j) General Provisions - in accordance with the provisions of Section 5 hereof

25.3 EXCEPTION NUMBERS

25.3.1 O2-1 (See Schedule Number A-18)

Permitted Uses:

(a) Any use permitted in an O2 zone.

(b) Commercial Uses, buildings and structures catering to the visiting public, and which are accessory to the principal use.

(c) Museum

Zone Provisions:

(a) Subsection 25.2 shall apply.

25.3.2 O2-3 (See Schedule Number A-29)
#92-22-Z

Permitted Uses:

(a) Special Treatment Areas only, as defined in Section 5.12.3 herein.

Zone Provisions:

(a) Lot Frontage .....none required

(b) Lot Area.....no minimum

(c) Minimum width .....4 metres

(d) General Provisions in accordance with Section 5.12.3 herein.

25.3.4 O2-4 (See Schedule Number A-37)
#97-93-Z

Permitted Uses:

(a) Any use permitted in an O2 zone.

Zone Provisions:

(a) Lot Frontage .....20.1 metres

(b) All other provisions of Subsection 25.2 shall apply.

25.3.5 O2-5 (See Schedule Number A-6)
#97-121-Z

Permitted Uses:

(a) Any use permitted in an O2 zone.

(b) Any use permitted in the I zone.

(c) Agriculture

Zone Provisions:

(a) The provisions of Subsection 25.2 shall apply.

25.3.6 O2-6 (See Schedule Number A-6)
#99-58-Z

Permitted Uses: (a)

Cemetery

(b) Agriculture

Zone Provisions:

(a) The provisions of Subsection 25.2 shall apply.

25.3.7 O2-7 (See Schedule A-6)
#06-013

(a) Permitted Uses

That in addition to the uses permitted in Subsection 25.3.6, a Convent and a Day Care Centre shall be permitted.

(b) Zone Provisions

The provisions of Subsection 25.2 shall apply.

25.3.8 O2-8 (See Schedule Number A-6)
#07-135
(OMB) Permitted Uses

(a) A Water Storage Tower shall also be permitted.

Zone Provisions

(a) Subsection 23.2 shall apply to paragraph (a) above.

SECTION 26 – Recreational Open Space Zone O3

No person shall use any lot or erect, alter or use any building or structure within any Recreational Open Space Zone - O3 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 26.3.

26.1 PERMITTED USES

(a) Golf Course

(b) One accessory dwelling unit for maintenance and/or security purposes only.

(c) Park

(d) Recreational Camping Establishment

26.2 ZONE PROVISIONS

(a) Lot Area (minimum).....40 000 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 10%

(e) Front Yard (minimum) .....15 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....7.5 metres

(h) Exterior Side Yard (minimum).....15 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street.

(i) General Provisions - in accordance with the provisions of Section 5 hereof.

26.3 EXCEPTION NUMBERS

26.3.1 O3-1 (See Schedule Number A-5)

Permitted Uses shall be restricted to:

(a) Rifle Range or Trap Shooting Range

Zone Provisions:

(a) Subsection 26.2 shall apply.

26.3.2 O3-2 (See Schedule Number A-10)

Permitted Uses:

(a) Accessory Dwelling Units

(b) Animal oriented events such as rodeos and exhibitions

(c) Any use permitted in an O3 zone

(d) Entertainment events such as fairs, circus, stage shows, movies or closed circuit T.V.

(e) Exhibitions and trading of merchandise such as Trade Shows, Flea Markets, and Auctions

(f) Horse Racetrack

(g) Horse Breeding

(h) Playground and Picnic Areas accessory to any or all permitted uses

(i) Public assembly events such as meetings, cultural and educational gatherings

(j) Racing of animals

Zone Provisions:

(a) Height (maximum) .....No Maximum

(b) All other zone provisions of Subsection 26.2 shall apply.

26.3.3 O3-3 (See Schedule Numbers A-2, A-3, A-16, A-17, A-23 and A-24)

Permitted Uses:

(a) Any use permitted in an O3 zone.

(b) Private Club

Zone Provisions:

(a) Lot Area (minimum).....20 000 square metres

(b) All other zone provisions of Subsection 26.2 shall apply.

26.3.4 O3-4 (See Schedule Numbers A-17 and A-18)

Permitted Uses shall be restricted to:

(a) Aerodrome

(b) Agriculture, subject to Subsection 33.2

(c) Private Club

(d) Recreational Camping Establishment

Zone Provisions:

(a) Notwithstanding Section 5.2.2 - Height Restriction - Accessory Uses, no accessory building or structure shall exceed 7 metres in height except those which are subject to the provisions of Subsection 5.9.

(b) All other zone provisions of Subsection 26.2 shall apply.

26.3.5 O3-5 (See Schedule Number A-4)

Permitted Uses shall be restricted to:

(a) Golf Course

(b) **del #99-97-Z**

Zone Provisions:

(a) Subsection 26.2 shall apply.

26.3.6 O3-6 (See Schedule Numbers A-5 & A-22)
(original del by #92-22-Z)
#99-113-Z (Schedule A-22)
OMB Order 1994 Oct. 29/99 (Schedule A-5)
#07-185 (H removal for OMB Order lands)

Permitted Uses shall be restricted to:

(a) Golf Course

(b) Park

(c) Recreational Camping Establishment

Zone Provisions:

(a) Subsection 26.2 shall apply.

26.3.7 O3-7 (See Schedule Number A-11)
#99-97-Z

Permitted Uses shall be restricted to:

(a) Golf Course

(b) An accessory dwelling for maintenance/security purposes only

(c) Greenhouse/nursery operation

(d) Ancillary uses, including, but not limited to the following:

(a) clubhouse/restaurant, with associated antique sales, in one building, the latter use not to exceed 500 square metres in gross floor area.

Zone Provisions:

(a) Subsection 26.2 shall apply.

26.3.8 O3-8 (see Schedule A-25)
#01-317

Permitted Uses

(a) Golf Course

(b) One accessory dwelling unit for maintenance and/or security purposes only.

Zone Provisions

(a) Lot Frontage (minimum) 3 metres

(b) The provisions of Subsection 26.2 shall apply.

26.3.9 O3-9 (See Schedule A-25)
#07-048

Permitted Uses

(a) Notwithstanding Section 26.1 (b), an accessory dwelling unit for maintenance and/or security purposes shall be prohibited.

(b) All other zone provisions of Subsection 26.2 shall apply.

26.3.10 O3-10-(H) (See Schedule A-2)
#14-097
(OMB)

(1) That notwithstanding the provisions of Section 26 of Zoning By-law No. 90-145-Z (Flamborough), the following special provisions shall apply to the lands zoned "O3-10(H)":

Permitted Uses

(a) A Seasonal Recreational Camping Establishment which may include as ancillary uses a residential dwelling for a manager of the park, a recreational building or pavilion, excluding outdoor entertainment facilities and amphitheatre, with a convenience store, an administrative office, utility buildings for maintenance equipment and accessory sport fields without lighting; and,

(b) Private Sewage Treatment Plant with Dispersal fields existing at the time of passing of this By-law and Water Distribution System.

(c) "Seasonal" shall mean that the occupancy of individual camping sites shall be permitted only during the period between April 15th to October 31st.

Zone Provisions

(a) Total number of recreational camping sites shall not exceed 100.

(b) Lot Area (minimum): ..... 4.0 ha.
(maximum): ..... 13,1 ha.

(c) Lot Coverage (maximum): ..... 0.5%.

(d) Lot Frontage (minimum): ..... 30 metres

(e) Height (maximum): ..... 11 metres

(f) Front Yard (minimum):

- A seasonal trailer site shall not be permitted within 94 m. of the front property line,

(g) Rear Yard (minimum):

- A seasonal trailer site shall not be permitted within 45 m. of the rear property line and shall include a 15 m wide naturalized planting strip.
- A building for recreation or entertainment purposes or park offices, garbage enclosures and visitors parking shall not be permitted within 90 m of the rear property line.

(h) SideYard (minimum):

- A seasonal trailer site shall not be permitted within 7.6 m. of the side property line.

(i) Parking:

- One parking space per seasonal trailer site and 0.25 spaces per seasonal trailer site for visitor parking.
- Visitor parking shall be provided in one or more designated parking areas on the property.
- Parking spaces for camping sites or visitors shall have minimum dimensions of 2.6 X 5.5 metres.

(j) Open Storage:

- No open storage shall be permitted.

(k) Planting Strip:

- A planting strip shall not be required along the front property line.
- A minimum 15m wide naturalized planting strip shall be provided along the rear property line.

(l) Minimum Width of Internal Roads:

- 6.0 m. for two way travel.

(m) General Provisions - in accordance with the provisions of Section 5.

(2) That the amending By-law apply a Holding provision for those lands zoned Recreational Open Space "O3-10(H)" Zone, Modified, Holding (Blocks "2" and "3") in Section 3 of this By-law by introducing the 'H' Holding symbol as a suffix to the Recreational Open Space "O3-10" Zone, Modified.

Holding Provision "O3-10(H)" Zone, Modified

The removal of the Holding provision 'H' will allow for up to 100 seasonal trailer sites on Block "2" and the Private Sewage Treatment Plant with Dispersal fields on Block "3". The Holding provision 'H' shall remain in effect until such time as the completion of the following conditions:

(1) Site Plan Agreement

The Owner has entered into a Site Plan Agreement with the City and registered said Agreement on title, for Blocks "2" and "3" ("South Lands"). The Site Plan Agreement will address but shall not be limited to: required improvements and upgrades to the servicing, infrastructure, and layout of the seasonal trailer park, through which the required financial securities for the construction of works identified through the Site Plan Approval process will be specified by the City and posted by the Owner prior to Site Plan Approval.

(2) Municipal Responsibility Agreement

The Owner has executed and registered on title the signed Municipal Responsibility Agreement and associate Trust Agreement to the satisfaction of the Senior Director of Growth Management and the Director of Hamilton Water, Public Works, and the Director of Planning. Prior to registration of said Agreements, the Owner shall post the financial securities required thereunder to the satisfaction of Senior Director of Growth Management and the Director of Hamilton Water, Public Works, and the Director of Planning.

City Council may remove the Holding provision 'H' and thereby give effect to the Recreational Open Space Zone "O3-10",Zone, Modified Zone provisions, for Block "2" to allow for a maximum of 100 seasonal trailer sites and Block "3" to permit the Private Sewage Treatment Plant with Dispersal fields by enactment of an amending By-law, once the above-noted conditions are satisfied.

26.3.11 O3-11 (See Schedule A-25)
#10-075

Zone Provisions

(a) Notwithstanding Section 5.2.2 – Height Restriction – Accessory Uses, a maximum height of 7.5 metres shall be permitted for an accessory building or structure existing on the date of the passing of this by-law, being the 23rd of June, 2010.

26.3.12 O3-12 (See Schedule A-22)
#12-149

Permitted Uses:

(a) Sub-section 26.1 shall apply.

Zoning Provisions for one accessory dwelling unit for maintenance and/or security purposes

(a)	Front Yard (minimum)	375 metres
(b)	Exterior Side Yard (minimum)	200 metres
(c)	Rear Yard (minimum)	465 metres
(d)	Maximum Distance from Clubhouse	130 metres
(e)	Maximum Gross Floor Area	120 square metres

(f) All other zone provisions of Sub-section 26.2 shall apply.

SECTION 27 – Special Open Space Zone O4

No person shall use any lot or erect, alter or use any building or structure within any Special Open Space Zone - O4 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 27.3.

27.1 PERMITTED USES

(a) Accessory Single Detached Dwellings for persons employed on the premises

(b) Commercial Uses, buildings and structures catering to the visiting public

(c) Park for the keeping and raising of any domesticated and/or wild animal, reptile or birds for educational, entertainment, recreational or scientific purposes

(d) Recreational Camping Establishment

27.2 ZONE PROVISIONS

(a) Lot Area (minimum).....40 hectares

(b) Lot Frontage (minimum) .....402 metres

(c) Height (maximum):

(i) Accessory Single Detached dwelling .....11 metres

(ii) Commercial uses .....11 metres

(iii) All other uses.....No Maximum

(d) Front Yard (minimum):

(i) Accessory Single Detached Dwelling .....11 metres

(ii) Commercial uses .....11 metres

(iii) All other uses.....30 metres

(e) Rear Yard (minimum):

(i) Accessory Single Detached Dwelling .....11 metres

(ii) Commercial uses .....8 metres

(iii) All other uses .....30 metres

(f) Interior Side Yard (minimum):

(i) Accessory Single Detached dwelling .....2 metres

(ii) Commercial uses .....5 metres

(iii) All other uses .....30 metres

(g) Exterior Side Yard (minimum):

(i) Accessory Single Detached Dwelling .....11 metres

(ii) Commercial uses .....11 metres

(iii) All other uses .....30 metres

(h) Landscaped Open Space (minimum).....No Minimum

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street.

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

27.3 <u>EXCEPTION NUMBERS</u>

SECTION 28 – Conservation Management Zone CM

No person shall use any lot or erect, alter or use any building or structure within any Conservation Management Zone - CM except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 28.3.

28.1 PERMITTED USES

(a) Agriculture, subject to the provisions of Subsection 33.2

(b) Any buildings or structures associated with flood or erosion control, drainage or watercourse protection

(c) Conservation

(d) Existing uses, buildings or structures

(e) Forestry

(f) Park

28.2 ZONE PROVISIONS

(a) Lot Area.....as existing

(b) Lot Frontage .....as existing

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 20%

(e) Front Yard (minimum) .....15 metres

(f) Rear Yard (minimum) .....7.5 metres

(g) Interior Side Yard (minimum).....7.5 metres

(h) Exterior Side Yard (minimum).....15 metres

(i) Landscape Open Space (minimum).....No Minimum

(j) Approval of Conservation Authority.....no building or structure shall be erected or altered within a CM zone except with the

written approval of the Conservation Authority having jurisdiction.

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

28.3 EXCEPTION NUMBERS

28.3.1 CM-1 (see Schedule Number A-11)
#94-88-Z

Permitted Uses:

(a) Any use permitted in a CM zone.

(b) Patio Furniture Outlet

(c) Retail Establishment for the sale of Antiques and Crafts

Zone Provisions:

(a) Subsection 28.2 shall apply.

28.3.2 CM-2 (see Schedule Number A-6)
#99-97-Z

Permitted Uses:

(a) Existing Single Detached Dwelling

(b) Custom Workshop (carpentry business)

(c) Any use permitted in a CM zone

Zone Provisions:

(a) Gross Floor Area (maximum) .....82 square metres for the custom workshop

(b) All other zone provisions of subsection 28.2 shall apply.

28.3.3 CM-3
#03-365

Permitted Uses

(a) Existing sewage disposal systems,
(b) Any use permitted in a CM zone.

28.3.4 CM-4 (See Schedule A-2)
#14-097
(OMB)

That notwithstanding the provisions of Section 28 of Zoning By-law No. 90-145-Z (Flamborough), the following special provisions shall apply to the lands zoned "CM-4":

Permitted Uses

(a) Conservation.

(b) Any buildings o} structures associated with flood or erosion control, drainage or watercourse protection.

Zone Provisions

(a) All provisions of Section 28.2 shall apply.

28.3.5 CM-5 (See Schedule A-11)
#10-075

Permitted Uses

Notwithstanding Section 28.2, only the following uses shall be permitted:

(a) Agriculture, subject to the provisions of Subsection 33.

(b) Conservation uses.

(c) Passive Recreation uses, excluding sports fields.

Zone Provisions

In accordance with Subsection 28.2

28.3.6 CM-6 (See Schedule A-32)
#14-099
(OMB)

Permitted Uses:

(a) Notwithstanding the uses permitted by Section 28.1 only the following uses shall also be permitted:

(i) Conservation
(ii) private access's across the CM-6 Zone to the District Commercial Block (UC-14 H Zone).

No person shall use any lot or erect, alter or use any building or structure within any Prestige Industrial Zone - M1 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 29.3.

29.1 PERMITTED USES

(a) Accessory Retail Sale of Goods produced on the premises.

(b) Business, Professional or Administrative Office

(c) Clinic

(d) Community Centre

(e) Computer, Electronic or Data Processing Establishment

(f) Exhibition Conference Hall

(g) Hotel

(h) Industrial Research and Development Establishment

(i) Manufacturing, Processing, Assembling, Packaging, Fabricating, Warehousing and Storage within a wholly enclosed building

(j) Motel

#92-22-Z (k) Place of Entertainment

(l) Place of Recreation

(m) Printing or Publishing Establishment

(n) Public Use

#09-131 (o) Waste Transfer Facility

#09-131 (p) Waste Processing Facility

29.2 ZONE PROVISIONS

(a) Lot Area (minimum).....3000 square metres

(b) Lot Frontage (minimum) .....40 metres

(c) Height (maximum):

OMB (i) 11 metres within 110 metres of the Niagara Escarpment brow, as determined by the Town of Flamborough and Niagara Escarpment Commission.

OMB (ii) 15 metres in all other locations.

(d) Lot Coverage (maximum) 50%

(e) Front Yard (minimum) .....15 metres

(f) Rear Yard (minimum):

(i) Abutting a Provincial highway .....15 metres

(ii) Abutting all other uses .....10 metres

(g) Interior Side Yard (minimum):

(i) Abutting any Open Space or Conservation Management Zone .....15 metres

(ii) Abutting all other zones.....5 metres

(h) Exterior Side Yard (minimum):

(i) Abutting a Provincial highway .....15 metres

(ii) Abutting all other uses .....10 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street.

#99-97-Z (j) Landscaped Open Space - All portions of any lot not covered by buildings or not used for driveways, parking, loading or walkways, shall be seeded or sodded with grass, trees and other suitable vegetation cover designed to provide an attractive appearance.

(k) Open Storage - No portion of a lot shall be used for the storage of goods or materials unless such storage is wholly enclosed within a building except as provided in Subsection 5.20 (d).

(l) Retail floor area (maximum):

#95-69-Z The retail sale of goods shall be limited to a maximum of 25% of the gross floor area of the permitted use.

(m) General Provisions - in accordance with the provisions of Section 5 hereof.

#09-131(n) Waste Transfer Facility and Waste Processing Facility - In addition to the regulations of SECTION 29, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

29.3 EXCEPTION NUMBERS

29.3.1 M1-1 (See Schedule A-29)
#95-69-Z

Permitted Uses shall be restricted to:

(a) Any use permitted in an 'M1' zone, in accordance with the provisions of Section 29.2

(b) Automobile Service Station subject to Section 21.2

(c) Convenience Store

(d) Custom Workshop

(e) Dry Cleaning Distribution Station

(f) Dry Cleaning Establishment

(g) Financial Institution

(h) Gas Bar subject to Section 21.2

(i) Home Improvement, Household Furniture, Appliance Outlet and/or Lawn and Garden Centre

(j) Personal Service Establishment

(k) Restaurant - standard, convenience or fast food

Zone Provisions:

(a) Lot Area (minimum).....1000 square metres

(b) Lot Frontage (minimum) .....20 metres

(c) Lot Coverage (maximum) 30%

(d) Gross Floor Area (maximum):

Convenience Retail Store .....93 square metres

(e) The outdoor display of goods for sale to the general public may be permitted provided that:

(i) it is not located in a required yard;

(ii) it does not encroach on areas required for parking, loading, access driveways or landscaping; and

(iii) it does not exceed 10% of the lot area.

(f) All other zone provisions of Subsection 29.2 shall apply.

29.3.2 M1-2 (See Schedule A-29)
#95-69-Z

Permitted Uses shall be restricted to:

(a) Automobile Body Shop

(b) Any use permitted in an M1-1 zone

Zone Provisions:

(a) Subsection 29.3.1 shall apply; except that the outdoor display of goods in provision (e) shall not be permitted in conjunction with an Automobile Body Shop.

29.3.3 M1-3 (See Schedule A-29)
#95-69-Z

Permitted Uses shall be restricted to:

(a) Automobile Repair Garage

(b) Any use permitted in an M1-1 zone

Zone Provisions:

(a) Subsection 29.3.1 shall apply; except that the outdoor display of goods in provision (e) shall not be permitted in conjunction with an Automobile Repair Garage.

29.3.5 M1-5 (See Schedule A-29)
#95-70-Z; #99-70-Z

Permitted Uses shall be restricted to:

(a) Any use permitted in a Prestige Industrial 'M1-1' zone in accordance with Permitted Uses, Clauses (a) to (k).

(b) One Major Automotive Retail Store

(c) One Department Store

(d) Retail Warehouses, except that a Retail Warehouse shall not include a liquor, wine, beer or drug store.

Zone Provisions:

(a) Minimum Floor Area Major Automotive Retail Store.....3716 square metres (b)

Minimum Floor Area Department Store .....6503 square metres (c)

Minimum Floor Area Retail Warehouse .....464.5 square metres (d)

Maximum Combined Gross Floor Area.....11,613 square metres

(e) Maximum Number of Individual Retail Warehouses With Gross Floor Area between 464.5 sq. m to 697 sq. m.
.....Six (6)

(f) Each individual retail warehouse shall have all of its customer access doors opening directly outdoors and shall not open onto another store or an enclosed corridor.

(g) All other zone provisions of Subsection 29.3 shall apply.

29.3.6 M1-6 (See Schedule A-29)
#95-70-Z

Permitted Uses shall be restricted to:

(a) Accessory Retail Sale of goods produced on the premises

(b) Business, Professional or Administrative Office

(c) Clinic

(d) Community Centre

(e) Computer, Electronic or Data Processing Establishment

(f) Exhibition Conference Hall

(g) Industrial Research and Development Establishment

(h) Manufacturing, Processing, Assembling, Packaging, Fabricating, Warehousing and Storage within a wholly enclosed building.

(i) Place of Entertainment

(j) Place of Recreation

(k) Printing or Publishing Establishment

(l) Public Use

Zone Provisions:

(a) The provisions of Subsection 29.2 shall apply.

29.3.7 M1-7 (See Schedule A-29)
#95-69-Z

Permitted Uses shall be restricted to:

(a) Wholesale and/or Retail Warehouse Facility

(b) Any use permitted in an M1-1 zone

Zone Provisions:

(a) Subsection 29.3.1 shall apply; except that the outdoor display of goods in provision (e) shall not be permitted in conjunction with an Automobile Repair Garage.

29.3.8 M1-8 (See Schedule A-29)
#95-92-Z

Permitted Uses:

(a) Commercial airport transit service

(b) Any use permitted in an M1 zone, in accordance with the provisions of Section 29.2

(c) Any use permitted in an M1-1 zone, in accordance with the provisions of Section 29.3

Zone Provisions:

(a) Open Storage:

(i) No portion of a lot shall be used for the storage of goods or materials unless such storage is wholly enclosed within a building, except as provided in Subsection

5.20 (d).

(ii) No portion of a lot shall be used for the parking or storage of commercial airport transit vehicles unless such storage is screened from view from the street, to a height of 2 metres, by a berm and/or planting strip.

(b) All other applicable provisions of Subsections 29.2 and 29.3.1 apply.

29.3.9 M 1-9 (see Schedule A-29)
#98-02-Z

Permitted Uses

(a) Any use permitted in an M1 zone.

(b) Existing single detached dwelling.

Zone Provisions

The provision of Subsection 29.2 shall apply.

29.3.10 M1-10 (See Schedule A-29)
#99-47-Z

Permitted Uses:

(a) Section 29.1 shall apply.

Zone Provisions:

(a) Lot area (minimum).....850 square metres

(b) Lot Frontage (minimum) .....25 metres

(c) Front Yard (minimum) .....8 metres

(d) Interior Side Yard (minimum).....0.28 metres

(e) Exterior Side Yard (minimum).....8 metres

(f) Open Storage – no portion of the lot shall be used for the open storage of goods or materials.

(g) All other provisions of Section 29.2 shall apply.

(h) For the purpose of this By-law, Sections 5.12.2, 5.12.3, 5.13.1 (a), 5.21.1 and 5.21.5 shall not apply.

29.3.11 M1-11 (See Schedule A-29)
#03-332, #05-021

(a) Permitted Uses:

Wholesale and Retail Warehouse Facilities
Retail Establishments
Automobile Service Station subject to Section 21.2
Business, Professional or Administrative Office
Medical Clinic
Computer, Electronic or Data Processing Establishment
Dry Cleaning Establishment
Dry Cleaning Distribution Station
Financial Institution
Funeral Home
Industrial Research and Development Establishment
Personal Service Establishment
Place of Entertainment
Place of Recreation
Printing or Publishing Establishment
Restaurant - standard, convenience or fast food
Video Rental Establishment
Accessory Convenience Retail Store
Gas Bar subject to Section 21.2
Car Wash as an accessory use to a gas bar, subject to Section 21.2
Community Centre
Public Use
Warehouse Membership Club
Motel
Hotel

(b) Zone Provisions:

(i)	Minimum Lot Frontage	30 metres
(ii)	Minimum Lot Area	8,000 square metres
(iii)	Maximum Lot Coverage	30 percent
(iv)	Maximum Total Gross Floor Area for all uses excluding Motel, Hotel, Community Centre and Public Use	52,000 square metres

(v) Retail Establishments, Wholesale and Retail Warehouse Facilities Warehouse Membership Clubs:

1. Maximum Gross Floor Area

for any individual outlet 12,077 square metres

2. Minimum Gross Floor Area
for any individual outlet 1,858 square metres

3. Notwithstanding Zone Provision (v)(2) above, a maximum of 35% of the total existing Gross Floor Area of all Retail Establishments, Wholesale and Retail Warehouse Facilities and Warehouse Membership Clubs each equal to or exceeding 1,858 square metres Gross Floor Area shall be permitted as Retail Establishments each having a minimum Gross Floor Area between 465 square metres and 1,857 square metres.

(vi) Notwithstanding (vi) above and Section 3 - Definitions, non-retail floor space shall not be included in the calculation of maximum gross floor area for a Supermarket.

(vii) 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 an unenclosed corridor."

(viii) Notwithstanding the provisions of Section 5.21 - PARKING REGULATIONS, which shall apply only to Motel, Hotel, Community Centre and Public Use, the minimum number of parking spaces to be provided and maintained for all other uses shall be five (5) spaces per 100 square metres of Gross Floor Area.

(ix) Notwithstanding any other provisions of Zoning By-law No. 90-145-Z to the contrary, lands zoned Prestige "M1-11" and identified on Schedule "A" to this By-law shall be treated as a single lot for zoning purposes, notwithstanding any consolidation or division of the same and the internal lot lines shall not be construed to be lot lines for the purposes of any zoning regulations, provided all applicable regulations of this By-law relative to all of the lands zoned Prestige Industrial "M1-11" and their external lot lines are observed.

(xvii) All other provisions of Subsection 29.2 shall apply.

(x) Yard abutting a streetline other than a Provincial Highway (minimum) 6.0 metres

(xi) Yard abutting a Provincial Highway (minimum) 14 metres

(xii) Interior Side Yard (minimum) 3 metres

(xiii) Rear yard not abutting a streetline or Provincial Highway (minimum) 7.5 metres

(xiv) Planting Strip (minimum) 6.0 metres width across all lot lines abutting a street

(xv) Maximum Gross Floor Area for an Accessory Convenience Retail Store 93 square metres

(xvi) For the purposes of this By-law, a "Warehouse Membership Club" shall be defined as 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.

29.3.12 M1-12 (see Schedule A-29)
#05-021, #11-289

(a) PERMITTED USES

- Accessory Convenience Retail Store
- Wholesale and Retail Warehouse Facility
- Retail Establishment
- Automobile Service Station subject to Section 21.2
- Gas Bar subject to Section 21.2
- Car Wash as an accessory use to a gas bar, subject to Section 21.2
- Business, Professional or Administrative Office
- Medical Clinic
- Computer, Electronic or Data Processing Establishment
- Community Centre
- Dry Cleaning Establishment
- Dry Cleaning Distribution Station
- Exhibition Conference Hall
- Financial Institution
- Funeral Home
- Industrial Research and Development Establishment
- Personal Service Establishment
- Place of Entertainment
- Place of Recreation
- Printing or Publishing Establishment
- Public Use
- Restaurant - standard, convenience or fast food
- Video Rental Establishment
- Warehouse Membership Club
- Motel
- Hotel

(b) ZONE PROVISIONS

(i) Minimum Lot Frontage 30 metres

(ii) Minimum Lot Area 8,000 square metres

(iii) Maximum Lot Coverage 30% except a lot with only Business, Professional or Administrative Office which shall be permitted a maximum lot coverage of 50%

(iv) Yard abutting a streetline other than a Provincial Highway (minimum). 0.6 metres

(v) Yard abutting a Provincial Highway (minimum) 14 metres

(vi) Interior Side Yard (minimum) 3 metres

(vii) Rear yard not abutting a streetline or Provincial Highway (minimum). 7.5 metres

(viii) Planting Strip (minimum) 6.0 metres width across all lot lines abutting a street.

(ix) Notwithstanding Zone Provision (b)(viii) above, 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 by 15 metre landscaped triangle shall also include a gateway feature which shall be defined through site plan approval.

(x) Maximum Total Gross Floor Area for all uses excluding Motel, Hotel Community Centre and Public Use 55,740 square metres

(xi) Retail Establishments, Wholesale and Retail Warehouse Facilities, Warehouse Membership Clubs:

1. Minimum Gross Floor Area for any individual outlet 1,858 square metres

2. Notwithstanding Zone Provision (xi)(3) above, a maximum of 35% of the total existing Gross Floor Area of all Retail Establishments, Wholesale and Retail Warehouse Facilities and Warehouse Membership Clubs each equal to or exceeding 1,858 square metres Gross Floor Area shall be permitted as Retail Establishments each having a minimum Gross Floor Area between 465 square metres and 1,857 square metres.

(xii) Minimum Gross Floor Area for each Restaurant - standard, convenience, or fast food (excluding restaurants accessory to a retail use) 372 square metres

(xiii) Maximum Gross Floor Area for an Accessory Convenience Retail Store 93 square metres

(xiv) 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.

(xv) Notwithstanding the provisions of Section 5.21, PARKING REGULATIONS, which shall apply only to Motel, Hotel, Community Centre, Exhibition Conference Hall and Public Use; the minimum number of parking spaces to be provided and maintained for all other uses shall be five (5) spaces per 100 square metres of Gross Floor Area.

(xvi) Notwithstanding any other provisions of Zoning By-law No. 90-1 45-2 to the contrary, lands zoned Prestige Industrial 'M1-12' and identified on Schedule A-29 to this By-law shall be treated as a single lot for the purposes of Zone Provisions (x) and (xi) above, notwithstanding any consolidation or division of the same.

(xvii) For the purposes of this By-law, a "Warehouse Membership Club' shall be defined as 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.

(xviii) All other provisions of Subsection 29.2 ('M1' Zone) shall apply.

(c) <u>HOLDING PROVISIONS</u>

The Holding provisions of Section 36 (1) of the Planning Act. R.S.O.. 1990, as amended, apply to the lands zoned 'Ml-12' by introducing the Holding symbol H' as a suffix to the proposed Site-Specific Prestige Industrial Zone.

The Holding Provision 'Ml-12-1' will prohibit all permitted uses, except a Motel Hotel, Community Centre and Public Use on the lands zoned 'M1-12' until such time that:

(i) A Traffic Impact Study has been submitted to the satisfaction of the Ministry of Transportation and the City of Hamilton which recommends the transportation improvements required to accommodate a maximum gross floor area of 39,947 square metres, excluding motel, hotel, community centre and public uses; and,

(ii) Arrangements, financial and otherwise, for improvements recommended in the above study have been completed to the satisfaction of the Ministry of Transportation and the City of Hamilton.

The Holding Provision 'M1-12-2' will prohibit the gross floor area exceeding 39,947 square metres, excluding a Motel, Hotel, Community Centre and Public Use, on the lands zoned 'Ml-12' until such time as:

(i) A Traffic Impact Study has been submitted to the satisfaction of the Ministry of Transportation and the City of Hamilton which recommends the transportation improvements required; and,

(ii) Arrangements, financial and otherwise, for any required road accesses, roadway infrastructure or interchange works recommended in the above study have been completed to the satisfaction of the Ministry of Transportation and the City of Hamilton.

The Holding provision 'Ml-12-3' will prohibit the use of the lands zoned 'Ml-12' for a Warehouse Membership Club until a market impact study has been submitted to the satisfaction of the City of Hamilton's Director of Development and Real Estate that demonstrates that there will be no significant impact on the planned function of other commercial areas.

City Council may remove the 'H' symbol, and thereby give effect to the Site-Specific Prestige Industrial 'M1-12' Zone provisions by enactment of an amending By-law once the conditions are fulfilled."

29.3.13 M1-13 (see Schedule A-29)
#09-054

Permitted Uses:

(a) Any use permitted in a Prestige Industrial "M1" Zone or Prestige Industrial "M1-1" Zone.

(b) Retail Establishments with a maximum total combined Gross Floor Area of 2,500 square metres and a minimum unit size of 465 square metres.

(c) Automotive Convenience Centre, which for the purposes of this By-law shall mean:

"a single building, containing more than one individual outlet, with a minimum Gross Floor Area of 465 square metres and a maximum Gross Floor Area 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."

(d) Car Wash as an accessory use to a gas bar, subject to Section 21.2

Zone Provisions:

(a) That Subsection 29.3.1 shall apply, except as noted in Clauses (b), (c), (d), (e), (f), (g) and (h) of the Zone Provisions Subsection of this By-law below.

(b) Front Yard (minimum): 6.0 metres

(c) Height (maximum): 11.0 metres

(d) A minimum interior Side Yard setback of 3.0 metres shall be provided and maintained, except that a minimum 15 metre setback is required to any Open Space or Conservation Management Zone within Zoning By-law No. 90-145-Z, or to any Open Space and Park Zone within Zoning By-law No. 05-200.

(e) For an Automobile Service Station, Gas Bar, Automotive Convenience Centre, and for any use proposed with a Drive-Through, a minimum setback of 45 metres from a Residential Zone.

(f) Notwithstanding the provisions of Section 5.21, PARKING REGULATIONS, which shall apply only to Motel, Hotel, Exhibition Conference Hall and Public Use; the minimum number of parking spaces to be provided and maintained for all other uses shall be five (5) spaces per 100 square metres of Gross Floor Area.

(g) The provisions of Section 5.13, LOADING REGULATIONS, shall apply to all uses, except that no loading space is required for a financial institution.

(h) A gateway feature consisting of landscaping and/or a decorative fence/structure shall be permitted within a planting strip and landscaped open space abutting Dundas Street East.

29.3.14 M1-14 (H) (See Schedule A-29)
#16-074
(OMB)

Permitted Uses:

- Animal Hospital
- Automotive Convenience Centre
- Automobile Service Station subject to Section 21.2
- Business, Professional or Administrative Office
- Car Wash
- Commercial School
- Community Centre
- Computer, Electronic or Data Processing Establishment
- Convenience Retail Store
- Daycare Centre
- Dry Cleaning Establishment
- Dry Cleaning Distribution Station
- Exhibition Conference Hall

- Financial Institution
- Funeral Home
- Gas Bar subject to Section 21.2
- Hotel
- Industrial Research and Development Establishment
- Medical Clinic
- Mini-Storage with a wholly enclosed building(s) with no associated outdoor storage permitted
- Motel
- Outdoor Storage Areas associated with a Garden Centre and a Home Improvement/Building Supplies Establishment
- Personal Service Establishment
- Place of Entertainment
- Place of Recreation
- Printing or Publishing Establishment
- Public Use
- Restaurant - standard, convenience or fast food
- Retail Establishment
- Video Rental Establishment
- Warehouse Membership Club
- Wholesale and Retail Warehouse Facility

Zone Provisions:

(a) Minimum Lot Frontage:	30 metres
(b) Minimum Lot Area - Restaurant	1240 square metres
(c) Minimum Lot Area – All Other Uses	1500 square metres
(d) Maximum Lot Coverage	30% except a lot with only Business, Professional or Administrative Office which shall be permitted a maximum lot coverage of 50%
(e) Yard abutting a streetline other than a Provincial Highway	3 metres
(f) Interior Side Yard (minimum)	3 meters (15m where abutting any Open Space or Conservation Management Zone within By-law 05-200 or 90-145-Z
(g) Rear yard not abutting a streetline or Provincial Highway (minimum)	6 metres

(e)	Planting Strip (minimum)	6 metres width across all lot lines abutting a street except 3 metres where a building is located adjacent to a street. Applicable only to Block 2 on Schedule 'A' of this By-law, a transformer is permitted to be located within the required Planting Strip

(f) Notwithstanding the Zone Provisions above, 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 by 15 metre landscaped triangle shall also include a gateway feature which shall be defined through site plan approval.

(g)	Maximum Total Gross Floor Area for all uses excluding Motel, Hotel Community Centre and Public Use Blocks 1 and 2 Combined	71,000 square metres
	Maximum Total Gross Floor Area for all uses excluding Motel, Hotel Community Centre and Public Use Block 3	7,000 square metres
	Maximum Total Gross Floor Area for all uses excluding Motel, Hotel Community Centre and Public Use Block 4	30,000 square metres
	Maximum Total Gross Floor Area for all uses excluding Motel, Hotel Community Centre and Public Use Block 5	31,000 square metres

(h) 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.

(i) Notwithstanding the provisions of Section 5.21, PARKING REGULATIONS, which shall apply only to Motel, Hotel, Community Centre, Exhibition Conference Hall and Public Use; the minimum number of parking spaces to be provided and maintained for all other uses shall be five (5) spaces per 100 square metres of Gross Floor Area except one (1) space per 30 square meters of Gross Floor Area shall be provided and maintained for Block 2 on Schedule 'A' to this By-law.

(j) That applicable to Block 2 only on Schedule 'A' to this By-law, that notwithstanding the provisions of Section 5.13, LOADING REGULATIONS, 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.

(k) That applicable to Block 2 only on Schedule 'A' to this By-law, that notwithstanding the provisions of Section 5.20, OPEN STORAGE, refuse containers are permitted to be located in an exterior side yard.

(l) For the purposes of this By-law, a "Warehouse Membership Club' shall be defined as 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.

(m) For the purposes of this By-law, an "AUTMOTIVE CONVENIENCE CENTRE" shall mean a single building, containing more than one individual outlet, with a minimum Gross Floor Area of 1,050 square metres, and which contains a gas bar and/or car wash on the same lot and which the 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"

(n) All outdoor storage areas, including a garden centre and a home improvement/building supplies area, shall be permitted provided that they are screened from view.

(o) For lands located within Block 3,4 and 5, only one Mini-Storage use shall be permitted and only if setback a minimum of 150m from both Highway No. 5 E (Dundas Street East) and from Highway No. 6. For lands located within Blocks 1 and 2, only one Mini-storage use shall be permitted and only if setback a minimum of 150m from Highway No. 5 (Dundas Street East) and setback a minimum 100m from Highway No. 6.

(p) All other provisions of Subsection 29.2 ('M1' Zone) shall apply except where modified by the above noted provisions.

Holding Provisions:

The Holding provisions of Section 36 (1) of the Planning Act. R.S.O., 1990, as amended, apply to the land within Blocks 1, 2 and 5 by introducing the Holding symbol 'H' as a suffix to the proposed Site-Specific Prestige Industrial Zoning.

The Holding Provision 'Ml-14-1' will prohibit development beyond 55,740 square metres of gross floor area for all uses within Blocks 1 and 2 excluding motel, hotel, community

centre and public uses until such time as arrangements, financial or otherwise, are made for a road connection to Parkside Drive to the satisfaction of the Director of Planning and Chief Planner.

The Holding Provision 'M1-14-2' will prohibit the use of the subject lands for the proposed purposes as it affects Block 5 until such time that a municipal road allowance connecting the subject lands to Dundas Street East (HWY No. 5) has been dedicated to the City of Hamilton by way of a plan of subdivision to provide appropriate access to the subject lands, to the satisfaction of the Director of Planning and Chief Planner.

City Council may remove the 'H' symbol, and thereby give effect to the Site-Specific Prestige Industrial 'M1-12' Zone provisions by enactment of an amending By-law once the conditions are fulfilled for each of Blocks 1, 2 and 5."

No person shall use any lot or erect, alter or use any building or structure within any General Industrial Zone - M2 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 30.3.

30.1 PERMITTED USES

(a) Accessory Business, Professional or Administrative Offices

(b) Accessory Open Storage

(c) Accessory Retail Sale of Goods produced on the premises

(d) Automobile Body Shop

(e) Automobile Repair Garage

(f) Food and Beverage Plant

(g) Industrial Machinery and Equipment Rental and Leasing Establishment

(h) Lumberyard

(i) Manufacturing, Processing, Assembling, Packaging, Fabricating, Repairing, Servicing, Construction and Warehousing

(j) Product Warehouse and Display Centre, but does not include an Automobile Sales and Service Establishment

(k) Propane and Natural Gas Conversion and Repair Shop

(l) Public Utilities Yard

(m) Truck Cartage Terminal

(n) Truck Depot

#09-131 (o) Waste Transfer Facility

#09-131 (p) Waste Processing Facility

30.2 ZONE PROVISIONS

(a) Lot Area (minimum).....1800 square metres

(b) Lot Frontage (minimum) .....30 metres

(c) Height (maximum):

OMB (i) 11 metres within 110 metres of the Niagara Escarpment brow, as determined by the Town of Flamborough and Niagara Escarpment Commission.

OMB (ii) 15 metres in all other locations.

(d) Lot Coverage (maximum) 60%

(e) Front Yard (minimum) .....10 metres

(f) Rear Yard (minimum) .....10 metres

(i) Abutting any Open Space or Conservation Management zone .....15 metres

(ii) Abutting all other zones.....10 metres

(g) Interior Side Yard (minimum).....3 metres

(i) Abutting any Open space or conservation management zone .....15 metres

(ii) Abutting all other zones.....3 metres

(h) Exterior Side Yard (minimum).....7 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street.

(j) Landscaped Open Space (minimum).....10%

(k) Open Storage:

(i) Truck Cartage Terminal (maximum).....50%

Notwithstanding Subsection 5.12.2 (h), the required planting strip shall have an ultimate height of 2 metres above the elevation of the ground at the nearest lot line subject to the provisions of Subsection 5.27.

(ii) All Other Permitted Uses (maximum).....30%

(l) Retail Floor Area (maximum):

#95-69-Z The retail sale of goods shall be limited to a maximum of 25% of the gross floor area of the permitted use.

(m) General Provisions - in accordance with the provisions of Section 5 hereof.

#09-131 (n) Waste Transfer Facility and Waste Processing Facility - In addition to the regulations of SECTION 30, any building, structure or land used for a Waste Transfer Facility or a Waste Processing Facility, shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line.

30.3 EXCEPTION NUMBERS

30.3.1 M2-1 (See Schedule A-29)
#95-69-Z

Permitted Uses shall be restricted to:

(a) Any use permitted in an M2 zone, in accordance with the provisions of Section 30.2

(b) Automobile Service Station subject to Section 21.2

(c) Building Supply Outlet

(d) Convenience Store

(e) Custom Workshop

(f) Dry Cleaning Establishment

(g) Dry Cleaning Distribution Station

(h) Financial Institution

(i) Gas Bar subject to Section 21.2

(j) Home Improvement, Household Furniture, Appliance Outlet and/or Lawn and Garden Centre

(k) Personal Service Establishment

(l) Place of Entertainment

(m) Restaurant - standard, convenience or fast food

Zone Provisions:

(a) Lot Area (minimum).....450 square metres

(b) Lot Frontage (minimum) .....15 metres

(c) Lot Coverage (maximum) 30%

(d) Gross Floor Area (maximum):
Convenience Retail Store .....93 square metres

(e) All other zone provisions of Subsection 30.2 shall apply.

30.3.2 M2-2 (See Schedules A-11 and A-29)
#06-015-Z

PERMITTED USES

(a) A crushing operation shall be permitted only as an accessory use to Manufacturing, Processing, Assembling, and Fabricating.

(b) All other permitted uses of Subsection 30.1 shall apply.

ZONE PROVISIONS

(a) Height of Buildings and Structures (maximum)

(i) 25 metres for a Batch Plant.

(ii) 15 metres in all other cases.

(b) Planting Strip (minimum)

(i) 5.0 metres wide along the northerly lot line.

(ii) 5.0 metres wide along the westerly lot line from the rear lot line south to a distance of 408 metres.

(iii) 50.0 metres wide, including a minimum 7.5 metre high berm, along the easterly lot line from the rear lot line south to a distance of 243 metres.

(iv) 10.0 metres wide, including a minimum 3.5 metre high noise wall, along the easterly lot line from the southerly limit of the Planting Strip as required in Provision b (iii) south to a distance of 165 metres.

(c) Open Storage

(i) Manufacturing, Processing, Assembling, Fabricating (maximum): 60%

(ii) All other Permitted Uses (maximum): 30%

(iii) Upon removal of the 'H' Holding symbol, the lands within 20.0 metres of the westerly limit of the Planting Strip as required by Provision b (iii) shall only be

used for the Open Storage of operational assets of the permitted uses of Manufacturing, Processing, Assembling, and Fabricating, at a maximum height of 3.0 metres.

(d) An accessory crushing operation shall only be permitted on the west side of a Building or Structure existing on the day of the passing of this By-law being the 25th day of January, 2006.

(e) Easterly Side Yard - minimum of 300 metres for all Buildings and Structures within 408 metres of the northerly rear lot line.

(f) Parking (minimum):

(a) 1 parking space per 110 square metres of Gross Floor Area for an Industrial Use.

(b) All other provisions of Subsection 5.21 shall apply.

(c) All other zone provisions of Subsection 30.2 shall apply.

HOLDING PROVISIONS

The Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, as amended, apply to Block "2" by introducing the Holding symbol 'H' as a suffix to the proposed Site-Specific General Industrial Zone.

The Holding Provision 'M2-2(H)' will prohibit the use of the subject lands until such time that:

(i) A Certificate of Approval has been granted by the Ministry of Environment pursuant to Section 9 of the Environmental Protection Act, for the Open Storage of operational assets with restrictions on loading and unloading during non-daytime hours.

Council may remove the 'H' symbol, and thereby give effect to the Site-Specific 'M2-2' Zone provisions by enactment of an amending By-law once the condition is fulfilled.

No person shall use any lot or erect, alter or use any building or structure within any Rural Industrial Zone - M3 except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 31.3.

31.1 PERMITTED USES

(a) Accessory Business, Professional or Administrative Office

(b) Accessory Open Storage

(c) Accessory Retail Sale of Goods produced on the premises

(d) Agricultural Processing Establishment

(e) Automobile Body Shop

(f) Automobile Repair Garage

(g) Automobile Towing Establishment

(h) Fuel Depot

(i) Manufacturing, Processing, Assembling, Packaging, Fabricating, Repairing, Servicing and Warehousing and Storage

(j) Pipeline and Pumping Station

(k) Propane and Natural Gas Conversion and Repair Shop

(l) Truck Cartage Terminal

(m) Truck Depot

31.2 ZONE PROVISIONS

(a) Lot Area (minimum).....3000 square metres

(b) Lot Frontage (minimum) .....45 metres

(c) Height (maximum) .....15 metres

(d) Lot Coverage (maximum) 50%

(e) Front Yard (minimum) .....7.5 metres

(f) Rear Yard (minimum):

(i) Abutting any residential use or zone .....10 metres

(ii) Abutting all other zones.....7.5 metres

(g) Interior Side Yard (minimum):

(i) Abutting any residential use or zone .....10 metres

(ii) Abutting all other zones.....3 metres

(h) Exterior Side Yard (minimum).....10 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street.

(j) Landscaped Open Space (minimum).....10%

(k) Open Storage:

(i) Truck Cartage Terminal - Notwithstanding Subsection 5.12.2 (h), the required planting strip shall have an ultimate height of 2 metres above the elevation of the ground at the nearest lot line subject to the provisions of Subsection 5.27.

(l) Retail Floor Area (maximum):

The retail sale of goods shall be limited to a maximum of 10% of the gross floor area of the permitted use.

(m) General Provisions - in accordance with the provisions of Section 5 hereof.

31.3 EXCEPTION NUMBERS

31.3.1 M3-1 (See Schedule Number A-24)

Permitted Uses shall be restricted to:

(a) Foundry Operation

(b) Retail Establishment for the sale of sporting goods

Zone Provisions:

(a) Gross Floor Area (maximum):

The retail establishment for the sale of sporting goods shall be a maximum of 464.5 square metres of gross floor area.

(b) All other zone provisions of Subsection 31.2 shall apply.

31.3.2 M3-2 (See Schedule Number A-7)

Permitted Uses shall be restricted to:

(a) Storage and Distribution of Chemicals.

Zone Provisions:

(a) Lot Coverage (maximum) 11%

(b) All other zone provisions of Subsection 31.2 shall apply.

31.3.3 M3-3 (See Schedule Number A-10)

Permitted Uses shall be restricted to:

(a) Salvage Yard

Zone Provisions:

(a) A continuous solid fence not less than 2 metres in height wholly enclosing the salvage yard shall be required.

(b) All other zone provisions of Subsection 31.2 shall apply.

31.3.4 M3-4 (See Schedule Number A-36)

Permitted Uses shall be restricted to:

(a) The extracting of oil from fish or animal matter and the processing of oil products.

(b) The rendering and recycling of food and meat by-products.

31.3.5 M3-5 (See Schedule Number A-7)

Permitted Uses:

(a) Any use permitted in a M3 zone.

(b) Automobile Repair Garage

(c) Convenience Retail Store

(d) Place of Recreation

(e) Restaurant, Convenience

Zone Provisions:

(a) Subsection 31.3 shall apply.

31.3.6 M3-6

Permitted uses shall be restricted to:

(a) Automobile Service Station

(b) Automobile Wrecking Establishment

Zone Provisions:

(a) Subsection 30.3 shall apply.

31.3.7 M3-7 (See Schedule Number A-13)

Permitted Uses:

(a) Any use permitted in a M3 zone.

(b) Retail Establishment

Zone Provisions:

(a) Lot frontage (minimum).....161 metres

(b) Gross Floor Area:

Retail Establishment - shall be restricted to the existing gross floor area.

(c) All other zone provisions of Subsection 31.2 shall apply.

31.3.8 M3-8 (See Schedule Number A-24)

Permitted Uses:

(a) A landfill for the dumping of foundry wastes and/or flue dust.

Zone Provisions:

(a) Subsection 31.2 shall apply.

31.3.9 M3-9 (See Schedule Number A-37)

Permitted Uses:

(a) Subsection 30.1 shall apply.

Zone Provisions:

(a) Height (maximum):

Silo .....24.4 metres

All other Buildings and structures.....18.2 metres

(b) Open Storage:

Notwithstanding Subsection 5.20(a), open storage shall be permitted in the front yard at a minimum horizontal distance of 9.14 metres from the front lot line.

Notwithstanding Subsection 5.20(b), no planting strip shall be required for the open storage areas.

(c) All other zone provisions of Subsection 31.2 shall apply.

31.3.10 M3-10 (See Schedule Number A-22)

#96-92-Z Permitted Uses:

(a) Any use permitted in a M3 zone.

(b) Blending and sale of fertilizers

(c) Sale and servicing of agricultural equipment and industrial equipment which is used for agricultural purposes

(d) Sale and servicing of lawn and garden equipment.

Zone Provisions:

(a) Lot Area (minimum).....5 hectares

(b) Lot Frontage (minimum) .....174 metres

(c) All other zone provisions of Subsection 31.2 shall apply.

31.3.11 M3-11 (See Schedule Number A-37)

Permitted Uses:

(a) Any use permitted in Subsection 31.1 with the exception of abattoirs, slaughterhouses, accessory open storage and truck cartage terminals.

Zone Provisions:

(a) All permitted uses shall be carried on within wholly enclosed buildings or structures.

(b) No Open Storage except as permitted in Subsection 5.20(d).

(c) All other zone provisions of Subsection 31.2 shall apply.

31.3.12 M3-12 (H) (See Schedule Number A-7)
OMB
#deleted #99-97-Z.

31.3.13 M3-13 (See Schedule Number A-10)
#94-08-Z

Permitted Uses:

(a) Accessory Business, Professional or Administrative Office

(b) Accessory Open Storage

(c) Accessory Retail Sale of Goods produced on the premises

(d) Manufacturing, Processing, Assembling, Packaging, Fabricating, Repairing, Servicing, Warehousing, and Storage

(e) Public Works Yard

Zone Provisions:

(a) Lot Area (minimum).....3000 square metres

(b) Lot Frontage (minimum) .....45 metres

(c) Height (maximum) .....15 metres

(d) Lot Coverage (maximum) 50%

(e) Front Yard (minimum) .....30 metres

(f) Rear Yard (minimum):

(i) abutting any lot containing a residential use or zoned for residential purposes .....90 metres

(ii) all other uses .....15 metres

(g) Interior Side Yard (minimum).....same as rear yard

(h) Exterior Side Yard (minimum).....30 metres

(i) Accessory Buildings and Structures:

Notwithstanding subsections 5.2.3(a) and 5.2.3(b), no accessory building or structure shall be located less than 15 metres from any lot line.

(j) Planting Strip (minimum):

Notwithstanding subsection 5.12.2(g), a 15 metre wide planting strip is required across the entire frontage, flankage and adjacent to any lot line which abuts a residential use or a lot zoned for residential purposes. The required planting strip shall be bermed throughout to a minimum height of 1 metre, and shall contain trees and shrubs with a minimum height of one metre on planting.

(k) General Provisions - in accordance with the provisions of Section 5 hereof.

31.3.14 M3-14 (See Schedule Number A-7)
#95-116-Z

Permitted Uses:

(a) Automobile Repair Garage

(b) Single Detached Dwelling

(c) Truck Depot

Zone Provisions:

(a) Subsection 31.2 shall apply.

31.3.15 M3-15 (See Schedule A-37)
#2000-56-Z

Permitted Uses:

(a) Business, profession or administrative office

(b) Accessory open storage

(c) Accessory retail sale of goods produced on the premises

(d) Agricultural processing establishment

(e) Automobile body shop

(f) Automobile repair garage

(g) Automobile towing establishment

(h) Fuel depot

(i) Manufacturing, processing, assembling, packaging, fabricating, repairing, servicing, and warehousing and storage

(j) Pipeline and pumping station

(k) Propane and natural gas conversion and repair shop.

(l) Truck cartage terminal

(m) Truck depot

Zone Provisions:

(a) Subsection 31.2 shall apply

No person shall use any lot or erect, alter or use any building or structure within any Extractive Industrial Zone - EI except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 32.3.

32.1 PERMITTED USES

(a) Accessory Business, Professional or Administrative Offices

(b) Accessory Open Storage

(c) Aggregate Storage

(d) Agriculture, but does not include any dwelling unit

(e) Concrete and Asphalt Mix Manufacturing

(f) Pit

(g) Processing of materials extracted from a pit or quarry, including screening, sorting, washing, crushing, blending, the manufacture of lime and other operations allied to the extractive industrial use

(h) Quarry

32.2 ZONE PROVISIONS

(a) Lot Area (minimum).....No Minimum

(b) Lot Frontage (minimum) .....No Minimum

(c) Front Yard (minimum) .....30 metres

(d) Rear Yard (minimum):

(i) Abutting any lot containing a residential use or zoned for residential purposes .....90 metres

(ii) Abutting any lot containing a use permitted in Subsection 32.1 .....15 metres

(iii) Abutting any lot containing any other use.....30 metres

(e) Interior Side Yard (minimum):

(i) Abutting any lot containing a residential use or zoned for residential purposes .....90 metres

(ii) Abutting any lot containing a use permitted in Subsection 32.1 .....15 metres

(iii) Abutting any lot containing any other use.....30 metres

(f) Exterior Side Yard.....30 metres

(g) Open Storage Area:

No open storage area shall be located less than 90 metres from any lot line which abuts any lot containing a residential use or zoned for residential purposes, or less than 30 metres from any other lot line.

(h) Excavation:

No excavation shall be located less than 30 metres from any lot line which abuts any lot containing a residential use or zoned for residential purposes, or less than 15 metres from any other lot line.

(i) Accessory Buildings and Structures:

Notwithstanding Subsections 5.2.3(a) and 5.2.3(b), no accessory building or structure shall be located less than 15 metres from any lot line.

(j) Fencing:

Any lot containing a pit or quarry shall be enclosed by a continuous fence not less than 1.2 metres in height.

(k) Planting Strip (minimum):

Notwithstanding Subsection 5.12.2(g), a 15 metre wide planting strip is required across the entire frontage, flankage and adjacent to any lot line which abuts a residential use or a lot zoned for residential purposes. The required planting strip shall be bermed throughout to a minimum height of 1 metre, and shall contain trees or shrubs with a minimum height of one metre on planting.

l) General Provisions in accordance with the provisions of Section 5 hereof.

32.3 EXCEPTION NUMBERS

32.3.1 EI-1 (See Schedule A-10)
#11-227

Permitted Uses

(a) Subsection 32.1 shall apply.

Zone Provisions

(a) Subsection 32.2 shall not be applicable to the subject lands.

No person shall use any lot or erect, alter or use any building or structure within any Agricultural Zone - A except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 33.3.

33.1 PERMITTED USES

(a) Accessory Open Storage

(b) Agriculture

(c) Conservation

(d) Office of One Physical or Mental Health Practitioner, Physician or Dentist located within the residence of the Medical Practitioner, which shall be a Single Detached Dwelling.

(e) One fruit and/or vegetable stand, for the sale of seasonal products grown on the property.

(f) One Help House

(g) Single Detached Dwelling

33.2 ZONE PROVISIONS

(a) Lot Area (minimum):

(i) Livestock Agricultural uses.....2 hectares

(ii) All other uses.....2000 square metres

(b) Lot Frontage (minimum):

(i) Livestock Agricultural uses.....90 metres

(ii) All other uses.....30 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum):

(i) Greenhouses 60%

(ii) All other uses.....20%

(e) Front Yard (minimum):

(i) Single Detached Dwelling.....7.5 metres

(ii) All other uses.....15 metres

(f) Rear Yard (minimum):

(i) Single Detached dwelling.....10 metres

(ii) Greenhouses .....15 metres except as provided in subsection (a) of this clause

(a) Where discharge fans are located on the side of the greenhouse facing a lot containing a dwelling unit located a distance of less than 45 metres from the greenhouse. .....25 metres

(ii) All other uses.....15 metres

(g) Interior Side Yard (minimum):

(i) Single Detached Dwelling.....1.8 metres

(ii) Greenhouses .....15 metres except as provided in subsection (a) of this clause

(a) Where discharge fans are located on the side of the greenhouse facing a lot containing a dwelling unit located a distance of less than 45 metres from the greenhouse. .....25 metres

(b) Where there is no dwelling unit on the adjacent lot: .....6 metres

(iii) All other uses.....15 metres

(h) Exterior Side Yard (minimum):

(i) Single Detached Dwelling.....7.5 metres

(ii) All other uses.....15 metres

(i) Office Area as permitted in (c) (maximum):

Office of 1 Physical or Mental Health Practitioner, Physician or dentist

.....25% of floor area

(j) Help House:

In addition to the zone provisions as set out in (a) through (h) above, help houses shall be subject to the provisions of Section 5.10.

(k) Fruit and/or Vegetable Stand - a maximum of one stand with a maximum size of 18.6 square metres shall be permitted per lot.

(l) General Provisions - in accordance with the provisions of Section 5 hereof.

33.3 EXCEPTION NUMBERS

33.3.1 A-1 (See Schedule Numbers A-1, A-3, A-4, A-5, A-7, A-8, A-9, A-11, A-14, A-17, A-18, A-21, A-22, A-23 and A-32)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Existing Kennel

Zone Provisions:

(i) Kennel

(a) Lot Area (minimum).....2 hectares

(b) Lot Frontage (minimum) .....150 metres

(c) Front Yard (minimum) .....60 metres

(d) Rear Yard (minimum) .....30 metres

(e) Interior Side Yard (minimum).....60 metres

(f) Exterior Side Yard (minimum).....60 metres

(g) No animals shall be permitted to be kept in any open area within 60 metres of any lot line.

(h) All other zone provisions of Subsection 33.2 shall apply.

(ii) All Other Uses

(a) Subsection 33.2 shall apply.

33.3.2 A-2 (See Schedule Numbers A-6, A-9 and A-17)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Existing Agricultural Processing Establishment

Zone Provisions:

(a) Lot Area (minimum).....9290 square metres

(b) Lot Frontage (minimum) .....80 metres

(c) Lot Coverage (maximum) 35%

(d) All other zone provisions of Subsection 33.2 shall apply.

33.3.3 A-3 (See Schedule Numbers A-4, A-6, A-12 and A-38)

Permitted Uses shall be restricted to:

(a) Accessory Open Storage

(b) Conservation

(c) existing Help House

(d) existing Agricultural Building and Structures

(e) Forestry

(f) non-farm Single Detached Dwelling

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.4 A-4 (See Schedule Number A-11)

Permitted Uses shall be restricted to:

(a) **deleted #99-97-Z**

#99-97-Z (b) Single Detached Dwelling

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.5 A-5 (See Schedule Number A-8)

Permitted Uses:

(a) A Clinic located within an accessory building

(b) Any use permitted in an A zone.

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.6 A-6 (See Schedule Number A-16)
#2000-73-Z

Permitted Uses

(a) Automobile Repair Garage

(b) Convenience Retail Store

Zone Provisions

(a)	Lot Area (minimum)	1400 square metres
(b)	Lot Frontage (minimum)	26 metres
(c)	Height (maximum)	11 metres
(d)	Lot Coverage (maximum)	20%
(e)	Front Yard (minimum)	10 metres

(f) Rear Yard (minimum) 4.5 metres

(g) Interior Side Yard (minimum) 2.7 metres

(h) Exterior Side Yard (minimum) 10 metres

(i) General Provisions - in accordance with Section 5 hereof.

33.3.7 A-7 (See Schedule Number A-8)

Permitted Uses:

(a) Custom Workshop for the sale, service and distribution of water pumps, tanks and related accessories.

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.8 A-8 (See Schedule Number A-6)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) General Contracting including servicing of equipment and vehicles and associated open storage.

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.9 A-9 (See Schedule Number A-2)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Two Help Houses

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.10 A-10 (See Schedule Number A-36)

Permitted Uses:

(a) Any building or structure relating to the water treatment facilities currently located on the adjacent property zone M3-4.

(b) Parking of vehicles and equipment related to the use of the adjacent property zoned M3-4.

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.11 A-11 (See Schedule Number A-8)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Automobile Repair Garage

Zone Provisions:

(a) Building Size (maximum) .....473 square metres

(b) Lot Frontage (minimum) .....97 metres

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.12 A-12 (See Schedule Number A-36)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Wholesale and retail sale of nursery stock and related pre-packaged fertilizer and agricultural chemical fertilizer. Blending and bulk fertilizer storage and sales are not permitted.

Zone Provisions:

(a) Lot Area (minimum).....19 hectares

(b) Lot Frontage (minimum) .....268 metres

(c) All other provisions of Subsection 33.2 shall apply.

33.3.13 A-13 (See Schedule Number A-16)

Permitted Uses shall be restricted to:

(a) Single Detached Dwelling

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.14 A-14 (See Schedule Number A-21)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Tile Drainage Contractor

Zone Provisions:

(a) Subsection 33.2 shall apply.

33.3.15 A-15 (See Schedule Number A-6)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Duplex

Zone Provisions:

(a) Lot Frontage (minimum) .....91 metres

(b) Front Yard (minimum) .....1.98 metres

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.16 A-16 (See Schedule Number A-18)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Restaurant, Standard

Zone Provisions:

(a) Lot Frontage (minimum) .....111 metres

(b) Lot Area (minimum).....4400 square metres

(c) All other zone provisions of Subsection 20.2 shall apply to the standard restaurant use.

(d) All other zone provisions of Subsection A-2 shall apply to any agricultural use.

33.3.17 A-17 (See Schedule Number A-36)

del #92-10-Z

33.3.18 A-18 (See Schedule Number A-5)

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Observatory

Zone Provisions:

(a) Subsection 24.2 shall apply.

33.3.19 A-19 (See Schedule Number A-17)

Permitted Uses:

(a) Custom Woodworking Workshop

(b) Single Detached Dwelling

Zone Provisions:

(a) Lot frontage (minimum) .....60.9 metres

(b) Lot area (minimum).....3250 square metres

(c) The area used for the custom woodworking business shall be limited to the easterly section of the subject lot, having a frontage of 30 metres and a depth of 53 metres.

#99-97-Z (e) All other zone provisions of subsection 33.2 shall apply.

33.3.20 A-20 (See Schedule Number A-9)

Permitted Uses:

(a) Subsection 33.1 shall apply.

Zone Provisions:

(a) Interior Side Yard (north) (minimum).....5.5 metres

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.21 A-21 (See Schedule Number A-5)
#93-133-Z

Permitted Uses:

(a) Any use permitted in an A zone.

Zone Provisions:

(a) Lot Frontage (minimum) .....20 metres

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.22 A-22 (See Schedule Number A-38)
#94-67-Z

Permitted Uses:

(a) Subsection 33.1 shall apply.

Zone Provisions:

(a) No building or septic systems shall be constructed after the date of passage of this By-law.

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.23 A-23(H) (See Schedule A-7)
#95-116-Z

Permitted Uses:

(a) Automobile Body Shop

(b) Automobile Repair Garage

(c) Any use permitted in an A zone.

Zone Provision:

(a) Subsection 33.2 shall apply.

33.3.24 A-24 (See Schedule Number A-7)
#95-116-Z

Permitted Uses:

(a) Automobile Repair Garage

(b) Any use permitted in an A zone.

Zone Provision:

(a) Subsection 33.2 shall apply.

33.3.25 A-25 (See Schedule Number A-7)
#95-116-Z

Permitted Uses:

(a) Industrial Machinery and Equipment Sales Establishment

(b) Any use permitted in an A zone.

Zone Provision:

(a) Subsection 33.2 shall apply.

33.3.26 A-26 (See Schedule Number A-24)
#96-58-Z

Permitted Uses:

(a) Pet Cemetery

Zone Provision:

(a) Lot frontage .....Nil

(b) Lot area (maximum) .....2 hectares

(c) Setback from westerly property line.....3 metres

#99-97-Z (d) all other zone provisions of subsection 33.2 shall apply.

33.3.27 A-27 (See Schedule Number A-6)
#96-96-Z

Permitted Uses:

(a) Garden Centre

(b) Any use permitted in an A zone

Zone Provision:

(a) Garden Centre (max Floor Area).....30% of the floor area of the greenhouses

(b) Open Storage .....open storage shall only be used for a retail sales and display area except as permitted in Subsection 5.20(d).

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.28 A-28 (H) (See Schedule Number A-18)
#97-12-Z

Permitted Uses:

(a) Truck Depot

(b) Any use permitted in an A zone.

Zone Provision:

(a) Subsection 33.2 shall apply.

33.3.29 A-29 (See Schedule Number A-20)
#97-20-Z; OMB #Z960112

Permitted Uses:

(a) Agricultural Processing Establishment

(b) Any use permitted in an A zone.

Zone Provision:

(a) Building area (maximum).....334.44 square metres

(b) Subsection 33.2 shall apply.

33.3.30 A-30 (See Schedule Number A-9)
#97-54-Z

Permitted Uses:

(a) Custom Workshop, welding

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....31 square metres for the custom workshop

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.31 A-31 (See Schedule Number A-3)
#97-55-Z

Permitted Uses:

(a) Custom Workshop, canoes, canoe accessories and instruction

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....the custom workshop is restricted to the basement of the existing dwelling and the existing 27 square metre shed.

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.33 A-33 (See Schedule Number A-4)
#97-56-Z

Permitted Uses:

(a) Custom Workshop, picture framing

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....41 square metres for the custom workshop

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.34 A-34 (See Schedule Number A-1)
#97-57-Z

Permitted Uses:

(a) Agriculture Processing Establishment, excluding an abattoir

(b) Consulting

(c) Kennel

(d) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....326 square metres for the Agriculture Processing Establishment

(b) The zone provisions of Subsection 33.3 shall apply to the kennel

(c) Open Storage .....shall be prohibited except in accordance with Subsection 33.3

(d) All other zone provisions of Subsection 33.2 shall apply.

33.3.35 A-35 (See Schedule Number A-9)
#97-59-Z
#98-76-Z Permitted Uses:

(a) Custom workshop, machining

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....575 square metres for the Custom workshop

(b) Interior Side Yard (minimum).....1.2 metres for the custom workshop

(c) Open Storage .....shall be prohibited

(d) All other zone provisions of Subsection 33.2 shall apply

33.3.36 A-36 (See Schedule Number A-9)
#97-58-Z
Permitted Uses:

(a) Agriculture Processing Establishment, excluding an abattoir

(b) Kennel

Zone Provision:

(a) Subsection 33.3 shall apply to the kennel

(b) Open Storage .....shall be prohibited except in accordance with Subsection 33.3

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.37 A-37 (See Schedule Number A-6)
#2000-05-Z

Permitted Uses:

(a) Landscape operation

(b) Any use permitted in an A zone

Zone Provision:

(a) Gross Floor Area (maximum) .....268 square metres for the landscaping shop, and 172.33 square metres of office associated with the landscaping operation

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.38 A-38 (See Schedule Number A-9)
#97-75-Z

Permitted Uses:

(a) Custom workshop, plastics products and woodworking.

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....186 square metres for the custom workshop

(b) Outside Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.39 A-39 (See Schedule Number A-6)
#97-61-Z

Permitted Uses:

(a) Sale and repair of appliances.

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....66 square metres for the sale and repair of appliances

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.40 A-40 (See Schedule Number A-21)
#97-62-Z

Permitted Uses:

(a) Warehouse and distribution facility.

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....465 square metres for the warehouse and distribution facility

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.41 A-41 (See Schedule Number A-22)
#97-76-Z
#07-165

(a) Convenience Food Restaurant and Retail Establishment, and only within the building existing on the date of the passing of this by-law, being the 30th day of May, 2007.

(b) A maximum parking area of 3,300m2 is permitted.

(c) Open storage accessory to the retail establishment or Convenience Food Restaurant shall

be prohibited on the lands. This shall not prevent, however, the use of the lands for a fruit or vegetable stand permitted by Section 33.l(e).

(d) Any use permitted in an "A" Zone.

All other zone provisions of Subsection 33.2 shall apply

33.3.42 A-42 (See Schedule Number A-9)
#97-64-Z

Permitted Uses:

(a) Assembly and distribution.

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....84 square metres for assembly and distribution

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.43 A-43 (See Schedule Number A-11)
#97-140-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Custom workshop, wood working and wood products manufacturing.

Zone Provision:

(a) Gross Floor Area (maximum) .....168 square metres for the custom workshop

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.44 A-44 (See Schedule Number A-6)
#97-77-Z

Permitted Uses:

(a) Landscaping operation.

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....260 square metres for the landscaping operation

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.45 A-45 (See Schedule Number A-6)
#97-78-Z

Permitted Uses:

(a) Landscaping operation.

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....372 square metres for the landscaping operation

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.46 A-46 (See Schedule Number A-4)
#97-105-Z

Permitted Uses:

(a) Play fields and parking associated with the use permitted in the I-2 zone.

Zone Provision:

(a) Subsection 33.2 shall apply

33.3.47 A-47 (See Schedule Number A-8)
#98-14-Z

Permitted Uses:

(a) Utility Contracting Business.

(b) Any use permitted in an A zone.

Zone Provision:

(a) Gross Floor Area (maximum) .....200 square metres for the utility shop

(b) Planting Strip along the eastern limit of the outdoor storage area.

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.48 A-48 (See Schedule Number A-6)
#98-15-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Landscaping Operation

Zone Provision:

(a) Gross Floor Area (maximum) .....50.7 square metres for the landscaping shop

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.49 A-49 (See Schedule Number A-14)
#98-16-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Custom workshop

Zone Provision:

(a) Gross Floor Area (maximum) .....139.35 square metres for the custom workshop

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.50 A-50 (See Schedule Number A-11)
#98-17-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Lawn Maintenance and Snow Plowing Business

Zone Provision:

(a) Gross Floor Area (maximum) .....53.5 square metres for the lawn maintenance and snow plowing operation

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.51 A-51 (See Schedule Number A-4)
#98-18-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Landscape Contractor

Zone Provision:

(a) Gross Floor Area (maximum) .....196 square metres for the landscape shop

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.52 A-52 (See Schedule Number A-10)
#98-19-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Custom workshop

Zone Provision:

(a) Gross Floor Area (maximum) .....172.40 square metres for the custom workshop and garage door contracting business.

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.53 A-53 (See Schedule Number A-17)
#2000-38-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Wholesale Warehouse for the Distribution of Dental Supplies

Zone Provision:

(a) Gross Floor Area (maximum) .....297 square metres for the warehouse.

(b) Open Storage .....shall be prohibited.

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.54 A-54 (See Schedule Number A-8)
#98-20-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Automobile Repair Shop

(c) Custom Workshop

Zone Provision:

(a) Gross Floor Area (maximum) .....371.60 square metres for the custom workshop and 185.80 for the automobile repair garage.

(b) Planting Strip along the northern property line and adjacent to Edgewood Road.

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.55 A-55 (See Schedule Number A-11)
#98-21-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Automobile Repair Shop

Zone Provision:

(a) Gross Floor Area (maximum) .....146 square metres for the automobile repair garage.

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.56 A-56 (See Schedule Number A-9)
#98-22-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Custom workshop

Zone Provision:

(a) Gross Floor Area (maximum) .....90 square metres for the custom workshop

(b) Open Storage .....shall be prohibited

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.57 A-57 (See Schedule Number A-9)
#98-23-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Irrigation Contractor

Zone Provision:

(a) Gross Floor Area (maximum) .....143 square metres for the irrigation contracting shop

(b) Open Storage .....shall be restricted to a 37 square metre area to the east of the accessory building and shall be screened by a 1.8 metre high wood privacy fence.

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.58 A-58 (See Schedule Number A-5)
#98-75-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Automobile Repair Garage

Zone Provision:

(a) Gross Floor Area (maximum) .....81 square metres for the automobile repair shop

(b) Open Storage .....shall be prohibited.

(c) All other zone provisions of Subsection 33.2 shall apply.

33.3.59 A-59 (See Schedule Number A-11)
#99-12-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Automobile Repair Garage and Retail and Wholesale Distribution Outlet for automotive parts.

Zone Provision:

(a) Gross Floor Area (maximum) .....186 square metres for the distribution outlet and auto repair business

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.61 A-61 (See Schedule Number A-6)
#99-31-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Lawn care and tree feeding business

Zone Provision:

(a) Gross Floor Area (maximum) .....37.16 square metres for the lawn care and tree feeding business.

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.62 A-62 (See Schedule Number A-6)
deleted #99-97-Z

33.3.63 A-63 (See Schedule Number A-9)
#99-51-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Well Drilling Business

Zone Provision:

(a) Gross Floor Area (maximum) .....186 square metres for the workshop and office

(b) All open storage shall be limited to an area that is 15.24 metres wide by 30.48 deep adjacent to the existing well on the west side of the subject property.

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.64 A-64 (See Schedule Number A-9)
#99-10-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Automobile Repair Garage

Zone Provision:

(a) Gross Floor Area (maximum) .....95 square metres for the automobile repair garage and indoor storage area.

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.65 A-65 (see Schedule A-6)
#99-27-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Landscaping business.

Zone Provision:

(a) Gross Floor Area (maximum) .....350 square metres for

the landscape business.

(b) All other zone provisions of Subsection 33.2 shall apply.

33.3.65 A-65 (see Schedule A-4)
#99-72-Z; repealed #2000-39-Z

Permitted Uses:

(a) Uses permitted in Section 33.1, clauses (a) to (f)

(b) Existing Single Detached Dwelling

(c) Use permitted in an O3 zone

Zone Provisions:

(a) The provisions of Subsection 33.2 shall apply to uses permitted in an A zone.

(b) The provisions of Subsection 26.2 shall apply to uses permitted in an O3 zone.

33.3.67 A-67 (see Schedule A-24)
#2000-21-Z

Permitted Uses:

(a) School, Private

Zone Provisions:

(a) Subsection 22.2 shall apply.

33.3.68 A-68 (see Schedule A-10)
#2000-41-Z

Permitted Uses:

(a) Any use permitted in an A zone.

(b) Landscape operation

Zone Provision:

(a) Gross Floor Area (maximum) .....235 square metres for the landscaping business.

(b) All landscaping equipment shall be stored within the landscape shop.

(c) 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.

(d) A 2 metre high solid privacy fence shall be erected along the south lot line.

(e) All other zone provisions of Subsection 33.2 shall apply.

33.3.69 A-69 (see Schedule A-24)
#01-152

1. The Agriculture 'A' Zone provisions, as contained in Section 33 of By-law No. 90-145-Z (Flamborough), applicable to the lands shown on a plan hereto annexed as Schedule "A", be amended, to the extent only of the special requirements that:

   (a) the existing golf driving range and a portable office/pro shop shall be permitted for a period of three (3) years from the date of passing of this By-law; and,

   (b) a minimum 3.0m wide planting strip shall be provided and maintained across the entire lot frontage, except for the area used for vehicular access.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the 'A-69' provisions of By-law No. 90-145-Z (Flamborough), subject to the special requirements referred to in Section 1.

#04-263 (a) the existing golf driving range and a portable office/pro shop shall be permitted for a further period of three (3) years from the date of passing of this By-law; and,

(b) this amendment only applies to the lands shown as "A-69" on Schedule "A" annexed hereto.

33.3.71 A-71 (see Schedule A-9)
#02-148

Permitted Uses:

(a) Garden Suite for a ten (10) year period commencing on May 29, 2002 and expiring on May 29, 2012.

A 'garden suite' means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

(b) Any use permitted in an 'A' Zone.

Zone Provisions:

(a) All the zone provisions of Subsection 33.2 Agriculture 'A' zone shall apply.

33.3.72 A-72 (see Schedule A-9)
#02-265

Permitted Uses:

(a) Sawmill Operation

(b) Accessory Office

(c) Accessory Open Storage

(d) Accessory Retail Sale of Goods produced on the premises

(e) Agriculture

Zone Provisions:

(a) Maximum Lot Area .....1.21 hectares

(b) Maximum Gross Floor Area.....1,487 square metres for the sawmill operation.

(c) Maximum Lot Coverage.....20%

(d) Maximum Building Height.....11 metres

(e) Open Storage .....shall be setback a minimum of 25 metres from the front lot line

(f) Parking Spaces.....minimum 15 parking spaces

(g) All other Zone Provisions of Subsection 31.2: Rural Industrial 'M3' Zone shall apply.

(h) General Provisions – in accordance with the provisions of Section 5 hereof, notwithstanding the provisions of Subsection 5.21.1

33.3.73 A-73 (see Schedule A-14)
#02-302

Permitted Uses:

(a) Any use permitted in the Agricultural "A" Zone

(b) A kennel shall be permitted, of which the boarding area shall be located within the existing dwelling and which shall not exceed 97.5 square metres in area.

Zone Provisions:

(a) The provisions of Section 33.3.1 (I) shall apply to the development of a kennel.

(b) Setback from the Conservation Management "CM" Zone – Any expansions to the dwelling for the kennel operation shall be setback a minimum distance of one-hundred and twenty (120) metres.

All other regulations of Section 33 Agricultural "A" Zone and Section 5, General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.

33.3.74 A-74 (see Schedule A-22)
#03-166

Permitted Uses:

(a) Garden Suite for a ten (10) year period commencing on June 25, 2003 and expiring on June 25, 2013.

A "garden suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

(b) Any use permitted in an "A" Zone

Zone Provisions:

(a) All the zone provisions of Subsection 33.2 Agriculture "A" Zone shall apply.

33.3.75 A-75 (See Schedule A-4)
#03-225-Z

Permitted Uses

(a) Garden Suite for a ten (10) year period commencing on August 13,2003 and expiring on August 13,2013.

A 'garden suite' means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

(b) Any use permitted in an "A" Zone.

Zone Provisions

(a) All the zone provisions of Subsection 33.2 Agriculture 'A' Zone shall apply.

33.3.76 A-76 (see Schedule A-8)
#03-202

Permitted Uses:

(a) Single Detached Dwelling and associated accessory structure existing at the date of

passage of this By-law.

(b) Mini-Storage

(c) Open storage accessory to the mini-storage operation

(d) Accessory Office and one Residential Unit for maintenance/security purposes only.

(e) Agriculture

Zone Provisions:

(a) Lot Area (maximum).....3.96 hectares

#08-230 (b) Lot Frontage (minimum) .....45 metres

(c) Front Yard (minimum):

(i) 22 metres for the single detached dwelling existing at the date of passage of this By-law.

(ii) 5.3 metres for the accessory structure existing at the date of passage of this By-law.

(iii) 28 metres for all new construction.

(d) Gross Floor Area (maximum) .....120 square metres for the accessory office and dwelling unit.

(e) Building Height (maximum):

(i) 4.5 metres for the mini-storage units.

(ii) 9.5 metres for the accessory office and dwelling unit.

(f) Minimum Parking.....5 spaces including 1 handicapped space.

(g) Interior Side Yard (minimum):

(i) 5 metres abutting any residential use or zone.

(ii) 3 metres abutting all other zones.

(h) Regulated Area Setback .....15 metre (minimum) development setback from

the Conservation Management "CM" Zone.

(i) Lot Coverage (maximum) 35%

(j) Open Storage:

(i) 2,970 square metre (maximum) not to exceed 25% of the total floor area of the mini-storage buildings at any one time.

(ii) Open storage shall be used only for Recreational Vehicles, boats, and snowmobiles and shall not include any commercial vehicles or construction vehicles/equipment.

(iii) 12 metre (minimum) setback from all lot lines.

(k) Planting Strip (minimum):

Notwithstanding subsection 5.12.2(g) a five (5) metre wide planting strip is required across the entire frontage, flankage and adjacent to any lot line which abuts a residential use or lot zoned for residential purposes. A three (3) metre wide planting strip is required along all other lot lines. The required planting strip shall contain trees and shrubs with a minimum height of 0.8 metres on planting.

(l) No Driving Aisle or Maneuvering Space between the building and adjoining residential uses or zones shall be permitted. Further, there shall be no doors or windows along any wall of the mini-storage buildings that face adjoining residential uses or zones.

(m) All other Zone Provisions of Subsection 31.2: Rural Industrial "M3" Zone shall apply.

(n) General Provisions – in accordance with the provisions of Section 5 hereof, notwithstanding the provisions of Subsection 5.12.2(g)

33.3.77 A-77(H) (see Schedule A-10)
#03-264-Z

Permitted Uses

(a) Any use permitted in the Agricultural A Zone

(b) That notwithstanding Section 33.1, a topsoil preparation and supply business and accessory uses, including a maintenance building not to exceed 700 square metres, shall be permitted only in conjunction with the existing stone structure (former dwelling) and silo.

For the purpose of this by-law, a 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.

Zone Provisions

That the following special zoning provisions shall apply to the development of the topsoil preparation and supply business:

(1) Setbacks (i) A minimum 30 metre wide setback shall be provided and maintained along the entire westerly lot line, the Conservation Management "CM" Zone and the northerly side lot line.

(ii) All building and structures, excluding single detached dwelling, shall be setback a minimum of 145 metres from the front lot line.

(2) Berm A landscaped berm having a height of 1 metre shall be provided maintained along the entire 30 metre setback from the Conservation Management "CM" Zone.

(3) Parking A minimum of 10 parking spaces shall be required.

#08-04 (4) Removal of the Holding (H) provision The Holding (H) provision will prohibit the use of the subject lands for a Topsoil Preparation and Supply Business, until such time that a site plan has been submitted and approved, to the satisfaction of the Director of Development, Planning and Development Department which site plan and side plan agreement shall include the completion of the following matters:

(i) A stormwater management report that addresses the potential for mitigating potential nutrient enrichment of the valued features of the site and includes a monitoring program of the groundwater on the property (such as monitoring wells);

(ii) An Erosion and Sediment Control Plan to address short-term and long-term impacts;

(iii) A Landscaping Plan that addresses the naturalization of the buffer between the berm and the boundary of the existing natural vegetation of the Hayesland Swamp Environmentally Significant Area in accordance with the regeneration objectives of the Grindstone Creek Watershed Study and which identifies landscaping along the berm with native shrub and tree species particularly cedar;

(iv) A Certificate of Approval from the Ministry of Environment, if required by the Ministry, to address wastewater runoff from the

stockpiling of compost and manure.

All other regulations of Section 33 Agricultural "A" Zone and Section 5, General Provisions of Zoning By-law 90-145-Z (Flamborough) applicable to Block 2 shall continue to apply.

33.3.79 A-79 (see Schedule A-10)
#07-005

Permitted Uses

(a) A Garden Suite shall be permitted for a maximum ten (10) year period commencing on the day of the passing of this by-law, being the 10th day of January, 2007 and expiring on the 10th day of January, 2017.

A 'Garden Suite' shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

(b) Any use permitted in an 'A' Zone.

Zone Provisions

(a) All other zone provisions of Subsection 33.2 Agriculture 'A' Zone shall continue to apply.

33.3.80 A-80 (See Schedule A-15)
#06-104

(a) PERMITTED USES

That in addition to the uses permitted in Subsection 33.1, a cemetery shall also be permitted.

(b) ZONE PROVISIONS

The provisions of Subsection 33.2 shall apply.

33.3.81 A-81 (See Schedule A-9)
#07-001

Permitted Uses

(a) A Garden Suite shall be permitted for a maximum ten (10) year period commencing on the day of the passing of this by-law, being the 10th day of January, 2007 and expiring on the l0th day of January, 2017.

A 'Garden Suite' shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

(b) Any use permitted in an 'A' Zone.

Zone Provisions

(a) The minimum rear yard setback for a Garden Suite shall be 1.8 metres.

(b) All other zone provisions of Subsection 33.2 Agriculture 'A' Zone shall continue to apply.

33.3.86 A-86 (See Schedule A-25)
#09-074

Permitted Uses

(a) Any use permitted in the Agricultural "A" Zone.

(b) An Animal Hospital, provided that it includes accreditation for a Food-Producing Animal Hospital by the College of Veterinarians of Ontario, comprising the entire area of the barn and paddock existing as of the date of passing of this By-law, being the 15th day of April, 2009.

Zone Provisions

(a) All zone provisions of Subsection 33.2 shall apply.

33.3.87 A-87 (See Schedule A-25)
#09-115

Permitted Uses

Notwithstanding the permitted uses of Subsection 33.1, only the following uses shall be permitted:

(a) Agriculture.

(b) Conservation.

Zone Provisions

(a) All zone provisions of Subsection 33.2 shall apply.

33.3.89 A-89 (See Schedule A-17)
#12-017

Permitted Uses

Notwithstanding the permitted uses of Subsection 33.1, only the following uses shall be permitted:

(a) Agriculture

(b) Conservation

Zone Provisions

(a) All zone provisions of Subsection 33.2 shall apply.

33.3.90 A-90(H) (See Schedule Number A-11)
#13-203

Permitted Uses:

(a) Any use permitted in an A zone.

(b) A second dwelling unit within the existing building.

(c) A Gift Shop.

(d) A Restaurant.

(e) A Place of Assembly.

(f) A Fruit or Vegetable Market, selling produce grown on the property and/or local farms.

(g) An ancillary petting zoo.

Zone Provisions:

All other zone provisions of Sub-section 33.2 shall apply.

Holding Provision:

The 'H' Holding Provision shall limit the combined capacity of Restaurant and Place of Assembly to 150 seats, until such a time as the owner submits an additional Hydrogeological Investigation, demonstrating that the Restaurant and Place of Assembly uses can be adequately serviced by private water and sanitary services accommodating capacities of 112 seats and 250 seats, respectively, to the satisfaction of the Manager of Development Planning, Heritage and Design, and the Manager of Infrastructure and Source Water Planning, in consultation with the Ministry of the Environment. Once the Holding provision has been removed, a 112-seat Restaurant and a 250-seat Place of Assembly shall be permitted.

City Council may remove the 'H' symbol, and thereby give full effect to the Agricultural "A-90" Zone, by enactment of an amending By-law once the above condition has been satisfied.

33.3.91 A-91 (See Schedule A-2)
#14-307
(OMB)

Permitted Uses:

(a) All uses in accordance with Section 33.1.

(b) Notwithstanding the above, Dwelling "A" on Schedule "A-2" shall only be used as an accessory building.

Zone Provisions

The following regulations shall apply to the building existing on the date of the passing of this by-law being the 6th day of August, 2014, and as shown as Dwelling "A" on Schedule "A-2":

(a) Minimum Front Yard Setback ..... 10 metres

(b) Maximum Height ..... 10 metres

(c) For the purpose of this by-law, an "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.

(d) All other zone provisions of Subsection 33.2 shall apply.

General Provisions

Other than contained herein, the provisions of Section 5 shall apply.

33.3.93 A-93 (See Schedule A-11) (Block 2)
#15-108

Permitted Uses

(a) Any use permitted in the Agricultural A Zone.
(b) That notwithstanding Section 33.1, an Agricultural Promotion Centre shall be permitted ONLY accessory to the principal use of the lands for agricultural purposes. For the purpose of this by-law, an Agriculture 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.

Zone Provisions

(a) Maximum Gross Floor Area for an Agricultural Promotion Centre of 1600m2 of which, a Maximum Gross Floor Area for a restaurant shall be 500m2 and a Maximum Gross Floor Area for accessory retail shall be 450m2.

(b) Minimum parking requirement of 1 space per 20m2 of GFA to a maximum of 95 spaces.

(c) No livestock building or structure, including associated manure storage facility shall be located within 500 metres of the southerly most property line.

(d) No outdoor tents or marquees for events shall be permitted.

(e) A visual barrier shall be 151"ovided 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 3m wide planting area appropriate for healthy plant growth, such trees to have a minimum height of 1.8 metres.

(f) Notwithstanding Section 5: Sub-Section 5.13.5 and Sub-Section 5.21.7, permeable pavers and/or gravel shall be permitted for all parking and loading spaces, except the main driveway.

(g) No part of the land on which a patio or courtyard is situate shall be used as a place of entertainment for the purpose of providing entertainment or amusement including live or recorded music or dance facilities.

All other regulations and permitted uses of the "A" Agricultural Zone shall apply.

33.3.94 A-94 (See Schedule A-11)
#15-052

Permitted Uses:

(a) Any use permitted in an A Zone.

(b) Kennel, Accessory to an Agricultural Use.

(c) Accessory Retail for a Kennel, occupying no greater than 5 percent of the gross floor area.

Definitions:

For the purpose of this By-law, a Kennel shall be defined as follows:

Any lot, building or structure used at any time for the breeding, raising, keeping, training, grooming or boarding of four or more cats.

Zone Provisions

(i) Kennel

(a) Maximum of 120 cats

(b) That all buildings or structures for the use of a Kennel be restricted to a maximum gross floor area of 300 square metres.

(c) Front Yard (Minimum) 15 metres

(d) Front Yard (Maximum) 17 metres

(e) Notwithstanding the provisions of Section 5.21 – Parking Regulations, a minimum of 4 parking spaces shall be provided and maintained for the Kennel.

(f) Notwithstanding the provisions of Section 5.13 – Loading Regulations, no loading space shall be required for the Kennel.

(g) All other zone provision of Subsection 33.2 shall apply.

No person shall use any lot or erect, alter or use any building or structure within any Commercial Agricultural Zone - CA except in accordance with the following provisions or as otherwise specified in the provisions of Subsection 34.3.

34.1 PERMITTED USES

(a) Accessory Open Storage

(b) Agricultural Equipment, Sales, Rentals and Services

(c) Animal Hospital with outdoor animal runs, subject to the provisions of Subsection 33.3.1 (i)

(d) Animal Hospital with no outdoor animal runs

(e) Any use permitted in an A zone, subject to the provisions of Subsection 33.2

(f) Conservation, subject to the provisions of Subsection 25.2

(g) Farm Supply Outlet

(h) Feed Mill

(i) Institutional, subject to the provisions of Subsection 22.3.1

(j) Kennel, subject to the provisions of Subsection 33.3.1 (i)

(k) Livestock Assembly Facility

(l) Produce Storage Establishment

(m) Storage and Retail Sale of agricultural chemicals, bulk fertilizers, liquid fertilizers, feed and seed supplies

34.2 ZONE PROVISIONS

(a) Lot Area (minimum).....9290 square metres

(b) Lot Frontage (minimum) .....80 metres

(c) Height (maximum) .....11 metres

(d) Lot Coverage (maximum) 35%

(e) Front Yard (minimum) .....15 metres

(f) Rear Yard (minimum) .....15 metres

(g) Interior Side Yard (minimum).....15 metres

(h) Exterior Side Yard (minimum).....15 metres

#92-22-Z (i) Planting Strip (minimum).....3.0 metres width across all lot lines adjacent to a street.

(j) General Provisions - in accordance with the provisions of Section 5 hereof.

34.3 EXCEPTION NUMBERS

34.3.1 CA-1 (See Schedule Number A-2)

Permitted Uses:

(a) Any use permitted in a CA zone.

(b) Taxidermy Operation

Zone Provisions:

(a) Subsection 34.2 shall apply.

34.3.2 CA-2 (See Schedule Number A-8)

Permitted Uses:

(a) Any use permitted in a CA zone.

(b) Propane Distribution Depot

(c) Refreshment Vehicle

(d) Retail Establishment

Zone Provisions:

(a) Subsection 34.2 shall apply.

34.3.3 CA-3 (See Schedule Number A-22)

Permitted Uses:

(a) Any use permitted in an A zone, subject to the provisions of Subsection 33.2

(b) Tack Shop

Zone Provisions:

(a) Subsection 34.2 shall apply.

34.3.4 CA-4 (See Schedule Number A-11)

Permitted Uses:

(a) Any use permitted in an A zone, subject to the provisions of Section 33.2.

(b) Truck Parts and Service

Zone Provisions:

(a) Subsection 34.2 shall apply.

34.3.4 CA-5 (See Schedule A-5)
#03-343-Z

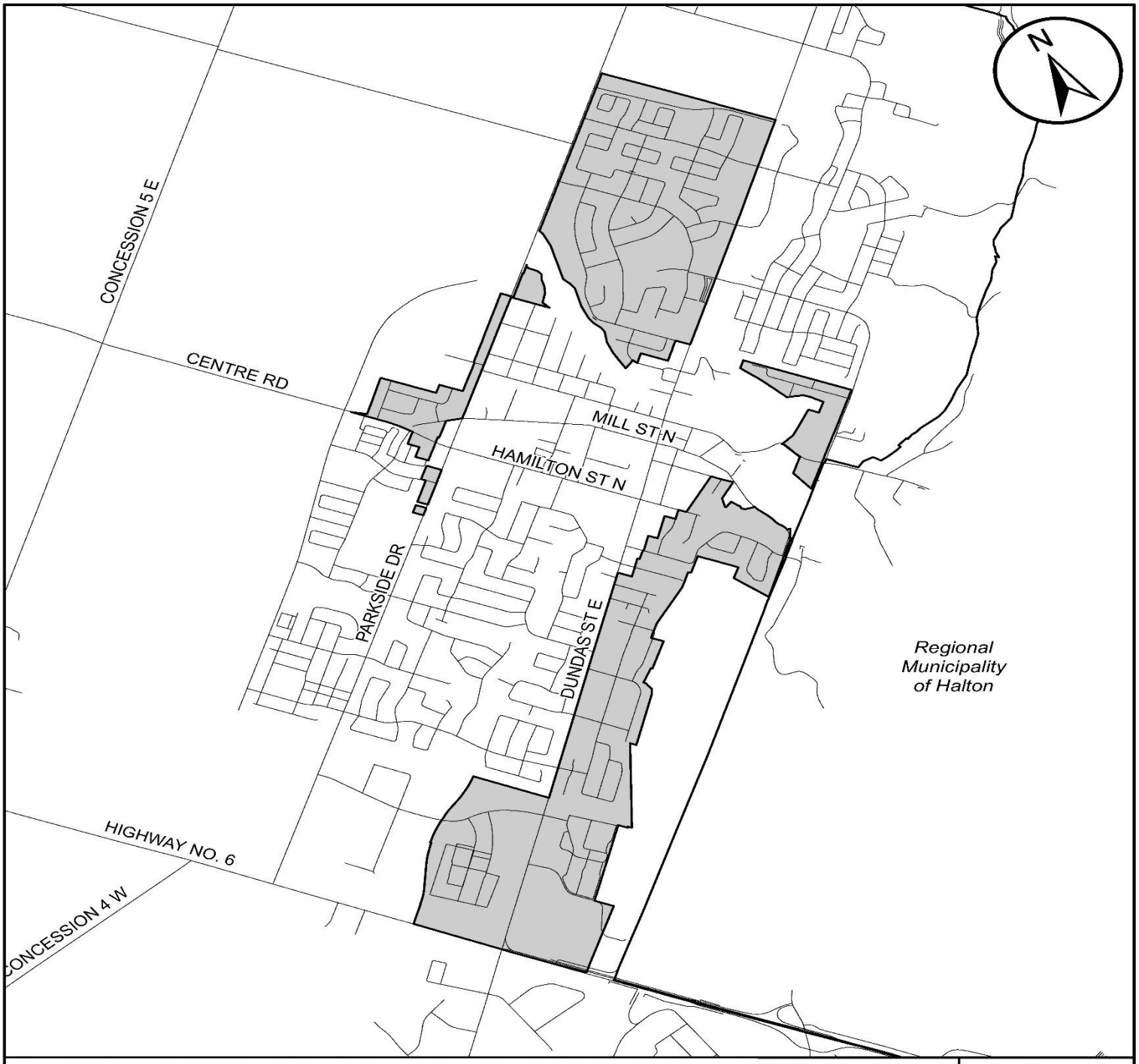
Permitted Uses:

(a) Any use permitted in an Agricultural "A" Zone,

(b) An agriculture packaging establishment for the packaging, treating and storing of produce grown on or off the premises, except the processing of produce shall be prohibited.

Zone Provisions:

(a) Subsection 34.2 shall apply.



Special Figure 1: Additional Permissions in Low Density Residential Zones Outside of Secondary Plans

Date:
July 19, 2022

Legend

Lands Outside of Secondary Plans (excluding employment lands)

Hamilton
Planning & Economic Development Department

SECTION 36 – Approval

Subject to the provisions of Section 34 (19) of the Planning Act, 1983, R.S.O. 1983, Chapter 1, as amended from time to time, this By-law shall come into force on the day passed by Council.

READ A FIRST TIME THIS __ DAY OF _____.

READ A SECOND TIME THIS __ DAY OF _____.

READ A THIRD TIME AND PASSED THIS __ DAY OF _____

_____	_____
CLERK	MAYOR

Deleted by By-law No. 07-112.

METRIC INFORMATION

1 hectare	=	10 000 m^2
100 hectare	=	1 km^2
1 km	=	1000 m
1 m	=	100 cm

CONVERSION FACTORS

metres x 3.2808	=	feet
kilometres x 0.6214	=	miles
square metres x 10.7639	=	square feet
hectare x 2.4711	=	acres
feet x 0.3048	=	metres
miles x 1.6093	=	kilometres
square feet x 0.0929	=	square metres
acres x 0.4047	=	hectares

OTHER

1 Ac = 43562 ft^2 (4046.91 m^2)	
1/2 Ac = 21781 ft^2 (2023.45 m^2)	

Metres to Feet	
m	ft
0.1	0.328
0.2	0.656
0.3	0.984
0.4	1.312
0.5	1.640
0.6	1.969
0.7	2.297
0.8	2.625
0.9	2.953
1	3.281
2	6.562
3	9.843
4	13.123
5	16.404
6	19.685
7	22.966
8	26.247
9	29.528
10	32.808
20	65.617
30	98.425
40	131.234
50	164.042
60	196.850
70	229.659
80	262.467
90	295.276
100	328.084
200	656.168
300	984.252
400	1 312.336
500	1 640.420
600	1 968.504
700	2 296.588
800	2 624.672
900	2 952.756
1000	3 280.840

Square Metres to Square Feet	
m^2	ft^2
0.1	1.0764
0.2	2.1528
0.3	3.2292
0.4	4.3056
0.5	5.3820
0.6	6.4583
0.7	7.5347
0.8	8.6111
0.9	9.6875
1	10.7639
2	21.5278
3	32.2917
4	43.0556
5	53.8196
6	64.5835
7	75.3474
8	86.1113
9	96.8752
10	107.639
20	215.278
30	322.917
40	430.556
50	538.196
60	645.835
70	753.474
80	861.113
90	968.752
100	1 076.39
200	2 152.78
300	3 229.17
400	4 305.56
500	5 381.96
600	6 458.35
700	7 534.74
800	8 611.13
900	9 687.52
1000	10 763.91

Hectares to Acres	
hectares	acres
0.1	0.2471
0.2	0.4942
0.3	0.7413
0.4	0.9884
0.5	1.2355
0.6	1.4826
0.7	1.7297
0.8	1.9768
0.9	2.2239
1	2.4711
2	4.9421
3	7.4132
4	9.8842
5	12.3553
6	14.8263
7	17.2974
8	19.7684
9	22.2395
10	24.7105
20	49.4211
30	74.1316
40	98.8422
50	123.5527
60	148.2632
70	172.9738
80	197.6843
90	222.3948
100	247.105
200	494.211
300	741.316
400	988.422
500	1 235.527
600	1 482.632
700	1 729.738
800	1 976.843
900	2 223.948
1000	2 471.054

Kilometres to Miles	
km	miles
0.1	0.062
0.2	0.124
0.3	0.186
0.4	0.249
0.5	0.311
0.6	0.373
0.7	0.435
0.8	0.497
0.9	0.559
1	0.621
2	1.243
3	1.864
4	2.485
5	3.107
6	3.728
7	4.350
8	4.971
9	5.592
10	6.214
20	12.427
30	18.641
40	24.855
50	31.069
60	37.282
70	43.496
80	49.710
90	55.923
100	62.137
200	124.274
300	186.411
400	248.548
500	310.686
600	372.822
700	434.960
800	497.097
900	559.234
1000	621.371