THE CITY OF STONEY CREEK

ZONING BY-LAW No. 3692-92

Consolidated: May 2026

CITY OF STONEY CREEK ZONING BY-LAW NO. 3692-92

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BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
3704-93	JAN.12/93	LINDEBOOM	1472	19	288 EIGHTH STREET	A TO RR AND A-2
3706-93	JAN.12/93	DESANTIS	1474	7	604-610 BARTON STREET	REMOVE (H) - RM3(H)
3724-93	JAN.26/93	KINGFORD	1446	3	BARTON/MCNEILLY ROAD	REMOVAL (H) SYMBOL
3726-93	JAN.26/93	HERITAGE GREEN #5	1475	15	WINTERBERRY DRIVE	SR2 TO SR3
3728-93	JAN.26/93	MOHAWK COLLEGE	1476	1	330 LEASIDE AVENUE	MSP-6 - ADD. BUILDING
3753-93	MAR.23/93	PALETTA	1477	12	288 SECOND ROAD EAST	AGRICULTURAL TO RR
3755-93	MAR.23/93	DJENERALOVIC	1479	7	238 JONES ROAD	AS TO AS-3 AND RR-6
3757-93	MAR.23/93	W.A. CONSTRUCTION	1458	3	SOUTH SERVICE ROAD	RETAIL MAX. 40% - MT3
3759-93	MAR.23/93	LAURENTI	1452	17	299 SECOND ROAD EAST	A TO A-3 AND RR-5
3773-93	APR.27/93	PELONE	1478	12	233 GREEN MOUNTAIN	A TO RR AND RR-7
3775-93	APR.27/93	DICROCE	1483	17	HIGHLAND ROAD	A TO RR-8 AND RR-9
3782-93	MAY 11/93	SUNSHINE HOMES	1379	7	HIGHWAY NO. 8	ND TO R2-25 AND RM3-6
3799-93	MAY 25/93	732055 ONT. INC.	1471	1	GREEN/FRANCES	RM5-2 AND LC-2 TO GC-35
3801-93	MAY 25/93	DEERFIELD ESTATES	1485	16	HIGHBURY DRIVE	ND AND R2-18 TO R2
3813-93	JUN.22/93	CHURCH L-D SAINTS	1486	6	345-355 HIGHWAY NO. 8	GC-15 TO GC 14 (AU)
3816-93	JUN.22/93	ROB-GEOFF PROP.	1492	16	FIRST ROAD WEST	REMOVE (H) - R2-19(H)
3828-93	JUL.13/93	MARZ HOMES	1482	7	JONES ROAD	AS TO AS-4 AND RR-10
3836-93	JUL.13/93	549367 ONTARIO INC.	1488	16	257 JONES ROAD	AS TO AS-5 AND RR-11
3838-93	JUL.13/93	839998 ONTARIO INC.	1468	12	30 RIDGE ROAD	A TO RR
3840-93	JUL.13/93	SHMAYDA	1484	--	386-392 BARTON STREET	GC-10 TO EXPAND USES
3843-93	JUL.13/93	ROYALCREST	1466	7	199 GLOVER ROAD	AS TO I-2 AND AS-6
3863-93	SEP.14/93	STONEY CREEK	46.10		GENERAL AMENDMENT	VARIOUS (HOUSEKEEPING)

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BYLAW	DATE	APPLICANT	FILE	MAP	PROPERTY ADDRESS	CHANGE
3865-93	SEP.14/93	LUVAL ENTERPRISES	1469	10	MUD/MOUNT ALBION	R3-2 TO RM3-7 AND R3
3881-93	OCT.26/93	K. & H. CREEK INV.	1489	5	DONN/QUEENSTON ROAD	RM5 TO GC-36
3902-93	NOV.23/93	OLC/VALLEY PARK #3	1490	15	PARAMOUNT DRIVE	ND TO RM3(H)
3904-93	NOV.23/93	PIRERRA	1470	5	KING AND JONES STREET	CA1 TO CA1-5
3906-93	NOV.23/93	248812/SILVESTRI	1495	15	PARKVISTA PLACE	IS AND R3-7H TO R3
3907-93	NOV.23/93	SUSTR	46.10	2	LAKEVIEW DRIVE	R2 TO IS-7
3921-93	DEC.14/93	MESSIAH LUTHERAN	1494	6	454 HIGHWAY NO. 8	IS TO GC-37
3948-94	FEB.22/94	PRITCHARD	1497	10	368 MUD STREET WEST	R1 TO R2
3960-94	FEB.22/94	822880 ONT. LTD.	1491	1	231 NORTH SERVICE RD.	ND TO RM3-8 & OS
3970-94	MAR.22/94	ZANON/TREVISANI	1480	15	HIGHLAND ROAD	ND TO RM3-3(H)/R5(H)/OS
3998-94	APR.26/94	STONEY CREEK	1513	G.A.	GENERAL AMENDMENT	DEFINITION - TOP OF BANK
4000-94	APR.26/94	800062 ONT. INC.	1498	3	967-977 BARTON STREET	TEMPORARY USE
4001-94	APR.26/94	ORC-VALLEY PARK 5	1502	15	DALEGROVE CRESCENT	PERMIT SEMIS
4022-94	MAY 24/94	GVOICH	1506	5	92 CENTENNIAL PKWY.	RM1/GC TO GC-38
4031-94	JUN.14/94	DOMLADOVIC, S.	1504	17	305 GREEN MOUNTAIN	A TO A4 AND RR-12
4032-94	JUN.14/94	STONEY CREEK	46.12	G.A.	GENERAL AMENDMENT	FIRE HALLS IN ALL ZONES
4058-94	AUG.23/94	HILDRETH, G.	1505	19	1058 MUD STREET	A TO RR-13
4059-94	AUG.23/94	STONEY CREEK	1517	16	CARLSON STREET	P TO R6
4060-94	AUG.23/94	STONEY CREEK	1515	MAP	LOT OF RECORD	INDUSTRIAL ZONES
4061-94	AUG.23/94	H-G, HIGHLAND ST. #1	1388	16	HILLGARDEN DRIVE	ND TO R2-29
4072-94	AUG.23/94	DALMA GARDENS	1487	15	HIGHLAND ROAD WEST	ND TO R3
4073-94	AUG.23/94	W.C.B.E.	1506	16	HIGHLAND ROAD WEST	ND TO I

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BYLAW	DATE	APPLICANT	FILE	MAP	PROPERTY ADDRESS	CHANGE
4076-94	SEP.13/94	HOMES BY DESANTIS	1461	16	511 HIGHWAY NO. 8	ND TO RM3-9
4111-94	OCT.25/94	HEERINGA	1510	8	220 MCNEILLY ROAD	RR & AS TO RR-15 &AS-8
4112-94	OCT.25/94	JOSIPOVIC	1508	N/A	255 JONES ROAD	RR-11- AREA/FRONTAGE
4113-94	OCT.25/94	FERRARA	1509	8	1207 HIGHWAY NO. 8	R1 & AS TO R1-2 & 3 & AS-7
4115-94	OCT.25/94	732055 ONT. (RES)	1500	1	FRANCES/GREEN	RM3 TO RM3-10
4128-94	NOV.22/94	STONEY CREEK	1522	N/A	YARDS – TOWNHOUSES	AMEND "RM3"
4129-94	NOV.22/94	STONEY CREEK	1522	N/A	LOT COVERAGE/SIDE YARD	AMEND "RR" ZONE
4137-94	DEC.13/94	GLAVAC, V.	1518	19	118 EIGHTH ROAD EAST	A TO A-5 AND RR
4138-94	DEC.13/94	HALPER, T.	1519	7	227 JONES ROAD	RR TO RR-16 AND RR-17
4139-94	DEC.13/94	BODDEN'S (BRAMALEA)	1521	6	439-465 HIGHWAY NO. 8	SC2 TO SC2-1
4140-94	DEC.13/94	STONEY CREEK	1522	N/A	ACCESSORY BUILDINGS	SECTION 6.1.4
4146-95	JAN.31/95	RADOS, M.	1523	8	228 MCNEILLY ROAD	AS TO RR-14 AND AS-9
4147-95	JAN.31/95	ROB-GEOF F PROP.	1520	16	131 CANDLEWOOD	I TO R3 AND R3-8
4167-95	FEB.14/95	HILTS, J.	1511	6	38 JENNY COURT	ND TO R1-4 AND R1-5
4180-95	MAR.14/95	HARVEY DAVIS	1512	16	2251 RYMAL ROAD	IS TO HC-4
4181-95	MAR.14/95	KEMP HOLDINGS	1527	1	TEAL/SOUTH SERVICE RD.	MP TO MP8, 9,10,11
4195-95	APR.25/95	BROWN, C.	1526	5	30 LAKE AVENUE DRIVE	RM1 TO GC-39
4197-95	APR.25/95	ROB-GEOFF PROP.	1525	16	N/E RYMAL & WHITEDEER	RM5-6 TO RM3-13
4199-95	APR.25/95	927247 (FAIRWAYS)	1448	1	465 DEWITT ROAD	ND TO RM2 & RM3-11
4200-95	APR.25/95	STONEY CREEK	1528	--	GENERAL AMENDMENT	HOME OCCUPATIONS
OMB	MAY 3/95	ITALIANO, J.	46-10	6	176-178 HIGHWAY NO. 8	GC-40
4232-95	MAY 23/95	STONEY CREEK	1530	--	GENERAL AMENDMENT	LOTS BY CONSENT

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BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
4240-96	JUN.13/95	FIFTY RD. JOINT VENTURE	1460	4	FIFTY ROAD	ND TO R1-6
4245-95	JUN.13/95	HG - HIGHLAND #3	1535	16	FIRST ROAD WEST	ND TO R2
4246-95	JUN.13/95	STANLOW HOLDINGS	1531	6	242-246 BARTON STREET	ND & RM3 TO RM3-14
4262-95	JUL.11/95	BLACKHEATH (TIM'S)	1529	17	MUD/UPPER CENTENNIAL	OS TO HC
4294-95	SEP.26/95	DEBNY CONSTRUCTION	1533	16	SECOND ROAD WEST	R6 & ND TO R2-30(H)
4303-95	OCT.24/95	STONEY CREEK, CITY OF	1537	N/A	PERMITTED USES RM3	MODIFY RM3 ZONE
4334-96	JAN.09/96	STONEY CREEK, CITY OF	1539	N/A	PARKING – INDUSTRIAL	SECTION 9
4335-96	JAN.09/96	STONEY CREEK, CITY OF	1539	N/A	TEMP. USE - MODEL HOMES	PART 2 - SECTION 4.5
4344-96	JAN.23/96	STONEY CREEK FURN.	1541	N/A	395 LEWIS ROAD	ADD. GROSS RETAIL SPACE
4345-96	JAN.23/96	BERGSHOEFF, JOHN	1536	1	281 BARTON STREET	PORTION MSP-2 TO MSP-19
4360-96	MAR.12/96	ZDEB, WALTER	1543	1	232 BARTON STREET	ND TO R2
4385-96	MAY 28/96	CATHOLIC CEMETERIES	1534	18	681 MUD STREET	A TO OS-5
4387-96	MAY 28/96	STONEY CREEK, CITY OF	1546	N/A	GENERAL AMENDMENT	ADULT ENTERTAINMENT
4397-96	JUN.11/96	1002406 ONTARIO LTD.	1545	N/A	126 UPPER CENTENNIAL	PERMIT RENTAL TRUCKS
4404-96	JUN.26/96	H-G HIGHLAND STAGE 2	1540	16	WHITEDEER ROAD	ND TO R2-31, R3-9, RM3-15(H)
4405-96	JUN.26/96	H-G VALLEY PARK #6	1532	15	HIGHLAND ROAD	ND TO R2-32 AND R2-33
4414-96	JUL.09/96	GALLILEO'S RESTAURANT	1548	8	1223 HIGHWAY NO. 8	IS AND AS TO GC-30
4437-96	SEPT.10/96	IVAN KONTIC	1544	6	261 KING STREET EAST	R1 TO RM3-15
4444-96	SEPT. 24/96	KBT HOLDINGS INC.	1549	16	135 UPPER CENTENNIAL	ND & R2 TO GC-41(H) & OS
4465-96	OCT.22/96	WINONA MEADOWS	1542	8	BARTON STREET	ND TO R2
4466-96	OCT.22/96	DALMA GARDENS	1487	15	HIGHLAND ROAD	ND TO R3, R3-10 AND OS
4467-96	OCT.22/96	KRYZAN, B., ESTATE OF	1550	16	HIGHLAND ROAD WEST	ND TO R2 AND R2-34

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BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
4470-96	OCT.22/96	OLDE TOWN DISTRICT	1547	5	OLDE TOWN	VARIOUS
4484-96	NOV.26/96	IPCF (FORTINOS)	1551	16	UPPER CENTENNIAL/RYMAL	SC1-2(H)
4513-97	FEB.25/97	STONEY CREEK	1554	9	HOUSEKEEPING 1996	VARIOUS
4514-97	FEB.25/97	STONEY CREEK	1555	N/A	SC1 ZONE	NO LIMIT MAX. # OF BLDGS.
4515-97	FEB.25/97	ONTARIO REALTY CORP.	1552	16	HIGHLAND ROAD WEST	R3-11 ZONE
4525-97	MAR.25/97	SALATINO, V.	1556	16	11 WHITEDEER/2157 RYMAL	ND TO GC-43
4526-97	MAR.25/97	STONEY CREEK	1561	N/A	GENERAL AMENDMENTS	SIGNS BY-LAW
4538-97	APR.29/97	MULTI-AREA DEV.	1559	16	HIGHBURY/GATESTONE	RM3-15(H) - RM3-17(H)
4579-97	JUN.24/97	APPLE BLOSSOM EST.	1558	6	DEWITT ROAD	ND & R2 TO R3 AND R4
4580-97	JUN.24/97	STONEY CREEK	1562	N/A	GENERAL AMENDMENT	FLANKAGE SIDE YARD
4593-97	JUL.22/97	MULTI-AREA DEV.	1559	16	HIGHBURY/GATESTONE	REMOVE “H” RM3-15
4605-97	AUG.26/97	STONEY CREEK	1565	N/A	GENERAL AMENDMENT	ZERO FRONT YARD
4632-97	OCT.28/97	LOSANI HOMES	1564	6	ASHWOOD COURT	ND TO R3 ZONE
4634-97	OCT.28/97	MARZ HOMES - HARBOUR	1570	2	2 HARBOUR DRIVE	LC ZONE TO RM3-19 ZONE
4635-97	OCT.28/97	STONEY CREEK	1574	N/A	GENERAL AMENDMENT	HOSPICE IN CA1-1 ZONE
4637-97	OCT.28/97	POMPEANI ENTERPRISES	1566	6	MARGARET AVENUE	GC-18 TO RM2-2 ZONE
4655-97	NOV.25/97	LYNN WATSON	1575	N/A	25 LAKE AVENUE DRIVE	RM1-1 - ADDITIONAL USES
4656-97	NOV.25/97	MARZ HOMES / DEWITT	1572	1	DEWITT ROAD	RM2-3 - SETBACK /LAKE
4660-97	DEC.4/97	MULTI-AREA DEV.	1559	16	HIGHBURY/GATESTONE	REMOVE (H) FROM RM3-17
4661-97	DEC.4/97	PROVINCIAL CONCRETE	1569	10	ATHENIA DRIVE	R1 AND R2 TO R4-2
4662-97	DEC.4/97	RIVERSO/SANTUCCI	1576	15	HIGHLAND ROAD WEST	R2-38, R2-39(H), R2-40(H)
4669-98	JAN.13/98	BELL CANADA	1578	15	HIGHLAND ROAD WEST	ND TO R2 AND R4(H)

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4690-98	FEB.24/98	MARZ HOMES	1568	6	TALLMAN EXTENSION	R2 TO R3 AND R2-35, RM3-18
4691-98	FEB.24/98	NESTEX DEVELOPMENTS	1580	6	464 HIGHWAY NO. 8	RM3-1(H) TO RM2-4(H)
4700-98	MAR.10/98	CEDAR POINT ESTATES	1571	6	242-246 BARTON STREET	RM3-14 AND RM3-20
4710-98	MAR.24/98	LEE, PARK MOON	1581	6	274 BARTON STREET	ND TO LC-8(H)
4720-98	APR.14/98	STONEY CREEK, CITY OF	1583	N/A	GENERAL AMENDMENT	PRIVATE SATELLITE DISHES
4742-98	MAY 12/98	L.I.U.N.A. GARDENS	1577	4	WINONA ROAD	ND - R2-36 & R2-37
4753-98	MAY 26/98	DR. A. FRISINA	1582	6	181-183 HIGHWAY NO. 8	R4 AND R4-1 TO GC-44
4770-98	JUN.23/98	STONEY CREEK, CITY OF	1584	N/A	GENERAL AMENDMENT	FIVEPLEXES / SIXPLEXES
4782-98	JUL 14/98	DESANTIS/MARZ	1585	1	GREEN ROAD/FRANCES	GC35 TO RM2
4783-98	JUL.14/98	MARZ HOMES	1586	6	DARROW DRIVE	R5 TO R4
4800-98	AUG. 25/98	MOUNTAIN GARDENS	1573	16	HIGHBURY DRIVE	ND TO R2(H) AND R3(H)
4801-98	AUG. 25/98	H-G VALLEY PARK #3	1490	15	800 PARAMOUNT DRIVE	REMOVE “H” FROM RM3(H)
4802-98	AUG. 25/98	NESTEX DEVELOPMENTS	1580	6	464 HIGHWAY NO. 8	REMOVE “H” FROM RM2(H)
4815-98	SEP. 22/98	TOSCANI – HIGHLAND	1579	16	207 HIGHLAND ROAD WEST	R1 TO R3
4825-98	OCT. 15/98	ONTARIO REALTY CORP.	1592	15	HIGHLAND ROAD WEST	ND TO R2-33
4848-98	NOV. 24/98	STONEY CREEK, CITY OF	1587	N/A	GENERAL AMENDMENT	MOTOR VEHICLE DEALERSHIP
4856-98	DEC. 8/98	MOUNTAIN GARDENS	1573	16	HIGHBURY DRIVE	REMOVE “H” FROM R2(H) & R3(H)
4858-98	DEC. 8/98	MARZ / DINGMAN	1596	6	178 GREEN ROAD	R2 TO R3
4894-99	FEB. 23/99	VANDERWERF, J.	1439	9	1351 HIGHWAY NO. 8	REMOVE “H” FROM R2-17(H)
4898-99	MAR.9/99	GREEN GABLES	1568	6	GREEN GABLES	REMOVE “H” FROM RM3(H)
4906-99	MAR. 23/99	DECOR PRECAST	1595	2	661, 665 BARTON STREET	MSP TO MSP-20
4911-99	APR.13/99	STONEY CREEK FURNITURE	1598	3	S/E S.S.R. AND LEWIS ROAD	MG TO MT-5

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
4915-99	APRIL 27/99	FIFTY ROAD EAST	1591	4	FIFTY ROAD EAST	VARIOUS
4916-99	APR. 27/99	LAKE VISTA	1567	4	FIFTY ROAD WEST	TO R1-7 AND R2-41
4917-99	APR. 27/99	LAKE VISTA WEST	077-161	4	FIFTY ROAD WEST	TO R1-7 AND R2-41
4918-99	APR. 27/99	LAKE VISTA EAST	077-162	4	FIFTY ROAD WEST	TO R1-7 AND R1-8
4919-99	APR. 27/99	FIFTY POINT NEIGH. WEST	077-147	4	FIFTY ROAD WEST	TO R2-41
4920-99	APR. 27/99	FIFTY POINT MARINA	077-157	4	FIFTY ROAD WEST	TO R2-41
4934-99	MAY 25/99	V. SALATINO	1602	16	11 WHITEDEER ROAD	ND TO R2
4939-99	MAY 25/99	RHYTHM DANCE STUDIO	1589	7	613 HIGHWAY NO. 8	IS-2 TO IS-8
4947-99	JUN. 8/99	MILAN PETKO	1588	8	1091 HIGHWAY NO. 8	ADD "T" USE - RC-2 AND AS-10
4951-99	JUN. 22/99	STONEY CREEK, CITY OF	1601	6	369-377 HIGHWAY NO. 8	IS TO GC-46(H)
4986-99	AUG. 31/99	PARKVIEW ESTATES	1599	6	MACINTOSH DRIVE	IS TO R4-3, R4-4, R4-5, R4-6
5001-99	SEP. 14/99	FIELDS OF WINONA	1600	9	HIGHWAY NO. 8/WINONA RD.	ND – VARIOUS RESIDENTIAL
5003-99	SEP. 14/99	DERUBEIS	1560	17	274 UPPER CENTENNIAL	RR TO RC
5023-99	OCT. 26/99	STONEY CREEK, CITY OF	1506	N/A	GENERAL AMENDMENT	HOME OCCUPATIONS
5030-99	NOV. 9/99	SHADYGLEN	1594	16	SHADYGLEN DRIVE	ND TO RESIDENTIAL/OS/PARK
5031-99	NOV. 9/99	GOLDCOURT	1604	6	HIGHWAY NO. 8	ND TO RESIDENTIAL/OS/PARK
5042-99	NOV.23/99	ORC-VALLEY PARK 5	1502	15	DALEGROVE CRESCENT	REMOVE "H" SYMBOL
5067-00	JAN. 25/00	CENTRAL-VERSA	1607	15	HIGHLAND ROAD WEST	ND TO "I" AND "OS"
5068-00	JAN. 25/00	STONEY CREEK, CITY OF	1608	4,7,8, 10,15	HOUSEKEEPING – 1999	VARIOUS
5097-00	MAR. 14/00	BROWN LAKE HOLDINGS	1609	7	HIGHWAY 8 / DEWITT ROAD	ND TO "GC"
5098-00	MAR. 14/00	LAKESHORE RAVINE #2	1611	1	FRANCES / GREEN ROADS	RM5-2 TO 'RM3-21" AND "RM2"
5099-00	MAR. 14/00	HIGHGATE MILLS	1610	16	HIGHGATE DRIVE	R2 AND R5-3 TO "R4"

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	DATE	APPLICANT	FILE	MAP	PROPERTY ADDRESS	CHANGE
5136/00	MAY. 23/00	STONEY CREEK, CITY OF	1612	1,3	HOUSEKEEPING - 2000	VARIOUS
5160-00	JUL. 1/00	IPCF (FORTINOS)	1551	16	UPPER CENTENNIAL/RYMAL	REMOVE (H) SYMBOL
5161-00	JUL. 11/00	A. CASTELLI	1613	18	488-498 GREEN MOUNTAIN	TO A-6, RR-18, RR-19
5162-00	JUL. 11/00	HAD DEVELOPMENTS	1614	10	PARAMOUNT DRIVE	LC-6 TO SC1-1
5191-00	AUG.29/00	NORSTAR WINDOWS	1617	3	924-944 SOUTH SERVICE RD.	MT-6(H)
5194-00	SEP. 26/00	MULTI-AREA DEV.	1621	2	N-W BARTON / FRUITLAND	MSP TO GC
5196-00	SEP. 26/00	MARIA CELANI	1624	6	S-W HIGHWAY 8 / DEWITT	GC-34 / R5-44 TO GC-48 / R3
5212-00	OCT. 10/00	LUCKY BEAR SERVICES	1633	1	490 ARVIN AVENUE	MS TO MS-9
5213-00	OCT.10/00	CESARE CANCI	1630	16	20 HIGHLAND ROAD WEST	ND TO R2-46
5215-00	OCT. 10/00	JOHN DURFEY	1626	9	HWY 8 / BRIDGMAN LANE	AS TO AS-11
5217-00	OCT. 10/00	W.A. CONSTRUCTION	1605	3	SOUTH SERVICE ROAD	MT-3 TO MT-7
5225-00	OCT. 24/00	STONEY CREEK, CITY OF	1628	9	1348 BARTON STREET	ND-2 TO R2 & P
5226-00	OCT. 24/00	SALVATION ARMY	1629	10	WINTERBERRY/PARAMOUNT	ND TO IS
5227-00	OCT. 24/00	CHERRY BEACH	1615	1	CHERRY BEACH ROAD	R1, ND-1, R1(H) TO RM4-4
5228-00	OCT. 24/00	FIFTY ROAD JOINT VENTURE	1632	N/A	FIFTY ROAD	ADD SINGLES TO R5-6
5242-00	NOV. 1/00	E.D. SMITH FRUIT FARMS	1621	8	HIGHWAY NO. 8	ADD RESTAURANT USE

NOTE:

THE FOLLOWING PAGES LIST BY-LAWS PASSED BY THE CITY OF HAMILTON

STARTING JANUARY 1, 2001

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	DATE	APPLICANT	FILE	MAP	PROPERTY ADDRESS	CHANGE
01-050	MAR. 20/01	NORSTAR WINDOWS	1617	3	922-944 SOUTH SERVICE RD	MT-6 REMOVE (H) SYMBOL
01-051	MAR.20/01	ABUNDANCE MARKETING	BL.08.GEN	6	297 HIGHWAY NO. 8	REMOVE "H" FROM GC(H)
OMB-03 01-087	JAN. 06/03 MAY 15/01	836723 ONTARIO INC.	ZAC-01-03	6	N/E MARGARET / HIGHWAY 8	R2 TO RM3-24
OMB 0462	MAR. 28/01	DELUCA, P.S.	1627	6	38 BLENHEIM STREET	R6 TO R6-1(H)
01-102	MAY 29/01	FIELDS OF WINONA	1600	9	SILVERLACE CIRCLE	R2-43(H) TO R2
01-117	JUN. 12/01	TRILLIUM GARDENS, PH. 1	1619	2	N/W NSR & JONES ROAD	ND TO RESIDENTIAL
OMB-0122 01-136	JAN. 23/02 JUN. 26/01	SPENUK, E.	SC-00-01	3	403 MCNEILLY ROAD	ND TO MG, OS AND MG-8(H)
01-141	JUN. 26/01	FOOTHILLS OF WINONA	1622	9	BARTON / WINONA / FIFTY	AS TO ND & RESIDENTIAL
01/256	OCT. 30/01	OLD CASTLE BUILDING	01-31	2	324 FRUITLAND ROAD	MSP TO MSP-20
01-276	NOV. 27/01	HEERINGA BROS.	01-32	16	151 UPPER CENTENNIAL	ND TO GC-49 & OS
01-286	DEC. 11/01	THOMA, TONY	01-36	7	32 MACDUI DRIVE	0S-3 TO R2-47 & OS-6
02-004	JAN. 09/02	FIELDS OF WINONA	ZAC-01-37	9	SILVERLACE CIRCLE	ND TO R2 & R2-48
02-023	FEB. 13/02	MARK SKRITCH	ZAC-01-41	3	11 SHORELINE ROAD	ND & RR TO R2-49
02-024	FEB. 13/02	MONTICELLO ESTATES	ZAC-01-45	6	PEACHWOOD AND TITAN	MODIFY R5-7
02-069	MAR. 27/02	KINGSFORD	ZAC-01-47	3	1047 BARTON STREET	TEXT CHANGE TO MS-7, MG5, MG5(H) TO MG9, MG9(H0
02-085	APR. 10/02	SILVESTRI INVESTMENTS	ZAC-01-60	16	HIGHLAND ROAD/SIDNEY	R1 TO R3
02-087	APR. 10/02	ULISSE FINE FOODS	ZAC-02-13	1	197 BARTON STREET	MSP TO MSP-12
02-105	APR. 24/02	PRESTA, MICHELE	ZAC-02-09	9	49 SILVERLACE CIRCLE	REMOVE (H) FROM R2(H)
02-126	MAY 15/02	660439 ONTARIO LIMITED	ZAC-02-17	17	138 UPPER CENTENNIAL	RC TO MR-3
02-144	MAY 29/02	IMPERIAL OIL	ZAC-02-19	16	249 UPPER CENTENNIAL	SR1 & HC TO HC-5
02-186	JUN. 26/02	FOOTHILLS OF WINONA	ZAC-01-57	9	3-67 SANOMA LANE	REMOVE "H" FROM R4-9

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
02-218	AUG. 14/02	1224409 ONTARIO LTD.	ZAR-O2-54	9	SILVERLACE CIRCLE	REMOVE (H) FROM R2(H)
02-203	JUL. 10/02	FOOTHILLS OF WINONA	ZAC-02-04	9	358 WINONA ROAD	R4-9(H) AND ND TO RM3-22
02-209	JUL. 10/02	HAMILTON, CITY OF	C1-02-A	N/A	GENERAL AMENDMENT	PHASED REG. OF CONDOS
02-261	SEP. 25/02	HAMILTON CROATIAN	ZAC-02-43	17	166 GREEN MOUNTAIN RD.	A TO IR-3
02-289	OCT. 09/02	DESANTIS IND. PARK	ZAC-02-35	3	BARTON STREET	MG(H) MS(H) TO MG-10(H), MS
02-303	OCT. 23/02	ADORN INVESTMENTS	ZAC-02-65	6	369-377 HIGHWAY NO. 8	REMOVE "H" FROM GC-46(H)
02-335	NOV. 27/02	ILIC, SASHA	ZAC-02-40	7	604 HIGHWAY NO. 8	R1 TO GC-50(H)
03-015	JAN.22/03	SILVESTRI HOMES	ZAC-02-64	10	OLD MUD STREET	ND TO R4 AND RM2
03-027	FEB.12/03	FIFTY ROSE HOMES	ZAR-02-78	N/A	FIFTY ROAD	GARAGE PARKING SPACE R5-6, RM2-5 AND RM2-6
03-035	FEB.12/03	RUSSEL METALS INC.	ZAR-02-87	3	1052 SOUTH SERVICE ROAD	REMOVE "H" - MT(H), MG(H)
03-050	MAR. 5/03	DICENZO CONST.	ZAC-02-75	2	GALILEO & PISA DRIVE	ND TO R2-50, R6-2 AND RM2
03-062	MAR.26/03	GUILLEMETTE, N.	ZAC-01-12	5	24 LAKE AVENUE DRIVE	RM1 TO RM1-3
03-099	APR.23/03	456941 ONTARIO LTD.	ZAC-03-06	7	9 GLENCREST (REGALVIEW)	ND TO R2
03-100	APR.23/03	REDA HEIGHTS	ZAC-03-01	16	86 SECOND ROAD WEST	R1 TO R3 TO R3-16
03-104	MAY 14/03	OLD MUD WEST	ZAC-03-84	10	OLD MUD STREET	ND TO R4-10 & RM3-23
03-162	JUN. 25/03	STAIBANO, ANTHONY	ZAC-03-28	6	360 HIGHWAY NO. 8	R2 TO GC-26 (AMENDED)
03-163	JUN.25/03	HAMILTON, CITY OF	CI-03-B	N/A	MODEL HOMES	ALLOW MODEL HOMES
03-183	JUL.23/03	ERINGATE DRIVE EXT.	ZAC-03-11	16	ERINGATE DRIVE	R1 TO R3
03-217	AUG.13/03	MAPLEVIEW ESTATES	075-1524	7	ORR CRESCENT	OS-7, OS-3, R2-4, R2-51
03-247	SEP.10/03	LAMBERT, FRED	ZAC-03-27	8	984 HIGHWAY NO. 8	RR TO RR-20
03-269	SEP.24/03	VIERA, KATHY	ZAR-03-42	4	580 FIFTY ROAD	ND & RR TO R1-14
03-282	OCT.15/03	SCATTOLON, MARIA	ZAC-03-58	6	382 FEDERAL STREET	R5 TO R2

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
03-283	OCT.15/03	HAMILTON, CITY OF	C1-03-F	6	HOUSEKEEPING 2003	VARIOUS
03-308	OCT.29/03	DESANTIS DEVELOPMENTS	ZAC-03-71	4	BASELINE ROAD	ND TO R3, RM3
03-310	OCT.29/03	BERNACCI, MICHAEL	ZAC-03-46	6	427 HIGHWAY NO. 8	R2 TO GC-51
03-319	OCT.29/03	SABATELLI, MARIA	ZAR-03-66	6	411 HIGHWAY NO. 8	R2 TO LC-9
03-320	OCT.29/03	TRILLIUM ESTATES – PH.1	ZAC-03-50	3	MCNEILLY / N.S. ROAD	ND TO RM2-9(H) AND R3-19(H)
03-322	OCT.29/03	SHADYGLEN – STAGE 3	ZAC-03-50	16	GATESTONE DRIVE	ND TO SR3
03-323	OCT.29/03	2000962 ONTARIO INC.	ZAR-03-73	N/A	CHERRY BEACH	MODIFY RM4-4
03-330	OCT.29/03	LOSANI HOMES	ZAR-03-81	3	MCNEILLY AND S.S. ROAD	MT(H) TO MT
03-335	OCT.29/03	LAKE VISTA CENTRAL	ZAC-03-35	4	FIFTY ROAD	PARK AND R1-7 ZONES
03-336	OCT.29/03	LAKE VISTA WEST	ZAC-03-36	4	FIFTY ROAD	R1-7 TO PARK ZONE
03-338	OCT.29/03	LAKE VISTA EAST	ZAC-03-37	4	FIFTY ROAD	R1-7 & 8 TO PARK ,R1, R2
03-351	DEC.22/03	TRILLIUM ESTATES PH. 1	ZAC-03-52	3	SEABREEZE CRESCENT	ND TO R2, R3, RM2 & OS
04-001	JAN.14/04	DIMCO CONTRACTING	ZAR-03-03	3	20 VICTORIA AVENUE	MSP(H) TO MSP
04-004	JAN.14/04	HAMILTON, CITY (SMITH)	CI-03-H	3	518 GLOVER ROAD	OS AND RR TO RR-21
04-011	JAN.28/04	MARILEN INVESTMENTS	ZAR-03-74	1	521 BARTON STREET	MSP-16 TO MSP-21
04-077	APR.14/04	SILVESTRI INVESTMENTS	ZAC-04-09	6	PEACHWOOD CRESCENT	R4-7(H) TO R4-7
04-078	APR.14/04	H.W.D.S.B.	ZAC-04-01	16	GATESTONE DRIVE	ND AND I TO IS
04-122	MAY 26/04	KINGS VIEW ESTATES	ZAC-04-107	10	OLD MUD STREET	ND TO R3
04-143	JUN. 16/04	M. KUTLESA	ZAH-04-04	7	604 HIGHWAY NO. 8	GC-50(H) TO GC-50
04-156	JUN.30/04	GSP GROUP	ZAC-03-100	16	125-135 UPPER CENTENNIAL 16 HIGHLAND ROAD WEST	GC-41(H) TO GC-41
04-173	JUL.14/04	CLOVERDALE DEV.	ZAC-03-89	3	478 GLOVER ROAD	ND TO R4-11, RM2-10, RM3-26 AND 0S
04-191	AUG. 2/04	VALERI PLACE	ZAC-04-17	6	145, 147 & 149 GREEN ROAD	R2 TO RM3-25

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
04-192	AUG. 2/04	DEERFIELD ESTATES	ZAC-04-14	16	CANDLEWOOD DRIVE	ND & R2-19(H) TO R3 & R2
04-194	AUG. 2/04	CRETARI HOMES	ZAR-04-44	6	205 DEWITT ROAD	R2 TO R4-12
04-195	AUG. 2/04	ROBERTO, BRUNO	ZAR-04-29	6	241 CROMPTON WAY	R2 TO R6-3
04-196	AUG. 2/04	SPADAFORA, TONY	ZAR-04-33	7	568 HIGHWAY NO. 8	R1 TO R3-20
04-197	AUG. 2/04	KUTLESA, M.	ZAH-04-04	7	604 HIGHWAY NO. 8	DUPLICATE (SEE 04-143)
04-217	SEP. 15/04	HAMILTON, CITY OF	CI-04-F	3	BASELINE ROAD / N.S.R.	ND TO GC-45
04-223	SEP. 15/04	HAMILTON, CITY OF	C1-03-J	5	10 SECOND STREET NORTH	IS TO CA1-8
04-235	OCT. 6/04	HEMLOCK MEADOWS	ZAC-02-91	5	HEMLOCK AVENUE	IS TO R3-17 AND PARK
04-277	NOV. 10/04	SEDLAR, NIKOLA	ZAC-04-85	4	SPRINGSTEAD AVENUE	RR TO R3-18
04-279	OMB	935251 ONTARIO INC.	ZAC-04-42	6	N/W CARLA / GREEN ROAD	R2 TO R2-52 AND R5-8
04-295	NOV. 15/04	SOUTH SERVICE IND. PARK	ZAC-04-66	1	144-190 SOUTH SERVICE RD.	MP TO MP-12
04-279	OMB	935251 ONTARIO INC.	ZAC-04-42	6	N/W CARLA / GREEN ROAD	R2 TO R2-52 AND R5-8
05-007	JAN. 26/05	BRIDGEPORT	ZAC-03-39	2	821 NORTH SERVICE ROAD	ND TO VARIOUS ZONES
05-050	MAR. 9/05	MOHAWK COLLEGE	ZAC-04-94	1	340 LEASIDE / 481 BARTON	MSP TO MSP-6
05-079	APR.13/05	LOBLAW PROPERTIES	ZAC-04-82	16	2257-2273 RYMAL ROAD E.	ND & SC1-2 TO SC2-2
05-080	APR. 13/05	FIFTY ROSE HOMES	ZAR-05-09	N/A	FIFTY ROAD	MODIFY RM2-6
05-096	APR. 27/05	HAD DEVELOPMENTS	ZAR-05-08	10	270 MUD STREET WEST	MODIFY SC1-1
05-119	MAY 11/05	RM SIGNS & ENGRAVING	ZAC-04-12	11	293 UPPER CENTENNIAL	HC, R1 & ND TO HC-6
05-121	MAY 11/05	DEERFIELD ESTATES ADD.	ZAR-05-14	16	CANDLEWOOD DRIVE	R2 & R3 T0 R3-23
05-149	MAY 25/05	SABATELLI, VINCE	ZAC-05-18	N/A	411 HIGHWAY NO. 8	MODIFY LC-9
05-161	JUN. 15/05	SIMNAT CONSULTING	ZAR-05-30	3	500 GLOVER ROAD	AMEND R3-24(H)
05-180	JUN. 29/05	LUVAL ENTERPRISES	ZAC-05-35	10	UPPER MOUNT ALBION ROAD	R3, RM3-7, R1 TO RM3

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
05-181	JUN. 29/05	SEABREEZE EST. PHASE 2	ZAH-05-28	3	WHITEFISH CRESCENT	DELETE RM2-8 – REMOVE H AND AMEND RM2-9
05-187	JUN. 29/05	NEWPORT YACHT CLUB	ZAC-05-19	2	711 NORTH SERVICE ROAD	MODIFY RM5-5 & RM5-8(H)
05-205	JUL. 13/05	METROPOLITAN CONSULT.	ZAC-05-27	3	506 GLOVER ROAD	ND TO R4-13 AND R3
05-211	JUL. 13/05	PALETTA INTERNATIONAL	ZAR-04-92	11	272 FIRST ROAD WEST	RM4-3(H) TO GC-52(H)
05-213	JUL.13/05	SEABREEZE EST. PHASE 1	ZAC-05-21	3	SEABREEZE CRESCENT	RM2 AND ND TO OS AND R3
05-236	AUG.10/05	TYMCHUK, CHRISTOPHER	ZAC-05-54	16	24 SECOND ROAD WEST	R1, R2, R3 TO R3-25
05-238	AUG.10/05	HAMILTON, CITY	CI-05-E	N/A	GENERAL AMENDMENT	LOT CONSOLIDATION
05-243	AUG.10/05	DAN GREER ENTERPRISES	ZAC-03-80	17	HIGHLAND ROAD WEST	A TO MR-5(H)
05-247	AUG.10/05	GIBSON/WARD/FISCHLER	ZAC-05-44	16	RYMAL ROAD EAST	R1 TO R3
05-250	AUG.10/05	1621860 ONTARIO INC.	ZAC-04-78	3	359 WINONA ROAD	LC TO R3-21
05-255	SEPT.14/05	SIMNAT CONSULTING	ZAH-05-88	3	500 GLOVER ROAD	REMOVE "H" R3-24
05-293	OCT.12/05	FALASCA, LUCIO	ZAR-05-68	2	480 JONES ROAD	RR TO R4-14
05-310	OCT.26/05	DEVRIES/PHELPS HOMES	ZAC-05-85	4	589 FIFTY ROAD	ND TO R1
05-349	NOV.23/05	SEABREEZE SUBDIVISION	ZAC-05-61	3	45 SEABREEZE CRESCENT	VARIOUS
05-365	DEC.14/05	LOSANI HOMES	ZAR-05-100	3	404 MCNEILLY ROAD	REMOVE "H"
05-381	DEC.19/05	LOSANI HOMES	ZAR-05-100	3	404 MCNEILLY ROAD	MT(H) TO MT-8
06-017	JAN.12/06	ALFANO, C.	ZAC-04-64	15	1809 RYMAL ROAD EAST	ND TO CS-1(H)
06-035	FEB.15/06	SEABREEZE EST. PH.2	ZAC-05-107	3	SEABREEZE EST. – PHASE 2	ND TO R3
06-038	MAR1/06	HAMILTON, CITY OF	CI-05-01	N/A	GENERAL AMENDMENT	LAND WITHOUT ADEQUATE SERVICES
06-050	MAR.1/06	BATTLEFIELD EQUIPMENT	ZAR-05-115	2	880 SOUTH SERVICE ROAD	MT TO MT-9
06-061	MAR.22/06	770471 ONTARIO LIMITED	ZAC-05-80	17	341 HIGHWAY NO. 20	A TO A-7(H), A-8(H)
06-067	MAR.22/06	HAMILTON HOUSING	ZAC-05-106	10	4 BRIDGEWATER COURT	RM5 TO RM3-29

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
06-089	APR.12/06	1621860 ONTARIO INC.	ZAC-05-120	3	359 WINONA ROAD	R3-21 TO RM2-12
06-108	APR. 26/06	HOMES BY DESANTIS	ZAC-05-130	7	170 DEWITT ROAD	GC TO RM3-30
06-125	MAY 10/06	MANZELLA, MATT	ZAC-06-04	6	360 BARTON ST. / 4 HALE ST.	R2 TO RM2-13
06-128	MAY 10/06	BROOK MEADOWS	ZAC-05-116	10	EAST END OLD MUD STREET	ND TO R4-17 AND OS
06-136	MAY 24/06	HEMLOCK MEADOWS	ZAC-06-14	N/A	HEMLOCK AVENUE	MODIFICATIONS TO R3-17
06-156	JUN 14/06	PINEWOOD CONST.	ZAC-06-23	3	500 GLOVER ROAD	ND TO R3-27
06-164	JUN 14/06	HERITAGE GREENE COM.	ZAC-03-93	10	UPPER MOUNT ALBION RD.	ND TO VARIOUS
06-190	JUN 28/06	HAD DEVELOPMENTS	ZAC-05-125	10	1050 PARAMOUNT DRIVE	LC-5 TO RM2-14
06-232	AUG. 9/06	MULTI-AREA DEV.	ZAC-06-11	2	627 BARTON / 327 FRUITLAND	MODIFY "GC-47
06-242	AUG.9/06	VALGREEN VILLAGE	ZAC-06-35	6	145-151 GREEN ROAD	MODIFY "RM3-25"
06-272	SEP.13/06	KOHLBERGER, WARD	ZAC-06-46	2	11 LAKESIDE DRIVE	ND TO "R1-16"
06-275	SEP.13/06	VENTRESCA , P.	ZAC-05-112	2	487 GLOVER ROAD	RR TO "R3" AND "R3-22" (MAP ONLY)
06-290	SEP.27/06	2095534 ONTARIO INC.	ZAC-06-39	6	259-261 HIGHWAY NO. 8	R6 TO GC-53
06-291	SEP.27/06	DEFAVERI, JOHN	ZAH-06-66	3	370 MCNEILLY ROAD	MG(H) TO MG (MAP ONLY)
07-027	JAN.24/07	SILVESTRI, FRANK	ZAC-06-79	16	EDGECROFT CRESCENT	R1 TO R3-28
07-065	FEB.28/07	HARRIS STEEL GROUP	ZAR-06-97	1	312-318 ARVIN AVENUE	MG TO MG-11
07-112	APR.11/07	HAMILTON, CITY OF	CI-07-A	N/A	GENERAL AMENDMENT	AGRICULTURAL CODE
07-154	MAY16/07	FRENDEL KITCHENS	ZAH-07-10	15	1809 RYMAL ROAD EAST	REMOVE H FROM CS-1(H)
07-172	MAY30/07	NEW HORIZON HOMES	ZAC-06-101	16	2247 RYMAL ROAD EAST	HC-3(H) TO GC-54
07-180	JUN.13/07	THORNE, RALPH	ZAC-07-09	3	17 SHORELINE DIVE	RR TO R2-55
07-196	JUN.27/07	MATTAMY WINONA	ZAC-06-49	4	1353, 1357, 1427 BASELINE	R1 TO VARIOUS ZONES
07-198	JUN.27/07	HERITAGE GREENE DEV.	ZAC-07-36	10	UPPER MOUNT ALBION ROAD	REMOVE "H" - SC2-3 & SC1-3

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
07-215	JUL.11/07	1175 BARTON STREET DEV.	ZAH-07-32	11	1175 BARTON STREET	REMOVE "H" – MSP, MSP-17
07-237	AUG.8/O7	SEABREEZE ESTATES INC.	ZAC-07-015	2	481 & 483 GLOVER ROAD	RR TO R4-19
07-269	SEP.26/07	MURACA, FRANK	ZAC-07-034	3	101 SEABREEZE CRESCENT	ND TO R2 AND R3
07-290	OCT.10/07	MARZ HOMES	ZAC-06-104	2	38, 42 AND 56 COPES LANE	RR & R2-50 TO R2-54/56/57& 58
07-344	DEC.12/07	1322285 ONTARIO LIMITED	ZAC-07-028	10	ALKIN & ALLANBROOK	R2 AND ND TO R3
07-350	DEC.12/07	HAMILTON, CITY OF	C1-01-D	13	490 & 520 FIFTY ROAD EAST	OS-4 TO OS-8 AND OS-9
08-042	FEB.27/08	2257 RYMAL ROAD DEV.	ZAR-07-069	N/A	2257 & 2273 RYMAL RD. EAST	MODIFY SC2-2 ZONE
08-089	APR.23/08	EVENTUS GROUP INC.	ZAR-07-089	2	348 FRUITLAND ROAD	MG TO MG-12
08-093	APR.23/08	P.S. DELUCA INV.	075-1627	6	38 BLENHEIM DRIVE	REMOVE "H" FROM R6-1(H)
08-115	MAY.14/08	KAY, ANNE PATRICIA	ZAC-07-108	5	61-65 KING STREET WEST	CA1-1 TO R2-59 AND CA1-9
08-163	JUN.25/08	HIGHGATE MEADOWS	ZAC-08-006	16	21 UPPER CENTENNIAL	ND &SC2-2 TO R4-21
08-164	JUN.25/08	PETRO CANADA	ZAC-08-164	17	268-274 UPPER CENTENNIAL	RC TO RC-5
08-192	AUG.7/08	BERALDO, PAUL	ZAR-07-050	9	1307 HIGHWAY NO. 8	LC TO R2 (MAP ONLY)
08-203	SEP.10/08	DEFILIPPIS DEVELOPMENT	ZAC-07-097	5	4 SECOND STREET NORTH	IS TO RM2-15(H)
08-207	SEP.10/08	LOSANI HOMES	ZAC-07-085	16	HIGHLAND ROAD WEST	ND, R6 TO R4-22, R6-4
08-242	OCT.15.08	CRETARO HOMES	ZAC-08-023	4	516, 520 FIFTY ROAD	RR, ND TO R3-29 & R5-6
08-244	OCT.15.08	TARBUTT, JAMES	ZAR-08-043	4	28 LOCHSIDE DRIVE	RRE TO R1-18 AND RRE-3
08-288	DEC.10/08	J. INVERSO ELECTRIC LTD.	ZAH-08-072	17	N/E HIGHLAND ROAD WEST AND SECOND ROAD WEST	R2-30(H) TO R2 (MAP ONLY)
08-290	DEC.10/08	HAMILTON CONSERVATION	ZAC-06-054	4	1478 BASELINE ROAD	ND TO RM3 & P5 (MAP ONLY)
08-293	DEC.10/08	CARRIAGE GATE HOMES	ZAC-07-106	16	HIGHBURY DRIVE	ND TO VARIOUS RESIDENTIAL
09-073	APR.15/09	MARZ HOMES	ZAC-08-047	7	568 HIGHWAY NO. 8	R1 TO RM2-17
09-131	JUN.10/09	HAMILTON, CITY OF	C1-09-C	N/A	GENERAL AMENDMENT	WASTE MANAGEMENT FACILITIES – IND ZONES

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	DATE	APPLICANT	FILE	MAP	PROPERTY ADDRESS	CHANGE
09-184	AUG.13/09	MADY DEVELOPMENTS	ZAC-05-111	9	1310 SOUTH SERVICE ROAD	AS & HC TO SC2-4(H)
09-199	SEP. 16/09	TOBYN PARK HOMES	ZAC-07-040	15	390 HIGHLAND ROAD WEST	ND TO R4-20, R4, RM3-33 & 39
09-210	SEP. 30/09	HAMILTON, CITY OF	CI-09-E	N/A	GENERAL AMENDMENT	OUTDOOR COM. PLAZAS
09-254	DEC. 9/09	MARZ HOMES	ZAC-08-070	2	DARTMOUTH/PALACEBEACH	GC TO RM2-18
10-016	JAN.27/10	BLACK SAIL SC LIMITED	ZAC-09-037	16	UPPER CENTENNIAL PKWY	R4-21 TO RM2-22
10-027	FEB.10/10	LPF REALTY	ZAC-08-079	1	310-381 FRANCES AVENUE	VARIOUS
10-044	MAR.10/10	FIFTY ROAD JOINT VENTURE	ZAC-09-044	4	BLOCKS 75-78, 62M-1057	RM2-5 TO R5-6 AND R3-31
10-046	MAR.10/10	MARIA CIPRIANI	ZAR-09-047	N/A	367 HIGHWAY NO. 8	REPLACE GC-16
10-076	APR.14/10	HAMILTON, CITY OF	CI-09-J	N/A	GENERAL AMENDMENT	DEFINITIONS
10-262	OCT.13/10	ROB-GEOFF	ZAH-10-038	16	7,8,11,12,15 &16 SPRINGWOOD DRIVE	REMOVE H SYMBOL
10-272	OCT-13/10	ANDREATTA, A.	ZAC-10-026	4	80 CREANONA BOULEVARD	ND TO R2, R2-32
10-278	OCT.13/10	TREBLA PROPERTIES	ZAC-08-063	6	315 & 319 HIGHWAY NO. 8	ND TO RM4-6
10-320	NOV. 3/10	UPPER CENTENNIAL DEVELOPMENTS INC.	ZAC-09-031	16	198 FIRST ROAD WEST	ND TO VARIOUS RESIDENTIAL
10-324	NOV. 3/10	PARKSIDE DEVELOPMENTS (ALBION) LTD AND LANDMART REALTY CORP	ZAC-08-077	16	PART OF LOTS 25 AND 26, CONSECCION 7	ND TO VARIOUS RESIDENTIAL
10-327	DEC. 9/10	EMPIRE COMMUNITIES (STONEY CREEK) LTD.	ZAC-08-026	11	22 GREEN MOUNTAIN ROAD WEST	VARIOUS
11-032	JAN. 26/11	FRANK LUCATO	ZAR-10-037	4	72 CREANONA BOULEVARD	ND TO R2
11-091	MAR.23/11	ONTARIO REALTY CORP	ZAC-08-062	10	MUD STREET	VARIOUS
11-094	OMB MAR.14/11	LOSANI HOMES	ZAC-05-128	3	1187, 1199, AND 1211 BARTON STREET	VARIOUS
11-169	JUN.29/11	FIFTY ROAD JOINT VENTURE	ZAH-11-033	4	33 LOCHSIDE DRIVE	R1-11(H) TO R1-11
11-237	SEP.28/11	HOMES BY DESANTIS	ZAC-11-008	2	130 & 170 PALACEBEACH TRAIL	VARIOUS
12-018	JAN.25.12	JAMES WATSON	ZAR-11-049	4	22 LOCHSIDE DRIVE	RRE TO RRE-4 & R1-18

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
12-065	MAR.28.12	2149589 ONTARIO LIMITED	ZAC-09-022	4	1365-1367 BASELINE ROAD	RR & MUC TO MUC-6(H)
12-147	JUN.27/12	BLUESCAPE LIMITED	ZAC-12-006	4	76 CREANONA BOULEVARD	R2 TO R2-60 & ND TO R3-35
12-161	JUL.12/12	ALBION DEVELOPMENTS INC.	ZAC-11-051	10	220 MUD STREET WEST	VARIOUS
12-180	AUG.16/12	NICK UHAC	ZAC-11-024	5	120 & 124 KING STREET WEST	RM4(H) TO RM2-30 & RM4-7
12-183	AUG.16/12	HOMES BY DESANTIS	ZAC-11-025	2	845 & 847 NORTH SERVICE ROAD	ND TO RM2-31, RM2-32 & RM2-33
12-215	SEP.26/12	DOMENIC MARINI	ZAH-11-030	17	341 REGIONAL ROAD 20	H REMOVAL
12-252	NOV.14/12	MARFIVE HOLDONGS	ZAC-12-019	4	546 & 548 FIFTY ROAD AND 32 & 36 KINGSPOINT CIRCLE	RR & ND TO R3-36
12-253	NOV.14/12	MATTHEW MANZELLA	ZAC-11-022	2	455 JONES ROAD	R1 TO RM3-44
12-284	DEC.12/12	CITY OF HAMILTON	CI-12-I	15	1925 RYMAL ROAD EAST	REMOVE FROM 3692-92 & ADD TO 05-200
13-041	FEB.13/13	PARKSIDE DEVELOPMENTS	ZAC-11-081	16	43 & 47 MUD STREET WEST	ND TO RM2-19
13-048	FEB.13/13	GUJ HOLDINGS LTD.	ZAC-12-010	1	2 OCEANIC DRIVE	LC TO RM2-36
13-111	APR.24/13	LOSANI HOMES	ZAC-12-004	6	259 DEWITT ROAD	ND TO R2 & R3-38, R2 TO R3-38 & R4 TO R3-38
13-114	APR.24/13	DOBRA PROPERTIES INC.	ZAC-12-047	6	303 HIGHWAY NO. 8	RM3-18 TO GC-55
13-125	MAY 8/13	PAUL ANEJA	ZAH-12-053	4	1365 & 1367 BASELINE ROAD	H REMOVAL
13-130	MAY 6/13 OMB	1800615 ONTARIO INC.	ZAC-11-042	9	1317 & 1329 BARTON STREET AND 339 & 347 FIFTY ROAD	VARIOUS
13-183 (SEE 14-183)	JUL.12/13	VILLAGE ESTATE GROUP	ZAC-11-080	2	528 JONES ROAD	RR TO R2-62
13-209	AUG.16/13	NORMAN & ISABELLE VARTANIAN	ZAC-11-073	11	601 UPPER CENTENNIAL PKWY.	ND TO RM3-50(H) 7 RM3-51(H)
13-224 (SEE 14-315)	SEP.11/13	HERITAGE HIGHLANDS CORPORATION	ZAC-07-112	15	512 HIGHLAND ROAD WEST	ND TO SC2-7(H1)(H2)(H3)(H4)

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
13-240	SEP.25/13	CRETARO HOMES	ZAC-12-048	4	1297 BASELINE ROAD	ND & R1 TO R2-63
13-247	OCT.9/13	KING-TIS INVESTMENTS LIMITED	ZAC-12-042	1	98 SHOREVIEW PLACE	IS TO RM3-52
13-294	NOV.27/13	EMPIRE COMMUNITIES	ZAR-13-025	11	22 GREEN MOUNTAIN ROAD	RM3-38(H) TO RM3-38(H)(T)
13-312	DEC.11/13	PENADY (STONEY CREEK) LTD.	ZAC-13-019	9	395 FIFTY ROAD, 400 WINONA ROAD & 1310 SOUTH SERVICE ROAD	FURTHER MODIFICATION TO THE SC2-4(H) ZONE
14-062	MAR. 6/14	EMPIRE COMMUNITIES	ZAH-13-013	11	22 GREEN MOUNTAIN ROAD	H REMOVAL
14-078	APR.9/14	PALETTA INTERNATIONAL	ZAH-06-034	11	272 FIRST ROAD WEST	H REMOVAL
14-082	APR.9/14	1800615 Ontario Inc., A. DiCenzo and S. Manchia	ZAC-13-022	9	1335 BARTON STREET	AS TO RM2-38, RM3-47 & RM3-48
14-113	MAY 14/14	PENADY (STONEY CREEK) LTD.	ZAH-13-058	9	395 FIFTY ROAD , 400 WINONA ROAD & 1310 SOUTH SERVICE	H REMOVAL
14-117 (SEE 15-115)	MAY 14/14	1333664 Ontario Inc., c/o Mike Valvasori	ZAC-12-001	6	257, 259 & 261 MILLEN ROAD	R2 TO RM3-53
14-180	JUL.11/14	EMPIRE COMMUNITIES	ZAC-09-007	11	420 FIRST ROAD WEST	ND TO R4-31, R4-31(H1), R4-31(H1,H2), RM2-40, RM2-40(H1), RM2-40(H1,H2), RM2-42, RM2-41(H), LC(H1), LC(H2)
14-183 (OMB) (SEE 15-063)	MAY 1/14	VILLAGE ESTATE GROUP	ZAC-11-080	2	528 JONES ROAD	RR TO R2-62
14-198	AUG.15/14	1675367 Ontario Inc.	ZAR-14-006	6	259-261 HIGHWAY NO. 8	GC-53 ADDITIONAL USES
14-269	SEP.24/14	UPPER PARADISE ROAD INC.	ZAC-13-042	11	267, 275-283 & 293 UPPER CENTENNIAL PARKWAY	ND, HC & HC-6 TO HC-6(H)
14-279	SEP.24/14	CITY OF HAMILTON	CI-14-E	N/A	GENERAL AMENDMENT	COMMUNITY GARDENS AND URBAN FARMS

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
14-315 (OMB)	SEP.4/14	HERITAGE HIGHLANDS CORPORATION	ZAC-07-112	15	512 HIGHLAND ROAD WEST	ND TO SC2-7(H1)(H2)(H3)(H4)
15-063 (OMB)	FEB.13/15	VILLAGE ESTATE GROUP	ZAC-11-080	2	528 JONES ROAD	RR TO R2-62
15-073	MAR.11/15	CITY OF HAMILTON	CI-14-H	N/A	GENERAL AMENDMENT	DEFINITIONS, PARKING EXEMPTION FOR DOWNTOWN, COMMON ELEMENTS CONDOMINIUMS, ETC.
15-106	APR.22/15	CITY OF HAMILTON	CI-15-A	N/A	GENERAL AMENDMENT	URBAN FARMERS MARKET
15-115 (OMB)	MAR.12/15	1333664 Ontario Inc., c/o Mike Valvasori	ZAC-12-001	6	257, 259 & 261 MILLEN ROAD	R2 TO RM3-53
15-179	AUG 14/15	SLICK INTERNATIONAL INC.	ZAH-15-025	6	350 Highway No. 8	H Removal
15-218	NOV 11/15	EMPIRE HOMES	ZAH-15-016	11	22 Green Mountain Road	H Removal
15-219	SEP 23/15	2294643 ONTARIO INC.	ZAC-14-040	9	1290 South Service Road	AS TO SC-8(H)
15-259	NOV 11/15	REDHILL PHASE 2	ZAC-15-005R	11	435 First Road West	ND to RM2-54 comprised in Block 14; ND to R4-32 comprised in Block 15; ND to RM2-42 comprised in Block 16; ND to R4-32 (H) comprised in Block 17
15-297	DEC 9/15	706870 ONTARIO LIMITED	ZAH-15-041	11	420 First Road West	H Removal
15-292	DEC 9/15	CITY OF HAMILTON	CI-15-H	N/A	GENERAL AMENDMENT	DEFINITION OF MODEL HOME AND MODEL HOME REGULATIONS
16-037	FEB 10/16	WINTERBERRY PARAMOUNT CORPORATION	ZAC-15-018	10	20 Artfrank Drive	Deleting and replacing Special Exemption provisions RM3-27(H)
16-039	FEB 10/16	LPF REALTY RESIDENTIAL INC.	ZAR-15-020	1	101 Shoreview Place	Deleting and replacing Special Exemption provisions RM3-40 for 101 Shoreview to RM3-55)
16-055	FEB 24/16	1528148 ONTARIO INC	ZAC-12-040	16	72 SECOND ROAD WEST	Change in zoning from the Single Residential "R1" Zone to the Single Residential "R3" Zone

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
16-086	MAR 30/16	EMPIRE COMMUNITIES	ZAC-16-033	11	3 GREEN MOUNTAIN ROAD WEST	Change in zoning from the Neighbourhood Development "ND" Zone to the General Commercial "GC-56" Zone, Modified
16-095	MAR 30/16	EMPIRE COMMUNITIES	ZAH-16-013	11	420 FIRST ROAD WEST	H REMOVAL
16-102	APR 13/16	LOSANI HOMES	ZAC-14-002	15	1831 RYMAL ROAD EAST	Change in zoning from "ND" to "R1-20" "R3-41" "RM2-43" "RM3-56" "RM3-57" "MUC-9(H)"
16-164	JUNE 8/16	FIFTY ROAD JOINT VENTURES INC.	ZAC-15-045	4	3 SHIPPEE AVENUE	Change in zoning from "ND" to "R1-6(H)
16-182	JUNE 22/16	HERRITAGE HIGHLANDS	ZAH-16-003	15	512 HIGHLAND ROAD WEST	Removal of Holding
16-227	AUG 12/16	SILVESTRI HOMES	ZAC-16-008	1	560 GRAYS Road	Change in Zoning from "HC(H)" to "RM3-58"
16-257	SEPT 28/16	PAUL SILVESTRI AND EDWARD AND CHERYL BABINEAU	ZAC-15-050	16	316 SECOND ROAD WEST, 262 ERINGATE COURT, 2079, 2081, 2083, 2085, and 2095 RYMAL ROAD EAST	Change in Zoning from "ND" to "R3-42" Change in Zoning from "R1" to "R3-42"
16-299	NOV 9/16	LOSANI HOMES	ZAH-15-053	11	601 UPPER CENTENNIAL PARKWAY	Removal of Holding
17-053	MAR 29/17	LJM DEVELOPMENTS INC.	Zac-16-030	6	325 HIGHWAY NO. 8	Change in Zoning from "GC-13" to "RM4-8"
17-139	JULY 14/17	2178872 ONTARIO INC.	ZAH-16-076	15	136, 144 AND 146 UPPER MOUNT ALBION ROAD	Removal of Holding
17-160	JULY 17/17	BRANTHAVEN HOMES	ZAC-16-012	8	288 GLOVER ROAD	Change in Zoning from "IS" to "RM3-59a, RM3-59b and RM3-59c"
17-175	AUG 18/17	EMPIRE (RED HILL)	ZAH-15-041	11	420 FIRST ROAD WEST	Removal of Holding
17-186	AUG 18/17	DYVB Inc.	ZAC-15-059	11	440 FIRST ROAD WEST	Change in zoning from ND to "RM2-44 (H1)(H2)" and "R4-33 (H1)(H2)"
17-211	OCT 11/17	2450129 ONTARIO INC	ZAC-16-043,	5	60-72 Centennial Parkway South	Change in zoning from "RM1" to "GC-55(T)" and change in zoning from "GC-7" to "GC-55(T)"
18-055	FEB 28/18	EMPIRE (RED HILL)	ZAC-16-001	1352	2 Glover Mountain Road	Change in zoning from the "ND"Zone t0 "R4-34(H1, H2)" Zone, Modified

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
18-077	MAR 28/18	1800615 Ontario Inc.	ZAH-17-087	1	1329 Barton Street	H REMOVAL
18-086	APR 11/18	SAMMANI 786 INC	ZAC-17-028	6	417, 419, 421 and 423 Highway 8, 176 Millen Road and 175 Margaret Avenue	Change in zoning from "R2" Zone to "GC-57" Zone, Modified and change in zoning "R2" Zone to "R2-64" Zone, Modified
18-089	APR 11/18	TRILLIUM HOUSING HIGHBURY NON-PROFIT CORPORATION	ZAC-17-067	4	1288 Baseline Road	Adding the subject property to Zoning By-law 3692-92 and zone to theMultiple Residential "RM3-62" Zone, Modified
18-119	MAY 09/18	FIFTY ROAD JOINT VENTURE INC.	ZAH-18-002	4	3 Shippee Avenue	H REMOVAL
18-167	JUN 27/18	IBI GROUP	ZAC-16-033	4	15 Picardy Drive	Change in zoning from the "ND" Zone to (Holding) "RM3-63 (H)" Zone, Modified
18-253	SEP 12/18	DYVB Inc.	ZAH-18-038	11	440 First Road West	H REMOVAL
18-254	SEP 12/18	EMPIRE (RED HILL) LTD.	ZAH-18-044	11	2 Glover Mountain Road	H REMOVAL
18-268	SEP 12/18	EMPIRE (RED HILL) LTD.	ZAH-16-024	11	435 First Road West	H REMOVAL
18-298	SEP 26/18	GSP GROUP LTD.	ZAC-17-077	4	50 Green Mountain Road West	Change in zoning from the "ND" Zone to (Holding) "RM3-65 (H)" Zone, Modified
18-309	SEP 26/18	U-Haul International	ZAC-17-055	17	19 Highland Road	Change in zoning from the Rural Industrial "MR-5" Zone, Modified to (Holding) "MR-6(H)" Zone, Modified
18-295	SEP 26/18	Marfad Holdings Inc.	ZAC-17-049	5	928 Queenston Road	Change in zoning from the Mixed Use Commercial "MUC" Zone to (Holding) "MUC-11 (H)" Zone, Modified
18-331	DEC 19/18	Losani Homes	ZAC-17-009	3	1215 Barton Street	Changing the zoning from Residential "R6" Zone to the Residential "R6-7" Zone, Modified
19-011	JAN 23/19	Massimo and Melissa Cretaro	ZAR-17-033	4	90 Creanona Blvd., Stoney Creek	Changing the zoning from Neighbourhood Development ND Zone and Single Residential "R2 Zone to the Single Residential R3-43 Zone, Modified (Block 1) and Single Residential R2-65 Zone, Modified (Blocks 3 and 4), on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule A

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
BYLAW	**DATE**	**APPLICANT**	**FILE**	**MAP**	**PROPERTY ADDRESS**	**CHANGE**
19-.028	FEB 14/19	IBI Group	ZAR-18-030	1505	222 First Road West	Changing the zoning from Neighbourhood Development ND Zone to the Single Residential "R2 Zone (Block 1) and by changing the zoning from Single Residential R4-24 Zone, Modified, to the Single Residential R2 Zone (Block 2), on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule A .
19-083	APR 24/19	Webb Planning Consultants	ZAC-16-064	15, 1501, 1548	1809, 1817 and 1821 Rymal Road East; 16 Columbus Gate	Change in zoning from Neighbourhood Development "ND" Zone to Multiple Residential "RM3-57" Zone, Modified (Block 5); from Single Residential "R1" Zone to Single Residential "R3-41" Zone, Modified (Block 6); from Single Residential "R1" Zone to Single Residential "R3-41a" Zone, Modified (Block 7); from Neighbourhood Development "ND" Zone to Multiple Residential "RM3-67" Zone, Modified (Block 8); from Multiple Residential "RM2-43" Zone, Modified to Multiple Residential "RM3-67" Zone, Modified (Block 9); from Service Commercial "CS-1" Zone to Multiple Residential "RM3-67" Zone, Modified (Block 10); Adds new special exemptions: "R3-41a" and "RM3-67"; Modifications to existing RM3-57 Zone, Modified; Adds the definition: "Dwelling – Stacked Townhouse".
20-080- LPAT	DEC 17/19	Penta Properties Inc.	ZAC-15-015 PL161115 PL161116	16	165 Upper Centennial Parkway (Stoney Creek)	Change in zoning from Community Shopping Centre (Holding) "SC2-5(H)" Zone, Modified to Multiple Residential (Holding) "RM3-60(H2)" Zone, Modified (Block 1 of Schedule "A" to By-law) and (Holding) "RM5-12(H2)" Zone, Modified (Block 2) and (Holding) "RM3-60(H1)(H2)" Zone, Modified (Block 9); from Neighbourhood Development "ND" Zone to Multiple Residential (Holding) "RM5-12(H2)" Zone, Modified (Block 3) and (Holding) "RM3-60(H2)" Zone, Modified (Block 4) and (Holding) "RM3-60(H1)(H2)" Zone, Modified (Block 10) and (Holding) "RM2-23(H2)" Zone, Modified (Block 11) and Local Commercial (Holding) "LC-10(H2)" Zone, Modified (Block 12) and (Holding) "RM2-23(H1)(H2)" Zone, Modified (Block 13); from Community Shopping Centre (Holding) "SC2-6(H)" Zone, Modified to Local Commercial (Holding) "LC-10(H2)" Zone, Modified

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
						(Block 5) and Multiple Residential (Holding) "RM3-61(H2)" Zone, Modified (Block 6) and (Holding) "RM2-23(H2)" Zone, Modified (Block 7) and (Holding) "RM2-23(H1)(H2)" Zone, Modified (Block 8) and (Holding) "RM2-23(H1)(H2)" Zone, Modified (Block 14); Adds new special exemptions: "RM3-60", "RM5-12", "RM3-61", "LC-10", "RM3-60(H1)", "RM3-60(H2)", "RM2-23(H1)", "RM2-23(H2)", "RM5-12(H2)", "LC-10(H2)" and "RM3-61(H2)".
20-082- LPAT	DEC 17/19	Penta Properties Inc.	ZAC-14-027 PL161118 PL161119	16	198 First Road West (Stoney Creek)	Removes Blocks 1 & 13 of Schedule "A" to By-law from Zoning By-law 3692-92; Adds Blocks 2 & 3 to Zoning By-law 3692-92, Residential Multiple "RM2-23" Zone, Modified; adds Block 4 to Zoning By-law 3692-92, Single Residential "R4" Zone; Change in zoning from Multiple Residential "RM4" Zone to Residential "R5-10" Zone, Modified (Block 5) and "RM2-23" Zone, Modified (Blocks 6 & 15) and "R4" Zone (Block 7) and Multiple Residential (Holding) "RM2-23(H)" Zone, Modified (Block 12); from Community Shopping Centre (Holding) "SC2-5(H)" Zone, Modified to Multiple Residential (Holding) "RM3-60(H)" Zone, Modified (Block 8) and "RM2-23" Zone, Modified (Block 9); from Neighbourhood Development "ND" Zone to (Holding) "RM3-60(H)" Zone, Modified (Block 10) and "RM2-23" Zone, Modified (Block 11) and (Holding) "RM2-23(H)" Zone, Modified (Block 14); Modifications to the Residential "R5-10" Zone, Modified; Adds new special exemptions: "RM2-23(H)" and "RM3-60(H)".
20-152	JUL 17/20	Glen Schnarr & Associates Inc.	ZAC-17-076	8	1218 & 1226 Barton Street; 1219 Highway No. 8	Change in zoning from Agricultural Specialty "AS" Zone to Single Residential "R4-35" Zone, Modified (Block 1) and "R4-36" Zone, Modified (Block 4) and (Holding) "R4-36(H)" Zone, Modified (Block 5) and "R4-37" Zone, Modified (Block 6) and General Commercial (Holding) "GC-30(H)" Zone, Modified (Block 7); from Rural Residential "RR" Zone to "R4-35" Zone, Modified (Block 2); from Single Residential "R1" Zone to "R4-35" Zone, Modified (Block 3); Adds new special exemptions: "R4-35", "R4-36", "R4-36(H)", "R4-37" and "GC-"

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
						30(H)".
20-174	AUG 21/20	A.J. Clarke and Associates	ZAC-18-005	2	42, 44, 48, 52 and 54 Lakeshore Drive	Change in zoning from Rural Residential "RR" Zone to Single Residential "R2-66" Zone, Modified; Adds new special exemption: "R2-66"
20-235	NOV 11/20	Malatesta Brothers Construction	ZAC-16-016	4	1313 Baseline Road	Change in zoning from Single Residential "R1" Zone to Single Residential "R3-44" Zone, Modified; Adds new special exemption: "R3-44"
20-262	DEC 16/20	New Hamilton Development Corporation	ZAC-16-057	16	56 Highland Road West	Change in zoning from Neighbourhood Development "ND" Zone, to Multiple Residential "RM3-68(H)" Zone, Modified; Adds special exemption with Holding: "RM3-68(H)" to (Block 1 of Schedule "A" to By-law); Change in zoning from Single Residential "R2" Zone, to Multiple Residential "RM3-68(H)" Zone, Modified; Adds special exemption with Holding: "RM3-68(H)" to (Block 2 of Schedule "A" to By-law); and Various modifications to definitions of Part 2.
21-077	MAY 12, 2021	City of Hamilton	City Initiative CI-20-E		Citywide	Secondary Dwelling Unit Regulations
21-167	SEPT 29, 2021	City of Hamilton	City Initiative CI-20-E		Citywide	Secondary Dwelling Unit Regulations
21-188	OCT 13, 2021	City of Hamilton	City Initiative CI-21-E		General Amendment	Administration and enforcement. Add lands located at 57, 61, 65, 67, and 71 East Street.
22-081	APRIL 13, 2022	City of Hamilton	City Initiative CI-22-D		Citywide	Commercial Entertainment and Recreation on Outdoor Commercial Patios
22-131	JUNE 08, 2022	City of Hamilton	ZAC-20-026		250-256 First Road West	Changing the zoning from Neighbourhood Development "ND" Zone to the Multiple Residential "RM3-70(H)" Zone

BY-LAW AMENDMENTS PASSED BY THE CITY OF STONEY CREEK AMENDING ZONING BY-LAW NO. 3692-92						
22-138	JUNE 08, 2022	City of Hamilton	CI-20-E		Citywide	Modifications and Updates to Secondary Dwelling Unit and Secondary Dwelling Unit-Detached Regulations
23-036	MAR 20/23	Glen Schnarr & Associates Inc.	ZAH-21-004	8	1226 Barton Street	H REMOVAL
23-194-OLT	AUG 2/23	Losani Homes (1998) Ltd.	ZAC-18-049	7	860 & 884 Barton Street	Change in zoning from the Agricultural Specialty "AS" Zone to the Multiple Residential "RM3-73" Zone, Modified (Block 1) and from the Agricultural Specialty "AS" Zone to the Multiple Residential "RM3-74" Zone, Modified (Block 2)
24-017-OLT	JAN 22/24	Losani Homes (1998) Ltd. & 1080992 Ontario Inc.	ZAC-17-015		11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent	Update to Subsection 6.4.7
24-065	MAY 08/24		ZAC-24-005		560 Grays Road	Revisions to Section 6.10 Multiple Residential "RM3" Zone. Amending Special Exemption "RM3-58", and Subsection 2
24-216-OLT	NOV 19/24	1520866 Ontario Limited (Losani Homes)	ZAC-16-056	16	157 Upper Centennial Parkway	Change zoning from Neighborhood Development "ND" Zone, Open Space "OS" Zone, and General Commercial "GC-49" Zone to Multiple Residential "RM3-76-H" Zone.
24-226	DEC 11/24		ZAC-21-011		582 and 584 Highway No. 8	Change in zoning from Single Residential "R2" Zone and Neighborhood Development "ND" Zone to Multiple Residential "RM3-75(H)" Zone
25-002-OLT	JAN 07/25	Mikmada (Paramount) Inc.		10	1065 Paramount Drive	Changing the zoning from the Small Scale Institutional "IS" Zone to the Multiple Residential "RM3-77(H)" Zone.
25-039	MAR 05/25		CI-25-B		City Wide	Amending Section 6.1: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES
25-156	AUG 06/25		CI-25-D		City Wide	Amending Section 2: Definitions and Section 4: General Provisions for all Zones
26-018-PED	JAN 22/26	City of Hamilton	ZAH-25-032		0 Kingspoint Circle, Stoney Creek	The Holding Provision has been removed from 0 Kingspoint Circle. Zoning changed from R3-12(H) to R3-12.
26-021-OLT	JAN 12/26		ZAC-24-022	7	286 Lewis Road	Changing the zoning from the Agricultural Specialty "AS" Zone to the Multiple Residential "RM3-80" Zone, Modified and to the Multiple Residential "RM3-81" Zone.

EXPLANATORY NOTE

The City of Stoney Creek Zoning By-law No. 3692-92 was approved (except where noted) by the Ontario Municipal Board on 31st day of May, 1994.

The amendments listed in the following index have been incorporated into the text of Zoning By-law No. 3692-92. The amending By-law number in the margin indicates where the amended text is located. Modifications made as a result of the Ontario Municipal Board Hearings held in 1993 and 1994, have also been incorporated into the text of Zoning By-law No. 3692-92.

PART 1 INTRODUCTION

The Council of the Corporation of the City of Stoney Creek enacts as follows:

SECTION 1.1 TITLE

This By-law may be cited as the Zoning By-law of the City of Stoney Creek.

SECTION 1.2 DEFINED AREA

The provisions of this By-law shall apply to all of the lands contained within the municipal boundaries of the Corporation of the City of Stoney Creek as shown on Schedule "A" attached hereto. However, the zone regulations on lands which are within the Development Control Area as established by the Niagara Escarpment Planning and Development Act, R.S.O. 1990, c.N.2, do not form part of this By-law, but act as a guide to the Corporation in assessing and commenting on applications for development permits.

PART 2 DEFINITIONS

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

Accessory

When used to describe a use, building, structure or activity, means a use, building, structure or activity which is incidental, secondary, subordinate and exclusively devoted to a principal use, building, structure or activity and located on the same lot therewith.

Accessory Building or Structure **(By-law 3863-93)**

Means a separate building or structure not used for human habitation, the use of which is incidental, secondary, subordinate and exclusively devoted to the principal use, building, structure or activity and located on the same lot therewith and shall also mean and include a detached private garage.

Accessory Use

Means a use which is incidental, secondary, subordinate and exclusively devoted to the principal use and located on the same lot as the principal use.

Adult Entertainment Parlour **(By-law 4387-96)**

Means any premises or part thereof in which is provided in pursuance of a trade, calling, business or occupation, goods or services, appealing explicitly to or designed to appeal explicitly to erotic or sexual appetites or inclinations.

Agricultural

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

Amenity Area

Means the portion of a lot intended for communal recreational purposes, which may include landscaped open space, play areas, sun decks and roof decks, but shall not include an apartment balcony, the area occupied by the buildings, service areas, parking areas or driveways.

Amusement Centre

Means a commercial establishment or part thereof where indoor facilities are provided for participatory entertainment or where exhibits are displayed and includes a bowling alley, pool hall, billiards parlour, place of amusement or wax museum.

Animal Hospital or Shelter

Means a building or part thereof, where domestic animals or households pets are given temporary indoor shelter, accommodation and treatment and includes, without limiting the generality of the foregoing, a veterinary facility, a public pound, but does not include any establishment engaged primarily in the retail sale of animals or in breeding or training animals for gain or profit.

Assembly Hall

Means a building or part thereof used for the gathering together of groups of persons for a specific function, including public meetings, but shall not include a banquet hall or commercial or private club, as defined by this By-law.

Arena

Means a building or structure, or part thereof, owned or operated by a private club, by a non-profit or charitable institution or by a public agency, where facilities are provided primarily for athletic or recreational activities, entertainment or events.

Attic

Means the portion of a building situated wholly, or in part, within the gables of the roof and which is less than one-half storey in height.

Auditorium

Means a building or structure, or part thereof, where facilities are provided for civic, educational, musical, recreational, theatrical, political, religious or social events, and includes an assembly hall, arena, cinema, theatre, playhouse, opera house, concert hall, public museum, exhibition hall, convention centre or community social centre, but does not include an amusement centre, commercial recreation centre, stadium or drive-in theatre as defined herein, or any retail store or restaurant unless such store or restaurant is an accessory use.

Balcony

Means a stage or platform, other than a stoop or porch, projecting from the wall of a building and accessible from inside such building by means of a door.

Bank

Means a commercial establishment where money is deposited, kept, lent and exchanged, and includes, without limiting the generality of the foregoing, the business premises of a trust company, caisse populaire or credit union.

Banquet Hall

Means a building or part thereof where full kitchen facilities are provided on the same premises, used for the gathering together of groups of people for specific functions including the consumption of food and drink.

Basement

Means that portion of a building which is partly underground, between two floor levels and which has more than one half of its height from finished floor to finished ceiling above the average finished grade level adjacent to the exterior walls of the building.

Boarding House

Means a housekeeping unit within a detached building in which the maximum number of persons residing in the unit, exclusive of supervisory personnel, employees, or their dependents, shall be as specified in the various zoning categories of this By-law and in which unit persons are lodged for gain. Such a unit shall not include the following:

(a) A Community Resource Centre or a Correctional Institution as defined or designated under the Ministry of Correctional Services Act, R.S.O. 1990, c.M.22;

(b) A place of open custody, a place of open temporary detention, a place of secure custody, a place of secure temporary detention or a place of temporary detention as defined under the Mental Health Act, R.S.O. 1990, c.M.7;

(c) A Charitable Institution or a Hostel as defined under the Charitable Institutions Act, R.S.O. 1990, c.C.9;

(d) A Nursing Home as defined under the Nursing Home Act, R.S.O. 1990, c.N.7;

(e) A Home for the Aged as defined under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c.H.13;

(f) A Residential Care Facility;

(g) A Domiciliary Hostel;

(h) A Tent, Cabin, Travel Trailer or Mobile Home;

(i) A Hotel, Motel, or Tourist Home;

(j) A Foster Home; or

(k) A Group Home.

Boarding House - Type A

Means a boarding house occupied by not more than six persons lodged for gain.

Boarding House - Type B

Means a boarding house occupied by more than six persons lodged for gain.

Body-rub

Means the kneading, manipulating, rubbing, massaging, touching or stimulating by means of a person's body or part thereof, but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered under the laws of the Province of Ontario.

Body-rub Parlour

Means any premises or part thereof where body-rubbing is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any building or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered under the laws of the Province of Ontario.

Body Shop

Means a building or part thereof used primarily for repairing or painting motor vehicle bodies.

Building

Means a structure consisting of a wall or roof and floor and used for the accommodation of persons, shelter of animals or storage of goods, but such a structure shall not include a fence.

Building By-law

Means any By-law of the Corporation passed pursuant to the Building Code Act, R.S.O. 1990, c.B.13.

Building Official, Chief

Means the person duly appointed by Council as the Chief Building Official and charged with the duty of enforcing the provisions of the Building Code Act, R.S.O. 1990, c.B.13, together with any regulations thereunder, or any Building By-law.

Building Permit

Means a permit required by any Building By-law or by the Building Code Act, R.S.O. 1990, c.B.13.

Building Supply Outlet

Means a commercial establishment used for the wholesale or retail sale of building or construction supplies or accessories including, lumber, millwork, cement, siding, roofing, plumbing or electrical, heating, cooling or ventilation supplies but does not include any establishment engaged primarily in the indoor retail sale of windows, paints, wall coverings, floor coverings, plumbing supplies or hardware.

Business Office

Means a building or part thereof in which one or more persons are employed in administering, managing, directing or conducting a public or private agency, a business, a brokerage or a labour or fraternal organization, and includes, without limiting the generality of the foregoing, an office accessory to a permitted non-residential use, a bank or other financial institution, a data processing establishment, printing shop, real estate or insurance agency, but does not include a retail store, professional office or veterinary establishment.

By-law Enforcement Officer

Means a person duly appointed by Council as a By-law Enforcement Officer and charged with the duty of enforcing the By-laws of the Corporation.

Car Washing Establishment

Means a building or structure, or part thereof, containing manual or automated facilities for washing or cleaning vehicles, but does not include any other automotive use defined herein.

Cellar

Means that portion of a building or structure which is partly or wholly underground, between two floor levels and which has more than one-half of its height from finished floor to underside of first floor joists below the average finished grade level adjacent to the exterior walls of the building.

Cemetery

Means land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried and shall include a crematorium and columnbarium.

Child Care Centre (25-156)

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

Club, Commercial

Means any club other than a private club but does not include a flea market.

Club, Private

Means a building or part thereof used as a meeting place for members of an organization or an athletic, social or recreational club not operated for profit.

Cold Cellar

Means an area of a basement or cellar which protrudes into the required front or rear yard and which is located totally under a porch, which porch is unenclosed on at least two sides.

Commercial

When used to describe a use, building, structure, or activity means a use, building, structure or activity pertaining to the buying or selling of commodities or the supplying of services for remuneration, gain or profit, but does not include uses, buildings, structures or activities pertaining to industrial purposes or construction works.

Commercial Composting

Means the treatment of waste by decomposing organic matter for the production of stabilized humus which is subsequently sold on a commercial basis.

Commercial Recreational

When used to describe a use, building, structure or activity, means a use, building or part thereof, structure or activity pertaining to operations for gain for the purposes of squash, tennis, racquet or handball courts, bowling alleys, gymnasiums, private clubs, banquet halls, physical fitness centres or arenas but does not include a flea market.

Common Walkway

Means an area within a shopping centre or commercial building through which ingress and egress to shops and offices located within the shopping centre or commercial building is obtained, provided that such area or part thereof is not used as a shop or otherwise occupied or used for gain.

Community Centre

Means a building or part thereof used for community activities which shall not be used for any commercial purpose.

Community Garden (By-law 14-279)

means land used for the growing and harvesting of plants, 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.

Conforming

Means complying with all applicable provisions or requirements of this By-law.

Convenience Food Store

Means a retail store used for the sale of convenience goods and items of day-to-day personal or household use or necessity including food, beverages, pharmaceutical drugs, limited hardware products, tobacco products and periodicals.

Corporation

Means the Corporation of the City of Stoney Creek.

Council

Means the Council of the Corporation of the City of Stoney Creek.

Custom Workshop

Means a building or part thereof used for fabricating, assembling, servicing or repairing goods but shall not include motor vehicles.

Deleted (25-156)

Daylight Triangle

Means an area of a corner lot which is determined after the side lot line adjacent to the street and the front lot line have been extended to their point of intersection and by measuring from the point of intersection of the two lot lines a distance along each lot line as prescribed by the road authority having jurisdiction to a point and joining such points with a straight line.

Deck

Means a structure open to the sky supported directly by piers and which structure is used for outdoor enjoyment.

Defined Area

Refer to Section 1.2 of this By-law.

Density - Residential

Means the number of dwelling units per hectare on a lot.

Department Store

Means a building or part thereof having a minimum gross floor area of 3,000 square metres, where general merchandise such as household furniture, household appliances, clothing, leather goods, drugs, jewellery, hardware, books and stationary and other retail goods are sold on a departmental basis.

Domiciliary Hostel

Means a housekeeping unit within a detached building in which the maximum number of persons residing in the unit, exclusive of supervisory personnel, employees or their dependents, shall be as specified in the various zoning categories of this By-law and in which unit persons require immediate shelter or assistance not exceeding two weeks in duration. Such a unit shall receive funding from any source based on the number of persons residing in the unit other than funding for capital purposes. Such a unit shall be a facility licenced pursuant to a Provincial Statute. Such a unit shall not include the following:

(a) A Community Resource Centre or Correctional Institution as defined or designated under the Ministry of Correctional Services Act, R.S.O. 1990, c.M.22;

(b) A place of open custody, a place of open temporary detention, a place of secure custody, a place of secure temporary detention or a place of temporary detention as defined under the Mental Health Act, R.S.O. 1990, c.M.7.

(c) A Charitable Institution or Hostel as defined under the Charitable Institutions Act, R.S.O.

1990, c.C.9;

(d) A Nursing Home as defined under the Nursing Home Act, R.S.O. 1990, c.N.7;

(e) A Home for the Aged as defined under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c.H.13;

(f) A Residential Care Facility;

(g) A Boarding House;

(h) A Tent, Cabin, Travel Trailer or Mobile Home;

(i) A Hotel, Motel or Tourist Home;

(j) A Foster Home; or

(k) A Group Home.

Dry Cleaning or Laundering Establishment

Means a building or part thereof used for the purpose of dry cleaning, dyeing, cleaning, laundering or pressing articles, goods or fabrics, with or without a dry cleaning depot as an accessory use.

Dry Cleaning Depot

Means a building or part thereof used for receiving, and subsequently returning articles, goods or fabrics for dry cleaning, dyeing, cleaning, laundering or pressing off the premises.

Dwelling Unit

Means a room or suite of rooms designed and intended for use by a family in which culinary and sanitary facilities are provided for the exclusive use of such family. Such a unit shall have a private entrance from outside the building or from a common hallway or stairway inside the building. Such a unit shall not include the following:

(a) A Community Resource Centre or Correctional Institution as defined or designated under the Ministry of Correctional Services Act, R.S.O. 1990, c.M.22;
(b) A place of open custody, a place of open temporary detention, a place of secure custody, a place of secure temporary detention or a place of temporary detention as defined under the Mental Health Act, R.S.O. 1990, c.M.7.
(c) A Charitable Institution or Hostel as defined under the Charitable Institutions Act, R.S.O. 1990, c.C.9;
(d) A Nursing Home as defined under the Nursing Home Act, R.S.O. 1990, c.N.7;
(e) A Home for the Aged as defined under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c.H.13;
(f) A Residential Care Facility;
(g) A Domiciliary Hostel;
(h) A Boarding House;
(i) A Tent, Cabin or Recreational Vehicle;
(j) A Hotel, Motel or Tourist Home;
(k) A Child Care Centre; or **(25-156)**
(l) A Group Home.

Dwelling

Means a building containing one or more dwelling units as a main use thereof.

Dwelling Group **(By-law 3863-93)**

Means a group of more than one maisonette, townhouse or apartment or any combination thereof.

Dwelling Unit – Accessory

Means a dwelling unit accessory to a permitted non-residential use on the same lot and occupied either by the owner of such lot or by a person employed thereon.

Dwelling – Apartment

Means a building containing five or more dwelling units which building shall have a common entrance from the street level and where the occupants shall have the right in common to use halls, stairs, yards and accessory buildings, but shall not include a Boarding House.

Dwelling – Converted

Means a dwelling that is altered to contain a greater number of dwelling units.

Dwelling – Duplex

Means a building containing two dwelling units but does not include any dwelling erected as, or in the form of, a pair of semi-detached dwellings.

Dwelling – Fourplex

Means a building containing four dwelling units but does not include any dwelling erected as, or in the form of, street townhouse or townhouse dwelling.

Dwelling – Fiveplex (By-law No. 4770-98)

Means a building containing five dwelling units but does not include any dwelling erected as, or in the form of, street townhouse or townhouse dwelling.

Dwelling – Maisonette

Means back to back townhouse dwellings.

Dwelling – Mobile Home

Means a dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

Dwelling – Semi-Detached

Means one of a pair of dwelling units attached horizontally or in part above grade and divided vertically from each other by a common wall extending at least one storey above finished grade.

Dwelling – Single Detached

Means a building comprising one dwelling unit but does not include a mobile home.

Dwelling – Sixplex (By-law No. 4770-98)

Means a building containing six dwelling units but does not include any dwelling erected as, or in the form of, a street townhouse or townhouse dwelling.

Dwelling – Stacked Townhouse (By-law No. 19-083)

Means a "Dwelling – Street Townhouse" containing a maximum of three dwelling units on one lot, where each unit shall have a separate entrance from the Street.

Dwelling – Street Townhouse

Means a building containing not less than three and not more than eight dwelling units where each unit is located on a separate lot with frontage on a public street and is separated from each adjoining unit by a common or party wall or walls above grade for a minimum height of one storey above grade. Such common or party wall may enclose a heated or unheated part of the dwelling unit or private garage or a combination thereof.

Dwelling – Townhouse

Means a building containing not less than three and not more than eight dwelling units with each unit separated by a common or party wall or walls, with a separate outside entrance to each unit.

Dwelling – Triplex

Means a building containing three dwelling units but does not include any dwelling erected as, or in the form of, a street townhouse or townhouse dwelling.

Enclosed Parking

Means a building or part of the principal building, below or above grade, used for the parking of five or more vehicles.

Explicitly (By-law 4387-96)

Means, as used in the definition of Adult Entertainment Parlour, leaving nothing implied, where goods or services are provided.

Extractive Industrial

Means the use of any pit, quarry, or excavation made for the purpose of searching for, or removal of, any soil, earth, clay, marl, sand, gravel, limestone, marble or other non-metallic mineral and shall include equipment for the crushing, screening or washing of sand, gravel or aggregate materials but shall not include a cement manufacturing plant, a concrete batching plant or an asphalt plant.

Family

Means one person or a group of persons including domestic servants and not more than three boarders, residing as a single housekeeping unit.

Farm Produce/Product Stand **(By-law 14-279)**

means a building or structure used for the sale of fresh fruit, vegetables, 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.

Fence

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

Floor Area

For a residential use means the total floor area within a dwelling unit exclusively devoted to such dwelling unit which area is measured between the interior faces of the exterior walls or from the centre line of a common or party wall, but excluding a garage, breezeway, porch, veranda, balcony, attic, basement, cellar, elevator shaft area or boiler room.

Floor Area - Gross

For a commercial or industrial use means the total floor area of all the storeys of a building or structure including the floor area of any basement but not of any cellar or sub-cellar, which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building or structure. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

Floor Area - Gross Leasable

For a commercial or industrial use means the total floor area of all the storeys of a building or structure used for commercial or industrial purposes on a lot; such areas to be measured from the interior faces of the exterior walls, or from centre lines of party walls but excluding the area of any floor area used for the following purposes:

(a) Parking of motor vehicles;

(b) Storage rooms in basements or cellars;

(c) Mechanical equipment rooms for serving and maintaining the building;

(d) Elevator shafts and areas occupied by escalators; and

(e) Common walkways, hallways, enclosed malls and service areas.

Floor Area - Public

Means that portion of a building which is accessible to the public but shall not include kitchens, washrooms, hallways, stairwells, cloak rooms, entrance ways, utility rooms and storage areas, and shall be measured from the interior faces of any walls surrounding such public areas.

Floor Area Ratio

Means the total floor area of all buildings on a lot divided by the lot area of that lot.

Foster Home

Means a housekeeping unit where a maximum of seven children are placed with a receiving family for care and supervision, but not for adoption. Such a unit shall not include the following:

(a) A Community Resource Centre or Correctional Institution as defined or designated under the Ministry of Correctional Services Act, R.S.O. 1990, c.M.22;

(b) A place of open custody, a place of open temporary detention, a place of secure custody, a place of secure temporary detention or a place of temporary detention as defined under the Mental Health Act, R.S.O. 1990, c.M.7.

(c) A Charitable Institution or Hostel as defined under the Charitable Institutions Act, R.S.O. 1990, c.C.9;

(d) A Nursing Home as defined under the Nursing Home Act, R.S.O. 1990, c.N.7;

(e) A Home for the Aged as defined under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c.H.13;

(f) A Residential Care Facility;

(g) A Domiciliary Hostel;

(h) A Tent, Cabin, Travel Trailer or Mobile Home;

(i) A Hotel, Motel or Tourist Home;

(j) A Group Home; or

(k) A Boarding House.

Fuel Storage Depot

Means an establishment primarily engaged in the bulk storage or distribution of petroleum, gasoline, propane, diesel fuel, fuel oil, gas or other similar flammable products in fuel storage tanks.

Funeral Home

Means a building or part of a building, wherein undertaking services are offered and may include accessory activities including the sale of caskets and facilities for public worship and service.

Garage - Industrial

Means a place or building, or part thereof where commercial motor vehicles, trucks, farm implements, construction vehicles, industrial vehicles, equipment and parts are stored, leased, repaired or sold.

Gasoline Bar

Means a place for one or more pump islands each consisting of one or more gasoline pumps or motor fuel pumps and which place shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and which shall not be used for repairs, oil changes or greasing of motor vehicles.

Golf Course

Means a public or private area operated for the primary purpose of playing golf but may also include such buildings and structures as are necessary for the operation and maintenance of the golf course and such club house facilities including restaurants, banquet halls, conference halls and retail sales outlets accessory to the golf course.

Grade

Means the average level of the proposed or finished ground adjoining a building at all exterior walls.

Goods (By-law 4387-96)

Means, as used in the definition of Adult Entertainment Parlour, books, magazines, pictures, slides, film, phonograph records, compact disks, video tapes, audio tapes, prerecorded magnetic tape and any other reading, viewing or listening material.

Group Home

Means a housekeeping unit within a building, in which the maximum number of persons residing in the unit, exclusive of supervisory personnel, employees or their dependents, shall be as specified in the various zoning categories of this By-law and which unit shall be licenced pursuant to a Provincial Statute. Such a unit shall not include the following:

(a) A Community Resource Centre or a Correctional Institution as defined or designated under the Ministry of Correctional Services Act, R.S.O. 1990, c.M.22;

(b) A place of open custody, a place of open temporary detention, a place of secure custody, a place of

secure temporary detention or a place of temporary detention as defined under the Mental Health Act, R.S.O. 1990, c.M.7.

(c) A Charitable Institution or Hostel as defined under the Charitable Institutions Act, R.S.O. 1990, c.C.9;

(d) A Nursing Home as defined under the Nursing Home Act, R.S.O. 1990, c.N.7;

(e) A Home for the Aged as defined under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c.H.13;

(f) A Residential Care Facility;

(g) A Domiciliary Hostel;

(h) A Tent, Cabin, Trailer or a Mobile Home;

(i) A Hotel, Motel or Tourist Home;

(j) A Foster Home; or

(k) A Boarding House.

Hardware Store

Means a retail store engaged primarily in the indoor sale of hardware and home maintenance and improvement supplies.

Hazardous Waste **(By-law 09-131)**

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

Hazardous Waste Management Facility **(By-law 09-131)**

Means a waste transfer facility, a waste processing facility or a waste disposal facility that handles hazardous waste and for which a Certificate of Approval for such purpose under Part V of the Environmental Protection Act is required. A hazardous waste management facility may also include the storage, transfer or processing of non-hazardous waste

Height – Building **(By-law 15-073)**

Means the vertical distance from grade to the uppermost point of the building but not including any mechanical penthouse or any portion of a building designed, adapted or used for such features as a chimney, smokestack, fire wall, stair tower, fire tower, water tower, tank, elevator bulkhead, ventilator, skylight, cooling tower, derrick, conveyor, antenna, or any such requisite appurtenance, or a flagpole, display sign, ornamental figure, parapet, bell tower or other similar structure. Provided, however, where this By-law requires building height to be calculated to determine a minimum rear yard or a minimum side yard requirement, building height shall mean the vertical distance between the lowest finished grade elevation along the lot line related to such required yard at that point closest to the building and the horizontal extension of the uppermost point of the building.

Highway

Means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of motor vehicles and which has been assumed for public use as a public highway.

Home Child Care **(By-law 25-156)**

Means a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that:

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

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

Home for the Aged

Means a building for aged persons as defined under the Home of the Aged and Rest Home Act, R.S.O. 1990, c.H.13, or a rest home established and maintained under the said Act.

Home Occupation **(By-law 5023-99)**
(By-law 25-156)

Means an occupation, trade, business, profession or craft carried on as a secondary and incidental use within any dwelling unit, which use is carried on solely by the residents of the dwelling in which the home occupation is located and pursued subject to the limitations of Section 4.8 of this By-law. A home occupation may include a hairdressing shop, a barber shop and a personal service shop in a single-detached dwelling only, but shall not include the following uses in any dwelling unit:

(a) Retailing and wholesaling;

(b) Manufacturing;

(c) Repairing;

(d) Printing Press

For the purposes of this definition, a Personal Service Shop does not include a dry cleaning depot, laundromat or an optical shop.

Hotel, Motel

Means a commercial establishment used to provide temporary rental sleeping accommodation for travellers and may include personal service shops, restaurants, assembly halls or convenience food stores.

Housekeeping Unit

Means a room or rooms in which there are cooking, dining, sanitary and sleeping facilities.

Industrial

When used to describe a use, building, structure, or activity means a use, building, structure, or activity pertaining to:

(a) The manufacturing, assembling, making, producing, blending, roasting, smelting, forging, preparing, milling, refining, inspecting, grading, sorting, classifying, screening, ornamenting, finishing, treating, tanning, cleaning, washing, drying, altering, repairing, restoring, processing, polishing, refinishing, packing, adapting, sawing, warehousing, stockpiling, storing, distributing, shipping, breaking up, crushing, demolishing, reprocessing or recycling of goods, substances, articles or things, including ores, minerals, aggregates and agricultural products or any part or parts thereof; or

(b) The production or storage of building or construction equipment or materials, but does not include an extractive use or a salvage yard.

Institutional

When used to describe a use, building, structure or activity means a use, building structure or activity pertaining to religious, charitable, educational, health or welfare purposes and may include places of worship, public and private non-commercial schools, nursery schools or day care facilities.

Kennel - Boarding

Means an establishment where dogs, cats or other small domestic animals or household pets are bred or raised primarily for the purpose of sale, or are trained or boarded for gain or profit and must include a dwelling unit.

Landscaped Open Space

Means any uncovered area of land including lawn and ornamental shrubs located in any yard, or in any inner or outer court, and includes paths, patios, play areas, decks or walkways but shall not include any parking spaces, parking areas, parking lots, driveways, or ramps.

Landscaped Strip

Means an area of land devoted solely to the growing of grass, ornamental shrubs or trees and may include fences and berms.

Library

Means a library, branch library, or distribution facility under the jurisdiction of the Public Libraries Act, R.S.O. 1990, c.P.44.

Loading Space

Means an area of land provided in accordance with the provisions of this By-law used for the temporary parking of vehicles while said vehicles are being loaded or unloaded.

Local Agricultural Products **(By-law 15-106)**

Means 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.

Lot

Means:

(a) A whole lot as shown on a Registered Plan of Subdivision; or

(b) A parcel of land which fronts on a street which has been assumed for public use as a street, and which

1. existed as a separate parcel of land without any adjoining lands being owned by the same owner or owners as of August 23, 1963; or
2. was created pursuant to the provisions of Section 50.1 and Section 57 of the Planning Act, R.S.O. 1990, c.P.13; or
3. was created pursuant to the provisions of Section 50(7) of the Planning Act, R.S.O. 1990, c.P.13; or
4. was created pursuant to the provisions of Section 50(3) of the Planning Act, R.S.O. 1990, c.P.13. **(By-law 3863-93)**
5. was created pursuant to the provisions of Section 50(1) and Section 53 of the Planning Act, R.S.O. 1990, c.P.13.

For the purpose of this definition, a "Registered Plan of Subdivision" shall not include a registered plan of subdivision which has been de-registered pursuant to Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13.

(c) An existing lot of record created prior to the passing of this By-law, which fronts on a private road.

Lot - Area

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

Lot - Corner

Means:

(a) A lot situated at the intersection of and abutting on two or more streets and which streets have an angle of intersection of not more than 135 degrees whether or not such streets have 0.3 metre reserves; or

(b) A lot abutting a curve of a street the adjacent sides of which curve contain an angle facing the lot of not more than 135 degrees, and such angle shall be formed by their tangents drawn from the points where the side lot lines meet the lot line abutting a street but does not include a lot abutting the bulb of a cul-de-sac or a turning circle, whether or not such streets have 0.3 metre reserves.

Lot Coverage **(By-law 15-073)**

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

Lot Depth

Means the shortest horizontal distance between the front lot line and the rear lot line.

Lot - End

Means a lot other than an interior lot or a corner lot situated at the end of a row of street townhouses.

Lot - Frontage

Means the horizontal distance between the side lot lines which distance is to be measured along the continuous front lot line to determine the lot frontage but if the front lot line is not continuous then the lot frontage is to be determined by measuring the distance along the longest front lot line, but:

(a) Where the front lot line is not a straight line the lot frontage is to be determined by

measuring the distance of a straight line joining the two points where the side lot lines intersect the front lot line but this paragraph does not apply to a corner lot; and

(b) Where the front lot line is not a straight line and the side lot lines are not parallel, the lot frontage is to be determined by measuring the distance of the line drawn 7.5 metres back and parallel to the chord of the lot frontage and for the purposes of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line; and

(c) In the case of a corner lot where a daylight triangle or a radius has been established the lot frontage is to be determined by measuring along the front lot line after the side lot line and the front lot line have been extended to the point of intersection of the two streets.

Lot - Interior

Means a lot other than a corner lot or end lot.

Lot - Line

Means any boundary of a lot.

Lot Line - Flankage

Means a lot line other than a front or rear lot line which divides a lot from a street.

Lot Line - Front

Means a lot line that divides a lot from a street. In the case of a through lot, both lot lines adjacent to the street shall be deemed to be the front lot line. Notwithstanding the foregoing:

(a) In the case of a corner lot, the shorter lot line that abuts the street shall be deemed to be the front lot line and the longer lot line that abuts the street shall be deemed to be the side lot line; and

(b) In the case of a corner lot with equal frontage on two streets, the wider street or the Regional Road or Provincial Highway shall be deemed to be abutted by the front lot line, and

(c) In the case of a corner lot where the lot frontage is equal on both streets and both streets are under the same jurisdiction or of the same width, the owner may designate the lot line abutting either street as the front lot line.

Lot Line - Rear

Means the lot line or lines opposite a front lot line.

Lot Line - Side

Means a lot line other than a front or rear lot line.

Lot - Through

Means a lot, other than a corner lot, bounded on two sides by a street or streets.

Marina

Means a commercial establishment used for recreational boating and may include boat mooring and launching facilities, picnic areas, parks, playgrounds, swimming pools, beaches, locker room facilities, enclosed and outside storage areas for boats, a marina service station, boat livery, sales and repair facilities, club and restaurant facilities and refreshment stands.

Medical Clinic

Means a building or part thereof where members of the medical profession, dentists, chiropractors, osteopaths, physiotherapists or occupational therapists, either individually or as a group provide diagnosis and treatment for persons, without overnight accommodation, and may include reception areas, offices, consultation rooms, minor operating rooms and any other customarily related uses including x-ray facilities, pharmacies, opticians and medical laboratories provided that all such uses have access only from the interior of the building.

Model Home (By-law 15-292)

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.

Motor Vehicle

Means an automobile, motorcycle, motor assisted bicycle, unless otherwise indicated in the Highway Traffic Act, and any other vehicle designed to be propelled or driven other than by muscular power, but does not include a street car or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, farm implements or road building machine within the meaning of the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended.

Motor Vehicle - Commercial

(a) Means a motor vehicle:

1. Which has attached thereto a truck or delivery body; and
2. Which for the purposes of the Highway Traffic Act, R.S.O. 1990, c.H.8, has a

registered gross weight of more than 3,629 kilograms; and

(b) This definition includes truck tractors used for hauling trailers on the highway but does not include a mobile home.

Motor Vehicle Dealership

Means a place where new or used motor vehicles or trailers are displayed for sale or rent and in conjunction with which there may be a motor vehicle repair garage.

Motor Vehicle - Heavy

Means a motor vehicle having a carrying capacity in excess of 1 ton and any vehicle having a registered gross weight in excess of 4 tons, or

(a) for which the permit fee under the Highway Traffic Act is based on the weight of the vehicle and load, in excess of 4 tons, or
(b) which exceeds 6.5 metres in length, or
(c) which is equipped with tandem rear axles or dual rear wheels, or
(d) which is a tow truck, or
(e) which is a bus, or bus converted into a mobile home or used for commercial purposes.

Motor Vehicle Repair Garage

Means a place where motor vehicles are repaired including mechanical and body repairs and painting and includes alignment shops, muffler shops, rustproofing shops, auto glass shops, radiator shops, car stereo equipment shops, and a towing service or rentals of motor vehicles ancillary to the permitted use.

Motor Vehicle Service Station

Means a building or place used for the storage and sale of gasoline, propane, diesel fuel or other motor vehicle engine fuels and may include the sale of accessory goods required for the operation of motor vehicles, the performing of minor or running repairs on motor vehicles or the operation of not more than one towing vehicle but shall not include a motor vehicle dealership or a motor vehicle repair garage.

Motor Vehicle Wrecking Yard

Means a place used for the storage or collection, wholly or partly in the open, of five or more motor vehicles in various stages of disrepair and the storage or collection of parts of dismantled motor vehicles, but excluding farm vehicles and farm implements on lands used for agricultural purposes.

Non-Conforming

When used in reference to a use, lot, building or structure, means a use, lot, building or structure which does not comply with one or more of the provisions of this By-law.

Notwithstanding

When used in this By-law shall mean "despite".

Nursery Garden Centre

Means an establishment primarily engaged in the retail sale of garden and landscaping supplies, equipment and planting materials and accessories.

Nursing Home

Means a Nursing Home licensed under the Nursing Home Act, R.S.O. 1990, c.N.7.

Outside Storage

Means the placing or locating out of doors of any material, parts or equipment of any kind but this does not include operative motor vehicles licensed or capable of being licensed to be operated on a highway at any time or operative motorized construction vehicles or agricultural and parks vehicles.

Park - Public

Means any open space, facility park or recreation area, owned, operated or maintained in whole or in part by any public authority for public use, and shall include neighbourhood, community, regional and special parks or areas.

Parking Area

Means an area of land which comprises all parking spaces of at least the minimum number required according to the provisions of this By-law and includes all driveways, aisles, maneuvering areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces.

Parking Lot

Means an accessible area other than a street used for the temporary parking of vehicles.

Parking Space

Means an area of land which:

(a) is provided for the temporary parking or storage of one motor vehicle for other than the

purpose of sale or display; and

(b) is of a size in accordance with the requirements of this By-law; and

(c) has adequate access to permit ingress and egress of a motor vehicle from the street by way of driveway systems in accordance with the regulations of this By-law.

Person

Includes a corporation and their heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

Personal Service Shop

Means a building or part thereof used for performing services for the individual and personal needs of persons including barber shops, beauty shops, estheticians, hairdressing salons, tanning salons, shoe repair shops, tailor shops, dressmaking shops, dry cleaning depots, laundromats, photographic studios, optical shops but does not include a body-rub parlour or adult entertainment parlour as defined in the Municipal Act, R.S.O. 1980, C.302, as amended.

Pit

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

Place of Amusement

Means any commercial establishment or a part thereof containing more than three pinball machines or other mechanical game machines or electronic game machines.

Place of Worship

Means a building or part thereof used by any religious organization for public or private worship and includes a church hall, auditorium, convent, monastery, cemetery, Sunday School, religious book store, vestry, vicarage or parsonage as accessory uses.

Printing Establishment

Means a building or part thereof used primarily for printing and publishing newspapers, periodicals, books, maps and similar publications and also includes the sales and servicing of printing and duplicating equipment.

Privacy Area

Means an outdoor area exclusively used by the occupants of a dwelling unit.

[Deleted] **(By-law 25-156)**

Professional Office

Means a building or part thereof used by professionally qualified persons, including their technical assistants and clerical staff where clients or patients go for advice, consultation or treatment but shall not include a medical clinic or a personal service shop.

Provided **(By-law 4387-96)**

Means, as used in the definition of Adult Entertainment Parlour respecting goods, to sell, rent, offer to sell, or display for sale or rent, by retail or otherwise such goods, whether by attendants or by machines, except that this shall not apply where less than 5% of the total display area or less than 100 square feet thereof, whichever is less, is devoted to the display of goods;

Means, as used in the definition of Adult Entertainment Parlour respecting services, to furnish, perform, solicit, or give such services whether by a male or female person and whether clothed or unclothed;

Public Authority

Means a Federal or Provincial Government, or Municipal corporations and includes any commission, board, authority, agency, ministry or department established by or for any of them.

Public Utility

Means an agency, corporation, board of commission, or any department of the City or Region providing electricity, gas, steam, water, telegraph, telephone, cable television, transportation, drainage or sewage or refuse collection and disposal services to the general public, and includes any "public utility" as defined in the Public Utilities Corporation Act, R.S.O. 1990, c.P.52, and any railway company subject to the Railway Act, R.S.O. 1985, c.R.3.

Quarry

Means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, or industrial or manufacturing purposes but does not include a wayside quarry.

Recreational Vehicle

Means any vehicle used for the temporary or seasonal accommodation of persons, notwithstanding

that such vehicle is jacked up or has its running gear removed, but shall not include a mobile home, but may include a trailer, a boat or a snowmobile.

Recreational Vehicle Dealership

Means a place where new and used recreational vehicles are displayed for sale or rent and may include a repair garage for recreational vehicles in conjunction with the said dealership but does not include the sale or rental of mobile homes.

Research Centre

Means a place used for the purpose of conducting pure and applied research and experimentation in any field of science, medicine and technology and includes such facilities as lecture rooms, administrative offices, laboratories, display rooms, pilot units, simulating equipment and service and machine shops to serve the research centre operation, but does not include industrial and manufacturing operations other than those required as part of the research.

Residential Care Facility

Means a housekeeping unit within a detached building in which the maximum number of persons residing in the unit, exclusive of supervisory personnel, employees or their dependents, shall be as specified in the various zoning categories of this By-law. Such a unit shall be a facility that receives funding based on the number of persons residing in the unit, which funding may be from any source, and which funding is not for capital purposes. Such a unit shall be a facility that is supervised by on-site personnel. Such a unit shall not include the following:

(a) A Community Resource Centre or a Correctional Institution as defined or designated under the Ministry of Correctional Services Act, R.S.O. 1990, c.M.22;

(b) A place of open custody, a place of open temporary detention, a place of secure custody, a place of secure temporary detention or a place of temporary detention as defined under the Mental Health Act, R.S.O. 1990, c.M.7; and

(c) A Charitable Institution a Hostel as defined under the Charitable Institutions Act, R.S.O. 1990, c.C.9;

(d) A Nursing Home as defined under the Nursing Home Act, R.S.O. 1990, c.N.7;

(e) A Home for the Aged as defined under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c.H.13;

(f) A Domiciliary Hostel;

(g) A Tent, Cabin or Recreational Vehicle;

(h) A Hotel, Motel or Tourist Home;

(i) A Foster Home;

(j) A Group Home; or

(k) A Boarding House.

Restaurant - Convenience

Means any establishment having a public floor area not in excess of 100 square metres with or without seating accommodations, where food or refreshments are sold in a ready to consume state, for consumption on or off the premises and which is located in a building primarily devoted to another use or other purpose.

Notwithstanding, any other provisions of this By-law, for the purposes of this definition "floor area" means the sum total of the gross horizontal areas of the several floors of a building or part thereof, excluding a basement or cellar when that basement or cellar is used for any storage purposes related to the Convenience Restaurant, measured from exterior faces of the outside walls, or from the centre line of any common walls.

Restaurant - Fast Food

Means any establishment located in a building or part thereof having a floor area in excess of 100 square metres, with or without seating accommodation, where food or refreshments are sold primarily by counter service in a ready to consume state for consumption on or off premises, whereby;

(a) A customer attends at a counter to place an order for food or refreshments; or

(b) A customer attends at a counter to obtain delivery of food or refreshments; or

(c) A customer attends at a counter to consume the food or refreshments; or

(d) A customer may order and take delivery of food or refreshments in his vehicle to be consumed on the site or elsewhere.

Notwithstanding any other provisions of this By-law, for purposes of this definition "floor area" means the sum total of the gross horizontal areas of the several floors of any building, structure or part thereof, excluding a basement or cellar when that basement or cellar is used for storage purposes related to a Fast Food Restaurant, measured from the exterior faces of the outside walls, or from the centre line of any common walls.

Restaurant - Outdoor Patio (By-law 09-210)

Shall Mean any outdoor area used in conjunction with any establishment licensed under the Liquor Licence Act, where meals or refreshments are serviced to the public for consumption on the premises.

Restaurant - Standard

Means any establishment located in a building or structure or part thereof where food or refreshments are prepared and sold for consumption on the premises, but does not include a fast food restaurant or a convenience restaurant.

Retail Store

Means an establishment used for the sale, offering for sale or display for sale or rental of goods, wares, merchandise, commodities, substances, or articles of any kind to the general public, but does not include flea markets or auction centre.

Retirement Home

Means a Type "B" Boarding House.

Salvage Yard

Means any premises where derelict, discarded, abandoned or inoperable motor vehicles or other salvaged articles are stored, wholly or partly in the open, including junkyards, scrapyards or motor vehicle wrecking yards.

Sample Showroom

Means a place where products are displayed.

School - Commercial

Means a school, other than a public or private school, where academic or technical subjects are taught and which is operated on a financial profit basis.

School - Private

Means a school, other than a public school, where academic subjects are taught and which is maintained for educational, philanthropic or religious purposes but does not include a commercial school.

School - Public

Means a public or separate elementary school, high school, technical school, recreational school, college or university, established and maintained at public expense.

Secondary Dwelling Unit (By-law 22-138)

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

Secondary Dwelling Unit (By-law 22-138)

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

Services (By-law 4387-96)

Means, as used in the definition of Adult Entertainment Parlour, activities, facilities, performances, dances, exhibitions, viewing, and encounters but does not include the exhibition of film under The Theaters Act;

Service and Repair Shop

Means an establishment used for non-personal services or trades including merchandise service outlets, print shops, business premises of tradesmen, or shops for the repair or service of household goods.

Shopping Centre

Means one or more buildings, or part thereof, containing a group of four or more separate commercial establishments, comprehensively planned and maintained as a single cohesive and integrated site.

Solar Apparatus

Means any device or combination of devices employed in the collection of direct solar radiation for the purposes of heating or cooling a building, heating water, generating electricity or otherwise converting solar rays into usable forms of energy.

Storey

Means that portion of a building included between any floor level and the floor, ceiling, or roof next above it, but does not include a cellar, basement or an attic.

Storey - One-Half

Means the portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where the roof and outer wall meet and in which there is sufficient space to provide distance between finished floor and finished ceiling of at least 2 metres over a floor area equal to at least 50 percent of the area of the floor next below.

Street

Shall have the same meaning as Highway.

Structure **(By-law 4526-97)**

Structure means anything constructed or erected, the use of which requires location on or in the ground, or attached to something located on or in the ground, but does not include the permanent way of a railway or any paved surface located directly on the ground or a sign.

Tandem Parking

Means one parking space located immediately behind another parking space where both spaces are for the exclusive use of one dwelling.

Thermal Treatment **(By-law 09-131)**

Means the processing of waste into a waste-based fuel and/or the disposal of waste under controlled conditions by heating or combusting the materials and shall include refuse derived fuel manufacturing and energy from waste activities.

Top of Bank **(By-law 3998-94)**

Means the upper edge of the slope of a stream valley or shoreline where the slope intersects the horizontal plain identified and regulated by a conservation authority pursuant to the Conservation Authority Act, R.S.O. 1990, c.C.27. Where shoreline protection works have been installed along the Lake Ontario shoreline the top of bank shall be considered to be established as the landward edge of the shoreline protection works.

Trailer

Means a vehicle designed to be carried or towed by a motor vehicle and which is or may be used for the transporting of or storage of goods, animals, other vehicles, bulk materials or any other material.

Transport Terminal

Means any premises where commercial vehicles are kept for hire, rental or lease, or are stored or parked for remuneration, or from which commercial vehicles are dispatched for hire as common carriers.

Unitary Equipment

Means any apparatus used for the purpose of heating, cooling, changing of air, refrigeration, pumping or filtering of water or any other similar type of equipment used for these purposes, except for an air conditioning unit located in a window opening.

Urban Farm **(By-law 14-279)**

means land that is used for the growing and harvesting of edible plants, vegetables or fruits and that the edible plants, 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 acquaculture facility, livestock operation or a mushroom operation. It shall not be considered as landscaped area, landscape open space, landscaped strip or landscaping.

Urban Farmers Market **(By-law 15-106)**

Means land used for 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.

Use

Means the purpose for which land, buildings or structures are arranged, designed or intended, occupied or maintained.

Value-added Local Agricultural Products **(By-law 15-106)**

Means raw local agricultural products that have been grown or produced as part of farm operations in the City of Hamilton or Ontario farms which have been transformed into another product.

Vehicle

Means any carriage, conveyance or other device capable of being propelled, driven or drawn by any kind of power, including motor power or wind power, and includes, without limiting the generality of the foregoing, a passenger motor vehicle, trailer, truck, boat, aircraft, tractor, farm implement, mobile crane or shovel, snowmobile or motorcycle, but does not include a pedal bicycle, canoe or other device powered solely by means of human effort, or a mobile home dwelling.

Vehicle - Non-Commercial

Means a vehicle having a specified capacity of not more than 1 ton or, in the case of a passenger vehicle, 12 persons, but does not include a commercial vehicle or farm vehicle.

Veterinary Facility

Means a building, land or vehicle or any combination of them used or intended to be used as a place in or from which to engage in the practice of veterinary medicine.

Warehouse

Means a building or part thereof used primarily for storage including cold storage and other

accessory uses. For the purposes of this definition a warehouse includes a centre for the distribution of wholesale goods and commodities for resale to retailers or to industrial, commercial, institutional or professional users but does not include a fuel storage depot, transport terminal or stockyard.

Waste (By-law 09-131)

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

Waste Disposal Facility (By-law 09-131)

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

Waste Management Facility

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

Waste Processing Facility

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

Waste Transfer Facility

Means the use of land, building, structure or part thereof, for the temporary storage and collection of waste and for which a Certificate of Approval for such purpose under Part V of the Environmental Protection Act is required. A waste transfer facility may also include limited

sorting of such waste prior to its transport.

Wholesale Establishment

Means the use of land, buildings or structures for the purpose of selling goods, wares or merchandise to be retailed by others and includes the storage or warehousing of the goods, wares or merchandise.

Wayside Pit or Quarry

Means a temporary pit or temporary quarry opened and used by a public road authority or their agent solely for the purpose of a particular project or contract of road construction and not located on the road allowance and may include a temporary portable asphalt plant.

Yard

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

Yard - Flankage

Means a yard extending from the front yard to the rear yard of a corner lot and from the flankage lot line of such lot to the nearest wall of any building or structure on the lot.

Yard - Front

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

Yard - Interior Side

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

Yard - Rear

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

Yard - Required

Means that part of a yard which has minimum front yard depth, rear yard depth or side yard width required by provisions contained in this By-law.

Yard - Side

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

PART 3 INTERPRETATION

SECTION 3.1 MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of this By-law shall be held to be minimum requirements, except when expressly stated otherwise, adopted for the promotion of the public health, safety, convenience or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the more restrictive, or the By-law imposing the higher standards, shall govern and apply.

SECTION 3.2 INTERPRETATION OF SCHEDULES

Schedule "A" which consists of Maps No. 1 to 19 inclusive and the Index Map attached hereto which may be cited as the Zoning Schedules with references to zones as shown thereon, are hereby declared to form a part of this By-law.

SECTION 3.3 ZONE BOUNDARIES

When determining the boundary of any zone, the following provisions shall apply:

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

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

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

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

(e) Where a boundary is indicated as approximately parallel to a lot line abutting a street or other feature indicated in clauses (a), (b) or (c) of this subsection, and the distance from such lot line abutting a street or other features is not indicated, and clause (d) above does not apply, such boundary shall be construed as being parallel to such lot line abutting a street or other feature, and the distance therefrom shall be determined according to its scale shown on the Zoning Schedule; and

(f) In the event a dedicated street, road allowance or lane in the Defined Area shall be closed, and if such closed street, road allowance or lane formerly formed the boundary between two or more different zones, the new zone boundaries shall be the former centre line of any such closed street, road allowance or lane.

SECTION 3.4 MEANING OF CERTAIN WORDS

In this By-law, the word "shall" is mandatory and the word "may" is permissive or discretionary. Words used in the present tense include the future tense, and the converse. Words in the singular number include the plural number and the converse.

SECTION 3.5 CLASSIFICATION OF ZONES

For the purpose of this By-law, the Corporation is divided into the following zones and their extent, location and boundaries are shown on the maps which constitute Schedule "A" to this By-law:

CLASSIFICATION	ZONE	SYMBOL
AGRICULTURAL/RURAL	AGRICULTURAL	A
	AGRICULTURAL SPECIALTY	AS
	RURAL RESIDENTIAL	RR
	RURAL RESIDENTIAL ESTATE	RRE
RESIDENTIAL	SINGLE RESIDENTIAL - ONE	R1
	SINGLE RESIDENTIAL - TWO	R2
	SINGLE RESIDENTIAL - THREE	R3
	SINGLE RESIDENTIAL - FOUR	R4
	RESIDENTIAL - FIVE	R5
	RESIDENTIAL - SIX	R6
	MULTIPLE RESIDENTIAL - ONE	RM1
	MULTIPLE RESIDENTIAL - TWO	RM2
	MULTIPLE RESIDENTIAL - THREE	RM3
	MULTIPLE RESIDENTIAL - FOUR	RM4
	MULTIPLE RESIDENTIAL - FIVE	RM5
NEIGHBOURHOOD DEVELOPMENT	NEIGHBOURHOOD DEVELOPMENT	ND
COMMERCIAL	LOCAL COMMERCIAL	LC
	GENERAL COMMERCIAL	GC
	SERVICE COMMERCIAL	CS
	CENTRAL AREA COMMERCIAL - ONE	CA1
	CENTRAL AREA COMMERCIAL - TWO	CA2
	HIGHWAY COMMERCIAL	HC
	MIXED USE COMMERCIAL	MUC
	NEIGHBOURHOOD SHOPPING CENTRE	SC1
	COMMUNITY SHOPPING CENTRE	SC2
	RURAL COMMERCIAL	RC
INDUSTRIAL	SMALL SCALE INDUSTRIAL	MS
	PREFERRED INDUSTRIAL	MP
	PRESTIGE INDUSTRIAL	MT
	GENERAL INDUSTRIAL	MG
	SPECIAL PURPOSE INDUSTRIAL	MSP
	BUSINESS PARK INDUSTRIAL	MBP
	EXTRACTIVE INDUSTRIAL	ME
	RURAL INDUSTRIAL	MR
INSTITUTIONAL	SMALL SCALE INSTITUTIONAL	IS
	MAJOR INSTITUTIONAL	I
OPEN SPACE	OPEN SPACE	OS
	INTENSIVE RECREATION	IR
	PARK	P

SECTION 3.6 APPENDICES

The appendices attached hereto may be cited as the zoning appendices. The appendices contain information to assist in the administration of this By-law. Changes to the appendices will not require an amendment to this By-law.

SECTION 3.7 SPECIAL EXEMPTIONS

Whenever a zone symbol on the Schedule Maps is followed directly by a dash and a number, such as "RM6-2", the lands so zoned shall be subject to, and used in accordance with, all the provisions or requirements of this By-law applicable to the zone represented by such symbol except as otherwise specifically provided for by the special provisions applicable to that special exemption as may be set out in this By-law or amendments thereto.

SECTION 3.8 HOLDING ZONES (By-law 3863-93)

Where lands are illustrated on Schedule "A" with the symbol "H", such lands shall be deemed to be located in a Holding Zone. The symbol "H" may be applied with a land use zoning category under any or all of the following circumstances:

(a) Where the details of such development have not been determined.
(b) When land assembly is required to permit orderly development or redevelopment.
(c) When the level of engineering and/or community services is not adequate to support the ultimate use, but such services are to be provided at a later date.

Until the "H" provision is removed from the lands through a By-law amendment approved by the Corporation, the applicable uses of the lands shall be restricted to the uses existing on the date of passage of this By-law. Upon removal of the "H" by the Corporation, the lands may be used in accordance with the provisions of the zone applicable to the subject lands.

SECTION 3.9 TEMPORARY USE ZONES

Where lands are illustrated on Schedule "A" with the symbol "T", such lands shall be deemed to be located in a Temporary Use Zone. The symbol "T" may be applied with a land use zoning category under all of the following provisions:

(a) For a specific and appropriate short term use;

(b) The application of the provisions of the Planning Act, 1990, c.P.13; and

(c) Upon the expiry of the time period authorized by the Temporary Use By-law, the use of the land, buildings and structures permitted under the Temporary Use By-law shall cease to exist and cannot be considered as non-conforming uses.

SECTION 3.10 FLOODPLAINS

Where lands are illustrated on Schedule "A" as being located within a Floodplain Area, such lands shall be deemed to be located within a Floodplain Area as determined by the Hamilton Region Conservation Authority. Development, construction or placing of fill on such lands may be permitted only after authorization has been received from the Conservation Authority.

SECTION 3.11 SPECIAL FIGURES (By-law 22-196)

Part 15 – Special Figures exists where figures referenced in the text of Zoning By-law No. 3692-92 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.

PART 4 GENERAL PROVISIONS FOR ALL ZONES

SECTION 4.1 SCOPE AND EFFECT

No person shall within the Defined Area use any land or erect or use any building or structure except in conformity with the provisions of this By-law respecting the zone in which such land, building or structure is located or respecting the zone in which it is proposed to use the land or erect the building or structure.

In addition to regulations of the respective zones, the following general provisions shall apply to all zones.

SECTION 4.2 REQUIREMENT FOR A LOT

Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended, enlarged or located except upon a lot nor shall any land be used for any permitted use unless it comprises a lot. This provision shall not preclude the use of any parcel or tract of land for agricultural purposes excluding the erection or enlargement of any building or structure except a fence.

SECTION 4.3 COMPLIANCE WITH OTHER BY-LAWS, REGULATIONS, LICENCES AND PERMITS

Nothing in this By-law shall operate to relieve any person from the obligation to comply with any requirement or any By-law of the Corporation in force from time to time, or the obligation to obtain any licence, permit, authority, approval or provide land dedication required under any By-law of the Corporation or under any regulation or By-law of any other authority.

SECTION 4.4 EXISTING USES AND LOTS

4.4.1 Continuation Of Use

Nothing in this By-law shall prevent the continued use or maintenance of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of the passing of this By-law provided such lot, building or structure continues to be used for the same purpose.

4.4.2 Restriction On Change

The purpose for which any lot or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from a lot, if the effect of such change, erection or severance is to create a situation in which any of the requirements of this By-law in regard to each individual remaining building, accessory building or lot is contravened.

4.4.3 Restoration To A Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing non-conforming building or structure, provided that such strengthening or restoration will not increase the height, area, or volume or result in the change of the use of such building or structure so as to contravene the provisions of this By-law.

4.4.4 Addition To Existing Building Or Structure

Nothing in this By-law shall prevent an extension or an addition to a building or structure which is used for a purpose specifically permitted within the zone in which such building or structure is located and which building or structure existed at the date of passing of this By-law but which building or structure does not comply with one or more of the zone requirements of this By-law provided such extension or addition does not contravene any of the provisions of this By-law.

4.4.5 Existing Lots Of Record (By-law 4513-97)

Except as specifically provided elsewhere in this By-law, any legal existing lot as defined in this By-law which does not conform to the minimum lot area or minimum lot frontage requirements of the zone may be used for a use in conformity with the zone provided all other requirements of this By-law can be met. On lands zoned Residential "R6" Zone or Multiple Residential "RM1" Zone, a Single-Detached Dwelling only may be erected where the lot in question does not meet the minimum lot area and/or lot frontage requirements of the Zoning By-law and said dwelling shall be erected in

accordance with all other applicable zoning regulations. This exemption does not apply to lots zoned for industrial purposes with lot frontage on Barton Street or Fruitland Road unless access is available from an alternate street and in such instances where alternate access is available, access to Barton Street or Fruitland Road shall not be permitted.

4.4.6 Phased Registration of Condominiums

By-law 02-209

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

4.4.7 Reduction Of Lots

No lot shall be reduced in area, either by conveyance, mortgage, or other alienation of any portion thereof or otherwise so that any existing building or structure on such lot or the lot itself does not conform with any or all requirements of this By-law for the zone in which such lot is located.

4.4.8 Conveyance To A Public Authority

Notwithstanding the foregoing provisions of this Section, no person shall be deemed to have contravened any provisions of this By-law by reason only of the fact that a part or parts of any lot or parcel has or have been conveyed to or acquired by the Corporation, the Region Municipality of Hamilton-Wentworth, the Government of Ontario, or the Government of Canada.

4.4.9 Lots On A Private Road

Nothing in this By-law shall prevent the erection, restoration or addition of a dwelling on a lot of record having access to a public road via a private road subject to the provisions of the zone in which the lot is located. For the purpose of this subsection the front lot line shall be the lot line which divides the lot from the private road and all other lot lines shall correspond thereto.

4.4.10 Regulation for Consolidated Lot Development

By-law 05-238

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

4.4.11 Adequate Services

By-law 06-038

Except for Section 4.20 – Model Homes in Draft Plans of Subdivision, no buildings or structures may be erected, used or occupied unless:

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

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

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

SECTION 4.5 ACCESSORY BUILDINGS AND STRUCTURES

4.5.1 General Application

Accessory buildings and structures shall only be located and erected in compliance with all applicable yard requirements and provisions of the zone in which the lot is located except as specifically provided elsewhere in this By-law.

By-law 22-138

(a) For the purposes of Subsection 6.1.7.2, a Secondary Dwelling Unit – Detached shall not be considered an accessory building or structure.

4.5.2 Except During Construction

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

4.5.3 Telecommunication Towers

The locating of towers used for the transmission or reception of radio, television, telephone, short-wave or cable television transmissions or signals in any zone other than industrial zones is prohibited except in accordance with the following provision:

(a) The minimum distance to any lot line of any tower shall be 100 percent of the height of the tower and not less than 15 metres from a lot line.

The use of the telecommunications towers for the reception of radio, television, telephone, short-wave or cable television signals for private and personal use is not prohibited.

4.5.4 Private Satellite Dishes

Satellite dishes are permitted in all zones. Notwithstanding the above, satellite dishes within residential zones shall be regulated as follows:

(a) Only one satellite dish may be permitted on any lot zoned for residential purposes.

By-law 3863-93

(b) The satellite dish may be located in the rear yard.

(c) No part of any satellite dish shall be setback from any property line less than 2 metres.

(d) The maximum height of a satellite dish is 4 metres.

(e) Notwithstanding clause (b) above, satellite dishes are permitted on the roof of an apartment building provided the minimum height of the building is 15 metres.

By-law 4720-98 (f) Notwithstanding the provisions of paragraphs (b) and (d), satellite dishes having a diameter of 1 metre or less may be located in any yard and may be located on the roof or wall of any dwelling unit.

SECTION 4.6 ACCESS

4.6.1 No person shall erect any building or structure on a lot or use any lot in any zone unless such lot has frontage on a street as defined herein except as provided in Section 4.4.

SECTION 4.7 HEIGHT REGULATIONS

4.7.1 General Application

Except as provided elsewhere in this By-law, the following structures shall not be included in the determination of the building height as specified for the zone in which the building is located:

(a) Barn, Silo or other accessory farm building
(b) Chimney
(c) Church Spire or Belfry
(d) Clock Tower
(e) Cupola
(f) Elevator Housing
(g) Flag Pole
(h) Lightning Rod
(i) Mechanical and Service Equipment Penthouse
(j) Ornamental Dome
(k) Power Transmission Tower
(l) Radio or Television Antennae
(m) Roof Stairway
(n) Skylight
(o) Solar Apparatus
(p) Statue
(q) Unitary Equipment
(r) Water Storage Tank
(s) Weather Monitor

SECTION 4.8 HOME OCCUPATIONS

4.8.1 Home Occupations

By-law 4200-95

In addition to the permitted uses specified within agricultural zones and residential zones, a home occupation may be conducted in any dwelling subject to the following regulations:

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

(b) The home occupation shall be conducted solely within the dwelling unit and shall not be conducted within any attached garage, or any accessory building;

(c) The maximum usable floor area for the home occupation shall not exceed 20 percent of the residential floor area of the dwelling unit. In addition to the foregoing, the home occupation may also be conducted within any part of the dwelling's basement or cellar;

(d) Outside storage, outside operations or display of any kind related to the home occupation are prohibited;

By-law 5023-99

(e) In addition to the parking requirements for the residential use, one additional parking space shall be provided for a home occupation involving hairdressing, barbering, personal service shops, teaching, tutoring or instructing of any type. This regulation does not apply to any dwelling other than a single-detached dwelling;

By-law 4200-95

(f) Hairdressing and barber shops shall be limited to one hairdressing sink and one comb-out centre per dwelling; and

By-law 5023-99

(g) No employees, customers or clients are permitted to visit the dwelling unit when such home occupation is carried on. However, the tutoring of up to two students at any one time and clients for a hairdressing or barber shop or personal service shops may be permitted.

SECTION 4.9 LOADING REGULATIONS

4.9.1 General Application

In addition to any specific requirements contained elsewhere in this By-law every building or structure erected for apartments, industrial use, commercial use, recreational use, public use, or institutional use shall provide the following requirements:

(a) Location - All loading spaces required for any use permitted by this By-law shall be provided on the same lot upon which the use is located and shall not be located within a front yard or a required flankage side yard;

(b) Adjacent to a Residential Zone - Where a loading space is located in a yard which abuts a residential zone, such loading space shall be screened from such residential zone in a manner and to the extent required under the provisions of the zone in which it is located;

(c) Dimensions – Each loading space shall not be less than 10 metres long and 3.6 metres wide and have a vertical clearance of not less than 4.3 metres; and

(d) Access to Loading Spaces - Access directly to and from loading spaces shall be provided by means of a driveway, lane or aisle having a minimum unobstructed width as prescribed in this By-law in Section 4.10.5 and a minimum vertical clearance of 4.3 metres, and be designed to permit the maneuvering of vehicles on the lot so as not to obstruct, or otherwise cause a traffic hazard on adjacent roads.

4.9.2 Schedule of Required Loading Spaces

USE	SIZE	MINIMUM REQUIRED SPACE
APARTMENTS	Greater than 4,000 sq.m.	1
COMMERCIAL BUILDING	1,000 sq.m. - 1,999 sq.m. 2,000 sq.m. - 7,999 sq.m. 8,000 sq.m.+	1 2 4
INDUSTRIAL BUILDING	2,000 sq.m. - 4,999 sq.m. 5,000 sq.m. - 7,499 sq.m. 7,500 sq.m. - 13,999 sq.m. 14,000 sq.m.+	1 2 3 4
INSTITUTIONAL BUILDING	4,500 sq.m.+	1

SECTION 4.10 PARKING REGULATIONS

4.10.1 General Application

In addition to any specific requirements provided elsewhere in this By-law, for every building or structure or use permitted by this By-law, there shall be provided and maintained a parking area or parking facilities in accordance with the requirements of this section.

4.10.2 Required Parking (By-law 4470-96)

(a) Required Parking To Be On Same Lot - Unless specifically provided elsewhere in this By-law, all parking spaces required for any use permitted in this By-law shall be provided on the same lot as that on which the use is located.

(b) Cash-in-Lieu of Parking - Notwithstanding the provisions of Section 4.10.2(a), where the minimum parking requirements cannot be satisfied on the same lot, on lands zoned “CA1” and “CA2” by this By-law and Special Exemptions thereto, the owner or occupant may pay cash-in-lieu of parking , in accordance with Section 40 of the Planning Act, R.S.O., 1990, c.P.13, amended by S.O., 1996 C.4, and subject to an agreement with the Corporation.

4.10.3 Dimensions Of Parking Spaces

By-law 5068-00 a) Required parking spaces for 90^0 perpendicular parking shall have minimum rectangular dimensions of 2.75 metres by 5.8 metres exclusive of any lands used for access, manoeuvring, driveways or a similar purpose.

By-law 5068-00 b) For other than 90^0 perpendicular parking spaces and for parking spaces within private residential garages designed to accommodate one motor vehicle, the parking space shall not be less than 3 metres in width or less than 6 metres in length exclusive of any land used for access, manoeuvring, driveways or a similar purpose. A single step, hose bibs, electrical devices and/or ductwork and closet enclosures may project not more than .3 metres into the required length or width of a parking space.

4.10.4 Requirement For Parking Designated For Vehicles of Physically Challenged

At least 1 percent of the required parking spaces, with a minimum of one parking space, on any lot having more than 10 parking spaces, shall:

(a) have minimum rectangular dimensions of 4.4 metres by 5.8 metres; and

(b) be located on level ground readily accessible to an entrance to such building; and

(c) be clearly identified and reserved for the exclusive use of physically challenged persons.

4.10.5 Access To Parking Spaces

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

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

4.10.6 Maintenance Of Parking Spaces

Any parking area, parking space, loading space, driveway, maneuvering area, or aisle required to be provided or permitted according to the provisions of this By-law for any use in any zone shall be provided and maintained in accordance with this By-law.

4.10.7 Parking Structure As A Principal Use (By-law 3863-93)

Where a parking structure constitutes a principal use on a lot, such structure shall conform to the zone regulations for the zone where it is located.

4.10.8 Calculation Of Required Spaces

(a) Rounding - Where the calculation of parking space requirements in accordance with this By-law results in a fraction of a parking space being required for a lot, any fraction in excess of 0.5 shall be rounded up to the next whole number.

(b) More than One Use - Except as expressly provided elsewhere in this By-law, where more than one type of use is located on a lot, the total number of parking spaces required for such lot shall be the sum of the parking space requirements for each separate use.

(c) Where the number of parking spaces required in accordance with this By-law is based upon the "capacity" of a use, such capacity shall be equal to the design capacity of any building or structure pertaining to such use, as determined by the Building Code Act, R.S.O. 1990, c.B.13.

4.10.9 Schedule Of Minimum Parking Requirements

Except as specifically provided elsewhere in this By-law the parking standards as set out in the following Schedule shall be held to be the minimum.

USE	MINIMUM PARKING SPACES REQUIRED
APARTMENT BUILDINGS IN CENTRAL COMMERCIAL "CA1" ZONE AND CENTRAL COMMERCIAL "CA2" ZONE	1 PARKING SPACE FOR EACH DWELLING UNIT AND 0.25 VISITOR PARKING SPACES FOR EACH DWELLING UNIT
BANK AND FINANCIAL INSTITUTIONS	1 PARKING SPACE FOR EACH 15 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
BILLIARD PARLOURS	1 PARKING SPACE FOR EACH TABLE
BOWLING ALLEYS	4 PARKING SPACES FOR EACH ALLEY
BOARDING HOUSE TYPE "B"	1 PARKING SPACE FOR EACH 4 BEDS
BUSINESS, PROFESSIONAL AND MEDICAL OFFICES NOT LOCATED IN A SHOPPING CENTRE	1 PARKING SPACE FOR EACH 30 SQ.M. OR GROSS FLOOR AREA OR PART THEREOF
BUSINESS, COMMERCIAL OR TRADE SCHOOLS	1 PARKING SPACE FOR EACH 20 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
CAR WASHES (MANUAL OR SELF SERVE)	1.2 PARKING SPACE FOR EACH CAR WASH BAY PLUS 3 CAR STORAGE SPACES PER BAY WHICH MAY BE TANDEM PARKING SPACES
CAR WASHES (AUTOMATED)	1 PARKING SPACE PER BAY PLUS 4 CAR STORAGE SPACES PER BAY
CHILD CARE CENTRES **(By-law 25-156)**	2 PARKING SPACES FOR EACH STAFF MEMBER
COMMUNITY CENTRES	1 PARKING SPACE FOR EACH 10 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF

CUSTOM WORK SHOPS	1 PARKING SPACE FOR EACH 20 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
DRY CLEANING ESTABLISHMENTS	1 PARKING SPACE FOR EACH 25 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF WITH A MINIMUM OF 3 SPACES
DWELLING UNITS IN A MIXED USE RESIDENTIAL/COMMERCIAL BUILDING HAVING A TOTAL HEIGHT IN EXCESS OF 3 STOREYS	1.25 PARKING SPACES, AND 0.35 VISITOR PARKING SPACES FOR EACH BACHELOR OR ONE BEDROOM DWELLING UNIT; 1.50 PARKING SPACES, AND 0.35 VISITOR PARKING SPACES FOR EACH TWO BEDROOM DWELLING UNIT; 1.75 PARKING SPACES, AND 0.35 VISITOR PARKING SPACES FOR EACH DWELLING UNIT HAVING THREE BEDROOMS OR MORE.
DWELLING UNITS IN A MIXED USE RESIDENTIAL/COMMERCIAL BUILDING OF 3 STOREYS OR LESS	1.25 PARKING SPACES FOR EACH DWELLING UNIT
ELEMENTARY SCHOOLS	1.5 PARKING SPACES FOR EACH CLASSROOM
FOOD STORES/SUPERMARKETS NOT LOCATED IN A SHOPPING CENTRE	1 PARKING SPACE FOR EACH 16.5 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
FUNERAL HOMES	1 PARKING SPACE FOR EACH 25 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF WITH A MINIMUM OF 15 SPACES
GROUP HOMES, RESIDENTIAL CARE FACILITIES, DOMICILIARY HOSTELS	1 PARKING SPACE FOR EACH 3 BEDS
HIGH SCHOOLS	4 PARKING SPACES FOR EACH CLASSROOM
HOMES FOR THE AGED	1 PARKING SPACE FOR EACH 2 DWELLING UNITS
HOSPITALS	1.25 PARKING SPACES FOR EACH PATIENT BED
HOTELS, MOTELS	1.2 PARKING SPACES FOR EACH SUITE
INDUSTRIAL BUILDINGS	1 PARKING SPACE FOR EACH 100 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
LIBRARIES, MUSEUMS, POST OFFICES	1 PARKING SPACE FOR EACH 25 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
LODGES, LABOUR UNION HALLS AND OTHER PLACES OF ASSEMBLY, BANQUET HALLS,	1 PARKING SPACE FOR EACH 4 SQ.M. OF PUBLIC FLOOR AREA OR PART THEREOF
MARINAS - COMMERCIAL OR PUBLIC	1 PARKING SPACE FOR EACH BOAT SLIP
MEDICAL CLINICS NOT LOCATED IN A SHOPPING CENTRE	1 PARKING SPACE FOR EACH 16 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
MOTOR VEHICLE DEALERSHIPS	1 PARKING SPACE FOR EACH 12.5 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
MOTOR VEHICLE REPAIR GARAGES	1 PARKING SPACE FOR EACH 18.5 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF OF WHICH 50 PERCENT OF THE REQUIRED SPACES MAY BE TANDEM PARKING SPACES

MOTOR VEHICLE SERVICE STATION	1 PARKING SPACE FOR EACH 23.3 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
NURSERY GARDEN CENTRES **(By-Law 03-283)**	1 PARKING SPACE FOR EACH 30 SQ.M. OF GROSS FLOOR AREA DEVOTED TO RETAIL SALES AND DISPLAY OF PRODUCTS AND/OR OFFICES; AND, 1 SPACE FOR EACH 100 SQ.M. OF GROSS FLOOR AREA, OR PART THEREOF USED FOR WAREHOUSING AND/OR WHOLESALING
NURSING HOMES	1 PARKING SPACE FOR EACH 4 BEDS
PERSONAL SERVICE SHOPS	1 PARKING SPACE FOR EACH 18.5 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
PLACES OF WORSHIP	1 PARKING SPACE FOR EACH 10 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
PLACES TO WHICH THE PUBLIC RESORT FOR RECREATION ENTERTAINMENT, AMUSEMENT, SPORTS OR EDUCATION	1 PARKING SPACE FOR EACH 13.3 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
PRIVATE OR COMMERCIAL CLUBS	1 PARKING SPACE FOR EACH 16.5 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
RENTAL OUTLETS	1 PARKING SPACE FOR EACH 20 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
RESTAURANTS - COVERED OUTDOOR PATIO IN CONJUNCTION WITH A RESTAURANT **(By-law 4513-97)**	1 PARKING SPACE FOR EACH 4 SEATS
RESTAURANTS - OUTDOOR PATIO IN CONJUNCTION WITH A RESTAURANT	NO ADDITIONAL PARKING IS REQUIRED
RESTAURANTS AND TAVERNS EXCEPT WHEN LOCATED IN A SHOPPING CENTRE	1 PARKING SPACE FOR EACH 4 SEATS
RETAIL LUMBER AND BUILDING SUPPLIES OUTLETS	1 PARKING SPACE FOR EACH 33.3 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF WITH A MINIMUM OF 15 PARKING SPACES
RETAIL STORES NOT LOCATED IN A SHOPPING CENTRE OR OTHERWISE SPECIFIED WITHIN THIS BY-LAW **(By-law 3863-93)**	1 PARKING SPACE FOR EACH 28 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
SECONDARY DWELLING UNIT SECONDARY DWELLING UNIT - DETACHED	1 SPACE PER UNIT
SHOPPING CENTRES	1 PARKING SPACE FOR EACH 20.5 SQ.M. OF GROSS FLOOR AREA OR PART THEREOF
SHOWROOMS	1 PARKING SPACE FOR EACH 30 SQ.M. OF SHOWROOM FLOOR SPACE OR PART THEREOF
SINGLE DETACHED, DUPLEX, AND SEMI-DETACHED DWELLING UNITS	2 PARKING SPACES FOR EACH DWELLING, TANDEM PARKING IS PERMITTED
THEATRES	1 PARKING SPACE FOR EACH 6 SEATS
TOWNHOUSE, MAISONETTE **(By-law 4770-98)**	2 PARKING SPACES FOR EACH DWELLING UNIT

4.10.10 Parking Requirements for Cellars **(By-law 5068-00)**

Notwithstanding the definition of "floor area gross", should any part of a cellar or sub-cellar be utilized as gross leasable floor area, said area shall be subject to the

provisions of Subsection 4.10.9 "Schedule of Minimum Parking Requirements.

4.10.11 Parking Exemption for Downtown (By-law 15-073)

Notwithstanding Subsection 4.10.9 above, for any permitted commercial use(s) within the Central Area Commercial "CA1" and "CA2" Zones, except a medical clinic, 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 4.10.9 above, shall only apply to the commercial use or uses contained within the increased gross floor area.

SECTION 4.11 SIGN AND FENCE REGULATIONS

4.11.1 Signs (By-law 4526-97) (By-law 15-073)

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

4.11.2 Fences

Fences shall be permitted in accordance with the provisions of the City of Stoney Creek Fence By-law and the City of Stoney Creek Swimming Pool Fence By-law.

SECTION 4.12 STORAGE

4.12.1 General Application

Outside storage, including the outdoor display or sale of goods, materials or motor vehicles except as permitted elsewhere in this By-law is prohibited.

4.12.2 Location

In no case shall outside storage be located on lands specifically provided as landscaped open space, required parking or loading spaces.

SECTION 4.13 SPECIAL SETBACKS

4.13.1 Daylight Triangles

Any lot located at the intersection of two or more roads or railway rights-of-way will require a minimum yard of 3 metres from the hypotenuse of the daylight triangle.

4.13.2 Setback From Top Of Bank Of Lake Ontario Shoreline

OMB Order

September 25, 1996

(a) Notwithstanding any other yard provisions of this By-law, a minimum yard of 7.5 metres for all single detached dwellings, semi-detached dwellings or duplexes, from the top of the bank of the Lake Ontario shoreline shall be provided where lakeshore protection works have been installed in accordance with the requirements of the Province of Ontario. In no case shall shoreline protection works be constructed to an elevation of less than 78 metres Geodetic Survey of Canada unless otherwise agreed to by the Ministry of Natural Resources of the Province of Ontario, the Hamilton Region Conservation Authority and the City of Stoney Creek. A minimum yard of 30 metres shall be established for all other uses.

(b) In circumstances where shoreline protection works are not installed, the minimum yard shall be as above or as determined in consultation with the appropriate authority, but in no case less than 100 times the average annual erosion rate for the area.

(c) Notwithstanding clause (a) or (b) above, any accessory buildings and structures shall be located in accordance with Section 6.1.4., Accessory Buildings in Residential Zones.

4.13.3 Setback From A Railway Right-of-Way

Notwithstanding any other yard provision of this By-law, a minimum yard for any non-industrial building shall be 30 metres in conjunction with a berm from a railway right-of-way. In the absence of a berm, the minimum yard shall be 120 metres. Buildings existing at the date of the passing of this By-law are exempt from this regulation.

SECTION 4.14 SWIMMING POOLS AND HOT TUBS

4.14.1 Permitted Locations

No swimming pool or hot tub shall be placed or located anywhere within the Defined Area except in accordance with the following provisions:

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

(b) An outdoor swimming pool accessory to a permitted hotel,

institutional use or commercial recreation centre, or as part of an outdoor recreation area or public park, may be located in a side or rear yard but not in the required side or rear yard and not in a front yard.

4.14.2 Yard Requirements

Above ground pool - 1.25 metres from the outside edge of the pool wall or deck to a lot line

Inground pool - 1.25 metres from the water's edge to a lot line

4.14.3 Fencing Requirement

Outdoor swimming pools shall be enclosed with fencing in accordance with the provisions of the City of Stoney Creek Swimming Pool Fence By-law.

SECTION 4.15 TEMPORARY USES

4.15.1 Construction - Related Uses

Nothing in this By-law shall prevent the use of any land or the erection or use of any building or structure within the Defined Area for a construction camp, work camp, tool shed, scaffold, or other use, building or structure incidental to and necessary for construction work on the premises, but only for so long as may be reasonably necessary to complete such construction work.

4.15.2 Other Temporary Uses

Nothing in this By-law shall prevent the use of land within the Defined Area for the following uses:

(a) Real estate pavilion located on or abutting the lands which are for sale;

By-law 4335-96 (b) Deleted by By-law No. 03-163 (Model Homes)

(c) The sale of Christmas trees on commercially-zoned land subject to the regulations of the zone;

(d) The locating of a trailer for election campaign purposes on commercially-zoned land from the day the election is called until two weeks following the election. All regulations of the zone must be satisfied;

By-law 3863-93 (e) The selling of fireworks in accordance with the provisions of the City of Stoney Creek By-law to Regulate the Use and Selling of Fireworks; and

(f) Special purpose carnivals may be located on lands zoned Neighbourhood Shopping Centre "SC1" Zone and Community Shopping Centre "SC2"

Zone for a maximum of 10 days, subject to compliance with the regulations of the applicable zone.

4.15.3 Signage (By-law 4526-97)

Notwithstanding any other provision of this By-law, a sign related to any of the uses permitted in Sections 4.15.1 and 4.15.2 shall solely be permitted in accordance with the provisions of the provisions of the City of Stoney Creek Sign By-law.

4.16 MECHANICAL AND UNITARY EQUIPMENT (By-law 15-073)

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

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

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

SECTION 4.17 USES PERMITTED IN ALL ZONES

4.17.1 Public Uses

Nothing in this By-law shall prevent the use of any land within the Defined Area for the use of the following:

By-law 4032-94

(a) Fire Hall and uses accessory thereto erected in accordance with the regulations of Section 10.2, Small Scale Institutional "IS" Zone.

(b) Foster Home, in any zone which permits a dwelling unit;

(c) Highway;

(d) Hydro Electric Power Facilities authorized by the Power Corporation Act, R.S.O. 1990, c.P.18.;

(e) Public Park;

(f) Public Lighting Fixture, Public Memorial or Ornamental Structure;

(g) Public Railway;

(h) Public Street;

(i) Sewage Pumping Stations;

(j) Traffic Sign, Signal or any sign or notice of any local or other government department or authority, or any sign erected in accordance with the provisions of the City of Stoney Creek Sign By-law;

(k) Utilities including the erection of buildings or structures or the installation of other facilities essential to the operation of public utilities as defined in the Public Utilities Corporation's Act, R.S.O. 1990, c.P.52;

(l) Tourist Information Centres provided that any such use, building or structure shall be in substantial compliance with the relevant provisions of this By-law and shall not adversely affect the character or amenity of the neighbourhood in which same is located;

(m) Wayside Pits; or

(n) Private Home Day Care in any zone which permits a single detached dwelling unit.

SECTION 4.18 USES PROHIBITED IN ALL ZONES

4.18.1 General Prohibition

All uses of land and the erection or use of any building or structure for a purpose not included within the provisions of the "Permitted Uses" section of each zone established in this By-law are prohibited in said zone, save and except for those uses of land and the erection or use of any building for a purpose permitted in accordance with any of the applicable provisions of this By-law.

4.18.2 More Than One Dwelling

Except as specifically provided elsewhere in this By-law, no person shall erect, alter, locate or use for residential purposes any building upon any lot whereon there then exists, or is in the course of construction, or for which a building permit has been issued by the Corporation, a building erected or used or intended to be used for residential purposes.

4.18.3 Vehicles

No truck, bus, coach, streetcar body or vehicle, air or watercraft of any kind

shall be used as a dwelling unit, except for recreational purposes, within the defined area, whether or not the same is mounted on wheels. In addition, the abandonment on any land of the following is strictly prohibited: a railroad car, streetcar body, truck body, bus, truck, coach, trailer, farm tractor or farm implement.

4.18.4 Pits and Quarries

The making or establishment of pits and quarries, except wayside pits, is prohibited within the Defined Area except in an Extractive Industrial "ME" Zone.

4.18.5 Obnoxious Uses

By-law 5068-00

Notwithstanding any other provision in this By-law, uses which are obnoxious or offensive by reason of emission of odour, smoke, dust, noise, gas, fumes, cinders, vibration, refuse matter or water carried waste are expressly prohibited.

4.18.6 Agricultural Uses

Notwithstanding any other provision in this By-law, the following uses are expressly prohibited throughout the Defined Area:

(a) Boiling of blood, bone, soap, tripe or similar products;

(b) Commercial Composting;

(c) Commercial Stockyard;

(d) Tannery or related storage unless accessory to a farm operation on the same lot;

(e) New Abattoirs unless accessory to a farm operation on the same lot;

(f) Commercial Manufacturing of Fertilizers from dead animals or human waste; and

(g) Tallow Melting unless accessory to a farm operation on the same lot.

4.18.7 Manufacturing Uses

Notwithstanding any other provision in this By-law, the following uses and uses similar in nature are expressly prohibited in the Defined Area.

(a) Cement manufacturing or concrete batching, or clay brick manufacturing;

(b) Extracting, refining, or smelting related to primary industries including pulp and paper, sugar, asbestos, metals, oil, coal oil and petroleum products, glue and fertilizers; and

(c) The refining and bulk storage of combustible, flammable, volatile, explosive or otherwise dangerous solids, liquids or gases.

4.18.8 Other Restricted Uses

Notwithstanding any other provision in this By-law, the following uses are expressly prohibited throughout the defined area:

(a) In addition to the prohibited uses specified in other sections of this By-law, any use is prohibited within the Defined Area which from its nature or the materials used therein is defined under the Health Protection and Promotion Act, R.S.O. 1990, c.H.7 or regulations thereunder to be a noxious trade, business or manufacture;

(b) A track for the racing or operating of motor vehicles;

(c) A motor vehicle wrecking yard and a salvage yard; and

(d) A trailer camp or the use of any trailer for human habitation, except as permitted in Section 4.15.1, Section 5.1.3 and Section 11.2; and

4.18.9 Adult Entertainment Parlours are prohibited unless specifically permitted in the "Permitted Uses" subsection of any zone established by this By-law.

By-law 4387-96

SECTION 4.19 YARD ENCROACHMENTS

4.19.1 General Application

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

(a) Sills, belt courses, cornices, chimney breasts, bay windows, decorative brick facing or pilasters, which may project into any required yard a distance of not more than 0.5 metres;

(b) Eaves or gutters, for other than an accessory building, which may project into any required yard a distance of not more than 0.5 metres;

(c) Eaves or gutters for accessory buildings which may project into any required yard a distance of 0.25 metres;

By-law 5068-00

(d) Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any required front yard 1.5 metres. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4 metres. Balconies and decks may project into a privacy area of a townhouse development not more than 4.5 metres. Notwithstanding the foregoing, any deck or patio which is less than .3 metres in height may be located in any required yard.

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

(f) Accessory buildings erected in accordance with the provisions of this By-law;

(g) Signs erected in accordance with the provisions of the City of Stoney Creek Sign By-law;

(h) Light standards, fuel pump islands and fuel pumps of motor vehicle service stations, erected in accordance with the provisions of this By-law; and

(i) Brick archways attached to a dwelling.

SECTION 4.20 MODEL HOMES IN DRAFT PLANS OF SUBDIVISION (By-law 15-292)

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 By-law, as though the dwellings and/or units were constructed on the lot within the registered plan of subdivision; and,

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

SECTION 4.21 HOME CHILD CARE (By-law 25-156)

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

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

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

PART 5 RURAL ZONES

SECTION 5.1 GENERAL PROVISIONS FOR RURAL ZONES

5.1.1 Scope

In any Rural Zone, no person shall use any land or erect, alter or use any building or structure except in accordance with the following provisions which, in addition to other requirements of this By-law, shall apply to all Rural Zones.

5.1.2 Rural Zones

For the purpose of this By-law, the following Rural Zones are established within the Defined Area and such zones may be referred to by the following symbols:

Zone	Symbol
Agricultural Zone	A
Agricultural Specialty Zone	AS
Rural Residential Zone	RR
Rural Residential Estate Zone	RRE

5.1.3 Accessory Dwelling Units

In addition to the provisions of Sections 5.2.2 and 5.3.2, one accessory dwelling unit may be permitted in an Agricultural "A" Zone or Agricultural Specialty "AS" Zone, in accordance with yard regulations pertaining to the principal dwelling, provided such dwelling unit is inhabited by a full-time employee of the farm whose primary working activity is dedicated to that farm and the nature of this farm requires that help be located on the subject property.

5.1.4 Accessory Buildings In An Agricultural "A" Zone And Agricultural Special "AS" Zone

(a) An accessory building or structures, unless otherwise stated, shall comply with all yard regulations of the principal building in the zone in which they are located except that an accessory building less than 3 metres in height shall be located not less than 0.5 metres from any side or rear lot line. However, any accessory building greater than 15 square metres shall comply with the zone regulations which apply to the principal building.

(b) on a corner lot, any accessory building must comply with the side yard requirement of the principal building or the flankage yard requirement where provided adjacent to the flankage lot line.

5.1.5 Parking Restrictions

No land, building or structure in any Rural Residential "RR" Zone or Rural Residential Estate "RRE" Zone shall be used for the locating, parking or storage of any commercial motor vehicle.

5.1.6 Agricultural Code of Practice (By-law 07-112)

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

5.1.7 Produce Stands (OMB Order - Feb.20/96)

In addition to the provisions of Section 5.2.2, 5.3.2 and 5.4.2 a retail produce stand accessory to an agricultural use and designed and used for the seasonal sale of locally-produced agricultural products may be permitted in any yard.

5.1.8 Lot Created by Consent (By-law 4232-95)

Notwithstanding the provisions of Section 4.4.5 “Existing Lots of Record”, lots created by Consent after April 25, 1995 shall comply with the applicable Zone Regulations of this By-law.

SECTION 5.2 AGRICULTURAL "A" ZONE

5.2.1 Scope

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

5.2.2 Permitted Uses For Each Lot

(a) Agricultural Uses

(b) A Single Detached Dwelling

(c) Boarding Kennel

(d) Uses, buildings or structures accessory to a permitted use

(e) A Home Occupation

5.2.3 Regulations For Uses Permitted In Section 5.2.2(a) - By-law 4232-95

(a)	Minimum Lot Area	-	18 hectares
(b)	Minimum Lot Frontage	-	150 metres
(c)	Maximum Lot Coverage	-	20 percent
(d)	Minimum Front Yard	-	10 metres
(e)	Minimum Side Yard	-	3 metres, except 4.5 metres for a flankage yard
(f)	Minimum Rear Yard	-	15 metres

5.2.4 Regulations For Single Detached Dwellings Permitted Under Section 5.2.2(b) - By-law 4232-95

(a)	Minimum Lot Frontage	-	30 metres
(b)	Minimum Lot Area	-	4,050 square metres
(c)	Maximum Lot Coverage	-	40 percent
(d)	Minimum Front Yard	-	7.5 metres

(e) Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:

1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does

not abut a flankage street;

2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(f) Minimum Rear Yard - 7.5 metres

By-law 5068-00

(g) Maximum Building Height - 11 metres

(h) Minimum Parking Requirements - 2 spaces, one of which may be located in the required front yard.

5.2.5 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8

5.2.6 Regulations For Boarding Kennels

Notwithstanding the provisions of paragraphs (a), (b), (d), (e) and (f) of Section 5.2.3 of this By-law, the following regulations shall apply:

(a) Minimum Lot Frontage - 150 metres

(b) Minimum Lot Area - 2 hectares

(c) Minimum Front Yard - No buildings or structures shall be located within 60 metres of the front lot line, except a single detached dwelling which shall be located in accordance with Section 5.4.3(d) of this By-law.

(d) Minimum Side Yard - No buildings or structures shall be located within 60 metres of the side lot line, except a single detached dwelling which shall be located in accordance with Section 5.4.3(e) of this By-law.

(e) Minimum Rear Yard - No buildings or structures shall be located within 60 metres of the rear lot line, except a single detached dwelling which shall be located in accordance with Section 5.4.3(f) of this By-law; and no animal shall be kept in an open area closer than 6 metres to any lot line.

(f) Accessory Buildings accessory to Boarding Kennels shall be located in accordance with this Section of this By-law.

5.2.7 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 5.1.4.

5.2.8 Special Exemptions

A - 1 Lands at the Northwest Corner of Regional Road 20 and Fifth Road East, Schedule "A", Map No. 18

In addition to the uses permitted in Section 5.2.2 of the Agricultural "A" Zone, those lands zoned "A-1" by this By-law may also be used for trap-shooting in association with The Hamilton Gun Club.

By-law 3704-93

A - 2 288 Eighth Road East, Schedule "A", Map No. 19

Notwithstanding the provisions of paragraph (a) of Section 5.2.3, of the Agricultural "A" Zone, on those lands zoned "A-2" by this By-law, the minimum lot area shall be 5.1 hectares.

By-law 3759-93

A - 3 299 Second Road East, Schedule "A", Map No. 17

Notwithstanding the provisions of paragraph (a) of Section 5.2.3, of the Agricultural "A" Zone, on those lands zoned "A-3" by this By-law, the minimum lot area shall be 13 hectares.

By-law 4031-94

A - 4 305 Green Mountain Road, Schedule “A”, Map No. 12

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.2.3 of the Agricultural "A" Zone on those lands zoned “A-4” by this By-law, the minimum lot area shall be 1 hectare and the minimum lot frontage shall be 29.5 metres.

By-law 4137-94

A - 5 118 Eighth Road East, Schedule “A”, Map No. 19

Notwithstanding the provisions of paragraph (a) of Section 5.2.3 of the Agricultural "A" Zone on those lands zoned “A-5” by this By-law, the minimum lot area shall be 3.5 hectares.

By-law 5161-00

A - 6 488 Green Mountain Road East, Schedule “A”, Map No. 18

Notwithstanding the provisions of paragraphs (a), (b), (d) and (e)(3) of Section 5.2.4 of the Agricultural "A" Zone on those lands zoned “A-6” by this By-

law, the minimum lot frontage shall be 185 metres; the minimum lot area shall be 5.3 hectares; the minimum front yard shall be 239 metres; and the minimum flankage yard shall be 50 metres.

By-law 06-061

A - 7(H) 341 Regional Road 20, Schedule "A", Map No. 17

Notwithstanding the provisions of Section 5.2.2 of the Agricultural "A" Zone, on those lands zoned "A-7(H)" by this By-law, a Nursery Garden Centre, and Home Industry, including Accessory Outdoor Storage shall also be permitted.

For the purpose of this By-law, "Home Industry" means a small scale commercial and/or industrial use secondary to an agricultural operation which is owned and operated by one (1) or more of the residents of the dwelling unit on the subject lot and shall be wholly enclosed within either a single detached dwelling unit, an attached garage or an accessory building. Such home industries may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, a farm equipment service establishment, but shall exclude motor vehicle repair shops and motor vehicle body shops.

Notwithstanding the provisions of Section 5.2.3 of the Agricultural "A" Zone, on those lands zoned "A-7(H)" by this By-law, a minimum 9.0 metre wide landscape strip shall be provided and maintained along the westerly lot line, and a minimum 6.0 metre wide landscape strip shall be provided and maintained along the southerly lot line except for points of ingress and egress; a minimum flankage side yard of 45 metres shall be required; and Accessory Outdoor Storage will not be permitted in the flankage side yard or the front yard.

By-law 12-215

The 'H' symbol may be removed by Council upon the approval of a site plan application to the satisfaction of the Manager, Development Planning.

By-law 06-061

A – 8(H) 341 Regional Road 20, Schedule "A", Map No. 17

Notwithstanding the provisions of Section 5.2.2 of the Agricultural "A"

Zone, on those lands zoned "A-8(H)" by this By-law, a Home Industry, including Accessory Outdoor Storage shall also permitted.

For the purpose of this By-law, "Home Industry" means a small scale commercial and/or industrial use secondary to an agricultural operation which is owned and operated by one (1) or more of the residents of the dwelling unit on the subject lot and shall be wholly enclosed within either a single detached dwelling unit, an attached garage or an accessory building. Such home industries may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, a farm equipment service establishment, but shall exclude motor vehicle repair shops and motor vehicle body shops.

Notwithstanding the provisions of Section 5.2.3 of the Agricultural "A" Zone, on those lands zoned "A-8(H)" by this By-law, a minimum 6.0 metre wide landscape strip shall be provided and maintained along the easterly zone boundary and southerly lot line except for points of ingress and egress; and Accessory Outdoor Storage will not be permitted in the front yard.

By-law 12-215 The 'H' symbol may be removed by Council upon the approval of a site plan application to the satisfaction of the Manager, Development Planning.

SECTION 5.3 AGRICULTURAL SPECIALTY "AS" ZONE

5.3.1 Scope

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

5.3.2 Permitted Uses for Each Lot

(a) Agricultural Uses

(b) A Single Detached Dwelling

(c) Uses, buildings or structures accessory to a permitted use

(d) A Home Occupation

5.3.3 Regulations For Uses Permitted In Section 5.3.2(a) - By-law 4232-95

(a)	Minimum Lot Area	-	10 hectares
(b)	Minimum Lot Frontage	-	150 metres
(c)	Maximum Lot Coverage	-	20 percent
(d)	Minimum Front Yard	-	10 metres
(e)	Minimum Side Yard	-	3 metres, except 4.5 metres for a flankage yard
(f)	Minimum Rear Yard	-	10 metres
(g)	Minimum Parking Requirements	-	No minimum

5.3.4 Regulations For Single Detached Dwellings Permitted Under Section 5.3.2(b) - By-law 4232-95

(a)	Minimum Lot Frontage			
	i)	If serviced by sanitary sewers and municipal water	-	15 metres
	ii)	All other lots	-	30 metres
(b)	Minimum Lot Area			
	i)	If serviced by sanitary sewers and municipal water	-	464.5 square metres
	ii)	All other lots	-	4,050 square metres
(c)	Maximum Lot Coverage		-	40 percent
(d)	Minimum Front Yard		-	7.5 metres

(e) Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:

1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(f) Minimum Rear Yard - 7.5 metres

By-law 5068-00

(g) Maximum Building Height - 11 metres

(h) Minimum Parking Requirements - 2 spaces, one of which may be located in the required front yard.

5.3.5 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8.

5.3.6 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 5.1.4.

5.3.7 Special Exemptions

AS - 1 223 Jones Road, Schedule "A", Map No. 7

In addition to the uses permitted in Section 5.3.2 of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-1" by this By-law, one additional single detached dwelling may be erected provided that the dwelling unit is used for a full time employee of the farm owner, or lessee, which employee performs his duties on said farm which for the purpose of this exemption includes a greenhouse farming operation.

In addition to the provisions of Section 5.3.2 and Section 5.3.3 of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-1" by this By-law, the retailing of agricultural products produced on site may be permitted provided that the maximum floor area devoted to such retail use does not exceed 12 square metres. No outside display, sale or advertising of goods shall be permitted.

AS - 2(T) 1130 Highway No. 8, Schedule "A", Map No. 8

In addition to the uses permitted in Section 5.3.2 of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-2(T)" by this By-law, one single detached dwelling, together with buildings, uses and structures accessory thereto, in addition to the existing single detached dwelling, may be erected. This exemption shall apply until September 24, 1994

By-law 3755-93

AS - 3 238 Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (a) and (b), of Section 5.3.3, of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-3" by this By-law, the minimum lot area shall be 5.9 hectares and the minimum lot frontage shall be 130 metres.

By-law 3828-93

AS - 4 Part of Lot 13, Concession 2, Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of Section 5.3.2 and paragraphs (a) and (b), of Section 5.3.3, of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-4" by this By-law, the permitted uses shall be limited to agricultural uses only but expressly excluding the erection of a single detached dwelling. The minimum lot area shall be 3.3 hectares and the minimum lot frontage shall be 37 metres.

By-law 3836-93

AS - 5 Part of Lot 13, Concession 2, Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraph (a) of Section 5.3.3, of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-5" Zone, by this By-law, the minimum lot area shall be 8 hectares.

By-law 3843-93

AS - 6 Part of Lot 11, Concession 2, 868 Highway No. 8. - Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.3.3 of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-6" by this By-law, the minimum lot area shall be 3.5 hectares and the minimum lot frontage shall be 10 metres.

By-law 4113-94

AS - 7 1207 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraph (a) of Section 5.3.3 of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-7" and "R1-3" by this By-law, the minimum lot area shall be .46 hectares.

By-law 4111-94

AS - 8 220 McNeilly Road, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraphs (a), (b) and (f) of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-8" by this By-law, the minimum lot area shall be 1.5 hectares, the minimum lot frontage shall be 85 metres and the minimum rear yard shall be 2.5 metres.

By-law 4146-95

AS - 9 228 McNeilly Road, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.3.3 of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-9" by this By-law, the minimum lot area shall be 1 hectare and the minimum lot frontage shall be 30 metres.

By-law 4947-99

AS - 10(T) 1091 Highway No. 8, Schedule "A", Map No. 8

In addition to the uses permitted in Subsection 5.3.2 of the Agricultural Specialty "AS" Zone, on those lands zoned "AS-10(T)" by this By-law, a pitch and putt golf course and buildings and structures accessory thereto may be permitted as a temporary use pursuant to Section 3.9 of this By-law. This Temporary Use may be permitted until March 1, 2002.

By-law 5215-00

AS - 11 Bridgman Lane, Schedule "A", Map No. 9

In addition to the definition of "Lot" in Part 2, Definitions, a lot created on a private road is considered to be a lot.

By-law 5242-00

AS - 12 **North side of Highway No. 8 and East of Glover Road, Part of Lot 10, Concession 2, Schedule "A", Map No. 8**

In addition to the uses permitted in subsection 5.3.2 of Section 5.3, Agricultural "AS" Zone, those lands zoned "AS-12" by this by-law may also be used for a convenience restaurant and accessory uses, buildings and structures thereto.

SECTION 5.4 RURAL RESIDENTIAL "RR" ZONE

5.4.1 Scope

No person shall within any Rural Residential "RR" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions.

5.4.2 Permitted Uses For Each Lot

(a) A Single Detached Dwelling

(b) Uses, buildings or structures accessory to a permitted use

(c) A Home Occupation

5.4.3 Zone Regulations

By-law 5068-00

(a) Minimum Lot Area

1. If serviced by sanitary sewers and municipal water - 464.5 square metres
2. All other Lots - 4,050 square metres

By-law 5068-00

(b) Minimum Lot Frontage

1. If serviced by sanitary sewers and municipal water - 15 metres
2. All other Lots - 30 metres

By-law 4129-94

(c) Maximum Lot Coverage - 40 percent

(d) Minimum Front Yard - 10 metres

By-law 4129-94

(e) Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:

1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;
2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and
3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(f) Minimum Rear Yard - 7.5 metres

By-law 5068-00

(g) Maximum Building Height - 11 metres

(h) Storage - Open storage areas are not permitted

(i) Minimum Parking Requirements - 2 spaces, one of which may be located in the required front yard

5.4.4 Regulations For Existing Lots

Notwithstanding paragraph (d) of Section 5.4.3, the following special provision shall apply in the Rural Residential "RR" Zone on all lots created prior to the passing of this By-law:

(a) Minimum Front Yard - 7.5 metres

5.4.5 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8.

5.4.6 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 6.1.4.

5.4.7 Special Exemptions

RR - 1 929, 931, 933 Highway No. 8, Schedule "A", Map No. 8

In addition to the uses permitted in Section 5.4.2 of the Rural Residential "RR" Zone, those lands zoned "RR-1" by this By-law may be used for three existing dwelling units and buildings accessory thereto and for the teaching of voice and music within the main residence and the sale and display of musical instruments within the main residence as an accessory use thereto subject to the regulations of Section 4.8.

RR - 2 265 Lewis Road, Schedule "A", Map No. 8

In addition to the uses permitted in Section 5.4.2 of the Rural Residential "RR" Zone, those lands zoned "RR-2" by this By-law, one room of the main residence may be used for the purpose of the display and sale of antiques and local handicrafts; provided;

No advertising signs be displayed other than a family name sign, no auction sales connected with the business be held on the premises, and no goods held for sale or display be displayed or stored outside of the building.

RR - 3 1096 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-3" by this By-law, the minimum lot area shall be 1,800 square metres and the minimum lot frontage shall be 25.6 metres.

RR - 4 203 Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-4" by this By-law, the minimum lot area shall be 920 square metres and the minimum lot frontage shall be 18 metres.

By-law 3759-93

RR - 5 295 Second Road East, Schedule "A", Map No. 17

Notwithstanding the provisions of paragraph (b) of Section 5.4.3, of the Rural Residential "RR" Zone, on those lands zoned "RR-5" by this By-law, the minimum lot frontage shall be 60 metres.

By-law 3755-93

RR - 6 252 Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.4.3, of the Rural Residential "RR" Zone, on those lands zoned "RR-6" by this By-law, the minimum lot area shall be 920 square metres and the minimum lot frontage shall be 15 metres.

By-law 3773-93

RR - 7 235 Green Mountain Road, Schedule "A", Map No. 12

Notwithstanding the provisions of paragraphs (b) and (f) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-7" by this By-law, the minimum lot frontage shall be 27 metres and the minimum rear yard shall be 122 metres.

By-law 3775-93

RR - 8 124 Second Road East, Schedule "A", Map No. 17

Notwithstanding the provisions of paragraph (f) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-8" by this By-law, the minimum rear yard shall be 60 metres.

By-law 3775-93

RR - 9 Second Road East, Schedule "A", Map No. 17

Notwithstanding the provisions of paragraph (f) of Section 5.4.3 of the Rural Residential "RR" Zone, and Section 4.5.2 of Section 4.5, Accessory Buildings and Structures, on those lands zoned "RR-9" by this By-law, the minimum rear yard shall be 60 metres and the existing accessory building shall be recognized as a permitted accessory use although said lands are not occupied by a dwelling as of the date of the approval of this By-law.

By-law 3828-93

RR - 10 233 Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraph (a) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-10" by this By-law, the minimum lot area shall be 3.2 hectares.

By-law 4112-94

RR - 11 255 and 257 Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (a), (b), (c) and (e) of Section 5.4.3 of the Rural Residential “RR” Zone, on those lands zoned “RR-11” by this By-law, the minimum lot area shall be 680 square metres, the minimum lot frontage shall be 16 metres, the maximum lot coverage shall be 40 percent and the minimum side yard shall be 1.5 metres.

By-law 4031-94

RR - 12 North side of Green Mountain Road, West of Third Road East, Schedule “A”, Map No. 12

Notwithstanding the provision of paragraph (b) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned “RR-12” by this By-law, the minimum lot frontage shall be 29.5 metres.

By-law 4058-94

RR - 13 North side of Highland Road, west of Tenth Road, Schedule “A”, Map No. 19

Notwithstanding the provisions of paragraph (a) of Section 5.4.3 of the Rural Residential “RR” Zone, on those lands zoned “RR-13” by this By-law, the minimum lot area shall be 4,042 square metres.

By-law 4146-95

RR - 14 North of 228 McNeilly Road, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-14" by this By-law, the minimum lot area shall be 900 square meters, the minimum lot frontage shall be 15 metres and the minimum side yard shall be 1.5 metres.

By-law 4111-94

RR - 15 East side of McNeilly Road, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraphs (a), (b) and (e) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-15" by this By-law, the minimum lot area shall be 690 square meters, the minimum lot frontage shall be 15 metres and the minimum side yard shall be 1.5 metres.

By-law 4138-94

RR - 16 227 Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-16" by this By-law, the minimum lot area shall be 3,100 square meters and the minimum lot frontage shall be 17 metres.

By-law 4138-94

RR - 17 South of 227 Jones Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (a) and (b) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-17" by this By-law, the minimum lot area shall be 800 square meters and the minimum lot frontage shall be 15 metres.

By-law 5161-00

RR - 18 498 Green Mountain Road, Schedule "A", Map No. 18

Notwithstanding the provisions of paragraphs (a) (2) and (b) (2) of subsection 5.4.3, of the Rural Residential "RR" Zone, on those lands zoned "RR-18" by this By-law, the minimum lot area shall be .57 hectares and the minimum lot frontage shall be 45 metres.

By-law 5161-00

RR - 19 East of 498 Green Mountain Road, Schedule "A", Map No. 18

Notwithstanding the provisions of paragraphs (a) (2) and (b) (2) of subsection 5.4.3, of the Rural Residential "RR" Zone, on those lands zoned "RR-19" by this By-law, the minimum lot area shall be 1.4 hectares and the minimum lot frontage shall be 76 metres.

By-law 03-247

RR - 20 984 Highway No. 8, Schedule "A", Map No. 8

In addition to the uses permitted in Section 5.4.2 of the Rural Residential "RR" Zone, those lands zoned "RR-20" by this By-law my be used for a commercial school, specifically, the training of students in the field of audio technology (music recording).

Notwithstanding the provision of paragraph (i) of Section 5.4.3 of the Rural Residential "RR" Zone, on those lands zoned "RR-20" by this By-law a minimum of seven (7) parking spaces is required for the commercial school and two (2) parking spaces may be located in the required front yard.

By-law 04-004

RR - 21 518 Glover Road, Schedule "A", Map No. 3

Notwithstanding any provision to the contrary, a minimum 3 metre wide unobstructed access shall be provided and maintained between Glover Road and the Lake Ontario shoreline for the purpose of shoreline protection maintenance.

SECTION 5.5 RURAL RESIDENTIAL ESTATE "RRE" ZONE

5.5.1 Scope

No person shall within any Rural Residential Estate "RRE" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

5.5.2 Permitted Uses For Each Lot

(a) A Single Detached Dwelling

(b) Uses, buildings or structures clearly accessory to a permitted use

(c) A Home Occupation

5.5.3 Zone Regulations

(a) Minimum Lot Area - 4,000 square metres

(b) Minimum Lot Frontage - 30 metres

(c) Maximum Lot Coverage - 25 percent

(d) Minimum Front Yard - 25 metres

(e) Minimum Side Yard - 4.5 metres except 12 metres for a flankage yard

(f) Minimum Rear Yard - No dwelling or part thereof shall be located further from the front lot line than 55 metres

By-law 5068-00

(g) Maximum Building Height - 11 metres

(h) Storage - Open storage areas are not permitted

(i) Minimum Parking Requirements - 2 spaces, one of which may be located in the required front yard

5.5.4 Regulations For Accessory Buildings

(a) Minimum Yard Requirements - No accessory building shall be located within the front yard, required flankage yard or within 6 metres of any lot line which abuts a street or within 1.5 metres of any other lot line.

By-law 5068-00

(b) Maximum Lot Coverage - The maximum lot coverage for accessory buildings shall be 2 percent provided the lot coverage of all buildings does not exceed 25 percent.

(c) Maximum Building Height - 4 metres

5.5.5 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8.

5.5.6 Special Exemptions

RRE - 1 8 Lochside Drive, Schedule "A", Map No. 4

In addition to the provisions of paragraphs (d) and (f) of Section 5.5.3 of the Rural Residential Estate "RRE" Zone, on those lands zoned "RRE-1" by this By-law, no dwelling or part thereof shall be erected closer than 15 metres to Lochside Drive and further than 30 metres from Lochside Drive.

RRE - 2 All Lots abutting Lake Ontario, Schedule "A", Map No. 4

In addition to the provisions of paragraph (a) of Section 5.5.4 of the Rural Residential Estate "RRE" Zone, on those lands zoned "RRE-2" by this By-law, no accessory building shall be located further from the front lot line than 55 metres.

By-law 08-244

RRE - 3 28 Lochside Drive, Schedule "A", Map No. 4

Notwithstanding the provisions of Paragraphs (a) and (f) of Section 5.5.3 of the Rural Residential Estate "RRE" Zone, on those lands zoned "RRE-3" by this by-law, the following shall apply:

(a)	Minimum Lot Area	- 2,940 square metres
(f)	Minimum Rear Yard	- No dwelling or part thereof shall be located further from the front lot line than 57 metres.

By-law 12-018

RRE-4 22 Lochside Drive, Schedule “A”, Map No. 4

Notwithstanding the provisions of Paragraphs (a), (d), and (f) of Section 5.5.3 of the Rural Residential Estate “RRE” Zone, on those lands zoned “RRE-4” by this By-law, the following shall apply.

(a)	Minimum Lot Area	- 2,850 square metres
(d)	Minimum Side Yard	- 4.5 metres, except 4.4 metres along the easterly side lot line
(f)	Minimum Rear Yard	- No dwelling or part thereof shall be located further from the front lot line than 57 metres.

PART 6 RESIDENTIAL ZONES

SECTION 6.1 GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES

6.1.1 Scope

In any Residential Zone, no person shall use any land or erect, alter or use any building or structure except in accordance with the following provisions which, in addition to other requirements of this By-law, shall apply to all Residential Zones.

6.1.2 Residential Zones

For the purpose of this By-law the following Residential Zones are established within the Defined Area and such zones may be referred to by the following symbols.

Zone	Symbol
Single Residential - One	R1
Single Residential - Two	R2
Single Residential - Three	R3
Single Residential - Four	R4
Residential - Five	R5
Residential - Six	R6
Multiple Residential - One	RM1
Multiple Residential - Two	RM2
Multiple Residential - Three	RM3
Multiple Residential - Four	RM4
Multiple Residential - Five	RM5

6.1.3 General Requirements For Residential Uses

(a) Nothing in this By-law shall prevent the division of any lot which is zoned for a semi-detached dwelling into two separate parts divided by the centre line of the common or party wall separating the two dwelling units provided that each part created meets the appropriate regulations of this By-law. For the purpose of this By-law the side yard provisions

pertaining to the zone in which the semi-detached dwelling is located do not apply to the common or party wall separating the two dwelling units;

(b) No person shall erect or use any building for residential purposes in any zone unless such building is erected upon a lot or unless authorized elsewhere in the By-law; and

(c) For the purposes of subsection (b) above, the word "building" shall be deemed not to include an accessory building.

6.1.4 Accessory Buildings In Residential Zones

By-law 4580-97

(a) An accessory building may be located in any yard except the front yard, and shall be located a minimum distance of 8 metres from the front lot line, 0.5 metres from any other lot line, and the maximum building height shall be 4.5 metres; except that a detached garage or detached carport which fronts on the flankage lot line shall be located at least 5.5 metres from the flankage lot line.

(b) The total lot coverage for all accessory buildings shall not exceed 10 percent of the total lot area but in no case shall the total lot coverage of all buildings on a lot exceed the maximum lot coverage permitted in the respective zone; and

(c) Notwithstanding the above-noted provisions, accessory buildings may be located in the front yard on lands fronting on a private road which backs onto the Lake Ontario shoreline, but in no case within 7.5 metres of the front lot line. For the purpose of this Section:

1. "Front lot line" means the boundary of the property closest to the existing dwelling or closest to the former dwelling and which boundary is the line between the private right-of-way and the parcel of land to which this subsection applies;
2. "Rear lot line" means the limits of the property opposite the "front lot line"; and

3. "Side lot line" means the limits of the property other than the "front lot line" or the "rear lot line".

(d) Notwithstanding the above-noted provisions, accessory buildings may be located in the front yard of lands backing onto the Lake Ontario shoreline in accordance with Section 4.13.2.

By-law 22-138

(e) For the purposes of Section 6.1.7.2, a Secondary Dwelling Unit – Detached, shall not be considered an accessory building or structure.

6.1.5 Residential Care Facilities, Group Homes Or Domiciliary Hostels

Where any residential zone permits a single detached dwelling, a duplex, a semi-detached dwelling or a triplex dwelling, such dwelling may be converted to a Group Home, a Residential Care Facility or a Domiciliary Hostel for a maximum of six (6) residents provided that:

(a) The entire dwelling is so converted and wholly occupied by such use;

(b) A lot containing such dwelling shall not be located within 800 metres of any other lot upon which is situated any other Group Home, Residential Care Facility or a Domiciliary Hostel;

(c) Parking spaces shall be provided in accordance with the provisions of Section 4.10 with a maximum of two (2) parking spaces in the front yard; and

(d) The dwelling complies with all regulations of the zone in which it is located.

6.1.6 Foster Homes

Any dwelling unit may be used as a Foster Home.

6.1.7 Secondary Dwelling Unit and Secondary Dwelling Unit – Detached

By-laws 21-077, 21-167, 22-138, 22-196

(a) Parking shall be provided in accordance with Section 4.10 and Section 6.1.8 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 6.1.7 (a) (i), one parking space shall be required for a Secondary Dwelling Unit - Detached if it constitutes the fourth Dwelling Unit on a lot.

(ii) A maximum of two parking spaces for a Secondary Dwelling Unit and/or Secondary Dwelling Unit - Detached may be provided in the required Front Yard; and,

iii) Parking for a Secondary Dwelling Unit and/or Secondary Dwelling Unit – Detached shall maintain a minimum of 50% landscaped area in the Flankage Yard.

(b) Notwithstanding Section 4.1 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. 22-138 was approved by Council, will be evaluated against the provisions of Section 6.1.7 of this By-law, in effect before By-law No. 22-138 came into effect.

(A) Notwithstanding Section 6.1.7 (b) i), if a Building Permit is not issued within 180 days of the effective date of this By-law, By-law No. 22-138 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 22-138 was approved by Council, provided the Building Permit application complies with Section 6.1.7 of this By-law, in effect the day before By-law No. 22-138 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 6.1.7 (b) i) or ii).

(B) Once a Building Permit has been issued under Section 6.1.7 (b) i) or ii), or more than 180 days has transpired as per Section 6.1.7 (b) i) (A), the provisions of this By-law apply in all other respects.

6.1.7.1 Secondary Dwelling Unit

By-law 22-138

(a) For lands within a "R1", "R2", "R3", "R4". "R5", "R6", "RM1", "RM2", and "RM3" Zone, a maximum of one Secondary Dwelling Unit shall be permitted within a Single Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a divided or undivided lot and shall not result in a change to the defined dwelling type on the lot.

(b) All the regulations of the By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 6.1.7.1.

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

6.1.7.2 Secondary Dwelling Unit – Detached

By-law 22-138

(a) For lands within a "R1", "R2", "R3", "R4". "R5", "R6", "RM1", "RM2", and "RM3" Zone, a maximum of one Secondary Dwelling Unit shall be permitted on a lot containing Single Detached Dwelling, a Semi-Detached Dwelling, 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, 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 6.1.7.2 (a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Secondary Dwelling Unit - Detached permitted on a lot containing an existing Single Detached Dwelling, Semi-Detached Dwelling, or Street Townhouse Dwelling subject to the following provision:

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

regulations of Section 6.1.7.2.

(c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 6.1.7.2.

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

ii) In addition to Section 6.1.7.2 (e), a landscaped 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, or permeable pavers, and may include a fence.

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

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

By-law 25-039

(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 SecondaryDwelling Unit – Detached.

(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.

(a) Notwithstanding Section 6.1.7.2 (i), balconies and rooftop patios shall be prohibited above the first floor level

.

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

(a) In addition to Sections 6.1.7.2 (j) and 6.1.7.2 (j) (b), and notwithstanding Sections 6.2.3 (g), 6.2.3.1 (a), 6.3.3 (g),6.3.3.1 (a), 6.4.3.1 (a), 6.5.3 (g), 6.5.3.1 (a), 6.6.3 (g), 6.7.3 (a) 7., 6.7.3 (b) 7., 6.8.3 (a) 7., 6.8.3 (b) 7, and 6.8.4, the maximum combined lot coverage of all buildings and structures on a lot containing a Secondary Dwelling Unit - Detached shall be 45%.

(b) In addition to Section 6.1.7.2 (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.

6.1.7.3 Regulations for Converted Dwellings **(By-law 22-196)**

(a) For the purpose of Section 6.1.7.3, a Converted Dwelling shall mean a single detached or duplex dwelling, existing as of XX, 2022, converted to contain greater than two but no more than four Dwelling Units.

(b) A Converted Dwelling shall only be permitted on a lot in an R1, R2, R3, R4, R5 or R6 Zone identified on Figure 1 of Part 15: Special Figures

(i) In addition to Section 6.1.7.3 (b), a Converted Dwelling shall be permitted on a lot in in any RM1 zone shown on Schedule "A" of this By-law.

(c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided for in Section 6.1.7.3.

(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 6.1.7.3 (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 6.1.7.3 (e), one parking space is required for the following conditions:

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

B. For the fourth Dwelling Unit on a lot.

6.1.8 Parking Restrictions In Residential Zones

(a) No land, building or structure in any residential zone shall be used for the locating, parking or storage of any commercial motor vehicle, heavy motor vehicle, commercial trailer, coach, street car or construction equipment. For the purpose of this paragraph, a trailer shall exclude a recreational vehicle and a coach shall exclude a school bus;

(b) Notwithstanding any other provisions of this By-law, nothing shall prevent the locating of parking spaces in the required front yard for vehicles used for transporting physically challenged persons;

(c) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 3 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot except that the provisions of this clause shall not apply to any parking space located within a private garage or underground garage;

(d) Parking spaces shall have a width of not less than 2.75 metres and a length of not less than 5.8 metres and parking spaces for physically challenged persons shall have a width of not less than 4.4 metres and a length of not less than 5.8 metres, exclusive of any land used to permit ingress or egress to said parking spaces, maneuvering areas, driveways or aisles. One parking space within a private residential garage shall not be less than 3 metres in width or less than 6 metres in length;

(e) Adequate access to a residential parking area, except those accessory to a single detached, semi-detached, converted, duplex, triplex, fourplex or street townhouse dwelling, shall be provided to permit ingress or egress

of a motor vehicle from the street by means of a one-way driveway of at least 4.5 metres in width, or by means of a two-way driveway of at least 6 metres in width; and **(By-law 15-073)**

(f) Any parking area, parking space, loading space, driveway, maneuvering area, or aisle required to be provided or permitted according to the provisions of the zone in which the use is permitted shall be provided and maintained in accordance with this By-law.

6.1.9 (Deleted) (By-law 21-077)

6.1.10 Urban Farm (By-law 14-279)

(a) An urban farm shall be permitted in any residential zone, in accordance with the regulations of Subsection 6.1.10 (b), Subsection 6.1.10 (c), Subsection 6.1.10 (d) or Subsection 6.1.10 (e).

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

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.

viii) All mechanical equipment shall be located within a building or structure.

(c) Notwithstanding Section 6.1.10 b), an urban farm, as a principle use, may locate on a lot less than 0.4 ha in size provided that:

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

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

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

i) All mechanical equipment shall be located within a building or structure.

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

iii) Notwithstanding, Section 6.1.4(a), where an urban farm is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

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

(e) Notwithstanding Section 6.1.10 (a), 6.1.10 (b) and 6.1.10 (c) and in addition to the provisions of Section 6.1.10 (d), an urban farm within any residential Zone shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	King Street	Faircourt Drive	Applewood Avenue

6.1.11 Community Gardens (By-law 14-279)

(a) A community garden shall be permitted in any residential zone, in

accordance with the regulations of Subsection 6.1.11 (b).

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

(c) Notwithstanding, Section 6.1.4(a), where an urban farm is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

d) Notwithstanding Sections 6.1.11(a), 6.1.11(b) and 6.1.11(c) and in addition to the provisions of Section 6.1.11(c), an urban farm within any residential Zone shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	**From**	**To**
1	King Street	Faircourt Drive	Applewood Avenue

6.1.12 Common Elements Condominium (By-law 15-073)

Notwithstanding the regulations of the "RM3" Zone, townhouse dwelling units may be developed in accordance with the applicable street townhouse regulations of the "RM2" Zone. For the purposes of these Zones, 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)

SECTION 6.2 SINGLE RESIDENTIAL "R1" ZONE

6.2.1 Scope

No person shall within any Single Residential "R1" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.2.2 Permitted Uses For Each Lot (By-law 22-196)

(a) A single detached dwelling

(b) Uses, buildings or structures accessory to a permitted use

(c) A Home Occupation

By-law 22-196

(d) In addition to the uses permitted in Section 6.2.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Semi-Detached Dwelling
2. A Duplex
3. Street Townhouses

6.2.3 Zone Regulations For The Use Permitted Under Section 6.2.2 (a)

(a) Minimum Lot Area

Interior Lot	-	600 square metres
Corner Lot	-	650 square metres

(b) Minimum Lot Frontage

Interior Lot	-	18 metres
Corner Lot	-	19.5 metres

(c) Minimum Front Yard - 6 metres

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:

By-law 3863-93

1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;
2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(e) Minimum Rear Yard - 7.5 metres

By-law 5068-00

(f) Maximum Building Height - 11 metres

(g) Maximum Lot Coverage - 40 percent

6.2.3.1 Zone Regulations For Uses Permitted Under Section 6.2.2 (d)

By-law 22-196

(a) Semi-detached dwellings shall comply with the provisions of Sections 6.6.3, 6.6.4, 6.6.5, 6.6.5.1, 6.6.5.2, and 6.6.6.

(b) Duplex dwellings shall comply with the provisions of Sections 6.2.3, 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.

(c) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.2.4 Regulations For Parking For the Use Permitted Under Section 6.2.2 (a)

Minimum number of parking spaces - 2 per dwelling of which only one may be provided in the required front yard. Tandem parking is permitted.

6.2.5 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and Section 6.1.4.

6.2.6 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8.

6.2.6.1 Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.9.

6.2.6.2 Regulations For Converted Dwellings

By-law 22-196

Converted dwellings are permitted in accordance with Section 6.1.7.3.

6.2.7 Special Exemptions

R1 - 1 1317 Highway No. 8, Schedule "A", Map No. 9

In addition to the uses permitted in Section 6.2.2 of the Single Residential "R1" Zone, those lands zoned "R1-1" by this By-law may also be used for a triplex.

Notwithstanding the provisions of paragraphs (c), (d), (e) and (f) of Section 6.2.3 and Section 6.2.4 of the Single Residential "R1" Zone, on those lands zoned "R1-1" by this By-law, the minimum front yard shall be 1 metre; the minimum side yard shall be 2 metres; the side yard abutting the flankage lot line shall be 1 metre; the minimum rear yard shall be 10.5 metres; the minimum floor area shall be 95 square metres per dwelling unit; the maximum height shall be 3 storeys; and the minimum number of parking spaces shall be five.

By-law 4113-94

R1 - 2 North side of Highway No. 8, East of Lewis Road, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraphs (a) and (b) of Section 6.2.3 of

the Single Residential "R1" Zone, on those lands zoned "R1-2" by this By-law, the minimum lot area shall be 570 square metres and the minimum lot frontage shall be 15 metres.

By-law 4113-94

R1 - 3 1207 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraph (b) of Section 6.2.3 of the Single Residential "R1" Zone, on those lands zoned "R1-3" and "AS-7" by this By-law, the minimum lot frontage shall be 15 metres.

By-law 4167-95

R1 - 4 North side of Jenny Court, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (c) of Section 6.2.3 of the Single Residential "R1" Zone, on those lands zoned "R1-4" by this By-law, the minimum front yard shall be 10 metres.

By-law 4167-95

R1 - 5 North side of Jenny Court, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (c) and (d) of Section 6.2.3 of the Single Residential "R1" Zone, on those lands zoned "R1-5" by this By-law, the minimum front yard shall be 10 metres and the minimum easterly side yard shall be 3 metres.

By-law 4915-99
OMB Order
Nov. 4, 1999
By-law 18-119
(Holding Removal)

R1 – 6 Part of Lot 2, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (c), (d), (f) and (g) of Section 6.2.3 of the Single Residential "R1" Zone of Zoning By-law No. 3692-92, on those lands zoned "R1-6" by this By-law, the following provisions shall apply:

(a) Minimum Lot Area - 600 square metres

(c) Minimum Front Yard - 6 metres, except 7.5 metres to an attached garage or attached carport

Maximum Front, Yard - 7.5 metres except 8.0 metres to an attached garage or attached carport.

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.85 metres except as provided in clauses (i), (ii) and (iii) below:

(i) On an interior lot, a one-storey dwelling, a one-storey portion of the dwelling, an attached garage with no rooms above or an attached carport may be erected at a distance of not less than 1.25 metres from a side lot line;

(ii) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the side yard abutting the flankage street shall be

a minimum 3 metres and a maximum 4.5 metres except that an attached garage or attached carport shall not front on the flankage street.

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - 55 percent

In addition to the regulations of Section 4.19 “Yard Encroachments”, porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 “Special Setbacks – Daylight Triangles” and paragraphs (b) and (d) of Section 4.19.1 – “Yard Encroachments - General Application” the following provision shall apply:

“Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.”

By-law 4916-4920/99

R1 – 7 West of Fifty Road, East of Creanona Boulevard Schedule “A”, Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c) and (d) of Section 6.2.3 of the Single Residential "R1" Zone, on those lands zoned “R1-7” by this By-law, the minimum lot area shall be 900 square metres, the minimum lot frontage shall be 18 metres, the minimum front yard shall be 7.5 metres and the minimum side yard shall be 1.85 metres, except as provided in clauses (i), (ii) and (iii) below:

(i) On an interior lot, an attached garage with no rooms above or an attached carport may be erected at a distance of not less than 1.85 metres from a side lot line;

(ii) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage street shall be 3 metres except that an attached garage or attached carport which fronts on the flankage street lot line shall not be located within 5.5 metres of the flankage lot line.

By-law 4916-99 to By-law 4920-99

R1 - 8 Deleted by By-law No. 03-338

By-law 4915-99
OMB Order
Nov. 4, 1999

R1 - 9 Fifty Road and McCollum Road, Part of Lot 2, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (f) and (g) of Section 6.2.3 of the Single Residential "R1" Zone of Zoning By-law No. 3692-92, on those lands zoned "R1-9" by this By-law, the following provisions shall apply:

(a) Minimum Lot Area - 780 square metres
(b) Minimum Lot Frontage - 23 metres
(c) Minimum Front Yard - 6 metres, except 7.5 metres to an attached garage or attached carport
Maximum Front Yard - 7.5 metres, except 8 metres to an attached garage or attached carport.
(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.85 metres except as provided in clauses (I), (ii) and (iii) below:

(i) On an interior lot, a one-storey dwelling, a one-storey portion of the dwelling, an attached garage with no rooms above or an attached carport may be erected at a distance of not less than 1.25 metres from a side lot line;

(ii) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and,

(iii) On a corner lot, the side yard abutting the flankage lot line shall be a minimum of 3 metres and a maximum of 4.5 metres, except an attached garage or attached carport shall not front on the flankage street.

(f) Maximum Building Height - 12.6 metres
(g) Maximum Lot Coverage - 55 percent

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments – General Application" the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 5001-99

R1 – 10 1305 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the provisions of paragraph (e) of Section 6.2.2, on those lands zoned "R1-10" by this By-law, the minimum rear yard shall be 4.5 metres adjacent to the attached garage.

By-law 4915-99
OMB Order
Nov. 4, 1999

R1 – 11(H) Part of Lot 2, Broken Front Conc., Schedule "A", Map No. 4

By-law 11-169

In addition to the uses permitted in Section 6.2.2, those lands zoned "R1-11(H) may also be used for a storm water management pond and accessory uses thereto. The provisions of the "R1-6" Zone shall apply upon the removal of the Holding "H" Zone. The Holding "H" Zone provision may be removed upon confirmation by the City Engineer that a storm water management pond is not required on these lands.

Notwithstanding the provisions of paragraphs (a) and (b) of Subsection 6.2.3 of Section 6.2, Single Residential "R1" Zone, the minimum lot area shall be 2,200 square metres and the minimum lot frontage shall be 17 metres on Lochside Drive. The residential development of these lands shall be limited to only one single-detached dwelling on one lot in a registered plan of subdivision and accessory uses, buildings and structures.

By-law 4915-99
OMB Order
Nov. 4, 1999

R1 – 12 Part of Lot 2, Broken Front Conc., Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (c), (d), (e), (f) and (g) of Section 6.2.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R1-12" by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot	-	450 square metres
Corner Lot	-	480 square metres

(c) Minimum Front Yard - 3 metres, except 5.8 metres to an attached garage or attached carport

Maximum Front Yard - 4.5 metres, except 6.3 metres to an attached garage or attached carport.

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres, except as provided in clauses (i), (ii) and (iii) below:

By-law 5136-00

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be .9 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the side yard abutting the flankage street shall be a minimum of 3 metres, and a maximum of 4.5 metres except that an attached garage or attached carport shall not front on the flankage street.

(e) Minimum Rear Yard - 7 metres
(f) Maximum Building Height - 12.6 metres
(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments - General Application" the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 4915-99
OMB Order
Nov. 4, 1999

R1 - 13 Part of Lot 2, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (f) and (g) of Section 6.2.3 of the Single Residential "R1" Zone of Zoning By-law No. 3692-92, on those lands zoned "R1-13" by this By-law, the following provisions shall apply:

(a) Minimum Lot Area - 600 square metres

(b) Minimum Lot Frontage - 20 metres

(c) Minimum Front Yard - 6 metres, except 7.5 metres to an attached garage or attached carport

Maximum Front Yard - 7.5 metres, except 8 metres to an attached garage or attached carport.

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.85 metres except as provided in clauses (i), (ii) and (iii) below:

(i) On an interior lot, a one-storey dwelling, a one-storey portion of the dwelling, an attached garage with no rooms above or an attached carport may be erected at a distance of not less than 1.25 metres from a side lot line;

(ii) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the side yard abutting the flankage street shall be a minimum 3 metres and a maximum 4.5 metres except that an attached garage or attached carport shall not front on the flankage street.

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - 55 percent

In addition to the regulations of Section 4.19 “Yard Encroachments”, porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 “Special Setbacks – Daylight Triangles” and paragraphs (b) and (d) of Section 4.19.1 – “Yard Encroachments - General Application” the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 03-269

R1 - 14 Part of 580 Fifty Road, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (f) and (g) of Section 6.2.3, "Zone Regulations", of Zoning By-law No. 3692-92, on those lands zoned "R1-14" by this By-law, the following shall apply:

(a) Minimum Lot Area
Interior Lot - 450 square metres
Corner Lot - 480 square metres

(b) Minimum Lot Frontage
Interior Lot - 18 metres
Corner Lot - 19 metres

(c) Minimum Front Yard - 3 metres except 5.8 metres to an attached garage or attached carport

Maximum Front Yard - 4.5 metres, except 6.3 metres to an attached garage or attached carport

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.2 metres, except as provided in clauses (i), (ii) and (iii) below:

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be 0.9 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where not attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the side yard abutting the flankage street shall be a minimum of 3 metres, and a maximum for 4.5 metres except that an attached garage or attached carport shall not front on the flankage street.

(e) Minimum Rear Yard - 7 metres

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments – General Application" the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 03-335

R1 - 15 West side of Falcon Road, Part of Lot 3, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the provisions of Zoning By-law No. 3692-92 to the contrary, on those lands zoned "R1-15" by this By-law, the rear yard setback shall be measured from the zone boundary between the "OS-10" Zone and the "R1-15" Zone, rather than from the rear lot line.

Notwithstanding the provisions of Paragraphs (a) to (d) of Section 6.2.3 of the Single Residential "R1" Zone, on those lands zoned "R1-15" by this By-law, the minimum lot area shall be 900 square metres, the minimum lot frontage shall be 18 metres, the minimum front yard shall be 7.5 metres, and the minimum side yard shall be 1.85 metres except where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres.

R1 - 16 Reserved

By-law 07-196

R1 - 17 1353, 1357, 1427 Baseline Road and 22 Falcon Road, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (f), and (g), of Subsection 6.2.3, of the "Zone Regulations" of the Single Residential "R1" Zone on those lands zoned "R1-17" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	440 square metres
(b)	Minimum Lot Frontage	-	18 metres
(c)	Minimum Front Yard	-	3.0 metres; and, 5.8 metres for a garage only.
(d)	Minimum Side Yard	-	1.2 metres; except, 0.6 metres on the side with an attached garage.
(e)	Minimum Flankage Yard	-	3.0 metres; and, 5.8 metres for a garage only.
(f)	Minimum Rear Yard	-	7.0 metres
(g)	Maximum Building Height	-	12.5 metres

In addition to the regulations of Section 4.19, "Yard Encroachments", the following encroachments are permitted:

(a)	Unenclosed Porch into a Front Yard	-	2.0 metres, including a further encroachment of 0.6 metres for steps
(b)	Unenclosed Porch into a Flankage Yard	-	2.0 metres, including a further encroachment of 0.6 metres for steps

(c) Chimneys, belt courses, sills, cornices, chimney breasts, decorative brick facing, pilasters, alcoves, fireplaces or other architectural features, with or without foundations may project into any required yard 0.6 metres, to a maximum of half the required yard.

(d) Bay Windows and other types of windows, with or without foundation, into a front or rear yard 1.0 metre; and 0.6 metres to a side yard, to a maximum of half the yard.

(e) Balconies into any yard - 2.0 metres

Notwithstanding clause (a) of Section 4.16.1, unitary equipment may be located not less than 0.6 metres to any side lot line.

Notwithstanding Section 4.13.1 "Special Setbacks - Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments – General Application" the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 08-244
By-law 12-018

R1 - 18 22 & 28 Lochside Drive, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c) and (d) of Section 6.2.3, of the Single Residential "R1" Zone on those lands zoned "R1-18" by this By-law, the following shall apply:

(a) Minimum Lot Area - 780 square metres

(b)	Minimum Lot Frontage	-	23 metres
(c)	Minimum Front Yard	-	6 metres, except 7.5 metres to an attached garage or attached carport.
	Maximum Front Yard	-	7.5 metres, except 8 metres to an attached garage or attached carport.

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.85 metres to a side lot line, except as provided in Clauses (i) and (ii) below:

(i) An attached garage or an attached carport may be erected at a distance of not less than 1.25 metres from a side lot line; and,

(ii) Where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres.

By-law 16-102 **R1-20 1831 Rymal Road East, Schedule "A", Map No. 15**

Notwithstanding the provisions of Paragraphs (b) and (d) of Subsection 6.2.3 of the Single Residential "R1" Zone, the following regulations shall apply:

(b)	Minimum Lot Frontage		
	Interior Lot	-	14.0 metres
	Corner Lot	-	15.8 metres
(d)	Minimum Side Yard	-	1.2 metres on the garage side and 0.6 metres on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard of the lot adjacent the yard with a side yard setback less than 1.2 metres. A 0.6 metre side yard setback shall not be permitted to any side lot line less than 1.2 metres, except: On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on

the flankage street shall not be located within 6.0 metres of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0 metre setback for any building from the hypotenuse of a daylight triangle is required; and,

All other regulations of the Single Residential "R1" one shall apply.

SECTION 6.3 SINGLE RESIDENTIAL "R2" ZONE

6.3.1 Scope

No person shall within any Single Residential "R2" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.3.2 Permitted Uses For Each Lot

(a) A single detached dwelling

(b) Uses, buildings or structures accessory to a permitted use

(c) A Home Occupation

By-law 22-196

(d) In addition to the uses permitted in Section 6.3.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Semi-Detached Dwelling
2. A Duplex
3. Street

Townhouses

6.3.3 Zone Regulations For Uses Permitted Under Section 6.3.2 (d)

By-law 22-196

(a) Minimum Lot Area

Interior Lot	-	460 square metres
Corner Lot	-	505 square metres

(b) Minimum Lot Frontage

Interior Lot	-	15 metres
Corner Lot	-	16.5 metres

(c) Minimum Front Yard - 6 metres

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:

By-law 3863-93

1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;
2. On an interior lot, where no attached garage or attached carport is

provided, the minimum side yard on one side shall be 3 metres; and

3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(e) Minimum Rear Yard - 7.5 metres

By-law 5068-00

(f) Maximum Building Height - 11 metres

(g) Maximum Lot Coverage - 40 percent

6.3.3.1 Zone Regulations For Uses Permitted Under Section 6.3.2 (a)

By-law 22-196

(a) Semi-detached dwelling shall comply with the provisions of Sections 6.6.3, 6.6.4, 6.6.5, 6.6.5.1, 6.6.5.2, and 6.6.6.

(b) Duplex dwellings shall comply with the provisions of Sections 6.7.3 (c), 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.

(c) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.3.4 Regulations For Parking For The Use Permitted Under Section 6.3.2 (a)

By-law 22-196

Minimum number of parking spaces - 2 per dwelling of which only one may be provided in the required front yard. Tandem parking is permitted.

6.3.5 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.3.6 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8.

6.3.6.1 Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.

6.3.6.2 Regulations For Converted Dwellings

By-law 22-196

Converted dwellings are permitted in accordance with Section 6.1.7.3.

6.3.7 Special Exemptions

R2 - 1 3, 5 First Street South, Schedule "A", Map No. 5

In addition to the uses permitted in Section 6.3.2 of the Single Residential "R2" Zone, those lands zoned "R2-1" by this By-law may also be used for medical offices.

R2 - 2 22-50 Oakridge Drive, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (e) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-2" by this By-law, the minimum rear yard shall be 15.24 metres and no inground swimming pool shall be permitted within such required rear yard.

R2 - 3 86, 88 Maple Drive, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (e) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-3" by this By-law, the minimum rear yard shall be 15 metres.

R2 - 4 Lands Within Registered Plan No. 62M-591 and Lots 44-47 (Inclusive) within Registered Plan No. 62M-463, Schedule "A", Map No. 7

By-law 5068-00

In addition to the provisions of Section 6.3.3 of the Single Residential “R2” Zone, on those lands zoned “R2-4” by this By-law, no building or structure except a fence shall be erected within 15.24 metres of lands zoned Open Space “OS-3” Zone adjacent to the rear lot line and no building or structure except a

fence shall be erected upon these lands zoned Single Residential “R2-4” Zone within 7.5 metres of those lands zoned Open Space “OS-1” Zone.

By-law 3863-93

R2 - 5 20-38 Shadeland Crescent, Schedule "A", Map No. 7

In addition to the provisions of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-5" by this By-law, no development except a fence and no building or structure, shall be constructed within 15 metres of the lands zoned Open Space "OS-1" Zone. For the purpose of this exemption, "development" means any action that alters the inherent physical characteristics of the land in question, including the placement of any fill, or action that disturbs in any way the soil, trees or other vegetation on such lands, but the provisions of this section are not to be construed as preventing the carrying out of public works on behalf of the Corporation, Regional or Provincial governments, the Hamilton Region Conservation Authority or the Niagara Escarpment Commission within the limits of their respective Acts and the regulations adopted pursuant thereto.

R2 - 6(H) Lands to the Rear of 1307 Highway No. 8, Schedule "A", Map No. 9

The "H" symbol may be removed from those lands zoned "R2-6(H)" by this By-law at such time as the following conditions are satisfied:

1. A subdivision agreement or modified subdivision agreement has been entered into by the owner with the Corporation; and
2. All relevant servicing requirements including storm drainage, water, sanitary sewers and road design have been approved by the appropriate engineering authorities having jurisdiction.

R2 - 7 South Side of Highland Road, West of First Road West, Schedule "A", Map No. 16

In addition to the provisions of paragraph (c) of Section 6.3.3 of the Single Residential "R2" Zone, on these lands zoned "R2-7" by this By-law, the minimum front yard for any attached garage or carport or detached garage or carport shall be 10 metres.

R2 - 8 218 King Street East, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (d) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-8" by this By-law, the minimum side yard on one side of an interior lot, where no attached garage or carport is provided, shall be 1.28 metres for the existing dwelling.

R2 - 9 Lands within Registered Plans 62M-377, 62M-391 and 62M-403, Schedule "A", Map No. 6

In addition to the provisions of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-9" by this By-law, no building or structure, except a fence, shall be located within 7.5 metres of the toe of slope of the escarpment or the top of the bank of the escarpment.

By-law 3863-93

R2 - 10 45 Green Road, Schedule "A", Map No. 6

In addition to the provisions of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-10" by this By-law, no dwelling or part thereof shall be erected within 7.5 metes of those lands zoned Open Space "OS-3" Zone. No building or structure except a fence and no development is to take place on those lands zoned Open Space "OS-3" Zone. For the purpose of this exemption, "development" means any action that alters the inherent physical characteristics of the land in question, including the placement of any fill, or action that disturbs in any way the soil, trees or other vegetation of such lands, but the provisions of this section are not to be construed as preventing the carrying out of public works on behalf of the Corporation, Regional or Provincial governments, the Hamilton Region Conservation Authority or the Niagara Escarpment Commission within the limits of their respective Acts and the regulations adopted pursuant thereto. (**By-law 3863-93)**

R2 - 11 North of Highland Road, South of Paramount Drive, within Lot 30, Concession 7, Schedule "A", Map No. 15

Notwithstanding the provisions of paragraphs (a) and (b) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-11" by this By-law, the minimum frontage shall be 11 metres for interior lots and 15 metres for corner lots and the minimum lot area shall be 335 square metres for interior lots and 450 square metres for corner lots.

R2 - 12 Lands located on the East Side of East Street, North of Baseline Road, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraph (a) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-12" by this By-law, the minimum lot area shall be 455 square metres.

R2 - 13 Creanona Boulevard, North of Baseline Road, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraph (a) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-13" by this By-law, the minimum lot area shall be 450 square metres.

R2 - 14 West Side of Isaac Brock Drive North, North of Mud Street, Schedule "A", Map No. 10

Notwithstanding the provisions of paragraph (b) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-14" by this By-law, the minimum lot frontage shall be 14.5 metres.

R2 - 15 North of Mud Street, West of Second Road West, Schedule "A", Map No. 10

In addition to the provisions of paragraph (c) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-15" by this By-law, the minimum front yard adjacent to Highland Road and any other collector road shall be 10 metres.

R2 - 16 16 Odessa Street, Schedule "A", Map No. 16

In addition to the uses permitted in Section 6.3.2 of the Single Residential "R2" Zone, the building located on those lands zoned "R2-16" by this By-law may also be used for a Child Care Centre having not more than 15 children in attendance at any one time.

By-law 4894-99 **R2 - 17(H) Deleted by Zoning By-law No. 4894-99.**

By-law 3863-93 **R2 - 18 Deleted by Zoning By-law No. 3863-93.**

By-law 3816-93
By-law 04-192

R2 - 19(H) Deleted by Zoning By-law No. 04-192.

R2 – 20 42 Shadeland Crescent, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraph (b) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-20" by this By-law, the minimum lot frontage shall be 11.91 metres.

R2 – 21 11 DeMarchi Court, Block UU, Plan No. M-239, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (d) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-21" by this By-law, a minimum 7.62 metre yard from the toe of the escarpment is required.

R2 – 22 1-24 and 26-36 Maple Drive, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (c) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-22" by this By-law, the minimum front yard shall be 14 metres.

R2 - 23 West Side of Jones Road, North of the North Service Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (b) and (c) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-23" by this By-law, the minimum lot frontage shall be 15 metres and the minimum front yard shall be 10 metres.

R2 - 24 West Side of Jones Road, North of the North Service Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (b), (c) and (d) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-24" by this By-law, the minimum lot frontage shall be 18 metres, the minimum front yard shall be 10 metres and the minimum southerly side yard shall be 3 metres.

By-law 3782-93

R2 - 25 Part of Lot 15, Concession 3, North Side of Heritage Drive, approximately 50 metres east of Envoy Boulevard, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (a) and (b) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-25" by this By-law, the minimum lot area shall be 420 square metres and the minimum lot frontage shall be 14 metres.

By-law 3863-93

R2 - 26 North Side of Church Street, Part of Lot 21, Broken Front Concession, Schedule "A", Map No. 1

Notwithstanding the provisions of paragraph (c) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-26" by this By-law, the minimum front yard shall be 25 metres adjacent to Church Street.

By-law 3863-93

R2 - 27 Ontario Municipal Board Decision Reserved (Feb. 1/94)

R2 - 28 West Side of Jones Road, North of the North Service Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (b), (c) and (d) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-28" by this By-law, the minimum lot frontage shall be 18 metres, the minimum front yard shall be 10 metres and the minimum northerly side yard shall be 3 metres.

By-law 4061-94

R2 - 29 Part of Lot 27, Concession 8, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (a) and (b) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-29" by this By-law, the minimum lot area and minimum lot frontage for a corner lot shall be 465 square metres and 15 metres respectively, and the minimum lot frontage for an interior lot shall be 14.5 metres.

By-law 4294-95

R2 - 30(H) East Side of Second Road West, north of Highland Road West, Schedule “A”, Map No. 16

The “H” symbol may be removed from those lands zoned “R2-30(H)” at such time as the owner enters into a Development and Maintenance and Use Agreement with the City of Stoney Creek.

By-law 4404-96

R2 - 31 West side of Gatestone Drive, south of Highbury Drive, Schedule “A”, Map No. 16

Notwithstanding the provisions of paragraph (c) of Subsection 6.3.3 of the Single Residential “R2” Zone, on those lands zoned “R2-31” by this By-law, the

minimum front yard for any garage or carport shall be 7.5 metres.

By-law 4405-96

R2 - 32 North side of Highland Road West, west of Second Road West, Schedule "A", Map No. 15

Notwithstanding the provisions of paragraph (c) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-32" by this By-law, the minimum front yard for a garage or carport shall be 10 metres.

By-law 4405-96
By-law 4825-98*

R2 - 33 North and South* side of Highland Road West, west of Second Road West, Schedule "A", Map No. 15

Notwithstanding the provisions of paragraph (c) of Section 6.3.3 of the Single Residential "R2" Zone on those lands zoned "R2-33" by this By-law, the minimum front yard for a garage or carport shall be 7.5 metres.

By-law 4467-96

R2 - 34 Highland Road West, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraph (b) of Subsection 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-34" by this By-law, the minimum lot frontage for an interior lot shall be 14.5 metres.

By-law 4690-98

R2 - 35 208 Green Road, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (a) of Section 6.1.4 "Accessory Buildings in Residential Zones", on those lands zoned "R2-35" by this By-law, an accessory building may be located within .4 metres of the rear property line.

By-law 4742-98

R2 - 36 East of Winona Road, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraph (a) of Subsection 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-36" by this By-law, the minimum lot area for an interior lot shall be 450 square metres.

By-law 4742-98

R2 - 37 East of Winona Road, Schedule "A", Map No. 4

Notwithstanding the definition of "Lot Line - Front", on those lands zoned "R2-37" by this By-law the lot line adjacent to the radius of the turnaround circle shall be deemed to be a side lot line.

By-law 4662-97

R2 - 38 359 Highland Road West, Schedule "A", Map No. 15

Notwithstanding the provisions of paragraph (b) of Section 6.3.3 of the Single

Residential "R2" Zone, on those lands zoned “R2-38” by this By-law, the minimum lot frontage shall be 14.5 metres.

By-law 4662-97

R2 - 39(H) 359 Highland Road West, Schedule "A", Map No. 15

Notwithstanding the provisions of paragraph (b) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-39(H)" by this By-law, the minimum lot frontage for an interior lot shall be 14.5 metres. In addition to Section 3.8 "Holding Zones" of this By-law, the Holding "(H)" provision may be removed upon the approval of a draft plan of subdivision by the Commissioner of the Regional Environment Department for those lands zoned "R2-39(H)" by this By-law.

By-law 4662-97

R2 - 40(H) 353 Highland Road West, Schedule "A", Map No. 15

In addition to Section 3.8 "Holding Zones" of this By-law, the Holding "(H)" provision may be removed upon the approval of a draft plan of subdivision by the Commissioner of the Regional Environment Department for those lands zoned "R2-40(H)" by this by-law.

By-law 4916-4920/99

R2 – 41 West of Fifty Road, North of Baseline Road, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraph (c) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-41" by this By-law, the minimum front yard shall be 7.5 metres.

By-law 5001-99

R2 - 42 Part of Lot 4, Concession 2, Schedule "A", Map No. 9

Notwithstanding the provisions of paragraph (b) of Section 6.3.3, on those lands zoned "R2-42" by this By-law, the minimum lot frontage for a corner lot shall be 15.75 metres.

By-law 5001-99

R2 - 43 (H) Deleted by By-law No. 01-051 - May 29, 2001

By-law 5030-99

R2 - 44 Gatestone Drive, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraph (c) of subsection 6.3.3 "Zone Regulations" of the Single Residential "R2" Zone, on those lands zoned "R2-44" by this By-law, the minimum front yard shall be 7.5 metres.

By-law 4915-99
OMB Order
Nov. 4, 1999

R2 – 45 Part of Lot 2, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (c), (d), (e), (f) and (g) of Section 6.3.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R2-45" by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot	-	350 square metres
Corner Lot	-	400 square metres

(c) Minimum Front Yard - 3 metres, except 5.8 metres to an attached garage or attached carport.

Maximum Front Yard - 4.5 metres, except 6.3 metres to an attached garage or attached carport.

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres, except as provided in clauses (i), (ii) and (iii) below:

By-law 5136-00

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be .9 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the side yard abutting the flankage lot line shall be a minimum of 3 metres and a maximum of 4.5 metres, except that an attached garage or attached carport shall not front on the flankage street.

(e) Minimum Rear Yard - 7 metres

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 “Yard Encroachments”, porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 “Special Setbacks – Daylight Triangles” and paragraphs (b) and (d) of Section 4.19.1 – “Yard Encroachments - General Application” the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 5213-00

R2 - 46 20 Highland Road West, Schedule "A", Map No. 16

In addition to the provisions of paragraph (c) of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-46" by this By-law, the minimum front yard for any attached garage or attached carport shall be 10 metres.

By-law 01-286

R2 - 47 32 MacDui Drive, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (d)(1) and (f) of Subsection 6.3.3 of Zoning By-law No. 3692-92, the following shall apply:

(d)(1) An attached garage may be erected at a distance of not less than 4 metres from those lands zoned Open Space "OS-6" Zone; and

(f) The maximum building height shall be 8.25 metres.

By-law 02-004

R2 - 48 Silverlace Circle, Schedule "A", Map No. 9

Notwithstanding the provisions of paragraph (a) of Subsection 6.3.3 of Zoning By-law No. 3692-92, the minimum lot area for a corner lot shall be 495 square metres.

By-law 02-023

R2 - 49 11 Shoreline Road, Schedule "A", Map No. 3

Notwithstanding the provisions of paragraphs (d) and (e) of Subsection 6.3.3 of Zoning By-law 3692-92, the following shall apply:

(i) A minimum side yard of three (3) metres shall be provided and maintained on one (1) side; and,

(ii) No building or structures shall be permitted within twenty (20) metres from the rear lot line.

By-law 03-050

R2 - 50 Southeast Corner of Copes Lane and Jones Road, Schedule "A", Map No. 2

Notwithstanding the provisions of Paragraphs (b), (c), (d) and (g) of Section 6.3.3 of Zoning By-law No. 3692-92, the following shall apply:

1. Minimum Lot Frontage: - 16.0 metres
2. Minimum Front Yard: - 4.5 metres, except 5.8 metres to an attached garage or carport.
3. Minimum Side Yard: - No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except that where no attached garage or attached carport is provided, the minimum

side yard on one (1) side shall be 3.0 metres.

4. Maximum Lot Coverage: - 50 percent

By-law 03-217

R2 - 51 Lands located on the east side of Orr Crescent, Schedule "A", Map No. 7

In addition to the provisions of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-51" by this By-law, no development, including grading, shall occur within 7.5 metres, and no building or structure shall be erected within 12.5 metres, of the lands zoned Open Space "OS-7" Zone.

By-law 04-279
OMB Order 2327
Sept. 2, 2005

R2-52 North of Carla Avenue, West of Green Road, within Part of Lot 21, Concession 3, Schedule "A", Map No. 6

Notwithstanding Section 6.3.2 of Zoning By-law No. 3692-92, the permitted uses for each lot on these lands shall include only single detached dwellings and semi-detached dwellings fronting onto a private road, generally as shown on Schedule B attached to By-law No. 04-279.

Notwithstanding the provisions of Section 6.3.3 of Zoning By-law 3692-92, the total number of dwelling units permitted on lands zoned "R2-52" shall be 12 semi-detached and 6 single detached dwellings.

Notwithstanding the provisions of Paragraphs (a), (b), (d), (e), and (g) of Section 6.3.3 of the "Zone Regulations" of the Single Residential "R2" Zone on those lands zoned "R2-52" by this By-law, the following shall apply:

(a) Minimum Lot Area - 4,000 square metres

(b) Minimum Lot Frontage - 20 metres

(d) Minimum Side Yard - 7.5 metres

(e) Minimum Rear Yard - 3 metres

(g) Maximum Lot Coverage - 30 %

(h) Minimum Distance between Buildings on the Same Lot - 2 metres, except 15 metres between an end wall and a front wall.

(i) Privacy Area – Notwithstanding the yard requirement above, each unit shall have at least one area which serves as a privacy area which is adjacent to the dwelling unit and shall have a minimum depth of 6 metres.

(j) Minimum Landscaped Open Space:

1. Not less than 50 percent of the lot area shall be landscaped including the privacy areas.
2. Not less than 1.5 metres of landscaped strip shall be provided adjacent to any lot line, including sidewalks.
3. A landscaped strip having a minimum width of 4.5 metres shall be provided adjacent to every portion of any lot that abuts a street except for points of ingress and egress.

(k) No vehicular access to the lands to the north shall be permitted.

Notwithstanding the regulations of 6.3.4 "Regulations for Parking", the following shall apply:

1. Two (2) parking spaces plus 0.5 visitor parking spaces shall be provided per dwelling unit. Tandem parking is permitted for non-visitor parking spaces.
2. No common parking space shall be located closer than 3 metres from a zone for single detached, semi-detached or duplex dwellings or 5 metres to any dwelling unit located on a lot other than said lot, or 3 metres to any dwelling unit located on the same lot.
3. No required parking spaces shall be permitted in the required front yard.
4. No non-visitor parking spaces shall be located closer than 1.5 metres to any lot line.
5. No parking spaces shall be permitted within 35 metres of Carla Avenue, except for a maximum of two (2) spaces in association with a single family dwelling that fronts onto Carla Avenue.

By-law 05-007

R2 - 53 Part of Lots 11 and 12, Broken Front Concession, Schedule "A", Map No. 2

In addition to the regulations of Section 4.19 "Yard Encroachments", porches and balconies, including porch foundation walls, may project 1.5 metres into the required flankage yard. All other provisions of the "R2-45" Zone shall apply.

By-law 07-290

R2 - 54 38, 42 and 56 Copes Lane, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (b), (c) and (g) of Subsection 6.3.3 of the Single Residential "R2" Zone, on lands zoned "R2-54" by this By-law, the following shall apply:

(b) Minimum Lot Frontage - 19.5 metres

(c) Minimum Front Yard - 4.5 metres, except
5.8 metres to an attached garage or carport where the garage door or entrance to a carport faces a street

(g) Maximum Lot Coverage - 45 percent for two-storey dwellings, and
50 percent for one-storey dwellings

In addition to the provisions of Section 6.3.3 (d) of the Single Residential "R2" Zone, on those lands zoned "R2-54" by this By-law, no part of any second floor elevation or higher shall be located closer than 2.0 metres to a Rural Residential "RR" Zone.

Notwithstanding the provision of Section 4.13.1 "Special Setbacks – Daylight Triangles", and paragraph (d) of Section 4.19.1 "Yard Encroachments – General Application" on those lands zoned "R2-54" by this By-law, the following shall apply:

- Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2.0 metres for a building and 1.5 metres for balconies, canopies unenclosed porches and decks, including a cold cellar underneath same. Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may NOT project into any required front yard. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4 metres. Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.

By-law 07-180

R2 - 55 17 Shoreline Drive, Schedule "A", Map No. 3

Notwithstanding the provisions of paragraphs (b) and (d) of Subsection 6.3.3 of the Single Residential “R2” Zone, on those lands zoned “R2-55” by this By-law, the following shall apply:

(b) Minimum lot frontage shall be 14.7 metres;

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.5 metres, except as provided in clauses 1, 2, and 3 below:

1. No part of any dwelling shall be located closer than 1.25 metres from the easterly and westerly boundary of Blocks “1” and “2”;

2. An attached garage or attached carport may be erected at a distance of not less than 1 metre from the easterly and westerly boundary of Blocks "1" and "2"; and,

3. Where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres.

Notwithstanding the provision of Section 4.14 "Swimming Pools and Hot Tubs", on those lands zoned "R2-55" by this By-law, the following shall apply:

Above ground pool – 1.5 metres from the outside edge of the pool wall or deck to a lot line; except 1.25 metres from the outside edge of the pool wall or deck to the easterly and westerly boundary of Blocks "1" and "2";

Inground pool – 1.5 metres from the water's edge to a lot line; except 1.25 metres from the water's edge to the easterly and westerly boundary of Blocks "1" and "2".

Notwithstanding the provisions of paragraphs (a), (c), (d), (e), (f), (g), (h), and (i) of Subsection 4.19.1 of "Yard Encroachments" Section 4.19, on those lands zoned "R2-55" by this By-law, every part of any required yard shall be open and unobstructed by any structure from the ground to the sky, except for the side yards adjacent to the easterly and westerly boundary of Blocks "1" and "2", which shall adhere to the provisions of paragraphs (a), (b), (c), (d), (e), (f), (g), (h), and (i) of Subsection 4.19.1 of "Yard Encroachments" Section 4.19.

Notwithstanding the provision of paragraph (a) of Subsection 6.1.4 "Accessory Buildings in Residential Zones", on those lands zoned "R2-55" by this By-law, the following shall apply:

(a) An accessory building may be located in any yard except the front yard, and shall be located a minimum of 8 metres from the front lot line, 1.5 metres from any side lot line, and the maximum building height shall be 4.5 metres; except that an accessory building may be erected at a distance of not less than 0.5 metres from the easterly and westerly boundary of Blocks "1" and "2".

By-law 07-290

R2 - 56 38, 42 and 56 Copes Lane, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (b), (c) and (g) of Subsection

6.3.3 of the Single Residential "R2" Zone, on lands zoned "R2-56" by this By-law, the following shall apply:

(b)	Minimum Lot Frontage	- 22.8 metres;
(c)	Minimum Front Yard	- 4.5 metres, except 5.8 metres to an attached garage or carport where the garage door or entrance to a carport faces a street;
(g)	Maximum Lot Coverage	- 45 percent for two-storey dwellings, and 50 percent for one-storey dwellings.

In addition to the provisions of Section 6.3.3 (d) of the Single Residential "R2" Zone, on those lands zoned "R2-56" by this By-law, no part of any second floor elevation or higher shall be located closer than 2.0 metres to a Rural Residential "RR" Zone.

Notwithstanding the provision of Section 4.13.1 "Special Setbacks – Daylight Triangles", and paragraph (d) of Section 4.19.1 "Yard Encroachments – General Application" on those lands zoned "R2-56" by this By-law, the following shall apply:

- Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2.0 metres for a building and 1.5 metres for balconies, canopies unenclosed porches and decks, including a cold cellar underneath same. Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may NOT project into any required front yard. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4 metres. Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.

By-law 07-290

R2 - 57 38, 42 and 56 Copes Lane, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (b), (c) and (g) of Subsection 6.3.3 of the Single Residential "R2" Zone, on lands zoned "R2-57" by this By-law, the following shall apply:

(b)	Minimum Lot Frontage	- 15.0 metres;
(c)	Minimum Front Yard	- 4.5 metres, except 5.8 metres to an attached garage or carport where the garage door or entrance to a carport faces a street;
(g)	Maximum Lot Coverage	- 45 percent for two-storey dwellings, and 50 percent for one-storey dwellings.

Notwithstanding the provision of paragraph (d) of Section 4.19.1 "Yard Encroachments – General Application" on those lands zoned "R2-57" by this By-law, the following shall apply

(d) Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may NOT project into any required front yard. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4 metres. Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.

By-law 07-290

R2 - 58 38, 42 and 56 Copes Lane, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (b), (c) and (g) of Subsection 6.3.3 of the Single Residential "R2" Zone, on lands zoned "R2-58" by this By-law, the following shall apply:

(b)	Minimum Lot Frontage	- 21.0 metres;
(c)	Minimum Front Yard	- 4.5 metres, except 5.8 metres to an attached garage or carport where the garage door or entrance to a carport faces a street;
(g)	Maximum Lot Coverage	- 45 percent for two-storey dwellings, and 50 percent for one-storey dwellings.

In addition to the provisions of Section 6.3.3 (d) of the Single Residential "R2" Zone, on those lands zoned "R2-58" by this By-law, no part of any second floor elevation or higher shall be located closer than 2.0 metres to a Rural Residential "RR" Zone.

Notwithstanding the provision of paragraph (d) of Section 4.19.1 "Yard Encroachments – General Application" on those lands zoned "R2-58" by this By-law, the following shall apply:

(d) Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may NOT project into any required front yard. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4 metres. Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.

By-law 08-115

R2 - 59 61-65 King Street West, Schedule "A", Map No. 5

In addition to the provisions of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-59" by this by-law, the following shall apply:

(h) Garage Projections and Coverage

1. The front face of a garage may not project beyond the front face of the main building. For the purpose of this exemption, "front face of the main building" means the wall of the dwelling nearest the front lot line.

2. The garage shall not exceed a maximum coverage of 40% of the front façade of the dwelling.

By-law 12-147

R2 - 60 76 Creanona Boulevard, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (e) of Subsection 6.3.3 of the Single Residential "R2" Zone, on lands zoned "R2-60" by this By-law, the following shall apply:

(e) Minimum Rear Yard - 6.7 metres

By-law 13-130
(OMB Approval)

R2-61 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding the provisions of Paragraphs (c) of Section 6.3.3, of Zoning By-law No. 3692-92, on those lands zoned "R2-61" by this By-law, the following shall apply:

(c) Minimum Front Yard: 4.5m to the dwelling, except 6.0m to an attached garage.

By-law 13-183
By-law 14-183
By-law 15-063
(OMB Approval)

R2-62 528 Jones Road, Schedule "A", Map No. 2

For the purpose of this By-law, a Common Element Condominium road shall be deemed to be a street.

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e) and (g) of Section 6.3.7 "Zone Regulations", on those lands zoned "R2-62" by this By-law, the following shall apply:

(a)	Minimum Lot Area	380 sq. m.
(b)	Minimum Lot Frontage	12m measured 7.5m from the front lot line.
(c)	Minimum Front Yard	4.5m to the dwelling and 6.0m to the garage door. Where a front yard abuts a common element block the front yard setback to the dwelling will be 2.0m.
(d)	Minimum Side Yard	1.25m for an interior and flankage yard, except 0.6m where a southerly side yard abuts a common element condominium block that abuts Copes Lane. A 0.6m minimum side yard shall only be permitted on the side yard of the dwelling that does not contain an attached garage.
(e)	Minimum Rear Yard	7.5m, except as provided in Clauses 1, 2, and 3 below:

(1) On a lot that abuts Lake Ontario, a minimum 7.5m setback shall be provided and maintained from a Conservation/Hazard Land (P5) Zone that is not a common element condominium block;

(2) On a lot that abuts Lake Ontario and also abuts a common element condominium block along a rear lot line, a minimum rear yard of 1.25m shall be provided and maintained; and,

(3) On a lot that does not abut Lake Ontario, but does abut a common element condominium block along a rear lot line, a minimum rear yard of 4.5m shall be provided and maintained.

(f) Maximum Building Height — 11 metres, except:

(i) on the lands, the extent and boundaries of which are Block 2 shown on a plan hereto annexed as Schedule "B", 11 metres but only 2 ½ storeys shall be permitted;

(ii) on the lands, the extent and boundaries of which are Block 1 shown on a plan hereto annexed as Schedule "B", 9 metres but only 2 storeys shall be permitted.

(g) Maximum Lot Coverage — 62 percent

In addition to the parking provisions of Section 6.3.4 of the R2 Zone, 7 on-street visitor parking spaces will be provided on the Common Element Condominium Road.

Notwithstanding the provisions of paragraph (b) of Section 4.10.3 "Dimensions of Parking Spaces", on those lands zoned "R2-62" by this By-law, the following shall apply:

Each parallel parking space shall have a minimum width of 2.4m and a minimum length of 6.7m. End spaces which have a clear, unobstructed approach, shall have a minimum length of 5.5m.

By-law 13-240

R2-63 1297 Baseline Road, Schedule "A", Map No. 4

That notwithstanding the provisions of Paragraphs (b) and (d) of Section 6.3.3 "Zone Regulations", of Section 6.3, Single Residential "R2" Zone, of Zoning By-law No. 3692-92, on those lands zoned "R2-63" by this By-law, the following shall apply:

(b) Minimum Lot Frontage
Interior Lot: 14.9m.

(d) Minimum Side Yard: 1.2m on the garage side and

0.8m 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 0.8m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m, except:

On a lot where an emergency spillway / overland flow route shall be located or where back to front drainage is proposed, a minimum 2.0m side yard separation between buildings shall be provided and maintained between buildings along one common lot line.

That notwithstanding the provisions of Paragraph (b) of Section 4.10.3 "Dimensions of Parking Spaces" of Section 4.10, Parking Regulations and Paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Section 6.1, General Provisions for All Residential Zones, of Zoning By-law No. 3692-92, on those lands zoned "R2-63" by this By-law, the following shall apply:

The minimum parking spaces dimension within a garage shall have a width of not less than 5.6m and a length of not less than 6m, exclusive of any land used to permit ingress or egress to said parking spaces, maneuvering areas, driveways, or aisles.

By-law 18-086 **R2-64 175 Margaret Avenue, Schedule "A", Map No. 6**

Notwithstanding the provisions of Paragraphs (a), (c), & (d) of Section 6.3.3 "Zone Regulations" of Zoning By-law No. 3692-92, the following shall apply to the lands identified as Block 2 on Schedule "A" for the dwelling existing at the date of the passing of this By-law:

a)	Minimum Lot Area	420.0 metres
c)	Minimum Front Yard	4.75 metres
d)	Minimum Side Yard (North)	1.0 metres

Notwithstanding Section 4.16 an air conditioner shall be permitted within the northerly side yard, not closer than 0.4 metres from the northerly lot line.

Notwithstanding the provisions of Paragraph (a) of Section 4.19 a bay window may project into the front yard not more than 0.6 metres.

Notwithstanding the provisions of Paragraph (d) of Section 4.19 an unenclosed porch may project into the front yard not more than 2.7 metre.

By-law 19-011 **R2-65 90 Creanona Boulevard, Schedule "A" Map No. 4**

(i) Notwithstanding the provisions of Subsections 6.3.2 and 6.3.5 "Zone Regulations of the Single Residential R2 Zone, on those lands zoned Single Residential R2-65" Zone, Modified (Block 3), only the accessory building existing on the date of the passing of the By-law shall be permitted.

(ii) Notwithstanding the provisions of Paragraph (e) of Subsection 6.3.3 of the Single Residential R2 Zone on those lands zoned Single Residential "R2-65" Zone, Modified (Block 4), the single detached dwelling existing on the date of the passing of the By-law shall be permitted.

By-law 20-174 **R2-66 42, 44, 48, 52 and 54 Lakeshore Drive, Schedule "A" Map No. 2**

For the purpose of this By-law, a common element condominium road shall be deemed to be a street, a condominium unit shall mean a vacant land condominium unit within a draft approved or registered plan of vacant land condominium, and the rear lot line shall be the northern boundary of the Single Residential "R2-66" Zone, Modified.

No direct access shall be provided to individual dwelling units from Watershore Drive, with the exception of a common element condominium road.

Notwithstanding the provisions of Section 6.3.3 of Zoning By-law 3692-92, the total number of dwelling units permitted on lands zoned "R2-66" shall be 28 single detached dwellings.

Notwithstanding the provisions of Paragraphs (a), (b), (c) and (d) of Subsection 6.3.3 of Section 6.3, Single Residential "R2" Zone, on those lands zoned "R2-66" by this By-law, the following shall apply:

(a)	Minimum Lot Area -	2.4 hectares
(b)	Minimum Lot Frontage -	152.0 metres
(c)	Minimum Front Yard -	3.0 metres
(d)	Minimum Side Yard -	7.5 metres, except for a condominium unit

which has a rear lot line abutting Lake Ontario, the minimum side yard shall be 1.25 metres.

(h) Minimum Setback from a Common Element Condominium Road - 6.0 metres, except:

1. On a corner unit, the minimum side yard abutting the flankage lot line shall be 3.0 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. For the purpose of this subsection only, corner unit shall have the same meaning as a corner lot except that the meaning of street shall only be the common element condominium road.

(i) Minimum Distance between Buildings on the Same Lot - 2.5 metres, except:

1. 15.0 metres between end walls.

2. 9.0 metres between a side wall and an end wall, except where a dwelling has two façades fronting a common element condominium road but is not a corner unit as defined in (h) above, the other two façades shall be considered to be side walls with a minimum distance between buildings of 2.5 metres.

Notwithstanding the foregoing, features may project into the minimum distance between buildings in accordance with the provisions of Section 4.19 of this By-law.

For each condominium unit, the following regulations shall apply:

(j) Unit Area

Minimum - 410 square metres

Maximum - 2,200 square metres

(k) Unit Frontage

	Minimum -	9.8 metres
	Maximum -	23.2 metres
(l)	Site Plan Approval -	The location of a dwelling on each condominium unit shall be within the minimum setbacks and distance between buildings as delineated on the approved Site Plan, pursuant to Section 41 of the Planning Act.

SECTION 6.4 SINGLE RESIDENTIAL "R3" ZONE

6.4.1 Scope

No person shall within any Single Residential "R3" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.4.2 Permitted Uses For Each Lot

(a) A single detached dwelling

(b) Uses, buildings or structures accessory to a permitted use

(c) A Home Occupation

By-law 22-196

(d) In addition to the uses permitted in Section 6.4.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Semi-Detached Dwelling
2. A Duplex
3. Street Townhouses

6.4.3 Zone Regulations For The Use Permitted Under Section 6.4.2 (a)

By-law 22-196

(a) Minimum Lot Area

Interior Lot	-	370 square metres
Corner Lot	-	425 square metres

(b) Minimum Lot Frontage

Interior Lot	-	12 metres
Corner Lot	-	13.75 metres

(c) Minimum Front Yard - 6 metres

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:

By-law 3863-93

1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;
2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(e) Minimum Rear Yard - 7.5 metres

By-law 5068-00

(f) Maximum Building Height - 11 metres

6.4.3.1 Zone Regulations For Uses Permitted Under Section 6.4.2 (d)

By-law 22-196

(a) Semi-detached dwelling shall comply with the provisions of Sections 6.6.3, 6.6.4, 6.6.5, 6.6.5.1, 6.6.5.2, and 6.6.6.

(b) Duplex dwellings shall comply with the provisions of Sections 6.4.3, 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.

(c) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

(g) Maximum Lot Coverage - 40 percent

6.4.4 Regulations For Parking For The Use Permitted Under Section 6.4.2 (a)

By-law 22-196

Minimum number of parking spaces - 2 per dwelling of which only one may be provided in the required front yard. Tandem parking is permitted.

6.4.5 Regulations For Accessory Building

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.4.6 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8.

6.4.6.1 Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.

6.4.6.2 Regulations For Converted Dwellings

By-law 22-196

Converted dwellings are permitted in accordance with Section 6.1.7.3."

6.4.7 Special Exemptions

R3 - 1 140 Glenashton Drive, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (b), (c), (d) and (e) of Section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-1" by this By-law, the following provisions shall apply; the minimum lot frontage shall be 12 metres; the minimum front yard shall be 6 metres for an attached garage and 12 metres for a dwelling unit; the minimum side yard shall be 1.25 metres except where a dwelling has an attached garage or an attached carport; the portion of the dwelling containing the attached garage or attached carport shall be erected at a distance of not less than 7 metres from the southerly lot line and 1 metre from the northerly lot line, however, the northerly side yard shall be 1.25 metres when there are rooms above the attached garage or attached carport. Where no attached garage or attached carport is provided, the minimum side yard shall be 3 metres from the northerly side lot line.

R3 - 2 Deleted by By-law No. 3865-93

R3 - 3 North of Mud Street, West of Isaac Brock Drive North, Schedule "A", Map No. 10

Notwithstanding the provisions of paragraphs (a) and (b) of Section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-3" by this By-law, the minimum frontage shall be 11 metres for interior lots and 15 metres for corner lots and the minimum lot area shall be 360 square metres for interior lots and 450 square metres for corner lots.

R3 - 4 Lots 1-52 (Inclusive), Lots 57-66 (Inclusive), Lot 67, Lots 71-75 (Inclusive) and Blocks 101, 105 and 130, Registered Plan No. 62M-645 (Harbours of Bayview Estates), Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (a) and (b) of the Single Residential "R3" Zone on those lands zoned "R3-4" by this By-law, the minimum lot frontage shall be 11 metres for interior lots and 12 metres for corner lots and the minimum lot area shall be 360 square metres for interior lots and 400 square metres for corner lots.

R3 - 5 Northeast Corner of Rymal Road East and First Road West, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraph (c) of Section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-5" by this By-law, the minimum front yard shall be 10 metres.

R3 - 6 216 Green Road, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (b) and (d) of Section 6.4.3 of the Single Residential "R3" Zone on those lands zoned "R3-6" by this By-law, the minimum lot frontage shall be 11.89 metres; the minimum southerly side yard shall be .42 metres; and the minimum northerly side yard shall be 3 metres, but if an attached garage or attached carport is provided the minimum northerly side yard shall be 1.25 metres.

R3 - 7(H) Repealed by By-law No. 3906-93

By-law 4147-95

R3 - 8 East side of Whitedeer Road, Schedule “A”, Map No. 16

Notwithstanding the provisions of paragraphs (c) and (e) of Section 6.4.3 of the Single Residential "R3" Zone on those lands zoned "R3-8" by this By-law the minimum front yard shall be 7.5 metres and the minimum rear yard shall be 20 metres.

By-law 4404-96

R3 - 9 West side of Gatestone Drive, north of Highbury Drive, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraph (c) of Subsection 6.4.3, Zone Regulations of the Single Residential "R3" Zone, on those lands zoned "R3-9" by this By-law, the minimum front yard for any garage or carport shall be 7.5 metres.

By-law 5068-00

R3 - 10 Part of Lot 29, Concession 7, Schedule "A", Map No. 15

Repealed by By-law No. 5068-00

By-law 4515-97

R3 - 11 North side of Highland Road West, Schedule "A", Map No. 16

In addition to the provisions of paragraph (c) of Section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-11" by this by-law, the minimum front yard for any attached garage or carport, or any detached garage or carport shall be 10 metres.

By-law 4915-99
OMB Order
Nov. 4, 1999

R3 – 12 Part of Lot 2, Broken Front Concession, Schedule "A", Map No. 4

By-law 26-018-PED

Notwithstanding the provisions of paragraphs (a), (c), (d), (e), (f) and (g) of Section 6.4.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R3-12" by this By-law, the following shall apply:

(a)	Minimum Lot Area		
	Interior Lot	-	320 square metres
	Corner Lot	-	350 square metres
(c)	Minimum Front Yard	-	3 metres, except 5.8 metres to an attached garage or attached carport.
	Maximum Front Yard	-	4.5 metres, except 6.3 metres to an attached garage or attached carport.
(d)	Minimum Side Yard	-	No part of any dwelling shall be located closer than 1.2 metres, except as provided in clauses (i), (ii) and (iii)

below:

By-law 5136-00

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be .9 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be a minimum of 3 metres and a maximum of 4.5 metres, except that an attached garage or attached carport shall not front on the flankage street.

(e) Minimum Rear Yard - 7 metres
(f) Maximum Building Height - 12.6 metres
(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments - General Application" the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 5031-99

R3 - 13 Part of Lot 18, Concession 2, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (f) and (g) of Section 6.4.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R3-13" by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot - 280 square metres

Corner Lot - 310 square metres

(b) Minimum Lot Frontage

Interior Lot	-	12 metres
Corner Lot	-	13.2 metres

(c) Minimum Front Yard - 3 metres, except 5.3 metres to an attached garage or attached carport.

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in clauses (i), (ii) and (iii) below:

By-law 5136-00

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be .6 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 2.4 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 2.4 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 5.8 metres of the flankage lot line.

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 “Yard Encroachments”, porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

By-law 5030-99

R3 - 14 Gatestone Drive, Schedule “A”, Map No. 15

Notwithstanding the provisions of paragraph (c) of subsection 6.4.3 “Zone Regulations” of the Single Residential "R3" Zone, on those lands zoned “R3-14” by this By-law, the minimum front yard shall be 7.5 metres.

By-law 01-117

R3 - 15 Jones Road & North Service Road, Schedule “A”, Map No. 2

Notwithstanding the provisions of paragraph (a) of subsection 6.4.3 of Zoning By-law 3692-92, the minimum lot area shall be 419 square metres for a corner lot.

By-law 03-100

R3 - 16 86 Second Road West, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraph (d) of Section 4.19.1, Yard Encroachments, of Zoning By-law 3692-92, on those lands zoned R3-16 by this By-law, the unenclosed porch and stairs, existing at the date of the passing of this By-law, are permitted and may project into the required southerly side yard 0.45 metres.

By-law 04-235

R3 - 17 North Side of Hemlock Avenue, west of Ferris Park, between Madoc Street and Valrose Drive, Schedule "A", Map. No. 6

Notwithstanding the provisions of paragraphs (c) and (e) of Section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-17" by this By-law, the minimum front yard shall be 3 metres, except 5.8 metres to an attached garage or attached carport, and the minimum rear yard shall be 7 metres.

By-law 06-136

Notwithstanding the provision of paragraph (g) of Section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-17" by this By-law, the maximum lot coverage shall be 50 percent.

By-law 04-277

R3 - 18 Parts 2, 3 and 4, Plan 62R-16847, within Part of Lot 2, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraph (a) of Section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-18" by this By-law, the minimum lot area shall be 329 square metres.

By-law 03-320

R3 - 19(H) Northwest Corner of McNeilly Road and North Service Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "R3-19(H)" by this by-law, the Holding "H" Zone may be removed by City Council and thereby give effect to the "R3" Zone provisions by enactment of an amending By-law upon the approval of a noise study by the Director of Development and Real Estate and the Ministry of Transportation of Ontario, which study also addresses the design of a berm.

By-law 04-196

R3 - 20 Rear portion of 568 Highway No. 8, Schedule "A", Map No. 7

Notwithstanding Part 2, "Definitions", the easterly and westerly lot lines shall be

the rear lot line.

By-law 05-250
By-law 06--089

R3 - 21 359 Winona Road, Schedule "A", Map No. 3

Replaced with new site-specific regulations as set out in the Multiple Residential "RM2-12" Zone.

By-law 05-007

R3 - 22 Part of Lots 11 and 12, Broken Front Concession, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraph (d)(i) of Section 6.4.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R3-22" by this By-law, the minimum side yard on the side of the dwelling containing an attached garage or attached carport may be 0.6 metres except for a side yard which abuts a flankage street.

In addition to the regulations of Section 4.19 "Yard Encroachments", porches and balconies, including porch foundation walls, may project 1.5 metres into the required flankage yard. All other provisions of the "R3-12" Zone shall apply.

By-law 05-121

R3 - 23 Candlewood Drive within "Deerfield Estates Addition", Schedule "A", Map No. 16

Notwithstanding the provisions of paragraph (g) of Subsection 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-23" by this By-law, the maximum lot coverage shall be 45%.

By-law 05-161
By-law 05-255

R3 - 24 500 Glover Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Section 6.4.3, on those lands zoned "R3-24" by this By-law a minimum rear yard of 6.23 metres shall be provided and maintained for only the single detached dwelling existing on the lands as of the date of the passing of By-law No. 05-161 on June 15, 2005.

By-law 05-236 **R3 - 25 Rear of the property located at 24 Second Road West, Schedule "A", Map No. 16**

Notwithstanding the provisions of Paragraph (d)(3) of Subsection 6.4.3 Zone Regulations, of the Single Residential "R3" Zone, and Subsection 4.13.1, on those lands zoned "R3-25" by this By-law, a minimum flankage side yard of 1.25 metres shall be provided except that an attached garage or attached carport shall not be located within 5.5 metres of the flankage lot line, and a minimum yard of 1.25 metres from the hypotenuse of the daylight triangle shall be provided where the road allowance width of Gatestone Drive is 26 metres.

By-law 05-349 **R3-26 45 Seabreeze Crescent, Schedule "A", Map No. 3**

Notwithstanding the provisions of Paragraphs (a) and (c) of Section 6.4.3 of the Single Residential "R3" Zone, for those lands zoned "R3-26" by this By-law, the following shall apply:

(a) Minimum Lot Area
Interior Lot - 360 square metres

(c) Minimum Front Yard - 4.5 metres, except
6 metres to an attached garage

By-law 06-156 **R3-27 500 Glover Road, Schedule "A", Map No. 3**

Notwithstanding the provisions of paragraph (a) of Subsection 6.4.3 Zone Regulations, of the Single Residential "R3" Zone, on those lands zoned "R3-27" by this By-law, a minimum interior lot area of 350 square metres shall be provided and maintained.

By-law 07-027 **R3-28 2099 and 2105 Rymal Road East, Schedule "A", Map No. 16**

Notwithstanding the definition of Rear Lot Line as contained in Part 2 Definitions, the most westerly lot line, running north-south, within the lands zoned "R3-28" shall be deemed to be a Side Lot Line.

By-law 08-242 **R3-29 516 and 520 Fifty Road, Schedule "A", Map No. 14**

Notwithstanding the provisions of Paragraph (a) of Subsection 6.4.3 of the Residential "R3" Zone, on those lands zoned "R3-29" by this by-law, the minimum lot area for an interior lot shall be 350 square metres.

By-law 11-094 (OMB) **R3-30 1211, 1217, 1227 and 1239 Barton Street, Schedule "A", Map No. 3**

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e) and (g) of Subsection 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-30" by this By-law, the following shall apply.

(a) Minimum Lot Area - 250 square metres, except 270 square metres for a corner lot

(b) Minimum Lot Frontage - 10 metres

(c) Minimum Front Yard - 4.5 metres to the dwelling, except 6.0 metres to the garage

(d) Minimum Side Yard - 1.2 metres, except:

1. 0.6 metres on the side of the dwelling with an attached garage;

2. On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(e) Minimum Rear Yard - 7.0 metres
(g) Maximum Lot Coverage - N/A

In addition to the regulations of Subsection 4.19 "Yard Encroachments", the following encroachments shall be permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

(b) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres.

By-law 10-044

R3-31 Blocks 75 and 78, Plan 62M-1057, Schedule "A", Map No. 4

Lands zoned Single Residential "R3-31" Zone shall be developed in accordance with the regulations contained within the Single Residential "R3-12" Zone, except for the following special provision:

(a) On a corner lot, the side yard abutting the flankage lot line shall be a minimum of 3 metres and a maximum of 5.5 metres, except that an attached garage or attached carport shall not front on the flankage street.

By-law 10-272

R3-32 80 Creanona Boulevard, Schedule "A", Map No. 4

Notwithstanding the provisions of Paragraphs (c), (d) and (g) of Section 6.4.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R3-32" by this By-law, the following shall apply:

(c) Minimum Front Yard – 3.0 metres to the face of a dwelling and 5.8 metres to the face of the garage.

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except 0.6 metres on the side of the dwelling containing an attached garage or attached carport, provided that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots.

(g) Maximum Lot Coverage – 40 percent, except 45 percent for 1 storey and/or bungalow dwelling units.

By-law 12-161

R3-33 220 Mud Street West, Schedule “A”, Map No. 10

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (f), and (g) of Sub-section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-33" by this By-law, the following shall apply:

(a) Minimum Lot Area:	250 square metres, except 270 square metres for a corner lot.
(b) Minimum Lot Frontage:	10 metres, except 11.7metres for a

	corner lot.
(c) Minimum Front Yard:	4.5 metres to the dwelling, except 6.0 metres to an attached garage.
(d) Minimum Side Yard:	1.2 metres on the garage side and 0.6 metres on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard of the lot adjacent the yard with a side yard setback less than 1.2 metres. A 0.6 metre side yard setback shall not be permitted adjacent to any side lot line less than 1.2 metres.
Minimum Flankage Yard:	On a corner lot, the minimum side yard abutting the flankage street shall be 2.4metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.
(f) Maximum Height:	3-storeys and the elevation of the peak of the roof shall be a maximum of 203.0 masl.
(g) Maximum Lot Coverage:	N/A.

Notwithstanding Sub-section 4.13.1 "Daylight Triangles" of Section 4.13 "Special Setbacks", permit a minimum yard of 1.0m from the hypotenuse of a daylight triangle.

In addition to the regulations of Sub-section 4.19 "Yard Encroachments", the following encroachments shall be permitted:

a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

b) Bay windows, either with or without foundations, may project into any required front, rear, and/or flankage yards a distance of not more than 0.9 metres; and,

c) Stairs may project into any required front yard a distance of not more than 4.5 metres.

By-law 12-161

R3-34 220 Mud Street West, Schedule "A", Map No. 10

In addition to the provisions of the "R3-33" Zone, the following shall also apply:

Notwithstanding the definitions of Lot Line - Front, Lot Line - Rear, and Lot Line - Side within Part 2 - Definitions of By-law No. 3692-92, for those lands Zoned Single Residential "R3-34" Zone, the minimum lot frontage shall be 8.2 metres.

By-law 12-147

R3-35 76 Creanona Boulevard, Schedule "A", Map No. 4

Notwithstanding the provisions of Paragraphs (c), (d) and (g) of Section 6.4.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R3-35" by this By-law, the following shall apply:

(c) Minimum Front Yard – 3.0 metres to the face of a dwelling and 5.8 metres to the face of the garage.

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres, an attached garage or attached carport may be erected at a distance of no less than 1 metre from a side lot line.

(g) Maximum Lot Coverage – 40 percent, except 45 percent for 1 storey and/or bungalow dwelling units.

By-law 12-252

R3-36 546 and 548 Fifty Road and 32 and 36 Kingspoint Circle, Schedule "A", Map No. 4

Notwithstanding the provisions of Paragraph (g), of Section 6.4.3 "Zone Regulations", of Section 6.4, Single Residential "R3" Zone, of Zoning By-law No. 3692-92, on those lands zoned "R3-36" by this By-law, the following shall apply:

(g) Maximum Lot Coverage: 45 percent.

By-law 13-111

R3-38 259 Dewitt Road, Schedule "A", Map No. 6

Notwithstanding Section 6.4.3, "Zone Regulations", of Zoning By-law No. 3692-92, the regulations of the Single Residential "R3-33" Zone, as established under By-law No. 12-161, shall apply on those lands zoned "R3-38" by this By-law, save and except for Regulations (a); (b); (d); and, (f), the following shall apply:

(a) Minimum Lot Area: 330 sq m.

(b) Minimum Lot Frontage:	11.0m, except 11.7m for a corner lot.
(d) Minimum Side Yard:	1.2m on the garage side and 0.6m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m, except: 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 6.0m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required; and, On a lot where an emergency spillway/overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0m side yard separation between buildings shall be provided and maintained between buildings along one common lot line.
(f) Maximum Building Height:	11.0m.

All other regulations of the Single Residential "R3-33" Zone shall apply.

By-law 13-130 (OMB Approval)

R3-39 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding the provisions of Paragraphs (c) of Section 6.4.3, of Zoning By-law No. 3692-92, on those lands zoned "R3-39" by this By-law, the following shall apply:

(c) Minimum Front Yard:	4.5m to the dwelling, except 6.0m to an attached garage.

By-law 13-130 (OMB Approval)

R3-40 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments", the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and 0.0 metres for eaves and gutters.

Notwithstanding the provisions of Paragraphs (c) and (e) of Section 6.4.3, of Zoning By-law No. 3692-92, on those lands zoned "R3-40" by this By-law, the following shall apply:

(c)	Minimum Front Yard:	4.5m to the dwelling, except 6.0m to an attached garage.
(e)	Minimum Rear Yard:	7.0m

By-law 16-094

R3-41 1831 Rymal Road East, Schedule "A", Map No. 15

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), and (g) of Subsection 6.4.3 of the Single Residential "R3" Zone, the following regulations shall apply:

(a) Minimum Lot Area		
Interior Lot	-	290 square metres
Corner Lot	-	340 square metres
(b) Minimum Lot Frontage		
Interior Lot	-	10.0 metres
Corner Lot	-	11.7 metres
(c) Minimum Front Yard	-	4.5 metres to the dwelling, except 6.0 metres to the garage
(d) Minimum Side Yard	-	1.2 metres on the garage side and 0.6 metres on the non-garage side, subject to a maintenance easement registered on title for any

minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard of the lot adjacent the yard with a side yard setback less than 1.2 metres. A 0.6 metre side yard setback shall not be permitted to any side lot line less than 1.2 metres, except:

On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0 metre setback for any building from the hypotenuse of a daylight triangle is required; and,

(e) Minimum Rear Yard - 7.0 metres

(g) Maximum Lot Coverage - Not Applicable

All other regulations of the Single Residential "R3" Zone shall apply.

(i) Notwithstanding subsection 4.13.1 "Daylight Triangles" of Section 4.13 "Special Setbacks", a minimum yard of 1.0 metres from the hypotenuse of the daylight triangle shall be permitted for lands zoned Single Residential "R3-41", Modified, by this By-law.

(ii) In addition to subsection 4.19.1 "General Application" of Section 4.19

"Yard Encroachments" the following shall apply for lands zoned Single Residential "R3-41", Modified, by this By-law:

(j) Stairs may project into any required front yard a distance of not more than 3.5 metres.

(k) Bay windows, with or without foundations, may project into any required front, rear and / or flankage yard a distance of not more than 0.9 metres;

(l) Covered porches may project into any require front yard a distance of not more than 3.0 metres, and 1.8 metres for a flankage yard;

By-law 16-257

R3-42 316 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East, Schedule "A", Map No. 16

Notwithstanding the provisions of Paragraphs (a) of Subsection 6.4.3 of the Single Residential "R3" Zone, the following regulations shall apply:

(a) Minimum Lot Area: Interior Lot 350 m^2

For the purposes of this By-law, accessory buildings, swimming pools and hot tubs shall be permitted on the lots with dual frontage to Eringate Court (Lots 24 and 25) and Rymal Road East and Eringate Court (Lots 8 – 15).

By-law 19-011

R3-43 90 Creanona Boulevard, Schedule A Map No. 4

(i) Notwithstanding the provisions of Paragraphs (c), (d) and (g) of Subsection 6.4.3 of the Single Residential R3 Zone, on those lands zoned R3-43 Zone, Modified (Block 1) by this By-law, the following shall apply:

(c)	Minimum Front Yard	3.0 m to the face of the dwelling and 5.8 metres to the face of the garage.
(d)	Minimum Side Yard	No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except 0.6 metres on the side of the dwelling not containing an attached garage or attached carport provided that a maintenance easement is entered into

		between the owners of the abutting lands and properly registered on title of each of the abutting lots.
	(g) Maximum Lot Coverage	40%, except 45% for a one Storey single detached dwelling

By-law 19-083

R3-41a 16 Columbus Gate (Block 7), Schedule "A", Map No. 15

For the purposes of this By-law, 16 Columbus Gate shall be considered an interior lot, with Columbus Gate being deemed Lot Line – Frontage.

All other provisions of the Single Residential "R3-41" Zone, Modified shall apply.

By-law 20-235

R3-44 1313 Baseline Road, Schedule "A", Map No. 4

Notwithstanding the provisions of Paragraph (a) of Subsection 6.4.3 of the "Zone Regulations" of the Single Residential "R3" Zone, on those lands zoned "R3-44" by this By-Law, the following shall apply;

(a)	Minimum Lot Area Corner Lot	390 square metres

By-law 24-017-OLT

"R3-46a" and "R3-46b" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Blocks 1, 2, 3, and 4)

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), and (g) of Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, on those lands zoned "R3-46a" and "R3-46b" by this By-law, the following shall apply:

(a)	Minimum Lot Area	Interior Lot – 370 square metres Corner Lot – 400 square metres
(b)	Minimum Front Yard	3.5 metres to the dwelling, except 6.0 metres to an attached garage on lands identified as "R3-46a". 3.5 metres to the dwelling, except 5.5 metres to an attached

garage on lands identified as "R3-46b".

(c)	Minimum Side Yard	Interior Lot - 1.2 metres on the side with the garage and 0.6 metres on the other side. Corner Lot - 1.2 metres on the side with the garage and 2.3 metres on the flankage yard, except that an attached garage or attached carport fronting the flankage lot line shall not be located within 5.5 metres of the flankage lot line.
(d)	Minimum Rear Yard	6.0 metres
(e)	Maximum Lot Coverage	62 percent

For the purposes of this special provision, where a lot zoned "R3-46b" is also partially zoned (P5), as per Zoning By-law No. 05-200, the lands zoned (P5) that comprise part of the lot may be used for the calculation of Minimum Lot Area, Minimum Rear Yard, and Minimum Interior Side Yard.

By-law 24-017-OLT

"R3-47" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Blocks 5, 6, and 7)

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), and (g) of Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, on those lands zoned "R3-47" by this By-law, the following shall apply:

(a)	Minimum Lot Area	355 square metres
(b)	Minimum Lot Frontage	11.0 metres
(c)	Minimum Front Yard	3.5 metres to the dwelling, except 6.0 metres to an attached garage.
(d)	Minimum Side Yard	1.2 metres on the side with the garage and 0.6 metres on the other side.
(e)	Minimum Rear Yard	6.0 metres

(f)	Maximum Lot Coverage	62 percent

In addition to Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, those lands zoned "R3-47" by this By-law shall not apply to corner lots.

By-law 24-017-OLT

"R3-48" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Block 8)

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), and (g) of Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, on those lands zoned "R3-48" by this By-law, the following shall apply:

(a)	Minimum Lot	Interior Lot - 330 square metres Corner Lot - 370 square metres
(b)	Minimum Front Yard	3.5 metres to the dwelling, except 6.0 metres to an attached garage.
(c)	Minimum Side Yard	Interior Lot - 1.2 metres on the side with the garage and 0.6 metres on the other side.
(d)	Corner Lot	1.2 metres on the side with the garage and 2.3 metres on the flankage yard, except that an attached garage or attached carport fronting the flankage lot line shall not be located within 5.5 metres of the flankage lot line.
(e)	Minimum Rear Yard	6.0 metres
(f)	Maximum Lot Coverage	62 Percent

By-law 24-017-OLT

"R3-48(H)" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Block 9)

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "R3-48(H)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "R3-48" Zone provisions in Section 4 above, upon completion of the following:

(a) That the final grading on Lot 35 has been approved and it can be clearly demonstrated how the turning movements can be successfully managed, to the satisfaction of the Director, Growth Management.

By-law 24-017-OLT

"R3-49" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Block 10)

Notwithstanding the provisions of Paragraphs (c), (d), (e), and (g) of Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, on those lands zoned "R3-49" by this By-law, the following shall apply:

(a)	Minimum Front Yard	3.5 metres to the dwelling, except 6.0 metres to an attached garage.
(b)	Minimum Side Yard	1.2 metres on the east side and 2.2 metres on the west side.
(c)	Minimum Rear Yard	6.0 metres
(d)	Maximum Lot Coverage	62 percent

In addition to Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, those lands zoned "R3-49" by this By-law shall not apply to corner lots.

By-law 24-017-OLT

"R4-38" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Blocks 11 and 12)

Notwithstanding the provisions of Paragraphs (c), (d), (e), and (g) of Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, on those lands zoned "R4-38" by this By-law, the following shall apply:

(a)	Minimum Front Yard	3.5 metres to the dwelling, except 6.0 metres to an attached garage
(b)	Minimum Side Yard	1.2 metres on the side with the garage and 0.6 metres on the other side

(c) Minimum Rear Yard 6.0 metres

(d) Maximum Lot Coverage 62 percent

In addition to Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, those lands zoned "R4-38" by this By-law shall not apply to corner lots.

SECTION 6.5 SINGLE RESIDENTIAL "R4" ZONE

6.5.1 Scope

No person shall within any Single Residential "R4" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.5.2 Permitted Uses For Each Lot

(a) A single detached dwelling

(b) Uses, buildings or structures accessory to a permitted use

(c) A Home Occupation

By-law 22-196

(d) In addition to the uses permitted in Section 6.5.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Semi-Detached Dwelling
2. A Duplex
3. Street Townhouses

6.5.3 Zone Regulations For The Use Permitted Under Section 6.5.2 (a)

By-law 22-196

(a) Minimum Lot Area

Interior Lot	-	310 square metres
Corner Lot	-	400 square metres

(b) Minimum Lot Frontage

Interior Lot	-	10 metres
Corner Lot	-	13 metres

(c) Minimum Front Yard - 6 metres

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:

By-law 3863-93

1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a

flankage street;

2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and
3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(e) Minimum Rear Yard - 7.5 metres

By-law 5068-00

(f) Maximum Building Height - 11 metres

(g) Maximum Lot Coverage - 40 percent

6.5.3.1 Zone Regulations For Uses Permitted Under Section 6.5.2 (d)

By-law 22-196

(a) Semi-detached dwellings shall comply with the provisions of Sections 6.6.3, 6.6.4, 6.6.5, 6.6.5.1, 6.6.5.2, and 6.6.6.

(b) Duplex dwelling shall comply with the provisions of Sections 6.5.3, 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.

(c) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.5.4 Regulations For Parking For The Use Permitted Under Section 6.5.2 (a)

By-law 22-196

Minimum number of parking spaces - 2 per dwelling unit of which only one may be provided in the required front yard. Tandem parking is permitted.

6.5.5 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.5.6 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8.

6.5.6.1 Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.

6.5.6.2 Regulations For Converted Dwellings

By-law 22-196

Converted dwellings are permitted in accordance with Section 6.1.7.3.

6.5.7 Special Exemptions

R4 - 1 Repealed by By-law No. 4753-98

By-law 4661-97

R4 - 2 Athenia Drive, Schedule "A", Map No. 10

Notwithstanding the provisions of paragraph (a) of Subsection 6.5.3 Zone Regulations, on the those lands zoned “R4-2” by this by-law, the minimum lot area shall be 275 square metres.

By-law 4986-99

R4 - 3 Part of Lot 4, Concession 2, Schedule “A”, Map No. 6

Notwithstanding the provisions of paragraph (b) of Section 6.5.3, “Zone Regulations”, on those lands zoned “R4-3” by this By-law, the minimum lot frontage shall be 9.4 metres.

By-law 4986-99

R4 - 4 Part of Lot 4, Concession 2, Schedule “A”, Map No. 6

Notwithstanding the provisions of paragraph (a) of Section 6.5.3, “Zone Regulations”, on those lands zoned “R4-4” by this By-law, the minimum lot area for a corner lot shall be 390 square metres.

By-law 4986-99

R4 - 5 Part of Lot 4, Concession 2, Schedule “A”, Map No. 6

Notwithstanding the provisions of paragraphs (a) and (b) of Section 6.5.3, “Zone Regulations”, on those lands zoned “R4-5” by this By-law, the minimum lot area for a corner lot shall be 365 square metres and the minimum lot frontage shall be 12 metres.

By-law 4986-99

R4 - 6 Part of Lot 4, Concession 2, Schedule “A”, Map No. 6

Notwithstanding the provisions of paragraph (a) of Section 6.5.3, “Zone Regulations”, on those lands zoned “R4-6” by this By-law, the minimum lot area shall be 290 square metres.

By-law 5031-99
By-law 04-077

R4 - 7 Part of Lot 18, Concession 2, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (f) and (g) of Section 6.5.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R4-7" by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot	-	210 square metres
Corner Lot	-	240 square metres

(b) Minimum Lot Frontage

Interior Lot	-	9.0 metres
Corner Lot	-	10.2 metres

(c) Minimum Front Yard - 3 metres, except 5.3 metres to an attached garage or attached carport.

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in clauses (i), (ii) and (iii) below:

By-law 5136-00

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be .6 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 2.4 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 2.4 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 5.8 metres of the flankage lot line.

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard. (Note: This clause does not apply to Block 99, Registered Plan No. 62M-906.)

Notwithstanding the definition of "Highway" in Section 2 "Definitions" of Zoning By-law No. 3692-92, on those lands zoned "R4-7" by this By-law, a private road/condominium road shall be considered to be a street. (Note: This clause only applies to Block 99, Registered Plan No. 62M-906.)

By-law 01-117

R4 - 8 Jones Road & North Service Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraph (b) of subsection 6.5.3 of Zoning By-law 3692-92, the minimum lot frontage shall be 11.5 metres.

By-law 01-141

R4 - 9(H) Barton Street and Winona Road, Schedule "A", Map No. 9

Special Exemption R4-9(H) is repealed by By-law 02-203.

By-law 03-104

R4 - 10 Southeast Corner of Old Mud Street and Upper Mount Albion Road, Schedule "A", Map No. 10

Notwithstanding the provisions of Paragraph (b) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-10" by this by-law, a minimum lot frontage of eleven (11) metres shall be required.

By-law 04-173

R4 - 11 478 Glover Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraphs (a), (c), (d), (f) and (g) of Section 6.5.3 of the Single Residential "R4" Zone, for those lands zoned "R4-11" by this By-law, the following shall apply:

(a) Minimum Lot Area
Corner Lot - 375 metres

(c) Minimum Front Yard - 3 metres, except 5.8 metres to an attached garage or an attached carport

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in clauses (i), (ii) and (iii) below:

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be 0.6 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 2.4 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 2.4 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 5.8 metres of the flankage lot line.

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

By-law 04-194

R4 - 12 205 Dewitt Road, Schedule "A", Map No. 6

Notwithstanding the provisions of Paragraphs (b) and (d) of Section 6.5.3 "Zone Regulations", on those lands zoned "R4-12" by this By-law, the minimum lot frontage shall be 9.84 metres and the minimum side yard, where no attached garage or carport is provided, shall be 2.56 metres from the southerly property line for the existing dwelling.

By-law 05-205

R4 - 13 506 Glover Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraphs (a), (c), and (g) of Subsection 6.5.3 of the Single Residential "R4" Zone, for those lands zoned "R4-13" by this By-law, the following shall apply:

(a) Minimum Lot Area Corner Lot	-	390 square metres
(c) Minimum Front Yard	-	3 metres, except 5.8 metres to an attached garage or carport
(g) Maximum Lot Coverage	-	No maximum

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

By-law 05-293

R4 - 14 480 Jones Road, Part of Lots 7 and 8, Registered Plan 428, Schedule "A", Map No. 2

Notwithstanding the provisions of Paragraph (d) of Subsection 6.5.3 Zone Regulations, of the Single Residential "R4" Zone, a minimum northerly side yard of 0.94 metres shall be provided for the single detached dwelling existing on the date of the passing of this By-law being October 12, 2005.

By-law 05-349

R4 – 15 45 Seabreeze Crescent, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraph (c) of Section 6.5.3 of the Single Residential "R4" Zone, for those lands zoned "R4-15" by this By-law, the following shall apply

(c) Minimum Front Yard	-	4.5 metres, except 6.0 metres to an attached garage

By-law 05-349

R4 – 16 45 Seabreeze Crescent, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (f) and (g) of Section 6.5.3 of the Single Residential "R4" Zone, for those lands zoned "R4-16" by this By-law, the following shall apply:

(a) Minimum Lot Area
Interior Lot - 270 square metres

(b) Minimum Lot Frontage
Interior Lot - 9 metres

(c) Minimum Front Yard - 3 metres, except
6 metres to an attached garage

(d) Minimum Side Yard - no part of any dwelling shall be located closer than 1.2 metres, except as provided in clauses 1 and 2 below:

1. An attached garage or attached carport may be erected at a distance of not less than 0.6 metres from a side lot line which does not abut a flankage street; and

2. On a corner lot, the minimum side yard abutting the flankage lot line shall be 2.4 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6 metres of the flankage lot line.

(f) Maximum Building Height - 12 metres

(g) Maximum Lot Coverage - none

By-law 06-128

R4 – 17 East End of Old Mud Street, Schedule "A", Map No. 10

That the provisions of Paragraph (g), Maximum Lot Coverage, of Subsection 6.5.3 Zone Regulations of the Single Residential "R4" Zone shall not apply to those lands zoned "R4-17" by this By-law.

By-law 07-196

R4 - 18 1353, 1357, 1427 Baseline Road and 22 Falcon Road, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (f), and (g), of Subsection 6.5.3, of the “Zone Regulations” of the Single Residential “R4” Zone on those lands zoned “R4-18” by this By-law, the following shall apply:

(a) Minimum Lot Area:

Interior Lot - 210 square metres
Corner Lot - 250 square metres

(b) Minimum Lot Frontage:

Interior Lot	-	9 metres
Corner Lot	-	11 metres

(c)	Minimum Front Yard		3.0 metres; and, 5.8 metres for a garage only.
(d)	Minimum Side Yard	-	1.2 metres; except, 0.6 metres on the side with an attached garage.
(e)	Minimum Flankage Yard	-	3.0 metres; and, 5.8 metres for a garage only.
(f)	Minimum Rear Yard	-	7.0 metres
(g)	Maximum Building Height	-	12.5 metres

In addition to the regulations of Section 4.19, "Yard Encroachments", the following encroachments are permitted:

(a)	Unenclosed Porch into a Front Yard	-	2.0 metres, including a further encroachment of 0.6 metres for steps
(b)	Unenclosed Porch into a Flankage Yard:	-	2.0 metres, including a further encroachment of 0.6 metres for steps

(c) Chimneys, belt courses, sills, cornices, chimney breasts, decorative brick facing, pilasters, alcoves, fireplaces or other architectural features, with or without foundations may project into any required yard 0.6 metres, to a maximum of half the required yard.

(d) Bay Windows and other types of windows, with or without foundation, into a front or rear yard 1.0 metre; and 0.6 metres to a side yard, to a maximum of half the yard

(d) Balconies into any yard: - 2.0 metres

Notwithstanding clause (a) of Section 4.16.1, unitary equipment may be located not less than 0.6 metres to any side lot line.

Notwithstanding Section 4.13.1 “Special Setbacks - Daylight Triangles” and paragraphs (b) and (d) of Section 4.19.1 – “Yard Encroachments – General Application” the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundations walls; and, 0.0 metres for eaves or gutters.

By-law 07-237

R4 - 19 481 and 483 Glover Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (c), (d), (e), (f), and (g), of Subsection 6.5.3, of the “Zone Regulations” of the Single Residential “R4” Zone on those lands zoned “R4-19” by this By-law, the following shall apply:

(c) Minimum Front Yard - 3 metres, except
5.8 metres to an attached garage or an attached carport

Maximum Front Yard - 4.5 metres, except
6.3 metres to an attached garage or an attached carport

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.2 metres, except a as provided in clause (i) below:

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be 0.6 metres except for a side yard which abuts a flankage street

(e) Minimum Rear Yard - 7.0 metres

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - None

Notwithstanding the provision of paragraph (a) of Section 4.16.1 – "Unitary Equipment", on those lands zoned "R4-19" by this By-law, the following shall apply:

(a) Minimum Distance to any Site Lot Line - 1.0 metres

By-law 09-199

R4 - 20 390 Highland Road, Schedule "A", Map No. 15

Notwithstanding the provisions of Paragraph (b) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-20" by this By-law the following shall apply:

(b) Minimum Lot Frontage

Corner Lot	-	9.3 metres

By-law 08-163

R4 - 21 21 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (a), (b), (d) and (e) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-21" by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot	-	247 square metres
Corner Lot	-	400 square metres

(b) Minimum Lot Frontage:

Interior Lot	-	9.15 metres
Corner Lot	-	13 metres

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in clauses (i), (ii), and (iii) below:

(i) the minimum side yard on the side of the dwelling containing an attached garage or attached carport may be 0.6 metres except for a side yard abutting a flankage street;

(ii) on an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3.0 metres; and

(iii) on a corner lot, the minimum side yard abutting the flankage lot line shall be 3.0 metres and a maximum of 4.5 metres, except where an attached garage or attached carport fronts on the flankage road, in which case, the minimum side yard abutting the flankage lot line shall be 6.0 metres.

(e) Minimum Rear Yard - 7.0 metres

Notwithstanding the provisions of Subsection 4.13.1 SPECIAL SETBACKS – Daylight Triangles, on those lands zoned "R4-21" by this By-law, a minimum yard of 2.2 metres will be required from the hypotenuse of the daylight triangle.

By-law 08-207

R4 - 22 Highland Road West, Part of Lot 28, Concession 7, Schedule "A", Map No. 16

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e) and (g) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-22" by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot	-	300 square metres
Corner Lot	-	400 square metres

(c) Minimum Front Yard - 6.0 metres to the face of an attached garage and 4.5 metres to the face of the dwelling,

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in Clauses (1), (2) and (3) below:

1. The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be 0.6 metres, provided;

   (a) that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots; and,

   (b) that the abutting lands are located in the same zone.

2. On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3.0 metres; and,

3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3.0 metres and a maximum of 4.5 metres, except where an attached garage or attached carport fronts on the flankage road, in which case the minimum side yard abutting the flankage lot line shall be 6.0 metres.

(e) Minimum Rear Yard - 7.0 metres

(g) Maximum Lot Coverage - N/A

By-law 08-293

R4 - 23 Highbury Drive, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e) and (g) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-23" by this By-law, the following shall apply;

(a) Minimum Lot Area
Interior Lot - 304 square metres
Corner Lot - 384 square metres

(b) Minimum Lot Frontage
Corner Lot - 12 metres

(c) Minimum Front Yard - 4.5 metres to the dwelling
- 6 metres to the attached garage

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.25 metres on one side and 0.0 metres to a side lot line on the other provided that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots, except as provided in clause (i) below:

(i) On a corner lot, the minimum side yard abutting the flankage lot line shall be 1.25 metres.

(e) Minimum Rear Yard - 7 metres

(g) Maximum Lot Coverage - 55%

By-law 10-324 (OMB)

R4-24 Mud Street, Schedule “A”, Map No. 16

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d) and (g) of Subsection 6.5.3, of the Single Residential “R4” Zone, on those lands zoned “R4-24” by this By-law, the following shall apply:

(a) Minimum Lot Area:

Interior Lot - 300 square metres

Corner Lot - 350 square metres

(b) Minimum Lot Frontage:

Corner Lot - 11.2 metres

(c) Minimum Front Yard - 4.5 metres to a dwelling unit,

6.0 metres to an attached garage

(d) Minimum Side Yard - 1.2 metres, except as provided in Clauses 1, 2, and 3 below:

1. An attached garage or attached carport may be erected at a distance of not less than 0.6 metres from a side lot line which does not abut a flankage street. Where a side yard of less than 1.2 metres is provided, a maintenance easement shall be entered into between the property and the owners of any lands abutting the side yard, properly registered on the title of any abutting lot(s);
2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and,
3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 2.4 metres, except that an attached garage or attached carport, which fronts on the flankage lot line, shall not be located within 5.5 metres for the flankage lot line.

(g) Maximum Lot Coverage - N/A

Notwithstanding the provisions of Subsection 4.13.1, of the "Special Setbacks" Section, on those lands zoned "R4-24" by this By-law, any corner lot requires a minimum yard of 2.4 metres from the hypotenuse of the daylight triangle.

By-law 10-327 (OMB)

R4-26 22 Green Mountain Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), and (g) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-26" by this By-law, the following shall apply:

(a) Minimum Lot Area - 250 square metres, except 290 square metres for a corner lot

(b) Minimum Lot Frontage - 9.0 metres, except 11 metres for a corner lot

(c) Minimum Front Yard - 4.5 metres to the dwelling, except 6.0 metres to the garage

(d) Minimum Side Yard - 1.2 metres on one side and 0.6 metres on the other side of the dwelling unit 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 the yard with a side yard setback less than 1.2 metres except;

On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(e) Minimum Rear Yard - 7.0 metres

(g) Minimum Lot Coverage - N/A

Notwithstanding provision b) of Subsection 4.10.3 "Dimensions of Parking Spaces", on those lands zoned "R4-26" by this By-law, the following shall apply:

The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the regulations of Subsection 4.19 "Yard Encroachments", the

following encroachments shall be permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.6 metres for a flankage yard;

(b) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres and a flankage yard of not more than 2.4 metres

Notwithstanding Section 4.13.1 "Special Setback – Daylight Triangles" the following shall apply"

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 0.5 metres for a building or porch, including porch foundations walls; and, 0.0 metres for eaves and gutters.

By-law 10-327 (OMB) **R4-27 22 Green Mountain Road West, Schedule "A", Map No. 11**

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), and (g) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-27" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	300 square metres, except 360 square metres for a corner lot
(c)	Minimum Front Yard	-	4.5 metres to the dwelling, except 6.0 metres to the garage
(d)	Minimum Side Yard	-	1.2 metres on one side and 0.6 metres on the other side of the dwelling unit 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 the yard with a side yard setback less than 1.2 metres except;

On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(e) Minimum Rear Yard - 7.0 metres

(g) Maximum Lot Coverage - N/A

Notwithstanding provision b) of Subsection 4.10.3 "Dimensions of Parking Spaces", on those lands zoned "R4-27" by this By-law, the following shall apply:

The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the regulations of Subsection 4.19 "Yard Encroachments", the following encroachments shall be permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.6 metres for a flankage yard;

(b) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres and a flankage yard of not more than 2.4 metres

Notwithstanding Section 4.13.1 "Special Setback – Daylight Triangles" the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 0.5 metres for a building or porch, including porch foundations walls; and, 0.0 metres for eaves and gutters.

By-law 10-327 (OMB)

R4-28(H) 22 Green Mountain Road West, Schedule "A", Map No. 11

Ntowithstanding the definition of "Lot Line – Front" in By-law No. 3692-92, for Block 17 and Block 18 of Schedule "A", "Lot Line – Front" shall be deemed to be Street "F" for Block 17 and Street "C" for Block 18 as per Draft Plan of Subdivision 25T-200803

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), (f), and (G) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-28(H)" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	300 square metres, except 360 square metres for a corner lot
(c)	Minimum Front Yard	-	4.5 metres to the dwelling, except 6.0 metres to the garage
(d)	Minimum Side Yard	-	1.2 metres on one side and 0.6 metres on the other side of the dwelling unit 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 the yard with a side yard setback less than 1.2 metres except;

On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(e) Minimum Rear Yard - 7.0 metres

(f) Height - 8.5 metres

(g) Maximum Lot Coverage - N/A

Notwithstanding provision b) of Subsection 4.10.3 "Dimensions of Parking Spaces", on those lands zoned "R4-28" by this By-law, the following shall apply:

The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the regulations of Subsection 4.19 "Yard Encroachments", the following encroachments shall be permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.6 metres for a flankage yard;

(b) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres and a flankage yard of not more than 2.4 metres

Notwithstanding Section 4.13.1 "Special Setback – Daylight Triangles" the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 0.5 metres for a building or porch, including porch foundations walls; and, 0.0 metres for eaves and gutters.

By-law 14-062

That the (H) Symbol may be removed by further amendment to this By-law at such time as the following matter has been completed:

(a) That the visual analysis of the Escarpment brow is finalized to the satisfaction of the City and the Niagara Escarpment Commission.

By-law 11-091

Repealed by By-law 12-161

R4-29 North Side of Mud Street, East of Felkers Creek, Schedule "A", Map No. 10

Notwithstanding the provisions of Paragraphs (a) and (f) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-29" by this By- law, the following shall apply:

(a)	Minimum Lot Area	- 290 square metres
(f)	Maximum Building Height	- 11 metres and the elevation of the peak of a roof shall be a maximum of 198.0 masl.

By-law 11-091

Repealed by By-law 12-161

R4-30 North Side of Mud Street, East of Felkers Creek, Schedule "A", Map No. 10

Notwithstanding the provisions of Paragraphs (a), (e) and (f) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-30" by this By-law, the following shall apply:

(a)	Minimum Lot Area	- 256 square metres
(e)	Minimum Rear Yard	- 3.0 metres
(f)	Maximum Building Height	- 11 metres and the elevation of the peak of a roof shall be a maximum of 198.0 masl.

By-law 14-180

R4-31 420 First Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e) and (g) of Subsection 6.5.3 of the Single Residential "R4" Zone, on those lands zoned "R4-31" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	250 square metres, except 290 square metres for a corner lot.

(b)	Minimum Frontage:	9.2 metres to the dwelling, except 11.0 metres for a corner lot.
(c)	Minimum Front Yard:	4.5 metres to the dwelling, except 6.0 metres to the garage door face.
(d)	Minimum Side Yard:	1.2 metres, one the garage side and 0.6 metres on non-garage side, subject to a maintenance agreement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard with a side yard setback less than 1.2 metres. A 0.6 metre side yard setback shall not be permitted adjacent to any side lot line less than 1.2 metres. On a lot where an emergency/overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0 metre side yard separation between buildings shall be provided and maintained between buildings along one common lot line.
	Minimum Flankage Yard:	On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres to the flankage street line.
(e)	Minimum Rear Yard:	7.0 metres.
(g)	Maximum Lot Coverage:	N/A.

Notwithstanding Sub-section 4.10.3 “Dimensions of Parking Spaces” on those lands zoned “R4-31” by this By-law the following shall apply:

a) The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the regulations of Sub-section 4.19 "Yard Encroachments", the following encroachments shall be permitted:

a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

b) Bay windows, either with or without foundations, may project into any required front, rear, and/or flankage yards a distance of not more than 0.9 metres;

c) Stairs may project into any required front yard a distance of not more than 4.5 metres and a flankage yard of not more than 2.4 metres;

d) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear, or garage side yard a distance of not more than 0.6 metres; and,

e) A decorative pillar on the garage face may encroach into the front yard, but shall not encroach into the required parking space.

Notwithstanding Section 4.13.1 "Special Setbacks - Daylight Triangles" the following shall apply:

a) Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 1.0 metre for a building or porch, including porch foundations walls, and 0.5 metres for eaves or gutters.

By-law 14-180

R4-31(H1) 420 First Road West, Schedule "A", Map No. 11

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "R4-31(H1)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "R4-31" Zone provisions in Section 5 above, upon completion of the following:

a) That those lands located within the 50 dBA sound level demarcation of the All Around Contracting facility not be developed until such time as the facility ceases to operate, to the satisfaction of the Director of Planning.

By-law 14-180

R4-31(H1, H2) 420 First Road West, Schedule "A", Map No. 11

By-law 16-095

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "R4-31(H1, H2)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "R4-31" Zone provisions in Section 5 above, upon completion of the following:

a) That all residential lands within 160 metres of the working licenced limits of the active quarry or the limits of the former quarry under rehabilitation shall not be developed until such time as the completion of mining and the completion of rehabilitation on the quarry lands immediately adjacent to the Holding (H) Zone have been finalized to the satisfaction of the Director of Planning; and,

b) That those lands located within the 50 dBA sound level demarcation of the All Around Contracting facility not be developed until such time as the facility ceases to operate, to the satisfaction of the Director of Planning.

By-law 15-259
By-law 18-268
(H REMOVAL)

R4-32 435 First Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e) (f) and (g) of Subsection 6.5.3 of the Single Residential "R4" Zone, Zone Regulations, and Section 4.19 "Yard Encroachments", the regulations of the Residential "R4-31" Zone, Modified, as established under By-law No. 14-180, shall apply on those lands zoned "R4 - 32" by this By-law, save and except for regulations (b) and (f), the following shall apply:

(b)	Minimum Lot Frontage:	Interior Unit Corner Unit	9.0 metres 11.0 metres
(f)	Maximum Building Height:	2 storeys, or maximum 10.3 metres for "Block 17" on Schedule "A"; otherwise, 3 storeys or a maximum of 11.0 metres to the peak of the average grade of the front of the dwelling.	

All other regulations of the Residential "R4" Zone shall apply.

By-law 17-186

R4-33 440 First Road West, Schedule "A", Map No. 11

By-law 18-253

Notwithstanding the provisions of Paragraphs (a), (b), (d), and (g) of Subsection 6.5.3 of the Single Residential "R4" Zone, Zone Regulations and Subsection 4.13.1 "Special Setbacks – Daylight Triangles" the regulations of the Residential "R4-33" Zone, Modified, as established for those lands zoned "R4-33" by this By-law, the following shall apply:

(a)	Minimum Lot Area Corner Lot	340 square metres
(b)	Minimum Lot Frontage Corner Lot	11.0 metres
(d)	Minimum Side Yard	

1. 1.2 metres shall be provided on the garage side and 0.6 metres shall be provided on the non – garage side of the dwelling unit, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard with a side yard setback less than 1.2 metres.

   A 0.6 metre side yard setback shall not be permitted adjacent to any side lot line less than 1.2 metres.

3. Minimum Flankage Yard: 1.8 metres

(g) Maximum Lot Coverage 46 %

All other regulations of the Residential "R4" Zone shall apply.

Notwithstanding Section 4.13.1, the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2.0 metre for a building or porch, including porch foundations walls, and 1.0 metres for eaves or gutters.

By-law 17-186

R4-33(H2) 440 First Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "R4-33(H2)" by this By-law, the Holding "H" symbol may be removed by City Council and thereby give effect to the "R4-33" Zone provisions upon completion of the following:

a) That the subject lands be assembled with lands to the north, within the Nash Neighbourhood, to the satisfaction of the City's Director of Planning and Chief Planner.

By-law 18-055
By-law 18-254

R4-34 2 Glover Mountain Road, Schedule "A", Map No. 1352

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), and (g) of Section 6.5.3 "Zone Regulations" of the Single Residential "R4" Zone and Section 4.19 "Yard Encroachments", the regulations of the Single Residential "R4-31" Zone, Modified, as established under By-law No. 14-180, shall apply on those lands zoned "R4-34" by this By-law, and the following shall also apply:

(a) Maximum Building Height 10.3 metres (2 storeys) and the elevation of the peak of

the roof shall be a maximum of 196.5 masl.

By-law 20-152

R4-35 1218 and 1226 Barton Street, 1219 Highway No. 8, Schedule "A", Map No. 8 (Blocks 1, 2 and 3)

Notwithstanding the meaning of "Lot – Corner" in Part 2, Definitions, on those lands zoned "R4-35" by this By-law, the following shall apply:

Lot - Corner

Means:

(a) A lot situated at the intersection of and abutting on two or more streets and which streets have an angle of intersection of not more than 135 degrees, but does not include streets which have 0.3 metre reserves; or

(b) A lot abutting a curve of a street the adjacent sides of which curve contain an angle facing the lot of not more than 135 degrees, and such angle shall be formed by their tangents drawn from the points where the side lot lines meet the lot line abutting a street but does not include a lot abutting the bulb of a cul-de-sac or a turning circle, but does not include streets which have 0.3 metre reserves.

In addition to Part 2, Definitions, on those lands zoned "R4-35" by this By-law, the following shall apply:

Swale

Means a graded or engineered landscape feature, appearing as a linear, shallow, open channel for the purpose of conveying surface stormwater drainage, and includes an emergency overland flow route.

Notwithstanding any other provision of this By-law, no building or structure shall be located within a swale.

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), and (g) of Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, on those lands zoned "R4-35" by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot -	310 square metres
Corner Lot -	370 square metres

(b) Minimum Lot Frontage

Interior Lot -	11.0 metres
Corner Lot -	12.7 metres

(c) Minimum Front Yard

For Lots Fronting onto Barton Street and Highway No. 8 -

9.5 metres to the dwelling, except 10.0 metres to an attached garage.

For All Other Lots - 4.5 metres to the dwelling, except 6.0 metres to an attached garage.

(d) Minimum Side Yard - 1.2 metres, except:

1. On an interior lot where a swale is provided in the side yard, the minimum side yard shall be 0.6 metres measured from the uppermost interior edge of the swale's slope to the nearest wall of any building or structure on the lot, provided that the distance between the side lot line and the nearest wall of the principal building on the lot shall not be less than 1.2 metres.

2. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 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.

(g) Maximum Lot Coverage - 48 percent

In addition to Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, on those lands zoned "R4-35" by this By-law, the following shall apply:

(h) The minimum width of the front elevation of a dwelling, not including the attached garage, shall be 2.4 m measured along the foundation of the porch.

Notwithstanding the provision of Paragraph a) of Subsection 4.10.3 "Dimensions of Parking Spaces" and the provision of Paragraph d) of Subsection 6.1.8 "Parking Restrictions in Residential Zones", on those lands zoned "R4-35" by this By-law, the following shall apply:

(a) Parking spaces for 90° perpendicular parking and parking spaces located within a residential garage shall have a minimum width of 3.0 metres and minimum length of 6.0 metres. Stairs, to a maximum height of 0.54 m, up to 0.6 metres, shall be permitted to encroach into an interior garage parking space.

Notwithstanding the provisions of Section 4.13.1 “Special Setbacks – Daylight Triangles” and Paragraphs a) and d) of Subsection 4.19 “Yard Encroachments”, the following shall apply:

(a) Sills, belt courses, cornices, chimney breasts, decorative brick facing or pilasters, which may project into any required yard a distance of not more than 0.5 metres.

(b) Canopies and decks, including a cold cellar underneath same, may project into any required front yard 1.5 metres. Canopies and decks may project into any required rear yard not more than 4 metres. Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.

(c) Unenclosed porches may project into a required front yard a distance of not more than 3.0 metres and into a required flankage yard a distance of not more than 1.8 metres, exclusive of eaves and gutters.

(d) Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundations walls; and, 0.0 metres for eaves or gutters.

(e) Bay windows, either with or without foundations, may project into a required front, rear, or flankage yard not more than 0.9 metres.

(f) Balconies may project into any required front yard a distance of not more than 2.0 metres.

In addition to the regulations of Subsections 4.19 “Yard Encroachments”, the following encroachments shall be permitted:

(a) Stairs may project into a required front yard not more than 4.5 metres.

By-law 20-152
By-law 23-036
(H REMOVAL)

R4-36 1218 and 1226 Barton Street, 1219 Highway No. 8, Schedule "A", Map No. 8 (Blocks 4 and 5)

All provisions of the “R4-35” Zone provisions in Section 2 above shall also apply on those lands zoned “R4-36” by this By-law.

In addition to Subsection 6.5.3 of Section 6.5, Single Residential “R4” Zone and Subsection 6.5.7, "Special Exemptions" of Section 6.5, Single Residential “R4-35” Zone, Modified, on those lands zoned “R4-36” by this By-law, the following shall apply:

(i) The maximum width of a driveway and the maximum interior width of an attached garage or an attached carport shall not be more than 4.5 metres.

By-law 20-152

R4-37 1218 and 1226 Barton Street, 1219 Highway No. 8, Schedule "A", Map No. 8 (Block 6)

All provisions of the "R4-35" Zone provisions in Section 2 above shall also apply on those lands zoned "R4-37" by this By-law.

In addition to the uses permitted in Subsection 6.5.2 of Section 6.5, Single Residential "R4" Zone, those lands zoned "R4-37" may also be used for a storm water management pond.

By-law 24-017-OLT

R4-37 "R4-38" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Blocks 11 and 12)

Notwithstanding the provisions of Paragraphs (c), (d), (e), and (g) of Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, on those lands zoned "R4-38" by this By-law, the following shall apply:

(a)	Minimum Front Yard	3.5 metres to the dwelling, except 6.0 metres to an attached garage
(b)	Minimum Side Yard	1.2 metres on the side with the garage and 0.6 metres on the other side.
(c)	Minimum Rear Yard	6.0 metres
(d)	Maximum Lot Coverage	62 percent

In addition to Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, those lands zoned "R4-38" by this By-law shall not apply to corner lots.

SECTION 6.6 RESIDENTIAL "R5" ZONE

6.6.1 Scope

No person shall within any Residential "R5" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.6.2 Permitted Uses For Each Lot

(a) A semi-detached dwelling

By-law 4200-95

(b) A Home Occupation

(c) Uses, buildings or structures accessory to a permitted use

By-law 22-196

(d) In addition to the uses permitted in Section 6.6.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Duplex
2. Street Townhouses

6.6.3 Zone Regulations For The Use Permitted Under Section 6.6.2 (a)

By-law 22-196

(a) Minimum Lot Area

1. Undivided Semi-Detached Lot

Interior Lot	-	600 square metres
Corner Lot	-	650 square metres

2. Divided Semi-Detached Lot

Interior Lot	-	300 square metres
Corner Lot	-	350 square metres

(b) Minimum Lot Frontage

1. Undivided Semi-Detached Lot

Interior Lot	-	18 metres
Corner Lot	-	19.5 metres

2. Divided Semi-Detached Lot

Interior Lot	-	9 metres
Corner Lot		10.5 metres

(c) Minimum Front Yard - 6 metres

(d) Minimum Side Yard - No part of any dwelling shall be located closer

than 1.25 metres except as provided in clauses 1, 2, 3 and 4 below:

By-law 3863-93

1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and
3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.
4. No side yard is required along the common wall separating the two dwelling units.

(e) Minimum Rear Yard - 7.5 metres

By-law 5068-00 (f) Maximum Building Height - 11 metres

(g) Maximum Lot Coverage - 40 percent

6.6.3.1 Zone Regulations For Uses Permitted Under Section 6.6.2 (d)

By-law 22-196

(a) Duplex dwellings shall comply with the provisions of Section 6.7.3 (c), 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.

(b) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.6.4 Regulations For Parking For The Use permitted Under Section 6.6.2 (a)

By-law 22-196

Minimum number of parking spaces - 2 per dwelling unit of which only one per dwelling unit may be provided in the required front yard. Tandem parking is permitted.

6.6.5 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.6.5.1 Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.

6.6.5.2 Regulations for Converted Dwellings

By-law 22-196

Converted dwellings are permitted in accordance with Section 6.1.7.3.

6.6.6 Semi-detached Dwelling Units Connected Below Ground Only

Notwithstanding the definition of a semi-detached dwelling unit in this By-law all semi-detached dwelling units which are connected below ground only and which existed on the date of passage of this By-law shall be deemed to conform to the provisions of this By-law.

6.6.7 Special Exemptions

R5 - 1 Bayview Estates Lands, Registered Plan No. 62M-645, Schedule "A", Map No. 2

Notwithstanding the definition of a semi-detached dwelling unit of this By-law, on those lands zoned "R5-1" by this By-law, the units may be connected below ground only. Notwithstanding the provisions of paragraph (a) of Section 6.6.3 of the Residential "R5" Zone, on those lands zoned "R5-1" by this By-law, the minimum lot area shall be 600 square metres and the minimum lot area for any semi-detached lot which has been divided for the purpose of individual ownership shall be 300 square metres.

By-law 5042-99
By-law 4001-94

R5 - 2 Blocks 149 to 152, Registered Plan No. 62M-725, Dalegrove Crescent, Schedule "A", Map No. 15

Notwithstanding the provisions of paragraph (a) of Section 6.6.3 of the Single Residential "R5" Zone, on those lands zoned "R5-2" by this By-law, the minimum lot area for a divided lot shall be 275 square metres.

Notwithstanding the definition of "Dwelling - Semi-detached" on those lands zoned "R5-2" by this By-law, a pair of dwelling units attached horizontally or in part above or below grade may be permitted.

By-law 5099-00

R5 - 3 Southwest Corner of Upper Centennial Parkway and Highgate Drive, Schedule "A", Map No. 16

Repealed by By-law No. 5099-00.

R5 - 4 Northwest Corner of Dewitt Road and Salina Place, Schedule "A", Map No. 10

Deleted by By-law No. 5196-00 (See General Commercial "GC-48" Zone)

By-law 4001-94

R5 - 5 Lots 122 to 130 and 135 to 146, Registered Plan No. 62M-725, Dalegrove Crescent, Schedule A, Map No. 15

Notwithstanding the definition of "Dwelling - Semi-detached" on those lands zoned "R5-5" by this By-law, a pair of dwelling units attached horizontally or in part above or below grade may be permitted.

By-law 4915-99
OMB Order
Nov. 4, 1999

R5 – 6 Part of Lot 2, Broken Front Concession, Schedule A, Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (f) and (g) of Section 6.6.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "R5-6" by this By-law, the following shall apply:

(a) Minimum Lot Area

1. Undivided Semi-Detached Lot

Interior Lot	-	400 square metres
Corner Lot	-	440 square metres

2. Divided Semi-Detached Lot

Interior Lot	-	180 square metres
Corner Lot	-	200 square metres

(b) Minimum Lot Frontage

1. Undivided Semi-Detached Lot

Interior Lot	-	18 metres
Corner Lot	-	19.3 metres

2. Divided Semi-Detached Lot

Interior Lot	-	7.5 metres
Corner Lot		9 metres

(c) Minimum Front Yard - 3 metres, except 5.8 metres to an attached garage or attached carport

Maximum Front Yard - 4.5 metres, except 6.3 metres to an attached garage or attached carport.

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.2 metres except as provided in clauses (i), (ii) and (iii) below:

(i) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(ii) On a corner lot, the side yard abutting the flankage lot line shall be a minimum of 3 metres and a maximum of 4.5 metres, except that an attached garage or attached carport shall not front on the flankage street.

(iii) No side yard is required along the common wall separating the two dwelling units.

(e) Minimum Rear Yard - 7 metres

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 “Yard Encroachments”, porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 “Special Setbacks – Daylight Triangles” and paragraphs (b) and (d) of Section 4.19.1 – “Yard Encroachments - General Application” the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law No. 5228-00

Notwithstanding Section 6.6.2 of the Residential "R5" Zone, a single detached dwelling shall be a permitted use in accordance with the regulations of Section 6.5, Single Residential "R4" Zone, except as follows:

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (f) and (g) of Section 6.5.3 “Zone Regulations” of Zoning By-law No. 3692-92, on those lands zoned “R5-6” by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot	-	210 square metres
Corner Lot	-	240 square metres

(b) Minimum Lot Frontage

Interior Lot	-	9 metres
Corner Lot	-	10 metres

(c) Minimum Front Yard - 3 metres, except 5.8 metres to an attached garage or attached carport.

Maximum Front Yard - 4.5 metres, except 6.3 metres to an attached garage or attached carport.

(d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in clauses (i), (ii) and (iii) below:

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be .6 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres and a maximum of 4.5 metres, except that an attached garage or attached carport shall not front on the flankage street.

(e) Minimum Rear Yard - 7 metres
(f) Maximum Building Height - 12.6 metres
(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 “Yard Encroachments”, porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1, "Special Setbacks - Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1, "Yard Encroachments - General Application" the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 03-027 Notwithstanding the provisions of paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "R5-6" by this By-law, the following shall apply: One parking space within a private residential garage shall not be less than 2.7 metres in width or less than 5.8 metres in length.

By-law 5031-99 **R5 – 7 Part of Lot 18, Concession 2, Schedule “A”, Map No. 6**

By-law 02-024 In addition to the uses permitted in Section 6.6.2 of the Residential “R5” Zone of Zoning By-law No. 3692-92, a single detached dwelling may also be permitted in accordance with paragraphs (c), (d)(i) and (ii), (f) and (g) of the “R5-7” Zone.

By-law 02-024 Notwithstanding the provisions of paragraphs (a) and (b) of Subsection 6.6.3 of the Residential “R5” Zone, the minimum lot frontage for a single detached dwelling shall be nine (9) metres for an interior lot and ten (10) metres for a corner lot. The minimum lot area shall be two hundred and ten (210) square metres for an interior lot and two hundred and forty (240) square metres for a corner lot.

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (f) and (g) of Section 6.6.3 “Zone Regulations” of Zoning By-law No. 3692-92, on those lands zoned “R5-7” by this By-law, the following shall apply:

(a) Minimum Lot Area

1. Undivided Semi-Detached Lot

Interior Lot	-	430 square metres
Corner Lot	-	460 square metres

2. Divided Semi-Detached Lot

Interior Lot	-	180 square metres
Corner Lot	-	200 square metres

(b) Minimum Lot Frontage

1. Undivided Semi-Detached Lot

Interior Lot	-	18 metres
Corner Lot	-	19.2 metres

2. Divided Semi-Detached Lot

Interior Lot	-	7.5 metres
Corner Lot		8.7 metres

(c) Minimum Front Yard - 3 metres, except 5.3 metres to an attached garage or attached carport

(d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.2 metres to a side lot line except as provided in clauses (i), (ii) and (iii) below:

(i) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 2.4 metres; and

(ii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 2.4 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 5.8 metres of the flankage lot line.

(iii) No side yard is required along the common wall separating the two dwelling units.

(f) Maximum Building Height - 12.6 metres

(g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 “Yard Encroachments”, porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

By-law 13-130
(OMB Approval)

R5-11 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding the uses permitted in Section 6.6.2 of the Residential "R5" Zone, Single Detached Dwellings shall also be permitted on those lands zoned "R5-11". The provisions of Sections 6.6.3, 6.6.4, and 6.6.5 of Zoning By-law No. 3692-92, shall also apply to Single Detached Dwellings on those lands zoned "R5-11" by this By-law.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments", the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and 0.0 metres for eaves and gutters.

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d 3.), (e), and (g) of Section 6.6.3, of Zoning By-law No. 3692-92, on those lands zoned "R5-11" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	(1) Undivided Semi- Detached Lot: 480. m., except 520 sq. m. for a corner lot.
		(2) Divided Semi-Detached Lot: 240 sq. m., except 280 sq. m. for a corner lot.
		(3) Single Detached Dwelling: 275 sq. m., except 340 sq. m. for a corner lot.
(b)	Minimum Lot Frontage:	Single Detached Dwelling: 9.5m, except 12.5m for a corner lot. Semi-Detached Dwelling: the provisions of Section 6.6.3 shall apply.
(c)	Minimum Front Yard:	Single Detached Dwellings and Semi-Detached Dwellings: 4.5m to the dwelling, except 6.0m to an attached garage.

(d)	Minimum Side Yard:	Single Detached Dwellings and Semi-Detached Dwellings: on a corner lot, the minimum side yard abutting the flankage lot line shall be 2.0m, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 4.5m for the flankage lot line.
(e)	Minimum Rear Yard:	Single Detached Dwellings and Semi-Detached Dwellings: 7.0m.
(g)	Maximum Lot Coverage:	Single Detached Dwellings and Semi-Detached Dwellings: N/A.

By-law 04-279
OMB Order 2327
Sept. 2, 2005

R5 - 8 143 Green Road, Schedule A, Map No. 6

Notwithstanding the provisions of Paragraph (b), of Section 6.6.3 of the "Zone Regulations" of the Residential "R5" Zone on those lands zoned "R5-8" by this By-law, the following shall apply.

(b) Minimum Lot Frontage

1. Undivided Semi-Detached Lot - 15 metres
2. Divided Semi-Detached Lot - 7.5 metres

By-law 05-007

R5 – 9 Part of Lots 11 and 12, Broken Front Concession, Schedule A, Map No. 2

In addition to the regulations of Section 4.19 "Yard Encroachments", porches and balconies, including porch foundation walls, may project 1.5 metres into the required flankage yard. All other provisions of the "R5-6" Zone shall apply.

By-law 10-320 (OMB)
By-law 20-082-LPAT

R5-10 198 First Road West, Schedule "A", Map No. 16

Notwithstanding the provisions of Paragraphs (a) and (b) of Subsection 6.6.3 of the Single Residential "R5" Zone, on those lands zoned "R5-10" by this By-law, the following shall apply:

(a) Minimum Lot Area

2. Divided Semi-Detached Lot
Interior Lot - 190 square metres

Modified by

By-law 20-082-LPAT

Corner Lot - 290 square metres

(b) Minimum Lot Frontage

2. Divided Semi-Detached Lot

Interior Lot - 6.5 metres
Corner Lot - 8.5 metres

SECTION 6.7 RESIDENTIAL "R6" ZONE

6.7.1 Scope

No person shall within any Residential "R6" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

6.7.2 Permitted Uses For Each Lot

(a) A single detached dwelling

(b) A semi-detached dwelling

(c) A duplex

By-law 4200-95 (d) A Home Occupation

(e) Uses, buildings or structures accessory to a permitted use

By-law 22-196 (f) In addition to the uses permitted in Section 6.7.2 (a), (b), (c), (d), and (e), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional use is permitted:

1. Street Townhouses

6.7.3 Zone Regulations

(a) One Single Detached Dwelling

1. Minimum Lot Area

Interior Lot	- 310 square metres
Corner Lot	- 400 square metres

2. Minimum Lot Frontage

Interior Lot	- 10 metres
Corner Lot	- 13 metres

3. Minimum Front Yard - 6 metres

4. Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses (i), (ii) and (iii) below:

By-law 3863-93 (i) An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

(ii) On an interior lot, where no attached garage or attached

carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

5. Minimum Rear Yard - 7.5 metres

By-law 5068-00

6. Maximum Building Height - 11 metres

7. Maximum Lot Coverage - 40 percent

By-law 4513-97

(b) A Semi-Detached Dwelling

1. Minimum Lot Area

(i) Undivided Semi-Detached Lot

Interior Lot - 600 square metres

Corner Lot - 650 square metres

(ii) Divided Semi-Detached Lot

Interior Lot - 300 square metres

Corner Lot - 350 square metres

2. Minimum Lot Frontage

(i) Undivided Semi-Detached Lot

Interior Lot - 18 metres

Corner Lot - 19.5 metres

(ii) Divided Semi-Detached Lot

Interior Lot - 9 metres

Corner Lot - 10.5 metres

3. Minimum Front Yard - 6 metres

4. Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses (i), (ii), (iii) and (iv) below:

By-law 3863-93

(i) An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall

be 3 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(iv) No side yard is required along the common wall separating the two dwelling units.

5. Minimum Rear Yard - 7.5 metres

By-law 5068-00

6. Maximum Building Height - 11 metres

7. Maximum Lot Coverage - 40 percent

(c) A Duplex Dwelling

1. Minimum Lot Area

Interior Lot	-	460 square metres
Corner Lot	-	505 square metres

2. Minimum Lot Frontage

Interior Lot	-	15 metres
Corner Lot	-	16.5 metres

3. Minimum Front Yard - 6 metres

4. Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses (i), (ii) and (iii) below:

By-law 3863-93

(i) An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

5. Minimum Rear Yard - 7.5 metres

By-law 5068-00

6. Maximum Building Height - 11 metres
7. Maximum Lot Coverage - 40 percent

By-law 522-196 (d) A Street Townhouse

The use shall comply with the provisions of Sections 6.9.3, 6.9.4 and 6.9.5, and 6.9.5.1.

6.7.4 Regulations For Parking For the Uses Permitted in Section 6.7.2 (a), (b), and (c)

Minimum number of parking spaces - 2 per dwelling unit of which only one per dwelling unit may be provided in the required front yard. Tandem parking is permitted.

6.7.5 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.7.6 Regulations For Home Occupations

Home occupations are permitted in accordance with Section 4.8.

6.7.6.1 Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.

By-law 22-196

6.7.6.2 Regulations For Converted Dwellings

Converted dwellings are permitted in accordance with Section 6.1.7.3.

6.7.7 Special Exemptions

OMB Order #0462 March 28, 2001

R6 - 1 38 Blenheim Street, Schedule "A", Map No. 6

By-law 08-093

Removal of "H"

In addition to the provisions of Subsection 6.7.2, "Permitted Uses", of the Residential "R6" Zone, those lands zoned "R6-1" by this by-law, may also be used as a triplex dwelling.

Notwithstanding the provisions of paragraph 4 of Subsection 6.7.3 of the Residential "R6" Zone, the minimum northerly side yard shall be 1.5 metres and the minimum southerly side yard shall be 1 metre.

Notwithstanding the provisions of Subsection 6.7.4, Regulations for Parking, of the Residential "R6" Zone, a minimum of 5 parking spaces shall be

provided.

By-law 03-050

R6 - 2 Galileo Drive and Pisa Drive, Schedule "A", Map No. 2

Notwithstanding Section 6.7.2 of Zoning By-law No. 3692-92, the permitted uses for each lot on these lands shall only include the following:

(a) Single detached dwellings and
semi-detached dwellings fronting onto a private road.

(b) A single detached dwelling

(c) A semi-detached dwelling

Notwithstanding the provisions of Paragraphs (a) and (b) of Section 6.7.3 of Zoning By-law No. 3692-92, the total number of dwelling units permitted on the lands zoned “R6-2” shall be 57.

Notwithstanding the provisions of Paragraphs (a) and (b) of Section 6.7.3 of Zoning By-law No. 3692-92, the following regulations shall apply to single detached dwellings and semi-detached dwellings fronting onto a private road:

1. Minimum Lot Area: - 3,600 square metres
2. Minimum Lot Frontage: - 35.0 metres
3. Minimum Yard Abutting a Street: - 3.0 metres
4. Minimum Side Yard: - 7.5 metres
5. Minimum Rear Yard: - 3.0 metres
6. Minimum Distance Between Buildings on the Same Lot:
   2.4 metres between end walls, and 11.0 metres between an end wall and a rear wall or front wall.
7. Minimum Distance Between a Front Wall and an Internal Driveway: 3.5 metres, except 5.8 metres to an attached garage or carport.
8. Maximum Building Height: - 11.0 metres
9. Maximum Lot Coverage: - 35 percent
10. Privacy Area:
    Notwithstanding the yard requirements above, each dwelling unit shall have at least one (1) area, which serves as a privacy area, which shall be adjacent to the dwelling and shall have a minimum depth of 4.5 metres.
11. Minimum Landscaped Open Space:
    a. Not less than forty-five percent (45%) of the lot area shall be landscaped, including privacy areas.
    b. Not less than 1.5 metres of landscaped strip shall be provided between any privacy area and any lot line.
    c. A landscaped strip, having a minimum width of 3.0 metres, shall be provided adjacent to every portion of any lot that abuts a street, except for points of ingress and egress.

12. Minimum Number of Parking Spaces:
    Two (2) parking spaces and 0.5 visitor parking spaces for each dwelling unit. Tandem Parking is permitted for non-visitor parking spaces.

Notwithstanding the provisions of Paragraphs (a)(1)(3)(4)(5) and (7) of Section 6.7.3 of Zoning By-law No. 3692-92, the following regulations shall apply to a single detached dwelling:

1. Minimum Interior Lot Area: - 290 square metres
2. Minimum Front Yard: - 4.5 metres, except 5.8 metres to an attached garage or carport
3. Minimum Side Yard:
   No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except that where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 3.0 metres.
4. Minimum Rear Yard: - 7.0 metres
5. Maximum Lot Coverage: - 50 percent

Notwithstanding the provisions of Paragraphs (b)(1)(2)(3)(4)(5) and (7) of Section 6.7.3 of Zoning By-law No. 3692-92, the following regulations shall apply to a semi-detached dwelling:

1. Minimum Interior Lot Area Undivided Semi-Detached Lot: - 410 square metres
2. Minimum Interior Lot Area Divided Semi-Detached Lot: - 205 square metres
3. Minimum Interior Lot Frontage Undivided Semi-Detached Lot: - 15.2 metres
4. Minimum Interior Lot Frontage Divided Semi-Detached Lot: - 7.6 metres
5. Minimum Front Yard: - 4.5 metres, except 5.8 metres to an attached garage or carport
6. Minimum Side Yard:
   No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except that where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 3.0 metres; no side yard is required along the common wall separating the two dwelling units.
7. Minimum Rear Yard: - 7.0 metres
8. Maximum Lot Coverage: - 50 percent

By-law 04-195 **R6 - 3 241 Crompton Way, Schedule "A", Map No. 6**

Notwithstanding the provisions of Paragraphs (b) 3., (b) 4., (b) 5., and (b) 6. of

Section 6.7.3 of the Residential "R6" Zone, for those lands zoned "R6-3" by this By-law, the following shall apply:

(b) 3. Minimum Front Yard – 3 metres, except 5.8 metres to an attached garage or an attached carport

(b) 4. Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in clauses (i), (ii), (iii) and (iv) below:

(i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport shall be 1.2 metres except for a side yard which abuts a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres;

(iii) On a corner lot, the minimum side yard abutting a flankage lot line shall be 3 metres, except that an attached garage or attached carport, which fronts on the flankage street, shall not be located within 5.5 metes of the flankage lot line; and,

(iv) No side yard is required along the common wall separating the two units.

(b) 5. Minimum Rear Yard – 6 metres, except 7.5 metres to an attached garage or an attached carport.

(b) 6. Maximum Building Height – One Storey

By-law 08-207

R6 - 4 Highland Road West, Part of Lot 28, Concession 7, Schedule "A", Map No. 6

Notwithstanding the provisions of Paragraphs (4) and (7) of Subsection 6.7.3 (b) of the Single Residential “R6” Zone, on those lands zoned “R6-4” by this By-law, the following shall apply:

4. Minimum Side Yard - No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in Clauses (i), (ii), (iii), (iv) and (v) below:

(i) An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

(ii) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3.0 metres; and,

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3.0 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(iv) No side yard is required along the common wall separating the two dwelling units.

(v) Where there is no common wall separating the two dwelling units, the minimum side yard shall be 0.6 metres, provided that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots.

7. Maximum Lot Coverage – N/A

By-law 10-027

R6 - 5 311 and 321 Frances Avenue, Schedule "A", Map No. 1

Notwithstanding the provisions of Subsection 6.7.2 of the Residential "R6" Zone, Street Townhouses shall also be permitted on those lands zoned "R6-5" by this By-law.

Notwithstanding the provisions of Subsection 6.7.3 of the Residential "R6" Zone, on those lands zoned "R6-5" by this By-law, the following shall apply:

(a) One Single Detached Dwelling:

1. Minimum Lot Area
   Interior - 219 square metres
   Corner - 336 square metres

2. Minimum Lot Frontage
   Interior - 7.3 metres
   Corner - 11.2 metres

3. Maximum Front Yard - 5.0 metres, except a minimum of 5.8 metres to a garage

4. Minimum Side Yard - No part of a dwelling shall be located closer than 0.6 metres, except as provided in clause (i) below:

   (i) on a corner lot, the mini- mum side yard abutting the flankage lot line shall be 1.2

metres to the main building or detached garage.

5.	Minimum Rear Yard	-	0.6 metres to a detached garage
6.	Maximum Building Height	-	11.0 metres
7.	Maximum Lot Coverage	-	None
8.	Minimum Outdoor Privacy	-	30 square metres with no dimension less than 5 metres, not including a driveway

(b) Semi-Detached Dwelling:

1. Minimum Lot Area

	Interior	-	201 square metres
	Corner	-	318 square metres
2.	Minimum Lot Frontage Interior	-	6.7 metres
3.	Maximum Front Yard	-	5.0 metres, except a minimum of 5.8 metres to a garage
4.	Minimum Side Yard	-	No Part of a dwelling shall be located closer than 0.6 metres, except as provided in clause (i) below: (i) on a corner lot, the minimum side yard abutting the flankage lot line shall be 1.2 metres to the main building or detached garage
5.	Minimum Rear Yard	-	0.6 metres to a detached garage
6.	Maximum Building Height	-	11.0 metres
7.	Maximum Lot Coverage	-	None
8.	Minimum Outdoor Privacy Area	-	25 square metres with no dimension less than 3.7 metres, not including a driveway

(c) Street Townhouses:

1.	Minimum Lot Area	-	183 square metres
2.	Maximum Front Yard	-	5.0 metres, except a minimum of 5.8 metres to a garage
3.	Minimum Side Yard	-	No part of a dwelling shall be located closer than 0.6 metres, except as provided in clause (i) below: (i) on a corner lot, the minimum side yard abutting the flankage lot line shall be 1.2 metres to the main building or detached garage.
5.	Minimum Rear Yard	-	0.6 metres to a detached garage
6.	Maximum Building Height	-	12 metres
7.	Maximum Lot Coverage	-	None
8.	Minimum Outdoor Privacy Area	-	16.5 square metres with no dimension less than 2.8 metres, not including a driveway

9.	Minimum Density	- The minimum density for those lands zoned "R6-5" by this By-law shall be 23 units

Notwithstanding the definition of "Highway" in Section 2 "Definitions" of Zoning By-law No. 3692-92, on those lands zoned "R6-5" by this By-law, a private road/condominium road shall be considered to be a street.

By-law 12-161

R6-6 220 Mud Street West, Schedule "A", Map No. 10

Notwithstanding the provisions of Paragraphs 1., 2., 3., 4., 5., and 6., of Sub-section 6.7.3(b) of the Residential "R6" Zone, on those lands zoned "R6-6" by this By-law, the following shall apply:

1.	Minimum Lot Area:	380 square metres for an undivided semi-detached lot and 190 square metres for a divided semi-detached lot.
2.	Minimum Lot Frontage:	15 metres for an undivided semi-detached lot and 7.5metres for a divided semi-detached lot.
3.	Minimum Front Yard:	4.5 metres to the dwelling, except 6.0 metres to an attached garage.
4.	Minimum Side Yard:	1.2 metres on the side of the dwelling not attached by the common wall separating the two dwelling units.
5.	Maximum Lot Coverage:	N/A.
6.	Minimum Rear Yard:	7.5 metres, except 7.0 metres where the lot depth is 27.2 metres or less.

Notwithstanding Sub-section 4.13.1 "Daylight Triangles" of Section 4.13 "Special Setbacks", permit a minimum yard of 1.0m from the hypotenuse of a daylight triangle.

In addition to the regulations of Sub-section 4.19 "Yard Encroachments", the following encroachments shall be permitted:

a) Covered porches may project into any required front yard a distance of not more than 3.0 metres;

b) Bay windows, either with or without foundations, may project into any required front and/or rear yards a distance of not more than 0.9 metres; and,

c) Stairs may project into any required front yard a distance of not more than

4.5 metres.

By-law 18-331 **"R6-7" 1215 Barton Street, Schedule "A" Map No. 3**

(i) Notwithstanding the provisions of Paragraphs 1., 5., and 7., of Subsection 6.7.3 (a) and Paragraphs 1. (ii), 4., 5., and 7., of Subsection 6.7.3 (b) of the Residential "R6" Zone, on those lands zoned "R6-7" by this By-law, the following shall apply:

(a) One Single Detached Dwelling

1. Minimum Lot Area Corner Lot	- 379 sq m
5. Minimum Rear Yard	- 6.4 m
7. Maximum Lot Coverage	- 42%

(b) Semi-Detached Dwelling

1. Minimum Lot Area (ii) Divided Semidetached	
Interior Lot	- 243 sq m
4. Minimum Side Yard	- No part of any dwelling shall be located closer than 1.2 m except as provided in clauses (i), (ii), (iii), and (iv) of Paragraph 4 of Subsection 6.7.3 (b) of By-law No. 3692-92.
5. Minimum Rear Yard	- 6.4 m
7. Maximum Lot Coverage	- 46.3%

SECTION 6.8 MULTIPLE RESIDENTIAL "RM1" ZONE

6.8.1 Scope

No person shall within any Residential "RM1" Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

6.8.2 Permitted Uses For Each Lot

(a) A Single Detached Dwelling

(b) A Semi-Detached Dwelling

(c) A Duplex

(d) A Triplex

(e) A Fourplex

By-law 22-196 (f) (Deleted).

(g) A Type A or Type B Boarding Houses

By-law 4200-95 (h) A Home Occupation

(i) Uses, buildings or structures accessory to a permitted use

By-law 22-196 (j) In addition to the uses permitted in Section 6.8.2 (a), (b), (c), (d), (e), (g), (h), and (i), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional use is permitted:

1. Street Townhouses

6.8.3 Zone Regulations

(a) One Single Detached Dwelling

1. Minimum Lot Area

Interior Lot	-	460 square metres
Corner Lot	-	505 square metres

2. Minimum Lot Frontage

Interior Lot	-	15 metres
Corner Lot	-	16.5 metres

3. Minimum Front Yard - 6 metres

4. Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses (i), (ii) and

(iii) below:

By-law 3863-93

(i) An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

5. Minimum Rear Yard - 7.5 metres

By-law 5068-00

6. Maximum Building Height - 11 metres

7. Maximum Lot Coverage - 40 percent

8. Minimum Number of Parking Spaces - 2 per dwelling of which only one may be provided in the required front yard. Tandem parking is permitted.

9. Home Occupations are permitted in accordance with Section 4.8.

(b) A Semi-Detached Dwelling

1. Minimum Lot Area

(i) Undivided Semi-Detached Lot

Interior Lot - 600 square metres

Corner Lot - 650 square metres

(ii) Divided Semi-Detached Lot

Interior Lot - 300 square metres

Corner Lot - 350 square metres

2. Minimum Lot Frontage

(i) Undivided Semi-Detached Lot

Interior Lot - 18 metres

Corner Lot - 19.5 metres

(ii) Divided Semi-Detached Lot

Interior Lot	-	9 metres
Corner Lot	-	10.5 metres

3. Minimum Front Yard - 6 metres

4. Minimum Side Yard - 1.25 metres except as provided in clauses (i), (ii), (iii) and (iv) below:

By-law 3863-93

(i) An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

(ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

(iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

(iv) No side yard is required along the common wall of the two dwelling units.

5. Minimum Rear Yard - 7.5 metres

By-law 5068-00

6. Maximum Building Height - 11 metres

7. Maximum Lot Coverage - 40 percent

8. Minimum Number of Parking Spaces - 2 per dwelling unit of which only one may be permitted in the required front yard. Tandem parking is permitted.

(c) A Duplex

1. Minimum Lot Area

Interior Lot	-	460 square metres
Corner Lot	-	505 square metres

2. Minimum Lot Frontage

   Interior Lot - 15 metres

   Corner Lot - 16.5 metres

3. Minimum Front Yard - 6 metres

4. Minimum Side Yard - 1.25 metres except as provided in clauses (i), (ii) and (iii) below:

By-law 3863-93

   (i) An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;

   (ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and

   (iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

5. Minimum Rear Yard - 7.5 metres

By-law 5068-00

6. Maximum Building Height - 11 metres

7. Maximum Lot Coverage - 40 percent

8. Minimum Number of Parking Spaces - 2 per dwelling unit of which only one may be provided in the required front yard. Tandem parking is permitted.

(d) A Triplex

1. Minimum Lot Area

   Interior Lot - 550 square metres

   Corner Lot - 600 square metres

2. Minimum Lot Frontage

   Interior Lot - 18 metres

   Corner Lot - 19 metres

3. Minimum Front Yard - 6 metres

4. Minimum Side Yard - 2 metres for a dwelling of less than 2 storeys, and 2.5 metres for a dwelling of 2 storeys or more, however, this may be reduced to 2 metres for a side yard adjacent to an attached garage or attached carport and located on the same lot except as provided in clauses (i) and (ii) below:

   (i) On an interior lot where no attached private garage or attached carport is provided, the minimum side yard on one side shall be 3 metres, and

   (ii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

5. Minimum Rear Yard - 7.5 metres

By-law 4770-98

6. Maximum Building Height - 11 metres, but not exceeding 3 storeys

By-law 3863-93

7. Maximum Lot Coverage - 50 percent

8. Minimum Number of Parking Spaces - 2 per dwelling unit

(e) A Fourplex

1. Minimum Lot Area - 650 square metres

By-law 4770-98

2. Minimum Lot Frontage - 20 metres

3. Minimum Front Yard - 7.5 metres

4. Minimum Side Yard - 2 metres for a dwelling of less than 2 storeys, and 2.5 metres for a dwelling of 2 storeys or more, however, this may be reduced to 2 metres for a side yard adjacent to an attached garage or attached carport and located on the same lot except as provided in clauses (i) and (ii) below:

   (i) On an interior lot where no attached private garage or attached carport is provided, the minimum side yard on one side shall be 3 metres, and

(ii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

5. Minimum Rear Yard - 7.5 metres

By-law 4770-98

6. Maximum Building Height - 11 metres, but not exceeding 3 storeys

7. Maximum Lot Coverage - 40 percent

8. Minimum Number of Parking Spaces - 2 per dwelling unit

By-law 22-138

(f) (Deleted).

By-law 22-196

(g) Type A or Type B Boarding Houses:

1. Minimum Lot Area - 650 square metres

2. Minimum Lot Frontage - 21 metres

3. Minimum Front Yard - 6 metres

4. Minimum Side Yard - 2 metres for a dwelling of less than 2 storeys and 2.5 metres for a dwelling of 2 storeys or more provided, however, that this may be reduced to 2 metres for a side yard adjacent to an attached garage or attached carport and located on the same lot therewith except as provided for in clauses (i) and (ii) below:

(i) On a corner lot the minimum side yard on a flankage lot line shall be 7.5 metres, and

(ii) On an interior lot where no attached private garage or attached carport is provided, the minimum side yard on one side shall be 3 metres.

5. Minimum Rear Yard - 7.5 metres

6. Maximum Building Height - 10.5 metres

7. Maximum Lot Coverage - 35 percent

8. Minimum Number of Parking Spaces - 1 per dwelling unit plus 1 per 18.5 square metres of floor area or part thereof used by boarders, roomers, or guests

(h) Accessory Buildings

Accessory buildings are permitted in accordance with Sections 4.5 and 6.1.4.

By-law 22-196

(i) A Street Townhouse

The use shall comply with the provisions of Sections 6.9.3, 6.9.4 and 6.9.5, and 6.9.5.1.

(j) Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

By-law 22-138

By-law 22-196

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.

By-law 22-196

(k) Regulations For Converted Dwellings

Converted dwellings are permitted in accordance with Section 6.1.7.3.

6.8.4 Special Exemptions

RM1 - 1 Lot 41, Registered Plan No. 811, 25 Lake Avenue Drive, Schedule "A", Map No. 5

By-law 4655-97

In addition to the provisions of Section 6.8.3 of the Multiple Residential "RM1" Zone, on those lands zoned "RM1-1" by this By-law, one accessory building may be used for professional offices and a private garage. Any separate accessory building used for the professional offices shall be located a minimum distance of 42 metres from Lake Avenue Drive, 3 metres from any side lot line, 3 metres from the dwelling and 3 metres from the rear lot line. The maximum building height shall be 4.5 metres for the accessory building and the gross floor area shall not exceed 200 square metres for the professional office use.

By-law 3863-93

RM1 - 2 378 Barton Street, Schedule "A", Map No. 6

In addition to the provisions of Section 6.8.3 of the Multiple Residential "RM1" Zone, on those lands zoned "RM1-2" by this By-law, a landscaped strip having a minimum width of 9 metres shall be provided adjacent to the rear lot line and a landscaped strip having a minimum width of 2 metres shall be provided adjacent to any side lot line.

By-law 03-062

RM1 - 3 24 Lake Avenue Drive, Schedule "A", Map No. 5

1. Notwithstanding the uses permitted in Section 6.8.2 of the Multiple Residential "RM1" Zone, on those lands zoned "RM1-3" by this by-law, a maximum of 7 dwelling units shall be permitted in accordance with the provisions of Subsection 6.8.3 (d).

2. Notwithstanding the provisions of Subsection 6.8.3 (d) 4., a minimum southerly side yard setback of 0.55 metres shall be permitted for a single detached dwelling.

3. Notwithstanding the provisions of Subsection 6.8.3 (d) 8., a minimum of 10 parking spaces, including 1 space in the front yard, shall be provided and maintained.

4. Notwithstanding the provisions of Subsection 6.1.8, paragraphs (c) and (e), parking spaces may be located within 1.95 metres of the southerly side lot line and a two-way driveway may have a minimum width of 5.0 metres.

5. Notwithstanding the provisions of Subsection 6.1.8, paragraph (c), parking spaces may be located within 1.47 metres of the rear lot line.

6. Notwithstanding the provisions of Subsection 4.19.1, paragraph (d), a deck being 0.57 metres in height shall be permitted in the required northerly side yard.

By-law 07-196

RM1-4 1353, 1357, 1427 Baseline Road and 22 Falcon Road, Schedule "A", Map No. 4

Notwithstanding the permitted uses of Subsection 6.8.2, of the Multiple Residential "RM1" Zone, only the following uses shall be permitted:

(a) A Single Detached Dwelling; and,
(b) A Street Townhouse.

Notwithstanding the provisions of Subsection 6.8.3, of the "Zone Regulations" of the Multiple Residential "RM1" Zone, on those lands zoned "RM1-4" by this By-law, the following shall apply:

(a) SINGLE DETACHED DWELLING

1. Minimum Lot Area:

Interior Lot	-	210 square metres
Corner Lot	-	250 square metres

2. Minimum Lot Frontage:

	Interior Lot	-	9 metres
	Corner Lot	-	11 metres
3	Minimum Front Yard	-	3.0 metres; and, 5.8 metres for a garage only.
4.	Minimum Side Yard	-	1.2 metres; except, 0.6 metres on the side with an attached garage.
5.	Minimum Flankage Yard	-	3.0 metres; and, 5.8 metres for a garage only.
6.	Minimum Rear Yard	-	7.0 metres
7.	Maximum Building Height	-	12.5 metres

8. Minimum Number of Parking Spaces - 2 per dwelling of which only one may be provided in the required front yard. Tandem parking is permitted.

9. Home Occupations are permitted in accordance with Section 4.8.

(b) STREET TOWNHOUSE DWELLINGS

1. Minimum Lot Area:

Interior and End Units	-	130 square metres
Corner Unit	-	200 square metres

2. Minimum Lot Frontage:

Interior and End Units	-	5.5 metres
Corner Units	-	7 metres

3.	Minimum Front Yard	-	3.0 metres; and, 5.8 metres for a garage only.
4.	Minimum Side Yard	-	1.2 metres, except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted.
5.	Minimum Flankage Yard	-	minimum 3.0 metres; and, minimum 5.8 metres for a garage only.
6	Minimum Rear Yard	-	7.0 metres
7.	Maximum Building Height	-	12.5 metres

8.	Maximum Number of Units per Building	-	8 townhouse units

Applicable to both (a) and (b):

Notwithstanding clause (a) of Section 4.16.1, unitary equipment may be located not less than 0.6 metres to any side lot line.

In addition to the regulations of Section 4.19, "Yard Encroachments", the following encroachments are permitted:

(a)	Unenclosed Porch into a Front Yard:	-	2.0 metres, including a further encroachment of 0.6 metres for steps
(b)	Unenclosed Porch into a Flankage Yard:	-	2.0 metres, including a further encroachment of 0.6 metres for steps

(c) Chimneys, belt courses, sills, cornices, chimney breasts, decorative brick facing, pilasters, alcoves, fireplaces or other architectural features, with or without foundations may project into any required yard 0.6 metres, to a maximum of half the required yard.

(d) Bay windows and other types of windows, with or without foundation, into a front or rear yard 1.0 metre; and 0.6 metres to a side yard, to a maximum of half the yard.

(e) Balconies into any Yard: - 2.0 metres

Notwithstanding Section 4.13.1 "Special Setbacks - Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments – General Application" the following provision shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundations walls; and, 0.0 metres for eaves or gutters.

SECTION 6.9 MULTIPLE RESIDENTIAL "RM2" ZONE

6.9.1 Scope

No person shall within any Residential "RM2" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.9.2 Permitted Uses For Each Lot

(a) Street Townhouses

By-law 4200-95 (b) A Home Occupation

(c) Uses, buildings or structures accessory to a permitted use

6.9.3 Zone Regulations

(a)	Minimum Lot Area		
	Interior Unit	-	180 square metres
	End Unit	-	240 square metres
	Corner Unit	-	270 square metres
(b)	Minimum Lot Frontage		
	Interior Unit	-	6 metres
	End Unit	-	8 metres
	Corner Unit	-	9 metres
(c)	Minimum Front Yard	-	6 metres
(d)	Minimum Side Yard		
	End Unit	-	2 metres
	Corner Unit	-	3 metres
(e)	Minimum Rear Yard	-	7.5 metres
(f)	Minimum Privacy Area	-	36 square metres per unit
(g)	Minimum Landscaped Open Space	-	30 percent of the lot area which may include the privacy area
By-law 5068-00 (h)	Maximum Building Height	-	11 metres
By-law 3863-93 (i)	Maximum Lot Coverage	-	50 percent
(j)	Maximum Number of Units Per Building	-	8 townhouse units

By-law 3863-93 (k) Notwithstanding clause (a) of Section 4.16.1, unitary equipment may be located not less than 0.5 metres to any side lot line.

6.9.4 Regulations For Parking

(a) Minimum number of parking spaces shall be 2 spaces per dwelling unit.

(b) A maximum of one of the required parking spaces per dwelling unit may be provided in the required front yard. Tandem parking is permitted.

6.9.5 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.9.5.1 Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.

6.9.6 Special Exemptions

RM2 - 1 Lots 1 and Lots 3-16 (Inclusive), Registered Plan Nos. 62M-596 and Blocks 102, 106, 107, 117-124 (Inclusive), Registered Plan No. 62M-645, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraph (e) of Section 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-1" by this By-law, the minimum rear yard shall be 11 metres for a dwelling unit and 5 metres to the deck support. Notwithstanding the definition of landscaping in this By-law, the landscaped strip may include an above-grade deck or patio.

Notwithstanding the provisions of paragraph (a) of Section 4.13.2, Setback from Top of Bank of Lake Ontario Shoreline, on those lands zoned "RM2-1" by this By-law, the minimum setback from the top of the bank of the Lake Ontario shoreline shall be 30 metres to the dwelling unit and 25 metres to the deck support.

By-law 4637-97

RM2 - 2 Margaret Avenue, Schedule “A”, Map No. 6

Notwithstanding the provisions of paragraphs (b), (c), (d) and (j) of Section 6.9.3 on those lands zoned “RM2-2” by this by-law, the minimum lot frontage for the northerly end unit shall be 6.5 metres; the minimum front yard shall be 10 metres except 7.5 metres for the northerly end unit; the minimum side yard for the northerly end unit shall be 1.25 metres; and the maximum number of units shall be three.

By-law 4656-97

RM2 - 3 465 Dewitt Road, Schedule "A", Map No. 1

Notwithstanding the provisions of Section 4.13.2 “Setback From Top Of Bank Of Lake Ontario Shoreline”, the minimum setback from the top of bank shall be 28 metres for those lands zoned Multiple Residential “RM2-3” Zone by this By-law.

By-law 4691-98

RM2 - 4 464 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (b) and (c) of Subsection 6.9.3 and the provisions of paragraph (a) of Subsection 6.1.4, on those lands zoned "RM2-4" by this by-law, the minimum lot frontage for an end unit shall be 7.5 metres and the minimum front yard shall be 4.5 metres. The minimum interior side yard for a detached garage shall be 0.0 metres.

By-law 4915-99
OMB Order #2032
Nov. 4, 1999

RM2 - 5 Part Lot 2, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (h) and (i) of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-5" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	180 square metres
(b)	Minimum Lot Frontage	-	7.5 metres
(c)	Minimum Front Yard	-	3 metres except 5.8 metres to an attached garage or carport
	Maximum Front Yard	-	4.5 metres, except 6.3 metres to an attached garage or attached carport.
(d)	Minimum Side Yard		
	End Unit	-	1.2 metres
	Corner Unit	-	3.0 metres
(e)	Minimum Rear Yard	-	7.0 metres
(h)	Maximum Building Height	-	12.6 metres
(i)	Maximum Lot Coverage	-	None

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments - General Application" the following provision shall apply: Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters

By-law 03-027

Notwithstanding the provisions of paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "RM2-5" by this By-law, the following shall apply: One parking space within a private residential garage shall not be less than 2.7 metres in width or less than 5.8

metres in length.

By-law 4915-99
OMB Order #2032

RM2 - 6 Part Lot 2, Broken Front Concession, Schedule "A", Map No. 4

Nov. 4, 1999

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (h) and (i) of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-6" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	180 square metres
(b)	Minimum Lot Frontage	-	6 metres
(c)	Minimum Front Yard	-	3.0 metres
(d)	Minimum Side Yard		
	End Unit	-	1.2 metres
	Corner Unit	-	3.0 metres
(e)	Minimum Rear Yard	-	5 metres
(h)	Maximum Building Height	-	12.6 metres
(i)	Maximum Lot Coverage	-	None

Notwithstanding the provisions of paragraph (a) of Section 6.1.4 "Accessory Buildings In Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "RM2-6" by this By-law, the minimum interior side yard for a detached garage shall be 0.0 metres. All other regulations of paragraph (a) of Section 6.1.4 shall apply.

By-law 05-080

The provisions of Paragraph (b) of Subsection 6.1.4 "Accessory Buildings in Residential Zones" shall not apply to detached garages abutting a private common element condominium driveway.

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments - General Application" the following provision shall apply: Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

By-law 03-027

Notwithstanding the provisions of paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "RM2-6" by this By-law, the following shall apply: One parking space within a private residential garage shall not be less than 2.7 metres in width or less than 5.8 metres in length.

By-law 5031-99

RM2 - 7 Part of Lot 18, Concession 2, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (f), (g), (h) and (i) of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-7" by this By-law, the following shall apply:

(a)	Minimum Lot Area		
	Interior and End Units	-	180 square metres
	Corner Unit	-	250 square metres
(b)	Minimum Lot Frontage		
	Interior and End Units	-	6 metres
	Corner Unit	-	8.4 metres
(c)	Minimum Front Yard	-	3 metres except 5.3 metres to an attached garage or carport
(d)	Minimum Side Yard		
	End Unit	-	1.2 metres
	Corner Unit	-	2.4 metres
(e)	Minimum Rear Yard	-	5.8 metres
(f)	Minimum Privacy Area	-	25 square metres
(g)	Minimum Landscaped Open Space	-	None
(h)	Maximum Building Height	-	12.6 metres
(i)	Maximum Lot Coverage	-	None

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.

Notwithstanding the provisions of paragraph (a) of Section 6.1.4 "Accessory Buildings In Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "RM2-7" by this By-law, the minimum interior side yard for a detached garage shall be 0 metres. All other regulations of paragraph (a) of Section 6.1.4 shall apply.

By-law 03-320

RM2 - 8(H) North of the North Service Road, Schedule "A", Map No. 3

Deleted by By-law No. 05-181.

By-law 03-320
By-law 05-181

RM2 - 9 North of the North Service Road (West of Watercourse No. 7), Schedule "A", Map No. 3

In addition to the uses permitted in Subsection 6.9.2 of Section 6.9, Multiple Residential "RM2" Zone, those lands zoned "RM2-9" may also be used for a storm water management pond.

By-law 04-173

RM2 - 10 478 Glover Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraph (e) of Section 6.9.3 of the Multiple Residential "RM2" Zone, for those lands zoned "RM2-10" by this By-law, the minimum rear yard shall be 21 metres.

By-law 05-007

RM2 - 11 Part of Lots 11 and 12, Broken Front Concession, Schedule "A", Map No. 2

In addition to the regulations of Section 4.19 "Yard Encroachments", porches and balconies, including porch foundation walls, may project 1.5 metres into the required flankage yard. All other provisions of the "RM2-6" Zone shall apply.

By-law 06-089

RM2 - 12 359 Winona Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Section 4.13.1 and Section 6.9.3 (a) and (b), on those lands zoned "RM2-12" by this By-law, a minimum yard of 1.2 metres from the hypotenuse of the daylight triangle shall be required; a minimum lot area for an interior unit of 170 square metres, and a minimum lot frontage for an interior lot of 5.7 metres shall be permitted. Section 4.13.3 shall not apply.

By-law 06-125

RM2 - 13 360 Barton Street, 4 Hale Street, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (a), Minimum Lot Area, of Subsection 6.9.3, Zone Regulations, of Section 6.9, Multiple Residential "RM2" Zone, on those lands zoned "RM2-13", the following provisions shall apply:

Minimum Lot Area
Interior Unit - 155 square metres
End Unit - 200 square metres
Corner Unit - 270 square metres

By-law 06-190

RM2 - 14 1050 Paramount Drive (Mistywood Drive), Schedule "A", Map No. 10

That the provisions of paragraph (i), Maximum Lot Coverage, of Subsection 6.9.6 Zone Regulations of the Multiple Residential "RM2" Zone shall not apply to those lands zoned "RM2-14" by this By-law.

By-law 08-203

RM2-15(H) Second Street North, Schedule "A", Map No. 5

Notwithstanding the provisions of Paragraphs (a), (b) (c), (d), (h) and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-15" by this By-law, the following shall apply:

(a)	Minimum Lot Area:		
	Interior Unit	-	145 square metres
	End Corner	-	180 square metres
(b)	Minimum Lot Frontage:		
	Interior Unit	-	5 metres
	End Unit	-	6 metres
(c)	Minimum Front Yard	-	6 metres to the face of an attached garage and 4.5 metres to the face of the dwelling
(d)	Minimum Side Yard	-	1.25 metres
(h)	Maximum Building Height	-	13 metres
(i)	Maximum Lot Coverage	-	56%

In addition to the foregoing, on those lands zoned "RM2-15", a minimum front yard landscaped area of 40% for an interior unit and 50% for an end unit, including a walkway of not more than 0.6 metres in width, shall be provided and maintained.

On those lands zoned "RM2-15(H)" by this By-law, the "H" symbol may be removed by a further amendment to this By-law at such time as:

(i) That the owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton, and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, Director of Planning, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton's current RSC administration fee.

(ii) (a) That the owner/applicant submits and receives approval of a

servicing study, to the satisfaction of the Director of Development Engineering; and,

(b) That the owner/applicant enters into and registers an applicable development agreement(s) and posting of appropriate securities to ensure the implementation of the study's recommendation(s) to the satisfaction of the Director of Development Engineering.

City Council may remove the 'H' symbol and, thereby give effect to the "RM2-15" Zone, by enactment of an amending By-law once the above conditions have been fulfilled.

By-law 08-293

RM2-16 Highbury Drive, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e), (f), (g) and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-16" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	-	114 square metres for Interior Lots
		-	153 square metres for End Unit Lots
		-	210 square metres for Corner Lots
(b)	Minimum Lot Frontage:	-	4.5 metres for Interior Lots
		-	6 metres for End Unit Lots
		-	6 metres for Corner Lots
(c)	Minimum Front Yard:	-	4.5 metres to the dwelling
		-	6 metres to the attached garage
(d)	Minimum Side Yard:	-	1.5 metres for End Unit Lots
		-	1.5 metres for Corner Lots
(e)	Minimum Rear Yard:	-	6 metres
(f)	Minimum Privacy Area:	-	27 square metres
(g)	Minimum Landscape Area:	-	26%, which may include privacy area
(i)	Maximum Lot Coverage:	-	53%

By-law 09-073

RM2-17 568 Highway No. 8, Schedule "A", Map No. 7

For the purpose of this by-law, a common element condominium road shall be deemed to be a street.

Notwithstanding the provisions of paragraphs (a), (b), (c) and (d) of Subsection 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-17" by this By-law, the following shall apply:

(a) Minimum Lot Area:
Interior Unit - 165 square metres
End Unit - 200 square metres

(b) Minimum Lot Frontage:

End Unit - 7.5 metres

(c) Minimum Front Yard: - 4.5 metres, except
- 5.8 metres to an attached garage or carport

(d) Minimum Side Yard: - 1.2 metres

In addition to the regulations of Section 4.19 "Yard Encroachments", alcoves may project into any required rear yard and/or side yard of an end unit, a distance of not more than 0.5 metres.

In addition to the regulations of Section 6.93 "Zone Regulations", a landscape strip having a minimum width of 2.5 metres shall be provided and thereafter be maintained along the entire frontage of Highway No. 8, except for points of ingress and egress. An ornamental/decorative entry features(s) may also be permitted with in the required landscape strip.

By-law 09-254

RM2-18 Southeast Corner of Dartmouth Gate and Palacebeach Trail, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (a), (b), (c), (d) and (h) of Section 6.9.3, the following zone regulations shall apply:

(a) Minimum Lot Area: - 175 square metres (all units)

(b) Minimum Lot Frontage: - 6.0 metres (all units)

(c) Minimum Front Yard: - 5.8 metres

(d) Minimum Side Yard: - 1.2 metres (end units)
2.0 metres (corner unit)

(h) Maximum Building Height: - 12.6 metres

In addition to the regulations of Section 4.19 "Yard Encroachments", porches, alcoves, etc., including foundation walls, may project 0.5 metres into any required yard.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 "Yard Encroachments – General Application", the following provision shall apply: Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2.0 metres for a building; 0.5 metres for a porch, including foundation walls; and 0.0 metres for eaves or gutters.

Notwithstanding the provision of paragraphs (a) and (b) of Section 4.10.3 "Dimensions of Parking Spaces" and paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones", the following provision shall apply: Each of the required two (2) parking spaces, including the required parking space within an attached private residential garage, shall not be less than 2.7 metres in width and less than 5.8 metres in length.

An acoustical barrier having a minimum height of 2.0m shall be provided and maintained along the rear and or side lot line abutting a commercial zone.

By-law 10-324 (OMB)

RM2-19 Mud Street, Schedule "A", Map No. 16

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (g), (i), and (j) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-19" by this By-law, the following shall apply:

(a) Minimum Lot Area:

End Lot	-	220 square metres
Corner Lot	-	240 square metres

(b) Minimum Lot Frontage:

End Lot	-	7.2 metres
Corner Lot	-	8.4 metres

(c) Minimum Front Yard - 4.5 metres to a dwelling unit, 6.0

metres to an attached garage

(d)	Minimum Side Yard	-	1.2 metres for End Unit Lots, 2.4 metres for Corner Lots
(g)	Minimum Landscaped Open Space	-	N/A
(i)	Maximum Lot Coverage	-	N/A
(j)	Maximum Number of Units per Building	-	9 Townhouse Units

Notwithstanding the provisions of Subsection 4.13.1, of the "Special Setbacks" Section, on those lands zoned "RM2-19" by this By-law, any corner lot requires a minimum yard of 2.4 metres from the hypotenuse of the daylight triangle.

By-law 10-327 (OMB)

RM2-20 22 Green Mountain Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (g), (h) and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-20" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	150 square metres, except 195 square metres for an end unit, and 240 square metres for a corner unit
(b)	Minimum Lot Frontage	-	5.6 metres per dwelling unit, except 8.0 metres for a corner unit
(c)	Minimum Front Yard	-	4.5 metres to the dwelling, except 6.0 metres to the garage
(d)	Minimum Side Yard	-	1.2 metres, except 2.4 metres to the dwelling and 1.4 metres to the porch for a corner unit
(e)	Minimum Rear Yard	-	7.0 metres
(g)	Minimum Landscaped Open Space	-	25% of the lot area which may include the privacy area
(h)	Maximum Building Height	-	12.5 metres
(i)	Maximum Lot Coverage	-	N/A

Notwithstanding provision b) of Section 4.10.3 "Dimensions of Parking Spaces", on those lands zoned "RM2-20" by this By-law, the following shall apply:

(a) The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs

shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the regulations of Subsection 4.19 "Yard Encroachments", the following encroachments shall be permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.6 metres for a flankage yard;

(b) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres and a flankage yard of not more than 2.4 metres.

RM2-20 22 Green Mountain Road West, Schedule "A", Map No. 11

By-law 15-219

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands identified as Block 2 on Schedule "A" submitted to Council on October 13, 2010 and zoned "RM2-20(H)" by this By-law, the Holding "H" Zone may be removed by City Council and thereby give effect to the "RM2-20" Zone provisions by enactment of an amending By-law upon completion of the following:

(a) The applicant submit a revised Radio Frequency Emission study that addresses the concerns, regarding the identification of the location of antennae, set out in the peer review, by Francois Gauthier (Spectrum Expert Inc. dated September 16, 2010), of various radio frequency emission studies and measurements undertaken by the applicant and others; and,

(b) That Industry Canada complete its measurements of radio frequency electromagnetic fields in the vicinity of the applicants lands and advise that there are no Safety Code 6 issues resulting from the applicant's proposed development and the implementation of the any recommendations by Industry Canada which are applicable to the applicant.

Notwithstanding the above, public uses as per Section 4.17 of Zoning By-law No. 3692-92 shall be permitted.

By-law 11-094 (OMB)

RM2-21 1211, 1217, 1227 and 1239 Barton Street, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g) and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-21" by this By-law, the following shall apply:

(a) Minimum Lot Area:

Interior Unit	-	120 metres
End Unit	-	145 metres
Corner Unit	-	185 metres

(b)	Minimum Lot Frontage	-	4.45 metres per dwelling unit
(c)	Minimum Front Yard	-	4.5 metres to the dwelling, except 6.0 metres to the garage
(d)	Minimum Side Yard:		
	End Unit	-	1.2 metres
	Corner Unit	-	2.4 metres, except 6.0 metres of the flankage street line to an attached garage, which fronts on a flankage street
(e)	Minimum Rear Yard	-	7.0 metres
(f)	Minimum Privacy Area	-	25 square metres
(g)	Maximum Landscaped Open Space	-	N/A
(i)	Maximum Lot Coverage	-	N/A

In addition to the regulations of Subsection 4.19 “Yard Encroachments”, the following encroachments shall be permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

(b) Bay windows, either with or without foundations, may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres.

By-law 10-016

RM2-22 Part of Lot 25, Concession 8, Schedule "A", Map No. 16

Notwithstanding the provisions of Paragraph (d) of Section 6.9.3, "Zone Regulations" of Zoning By-law 3692-92, on those lands zoned "RM2-22" by this by-law, the following shall apply:

(d) Minimum Side Yard – End Unit - 1.8 metres

In addition to provisions of Section 6.9.3, "Zone Regulations" and Section 4.19, "Yard Encroachments" of Zoning By-law No. 3692-92, on those lands zoned "RM2-22" by this By-law, unenclosed porches, bay windows, and side entrances shall be provided and maintained for all corner units.

In addition to the regulations of Section 4.19 "Yard Encroachments", unenclosed porches, including porch foundation walls, may project into any required side yard of a corner unit, a distance of not more than 1.5 metres.

Notwithstanding Section 4.13.1, "Special Setbacks – Daylight Triangles", any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 1.5 metres for an unenclosed porch, including porch foundation walls.

By-law 10-320 (OMB) **RM2-23 198 First Road West, Schedule "A", Map No. 16**

Notwithstanding the provisions of Paragraph (a) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-23" by this By-law, the following shall apply:

(a) Minimum Lot Area

Corner Unit: - 240 square metres

By-law 20-082-LPAT **RM2-23(H) 198 First Road West, Schedule "A", Map No. 16**

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM2-23 (H)" by this By-law, the Holding "H" symbol may be removed by City Council and thereby give effect to the "RM2-23" Zone provisions upon completion of the following:

a) Land assembly with the abutting lands to the east to permit orderly development, to the satisfaction of the City s Director of Planning and Chief Planner, and the Senior Director of Growth Management.

By-law 20-080-LPAT **RM2-23(H1) 165 Upper Centennial Parkway, Schedule "A", Map No. 16**

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM2-23(H1)" by this By-law, the Holding "(H1)" symbol may be removed by City Council and thereby give effect to the "RM2-23" Zone provisions upon completion of the following:

a) Land assembly with the abutting lands to the west to permit orderly development, and confirmation of an adequate level of engineering services to support the uses, to the satisfaction of the City s Director of Planning and Chief Planner, and the Senior Director of Growth Management.

By-law 20-080-LPAT **RM2-23(H2) 165 Upper Centennial Parkway, Schedule "A", Map No. 16**

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM2-23(H2)" by this By-law, the Holding "(H2)" symbol may be removed by City Council and thereby give effect to the "RM2-23" Zone provisions upon completion of the following:

a) Owner shall have entered into a cost sharing agreement with Penta Properties Inc. (Penta) which will require the Owner to pay its proportionate share of the cost of construction of any downstream improvements to the storm conveyance system from downstream outside limit of the storm water management pond block on the adjacent property (198 First Road West), such downstream improvements to include the roadside ditches along Upper Centennial Parkway, Mud Street East including all necessary culvert upgrades and any downstream monitoring and remediation costs required to provide for proper conveyance of the post development drainage from 165 Upper Centennial and 198 First Road West (Paletta). Such costs are to be calculated on a contributory area and percent impervious basis, in respect of costs associated with the land and construction and other reasonable and related costs of the storm water conveyance system net of any monies recoverable from the City of Hamilton. These costs shall be calculated by the engineering consultant for Penta in a timely manner and agreed upon by an engineering consultant retained by the Owner of 165 Upper Centennial Parkway and shall be paid to Penta prior to the lifting of the Hold Symbol. If agreement regarding the costs is not reached, they shall be determined by arbitration pursuant to the *Ontario Arbitration Act*.

By-law 11-094 (OMB)

RM2-24 1211, 1217, 1227 and 1239 Barton Street, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g) and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-24" by this By-law, the following shall apply:

(a) Minimum Lot Area:

Interior Unit	- 120 square metres
End Unit	- 145 square metres
Corner Unit	- 185 square metres

(b)	Minimum Lot Frontage	- 4.45 metres per dwelling unit
(c)	Minimum Front Yard	- 4.5 metres to the dwelling, except 6.0 metres to the garage
(d)	Minimum Side Yard:	
	End Unit	- 1.2 metres, except 7.5 metre where a lot abuts an Industrial Zone
	Corner Unit	- 2.4 metres, except 6.0 metres of the flankage street line to an attached garage, which fronts on a flankage street.
(e)	Minimum Rear Yard	- 7.5 metres
(f)	Minimum Privacy Area	- 25 square metres
(g)	Maximum Landscaped Open Space	- N/A
(i)	Maximum Lot Coverage	- N/A

In addition to the regulations of Subsection 4.19 “Yard Encroachments”, the following encroachments shall be permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

(b) Bay windows, either with or without foundations, may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres

In addition to the regulations of Section 6.9.3 “Zone Regulations”, a landscaped strip having a minimum width of 3.0 metres shall be provided and thereafter be maintained adjacent to every portion of any lot that abuts an Industrial Zone

Notwithstanding the provisions of Section 6.1.4 Paragraph (a) with respect to any yard that abuts an Industrial Zone, accessory buildings or structures shall be permitted a minimum distance of 7.5 metres from any lot line that abuts an Industrial Zone.

By-law 11-091

Repealed by By-law 12-161

RM2-25 North Side of Mud Street, East of Felkers Creek, Schedule "A", Map No. 10

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (h), and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-25" by this By-law, the following shall apply:

(a) Minimum Lot Area - 170 square metres

(b) Minimum Lot Frontage:

Interior Unit	- 6 metres
End Unit	- 6.5 metres
Corner Unit	- 6.5 metres

(c) Minimum Front Yard - 4.5 metres to the dwelling and 6.0 metres to the attached garage

(d) Minimum Side Yard for an End Unit - 1.25 metres

(h) Maximum Height - 3 storeys and the elevation of the peak of the roof shall be a maximum of 203.0 masl.

(i) Maximum Lot Coverage - 55 percent

(l) For the purposes of this special provision, where a lot zoned "RM2-25" is also partially zoned (P5), as per Zoning By-law No. 05-200, the lands zoned (P5) that comprise part of the lot may be used for the calculation of Minimum Lot Area and Minimum Rear Yard.

By-law 10-327 (OMB)

RM2-26 22 Green Mountain Road West, Schedule "A", Map No. 11

In addition to Subsection 6.9.2 "Permitted Uses for Each Lot, the following shall be permitted:

(a) Street Townhouse with a rear garage accessed via a public road

Notwithstanding the definition of "Lot Line – Front" in By-law No. 3692-92, for Block 16 on Schedule "A", "Lot Line – Front" shall be deemed to be from Street "F" and Street "J" as per Draft Plan of Subdivision 25T-200803.

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (g), (h) and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-26" by this By-law, the following shall apply:

(a) Minimum Lot Area - 150 square metres, except 195 square metres for an end unit, and 240 square metres for a corner unit

(b) Minimum Lot Frontage - 5.6 metres per dwelling unit, except 8.0 metres for a corner unit

(c) Minimum Front Yard - 3.5 metres to the dwelling

(d) Minimum Side Yard - 1.2 metres, except;

On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres

(e) Minimum Rear Yard - 1.5 metres to the detached garage and 6.0 metres to the dwelling

(g) Minimum Landscaped Open Space - 25% of the lot area which may include the privacy area

(h) Maximum Height - 12.5 metres

(i) Maximum Lot Coverage - N/A

Notwithstanding provision b) of Section 4.10.3 "Dimensions of Parking Spaces", on those lands zoned "RM2-26" by this By-law, the following shall apply:

The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the regulations of Subsection 4.19 "Yard Encroachments, the following encroachments shall be permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

(b) Bay windows, either with or without foundations, may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres

Notwithstanding the above, uses and standards outlined in the "RM2-20" Zone shall also be permitted in the "RM2-26" Zone.

Notwithstanding the provisions of Paragraphs (a) and (e) of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-27" by this By-law, the following shall apply:

(a) Minimum Lot Area:

Interior Unit	-	159 square metres
End Unit	-	215 square metres
Corner Unit	-	240 square metres

(e) Minimum Rear Yard - 7.1 metres

By-law 11-237

RM2-28 130 and 170 Palacebeach Trail, Schedule "A", Map No. 2

For the purposes of this By-law, a common element condominium road shall be deemed to be a street.

All buildings, structures, required parking areas and stormwater management facilities shall be setback a minimum of 14.0 metres from a Provincial

Highway Right-of-Way.

Notwithstanding the provisions of Paragraphs (a), (b), (d), (e) and (i) of Section 6.9.3 “Zone Regulations” of Zoning By-law No. 3692-92, on those lands zoned “RM2-28” by this By-law, the following shall apply:

(a) Minimum Lot Area:

Interior Unit	- 154 square metres
End Unit	- 206 square metres
Corner Unit	- 215 square metres

(b) Minimum Lot Frontage:

Corner Unit	- 8.4 metres

(d) Minimum Side Yard:

Corner Unit	- 2.0 metres

(e) Minimum Rear Yard - 6.0 metres

(i) Maximum Lot Coverage - 51 percent

In addition to the regulations of 6.9.3 “Zone Regulations”, a minimum of 0.5 visitor parking spaces for each townhouse dwelling unit shall be provided and maintained.

By-law 12-161

RM2-29 220 Mud Street West, Schedule “A”, Map No. 10

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g), (h) and (i) of Sub-section 6.9.3 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-29" by this By-law, the following shall apply:

(a) Minimum Lot Area:

Interior Unit	120 square metres.
End Unit	145 square metres.
Corner Unit	185 square metres.

(b) Minimum Lot Frontage: 4.45 metres per dwelling unit.

(c) Minimum Front Yard: 4.5 metres to the dwelling, except 6.0 metres to the attached garage.

(d) Minimum Side Yard: End Unit or Corner Unit	1.2 metres. 2.4 metres, except 6.0 metres for the flankage street line to an attached garage, which fronts on a flankage street.
(e) Minimum RearYard:	7.5 metres, except 7.0 metres where the lot depth is 27.2 metres or less.
(f) Minimum Privacy Area:	27 square metres.
(g) Minimum Landscaped Open Space:	20 per cent of the lot area, which may include the privacy area.
(h) Maximum Building Height:	3 storeys.
(i) Maximum Lot Coverage:	N/A.

Notwithstanding Sub-section 4.13.1 "Daylight Triangles" of Section 4.13 "Special Setbacks", permit a minimum yard of 1.0m from the hypotenuse of a daylight triangle.

In addition to the regulations of Sub-section 4.19 "Yard Encroachments", the following encroachments shall be permitted:

d) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

e) Bay windows, either with or without foundations, may project into any required front, rear, and/or flankage yards a distance of not more than 0.9 metres; and,

f) Stairs may project into any required front yard a distance of not more than 4.5 metres.

By-law 12-180

RM2-30 120 and 124 King Street West, Schedule "A", Map No. 5

For the purposes of this By-law, for the lands zoned "RM2-30", King Street West shall be considered to be the front lot line, notwithstanding the definition of Lot Through. For the corner lot adjacent to the common element condominium roadway, the only rear lot line shall be the northerly 6.0 metre lot line.

Notwithstanding the provisions of Section 6.9.2 "Permitted Uses" of Zoning By-law No. 3692-92, on those lands zoned "RM2-30" by this By-law, the following additional uses shall be permitted within a street townhouse dwelling, on the ground floor only:

Retail Store
Personal Service Shop
Professional Office

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g), and (i) of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-30" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	163 square metres.
(b)	Minimum Lot Frontage:	
	Corner Unit	7.0 metres.
(c)	Minimum Front Yard:	0.5 metres.
(d)	Minimum Side Yard:	
	End Unit	1.5 metres.
	Corner Unit	0.3 metres.
(e)	Minimum Rear Yard:	7.25 metres.
(f)	Minimum Privacy Area:	15 square metres per unit.
(g)	Minimum Landscaped Open Space	Not applicable.
(i)	Maximum Lot Coverage:	70%.

Notwithstanding the provisions of Section 4.10.9 "Schedule of Minimum Parking Requirements" and Section 6.9.4 "Regulations for Parking" of Zoning By-law No. 3692-92, on those lands zoned "RM2-30" by this By-law, the following shall apply:

(a) A minimum of 2 parking spaces shall be required per unit.

By-law 12-183 **RM2-31 845 & 857 North Service Road, Schedule "A", Map No. 2**

Notwithstanding the provisions of Paragraphs (a), (b), (c), and (d) of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-31" by this By-law, the following shall apply:

(a)	Minimum Lot Area	
	Interior Unit	162 square metres.
	End Unit	202 square metres.
	Corner Unit	220 square metres.
(b)	Minimum Lot Frontage	

End Unit	7.8 metres.
Corner Unit	8.2 metres.
(c) Minimum Front Yard	6.0 metres, except 4.9 metres for a second floor.
(d) Minimum Side Yard	
End Unit	1.2 metres.
Corner Unit	2.0 metres.

By-law 12-183

RM2-32 845 and 857 North Service Road, Schedule "A", Map No. 2

For the purpose of this By-law, a common element condominium road shall be deemed to be a street.

All buildings, structures, required parking areas, and stormwater management facilities shall be setback a minimum of 14.0 metres from a Provincial Highway Right-of-Way.

Notwithstanding the provisions of Paragraphs (a), (b), (c), and (d), of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-32" by this By-law, the following shall apply:

(a) Minimum Lot Area	
Interior Unit	175 square metres.
End Unit	230 square metres.
Corner Unit	220 square metres.
(b) Minimum Lot Frontage	
End Unit	7.8 metres.
Corner Unit	8.3 metres.
(c) Minimum Front Yard	6.0 metres, except 4.9 metres for a second floor.
(d) Minimum Side Yard	
End Unit	1.2 metres.
Corner Unit	1.9 metres.

Notwithstanding the provisions of Section 6.9.4 "Regulations for Parking" of Zoning By-law No. 3692-92, on those lands zoned "RM2-32" by this By-law, the following shall apply:

(c) That a minimum of 24 visitor parking spaces shall be provided and maintained.

Notwithstanding the provisions of Section 4.10.3 "Dimensions of Parking Spaces" and Section 4.10.4 "Requirement for Parking Designated for Vehicles of Physically Challenged" of Zoning By-law No. 3692-92, on those lands zoned "RM2-32" by this By-law, the following shall apply:

Dimensions of Parking Spaces

Parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

Requirement for Parkinq Designated for Vehicles of Physically Challenged

Parking for the physically challenged shall have minimum rectangular dimensions of 4.4 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

By-law 12-183

RM2-33 845 and 857 North Service Road, Schedule "A", Map No. 2

For the purpose of this By-law, a common element condominium road shall be deemed to be a street.

All buildings, structures, required parking areas, and stormwater management facilities shall be setback a minimum of 14.0 metres from a Provincial Highway Right-of-Way.

Notwithstanding the provisions of Paragraphs (c), (d), and (i) of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-33" by this By-law, the following shall apply:

(c) Minimum Front Yard	5.8 metres.
(d) Minimum Side Yard Corner Unit	 2.0 metres.
(i) Maximum Lot Coverage	55 percent.

By-law 13-048

RM2-36 2 Oceanic Drive, Schedule "A", Map No. 1

Notwithstanding the provisions of Paragraph (h), of Section 6.9.3 "Zone Regulations", of Section 6.9, Multiple Residential "RM2" Zone, of Zoning By-law No. 3692-92, on those lands zoned "RM2-36" by this By-law, the following shall apply:

(h) Maximum Building Height:	11 metres or 2 storeys.

By-law 13-130 (OMB Approval)

RM2-37 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments", the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and 0.0 metres for eaves and gutters.

Notwithstanding Section 4.13.3, or any other yard provision of this By-law, the minimum setback from a railway right-of-way shall be 28m in conjunction with a berm.

Notwithstanding the provisions of Paragraphs (c), (d), and (i), of Section 6.9.3 of Zoning By-law No. 3692-92, on those lands zoned "RM2-37" by this By-law, the following shall apply:

(c)	Minimum Front Yard:	4.5m to the dwelling, except 6.0m to an attached garage.
(d)	Minimum Side Yard:	End Unit: 1.2m. Corner Unit: 2.0m.
(i)	Maximum Lot Coverage:	N/A.

By-law 13-130 (OMB Approval)

RM2-38 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments", the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and 0.0 metres for eaves and gutters.

Notwithstanding the provisions of Paragraphs (c), (d), (e) and (i), of Section 6.9.3 of Zoning By-law No. 3692-92, on those lands zoned "RM2-38" by this By-law, the following shall apply:

(c)	Minimum Front Yard:	4.5m to the dwelling, except 6.0m to an attached garage.
(d)	Minimum Side Yard:	End Unit: 1.2m.

		Corner Unit: 2.0m.
(e)	Minimum Rear Yard:	7.0m.
(i)	Maximum Lot Coverage:	N/A.

By-law 13-130 (OMB Approval)

RM2-39 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments", the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building; 0.5 metres for a porch, including porch foundation walls; and 0.0 metres for eaves and gutters.

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e) and (i), of Section 6.9.3 of Zoning By-law No. 3692-92, on those lands zoned "RM2-39" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	Interior Unit: 175 sq.m.
(c)	Minimum Front Yard:	4.5m to the dwelling, except 6.0m to an attached garage.
(d)	Minimum Side Yard:	End Unit: 1.2m. Corner Unit: 2.0m.
(e)	Minimum Rear Yard:	7.0m.
(i)	Maximum Lot Coverage:	N/A.

By-law 14-180
By-law 15-297
By-law 17-175

RM2-40 420 First Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (g) and (i) of Subsection 6.9.6 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-40" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	
	Interior Unit	150 square metres.
	End Unit	195 square metres.
	Corner Unit	240 square metres.
(b)	Minimum Lot Frontage:	5.6 metres per dwelling unit, except 8.0 metres for a corner unit.

(c)	Minimum Front Yard:	4.5 metres to the dwelling, except 6.0 metres to the attached garage door face.
(d)	Minimum Side Yard:	1.2 metres, except; on a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.
(e)	Minimum Rear Yard:	7.0 metres
(g)	Minimum Landscaped Open Space:	20 per cent of the lot area, which may include the privacy area.
(i)	Maximum Lot Coverage:	N/A.

Notwithstanding Sub-section 4.10.3 "Dimensions of Parking Spaces" on those lands zoned "RM2-40" by this By-law the following shall apply:

a) The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the regulations of Sub-section 4.19 "Yard Encroachments", the following encroachments shall be permitted:

a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

b) Bay windows, either with or without foundations, may project into any required front, rear, and/or flankage yards a distance of not more than 0.9 metres;

c) Stairs may project into any required front yard a distance of not more than 4.5 metres; and,

d) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear, or garage side yard a distance of the more than 0.6 metres.

Notwithstanding Section 4.13.1 "Special Setbacks - Daylight Triangles" the following shall apply:

a) Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 1.0 metres for a building or porch, including porch foundations walls, and 0.5 metres for eaves or gutters.

By-law 14-180

RM2-41 420 First Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs a), (b), (c), (d), (e), (g) and (i) of Subsection 6.9.6 of the Multiple Residential "RM2" Zone, on those lands zoned "RM2-41" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	
	Interior Unit	150 square metres.
	End Unit	195 square metres.
	Corner Unit	240 square metres.
(b)	Minimum Lot Frontage:	5.6 metres per dwelling unit, except 8.0 metres for a corner unit.
(c)	Minimum Front Yard:	4.5 metres to the dwelling, except 6.0 metres to the attached garage.
(d)	Minimum Side Yard:	1.2 metres, except; on a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.
(e)	Minimum Rear Yard: (Rear Garage Townhouses)	1.5 metres to the detached garage and 6.0 metres to the dwelling or the attached garage.
(g)	Minimum Landscaped Open Space:	15 per cent of the lot area, which may include the privacy area.
(i)	Maximum Lot Coverage:	N/A.

Notwithstanding Sub-section 4.10.3 "Dimensions of Parking Spaces" on those lands zoned "RM2-41" by this By-law the following shall apply:

a) The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the regulations of Sub-section 4.19 "Yard Encroachments", the following encroachments shall be permitted:

a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.8 metres for a flankage yard;

b) Bay windows, either with or without foundations, may project into any required front, rear, and/or flankage yards a distance of not more than 0.9 metres;

c) Stairs may project into any required front yard a distance of not more than 4.5 metres; and,

d) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear, or garage side yard a distance of the more than 0.6 metres.

Notwithstanding Section 4.13.1 "Special Setbacks - Daylight Triangles" the following shall apply:

a) Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 1.0 metres for a building or porch, including porch foundations walls, and 0.5 metres eaves or gutters.

By-law 14-180 **RM2-41(H) 420 First Road West, Schedule "A", Map No. 11**

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "RM2-41(H)" by this By-law, the Holding (H) Zone may be removed and thereby give effect to the "RM2-41" Zone provisions in Section 8 above, upon completion of the following:

a) That all residential lands within 160 metres of the working licenced limits of the active quarry or the limits of the former quarry under rehabilitation shall not be developed until such time as the completion of mining and the completion of rehabilitation on the quarry lands immediately adjacent to the Holding (H) Zone have been finalized to the satisfaction of the Director of Planning;

b) That those lands located within the 50 dBA sound level demarcation of the All Around Contracting facility not be developed until such time as the facility ceases to operate, to the satisfaction of the Director of Planning; and,

c) That land assembly occur with lands to the south in order to establish appropriately sized lots, to satisfaction of the Director of Planning.

By-law 15-180 **RM2-54 435 First Road West, Schedule "A", Map No. 11**

Notwithstanding the definitions of Part 2 for a "Street" and / or "Highway", the following definition shall apply:

For the purposes of the "RM2-54" Zones, private driveway(s) or condominium road(s) are deemed to be a street(s), and parking and landscaping are permitted within the street(s).

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g), and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, Section 4.13.1 "Special Setbacks - Daylight Triangles", and Section 4.19 "Yard Encroachments", the following regulations shall apply:

(a)	Minimum Lot Area:	Interior Unit	89 m2
		End Unit	95 m2
		Corner Unit	100 m2
(b)	Minimum Lot Frontage:	Interior Unit	5.0 metres
		End Unit	6.7 metres
		Corner Unit	7.6 metres

For those units fronting Street "A" in Draft Plan 25T-201301R, the required frontage shall be 4.7 metres, except 6.1 metres for an end unit and 7.3 metres for a corner unit (For these units, the front lot line shall be deemed to be Street "A").

(c)	Minimum Front Yard:	4.5 metres to the dwelling unit, except 6.0 metres to the garage door face;	
		3.0 metres to the front of the rear lane dwelling unit, except 7.0 metres to the garage (For a rear lane unit, the front lot line shall be deemed to be Street "A")	
(d)	Minimum Side Yard:	End Unit	1.2 metres
		Corner Unit	2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.
(e)	Minimum Rear Yard:	6.0 metres to dwelling unit, except 7.5 metres abutting a zone for single, semi-detached or duplex dwellings, or a street.	

		3.5 metres to rear lane dwelling unit, except 6.0 metres to garage door face and 2.4 metres to corner radius for corner unit.
(f)	Minimum Privacy Area:	A privacy area with a minimum depth of 4.5 m, except for rear lane towns which will have a minimum depth of 3.0 m.
(g)	Minimum Landscaped Open Space:	30 percent, except 10 percent for the rear lane dwelling units
(i)	Maximum Lot Coverage:	N/A

In addition to the provisions of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, the following additional regulation shall apply:

(l)	Maximum Density	50 units per hectare

Notwithstanding the provisions of Paragraphs (a) and (e) of Subsection 6.9.4 of the Multiple Residential "RM2" Zone, Regulations for Parking, on those lands zoned "RM2-54" by this Bylaw, the following shall apply:

(a) Minimum number of parking spaces shall be 2 parking spaces and 0.25 visitor parking spaces per dwelling unit.

(e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 2 metres to any dwelling unit located on the same lot.

In addition to the regulations of Subsection 4.19 "Yard Encroachments", the following encroachments shall be permitted for all uses permitted:

(j) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.6 metres for the rear lane dwelling units. Covered porches may project into the flankage yard setback a distance of not more than 1.6 metres;

(k) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres;

(l) Stairs may project into any required front yard a distance of not more than 3.0 metres and a flankage yard of not more than 2.4 metres; and,

(m) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear, or garage side yard a distance of not more than 0.6 metres.

Notwithstanding Section 4.13.1 "Special Setbacks Daylight Triangles" the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 0.5 metres for a building or porch, including porch foundations walls; and, 0.0 metres for eaves or gutters.

By-law 15-259

RM2-42 435 First Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g), and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, Zone Regulations, Section 4.13.1 “Special Setbacks – Daylight Triangles”, and Section 4.19 “ Yard Encroachments”, the regulations of the Multiple Residential “RM2-40” Zone, as established under By-law No. 14-180, shall apply on those lands zoned "RM2 - 42" by this By-law, save and except for regulations (b), (c), (d), (f), (g) and (h); and, “Yard Encroachment” regulation (c), and “Special Setbacks – Daylight Triangles” the following shall apply:

(b)	Minimum Lot Frontage:	Interior Unit	6.0 metres
		End Unit	7.8 metres
		Corner Unit	8.0 metres
(c)	Minimum Front Yard:	3.5 metres to the dwelling 6.0 metres to the garage door face	
(d)	Minimum Side Yard:	End Unit	1.5 metres
		Interior Unit	0.0 metres
		Corner Unit	2.4 metres abutting flankage street
(f)	Minimum Privacy Area:	25 square metres per unit	
(g)	Minimum Landscaped:	15 %	

All other regulations of the Multiple Residential “RM2” Zone shall apply.

In addition to the regulations of Subsection 4.19 "Yard Encroachments", the following encroachments shall be permitted:

(c) Stairs may project into any required front yard a distance of not more than 3.5 metres and a flankage yard of not more than 2.4 metres.

Notwithstanding Section 4.13.1 "Special Setbacks Daylight Triangles" the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 0.5 metres for a building or porch, including porch foundations walls; and, 0.0 metres for eaves or gutters.

By-law 16-102

RM2-43 1831 Rymal Road East, Schedule "A", Map No. 15

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g), (h), and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, the following regulations shall apply:

(a) Minimum Lot Area	Interior Unit	120 square metres
	End Unit	145 square metres
	Corner Unit	175 square metres
(b) Minimum Lot Frontage		4.45 metres for all dwelling units
(c) Minimum Front Yard		4.5 metres to the dwelling, except 5.8 metres to the garage
(d) Minimum Side Yard		1.2 metres, except 2.4 metres for an end or corner unit; and, an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.
(e) Minimum Rear Yard		7.0 metres; except 6.0 metres shall be provided where the dwelling unit is 2 storeys or less.
(f) Minimum Privacy Area		27 square metres
(g) Minimum Landscape Open Space		Not Applicable
(h) Maximum Building Height		13.5 metres or 3 storeys
(i) Maximum Lot Coverage		Not Applicable

All other regulations of the Multiple Residential "RM2" Zone shall apply.

(iii) Notwithstanding subsection 4.13.1 "Daylight Triangles" of Section 4.13 "Special Setbacks", a minimum yard of 1.0 metres from the hypotenuse of the daylight triangle shall be permitted for lands zoned Multiple Residential "RM2-43", Modified, by this By-law.

(i) In addition to subsection 4.19.1 "General Application" of Section 4.19 "Yard Encroachments" the following shall apply for lands zoned Multiple Residential "RM2-43", Modified, by this By-law:

(j) Stairs may project into any required front yard a distance of not more than 3.5 metres.

(k) Bay windows, with or without foundations, may project into any required front, rear and / or flankage yard a distance of not more than 0.9 metres;

(l) Covered porches may project into any require front yard a distance of not more than 3.0 metres, and 1.8 metres for a flankage yard;

By-law 17-186
By-law 18-253

"RM2-44 (H2)" 440 First Road West "A", Map No. 11

Notwithstanding the provisions of Paragraphs (a), (b), (d), (g), and (i) of Subsection 6.9.3 of the Multiple Residential "RM2" Zone, Zone Regulations, Section 4.19 "Yard Encroachments", and Subsection 4.10.3 "Dimensions of Parking Spaces", the regulations of the Residential "RM2-44" Zone, Modified, as established for those lands zoned "RM4-44" by this By-law, the following shall apply:

(a) Minimum Lot Area: End Unit 230 square metres Corner Unit 240 square metres

(b) Minimum Lot Frontage End Unit 7.5 metres
Corner Unit 8.5 metres

(d) Minimum Side Yard End Unit 1.5 metres
Corner Unit 2.4 metres

(g) Minimum Landscaped Open Space 23 % of the lot area, which may include the privacy area

(i) Maximum Lot Coverage 53 %

(l) Driveway access onto First Road West, Tilden Avenue, and Bradshaw Drive shall be prohibited.

Notwithstanding Section 4.13.1, the following shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2.0 metre for a building or porch, including porch foundations walls, and 1.0 metres for

eaves or gutters. All other regulations of the Residential "RM2" Zone shall apply.

By-law 17-186

"RM2-44(H2)" 440 First Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM2-44(H2)" by this By-law, the Holding "H" symbol may be removed by City Council and thereby give effect to the "RM2-44" Zone provisions upon completion of the following:

a) That the subject lands be assembled with lands to the north, within the Nash neighbourhood, to the satisfaction of the City's Director of Planning and Chief Planner.

SECTION 6.10 MULTIPLE RESIDENTIAL "RM3" ZONE

6.10.1 Scope

No person shall within any Multiple Residential "RM3" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.10.2 Permitted Uses For Each Lot

(a) Maisonettes

(b) Street Townhouses

By-law 4303-95 (c) Townhouses

(d) Apartment Dwellings

By-law 3863-93 (e) Dwelling Groups

By-law 4200-95 (f) A Home Occupation

(g) Uses, buildings or structures accessory to a permitted use

6.10.3 Zone Regulations

(a) Minimum Lot Area - 4,000 square metres

(b) Minimum Lot Frontage - 50 metres

(c) Minimum Front Yard - 7.5 metres

By-law 4128-94 (d) Minimum Side Yard for Maisonettes, Townhouses and Dwelling Groups

- 6 metres, except for 7.5 metres for a flankage yard, 7.5 metres abutting a zone for single detached, semi-detached or duplex dwellings and 3 metres where an end unit abuts a lot line of a street townhouse

(e) Minimum Side Yard for Apartment Buildings

- 1/2 the height of the building but in no case less than 6 metres, except 7.5 metres for a flankage yard, and 9 metres abutting a zone for single detached or semi-detached dwellings

By-law 3863-93 (f) Minimum Rear Yard for Maisonettes, Townhouses and Dwelling Groups

- 6 metres, except 7.5 metres abutting a zone for single, semi-detached or duplex dwellings, or a street

(g) Minimum Rear Yard for Apartment Buildings - 15 metres

By-law 4128-94

(h) Minimum Distance Between Buildings on the Same Lot

- 15 metres, except 3 metres between end walls and 9 metres between an end wall and a rear wall.

(i) Maximum Density

1. 40 units per hectare
2. 49 units per hectare if 100 percent of required tenant parking is underground or enclosed within the main building.

(j) Maximum Building Height - 11 metres

(k) Maximum Lot Coverage - 35 percent

(l) Privacy Area - Notwithstanding the yard requirements above, each maisonette and townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 4.5 metres.

(m) Minimum Landscaped Open Space

By-law 4303-95

1. Not less than 50 percent of the lot area for maisonettes, townhouses and dwelling groups shall be landscaped including privacy areas.
2. Not less than 25 percent of the lot area for apartments shall be landscaped with at least 25 percent of the required area being located in a yard other than the front yard and having a minimum width of 6 metres.
3. Not less than 1.5 metres of landscaped strip shall be provided between any privacy area and any lot line.

By-law 3863-93

4. A landscaped strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress.

6.10.4 Regulations For Street Townhouses

Street Townhouses shall be permitted in accordance with Section 6.1.10, 6.9.3, 6.9.4 and 6.9.5. **(By-law 15-073)**

6.10.5 Regulations For Parking

(a) Minimum Number of Parking Spaces

1. 2 parking spaces and 0.5 visitor parking spaces for each maisonette and townhouse dwelling unit. Tandem parking is permitted for non-visitor parking spaces.

By-law 4303-95

2. 1.25 parking spaces and 0.35 visitor parking spaces for each bachelor or one bedroom dwelling dwelling unit other than a townhouse or maisonette.

By-law 4303-95

3. 1.5 parking spaces and 0.35 visitor parking spaces for each two bedroom dwelling unit other than a townhouse or maisonette.

By-law 4303-95

4. 1.75 parking spaces and 0.35 visitor parking spaces for each dwelling unit other than a townhouse or maisonette.

(b) No common parking space shall be located closer than 3 metres from a zone for single detached, semi-detached or duplex dwellings.

(c) For maisonettes or townhouses, only one of the required parking spaces per unit may be provided in the required front yard.

(d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 3 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot, except that the provisions of this clause shall not apply to any parking space located within a private garage, or underground garage.

(e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 3 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within an underground garage.

6.10.6 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.10.6.1 Regulations for Secondary Dwelling Units and Secondary Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.

6.10.7 Special Exemptions

RM3 - 1(H) Repealed by By-law No. 4691-98

RM3 - 2(H) South Side of Mistywood Drive Extension, East of Felker Creek, Schedule "A", Map No. 10

Notwithstanding the uses permitted in Section 6.10.2 of the Multiple Residential "RM3" Zone, the use of those lands zoned "RM3-2(H)" by this By-law shall be limited to block townhouses. The "H" symbol may be removed at such time as the following conditions are satisfied:

1. Development and Maintenance and Use Agreements have been entered into by the Owner with the Corporation, and
2. The triangularly-shaped parcel of land located along the west side of Isaac Brock Drive North has been registered in the same name and title as abutting lands.

By-law 3970-94
By-law 5042-99

RM3 - 3 Highland Road West, Part of Lots 30 and 31, Concession 7, Schedule "A", Map No. 15

Notwithstanding the provisions of clause 4, paragraph (m) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-3" by this By-law, a minimum landscape strip of 3 metres shall be provided adjacent to Highland Road West except for points of egress and ingress.

RM3 - 4 Block 1, Registered Plan No. 62M-596 and Block 116, Registered Plan No. 62M-645, Schedule "A", Map No. 2

Notwithstanding the uses permitted in Section 6.10.2 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-4" by this By-law shall only be used for townhouse dwellings and buildings and structures accessory

thereto. Notwithstanding the provisions of paragraph (b) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-4" by this By-law, the minimum lot frontage shall be 20 metres. Notwithstanding the provisions of paragraph (a) of Section 4.13.2, Setback from Top of Bank of Lake Ontario, on those lands zoned "RM3-4" by this By-law, the minimum setback from the top of the bank of the Lake Ontario shoreline shall be 30 metres to the dwelling unit and 25 metres to the deck support.

RM3 - 5 Northwest Corner of Upper Centennial Parkway and Highgate Drive, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (c) and (e) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-5" by this By-law, the minimum front yard shall be 6 metres for a dwelling and 10 metres for any attached garage or carport or detached garage or carport and the minimum side yard shall be 13.7 metres abutting Upper Centennial Parkway.

By-law 3782-93

RM3 - 6 Part of Lot 15, Concession 3, south side of Highway No. 8, approximately 50 metres east of Envoy Boulevard, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraph (c) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-6" by this By-law, the minimum front yard adjacent to Highway No. 8 shall be 14 metres.

By-law 3865-93

RM3 - 7 Southwest corner of Mud Street and Upper Mount Albion Road, Schedule “A”, Map No. 10

Notwithstanding the permitted uses of Subsection 6.10.2 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-7" Zone by this By-law, may only be used for townhouses.

Notwithstanding the provisions of paragraphs (b) and (f) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned “RM3-7” Zone by this By-law, the minimum lot frontage shall be 6 metres adjacent to Upper Mount Albion Road and the minimum rear yard shall be 15 metres adjacent to the south-westerly lot line.

By-law 3960-94

RM3 - 8 229-233 North Service Road, Schedule “A”, Map No. 10

Notwithstanding the permitted uses of Section 6.10.2 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-8" by this By-law, may only be used for townhouses and buildings and uses accessory thereto.

By-law 3960-94

Notwithstanding the definition of "lot line front" of Part 2 of this By-law, the lot line adjacent to Frances Avenue shall be deemed the front lot line and all lot lines shall correspond thereto on those lands zoned "RM3-8" by this By-law.

Notwithstanding the provisions of paragraphs (c) and (f) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-8" by this By-law, the minimum front yard shall be 6 metres adjacent to Frances Avenue and the minimum rear yard shall be 14 metres adjacent to the North Service Road.

Notwithstanding the provisions of paragraph (h) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-8" by this By-law, the minimum distance between buildings on the same lot shall be 6 metres between end walls which contain windows to a habitable room or 3 metres between end walls containing no habitable room windows.

Notwithstanding the provisions clause 4 of paragraph (m) of Section 6.10.4 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-8" by this By-law, a landscaping strip having a minimum width of 3 metres shall be provided adjacent to the rear lot line.

In addition to the provisions of subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-8" by this By-law, no building shall be erected at a distance of less than 7.62 metres from the top of the bank of the stream located on the same lot, as defined by Reference Plan No. 62R-12769 as prepared by A.J. Clarke, dated September 8, 1993.

In addition to the uses permitted by this Special Exemption, street townhouses and buildings and uses accessory thereto shall also be permitted subject to the regulations of Section 6.9, except, that no street townhouse dwelling shall be located less than 7.5 metres from any zone allowing single

detached dwellings.

By-law 4076-94

RM3 - 9 511 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (h), (I) and (m) of Section 6.10.3 of the Multiple Residential "RM3" Zone and paragraph (d) of Section 4.19, "Yard Encroachments", on those lands zoned "RM3-9" by this By-law the minimum distance between buildings on the same lot shall be 3.5 metres, the maximum density shall be 57 units per hectare and the minimum landscaped open space shall be 45% and balconies may project into a required side yard a distance of not more than 1.5 metres.

By-law 4115-94

RM3 - 10 Blocks C & D, Registered Plan No. M-133, West of Green Road, North of the North Service Road, Schedule "A", Map No. 10

Notwithstanding the permitted uses of Section 6.10.2 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-10" by this By-law may only be used for townhouses and uses buildings or structures accessory thereto.

Notwithstanding the definition of "Lot, Lot Line - Front, Lot Line - Rear and Lot Line - Side" of Part 2, Definitions, those lands zoned "RM3-10" by this By-law shall be considered as one lot, the lot line adjacent to Frances Avenue shall be deemed the front lot line and all lot lines shall correspond thereto.

Notwithstanding the provisions of paragraphs (b), (c), (d) and (f) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-10" by this By-law, the minimum lot frontage shall be 10 metres, the minimum front yard shall be 6 metres, the minimum side yard shall be 6.0 metres except the side yard adjacent to a rear lot line of a street townhouse may be a minimum of 3 metres, and the minimum rear yard shall be 14 metres adjacent to the North Service Road. The rear yard shall be established by a straight line measured 14 metres northerly from where the side lot lines meet the North Service Road.

By-law 4115-94

In addition to the provisions of subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-10" by this By-law, no building shall

be erected at a distance of less than 7.62 metres from lands zoned Open Space "OS" Zone.

In addition to the uses permitted by this Special Exemption, street townhouses and uses, buildings or structures accessory thereto shall also be permitted subject to the regulations of Section 6.9.

By-law 4199-95

RM3 - 11 465 Dewitt Road, Schedule "A", Map No. 1

Notwithstanding the provisions of paragraphs (b) and (m)4, of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-11" by this By-law, the minimum lot frontage shall be 47 metres, and the minimum landscaping strip adjacent to the North Service Road shall be 1.5 metres.

Notwithstanding the definition of "Dwelling-Townhouse" of Section 2, "Definitions", on those lands zoned "RM3-11" by this By-law, a townhouse shall mean a building containing not less than two and not more than eight dwelling units, with each unit separated by a common or party wall or walls, with a separate outside entrance to each unit.

RM3 - 12 RESERVED

By-law 4197-95

RM3 - 13 Northeast corner of Rymal Road East and Whitedeer Road, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (d) and (e) of Section 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-13" by this By-law, visitor parking spaces may be located a minimum of 0.0 metres from the northerly lot line and visitor parking spaces may be located a minimum of 1.5 metres from a dwelling unit located on the same lot.

By-law 4700-98

RM3 - 14 242, 246 Barton Street, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (a) and (c) of Subsection 6.9.3, on those lands zoned "RM3-14" by this By-law, the minimum lot area for an interior lot shall be 140 square metres, the minimum lot area for a corner lot shall be 223 square metres and the minimum front yard shall be 3.0 metres to

the dwelling unit.

By-law 4538-97
By-law 4593-97

RM3 - 15 Northeast corner of Highbury Drive and Gatestone Drive, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (b) and (c) of Subsection 6.10.2 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-15" by this By-law, the minimum lot frontage shall be 40 metres and the minimum front yard shall be 4.5 metres.

By-law 4437-96

RM3 - 16 261 King Street East, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (i) and (j) of Section 6.10.3 "Zone Regulations", on these lands zoned "RM3-16" by this By-law, the maximum density shall be 16 units per net residential hectare and the maximum building height shall be 9.5 metres.

By-law 4538-97
By-law 4660-97

RM3 - 17 Southeast corner of Highbury Drive and Gatestone Drive, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraph (b) of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-17" Zone by this By-law, the minimum lot frontage shall be 10 metres.

By-law 4690-98

RM3 - 18 303 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (a) and (f) of Subsection 6.10.3 "Zone Regulations", on those lands zoned "RM3-18" Zone by this By-law, the minimum lot area shall be 1,450 square metres and the minimum rear yard shall be 5 metres for the dwelling existing at the date of the passing of this By-law.

By-law 4634-97

RM3 - 19 2 Harbour Drive, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (d), (f) and (i) of Subsection 6.10.3 "Zone Regulations", on those lands zoned "RM3-19" Zone by this By-law, the minimum flankage yard adjacent to Harbour Drive shall be 6 metres, the minimum rear yard shall be 2 metres and the maximum density shall be 55 units per net residential hectare.

By-law 4700-98

RM3 - 20 242, 246 Barton Street, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (b) of Subsection 6.9.3, on those lands zoned "RM3-20" Zone by this By-law, the minimum lot frontage shall be 2 metres.

By-law 5098-00

RM3 - 21 North and West of the intersection of Frances Avenue and Green Road, Schedule "A", Map No. 1

Notwithstanding the provisions of paragraphs (b), (c), (h) and (m) 1. of Subsection 6.10.3, on those lands zoned "RM3-21" by this By-law, the minimum lot frontage shall be 30 metres, the minimum front yard shall be 6 metres, the minimum landscaped open space area shall be 45 percent, and the minimum distance between buildings on the same lot shall be 14 metres, except 3 metres between end walls and 9 metres between an end wall and a rear wall.

In addition to the provisions of paragraph (f) of Subsection 6.10.3, the minimum rear yard for an end unit adjacent to the rear lot line shall be 3 metres.

Notwithstanding the definition of "Dwelling-Townhouse", of Part 2, Definitions, on those lands zoned Multiple Residential "RM3-21" a maximum of 9 dwelling units may be permitted in one block.

By-law 02-203

RM3 - 22 358 Winona Road, (Block 112, Foothills of Winona), Schedule "A", Map No. 9

Notwithstanding the permitted uses of Subsection 6.10.2 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-22" by this By-law, may only be used for street townhouses.

Notwithstanding the provisions of Subsection 4.13.3 of the General Provisions Section, on those lands zoned "RM3-22" by this By-law, the minimum setback from a railway right-of-way shall be 28 metres in conjunction with a berm.

By-law 03-104

RM3 - 23 Northwest Corner of Mud Street West and Paramount Drive, Schedule "A", Map No. 10

Notwithstanding the provisions of Paragraph (b) of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-23", a minimum lot frontage of twenty-five (25) metres shall be required.

OMB Order 03
January 6, 2003
(By-law 01-087)

RM3 - 24 Northeast corner of Margaret Avenue and Highway No. 8, Schedule "A", Map No. 6

(a) In addition to the uses permitted in Section 6.10.2, Permitted Uses For Each Lot, a townhouse dwelling containing 2 dwelling units fronting onto Margaret Avenue, may also be permitted;

(b) Notwithstanding the provisions of paragraph (j) of Subsection 6.10.3 of Zoning By-law 3692-92, a maximum of 2 storeys for a townhouse dwelling fronting onto Margaret Avenue shall be permitted;

(c) Notwithstanding the provisions of paragraph (c) of Subsection 6.10.3 of Zoning By-law 3692-92, the minimum front yard shall be 3 metres;

(d) Notwithstanding the provisions of paragraph (f) of Subsection 6.10.3 of Zoning By-law 3692-92, the minimum rear yard shall be 6 metres;

(e) Notwithstanding the provisions of paragraph (i) of Subsection 6.10.3 of Zoning By-law 3692-92, the maximum density shall be 42 units per hectare;

(f) Notwithstanding the provisions of paragraph (m) of Subsection 6.10.3 of Zoning By-law No. 3692-92, the minimum landscaped open space shall be 45% of the lot area and the minimum landscaped strip width adjacent to Highway No. 8 shall be 3 metres;

(g) Notwithstanding the provisions of paragraph (e) of Subsection 6.10.5 of Zoning By-law 3692-92, where there is a grouping of 3 or more parking spaces, no parking space shall be provided closer than 1.8 metres to any dwelling unit on the same lot; and

(h) In addition to the definition of "Dwelling – Townhouse", of Part 2, Definitions of Zoning By-law No. 3692-92, a building containing a minimum of 2 dwelling units fronting Margaret Avenue shall also be permitted.

By-law 04-191

RM3 - 25 145, 147, 149 and 151 Green Road, Schedule "A", Map No. 6

By-law 06-242

Notwithstanding the provisions of paragraphs (b), (d) (i) and (m) of Section 6.10.3 and paragraph (d) of Section 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-25" by this By-law, the minimum lot frontage shall be 46 metres, the minimum easterly and southerly side yards shall be 3 metres, the minimum landscaped open space shall be 41 percent, the maximum density shall be 42 units per hectare, and parking spaces shall be provided no closer than 0.5 metres from the rear lot line and 2.2 metres from the northerly side lot line. In addition, vehicular access to the lands to the south shall not be permitted.

By-law 04-173

RM3 - 26 478 Glover Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraphs (b), (c), (d) and (f) of Section 6.10.3 of the Multiple Residential "RM3" Zone, for those lands zoned "RM3-26" by this By-law, the following shall apply:

(b) Minimum Lot Frontage - 10.2 metres

(c) Minimum Front Yard shall be 7.5 metres to the front lot line and 6 metres from the internal private road.

(d) Minimum Side Yard for Townhouses shall be 6 metres, except for 3 metres abutting a zone for single detached dwellings and 21 metres abutting North Service Road.

(f) Minimum Rear Yard for Townhouses shall be 6 metres.

By-law 06-064

RM3 – 27 20 Artfrank Drive, Schedule "A", Map No. 10

By-law 16-037

(i) Notwithstanding the uses permitted in Subsection 6.10.2 of the Multiple Residential "RM3" Zone, the following uses shall be permitted:

Blocks 1 – 3 of the attached Schedule "A"

a) Apartment Dwellings
b) A Home Occupation
c) Uses, buildings or structures accessory to a permitted use

Block 4 of the attached Schedule "A"

a) Dwelling Groups
b) Live/Work Units
c) Maisonettes
d) Townhouses

e) A Home Occupation
f) Uses, buildings or structures accessory to a permitted use

(ii) Notwithstanding the definition of “Lot Line – Front” of Part 2 “Definitions” the following definitions shall apply:

“Lot Line – Front”

Artfrank Drive shall be deemed to be the front lot line.

(iii) In addition to the definitions of Part 2 “Definitions” the following definition for “Live/Work Units” is to be added for the purpose of this By-law:

For the purposes of this By-law, a “Live/Work Unit” shall mean a dwelling unit having a residence and business in the same location which consists of a ground floor commercial unit having a maximum of 50m2 of gross floor area and an upper level residential unit. Commercial uses in a “Live / Work Unit” shall be limited to a personal service shop, a professional office, and a retail store.

(iv) Notwithstanding the provisions of Section 4.13.1 "Daylight Triangles" of Zoning By-law No. 3692-92, on those lands zoned "RM3-27" by this By-law, a minimum yard of 1.5 metres from the hypotenuse of the daylight triangle shall be provided and maintained.

(v) Notwithstanding the provisions of Section 4.19.1 "General Application" of Zoning By-law No. 3692-92, on those lands zoned "RM3-27" by this By-law, a porch may project a maximum of 4.5 metres into any required rear yard and 1.6 metres into any required side yard.

(vi) In addition to the provisions of Section 6.10.2 “Permitted Uses for Each Lot”, Live/Work Units shall also be permitted.

(vii) Notwithstanding provisions of Paragraphs (c), (d), (e), (g), (i), (j), (l), and (m) of Section 6.10.3 "Zone Regulations"; of Zoning By-law No. 3692-92, on those lands zoned "RM3-27" by this By-law, the following shall apply:

(c)	Maximum Setback from East and South Lot Line	–	6.6 metres, except that the maximum setback from the south lot line shall not apply to an apartment building.
(d)	Side Yard for Townhouses and Dwelling Groups		
	1. Minimum Interior	–	3.0 metres, except that a minimum 9.0 m shall be provided and maintained for the easterly townhouse block adjacent to lands zoned Mixed Use Commercial "MUC-1(H)" Zone, Modified, Holding, known municipally as 182 and 188 Upper Mount Albion Road.
(e)	Side Yard for Apartment Buildings		
	1. Minimum Interior	-	9.0 metres
	2. Maximum Exterior	-	6.7 metres
(g)	Minimum Rear Yard for Apartment Building	-	8.8 metres
(i)	Maximum Density	-	200 units per Hectare
(j)	Maximum Building Height for Block 4 Townhouse / Maisonette / Live / Work / and / or Dwelling Groups	-	3 storeys or 13.5 Units metres

Maximum Building Height for Apartment Building(s)

Block 1	-	7 storeys or 24.1 m; however the building shall be stepped in from both ends of the building a minimum of 3 m for each storey above 16 m of building height.
Block 2	-	12 Storeys or 40.6 m
Block 3	-	8 Storeys or 27.4 m
(l) Privacy Area	-	Notwithstanding the yard requirements above, each maisonette and townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 2.5 metres.
(m) Minimum Landscape Open Space	-	39%

(viii) Notwithstanding the provisions of Paragraphs (a) and (e) of Section 6.10.5 “Regulations for Parking”; Paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones"; Paragraph (b) of Section 4.10.3 “Dimensions of Parking Spaces”; and, Paragraph (a) of Section 4.10.4 "Requirement For Parking Designated For Vehicles of Physically Challenged” of Zoning By-law No. 3692-92, on those lands zoned "RM3-27" by this By-law, the following shall apply:

4.10.3 Dimensions of Parking Spaces

(b) For other than 90 degree perpendicular parking spaces and for parking spaces within private residential garages designed to accommodate one motor vehicle, the parking space shall not be less than 2.6 metres in width or less than 5.5 metres in length exclusive of any land used for access, manoeuvring, driveways or a similar purpose.

A single step, hose bibs, electrical devices and/or ductwork and closet enclosures may project not more than .3 metres into the required length or width of a parking space.

4.10.4 Requirement For Parking Designated For Vehicles of Physically Challenged

At least 1 percent of the required parking spaces, with a minimum of one parking space, on any lot having more than 10 parking spaces, shall:

a) have minimum rectangular dimensions of 4.4 metres by 5.5 metres; and

6.1.8 Parking Restrictions in Residential Zones

d) Parking spaces shall have a width of not less than 2.6 metres and a length of not less than 5.5 metres and parking spaces for physically challenged persons shall have a width of not less than 4.4 metres and a length of not less than 5.5 metres, exclusive of any land used to permit ingress or egress to said parking spaces, maneuvering areas, driveways or aisles. One parking space within a private residential garage shall not be less than 2.6 metres in width or less than 5.5 metres in length;

6.10.5 Regulations for Parking

(a) Minimum Number of Parking Spaces

1. Townhouse / Maisonette Dwellings	2.1 spaces per unit, which includes visitor spaces.
2. Bachelor / One Bedroom Apartment Units	1.55 spaces per unit, which includes visitor spaces.
3. Two Bedroom Apartment Units	1.8 spaces per unit, which includes visitor spaces.
4. Three Bedroom Apartment Units	2.05 spaces per unit, which includes visitor spaces.

e) Where there is a grouping of three or more parking spaces, no parking shall be provided closer than 0.9 m to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within an underground garage.

By-law 05-349

RM3 - 28 45 Seabreeze Crescent, Schedule "A", Map No. 3

Notwithstanding the provisions of Paragraphs (b), (k) and (m) of Section 6.10.3 of the Multiple Residential "RM3" Zone, for those lands zoned "RM3-28" Zone by this By-law, the following shall apply:

(b)	Minimum Lot Frontage	-	11 metres
(k)	Maximum Lot Coverage	-	40 percent
(m)	Minimum Landscaped Open Space	-	40 percent

Notwithstanding the provisions of Paragraph (a) of Section 6.10.5 on those lands zoned "RM3-28" by this By-law, a minimum of eleven (11) parking spaces shall be provided and maintained.

By-law 06-067

RM3 - 29 4 Bridgewater Court, Schedule "A", Map No. 10

Notwithstanding the permitted uses in Subsection 6.10 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-29" by this By-law may only be used for multiple dwellings and uses, buildings or structures accessory thereto. For purposes of the "RM3-29" Zone, a multiple dwelling is defined as a "building or part thereof containing two or more dwelling units, but shall not include a semi-detached dwelling.

Notwithstanding Subsections 6.1.4(a) and 6.1.8(c), no parking space shall be provided closer than 3 metres to any lot line, except for 2 parking spaces that are permitted to be located 0.0 metres to a side lot line and one garbage enclosure is permitted to be located 0.0 metres from a rear lot line.

Notwithstanding any of the Zone Regulations of Subsection 6.10.3 and Regulations for Parking of Subsection 6.10.5 of Zoning By-law No. 3692-92, for those lands zoned "RM3-29" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	4,000 square metres
(b)	Minimum Lot Frontage	-	50 metres
(c)	Minimum Front Yard	-	7.2 metres
(d)	Minimum Side Yard	-	4.8 metres to the westerly side lot

and 6.0 metres to all other side lot lines

(e) Minimum Rear Yard - 6.0 metres

(f) Minimum Distance Between Buildings on the Same Lot - 2.6 metres between end walls and 7.45 metres between all other Walls

(g) Maximum Density - 62 dwelling units

(h) Maximum Building Height - 12 metres

(i) Maximum Lot Coverage - 35 percent

(j) Minimum Landscaped Open Space - Not less than 45 percent of the lot area shall be landscaped including privacy areas, and a minimum 4.5 metre landscaped strip shall be provided adjacent to any lot line abutting a street (except for ingress and egress). Privacy areas, a mail box area, and hydro transformer are permitted within the landscape strip.

Regulations for Parking

(a) Minimum Number of Parking Spaces – 82 parking spaces

(b) One (1) parking space is permitted within the required front yard no closer than 6 metres from the front property line.

(c) No parking space shall be located closer than 1.5 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot, except that one parking space is permitted to be located 0.0 metres from the westerly side lot line, and one parking space is permitted to be located 0.0 metres from the northerly side lot line.

(d) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.0 metre to any dwelling unit located on the same lot.

By-law 06-108

RM3 - 30 170 Dewitt Road, Schedule "A", Map No. 7

Notwithstanding the provisions of Paragraphs (c), (d), (h), (i)1, and (m)1, 3 and 4 of Section 6.10.3 of the Multiple Residential "RM3" Zone, for those lands zoned "RM3-30" by this By-law, the following shall apply to

townhouses only:

(c) Minimum Front Yard - 5.8 metres

(d) Minimum Northerly Side Yard - 5.5 metres, except for 4.2 metres for a flankage yard

(h) Minimum Distance Between Buildings on the Same Lot - 13.5 metres, except 3 metres between end walls and 9 metres between an end wall and a rear wall

(i) Maximum Number of Units Permitted

1. 56 units

(j) Maximum Building Height - 12.5 metres

(m) Minimum Landscaped Open Space

1. Not less than 37 percent of the lot area shall be landscaped including privacy areas.

3. Not less than 1.5 metres of landscape strip, which may include a retaining wall, shall be provided between any privacy area and any lot line.

4. A landscape strip having a minimum width of 4 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress, except 3 metres along the hypotenuse of the daylight triangle.

Notwithstanding the provisions of Paragraphs (a)1, (c), (d), and (e) of Section 6.10.5 of the Multiple Residential "RM3" Zone, for those lands zoned "RM3-30" by this By-law, the following shall apply for townhouses only.

(a) Minimum Number of Parking Spaces

1. Two (2) parking spaces for each townhouse dwelling unit and 0.46 parking spaces for visitor parking per dwelling unit to a maximum of 26 parking spaces. Tandem parking is permitted for required non-visitor parking spaces.

(c) Visitor parking may be provided in the required front yard.

(d) Where the required minimum number of parking spaces is four or more,

no parking space shall be provided closer than 1.5 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot, except that the provisions shall not apply to any parking space located in a private garage, or underground garage.

(e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 2 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to parking spaces located within an underground garage.

Notwithstanding the provisions of Paragraph (d) of Section 4.19.1 of General Provisions, for those lands zoned "RM3-30" by this By-law, the following shall apply for townhouses only.

(d) Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project a maximum of 4 metres into any required side yard.

RM3 - 31 RESERVED

RM3 - 32 RESERVED

By-law 09-199

RM3 - 33 390 Highland Road, Schedule "A", Map No. 16

Notwithstanding the Permitted Uses of Subsection 6.10.2 for the Multiple Residential "RM3" Zone, those lands zoned "RM3-33" by this By-law, may only be used for maisonettes, townhouses, and uses, buildings or structures accessory thereto.

Notwithstanding the provisions of Paragraphs (b), (c), (d), (i) and (m) of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-33" by this By-law, the following shall apply:

(b)	Minimum Lot Frontage	-	49 metres
(c)	Minimum Front Yard	-	4.5 metres
(d)	Minimum Side Yard (abutting a zone for a single detached dwelling)	-	5 metres
(i)	Maximum Density	-	45 units per hectare
(m)	1. Minimum Landscaped Open Space	-	45 percent
	2. Minimum Landscape Strip abutting a Street	-	3.5 metres

Notwithstanding the provisions of Paragraphs (a)1., and (e) of Subsection 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-33" by this By-law, the following shall apply:

(a) Minimum Number of Parking Spaces

1. 2 parking spaces and 0.35 visitor parking spaces for each maisonette and townhouse dwelling unit.

(e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.5 metres to the front face of any dwelling unit or 2.0 metres to the side of any dwelling unit located on the same lot.

RM3 - 34 RESERVED

By-law 08-293

RM3 - 35 Highbury Drive, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (b), (c), (f), (j), (m) of Subsection 6.10.3 and paragraph (e) of Subsection 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-35" by this By-law, the following shall apply:

(a)	Minimum Lot Frontage	-	40 metres

(b)	Minimum Front Yard:	-	4.5 metres to the dwelling, 6.0 metres to the attached garage
(c)	Minimum Side Yard	-	3.0 metres
(d)	Minimum Rear Yard abutting Single Detached Dwellings or a Street	-	6 metres
(e)	Minimum Distance between Buildings on the Same Lot	-	12 metres and 3 metres between end walls
(f)	Minimum Landscape Open Space	-	37% of Lot Area
(g)	Location of More than 3 Parking Spaces	-	Minimum 2 metres from a dwelling unit.

RM3 - 36 RESERVED

By-law 10-324 (OMB)

RM3 – 37 Mud Street, Schedule "A", Map No. 16

Notwithstanding the provisions of Paragraphs (c), (d), (f), (h), (j), (k) and (m) of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-37" by this By-law, the following shall apply:

(c)	Minimum Front Yard abutting a Street	-	4.5 metres to a dwelling unit, 6.0 metres to an attached garage.
(d)	Minimum Side Yard for Maisonettes, Townhouses, and Dwelling Groups	-	1.2 metres where the side of an end unit abuts a lot line, and 2.4 metres where the side of an end unit abuts a street.
(f)	Minimum Rear Yard for Maisonettes, Townhouses, and Dwelling Groups	-	6.0 metres
(h)	Minimum Distance between Buildings on the Same Lot	-	12 metres except 2.4 metres between end walls, and 7.2 metres between an end wall and a rear wall.

(j) Maximum Building Height - 11 metres, except 16 metres for apartment dwellings

(k) Maximum Lot Coverage - 40 percent

(m) Minimum Landscaped Open Space

1. Not less than 30% of the lot area for maisonettes, townhouses, and dwelling groups shall be landscaped, including privacy areas
2. Not less than 25% of the lot area for apartments shall be landscaped, with at least 25% of the required area being located in a yard other than the front yard and having a minimum width of 6 metres
3. Not less than 1.2 metres of landscaped strip shall be provided between any privacy area and any lot line.
4. A landscaped strip having a minimum width of 2.4 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress.
5. Notwithstanding 1-4, a minimum 10 metre wide fenced, naturalized buffer area shall be provided adjacent to the lands zoned Neighbourhood Development "ND-5" Zone. The fence shall be erected between the development and the buffer area.

Notwithstanding the provisions of Subsection 6.10.4 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-37" by this By-law, Street Townhouses shall be permitted in accordance with the Multiple Residential "RM2-19" Zone regulations contained in this By-law.

Notwithstanding the provisions of Paragraphs (a), (b), (d), and (e) of Subsection 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-37" by this By-law, the following shall apply:

(a) A minimum of 0.3 visitor parking spaces per dwelling unit shall be required. All other requirements of 6.10.5(a) shall be maintained.

(b) No common parking space shall be located closer than 2.4 metres from a

zone for single detached, semi-detached, or duplex dwellings.

(d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 2.4 metres to any lot line, or closer than 5 metres to any dwelling unit located on a lot other than the said lot, except that the provision of this clause shall not apply to any parking space located within a private garage, or underground garage.

(e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 2.4 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within an underground garage.

Notwithstanding the provisions of Subsection 4.13 of the "Special Setbacks" Section, on those lands zoned "RM3-37" by this By-law, any corner lot requires a minimum yard of 2.4 metres from the hypotenuse of the daylight triangle.

In addition to the provisions of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-37" by this By-law, the following shall also apply:

(a) A private condominium road shall be considered a street for the purposes of the minimum front yard and side yard requirements.

(b) Townhouse dwellings fronting on a private condominium road shall be considered a block townhouse development.

(c) For the purpose of the regulations contained within Sections 6.10 and 4.19, and within this By-law, the boundary of any block zoned "RM3-37" in an approved plan of subdivision shall be deemed to be the lot lines for this purpose and the regulations of the "RM3" Zone, including, but not limited to, lot frontage, lot area, lot coverage, density, separation distances, height, landscaping, amenity areas and parking, and not the individual property boundaries.

(d) For the purposes of the regulations contained within the By-law, front, side, and rear yard requirements shall apply to the individual property

boundaries.

By-law 10-327 (OMB)
By-law 13-294 (T)
By-law 15-218

RM3 – 38 (T) 22 Green Mountain Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (f), (i), (j), (k) and (m) of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-38(H)" by this By-law, the following shall apply for maisonettes:

(a) Minimum Lot Area - 89 square metres, except 95 square metres for an end lot, and 100 square metres for a corner lot

(b) Minimum Lot Frontage - 5.6 metres per dwelling unit, except 8.0 metres for a corner unit

(c) Minimum Front Yard - 4.5 metres to the dwelling, except 6.0 metres to the garage

(d) Minimum Side Yard - 1.2 metres, except:

On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(f) Minimum Rear Yard - 6.0 metres, except 7.0 metres abutting a zone for single, semi-detached or duplex dwellings, or a street

(i) Maximum Density - N/A

(j) Maximum Building Height - 12.5 metres

(k) Maximum Lot Coverage - N/A

(m) Minimum Landscaped Open Space - Not less than a 1.5 metre landscaped strip shall be provided along Green Mountain Road and Upper Centennial Parkway.

Notwithstanding provision b) of Section 4.10.3 "Dimensions of Parking Spaces", on those lands zoned "RM3-38(H)" by this By-law, the following shall apply:

The parking space size located within a garage shall have a minimum width of 2.75 metres and have a minimum length of 6.0 metres. Stairs shall be permitted to encroach 0.5 metres into the length of this parking space.

In addition to the provisions of Section 6.10 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-38(H)" by this By-law, the following uses shall also be permitted:

Street townhouses, townhouses and condominiums on a common element condominium road or a municipal road shall be permitted in accordance with the regulations of the "RM2-20" Zone.

In addition to the regulations of Subsection 4.19 "Yard Encroachments", the following encroachments shall be permitted for all uses permitted:

(a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and 1.6 metres for a flankage yard;

(b) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres; and,

(c) Stairs may project into any required front yard a distance of not more than 4.5 metres and a flankage yard of not more than 2.4 metres.

Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangle" the following shall apply:

Any lot located at the intersection of two or more roads will require a

minimum yard to the hypotenuse of the daylight triangle of 0.5 metres for a building or porch, including porch foundation walls; and, 0.0 metres for eaves or gutters.

Notwithstanding the provisions of Section 3.8 “Holding Zones”, on those lands identified as Block 1 on Schedule “A” and zoned “RM3-38(H)” by this By-law, the Holding “H” Zone may be removed by City Council and thereby give effect to the “RM3-38” Zone provisions by enactment of an amending By-law upon completion of the following:

(a) That all residential lands within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall not be developed until such time as the completion of mining and the completion of rehabilitation on the quarry lands immediately adjacent to the residential holding zone have been finalized to the City’s satisfaction.

(b) The applicant submit a revised Radio Frequency Emission study that addresses the concerns, regarding the identification of the location of antennae, set out in the peer review, by Francois Gauthier (Spectrum Expert Inc. dated September 16, 2010) of various radio frequency emission studies and measurements undertaken by the applicant and others; and,

(c) That Industry Canada complete its measurements of radio frequency electromagnetic fields in the vicinity of the applicant’s lands and advise that there are not Safety Code 6 issues resulting from the applicant’s proposed development and the implementation of the any recommendations by Industry Canada which are applicable to the applicant.

Notwithstanding the provisions of the Multiple Residential (Holding) "RM3-38(H)" Zone, the temporary use for two single detached model homes, in accordance with Section 39 of the Planninq Act, shall also be permitted without a Holding (H) removal on these lands, for a period not exceeding three years from the day of the passing of this By-law, being the 27th day of November, 2013.

Notwithstanding the Permitted Uses of Subsection 6.10.2 for the Multiple Residential "RM3" Zone, those lands zoned "RM3-39" by this By-law, may only be used for maisonettes, townhouses, and uses, buildings or structures accessory thereto.

Notwithstanding the provisions of Paragraphs (b), (d), (f), (i) and (m) of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-39" by this By-law, the following shall apply:

(b)	Minimum Lot Frontage	-	13.5 metres
(d)	Minimum Side Yard (abutting a zone for a single detached dwelling)	-	3.5 metres
	Minimum Side Yard (abutting an Open Space Zone)	-	4.5 metres
(f)	Minimum Rear Yard (abutting a zone for a single detached dwelling)	-	6 metres
(i)	Maximum Density	-	45 units per hectare
(m)	Minimum Landscaped Open Space	-	45 percent

Notwithstanding the provisions of Paragraphs (a)1., (d) and (e) of Subsection 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-39" by this By-law, the following shall apply:

(a) Minimum Number of Parking Spaces

1. 2 parking spaces and 0.4 visitor parking spaces for each maisonette and townhouse dwelling unit.

(d) A parking space may be located 0.0 metres from an Open Space Zone.

(e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.5 metres to the front face of any dwelling unit or 2.0 metres to the side of any dwelling unit located on the same lot.

Notwithstanding the provisions of Paragraph (c) of Subsection 6.1.8 of the

Multiple Residential "RM3" Zone, on those lands zoned "RM3-39" by this By-law, the following shall apply:

(c) Where the required minimum number of parking spaces is four or more, a parking space may be located 0.0 metres from the lot line abutting an Open Space Zone.

By-law 10-027

RM3-40 **311, 321, 331, 341, 351, 361, 371 Frances Avenue, Schedule "A", Map No. 1**

That in addition to the requirements of Part 2 of Zoning By-law No. 3692-92 the following definition shall apply to those lands Zoned "RM3-40" of this By-law:

Dwelling - Stacked Townhouses

Means a Street Townhouse Dwelling containing a maximum of three dwelling units on one lot, where each unit shall have a separate entrance from the street.

Notwithstanding the provisions of Subsection 6.10.2 of the Multiple Residential "RM3" Zone, Stacked Townhouses shall also be permitted on those lands zoned "RM3-40" by this By-law.

Notwithstanding Subsection 6.10.4 Regulations for Street Townhouses and the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of Subsection 6.9.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-40" by this By-law, the following shall apply:

(a) Minimum Lot Area:
  (i) Street Townhouses - 108 square metres
  (ii) Stacked Townhouses - 225 square metres

(b) Minimum Lot Frontage:
  (i) Street Townhouses - 5.5 metres, except 4.5 metres where there is no vehicular access in the front yard
  (ii) Stacked Townhouses - 9 metres

(c) Maximum Front Yard:
  (i) Street Townhouses - 4.5 metres, except a minimum of

5.8 metres to a garage

(ii) Stacked Townhouses - 4.5 metres, except a minimum of 5.8 metres to a garage

(d) Minimum Side Yard:

(i) Street Townhouses

End Unit - 1.2 metres

Corner Lot - Maximum of 4.5 metres

(ii) Stacked Townhouses

End Unit - 1.2 metres

Corner Lot - Maximum of 4.5 metres

(e) Maximum Rear Yard:

(i) Street Townhouses - 7.0 metres, except a minimum of 5.8 metres to a detached garage

(ii) Stacked Townhouses - 0.6 metres to a detached garage, except a rear deck may encroach into a rear private road/condominium road

(f) Privacy Area:

(i) Street Townhouses - None

(ii) Stacked Townhouses - None

(g) Minimum Landscape Open Space:
A minimum 1,080 square metre private parkette is to be constructed on those lands zoned "RM3-40".

(h) Maximum Building Height:

(i) Street Townhouses - None

(ii) Stacked Townhouses - None

(i) Maximum Lot Coverage:

(i) Street Townhouses - None

(ii) Stacked Townhouses - None

(j) Minimum Density: - 188 units

Notwithstanding the definition of "Highway" in Section 2 "Definitions" of Zoning By-law No. 3692-92, on those lands zoned "RM3-40" by this By-law, a private road/condominium road shall be considered to be a street.

By-law 10-027

RM3-41 311 Frances Avenue, Schedule "A", Map No. 1

Notwithstanding the provisions of Paragraphs (a), (b), (c), (e), (g), (i), (j), (k), (l) and (m) of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on

those lands zoned "RM3-41" by this By-law, the following shall apply:

(a)	Minimum Lot Area for Apartment Dwellings	-	810 sq.m.
(b)	Minimum Lot Frontage for Apartment Dwellings	-	30 metres
(c)	Minimum Front Yard for Apartment Dwellings	-	4.5 metres
(e)	Minimum Side Yard for Apartment Dwellings	-	4.5 metres
(g)	Minimum Rear Yard for Apartment Dwellings	-	4.5 metres
(i)	Minimum Density	-	22 units
(j)	Maximum Building Height for Apartment Dwellings	-	None
(k)	Maximum Lot Coverage for Apartment Dwellings	-	None
(l)	Privacy Area for Apartment Dwellings	-	None

(m) Minimum Landscape Open Space for Apartment Dwellings:

1. A landscape strip, having a minimum width of 4.5 metres, shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street or private road/condominium road, except for point of ingress and egress.

Notwithstanding the definition of "Highway" in Section 2 "Definitions" of Zoning By-law No. 3692-92, on those lands zoned "RM3-41" by this By-law, a private road/condominium road shall be considered to be a street.

By-law 11-091

RM3-42a & RM3-42b — North Side of Mud Street, East of Felkers Creek, Schedule "A", Map No. 1

Repealed by By-law 12-161

Notwithstanding the definitions in Part 2, uses of Subsection 6.10.2, and the provisions of Subsection 6.10.3 and Subsection 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-42a" and "RM3-42b" by this By-law, the following shall apply:

1. DEFINITIONS

(a) A Horizontal Multiple Dwelling is defined as a building, other than a townhouse dwelling, or apartment dwelling containing more than three (3) attached dwelling units that are divided horizontally and/or vertically, each with an entrance that is independent or through a common vestibule.

2. PERMITTED USES

(a) Horizontal Multiple Dwellings.

(b) Use, buildings, and structures accessory to the uses described in the above Subsection (a)

3. GENERAL PROVISIONS PERTAINING TO ALL DEVELOPMENT

(a)	Maximum Number of Dwelling Units	152 units on lands identified as "RM3-42a" 120 units on lands identified as "RM3-42b"
(b)	Minimum Lot Frontage	30 metres
(c)	Front Yard	2.0 metres minimum 4.5 metres maximum
(d)	Exterior Side Yard	2.0 metres minimum 4.5 metres maximum
(e)	Minimum Landscaped Area	25 percent

(f) For the purposes of this special provision, where a lot zoned "RM3-42" is also partially zoned (P5), as per Zoning By-law No. 05-200, the lands zoned (P5) that comprise part of the lot may be used for the calculation of Minimum Lot Area and Minimum Rear Yard.

4. REGULATIONS FOR RESIDENTIAL DWELLING UNITS

(a)	Maximum Height	4 storeys, up to a maximum of 12.5 metres
(b)	Maximum elevation to the peak of a roof	206.0 masl

(c) Minimum distance between dwelling units:

(i)	Front wall to front wall	12.5 metres
(ii)	Side wall to side wall	3.0 metres
(iii)	Side wall to front wall	12.5 metres

(d) Notwithstanding Subsection 4.(c) above, the following maximum encroachments beyond the front wall or side wall shall be permitted:

(i)	Entrance porticos	1.0 metres
(ii)	Stairs to access porticos or porches	3.75 metres
(iii)	Balconies	1.0 metres

(iv)	Ground floor terraces, including access stairs	3.75 metres
(v)	Bay windows	1.0 metres
(e)	Minimum privacy area per dwelling unit	12 square metres per dwelling unit
(f)	Glazing on side walls facing a public street or internal walkway	30% of the side wall façade shall be composed of windows or doors

(g) Parking shall be provided below grade on the same block as the residential uses at the following rates:

(i)	One bedroom dwelling unit	1 space
(ii)	Two bedroom dwelling unit	1.3 spaces
(iii)	Three bedroom dwelling unit	1.4 spaces
(h)	Minimum number of visitor parking spaces per dwelling unit	0.25 spaces

By-law 11-091
Repealed by
By-law 12-161

RM3-43 North Side of Mud Street, East of Felkers Creek, Schedule "A", Map No. 10

Notwithstanding the uses of Subsection 6.10.2, Paragraphs (a), (b), (c), (d), (f), (h), (i) and (j) of Subsection 6.10.3, and Paragraph (a) of Subsection 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-43" by this By-law, the following shall apply:

1. PERMITTED USES

(a) Townhouses

2. REGULATIONS

(a)	Minimum Lot Area	2,000 square metres
(b)	Minimum Lot Frontage	30 metres
(c)	Minimum Front Yard	2.0 metres
(d)	Minimum Flankage Yard	2.0 metres
(f)	Minimum Rear Yard	0.0 metres
(i)	Maximum Number of Dwelling Units	9

(h) Minimum Distance Between Dwellings:

	(i) Front wall to front wall	12.0 metres
	(ii) Side wall to side wall	3.0 metres
	(iii) Side wall to rear wall	9.0 metres
(j)	Maximum Building Height	12.4 metres and the elevation of the peak of the roof shall be a maximum of 201.0 masl.
(n)	Parking Requirements	2 parking spaces per unit, including tandem spac

By-law 12-253

RM3-44 455 Jones Road, Schedule "A", Map No. 2

Notwithstanding the definition of "Dwelling Group" in Part 2, Definitions, of Zoning By-law No. 3692-92, on those lands zoned "RM3-44" by this By-law, a "Dwelling Group" is permitted to consist of a maximum of 6 single detached dwellings.

Notwithstanding the provisions of Sub-section 6.10.2 "Permitted Uses For Each Lot", Paragraphs (a), (b), (c), (d), (f), (h), (j), and Sub-section 1., 3., and 4. of Paragraph (m) of Section 6.10.3 "Zone Regulations", of Zoning By-law No. 3692-92, on those lands zoned "RM3-44" by this By-law, only a "Dwelling Group" consisting of a maximum of 6 single detached dwellings shall be permitted subject to the following:

(a)	Minimum Lot Area	2,600 square metres.
(b)	Minimum Lot Frontage	34 metres.
(c)	Minimum Front Yard	6.0 metres.
(d)	Minimum Side Yard for Dwelling Groups	6.0 metres.
(f)	Minimum Rear Yard for Dwelling Groups	5.0 metres.
(h)	Minimum Distance Between Buildings on the Same Lot	1.5 metres.
(j)	Maximum Building Height	9.2 metres.

(m) Minimum Landscaped Open Space:

1. Not less than 43% of the lot area for dwelling groups shall be landscaped, including privacy areas.

3. A landscaped strip shall not be required between a privacy area and the southerly side lot line.

4. A landscaped strip having a minimum width of 4.0 metres shall be provided and thereafter maintained adjacent to the front lot line, except

for points of ingress and egress, and no landscaped strip shall be required along the southerly side lot line.

Notwithstanding the provisions of Sub-section 1. of Paragraph (a), Paragraphs (b) and (d) of Section 6.10.5 "Regulations For Parking", of Zoning By-law No. 3692-92, on those lands zoned "RM3-44" by this By-law, the following shall apply:

(a) Minimum Number of Parking Spaces

1. 2 parking spaces and 0.8 visitor parking spaces for each dwelling unit. Tandem parking is permitted for non-visitor parking spaces.

(b) No common parking space shall be located closer than 3 metres from a zone for single detached, semi-detached, or duplex dwellings, except that common parking spaces are permitted to be located a minimum of 1 metre from the northerly side lot line.

(d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 3 metres to any lot line, except that common parking spaces are permitted to be located a minimum of 1 metre from the northerly side lot line.

Notwithstanding the provisions of Paragraph (d) of Section 4.19.1 "YARD ENCROACHMENTS - General Application", of Zoning By-law No. 3692-92, on those lands zoned "RM3-44" by this By-law, the following shall apply:

(d) Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any required front yard 2.0 metres. The remainder of the provisions of Sub-section 4.19.1 (d) shall apply.

(e) No windows shall be permitted on the westerly most end elevation of the westerly most building above the 1st storey level.

By-law 12-161

RM3-45 220 Mud Street West, Schedule "A", Map No. 10

Notwithstanding the provisions of Paragraphs (a) to (m), inclusive, of Sub-section 6.10.3; (a) to (e) of the Multiple Residential "RM3" Zone, and/or any other applicable provision within By-law No. 3692-92 (Stoney Creek), on those lands zoned "RM3-45" by this By-law, the following shall apply:

(a) Minimum Lot Area: 105 square metres for an individual townhouse unit and 80 square metres for a maisonette unit.

(b) Minimum Lot Frontage:	4.45 metres for an individual townhouse or maisonette unit.
(c) Minimum Front Yard:	3.5 metres to the dwelling and 5.75 metres to an attached garage.
(d) Minimum Side Yard:	1.2 metres, except 2.4 metres for a corner unit.
(e) Minimum Rear Yard:	6.0 metres only for a townhouse unit. No buildings or structures, including a fence, shall be permitted within 5.0 metres from the toe-of-slope.
(f) Minimum Distance Between Buildings on the Same Lot/Block:	12 metres between front walls. 2.4 metres between end walls of a block of townhouses and/or block of maisonette units. 12 metres between rear walls of a block of townhouses and/or block of maisonette units. 7.0 metres between end walls and rear walls of a block of townhouses and/or block of maisonette units. Separation distances shall not be applied to individual townhouse and/or maisonette units and/or their future property boundaries created by way of an application to remove part lot control and/or established by a condominium corporation.
(g) Maximum Density:	65 units per hectare exclusive of lands designated as Open Space.
(h) Maximum Building Height:	6 storeys.
(i) Maximum Lot Coverage:	N/A.

(j)	Privacy Area per Unit:	Shall have a minimum depth of 3.5 metres for a townhouse unit, and shall not apply for maisonettes.
(k)	Minimum Landscaped Open Space:	20 per cent and shall be landscaped, including privacy areas for townhouse units, and shall not apply for maisonette units.

(l) A maximum of 9 individual townh0use units shall be permitted within one townhouse block.

(m) A private condominium road shall be considered a public street.

(n) Minimum parking space sizes shall be 2.6 metres x 5.75 metres and 4.4 metres x 5.75 metres for barrier free parking spaces.

(o) Stairs may encroach 3.4 metres into the required front yard of an individual unit as permitted.

Notwithstanding Sub-section 6.10.5 "Regulation for Parking" (d) and (e), permit visitor parking space to be located closer than 2.75 metres from a dwelling unit on the same lot. Future property and/or unit boundaries created through a Condominium Act or a Planning Act application shall not be subject to this modified zoning requirement.

Notwithstanding Sub-section 4.13.1 "Daylight Triangles" of Section 4.13 "Special Setbacks", permit a minimum yard of 1.0m from the hypotenuse of a daylight triangle.

By-law 12-161

RM3-46 220 Mud Street West, Schedule "A", Map No. 10

In addition to the provisions of the "RM3-45" Zone, the following shall also apply:

(h)	Maximum Building Height:	3-storeys.

By-law 13-130
(OMB Approval)

RM3-47 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding the provisions of Section 4.10.3 "Dimensions of Parking Spaces" and Section 4.10.4 "Requirement for Parking Designated for Vehicles of Physically Challenged" of Zoning By-law No. 3692-92, on those lands zoned "RM3-47" by this By-law, the following shall apply:

Dimensions of Parking Spaces

Parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

Requirement for Parking Designated for Vehicles of Physically Challenged

Parking for the physically challenged shall have minimum rectangular dimensions of 4.4 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

The following regulations apply to the "RM3-47" Zone, should the development proceed as a Standard Condominium:

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (f), and (h), (m 1.), and (m 4.), of Section 6.10.3 of Zoning By-law No. 3692-92, on those lands zoned "RM3-47" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	2500 sq. m.
(b)	Minimum Lot Frontage:	30.0m.
(c)	Minimum Front Yard:	3.0m.
(d)	Minimum Side Yard:	7.0m.
(f)	Minimum Rear Yard:	2.0m.
(h)	Minimum Distance Between Buildings on the Same Lot:	2.0m between end walls and 9m between an end wall and a rear wall.
(m)	Minimum Landscaped Open Space:	Not less than 40% of the lot area shall be landscaped including privacy areas. A landscaped strip having a minimum width of 2.0m shall be provided and maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress.

The following regulations apply to the "RM3-47" Zone, should the development proceed as Freehold Street Townhouse Units tied to a Common Element Condominium road:

For the purposes of this By-law, a common element condominium road shall be deemed to be a street.

Notwithstanding the provisions of Paragraphs (a), (b), (d), (e), and (i) of Section 6.9.3 of Zoning By-law No. 3692-92, on those lands zoned "RM3-47" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	Interior Unit: 150 sq. m. End Unit: 175 sq m. Corner Unit: 200 sq. m.
(b)	Minimum Lot Frontage:	End Unit: 7.0m. Corner Unit: 8.0m.
(d)	Minimum Side Yard:	End Unit: 1.2m. Corner Unit: 2.0m.
(e)	Minimum Rear Yard:	6.0m.
(i)	Maximum Lot Coverage:	N/A.

Notwithstanding the provisions of Section 6.9.4 "Regulations for Parking" of Zoning By-law 3692-92, on those lands zoned "RM3-47" by this By-law, the following additional requirement shall apply:

(c) That a minimum of 0.5 visitor parking spaces per unit shall be provided and maintained.

By-law 13-130 (OMB Approval)
By-law 18-077 (H REMOVAL)

RM3-48 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding the uses permitted in Section 6.10.2 of the Multiple Residential "RM3" Zone, Apartment Dwellings shall not be permitted on those lands zoned "RM3-48".

Notwithstanding the provisions of Section 4.10.3 "Dimensions of Parking Spaces" and Section 4.10.4 "Requirement for Parking Designated for Vehicles of Physically Challenged" of Zoning By-law No. 3692-92, on those lands zoned "RM3-48" by this By-law, the following shall apply:

Dimensions of Parking Spaces

Parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

Requirement for Parking Designated for Vehicles of Physically Challenged

Parking for the physically challenged shall have minimum rectangular dimensions of 4.4 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

The following regulations apply to the "RM3-48" Zone, should the development proceed as a Standard Condominium:

Notwithstanding the provisions of Paragraphs (c), (d), (f), (h), (i. 1) and (m 1.), of Section 6.10.3 of Zoning By-law No. 3692-92, on those lands zoned "RM3-48" by this By-law, the following shall apply:

(c)	Minimum Front Yard:	5.0m.
(d)	Minimum Side Yard:	4.0m, except for 5.0m for a flankage yard, 7.5m abutting a zone for single detached, semi-detached, or duplex dwellings, and 3.0m where an end unit abuts a lot line of a street townhouse.
(h)	Minimum Distance Between Buildings on the Same Lot:	12 metres, except 2.0m between end walls and 9m between an end wall and a rear wall.
(i)	Maximum Density:	41 units per hectare
(m)	Minimum Landscaped Open Space:	Not less than 35% of the lot area shall be landscaped including privacy areas.

The following regulations apply to the "RM3-48" Zone, should the development proceed as Freehold Street Townhouse Units tied to a Common Element Condominium road:

For the purposes of this By-law, a common element condominium road shall be

deemed to be a street.

Notwithstanding the provisions of Paragraphs (a), (b), (d), (e), and (i) of Section 6.9.3 of Zoning By-law No. 3692-92, on those lands zoned "RM3-48" by this By-law, the following shall apply:

(a)	Minimum Lot Area:	Interior Unit: 150 sq. m. End Unit: 175 sq m. Corner Unit: 200 sq. m.
(b)	Minimum Lot Frontage:	End Unit: 7.0m. Corner Unit: 8.0m.
(d)	Minimum Side Yard:	End Unit: 1.2m. Corner Unit: 2.0m.
(e)	Minimum Rear Yard:	6.0m.
(i)	Maximum Lot Coverage:	N/A.

Notwithstanding the provisions of Section 6.9.4 "Regulations for Parking" of Zoning By-law 3692-92, on those lands zoned "RM3-48" by this By-law, the following additional requirement shall apply:

(c) That a minimum of 0.5 visitor parking spaces per unit shall be provided and maintained.

By-law 13-130 (OMB Approval)

RM3-49 339 & 347 Fifty Road and 1317 & 1329 Barton Street, Schedule "A", Map No. 9

Notwithstanding the provisions of Section 4.10.3 "Dimensions of Parking Spaces" and Section 4.10.4 "Requirement for Parking Designated for Vehicles of Physically Challenged" of Zoning By-law No. 3692-92, on those lands zoned "RM3-49" by this By-law, the following shall apply:

Dimensions of Parking Spaces

Parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

Requirement for Parking Designated for Vehicles of Physically Challenged

Parking for the physically challenged shall have minimum rectangular dimensions of 4.4 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

Notwithstanding Section 4.13.3 or any other yard provision of this By-law, the minimum setback from a railway right-of-way shall be 28m in conjunction with a berm.

The following regulations apply to the "RM3-49" Zone, should the development proceed as a Standard Condominium:

Notwithstanding the provisions of Part 2 of Zoning By-law 3692-92 for the definition of Lot Line - Front, on those lands zoned "RM3-49" by this By-law, in the case of a through lot, only the lot line along the future Street "C" shall be deemed to be the front lot line. Therefore, Fifty Road shall be considered the rear lot line, and all other lot lines shall be considered side lot lines.

Notwithstanding the provisions of Paragraphs (b), (d), (f), (h), and (m 1.), of Section 6.10.3 of Zoning By-law No. 3692-92, on those lands zoned "RM3-49" by this By-law, the following shall apply:

(b)	Minimum Lot Frontage:	8.5m.
(d)	Minimum Side Yard:	3.0m.
(f)	Minimum Rear Yard:	6.0m.
(h)	Minimum Distance Between Buildings on the Same Lot:	12 metres, except 2.0m between end walls and 9m between an end wall and a rear wall.
(m)	Minimum Landscaped Open Space:	Not less than 35% of the lot area shall be landscaped including privacy areas.

The following regulations apply to the "RM3-49" Zone, should the development proceed as Freehold Street Townhouse Units tied to a Common Element Condominium road:

For the purposes of this By-law, a common element condominium road shall be deemed to be a street.

Notwithstanding the provisions of Paragraphs (a), (b), (d), (e), and (i) of Section 6.9.3 of Zoning By-law No. 3692-92, on those lands zoned "RM3-49" by this By-law, the

following shall apply:

(a)	Minimum Lot Area:	Interior Unit: 150 sq. m. End Unit: 175 sq m. Corner Unit: 200 sq. m.
(b)	Minimum Lot Frontage:	End Unit: 7.0m. Corner Unit: 8.0m.
(d)	Minimum Side Yard:	End Unit: 1.2m. Corner Unit: 2.0m.
(e)	Minimum Rear Yard:	6.0m.
(i)	Maximum Lot Coverage:	N/A.

Notwithstanding the provisions of Section 6.9.4 "Regulations for Parking" of Zoning By-law 3692-92, on those lands zoned "RM3-49" by this By-law, the following additional requirement shall apply:

(c) That a minimum of 0.5 visitor parking spaces per unit shall be provided and maintained.

By-law 13-209
By-law 16-299

RM3-50 601 Upper Centennial Parkway, Schedule "A", Map No. 11

For the purposes of this By-law, "Height" shall be defined as: the average vertical distance measured from metres-above-sea-level (masl) at the four corners of the building to the highest point of the roof structure or the parapet, a common element condominium road shall be deemed to be a street, and the lot boundary shall be deemed to be the lot lines for the "RM3-50(H)" Zone, including but not limited to, building setbacks.
Notwithstanding the "Permitted Uses For Each Lot" of Sub-section 6.10.2 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-50(H)" by this By-law, only the following shall be permitted:

(a) Street Townhouses
(b) Townhouses
(c) Duplexes
(d) Triplexes
(e) A Home Occupation
(f) Uses, buildings, or structures accessory to a permitted use

Notwithstanding the provisions of Sub-section 6.10.3, Paragraphs (f) and (j) of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-50(H)" by this By-law, the following shall apply:

(f) Minimum Rear Yard Setback
Along Upper Centennial Parkway: 12m in conjunction with a berm, and 6m without the berm.

(j) Maximum Building Height: 196 masl not to exceed 10m.

The (H) symbol may be removed by further amendment to this By-law at such time as the following conditions have been satisfied:

(a) That adequate roadway access is provided, and storm sewers (including provisions for stormwater management quantity and quality control measures), sanitary sewers, and water servicing are available to service the subject lands, to the satisfaction of the Senior Director of Growth Management, in consultation with the Hamilton Conservation Authority.

(b) That the Owner agrees to register on title and include the following notice to all purchasers in all agreements of purchase and sale, to the satisfaction of the Director of Planning:

"Purchasers/Residents of this development are advised that the Newalta Landfill Site operates a Ministry of Environment licensed industrial, commercial, and institutional Landfill in the vicinity of the subject lands."

By-law 13-209
By-law 16-299

RM3-51 601 Upper Centennial Parkway, Schedule "A", Map No. 11

In addition to the provisions of the "RM3-50(H)" Zone, the following shall also apply:

(j) Maximum Building Height: 194 masl not to exceed 8m.

By-law 13-247

RM3-52 98 Shoreview Place, Schedule "A", Map No. 1

For the purpose of this By-law, a Common Element Condominium road shall be deemed to be a street, and that visitor parking for the dwelling units fronting the common element condominium road are permitted within the common element condominium road.

For the purposes of this By-law, the property line abutting Shoreview Place shall be deemed to be a front lot line; all property lines abutting Millen Road shall be deemed to be a flankage yard; the southerly property line abutting North Service Road shall

be deemed to be a rear yard; and the westerly property line shall be deemed to be a side yard.

For the purpose of the regulations contained in Sections 2, 4, and 6 of Stoney Creek Zoning By-law No. 3692-92, as amended by this By-law, the boundary of 98 Shoreview Place (Block 16, Plan M-101 - "South Shore Estates") shall be deemed to be the lot lines for this purpose, and the regulations of the "RM3-52" Zone, including, but not limited to, lot area, lot frontage, building setbacks, separation distances, maximum density, lot coverage, landscaped areas, parking requirements, and accessory buildings, etc., shall be from the boundaries of Block 16, and not from individual property boundaries of dwelling units created by registration of a condominium plan or created by Part Lot Control.

Notwithstanding the provisions of Paragraphs (c), (d), (f), (h), and (m) of Section 6.10.3, "Zone Regulations", on those lands zoned "RM3-52" by this By-law, the following shall apply:

(c)	Minimum Front Yard	6m.
(d)	Minimum Side Yard for Maisonettes, Townhouses, and Dwelling Groups	3m.
(f)	Minimum Rear Yard for Maisonettes, Townhouses, and Dwelling Groups	14m.
(h)	Minimum Distance Between on the Same Lot	12m, except 3m between end Buildings walls and 9m between an end wall and a rear wall.
(m)	Minimum Landscaped Open Space	
	1.	Not less than 45 percent of the lot area for maisonettes, townhouses, and dwelling groups shall be landscaped, including privacy areas.
	3.	Sub-section 6.10.3 (m) 3. shall apply, except that at the intersection of two or more roads, a 1.5m landscaped strip is not required adjacent to the hypotenuse of the daylight triangle.

Notwithstanding the provisions of Paragraph (c) of Section 6.10.5, "Regulations for Parking", on those lands zoned "RM3-52" by this By-law, the following shall apply:

(c) For maisonettes or townhouses, only one of the required parking spaces per unit may be provided in the required front yard, except that visitor parking shall also be permitted in the required front yard.

By-law 14-117
By-law 15-115
(OMB approval)

RM3-53 257, 259 and 261 Millen Road, Schedule "A", Map No. 6

Notwithstanding the provisions of Sub-Section 6.10.2, of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-53" by this By-law, the following permitted uses shall apply:

(a) one apartment building, containing a maximum of 40 units

Notwithstanding the provisions of Sub-Section 6.10.3, Paragraphs (a), (c), (e), (g), (i), (m) 3., & 4., of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-53" by this By-law, the following shall apply:

(a) Minimum Lot Area 3,800 square metres

(c) Minimum Front Yard 5.8 m to the building

(e) Minimum Side Yard for Apartment Buildings:
Northerly Side Yard 15.0 m to the building
Southerly Side Yard 15.0 m to the building

(g) Minimum Rear Yard for Apartment Buildings 16.0 m to the building

(i) Maximum Density 104 units per ha.

(m) Minimum Landscaped Open Space

3. A landscaped strip having a minimum width of 1.5 m, which shall include a minimum 2 metre high fence with trees beside the fence, shall be provided along the north and south property lines.

A landscaped strip having a minimum width of 3.0 m, which shall include a minimum 2 metre high fence with trees beside the fence, shall be provided along the west property line.

4. A landscape strip having a minimum width of 3.0 m shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress.

Notwithstanding the provisions of Sub-Section 6.10.5, Paragraphs (a)(2.), (b), (d), and (e) of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-53" by this By-law, the following shall apply:

(a) Minimum Number of Parking Spaces:

2. 1.0 parking space and 0.35 visitor parking spaces for each one bedroom dwelling unit.

(b) No common parking space shall be located closer than 1.5 metres from a Zone for single detached, semi-detached, or duplex dwellings.

(d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 1.5 m to the northerly and southerly lot line, and 3.0 m to the westerly lot line.

(e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.5 m to the building on the same lot.

Nothwithstanding the Parking Regulations in Section 4.10.3 (a), Dimensions of Parking Spaces, no parking space shall be less than 2.6 m in width x 5.5 m in length, unless otherwise provided for in this By-law.

Nothwithstanding the Parking Regulations in Section 4.10.4 (a), Requirement for Parking Designated for Vehicles of Physically Challenged, no parking space shall be less than 4.4 m in width x 5.5 m in length.

Notwithstanding the Loading Regulations in Section 4.9.2, Schedule of Required Loading Spaces, no loading space shall be required.

By-law 16-039

“**RM3-55” 101 Shoreview Place, Schedule “A” Map No. 1**

Notwithstanding the definitions in Part 2 of Zoning By-law 3692-92, on those lands zoned Multiple Residential “RM3-55”, the following shall apply:

(a) *Landscaped Open Space* means any uncovered area of land including lawn and ornamental shrubs located in any yard, or in any inner or outer court, and includes paths, patios, play areas, decks, walkways, exit stairs, and air shafts and / or air vents, but shall not include any parking spaces, parking areas, parking lots, driveways, or ramps.

(b) *Landscaped Strip* means an area of land devoted solely to the growing of grass, ornamental shrubs or trees and may include fences, berms, exit stairs, and air shafts and / or air vents.

Notwithstanding the provisions of Paragraphs (c), (e), (g), (i), (j), (l) and (m) of Subsection 6.10.3 "Zone Regulations" of the Multiple Residential "RM3" Zone,on those lands zoned "RM3-55" by this By-law, the following shall apply:

(c)	Minimum Front Yard for Townhouses	-	4.0 metres
(e)	Minimum Side Yard for Apartment Buildings	-	8.0 metres
(g)	Minimum Rear Yard for Apartment Buildings	-	14 metres
(i)	Minimum Density	-	188 uph
(j)	Maximum Building Height	-	24 metres

(l) Privacy Area – Notwithstanding any provisions or definitions to the contrary, each townhouse dwelling unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 2.5 metres measured from the façade abutting Shoreview Place.

(m) Minimum Landscaped Open Space

1. Not less than 45 percent of the entire lot shall be landscaped open space.
2. A landscaped strip having a minimum width of 4.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street except for points of ingress and egress.
3. Notwithstanding Section 2. (m) within this amending By-law, for those lands between any privacy area for townhouse dwelling units and any lot line abutting a street, not less than 1.5 metres of landscaped strip shall be provided and thereafter maintained.

Notwithstanding the provisions of Paragraph (a) of Subsection 6.10.5 "Regulations for Parking" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-55" by this By-law, the following shall apply:

(a) Minimum Number of Parking Spaces

1. 1 parking space and 0.3 visitor parking spaces for each townhouse dwelling unit; and,

2. 1 parking space and 0.25 visitor parking spaces per unit for apartment buildings.

In addition to the provisions of Subsection 6.10.5 "Regulations for Parking" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-55" of this By-law, the following shall apply:

1. Underground parking shall not be bound by setback requirements; however, underground parking above grade shall be setback a minimum of 2.0 metres from any lot line.

Notwithstanding Section 4.10.3 a) of Zoning By-law No. 3692-92, the following shall apply:

1. Required parking spaces for 90° perpendicular parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways or a similar purpose.

2. For other than 90° perpendicular parking spaces and for parking spaces within private residential garages designed to accommodate one motor vehicle, the parking space shall not be less than 2.4 metres in width or less than 6 metres in length exclusive of any land used for access, manoeuvring, driveways or a similar purpose. End spaces which have a clear, unobstructed approach, shall have a minimum length of 5.5 metres. A single step, hose bibs, electrical devices and/or ductwork and closet enclosures may project not more than .3 metres into the required length or width of a parking space.

By-law 16-102

RM3-56 1831 Rymal Road East, Schedule "A", Map No. 15

Notwithstanding the definition of "Dwelling- Townhouse" and "Highway" or "Street" of Part 2 – Definitions of Zoning By-law No. 3692-92, the following definitions shall apply:

"Dwelling – Maisonette"

Means back to back townhouse dwellings, containing not more than sixteen maisonette dwelling units within a block intended for maisonette dwellings.

"Dwelling – Townhouse"

Means a building containing not less than three and not more than nine dwelling units with each unit separated by a common or party wall or walls, with a separate outside entrance to each unit.

"Lot Line – Front"

The frontage along Street "A" of the Draft Plan of "Part of Lot 33 – Concession 8", 25T-201401, shall be deemed to be the front lot line.

"Highway" or "Street"

For the purpose of this Zone, the private driveway(s) or condominium road(s) are deemed to be a street(s), and parking, landscaping and amenity areas are permitted within the street(s).

(i) Notwithstanding the definition of Lot within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned Multiple Residential "RM3-56" by this By-law shall be considered as one lot.

(ii) Notwithstanding the provisions of Paragraphs (c), (d), (f), (h), (i), (j), (k), (l), and (m), of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, the following regulations shall apply:

(c) Minimum Front Yard -6.0 metres shall be provided and maintained.

(d) Minimum Side Yard for a Maisonette, Townhouse, or Dwelling Groups
-6.0 metres for any side yard including a flankage yard

(f)	Minimum Rear Yard for a Maisonette, Townhouse, or Dwelling Groups	- 6.0 metres; except for an end wall abutting a street, a minimum 2.4 metres shall be provided and maintained.
(h)	Minimum Distance Between Buildings on the Same Lot	- 12 metres between front walls; - 2.4 metres between end walls of a block townhouse and / or a block of maisonette units; - 12 metres between rear walls of a block of townhouses and / or a block of maisonette units; - 7.0 metres between end walls and rear walls of a block of townhouse and / or a block of maisonette units - Separation distance shall not be applied to individual townhouse or maisonette units and / or their future property boundaries created by way of an application to remove part lot control and / or established by a condominium corporation.
(i)	Density	- A minimum density of 55 units per net residential hectare and a maximum density of 75 units per net residential hectare shall apply.
(j)	Maximum Building Height	- 13.5 metres or 3 storeys.
(k)	Maximum Lot Coverage	- Not Applicable

(f) Privacy Area per Unit - Notwithstanding the yard requirements above, each townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 3.5 metres.

No privacy area shall be required for maisonette units.

(m)	Minimum Landscape Open Space	- 20%, except that landscape strips shall not be required between privacy areas and any lot line, nor adjacent to any portion of any lot that abuts a street.

(iii) Notwithstanding the provisions of Paragraphs (a)(1) and (e) of Subsection 6.10.5 of the Multiple Residential "RM3" Zone, the following regulation shall apply:

(a)(1) 2 parking spaces for each maisonette and townhouse dwelling unit, and 0.25 visitors spaces to be providing within the condominium road(s). Tandem parking is permitted for non-visitors parking spaces.

(e) No parking areas may be located closer than 2.75 metres from a dwelling unit on the same lot. Future property and / or unit boundaries created through a *Condominium Act* or *Planning Act* application shall not be subject to this requirement.

(iv) Notwithstanding the provisions of Paragraph (a) of 4.10.3, Dimensions of Parking Spaces, and Paragraph (d) of Section 6.1.8, Parking Restrictions in Residential Zones, the following regulation shall apply for lands zoned Multiple Residential "RM3-56", Modified, by this By-law:

(a) Required parking spaces for 90^0 perpendicular parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways or a similar purpose.

(v) Notwithstanding the provisions of Paragraph (a) of 4.10.4, Requirement for Parking Designated for Vehicles of Physically Challenged, and Paragraph (d) of

Section 6.1.8, Parking Restrictions in Residential Zones, the following regulation shall apply for lands zoned Multiple Residential "RM3-56", Modified, by this By-law:

(a) Have minimum rectangular dimensions of 4.4 metres x 5.5 metres;

(vi) In addition to subsection 4.19.1 "General Application" of Section 4.19 "Yard Encroachments" the following shall apply for lands zoned Multiple Residential "RM3-56", Modified, by this By-law:

(j) Stairs may project into any required front yard a distance of not more than 3.5 metres;

(m) Bay windows, with or without foundations, may project into any required front, rear and / or flankage yard a distance of not more than 0.9 metres;

(l) Covered porches may project into any require front yard a distance of not more than 3.0 metres, and 1.8 metres for a flankage yard;

By-law 16-102 **RM3-57 1831 Rymal Road East, Schedule "A", Map No. 15**
By-law 19-083 **RM3-57 1809, 1817, 1821 and 1831 Rymal Road East (Blocks 4 and 5)**

(i) Notwithstanding the provisions of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, the regulations of the "RM3-56" Zone, Modified, as contained within this By-law shall apply for any townhouse and / or maisonette dwelling units.

(ii) Notwithstanding the provisions of Paragraphs (c), (e), (g), (h), (i), (j), (k), (l), and (m), of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, the following regulations shall apply for Apartment Buildings:

(c) Minimum Front Yard for Apartment Buildings – 6.0 metres

(e) Minimum Side Yard for Apartment Buildings – 6.0 metres

(g) Minimum Rear Yard for Apartment Buildings – 6.0 metres

(h) Minimum Distance Between Buildings on the Same Lot

			-	12 metres between front walls
			-	3 metres between end walls
			-	7 metres between an end wall and rear wall
Modified by By-law 19-083	(i)	Density	-	A minimum of 75 units per net residential hectare and a maximum of 170 units per net residential hectare shall be permitted.
Modified by By-law 19-083	(j)	Maximum Building Height	-	32.0 metres or 8 storeys, whichever is less.
	(k)	Maximum Lot Coverage	-	50%
	(m)	Minimum Landscape Open Space	-	20% including a landscape strip having a minimum width of 6.0 metres to be provided and maintained adjacent to every portion of a lot of block that abuts a street except for points of ingress or egress.

(ii) Notwithstanding the provisions of Paragraphs (a) and (e) of Subsection 6.10.5 of the Multiple Residential "RM3" Zone, the following regulation shall apply for lands zoned Multiple Residential “RM3-57”, Modified, by this By-law:

(a) 1.25 spaces shall be provided for each dwelling unit.

(e) No parking areas may be located closer than 2.75 metres from a dwelling unit on the same lot. Future property and / or unit boundaries created through a *Condominium Act* or *Planning Act* application shall not be subject to this requirement.

(iii) Notwithstanding the provisions of Paragraph (a) of 4.10.4, Requirement for Parking

Designated for Vehicles of Physically Challenged, and Paragraph (d) of Section 6.1.8, Parking Restrictions in Residential Zones, the following regulation shall apply for lands zoned Multiple Residential "RM3-57", Modified, by this By-law:

(a) Required parking spaces for 90^0 perpendicular parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways or a similar purpose.

(ii) Notwithstanding the provisions of Paragraph (a) of 4.10.4, Requirement for Parking Designated for Vehicles of Physically Challenged, and Paragraph (d) of Section 6.1.8, Parking Restrictions in Residential Zones, the following regulation shall apply for lands zoned Multiple Residential "RM3-57", Modified, by this By-law:

(a) Have minimum rectangular dimensions of 4.4 metres x 5.5 metres;

All other regulations of the Multiple Residential "RM3" Zone shall apply.

By-law 16-227 "**RM3-58" 560 Grays Road, Schedule "A", Map No. 1**

That notwithstanding the provisions of Paragraphs (g), (i), (j) of Subsection 6.10.3 "Zone Regulations" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-58" by this By-law, the following shall apply:

(g) Minimum Rear Yard for Apartment Buildings - 11 metres

(i) Maximum Density - 99 units per hectare

(j) Maximum Building Height - 15 metres

By-law 16-227 "**RM3-59" 288 Glover Road, Schedule "A", Map No. 8**

For the purposes of this By-law, the property line abutting Glover Road shall be deemed to be the front lot line; the easterly property line shall be considered the rear lot line; and all other lot lines shall be deemed to be side lot lines.

Notwithstanding the provision of Paragraphs (h), (i) and (m) of Subsection 6.10.3 Zone

Regulations of the Multiple Residential RM3 Zone, on those lands zoned RM3-59a , RM3-59b and RM3-59c and identified as Blocks 1 , 2 and 3 by this By-law, the following shall apply:

(h) Minimum Distance Between Buildings on the Same Lot - 14 metres, except 2.5 metres between end walls and 9 metres between an end wall and a rear wall.

(i) Maximum Density 42.5 units per hectare

(m) Minimum Landscaped Open Space - Not less than 25 percent of the lot area shall be landscaped including privacy areas.

In addition to the provisions of Subsection 6.10.3 Zone Regulations of the Multiple Residential RMS Zone, the following shall apply:

(n) Minimum Density 40 units per hectare

Notwithstanding Subsection 4.19.1 (a), Yard Encroachments – General Application , for bay windows only, on those lands zoned RM3-59a , RM3-59b" and RM3-59c by this By-law, the following regulations shall apply, specifically:

A bay window may project into a front yard or rear yard a distance of not more than 1.5 metres and into a side yard a distance of not more than 0.5 metres.

In addition to the regulations of Subsection 4.19.1 Yard Encroachments - General Application", on lands zoned RM3-59a", RM3-59b and RM3-59c by this By-law, stairs may project in their entirety into a required yard.

The Multiple Residential RMS Zone, on those lands zoned RM3-59a , RM3-59b and RM3-59c by this By-law, the following shall apply:

A minimum of 2 parking spaces and 0.21 visitor parking spaces shall be provided for each semi-detached, townhouse, and maisonette dwelling unit.

Tandem parking is permitted for non-visitor parking spaces.

All other regulations of the Multiple Residential RMS Zone shall apply, except as provided, below.

"**RM3-59a" 288 Glover Road, Schedule "A", Map No. 8**

No direct access shall be provided to individual townhouse or maisonette dwelling units from Glover Road or Barton Street, with the exception of a private condominium road.

Notwithstanding Subsection 6.10.2, Permitted Uses for Each Lot , on lands zoned RM3-59a and identified as Block 1" by this By-law, only the following uses shall be permitted:

(a) Townhouse

(b) Maisonette

(c) A private or public stormwater management facility

Notwithstanding the provisions of Paragraphs (c), (d), (f), (j) and (I) of Subsection 6.10.3 Zone Regulations" of the Multiple Residential RM3 Zone, on those lands zoned RM3-59a by this By-law, the regulations of the Multiple Residential RM3-59" Zone, Modified, as established under this By-law, shall apply on those lands zoned Multiple Residential RM3-59a Zone by this By-law and the following additional regulations shall apply:

(c)	Minimum Front Yard	2.0 metres
(d)	Minimum Northerly Side Yard	20.0 metres
	Minimum Southerly Side Yard	30.0 metres
(f)	Minimum Rear Yard	10.0 metres

(j) Maximum Building Height - 14.5 metres

(I) Privacy Area - Notwithstanding the yard requirements above, each townhouse dwelling unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit with a minimum depth of 7.0 m, except for a townhouse dwelling unit that is adjacent to Glover Road or Barton Street and maisonette dwelling unit, in which cases the privacy areas shall be provided on attached balconies with a minimum area of 5.0 square metres.

Notwithstanding Subsections 4.19.1 (d), Yard Encroachments – General Application , on those lands zoned RM3-59a" by this By-law, the following regulations shall apply:

> Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any required front yard or side yard not more than 2.6 metres. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4.5 metres. Balconies and decks may project into any privacy area of this development not more than 4.5 metres.

Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.

Notwithstanding Subsection 4.13.1, Daylight Triangles , on those lands zoned RM3-59a" by this By-law, the following regulations shall apply:

> Any lot located at the intersection of two or more roads will requir a minimum yard of 10.0 metres from the hypotenuse of the daylight triangle.

Notwithstanding Subsections 6.1.8 (c), Parking Restrictions in Residential Zones and Subsections 6.10.5 (d) and (e), "Regulations for Parking", on lands zoned RM3-59a , RM3~59b and RM3-59c by this By-law, the following regulation shall apply:

> Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.5 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within a private garage.

"**RM3-59b" 288 Glover Road, Schedule "A", Map No. 8**

No direct access shall be provided to individual semi-detached dwelling units from Barton Street, with the exception of a private condominium road.

Notwithstanding Subsection 6.10.2, Permitted Uses for Each Lot , on lands zoned RM3-59b and identified as Block 2 by this By-law, only the following use shall be permitted:

(a) Semi-Detached

Notwithstanding the provisions of Paragraphs (d), (f), (j) and (I) of Subsection 6.10.3 Zone Regulations of the Multiple Residential RMS Zone, on those lands zoned RM3-59b" by this By-law, the regulations of the Multiple Residential RM3- 59 Zone, Modified, as established under this By-law, shall apply on those lands zoned Multiple Residential "RM3-59b" Zone by this By-law and the following additional regulations shall apply:

(d)	Minimum Northerly Side Yard	2.0 metres
	Minimum Southerly Side Yard	60.0 metres
(f)	Minimum Rear Yard	7.5 metres
(j)	Maximum Building Height	11 metres

(I) Privacy Area - Notwithstanding the yard requirements above, each semi-detached dwelling unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit with a minimum depth of 7.5 m.

Notwithstanding Subsections 4.19.1 (d), Yard Encroachments – General Application", on those lands zoned RM3-59b by this By-law, the following regulations shall apply:

> Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any required front yard or side yard not more than 2.6 metres. Balconies, canopies, unenclosed porches and decks more than 0.3m in height may not project into any required rear yard.

Notwithstanding the foregoing, any balcony, deck or patio which is less than 0.3 metres in height may be located in any required yard, including the rear yard.

"**RM3-59c" 288 Glover Road, Schedule "A", Map No. 8**

That direct access may be provided to semi-detached and townhouse dwelling units facing Willow Lane.

Notwithstanding Subsection 6.10.2, Permitted Uses for Each Lot , on lands zoned RM3-59c and identified as Block 3" by this By-law, only the following uses shall be permitted:

(a) Semi-Detached

(c) Townhouse

Notwithstanding the provisions of Paragraphs (c), (d), (f), (j), and (I) of Subsection 6.10.3 Zone Regulations of the Multiple Residential RMS Zone, on those lands zoned RM3-59c by this By-law, the regulations of the Multiple Residential RM3- 59" Zone, Modified, as established under this By-law, shall apply on those lands zoned Multiple Residential RM3-59c Zone by this By-law and the following additional regulations shall apply:

(c)	Minimum Front Yard	6.0 metres
(d)	Minimum Northerly Side Yard	150.0 metres
	Minimum Southerly Side Yard	4.5 metres
(f)	Minimum Rear Yard	15.0 metres
(j)	Maximum Building Height	11.0 metres

(I) Privacy Area - Notwithstanding the yard requirements above, each, semi-detached dwelling unit and townhouse dwelling unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit with a minimum depth of 7.0 m.

In addition to the provisions of Subsection 6.10.3 Zone Regulations" of the Multiple Residential RMS Zone, the following shall apply:
(o) Number of Dwelling Units - A Townhouse shall be restricted to only one (1) block containing no more than three (3) dwelling units.

Notwithstanding Subsections 4.19.1 (d), Yard Encroachments – General Application", on those lands zoned RM3-59c" by this By-law, the following regulations shall apply:

Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any required front yard or side yard not more than 2.6 metres. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4.5 metres. Balconies and decks may project into any privacy area of this development not more than 4.5 metres.

Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.

Notwithstanding Subsection 4.13.1, Daylight Triangles , on those lands zoned RM3-59c by this By-law, the following regulations shall apply:

Any lot located at the intersection of two or more roads will require a minimum yard of 0.0 metres from the hypotenuse of the daylight triangle.

Notwithstanding Subsections 6.1.8 (c), Parking Restrictions in Residential Zones and Subsections 6.10.5 (d) and (e), Regulations for Parking, on lands zoned RM3-59c by this By-law, the following regulation shall apply:

Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 3.0 metre to any lot line or closer than 5.0 metres to any dwelling unit located on a lot other than the said lot, except that the provisions of this clause shall not apply to any parking space located on a private driveway providing direct access to Willow Lane or within a private garage.

By-law 20-080-LPAT

RM3-60 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding Section 6.10.2, and the provisions of Paragraphs (a), (b), (c), (d), (f), (i), (k), (l), and (m) of Subsection 6.10.3, and Subsection 6.10.5 (a), of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-60" by this By-law, the following shall apply:

6.10.2 Permitted Use for Each Lot

(a) Maisonettes

6.10.3	(a)	Minimum Lot Area	70.0 square metres
	(b)	Minimum Lot Frontage	6.3 metres
	(c)	Minimum Front Yard	4.5 metres except 5.8 metres to an attached garage
	(d)	Minimum Side Yard	0.0 metres interior, 1.2 metres for an end Unit and 2.4 metres for flankage yard
	(f)	Minimum Rear Yard	0.0 metres

	(i)	Maximum Density	100 units per hectare
	(k)	Maximum Lot Coverage	71 percent
	(l)	Minimum Privacy Area	Notwithstanding the yard requirements above, each maisonette unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling. The privacy area shall have a minimum area of 7.65 square metres and may comprise porches, decks, balconies, and verandas.
	(m)	Minimum Landscaped Open Space	10 percent
6.10.5	(a)	Minimum Number of Parking Spaces	2 parking spaces for each dwelling unit, tandem parking is permitted

By-law 20-082-LPAT

RM3-60(H) 198 First Road West, Schedule "A", Map No. 16

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM3-60 (H)" by this By-law, the Holding "H" symbol may be removed by City Council and thereby give effect to the "RM3-60" Zone provisions upon completion of the following:

a) Land assembly with the abutting lands to the east to permit orderly development, to the satisfaction of the City s Director of Planning and Chief Planner, and the Senior Director of Growth Management.

By-law 20-080-LPAT

RM3-60(H1) 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM3-60(H1)" by this By-law, the Holding "(H1)" symbol may be removed by City Council and thereby give effect to the "RM3-60" Zone provisions upon completion of the following:

a) Land assembly with the abutting lands to the west to permit orderly development, and confirmation of an adequate level of engineering services to support the uses, to the satisfaction of the City s Director of Planning and Chief Planner, and the Senior Director of Growth Management.

By-law 20-080-LPAT

RM3-60(H2) 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM3-60(H2)" by this By-law, the Holding "(H2)" symbol may be removed by City Council and thereby give effect to the "RM3-60" Zone provisions upon completion of the following:

a) Owner shall have entered into a cost sharing agreement with Penta Properties Inc. (Penta) which will require the Owner to pay its proportionate share of the cost of construction of any downstream improvements to the storm conveyance system from downstream outside limit of the storm water management pond block on the adjacent property (198 First Road West), such downstream improvements to include the roadside ditches along Upper Centennial Parkway, Mud Street East including all necessary culvert upgrades and any downstream monitoring and remediation costs required to provide for proper conveyance of the post development drainage from 165 Upper Centennial and 198 First Road West (Paletta). Such costs are to be calculated on a contributory area and percent impervious basis, in respect of costs associated with the land and construction and other reasonable and related costs of the storm water conveyance system net of any monies recoverable from the City of Hamilton. These costs shall be calculated by the engineering consultant for Penta in a timely manner and agreed upon by an engineering consultant retained by the Owner of 165 Upper Centennial Parkway and shall be paid to Penta prior to the lifting of the Hold Symbol. If agreement regarding the costs is not reached, they shall be determined by arbitration pursuant to the *Ontario Arbitration Act*.

By-law 20-080-LPAT

RM3-61 165 Upper Centennial Parkway, Schedule "A", Map No. 16

The following regulations apply to the "RM3-61" Zone, should the development proceed as a Standard Condominium:

Notwithstanding Section 6.10.2, and the provisions of paragraphs (c), (h), (i), (l), and (m) 1. and 4. of Section 6.10.3, and in addition to the provisions of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-61" by this By-law, the following shall apply:

6.10.2 Permitted Use for Each Lot

(a) Townhouses

6.10.3 (c) Minimum Front Yard 3.0 metres, and 5.8 metres for a garage.

(h) Minimum Distance Between Buildings on the Same Lot

-12 metres, except 2.4 metres between end walls and 9 metres between an

end wall and a rear wall.

(i) Maximum Density 47 units per hectare

(l) Privacy Area – notwithstanding the yard requirements above, each townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have an area of 36 square metres.

(m) Minimum Landscaped Open Space

1. Not less than 40% of the lot area shall be landscaped including privacy areas.

4. A landscaped strip having a minimum width of 4.5 metres, within which retaining walls are allowed in addition to swales, berms and fences, shall be provided and thereafter maintained adjacent to every portion of any lot that abuts Upper Centennial Parkway except for points of ingress and egress.

The following regulations apply to the "RM3-61" Zone, should the development proceed as Freehold Street Townhouse Units tied to a Common Element Condominium Road:

For the purposes of this By-law, a common element condominium road shall be deemed to be a street.

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (g) and (i) of Section 6.9.3 of Zoning By-law No. 3692-92, on those lands zoned "RM3-61" by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Unit	- 150 square metres
End Unit	- 175 square metres
Corner Unit	- 200 square metres

(b) Minimum Lot Frontage

Interior Unit	- 6.0 metres
End Unit	- 7.0 metres
Corner Unit	- 8.0 metres

(c) Minimum Front Yard - 3.0 metres, except 5.8 metres for a garage

(d) Minimum Side Yard

End Unit	- 1.5 metres
Corner Unit	- 2.4 metres

(e) Minimum Rear Yard - 6.0 metres

(i) Maximum Lot Coverage - N/A

(g) Minimum Landscaped Open Space

A landscaped strip having a minimum width of 4.5 metres, within which retaining walls are allowed in addition to swales, berms and fences, shall be provided and thereafter maintained adjacent to every portion of any lot that abuts Upper Centennial Parkway except for points of ingress and egress.

By-law 20-080-LPAT

RM3-61(H2) 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM3-61(H2)" by this By-law, the Holding "(H2)" symbol may be removed by City Council and thereby give effect to the "RM3-61" Zone provisions upon completion of the following:

a) Owner shall have entered into a cost sharing agreement with Penta Properties Inc. (Penta) which will require the Owner to pay its proportionate share of the cost of construction of any downstream improvements to the storm conveyance system from downstream outside limit of the storm water management pond block on the adjacent property (198 First Road West), such downstream improvements to include the roadside ditches along Upper Centennial Parkway, Mud Street East including all necessary culvert upgrades and any downstream monitoring and remediation costs required to provide for proper conveyance of the post development drainage from 165 Upper Centennial and 198 First Road West (Paletta). Such costs are to be calculated on a contributory area and percent impervious basis, in respect of costs associated with the land and construction and other reasonable and related costs of the storm water conveyance system net of any monies recoverable from the City of Hamilton. These costs shall be calculated by the engineering consultant for Penta in a timely manner and agreed upon by an engineering consultant retained by the Owner of 165 Upper Centennial Parkway and shall be paid to Penta prior to the lifting of the Hold Symbol. If agreement regarding the costs is not reached, they shall be determined by arbitration pursuant to the *Ontario Arbitration Act*.

By-law 18-089

RM3 - 62

Notwithstanding the provisions of Section 6.9.3 "Zone Regulations", Paragraphs a), (b), (c), (d), (e), 6.10.3 "Zone Regulations for Maisonettes", Paragraphs (a), (b), (c), (d), (f), (g), (h) and (i) 6.10.4 "Zone Regulations for Street Townhouses" and Section 6.10.5 "Regulations for Parking", Paragraph (a):

REGULATIONS

(a) Minimum Lot Area:

	Street Townhouses	Maisonettes
Interior Unit	170 sq m	80 sq m
Corner Unit	250 sq m	118 sq m
End Unit	240 sq m	N/A

(b) Minimum Lot Frontage:

	Street Townhouses	Maisonettes
Interior Unit	5.5 m	6.45 m
Corner Unit	8.25 m	8.1 m
End Unit	7.25 m	N/A

(c) Minimum Front Yard:

Street Townhouses	Maisonettes
N/A	4.0 m to the dwelling face and 6.0m to the attached garage

(d) Minimum Side Yard:

	Street Townhouses	Maisonettes
End Unit	1.5 m	N/A
Corner Unit	1.75 m	2.75 m

(e) Minimum Rear Yard: 7.5 m, except 3.0 m to the daylighting triangle — 0.0 m

(f) Maximum Density: 53 units per net ha

(g) Maximum Building Height: 12 m (maisonettes)

(h) Maximum Lot Coverage: Shall not apply to maisonettes

(i) Minimum Privacy Area: 4.0 sq m for maisonettes to be located on a balcony or patio

(j) Minimum Landscaped Open Space: Shall not apply to maisonettes

(k) Minimum Number of Visitor Parking Spaces: 20 internal visitor parking spaces to be provided

(l) Notwithstanding clause (a) of Section 4.16.1, unitary equipment may be located not closer than 0.5 m to any side lot line.

(m) Notwithstanding any provision to the contrary, prior to the registration of a plan of subdivision or condominium, 44 maisonette townhouse units and 16 standard townhouses, shall be permitted on one parcel of land.

(n) For the purpose of this By-law, maisonettes may front onto a public

roadway.

(o) For the purpose of this By-law, a Private Common Element Condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the common element condominium road are permitted within the common element condominium road.

By-law 18-167

RM3 – 63 (H)

Notwithstanding the provisions of Paragraphs 6.10.3 "Zone Regulations for Maisonettes", Paragraphs (a), (b), (c), (d), (f), (i), (j), (k), (l), (m), 6.10.4 "Zone Regulations for Street Townhouses", Section 6.9.3 "Zone Regulations" (a), (b), (c), (d), (e), (f), (g), (h), (i), Section 4.10.3 a), b), 4.10.4(a), 4.16.1(a), Section 6.1.8 c) and d), and Section 6.10.5 "Regulations for Parking", Paragraph (a):

REGULATIONS

(a) Minimum Lot Area:

	Street Townhouses	Maisonettes
Interior Unit	100 square metres	81 square metres
Corner Unit	140 square metres	105 square metres
End Unit	130 square metres	105 square metres

(b) Minimum Lot Frontage:

	Street Townhouses	Maisonettes
Interior Unit	5.5 metres	6.4 metres
Corner Unit	7.5 metres	8.25 metres
End Unit	7.1 metres	8.25 metres

(c) Minimum Front Yard:

	Street Townhouses	Maisonettes

	4.4 metres to the dwelling unit, 3.25 metres to the dwelling for an end unit on a private road and 6.0 metres to the attached garage	4.0 metres to the dwelling unit and 6.0 metres to the attached garage attached garage

(d) Minimum Side Yard:

	Street Townhouses	Maisonettes
End Unit	1.5 metres	1.6 metres
Corner Unit	1.5 metres	1.5 metres

(f) Minimum Rear Yard:	6.0 metres	0.0 metres

(i) Maximum Density: 59 units per net hectare

(j) Maximum Building Height:

Street Townhouses	Maisonettes
12.25 metres	12.5 metres

(k) Maximum Lot Coverage:

Street Townhouses	Maisonettes
55%	Shall not apply

(l) Minimum Privacy Area:

Street Townhouses	Maisonettes
34 square metres	4.0 square metres to be located on a balcony or patio in the front yard

(m) Minimum Landscaped Open Space:	Shall not apply to maisonettes
(n) Minimum Number of	26 visitor parking spaces to be

Visitor Parking Spaces: provided

(o) Notwithstanding Section 4.10.3 a), required parking spaces for 90 degree perpendicular parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres.

(p) Notwithstanding Section 4.10.4 (a), a minimum of four (4) designated parking spaces shall be provided with a minimum rectangular dimension of 2.75 metres and 3.4 metres by 5.5 metres, when adjacent to a 1.5 metre access aisle.

(q) Notwithstanding Section 4.16.1 (a), unitary equipment may be located not less than 0.5 metres to any side lot line.

(r) Notwithstanding Section 6.1.8 c), parking spaces shall be a minimum of 3.1 metres from a dwelling unit.

(s) Notwithstanding Section 6.1.8 d), parking spaces shall have a width of not less than 2.6 metres and a length of not less than 5.5 metres and parking spaces for physically challenged persons all have a width of not less than 2.75 metres and 3.4 metres when adjacent to a 1.5 metre access aisle and a length of not less than 5.5 metres, exclusive to any land used to permit ingress or egress to said parking spaces, manoeuvring areas, driveways or aisles.

(t) For the purpose of this By-law, a parkette of 618 square metres shall be provided within the subject development.

(u) For the purpose of this By-law, maisonettes may front onto a public street.

(v) Notwithstanding any provision to the contrary, prior to the registration of a plan of subdivision or condominium, 28 maisonette units and 43 street townhouse dwelling units, shall be permitted on one parcel of land.

(w) For the purpose of this By-law, a Private Common Element Condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the common element condominium road are permitted within the common element condominium road.

3. Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM3-63(H)" of this By-law, the Holding Provision "RM3-63(H)" (Multiple Residential) Zone, Modified, be removed conditional upon:

a) The owner demonstrating that the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater than 40 dwelling units, to the satisfaction of the Senior Director, Growth Management.

b) City Council may remove the 'H' symbol and thereby give effect to the "RM3-63" (Multiple Residential) Zone, as amended by the special requirements of this By-law, by enactment of an amending By-law once the above condition has been fulfilled.

By-law 18-298

RM3 – 65 (H)

Notwithstanding the provisions of Part 2 "Definitions, Section 6.10.3 "Zone Regulations", Paragraphs (c), (d), (h), (i), (j), (k) and (m):

REGULATIONS

(a) Minimum Front Yard:	4.5 metres to end wall of unit 6.0 metres to rear wall of unit
(a) Minimum Side Yard:	4.5 metres to end wall of unit 7.0 metres to rear wall of unit
(c) Minimum Distance Between Buildings on the Same Lot:	2.6 metres (Between End Walls)
(d) Maximum Density:	49 units per net hectare
(e) Maximum Building Height:	12.5 metres (Maisonettes)
(f) Maximum Lot Coverage:	37 percent
(g) Minimum Landscaped	30 percent

Open Space:

(h) For the purpose of this By-law, a parkette of 600 square metres shall be provided within the subject development.

(i) For the purpose of this By-law, the lot line abutting Green Mountain Road West shall be deemed to be the front lot line.

(j) For the purpose of the definitions contained in Part 2 and the regulations contained in Sections 4.10, 4.13, 4.19, 6.1 and 6.10 of the Stoney Creek Zoning By-law No. 3692-92, as amended by this By-law, the boundary of the "RM3-65 (H)" Zone, shall be deemed to be the lot lines for this purpose, and the regulations of the "RM3-65 (H)" Zone shall be from the boundaries of this zone, and not from the individual property boundaries of the dwelling units created by registration of a draft plan of subdivision / condominium plan or created by Part Lot Control.

(j) For the purpose of this By-law, a Private Common Element Condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the common element condominium road are permitted within the common element condominium road.

3. Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM3-65(H)" of this By-law, the Holding Provision "RM3-65(H)" (Multiple Residential) Zone, Modified, be removed conditional upon:

a) The Owner entering into a conditional building permit agreement with respect to completeing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chied Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee

b) The Owner entering into a Site Plan Agreement with the City to construct the services within the site and complete the flow monitoring analysis for a period of five (5) years including

sufficient securities to the satisfaction of the Manager of Developemnt Approvals.

c) The Owner submitting an updated Traffic Impact Study ("TIS") to the satisfaction of the Manager of Transportation Planning.

By-law 19-083 "**RM3-67" 1809, 1817, 1821 and 1831 Rymal Road East (Blocks 8, 9 and 10)**

For the purposes of this By-law, the property line abutting Glover Road shall be deemed to be the front lot line; the easterly property line shall be considered the rear lot line; and all other lot lines shall be deemed to be side lot lines.

Notwithstanding the provisions of Part 2 "Definitions" as it relates to the definition of "Highway" or "Street", and in addition to Definition "Dwelling – Stacked Townhouses", Section 6.10.2 "Permitted Uses", Section 6.10.3 "Zone Regulations", Paragraphs (c), (d), (f), (h), (i), (j), (l) and (m), Section 6.10.5 (a) 1., the following shall apply:

DEFINITIONS

Notwithstanding the definition of Highway" or Street" of Part 2 - Definitions of Zoning By-law No. 3692-92, the following shall apply:

"Highway" or "Street"

For the purpose of this By-law, a condominium road shall be deemed to be a Highway" or "Street", and visitor parking, landscaping and amenity areas for the dwellings are permitted within the Highway or Street.

In addition to the permitted uses of Subsection 6.10.2 for the Multiple Residential "RM3" Zone, those lands zoned "RM3-67" by this By-law, Stacked Townhouses shall also be permitted.

ZONE REGULATIONS

(c)	Minimum Front Yard:	3.0 metres
(d)	Minimum Side Yard for Maisonettes, Townhouses, Stacked Townhouses and Dwelling Groups:	1.2 metres, except for 7.5 metres for a flankage yard, 7.5 metres abutting a zone permitting a single

		detached, semi-detached or duplex dwellings and 3 metres where an end unit abuts any lot line of a street townhouse.
(f)	Minimum Rear Yard for a Townhouse or Stacked Townhouses:	6.0 metres.
(h)	Minimum Distance Between Buildings on the Same Lot:	1. 3.0 metres between end walls; and, 2. 13.5 metres between front walls.
(i)	Density:	1. Minimum of 50 units per hectare. 2. Maximum of 75 units per hectare.
(j)	Maximum Building Height:	13.5 metres or 3 storeys, whichever is the less of the two.
(l)	Privacy Area:	Notwithstanding the yard requirements, privacy area requirements shall not apply to maisonette units.
(m)	Minimum Landscaped Open Space:	1. Not less than 38% of the lot area For maisonettes, townhouses, Stacked townhouses and dwelling groups shall be landscaped including privacy areas. 2. No landscaped strip is required adjacent to every portion of any lot that abuts a street. 3. One outdoor amenity space, having a minimum area of 480 square metres, shall be provided, and thereafter maintained, excluding easements and excluding the

area containing a natural spring and required buffer associated with said spring.

PARKING

(a) Minimum Number of Parking Spaces: 2 parking spaces and 0.25 visitor parking spaces for each maisonette and townhouse dwelling unit. Tandem parking is permitted for non-visitor parking spaces.

By-law 20-253 **"RM3-68(H)" 56 Highland Road West**

DEFINITIONS

Notwithstanding the definition of "Dwelling - Maisonette" of Part 2 - Definitions, a "Dwelling - Maisonette" means back-to-back street townhouse dwellings or back-to-back townhouse dwellings containing not more than ten dwelling units within a building which may front on either a public street, a private common element condominium road or both.

Notwithstanding the definition of "Dwelling - Street Townhouse" of Part 2 - Definitions, a "Dwelling - Street Townhouse" means a building containing not less than three and not more than ten dwelling units where each unit is located on a separate lot with frontage on a public street, a private common element condominium road or both and is separated from each adjoining unit by a common or party wall or walls above grade for a minimum height of one storey above grade. Such common or party wall may enclose a heated or unheated part of the dwelling unit or private garage or a combination thereof.

Notwithstanding the definition of "Dwelling - Townhouse" of Part 2 - Definitions, a "Dwelling - Townhouse" means a building containing not less than three and not more than ten dwelling units with each unit separated by a common or party wall or walls, with a separate outside entrance to each unit and which may front on either a public street, a private common element condominium road or both.

Notwithstanding the definition of "Lot", "Street" and "Highway" of "Part 2 - Definitions" and Section 4.6, for the purposes of this By-law, a private common element condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the private common element condominium road are permitted within the private common element condominium

road.

In addition to the provisions/regulations of this By-law, prior to the registration of a plan of subdivision, individual property boundaries of dwelling units created by registration of a condominium plan or created by Part Lot Control, 20 maisonette dwelling units and 26 street townhouse dwelling units, shall be permitted on one parcel of land.

Notwithstanding Subsections 4.16.1 (a) and (b), mechanical and unitary equipment may be located 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 0.5 metres from a side lot *line* and is screened from the street by an enclosure or landscaping; and, within a required side yard or required rear yard provided such equipment has a minimum setback of 0.5 metres from the side lot line or rear lot line.

Notwithstanding Subsection 6.10.3, or any other regulation of this by-law to the contrary, the following regulations shall apply to street townhouses and maisonettes where each dwelling unit is on a separate lot:

(a) Minimum Lot Area

Interior Unit	150 square metres for street townhouse and 80 square metres for maisonette.
End Unit	175 square metres for street townhouse and 95 square metres for maisonette.
Corner Unit	200 square metres for Street townhouse and 110 square metres for maisonette

(b) Minimum Lot Frontage

Interior Unit	6 metres
End Unit	7.2 metres
Corner Unit	7.5 metres

(c) Minimum Front Yard	4.5 metres except 6.0 metres to a garage.

(d) Minimum Side Yard

(i) Interior Unit — 0 metres

(ii) End Unit

Street Townhouses: 1.2 metres except

1. 0.0 metres for the side yard related to the common side lot line;

2. 2.33 metres for the street townhouse unit from the east side lot line adjacent to the lands known as 135 Upper Centennial Parkway, and,

3. 2.95 metres for the street townhouse unit from the south side lot line adjacent to the lands known as 20 and 36 Highland Road West.

Maisonettes: 1.5 metres except 0.0 metres for the side yard related to the common side line.

(iii) Corner Unit: 1.5 metres except 0.0 metres for the side yard related to the common side lot line.

(f) Minimum Rear Yard — 6.0 metres for the street townhouses and 0.0 metres for maisonettes.

(h) Minimum Distance Between Buildings on the same lot — Shall not apply.

(i) Maximum Density — Shall not apply.

(j) Maximum Building — 3 Storeys and 11 metres.

Height	
(k) Maximum Lot coverage	Shall not apply.
(l) Minimum Privacy Area	36 square metres for each street townhouse unit and 4.0 square metres for each maisonette unit which may include porches, decks and balconies and verandahs.

(m)	Minimum Landscaped and Open Space	1. 30 Percent of the lot area for each Street townhouse unit and 10 percent of the lot area for each maisonette unit. 2. A minimum 1.5 metre wide landscaped strip shall be provided between the lot line abutting another Residential Zone and a private Street, except where there are private streets, driveways, or sidewalks. 3. A minimum 1.8 metre high solid fence shall be provided along the lot lines abutting another Residential Zone, except where there are private Streets, driveways or sidewalks.

Notwithstanding Subsections 6.1.8 (c) and 6.10.5 (a) and (d), the following regulations shall apply:

a) Minimum Number of Parking Spaces	2 parking spaces and 0.4 visitor parking spaces per dwelling unit. Tandem parking is permitted for non-visitor parking spaces.

d) No parking space shall be provided closer than 1.5 metres to any lot line or closer thah 5 metres to any dwelling unit located on a lot other than the said lot.

Subsections 4.13.1, 6.1.12, and 6.10.4 shall not apply.

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "RM3-68(H)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "RM3-68" Zone provisions, upon completion of the following:

(a) The owner demonstrating that the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient

capacity to meet City standards and to share in the upgrade costs for development greater than 30 dwelling units, to the satisfaction of the Senior Director, Growth Management.

(b) City Council may remove the 'H' symbol and thereby give effect to the "RM3- 68" (Multiple Residential) Zone, as amended by the special requirements of this By-law, by enactment of an amending By-law once the above condition has been fulfilled.

By-law 24-040 **RM3-69(H)" Zone, Modified, Holding, 1400 Baseline Road, Schedule "A", Map No. 4**

1. For the purposes of this By-law, the property line abutting Baseline Road shall be deemed to be a front lot line; all property lines abutting Lockport Way shall be deemed to be a flankage lot lines, the southerly property line abutting North Service Road shall be deemed to be a rear lot line; and the easterly property line shall be deemed to be a side lot line;

2. Notwithstanding the permitted uses of Subsection 6.10.2 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-69(H)" Zone, Modified, Holding by this By-law, only the following uses shall be permitted:

   (a) Maisonettes;

   (b) Townhouses;

   (c) Apartment Dwellings;

   (d) Dwelling Groups;

   (e) A Home Occupation; and,

   (f) Uses, buildings or structures accessory to a permitted use;

3. Notwithstanding the provisions of Paragraphs (d), (e), (f), (g), (i) and (j) of Section 6.10.3 of the Multiple Residential "RM3" Zone, and notwithstanding Section 4.13.1 Daylight Triangles, on those lands zoned "RM3-69(H)" Zone, Modified, Holding by this By-law, the following shall apply:

   (a) Minimum Yard Regulations for Maisonettes, Townhouses and Dwelling Groups:

      i) Side Yard – 7.5 metres;

ii) Flankage Side Yards – 7.5 metres; and,
iii) Rear Yard – 14.0 metres (setback from a Provincial Highway right of-way);

(b) Minimum Yard regulations for Apartment Dwellings:

i) Side Yard – 30.0 metres:
ii) Flankage Side Yards – 7.5 metres; and,
iv) Rear Yard – 14.0 metres (Setback from a Provincial Highway right-of-way);

(c) Residential Density: 50 to 99 dwelling units per hectare;

(d) Building Height:

i) Maisonettes and Townhouses -

1. Maximum 11 metres;

ii) Apartment Dwellings -

1. Maximum 7.5 metres façade height for any portion of a building along a street line; and,

2. A building height above 7.5 metres may be equivalently increased as the yard increases beyond the minimum yard regulations established in subsection 3 (b), to a maximum of 33.0 metres;

4. In addition to the provisions of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-69(H)" Zone, Modified, Holding by this By-law, the following shall apply:

(a) The minimum total of all the amenity areas for apartment dwellings shall be set forth in the following table:

Type of Dwelling Unit	**Minimum Amenity Area**
Bachelor Unit	1.5 square metres per unit
One Bedroom Unit	2 square metres per unit
Two Bedroom Unit	3 square metres per unit
Three Bedroom Unit	4 square metres per unit
Four Bedroom Unit	4 square metres per unit

Not less than 10 percent of the total of the amenity areas shall be provided inside the applicable apartment dwelling, and such inside area shall not be less than 93 square metres.

5. Section 6.10.4 shall not apply;

6. Section 6.10.5, Regulations for Parking, of the Multiple Residential "RM3" Zone, shall apply to lands zoned "RM3-69(H)" Zone;

7. On those lands zoned "RM3-69(H)" Zone, Modified, Holding by this By-law, the "H" symbol may be removed by way of an amending Zoning By-law, from all of the lands subject to this provision when the following conditions have been satisfied:

   (a) That a Traffic Impact Study has been submitted and implemented by the applicant to the satisfaction of the of the Manager of Transportation Planning, City of Hamilton;

   (b) That the Applicant / Owner shall investigate the noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner / applicant and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner;

   (c) That the proponent shall carry out an Archaeological Assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI);

   (d) That the owner/applicant enters into and registers on title all applicable development agreement(s), including an External Works Agreement, and posting of appropriate securities to ensure the implementation of any infrastructure upgrade needs identified in the Traffic Impact Study recommendation(s) to the satisfaction of the Senior Director of Growth Management, City of Hamilton; and,

   (e) City Council may remove the 'H' symbol and, thereby give effect to the "RM3-

69(H)" Zone, Modified, Holding, by enactment of an amending By- law once the above conditions have been fulfilled;

By-law 22-131 "**RM3-70(H)" Zone, Modified, Holding, 250-256 First Road West, Schedule "A", Map No. 6**

a) For the purposes of this By-law, First Road West shall be deemed to be the front lot line;

b) A maximum of four dwelling units shall be permitted to have minimum dwelling unit width of 5.8 metres and a maximum of 21 dwelling units shall be permitted to have a minimum dwelling unit width of 5.9 metres;

c) Notwithstanding the provisions of Paragraphs (c), (d), (f), (i), (k), (I), (m) (1), (m) (3) and (m) (4) of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-70(H)" Zone, Modified, Holding by this By-law, the following shall apply:

a. Minimum Yard Regulations for Maisonettes, Townhouses and Dwelling Groups:

i) Front Yard – 1.5 metres

ii) Side Yard – 1.5 metres

iii) Flankage Side Yard – 1.5 metres

iv) Rear Yard – 6.0 metres

b. Maximum Density: 45 units per hectare.

c. Maximum Lot Coverage: 40%

d. Minimum Landscaped Open Space:

i) A landscaped strip shall have a minimum width of 1.5 metres along First Road West and Mud Street West, except 4.0 metres abutting a daylight triangle;

ii) A minimum landscaped open space of 30% of the lot area shall be provided;

e. Minimum Privacy Area for Maisonettes, Townhouses and Dwelling Groups: Each maisonette and townhouse unit shall have at least one area which serves as a privacy area and shall have a minimum depth of 4.0 metres;

d) In addition to provisions of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-70(H)" Zone, Modified, Holding by this By-law, the following shall apply:

(a) The minimum setback to a dwelling from a condominium road shall be 3.5 metres;

(b) The minimum setback to a garage from a condominium road shall be 6.0 metres;

e) Notwithstanding Section 6.10.5 (a) (1) and (1) (e) of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-70(H)" Zone, Modified, Holding by this By-law, the following shall apply:

a. Regulations for Parking:

i) 2 parking spaces and 0.45 visitor parking spaces for each maisonette and townhouse dwelling unit. Tandem parking is permitted for non-visitor parking spaces;

ii) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1 metre to any dwelling unit located on the same lot;

f) Notwithstanding Section 4.19.1(d), an unenclosed porch and deck may project into the northerly side yard abutting the Mud Street West street line and the southerly side yard to a maximum of 1.5 metres.

g) On those lands zoned RM3-70(H)" Zone, Modified, Holding by this By-law, the "H" symbol may be removed by way of an amending Zoning By-law, from all of the lands subject to this provision when the following conditions have been satisfied:

i. That there is adequate sanitary service capacity available to the subject lands and that it can be demonstrated that there are appropriate sanitary sewer

connections available to the subject lands to the satisfaction of the Director of Growth Management.

ii. It is demonstrated that development of the subject lands will incorporate adequate methane mitigation measures related to the Terrapure Environmental Stoney Creek Landfill, to the satisfaction of the Director of Planning.

By-law 23-194-OLT

"**RM3-73" 860 and 884 Barton Street, Schedule "A" Map No. 7 (Block 1)**

In addition to Subsection 6.10.2, Stacked Townhouses shall be a permitted use.

In addition to Part 2, Definitions, on those lands zoned "RM3-73" by this By-law, the following definition shall apply:

Stacked Townhouses
Means a building other than a townhouse dwelling, or apartment dwelling containing more than three (3) attached dwelling units that are divided horizontally and/or vertically, each with an entrance that is independent or through a common vestibule.

Notwithstanding the provisions of Part 2 as it relates to the definition of Lot Line -Front, the lot line adjacent to Barton Street shall be deemed the front lot line.

For the purposes of regulations contained within Sections 6.10 and 4.19 and within this By-law, the boundary of the subject lands zoned "RM3-73" shall be deemed to be the lot lines for this purpose and the regulations of the "RM3-73" Zone, and not from individual properties or boundaries created by registration of a condominium plan or created by Part Lot Control.

Notwithstanding Subsections 6.10.3 (c), (d), (f), (h), (i), (j), (l) and (m) of the Multiple Residential "RM3" Zone, the following regulations shall apply:

(c)	Minimum Front Yard	6.0 metres
(d)	Minimum Side Yard	1.8 metres
(f)	Minimum Rear Yard	5.5 metres
(h)	Minimum Distance Between	12 metres, except 3 metres between end

	Buildings on the Same Lot	walls and 9 m between an end and a rear wall
(i)	Maximum Density	75 units per hectare
(j)	Maximum Building Height	12.0 metres
(l)	Privacy Area	No privacy area shall be required for maisonette or stacked townhouse uses
(m)	Minimum Landscaped Open Space	i) Not less than 35 percent, including privacy areas; ii) No requirement for a landscaped strip between any privacy area and any lot line for maisonettes; and, iii) No requirement for a landscaped strip between adjacent to every portion of any lot that abuts a street.

Notwithstanding Section 4.13.1 “Daylight Triangles” the following shall apply:

(a) Any lot located at the intersection of two or more roads or railway rights-of-way will require a minimum yard of 1.8 m from the hypotenuse of the daylight triangle. Stairs and walkways shall be permitted to project no closer than 0.5 m from the lot hypotenuse of the daylight triangle.

Notwithstanding Subsection 4.19 (d), the following shall apply:

(a) Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any yard 2.0 metres; and,

(b) Stairs may project into any required front yard and flankage yard a distance of not more than 3.0 metres.

Notwithstanding Subsection 6.10.5 (a)(1) of the Multiple Residential "RM3" Zone, the following regulations shall apply:

(a) Minimum Number of Parking Spaces

i) 2 parking spaces for each maisonette and townhouse dwelling unit, 1 parking space for each stacked townhouse, and 0.2 visitor parking spaces for each maisonette, stacked townhouse and townhouse dwelling unit.

ii) Tandem parking is permitted for non-visitor parking spaces.

By-law 23-194-OLT

"RM3-74" 860 and 884 Barton Street, Schedule "A" Map No. 7 (Block 2)

In addition to Subsection 6.10.2, Stacked Townhouses shall be a permitted use.

In addition to Part 2, Definitions, on those lands zoned "RM3-74" by this By-law, the following definition shall apply:

Stacked Townhouses
Means a building other than a townhouse dwelling, or apartment dwelling containing more than three (3) attached dwelling units that are divided horizontally and/or vertically, each with an entrance that is independent or through a common vestibule.

For the purposes of regulations contained within Sections 6.10 and 4.19 and within this By-law, the boundary of the subject lands zoned "RM3-74" shall be deemed to be the lot lines for this purpose and the regulations of the "RM3-74" Zone, and not from individual properties or boundaries created by registration of a condominium plan or created by Part Lot Control.

Notwithstanding Subsections 6.10.3 (c), (d), (f), (h), (i), (j), (l) and (m) of the Multiple Residential "RM3" Zone, the following regulations shall apply:

(c)	Minimum Front Yard	4.5 metres, except for 6.0 metres to an attached garage
(d)	Minimum Side Yard	6 metres, except for 4.5 metres for a flankage yard
(f)	Minimum Rear Yard	5.5 metres

(h)	Minimum Distance Between Buildings on the Same Lot	14 metres, except 3 metres between end walls and 9 m between an end and a rear wall
(i)	Maximum Density	75 units per hectare
(j)	Maximum Building Height	12.0 metres
(l)	Privacy Area	No privacy area shall be required for maisonette or stacked townhouse uses
(m)	Minimum Landscaped Open Space	i) Not less than 35 percent, including privacy areas; ii) No requirement for a landscaped strip between any privacy area and any lot line for maisonettes; and, iii) No requirement for a landscaped strip between adjacent to every portion of any lot that abuts a street.

Notwithstanding Subsection 4.19 (d), the following shall apply:

(a) Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any yard 1.0 metres.

Notwithstanding Subsection 6.10.5 (a)(1) of the Multiple Residential "RM3" Zone, the following regulations shall apply:

(a) Minimum Number of Parking Spaces

i) 2 parking spaces for each maisonette and townhouse dwelling unit, 1 parking space for each stacked townhouse, and 0.2 visitor parking spaces for each maisonette, stacked townhouse and townhouse dwelling unit.

ii) Tandem parking is permitted for non-visitor parking spaces.

Subsection 6.1.12 of the By-law shall also apply to maisonette and Stacked Townhouse dwellings.

By-law 24-226 "**RM3-75(H)" 582 and 584 Highway No. 8, Schedule "A" Map No. 7**

In addition to Part 2 - Definitions as it relates to Landscaped Strip, unenclosed porches, stairs, sidewalks/walkways, and points of ingress and egress shall be permitted to be located within a required landscaped strip.

Notwithstanding the provisions of Paragraph (d) of Section 4.19.1, on those lands zoned "RM3-75(H)" by this By-law, the following shall apply:

(a) Yard Encroachments

(i) Balconies, canopies, and decks, including a cold cellar underneath same, may project into any required front yard not more than 1.5 metres except unenclosed porches and associated stairs may project into any required front yard not more than 2.0 metres.

(ii) Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4.0 metres. Partially enclosed stairs may project into any required rear yard not more than 5.0 metres.

(iii) Balconies and decks may project into a privacy area of a townhouse development not more than 4.5 metres.

(iv) Notwithstanding the foregoing, any deck or patio which is less than 0.3

metres in height may be located in any required yard.

Notwithstanding paragraphs (a), (c), (e), (g), (i), (j), (k), (m) 2., and (m) 4. of Section 6.10.3, on those lands zoned "RM3-75(H)" by this by-law, the following shall apply:

(a)	Minimum Lot Area	–	3,060 square metres
(b)	Minimum Front Yard	–	3.1 metres
(c)	Minimum Side Yard for Apartment Buildings Westerly	–	3.1 metres, except 9.5 metres for any portion of a building exceeding 5.5 metres in height.
	Easterly	–	2.8 metres, except 9.5 metres for any portion of a building exceeding 5.5 metres in height.
(d)	Minimum Rear Yard for Apartment Buildings	–	8.1 metres
(e)	Maximum Density	–	164 units per hectare
(f)	Maximum Building Height	–	13.3 metres
(g)	Maximum Lot Coverage	–	42 percent
(h)	Minimum Landscaped Open Space	1.	Not less than 40 percent of the lot area for apartments shall be landscaped.
		2.	A landscaped strip having a minimum width of 3.1 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for unclosed porches, stairs, sidewalks/ walkways, and points of ingress and egress.

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "RM3-75(H)" by this By-law, the Holding '(H)' symbol may be removed and thereby

give effect to the "RM3-75" Zone provisions, upon completion of the following:

(a) That the Owner confirms that the construction of the municipal sanitary sewer along Dewitt Road has been completed and is fully operational to provide sewer capacity for the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

(b) That the Owner has paid a proportionate share of the costs associated with the municipal sanitary sewer construction along Dewitt Road, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

By-law 24-216-OLT

"RM3-76" 157 Upper Centennial Parkway, Schedule "A" Map No. 16

1. Notwithstanding Part 2 – Definitions, for the purposes of zoning the lands shown as RM3 -76 on Schedule "A" of this by-law Taverny Road shall be deemed the Lot Frontage

2. Notwithstanding anything to the contrary or the creation of property boundaries between units or common elements by registration of a plan of condominium, the zoning regulations for development in the RM3-76 zone, as set out herein, shall be applied to the entirety of the block of land zoned RM3-76 and not the individual units or parcels of tied land created and associated with a plan of condominium registration.
3. Notwithstanding the provisions of paragraph (d) of Section 4.19 Yard Encroachments, the following provisions shall apply:

   (a) Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any yard 1.8 metres.

   (b) Stairs may project into any required front yard and flankage yard a distance of not more than 3.0 metres.

4. Notwithstanding the provisions of Paragraphs (c), (f), (h), (i), (j), (l), and (m), of Subsection 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned Multiple Residential "RM3-76-H" Zone, Modified by this By-law, the following shall apply:

   (a) Minimum Front Yard 4.8 metres

(b)	Minimum Rear Yard for Maisonettes, Townhouses and Dwelling Groups	4.5metres
(c)	Minimum Distance Between Buildings on the Same Lot	13 metres, except 3 metres between end walls and 9 metres between an end wall and a rear wall
(d)	Maximum Density	52 units per hectare
(e)	Maximum Building Height	12 metres
(f)	No privacy area shall be required for townhouse units fronting Taverny Road, or maisonette townhouse uses	
(g)	Minimum Landscaped Open Space	

(a) A minimum of 35 percent, including privacy areas

(b) No requirement for a landscaped strup between any privacy area and any lot line for maisonettes, or

(c) No requirement for a landscaped strip adjacent to every portion of any lot that abuts a street

5. Notwithstanding Subsection 6.10.5 (e) and 6.1.8 (c), no parking space shall be provided closer than 2.0 metres to any dwelling units located on the same lot.
6. Subsection 6.1.12 of the By-law shall also apply to maisonette and Stacked Townhouse dwellings.
7. On those lands zoned Multiple Residential "RM3-76" Zone, Modified by this By-law, the "H" symbol may be removed by way of an amending Zoning By-law, from all the lands subject to this provision once the owner does the following:

   The Owner shall have entered into a cost sharing agreement with Alinea Land Corporation which will require the Owner to pay its proportionate share of the cost of the construction of any downstream improvements to the storm conveyance system from the downstream outside limit of the stormwater management pond block on the adjacent property (198 First Road West), such downstream improvements to include the roadside ditches along Upper Centennial Parkway, Mud Street East including all necessary culvert upgrades any downstream monitoring and remediation costs required to provide for proper conveyance of the post development drainage from 157

Upper Centennial Parkway and 198 First Road West. Such costs are to be calculated on a contributory area and percent impervious basis, in respect of costs associate with the land and construction and other reasonable and related costs of the stormwater conveyance system net of any monies recoverable from the City of Hamilton. These costs shall be calculated by the engineering consultant for Alinea in a timely manner and agreed upon by an engineering consultant retained by the owners of 157 Upper Centennial Parkway and shall be paid to Alinea prior to the lifting of the Hold Symbol. If agreement regarding the costs is not reached, they shall be determined by arbitration pursuant to the *Ontario Arbitration Act*, all to the satisfaction of the Senior Director of Growth Management.

By-law 25-002-OLT

"**RM3-77(H)" Schedule "A", Map No. 10**

1. For the purpose of the definitions contained in Part 2 and the regulations contained in Sections 4.10, 4.13, 4.19, 6.1, and 6.10 of the City of Stoney Creek Zoning By-law No. 3692-92, as amended by this By-law, the boundary of the RM3-77(H) Zone, shall be deemed to be the lot lines for this purpose, and the regulations of the RM3-77(H) Zone shall be from the boundaries of this zone.

2. That in addition to the requirements of Part 2 of Zoning By-law 3692-92, the following definitions shall apply to those lands Zoned "RM3-77(H)" of this By-law:

   (a) "Dwelling – Stacked Townhouse" means a building divided vertically and horizontally, not more than two dwelling units in height, containing not less than three and not more than eighteen dwelling units, with a separate outside entrance to each unit at grade.

   (b) "Dwelling Group" means a group of more than one maisonette, townhouse, stacked townhouse or apartment or any combination thereof.

   (c) "Family Friendly Units" means dwelling units of any building type that have 2 or more bedrooms.

3. Notwithstanding the provisions of Paragraph (a) and (c) of Subsection 4.9.1 Minimum "Loading Regulations – General Applications", the following shall apply:

   (a) Location- All loading spaces required for any use permitted by the By-law shall be exterior loading spaces provided on the same lot upon which the

use is located and shall not be located within a front yard or a required flankage side yard;

(b) Dimensions - Each loading space shall not be less than 13 metres long and 3.5 metres wide and have a vertical clearance of not less than 4.3 metres;

4. In addition to the provisions of Subsection 4.19 "Yard Encroachments", and notwithstanding the provisions of Paragraph (d) of Subsection 4.19 Yard Encroachments, the following shall apply:

   (a) A retaining wall may be a permitted encroachment in any required yard.
   (b) Balconies, canopies, unenclosed porches and decks may project into any required front yard 2.0 metres.

5. Notwithstanding the provisions of Paragraph (a) and (b) of Subsection 4.10.3 and the provisions of Paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Zoning By-law 3692-92, on those lands zoned "RM3-77(H)" by this By-law, the following shall apply:

   (a) Parking Spaces shall have a minimum width of not less than 2.7 metres and a length of not less than 5.8 metres and a parking space within a private residential garage shall not be less than 2.7 metres in width or less than 5.8 metres in length.

6. Notwithstanding the provisions of Section 4.10.9, the provisions of Section 6.1.8 (c) and the provisions of Paragraphs (a), and (e), of Subsection 6.10.5 "Regulations for Parking" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-77(H)" by this By-law, Section 6.10.5 (a) shall be deleted and replaced with the following:

(a)	Minimum Number of Parking Spaces	Apartment Unit: 1 spaces per unit 3.5 Storey Stacked Townhouse, Maisonette or Townhouse: 2 spaces per unit 4 Storey Stacked Townhouse: 1.36 spaces per unit

   (b) Where there is a grouping of 3 or more parking spaces, no parking space shall be provided closer than 2.0 meters to a building for a

Stacked Townhouse on the same lot, except when located in a private garage or underground garage.

7. Notwithstanding the provisions of Section 6.10.2 "Permitted Uses or Each Lot" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-77(H)" by this By-law Stacked Townhouse is added as a permitted use.

8. In addition to the provisions of Section 6.10.3 and notwithstanding the provisions of Paragraphs (c), (d), (f), (i), (j), (l), (m)1. and 4., of Section 6.10.3 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-77(H), Zone Modified, Holding by this By-law, the following shall apply:

(a)	Minimum Front Yard	Maisonette, Townhouse, Stacked Townhouse: 4.5 metres May include exhaust vents and intake vents with a maximum height of 0.15m Apartment Building: 9.4 m, except Floors 4 to 6: 16.0 metres Floor 7: 19.0 metres Floor 8: 21.0 metres
(b)	Minimum Side Yard	Maisonette, Townhouse, Stacked Townhouse: 3.0 metres May include exhaust vents and intake vents with a maximum height of 0.15 metres
(c)	Minimum Rear Yard	Stacked Townhouse: 3.5 metres
(d)	Maximum Density	197 units per hectare
(e)	Maximum Building Height	Stacked Townhouse: 13.0 metres Apartment Building: 28.0 metres

(f)	Privacy Area	Stacked Townhouse: Private Amenity Space may be provided on a balcony or patio and shall have a minimum depth of 1.5 metres.
(g)	Minimum Landscaped Open Space	1. Not less than 41% of the lot area for the dwelling group. 2. A landscape strip abutting a street line is not required.
(h)	Minimum Number of Family Friendly Units within the Dwelling Group	150 units

9. The Holding "H" symbol may be removed from those lands zoned "RM3-77(H)" at such time as the following condition is satisfied: 1. The demonstration that there is adequate water and sanitary capacity to service the proposed development, to the satisfaction of the Senior Director, Growth Management.

By-law 26-021-OLT

"**RM3-80" 286 Lewis Road, Schedule "A", Map No. 7**

1. For the purposes of regulations contained within Sections 6.10 and 4.19 and within this By-law, the boundary of the subject lands zoned "RM3-80" shall be deemed to be the lot lines for this purpose and the regulations of the "RM3-80" Zone, and not from individual properties or boundaries created by registration of a condominium plan or created by Part Lot Control.

2. Notwithstanding Part 2 – Definitions as it relates to the definitions of "Dwelling – Maisonette", "Highway", "Street", "Lot Line – Flankage", and "Lot Line – Front" of Part 2 – Definitions, on those lands zoned "RM3-80" by this By-law, the following definitions shall apply:

   (a) "Dwelling – Maisonette" means back-to-back townhouse dwellings, containing not more than sixteen dwelling units.

   (b) "Lot Line – Flankage" means any lot line abutting a street, except the Lot Line

– Front.

(c) "Lot Line – Front" means the Westerly lot line abutting a street having a length of 72.73 metres.

3. In addition to the provisions of Subsection 4.19.1 and notwithstanding the provisions of paragraph (d) of Subsection 4.19.1, on those lands zoned "RM3-80" by this By-law, the following shall apply:

(d) Yard Encroachments	1. Stairs may project into any required yard to a maximum of3.5 metres; 2. A porch, deck or canopy may project into any required front yard to a maximum of 2.0metres or into a required rear yard to a maximum of 4.5 metres; and, 3. Balconies may project into a required front yard to a maximum of 2.0 metres and may project into a required rear yard or side yard to a maximum of 2.0 metres.

4. Notwithstanding the provisions of paragraphs (c), (d), (f), (h), (i), (j), (k), (l)and (m) of Subsection 6.10.3, on those lands zoned "RM3-80" by this By-law, the following shall apply:

(c)	Minimum Front Yard	3.0 metres, except 5.8 metres to the garage
(d)	Minimum Side Yard and Flnakage Yard for Maisonettes	2.0 metres.
(f)	Minimum Rear Yard for Maisonettes and Townhouses	6.0 metres, except 2.0 metres to an end wall.
(h)	Minimum Distance Between Buildings on the Same Lot	1. 12.0 metres between front walls; and, 2. 2.4 metres between end walls of a block townhouse and/or a block maisonette unit.

(i)	Maximum Density	65.0 units per hectare.
(j)	Maximum Building Height	13.5 metres.
(k)	Maximum Lot coverage	Shall not apply.
(l)	Minimum Privacy Area	1. Each townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit with a minimum depth of3.5 metres; and, 2. No privacy area shall be required for a maisonette unit.
(m)	Minimum Landscaped Open Space	1. 20 percent, except that a landscaped strip shall not be required between privacy areas and any lot line, nor adjacent to any portion of any lot that abuts a street.

5. Notwithstanding the provisions of paragraphs (a) 1., (d), and (e) of Subsection 6.10.5 and paragraph (c) of Subsection 6.1.8, on those lands zoned “RM3-80” by this By-law, the following shall apply:

(a)	Minimum Number of Parking Spaces	2 parking spaces, and 0.2 visitor parking spaces for each maisonette and townhouse dwelling unit. Tandem parking is permitted for non-visitor parking spaces.
(b)	Minimum Setback Between a Parking Space and Any Dwelling Unit Located on the Same Lot	Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.2 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within an underground garage.

6. In addition to Subsection 6.1.12, on those lands zoned "RM3-80" by this By-law, the provisions shall apply to a "Dwelling – Maisonette"."

By-law 26-021-OLT "**RM3-81" 286 Lewis Road, Schedule "A" Map No. 7**

1. For the purposes of regulations contained within Sections 6.10 and 4.19 and within this By-law, the boundary of the subject lands zoned "RM3-81" shall be deemed to be the lot lines for this purpose and the regulations of the "RM3-81" Zone, and not from individual properties or boundaries created by registration of a condominium plan or created by Part Lot Control.

2. In addition to the permitted uses of Section 6.10.2, on those lands zoned "RM3-81" by this By-law, a "Dwelling – Stacked Townhouse" shall be a permitted use.

3. Notwithstanding Part 2 – Definitions as it relates to the definition of "Dwelling– Stacked Townhouse", "Highway", "Street", "Lot Line – Front", and "Lot Line– Rear", on those lands zoned "RM3-81" by this By-law, the following definitions shall apply:

   (a) "Dwelling – Stacked Townhouse" means a building other than a townhouse dwelling, or apartment dwelling containing more than three (3) attached dwelling units that are divided horizontally and/or vertically, each with an entrance that is independent or through a common vestibule.

   (b) "Lot Line – Front" means the lot line adjacent to Highway No. 8.

   (c) "Lot Line – Rear" means the northerly lot line measuring 32.0 metres adjacent to Street 'A'.

4. Notwithstanding the provisions of Subsection 4.13, on those lands zoned "RM3-81" by this By-law, the following shall apply:

(a) Daylight Triangles	1. Any lot located at the intersection of two or more roads or railway rights-of-way will require a minimum yard of1.8 metres from the hypotenuse of the daylight triangle; and,
	2. Stairs and walkways shall be permitted to project no closer than 0.5 metres from the hypotenuse of

the daylighttriangle.

5. In addition to the provisions of Subsection 4.19.1 and notwithstanding the provisions of paragraph (d) of Subsection 4.19.1, on those lands zoned "RM3-81" by this By-law, the following shall apply:

(d)	Yard Encroachments	1. Stairs may project into any required yard to a maximum of 3.0 metres; and,
		2. Balconies, canopies, unenclosed porches and decks may project into any required yard to a maximum of 2.0 metres.

6. Notwithstanding the provisions of Paragraphs (c), (d), (f), (h), (i), (j), (k), (l)and (m) of Subsection 6.10.3, on those lands zoned "RM3-YYB" by this By-law, the following shall apply:

(c)	Minimum Front Yard	4.0 metres.
(d)	Minimum Side Yard	1.8 metres, except 3.0 metres for a flankage yard
(f)	Minimum Rear Yard	2.5 metres.
(i)	Maximum Density	90 units per hectare.
(j)	Maximum Building Height	13.5 metres.
(k)	Maximum Lot coverage	Shall not apply.
(l)	Minimum Privacy Area	1. Each townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit with a minimum depth of 6.0 metres;
		2. Each maisonette unit shall have a privacy area on an attached balcony with a minimum area of 5.0square metres; and,

		3. No privacy area shall be required for a stacked townhouse unit.
	(m) Minimum Landscaped Open Space	25 percent, including privacy areas, except that landscaped strips shall not be required between privacy areas and any lot line, nor adjacent to any portion of any lot that abuts a street.

7. Notwithstanding the provisions of paragraph (a) 1., (d), and (e) of subsection 6.10.5 and Paragraph (c) of Section 6.1.8, on those lands zoned "RM3-81" by this By-law, the following shall apply:

	(a) Minimum Number of Parking Spaces	2 parking spaces and 0.2 visitor parking spaces for each maisonette, stacked townhouse, and townhouse dwelling unit. Tandem parking is permitted for non-visitor parking spaces.
	(b) Minimum Setback Between a Parking Space and Any Dwelling Unit Located on the Same Lot	Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.2 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within an underground garage

8. In addition to Subsection 6.1.12, on those lands zoned "RM3-81" by this By-law, the provisions shall apply to a "Dwelling - Maisonette" and a "Dwelling – Stacked Townhouse".

SECTION 6.11 MULTIPLE RESIDENTIAL "RM4" ZONE

6.11.1 Scope

No person shall within any Multiple Residential "RM4" Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

6.11.2 Permitted Uses For Each Lot

(a) Apartment Dwellings

By-law 4200-95 (b) A Home Occupation

(c) Uses, buildings or structures accessory to a permitted use

6.11.3 Regulations For Permitted Uses

(a) Minimum Lot Area - 4,000 square metres

(b) Minimum Lot Frontage - 45 metres

(c) Minimum Front Yard - 7.5 metres except as provided in subsection (f)

(d) Minimum Side Yard - 7.5 metres except as provided in subsection (f)

Minimum Flankage Yard - 9.0 metres except as provided in

subsection (f)

(e) Minimum Rear Yard - 7.5 metres except as provided in subsection (f)

(f) Increased Yards - Front yard, side yard and rear yard requirements shall each be increased by 1 metre for each 3 metres or part thereof by which the building exceeds a height of 15 metres.

(g) Maximum Lot Coverage - 35 percent

By-law 4470-96

(h) Maximum Residential Density - 100 dwelling units per hectare

(i) Maximum Building Height - 25 metres

By-law 3863-93

(j) Minimum Landscaped Open Space

1. The landscaped area shall not be less than 50 percent of the lot area of which at least 25 percent shall be in one area which is not in the front yard.
2. A landscaped strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress.

(k) Minimum distance between residential buildings on the same lot - 21 metres

(l) The minimum total of all the amenity areas shall be as set forth in the following table:

Type of Dwelling Unit	**Minimum Amenity Area**
Bachelor Unit	1.5 square metres per unit
One Bedroom Unit	2 square metres per unit
Two Bedroom Unit	3 square metres per unit
Three Bedroom Unit	4 square metres per unit
Four Bedroom Unit	4 square metres per unit

Not less than 10 percent of the total of the amenity areas shall be

provided inside the applicable apartment building, and such inside area shall not be less than 93 square metres.

6.11.4 Regulations For Parking

(a) Minimum Number of Parking Spaces

1. 1.25 parking spaces and 0.35 visitor parking spaces for each bachelor or one bedroom apartment dwelling unit.
2. 1.5 parking spaces and 0.35 visitor parking spaces for each two bedroom apartment dwelling unit.
3. 1.75 parking spaces and 0.35 visitor parking spaces for each apartment dwelling unit having three or more bedrooms.

(b) No common parking space shall be located closer than 3 metres from a single detached, semi-detached or duplex residential zone.

(c) At least 60 percent of the required tenant parking shall be underground and/or within the apartment buildings. Underground parking shall not be bound by setback requirements; however, underground parking above grade shall be setback a minimum of 3 metres from any lot line.

6.11.5 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.11.6 Special Exemptions

RM4 - 1 100, 110 Stoneybrook Drive, Schedule "A", Map No. 6

Notwithstanding the provisions of Section 6.11.4 of the Multiple Residential "RM4" Zone, on those lands zoned "RM4-1" by this By-law, the minimum number of parking spaces shall be 1.25 spaces per dwelling unit or part thereof, of which 60 percent shall be underground and located within the apartment building. If such lands are used for residential accommodation for senior citizens, then the minimum parking requirement shall be 1 parking space for each 3 dwelling units, or part thereof, all of which may be located outside the building and above ground.

RM4 - 2 351 Isaac Brock Drive, Schedule "A", Map No. 15

In addition to the uses permitted in Section 6.11.2 of the Multiple Residential "RM4" Zone, on those lands zoned "RM4-2" by this By-law, a lodging home having a maximum of 34 beds may be permitted on the first floor of the existing building.

By-law 05-211

RM4-3(H) East Side of First Road West, North of Mud Street, Schedule "A", Map No. 11

Deleted by By-law No. 05-211 dated July 13, 2005.

By-law 5227-00

RM4-4 East side of Millen Road, north side of Cherry Beach (private) Road, Part of Lot 18, Broken Front Concession, Schedule "A", Map No. 1

Notwithstanding paragraph (a) of Subsection 4.13.2 of Part 4, General Provisions, a minimum yard of 28 metres from the top of bank of the Lake Ontario shoreline shall be provided.

By-law 03-323

Notwithstanding the permitted uses in Subsection 6.11.2 of the Multiple Residential "RM4" Zone and notwithstanding the definition of Dwelling – Apartment, Part 2 – Definitions, on those lands zoned "RM4-4" by this by- law, the following uses shall also be permitted: Six 2 storey residential buildings, each containing 4 stacked apartment units.

Notwithstanding the provisions of paragraphs (c), (j) (2), (k) and (l) of Section 6.11.3 of the Multiple Residential "RM4" Zone, on those lands zoned "RM4-4" by this by-law, the following provisions shall only apply to the six 2-storey residential buildings:

1. Minimum Front Yard: 3 metres.
2. Minimum Landscaped Open Space: A landscaped strip having a minimum width of 3 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street except for points of ingress and egress.
3. Minimum Distance between residential buildings on the same lot: 5.5 metres.
4. Minimum amenity Area: no inside amenity area shall be required.

Under Subsection 6.11.6, Special Exemptions, the Multiple Residential "RM4-4" Zone be modified as follows:

Notwithstanding paragraph (a) of Subsection 4.13.2 of Part 4, General Provisions, a minimum yard of 26.25 metres from the top of bank of the Lake Ontario shoreline shall be provided.

By-law 06-164

RM4-5(H) Part of Lot 32, Concession 7, Schedule "A", Map No. 10

In addition to the uses permitted in Subsection 6.11.2 of the Multiple Residential "RM4" Zone, on those lands zoned "RM4-5(H)" by this By-law, the following shall be permitted:

(d) Stormwater Management Facility

On those lands zoned "RM4-5(H)" by this By-law, the "H" symbol may be removed by a further amendment to this By-law at such time as:

(a) the completion of the Rymal Road Planning Area Master Plan Class Environmental Assessment Study requirements to the satisfaction of the General Manager of Public Works; and,

(b) approval of the Traffic Impact Study submitted by Delcan dated September, 2005 by the Manager of Traffic Engineering & Operations, Public Works.

City Council may remove the "H" symbol and thereby give effect to the Zone provisions by enactment of an amending By-law once the conditions are fulfilled.

By-law 10-278

RM4-6 315 and 319 Highway No. 8, Schedule "A", Map No. 6

In addition to the permitted uses of Section 6.11.2, on those lands zoned "RM4-6" by this By-law, the following uses shall only be permitted in conjunction with residential units above the ground floor: Retail Stores, Professional or Business Offices, Personal Service Shops, including Dry Cleaning Depot, Art Gallery, Pharmacy, Restaurants-Convenience, Financial Institutions, Child Care Centres.

The commercial uses shall only be permitted to locate on the ground floor, and shall not exceed a total of 610 square metres gross floor area.

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), (h), (i), and (j) of Section 6.11.3 "Regulations For Permitted Uses" of Zoning By-law No. 3692-92, on these lands zoned "RM4-6" by this By-law, the following shall apply:

Regulations For Permitted Uses:

(a) Minimum Lot Area - 3,350 square metres.

(c) Minimum Front Yard - 6 metres

(d) Minimum Easterly Side Yard - 7.5 metres

Minimum Westerly Side Yard - 16.5 metres for the first 5 storeys of the building and 21.3 metres for the 6th and 7th storeys of the building.

(e) Minimum Rear Yard - 18 metres for the first 4 storeys of the building, 20.5 metres for the 5th storey of the building, 22 metres for the 6th storey of the building and 26.5 metres for the 7th storey of the building.

(h) Maximum Residential Density - 132 units per hectare

(i) Maximum Building Height - 25 metres and 7 storeys

(j) Minimum Landscaped Open Space

1. The landscaped open space shall not be less than 24% of the lot area of which at least 400 square metres landscaped area shall be located in the rear yard.
2. A landscaped strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress. Walkways and pathways shall be permitted within the required landscaped strip.

Notwithstanding the provisions of Paragraphs (a) and (c) of Section 6.11.4 "Regulations For Parking", and Section 4.10 "Parking Requirements" of Zoning By-law No. 3692-92, on those lands zoned "RM4-6" by this By-law, the following shall apply:

(a) Minimum Number of Parking Spaces:

- 1.0 parking space for each dwelling unit, which shall be located underground and/or within the building;
- 0.35 visitor parking spaces for each dwelling unit; and,
- 1.0 parking space for each 28.0 square metres of commercial floor area.

(c) Underground parking shall not be bound by setback requirements; however, underground parking above grade shall be setback a minimum of 3 metres from any lot line.

Required parking spaces for perpendicular parking shall have a minimum dimension of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose.

At least one percent of the required parking spaces, with a minimum of one parking space, on any lot having more than 10 parking spaces, shall:

(a) Have a minimum dimension of 4.4 metres by 5.5 metres;

(b) Be located on level ground readily accessible to an entrance to such building; and,

(c) Be clearly identified and reserved for the exclusive use of barrier free parking.

Notwithstanding the provisions of Section 4.9.2 "Schedule of Required Loading Spaces" of Zoning By-law No. 3692-92, on those lands zoned "RM4-6" by this By-law, no loading spaces shall be required.

By-law 12-180

RM4-7 120 and 124 King Street West, Schedule "A", Map No. 5

For the purpose of this By-law, a common element condominium road shall be deemed to be a street.

Notwithstanding the provisions of Paragraph (c) of Section 6.1.8 "General Provisions" of Zoning By-law No. 3692-92, on those lands zoned "RM4-7" by this By-law, the following shall apply:

(c) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 1.0 metres to a lot line, except that a parking space my be located 0.0 metres away from a private common element condominium road.

Notwithstanding the provisions of Paragraphs (c), (h), (j), and (I) of Section 6.11.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM4-7" by this By-law, the following shall apply:

(c) Minimum Front Yard: 0.45 metres from a common element condominium roadway.

(h) Maximum Residential Density: 165 dwelling units per hectare.

(j) Minimum Landscaped Open Space:

1. The landscaped area shall be not less than 25% of the lot area, and may include areas above grade.

2. A landscaped strip having a minimum width of 3.9 metres shall be provided and thereafter maintained adjacent to the rear lot line. A landscaped strip shall not be required adjacent to a street.

(l) For the purpose of this By-law, a balcony shall be included within the definition of amenity area. There shall be no minimum amenity area required within an apartment building.

Notwithstanding the provisions of Paragraphs (a) and (c) of Section 6.11.4 "Regulations for Parking" of Zoning By-law No. 3692-92, on those lands zoned "RM4-7" by this By-law, the following shall apply:

(a) Minimum Number of Parking Spaces: 1.0 spaces per unit and 0.3 visitor parking spaces per unit.

(c) No tenant parking shall be required to be located underground or within the apartment building.

Notwithstanding the provisions of Paragraph (a) of Section 4.10.2 "Parking Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM4-7" by this By-law, the following shall apply:

(a) Required visitor parking is permitted to be located on a private common element condominium road.

Notwithstanding the provisions of Paragraph (a) and (b) of Section 4.10.3 "Parking Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM4-7" by this By-law, the following shall apply:

(a) Required parking spaces for 90 degree perpendicular parking shall have minimum dimensions of 2.6 metres by 5.5 metres.

(b) For other than 90 degree perpendicular parking spaces, the parking space shall be 2.4 metres by 6.7 metres.

Notwithstanding the provisions of Paragraph (a) of Section 4.10.4 "Parking Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM4-7" by this By-law, the following shall apply:

(a) The minimum dimension of parking spaces designated for vehicles of the physically challenged shall be 4.4 metres by 5.5 metres.

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), and (l) of Section 6.11.3 "Regulations for Permitted Uses" of Zoning By-law No. 3692-92, on those lands zoned "RM4-8" by this by-law, the following shall apply:

Regulations for Permitted Uses

(a)	Minimum Lot Area	2,685 square metres
(b)	Minimum Lot Frontage	18.0 metres
(c)	Minimum Front Yard	2.0 metres
		1.40 metres for projection at storeys 2 to 4
(d)	Minimum Easterly (Flankage) Side Yard	2.20 metres
		0.9 metres for metres for projection at storeys 2 to 5
	Minimum Westerly Side Yard	3.20 metres for storeys 1 to 3
		4.20 metres for storeys 4 to 6
(e)	Minimum Rear Yard	9.0 metres for storeys 1 to 4
		11.9 metres for storey 5
		14.9 metres for storey 6
(f)	Increased yards	n/a
(g)	Maximum Lot Coverage	56%
(h)	Maximum Residential Density	344 units per hectare
(i)	Maximum Building Height	18.5 metres and six storeys
(j)	Minimum Landscaped Open Space	

1. The landscaped open space shall not be less than 27% of the lot area.

2. No landscaped strip shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street.

3. A landscaped strip having a minimum width of 1.5 metres and an average width of 2.25 metres shall be provided and thereafter maintained adjacent to the portion of the lot that abuts the rear lot line.

4. A landscaped strip having a minimum width of 1 metre and an average width of 2.0 metres shall be provided and thereafter maintained adjacent to the portion of the lot that abuts the west lot line.

(l) Total Minimum Amenity Area

a) 1.92 square metres per dwelling unit, of which a minimum of 175 square metres shall be provided within the building and a minimum of 175 square metres shall be provided outside the building.

Notwithstanding the provisions of Paragraphs (a) and (c) of Section 6.11.4 Regulations for Parking, and Section 4.10 Parking Regulations of Zoning By-law 3692-92, on those lands zoned "RM4-8" by this by-law, the following shall apply:

a) Minimum Number of Parking Spaces — 1.04 parking spaces and 0.35 visitor parking spaces for each apartment dwelling unit.

c) Underground parking shall not be bound by setback requirements; however, a retaining wall above ground that does not include any parking spaces and that may form part of the underground parking wall shall be setback a minimum of 0.80 metres from the rear lot line.

Notwithstanding the provisions of Paragraph (a) of 4.10.3 Dimensions of Parking Spaces, and Paragraph (d) of Section 6.1.8, Parking Restrictions in Residential Zones, the following shall apply:

a) Required parking spaces for 90 degree perpendicular parking shall have minimum rectangular dimensions of 2.6 metres by 5.6 metres exclusive of any lands used for access, manoeuvring, driveways or a similar purpose.

Notwithstanding the provisions of Section 4.10.4, Requirement for Parking Designated for Vehicles of Physically Challenged, and Paragraph (d) of Section

6.1.8, Parking Restrictions in Residential Zones, the following regulation shall apply:

a) Have minimum rectangular dimensions of 4.4 metres x 5.6 metres.

Notwithstanding Section 4.13.1, Daylight Triangles, the following shall apply:

a) Have a minimum yard of 0.34 metres to the canopy of the proposed building and 0.75 metres to the proposed building from the hypotenuse of the daylight triangle.

Notwithstanding Section 4.19 "Yard Encroachments", for the purpose of this section the following shall apply:

a) Planter boxes which are attached to the principal building may encroach within the required front yard by a maximum of 2.10 metres from the main building wall and may encroach within the required side (flankage) yard by a maximum of 2.5 metres from the main building wall

Notwithstanding Part 2 Definitions, for the purpose of this section the following shall apply:

a) "Lot Frontage" shall mean: "In the case of a corner lot where a daylight triangle or a radius has been established the lot frontage is to be determined by measuring along the front lot line segment which adjoins the hypotenuse of the daylight triangle after the side lot line and the front lot line have been extended to the point of intersection of the two streets".

b) "Landscaped Strip" shall mean: "an area of land devoted solely to the growing of grass, ornamental shrubs or trees and may include fences and berms. A padmount transformer, and air intake vent a retaining wall with a maximum height of 1.50 metres above grade, and walkways / pathways may also be permitted in the landscaped strip".

SECTION 6.12 MULTIPLE RESIDENTIAL "RM5" ZONE

6.12.1 Scope

No person shall within any Multiple Residential "RM5" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.12.2 Permitted Uses For Each Lot

(a) Apartment Dwellings

By-law 4200-95

(b) A Home Occupation

(c) Uses, buildings or structures accessory to a permitted use

6.12.3 Zone Regulations

(a)	Minimum Lot Area	-	1 hectare
(b)	Minimum Lot Frontage	-	60 metres
(c)	Minimum Front Yard	-	7.5 metres except as provided in subsection (f) below
(d)	Minimum Side Yard	-	7.5 metres except as provided in subsection (f)
	Minimum Flankage Yard	-	9 metres except as provided in subsection (f)
(e)	Minimum Rear Yard	-	7.5 metres except as provided in subsection (f)
(f)	Increased Yards	-	Front yard, side yard and rear yard requirements shall each be increased by 1 metre for each 3 metres or part thereof by which the building exceeds a height of 15 metres.
(g)	Maximum Lot Coverage	-	35 percent
(h)	Maximum Residential Density	-	150 dwelling units per hectare

(i) Maximum Building Height - none

By-law 3863-93

(j) Minimum Landscaped Open Space

1. The landscaped area shall not be less than 50 percent of the lot area of which at least 25 percent shall be in one area which is not in the front yard.
2. A landscaped strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress.

(k) Minimum distance between residential buildings on the same lot - 21 metres.

(l) The minimum total of all the amenity areas shall be as set forth in the following table:

Type of Dwelling Unit	**Minimum Amenity Area**
Bachelor Unit	1.5 square metres per unit
One Bedroom Unit	2 square metres per unit
Two Bedroom Unit	3 square metres per unit
Three Bedroom Unit	4 square metres per unit
Four Bedroom Unit	4 square metres per unit

Not less than 10 percent of the total of the amenity areas shall be provided inside the applicable apartment building, and such inside area shall not be less than 93 square metres.

6.12.4 Regulations For Parking

(a) Minimum Number of Parking Spaces

1. 1.25 parking spaces and 0.35 visitor parking spaces for each bachelor or one bedroom apartment dwelling unit.
2. 1.5 parking spaces and 0.35 visitor parking spaces for each two bedroom apartment dwelling unit.
3. 1.75 parking spaces and 0.35 visitor parking spaces for each apartment dwelling unit having three or more bedrooms.

(b) No common parking space shall be located closer than 3 metres from a single detached, semi-detached or duplex residential zone.

By-law 3863-93

(c) All tenant parking shall be provided underground. Underground parking shall not be bound by setback requirements; however, a parking structure located above ground shall be setback a minimum of 3 metres from any lot line, except as required in clause (b) above.

6.12.5 Regulations For Accessory Buildings

Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.

6.12.6 Special Exemptions

RM5 - 1 28, 32, 34, 38 King Street West, Schedule "A", Map No. 5

In addition to the uses permitted in Section 6.12.2 of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-1" by this By-law, personal service shops or professional and business offices on the ground floor may also be permitted.

By-law 5098-00

RM5 - 2 Lot 21, Broken Front Concession, North of the North Service Road, West of Green Road, Schedule "A", Map No. 1

Repealed by By-law No. 5098-00

RM5 - 3(H) Northwest Corner of Mud Street and Isaac Brock Drive North, Schedule "A", Map No. 10

Notwithstanding the provisions of paragraphs (h) and (i) of Section 6.12.3 of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-3(H)" by this By-law, the maximum residential density shall be 99 units per net residential hectare and the maximum building height shall be 18.5 metres from the centreline elevation of Isaac Brock Drive North. The "H" symbol may be removed at such time as the following conditions are satisfied:

1. Development and Maintenance and Use Agreements have been entered into by the owner with the Corporation, and
2. The triangular-shaped parcel of land located along the west side of Isaac Brock Drive North has been registered in the same name and title as abutting lands.

RM5 - 4 2 Mistywood Drive, Schedule "A", Map No. 10

Notwithstanding the provisions of paragraph (a) of Section 6.12.4 of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-4" by this By-law, the minimum parking requirement for these lands shall be 1 space for each 3 dwelling units.

RM5 - 5 Part of Block 2, Registered Plan No. 62M-649, Schedule "A", Map No. 2

In addition to the uses permitted in Section 6.12.2 of the Multiple Residential "RM5" Zone, those lands zoned "RM5-5" by this By-law may also be used for block townhouses. Notwithstanding the provisions of paragraphs (a), (c), (d), (e), (i), and (j) of Section of 6.12.3 and paragraph (a) of Section 16.12.4 of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-5" by this By-law, the following provisions shall apply; the minimum lot frontage shall be 23 metres for any lot intended for townhouse units and 45 metres for any lot intended for apartment units; the minimum setback from the top of bank of the marina basin shall be 6 metres for the bottom two storeys and 12 metres for the balance of the apartment building; the minimum setback for any apartment building abutting the boundary of any property zoned Open Space "OS" Zone shall be 12 metres; 25 percent of the lot area of the lot containing apartment units shall be provided and maintained as a landscaped strip of which a minimum of 25 percent shall be in one space having a minimum width of 6 metres at any point and located in other than the front yard; the minimum setback from the street shall be 40 metres for apartments and 15 metres for townhouses; the minimum distance between buildings shall be 15 metres for apartments and townhouse units; the minimum setback from the top of the bank of the marina basin shall be 6 metres for townhouses but any patio deck may have a zero metre setback; the maximum building height shall be 15 storeys but not exceeding 44 metres for apartments and 10.5 metres for townhouses; and the minimum number of parking spaces shall be 1.5 spaces per apartment dwelling unit of which at least 60 percent shall be provided underground or within the apartment building and 2 spaces per townhouse dwelling unit.

In addition to the uses permitted in Section 6.12.2 of the Multiple Residential

Zone, on those lands zoned "RM5-5" by this By-law, an accessory building being a clubhouse for a private marina, having a maximum height of 14 metres may be erected prior to the erection of a principal building.

In addition to the provisions of Section 6.12.4 of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-5" by this By-law, a minimum of one parking space for every 16.5 metres of gross floor area shall be provided for the clubhouse accessory building.

RM5 - 6 Northeast Corner of Rymal Road East and First Road West, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraphs (h) and (i) of Section 6.12.3 of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-6" by this By-law, the maximum residential density shall be 70 dwellings units per hectare and the maximum building height shall be 6 storeys.

RM5 - 7 Blocks 4 to 13 (Inclusive), Registered Plan No. 62M-101, South Shore Estates, Schedule "A", Map No. 1

In addition to the uses permitted in Section 6.12.3 of the Residential Multiple "RM5" Zone, those lands zoned "RM5-7" by this By-law may be used for retail stores, convenience food stores, day nurseries, drug stores, personal service shops and business offices as accessory and incidental uses to an apartment building containing a minimum of 80 dwelling units.

Notwithstanding the regulations of paragraph (a) of Section 6.12.4 of the Residential Multiple "RM5" Zone, on those lands zoned "RM5-7" by this By-law, the parking shall be provided at a ratio of 1 parking space for each dwelling unit and 0.2 visitor parking spaces for each dwelling unit.

Notwithstanding anything to the contrary respecting setbacks from the Lake Ontario shoreline in this By-law or any amendment hereof, a minimum yard of 20 metres for all buildings and structures in Blocks 12 and 13 shall be provided from the top of the bank at the Lake Ontario shoreline where lakeshore protection works have been installed in accordance with the requirements of the Province of Ontario.

By-law 05-187

RM5 – 8(H) 711 North Service Road, Schedule "A", Map No. 2

In addition to the uses permitted in Section 6.12.2 of the Multiple Residential "RM5" Zone, those lands zoned "RM5-8(H)" by this By-law may also be used for a clubhouse for a private marina, and associated marina parking.

Notwithstanding the provisions of Section 6.12.3 of the Multiple Residential "RM5" Zone, the following provisions shall apply to those lands used for a clubhouse for a private marina; the total lot coverage for a clubhouse for a private marina shall not exceed 10 percent of the total lot area, but in no case shall the total lot coverage of all buildings on a lot exceed the maximum lot coverage permitted in the zone; the minimum setback from the top of bank of the marina basin shall be 6 metres; the minimum front yard setback shall be 8 metres and 0.5 metres from any other lot line; the maximum building height shall be 14 metres; a landscape strip having a minimum width of 4.5 metres shall be provided adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress; a landscape strip having a minimum width of 3 metres shall be provided adjacent to the north property line; and a landscape strip having a minimum width of 1.5 metres shall be provided adjacent to the east property line.

The (H) symbol may be removed at such time as the owner receives site plan approval for the expansion of the associated marina parking. The (H) symbol shall not apply to the lands when developed for residential purposes.

All other provisions of the Multiple Residential "RM5-5" Zone shall apply.

By-law 11-091

Repealed by By-law 12-161

RM5-10 North Side of Mud Street, East of Felkers Creek, Schedule "A", Map No. 10

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (g), (h), (i), and (j) of Subsection 6.12.3 of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-10" by this By-law, the following shall apply:

(a) Minimum Lot Area 0.5 hectares

(b)	Minimum Lot Frontage	30.0 metres
(c)	Minimum Front Yard	6.0 metres
(d)	Minimum Side Yard	7.5 metres
	Minimum Flankage Yard	6.0 metres
(g)	Maximum Lot Coverage	50%
(h)	Maximum Density	99 units per hectare
(i)	Maximum Height	6 storeys

(j) For the purposes of this special provision, where a lot zoned “RM5-10” is also partially zoned (P5), as per Zoning By-law No. 05-200, the lands zoned (P5) that comprise part of the lot may be used for the calculation of Minimum Lot Area, Minimum Rear Yard, and Minimum Interior Side Yard.

By-law 12-161

RM5-10 220 Mud Street West, Schedule “A”, Map No. 10

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (g), (h), (i), and (j) of Sub-section 6.12.3 of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-10" by this By-law, the following shall apply:

(a)	Minimum LotArea:	0.5 hectares.
(b)	Minimum Lot Frontage:	30.0 metres.
(c)	Minimum Front Yard:	6.0 metres.
(d)	Minimum Side Yard:	7.5 metres.
	Minimum Flankage Yard:	6.0 metres.
(g)	Maximum Lot Coverage:	50 per cent.
(h)	Maximum Density:	99 units per hectare.
(i)	Maximum Building Height:	6 storeys.

(j) For the purposes of this special provision, where a lot zoned "RM5-10" is also partially zoned (P5), as per Zoning By-law No. 05-200, the lands zoned

(P5) that comprise part of the lot may be used for the calculation of Minimum Lot Area, Minimum Rear Yard, and Minimum Interior Side Yard.

By-law 20-080-LPAT

RM5-12 165 Upper Centennial Parkway, Schedule "A", Map No. 16

In addition to Section 6.12.2, notwithstanding the provisions of paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) of Section 6.12.3, and notwithstanding the provisions of Section 6.12.4 (a), of the Multiple Residential "RM5" Zone, on those lands zoned "RM5-12" by this By-law, the following shall apply:

6.12.2 (a) Commercial uses permitted in Section 8.2.2 of By-law No. 3692-92 may be permitted on the ground floor.

6.12.3 (b) Minimum Lot Frontage 50.0 metres

(c) Minimum Front Yard 4.5 metres

(d) Minimum Side Yard

(i) Minimum Easterly Side Yard 4.5 metres for storeys 1 to 3

(ii) Minimum Westerly Side Yard 4.5 metres for storeys 1 to 3

(e) Minimum Rear Yard 4.5 metres

(f) Increased Yards and Height

(i) 6.0 metres for storeys 4 to 6 abutting a street

(ii) 7.5 metres for storeys 7 to 12 abutting a street

(g) Maximum Lot Coverage 41 percent

(h) Maximum Residential Density 100 units per hectare

(i) Maximum Height 12 storeys or 43 metres

(j) Minimum Landscaped Open Space

1) The landscaped area shall not be less than 12 percent of the lot area.

2) A landscaped strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of

any lot that abuts a street except for points of ingress and egress.

	(k)	Minimum distance between residential buildings on the same lot	N/A

6.12.4 (a) 1.0 parking spaces and 0.25 visitor parking spaces for each dwelling unit.

(b) The required visitor parking space shall be maintained for the shared use between the commercial use(s) and residential use, have a sign legibly marking that the parking space is for the shared use of both commercial and residential visitor parking, and shall be maintained readily accessible for either use, free and clear of all obstructions.

By-law 20-080-LPAT

RM5-12(H2) 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM5-12(H2)" by this By-law, the Holding "(H2)" symbol may be removed by City Council and thereby give effect to the "RM5-12" Zone provisions upon completion of the following:

a) Owner shall have entered into a cost sharing agreement with Penta Properties Inc. (Penta) which will require the Owner to pay its proportionate share of the cost of construction of any downstream improvements to the storm conveyance system from downstream outside limit of the storm water management pond block on the adjacent property (198 First Road West), such downstream improvements to include the roadside ditches along Upper Centennial Parkway, Mud Street East including all necessary culvert upgrades and any downstream monitoring and remediation costs required to provide for proper conveyance of the post development drainage from 165 Upper Centennial and 198 First Road West (Paletta). Such costs are to be calculated on a contributory area and percent impervious basis, in respect of costs associated with the land and construction and other reasonable and related costs of the storm water conveyance system net of any monies recoverable from the City of Hamilton. These costs shall be calculated by the engineering consultant for Penta in a timely manner and agreed upon by an engineering consultant retained by the Owner of 165 Upper Centennial Parkway and shall be paid to Penta prior to the lifting of the Hold Symbol. If agreement regarding the costs is not reached, they shall be determined by arbitration pursuant to the *Ontario Arbitration Act*.

PART 7 NEIGHBOURHOOD DEVELOPMENT

SECTION 7.1 NEIGHBOURHOOD DEVELOPMENT "ND" ZONE

7.1.1 Scope

In any Neighbourhood Development "ND" Zone, no person shall use any building, structure or land for any purpose other than that for which it was used on the date that this By-law was passed until such land has been rezoned by a By-law, which has been approved in accordance with Subsection 34 of The Planning Act, R.S.O., 1990, c.P.13.

7.1.2 Permitted Uses For Each Lot

(a) Agricultural uses except poultry farms, mushroom farms, fur farms, piggeries, hatcheries, kennels and also excluding any residential use not existing at the date of the passing of this By-law.

(b) One single detached dwelling and uses, buildings or structures accessory thereto, existing at the date of the passing of this By-law.

(c) All greenhouse development shall be subject to site plan control under the City's Site Plan Control By-law. **(OMB Order - Feb. 20, 1996)**

(d) Urban Farm **(By-law 14-279)**

(e) Community Garden **(By-law 14-279)**

7.1.3 Zone Regulations For Uses Permitted Under Section 7.1.2(a)

(a)	Minimum Front Yard	-	12 metres
(b)	Minimum Side Yard	-	12 metres
(c)	Maximum Lot Coverage	-	20 percent

7.1.4 Zone Regulations For Uses Permitted Under Section 7.1.2(b)

Any additions to, or reconstruction of, a single detached dwelling shall comply with Section 5.4.3 or any accessory building shall comply with the provisions of Section 5.4.6.

7.1.5 Zone Regulations for Uses Permitted in Section 7.1.2 (d) (By-law 14-279)

The use shall comply with the provisions of Section 6.1.10.

7.1.6 Zone Regulations for Uses Permitted in Section 7.1.2 (e) (By-law 14-279)

The use shall comply with the provisions of Section 6.1.11.

7.1.7 Special Exemptions (By-law 15-073)

ND - 1 Lot 18, Broken Front Concession, Cherry Beach Road, East of Millen Road, North of the North Service Road, Schedule "A", Map No. 1

Notwithstanding the provisions of Section 7.1.2 of the Neighbourhood Development "ND" Zone, on those lands zoned "ND-1" by this By-law, no additions shall be permitted to any dwelling with frontage on the private roads.

ND - 2 1348 Barton Street, Schedule "A", Map No. 9

Notwithstanding the uses permitted in paragraph (b) of Section 7.1.2 of the Neighbourhood Development "ND" Zone, on those lands zoned "ND-2" by this By-law, one single detached dwelling and accessory buildings and structures may be permitted in accordance with Section 5.4.3, Zone Regulations, and 5.4.6, Regulations for Accessory Buildings, of Section 5.4, Rural Residential "RR" Zone.

ND - 3 West of First Road West, North of Mud Street West, Schedule "A", Map No. 11

In addition to uses permitted in Section 7.1.2 of the Neighbourhood Development "ND" Zone, those lands zoned "ND-3" by this By-law may also be used for operations associated with the disposal of solid non-hazardous waste from industrial, commercial and institutional sources as approved in a provisional certificate of approval issued by the Ministry of Environment and Energy, pursuant to the Environmental Protection Act, R.S.O. 1990, c.E.19.

By-law 10-324 (OMB)

ND-5 Mud Street, Schedule "A", Map No. 16

Notwithstanding the uses permitted in Section 7.1.2, (a) agricultural uses and (c) greenhouses shall not be permitted.

PART 8 COMMERCIAL ZONES

SECTION 8.1 GENERAL PROVISIONS FOR COMMERCIAL ZONES

8.1.1 Scope

In any Commercial Zone, no person shall use any land or erect, alter or use any building or structure, except in accordance with the following provisions which, in addition to other requirements of this By-law, shall apply to all Commercial Zones.

8.1.2 Commercial Zones Commercial Zones.

For the purpose of this By-law, the following Commercial Zones are established within the Defined Area and such zones may be referred to by the following symbols:

Zone	Symbol
Local Commercial	LC
General Commercial	GC
Service Commercial	CS
Central Area Commercial - One	CA1
Central Area Commercial - Two	CA2
Highway Commercial	HC
Mixed Use Commercial	MUC
Neighbourhood Shopping Centre	SC1
Community Shopping Centre	SC2
Rural Commercial	RC

8.1.3 Outside Storage

Except as specifically provided in the provisions of the zone in which the lot is located, the following provisions shall apply to outside storage areas in all commercial zones:

(a) Outside storage for other than daily temporary display purposes shall not be permitted in any front yard.

(b) Outside storage for other than daily temporary display purposes shall not be permitted less than 7.5 metres from any street, or less than 4.5 metres from the boundary of any residential zone.

(c) An outside storage area for other than daily temporary display purposes shall be screened and enclosed by a fence of at least 2 metres in height.

(d) Garbage areas for any restaurant shall be within an enclosed area.

8.1.4 Accessory Buildings

No accessory building shall be located on any lot closer to a street than 7.5 metres or closer to the boundary of any residential zone than 4.5 metres or closer to the rear or side lot lines not abutting a street than 0.5 metres. Notwithstanding the foregoing provisions of this clause, an accessory building used only as a shelter for attendants in charge may be located on a public parking lot provided that such building shall not exceed 3.5 metres in height and 19.5 square metres in gross floor area.

8.1.5 Motor Vehicle Service Stations And Car Washing Establishments

For any motor vehicle service station or car washing establishment in any commercial zone, the following provisions shall apply to said motor vehicle service station or car washing establishment:

(a)	Minimum Lot Frontage	-	38 metres for an interior lot, and
		-	45 metres for a corner lot
(b)	Minimum Lot Depth	-	40 metres for an interior lot, and
		-	45 metres for a corner lot, except abutting a residential zone where the minimum shall be 60 metres
(c)	Maximum Lot Coverage	-	30 percent
(d)	Minimum Front Yard	-	12 metres
(e)	Minimum Side Yard	-	7.5 metres except
		-	12 metres for a flankage yard, and 9 metres abutting a residential zone

(f) Minimum Rear Yard - 7.5 metres except
- 12 metres abutting a residential zone

(g) Maximum Building Height - 7.5 metres

(h) Minimum Landscaped Open Space - A landscaped strip having a minimum width of 9 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone and a minimum width of 6 metres abutting any street except for points of ingress and egress.

(i) Other Provisions

1. No pump island shall be erected within 4.5 metres of the boundary of any street

By-law 4526-97

2. Light standards, fuel pump islands, and fuel pumps may be located in any required minimum yard at a distance of not less than 4.5 metres from any lot line abutting a street but no part of the required daylighting triangle shall be constructed to be part of a required minimum yard for the purpose of this clause.
3. The width of an entrance or exit ramp shall be not less than 9 metres or more than 10.5 metres measured along the lot line abutting a street.
4. No entrance or exit ramp shall be located within 1.5 metres of the side or rear lot line that abuts an adjoining lot.
5. No entrance or exit ramp shall be located within 7.5 metres of any other ramp measured along the lot line abutting a street.
6. On a corner lot no entrance or exit ramp shall be located within 15 metres of the point of intersection of the intersecting lot lines which abuts a street.

8.1.6 Motor Vehicle Dealerships

For any motor vehicle dealership in any commercial zone, the following provisions shall apply to said motor vehicle dealership:

(a) Minimum Lot Frontage - 38 metres for an interior lot, and
- 45 metres for a corner lot

(b) Minimum Lot Depth - 45 metres

(c) Maximum Lot Coverage - 25 percent

(d) Minimum Front Yard - 9 metres

(e) Minimum Side Yard - 7.5 metres except 9 metres for a flankage yard, and 9 metres abutting a residential zone

(f) Minimum Rear Yard - 7.5 metres except 12 metres abutting a residential zone

(g) Maximum Building Height - 11 metres

(h) Minimum Landscaped Open Space

1. A landscaped strip having a minimum width of 9 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone, and a minimum width of 6 metres abutting any street except for points of ingress and egress.
2. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to every portion of any lot line that abuts any commercial or industrial zone.

By-law 4848-98

(i) Minimum Parking Requirements - Parking spaces shall be provided in accordance with the provisions of Section 4.10

8.1.7 Outdoor Patio Restaurants

By-law 09-210
By-law 22-081

Notwithstanding any provisions of this By-law, every Outdoor Commercial Patio, inclusive of all outdoor areas and portions of the patio that cross property lines such as road allowances, shall comply with the following: **(By-law 15-073)**

(a) Design Requirements:

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

(b) Seating Capacity Requirements: **(By-law 15-073)**

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

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

8.1.8 Urban Farm **(By-law 14-279)**

(a) An urban farm shall be permitted in all commercial zones, Rural Commercial "RC" Zone, in accordance with the regulations of Subsection 8.1.8 (b), Subsection 8.1.8 (c), Subsection 8.1.8 (d) or Subsection 8.1.8 (e).

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

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 shall not exceed 280 square metres, and no single building shall exceed 140 square metres.

iv) Any building or structure 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 shall not exceed 10.5 metres.

vi) Any building or structure 35 square metres or less shall be considered as an accessory building or structure.

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

viii) All equipment shall be located within a building or structure.

(c) Notwithstanding Section 8.1.8 (b), an urban farm, as a principle use, may locate on a lot less than 0.4 ha in size provided that:

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

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

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

i) All equipment shall be located within a building or structure.

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

iii) Notwithstanding, Section 6.1.4(a), where an urban farm is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

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

(e) Notwithstanding Sections 8.1.8 (a), 8.1.8 (b) and 8.1.8 (c) and in addition to the provisions of Section 8.1.8(d), an urban farm in any commercial zone shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	From	To
1	King Street	Faircourt Drive	Applewood Avenue

8.1.9 Community Gardens (By-law 14-279)

(a) A community garden shall be permitted in all commercial zones, except Rural Commercial "RC" Zone, in accordance with the regulations of Subsection 8.1.9 (b).

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

(c) Notwithstanding, Section 6.1.4(a), where a community garden is located on a roof top, the height of the accessory structure shall not exceed the maximum building height.

(d) Notwithstanding Section 8.1.9 (a) and in addition to the provisions of Section 8.1.9 (b) and 8.1.9 (c), a community garden in any commercial zone shall only be located in the rear yard or on a roof top of a principle building in the following areas:

	Street	From	To
1	King Street	Faircourt Drive	Applewood Avenue

8.1.10 Urban Farmers Market (By-law 15-106)

For any urban farmers market permitted in a commercial zone, the following provisions shall apply to an urban farmers market;

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

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

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

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

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

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

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

SECTION 8.2 LOCAL COMMERCIAL "LC" ZONE

8.2.1 Scope

No person shall within any Local Commercial "LC" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.2.2 Permitted Uses For Each Lot

	(a)	Banks or Financial Institutions
By-law 25-156	(b)	Child Care Centres
	(c)	Convenience Food Stores
	(d)	Drug Stores
	(e)	Flower Shops
	(f)	Hardware Stores
By-law 5068-00	(g)	Libraries
	(h)	Personal Service Shops
	(i)	Pet Food Stores
	(j)	Professional or Business Offices
	(k)	Retail Stores
	(l)	Video Rental Outlets
	(m)	Uses, buildings or structures accessory to a permitted use

8.2.3 Zone Regulations

	(a)	Minimum Lot Area	- 930 square metres
	(b)	Minimum Lot Frontage	- 30 metres
	(c)	Maximum Lot Coverage	- 30 percent
	(d)	Maximum Gross Floor Area	- 1,500 square metres
	(e)	Maximum Gross Floor	
		Area Per Individual Unit	- 500 square metres
	(f)	Minimum Front Yard	- 7.5 metres
	(g)	Minimum Side Yard	- 1.5 metres, except 4.5 metres for a flankage yard

(h) Minimum Rear Yard - 7.5 metres

(i) Maximum Building Height - 7.5 metres

By-law 5068-00 (j) Minimum Landscaped Open Space - A landscaped strip having a minimum width of 4.5 metres shall be provided adjacent to every portion of any lot line that abuts a residential zone and a street except for points of ingress and egress or any zone other than a commercial or industrial zone.

(k) Outside Storage - Outside storage is permitted in accordance with Section 8.1.3.

(l) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with the provisions of Section 4.10 for those uses specified therein.
2. For all other permitted uses not specified in Section 4.10, a minimum of 1 parking space per 28 square metres of gross leasable floor area or fraction thereof, shall be required.

(m) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.2.4 Special Exemptions

LC - 1 265, 267, 271 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (h), (k) and (l) of Section 8.2.3 of the Local Commercial "LC" Zone, on those lands zoned "LC-1" by this By-law, the minimum rear yard shall be 4.5 metres and a landscaped strip having a minimum width of 6 metres adjacent to Highway No. 8 and to Green Road shall be provided.

LC - 2 Deleted by Zoning By-law No. 3799-93.

LC - 3 1242 Highway No. 8, Schedule "A", Map No. 8

In addition to the provisions of Section 8.2.2 of the Local Commercial "LC" Zone, on those lands zoned "LC-3" by this By-law, may also be used for bakeries, service shops, restaurants and apartment units located above the ground floor of the commercial uses.

LC - 4 1287 Highway No. 8, Schedule "A", Map No. 9

In addition to the uses permitted in Section 8.2.2 of the Local Commercial "LC" Zone, those lands zoned "LC-4" by this By-law may also be used for a standard restaurant and one single detached dwelling and uses and structures accessory thereto including an outdoor patio area accessory to the restaurant.

In addition to the provisions of Section 8.2.3 and notwithstanding paragraph (h) of Section 8.2.3 of the Local Commercial "LC" Zone, the following provisions shall apply on those lands zoned "LC-4" by this By-law: The minimum rear yard for the restaurant shall be 1.4 metres.

The outdoor patio area is subject to the following provisions: It shall not exceed 11 metres to the north side and east side; it may be enclosed on the west side and on the south side by a wall; it may be enclosed on the north side and on the east side by a fence only, and otherwise both the north wall and the east wall are required to remain open from the ground to the sky; it shall not be covered by a roof or structure or part of a roof or structure except any roof or structure that exists on the date of the passing of this By-law; it shall be kept open from the ground to the sky; and it shall not be covered in any manner whatsoever either wholly or partially, which includes any form of vegetation as a means of adornment cover. A minimum of 14 parking spaces shall be provided for the restaurant area including the patio area and the single detached dwelling. The restaurant shall be limited to a maximum gross leasable floor area of 72 square metres. The patio area shall be limited to a maximum floor area of 121 square metres.

LC - 5 1050 Paramount Drive, Schedule "A", Map No. 10

By-law 06-190

In addition to the uses permitted in Section 8.2.2 of the Local Commercial "LC" Zone, on those lands zoned "LC-5" by this By-law, a veterinary clinic, medical clinic and bakery shop may also be permitted.

Notwithstanding the provisions of paragraphs (e) and (j) of Section 8.2.3 of the Local Commercial "LC" Zone, on those lands zoned "LC-5" by this By-law, the provisions related to the maximum gross leasable floor area do

not apply and a maximum of two principal buildings may be permitted.

By-law 5162-00

LC - 6 North Side of Mud Street, East of Paramount Drive, Schedule "A", Map No. 10

Repealed by By-law No. 5162-00.

By-law 17-139

LC – 7 Southeast corner of Paramount Drive and Upper Mount Albion Road, Schedule "A", Map No. 15

Notwithstanding the uses permitted in Section 8.2.2, of the Local Commercial "LC" Zone, those lands zoned "LC-7" measuring from the front lot line a distance of 71 metres along the easterly lot line and 37 metres along the westerly lot line shall only be used for a gas bar, manual or automatic car wash and a convenience store and uses, buildings or structures accessory to a permitted use.

Notwithstanding the provisions of paragraphs (a), (b), (e), (f), (g) and (h) of Section 8.1.6, the minimum lot area shall be 7,900 square metres, the minimum lot frontage shall be 49 metres adjacent to Paramount Drive and 116 metres adjacent to Upper Mount Albion Road, the minimum front yard shall be 12 metres, the minimum side yard shall be 9 metres abutting the easterly lot line and 12 metres abutting the flankage street, the minimum rear yard shall be 12 metres, the maximum building height shall be 7.5 metres, and a landscaped strip having a minimum width of 4.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line except for necessary points of ingress and egress. A car wash shall not be permitted within 14 metres of the easterly lot line.

Notwithstanding the provisions of paragraph (m) of Section 8.2.3, the minimum parking requirements shall be one parking space for 22 square metres of gross floor area or fraction thereof and three storage spaces per manual or self-serve car wash bay and four storage spaces per automatic car wash bay shall be provided.

The (H) symbol may be removed from these lands at such time as municipal sanitary sewers, municipal water and storm sewers are available and adequate to service the subject lands and a development agreement has been entered

into by the owner with the City. Until the (H) symbol is removed, these lands may only be used for uses existing at the date of the passing of this By-law.

By-law 4710-98

LC - 8(H) 274 Barton Street, Schedule "A", Map No. 6

In addition to the uses permitted in Section 8.2.2, "Permitted Uses For Each Lot" of the Local Commercial "LC" Zone, a basement apartment may also be permitted on those lands zoned "LC-8(H)" by this By-law.

By-law 03-319

Notwithstanding the provisions of Section 3.8 "Holding Zones", the Holding provision may be removed from those lands zoned "LC-8(H)" by this By-law by way of a further By-law amendment, once the owner has entered into a Development and Maintenance and Use Agreement with the Council of the City of Stoney Creek.

By-law 05-149

LC - 9 411 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of Section 8.2.2 "Permitted Uses For Each Lot" of the Local Commercial "LC" Zone, on those lands zoned "LC-9" by this By-law, one (1) residential dwelling unit is also permitted.

Notwithstanding the provisions of paragraphs (a), (b), (f), (g), (j), and (k) of Section 8.2.3 "Zoning Regulations" of Zoning By-law 3692-92, on those lands zoned "LC-9" by this By-law, the following shall apply:

(a) Minimum Lot Area - 422 square metres

(b) Minimum Lot Frontage - 12.2 metres

(f) Minimum Front Yard - 6 metres

(g) Minimum Side Yard - 1.4 metres, except 1.04 metres for a flankage yard

(j) Minimum Landscape Open Space

The following shall be provided and maintained:

1. A landscape strip having a minimum width of 1.3 metres along the north lot line;
2. A landscape strip having a minimum width of 1.4 metres along the

east lot line;

3. A landscape strip having a minimum width of 1.0 metre along the west lot line, except for any area used for vehicular access; and

4 A landscape strip of 0.0 metres abutting the hypotenuse of a daylight triangle.

(k) Minimum Parking Requirements - Six (6) parking spaces

Section 4.3.1, "Special Setbacks – Daylight Triangles" of Zoning By-law 3692-92, shall not apply on those lands zoned "LC-9" by this By-law.

By-law 20-080-LPAT

LC-10 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the provisions of Section 8.2.2 and Section 8.2.3 (i), and in addition to the provisions of Section 8.2.3 of the Local Commercial "LC" Zone, on those lands zoned "LC-10" by this By-law, the following shall apply:

8.2.2 (a) Artist Studio

(b) Car Washing Establishment

(c) Catering Service

(d) Child Care Centres **(By-law 25-156)**

(e) Commercial School

(f) Communications Establishment

(g) Community Garden

(h) Craftsperson Shop

(i) Dwelling Units in conjunction with a Commercial Use on the ground floor

(j) Emergency Shelter

(k) Financial Establishment

(l) Laboratory

(m) Medical Clinic

(n) Microbrewery

(o) Motor Vehicle Gas Bar

(p) Motor Vehicle Service Station

(q) Office

(r) Personal Services

(s) Repair Service

(t) Restaurant

(u) Retail

(v) Social Services Establishment

(w) Tradesperson s Shop

(x) Urban Farm

(y) Urban Farmers Market

(z) Veterinary Service

8.2.3 (i) Maximum Building Height - 14.0 metres

(n) Restriction of Residential Uses within a Building

(i) Notwithstanding Section 8.2.2, a Dwelling Unit(s) in conjunction with a commercial use shall only be permitted above the ground floor except for access, accessory office and utility areas, and shall not occupy more than 50 percent of the total gross floor area of all the building(s) within the lot.

By-law 20-080-LPAT

LC-10(H2) 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "LC-10(H2)" by this By-law, the Holding "(H2)" symbol may be removed by City Council and thereby give effect to the "LC-10" Zone provisions upon completion of the following:

a) Owner shall have entered into a cost sharing agreement with Penta Properties Inc. (Penta) which will require the Owner to pay its proportionate share of the cost of construction of any downstream improvements to the storm conveyance system from downstream outside limit of the storm water management pond block on the adjacent property (198 First Road West), such downstream improvements to include the roadside ditches along Upper Centennial Parkway, Mud Street East including all necessary culvert upgrades and any downstream monitoring and remediation costs required to provide for proper conveyance of the post development drainage from 165 Upper Centennial and 198 First Road West (Paletta). Such costs are to be calculated on a contributory area and percent impervious basis, in respect of costs associated with the land and construction and other reasonable and related costs of the storm water conveyance system net of any monies recoverable from the City of Hamilton. These costs shall be

calculated by the engineering consultant for Penta in a timely manner and agreed upon by an engineering consultant retained by the Owner of 165 Upper Centennial Parkway and shall be paid to Penta prior to the lifting of the Hold Symbol. If agreement regarding the costs is not reached, they shall be determined by arbitration pursuant to the *Ontario Arbitration Act*.

By-law 14-180 **LC(H1) 420 First Road West, Schedule "A", Map No. 11**

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "RM2-41(H)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "LC(H1)", Zone provisions in Section 10 above, upon completion of the following:

a) That those lands located within the 50 dBA sound level of the rock crushing establishment (All Around Contracting Yard) not be developed until such time as the establishment ceases to operate, to satisfaction of the Director of Planning.

By-law 14-180 **LC(H2) 420 First Road West, Schedule "A", Map No. 11**

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "RM2-41(H)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "LC(H2)", Zone provisions in Section 10 above, upon completion of the following:

a) That all residential lands within 160 metres of the working licenced limits of the active quarry or the limits of the former quarry under rehabilitation shall not be developed until such time as the completion of mining and the completion of rehabilitation on the quarry lands immediately adjacent to the Holding (H) Zone have been finalized to the satisfaction of the Director of Planning; and,

b) That those lands located within the 50 dBA sound level demarcation of the All Around Contracting facility not be developed until such time as the facility ceases to operate, to the satisfaction of the Director of Planning.

SECTION 8.3 GENERAL COMMERCIAL "GC" ZONE

8.3.1 Scope

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

8.3.2 Permitted Uses For Each Lot

(a) Amusement Centres
(b) Animal Hospitals only if wholly enclosed within a building
(c) Arenas
(d) Art Galleries
(e) Athletic Clubs
(f) Auditoriums
(g) Bakeries
(h) Banks or Financial Institutions
(i) Banquet Halls
(j) Bus Depots
(k) Business or Commercial Schools
(l) Car Washing Establishments
(m) Child Care Centres **(By-law 25-156)**
(n) Convenience Food Stores
(o) Dry Cleaning Depots
(p) Equipment Rental, Sales or Repairs
(q) Food Stores
(r) Funeral Homes
(s) Gasoline Bars
(t) Hotels
(u) Libraries
(v) Medical Laboratories
(w) Medical Clinics
(x) Motels

(y) Motor Vehicle Parts and Accessories Retail Stores

(z) Motor Vehicle Service Stations

(aa) Motor Vehicle Dealerships

(ab) Museums

(ac) Parking Garages or Parking Lots

(ad) Personal Service Shops

(ae) Pharmacies

(af) Places of Entertainment or Recreation

By-law 3863-93

(ag) Places of Worship

(ah) Private or Commercial Clubs

(ai) Professional or Business Offices

(aj) Restaurants - Convenience

(ak) Restaurants - Fast Food

(al) Restaurants - Outdoor Patio

(am) Restaurants - Standard

(an) Retail Stores

(ao) Taverns

(ap) Theatres

By-law 4200-95

(aq) One accessory dwelling unit and a home occupation provided such unit is located together with a permitted commercial use within the same building and is not located on the ground floor, or in the cellar or basement.

(ar) Uses, buildings or structures accessory to a permitted use

8.3.3 Zone Regulations For All Uses Other Than Those Uses Specified In Sections 8.3.4, 8.3.5, 8.3.6 and 8.3.7

(a)	Minimum Lot Frontage	-	45 metres
(b)	Maximum Lot Coverage	-	50 percent
(c)	Minimum Front Yard	-	7.5 metres
(d)	Minimum Side Yard	-	1.5 metres, except 6 metres for a flankage yard

(e) Minimum Rear Yard - 9 metres except 15 metres abutting a residential zone

(f) Maximum Building Height - 16.5 metres

(g) Minimum Landscaped Open Space - 10 percent of the lot area, a portion of which shall include the following where applicable:

1. A landscaped strip having a minimum width of 6 metres shall be provided adjacent to every portion of any lot that abuts a street except for points of ingress and egress.
2. A landscaped strip having a minimum width of 4.5 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.
3. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to every portion of any lot line that abuts a commercial or industrial zone.

(h) Outside Storage - No outside storage shall be permitted. The display or sale of goods in any yard other than a required yard may be permitted provided that such display is accessory to or in conjunction with the commercial use carried on in an enclosed building on the same lot.

(i) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with Section 4.10.
2. For all other permitted uses not specified in Section 4.10, a minimum of one parking space per 28 square metres of gross floor area or fraction thereof shall be required.

(j) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.3.4 Regulations For Motor Vehicle Service Stations

Motor vehicle service stations are permitted in accordance with Section 8.1.5.

8.3.5 Regulations For Motor Vehicle Dealerships

Motor vehicle dealerships are permitted in accordance with Section 8.1.6.

8.3.6 Regulations For Car Washing Establishments

Car washing establishments are permitted in accordance with Section 8.1.5.

8.3.7 Regulations For Outdoor Patio Restaurants

Outdoor patio restaurants are permitted in accordance with Section 8.1.7.

8.3.8 Special Exemptions

GC - 1 199-213 North Service Road, Schedule "A", Map No. 1

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-1" by this By-law shall only be used for the sale and service of lawn and garden equipment, a lawn and garden centre, a personal service shop, a convenience food store, professional or business offices, a fruit and vegetable retail outlet, growing of greenhouse produce and selling of same.

Notwithstanding the provisions of paragraphs (c), (d), (e), (f), (g) and (h) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-1" by this By-law, the following provisions shall apply: The minimum setback from Pinelands Avenue shall be 25 metres. The minimum setback from the North Service Road shall be 10 metres. The minimum yard requirements shall be 4.5 metres from the boundary of Lot 34 and Lot 41, Registered Plan 647A and 7.5 metres from the boundary of Lot 39, Registered Plan 647A. The maximum height shall be 7.5 metres. No parking space shall be located at a distance of less than 0.5 metres from any lot line or less than 4.5 metres from the boundary of any residential zone. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to any lot line that abuts a residential zone. Outside storage may only be permitted provided in such an area that is totally enclosed by a fence having a minimum height of 1.8 metres and provided it is screened from view of the North Service Road by landscaping, decorative walls or any combination thereof and in total does not exceed 310 square metres in area.

GC - 2 32-36 Lake Avenue Drive, Schedule "A", Map No. 5

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, on those lands zoned "GC-2" by this By-law, the uses shall be limited to a funeral home, uses accessory thereto and one accessory dwelling unit.

GC - 3 660 Barton Street, Schedule "A", Map No. 7

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, the uses permitted on those lands zoned "GC-3" by this By-law shall be limited to a banquet hall, catering service, standard restaurant or photography studio.

GC - 4 518 Fruitland Road, Schedule "A", Map No. 2

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the uses permitted on those lands zoned "GC-4" by this By-law shall be limited to a standard restaurant, outdoor patio restaurant, a private club and professional or business offices.

Notwithstanding the provisions of paragraphs (c), (e) and (g) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-4" by this By-law, the following provisions shall apply: The minimum front yard shall be 40 metres. The minimum rear yard shall be 30 metres from Top of the Bank as defined on Survey Plan No. 90-29-791-00, prepared by S.J. Balaban, O.L.S., dated August 3, 1990. The minimum landscaping requirement shall be 1.5 metres abutting Harbour Drive and 1 metre from the daylight triangle, and 3 metres abutting Fruitland Road and 4.5 metres abutting Edgewater Drive.

GC - 5 141 King Street East, Schedule "A", Map No. 5

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the uses permitted on those lands zoned "GC-5" by this By-law, shall be limited to professional and business offices or personal service shops within the building existing at the date of the passing of this By-law.

GC - 6 980 Queenston Road, Schedule "A", Map No. 5

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial

"GC" Zone, the uses permitted on those lands zoned "GC-6" by this By-law shall be limited to a medical clinic, professional and business offices, orthopedic supply outlets and drafting and office equipment retail outlets.

GC - 7 60, 68 Centennial Parkway, Schedule "A", Map No. 5

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-7" by this By-law shall be limited to a medical clinic and uses accessory thereto in conjunction with a surface parking area only.

Notwithstanding the provisions of paragraph (g) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-7" by this By-law, a landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to the widened limits of Centennial Parkway; a landscaped strip having a minimum width of 2 metres shall be provided adjacent to the northern side lot line and a landscaped strip having a minimum width of 16 metres shall be provided adjacent to the east lot line.

GC - 8 84 King Street East, Schedule "A", Map No. 5

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the use of those lands zoned "GC-8" by this By-law shall be limited to a motor vehicle service station.

GC - 9 200 Barton Street, Schedule "A", Map No. 6

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, the use of those lands zoned "GC-9" by this By-law shall be limited to retail stores, professional and business offices, personal service shops, banks, service shops, a medical clinic or an animal hospital in a wholly enclosed building.

By-law 3840-93

GC - 10 386 Barton Street, Schedule "A", Map No. 6

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the use of those lands zoned "GC-10" by this By-law shall be

limited to retail stores, banks, commercial schools, bakery shops, dairies, personal service shops, medical clinics, professional or business offices, service shops, places of recreation, custom work shops, funeral homes, motor vehicle dealership, animal hospitals in a wholly enclosed building, laundromats or cleaning and pressing shops, and a standard restaurant.

Notwithstanding the provisions of paragraphs (e) and (g) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-10" by this By-law, the following provisions shall apply: The minimum rear yard shall be 4.8 metres; a landscaped strip having a minimum width of .5 metres shall be provided and maintained adjacent to Barton Street, except for points of ingress and egress; a landscaped strip having a minimum width of .75 metres shall be provided and maintained adjacent to Millen Road, except for points of ingress and egress; and a landscaped strip having a minimum width of 1.58 metres shall be provided and maintained adjacent to the southerly lot line.

GC - 11 287, 289 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the uses on those lands zoned "GC-11" by this By-law shall be limited to retail stores, professional and business offices, banks, financial institutions, personal service shops, motor vehicle dealerships
or motor vehicle repair garages in conjunction with motor vehicle dealerships.

GC - 12 301 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the use of those lands zoned "GC-12" by this By-law shall be limited to retail stores, restaurants, bakeries, banks, commercial schools, personal service shops, medical clinics, professional and business offices, pharmacies, cleaning and pressing shops, banquet halls, private commercial clubs or custom workshops.

GC - 13 325 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the permitted uses in Section 8.3.2 of General Commercial "GC" Zone, the uses on those lands zoned "GC-13" by this By-law shall be

limited to retail stores, excluding a convenience store, banks, financial institutions, professional or business offices and personal service shops excluding an automatic laundromat, provided these commercial uses are established at the same time or after the establishment of the residential use, and the commercial uses are located only on the ground floor of any building to be erected, and the area of the building to be used for commercial purposes does not exceed 35 percent of the building's gross floor area.

Notwithstanding the provisions of paragraphs (f), (i)2, and (g) of Section 8.3.3 of the General Commercial "GC" Zone on those lands zoned "GC-13" by this By-law, the maximum height shall be three storeys; no parking space shall be located a distance of less than 0.5 metres from any lot line or less than 1 metre from the boundary of any residential zone and a landscaped strip having a minimum width of 1 metre shall be provided adjacent to any lot line that abuts a residential zone.

By-law 3813-93

GC - 14 345 - 355 Highway No. 8, Schedule "A", Map No. 6

In addition to the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone on those lands zoned "GC-14" by this By-law, a place of worship may also be permitted.

Notwithstanding the provisions of paragraph (c) of Section 8.3.3 of the General Commercial "GC" Zone, the minimum front yard shall be 14 metres.

GC - 15 Repealed by By-law No. 3813-93.

By-law 10-046

GC - 16 367 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the use of those lands zoned "GC-16" by this By-law shall be limited to retail stores, professional and business offices, personal service shops, and standard restaurants provided the maximum commercial floor area does not exceed 233 square metres. Uses accessory to any permitted use including a maximum of two dwelling units are permitted provided that they are located over the commercial area of the building.

Notwithstanding the provisions of Paragraph (a), (d), and (g)3. of Section

8.3.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "GC-16" by this By-law, the following shall apply:

(a)	Minimum Lot Frontage	-	15.2 metres
(d)	Minimum Side Yard	-	0.3 metres for the westerly side yard
(g)3.	Minimum Landscaped Open Space	-	No landscaped strip will be required adjacent to every portion of the easterly or westerly lot lines abutting a commercial zone

Notwithstanding the provisions of Paragraph (a), Section 4.10.3 "Dimensions of Parking Spaces" of Zoning By-law No. 3692-92 on those lands zoned "GC-16" by this By-law, the following shall apply:

(a) Required parking spaces for 90 degree perpendicular parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres exclusive of any lands used for access, manoeuvring, driveways, or a similar purpose

Notwithstanding the provisions of Paragraph (a), Section 4.10.4 "Requirement for Parking Designated for Vehicles of Physically Challenged" of Zoning By-law No. 3692-92 on those lands zoned "GC-16" by this By-law, the following shall apply:

(a) Have minimum rectangular dimensions of 4.4 metres by 5.5. metres.

Notwithstanding the provisions of Paragraph (b), Section 4.10.5 "Access to Parking Spaces" of Zoning By-law No. 3692-92 on those lands zoned "GC-16" by this By-law, the following shall apply:

(b) Indirect Access – A driveway or lane which does not provide ingress and egress directly to a parking space, shall have a minimum width of 4.5 metres where designed for one-way vehicular circulation, or 5.9 metres where designed for two-way vehicular circulation.

GC - 17 521 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the permitted uses in paragraphs (a) and (ag) of Section 8.3.2

of the General Commercial "GC" Zone, the use of those lands zoned "GC-17" by this By-law, places of recreation and entertainment and amusement centres are not permitted.

Notwithstanding the provisions of paragraphs (b), (c), (d), (e), (f) and (g) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-17" by this By-law, the following provisions shall apply: The maximum lot coverage shall be 40 percent. The minimum building setback from DeWitt Road shall be 4.5 metres. The minimum rear yard shall be 12 metres. The maximum height shall be 7.5 metres. The maximum gross leasable floor area for a restaurant shall not exceed 557 square metres. Landscaped strips shall be provided as follows: 7.5 metres adjacent to Highway No. 8; 3 metres adjacent to DeWitt Road; 1.5 metres adjacent to the rear lot line; 4.5 metres adjacent to the westerly side lot line; and 3 metres adjacent to the daylight triangle.

GC - 18 410 to 414 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-18" by this By-law shall be limited to retail stores, banks, service shops, medical clinics, professional and business offices, services shops, a funeral home and video tape rental outlets.

Notwithstanding the definition of "front lot line" and "lot frontage" and the provisions of paragraphs (c), (e), (f), (g) and (i) of Section 8.3.3 of the General Commercial "GC" Zone, those lands zoned "GC-18" by this By-law shall have the front lot line and the lot frontage adjacent to Highway No. 8 and all lot lines, required yards and landscaping requirements shall correspond thereto. The minimum front yard shall be 3 metres. The minimum rear yard shall be 12 metres. The maximum height shall be 2 storeys, but not exceeding 7.5 metres. A landscaped strip having a minimum width of 5 metres shall be provided adjacent to Millen Road.

GC - 19 620 to 636 Barton Street (Even Numbers Only), Schedule "A", Map No. 7

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial

"GC" Zone, the uses on those lands zoned "GC-19" by this By-law shall be limited to retail stores, video rental outlets, financial institutions, personal service shops, professional and business offices, commercial schools, places of recreation, laundromats, cleaning and pressing shops, restaurants, medical clinics, post offices, printing establishments, studios and service and repair shops.

Notwithstanding the provisions of paragraphs (d), (g)2 and (i) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-19" by this By-law, the following provisions shall apply: The minimum side yard shall be 11 metres abutting any residential zone. No parking space shall be located less than 3 metres from the boundary of any residential zone. A landscaped strip, having a width as specified below, shall be provided: Front yard - 4 metres abutting Fruitland Road; Side yard - 5 metres abutting Barton Street and 2 metres abutting any residential zone; Rear yard - 4.5 metres abutting any residential zone.

GC - 20 542 Highway No. 8, Schedule "A", Map No. 7

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-20" by this By-law shall only be used for a motor vehicle dealership in conjunction with a motor vehicle repair garage.

GC - 21 1064, 1070 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-21" by this By-law may only be used for a recreational vehicle dealership and motor vehicle dealership.

GC - 22 East Street at Lake Ontario, Schedule "A", Map No. 4

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-22" by this By-law shall only be used for a parking area in conjunction with commercial uses to the north.

GC - 23 800 Queenston Road, Schedule "A", Map No. 5

Notwithstanding the provisions of paragraph (f) of Section 8.3.3 of the General Commercial "GC" Zone, the maximum building height on those

lands zoned "GC-23" by this By-law shall be 13.5 metres.

By-law 3863-93

GC - 24 270 Highway No. 8 and 153, 155 and 157 Green Road, Schedule "A", Map No. 6

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, the use of those lands zoned "GC-24" by this By-law shall be limited to retail stores, video rental outlets, banks, bakery shops, personal service shops, funeral homes, medical clinics, professional and business offices, custom workshops, motor vehicle dealerships, motor vehicle service stations, car washing establishments, public parking lots, animal hospitals in a wholly enclosed building, laundromats and cleaning or pressing shops.

GC - 25 1451 Highway No. 8, Schedule "A", Map No. 9

In addition to the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-25" by this By-law may also be used for a motor vehicle repair garage.

By-law 03-162

GC - 26 360 Highway No. 8 and rear lands of 87 Kilbourn Avenue, Schedule "A", Map No. 6

Notwithstanding the regulations of paragraph (g)2. of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-26" by this By-law, a minimum landscaped strip of 1.5 metres width shall be provided and maintained along the easterly lot line.

GC - 27 297 Fifty Road, Schedule "A", Map No. 9

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-27" by this By-law shall be limited to veterinary clinics, bakery shops, bank or financial institutions, retail stores, professional and business offices, custom workshops, dry cleaning establishment and distribution centres, laundromats, service and repair shops, personal service shops, restaurants, printing establishments, garden centres, swimming pool or patio furniture sales and service and existing duplexes. No commercial use shall be located within 3 metres of the existing duplex.

Notwithstanding the provisions of paragraphs (a), (c), (d), (e), (f), (g), (h) and (i)2 of Section 8.3.3 of the General Commercial "GC" Zone on those lands zoned "GC-27" by this By-law, the following provisions shall apply: The

minimum frontage shall be 25 metres. The minimum front yard shall be 3 metres. The minimum side yard shall be 1.5 metres adjacent to any residential zone and 25 metres from the centreline of Fifty Road. The minimum rear yard shall be 25 metres while a detached residential building is situated on these lands and 7.5 metres should the detached residential building be removed. The maximum building height shall be 10.5 metres. No parking space shall be located within 0.5 metres of any lot line abutting a street or within 1.5 metres of the boundary of any residential zone. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to any lot line which abuts a residential zone. Outdoor storage shall only be permitted when it is accessory to a garden centre or swimming pool and outdoor furniture sales and services but shall not be located within 3 metres of the lot line.

GC - 28 423 Barton Street, Schedule "A", Map No. 1

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-28" by this By-law shall be limited to restaurants and one accessory dwelling unit provided that such unit is located within the same building, but not on the ground floor, cellar or basement.

By-law 3863-93

Notwithstanding the regulations of paragraphs (a), (c), (d), (e) and (g) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-28" by this By-law, the minimum lot frontage shall be 20 metres, the minimum front yard shall be 3 metres, the minimum side yard shall be 6 metres, except 1 metre for the flankage yard, and a minimum landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to the easterly and northerly lot lines.

GC – 29 438 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (i) of Section 8.3.3 and Section 4.10 of the General Commercial "GC" Zone, on those lands zoned "GC-29" by this By-law, a minimum of 3 parking spaces shall be provided for a private or commercial club.

GC - 30 1223 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the uses permitted in paragraphs (c), (j), (l), (z) and (aa) of Section 8.3.2 of the General Commercial "GC" Zone, on those lands zoned "GC-30" by this By-law the permitted uses shall not include automatic car washes, motor vehicle service stations, arenas, motor vehicle dealerships, printing establishments or bus depots.

By-law 4414-96

Notwithstanding the provisions of paragraphs (e), (g)1., (g)2. and (i)1. of Section 8.3.3 of the General Commercial “GC” Zone, on those lands zoned “GC-30” by this By-law, the following provisions shall apply: The rear lot line is considered to be the continuous northerly lot line between the most easterly and westerly side lot lines. The minimum rear yard shall be 4.5 metres adjacent to the rear lot line; a minimum landscaped strip of 1.2 metres shall be provided adjacent to Highway No. 8; a minimum landscaped strip of 2.2 metres shall be provided adjacent the westerly lot line; a minimum landscaped strip of 1.5 metres is permitted along the rear lot line within 56 metres of the westerly lot line, except
0.0 metres along the rear lot line shall be permitted within 31 metres of the westerly lot line adjacent to the parking area. The minimum parking requirement for a banquet hall shall be one (1) parking space per 4.3 square metres of public floor area. In addition to Section 8.3.3 of the General Commercial “GC” Zone, on those lands zoned “GC-30” by this by-law, only one principal building is permitted on these lands.

By-law 20-152

GC-30(H) 1219 Highway No. 8, Schedule "A", Map No. 8 (Block 7)

Notwithstanding the provision of Section 3.8 “Holding Zones", on those lands zoned “GC-30(H)” by this By-law, the Holding (H) symbol may be removed and thereby give effect to the “GC-30" Zone provisions, upon completion of the following:

(a) That land assembly occur in order to provide commercial zoned frontage, to the satisfaction of the Director of Planning and Chief Planner.

GC - 31 483 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the uses permitted in paragraph (i), (j), (t), (x), (z), (aa), (ac) and (af) in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-31" by this By-law shall not be used for a banquet hall, place of

entertainment or recreation, motor vehicle dealership, motor vehicle service station, public parking lot, hotel, motel, bus depot or laundromat.

GC – 32 102 King Street West, Schedule "A", Map No. 5

By-law 4470-96

In addition to the uses permitted by of Subsection 8.3.2, on those lands zoned "GC-32" by this By-law, apartment dwelling units may be permitted pursuant to Subsection 8.8.3, Zone Regulations, of Section 8.8, Mixed Use Commercial "MUC" Zone.

Notwithstanding the provisions of paragraph (e) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-32" by this By-law, the minimum rear yard for an automatic car washing establishment shall be 5 metres.

GC - 33 Lot 22, Broken Front Concession, Southeast Corner of Drakes Drive and Frances Avenue, Schedule "A", Map No. 1

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-33" by this By-law shall be restricted to retail stores, food stores, restaurants not exceeding 330 square metres of gross floor area, rental outlets, banks, bakery shops, personal service shops, medical clinics, professional or business offices or service shops.

Notwithstanding the provisions of paragraphs (c), (d), (e), (f), (g) and (i) of Section 8.3.3 of the "GC" Zone on those lands zoned "GC-33" by this By-law, the following provisions shall apply: The minimum front yard shall be 13.5 metres abutting Frances Avenue. The minimum side yard shall be 22 metres abutting Drakes Drive and 7.5 metres abutting the easterly side lot line. The minimum rear yard shall be 37 metres abutting the North Service Road. The maximum building height shall be 7.5 metres. The minimum parking requirements shall be 1 space for each 18.5 square metres of gross leasable floor area. No parking space or part thereof shall be located closer than 3 metres from any street, or less than 3 metres to the boundary of any residential zone. A minimum landscape strip of 6 metres shall be provided in the front yard except for the necessary area required for truck turn around and loading areas in which case a landscaped strip having a minimum width of 2 metres shall be provided adjacent to any such area. A minimum landscaped strip of 3 metres shall be provided abutting Drakes Drive and 3 metres abutting the easterly side lot line. A minimum landscaped strip of 10 metres shall be provided abutting the North Service Road.

GC - 34 514 Highway No. 8, Schedule "A", Map No. 6

Deleted by By-law No. 5196-00 (See General Commercial "GC-48" Zone)

By-law 3799-93

GC - 35 Part of Lot 21, Broken Front Concession, lands located on the west side of Green Road between Frances Avenue and the North Service Road, Schedule "A", Map No. 1

Notwithstanding the provisions of Subsection 8.3.2 "Permitted Uses" of the General Commercial "GC" Zone, on those lands zoned "GC-35" by this By-law, the uses permitted on said lands shall be as follows:

Animal hospitals only if wholly enclosed within a building, art galleries, athletic clubs, bakeries, banks or financial institutions, banquet halls, business or child care centres **(By-law 25-156)**, commercial schools, convenient food stores, dry cleaning depots, equipment rental, sales and repairs, food stores, libraries, medical laboratories, medical clinics, museums, personal service shops, pharmacies, places of entertainment or recreation, professional or business offices, restaurants, retail stores, and uses, buildings or structures accessory to a permitted use.

Notwithstanding the provisions of paragraph (f) of Subsection 8.3.3 of the General Commercial "GC" Zone on those lands zoned "GC-35" by this By- law, the maximum height shall be one storey.

By-law 3881-93

GC - 36 975 Queenston Road, Schedule "A", Map No. 5

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, the uses permitted on those lands zoned "GC-36" by this By-law shall be limited to retail stores, equipment rental, sales or repairs, banks or financial institutions, bakeries, personal service shops, medical clinics, animal hospitals in wholly enclosed buildings, professional or business offices, service shops, private or commercial clubs, business or commercial schools and dry cleaning depots.

Notwithstanding the provisions of clauses 1 and 2 of paragraph (g) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands Zoned "GC-36" by this By-law, a landscaped strip having a minimum width of 3 metres shall be provided adjacent to every portion of any lot line that abuts Donn Avenue except for points of ingress and egress. A landscaped strip having a minimum

width of 3 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.

Notwithstanding the provisions of Section 4.10.9, Schedule of Minimum Parking Requirements, parking regulations on those lands zoned "GC-36" by this By-law, a minimum of 11 parking spaces shall be provided.

By-law 3921-93

GC - 37 454 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, the uses permitted on those lands zoned "GC-37" by this By-law shall be limited to a funeral home and business and professional offices and uses, buildings and structures accessory thereto.

By-law 4022-94

GC - 38 92 and 100 Centennial Parkway South, Schedule "A", Map No. 5

Notwithstanding the provisions of paragraphs (g) and (i) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned “GC-38” by this By-law, a landscaping strip having a minimum width of 2.5 metres shall be provided and maintained adjacent to Centennial Parkway South, and adjacent to the southerly lot line and a minimum of 39 parking spaces shall be provided.

By-law 4195-95

GC - 39 30 Lake Avenue Drive, Schedule “A”, Map No. 5

Notwithstanding the uses permitted in Section 8.3.2 and the provisions of paragraphs (a), (b) and (g)1. of Section 8.3.3 of the General Commercial “GC” Zone, those lands zoned “GC-39” by this By-law, shall only be used for a parking lot used in conjunction with a funeral home. The minimum lot frontage shall be 12 metres, the minimum lot area shall be 450 square metres and a landscaped strip having a minimum width of 2.7 metres shall be provided adjacent to any portion of the lot line abutting Lake Avenue Drive, except for points of ingress and egress.

OMB Order

GC - 40 176-178 Highway No. 8, Schedule “A”, Map No. 6

Notwithstanding the provisions of Zoning By-law No. 3692-92, by Ontario Municipal Board Order of May 3, 1995, on those lands zoned “GC-40” by this By-law, a minimum landscaped rear yard of 4.5 metres and an eight foot

fence to be maintained on the southerly boundary of the subject lands, shall be provided. In all other respects the standards and uses of the Western Development Area Zoning By-law No. 2175 shall prevail.

By-law 4444-96
By-law 04-156

GC – 41 125, 135 Upper Centennial Parkway and 16 Highland Road West, Schedule "A", Map No. 16

Notwithstanding the provisions of paragraph (ak) of Subsection 8.3.2 of Section 8.3 of the General Commercial "GC" Zone, restaurant-fast food, shall not be permitted on those lands zoned "GC-41" by this by-law.

In addition to the regulations of Section 8.3.3 of the General Commercial "GC" Zone, lands zoned General Commercial "GC-41" Zone by this By-law, restaurant-convenience, restaurant-outdoor patio and restaurant-standard, shall not be located within 60 metres of Highland Road.

By-law 4470-96

GC - 42(H) 74 Neil Avenue, Schedule "A", Map No. 5

Notwithstanding the provisions of Subsection 8.3.2 and paragraph (g) of Subsection 8.3.3, on those lands zoned "GC-42(H)" by this By-law, the use shall be limited to a single-detached dwelling and to a parking area used in conjunction with the property to the north. A landscaped strip having a minimum width of 2.5 metres shall be provided adjacent to any street except for point of egress and ingress." A single-detached dwelling and accessory building and structure thereto shall be permitted in accordance with Section 6.3 of this By-law.

By-law 4525-97

GC - 43 11 Whitedeer Road, 2157 Rymal Road East, Schedule "A", Map No. 16

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the uses permitted on those lands zoned "GC-43" by this By-law shall be limited to animal hospitals only if wholly enclosed within a building, art galleries, athletic clubs, auditoriums, bakeries, banks or financial institutions, banquet halls, business or commercial schools, convenience food stores, child care centres **(By-law 25-156)**, dry cleaning depots, equipment rental, sales or repairs, food stores, funeral homes, libraries, medical laboratories,

medical clinics, museums, personal service shops, pharmacies, places of entertainment or recreation, places of worship, private or commercial clubs, professional or business offices, restaurants - convenience, fast food, outdoor patio and standard, retail stores, theatres, one accessory dwelling unit and a home occupation provided such unit is located together with a permitted commercial use within the same building and is not located on the ground floor, or in the cellar or basement and uses, buildings or structures accessory to a permitted use.

By-law 4753-98

GC - 44 181 and 183 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of Section 8.3.2 "Permitted Uses for Each Lot", those lands zoned "GC-44" by this By-law may only be used for medical laboratories, medical clinics, massage and physical therapists, pharmacies, professional or business offices, personal service shops which may include personal exercise training, retail stores limited to medical supplies, sports rehabilitation supplies, therapeutic supplies and accessories, one accessory dwelling unit provided such dwelling unit is located together with a permitted commercial use within the same building and is not located on the ground floor, or in the cellar or basement, a home occupation and uses, buildings or structures accessory to a permitted use.

Notwithstanding the provisions of paragraphs (a), (d), (g) and (f) of Section 8.3.3, "Zone Regulations For All Uses Other Than Those Uses Specified In Sections 8.3.4, 8.3.5, 8.3.6 and 8.3.7", on those lands zoned "GC-44" by this By-law, the minimum lot frontage shall be 30.0 metres, the minimum flankage yard adjacent to Blenheim Drive and minimum landscaped strips adjacent to the westerly and easterly lot lines shall be applicable only to the development existing as of the date of the passage of the amending By-law establishing the "GC-44" Zone and additions thereto which are in total less than 50 square metres and the maximum building height shall be 3 storeys.

Any additions of 50 square metres or more, or the construction of a new building shall comply with paragraphs (b), (c), (d), (g), (h), (i) and (j) of Section 8.3.3 of the General Commercial "GC" Zone. Notwithstanding the provisions of

paragraphs (a) and (f) of Section 8.3.3 of the General Commercial "GC" Zone, the minimum lot frontage shall be 30.0 metres and the maximum building height shall be 3 storeys.

In addition to the provisions of paragraph (i) of Subsection 8.3.3 on those lands zoned "GC-44" by this By-law, parking shall only be permitted in the rear yard.

By-law 4915-99
OMB Order
Nov.4/99

GC – 45 Part of Lot 2, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone, those lands zoned 'GC-45" by this By-law may be used for art galleries, athletic clubs, auditoriums, bakeries, banks or financial institutions, banquet halls, business or commercial schools, convenience food stores, child care centres **(By-law 25-156)**, dry cleaning depots, equipment rental, sales or repairs, food stores, funeral homes, libraries, medical laboratories, medical clinics, motor vehicle parts and accessories retail stores, museums, personal service shops, pharmacies, places of entertainment or recreation, places of worship, private or commercial clubs, professional or business offices, convenience restaurant, fast food restaurant, outdoor patio restaurant or standard restaurant, retail stores, theatres, uses, buildings or structures accessory to a permitted use, and apartment units and home occupations, provided said apartment units and home occupations are located above ground floor permitted commercial uses.

By-law 4951-99

GC - 46 369 and 377 Highway No. 8, Schedule "A", Map No. 6

By-law 02-303

Notwithstanding the provisions of Section 8.3.2 "Permitted Uses for Each Lot", those lands zoned "GC-46" by this By-law may also be used for dwelling units and home occupations provided such dwelling units are located above the ground floor and are not located in the cellar or basement.

Notwithstanding paragraph (a) of Section 4.10.2 "Required Parking" the minimum required parking as provided in Section 4.10.9 for any permitted uses on those lands zoned "GC-46" by this By-law may be established wholly or partially on adjacent lands owned by the Corporation of the City of Stoney

Creek.

By-law 5194-00

GC - 47 627 Barton Street, 327-333 Fruitland Road, Schedule "A", Map No. 2

In addition to the uses permitted in Subsection 8.3.2, of the General Commercial "GC" Zone, those lands zoned "GC-47" by this By-law may also be used for any assembling, manufacturing or processing use which is not obnoxious as defined by this By-law; warehouses; wholesale uses; building supply outlets in enclosed buildings; custom workshops; laboratories; printing establishments and swimming pool sales and service. A motor vehicle dealership

By-law 06-232

is not permitted on those lands zoned "GC-47" by this By-law.

Notwithstanding paragraphs (c) and (d) of Subsection 8.3.3, the minimum front yard and minimum flankage side yard for a warehouse or mini-storage shall be 60 metres.

By-law 5196-00

GC - 48 514-520 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of Subsection 8.3.2, of the General Commercial "GC" Zone, those lands zoned "GC-48" by this By-law may only be used for retail stores, banks and financial institutions, child care centres **(By-law 25-156)**, commercial schools, studios, business and professional offices, medical offices, motor vehicle dealership, personal service shops, funeral homes, laundromats, pharmacies, and dry cleaning outlets. Private and commercial clubs, variety and convenience stores and video stores are expressly prohibited from those lands zoned "GC-48" by this By-law.

Notwithstanding the provisions of Section 8.1.6, "Motor Vehicle Dealerships" on those lands zoned "GC-48" by this By-law, a motor vehicle dealership shall be permitted in accordance with the regulations of Subsection 8.3.3 of the General Commercial "GC" Zone.

Notwithstanding the provisions of paragraph (g)(1) and (2) of Subsection 8.3.3 of the General Commercial "GC" Zone, a landscaped strip having a minimum width of 4.5 metres shall be provided adjacent to any lot line abutting a street, except for points of ingress and egress and it shall also be provided

adjacent to a Residential Zone.

Notwithstanding the provisions of paragraph (l) of Subsection 8.3.3, of the General Commercial "GC" Zone, the minimum parking ratio shall be 4 spaces per 93 square metres of gross leasable floor area.

By-law 01-276

GC - 49 151 Upper Centennial Parkway, Schedule "A", Map No. 16

In addition to the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone of Zoning By-law No. 3692-92, the manufacturing and repair of furniture shall also be permitted in conjunction with the retail sales of furniture.

By-law 02-335

GC – 50 604 Highway No. 8, Schedule "A", Map No. 7

(i) Notwithstanding the provisions of paragraph (a) of Subsection 8.3.2 of the General Commercial "GC" Zone, the uses shall be located within the existing heritage building and shall be restricted to a medical clinic, professional office and one (1) accessory dwelling unit, provided such use is located together with a permitted commercial use within the same heritage building and is not located on the ground floor, or in the cellar or basement;

(ii) Notwithstanding the provisions of Subsection 8.3.3 of the General Commercial "GC" Zone, the external appearance and height, comprising of the entire north, east, west and east facades and hip roof, and all associated building material and architectural features of the two-and-one-half storey heritage structure, shall be preserved and maintained. These materials and features include, but are not limited to, the high stone foundation, wrap- around verandah, entranceways and doors, windows and leaded glass, stone sills and lintels, brickwork, chimneys, cross gables and hip roof and all associated decorative woodwork existing on the day of the passing of the By- law;

(iii) Notwithstanding the provisions of paragraph (a) of Subsection 8.3.3 of the General Commercial "GC" Zone, the minimum lot frontage shall be thirty (30) metres;

(iv) Notwithstanding the provisions of paragraph (g) 2. of Subsection 8.3.3

of the General Commercial "GC" Zone, the minimum landscaped strip along the east property line and the rear lot line, between the east property line and detached garage, shall be 2.5 metres;

(v) Notwithstanding the provisions of Subsection 8.1.4, Accessory Buildings, of the General Provisions For Commercial Zones, the minimum rear yard setback shall be 1.5 metres; and,

By-law 04-143 (vi) The "H" symbol may be removed from those lands zoned "GC-50(H)" by this By-law, at such time as the owner has entered into a Site Plan Agreement with the City.

By-law 03-310 **GC – 51 427 Highway No. 8 and 171 to 173 Margaret Avenue, Schedule "A", Map No. 6**

Notwithstanding the permitted uses in Subsection 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-51" by this By-law shall be limited to a motor vehicle parts and accessories retail store including the installation of a motor vehicle parts and accessories on site.

Notwithstanding the provisions of paragraphs (a), (e) and (g) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-51" by this By-law, the following provisions shall apply:

1. Minimum Lot Frontage: 27 metres.
2. Minimum Rear Yard: 10.8 metres
3. A landscaping strip having a minimum width of 4.5 metres shall be provided and maintained along the entire rear lot line with a 1.8 metre high continuous solid fence.
4. A landscaping strip having a minimum width of 1.5 metres shall be provided and maintained along the entire east side lot line, with the exception of the proposed driveway access, and be planted with coniferous vegetation at a minimum height of 1.5 metres where it abuts parking spaces.
5. A landscaped strip having a minimum width of 0.5 metres shall be provided and maintained along the entire west side lot line with a 1.8 metre high continuous solid fence.

By-law 05-211
By-law 14-078
(H Removal)

GC – 52(H) 272 First Road West, Schedule "A", Map No. 11

On those lands zoned "GC-52(H)" the Holding "H" symbol may be removed by way of an amendment to the Zoning By-law when the applicant has carried out a traffic impact study and at such time as these lands can be adequately and appropriately serviced with municipal water and sanitary sewers, both to the satisfaction of the Manager, Development Engineering.

By-law 06-290
By-law 14-198

GC – 53 259-261 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the uses permitted in Subsection 8.3.2, only the following uses shall be permitted: Retail Stores, Personal Services Shops, Fast Food Restaurants, Professional and Business Offices, Dentures Clinics, Optometrists, Financial Institution and an Animal Hospital only if wholly enclosed within a building.

Notwithstanding the provisions of paragraphs (a) and (i) of Subsection 8.3.3, the minimum lot frontage shall be 41 metres and a parking ratio of 1 space per 31 square metres of gross floor area shall be provided and maintained.

By-law 07-172

GC – 54 2247 Rymal Road East, Schedule "A", Map No. 16

Notwithstanding permitted use (aq) in Section 8.3.2 of the General Commercial "GC" Zone, on those lands zoned "GC-54" by this By-law, the following shall be permitted: Dwelling units and home occupations provided such units are located together with a permitted commercial use within the same building and are not located on the ground floor, or in the cellar or basement.

Notwithstanding the provisions of paragraphs (e), (f), (g) 2., (i) and (j) of Section8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-54" by this By-law, the following provisions shall apply: the minimum rear yard abutting a residential zone shall be 18 metres; the maximum building height shall be 15 metres; the minimum landscaped strip width abutting any zone other than a commercial or industrial zone shall be 6 metres; 1 parking space per 30 square metres of gross floor area or fraction thereof shall be required; and, a minimum of 1 loading space shall be provided.

Notwithstanding paragraph b) of Section 4.10.3 "Dimensions of Parking Spaces, the minimum parking space size shall be 2.75 metres by 5.8 metres; and paragraph a) of Section 4.10.5 "Access to Parking Spaces", the minimum direct access driveway width for the rear parking spaces shall be 4.5 metres.

By-law 13-114 **GC-55 303 Highway No. 8, Schedule "A", Map No. 6**

Notwithstanding the provisions of Paragraphs (a), (c), (e), and (g) of Section 8.3.3 "Zone Regulations", and the definition of "Landscaped Strip" contained in Part 2 of Zoning By-law No. 3692-92, on those lands zoned "GC-55" by this By-law, the following shall apply for all uses, including those uses specified in Sections 8.3.4, 8.3.5, 8.3.6, and 8.3.7:

(a)	Minimum Lot Frontage	21m.
(c)	Maximum Front Yard	3.0m, except that a minimum front yard of 7.5m shall be provided and maintained for the building or a portion of the building existing on the date of the passing of this By-law, being the 24th day of April, 2013.
(e)	Minimum Rear Yard	5m.

(g) Minimum Landscaped Open Space - 10 percent of the lot area, a portion of which shall include the following, where applicable:

1. A landscaped strip having a minimum width of 4.5m shall be provided and maintained adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress.

2. A landscaped strip having a minimum width of 4.5m shall be provided and maintained adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone, except that a landscaped strip having a minimum width of 3.0m is permitted along the easterly side lot line.

3. No landscaped strip shall be required adjacent to a portion of any lot line that abuts a commercial or industrial zone.

4. A retaining wall is permitted in a landscaped strip.

By-law 17-211 GC-55(T) 60, 68 and 72 Centennial Parkway South, Schedule "A", Map No. 5

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, no use is permitted on lands zoned "GC-55(T)" by this By-law except for the following:

Medical Clinic, provided the maximum floor area – gross leasable does not exceed 1,203 square metres;

Retail Stores, provided the maximum gross floor area does not exceed 100 square metres; and,

Convenience Food Stores, excluding the sale of pharmaceutical drugs,provided the maximum gross floor area does not exceed 75 square metres.

The total maximum gross floor area ofallaccessory uses of retail stores and convenience food storescombined shall not exceed 402 square metres.

Notwithstanding the provisions of Paragraphs (c), (d), (f), and (g) of Subsection 8.3.3 of the General Commercial "GC" Zone, and Subsections 4.9.1 (c), 4.10.3 (a) and 4.10.9, the following regulations shall apply:

(c) Minimum Front Yard	1.2 metres
(f) Maximum Building Height	11 metres
(g) Minimum Landscaped Open Space	10% of the lot area, a portion of which shall include the following, where applicable: 1. A landscaped strip having a minimum width of 1.2 metres along the building and 1.6 metres along the parking area shall be provided except for points of ingress and egress. 2. A landscaped strip having a minimum width of 2.5 metres for the northerly side yard and 0.76 metres for the southerly side yard adjacent to a Multiple Residential (RM1) Zone, and 2.2 metres for the easterly side yard adjacent to a Single Residential "R2" Zone shall be provided, along with a 1.8

metre visual barrier, adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.

Notwithstanding the provisions of Subsection 4.9.1 (c), a loading space shall have dimensions of 3.0 metres by 5.5 metres.

Notwithstanding the provisions of Subsection 4.10.3 (a), required parking spaces for 90 degree perpendicular parking space shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres.

Notwithstanding the provisions of Subsection 4.10.3 (b), for other than 90 degree perpendicular parking spaces, the required parking space shall not be less than 2.4 metres in width or less than 6.0 metres in length.

Notwithstanding the provisions of Subsection 4.10.4(a), parking designated for vehicles of physically challenged shall have minimum rectangular dimensions of 4.4 metres by 5.5 metres.

Notwithstanding the provisions of Subsection 4.10.9, Schedule of Minimum Parking Requirements, a medical clinic not located in a shopping centre shall have a minimum parking requirement of 1 parking space for each 16 sq. m. of Floor Area – Gross Leasable, and retail storesand convenience food stores as accessory usesshall have no minimum parking requirement.

In addition to the uses permitted on those lands zoned "GC-55(T)" by this By-law, a medical clinic and accessory uses, in addition to the existing medical clinic of 850 square metres, having a Maximum Floor Area – Gross Leasable of 1605 sq. m., may be erected. The parking requirement for the existing medical clinic shall be 45 spaces.This exemption shall apply until October 11, 2020.

By-law 06-086

GC – 56 3 Green Mountain Road West, Schedule "A", Map No. 11

Notwithstanding the provisions of Paragraphs (f), (h), (i)(3) of Subsection 8.1.5 "Motor Vehicle Service Stations And Car Washing Establishments" of the "General Provisions for Commercial Zones" and Subsection 4.10.3 "Dimensions of Parking Space" of the "Parking Regulations", on those lands zoned "GC-56", the following shall apply:

(a) Minimum Rear Yard	1.5 metres
(b) Minimum Landscape Open Space	A landscaped strip shall only be required adjacent to every portion of any lot line that abuts any street, except for points of ingress and

egress, and be a minimum width of 3.2 metres.

(c) The width of an entrance or exit ramp shall be not more than 12.9 metres abutting Upper Centennial Parkway and 12.4 metres abutting Green Mountain Road West. The width of an entrance or exit ramp shall be not less than 9.0 metres along either street.

(e) (i) Required parking spaces for 90 degree perpendicular parking may have minimum rectangular dimensions of 2.6 metres by 5.8 metres exclusive of any lands used for access, manoeuvring, driveways or a similar purpose.

(ii) For other than 90 degree perpendicular parking spaces, the parking space shall not be less than 2.4 metres in width or less than 5.9 metres in length exclusive of any land used for access, manoeuvring, driveways or a similar purpose.

In addition to the definition of "Landscaped Strip", a gateway feature shall be required within the Landscaped Strip at the corner of Green Mountain Road West and Upper Centennial Parkway which may include, but not be limited to, a decorative wall, signage, lighting and / or metal works.

By-law 18-086	**GC-57**	**417, 419, 421 and 423 Highway No. 8, and portions of 176 Millen Road and 175 Margaret Avenue, Schedule "A", Map No. 6**

Notwithstanding the permitted uses in Section 8.3.2 of the General Commercial "GC" Zone, the use of those lands zoned "GC-57" by the By-law shall be limited to:

Animal Hospital only if wholly enclosed within a building;
Art Galleries;
Athletic Clubs;
Bakeries;
Banks or Financial Institutions;
Business or Commercial Schools;
Car Washing Establishments;
child care centres **(By-law 25-156)**;
Convenience Food Stores;
Dry Cleaning Depots;
Equipment Rental, Sales or Repairs;
Medical Clinics;
Food Stores;
Funeral Homes;
Gasoline Bars; and
Office.

provided the maximum gross floor area for all commercial uses within a building does not exceed 1,800 square metres.

Notwithstanding the provisions of Paragraphs (c) and (g), of Section 8.3.3, Section 4.9.2, Section 4.10.9, Section 4.16, and Paragraphs (a) and (d) of Section 4.19, within the General Commercial "GC-57", Modified, Zone, the following shall apply:

c) Minimum Front Yard 2.0 metres

g) Minimum Landscape Open Space

1. A landscape strip having a minimum width of 1.75 metres shall be provided adjacent to every portion of any lot line that abuts a street except for points of ingress and egress.

2. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.

Notwithstanding Section 4.9.2, loading spaces shall not be required.

Notwithstanding the provisions of Paragraph (a) of Section 4.10.3 the minimum dimension of a parking space shall be 2.75 metres in width by 5.8 metres in length.

Notwithstanding Section 4.10.9, Schedule of Minimum Parking Requirements, a minimum of 59 parking spaces shall be provided for all uses on the subject lands.

A maximum of 50% of glazing on west facing windows shall be composed of transparent vision glass.

SECTION 8.4 SERVICE COMMERCIAL "CS" ZONE

8.4.1 Scope

No person shall within any Service Commercial "CS" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.4.2 Permitted Uses For Each Lot

(a) Athletic Clubs
(b) Banks or Financial Institutions
(c) Banquet Halls
(d) Hardware Stores
(e) Household Furnishing Sales
(f) Nursery Garden Centres
(g) Restaurants - Standard
(h) Trade and Convention Halls
(i) Uses, buildings or structures accessory to a permitted use

8.4.3 Zone Regulations

(a)	Minimum Lot Frontage	-	100 metres
(b)	Maximum Lot Coverage	-	30 percent
(c)	Minimum Front Yard	-	15 metres
(d)	Minimum Side Yard	-	14 metres
(e)	Minimum Rear Yard	-	9 metres, except 15 metres abutting a residential zone
(f)	Maximum Building Height	-	15 metres
(g)	Principal Buildings Per Lot	-	Maximum 2
(h)	Minimum Building Separation Between Buildings on the Same Lot	-	9 metres

(i) Minimum Landscaped Open Space - 10 percent of the lot area, a portion of which shall include the following where applicable:

1. A landscaped strip having a minimum width of 6 metres shall be provided adjacent to every portion of any lot line that abuts a street except for points of ingress and egress.

2. A landscaped strip having a minimum width of 10 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.
3. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to every portion of any lot line that abuts commercial or industrial zone.

(j) Outside Storage - No outside storage or sales areas shall be permitted. The display of goods in any yard other than a required yard may be permitted provided that such display is accessory to or in conjunction with the commercial use carried on in an enclosed building on the same lot.

(k) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with the provisions of Section 4.10 for those uses specified therein.
2. For all other permitted uses not specified in Section 4.10, a minimum of one parking space per 28 square metres of gross floor area or fraction thereof shall be required.

(l) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.4.4 Special Exemptions

By-law 06-017

CS - 1(H) 1809 Rymal Road East, Schedule "A", Map No. 15

In addition to the uses permitted in Section 8.4.2 of the Service Commercial "CS" Zone, on those lands zoned "CS-1(H)" by this By-law, the following additional uses shall be permitted: Showroom, warehouse and retail area for kitchens and kitchen related products and accessories; paint store; appliance store; carpet and floor finishes store; electronics store; commercial entertainment center including such uses as an arcade, bowling, laser tag and mini-putt, all and only within an enclosed building; and dance studio.

The Holding "H" Symbol may be removed on those lands zoned "CS-1(H)" by way of an amendment to the Zoning By-law at such time as an archaeological assessment has been completed and mitigation, through preservation or resource removal and documentation of any adverse impacts to any significant archaeological resources found, to the satisfaction of the Director of Development and Real Estate, and the Ministry of Culture.

SECTION 8.5 CENTRAL AREA COMMERCIAL "CA1" ZONE

8.5.1 Scope

No person shall within any Central Area Commercial One "CA1" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.5.2 Permitted Uses For Each Lot

(a) Amusement Centres excluding places of amusement

(b) Art Galleries

By-law 4470-96

(c) Arts and Craft Studios

(d) Bakeries

(e) Banks or Financial Institutions

(f) Business or Commercial Schools

(g) Bus Depots

(h) Child Care Centres **(By-law 25-156)**

(i) Community Centres

(j) Dry Cleaning Depots

By-law 4513-97

(k) Dwelling Units and a Home Occupation

(l) Funeral Homes

(m) Hotels

(n) Libraries

(o) Medical Clinics

(p) Parking Garages and Parking Lots

(q) Personal Service Shops

(r) Pharmacies

(s) Places of Entertainment or Recreation

(t) Post Offices

(u) Printing Establishments

(v) Professional and Business Offices

(w) Public Uses

(x) Restaurants - Convenience

(y) Restaurants - Outdoor Patio

(z) Restaurants - Standard

(aa) Retail Stores

(bb) Taverns

(cc) Uses, buildings or structures accessory to a permitted use

8.5.3 Zone Regulations For All Uses Other Than Those Uses Specified In Section 8.5.4

(a)	Minimum Front Yard	-	0 metres
(b)	Minimum Side Yard	-	0 metres except 4.5 metres abutting a non-commercial zone
(c)	Minimum Rear Yard	-	0 metres except 4.5 metres abutting a non-commercial zone
(d)	Maximum Building Height	-	11 metres

(e) Minimum Landscaped Open Space - none

(f) Open Storage - No outside storage shall be permitted. The display or sale of goods in any yard may be permitted provided that such display is accessory to or in conjunction with the commercial use carried on in an enclosed building on the same lot.

(g) Minimum Parking Requirements

1. Parking spaces shall be required for non-residential uses in accordance with Section 4.10. Where parking standards for permitted uses are not specified in Section 4.10, parking shall be provided at the rate of one space for every 28 square metres of gross floor area.
2. Parking spaces shall be provided for apartment uses in accordance with Section 4.10.

By-law 4470-96

(h) Dwelling Units shall not be located on the portion of the ground floor facing King Street East.

(i) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.5.4 Regulations For Outdoor Patio Restaurants

Outdoor patio restaurants are permitted in accordance with Section 8.1.7.

8.5.5 Special Exemptions

By-law 4470-96
By-law 4635-97

CA1 - 1 Certain Lands on King Street, Jones Street (north side), Rosedale Drive and Mill Lane, Schedule "A", Map No. 5

In addition to the uses permitted by Subsection 8.5.2, on those lands zoned "CA1-1" by this By-law, an existing single-detached dwelling and accessory structures are permitted in accordance with the regulations of Section 6.3 of this By-law and a maximum of one Hospice may be permitted within the "CA1-1" Zone.

Notwithstanding the provisions of paragraphs (a), (b), (c), (d), (e) and (i) of Subsection 8.5.3, permitted uses shall only be established within existing buildings. Additions to existing buildings shall be permitted in accordance with the regulations of Subsection 8.5.3.

In addition to paragraph (e) of Subsection 8.5.3, where a parking area for any commercial use abuts a residential zone, a 2 metre wide landscaped strip and a privacy fence shall be provided and maintained along the lot line. A landscaping strip having a minimum width of 4 metres shall be provided along the front lot line, except for points of egress and ingress.

CA1 - 2 99 King Street West, Schedule "A", Map No. 5

Notwithstanding the permitted uses in Section 8.5.2 of the Central Commercial "CA1" Zone, the use of lands zoned "CA1-2" by this By-law shall be restricted to the office of two of the following: Lawyers, architects, insurance agents, accountants, engineers and management consultants

provided that the maximum number of employees to be permitted on the entire site is 5. Notwithstanding paragraph (c) of Section 8.5.3 the minimum rear yard shall be 5.25 metres.

CA1 - 3 21 Jones Street, Schedule "A", Map No. 5

Notwithstanding the permitted uses of Section 8.5.2 of the Central Commercial "CA1" Zone, the uses of those lands zoned "CA1-3" by this By-law shall be limited to retail stores, standard restaurants not exceeding 245 square metres of public floor area, outdoor patio restaurants, professional and business offices, places of entertainment or recreation, live theatres, private or commercial clubs and schools, public uses and uses accessory to the permitted uses.

Notwithstanding the provisions of paragraph (g) of Section 8.5.3 of the Central Commercial "CA1" Zone, on those lands zoned "CA1-3" by this By-law, a minimum of 49 parking spaces shall be provided for a standard restaurant.

CA1 - 4 1 Elm Avenue, Schedule "A", Map No. 5

Notwithstanding the provisions of paragraph (g)2 of Section 8.5.3 of the Central Commercial "CA1" Zone, on those lands zoned "CA1-4" by this By-law, 1 parking space shall be provided on site for the permitted dwelling unit.

By-law 3904-93

CA1 - 5 79 King Street East, Lot 111, Registrar's Compiled Plan No. 1424, Schedule "A", Map No. 5

Notwithstanding the provisions of paragraph (g) of Section 8.5.3 of the Central Commercial "CA1" Zone and Section 4.10.2, Required Parking to be on Same Lot, on those lands zoned "CA1-5" by this By-law, no parking spaces shall be required on site for uses on the second floor, provided a cash-in-lieu contribution of four parking spaces is provided.

By-law 4470-96

CA1 - 6 69, 71 and 73 King Street West, Schedule "A", Map No. 5

In addition to paragraph (e) of Subsection 8.5.3, of the Central Commercial “CA1” Zone, on those land zoned “CA1-6” by this By-law where a parking area for any commercial use abuts a residential zone, a 2 metre wide landscaped strip shall be provided and maintained along the lot line. In addition to paragraph (g), parking spaces shall not be permitted in the front yard. Notwithstanding

paragraph (d), the maximum building height shall be 14 metres.

By-law 4470-96

CA1 - 7 76 King Street East, Schedule "A", Map No. 5

In addition to the uses permitted in Section 8.5.2, of the Central Commercial "CA1" Zone, those lands zoned "CA1-7" by this By-law may also be used as an Animal Hospital.

By-law 04-223

CA1 - 8 10 Second Street North, Schedule "A", Map No. 5

Notwithstanding the permitted uses in Section 8.5.2 of the Central Area Commercial "CA1" Zone, the use of lands zoned "CA1-8" by this By-law shall be restricted to only business and professional offices, excluding medical offices or medical clinics, wholly contained within the building existing at the date of the passage of this amending By-law.

Notwithstanding Paragraph (b) of Section 8.5.3, on those lands zoned "CA1-8" by this By-law, a minimum side yard of 0.39 metres shall be provided and maintained along the easterly side yard for the existing building.

Notwithstanding Paragraph (e) of Section 8.5.3, on those lands zoned "CA1-8" by this By-law, a landscaped open space area having a minimum width of 6 metres shall be provided and thereafter maintained adjacent to Second Street North except for points of ingress and egress, and a landscape open space area having a minimum width of 3.38 metres shall be provided and thereafter maintained adjacent to Brandow Court.

Notwithstanding Paragraph (g) of Section 8.5.3 or any other provision or definition in this By-law to the contrary, on those lands zoned "CA1-8" by this By-law, a minimum of six parking spaces shall be provided for the business and professional office in the existing building which shall be provided in the rear yard only. In addition, tandem parking may be permitted to a maximum of three spaces deep, and the driveway access to the permitted tandem parking spaces shall have a minimum width of 5.5 metres.

By-law 08-115

CA1 - 9 61-65 King Street West, Schedule "A", Map No. 5

In addition to the provisions of Subsection 8.5.5 of the Central Area Commercial "CA1-1" Zone, on those lands zoned "CA1-9" of this by-law, the two single-detached dwellings existing on the date of the passing of this by- law, being the 14th day of May, 2008, shall be permitted to remain on one lot.

SECTION 8.6 CENTRAL AREA COMMERCIAL "CA2" ZONE

8.6.1 Scope

No person shall within any Central Area Commercial "CA2" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.6.2 Permitted Uses For Each Lot

(a) Amusement Centres excluding places of amusement

(b) Art Galleries

By-law 4470-96 (c) Arts and Craft Studios

(d) Bakeries

(e) Banks or Financial Institutions

(f) Business or Commercial Schools

(g) Bus Depots

(h) Child Care Centres **(By-law 25-156)**

(i) Dry Cleaning Depots

By-law 4513-97 (j) Dwelling Units and a Home Occupation

(k) Funeral Homes

(l) Hotels

(m) Libraries

(n) Medical Clinics

(o) Parking Garages or Parking Lots

(p) Personal Service Shops

(q) Pharmacies

(r) Places of Entertainment or Recreation

(s) Post Offices

(t) Printing Establishments

(u) Professional or Business Offices

(v) Public Uses

(w) Restaurants - Convenience

(x) Restaurants - Outdoor Patio

(y) Restaurants - Standard

(z) Retail Stores

(aa) Taverns

(bb) Uses, buildings or structures accessory to a permitted use

8.6.3 Zone Regulations For All Uses Other Than Those Uses Specified in Section 8.6.4.

By-law 4605-97

(a) Minimum Front Yard - 0 metres

(b) Maximum Front Yard on King Street - 1.5 metres

(c) Minimum Side Yard - 0 metres except 4.5 metres abutting a non-commercial zone

(d) Minimum Rear Yard - 0 metres except 4.5 metres abutting a non-commercial zone

(e) Maximum Building Height - none except 10 metres within 30 metres of King Street

(f) Maximum Residential Density - 200 dwelling units per hectare

(g) Minimum Landscaped Open Space - none

(h) Amenity Area - The minimum total of all the amenity areas shall be as set forth in the following:

Type of Dwelling Unit	**Minimum Amenity Area**
Bachelor Unit	7 square metres per unit
One Bedroom Unit	9 square metres per unit
Two Bedroom Unit	25 square metres per unit
Three Bedroom Unit	44 square metres per unit
Four Bedroom Unit	63 square metres per unit

Not less than 10 percent of the total of the amenity areas shall be provided inside the building and such inside area shall not be less than 93 square metres.

By-law 4470-96

(i) Dwelling units shall not be located on the portion of the ground floor facing King Street East.

(j) Minimum Parking Requirements

1. Parking spaces shall be required for non-residential uses in accordance with Section 4.10. Where parking standards for permitted uses are not specified in Section 4.10, parking shall be provided at the rate of one space for every 28 square metres of gross floor area.
2. Parking spaces shall be provided for apartment uses in accordance with Section 4.10.

(k) Outside Storage

No outside storage shall be permitted. The display or sale of goods in any yard may be permitted provided that such display is accessory to or in conjunction with the commercial use carried on in an enclosed building on the same lot.

(l) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.6.4 Regulations For Outdoor Patio Restaurants

Outdoor patio restaurants are permitted in accordance with Section 8.1.7.

SECTION 8.7 HIGHWAY COMMERCIAL "HC" ZONE

8.7.1 Scope

No person shall within any Highway Commercial "HC" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.7.2 Permitted Uses For Each Lot

(a) Bus Depots

(b) Car Washing Establishments

(c) Convenience Food Stores not exceeding 150 square metres in gross floor area

(d) Gasoline Bars

(e) Hotels

(f) Motels

(g) Motor Vehicle Parts and Accessories Retail Stores

(h) Motor Vehicle Dealerships

(i) Motor Vehicle Service Stations

(j) Nursery Garden Centres

(k) Permanent Fruit and Vegetable Stands

(l) Places of Entertainment or Recreation

(m) Recreational Vehicle Sales

(n) Restaurants - Convenience

(o) Restaurants - Fast Food

(p) Restaurants - Outdoor Patio

(q) Restaurants - Standard

(r) Uses, buildings or structures accessory to a permitted use.

8.7.3 Zone Regulations For All Uses Other Than Those Uses Specified In Sections 8.7.4, 8.7.5, 8.7.6 and 8.7.7

(a)	Minimum Lot Area	-	1,858 square metres
(b)	Minimum Lot Frontage	-	30 metres
(c)	Maximum Lot Coverage	-	30 percent

(d) Minimum Front Yard - 23 metres

(e) Minimum Side Yard - 6 metres except 7.5 metres for a flankage yard, and
- 9 metres abutting a residential zone

(f) Minimum Rear Yard - 9 metres except 15 metres abutting a residential zone

(g) Maximum Building Height - 15 metres

(h) Minimum Landscaped Open Space - 10 percent of the lot area, a portion which shall include the following where appropriate

By-law 3863-93

1. A landscaped strip having a minimum width of 6 metres shall be provided adjacent to any street except for points of ingress and egress.
2. A landscaped strip having a minimum width of at least 9 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.
3. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to every portion of any lot line that abuts another lot.

(i) Outside Storage - No outside storage shall be permitted except where such storage is temporary or accessory to the principal use and is located in the side or rear yards and is screened from view.

(j) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with the provisions of Section 4.10 for those uses specified herein.
2. For all uses not specified in Section 4.10, a minimum of one parking space per 28 square metres of gross floor area or fraction thereof shall be required.
3. No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 1.5 metres from any rear lot line or any lot line abutting a street, or less than 7 metres from the boundary

of any residential zone.

(k) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.7.4 Regulations For Motor Vehicle Service Stations

Motor Vehicle Service Stations are permitted in accordance with Section 8.1.5.

8.7.5 Regulations For Motor Vehicle Dealerships

Motor Vehicle Dealerships are permitted in accordance with Section 8.1.6.

8.7.6 Regulations For Car Washing Establishments

Car washing establishments are permitted in accordance with Section 8.1.5.

8.7.7 Regulations For Outdoor Patio Restaurants

Outdoor patio restaurants are permitted in accordance with the provisions of Section 8.1.7.

8.7.8 Special Exemptions

HC - 1(H) Lands Located in the Northeast Quadrant of the Queen Elizabeth Highway and Fifty Road, Schedule "A", Map No. 4

Notwithstanding the permitted uses in Section 8.7.2 of the Highway Commercial "HC" Zone, those lands zoned "HC-1(H)" by this By-law shall only be used for facilities for the traveling and vacationing public including hotels, motels, restaurants including an accessory bar or tavern, farmer's market, fruit or vegetable stands garden centre, wine shop, marine brokerage office, tourist information centre, marine equipment and accessories sales and service, automotive service station including a propane outlet, one provisioner's outlet or laundromat and uses accessory to the permitted uses.

HC - 2 443 Regional Road 20, Schedule "A", Map No. 18

Notwithstanding the uses permitted in Section 8.7.2 of the Highway Commercial "HC" Zone, on those lands zoned "HC-2" by this By-law the permitted uses shall be restricted to a motor vehicle service station, motel, hotel,

banquet hall not exceeding a gross floor area of 500 square metres, restaurant, coffee shop, convenience food store with a gross floor area not exceeding 130 square metres, antique shop, gift shop, garden/nursery centre, fruit and vegetable stand or market and one accessory residential unit.

Notwithstanding the provisions of paragraphs (c), (d), (e) and (h) of Section 8.7.3 of the Highway Commercial "HC" Zone, on those lands zoned "HC-2" by this By-law, the minimum front yard shall be 14 metres, the minimum side yard adjacent to Tapleytown Road shall be 12 metres and a landscaped strip having a minimum width shall be provided as follows: 6 metres adjacent to Regional Road 20; 5 metres adjacent to Tapleytown Road; 7.5 metres adjacent to northerly lot line; and 6 metres adjacent to the easterly lot line.

HC - 3(H) North Side of Rymal Road East, West of Upper Centennial Parkway, Schedule "A", Map No. 16

On those lands zoned "HC-3(H)" by this By-law, the "H" symbol may be removed by a further amendment to this By-law at such time as the following provisions are satisfied:

1. Piped municipal water and sanitary sewers are available and adequate to service the subject lands.
2. Approval of a traffic report, as may be required by the Ministry of Transportation.
3. Details of any proposed storm works are approved by the Corporation and the Ministry of Transportation.
4. A Development Agreement has been entered into by the owner with the Corporation.

By-law 4180-95

HC - 4 2251 Rymal Road East, Schedule “A”, Map No. 16

Notwithstanding the provision of Subsection 8.7.2 of the Highway Commercial “HC” Zone, those lands zoned “HC-4” by this By-law may be used for a catering business, convenience food store not exceeding 150 square metres in gross floor area, hotels, nursery garden centres, permanent fruit and vegetable stands, places of entertainment or recreation, restaurants, and uses, buildings or structures accessory to a permitted use.

Notwithstanding the provisions of paragraphs (d), (e) and (f) of Subsection

8.7.3, on those lands zoned "HC-4" by this By-law, the minimum front yard shall be 2 metres, the minimum westerly side yard shall be 3.5 metres, and the minimum rear yard shall be 6 metres.

By-law 02-144

HC - 5 249 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the provisions of Section 8.1.5(e) and (h) of the General Provisions for Commercial Zones, on those lands zoned "HC-5" by this By-law, the following provisions shall apply: the minimum side yard and landscape strip adjacent to the westerly lot line, having a total length of 60.09 metres, shall be 7.5 metres; the minimum side yard and landscape strip between the northerly lot line, having a total length of 15.34 metres, and the wing wall shall be 5.2 metres; the minimum landscape strip width adjacent to the southerly lot line shall be 1.3 metres where it abuts the driveway for the car washing establishment, and 4.2 metres where it abuts the driveway for the convenience food store drive-thru; and, the minimum side yard adjacent to Upper Centennial Parkway shall be 10.5 metres.

Notwithstanding the provisions of Section 8.1.5(i)3., the maximum entrance or exit ramp width shall be 13 metres.

Notwithstanding the provisions of Section 8.7.2(c), a convenience food store not exceeding 174 square metres in gross floor area shall be permitted.

By-law 05-119
By-law 14-269

HC-6 (H) 267, 275 – 283 and 293 Upper Centennial Parkway, Schedule "A" Map No. 11

In addition to the uses permitted in Sub-section 8.7.2 of the Highway Commercial "HC" Zone, the following uses shall also be permitted:

(a) Business Offices and/or Professional Offices, provided they are located above the ground floor
(b) Retail Stores
(c) Banks and/or Financial Institutions
(d) Medical Clinics
(e) Personal Service Shops
(f) Banquet Halls
(g) Building Supply Outlet
(h) Hardware Store
(i) Commercial Recreation uses
(j) Sign and Engraving Business

Notwithstanding the provisions of Paragraphs (d), (e), (f), (h) 1. & 2. (j) 1., and (k) of Sub-section 8.7.3 of the Highway Commercial "HC" Zone, on those lands zoned "HC-8 (H)" by this By-law, the following shall apply:

(d)	Minimum Front Yard:	3.0 metres
	Maximum Front Yard:	6.0 metres
(e)	Minimum Side Yard:	3.0 metres
(f)	Minimum Rear Yard:	1.0 metres

(h) Minimum Landscape Open Space:

1. A landscape strip having a minimum width of 3.0 metres shall be provided adjacent to any street except for points of ingress and egress.

2. A landscape strip having a minimum width of at least 3.0 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.

(j) Minimum Parking Requirements:

1. Notwithstanding Subsection 8.7.3 (j) 1. a minimum of one parking space per 28 square metres of gross floor area or fraction thereof shall be required.

(k) Minimum Loading Requirements:

Notwithstanding Section 4.9.2 of By-law No. 3692-92, 1 loading space shall be required.

(l) A minimum of 40 percent of the ground floor façade shall be composed of windows and doors for the buildings fronting Mud Street West and Upper Centennial Parkway.

(m) The minimum combined width of the ground floor façade of all buildings located along Mud Street West shall be equal to 40 percent or more of the measurement of the front lot line, and shall be subject to a maximum building setback of 6.0 metres.

(n) The minimum combined width of the ground floor façade of all buildings located along Upper Centennial Parkway shall be equal to 40 percent or more of the measurement of the side lot line, and shall be subject to a maximum building setback of 6.0 metres.

Notwithstanding Subsection 4.10.3 and Subsection 4.10.4 (a) commercial parking spaces shall be provided, at a size of 2.6 metres wide by 5.5 metres

long for a standard parking stall and 4.4 metres wide by 5.5 metres long for barrier free stalls.

The (H) symbol may be removed by further amendment to this By-law at such time as the following condition has been satisfied:

1. That there is adequate water and sanitary service capacity available to the subject lands and that it can be demonstrated that there are appropriate connections available for water and sanitary sewer, including the construction of a local sanitary sewer to the subject property to the satisfaction of the Senior Director of Growth Management.

SECTION 8.8 MIXED USE COMMERCIAL "MUC" ZONE

8.8.1 Scope

No person shall within any Mixed Use Commercial "MUC" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.8.2 Permitted Uses For Each Lot

The following uses are permitted in a "MUC" Zone provided such uses are an integral part of one comprehensive development.

(a) Banks or Financial Institutions

(b) Child Care Centres **(By-law 25-156)**

(c) Personal Service Shops

(d) Professional or Business Offices

(e) Service and Repair Shops

(f) Restaurants - Standard

(g) Retail Stores

By-law 4200-95

(h) Apartment Dwelling Units and a Home Occupation above commercial uses

(i) Uses accessory to the above permitted uses provided they are part of the comprehensive development.

8.8.3 Zone Regulations

(a)	Minimum Lot Area	-	1,500 square metres
(b)	Minimum Frontage	-	30 metres
(c)	Maximum Lot Coverage	-	30 percent
(d)	Maximum Gross Leasable Commercial Floor Area	-	7,500 square metres
(e)	Minimum Front Yard	-	9 metres
(f)	Minimum Side Yard	-	9 metres except 12 metres for a flankage yard
(g)	Minimum Rear Yard	-	9 metres
(h)	Maximum Residential Density	-	80 units per hectare

By-law 4470-96

(i) Maximum Building Height - 20 metres

(j) Amenity Area Per Dwelling Unit:

Bachelor Unit	-	14 square metres per unit
One Bedroom Unit	-	18 square metres per unit
Two Bedroom Unit	-	53 square metres per unit
Three Bedroom Unit	-	88 square metres per unit
Four Bedroom Unit	-	125 square metres per unit

Not less than 10 percent of the total of the amenity areas shall be provided inside the applicable apartment dwelling and such inside area shall not be less than 93 square metres.

(k) Maximum Number of Buildings Per Lot - One

(l) Minimum Landscaped Open Space

The landscaped strip shall not be less than 50 percent of the lot area of which at least 25 percent shall be in one area other than the front yard. A portion shall also constitute the following:

1. A landscaped strip having a minimum width of 5 metres shall be provided adjacent to any street.
2. A landscaped strip having a minimum width of at least 9 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.
3. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to every portion of any lot line that abuts another lot.

(m) Open Storage - No open storage areas shall be permitted.

(n) Minimum Parking Requirements

1. Residential Uses - 1.5 spaces per dwelling unit
2. Commercial Uses - to be provided in accordance with Section 4.10 for those uses specified therein

3. For commercial uses not specified in Section 4.10 a minimum of one parking space per 28 square metres of gross floor area or fraction thereof shall be required.
4. Commercial and residential parking shall be separate with separate points of ingress and egress

(o) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.8.4 Special Exemptions

By-law 06-164

MUC-1(H) Part of Lot 32, Concession 7, Schedule "A", Map No. 10

Notwithstanding the uses permitted in Subsection 8.8.2 of the Mixed Use Commercial "MUC" Zone, the following uses shall be permitted:

(a) Banks or Financial Institutions
(b) Child Care Centres **(By-law 25-156)**
(c) Personal Service Shops
(d) Professional or Business Offices
(e) Restaurants – Standard
(f) Studio
(g) Apartment Dwelling Units and a Home Occupation above commercial uses.
(h) Uses accessory to the above permitted uses provided they are part of the comprehensive development

Notwithstanding the provisions of paragraphs (a), (b), (d), (e), (f), (i) and (l) of Section 8.8.3 of the Mixed Use Commercial "MUC" Zone, on those lands zoned "MUC-1(H)" Zone by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	1,200 square metres
(b)	Minimum Frontage	-	20 metres
(d)	Maximum Gross Floor Area (Commercial)	-	600 square metres
(e)	Minimum Front Yard	-	3 metres
(f)	Minimum Side Yard		
	1. Minimum Interior	-	3 metres
	2. Maximum Exterior	-	3 metres

(i) Maximum Building Height - 3 storeys

(l) Minimum Landscaped Open Space

The landscaped strip shall not be less than 50 percent of the lot area of which at least 25 percent shall be in one area other than the front yard. A portion shall also constitute the following:

1. A landscaped strip having a minimum width of 3 metres shall be provided adjacent to any street, except for points of ingress and egress, and between the street and any building along Upper Mount Albion Road and the south lot line.

In addition to the provisions of Section 8.8.3 on those lands zoned "MUC-1(H)" by this By-law, the following shall apply:

(p) No commercial uses are permitted except where contained jointly with apartment dwelling units in the same building.

On those lands zoned "MUC-1(H)" by this By-law, the "H" symbol may be removed by a further amendment to this By-law at such time as:

(a) the completion of the Rymal Road Planning Area Master Plan Class Environmental Assessment Study requirements to the satisfaction of the General Manager of Public Works; and

(b) approval of the Traffic Impact Study submitted by Delcan dated September, 2005 by the Manager of Traffic Engineering & Operations, Public Works.

City Council may remove the "H" symbol and, thereby give effect to the Zone provisions by enactment of an amending By-law once the conditions are fulfilled.

MUC-2 RESERVED

MUC-3 RESERVED

By-law 10-027 **MUC-4 310 Frances Avenue, Schedule "A", Map No. 1**

Notwithstanding the provisions of Subsection 8.8.2 of the Mixed Use Commercial "MUC" Zone, on those lands zoned "MUC-71 by this By-law, Nursing Homes, Homes for the Aged, and Residential Care Facilities shall also be permitted. Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), (f), (g), (h), (i) and (k) of Subsection 8.8.3 of the Mixed Use Commercial "MUC" Zone, on those lands zoned "MUC-4" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	19,400 square metres
(c)	Maximum Lot Coverage	-	None
(d)	Maximum Gross Leasable Commercial Floor Area	-	7,000 square metres
(e)	Minimum Front Yard	-	0 metres
(f)	Minimum Side Yard	-	3 metres, except 0 metres for a flankage yard
(g)	Minimum Rear Yard	-	3 metres, except 0 metres for a through lot
(h)	Minimum Residential Density	-	585 units
(i)	Maximum Building Height	-	None
(k)	Maximum Number of Buildings Per Lot	-	No maximum
(p)	Minimum Distance Between Buildings on the Same Lot	-	15 metres

(q) Location of Residential Care Facilities

(i) Every Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility.

By-law 10-027 **MUC-5 380 Frances Avenue, Schedule "A", Map No. 1**

Notwithstanding the provisions of Subsection 8.8.2 of the Mixed Use Commercial "MUC" Zone, on those lands zoned "MUC-71 by this By-law, Nursing Homes, Homes for the Aged, and Residential Care Facilities shall also be permitted. Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), (f), (g), (h), (i) and (k) of Subsection 8.8.3 of the Mixed Use Commercial "MUC" Zone, on those lands zoned "MUC-5" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	20,400 square metres
(c)	Maximum Lot Coverage	-	None

(d)	Gross Leasable Commercial Floor Area	-	A minimum of 1,400 square metres up to a maximum of 7,000 square metres
(e)	Minimum Front Yard	-	0 metres
(f)	Minimum Side Yard	-	3 metres, except 0 metres for a flankage yard
(g)	Minimum Rear Yard	-	3 metres, except 0 metres for a through lot
(h)	Minimum Residential Density	-	176 units
(i)	Maximum Building Height	-	None
(k)	Maximum Number of Buildings Per Lot	-	No maximum
(p)	Minimum Distance Between Buildings on the Same Lot	-	15 metres

(q) Location of Residential Care Facilities

(i) Every Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility.

By-law 12-065

MUC-6(H) 1365 and 1367 Baseline Road, Schedule "A", Map No. 4

Notwithstanding the provisions of Subsection 8.8.2 "Permitted Uses for Each Lot" of Zoning By-law No. 3692-92, on those lands zoned "MUC-6(H)" by this By-law, the permitted commercial uses and the following additional permitted uses shall be restricted to the ground floor only:

- Medical Clinic;
- Animal Hospital, only if wholly enclosed within a building;
- Restaurant – Convenience;
- Restaurant – Fast Food;
- Restaurant – Outdoor Patio; and,
- Physical Fitness Centre.

Notwithstanding the provisions of Section 8.8.2 "Permitted Uses for Each Lot" of Zoning By-law No. 3692-92, on those lands zoned "MUC-6(H)" by this By-law, the following uses shall be prohibited, even as an accessory use:

- Drive-Thru Facility

Notwithstanding the provisions of Paragraphs (e), (f), (i), (l)(1), (l)(2), (n), and

(o) of Section 8.8.3 "Zone Regulations"; Section 4.9.2 "Schedule of Required Loading Spaces"; Paragraph (a) of Section 4.10.3 "Dimensions of Parking Spaces"; and, Paragraph (a) of Section 4.10.4 "Required for Parking Designated for Vehicles of Physically Challenged" of Zoning By-law No. 3692-92, on those lands zoned "MUC-6-(H)" by this By-law, the following shall apply:

(e) Minimum Front Yard - 4.0 metres

(f) Minimum Flankage Side Yard - 1.3 metres

(i) Maximum Building Height - 11.5 metres

(l) Minimum Landscape Open Space:

The landscape area shall not be less than 30 percent of the lot area.

1. A landscaped strip having a minimum width of 1.3 metres and an average width of 3.0 metres shall be provided and maintained along the North Service Road, and a landscape strip having a minimum width of 4.0 metres shall be provided and maintained on Baseline Road, except for points of ingress and egress.

2. A landscape strip having a minimum width of 2.0 metres with a minimum 1.8 metre high board-on-board fence shall be provided and maintained adjacent to every portion of any lot line that abuts and zone other than a Commercial or Industrial Zone.

(n) Minimum Parking Requirements:

1. Parking spaces shall have minimum dimensions of 2.6 metres x 5.5 metres, and a minimum of 2 of the required spaces shall be barrier free spaces, with minimum dimensions of 4.4 metres x 5.5 metres.

2. Commercial and residential parking may be accessed with the same points of ingress and egress.

(o) Minimum Loading Requirements:

A minimum of One loading space shall be provided and maintained.

In addition to the provisions of Subsection 8.8.3 on those lands zoned "MUC-6(H)" by this By-law, the following shall apply:

(p) No commercial uses are permitted, except on the ground floor where contained jointly with apartment dwelling unit(s) in the same building, provided that the gross floor area of the building used for commercial purposes does not exceed the floor area being used for residential purposes, including residential common areas.

By-law 13-125

The "H" symbol may be removed at such time as the following have been satisfied:

(i) That the owner/applicant has made provisions for the completion of the required road upgrades and servicing works (i.e. sanitary

sewer, road reconstruction, grading, etc.) on Baseline Road and, if necessary, North Service Road, to the satisfaction of the Senior Director of Growth Management.

(ii) That the owner/applicant shall undertake an Urban Design Brief, to the satisfaction of the Manager of Community Planning and Design.

(iii) That the owner/applicant shall investigate the noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environment's recommended sound level limits. An Acoustical Report, prepared by a qualified Professional Engineer containing the recommended control measures, shall be submitted, to the satisfaction of the City of Hamilton, Director of Planning.

(iv) That the owner/applicant conduct an Archeological Assessment of 1367 Baseline Road and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archeological resources found. No demolition, grading, or soil disturbances shall take place on the subject property prior to the approval of the Director of Planning and the Ministry of Culture confirming that all archeological resource concerns have met licensing and resource conservation requirements.

All other provisions of the Mixed Use Commercial "MUC" Zone shall apply.

By-law 18-295

MUC-11 928 Queenston Road, Schedule "A", Map No. 5

Notwithstanding Subsection 8.8.2(h) and the provisions of Paragraphs (c), (e), (f), (g), (h), (i), (j), (l) and (n) 1. and 4. of Subsection 8.8.3 of the Mixed Use Commercial "MUC" Zone, and Subsection 4.9.1(a), the following regulations shall apply:

Permitted Uses for Each Lot

(h) Apartment Dwelling Units and a Home Occupation above and in behind commercial uses

Zone Regulations

(c)	Maximum Lot Coverage	32 percent
(e)	Minimum Front Yard (northerly)	1.9 metres for the first storey; 0.0 metres for the 2nd to 4th storeys; 3.8 metres for the 5th to 10th storeys; and 6.3 metres for the 11th to 14th storeys.
(f)	Minimum Rear Yard (easterly)	2.1 metres for the 1st to 4th storeys; 15.9 metres for the 5th to 14th storeys.

(g)	Minimum Side Yard (westerly)	1.7 metres (westerly) for the 1st to 4th storeys; 11.8 metres for the 5th to 14th storeys.
(h)	Maximum Residential Density	290 units per hectare
(i)	Maximum Building Height	49.0 metres
(j)	Minimum Amenity Area	875 square metres for the entire lot

(l) Minimum Landscaped Open Space

The landscaped areas shall not be less than 28 percent of the lot area of which the requirement fot landscaping in one area other than the front yard shall not apply.

A portion of shall also constitute the following:

1. A landscaped strip having a minimum width of 1.5 metres adjacent to Queenston Road and 3.0 metres adjacent to Lake Avenue Drive shall be provided except for points of ingress and egress; and,

2. A landscaped strip having a minimum width of 2.0 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.

3. A landscape strip having a minimum width of 0.0 metres shall be provided adjacent to every portion of the easerly lot line that abuts another lot.

(n) Minimum Parking Requirements

1. Residential Units

Dwelling Units	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
1 - 14	0.7 per unit	1.25 per unit
15 - 50	0.85 per unit	1.25 per unit
51+	1 per unit	1.25 per unit

4. Commercial and residential parking shall not be separate nor have separate points of ingress and egress.

Notwithstanding the provision of Subsection 4.9.1 (a), one loading space having a minimum front yard setback of 29 metres shall be located within a front yard.

Notwithstanding the provision of Section 3.8 “Holding Zones”, on those lands zoned “MUC-11 (H)” Zone by this By-law, the Holding symbol “H” may be removed by City Council and thereby give effect to the “MUC-11” Zone provisions upon completeion of the following:

(a) The owner enters into a conditional building permit agreement with respect to completeing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environemtn, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgment of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee.

SECTION 8.9 NEIGHBOURHOOD SHOPPING CENTRE "SC1" ZONE

8.9.1 Scope

No person shall within any Neighbourhood Shopping Centre "SC1" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

8.9.2 Permitted Uses For Each Lot

A shopping centre which may include any combination of the following:

(a) Art Galleries
(b) Banks or Financial Institutions
(c) Banquet Halls
(d) Child Care Centres **(By-law 25-156)**
(e) Convenience Food Stores
(f) Drug Stores
(g) Dry Cleaning Depots
(h) Hardware Stores
(i) Libraries
(j) Medical Clinics
(k) Professional or Business Offices
(l) Personal Service Shops
(m) Places of Recreation or Entertainment
(n) Private or Commercial Clubs
(o) Private or Commercial Schools
(p) Restaurants - Convenience
(q) Restaurants - Fast Food
(r) Restaurants - Outdoor Patio
(s) Restaurants - Standard
(t) Retail Food Stores
(u) Retail Stores
(v) Service and Repair Shops
(w) Uses, buildings or structures accessory to a permitted use

8.9.3 Zone Regulations For All Uses Other Than Those Specified In Section 8.9.4

(a)	Minimum Lot Area	-	1 hectare
(b)	Minimum Lot Frontage	-	100 metres
(c)	Maximum Lot Coverage	-	35 percent
(d)	Minimum Gross Leasable Floor Area	-	1,400 square metres
(e)	Maximum Gross Leasable Floor Area	-	14,000 square metres
(f)	Minimum Front Yard	-	15 metres
(g)	Minimum Side Yard	-	6 metres except 9 metres for a flankage yard and 15 metres abutting any zone other than a commercial or industrial zone
(h)	Minimum Rear Yard	-	6 metres except 15 metres for a flankage yard and 15 metres abutting any zone other than a commercial or industrial zone

By-law 4514-97

(i) Maximum Number of Principal Buildings Per Lot - no limit.

(j) Maximum Building Height - 11.5 metres

(k) Outside Storage - Outside storage of goods or materials in association with a permitted use, or the outside storage of refuse or waste is not permitted within 20 metres of any residential zone, and shall be screened from view.

(l) Minimum Landscaped Open Space - The landscaped strip shall not be less than 20 percent of the lot area of which a portion may be comprised of a landscaped strip as follows:

1. A landscaped strip having a minimum width of 6 metres shall be provided adjacent to any street except for points of ingress and egress.

2. A landscaped strip having a minimum width of 9 metres shall be provided adjacent to every portion of any lot that abuts any zone other than a commercial or industrial zone.
3. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to every portion of any lot line that abuts another lot.

(m) Minimum Parking Requirements
1. Parking spaces shall be provided in accordance with Section 4.10.
2. No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle closer than 5 metres to any lot line and closer than 10 metres to the boundary of any residential zone.

(n) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.9.4 Regulations For Outdoor Patio Restaurants

Outdoor patio restaurants are permitted in accordance with Section 8.1.7.

8.9.5 Special Exemptions

SC1 - 1 270 Mud Street, Schedule "A", Map No. 10

By-law 5162-00
By-law 05-096

In addition to the uses permitted in Subsection 8.9.2, a dry cleaning and laundering establishment having a maximum gross floor area of 105 square metres, a gas bar and an automated car wash may also be permitted. The gas bar and automated car wash are permitted in accordance with the provisions of Section 8.1.5 of this By-law.

Notwithstanding the provisions of paragraphs (k), (l)(2) and (m)(2) of Section 8.9.3, on those lands zoned "SC1-1" by this By-law, the following provisions shall apply: The locating of refuse or waste containers shall not be permitted within 8.5 metres of any residential zone; a minimum 4.5 metre wide landscaped strip shall be provided adjacent to the easterly lot line extending 66 metres north of Mud Street; and parking spaces may not be located closer than 4.5 metres to a lot line abutting a residential zone adjacent to the easterly lot line extending 66 metres north of Mud Street.

In addition to the provisions of paragraph (n), loading spaces are not permitted within 12.5 metres of a residential zone

By-law 4484-96
By-law 5160-00

SC1 - 2 2257 - 2273 Rymal Road East, Schedule "A", Map No. 16

Deleted by By-law No. 05-079 passed on April 13, 2005.

By-law 06-164

SC1 – 3(H) Part of Lot 32, Concession 7, Schedule "A", Map No. 10

Notwithstanding the definition of Lot within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned "SC1-3(H)" by this By-law shall be considered as one lot.

Notwithstanding the uses permitted in Subsection 8.9.2 of the Neighbourhood Shopping Centre "SC1" Zone, only the following uses shall be permitted:

(a) Art Galleries
(b) Banks or Financial Institutions
(c) Banquet Halls
(d) Child Care Centres **(By-law 25-156)**
(e) Convenience Food Stores
(f) Dry Cleaning or Laundering Establishments
(g) Libraries
(h) Medical Clinics
(i) Professional or Business Offices
(j) Personal Service Shops
(k) Places of Recreation or Entertainment
(l) Private or Commercial Clubs
(m) Private or Commercial Schools
(n) Restaurants – Convenience, Fast Food and Outdoor Patio
(o) Restaurant – Standard
(p) Uses, buildings or structures accessory to a permitted use

Notwithstanding the permitted uses noted above , only (a), (b), (e), (f), (g), (h), (i), (j), (o) and (p) shall be permitted within 110 metres of the intersection of Paramount Drive and Winterberry Drive.

Notwithstanding the provisions of paragraphs (c), (d), (f), (g), (h), (l) and (m)2 of Section 8.9.3 of the Neighbourhood Shopping Centre "SC1" Zone, on those lands zoned "SC1-3(H)" by this By-law the following shall apply:

(c) Maximum Lot Coverage - 25 percent

(d) Minimum Gross Floor Area (Office) - 1,000 square metres

(f) Maximum Front Yard
(Upper Mount Albion Road) - 2 metres

(g) Minimum Side Yard
(Paramount Drive) - 6 meters

Maximum Side Yard
(Proposed Street) - 3 metres

(h) Minimum Rear Yard

(Winterberry Drive) - 6 metres

(l) Minimum Landscaped Open Space - 15 percent of the lot area, a portion of which shall include the following where appropriate:

1. A landscaped strip having a minimum width of 6 metres shall be provided adjacent to any street, except for points of ingress and egress, and between the street and any building along Upper Mount Albion Road and the north limits of the "SC1-3(H)" Zone.

(m) Minimum Parking Requirements

2. No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6 metres from any street.

In addition to the provisions of Section 8.9.3., on those lands zoned "SC1-3(H)" by this By-law, the following shall apply:

(o) The minimum built frontage along Upper Mount Albion Road shall be 20% of the total distance of the street frontage in any one block.

(p) Each use, other than an accessory use, shall be contained in a building having all of its customer access doors opening directly outdoors and shall not open onto another store or unenclosed corridor.

On those lands zoned "SC1-3(H)" by this by-law, the "H" symbol may be removed by a further amendment to this By-law at such time as:

(a) the completion of the Rymal Road Planning Area Master Plan Class Environmental Assessment Study requirements to the satisfaction of the General Manager of Public Works; and

(b) approval of the Traffic Impact Study submitted by Delcan dated September, 2005 by the Manager of Traffic Engineering & Operations, Public Works.

City Council may remove the "H" symbol and, thereby give effect to the Zone provisions by enactment of an amending by-law once the conditions are fulfilled.

SECTION 8.10 COMMUNITY SHOPPING CENTRE "SC2" ZONE

8.10.1 Scope

No person shall within any Community Shopping Centre "SC2" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.10.2 Permitted Uses For Each Lot

A Shopping Centre which may include any combination of the following:

(a) Amusement Centres

(b) Art Galleries

(c) Athletic Clubs

(d) Auditoriums

(e) Banks or Financial Institutions

(f) Child Care Centres **(By-law 25-156)**

(g) Commercial or Private Schools

(h) Department Stores

(i) Garden Nursery Centres

(j) Gasoline Bars

(k) Libraries

(l) Medical Offices or Clinics

(m) Motor Vehicle Parts and Accessories Stores

(n) Motor Vehicle Repair Garages but only if within and forming an integrated part of a retail store where such repair function is accessory to the retail sale of parts and accessories.

(o) Motor Vehicle Service Stations

(p) Places of Recreation or Entertainment

(q) Professional or Business Offices

(r) Restaurants - Convenience

(s) Restaurants - Fast Food

(t) Restaurants - Outdoor Patio

(u) Restaurants – Standard

(v) Retail Food Stores

(w) Retail Stores

(x) Service Shops

(y) Uses, buildings or structures accessory to a permitted use

8.10.3 Zone Regulations For All Uses Other Than Those Uses Specified In Sections 8.10.4 and 8.10.5

(a)	Minimum Lot Area	-	5 hectares
(b)	Minimum Lot Frontage	-	150 metres
(c)	Maximum Lot Coverage	-	40 percent which shall not include the common walk-way of the commercial building
(d)	Minimum Gross Leasable Floor Area	-	14,000 square metres
(e)	Maximum Gross Leasable Floor Area	-	23,000 square metres
(f)	Minimum Front Yard	-	20 metres
(g)	Minimum Rear Yard	-	10 metres
(h)	Maximum Building Height	-	20 metres

(i) Maximum Number of Principal Buildings Per Lot - no limit

(j) Minimum Landscaped Open Space - 10 percent of lot area, a portion which shall include the following where appropriate:

1. A landscaped strip having a minimum width of 5 metres shall be provided adjacent to any public street except for points of ingress and egress.
2. A landscaped strip having a minimum width of at least 9 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.
3. A landscaped strip having a minimum width of 1.5 metres shall be provided adjacent to every portion of any lot line that abuts another lot.

(k) Outside Storage - Outside storage areas may be permitted for the accessory display or sale of goods or materials provided that such display

or sale is carried on in conjunction with a similar commercial use located wholly within an enclosed building on the same lot.

(l) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with the provisions of Section 4.10.
2. No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 5 metres from any lot line or closer than 10 metres to the boundary of any residential zone.

(m) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.10.4 Regulations For Motor Vehicle Service Stations

Motor Vehicle Service Stations are permitted in accordance with Section 8.1.5.

8.10.5 Regulations For Outdoor Patio Restaurants

Outdoor patio restaurants are permitted in accordance with Section 8.1.7.

8.10.6 Special Exemptions

By-law 4139-94

SC2 - 1(T) 439-465 Highway No. 8, Schedule "A", Map No. 6

In addition to the permitted uses of Section 8.10.2 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-1(T)" by this By- law, the indoor storage in the existing building and indoor or outdoor sale of boats and automobiles may be permitted as a temporary use pursuant to Section 3.9 of this By-law. This temporary use may be permitted until December 1, 1997.

By-law 05-079

SC2 - 2 2257-2273 Rymal Road East, Schedule "A", Map No. 16

Notwithstanding the definition of Lot within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned Community Shopping Centre "SC2-2" by this By-law shall be considered as one lot.

In addition to the uses permitted in Subsection 8.10.2 of the Community Shopping Centre "SC2" Zone, those lands zoned "SC2-2" by this By-law may also be used for a car washing establishment subject to the provisions of subsection 8.1.5, and a personal service shop.

By-law 08-042

Notwithstanding the provisions of paragraphs (j) and (l) of Section 8.10.3 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-2" by this By-law, the minimum landscaping strip adjacent to another lot within 70 metres of Rymal Road East shall be 1.5 metres and parking spaces located within 70 metres of Rymal Road East may be located 1.5 metres from the westerly property line.

In addition to the provisions of Section 8.10.3, the minimum westerly side yard within 35 metres of Rymal Road East shall be 4 metres.

By-law 06-164

SC2 – 3(H) Part of Lot 33, Concession 7, Schedule "A", Map No. 10

Notwithstanding the definition of Lot within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned "SC2-3(H)" by this By-law shall be considered as one lot.

Notwithstanding the uses permitted in Subsection 8.10.2 of the Community Shopping Centre "SC2" Zone only the following uses shall be permitted:

(a) Banks or Financial Institutions
(b) Building Supply Outlet in an enclosed building.
(c) Personal Service Shops
(d) Professional or Business Offices
(e) Restaurants – Convenience, Fast Food, Outdoor Patio and Standard
(f) Retail Store, excluding a food store
(g) Warehouse Membership Club
(h) Wholesale and Retail Warehouse Facility
(i) Uses, buildings or structures accessory to a permitted use

For the purpose of this By-law, a "Wholesale and Retail Warehouse Facility" shall mean a large scale building, with a minimum Gross Floor Area of 4,645 square metres, which distributes a broad range of goods or distributes high volumes of a specific type of merchandise and functions in a warehouse format where most goods are stored, displayed and offered for sale in one and the same area, but excludes department stores and supermarkets.

For the purposes of this By-law, a "Warehouse Membership Club" shall be defined as a building with a minimum Gross Floor Area of 4,645 square metres, occupied by a single user, where the principal use is the sale of food and non-food products which are generally stored, displayed and offered for sale in one and the same area in a warehouse format and where customers, whether retail or wholesale, are generally required to be members of the club, but excludes department and supermarkets.

Notwithstanding the provisions of paragraphs (c), (e), (f), (g), (h), (j) and (l) of Section 8.10.3 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-3(H)" by this By-law, the following shall apply:

(c) Maximum Lot Coverage - 25 percent

(e) Wholesale and Retail Warehouse Facility, Warehouse Membership Club, Building Supply Outlet in an enclosed building and Retail Establishments:

(i) Maximum Total Gross Floor Area - 28,335 square metres

(ii) Maximum Gross Floor Area for any individual Store - 14,500 square metres

(iii) Minimum Gross Floor Area for any individual Store - 1,860 square metres

(iv) Notwithstanding clause (i) above, for every square metre of office space built in excess of 2,272 square metres in the "SC1-3" Zone, an equal amount of retail space will be permitted to a maximum of 2,272 square metres.

(f) Minimum Setback from south lot line - 6 metres

Minimum Setback from east lot line (Wholesale and Retail Warehouse Facility, Warehouse Membership Club, Building Supply Outlet in an enclosed building). - 6 metres

Maximum Setback from east lot line

(All other uses) - 2 metres

(g) Minimum Setback from north and west

lot lines - 10 metres

(h) Maximum Building Height - 12 metres

(j) Minimum Landscaped Open Space - 15 percent of the lot area, a portion which shall include the following where appropriate:

1. A landscaped strip having a minimum width of 6 metes shall be provided adjacent to any public street, except for points of ingress and egress, and between the street and any building along the east lot line; and a minimum width of 7.5 metres shall be provided adjacent to the north and west property lines.

(l) Minimum Parking Requirements

1. 4.5 spaces per 93 square metres

2. No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6 metres from the east and south lot lines or closer than 7.5 metres from the north and west lot lines.

In addition to the provisions of Section 8.10.3, on those lands zoned "SC2-3(H)" by this By-law, the following shall apply:

(n) The minimum built frontage along Upper Mount Albion Road shall not be less than 30% of the total distance of the street frontage within 210 metres of Paramount Drive.

(o) The maximum building depth for those buildings facing Upper Mount Albion Road, within 210 metres of Paramount Drive, shall be 25 metres.

(p) Each use, other than an accessory use, shall be contained in a building having all of its customer access doors opening directly outdoors and shall not open onto another store or unenclosed corridor.

On those lands zoned "SC2-3(H)" by this By-law, the "H" symbol may be removed by a further amendment tot his By-law at such time as:

(a) the completion of the Rymal Road Planning Area Master Plan Class Environmental Assessment Study requirements to the satisfaction of the General Manager of Pubic Works; and

(b) approval of the Traffic Impact Study submitted by Delcan dated September, 2005 by the Manager of Traffic Engineering & Operations, Public Works.

City Council may remove the "H" symbol and, thereby give effect to the Zone provisions by enactment of an amending By-law once the conditions are fulfilled.

By-law 09-184
By-law 13-312

SC2-4(H) 1310 South Service Road, 400 Winona Road and 395 Fifty Road, Schedule "A", Map No. 9

In addition to the uses permitted in Sub-section 8.10.2 of the Community Shopping Centre "SC2" Zone, the following uses shall also be permitted on those lands zoned "SC2-4(H)" by this By-law:

Warehouse Membership Club;
Personal Service Shop;
Animal Hospital or Shelter;
Kennel- Boarding; and,
Post Office.

For the purposes of this By-law, a "Warehouse Membership Club" shall be defined as a building or part of a building with a minimum gross floor area of 4,645 sq. m. in which there is integrated storage and sale of a wide range of food and non-food products, and which includes some or all of the following ancillary and/or accessory sales and services: outdoor display, tire installation and sales, restaurant, motor vehicle repair garage, gas bar, car washing establishment, propane dispensing, seasonal garden centre including outdoor storage, hearing aid clinic, medical clinic, pharmacy, personal service shops, and photo print centre.

Notwithstanding Subsection 8.10.3 (j) 1. the landscape strip adjacent to the north/south alignment of Service Road shall be a minimum of 3m for the southerly 78m.

Notwithstanding the definition of Lot within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned Community Shopping Centre "SC2-4(H)" by this By-law shall be considered one lot.

In addition to the uses permitted in Subsection 8.10.2 of the Community Shopping Centre "SC2" Zone, a public transit terminal shall also be permitted on those lands zoned "SC2-4(H)" by this By-law.

Notwithstanding the provisions of Paragraphs (b), (e), (f) and (l) of Section 8.10.3 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-4(H)" by this By-law, the following special provisions shall apply:

(b) Minimum Lot Frontage - 45.0 metres

(e) Maximum Gross Leasable Floor Area (Retail)

(i) Total - 41,200 square metres

(ii) One Department Store - 17,000 square metres provided that the area for the sale and display of food does not exceed 4,180 square metres.

Maximum Gross Leasable Floor Area (Professional or Business Offices)

(i) Total - 10,000 square metres

(ii) Free-Standing Office Building - 2,000 square metres

(f)	Minimum Front Yard	-	5.0 metres
(l)	Minimum Parking Requirements	-	1 space per 20 square metres of gross floor area

In addition to the provisions of Section 8.10.3, on those lands zoned "SC2-4(H)" by this By-law, the minimum setback from the South Service Road shall be 14 metres for all permanent buildings and structures both above and below ground, utilities, frontage roads/fire routes, required parking spaces, stormwater management facilities, including ponds and associated berms, and noise walls.

All other regulations of Section 8.10.3 shall apply.

By-law 14-113

On those lands zoned "SC2-4(H)" by this By-law, the "(H)" symbol may be removed by a further amendment to this By-law at such time as:

(a) Submission and approval of Urban Design Guidelines, to the satisfaction of the Director of Planning;

(b) Completion of the Stoney Creek Transit Hub Feasibility Study, to the satisfaction of the Director of Strategic and Environmental Planning;

(c) Completion and Implementation of a stormwater management study detailing requirements for quality and quantity control in accordance with the SCUBE Subwatershed Study and Parcel A and B Master Drainage Plan, to the satisfaction of the Directors of Development Engineering, and Strategic Development and Environmental Planning, and the Ontario Ministry of Transportation;

(d) Approval and implementation of the Traffic Impact Study submitted by Delcan, dated April 2009, by the Manager of Traffic Engineering and Operations, Public Works Department, and the Ontario Ministry of Transportation;

(e) That the owner/applicant shall submit a signed Record of Site Condition (RSC) to the City of Hamilton and Ministry of the

Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton's current RSC administration fee;

(f) That Sustainability Design Elements/Guidelines be prepared, submitted, and agreements implemented, to the satisfaction of Director of Planning; and,

(g) That the owner/applicant shall conduct an archaeological assessment of the entire development property and mitigate through preservation and resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, or soil disturbances shall take place on the subject property prior to the approval of the Director of Planning and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

By-law 10-323(OMB)

SC2-5(H) 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the definition of a "Lot" within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned Community Shopping Centre "SC2-5(H)" by this By-law shall be considered as one lot.

Notwithstanding the uses permitted in Subsection 8.10.2 of the Community Shopping Centre "SC2" Zone, only the following uses shall be permitted:

(a) Banks or Financial Institutions

(b) Child Care Centres **(By-law 25-156)**

(c) Commercial or Private Schools

(d) Garden Nursery Centres

(e) Medical Offices or Clinics

(f) Professional or Business Offices

(g) Restaurants – Convenience, Fast Food, Standard and Outdoor Patio

(h) Retail Stores

(i) Service Shops

(j) Uses, buildings, or structures accessory to a permitted use

(k) Veterinary Service

Notwithstanding the provisions of Paragraphs (d), (e), (f), (g), (j), (l) and (m) of Subsection 8.10.3 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-5(H)" by this By-law, the following shall apply:

(d)	Total Minimum Gross Leasable Floor Area:	-	10,000 square metres
(e)	Total Maximum Gross Leasable Floor Area:	-	15,615 square metres
	Maximum Gross Leasable Floor Area for a Retail Store	-	13,471 square metres
(f)	Minimum Front Yard	-	3.0 metres

(g) Minimum Rear Yard - 15 metres

(j) Minimum Landscaped Area:

1. A landscaped strip, having a minimum width of 3 metres, shall be provided and maintained adjacent to any public street, except for points of ingress and egress

2. A landscaped strip, having a minimum width of **[*]** metres shall be provided and maintained along the westerly lot line **[Note: Subparagraph (j)(2) remains under appeal in OMB file No. PL090511]**

3. A landscape strip, having a minimum width of 1.5 metres, shall be provided and maintained adjacent to the northerly lot line.

Notwithstanding Part 2 Definitions, the following definitions shall apply:

"Veterinary Service" shall mean a use within a wholly enclosed building or part thereof, where domestic animals or household animal pets are provided treatment by a veterinarian and may include temporary indoor accommodation related to treatment and/or recover and pet grooming but shall not include a kennel.

Notwithstanding the Parking Regulations in Section 4.10.3 (a), Dimensions of Parking Spaces, no parking space shall be less than 2.6 metres in width by 5.5 metres in length, unless otherwise provided for in this By-law.

Notwithstanding the Parking Regulations in Section 4.10.9, Schedule of Minimum Parking Requirements, the minimum parking spaces required shall be:

Retail Stores regardless of whether or not such retail stores are located within a shopping centre	- 1 Parking space for each 30 square metres of Gross Floor Area or part thereof

Notwithstanding the Landscaping Regulations in Section 4.9.2, Schedule of Required Loading Spaces, no loading space shall be required for commercial buildings having a gross floor area of less than 2,000 square metres.

In addition to the regulations of Subsection 8.10.3, the following shall also apply:

The minimum combined width of the ground floor façade of all buildings located within 20 metres of the Upper Centennial Drive lot line shall be equal or greater than 25% of the lot line which abuts Upper Centennial, and shall be subject to the following:

A. A maximum building setback of 6.0 metres shall apply;

B. All principal entrances shall be accessible from a building façade with direct access from the public sidewalk; and,

C. No parking, driveways, drive-through lanes, stacking lanes, or aisles shall be located between the building façade facing the public street and the public street.

The buildings to be located within 20 metres of the Upper Centennial Drive lot line may be built in phases provided the minimum 25% ground floor façade requirement can be accommodated at ultimate build out.

The (H) symbol may be removed by further amendment to this By-law at such time as the following conditions have been satisfied:

(a) The owner enter into appropriate agreements with the City to service the subject lands for sanitary sewers (i.e. prior to provision of the ultimate outlets that have been identified at either First Road West or Upper Centennial Parkway), storm sewers, and water, either on an interim or permanent basis including; a suitable stormwater outlet for quantity and quality control, the transferring of all required easements and/or road allowances to the City, as required, and provisions have been made such that the City can secure costs for future infrastructure upgrades abutting the subject lands, to the satisfaction of the Director

of Development Engineering.

(b) The downstream centralized stormwater management facility has been designed and approved to provide quality and quantity control, and maintains base flows to the existing woodland/wetland feature, to the satisfaction of the Hamilton Conservation Authority

(c) The Owner dedicate sufficient lands to the City to establish the proposed Isaac Brock Drive road allowance to a 30 metre width from Upper Centennial Parkway to the westerly limit of the subject lands, including 15m x 15m daylight triangles at the intersection of Upper Centennial Parkway and the future extension of Isaac Brock Drive, and that the Owner construct the road and signalized intersection to full municipal standards at 100% the Owner's expense, to the satisfaction of the Director of Development Engineering.

(d) That, prior to preliminary grading or servicing, the Owner carry out and complete an archaeological assessment over the entire lands, to the satisfaction of the Director of Planning and the Ministry of Citizenship, Culture and Recreation, and mitigate through preservation or resource removal and documentation adverse impacts to the significant archaeological resources found, all prior to demolition, grading, or soil disturbances on the lands.

(e) The Owner secure with the City 25% of the total cost of the work necessary to remediate the 450mm sanitary sewer on Branthaven Drive, including road restoration. If the remediation works have not been completed at the time of development proceeding on the commercial block then the proportionate share will be estimated and will include indexing.

By-law 10-323(OMB)

SC2-6(H) 165 Upper Centennial Parkway, Schedule "A", Map No. 16

Notwithstanding the definition of a "Lot" within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned Community Shopping

Centre "SC2-6(H)" by this By-law shall be considered as one lot.

Notwithstanding the uses permitted in Subsection 8.10.2 of the Community Shopping Centre "SC2" Zone, only the following uses shall be permitted

(a) Banks or Financial Institutions

(b) Child Care Centres **(By-law 25-156)**

(c) Commercial or Private

(d) Garden Nursery Centre Medical

(e) Offices or Clinics Professional

(f) or Business Offices

(g) Restaurants – Convenience, Fast Food, Standard and Outdoor Patio

(h) Retail Stores, including one Supermarket

(i) Service Shops

(j) Uses, buildings, or structures accessory to a permitted use

(k) Veterinary Service

Notwithstanding the provisions of Paragraphs (d), (e), (f), (g), (j), (l), and (m) of Subsection 8.10.3 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-6(H)" by this By-law, the following shall apply:

(d) Total Minimum Gross Leasable Floor Area - 2,000 square metres

(e) Total Maximum Gross Leasable Floor Area - 12,285 square metres

Maximum Gross Leasable Floor Area for one Supermarket - 4,181 square metres

(f) Minimum Front Yard - 3.0 metres

(g) Minimum Rear Yard - 15.0 metres

(j) Minimum Landscaped Area

1. A landscaped Strip, having a minimum width of 3 metres, shall be provided and maintained adjacent to any public street, except for points of ingress and egress.

2. A landscaped strip, having a minimum width of 15 metres shall be provided and maintained along the westerly lot line

3. A landscaped strip, having a minimum width of 1.5 metres, shall be provided and maintained adjacent to the southerly lot line

Notwithstanding Part 2, Definitions, the following definitions shall apply:

"Veterinary Service" shall mean a use within a wholly enclosed building or part thereof, where domestic animals or household animals pets are provided treatment by a veterinarian and may include temporary indoor accommodation related to treatment and/or recover and pet grooming but shall not include a kennel

Notwithstanding the Parking Regulations in Section 4.10.3 (a), Dimensions of Parking Spaces, no parking space shall be less than 2.6 metres in width by 5.5 metres in length, unless otherwise provided for in this By-law.

Notwithstanding the Parking Regulations in Section 4.10.9, Schedule of Minimum Parking Requirements, the minimum parking space required shall be:

Retail Stores regardless of whether or not such retail stores are located within a shopping centre	1 space for each 30 square metres of Gross Floor Area or part thereof

Notwithstanding the Loading Regulations in Section 4.9.2, Schedule of Required Loading Spaces, no loading space shall be required for commercial buildings having a gross floor area of less than 2,000 square metres.

In addition to the regulations of Subsection 8.10.3, the following shall also apply:

The minimum combined width of the ground floor façade of all buildings located within 20 metres of the Upper Centennial Drive lot line shall be equal to or greater than 40% of the Centennial Drive lot line, and shall be subject to the following:

A. A maximum building setback of 6.0 metres shall apply;

B. All principal entrances shall be accessible from a building façade with direct access from the public sidewalk; and,

C. No parking, driveways, drive through lanes, stacking lanes, or aisles shall be located between the building façade facing the public street and the public street.

The buildings located within 20 metres of the Upper Centennial Drive lot line may be built in phases provided the minimum 40% ground floor façade requirement can be accommodated at the ultimate build out.

The (H) symbol may be removed by further amendment to this by-law at such time as the following conditions have been satisfied:

(a) The Owner enters into appropriate Agreements with the City to service the subject lands for sanitary sewers (i.e. prior to provisions of the ultimate outlets that have been identified at either First Road West or Upper Centennial Parkway), storm sewers, and water, either on an interim or permanent basis including; a suitable stormwater outlet for quantity and quality control, the transferring of all required easements and/or road allowances to the City, as required, and provisions have been made such that the City can secure costs for future infrastructure upgrades abutting the subject lands, to the satisfaction of the Director of Development Engineering

(b) The downstream centralized stormwater management facility has been designed and approved to provide quality and quantity control, and maintains base flows to the existing woodland/wetland feature, to the

satisfaction of the Hamilton Conservation Authority

(c) The Owner dedicate sufficient lands to the City to establish the proposed Isaac Brock Drive road allowance to a 30 metre width from Upper Centennial Parkway to the westerly limit of the subject lands, including 15m x 15m daylight triangles at the intersection of Upper Centennial Parkway and the future extension of Isaac Brock Drive, and that the Owner construct the road and signalized intersection to full municipal standards at 100% the Owner's expense, to the satisfaction of the Director of Development Engineering.

(d) Provisions, satisfactory to the Director of Development Engineering, have been made to adequately grade and drain the lands to ensure that no negative impacts in respect of storm water drainage, beyond those currently existing, would occur to the lands municipally known as 151 Upper Centennial Parkway.

(e) That prior to preliminary grading or servicing, the Owner carry out and complete an archaeological assessment over the entire lands, to the satisfaction of the Director of Planning and the Ministry of Citizenship, Culture and Recreation, and mitigate through preservation or resource removal and documentation adverse impacts to the significant archaeological resources found, all prior to demolition, grading or soil disturbances on the land.

(f) The Owner pay any outstanding costs related to the Owner's 25% share of the actual cost of the work necessary to remediate the 450mm sanitary sewer on Branthaven Drive, including road restoration.

(g) The Owner undertake or secure the following intersection improvement at the intersection of Mud Street and Upper Centennial Parkway at 100% the Owner's expense: an exclusive eastbound right turn lane, to the satisfaction of the Director of Development Engineering

(h) The Owner undertake a traffic impact study satisfactory to the Manager

of Traffic Engineering to determine if any additional road improvements are required to accommodate the proposed development. The Owner will pay the full cost of any peer review analysis undertaken by the City.

By-law 13-224
By-law 14-315
(OMB Approval)

SC2-7 512 Highland Road West, Schedule "A", Map No. 15

Notwithstanding the definition of a "Lot" within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned Community Shopping Centre "SC2-7" for the purposes of this By-law shall be considered as one lot.

By-law 16-182

For the purposes of this By-law, where lands have been comprehensively planned and are subject to an approved Site Plan and a Development Agreement, pursuant to Section 41 of the Planning Act, any zoning deficiencies resulting from the phased development of the subject lands shall be deemed to conform to the regulations of the By-law, provided that all applicable regulations of the By-law relative to the whole lot and its external lot lines are complied with.

In addition to the uses permitted in Sub-section 8.10.2 of the Community Shopping Centre "SC2" Zone, the following uses shall also be permitted:

(a) Personal Service Shops.

(b) Retail Stores, including one Supermarket.

(c) Pharmacies, however, a stand-alone Pharmacy (drug store) shall not be permitted prior to June 6, 2017.

(d) Fitness Centres.

For the purposes of this By-law a "Fitness Centre" shall be defined as: a commercial establishment which houses exercise equipment for the purpose of physical exercise, personal well-being, and health.

Notwithstanding the provisions of Paragraphs (d), (e), (f), (j) (l), and (m) of Sub-section 8.10.3 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-7" by this By-law, the following shall apply:

(d)	Total Minimum Gross Leasable Floor Area:	2,000 sq. m.
(e)	Total Maximum Gross Leasable Floor Area:	19,500 sq. m.
	Maximum Gross Leasable Floor Area for one Supermarket:	4,000 sq. m.

	Maximum Gross Leasable Floor Area for one Retail Department Store shall not be permitted prior to the year 2018:	6,000 sq. m.
(f)	Minimum Yard Abutting the Westerly Lot Line along the Trinity Church Road Extension:	11m
	Minimum Yard Abutting the Northerly Lot Line along Stone Church Road East:	6m
	Minimum Yard Abutting the Easterly Lot Line along Upper Mount Albion Road:	6m
	Minimum Yard Abutting the Southerly Lot Line along Highland Road West:	6m

(j) Minimum Landscaped Area:

1. A landscaped strip, having a minimum width of 3m, shall be provided and maintained adjacent to any public street, except for points of ingress and egress.

2. A landscaped strip, having a minimum width of 6m, shall be provided and maintained along the westerly lot line (future Trinity Church Road Extension).

3. An outdoor patio may be permitted to encroach into the required front yard and landscape strip.

Notwithstanding the Parking Regulations in Section 4.10.3 (a), Dimensions of Parking Spaces, no parking space shall be less than 2.6m in width x 5.5m in length, unless otherwise provided for in this By-law.

Notwithstanding the Parking Regulations in Section 4.10.9, Schedule of Minimum Parking Requirements, the minimum parking spaces required shall be 4 spaces per 93 sq. m. of gross floor area.

Notwithstanding the Loading Regulations in Section 4.9.2, Schedule of Required Loading Spaces, no loading space shall be required for commercial buildings having a gross floor area between 1,000 sq. m. to 1,999 sq. m.

In addition to the regulations of Sub-section 8.10.3, the following shall also apply:

The minimum combined width of the ground floor façade of all buildings located within 20m of the Upper Mount Albion Road lot line shall be equal to 40% or more of the measurement of the front lot line, and shall be subject to the following:

A. A maximum building setback of 6.0m shall apply;

B. All principal entrances shall be accessible from the building façade with direct access from the public sidewalk; and,

C. No parking, driveways, drive through lanes, stacking lanes, or aisles shall be located between a building façade and the public street.

The (H1) symbol may be removed by further amendment to this By-law at such time as the following condition has been satisfied:

1. That the owner complete water distribution upgrades to District 7 Pump Station, and provides adequate water supply to the subject lands, to the satisfaction of the Senior Director of Growth Management.

The (H2) symbol may be removed to permit limited development abutting Stone Church Road by further amendment to this By-law at such time as the following conditions have been satisfied:

1. That the owner agrees, in writing, to pay its proportionate share towards the existing stormwater management facility located on the north side of Stone Church Road East and services installed on Stone Church Road East, including road urbanization, to satisfy the best efforts obligation, as outlined in the Heritage Green Subdivision Agreement, to the satisfaction of the Senior Director of Growth Management.

2. That the owner agrees, in writing, to:

    i. urbanize Upper Mount Albion Road from Stone Church Road East, including sanitary sewers, as required, from a midblock entrance to Stone Church Road East, to the satisfaction of the Senior Director of Growth Management, and the Director of Engineering Services, Public Works Department;

    ii. construct sidewalk from required street lighting on Stone Church Road East and Upper Mount Albion Road from the future Trinity Church Arterial Road to a midblock entrance on Upper Mount Albion Road; and,

    iii. construct a temporary sidewalk from a midblock entrance to Highland Road West;

    all to the satisfaction of the Director of Engineering Services, Public Works Department.

3. That the owner agrees, in writing, to implement recommendations from an approved, revised TIS for the proposed use, which identifies the current road network conditions, identified restrictions to access on Stone Church

Road East, and the impacts and mitigations required for the road and pedestrian network, to the satisfaction of the Director of Engineering Services, Public Works Department.

The (H3) symbol may be removed by further amendment to this By-law at such time the Trinity Church Arterial Road is constructed to Rymal Road as the following condition has been satisfied:

1. That the owner agrees, in writing, to implement recommendations from an approved Traffic Impact Study (TIS), prepared by Paradigm Transportation Solutions Ltd., which shall be revised as phasing of the development proceeds, to the satisfaction of the Director of Engineering Services, Public Works Department.

The (H4) symbol may be removed for the remainder of the lands by further amendment to this By-law at such time as the following conditions have been satisfied:

1. That the trunk sanitary and storm sewer outlets at Highland Road West and Upper Mount Albion Road are available, to the satisfaction of the Senior Director of Growth Management.

2. That the owner agrees, in writing, to urbanize (sidewalk, streetlights, and sanitary sewers) for Highland Road West, from Upper Mount Albion to the Trinity Church Arterial Road and Upper Mount Albion Road from a midblock driveway to Highland Road West, to the satisfaction of the Senior Director of Growth Management.

By-law 15-219

SC2-8(H) 1290 South Sevice Road, Schedule "A", Map No. 9

(i) Notwithstanding the definition of "Lot" of Section 2 "Definitions" and Section 4.4.2, Restriction on Change, those lands zoned Community Shopping Centre "SC2-8(H)" by this By-law shall be considered one lot.

(ii) Notwithstanding the definition of "Lot Line - Front" of Section 2 "Definitions" the following definitions shall apply:

Lot Line - Front

The southerly portion of the lot line along Vince Mazza Way having a dimension of 125.840m shall be deemed to be the front lot line.

(iii) Notwithstanding the definition of "Commercial Recreation" of Section 2 "Definitions" the following definition shall apply:

Commercial Recreation

When used to describe a use, building, structure or activity, means a use,

building or part there, structure or activity pertaining to operations for gain for the purposes of squash, tennis, racquet or handball courts, bowling alleys, gymnasiums, private clubs, banquet halls, physical fitness centre, arenas, yoga studios, martial arts clubs, or similar facilities where instruction is received, but does not include a flea market.

(iv) Notwithstanding the definition of "Auditorium" of Section 2 "Definitions" the following definition shall apply:

Auditorium

Means a building or structure, or part thereof, where facilities are provided for civic, educational, musical, recreational, theatrical, political, religious or social events, and includes an assembly hall, arena, cinema, theatre, playhouse, opera house, concert hall, public museum, exhibition hall, convention centre or community social centre, but does not include an amusement centre, commercial recreation centre, stadium or drive-in theatre as defined herein, or any retail store or restaurant unless such retail store, restaurant and amusement centre is an accessory use.

(v) Notwithstanding the definition of "Floor Area - Gross Leasable" of Section 2 "Definitions" the following definition shall apply:

Floor Area - Gross Leasable

For a commercial or industrial use means the total floor area of all the storeys of all buildings or structures used for commercial or industrial purposes on a lot; such areas to be measured from the interior faces of the exterior walls, or from centre lines of party walls but excluding the area of any floor area used for the following purposes:

(a) Parking of motor vehicles;
(b) Storage rooms in basements or cellars;
(c) Mechanical equipment rooms for serving and maintaining the building;
(d) Elevator shafts and areas occupied by escalators; and,
(e) Common walkways, hallways, enclosed malls and services areas.

(vi) In addition to the definition of "Landscape Strip" and/or "Landscape Open Space" within Section 2 "Definitions", hydro vaults, flag poles, signs and/or other similar utility and/or landmark structures shall be permitted within a Landscape Strip and/or Landscape Open Space.

(vii) Notwithstanding the provisions of Section 8.10.2 "Permitted Uses for Each Lot" of Zoning By-law No. 3692-92, on those lands zoned "SC2-8(H)" by this By-law, the following uses shall be prohibited:

- Amusement Centres, unless it is accessory to an Auditorium;
- Art Galleries;
- Places of Recreation or Entertainment;

• A single use over 10,000m2; and,
• Garden Nursery Centre, unless it is accessory to a retail department store, subject to the provisions (ix)(p) below.
and/or

(viii) In addition to the "Permitted Uses for Each Lot" of Section 8.10.2 of Zoning By-law No. 3692-92, the following uses shall also be permitted:

• Personal Service Shop;
• Commercial Recreation;
• Animal Hospital or Shelter; and,
• Veterinary Facility.

(ix) Notwithstanding the provisions of Paragraphs (a), (b), (d), (f), (g), and (j) of Section 8.10.3 "Zone Regulations"; Section 4.9.2 "Schedule of Required Loading Spaces"; Paragraph (a) of Section 4.10.3 "Dimensions of Parking Spaces"; Paragraph (a) of Section 4.10.4 "Requirements for Parking Designated for Vehicles of Physically Challenged"; and, Section 4.10.9 "Schedule of Minimum Parking Requirements of Zoning By-law No. 3692-92, on those lands zoned "SC2-8(H)" by this By-law, the following shall apply:

(a) Minimum Lot Area	- 3.4 hectares
(b) Minimum Lot Frontage	- 125 metres
(d) Minimum Gross Leasable Floor Area	- 7,500 square metres for the entire site.
(f) Minimum Front Yard	- 5.0 metres
(g) Minimum Rear Yard	- 14,0 metres

(j) Minimum Landscape Open Space

10 percent of lot area, a portion which shall include a landscape strip having a minimum width of 4.4 metres shall be provided adjacent to any public street, including at the hypotenuse of a daylight triangle, except for the lot line abutting the South Service Road, where a landscape strip having a minimum width of 7.4m shall be provided, excluding the points of ingress and egress.

(l) Minimum Parking Requirements

1. Parking for a shopping centre shall be at a ratio of 1 parking space for each 21 square metres of gross floor area or part thereof.
2. Parking spaces shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres and parking designated for vehicles of

physically challenged shall have a minimum rectangular dimension of 4.4 metres by 5.5 metres, exclusive of any lands used for access, manoeuvring, driveways or a similar purpose.

3. Required parking shall not be located between a building facade and the respective street. In no case shall required parking be closer than 4.6 metres from a street.

(m) Minimum Loading Requirements

Notwithstanding the provisions of Section 4.9.2, the following loading space regulations shall apply for commercial buildings:

1,200m2- 1,999m2: Minimum of 1 loading space

2,000m2 - 7,999m2: Minimum of 2 loading spaces

8,000m2 and greater: Minimum of 4 loading spaces

(x) In addition to provisions of Section 8.10.3 "Zone Regulations" on those lands zoned "SC2-8(H)" by this By-law, the following shall apply:

(n) Minimum Side Yard 4.4 metres

(o) Medical Offices or Clinics and/or Professional or Business Offices on the same lot shall not exceed 2,000m2 of Gross Floor Area.

(p) Accessory Garden Nursery Centres shall be subject to the following:

(i) The garden nursery centre shall not exceed a maximum period of 120 day annually, and,

(ii) Not more than 10% of the total number of parking spaces provided on the lands shall be used for a garden nursery centre.

(q) Built Form - the minimum width of all ground floor fagades facing the following roadways, shall be equal to or exceed, the following percentages for the entire site, except at the daylight triangles:

Winona Road	-	65%
Vince Mazza Way (Side Lot Line)	-	50%
Vince Mazza Way (Front Lot Line)	-	40%
South Service Road	-	35%

(xi) The "H" symbol may be removed at such time as the following has been satisfied:

a) That the owner / applicant enters into an appropriate development agreement with the City to extend the sanitary sewer and watermain, and to complete any road or traffic improvements on the adjacent streets or to pay his/her fair share of the works in case those works have been completed by others, all to the satisfaction of the Senior Director of Growth Management.

b) That the owner / applicant demonstrates that an appropriate treatment train approach can be implemented on site using LIDs to satisfy the level 2 quality control requirements, to the satisfaction of the Senior Director of Growth Management and the Hamilton Conservation Authority.

SECTION 8.11 RURAL COMMERCIAL "RC" ZONE

8.11.1 Scope

No person shall within any Rural Commercial "RC" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.11.2 Permitted Uses For Each Lot

(a) Convenience Food Stores

(b) Farm Implement Sales and Service

(c) Farm Supply Stores

(d) Fruit and Vegetable Outlets

(e) Motor Vehicle Service Stations

(f) Nursery Garden Centres

(g) Private Clubs

(h) Restaurant - Standard, located on the same lot as a motor vehicle service station

(i) Veterinary Establishments

(j) An Accessory Dwelling Unit

(k) Uses, buildings or structures accessory to a permitted use

8.11.3 Zone Regulations For All Uses Other Than Those Uses Specified In Section 8.11.4

(a)	Minimum Lot Area	-	1 hectare
(b)	Minimum Lot Frontage	-	60 metres
(c)	Maximum Lot Coverage	-	20 percent
(d)	Minimum Front Yard	-	10 metres
(e)	Minimum Side Yard	-	10 metres except 12 metres for a flankage yard
(f)	Minimum Rear Yard	-	7.5 metres
(g)	Maximum Building Height	-	10.5 metres

(h) Minimum Landscaped Open Space - 10 percent of lot area a portion which shall include the following where applicable

1. A landscaped strip having a minimum width of 5 metres shall be provided adjacent to every portion of any lot line that abuts any street except for points of ingress and egress or zone other than a commercial or industrial zone.

(i) Outside Storage - No outside storage shall be permitted except where such storage is temporary and accessory to the principal use and is located in any yard except a required yard and shall be screened from view.

(j) Minimum Parking Requirements:

1. Parking spaces shall be provided in accordance with Section 4.10.
2. For all uses not specified in Section 4.10, a minimum of one parking space per 28 square metres of gross floor area or fraction thereof, shall be required.
3. No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of 5 metres from any lot line or any lot line abutting a street or closer than 7.5 metres to the boundary of any Rural residential zone.

(k) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

8.11.4 Regulations For Motor Vehicle Service Stations

Motor Vehicle Service Stations are permitted in accordance with Section 8.1.5.

8.11.5 Special Exemptions

RC - 1 885 Highway No. 8, Schedule "A", Map No. 7

In addition to the uses permitted in Section 8.11.2 of the Rural Commercial "RC" Zone, those lands zoned "RC-1" by this By-law may also be used for a restaurant and coffee shop having a maximum public floor area of 45 square metres and a motor vehicle repair garage excluding a body shop.

By-law 4947-99

RC – 2(T) 1091 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the uses permitted in Section 8.11.2 of the Rural Commercial "RC" Zone, those lands zoned "RC-2(T)" by this By-law may only be used for a food store, farm implement sales and service, farm supply store, fruit and vegetable outlet, nursery garden centre, private club, a standard restaurant not exceeding a capacity of 150 seats, veterinary establishment, an accessory dwelling unit and uses, buildings or structures accessory to a permitted use. In addition to the aforesaid permanent permitted uses, a pitch and putt golf course and buildings or structures accessory thereto may be permitted as a temporary use pursuant to Section 3.9 of this By-law. This Temporary Use may be permitted until March 1, 2002.

Notwithstanding the provisions of paragraphs (b), (e) and (h) of Section 8.11.3 of the Rural Commercial "RC" Zone, on those lands zoned "RC-2(T)" by this By-law, the following provisions shall apply: The minimum lot frontage shall be 45 metres. The minimum side yard shall be 3 metres for any existing building. A landscaped strip having a minimum width of 3 metres shall be provided adjacent to Highway No. 8 except for points of ingress and egress. Paragraph (j)3 of Section 8.11.3 does not apply to these lands.

RC - 3 904 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the uses permitted in Section 8.11.2 of the Rural Commercial "RC" Zone, those lands zoned "RC-3" by this By-law may only be used for a convenience food store and an accessory dwelling unit.

RC - 4 1041 Ridge Road, Schedule "A", Map No. 13

Notwithstanding the uses permitted in Section 8.11.2 of the Rural Commercial "RC" Zone, those lands zoned "RC-4" by this By-law may only be used for a convenience food store, post office, an accessory dwelling unit and uses, buildings or structures accessory to a permitted use.

By-law 08-164

RC - 5 268-274 Upper Centennial Parkway, Schedule "A", Map No. 17

Notwithstanding the uses permitted in Subsection 8.11.2 of the Rural Commercial "RC" Zone, on those lands zoned "RC-5" by this By-law, a convenience restaurant with an accessory drive-thru and outdoor patio shall also be permitted only in conjunction with a motor vehicle service station.

Notwithstanding the provisions of Subsection 8.1.7 (d), the maximum seating capacity for the outdoor patio shall be 20.

PART 9 INDUSTRIAL ZONES

SECTION 9.1 GENERAL PROVISIONS FOR INDUSTRIAL ZONES

9.1.1 Scope

In any Industrial Zone, no person shall use any land or erect, alter or use any building or structure, except in accordance with the following provisions which, in addition to other requirements of this By-law, shall apply to all Industrial Zones.

9.1.2 Industrial Zones

For the purpose of this By-law, the following Industrial Zones are established within the Defined Area and such zones may be referred to by the following symbols:

Zone	Symbol
Small Scale Industrial	MS
Preferred Industrial	MP
Prestige Industrial	MT
General Industrial	MG
Special Purpose Industrial	MSP
Business Park Industrial	MBP
Extractive Industrial	ME
Rural Industrial	MR

9.1.3 Industrial Development Adjacent To Railway Right-Of-Way

Notwithstanding any side yard or rear yard provisions of the industrial zones of this By-law, where any lot line within an industrial zone abuts a railway right-of-way, the minimum yard requirement shall be 15 metres.

9.1.4 Screening Provisions For Outside Storage And Outside Operations

When outside storage and outside operations are permitted under the applicable provisions of the zone in which the lot is located, such storage and operations are to be fully screened from the view from adjacent streets and lots in accordance with the City of Stoney Creek Fence By-law.

9.1.5 Restrictions Adjacent To Residential Zones

Notwithstanding any other provisions of this By-law, where an industrial zone abuts a residential zone or rural residential zone, the following provisions shall apply to the industrial lot adjacent to the residential zone:

(a) Minimum Side Yard - 15 metres

(b) Minimum Rear Yard - 15 metres

(c) Maximum Building Height - 9 metres

(d) A landscaped strip having a minimum width of 9 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a residential zone.

(e) Parking of vehicles exceeding an overall height of 2.5 metres shall not be permitted within 15 metres of any lot line that abuts a residential zone.

(f) Loading and unloading and docks or doors for loading or unloading, except emergency doors, shall not be permitted within 20 metres of any lot line that abuts a residential zone.

(g) Within industrial zones that permit outside storage, outside storage shall not be permitted within 15 metres of any lot line that abuts a residential zone.

9.1.6 Loading

Loading requirements will be in accordance with Section 4.9. In addition, loading spaces or docks for loading are not permitted in the area between the lot line abutting a street and any wall of a building facing a street extended to the side lot lines.

9.1.7 Prohibition Of Dual Use Of Properties For Residential And Industrial Purposes **(By-law 4060-94)**

Notwithstanding anything herein, no industrial use permitted in any industrial zone may be established on a lot used for residential purposes, so long as the residential use continues.

9.1.8 **Parking Lots (By-law 4334-96)**

A parking lot in an Industrial Zone only is permitted if established in conjunction with a permitted industrial use and must be located within 150 metres of the property containing the permitted industrial use.

9.1.9 **Waste Transfer Facility and Waste Processing Facility (By-law No. 09-131)**

Where a Waste Transfer Facility or a Waste Processing Facility are a permitted use within an INDUSTRIAL ZONE, any building, structure or land used for such purpose shall be located a minimum of 300 metres from a Residentially Zoned or Institutionally Zoned property lot line. All other provisions of this By-law shall continue to apply.

9.1.10 Notwithstanding Section 9.1.9 above, the Waste Management Facility, as existing at the time of passing of By-law 09-131, shall also be permitted on the following properties:

- 331-337 Leaside Avenue
- 350 Jones Road
- 297-363 Upper Centennial Parkway

9.1.11 Notwithstanding Section 9.1.9 above, a Waste Processing Facility shall also be permitted on the following property:

- 384-390 Millen Road

9.1.12 Notwithstanding Section 9.3.2, a Hazardous Waste Management Facility shall also be permitted on the following property:

- 144-190 South Service Road (Units 162-178)

SECTION 9.2 SMALL SCALE INDUSTRIAL "MS" ZONE

9.2.1 Scope

No person shall within any Small Scale Industrial "MS" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.2.2 Permitted Uses For Each Lot

(a) Any assembling, manufacturing or processing use which is not obnoxious as defined by this By-law.

(b) Animal Hospitals or Shelters

(c) Bakeries

(d) Business or Commercial Trade Schools

(e) Commercial Recreational Uses

(f) Equipment Rentals and Servicing

(g) Machine Shops

By-law 4848-98 (h) Motor Vehicle Dealerships

(i) Motor Vehicle Parts and Accessories Sales

(j) Motor Vehicle Repair Garages

By-law 4334-96 (k) Parking Lots

(l) Printing Establishments

(m) Sample Showrooms

(n) Service and Repair Shops

(o) Warehouses

(p) Wholesale Uses

(q) Video, film or radio sound production studios

By-law 09-131 (r) Waste Transfer Facility

By-law 09-131 (s) Waste Processing Facility

(t) Uses, buildings or structures accessory thereto except residential or retail uses

9.2.3 Zone Regulations

(a) Minimum Lot Area - 1,858 square metres

(b)	Minimum Lot Frontage	-	30 metres
(c)	Maximum Lot Coverage	-	50 percent
(d)	Minimum Front Yard	-	9 metres
(e)	Minimum Side Yard	-	3 metres except 9 metres for a flankage yard
(f)	Minimum Rear Yard	-	7 metres
(g)	Maximum Building Height	-	9 metres

By-law 3863-93

(h) Minimum Landscaped Open Space - 5 percent of the lot area, a portion which shall include the following if applicable: A landscaped strip having a minimum width of 7.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress.

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(i) Outside Storage and Operations - No outside operations or storage shall be permitted except in the rear yard. Any permitted use shall be conducted entirely within an enclosed building. Outside display of vehicles associated with a motor vehicle dealership shall be permitted in any yard.

(j) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with Section 4.10.
2. For those uses not specified in Section 4.10, a minimum of one parking space per 100 square metres of gross floor area for industrial uses shall be required.

(k) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 4.9.

9.2.4 Retail Sales

A maximum of 5 percent of the gross floor area of any permitted use under the provisions of paragraph (a) of Section 9.2.2 may be used for the display of or for the retail sale of products manufactured, processed or assembled on the premises. In the case of multiple unit buildings this 5 percent shall be apportioned among the occupants based upon their individual floor areas.

9.2.5 Regulations for Parking Lots (By-law 4334-96)

Parking lots are permitted in accordance with Section 9.1.8.

9.2.6 Motor Vehicle Dealerships (By-law 4848-98)

Motor Vehicle Dealerships shall only be permitted west of Dewitt Road and subject to the provisions of Subsection 8.1.6, "Motor Vehicle Dealerships", of Zoning By-law No. 3692-92.

9.2.7 Special Exemptions

MS - 1 9 Teal Avenue, 27 Garden Avenue, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.2.2 of the Small Scale Industrial "MS" Zone, those lands zoned "MS-1" by this By-law may also be used for a private parking lot.

By-law 4334-96 Notwithstanding the provisions of paragraph (h) of Section 9.2.3 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-1" by this By-law the minimum landscaping strips adjacent to the street shall be as existing at the date of the passing of the By-law.

By-law 5136-00 **MS - 2 55 Community Avenue, Schedule "A", Map No. 1**

Notwithstanding the uses permitted in Section 9.2.2 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-2" by this By-law, an accessory building may be permitted in the north-west side yard. Notwithstanding the provisions of paragraphs (c), (e) and (f) of Section 9.2.3 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-2" by this By-law the following provisions shall apply: The accessory building (formerly a quonset hut) permitted by this exemption shall be restricted to a maximum gross floor area of 96 square metres. The minimum westerly side yard for the accessory building shall be 3.8 metres. The minimum rear yard for the accessory building shall be 0.48 metres.

MS - 3 31 Kenmore Avenue, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (b) and (e) of Section 9.2.3 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-3" by this By-law, the minimum lot frontage shall be 27 metres; the minimum side yard abutting the north lot line shall be 4.5 metres and the minimum side yard abutting the south lot line shall be 7 metres.

MS - 4 27 Kenmore Avenue, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (a) and (b) of Section 9.2.3 of the

Small Scale Industrial "MS" Zone, on those lands zoned "MS-4" by this By-law, the minimum lot frontage shall be 22.8 metres and the minimum lot area shall be 1,763 square metres.

MS - 5 355 Dewitt Road, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.2.2 of the Small Scale Industrial "MS" Zone, those lands zoned "MS-5" by this By-law may also be used for a restaurant, bank, and professional and business office.

Notwithstanding the provisions of paragraphs (d) and (e) of Section 9.2.3 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-5" by this By-law, the minimum front yard shall be 7.5 metres and the minimum side yard shall be 3 metres on one side and 6 metres on the other side, provided that on a corner lot the minimum side yard on the flankage lot line shall be 6 metres.

MS - 6 445, 449 Barton Street, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.2.2 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-6" by this By-law, a motor vehicle service station and the sale of not more than five motor vehicles in accordance with Section 8.1.6 and a car wash in accordance with Section 8.1.5 may be permitted.

MS - 7 1047, 1051 Barton Street, Schedule "A", Map No. 3

By-law 3724-93

Notwithstanding the permitted uses in Section 9.2.2 of the Small Scale Industrial "MS" Zone, those lands zoned "MS-7" by this By-law may be used for any small scale assembling, manufacturing, processing, which is not obnoxious as defined by this By-law, equipment rentals and servicing establishment and machine shops when not abutting a residential zone, motor vehicle parts and accessories, printing establishments, commercial-recreational uses, sample showrooms, service and repair shops, warehouses and storage establishments, wholesale uses, video, film or radio sound production studios and uses, buildings or structures accessory thereto except residential or retail uses.

Notwithstanding the provisions of paragraph (a) of Section 9.2.3 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-7" by this By-law, the minimum lot area shall be 4,000 square metres.

In addition to the provisions of paragraph (g) of Section 9.1.5 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-7" by this By-law, outside operations, display and storage shall not be permitted in any yard that abuts a residential zone.

Notwithstanding the provisions of paragraph (b) of Section 9.2.3 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-7" by this By-law, any lot fronting on Barton Street shall have a minimum lot frontage of 80 metres.

By-law 02-069 In addition to the provisions of paragraph (d) of Section 9.1.5, on those lands zoned "MS-7", a berm planted with trees shall be provided abutting all residential uses in order to provide visual screening.

MS - 8 835 Barton Street, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (a) and (b) of Section 9.2.3 of the Small Scale Industrial "MS" Zone, on those lands zoned "MS-8" by this By-law, the minimum lot area shall be .11 hectares and the minimum lot frontage shall be 30 metres.

By-law 5212-00 **MS - 9 490 Arvin Avenue, Schedule "A", Map No. 1**

In addition to the uses permitted in Subsection 9.2.7, of the Small Scale Industrial "MS" Zone, those lands zoned "MS-9" by this By-law may also be used for a restaurant not exceeding 120 square metres gross floor area.

By-law 07-210 **MS - 10 837 Barton Street, Schedule "A", Map No. 2**

In addition to the uses permitted in Subsection 9.2.2, of the Small Scale Industrial "MS" Zone, those lands zoned "MS-10" by this By-law may also be used for a contractor's depot.

SECTION 9.3 PREFERRED INDUSTRIAL "MP" ZONE

9.3.1 Scope

No person shall within any Preferred Industrial "MP" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.3.2 Permitted Uses For Each Lot

(a) Any assembling, manufacturing or processing use which is not obnoxious as defined by this By-law

(b) Animal Hospitals or Shelters Business

(c) or Professional Offices Business or

(d) Commercial Trade Schools

(e) Commercial Recreational Uses

(f) Equipment Rental and Servicing

(g) Industrial Garages

(h) Machine Shops

(i) Motor Vehicle Parts and Accessories Retail Stores

(j) Motor Vehicle Repair Garages

By-law 4334-96 (k) Parking Lots

(l) Printing Establishments

(m) Research Centres

(n) Sample Showrooms

(o) Service and Repair Shops

(p) Trade and Convention Centres (excluding flea markets)

(q) Video, Film or Radio Sound Production Studios

(r) Warehouses

(s) Wholesale Uses

By-law 09-131 (t) Waste Transfer Facility

By-law 09-131 (u) Waste Processing Facility

(v) Uses, buildings or structures accessory thereto except residential uses

9.3.3 Zone Regulations

(a)	Minimum Lot Area	-	1,858 square metres
(b)	Minimum Lot Frontage	-	30 metres
(c)	Maximum Lot Coverage	-	50 percent
(d)	Maximum Floor Area Ratio	-	75 percent
(e)	Minimum Front Yard	-	15 metres except adjacent to the South Service Road where the minimum front yard shall be 30 metres
(f)	Minimum Side Yard	-	4.5 metres
(g)	Minimum Flankage Yard	-	9 metres except adjacent to the South Service Road where the minimum flankage yard shall be 30 metres
(h)	Minimum Rear Yard	-	7 metres

(i) Minimum Landscaped Open Space - 10 percent of lot area a portion which shall include the following where applicable:

1. A landscaped strip having a minimum width of 15 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts the South Service Road except for points of ingress and egress.
2. A landscaped strip having a minimum width of 7.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any street other than the South Service Road except for points of ingress and egress.

(j) Outside Storage and Operations - No outside storage or operations areas shall be permitted.

(k) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with Section 4.10.

2. For those uses not specified in Section 4.10, a minimum of one parking space per 100 square metres of gross floor area shall be required.

(l) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 9.1.6.

9.3.4 Retail Sales

A maximum of 5 percent of the gross floor area of any use permitted under the provisions of paragraph (a) of Section 9.3.2 may be used for the display of or for the retail sale of products manufactured, processed or assembled on the premises. In the case of multiple unit buildings this 5 percent shall be apportioned among the occupants based on their individual floor area.

9.3.5 Regulations for Parking Lots (By-law 4334-96)

Parking lots are permitted in accordance with Section 9.1.8.

9.3.6 Special Exemptions

MP - 1 424 Belgraden Avenue and South Service Road, Schedule "A", Map No. 1

In addition to the provisions of paragraph (j) of Section 9.3.2 of the Preferred Industrial "MP" Zone, those lands zoned "MP-1" by this By-law may be used for car leasing and may have machinery and equipment stored in the front and side yards provided that the front, side and rear yards are enclosed with fences.

MP - 2 565 Seaman Avenue, Schedule "A", Map No. 2

In addition to the provisions of Section 9.3.4 of the Preferred Industrial "MP" Zone, on those lands zoned "MP-2" by this By-law, a maximum of 10 percent of the gross floor area of any permitted use may be devoted to a retail sales area.

In addition to the provisions of paragraph (i) of Section 9.3.3 of the Preferred Industrial "MP" Zone, on those lands zoned "MP-2 by this By-law, a landscaped strip having a minimum width of 4.5 metres shall be provided adjacent to Seaman Avenue.

MP - 3 10 Kerivan Court, Schedule "A", Map No. 2

In addition to the uses permitted in Section 9.3.2 and Section 9.3.4 of the Preferred Industrial "MP" Zone, those lands zoned "MP-3" by this By-law may also be used for showrooms and a home furnishings retail outlet provided the gross floor area devoted for retail purposes does not exceed 50 percent of the gross floor area of the building.

MP - 4 433 Jones Road, Schedule "A", Map No. 2

In addition to the uses permitted in Section 9.3.2 and Section 9.3.4 of the Preferred Industrial "MP" Zone, those lands zoned "MP-4 " by this By-law may also be used for retail sale of furniture, household appliances and fixtures and floor and wall coverings provided that the retail component or showroom occupies less than 50 percent of the total gross floor area of such building.

Notwithstanding the provisions of paragraphs (g), (i) and (l) of Section 9.3.3 of the Preferred Industrial "MP" Zone, on those lands zoned "MP-4" by this By-law, the following provisions shall apply: The minimum side yard abutting the Queen Elizabeth Way shall be 13.7 metres and the minimum side yard abutting the South Service Road shall be 18.3 metres. A landscaped strip shall be provided as follows: 9 metres adjacent to the north lot line; 5 metres between the south lot line and any internal roadway; 11 metres between the south lot line and any parking spaces; 1.5 metres adjacent to the east of lot line; and 6 metres adjacent to the daylight triangle. Loading facilities may be provided in the side yard abutting the Queen Elizabeth Way.

MP - 5 760 South Service Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraph (j) of Section 9.3.3 of the Preferred Industrial "MP" Zone, those lands zoned "MP-5" by this By-law may have a maximum of two outdoor display pads not exceeding a gross area of 380 square metres and in no case shall one display pad exceed a gross area of 190 square metres. The display pads shall only be located in the yards adjacent to the South Service Road. Each outdoor display pad shall only be used to display one new tractor, one new bulldozer, one new backhoe or one

new piece of similar construction equipment.

MP - 6 430 Jones Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraphs (f) and (g) of Section 9.3.3 of the Preferred Industrial "MP" Zone, on those lands zoned "MP-6" by this By-law, the minimum side yard abutting the north property line shall be 6.4 metres and the minimum side yard abutting the South Service Road shall be 13.7 metres.

MP - 7 442 Millen Road, Schedule A, Map No. 1

Notwithstanding the provisions of paragraph (g) and clause 1 of paragraph (i) of Section 9.3.3 of the Preferred Industrial "MP" Zone on those lands zoned "MP-7" by this By-law, the minimum flankage yard adjacent to the South Service Road shall be 15 metres and a landscaped strip having a minimum width of 7 metres shall be provided and maintained adjacent to every portion of the lot which abuts the South Service Road except for points of ingress and egress.

By-law 4181-95

MP - 8 20 Teal Avenue, Schedule "A", Map No. 1

Notwithstanding the provisions of paragraphs (e), (i), (j) (k) and (l), on lands zoned "MP-8" by this By-law, the minimum front yard, minimum landscaping, outside storage and operations, minimum parking and minimum loading requirements shall be as existing the day of the passing of this By-law.

Any additions to an existing building or new buildings must comply with the "MP" Zone Regulations of Section 9.3.3.

By-law 4181-95

MP - 9 240 South Service Road, Schedule "A", Map No. 1

Notwithstanding the provisions of paragraphs (g), (i), (k) and (l), on those lands zoned "MP-9" by this By-law, the minimum flankage yard, minimum landscaping, minimum parking and minimum loading requirements shall be as existing the day of the passing of this By-law.

Any additions to an existing building or new buildings must comply with the "MP" Zone Regulations of Section 9.3.3.

By-law 4181-95

MP - 10 268-274 South Service Road, Schedule "A", Map No. 1

Notwithstanding the provisions of paragraphs (f) and (i), on those lands zoned "MP-10" by this By-law, the minimum side yard and minimum landscaping shall be as existing the day of the passing of this By-law.

Any additions to an existing building or new buildings must comply with the "MP" Zone Regulations of Section 9.3.3.

By-law 4181-95

MP - 11 240, 252, 256-274 South Service Road, Schedule "A", Map No. 1

Notwithstanding the provisions of paragraphs (i), (k) and (l), on those lands zoned "MP-11" by this By-law, the minimum landscaping, minimum parking and minimum loading requirements shall be as existing the day of the passing of this By -law."

Any additions to an existing building or new buildings must comply with the "MP" Zone Regulations of Section 9.3.3.

By-law 04-295

MP - 12 144-190 South Service Road (Unit 168), Schedule "A", Map No. 1

Notwithstanding the uses permitted in Section 9.3.2 of the Preferred Industrial "MP" Zone, on those lands zoned "MP-12" by this By-law, a waste transfer station, having an area no larger than 175 square metres, shall be permitted for storage of non-hazardous waste.

SECTION 9.4 PRESTIGE INDUSTRIAL "MT" ZONE

9.4.1 Scope

No person shall within any Prestige Industrial " MT" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.4.2 Permitted Uses For Each Lot

(a) Any assembling, manufacturing or processing use which is not obnoxious as defined by this By-law, excluding industrial garages, motor vehicle rentals and motor vehicle repair garages

(b) Business or Commercial Trade Schools

(c) Business or Professional Offices

(d) Custom Workshops

(e) Commercial Recreational Uses

(f) Laboratories

By-law 4334-96 (g) Parking Lots

(h) Postal Stations

(i) Research Centres

(j) Sample Showrooms

(k) Trade and Convention Centres (excluding flea markets)

(l) Video, Film or Radio Sound Production Studios

(m) Warehouses

(n) Wholesale Uses

By-law 09-131 (o) Waste Transfer Facility

By-law 09-131 (p) Waste Processing Facility

(q) Uses, buildings or structures accessory thereto except residential uses

9.4.3 Zone Regulations

(a)	Minimum Lot Area	-	8,000 square metres
(b)	Minimum Lot Frontage	-	60 metres
(c)	Maximum Lot Coverage	-	50 percent

(d) Minimum Front Yard - 15 metres except adjacent to the South Service Road where the minimum front yard shall be 30 metres

(e) Minimum Side Yard - 4.5 metres

(f) Minimum Flankage Yard - 9 metres except adjacent to the South Service Road where the minimum flankage yard shall be 30 metres

(g) Minimum Rear Yard - 7 metres

(h) Maximum Floor Area Ratio - 100 percent

(i) Minimum Landscaped Open Space

1. A landscaped strip having a minimum width of 15 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts the South Service Road except for points of ingress and egress.
2. A landscaped strip having a minimum width of 7.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any street other than the South Service Road except for points of ingress and egress.

(j) Outside Storage and Operations - No outside storage or operation areas shall be permitted.

(k) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with Section 4.10.
2. For those uses not specified in Section 4.10, a minimum of one parking space per 100 square metres of gross floor area shall be required.

(l) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 9.1.6

9.4.4 Retail Sales

A maximum of 5 percent of the gross floor area of any use permitted under Section 9.4.2(a) may be used for the display of or for the retail sale of products manufactured, processed or assembled on the premises. In the case of multiple unit buildings this 5 percent shall be apportioned among the occupants based on their individual floor area.

9.4.5 Regulations for Parking Lots (By-law 4334-96)

Parking lots are permitted in accordance with Section 9.1.8.

9.4.6 Special Exemptions

MT - 1 395 Lewis Road, Schedule "A", Map No. 3

In addition to the uses permitted in Section 9.4.2 and Section 9.4.4 of the Prestige Industrial "MT" Zone, those lands zoned "MT-1" by this By-law may also be used for a retail sales and display of new furniture and household items and those uses, buildings or structures accessory thereto provided that the total gross retail floor area does not exceed 7,200 square metres.

By-law 4344-96

Notwithstanding the provisions of paragraph (f) of Section 9.4.3 of the Prestige Industrial "MT" Zone, on those lands zoned "MT-1" by this By-law, the minimum flankage yard adjacent to the South Service Road shall be 24 metres.

MT - 2 420 Glover Road and 918 South Service Road, Schedule "A", Map No. 3

In addition to the uses permitted in Section 9.4.2 of the Prestige Industrial "MT" Zone, those lands zoned "MT-2" by this By-law may also be used for a standard restaurant within a building, which building has a minimum gross floor area of 2,000 square metres.

Notwithstanding the provisions of paragraph (i)2 of Section 9.4.3 of the Prestige Industrial "MT" Zone, on those lands zoned "MT-2" by this By-law, a 1 metre landscaped strip shall be provided adjacent to Glover Road.

By-law 3757-93

MT - 3 Part of Lot 7, Concession 1, 200 metres west of Lewis Road, Fronting on the South Service Road, Schedule "A", Map No. 3

In addition to the uses permitted in Section 9.4.2 of the Prestige Industrial "MT" Zone, on those lands zoned "MT-3" by this By-law, a maximum of 40 percent of the gross floor area of the principal building may be used as a retail furniture store.

By-law 3757-93

In addition to the provisions of paragraph (k) "Minimum Parking Requirements", of Section 9.4.3 of the Prestige Industrial "MT" Zone, on those lands zoned "MT-3" by this By-law, parking spaces for the retail furniture store component shall be provided at a ratio of one space for each 28 square metres of gross floor area.

Notwithstanding the provisions of clause 2 of paragraph (i) "Minimum Landscaped Open Space", on those lands zoned "MT-3" by this By-law, a landscaped strip having a minimum width of 12 metres shall be provided adjacent to Constellation Drive, except for points of ingress and egress.

In addition to the provisions of Section 9.1.6 "Loading" of Section 9.1, "General Provisions for Industrial Zones", on those lands zoned "MT-3" by this By-law, loading spaces may be located in the yard adjacent to Constellation Drive but in no case in any yard adjacent to the South Service Road."

By-law 3863-93

MT - 4 1200 South Service Road, Schedule "A", Map No. 3

In addition to the uses permitted in Section 9.4.2 of the Prestige Industrial "MT" Zone, on those lands zoned "MT-4" by this By-law, an industrial garage may be permitted.

In addition to the regulations of Section 9.4.3 of the Prestige Industrial "MT" Zone, on those lands zoned "MT-4" by this By-law, fuel pumps may be permitted in the front yard and the minimum side yard for any accessory building shall be 3 metres.

By-law 4911-93

MT - 5 Southeast Corner of Lewis Road and the South Service Road, Schedule "A", Map No. 3

In addition to the uses permitted in Subsection 9.4.2 of the Prestige Industrial "MT" Zone, on those lands zoned "MT-5" by this By-law, a retail design centre for home furnishings and home decorations and standard restaurants may be permitted

Notwithstanding the provisions of paragraphs (c) and (j) of Subsection 9.4.3, on those lands zoned "MT-5" by this By-law, the maximum lot coverage shall be 66 percent and outside storage shall not be permitted within 160 metres of the south limit of the South Service Road.

By-law 5191-00

MT - 6 924-944 South Service Road, Schedule "A", Map No. 3

By-law 03-283

In addition to the uses permitted in Subsection 9.4.2, those lands zoned "MT-6" by this By-law, may also be used for equipment rentals and service. In addition to the regulations of paragraph (j) of Subsection 9.4.3, outside storage of non-operative motorized construction equipment may be permitted in the side yard and the rear yard only.

By-law 5217-00

MT - 7 South Side of the South Service Road, West of Lewis Road, Schedule "A", Map No. 3

In addition to the uses permitted in Subsection 9.4.2 of the Prestige Industrial "MT" Zone, on those lands zoned "MT-7" by this By-law, a retail design centre for home furnishings and home decorations and a standard restaurant may be permitted.

Notwithstanding the provisions of paragraph (e) of Subsection 9.4.3 of the Prestige Industrial "MT" Zone, the minimum easterly side yard shall be 0.0. metres.

By-law 05-381

MT - 8 404 McNeilly Road, Schedule "A", Map No. 3

In addition to the uses permitted in Subsection 9.4.2, Permitted Uses For Each Lot of Section 9.4, Prestige Industrial "MT" Zone, on those lands zoned "MT-8" by this By-law, a contractor's compound yard shall also be permitted.

Notwithstanding the provisions of paragraph (j) of Subsection 9.4.3, Zone Regulations, of Section 9.4, Prestige Industrial "MT" Zone, outside storage shall be permitted

By-law 06-050

MT - 9 880 South Service Road, Schedule "A", Map No. 2

In addition to the permitted uses in Subsection 9.4.2 of the Prestige Industrial "MT" Zone, those lands zoned "MT-9" by this By-law may also be used for an industrial garage.

Notwithstanding the provisions of Subsection 9.1.6 of Zoning By-law No. 3692-92, loading spaces are permitted in the area between the lot line abutting a street and any wall of a building facing a street except for the South Service Road.

Notwithstanding the provisions of Paragraphs (d), (f), and (i) of Subsection 9.4.3 of the Prestige Industrial "MT" Zone, for those lands zoned "MT-9" by this By-Law, the following shall apply:

(d) Minimum Front Yard - 27 metres

(f) Minimum Flankage Yard - 8 metres

(i) Minimum Landscaped Open Space - 8 metres along the South Service Road lot line and 6 metres along all other lot lines except for points of ingress and egress.

SECTION 9.5 GENERAL INDUSTRIAL "MG" ZONE

9.5.1 Scope

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

9.5.2 Permitted Uses For Each Lot

(a) Any assembling, manufacturing or processing use which is not obnoxious as defined by this By-law

By-law 4387-96 (b) Adult Entertainment Parlours

(c) Animal Hospitals or Shelters

(d) Body Shops

(e) Business or Commercial Trade Schools

(f) Commercial Recreational Uses

(g) Contractors Depots

(h) Fuel Depots

(i) Industrial Garages

(j) Lumber Yards

(k) Motor Vehicle Repair Garages

(l) Municipal Works Yards

By-law 4334-96 (m) Parking Lots

(n) Research Establishments

(o) Transport Terminals

(p) Warehouses

(q) Wholesale Uses

(r) Video, film or radio sound production studios

(s) Utilities

By-law 09-131 (t) Waste Transfer Facility

By-law 09-131 (u) Waste Processing Facility

(v) Uses, buildings or structures accessory thereto except residential or retail uses

9.5.3 Zone Regulations

(a) Minimum Lot Area - 4,000 square metres

(b) Minimum Lot Frontage - 30 metres

(c) Maximum Lot Coverage - 50 percent

(d) Minimum Front Yard - 9 metres

(e) Minimum Side Yards - 4.5 metres except 9 metres for a flankage yard

(f) Minimum Rear Yard - 7 metres

(g) Minimum Landscaped Open Space - A landscaped strip, having a minimum width of 7.5 metres, shall be provided and thereafter maintained adjacent to every portion of any lot line which abuts a street except for points of ingress and egress.

(h) Outside Storage and Operations - Outside storage and operation areas solely accessory to a permitted use may be permitted in any yard other than a required front yard provided that such storage and operation are fully screened from streets or adjacent residential uses by means of fencing and/or landscaping features.

(i) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with Section 4.10.
2. For those uses not specified in Section 4.10, a minimum of one parking space per 100 square metres of gross floor area shall be required.

(j) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 9.1.6.

9.5.4 Retail Sales

A maximum of 5 percent of the gross floor area of any permitted use under the provisions of paragraph (a) of Section 9.5.2 may be used for the display of or for the retail sale of products manufactured, processed or assembled on the premises. In the case of multiple unit buildings this 5 percent shall be apportioned among the occupants based upon their individual floor areas.

9.5.5 Regulations for Parking Lots (By-law 4334-96)

Parking lots are permitted in accordance with Section 9.1.8.

9.5.6 Regulations for Adult Entertainment Parlours (By-law 4387-96)

In addition to the Zone Regulations of Section 9.5.3, land may be used for an Adult Entertainment Parlour only in accordance with the following provisions:

(a) Notwithstanding Subsection 9.1.5, "Restrictions Adjacent to Residential Zones", no Adult Entertainment Parlour shall be located within 200 metres of any Residential Zone, or Agricultural Zone, or any zone that permits a child care centres **(By-law 25-156)**, elementary school, community college, park, place of worship; or within 550 metres of a zone which permits a secondary school; or within 60 metres of a lot containing an existing residential use located in an industrial zone.

(b) No Adult Entertainment Parlour shall be located within 500 metres of another Adult Entertainment Parlour;

(c) Any land to be used for an Adult Entertainment Parlour shall be serviced by municipal water and sanitary sewers before such use is established;

(d) No Adult Entertainment Parlour shall be located on land adjoining Barton Street, Millen Road, Fruitland Road, Glover Road, Winona Road, South Service Road or Lewis Road;

(e) Notwithstanding the provisions of Subsection 4.10.9, Schedule of Minimum Parking Requirements, the parking requirements for an Adult Entertainment Parlour shall be one parking space for each 13.3 square metres of gross floor area of the Adult Entertainment Parlour, and where goods are provided in an Adult Entertainment Parlour as defined in Section 1 of this By-law, one parking space shall be provided for each 28 square metres of gross floor area of the Adult Entertainment Parlour.

9.5.7 Special Exemptions

MG – 1 400 and 426 Jones Road, Schedule "A", Map No. 2

In addition to the provisions of paragraph (h) of Section 9.5.3 of the General Industrial "MG" Zone, on those lands zoned "MG-1" by this By-law, outdoor storage shall not be located closer than 15 metres to any street.

MG – 2 364 McNeilly Road, Schedule "A", Map No. 3

In addition to the provisions of paragraph (h) of Section 9.5.3 of the General Industrial "MG" Zone, on those lands zoned "MG-2" by this By-law, all outside operations, outdoor display and outdoor storage is prohibited in any side yard which abuts lands used for residential purposes.

MG – 3 358 Jones Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraph (h) of Section 9.5.3 of the General Industrial "MG" Zone, on those lands zoned "MG-3" by this By-law, outdoor storage may be permitted in a side or rear yard adjacent to a street but such outside storage shall not be located closer than 7.5 metres to a street.

By-law 5136-00

MG – 4(H) Lands Located South of the Canadian National Railway Line, North of Drainage Channel, West of McNeilly Road, Lot 9, Concession 1, Schedule "A", Map No. 3

In addition to the provisions of Section 3.8 of this By-law, the (H) symbol may be removed from those lands zoned "MG-4(H)" by this By-law at such time as the following conditions are satisfied:

1. Channelization is undertaken in addition to the replacement of undersized culverts associated with the Canadian National Railway tracks as may be required by the Hamilton Region Conservation Authority.
2. The details of any proposed drainage works are approved by the Hamilton Region Conservation Authority.
3. Any alternatives to the existing drainage pattern affecting the Canadian National Railway property have received the prior concurrence of the Railway and has been substantiated by a drainage report satisfactory to the Railway.
4. All relevant servicing requirements including storm drainage, water,

sanitary sewers and road design have been approved by the Corporation.

5. A subdivision agreement or modified development agreement has been entered into by the owner with the Corporation.

By-law 5136-00

In addition to the uses permitted in Section 9.5.2, of the General Industrial "MG" Zone, on those lands zoned "MG-4(H)" by this By-law, a golf driving range may be permitted

MG – 5(H) 350, 354, 356 and 360 McNeilly Road, Schedule "A", Map No. 3 **(By-law Nos. 3724-93 and 02-069)**

Notwithstanding the uses permitted in Section 9.5.2 of the General Industrial "MG" Zone, those lands zoned "MG-5(H)" by this By-law may only be used for any small scale assembling, manufacturing and processing uses which are not obnoxious as defined by this By-law, equipment rental and servicing establishments and machine shops, motor vehicle parts and accessories, printing establishments, commercial-recreational uses, sample showrooms, service and repair shops, warehouses, and uses, buildings or structures accessory thereto except residential or retail uses.

Notwithstanding the provisions of paragraph (b) of Section 9.5.3 of the General Industrial "MG" Zone, on those lands zoned "MG-5(H)" by this By-law, the minimum lot frontage shall be 40 metres and the maximum height shall be 9 metres. In addition to the provisions of paragraph (f) of Section 9.5.3 and of Section 9.1.3 of the General Industrial "MG" Zone, on those lands zoned "MG-5(H)" by this By-law, the minimum rear yard abutting a railway right-of-way shall be 30 metres.

MG – 6 395 Jones Road, Schedule "A", Map No. 2

In addition to the provisions of paragraph (g) of Section 9.5.3 of the General Industrial "MG" Zone, on those lands zoned "MG-6" by this By-law, a landscaping strip, having a minimum width of 20 metres shall be provided adjacent to Jones Road except for points of ingress and egress.

By-law 3863-93

MG – 7 441-449 Seaman Street, Schedule "A", Map No. 1

Notwithstanding the provisions of paragraph (g) of Section 9.5.3 of the General Industrial "MG" Zone, on those lands zoned "MG-7" by this By-law, the minimum width of the landscaped strip adjacent to Seaman Street shall be 3 metres and adjacent to Belgraden Avenue shall be zero metres except for points of ingress and egress.

By-law 01-136

MG – 8(H) 403 McNeilly Road, Schedule "A", Map No. 3

OMB Order #0122
Jan. 23, 2002

Notwithstanding the provisions of Section 3.8 "Holding Zones", the Holding "H" provision applicable may be removed from those lands zoned "MG-8(H)" once the owner has contributed their fair share to the urbanization of McNeilly Road to the satisfaction of the General Manager of the Planning and Development.

The "H" symbol shall be removed by amendment to the by-law and the development of the lands zoned "MG-8(H) by this by-law may at such time proceed in accordance with the General Industrial "MG" Zone regulations of Zoning By-law No. 3692-92.

By-law 02-069

MG – 9(H) 1047 Barton Street, Schedule "A", Map No. 3

The holding provision will prohibit the development of those lands zoned "MG-9(H)" by this by-law until the owner has determined the extent of the flood plain to the satisfaction of the Hamilton Conservation Authority. City Council may remove the "H" symbol, and thereby give effect to the General Industrial "MG-9" Zone provisions, by enactment of an amending by-law once the condition is fulfilled.

By-law 02-069

MG – 9 1047 Barton Street, Schedule "A", Map No. 3

Notwithstanding the provisions of Section 9.5.2 of the General Industrial "MG" Zone, those lands zoned "MG-9" by this by-law may only be used for animal hospitals or shelters, any assembling, manufacturing or processing use which is not obnoxious, bakeries, banks or financial institutions, body shops, business or commercial trade schools (excluding the use of outdoor heavy

equipment), commercial-recreational uses, contractors depots, equipment rental and servicing establishments and machine shops, industrial garages, lumber yards, motor vehicle parts and accessory sales, motor vehicle repair garages, parking lots, printing establishments, research establishments (excluding facilities that handle and/or process biohazardous or toxic materials), sample showrooms, service and repair shops, video, film or radio sound production studios, warehouses and storage establishments, wholesale uses, utilities, accessory fuel storage and refueling, and uses, buildings or structures accessory thereto except residential or retail uses.

Notwithstanding the provisions of paragraph (b) of Section 9.5.3 of the General Industrial "MG" Zone, on those lands zoned "MG-9" by this By-law, the minimum lot frontage shall be 40 metres and the maximum height shall be 9 metres.

In addition to the provisions of paragraph (f) of Section 9.5.3 and of Section 9.1.3, on those lands zoned "MG-9", the minimum yard abutting a railway right-of-way shall be 30 metres.

In addition to the provisions of paragraph (d) of Section 9.1.5, on those lands zoned "MG-9", a berm planted with trees shall be provided abutting all residential uses in order to provide visual screening.

By-law 02-289

MG – 10(H) Part Lot 7, Concession 1, Barton Street, Schedule "A", Map No. 3

In addition to the uses permitted in Section 9.5.2 of the General Industrial "MG" Zone, on those lands zoned "MG-10" by this By-law, the following uses may also be permitted: bakeries, banks or financial establishments, equipment rental and servicing establishments, machine shops, motor vehicle parts and accessory sales, printing establishments, sample showrooms, service and repair shops, and storage establishments.

The "H" symbol may be removed from those lands zoned "MG-10(H)" by this By-law, only for the area outside of the floodplain, at such time as the owner has determined the extent of the floodplain to the satisfaction of the Hamilton Conservation Authority.

By-law 07-065

MG – 11 312-318 Arvin Avenue, Schedule "A", Map. No. 1

Notwithstanding the uses permitted in Section 9.5.2 of the General Industrial "MG" Zone, on those lands zoned "MG-11" by this By-law, Business Offices shall be permitted within the building existing on the date of the passing of this By-law being the 28th day of February, 2007.

That Section 9.5.3(g) of the General Industrial "MG" Zone, shall not apply on those lands zoned "MG-11".

Notwithstanding Section 4.10.5(b) of the General Provisions, on those lands zoned "MG-11" by this By-law, the Indirect Access shall have a minimum width of 3 metres for one-way vehicular circulation.

By-law 08-089

MG – 12 348 Fruitland Road, Schedule "A", Map. No. 2

Notwithstanding Subsections 9.5.2(t) and 9.5.4, Retail Sales of the General Industrial "MG" Zone, on those lands zoned "MG-12" by this By-law, a maximum of 10 percent of the gross floor area of a building used for a wholesale use may be used for the display of or for the retail sale of products that are sold only as an accessory use to the principal wholesale use.

By-law 11-094 (OMB)

MG-13(H) 1187, 1199, and 1211 Barton Street, Lands located north of the proposed Arvin Avenue Extension, Schedule "A", Map No. 3

In addition to the provisions of Section 3.8 of this By-law, the (H) Symbol may be removed from those lands zoned "MG-13(H)" by this By-law at such time as the size, shape and configuration of the stormwater management pond has been determined to the satisfaction of the Director of Development Engineering.

SECTION 9.6 SPECIAL PURPOSE INDUSTRIAL "MSP" ZONE

9.6.1 Scope

No person shall within any Special Purpose Industrial "MSP" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.6.2 Permitted Uses For Each Lot

(a) Any assembling, manufacturing or processing use which is not obnoxious as defined by this By-law, but excluding industrial garages.

(b) Warehouses for the storage of goods and materials, and wholesale uses

(c) Animal Hospitals within an enclosed building

(d) Antique Shops and Refinishing

(e) Art Shops

(f) Automobile Parts and Accessories Sales and Rentals

(g) Business or Commercial Trade Schools

(h) Business or Professional Offices

(i) Building Supply Outlets within an enclosed building

(j) Camera and Photographic Supply Shops

(k) Commercial and Private Clubs

(l) Commercial Laundries

(m) Commercial Recreational Uses

(n) Custom Workshops

(o) Hobby Shops

(p) Interior Decorating Centres

(q) Kitchen and Bathroom Centres

(r) Laboratories

By-law 4848-98

(s) Motor Vehicle Dealerships

(t) Motor Vehicle Rental Shops

(u) Motor Vehicle Repair Garages

(v) Paint, Glass and Wallpaper Outlets

By-law 4334-96 (w) Parking Lots

(x) Printing Establishments

(y) Research Centres

(z) Sample Showrooms

(aa) Service and Repair Shops

(ab) Swimming Pool Sales and Service

(ac) Video, film or sound production studios

By-law 09-131 (ad) Waste Transfer Facility

By-law 09-131 (ae) Waste Processing Facility

(af) Uses, buildings or structures accessory thereto except a residence accessory to a permitted use

9.6.3 Zone Regulations

(a)	Minimum Lot Area	-	3,000 square metres
(b)	Minimum Lot Frontage	-	40 metres
(c)	Maximum Lot Coverage	-	50 percent
(d)	Minimum Front Yard	-	9 metres
(e)	Minimum Side Yards	-	3 metres except 9 metres for a flankage yard
(f)	Minimum Rear Yard	-	7.5 metres
(g)	Maximum Building Height	-	9 metres

(h) Minimum Landscaping Open Space - 5 percent of lot area a portion which shall include the following where applicable:

1. A landscaped strip having a minimum width of 7.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line which abuts a street except for points of ingress and egress.
2. A landscaped strip having a minimum width of 5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line which abuts a residential zone.

By-law 4848-98 (i) Outside Storage - No outside operations, display or storage areas shall be permitted on any lot, except display of motor vehicles on a motor vehicle dealership lot is permitted.

(j) Maximum Numbers of Principal Buildings Per Lot - One

(k) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with Section 4.10.
2. For those uses not specified in Section 4.10, a minimum of one parking space per 100 square metres of gross floor area shall be required.

(l) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 9.1.6.

9.6.4 Retail Sales

A maximum of 10 percent of the gross floor area of any use permitted in Section 9.6.2(a) may be used for the display of or for the retail sale of products manufactured, processed or assembled on the premises. In the case of multiple unit buildings this percent shall be apportioned among the occupants based on their individual floor area.

9.6.5 Regulations for Parking Lots (By-law 4334-96)

Parking lots are permitted in accordance with Section 9.1.8.

9.6.6 Motor Vehicle Dealerships (By-law 4848-98)

Motor Vehicle Dealerships shall only be permitted west of Dewitt Road and subject to the provisions of Subsection 8.1.6, "Motor Vehicle Dealerships" of Zoning By-law No. 3692-92.

9.6.7 Special Exemptions

MSP - 1 263-265 Barton Street and 333 Green Road, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-1" by this By-law, a maximum of 4,645 square metres of the gross floor area of the existing buildings may be used for: commercial schools, financial institutions, laboratories, dance studios, photography studios, recording studios, stationery and office supplies, sales, post offices and postal stations, bakeries and dairies including a retail outlet for the sale of such products produced on the same premises, service shops

including motorcycle, bicycle and small engine repair and sales or showrooms and retail sales outlets for products produced or assembled on the same premises. The retail or commercial floor area for those uses permitted by this exemption shall not exceed 49 percent of the total floor area devoted to each individual use.

MSP - 2 281 Barton Street, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-2" by this By-law may also be used for a motor vehicle service station.

MSP - 3 371-383 Barton Street, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-3" by this By-law may also be used for a restaurant and tavern not exceeding a public floor area of 375 square metres, however, entertainment, other than dinner music or entertainment provided for wedding receptions or other similar group functions, is excluded.

MSP - 4 323 Millen Road, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-4" by this By-law may also be used for a take-out delicatessen having a maximum floor area of 78 square metres provided it is accessory to a permitted industrial or wholesale use. For the purpose of this exemption, a take-out delicatessen shall not include a restaurant or lunch counter designed for food consumption on the premises and shall exclude chairs and a luncheon counter, or tables and chairs designed to accommodate customers consuming food on the premises.

MSP - 5 385-395 Barton Street, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-5" by this By-law may also be used for a bank, restaurant, fruit and vegetable produce market, and professional or business offices.

By-law 3728-93

MSP - 6 467 Barton Street and 340 Leaside Avenue, Schedule "A", Map No. 1

By-law 05-050

In addition to the uses permitted in Subsection 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-6" by this By-law may also be used for an adult education centre.

Notwithstanding the provisions of paragraphs (g), (j), and (k) of Subsection 9.6.3 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-6" by this By-law, applicable to an adult education centre, may also have more than one building on the property, a maximum building height of 17 metres, and a minimum of 775 parking spaces shall be provided for an adult education centre with a maximum gross floor area of 25,000 square metres. Parking shall be provided in accordance with Section 4.10 of Zoning By-law No. 3692-92 for that portion of the gross floor area in excess of 25,000 square metres.

MSP - 7 555 Barton Street, Schedule "A", Map No. 2

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-7" by this By-law may also be used for the sale of lumber and building supplies as an accessory use to a lumber and building supplies warehouse and wholesale operation provided the gross floor area of any retail outlet shall not exceed 35 percent of the total building gross floor area.

MSP - 8 459, 461 Barton Street, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone those lands zoned "MSP-8" by this By-law may also be used for a grocery and variety store. Notwithstanding the provisions of paragraphs (e) and (j) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone on those lands zoned "MSP-8" by this By-law, the minimum easterly side yard shall be 2.5 metres and two principal buildings may be permitted per lot.

MSP - 9 301 Barton Street, Schedule "A", Map No. 1

Notwithstanding the provisions of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-9" by this By-law, the regulations pursuant to the Small Scale Institutional "IS" Zone shall apply to any extension or enlargement of the existing public school.

MSP - 10 687 Barton Street, Schedule "A", Map No. 2

In addition to the provisions of Section 9.6.4 of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-10" by this By-law, 1,120 square metres of gross floor area may also be used for showrooms and retail outlets accessory to any permitted use.

MSP - 11 589 and 593 Barton Street, Schedule "A", Map No. 2

In addition to the provisions of paragraph (h) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-11" by this By-law shall have a landscaped strip having a minimum width of 9 metres, adjacent to Barton Street. In addition to the provisions of Section 9.6.4 of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-11" by this By-law, a maximum of 20 percent of the gross floor area may be used for retail sales accessory to any permitted use.

By-law 02-087 and By-law 03-283

MSP - 12 195 and 197 Barton Street, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-12" by this By-law may also be used for the retail sales of food products.

MSP - 13 237, 241 Barton Street, Schedule "A", Map No. 1

In addition to the provisions in Section 9.6.4 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-13" by this By-law may also have a maximum of 20 percent of the gross floor area devoted to retail sales in conjunction with a permitted use. Notwithstanding the provisions of paragraph (k) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone on those lands zoned "MSP-13" by this By-law, a maximum of 20 parking spaces may be permitted on these lands.

By-law 3863-93

MSP - 14 783-785 Barton Street, Schedule "A", Map No. 2

In addition to the uses permitted in Section 9.6.2 and notwithstanding paragraphs (a) and (b) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-14" by this By-law, a contractor's depot may be permitted. The minimum lot frontage shall be 36 metres and the minimum lot area shall be 2,000 square metres.

MSP - 15 Northeast corner of Fruitland Road and Barton Street, Schedule "A", Map No. 2

In addition to the permitted uses of Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-15" by this By-law may also be used for a motor vehicle service station.

MSP - 16 209, 211, 247, 271, 435, 465, 503, 509, 515, 655 and 661 Barton Street, Schedule "A", Map Nos. 1 and 2
(Note: By-law 04-011 removed 521 Barton Street from the MSP-16 Zone and changed the zoning to the MSP-21 Zone.)

Notwithstanding the provisions of paragraphs (a) and (b) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-16" by this By-law, the minimum lot frontage and minimum lot area shall be as existing at the date of the passing of this By-law.

MSP - 17(H) 1183 Barton Street, Schedule "A", Map No. 3

Notwithstanding the provisions of paragraph (a) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-17(H)" by this By-law, the minimum lot area shall be 2,800 square metres.

By-law 5136-00

MSP - 18 967, 977 Barton Street, Schedule "A", Map No. 3

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-18" by this By-law, a golf driving range including a mini putt course may be permitted.

By-law 4345-96

MSP - 19 281 Barton Street, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-19" by this By-law may also be used for a Fast Food Restaurant and a Motor Vehicle Service Station.

Notwithstanding the provisions of paragraph (j) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-19" by this By-law, an additional principal building may be erected on the lot.

By-law 4906-99
By-law 01-256*

MSP - 20 661 Barton Street, 665 Barton Street and adjacent lands (within part of Lot 14, Concession 1) and *324 Fruitland Road, Schedule "A", Map No. 2

Notwithstanding the provisions of paragraph (i) of Section 9.6.3, of the Special Purpose Industrial "MSP" Zone, on those lands zoned "MSP-20" by this By-law, outside storage may be permitted. Any outside storage is limited to the finished product associated with a concrete precast business and shall have a maximum height of 4.5 metres. In addition, outside storage must be screened from the view of any street in accordance with Section 9.1.4 of this By-law.

By-law 04-011

MSP - 21 521 Barton Street, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-21" by this By-law, may also be used for a restaurant, bakery and banquet facilities.

Notwithstanding the provisions of Paragraphs (a), (b), (d) and (h)(1) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone, for those lands zoned "MSP-21" by this By-law, the following shall apply:

(a)	Minimum Lot Area	-	2,100 square metres
(b)	Minimum Lot Frontage	-	27 metres
(d)	Minimum Front Yard	-	6.4 metres

(h)(1) A landscape strip having a minimum width of 6.4 metres shall be provided and maintained adjacent to Dewitt Road except for points of egress and ingress.

All parking provided in conjunction with or accessory to any permitted use shall be provided and maintained on lands zoned "MSP-21". In addition, an outdoor patio restaurant shall be permitted in accordance with Section 8.1.7 and may encroach to a maximum of 4.5 metres into the required landscape strip adjacent to Dewitt Road.

SECTION 9.7 BUSINESS PARK INDUSTRIAL "MBP" ZONE

9.7.1 Scope

No person shall within any Business Park Industrial "MBP" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.7.2 Permitted Uses for Each Lot

(a) Art Shops or Galleries

(b) Banks or Financial Institutions

(c) Business or Commercial Trade Schools

(d) Business or Professional Offices

(e) Commercial Recreational Uses

(f) Gasoline Bars

(g) Hobby Shops

(h) Hotels including complimentary uses

(i) Laboratories

(j) Medical Clinics

By-law 4334-96 (k) Parking Lots

(l) Research Centres

(m) Restaurants - Standard within an office building or hotel of 2,000 square metres or more

(n) Sample Showrooms

(o) Trade and Convention Centres

(p) Video, film or radio sound production studios

(q) Warehouses or storage except cold storage

(r) Wholesale uses except cold storage

By-law 09-131 (s) Waste Transfer Facility

By-law 09-131 (t) Waste Processing Facility

(u) Uses, buildings or structures accessory thereto, except a residence accessory to a permitted uses.

9.7.3 Zone Regulations

(a) Minimum Lot Area - 10,000 square metres

(b) Minimum Lot Frontage - 60 metres

(c) Maximum Lot Coverage - 50 percent

(d) Minimum Front Yard - 20 metres

(e) Minimum Side Yard - 4.5 metres except 15 metres for a flankage yard

(f) Minimum Rear Yard - 7 metres

(g) Minimum Landscaped Open Space

1. A landscaped strip having a minimum width of 7.5 metres shall be provided and thereafter maintained adjacent to any street except for points of ingress and egress.
2. A landscaped strip having a minimum width of 1.5 metres shall be provided and thereafter maintained adjacent to every portion of any zone other than an Business Park Industrial "MBP" Zone.

(h) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with Section 4.10.
2. For those uses not specified in Section 4.10, a minimum of one parking space per 100 square metres of gross floor area shall be required.

(i) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 9.1.6.

9.7.4 Retail Sales

A maximum of 1,500 square metres of the gross floor area of a hotel permitted under Section 9.7.2(h) may be used for accessory commercial uses in addition to banquet and convention facilities.

9.7.5 Regulations for Parking Lots (By-law 4334-96)

Parking lots are permitted in accordance with Section 9.1.8.

9.7.6 Special Exemptions

MBP - 1 Lands located on the Northeast Corner of Fruitland Road and the Canadian National Railway Line, Schedule "A", Map No. 2

Notwithstanding the uses permitted in Section 9.7.2 of the Business Park Industrial "MBP" Zone, those lands zoned "MBP-1" by this By-law may only be used for a motor vehicle dealership in accordance with the provisions of Section 8.1.6, a motor vehicle repair garage and a motor vehicle service station in accordance with the provisions of Section 8.1.5.

MBP -2(H) Lands located on the Southeast Corner of Fruitland Road and the Queen Elizabeth Way, Schedule "A", Map No. 2

Notwithstanding the uses permitted in Section 9.7.2 of the Business Park Industrial "MBP" Zone, those lands zoned "MBP-2(H)" by this By-law shall be used only for uses existing on the date of the passing of this By-law until such time as an environmental report which indicates that it is environmentally sound to develop any of the permitted uses on the site has been approved by the Corporation.

SECTION 9.8 EXTRACTIVE INDUSTRIAL "ME" ZONE

9.8.1 Scope

No person shall within any Extractive Industrial "ME" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.8.2 Permitted Uses For Each Lot

(a) Accessory dwelling associated with a licensed pit or quarry

(b) Agricultural Uses

(c) Business Offices accessory to a permitted use

(d) Forestry Uses

By-law 4334-96

(e) Parking Lots

(f) Pits and Quarries but not including waste disposal operations

(g) Processing of natural materials including screening, sorting, washing, crushing, storing and other similar operations related to an extractive industrial operation

(h) Retail and wholesale facilities accessory to an extractive industrial operation

9.8.3 Zone Regulations

(a) Minimum Lot Area - 5 hectares

(b) Minimum Lot Frontage - 50 metres

(c) Minimum Building Setbacks

1. 30 metres from any lot line.
2. 90 metres from any lot used for residential purposes.
3. 30 metres from any lot line abutting a street.
4. 28.5 metres from the centre line of a Regional Road.
5. 64 metres from the centre line of a Provincial Highway.

(d) Minimum Yard Requirements - No pit, quarry or excavation shall be made or established within

1. 15 metres of any lot line.

2. 30 metres of any lot used for residential purposes.
3. 30 metres of any lot line abutting a street.
4. 20 metres of the centre line of a Regional Road.
5. 64 metres of the centre line of a Provincial Highway.

(e) Outside Storage - Outside storage of materials other than overburden shall not be permitted within 30 metres of any lot line or within 90 metres of any dwelling.

(f) Fencing of Excavations - An open excavation shall be fully encircled by a continuous fence or other barrier not less than 2.5 metres in height.

9.8.4 Regulations for Parking Lots (By-law 4334-96)

Parking lots are permitted in accordance with Section 9.1.8.

9.8.5 Special Exemptions

ME - 1 297 Upper Centennial Parkway, Schedule "A", Map No. 11

In addition to the uses permitted in Section 9.8.2 of the Extractive Industrial "ME" Zone, those lands zoned "ME-1" by this By-law may also be used for operations associated with the disposal of solid non-hazardous waste from industrial, commercial and institutional sources as approved in a provisional certificate of approval issued by the Ministry of Environment and Energy pursuant to the Environmental Protection Act, R.S.O. 1990, c.E.19.

SECTION 9.9 RURAL INDUSTRIAL "MR" ZONE

9.9.1 Scope

No person shall within any Rural Industrial "MR" Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.9.2 Permitted Uses For Each Lot

(a) Agricultural Uses, save and except, buildings or structures for human habitation

(b) Agricultural Research

(c) Animal Hospitals or Shelters and accessory dwelling units

(d) Farm Implement Sales and Service

(e) Industrial Uses pertaining to the manufacturing, processing, wholesaling, warehousing or storage of agricultural products or farm supplies provided that such uses are not obnoxious by reason of the emission of odour, dust, smoke, gas, fumes, noise, cinders, vibration, refuse matter or water-carried waste, and uses accessory thereto save and except those for human habitation

By-law 4334-96 (f) Parking Lots

9.9.3 Zone Regulations

(a)	Minimum Lot Area	-	1 hectare
(b)	Minimum Lot Frontage	-	60 metres
(c)	Maximum Lot Coverage	-	50 percent
(d)	Minimum Front Yard	-	15 metres
(e)	Minimum Side Yard	-	4.5 metres except 9 metres for a flankage yard
(f)	Minimum Rear Yard	-	7 metres

(g) Minimum Landscaped Open Space - 5 percent of lot area a portion of which shall include the following where applicable:

1. A landscaped strip having a minimum width of 6 metres shall be provided and thereafter maintained adjacent to every portion of

every lot line which abuts a street except for points of ingress and egress.

2. A landscaped strip having a minimum width of 1.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts another lot.

(h) Minimum Parking Requirements

1. Parking spaces shall be provided in accordance with Section 4.10.
2. For those uses not specified in Section 4.10, a minimum of one parking space per 100 square metres of gross floor area shall be required.

(i) Minimum Loading Requirements - Loading facilities must be provided in accordance with Section 9.1.6.

9.9.4 Regulations for Parking Lots (By-law 4334-96)

Parking lots are permitted in accordance with Section 9.1.8.

9.9.5 Special Exemptions

MR - 1 88, 92 Highland Road and First Road East, Schedule "A", Map No. 17

Notwithstanding the uses permitted in Section 9.9.2 of the Rural Industrial "MR" Zone, those lands zoned "MR-1" by this By-law shall only be used as an abattoir, a meat packing operation and buildings or structures accessory thereto including an accessory retail outlet, warehousing and wholesaling. In addition to the provisions of Section 9.9.3 of the Rural Industrial "MR" Zone on those lands zoned "MR-1" by this By-law, any new buildings or additions shall be a minimum of 48 metres from any existing dwelling.

MR - 2 432 Highland Road, Schedule "A", Map No. 17

Notwithstanding the uses permitted in Section 9.9.2 and the provisions of Section 9.9.3 of the Rural Industrial "MR" Zone, on those lands zoned "MR-2", the following special provisions shall apply to these lands:

1. Permitted Uses For Each Lot
   (a) Agricultural Uses.

(b) An abattoir and meat packing operation including an accessory retail outlet.

(c) Uses, buildings or structures accessory to any permitted use except any residential use.

2. Yard Requirements

(a) The minimum yard from Highland Road shall be as per the existing building but in no case less than 10 metres. The maximum yard from Highland Road shall be 115 metres

(b) The minimum yard from Tapleytown Road shall be 85 metres. The maximum yard from Tapleytown Road shall be 200 metres.

3. No person shall use any land, or erect, alter or use any building or structure for any permitted use unless such land, building or structure is located within the building envelope as established by paragraph (b) above.

4. The maximum coverage permitted within the above-established building envelope shall not exceed 30 percent. No accessory buildings shall cover more than 5 percent of the entire building envelope provided that the coverage of all buildings within the building envelope does not exceed 30 percent.

5. Maximum Height - 7.5 metres

6. Maximum Commercial Floor Space - An accessory retail outlet may be permitted for the sale of goods produced on the premises and other accessory products provided that such commercial floor space is located on the ground floor within the principal building and does not exceed 20 percent of the total gross ground floor area of such principal building.

7. Minimum Parking Requirements:

(a) One parking space shall be provided and thereafter maintained for every 28 square metres or portion thereof of commercial gross floor area and one parking space for every 100 square metres or portion thereof of gross floor area devoted to the rural industrial use;

(b) No parking space shall be located closer than 10 metres to Highland Road or closer than 30 metres to Tapleytown Road.

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

By-law 4397-96, By-law 02-126 and By-law 03-283

MR – 3 126 to 138 Upper Centennial Parkway, Schedule "A", Map No. 17

In addition to the uses permitted in Section 9.9.2 of the Rural Industrial "MR" Zone, on those lands zoned "MR-3" by this By-law, public storage warehouses and the storage of a maximum of 10 rental trucks and 5 rental trailers shall also be permitted. No parking space located adjacent to Highland Road shall be permitted to be used for the parking of rental trucks or rental trailers.

MR - 4 944 Highway No. 8, Schedule "A", Map No. 8

By-law 5068-00

Notwithstanding the uses permitted in Section 9.9.2 of the Rural Industrial "MR" Zone, lands zoned "MR-4" by this By-law may only be used for agricultural uses, agricultural research and the processing, wholesaling, warehousing, storage of agricultural and food products and uses, buildings and structures accessory thereto.

By-law 05-243

MR – 5(H) Part of Lot 24, Concession 7, Highland Road East, Schedule "A", Map No. 17

Notwithstanding the provisions of paragraph (b) of Section 9.9.3 of the Rural Industrial "MR" Zone, on those lands zoned "MR-5(H)" by this By-law, the minimum lot frontage shall be 42 metres.

Notwithstanding the provisions of Section 9.1.4 of Section 9.1, General Provisions for Industrial Zones, on those lands zoned "MR-5(H)" by this By-law, outside storage, and vehicle parking or storage, shall not exceed a height of 2.5 metres within 15 metres of any lot line that abuts a street, measured from the average grade along such lot lines.

The (H) symbol may be removed at such time as:

(i) The owner submits a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE), to the

satisfaction of the City's Director of Development and Real Estate, including an acknowledgement of receipt of the RSC by the MOE; and,

(ii) The owner submits and receives site plan approval including a landscape plan, with securities deposited for the works to be completed, all to the satisfaction of the Manager of Development Planning.

All other provisions of the Rural Industrial "MR-5" Zone shall apply.

By-law 18-309

MR – 6(H) 19 Highland Road East, Schedule "A", Map No. 17

In addition to the uses permitted in Section 9.9.2 of the Rural Industrial "MR" Zone, public storage warehouse shall be permitted. No parking space located adjacent to Highland Road shall be permitted to be used for the parking of rental trucks or rental trailers.

Notwithstanding Section 9.1.5(a), a minimum setback of 4.5m shall be required.

Notwithstanding Section 9.1.5(d), a landscape strip having a minimum width of 4.4m shall be required.

Notwithstanding Section 9.9.3(a), a minimum lot area of 0.8 hectares shall be permitted.

Notwithstanding Section 9.9.3(b), a minimum frontage of 42 metres shall be required.

Notwithstanding Section 9.9.3 (h), a minimum of 20 parking spaces shall be required.

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "MR-6(H)" by this By-law, the Holding Symbol may be removed and thereby give effect to the "MR-6" Zone provisions in Section two above, upon completion of the following:

That the owner completes the following:

i. That the applicant confirm that the property can be adequately serviced.

ii. That the applicant design the required servicing extension and enter into and execute an external servicing agreement and/or special servicing agreement.

iii. That applicant acknowledge that the servicing be considered temporary until the ultimate servicing network is designed with any future boundary

expansion to the east of upper Centennial.

iv. That the applicant or successor be responsible for any future permanent servicing cost associated with the ultimate servicing network.

All to the satisfaction of the Senior Director of Growth Management.

PART 10 INSTITUTIONAL ZONES

SECTION 10.1 GENERAL PROVISIONS FOR INSTITUTIONAL ZONES

10.1.1 Scope

In any Institutional Zone, no person shall use any land or erect, alter or use any building or structure, except in accordance with the following provisions which, in addition to other requirements of this By-law, shall apply to all Institutional Zones.

10.1.2 Institutional Zones

For the purpose of this By-law, the following Institutional Zones are established within the Defined Area and such zones may be referred to by the following symbols:

Zone	Symbol
Small Scale Institutional	IS
Major Institutional	I

SECTION 10.2 SMALL SCALE INSTITUTIONAL "IS" ZONE

10.2.1 Scope

No person shall within any Small Scale Institutional "IS" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

10.2.2 Permitted Uses For Each Lot

(a) Cemeteries

(b) Churches

(c) Child Care Centres **(By-law 25-156)**

(d) Community Centres

(e) Elementary Schools

(f) Group Homes

(g) Hospices

(h) Libraries

(i) Museums

(j) Places of Worship

(k) Police Stations **(By-law 4032-94)**

(l) Residential Care Facilities

(m) Post Offices

(n) Accessory dwelling units to a permitted use

(o) Uses, buildings or structures accessory to a permitted use but specifically excluding any commercial or retail uses

10.2.3 Zone Regulations

(a)	Minimum Lot Area	-	none
(b)	Minimum Lot Frontage	-	23 metres
(c)	Maximum Lot Coverage	-	35 percent
(d)	Minimum Front Yard	-	7.5 metres

(e)	Minimum Side Yard	-	4.5 metres except 6 metres for a flankage yard
(f)	Minimum Rear Yard	-	7.5 metres
(g)	Maximum Building Height	-	12 metres
(h)	Minimum Landscaped Open Space	-	10 percent
(i)	Outside Storage	-	No outside storage areas will be permitted
(j)	Minimum Loading Requirements	-	Loading facilities shall be provided in accordance with Section 4.9

10.2.4 Regulations For Parking

(a) Parking spaces shall be provided in accordance with Section 4.10.

(b) For those uses not specified in Section 4.10, a minimum of one parking space per 28 square metres of gross floor area shall be required.

(c) Parking shall be allowed in any required yard provided that no parking area is located within 7.5 metres of the any lot line.

10.2.5 Special Exemptions

IS - 1 217 Glover Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraph (a) of Section 10.2.4 of the Small Scale Institutional "IS" Zone, on those lands zoned "IS-1" by this By-law, the minimum parking requirement for a place of worship shall be 1 parking space for each 4 seats of designed capacity.

By-law 4939-99

IS - 2 605, 613, 617, 621 Highway No. 8, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraph (a) of Section 10.2.4 of the Small Scale Institutional "IS" Zone, on those lands zoned "IS-2" by this By-law, the minimum parking requirement for a place of worship shall be 1 parking space for each 4 seats of designed capacity.

IS - 3 651 Highway No. 8 and 180 Fruitland Road, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (d), (e), (f) and (h) of the Small Scale Institutional "IS" Zone, on those lands zoned "IS-3" by this By-law, the minimum distance from the easterly lot line shall be 1.5 metres; the minimum distance from the northerly lot line shall be 1 metre; the minimum distance from the lot line abutting a street shall be 1 metre and a landscaping strip having a minimum width of 1 metre shall be provided along the northerly lot line.

IS - 4 11 Lake Avenue Drive, Schedule "A", Map No. 5

In addition to the uses permitted in Section 10.2.2 of the Small Scale Institutional "IS" Zone, those lands zoned "IS-4" by this By-law may also be used for a residential care facility for a maximum of 10 residents. Notwithstanding the provisions of paragraphs (b), (e) and (h) of Section 10.2.4 of the Small Scale Institutional "IS" Zone, on those lands zoned "IS-4" by this By-law, the minimum lot frontage shall be as existing at the date of the passing of this By-law; the minimum side yard shall be 1.25 metres; the minimum parking requirement is 1 space and the minimum landscaping requirement shall be as existing at the date of the passing of this By-law.

IS - 5 719 Highway No. 8, Schedule "A", Map No. 7

Notwithstanding the provisions of paragraphs (d) and (h) of Section 10.2.3 of the Small Scale Institutional "IS" Zone, on those lands zoned "IS-5" by this By-law, the minimum front yard shall be 25 metres and a landscaped strip having a minimum width of 15 metres shall be provided adjacent to Highway No. 8 except for the necessary points of ingress and egress.

IS - 6 936 Highway No. 8, Schedule "A", Map No. 8

Notwithstanding the uses permitted in Section 10.2.2 of the Small Scale Institutional "IS" Zone, those lands zoned "IS-6" by this By-law may only be used for churches, child care centres **(By-law 25-156)**, elementary schools, places of worship, accessory dwelling units and uses, buildings, and structures

accessory thereto.

By-law 3907-93

IS - 7 53 Lakeview Drive, Schedule "A", Map No. 2

Notwithstanding the uses permitted by Section 10.2.2 of the Small Scale Institutional "IS" Zone, those lands zoned "IS-7" by this By-law only a child care centres **(By-law 25-156)**, group home, hospice, residential care facility, a single detached dwelling and uses, buildings or structures accessory to a permitted use but excluding any commercial or retail uses may be permitted.

By-law 4939-99

IS-8 613 Highway No. 8, Schedule "A", Map No. 7

In addition to the uses permitted in Section 10.2.2 of the Small Scale Institutional "IS" Zone, those lands zone "IS-8" by this By-law may also be used for a Dance Studio. Any basement and/or cellar may be used only for accessory offices and accessory uses to a dance studio.

Notwithstanding the provisions of paragraph (f) of Section 10.2.3, "Zone Regulations", the minimum rear yard shall be 1.5 metres.

Notwithstanding the provisions of paragraph (c) of Section 10.2.4 "Regulations for Parking", parking areas may be located .3 metres from the westerly and easterly lot lines and 2 metres from the front lot line.

Notwithstanding the provisions of Section 4.10.9, "Schedule of Minimum Parking Requirements", parking shall be provided at a ratio of 1 parking space per 23 square metres of gross floor area devoted to a dance studio use. The provision of parking for accessory offices and accessory uses is not required.

The provisions of Small Scale Institutional "IS-2" Zone also apply to the lands zoned "IS-8" by this By-law.

SECTION 10.3 MAJOR INSTITUTIONAL "I" ZONE

10.3.1 Scope

No person shall within any Major Institutional "I" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

10.3.2 Permitted Uses For Each Lot

(a) Auditoriums

(b) Cemeteries

(c) Child Care Centres **(By-law 25-156)**

(d) Community Colleges and Universities

(e) Community Centres

(f) Elementary Schools

(g) Group Homes

(h) Homes for the Aged

(i) Hospices

(j) Hospitals

(k) Hostels

(l) Libraries

(m) Municipal Offices

(n) Museums

(o) Nursing Homes

(p) Places of Worship and Accessory Dwelling Unit

(q) Police Stations **(By-law 4032-94)**

(r) Public Utilities

(s) Provincial or Municipal Works Yard

(t) Religious Institutions

(u) Residential Care Facilities

(v) Secondary Schools

(w) Type "B" Boarding House

(x) Uses, buildings or structures accessory to a permitted use

10.3.3 Zone Regulations

(a)	Minimum Lot Area	-	1.5 hectares for schools
		-	4 hectares for cemeteries
		-	2,000 square metres for all other uses
(b)	Minimum Lot Frontage	-	90 metres for schools
		-	90 metres for cemeteries
		-	30 metres for all other uses
(c)	Maximum Lot Coverage	-	50 percent
(d)	Minimum Front Yard	-	10 metres
(e)	Minimum Side Yard		
	Schools	-	7.5 metres
	Other Uses	-	1/2 the height of the building or 4.5 metres whichever is greater
(f)	Minimum Flankage Yard	-	9 metres
(g)	Minimum Rear Yard		
	Schools	-	7.5 metres
	Other Uses	-	1/2 the height of the building or 7.5 metres, whichever is greater
(h)	Maximum Building Height	-	19 metres

(i) Minimum Landscaped Open Space - A landscaping strip having a minimum width of 6 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any street except for points of egress and ingress and 4.5 metres adjacent to every portion of any lot line that abuts any residential zone.

(j) Outside Storage - Outside storage shall be permitted in the rear yard.

(k) Minimum Loading Requirements - Loading facilities shall be provided in accordance with Section 4.9.

10.3.4 Regulations For Parking

(a) Parking spaces shall be provided in accordance with Section 4.10.

(b) For those uses not specified in Section 4.10, a minimum of one parking space per 28 square metres of gross floor area shall be required.

(c) Parking shall be permitted in any required front yard provided that no parking is located within 7.5 metres of the lot line.

10.3.5 Special Exemptions

I - 1 337 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraph (d) of Section 10.3.3 and paragraph (c) of Section 10.3.4 of the Major Institutional "I" Zone, on those lands zoned "I-1" by this By-law, the minimum front yard shall be 13 metres and no parking space shall be located less than 1.5 metres from any lot line or less than 4.5 metres from any lot line abutting a street or less than 2.4 metres from any daylight triangle or less than 3 metres from the boundary of any residential zone

By-law 3843-93

I - 2 880 Highway No. 8 and 199 Glover Road, Schedule "A", Map No. 7

In addition to the uses permitted in Section 10.3.2 of the Major Institutional "I" Zone, those lands zoned "I-2" by this By-law may also be used for a maximum of 8 one-storey townhouse dwellings in conjunction with a nursing home and/or retirement home on the same lot.

Notwithstanding the provisions of paragraph (d) of Section 10.3.3 and Section 10.3.4 of the Major Institutional "I" Zone, on those lands zoned "I-2" by this By-law, the following provisions shall apply; the minimum front yard shall be 11 metres, but 6 metres from the daylight triangle. The minimum parking requirement shall be 31 parking spaces; any parking space, other than the parking space intended for motor vehicles operated by physically challenged persons, shall be located a minimum distance of 2.7 metres from Glover Road. Any parking space intended for motor vehicles operated by physically challenged persons may abut Glover Road. Any parking space shall be located a minimum of 0.5 metres from the west property line.

PART 11 OPEN SPACE ZONES

SECTION 11.1 GENERAL PROVISIONS FOR OPEN SPACE ZONES

11.1.1 Scope

In any Open Space Zone, no person shall use any land or erect, alter or use any building or structure, except in accordance with the following provisions which, in addition to other requirements of this By-law, shall apply to all Open Space Zones.

11.1.2 Open Space Zones

For the purpose of this By-law, the following Open Space Zones are established within the Defined Area and such zones may be referred to by the following symbols:

Zone	Symbol
Open Space	OS
Intensive Recreation	IR
Park	P

SECTION 11.2 OPEN SPACE "OS" ZONE

11.2.1 Scope

No person shall within any Open Space "OS" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

11.2.2 Permitted Uses For Each Lot

(a) Botanical Gardens
(b) Cemeteries
(c) Conservation Uses
(d) Fishing Preserves
(e) Golf Courses including Driving Ranges
(f) Hazard Lands
(g) Nature Trails
(h) Public or Private Parks
(i) Public Greenhouses
(j) Wildlife Management Areas
(k) Woodlots
(l) Uses, buildings or structures accessory to a permitted use

11.2.3 Zone Regulations

(a)	Minimum Lot Area	-	none
(b)	Minimum Lot Frontage	-	none
(c)	Maximum Lot Coverage	-	20 percent
(d)	Minimum Front Yard	-	15 metres
(e)	Minimum Side Yard	-	15 metres
(f)	Minimum Rear Yard	-	15 metres
(g)	Minimum Landscaping	-	75 percent of lot area
(h)	Outside Storage	-	No outside storage shall be permitted

(i) Minimum Parking Requirements - Parking spaces shall be provided in accordance with Section 4.10

11.2.4 Regulations For Parking

No parking space or part thereof shall be located and no land shall be used for the parking or storage of vehicles within 7.5 metres of any lot line.

11.2.5 Special Exemptions

OS - 1 Lands Within Registered Plan Nos. 62M-373, 62M-591 and 62M-463, Schedule "A", Map Nos. 6 and 7

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, on those lands zoned "OS-1" of this By-law, the following provisions shall apply; No development except a fence and no building or structure, or accessory building, or structure, including a swimming pool, shall be constructed. For the purpose of this exemption, "development" means any action that alters the inherent physical characteristics of the land in question, including the placement of any fill or action that disturbs in any way the soil, trees or other vegetation of such lands, but the provisions of this section are not to be construed as preventing the carrying out of public works on behalf of the Corporation, Regional or Provincial governments, the Hamilton Region Conservation Authority or the Niagara Escarpment Commission within the limits of the provisions of their respective Provincial Acts and the regulations adopted pursuant thereto.

OS - 2 Newport Marina being Part of Block 2, Registered Plan 62M-649, Schedule "A", Map No. 2

Notwithstanding the uses permitted in Section 11.2.2 of the Open Space "OS" Zone, those lands zoned "OS-2" by this By-law shall only be used for a private marina, excluding the dispensing of fuels and boat repairs.

OS - 3 Niagara Escarpment Slope, Lots 1 to 33 (inclusive), Concessions 2 to 6 (inclusive), Schedule "A", Map Nos. 5 to 14 (inclusive)

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, those lands zoned "OS-3" by this By-law shall only be used for uses existing at the date of the passing of this By-law, natural forests, wildlife conservation areas, hiking trails, nature viewing areas, passive public parks, archaeological uses, watershed management uses, flood and erosions control uses, transportation and utility uses and uses accessory and incidental thereto.

OS - 4 Vinemount Swamp, Lots 9 to 15 (Inclusive), Concession 4 and 5, Schedule "A", Map No. 13

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, those lands zoned "OS-4" by this By-law shall only be used for uses existing at the date of the passing of this By-law, conservation uses, hazard lands, wildlife management areas, woodlots and uses accessory and incidental thereto.

By-law 4385-96

OS - 5 681 Mud Street East, (Our Lady of Angels Catholic Cemetery), Schedule "A", Map No. 18

Notwithstanding the provisions of Section 11.2.2 and paragraph (h) of Section 11.2.3 of the Open Space "OS" Zone, those lands Zoned ‘OS-5’ by this By-law shall only be used for a Cemetery, Mausoleum, Chapel, uses buildings or structures accessory to a permitted use, and outside storage shall be permitted.

In addition to the provisions of Section 11.2.3 of the Open Space "OS" Zone, any buildings on those lands zoned “OS-5” by this By-law shall have a maximum height of 9.75 metres.

By-law 01-286

OS - 6 32 MacDui Drive, Schedule "A", Map No. 7

Notwithstanding the provisions of Section 11.2.2 of the Open Space “OS” Zone, those lands zoned “OS-6” by this By-law shall only be used for uses existing at the day of the passing of this By-law. No buildings or structures including a fence shall be permitted.

By-law 03-217

OS - 7 Lands located on the east side of Orr Crescent, Schedule "A", Map No. 7

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, those lands zoned "OS-7" by this By-law shall only be used for uses existing at the date of passing of this By-law, in particular, conservation and woodlot.

By-law 07-350

OS - 8 490 Fifth Road East, Schedule "A", Map 13

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, on those lands zoned "OS-8" by this By-law, shall only be used for: one single detached dwelling; a home occupation; conservation uses; hazard lands; wildlife management areas; woodlots; and, accessory uses, buildings or structures.

Notwithstanding the provisions of Subsection 11.2.3 of the Open Space "OS" Zone, the following regulations shall apply:

(a)	Minimum Lot Area	-	1.85 hectares
(b)	Minimum Lot Frontage	-	56 metres
(c)	Maximum Lot Coverage	-	n/a
(d)	Minimum Front Yard	-	7.5 metres from the boundary of the "OS-4" Zone
(e)	Minimum Site Yard	-	7.5 metres from the boundary of the "OS-4" Zone
(f)	Minimum Rear Yard	-	7.5 metres from the boundary of the "OS-4" Zone
(g)	Minimum Landscaping	-	n/a
(h)	Outside Storage	-	No outside storage shall be permitted
(i)	Minimum Parking Requirements	-	2 spaces, one of which may be located in the required front yard
(j)	Maximum Building Height	-	11 metres
(k)	Minimum elevation for any building openings	-	193.15 metres geodetic

(l) For the purpose of this Zone, the minimum lot area and lot frontage shall include the portion of the lot zoned "OS-4".

By-law 07-350

OS - 9 520 Fifth Road East, Schedule "A", Map No. 13

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, on those lands zoned "OS-9" by this By-law, shall only be used for: one single detached dwelling; a home occupation; conservation uses; hazard lands; wildlife management areas; woodlots; and, accessory uses, buildings or structures.

Notwithstanding the provisions of Subsection 11.2.3 of the Open Space "OS" Zone, the following regulations shall apply:

(a)	Minimum Lot Area	-	1.43 hectares
(b)	Minimum Lot Frontage	-	144.41 metres
(c)	Maximum Lot Coverage	-	n/a
(d)	Minimum Front Yard	-	10 metres from the boundary of the "OS-4" Zone
(e)	Minimum Site Yard	-	10 metres from the boundary of the "OS-4" Zone
(f)	Minimum Rear Yard	-	10 metres from the boundary of the "OS-4" Zone
(g)	Minimum Landscaping	-	n/a
(h)	Storage	-	No outside storage shall be permitted
(i)	Minimum Parking Requirements	-	2 spaces, one of which may be located in the required front yard
(j)	Maximum Building Height	-	11 metres
(k)	Minimum elevation for any building openings	-	193.15 metres geodetic

(l) For the purpose of this Zone, the minimum lot area and lot frontage shall include the portion of the lot zoned "OS-4".

By-law 03-335

OS - 10 West side of Falcon Road, Part of Lot 3, Broken Front Concession, Schedule "A", Map No. 4

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, on those lands zoned "OS-10" by this By-law, no buildings or structures shall be permitted, excluding those structures required for shoreline protection.

SECTION 11.3 INTENSIVE RECREATION "IR" ZONE

11.3.1 Scope

No person shall within any Intensive Recreation "IR" Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

11.3.2 Permitted Uses For Each Lot

(a) Any Recreational or Cultural Uses
(b) Amusement Parks
(c) Arenas
(d) Auditoriums
(e) Boat and Marine Supplies, Sales and Service
(f) Bowling Alleys
(g) Camping Grounds
(h) Conservation Areas
(i) Curling Rinks
(j) Equestrian Establishments
(k) Golf Courses
(l) Marinas
(m) Open or Covered Commercial Swimming Pools
(n) Private Clubs
(o) Public or Private Parks
(p) Retail stores accessory to a permitted use
(q) Uses, buildings or structures accessory to a permitted use

11.3.3 Zone Regulations

(a)	Minimum Lot Area	-	4,000 square metres
(b)	Minimum Lot Frontage	-	20 metres
(c)	Maximum Lot Coverage	-	35 percent
(d)	Maximum Gross Floor Area	-	50 percent
(e)	Minimum Front Yard	-	15 metres
(f)	Minimum Side Yards	-	15 metres
(g)	Minimum Rear yard	-	15 metres
(h)	Minimum Landscaped Open Space	-	40 percent

(i) Outside Storage - Outside storage areas may be permitted in any side or rear yard provided that such areas are fully screened from streets and adjacent properties by means of fencing or landscaping features.

11.3.4 Regulations For Parking

(a) Parking spaces shall be required in accordance with Section 4.10.

(b) For those uses not specified in Section 4.10, a minimum of one parking space per 28 square metres of gross floor area shall be required.

(c) Parking shall be allowed within any required yard provided that no parking area is located within 7.5 metres of a lot line.

11.3.5 Special Exemptions

By-law 4470-96

IR - 1 Battlefield Park, Schedule "A", Map No. 5

Notwithstanding the uses permitted in Section 11.3.2, the use of those lands zoned "IR-1" by this By-law, shall be limited to recreational and cultural uses, a conservation area, a public park, archeological/historical activities, special events, visitor's services including but not limited to gift shops, washrooms, and restaurants and uses, structures and buildings accessory thereto. Single detached dwellings and accessory structures are permitted in accordance with the regulations of Section 6.3 of this By-law.

IR - 2 Northwest Corner of Mud Street West and First Road West, Schedule "A", Map No. 11

In addition to the uses permitted in Section 11.3.2 of the Intensive Recreation "IR" Zone, those lands zoned "IR-2" by this By-law may also be used for operations associated with the disposal of solid non-hazardous waste from industrial, commercial and institutional sources as approved in a provisional certificate of approval issued by the Ministry of Environment and Energy pursuant to the Environmental Protection Act, R.S.O. 1990, c.E.19.

By-law 02-261

IR - 3 166 Green Mountain Road East, Schedule "A", Map No. 17

Notwithstanding the uses permitted in Section 11.3.2 of the Intensive Recreation "IR" Zone, those lands zoned "IR-3" by this By-law shall only be used for a private club and any recreational or cultural uses associated with the private club.

SECTION 11.4 PARK "P" ZONE

11.4.1 Scope

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

11.4.2 Permitted Uses For Each Lot

(a) Public Parks

(b) Uses, buildings or structures accessory to a permitted use

11.4.3 Zone Regulations

(a) No Minimums

(b) Maximum Lot Coverage - 10 percent of lot area

(c) Outside Storage - No outside storage areas shall be permitted

PART 12 ADMINISTRATION AND ENFORCEMENT

SECTION 12.1 ADMINISTRATION (By-law 15-073, By-law 21-188)

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

SECTION 12.2 INSPECTION OF PREMISES

Where the Director of Planning or the Manager of Development Control or a By-law Enforcement Officer believes on reasonable grounds that this By-law is being contravened, such persons may at all reasonable times, and upon producing proper identification, enter in and inspect any property on or in respect of which he/she believes the contravention is occurring.

SECTION 12.3 VIOLATION AND PENALTIES

Pursuant to the provisions of Section 67 of the Planning Act, R.S.O. 1990, c.P.13:

(a) Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable,

1. on a first conviction to a fine of not more than $25,000.00; and
2. on a subsequent conviction to a fine of not more than $10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he/she was first convicted.

(b) Where a corporate person is convicted under subsection (a), the maximum penalty that may be imposed is,

1. on a first conviction a fine of not more than $50,000.00; and
2. on a subsequent conviction a fine of not more than $25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided in subsection (a).

(c) Where a conviction is entered under subsection (a), in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition

of the offence by the person convicted.

SECTION 12.4 ENFORCEMENT

The Municipal By-law Enforcement Officer shall be responsible for the enforcement of any contravention of the provisions of this By-law by causing summonses to be issued in respect thereof pursuant to the Provincial Offences Act, R.S.O. 1990, c.P.33 and to appear in court for such purpose.

SECTION 12.5 BY-LAWS REPEALED

The following By-laws of the Corporation and all amendments thereto are hereby repealed:

(a) The Town of Stoney Creek Zoning By-law No. 690;

(b) The Western Development Area Zoning By-law No. 2175;

(c) The Winona-Fruitland Area Zoning By-law No. 2347;

(d) The Mountain Area Zoning By-law No. 2505; and

(e) The West Mountain Area Zoning By-law No. 3264-73

subject to the approval of this By-law by the Ontario Municipal Board or in the event of no appeal, upon issuance of the Clerk's Certificate of Compliance.

SECTION 12.6 VALIDITY AND EFFECTIVE DATE

12.6.1 Validity

Should any section, cause or provision of this By-law including any notation on the Zoning Schedules, be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

12.6.2 Effective Date

This By-law shall come into force and take effect upon being passed by the Corporation of the City of Stoney Creek, subject to the approval of the Ontario Municipal Board and in the event of no appeal, upon issuance of the Clerk's Certificate of Compliance.

READ A FIRST TIME this 8th day of December, 1992.

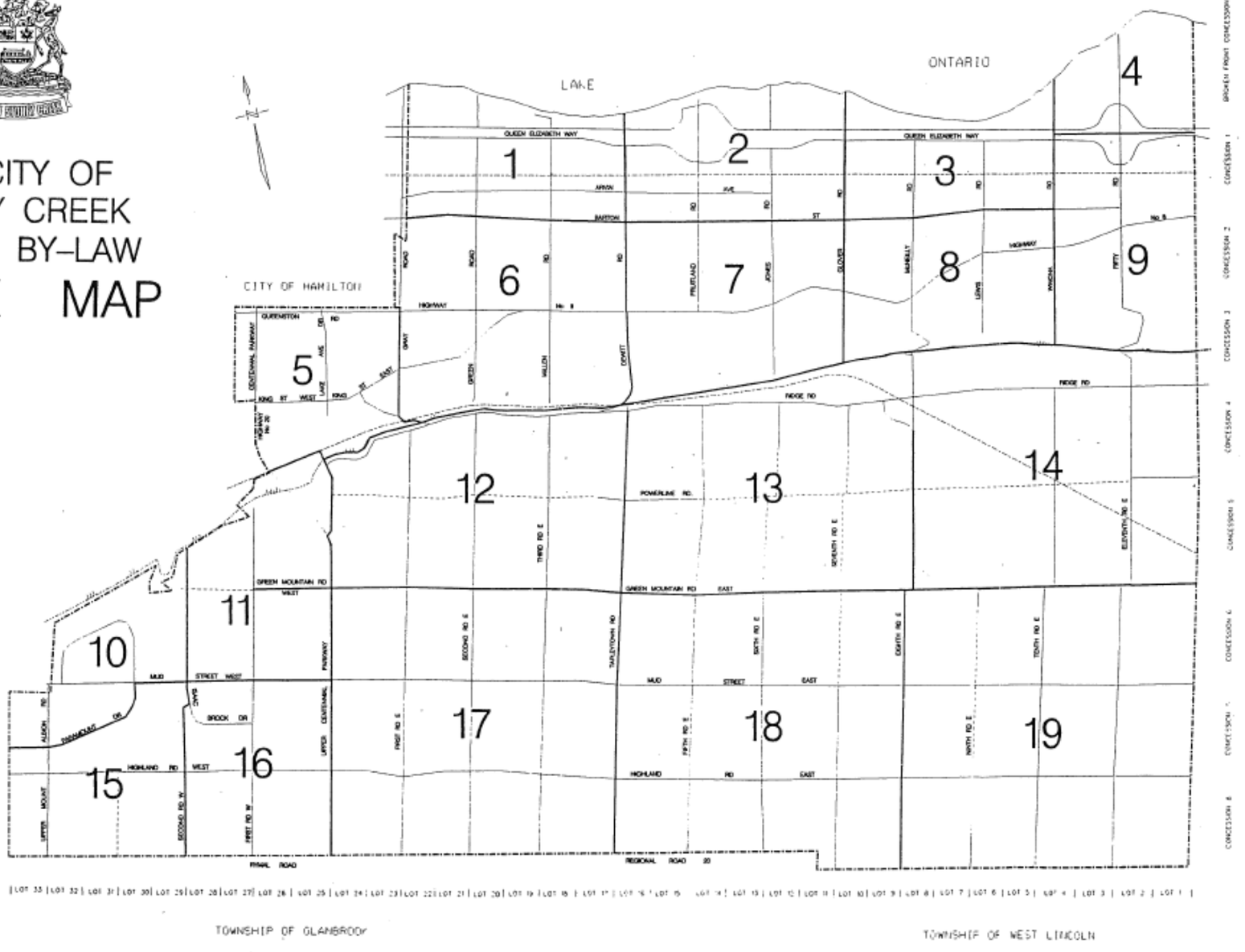
READ A SECOND TIME this 8th day of December, 1992.

READ A THIRD TIME AND FINALLY PASSED AND ENACTED this 8th day of December, 1992.

"Joseph A. Brezina"	**"Robert Hodgson"**
CLERK	**MAYOR**

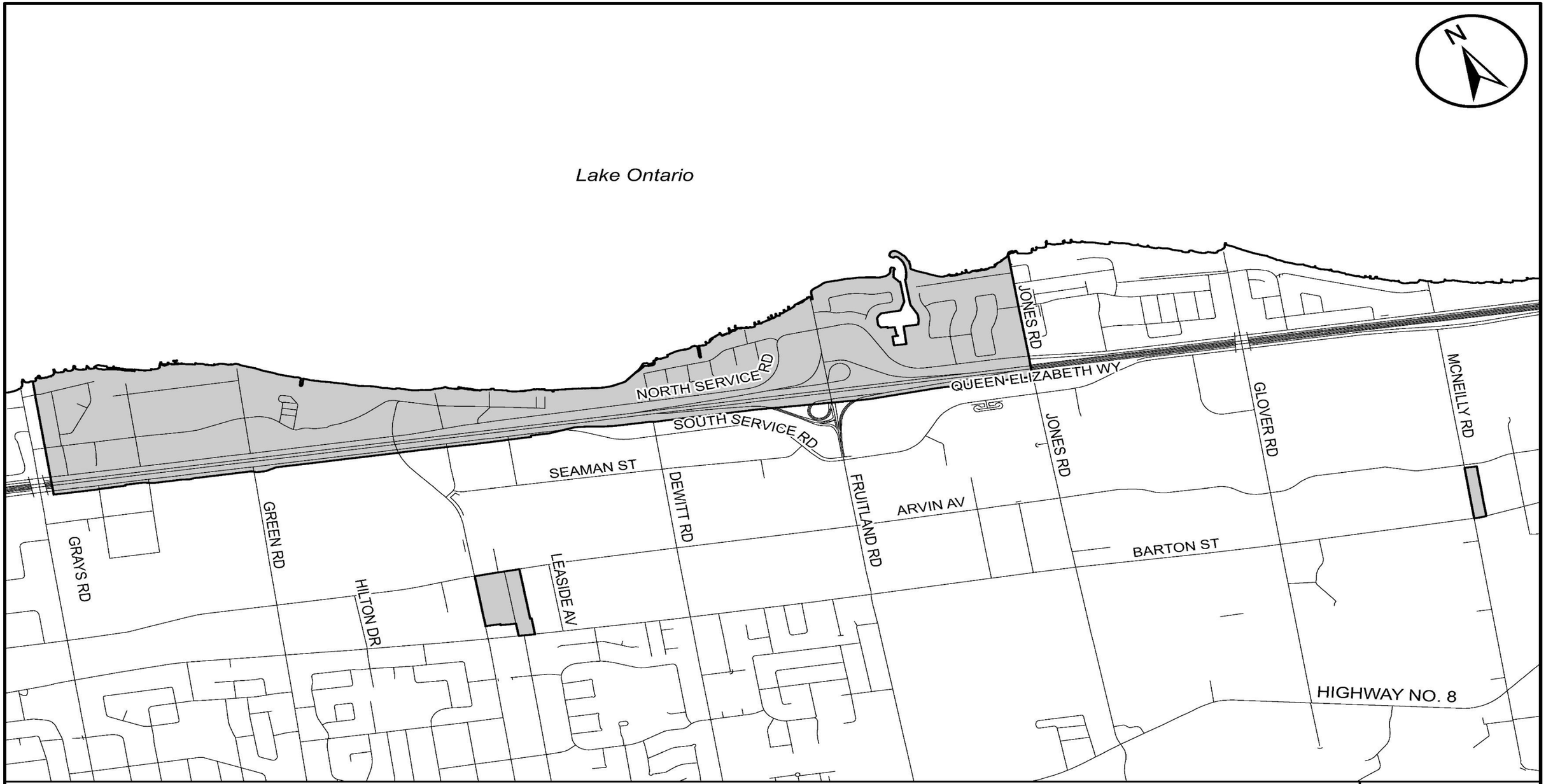
THE CITY OF STONEY CREEK ZONING BY-LAW

INDEX MAP



PART 15 SPECIAL FIGURES

FIG – 1



Special Figure 1: Additional Permissions in Low Density Residential Zones Outside of Secondary Plans

Date:
August 5, 2022

Legend

Lands Outside of Secondary Plans (excluding employment lands)

Hamilton
Planning & Economic Development Department