Burlington Residential Zoning By-law

09-2026

City of Burlington

Consolidated

October 2026

Disclaimer:

This document is updated on a regular basis but may not reflect all amendments that have been passed by Council or approved at the Ontario Land Tribunal. This consolidation of the By-law is provided for convenience, and reference should be made to the original passed documents for confirmation.

List of Amendments

This By-law was approved by Council on March 2, 2026. As of the date of this consolidation, the following technical changes and zoning by-law amendments have been incorporated into the By-law:

Instrument	Name of Amendment	Location	Map	Effective Date
DA Report	Technical Consolidation of By-laws 09-2026 and 10-2026 (File No. 520-08-09/26)	City-wide	City-wide	May 5, 2026
By-law 43-2026	JEC Properties Inc. (File No. 520-08/26)	2105 Headon Rd.	20 - E	July 21, 2026
By-law 51-2026	City-initiated housekeeping amendment (holding zone requirements) (File No. 520-09-13/26)	City-wide	City-wide	Aug. 28, 2026

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Part 1: Administration

1.1 Title

This By-law may be cited as the Burlington Residential Zoning By-law.

1.2 Compliance with this By-law

a) No **building** or **structure** shall be erected or altered, no change of **use** or occupancy of any **building**, **structure**, land, premises, or any part thereof shall be made, and no **lot** shall be created except in compliance with the regulations of this By-law.

b) Where there is a conflict between regulations of this By-law, the most restrictive regulation shall prevail.

c) The regulations of this by-law shall be held to be the minimum requirements except where the word maximum is used, such regulation shall apply as a maximum.

d) The regulations of this By-law shall not apply to a **public authority** in any **zone**, except the following regulations shall apply:

i) Section 5.13 Uses Permitted in all Zones and any related regulations;

ii) Section 5.43 Setback abutting Creek Blocks and Other Zones;

iii) Section 5.44 Setback from a Watercourse;

iv) Section 5.45 Setback from a Pipeline Right-of-Way;

v) Section 5.46 Setback from a Highway Corridor;

vi) Section 5.47 Setback from a Railway Right-of-Way; and

vii) Part 6: Parking and Loading.

1.3 Compliance with other Regulations

a) Compliance with this By-law does not exempt any person from the requirements of any Federal, Provincial, Conservation Authority, Regional or Municipal legislation, approval process, licensing or permitting regime, agreements, or other **City** by-laws.

b) Compliance with the requirements of any Federal, Provincial, Conservation Authority, Regional or Municipal legislation, approval process, licensing or permitting regime, agreements, or other **City** by-laws does not exempt any person from the requirements of this By-law.

Note: A permit from Conservation Halton may be required prior to development occurring on lands within Conservation Halton's regulated area, such as lands next to a **watercourse** or along the shoreline of Lake Ontario or Burlington Bay. Where there is a conflict between the regulations of this By-law and Conservation Halton requirements, the requirements of Conservation Halton shall prevail.

The delineation of Conservation Halton's regulated area, including **hazardous lands** and wetlands, is defined by and subject to the *Conservation Authorities Act* and Ontario Regulation 41/24, which are administered by Conservation Halton. A map showing the Approximate Regulation Limit of Conservation Halton is attached as Appendix A.

1.4 Area to which the Burlington Residential Zoning By-law Applies

This By-law applies only to the residential zoned areas within the City of Burlington shown on the zoning maps forming Schedule A in Part 10 of this By-law.

1.5 Repeal of Existing By-laws

City of Burlington Zoning By-law 2020 and all amendments thereto are hereby only repealed as it applies to the areas shown in Schedule A.

1.6 Effective Date

The effective date of this By-law is March 2, 2026.

1.7 Existing Buildings and Structures

a) Nothing in this By-law shall prevent the reconstruction, restoration, or repair of an **existing building** or **structure** that has been deemed unsafe by the **City's** Chief Building Official or that has been severely damaged or destroyed by natural causes or fire, in whole or in part, provided the reconstruction will not increase the **height**, size, or volume or change the location or **use** of the **building** or **structure**.

b) Nothing in this By-law shall prevent the reconstruction, restoration or repair of a legally established **building** or **structure** in whole or in part, provided the reconstruction will not increase the **height**, size, or volume or change the location of the **building** or **structure**.

c) Nothing in this By-law will prevent a legally established **building** or **structure** which does not conform to the **yard**, **lot coverage**, or **building height** regulations of the applicable **zone**, from changing to any **use** which is permitted within the **zone** designation of the **lot**.

1.8 Legal Non-conforming Uses

Nothing in this By-law shall apply to prevent the continuation of the **use** of land, **buildings** or **structures** for a purpose which is not listed as a **permitted use** in the **zone** applying to the land, but which was legally established on the effective date of this By-law.

1.9 Non-complying Lots

Where a **lot** in existence prior to the effective date of this By-law does not meet the minimum **lot area** or **lot frontage** requirements of the applicable **zone**, the **lot** is permitted to be used and **buildings** and **structures** thereon erected, enlarged, rebuilt, repaired or renovated, provided the **use** conforms with this By-law and the **buildings** and **structures** comply with all other regulations of this By-law.

1.10 Non-complying Buildings and Structures

A **building** or **structure**, which was legally established prior to the effective date of this By-law, but which does not comply with one or more of the applicable **zone** standards is permitted to be enlarged or altered provided that the **use** is permitted in the **zone** applying to the land or is a legal non-conforming **use** described in Section 1.8 and the enlargement or alteration itself complies with all applicable provisions of this By-law.

1.11 Lots Reduced by Acquisition for Road Widening or Park Dedications

Nothing in this By-law prevents the continued **use** of a **lot** that no longer conforms to the **zone** regulations in which the **lot** is located, provided that the non-conformity is a result of land acquisition for road widening or park dedication purposes by a **public authority**, and provided that:

a) no further reduction is made in the dimensions, area or any other characteristics of the **lot** as reduced, subsequent to the date of such acquisition, that would increase the extent of the said non-compliance; and

b) no **building** or **structure** or addition thereto is erected on the **lot** as reduced, subsequent to the date of such acquisition, except in accordance with all the regulations for the **zone** in which such **lot** is located.

1.12 Enforcement and Penalties

a) Any person or corporation who uses land contrary to any provision of this By-law and any person who owns land which is used contrary to any provision of this By-law is guilty of an offence.

b) Any person convicted of an offence under any provision of this By-law shall be liable to a penalty as set out in section 67(1) of the *Planning Act*, or its successor, as amended.

c) Any corporation convicted of an offence under any provision of this By-law shall be liable to a penalty as set out in section 67(2) of the *Planning Act*, or its successor, as amended.

1.13 Technical Revisions not Requiring a By-law Amendment

Provided that the purpose, effect, meaning, and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without public notice or a Zoning By-law Amendment:

a) correction of grammar, punctuation, spelling errors or typographical errors;

b) changes to section numbering;

c) additions or revisions to technical information on maps or schedules including, but not limited to matters such as updating and correcting infrastructure information, keys, legends or title blocks; and

d) changes to appendices, footnotes, headings, indices, notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this By-law and are editorially inserted for convenience or reference only.

1.14 Illustrations and other Reference Aids not Part of the By-law

Illustrations, appendices, purpose statements, indices, marginal notes, and tables of contents do not form part of the By-law and are inserted for clarification and reference only.

1.15 Severability / Validity

A decision of a court of competent jurisdiction that one or more of the regulations of this By-law or any portion of the zoning maps to this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other regulations or parts of the regulations of this By-law.

1.16 Transition for Complete Applications

a) Nothing in this By-law prevents the **development** or **use** of a **lot** or **building** for which a complete application for a building permit was received by the **City** on or before the effective date of this By-law if the **development** or **use** complies, or the building permit application is amended to comply, with the provisions of the City of Burlington Zoning By-law 2020 as it read immediately prior to the effective date of this By-law.

b) Where a complete application was received but not approved by the **City** on or before the effective date of this By-law for the **development** or **use** of a **lot** or one or more **buildings**, approval shall be granted under City of Burlington Zoning By-law 2020 as it read immediately prior to the effective date of this By-law, or this By-law, whichever regulations are the most consistent with the intent of the complete application:

i) Any application under Section 45 of the *Planning Act*;

ii) Site Plan Control application under Section 41 of the *Planning Act*;

iii) Zoning By-law Amendment application under Section 34 of the *Planning Act*;

iv) Consent pursuant to Section 53 of the *Planning Act*;

v) Draft Plan of Subdivision pursuant to Section 51 of the *Planning Act* or a description under the *Condominium Act*;

vi) A Part Lot Control exemption pursuant to Section 50 of the *Planning Act*; and

vii) A zoning clearance certificate application.

c) For the purpose of Section 1.16 b), “complete application”:

i) Means an application which the **City** has deemed complete before the effective date of this By-law;

ii) does not include documents submitted for the purpose of consultation with city staff under section 41(3.1) of the *Planning Act*, or its successor, as amended.

d) Where the **development** or **use** of a **lot** of one or more **buildings** was the subject of a complete application and approved under City of Burlington Zoning By-law 2020 in accordance with Section 1.16 b) of this By-law, a building permit may be issued after final approval is received for all required applications if the **development** or **use** complies, or the building permit application for the **development** or **use** is amended to comply, with the provisions of By-law 2020 as it read immediately prior to the effective date of this By-law.

e) Sections 1.16 a) and b) shall not apply beyond the issuance of the final building permit.

f) Section 1.16 is repealed in its entirety five years after the effective date of this By-law.

1.17 Continuation of Approved Applications

a) Nothing in this By-law prevents the issuance of a building permit for a **use** of a **lot** or a **building** for which one or more approvals under Section 34, 41, 45, 51 or 53 of the *Planning Act* or approval of a zoning clearance certificate were issued on or before the effective date of this By-law if the **development** or **use** complies, or is amended to comply, with the provisions of City of Burlington Zoning By-law 2020 as it read immediately prior to the effective date of this By-law.

b) Section 1.17 a) is repealed in its entirety three years after the effective date of this By-law.

Part 2: Establishment of Zones and Uses

2.1 Zone Designations

This By-law establishes the following residential **zones** and places all lands subject to this By-law in one or more of the following **zones**:

Low-Rise Neighbourhood 1 (LN1)
Low-Rise Neighbourhood 2 (LN2)
Low-Rise Neighbourhood 3 (LN3)
Low-Rise Neighbourhood 4 (LN4)
Low-Rise Neighbourhood 5 (LN5)
Low-Rise Neighbourhood 6 (LN6)
Low-Rise Neighbourhood 7 (LN7)
Low-Rise Neighbourhood 8 (LN8)
High-Rise Neighbourhood (HN)

2.2 Zoning Exceptions

a) Where a **zone** symbol shown on Schedule A contains a hyphen followed by a number, the number represents a site-specific exception that applies to the lands noted.

b) The regulations of the site-specific exceptions are included in Part 9 of this By-law.

c) The regulations of the site-specific exception supersede any inconsistent regulations in the remainder of this By-law.

2.3 Zone Boundaries

When determining the boundary of any **zone** as shown on Schedule A, the following regulations apply:

a) Where a **zone** boundary is shown following a **street**, **lane**, unopened road allowance; railway right-of-way; or **utility** corridor, the centreline of such **street**, **lane**, unopened road allowance, railway right-of-way or **utility** corridor is the boundary and the **zone** designations shall be deemed not to be **abutting**;

b) Where a **zone** boundary is shown as running substantially parallel to a **street** or **lane**, and the distance from the **street** or **lane** is not indicated, the distance shall be determined by the scale of the zoning map measured from the limit of the **street** or **lane**;

c) Where a **zone** boundary is shown as substantially following **lot lines**, the **zone** boundary follows such **lot lines**;

d) Where a **zone** boundary is shown following a **watercourse**, the **zone** boundary shall be the greater of the stable top-of-bank, meander belt, or **floodplain** of the **watercourse**, plus a 6 metre erosion access allowance as determined by Conservation Halton;

e) Where a **zone** boundary is shown as following **floodplain** hazard limits established by Conservation Halton, the **zone** boundary shall be the **floodplain** hazard limits plus a 6 metre access allowance as determined by Conservation Halton;

f) Where a **zone** boundary is shown following a **natural heritage feature or area**, or other key feature including buffers or other wetlands, the boundary shall be determined by the scale of the zoning map. Where features on the ground are at variance with the zoning maps, the actual location on the ground shall govern;

g) Where none of the above applies, the **zone** boundary shall be scaled from the Schedule(s); and

h) The determination of the boundaries of Niagara Escarpment Development Control is administratively the responsibility of the Niagara Escarpment Commission in accordance with regulations passed under the *Niagara Escarpment Planning and Development Act.*

2.4 Zone Maps

The **zones** and **zone** boundaries are shown on the Zoning Maps, which are attached as Schedule A and form Part 10 of this By-law.

2.5 Multiple Zones on One Lot

a) Where a **lot** falls into two or more **zones**, the **use** permissions and regulations for the applicable **zone** shall apply to that portion of the **lot**. Except, in cases where a **building** or **structure** is located on two or more **zones**, the more restrictive regulations shall apply to the entire **building**.

b) Notwithstanding a) above, **parking spaces**, **driveways**, aisles and stacking spaces required by this By-law may be provided anywhere on a **lot** that falls into two or more **zones** except that portion of a **lot** in any Open Space Zone of the City of Burlington Zoning By-law 2020.

c) A **zone** boundary dividing a **lot** into two or more **zones** is not a **lot line** for the purposes of this By-law.

d) Notwithstanding c) above, where two or more **zones** apply to a **lot** and one of the **zones** is an Open Space Zone of the City of Burlington Zoning By-law 2020, the boundary between the Open Space Zone and the other **zone**(s) is considered a **lot line** for the purposes of **yards**, **setbacks** and **lot coverage** requirements.

2.6 Holding Provisions

a) Where a **zone** symbol shown on Schedule A has a prefix with the letter (H) and a number within a set of brackets, the lands affected are subject to a holding provision in accordance with Section 36 of the *Planning Act*.

b) Part 8 of this By-law contains general requirements for lands subject to a holding provision as well as the conditions that must be satisfied prior to the removal of the (H) symbol and any permitted interim **uses**.

Establishment of Zones and Uses

Part 3: Interpretation

3.1 Defined terms

a) Terms that are defined in Section 4 have been bolded in the text of the By-law.

b) The definitions of words in this By-law are not intended to preclude the applicability of a definition under the *Ontario Building Code Act* or any other Act or its regulations for the purpose of obtaining a building permit or approval.

c) Words not defined in this By-law shall take on their usual meaning within a dictionary determined by the Director of Community Planning, or their meaning as they are defined in other relevant policy documents such as the Burlington Official Plan, Site Plan Guidelines, provincial policies, and the *Planning Act.*

d) The Director of Community Planning may exercise discretion in interpreting defined and undefined words in this By-law.

3.2 Interpretation of Words

For the purposes of this By-law,

a) words used in the present include the future;

b) words in the singular include the plural and words in the plural include the singular;

c) the words ‘used’ and ‘occupied’ shall include the words ‘arranged’ and ‘designed to be ‘used’ or ‘occupied’ respectively;

d) where a provision or standard involves two (2) or more conditions, connected by a conjunction, the following shall apply:

   i) ‘and’ means all the connected items shall apply in combination; and

   ii) ‘or’ means that the connected items may apply singly or in combination.

e) the words ‘provision’, ‘standard’ and ‘requirement’ are sometimes used interchangeably to refer to the regulations of this By-law, and may be further interpreted as follows:

   i) ‘standard’ and ‘requirement’ refer to matters that are regulating the position of **buildings** or **structures** on a **lot**, such as required **yards** and **setbacks**;

   ii) ‘provision’ refers to all other regulations, such as regulations setting out permitted and prohibited land **uses**.

3.3 Interpretation of Tables

a) Where a “P” appears in a table it shall mean that the use is permitted in that zone.

b) “--” shall mean the use is not permitted in that zone.

c) “P” followed by number in superscript “P (#)” means a qualification to the permitted use applies and is listed as a footnote to the table.

d) A standard followed by a number in superscript (such as "1.2 metres (1)") means one or more additional regulations apply and are listed as a footnote to the table.

e) “m” means metres.

f) “m^2” means square metres.

g) “N/R” means no requirement.

3.4 Interpretation of Permitted Uses

a) A **use** listed as a **permitted use** in a table of this By-law shall be permitted only within the **zone** in which it is listed as permitted.

b) A **use** not listed as a **permitted use** in a **zone** in a table of this By-law shall not be permitted in that **zone**, whether defined in Part 4: Definitions or not.

3.5 Interpretation of Phased Condominium Registration or Multiple Standard Condominiums on One Lot

Where a Plan of Condominium has received Draft Plan Approval and where registration of the Plan is intended to occur in phases or multiple standard condominiums, the draft approved plan of condominium shall be deemed to be one **lot** for purposes of applying zoning regulations. Zoning regulations shall apply only to the external limits of the Plan, not to interior boundaries resulting from the registration of each phase or condominium.

3.6 0.3 metre Reserves

For the purposes of this By-law, a 0.3 metre reserve shall be considered to be part of the **abutting road**.

3.7 Rounding to Determine By-law Compliance

All measurements and calculations shall be rounded to 1 decimal place, based on the following regulations of rounding numbers, to determine By-law compliance:

a) For regulations calculated as a whole number, numbers less than 0.5 shall be rounded downward to the nearest whole number, and the numbers 0.5 and greater than shall be rounded upward to the nearest whole number;

b) For regulations calculated as a number with one decimal place, numbers less than 0.05 shall be rounded downward to the nearest one-tenth number, and the numbers 0.05 and greater than shall be rounded upward to the one-tenth number; and

c) For the purposes of calculating required **parking spaces**, **accessible parking spaces**, **bicycle parking spaces** and **loading spaces**, the number of required spaces shall be rounded upward to the next whole number.

3.8 Multiple Building Connections

a) Where **buildings** are connected only below ground, they are considered separate **buildings** for the purposes of applying the regulations of the By-law.

b) Except where otherwise stated in this By-law, separation distances required by this By-law between **buildings** do not apply to those portions of the **building** below ground.

c) **Buildings** connected above the ground floor by features such as pedways, breezeways, bridges, or other connections and that do not create additional **gross floor area** within these connections are not considered one **building** for the purposes of applying the regulations of the By-law.

3.9 Purpose Statements

Purpose statements are included in this By-law for each **zone** and are intended to assist in the understanding of the By-law's objectives and purpose, the planning principles underlying the **use** provisions and the regulatory provisions of the **zone**. They do not form part of this By-law.

3.10 Daylight Triangles

For purposes of determining a **front lot line**, or an **exterior side lot line** or any **yard** dimension, a **daylight triangle** shall be deemed to be part of the **lot**, provided the minimum distance of any **building** or **structure** from the hypotenuse of the **daylight triangle** is 3 metres.

3.11 Development Comprising Contiguous Multiple Lots

Where multiple contiguous **lots** are developed under a single comprehensive site plan and under one ownership, all contiguous **lots** shall be deemed to be one **lot** for purposes of applying zoning regulations.

3.12 Stratified Severances as One Lot

Where a conditional stratified severance has been approved, the lands to which it applies, shall be deemed to be one **lot** for the purposes of applying zoning regulation.

Part 4: Definitions

A

Abutting: means having a **lot line** or portion thereof in common with another **lot line** or with a **street line**.

Accessible Access Aisle: means a barrier-free space located adjacent to an **accessible parking space**, designed and marked in accordance with applicable Provincial accessibility standards to provide room for persons with disabilities to safely transfer to or from a vehicle.

Accessible Parking Space: means a **parking space** for the use of persons with a valid accessible parking permit issued by the Province of Ontario.

Accessory Building or Structure: means a detached **building** or **structure**, the **use** of which is **accessory** to the principal **use**, **building**, or **structure** located on the same **lot**.

Accessory Use / Accessory: means a **use** of land, a **building**, or a **structure** that is naturally and normally incidental to, subordinate to, and exclusively devoted to the principal **use**, **building**, or **structure**, and located on the same **lot**.

Additional Needs Housing: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of **additional needs housing** may include, but are not limited to **long term care facility**, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Additional Residential Unit - Attached: means a self-contained **dwelling unit** which is located on a **lot** and contained within a **detached dwelling**, **semi-detached dwelling**, **street townhouse** or **rear lane townhouse**.

Additional Residential Unit – Detached: means a self-contained **dwelling unit** which is located within an **accessory building** on the same **lot** that contains a **detached dwelling**, **semi-detached dwelling**, **street townhouse**, or **rear lane townhouse**.

Agricultural Use: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm **buildings** and **structures**, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

Amenity Area, Common: means an area on a **lot** provided for the common active or passive recreation and enjoyment of all occupants of a residential **development**, excluding a **driveway** or any other **parking area**. Located inside or outside a **structure**, **common**

amenity areas may include landscape open space, **building** rooftops, patios, terraces, above ground decks, **swimming pools**, party rooms, tennis courts and the like, but shall not include **balconies**.

Amenity Area, Private: means an area on a **lot** provided for private **use** for the active or passive recreation and enjoyment of the occupants of a **dwelling unit**, and may include **balconies** but excluding a **driveway**, **parking area**, or **walkway**, which is **accessory** to, directly accessible from, and outside of a **dwelling unit**.

Antenna System: means any apparatus, including antennas (such as panel, whip, or dish types), supporting masts, poles, towers, or other **structures**, and associated **accessory** equipment (such as cabinets, shelters, transmission lines, and electrical components), designed or intended for transmitting or receiving radiocommunication, broadcasting, or telecommunication signals. This definition excludes: (a) Antennas used solely for **accessory** household television or radio reception (e.g., typical residential TV antennas or satellite dishes); and (b) Antennas used by a federally licensed amateur radio operator.

Apartment Building: means a **building** containing five or more **dwelling units** which share a common entrance and utilize a common internal corridor, stairway, and/or elevator system. Occupants commonly share access to **common amenity area** and **yards**.

B

Balcony: means an outdoor platform adjoining a **dwelling unit** that has no direct access to the ground, and which is used as **private amenity area**. A **balcony** may be covered by a roof or another **balcony** and has at least one side open except for required railings or guards.

Basement: means that portion of a **building** situated wholly or partly below the **first storey**.

Bay Window: means a window assembly projecting outward from a wall of a **building**, which may be multi-sided, boxed-out, or curved, and is not supported by a foundation or footings extending below ground.

Bed and Breakfast: means an **accessory use** in which temporary sleeping accommodation, with or without meals, is provided for compensation within a **dwelling unit** that is the principal residence of the operator. Guest accommodation shall consist of guest rooms that do not contain cooking facilities. This **use** does not include a hotel, motel, or **boarding house**.

Bicycle Parking Space: means an area for the purpose of parking and securing bicycles.

Bicycle Parking Space, Long Term: means an area for the purpose of parking and securing bicycles that: is intended for use by the usual occupants of a **building**; is accessible, secure, and weather protected; is equipped with a bicycle rack or bicycle locker; and is not provided within a **dwelling unit**, suite, or on a **balcony**.

Bicycle Parking Space, Short Term: means an area for the purpose of parking and securing bicycles for use by visitors, customers, or other non-regular users of a **building**, typically at ground level and accessible to a **building**.

Bicycle Parking Space, Stacked: means a two-tier bicycle parking solution comprised of horizontal spaces with one tier of **bicycle parking spaces** at ground level and a second tier of **bicycle parking spaces** directly above it, equipped with a mechanical device providing ground level access.

Boarder: means any person who pays rent, fees or other valuable consideration for living accommodation in a **boarding house**.

Boarding House: means a **building** or part of a **building**, which provides, with or without meals and care, lodging to a **boarder** or **boarders** as the principal **use**, and may include one **dwelling unit** for the owner or caretaker but shall not include a hotel, **bed and breakfast** establishment, **dwelling unit**, **additional residential unit**, or any other residential **use** otherwise defined in this By-law.

Body-rub Parlour: means any premises or part thereof where a body-rub is performed, offered, or solicited in pursuance of a trade, calling, business or occupation as a service designed to appeal to erotic or sexual appetites or inclinations, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment or are performed or offered by persons otherwise duly qualified, licensed, or registered to do so under the laws of the Province of Ontario.

Building: means a fully enclosed roofed **structure** used or intended for supporting or sheltering any **use** or occupancy by persons, animals or property. For greater clarity, the following items are excluded from this definition: **mobile homes**; trailers; and vehicles.

C

Canopy: means a roof-like cover projecting from an exterior wall of a **building** or **structure**, primarily intended to provide shelter over entrances, windows, **walkways**, or service areas, and which is unenclosed (excluding necessary supports).

Cemetery: means land that has been established as a **cemetery** under the *Funeral, Burial, and Cremation Services Act* or under a predecessor of that Act, and in respect of which a certificate of consent issued by the registrar is registered in the land registry office; or land that is otherwise set aside to be used either for the interment of human and/or animal remains or for the scattering of cremated human and/or animal remains, or for both of these purposes, but does not include a crematory.

City: means the Corporation of the City of Burlington.

Cluster Home: means a multiple-unit residential **development** on a single **lot**, comprised of one- and/or two-unit **buildings** with attached units divided vertically from adjoining units.

Commercial Vehicle: means a **motor vehicle** having attached to it a truck or delivery body, and may include a food truck, bus, cube van, tow truck, tilt and load trucks or trailers, dump trucks, tractor trailers, semitrailers, or construction equipment that is self-propelled or designed to be towed.

Common Wall: means a vertical wall separating two or more units.

Community Garden: means an area of land operated and maintained by the **City**, an organization, or a group of individuals for the cultivation of fruits, vegetables, flowers, or herbs, primarily for personal use, donation, or incidental sale by the members, utilizing individual or shared plots.

Correctional Facility: means a facility supervised by staff on a daily basis for persons who have been placed on probation, released on parole, or admitted for correctional purposes. A **correctional facility** shall be funded, licensed, approved, or supervised by the Province of Ontario, Corrections Canada, or any other Federal Government agency or by any organization on behalf of the Federal or Provincial Government, for the accommodation of not less than 3 and not more than 8 residents, exclusive of staff.

Creek Block: means a parcel or block of land, owned by the City of Burlington or other **public authority**, containing a **watercourse** defined as the greater of the Regulatory **Floodplain** or the valley through which the **watercourse** flows and may include an open space buffer area beyond the top-of-bank, but which shall not include a separate parcel or block of land for a storm water detention pond.

D

Day Care Centre: means a premises licensed or required to be licensed as a child care centre under the *Child Care and Early Years Act, 2014*, as amended, providing temporary care or supervision for children. This term also includes premises providing similar temporary day-time care or supervision for adults.

Daylight Triangle: means a triangular shaped area which if required, forms part of an intersecting **street**.

Deck: means an outdoor platform, including any steps, adjoining a **dwelling unit** that has direct access to the ground, having a floor height 0.6 metres or more above **grade**, and which is used as a **private amenity area**. A **deck** is not covered by a roof and is not enclosed except by railings, guards or **privacy screens**.

Development: means the creation of a new **lot**, a change in land use, or the construction of **buildings** and **structures** requiring approval under the *Planning Act*, but does not include: (a) activities that create or maintain infrastructure authorized under an environmental assessment process or identified in provincial standards; or (b) works subject to the *Drainage Act*.

Driveway: means a single passageway or series of interconnected passageways, for exclusive or shared private **use**, providing vehicular access between a **street** or condominium common element roadway and an area used for the parking, loading, or storage of a vehicle.

Dwelling Unit: means a single **habitable room**, or a suite of **habitable rooms**, located in a **building**, that is used or may be used as a residence by one or more persons living together as a single housekeeping unit, in which both private cooking facilities and private sanitary facilities are provided for the exclusive use of the occupants, and which has an independent entrance either directly from outside the **building** or through a common hallway or stairway inside the **building**.

Dwelling, Detached: means a **building** containing only one **dwelling unit** but may contain one or more **additional residential units** where permitted by this By-law.

Dwelling, Semi-Detached: means a **building** that is divided vertically by a **common wall** into two **dwelling units**, where each **dwelling unit** has independent access and is situated on its own legally conveyable **lot** or **parcel of tied land** having **lot frontage** on a **public street** or **private street**. **Semi-detached dwellings** may contain one or more **additional residential units** where permitted by this By-law.

E

Electric Vehicle (EV): means a **motor vehicle** that uses electricity for propulsion, and that can use an external source of electricity to charge the vehicle's batteries.

Electric Vehicle Parking Space: means a **parking space** equipped with **electric vehicle supply equipment**.

Electric Vehicle Supply Equipment: means the equipment, including the connectors, attachment plugs, charging cables, and controls, installed specifically for the purpose of safely delivering electrical energy to an **electric vehicle** at a Level 2 charging level or higher.

Emergency Shelter: means a premises providing temporary overnight lodging, meals, and essential support services in a supervised setting for persons requiring immediate shelter.

Established front yard or exterior side yard: means, in the case of an **interior lot**, the average distance from the **street line** to the **wall** of the **buildings** situated on the two **lots** on either side of the subject **lot**, or where one of those **lots** is vacant, the next adjacent occupied **lot**. In the case of a **corner lot**, the distance from the **street line** to the **wall** of the **building** situated on the **lot** adjacent to the subject **lot**, or where that **lot** is vacant, then next adjacent occupied **lot**.

Existing: means **existing** as of the effective date of the provision that contains that word.

F

Fence: means a barrier erected for the purpose of enclosing all or part of a **lot**, or marking a boundary. This includes associated gates, but excludes retaining walls or landscape features such as trellises or arbours unless they form an integral part of the **fence structure** itself.

Fitness Centre: means premises operated for profit or gain where facilities are provided for physical fitness activities such as weightlifting, exercise equipment use, and fitness classes, and may include **accessory** facilities.

Flooding Hazard: means the inundation, under the conditions specified below, of areas adjacent to shoreline or a river or stream system and not ordinarily covered by water:

a) Along shorelines of the Great Lakes – St. Lawrence River System and large inland lakes, the **flooding hazard** limit is based on the one hundred year flood level plus an allowance for wave effects and other water-related hazards;
b) Along river, stream and small inland lake system, the **flooding hazard** limit is the greater of:
   i) The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954), transposed over a specific watershed and combined with local conditions, where evidence suggests that the storm event could have potentially occurred over watershed in the general area;
   ii) The one hundred year flood; and,
   iii) a flood which is greater than i) or ii) which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

   except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodplain: means the area, usually low lands, adjoining a **watercourse**, which has been or may be subject to **flooding hazards**.

Floor Area, Accessory Building or Structure: means the sum of the total horizontal area of each floor located at or above **grade**, measured to the outside of the exterior walls or posts of an **accessory building or structure**.

Floor Area, Gross: means the sum of the total horizontal area of each floor of a **building** measured from the exterior face of the exterior walls and the centre line of walls separating two **buildings** or uses but excluding the following areas: **motor vehicle parking areas**; bicycle **parking areas** located in a **parking structure**; loading areas; **basements**; **mechanical penthouses** and **floor area** used exclusively for mechanical or electrical systems serving the **building** (including mechanical shafts); elevator shafts; stairwells; and non-habitable attics.

G

Garage, Private: means an enclosed **accessory building**, or an enclosed portion of a **principal building**, designed or used primarily for the parking or storage of **motor vehicles** and **accessory** to the principal **use** conducted on the same **lot**.

Grade: means, when used with reference to a **building**, **structure, deck** or **porch**, the lowest elevation of the finished surface of ground where it meets the **building**, **structure**, **deck** or **porch**.

Grade, Established: means the geodetic elevation taken at the midpoint of the **front lot line**.

Group Home: means a single housekeeping unit in a residential **building** that is occupied by 6 to 8 persons (excluding staff or receiving family), living together under supervision that is licensed, approved, or funded under an Act of the Parliament of Canada or the Province of Ontario for the provision of specialized care or supervision.

H

Habitable Room: means a room within a **dwelling unit** that is used or may be used for living, sleeping, eating, or cooking. This excludes a bathroom, water closet compartment, laundry room, pantry, corridor, stairway, closet, lobby, **private garage**, **basement** primarily used for storage/**utility**, non-habitable attic, sunroom not usable year-round, or any space used for **building** services or common access.

Hazardous Lands: means property or lands that could be unsafe for **development** due to naturally occurring processes. Along the shorelines of the Great Lakes – St. Lawrence River System, this means the land, covered by water, between the international boundary, where applicable, and the furthest landward limit of the **flooding hazard**, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the **flooding hazard** or erosion hazard limits.

Height, Building: means, in the **case of a principal building**, the vertical distance between the **established grade** of a **building** and the top of such **building**. In the case of an **accessory building or structure,** it means the vertical distance between the **grade** of the **accessory building or structure** and the top of such **accessory building or structure**. The top is the highest point of the roof surface, **parapet**, or exterior wall, whichever is greater. In the case of a **structure** with no roof, the top is the highest point of the **structure**.

Height, Podium: means the vertical distance measured from **established grade** to the highest point of the main roof surface of the **podium**.

Home Day Care: means an **accessory use** where temporary care or supervision is provided within a **dwelling unit**, or a **building accessory** thereto, operated by a resident of that **dwelling unit**. Where care is provided for children, it must be in accordance with the regulations, including the maximum number of children permitted, under the *Child Care and Early Years Act, 2014*, as amended (whether licensed or unlicensed under that Act). Where care is provided for adults, it shall be for no more than five adults. Overnight accommodation shall not be provided for persons receiving care as part of a **home day care**.

Home Occupation: means an activity that provides a service as an **accessory use** within a **dwelling unit**. A **home day care** is considered a **home occupation**.

I

Internal Roadway: means a right-of-way or roadway that provides vehicular access to the **parking areas** and **parking spaces** on a residential property intended for multi-unit residential **development** and is not a **lane** or **private street**.

K

Kennel: means an establishment **accessory** to a residential or **agricultural use** for the keeping, breeding, and raising of domesticated animals for profit or gain but which does not include a veterinary establishment.

L

Landscaped Open Space: means that portion of the **lot area** which is required by this By-law to be used for landscaping, and which excludes the area occupied by: **buildings**, **driveways**, bicycle parking, snow storage, transformers, **parking areas**, **parking spaces**; and **loading spaces**. For clarity, **landscaped open space** includes areas defined as **hard landscaped open space**, and **soft landscaped open space**, and may include green roofs and approved low impact **development** or stormwater management features when integrated as landscape elements, subject to any specific regulations elsewhere in this By-law.

Landscaped Open Space, Hard: means an area of land within a **lot** dedicated to a **walkway** or other area on a **lot** surfaced by stable or fitted materials such as unit pavers, patio stones, concrete, gravel, stonework or artificial turf or similar materials, but does not include any **driveway**, **internal roadway**, **private street**, ramp or **parking area**, **parking space** or **loading space**, whether surfaced or not.

Landscaped Open Space, Soft: means an area of land within a **lot** which is open and uncovered to the sky and dedicated to the planting of trees, shrubs, flower beds, grass or other vegetative landscaping and may also include **accessory** ground cover as well as other decorative landscape features, but excludes hard surfaces such as **driveways**, **walkways**, **patios** or **decks**.

Lane: means a public or private right-of-way providing a means of access to **lots abutting** thereon.

Licensed Establishment: means premises, which may include a **restaurant**, nightclub, micro-brewery, or micro-distillery, that sells, provides, or serves alcohol pursuant to a licence issued by the Alcohol and Gaming Commission of Ontario (AGCO), but does not include premises operating solely under a Special Occasion Permit or premises owned and operated by the **City**.

Loading Space: means an off-street space for the temporary parking of vehicles while loading or unloading merchandise or materials.

Long Term Care Facility: means a premises licensed or approved as a long-term care home under the *Fixing Long-Term Care Act, 2021*, as amended.

Lot: means a parcel of land under one ownership which is established as a separate parcel of land in accordance with the **lot** creation sections of the *Planning Act* which **abuts** a **public street**, except if it has been created as a **parcel of tied land** or unit in a vacant land condominium, in which case, it may **abut** a **private street**.

Lot Area: means the total horizontal area within the **lot lines** of a **lot**.

Lot, Corner: means a **lot** situated at the intersection of and **abutting** upon two or more **streets** or two parts of the same **street**, where the **street lot lines** have an angle facing the **lot** of 135 degrees or less. In the case of a curved **street lot line**, such angle shall be formed by the projected tangents drawn from the end points of the **street lot line**. A **corner lot** does not include an angle formed by a **lot abutting** the bulb of a cul-de-sac or a turning circle.

Lot, Interior: means a **lot** other than a **corner lot** or a **through lot**.

Lot, Through: means a **lot** bounded on two opposite sides by **streets** provided that if any **lot** qualifies as both a **corner lot** and a **through lot**, it shall be deemed a **corner lot** for the purposes of this By-law.

Lot Coverage: means the percentage of the **lot area** covered by: 1) **buildings**; 2) **porches**; 3) **decks** containing a **basement** under the platform; and, 4) **accessory buildings and structures**. **Lot coverage** is measured to the outside of the exterior walls or posts, including all **buildings** and projections (cantilevered floor space, window projections, etc.).

Lot Depth: means the horizontal distance between the **front** and **rear lot lines**. If the **front** and **rear lot lines** are not parallel, **lot depth** means the length of a straight line joining the middle of the **front lot line** with the middle of the **rear lot line**.

Lot Frontage: means the horizontal distance between the **side lot lines** measured along the **front lot line**, provided that where the **front lot line** is not a straight line, or where the **side lot lines** are not parallel, the **lot frontage** shall be measured by a line at the **front yard setback** and parallel to the chord of the **front lot line**. For the purposes of this By-law, the chord of the **front lot line** is a straight line joining the two points where the **side lot lines** intersect the **front lot line**.

Lot Line: means any boundary of a **lot**.

Lot Line, Exterior Side: means a **side lot line** that abuts a **street**.

Lot Line, Front: means the **lot line** dividing a **lot** from a **street**. On a **corner lot**, the shorter **lot line abutting** a **street** is the **front lot line**; if such lines are equal, the **front lot line** shall be designated by the **City**. On a **through lot**, the **front lot line** is typically the one providing primary vehicular access to the principal **use**, but may be otherwise designated by the **City**.

Lot Line, Interior Side: means a **side lot line** that abuts another **lot**.

Lot Line, Rear: means the **lot line** or point of intersection of the **side lot lines** farthest from and opposite the **front lot line**.

Lot Line, Side: means a **lot line** other than a **front lot line** or a **rear lot line**.

Lot Line, Street: means the division between a **street** and a **lot**.

Lot of Record: means a **lot** according to a registered plan of subdivision, or a parcel of land, the deed to which was registered prior to December 31, 1970, but does not include a **lot** in a registered plan which has been designated by By-law as a plan which shall be deemed not to be a registered plan of subdivision in accordance with the regulations of the *Planning Act.*

M

Mechanical Equipment: means equipment, devices, apparatus, and systems necessary for the functional operation and maintenance of a **building**, **structure**, or **use** located therein, including but not limited to equipment associated with heating, ventilation, air conditioning (HVAC), plumbing, electrical distribution, emergency power generation, fire suppression, elevators, communication systems, or **swimming pool** filtering and heating. This term applies to the equipment itself, whether located inside or outside a **building** or **structure**.

Mechanical Penthouse: means a fully enclosed **structure** located on the roof of a **building**, used exclusively for housing **mechanical equipment**, electrical equipment, elevator equipment, ventilation equipment, communication equipment, water tanks, or similar systems necessary for the operation of the **building**. A **mechanical penthouse** may include the minimum necessary associated stair or elevator shaft overruns providing access only to the roof level for service and maintenance purposes, but shall not include any **floor area** designed or used for human habitation, amenity space, or access thereto.

Medical Office: means premises used for the consultation, examination, diagnosis, or therapeutic treatment of human patients primarily on an out-patient basis by one or more physicians, dentists, or other health professionals governed by the *Regulated Health Professions Act, 1991*, as amended. A **medical office** may include a medical laboratory, diagnostic imaging facility, pharmacy, or dispensary as an **accessory use**, but does not include a hospital.

Mezzanine: means an intermediate floor assembly between the floor and ceiling of any room or **storey**, which may be enclosed or open to the room or **storey** below, and includes an interior **balcony**. For the purposes of calculating **gross floor area** and the number of **storeys** in this By-law, a **mezzanine** shall be included in **gross floor area** and considered a separate **storey** if: (a) it is enclosed by walls (other than required railings or guards) and its **floor area** exceeds 10% of the **floor area** of the room or **storey** in which it is located; or (b) it is not enclosed by walls and its **floor area** exceeds 40% of the **floor area** of the room or **storey** in which it is located.

Mid-Rise Building: means a **building** five to eleven **storeys** in height.

Mobile Home: means a dwelling designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons in accordance with the applicable Canadian Standards Association standard.

Model Home: means a **building** constructed as an example of a **dwelling unit** type offered for sale or lease within an approved plan of subdivision, plan of condominium, or site plan **development**, which is used temporarily for marketing and display purposes and including **office** and / or show room and / or sales centre but is not occupied for residential purposes during its use as a **model home**.

Motor Vehicle: means an automobile, truck, and any other vehicle propelled or driven by other than muscular power, but does not include the cars of electric or steam railways, or other **motor vehicles** running solely upon rails, or a traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the *Highway Traffic Act.*

N

Natural Heritage Features and Areas: means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands, fish habitat, significant woodlands, significant valleylands, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

O

Office: means premises used primarily for conducting the affairs of a business, profession, service, industry, or government, including administration, clerical work, management, consulting, or the practice of a profession. A **medical office** is considered an **office**. This **use** does not include a **retail store**, **personal service** establishment, or industrial activities such as manufacturing or warehousing, unless otherwise specifically defined or permitted as **accessory**.

Outdoor Patio: means an outdoor area **accessory** to a permitted non-residential use, such as a **restaurant** or **licensed establishment**, equipped and used for the seating of patrons for the consumption of food or beverages.

P

Parapet: means an extension of a wall of a **building** above the roof line that forms a barrier at the edge of the roof.

Parking Aisle: means an internal access way located within a **parking area** that provides direct access to a **parking space** or **loading space** but shall not be considered a **driveway**.

Parking Area: means a **parking aisle** and **parking space** but does not include any part of a **street**.

Parking Lot: means the total outdoor area of a **lot** used for the temporary parking of 5 or more **motor vehicles**, comprising **parking spaces**, **parking aisles**, **driveways**, the interior landscaped islands and medians, and may include EV Charging Stations, but excludes the required perimeter landscaped buffer to a **lot line,** for the accommodation of clients, customers, tenants, lessees, employees, or owners, but shall not include occupant **parking spaces** in the **driveway** of individual **dwelling units**.

Parking Space: means an area provided for the parking of a vehicle and includes **electric vehicle parking spaces**.

Parking Structure: means a **building** or other **structure**, or part thereof, located above or below **grade**, used primarily for the parking or storage of five or more **motor vehicles**, and which may include **electric vehicle parking spaces** or **electric vehicle supply equipment**. This definition excludes a **private garage accessory** to a residential **use** with less than four **dwelling units**.

Parcel of Tied Land (POTL): means any parcel of land legally bound and tied to a common element condominium. A **parcel of tied land** must front on either a **public street** or **private street** and shall, subject to the regulations of this By-law that relate strictly to **parcels of tied land**, be regarded as a type of **lot**.

Parcel of Urban Residential Land: means a parcel of land that is within an area of settlement on which residential use, other than ancillary residential use, is permitted by By-law and that is served by,

a) sewage works within the meaning of the *Ontario Water Resources Act* that are owned by,
   i) a municipality,
   ii) a municipal service board established under the *Municipal Act, 2001,*
   iii) a city board established under the *City of Toronto Act, 2006,*
   iv) a corporation established under sections 9, 10 and 11 of the *Municipal Act, 2001* in accordance with section 203 of that Act, or
   v) a corporation established under sections 7 and 8 of the *City of Toronto Act, 2006* in accordance with sections 148 and 154 of that Act, and

b) a municipal drinking water system within the meaning of the *Safe Drinking Water Act, 2002*.

Passive Recreational Use: means outdoor recreational areas and facilities requiring minimal land alteration, including walking or hiking trails, interpretative or educational signage, lookouts, boardwalks, picnic areas, benches, shade structures, and bicycle paths, but does not include trails primarily for use by motorized vehicles, formalized sports fields, or significant **buildings**.

Patio, Residential: means an outdoor platform adjoining a **dwelling unit** that has direct access to the ground, having a floor height less than 0.6 metres above **grade**, and which is used as a **private amenity area**. A **patio, residential** is not covered by a roof and is not enclosed except by guards or **privacy screens**.

Permitted Use: means a **use** permitted by this By-law.

Personal Service: means a **building** or part of a **building** where services are provided and administered to individuals and their personal needs and where **accessory** retail sales is permitted and include but is not limited to hair care, esthetics, health and beauty treatment including alternative healthcare services, dressmaking, tailoring, tattooing, piercing, shoe repair, dry cleaner's distribution station, printing and photocopying, and laundromat or similar uses, but shall not include a **body-rub parlour** or **medical office.**

Podium: means the lower portion or base of a **mid-rise building** or **tall building**, including the ground floor and potentially **storeys** above, which is clearly differentiated from the **building** portions vertically above it.

Porch: means an outdoor platform, including any steps, adjoining a **dwelling unit** that has direct access to the ground, and which is used as a **private amenity area**. A **porch** is covered by a roof and shall have at least one side open except for required railings or guards.

Principal Building: means the **building** on a **lot** in which the principal **use** of the **lot** is conducted. A **lot** may have more than one **principal building** only where specifically permitted by this By-law.

Privacy Screen: means a decorative wall, **fence** or barrier designed primarily to provide visual privacy for a **patio**, **deck**, **balcony**, or part of a **yard**.

Private Street / Road: means a private right-of-way providing a means of access to **lots abutting** thereon and is not owned by a **public authority**.

Public Authority: means any federal, provincial, Regional Municipality of Halton, or City of Burlington agency, and includes any commission, board, authority, or department established by such an agency exercising any power or authority under a Statute of Canada or Ontario.

Public Street / Road: means a public right-of-way providing a means of access to **lots abutting** thereon and owned by a **public authority**.

R

Recreational Vehicle: means a vehicle which provides short-term occupancy intended and used exclusively for travel, recreation, and vacationing, designed to be towed or propelled by a **motor vehicle** or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes, or other similar vehicles but does not include a **mobile home**.

Renewable Energy System: means a device or collection of devices that generates thermal energy or electrical power from **renewable energy** sources including, but not limited to, solar radiation, wind, geothermal energy, or biomass. This includes associated components such as photovoltaic panels, solar thermal collectors, turbines, ground or air source heat pumps, inverters, mounting **structures**, and transmission equipment, typically **accessory** to a principal **use** on the same **lot**.

Restaurant, Standard: means a premises where food and beverages are primarily prepared and offered for consumption on the premises, typically involving service to seated patrons. Any take-out service is **accessory**, and it may include an associated **outdoor patio** or **licensed establishment** component but does not include an associated drive-through facility.

Restaurant, Take-Out: means a premises where food and beverages are primarily prepared for consumption off the premises, and which typically has limited or no seating area designed primarily for patrons consuming meals on the premises. This **use** may include an associated drive-through facility where permitted.

Retail Store: means premises where merchandise is offered or kept for sale or rental directly to the public and includes a convenience store.

Retirement Home: means a **building** or part of a **building** that is a **retirement home** as defined in the *Retirement Homes Act, 2010.*

Roof, Flat: means a roof having a slope of less than 1:10.

Roof, Peaked: means a roof having a slope of 1:10 or greater.

Rooftop Terrace: means an outdoor space located on the roof of a **building** which is improved and intended for **use** as **private or common amenity area**.

S

School: means a premises used primarily for elementary or secondary academic instruction that meets the requirements of the *Education Act, R.S.O. 1990, c. E.2*, as amended, and any **accessory uses** such as **school board administrative uses**. This includes public **schools** and private **schools** offering curriculum approved by the Province of Ontario, but does not include a **school, commercial** or **school, post-secondary.**

School Board Administrative Uses: means non-instructional, **office uses** that support the operation of a district school board as defined under the *Education Act, R.S.O. 1990, c. E.2*, as amended.

School, Commercial: means premises used for providing private instruction or training in a particular skill, trade, art, or subject, operated primarily for profit or gain. Examples may include, but are not limited to, **schools** for business, computer training, driving, language, music, dance, or arts & crafts, but does not include a **school**, **school**, post-secondary, or **fitness centre**.

School, Post-Secondary: means premises used for post-secondary education and instruction, such as a university or a college of applied arts and technology, authorized by the Province of Ontario to grant degrees, diplomas, or certificates, and may include associated research facilities, student residences, and other **accessory uses**.

Setback: means the horizontal distance between a **lot line** or other specified boundary, and the nearest point of any **building** or **structure** on the **lot**, measured perpendicular to the **lot line** or boundary.

Shipping Container: means a standardized, reusable container designed for the transport of goods by one or more modes of transportation (such as ship, rail, or truck), and may be used for **accessory** storage or other purposes as permitted by this By-law but does not include a **building, structure,** or vehicle otherwise defined or regulated.

Stepback: means the horizontal recess of an exterior wall of a **building** from the exterior wall of the **storey(s)** immediately below.

Storage Yard: means an outdoor area on a **lot** used primarily for the keeping or storage of goods, materials, equipment, or vehicles. Examples include, but are not limited to, storage for construction supplies, landscaping materials, road maintenance materials, **shipping containers**, contractor's equipment, **motor vehicles** (including salvage or impound **yards** where permitted), **recreational vehicles**, or **utility trailers**. A **storage yard** may include an **accessory** maintenance or repair facility related to the stored items, but does not include a **parking lot**, **loading space**, or areas used primarily for retail display.

Storey: means that portion of a **building** included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the surface of such floor and the ceiling or roof above it, but does not include a **basement**, attic primarily used for insulation or mechanical systems, **mezzanine**, or **mechanical penthouse**.

Storey, First: means the lowermost **storey** of a **building** having its ceiling 1.8 metres or more above **established grade** of the **front wall** of the **building**. In the case of an **accessory building** containing an **additional residential unit – detached**, **first storey** shall mean the lower most **storey** having its ceiling 1.8 metres or more above the **grade** of the **accessory building**.

Street / Road: means a **public street/road** or **private street/road**.

Street Line: means a **lot line** dividing a **lot** from a **street** and is the limit of the street allowance.

Structure: means anything that is constructed, erected, or placed on land, or affixed to something located on land, requiring a fixed location on the ground or attachment to something having a fixed location on the ground, but specifically excludes: (a) Signs; (b) **fences**; (c) **swimming pools** and hot tubs; (d) **platforms** or **patios** with a floor height less than 0.6 metres above adjacent **grade**; (e) **walkways**, **driveways**, sports courts, and similar surfaces constructed essentially at **grade**; (f) minor **accessory** landscape, recreational or decorative elements such as residential play equipment, planters, flagpoles, or garden ornaments; (g) retaining walls having an exposed height less than 1.0 metre; and (h)

components of a **utility installation** such as individual poles, lines, pipes, or pedestals located within a public right-of-way or registered easement.

Swimming Pool: means any privately-owned outdoor tank or body of water used or which is intended to be used and maintained for swimming or display purposes and which has a maximum depth of water greater than 0.6 metres, other than a natural body of water or stream.

T

Tall Building: means a **building** twelve **storeys** or higher.

Tandem Parking Space: means a **parking space** that can only be accessed by passing through another **parking space** from a **street**, **lane** or **driveway**.

Temporary Sales Office: means a temporary **building**, **structure**, or portion thereof (which may include part of a **model home** or its garage), used exclusively for the initial marketing, sale, or leasing of **lots** or units within an approved plan of subdivision, plan of condominium, or site plan **development**, and permitted only for a limited duration as specified elsewhere in this By-law.

Tower: means that portion of a **tall building** located vertically above a **podium**, generally characterized by a smaller **tower floor plate** than the **podium**.

Tower Floor Plate: means the **gross floor area** of any individual **storey** located within the **tower** portion of a **building**.

Tower Separation Distance: means the minimum required horizontal distance between the exterior faces of the **tower** portions of **buildings**. This distance shall be measured between **towers** located on the same **lot**, and between a **tower** on one **lot** and a **tower** on an adjacent **lot**. For the purpose of measuring **tower separation distance**, permitted projections such as **balconies** shall not be included.

Townhouse Building: means a **building** containing four or more **dwelling units**, each divided from the others primarily by vertical **common walls** extending generally from foundation to roof, and each **dwelling unit** having an independent exterior entrance accessible directly from the ground level.

Townhouse, Block: means a **townhouse building** where all **dwelling units** are located on one **lot** and may share common vehicular access to a **public street**, but shall not include a **street townhouse**.

Townhouse, Back-to-Back: means a **townhouse building** in which **dwelling units** are attached side-by-side and back-to-back by **common walls**, including a common **rear wall**, such that individual units do not have a **rear yard**, and where each unit has an independent entrance from the outside.

Townhouse, Rear Lane: means a **townhouse building** where each individual **dwelling unit** is situated on its own legally conveyable **lot** or **parcel of tied land** and is accessed by a rear **lane**, with garages or **parking spaces** located at the rear of the **lot**. A **rear lane townhouse** may contain one or more **additional residential units** where permitted by this By-law.

Townhouse, Podium: means a **dwelling unit** constructed in a townhouse form, typically having direct exterior access from the ground level or from a courtyard, located within the **podium** of a **mid-rise building** or **tall building**.

Townhouse, Stacked: means a **townhouse building** in which **dwelling units** are placed over or under other units, such that individual units are separated from each other both vertically (by common floor/ceiling assemblies) and horizontally (by **common walls**), and where each unit has an independent exterior entrance accessible from the ground level (which may include via an exterior or common interior stair).

Townhouse, Stacked Back-to-Back: means a **stacked townhouse** where **dwelling units** also share a common **rear wall**.

Townhouse, Street: means a **townhouse building** where each individual **dwelling unit** is situated on its own legally conveyable **lot** or **parcel of tied land** having **lot frontage** on a **public street** or **private street**. A **street townhouse** may contain one or more **additional residential units** where permitted by this By-law.

U

Unitary Equipment: means standalone equipment including central air conditioning units, heat pumps, pool equipment, residential generators and gas metres.

Unit Width: means the horizontal distance across the front of an individual unit measured from one **side wall** to the other, parallel to the **street** or main access. Where units share walls with adjacent units, **unit width** is the horizontal distance measured from the middle of one shared wall to the middle of the other shared wall.

Upper Building: means the portion of a **mid-rise building** located vertically above the **podium**.

Use: means: (a) when used as a noun, the purpose for which land, a **building**, or a **structure** is designed, arranged, intended, occupied, or maintained; and (b) when used as a verb ("to use" or "using"), the act of utilizing land, a **building**, or a **structure** for a purpose.

Utility: means a water supply, storm water or wastewater system, gas or oil pipeline, electricity generation facilities and transmission and distribution systems including **renewable energy systems** and district energy systems for electricity, heating and/or cooling, the generation, transmission and distribution of steam or hot water, towers, communication or telecommunication facilities and other cabled services, a public transit or transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest, but does not include a new sanitary landfill site, incineration facilities or large-scale packer and/or recycling plants or similar uses.

Utility Installation: means the **buildings**, **structures**, equipment, lines, pipes, towers, poles, pedestals, or other physical works used to provide a **utility** service. This includes but is not limited to facilities associated with water supply, wastewater systems, energy generation, transmission, and distribution (including electrical, gas, district energy, **renewable energy**), or communication/telecommunication systems, but excludes **antenna systems**.

Utility Trailer: means a vehicle designed to be towed by a **motor vehicle** for the purpose of transporting or storage of goods, materials, equipment or livestock such as boat and snowmobile trailers.

V

Visibility Triangle: means a triangular area of land required at the intersection of two **public streets** or at the intersection of a **driveway**, **lane**, **parking aisle**, or other vehicular access with a **public street**, for the purpose of preserving sight lines for vehicular traffic. The boundary of a **visibility triangle** shall be defined by two intersecting property lines or access lines and a straight line drawn between specified points along them.

W

Wall, Front: means the wall of a **building** above ground that contains the primary pedestrian entrance.

Wall, Rear: means the wall of a **building** above ground that is opposite to the **front wall**.

Wall, Side: means the wall of a **building** above ground that is not a **front wall** or **rear wall.**

Walkway: means a surface treated area that provides pedestrian access to and from a **driveway**, a **street** or condominium common element roadway, and a **dwelling unit**.

Watercourse: an open channel, ditch or depression, whether naturally or artificially created, in which flow of water occurs either continuously or intermittently.

Window Well: means a recessed area at or below **grade**, between a below **grade** window and the surrounding earth, and which is constructed adjacent to the foundation of the **building** to permit light and air to the below-**grade** window.

Y

Yard: means an area extending from the lowest level below **grade** to the sky, open and uncovered, appurtenant to a **building** and unoccupied by any **building**, except as specifically permitted in this By-law. In determining **yard** measurements, the minimum horizontal distance from the respective l**ot lines** to the nearest wall of a **building** above or below **grade** shall be used.

Yard, Exterior Side: means a **yard** extending from the **front yard** to the **rear yard** between an **exterior side lot line** and the nearest wall of any **principal building** on the **lot**.

Yard, Front: means a **yard** extending across the full width of the **lot** between the **front lot line** and the nearest wall of the **principal building** located on the **lot**.

Yard, Interior Side: means a **yard** extending from the **front yard** to the **rear yard** between an **interior side lot line** and the nearest wall of any **principal building** on the **lot**.

Yard, Rear: means a **yard** extending across the full width of the **lot** between the **rear lot line** and the nearest wall of the **principal building** located on the **lot**.

Z

Zone: means a specific category of permitted land **uses**, **lot** standards, and **building** regulations established by this By-law, applicable to defined areas of land as delineated on the schedules forming part of this By-law.

Part 5: General Provisions

5.1 Accessory Uses

Where this By-law provides that land may be used or a **building** or **structure** may be erected and used for a **permitted use**, that **use** shall include any **accessory use** provided:

a) the **accessory use** is located on the same **lot**;

b) the **gross floor area** of the **accessory use** is less than 50% of the **gross floor area** of the principal **use**;

c) except for **home occupations**, where the **accessory use** is located within the **principal building**, customer/client access to the **accessory use** shall be provided from the **principal building** interior only.

5.2 Accessory Buildings and Accessory Structures

The erection, alteration, enlargement, maintenance and **use** of **accessory buildings or structures** shall comply with the regulations of the applicable **zone**, except as otherwise provided for in this section.

a) An **accessory building or structure** shall not be used for habitation except as an **additional residential unit - detached** in accordance with Section 5.14.

b) An **accessory building or structure** shall not be located within a **front yard** or required **exterior side yard**.

c) The **floor area** of each **accessory building or structure** in a residential **zone** shall count towards the maximum **lot coverage** requirements of the **zone** and shall not exceed 10% of the **lot area**, except when approved as an **additional residential unit - detached**.

d) **Accessory buildings and structures** in a residential **zone** shall be subject to the regulations of Table 1:

Table 1: Setback, Overhang and Height Requirements for Accessory Buildings and Structures

Setbacks, Overhang and Heights	Requirement
Minimum **setback** to the **rear lot line**	0.6 m
Minimum **setback** to the **interior side lot line**	0.6 m
Minimum **setback** to the **exterior side lot line**	Same as minimum required **exterior side yard** for the **principal building**
Maximum roof overhang from a wall or post	0.5 m
Maximum **building height** (**peaked roof**)	4.6 m
Maximum **building height** (**flat roof**)	3.5 m

5.3 Garbage, Refuse and Storage

a) No garbage or refuse shall be stored on any **lot** in a residential **zone** except within the **building** or **structure** on such **lot** or in a container in the **interior side yard** or **rear yard** of such **lot**.

b) A dumpster or garbage container shall be regulated in the same manner as an **accessory building or structure** in accordance with Section 5.2.

c) Garbage containers for a **detached dwelling**, **semi-detached dwelling, additional residential unit**, **street townhouse**, and **rear lane townhouse** are exempt from the regulations of Section 5.3 when an individual container is less than 1 cubic metre in size.

d) Notwithstanding Section 5.2 d), a **building** or **structure** for the storage of garbage shall comply with the following regulations:

i) Shall not be located in a required landscaped open space.

ii) Shall not be located in a front or **exterior side yard**.

iii) Minimum **setback** from a **rear lot line**: 1 metre

iv) Minimum **setback** from an **interior side lot line**: 1 metre

v) Minimum **setback** from an LN1 to LN7 **zone**: 15 metres

vi) Maximum height: 3.7 metres

vii) Shall not be located in any required **parking space** or obstruct any required **parking aisle**.

5.4 Balconies, Decks, Residential Patios, and Porches

a) A **balcony**, **deck**, **residential patio** or **porch** is permitted in all residential zones.

b) A **porch** is not permitted above the **first storey**.

c) **Balconies** and **decks** located above the **first storey** and adjoining a wall facing the **interior side yard** or **rear yard** are not permitted in the LN1 to LN7 **zones** outside the following areas:

i) Alton Community (lands bounded by Highway 407 to the north, Appleby Line to the east, and Dundas Street to the south); and

ii) Orchard Community (lands bounded by Upper Middle Road to the south, Bronte Creek Valley to the east, Dundas Street and the CN rail line to the north, and Appleby Line to the west).

d) Additional regulations for a **balcony**, **deck**, or **porch** with a platform less than or equal to 1.2 metres above **grade**:

i) Maximum 2 metres encroachment into a required **front yard** or **exterior side yard**.

ii) Maximum 1 metre encroachment into a required **interior side yard**.

iii) Minimum **setback** from **front lot line**: 1.5 metres

iv) Minimum **setback** from **exterior side lot line**: 1.5 metres

v) Minimum **setback** from **interior side lot line**: 0.6 metres

vi) Minimum **setback** of a **deck** from **rear lot line**: 1.8 metres

vii) Maximum 2 metre encroachment into a required **rear yard** for a **porch** or a **balcony**.

viii) Where a **side lot line** extends from a **common wall** dividing attached **dwelling units** the **interior side yard setback** shall not apply.

e) Additional regulations for a **balcony**, **deck**, or **porch** with a platform more than 1.2 metres above **grade**, but not above the **first storey**:

i) Maximum 2 metres encroachment into a required **front yard** or **exterior side yard**.

ii) Minimum **setback** from **front lot line**: 1.5 metres

iii) Minimum **setback** from **exterior side lot line**: 1.5 metres

iv) Minimum **setback** from **interior side lot line**: **Principal building setback**

v) Minimum **setback** from **rear lot line**: 4.5 metres

vi) Maximum 2 metre encroachment into a required **rear yard** for a **porch** or a **balcony**.

f) Additional regulations for **balconies,** and **decks** above the **first storey**:

i) Subject to **principal building setbacks**, except that a **balcony** or **deck** with a width of 3 metres or less may encroach 1.5 metres maximum into a required **front yard**, **rear yard**, or **exterior side yard**. The width of a **balcony** or **deck** is measured along the exterior wall to which it is adjoined.

ii) Maximum projection from exterior wall: 3 metres.

Note: The regulations in this section do not apply to **basements** under a **deck**, **residential patio**, or **porch**. **Basements** are subject to regulations applying to **buildings**, including minimum **yards** and **setbacks**.

5.5 Fencing and Privacy Screens

a) For a **fence** located on the common **lot line** between a non-residential **use** and a residential **use**, the maximum **fence** height shall be 3 metres.

b) For all residential **uses** the following regulations apply:

i) Maximum **fence** height: 2.5 metres.

ii) Within a **front yard**, maximum **fence** height shall be 1.2 metres within 3 metres of a **front lot line**.

iii) Notwithstanding ii) above, where a **front yard** abuts the **rear yard** of a **corner lot** the maximum **fence** height shall be 2.5 metres along the common **lot line** within 3 metres of a **front lot line**.

iv) For a **townhouse building,** the maximum **fence** height shall be 1.2 m within 3 metres of a **lot line abutting** a **public street**.

v) Fencing for the purpose of enclosing a sport court is permitted to a maximum height of 3 metres.

c) **Fence** height shall be measured vertically from **grade**, exclusive of any artificial embankment, to the highest point of each 3 metres section of **fence**, excluding decorative post caps.

d) Where the **grade** elevations along the **fence** vary, maximum **fence** height may be increased by 0.3 metres provided that the lowest height of the same 3 metre **fence** section does not exceed the maximum permitted height.

e) **Privacy screens** are permitted on all **porches**, **decks** and **balconies** to a maximum height of 1.8 metres from the floor surface of the **porch**, **deck** or **balcony**.

5.6 Swimming Pools

a) A **swimming pool** shall be permitted as an **accessory use** to any residential **use**, in accordance with the following regulations:

i) Not permitted in a **front yard** or required **exterior side yard**.

ii) On **lots** less than 12 meters **wide**, permitted in a **rear yard** only.

iii) Minimum **setback** from a **lot line**: 1.5 metres measured from the inside wall of the **swimming pool** and 0.9 metres measured from the outside of any **hard landscaped open space**.

iv) Notwithstanding iii) above, where the height of the **swimming pool** is greater than 1.5 metres, the minimum **setback** from any **lot line** shall be 3 metres.

v) Maximum height of a **swimming pool**: 2 metres, measured from the lowest point of **grade** at the perimeter of the **swimming pool**.

vi) Notwithstanding v) above, the maximum height shall not apply to a **swimming pool** that is located on a **rooftop terrace** of an **apartment building**.

b) A hydro-massage pool or hot tub having a water surface area which is less than 8 square metres shall not be subject to the above regulations.

c) A **swimming pool** shall maintain a minimum **setback** of 3.3 metres from a pipeline right-of-way.

d) Notwithstanding c) above, an in-ground **swimming pool** shall maintain a minimum **setback** of 7.7 metres from a TransCanada Pipelines Limited (TCPL) pipeline right-of-way.

e) Any **structure** used to contain **mechanical equipment** that is **accessory** to the operation of a **swimming pool** shall be considered an **accessory building or structure** and subject to the general regulations for **accessory buildings and structures** in Section 5.2.

5.7 Trailers, Recreational Vehicles and Commercial Vehicles

a) The following regulations apply to parking of trailers and **recreational vehicles** in all residential **zones**:

i) Any **recreational vehicle**, trailer, or any load thereon including a boat, whether on or off a trailer or other supporting device, which does not exceed a height of 2 metres, may be parked or stored in any **yard**.

ii) Any **recreational vehicle**, trailer, or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 2 metres, may be parked or stored in a **rear yard** or **interior side yard**.

iii) Notwithstanding ii) above, the parking or storage of a **recreational vehicle**, trailer, or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 3.6 metres, is prohibited.

iv) Parking and storage of **recreational vehicles** and trailers is not permitted within a **visibility triangle** or a required **landscaped open space** area.

b) The parking of a maximum of one **commercial vehicle** shall be permitted in a residential **zone** subject to the following regulations:

i) The parking of a **commercial vehicle** shall only be permitted in **a private garage** or **driveway**.

ii) Where parked in a **driveway**, the **commercial vehicle**, including any attached equipment or accessories, shall not exceed 6 metres in length and 2.3 metres in height.

iii) A **commercial vehicle** in excess of the dimensions in ii) above shall only be permitted within a fully enclosed **private garage**.

iv) The minimum number of required **parking spaces** shall not be occupied or otherwise obstructed by the parking of a **commercial vehicle**.

5.8 Visibility Triangles

a) At every **street** intersection, a 6 metre x 6 metre **visibility triangle** shall be provided.

b) At every **driveway**, **lane**, **parking aisle** or other vehicular access intersecting a **street**, 3 metres x 3 metres **visibility triangles** shall be provided.

c) Within a **visibility triangle**, **buildings**, **structures**, solid fencing, **mechanical equipment** and landscaping shall not exceed a height of 1 metre above the elevation of the **street** pavement measured at the centre point of intersecting **streets**.

d) Notwithstanding c) above, the maximum height shall not apply to one private or municipal deciduous tree located within a **visibility triangle**.

5.9 Encroachments and Projections

a) Every part of a required **yard** shall be unobstructed except for the encroachments or projections permitted in this By-law.

b) Exterior recladding of a **building** may project a maximum of 0.05 metres from the wall of the **existing building**.

c) A chimney; pilaster; belt course; sill; lintel; cornice; window box; ornamental projection:

i) May encroach a maximum of 0.5 metres into a required **interior side yard** and 1 metre into any other **yard**.

ii) Shall maintain a minimum 0.6 metre **setback** from any **lot line**.

d) Roof overhangs:

i) May encroach a maximum of 1 metre into any required **yard**.

ii) Shall maintain a minimum 0.3 metre **setback** from any **lot line**.

iii) Eavestroughs shall be included as part of the roof overhang.

e) Exterior stairs, fire escape, **basement** walkout stair:

i) May encroach a maximum of 1.6 metres into a required **rear yard**.

ii) Shall maintain a minimum **setback** of 0.6 metres from any **lot line**.

f) **Window wells**:

i) May encroach a maximum of 1 metre into any required **yard**.

ii) Shall maintain a minimum 0.6 metre **setback** from any **lot line**.

g) **Bay windows**:

i) May encroach a maximum of 0.5 metres into a required **interior side yard** and 1.6 metres into any other **yard**.

ii) Shall maintain a minimum 0.6 metre **setback** from any **lot line**.

iii) Maximum width for an encroaching **bay window** shall not exceed 3 metres.

iv) An encroaching **bay window** must have at least 30% of the surface area of the projection as a window.

h) Roofed or unroofed loading dock:

i) Not permitted in a **yard abutting** an LN1 to LN7 **zone**.

ii) May encroach a maximum of 3 metres into a required **rear yard**.

iii) Shall maintain a minimum 3 metre **setback** from a **rear lot line**.

i) An awning or **canopy**:

i) May encroach a maximum of 1 metre into any required **yard**.

ii) Shall maintain a minimum 0.3 metre **setback** from any **lot line**.

iii) In the HN **zone,** a **canopy** may project into a required **front yard** or **exterior side yard** up to half the distance of the required **yard**.

5.10 Frontage on a Public Street

a) Excepting **lots of record** and **parcels of tied land**, no **building** or **structure** shall be constructed on a parcel of land which does not have frontage on a **public street**.

b) Section 5.10 a) above does not apply to a **lot** used for:

i) a **utility installation**;

ii) a **cemetery**;

iii) a conservation/natural area.

c) Section 5.10 a) above shall not restrict the erection of any **building** on a **lot** in a registered plan of subdivision where a subdivision agreement has been entered into but the **streets** will not be assumed until the end of the maintenance period.

5.11 Home Occupation

A **home occupation** is permitted in all **dwelling units**, subject to the following regulations:

a) The **gross floor area** of the **home occupation** must be less than 50% of the **gross floor area** dedicated to the **dwelling unit**.

b) An integral **private garage** may be used for a **home occupation**, provided the minimum number of required **parking spaces** is maintained.

c) Persons employed by the **home occupation** business shall be limited to residents of the household from which the **home occupation** is conducted.

d) Where the business involves classes for teaching or instructional purposes, the maximum number of clients permitted at any one time shall be three.

e) For pet grooming and pet training, a maximum of four pets are permitted within a **dwelling unit**.

f) The following uses and activities are not permitted:

i) outside storage,

ii) outside manufacturing or processing activities,

iii) outside display and sales areas,

iv) automotive related uses,

v) small engine repair,

vi) **kennel**,

vii) **standard restaurant** and **take-out restaurant**,

viii) direct retail sales or customer merchandise pick up,

ix) **body-rub parlour**, and

x) nightclub.

5.12 Office Uses in Residential Zones

Office uses are permitted in a **building** constructed as a **detached dwelling** in all residential **zones** as a principal **use** or in combination with one or more **dwelling units**, provided the **detached dwelling** has existed on the **lot** for a minimum of 2 years, subject to the following regulations:

a) Minimum **lot** width: 18 metres.

b) The **lot** shall have a **front** or **side lot line** in common with a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street or Neighbourhood Connector identified on Schedule B in Part 10 of this By-law.

c) Maximum number of **office uses**: 2.

d) 50% of the **front yard** shall be maintained as **soft landscaped open space**.

e) 25% of the **rear yard** and **exterior side yard** shall be maintained as **landscaped open space**.

f) Solid screen fencing with a minimum height of 2.5 metres shall be installed along a **rear lot line** and along all **side lot lines** extending from the **rear lot line** to the **front wall** of the dwelling.

g) Parking shall be located in a **side** or **rear yard** only.

h) Where the **lot** abuts a residential **use**, any **parking area** or **driveway** shall maintain a minimum **setback** of 6 metres from the **rear lot line** and 3 metres along that portion of the **side lot line** which is located in the **rear yard**.

i) Storage or display of merchandise, material or equipment is prohibited.

5.13 Uses Permitted in All Zones

a) The following **uses** are permitted in all residential **zones**:

i) **Additional residential units** subject to Section 5.14;

ii) **Schools** subject to Section 5.15;

iii) Long-term care facility and **retirement home** subject to Section 5.16;

iv) Public and private hospitals subject to Section 5.17;

v) Parks and open space subject to the requirements of the Parks and Open Space **Zones** in the City of Burlington Zoning By-law 2020;

vi) Places of worship subject to Section 5.18;

vii) **Day care centre** subject to Section 5.19;

viii) **Group home** subject to Section 5.20;

ix) **Correctional facility** subject to Section 5.21;

x) **Emergency shelter** subject to Section 5.22;

xi) **Boarding house** subject to Section 5.23;

xii) **Additional needs housing** subject to Section 5.24;

xiii) **Utility** subject to Section 5.25;

xiv) **Community garden**;

xv) **Agriculture use** subject to Section 5.26;

xvi) **Bed and breakfast** subject to Section 5.27;

xvii) **Model homes** subject to Section 5.28;

xviii) **Temporary sales offices** subject to Section 5.29;

xix) Temporary **buildings** and **structures** for construction subject to Section 5.30;

xx) Temporary storage and **shipping containers** subject to Section 5.32; and

xxi) Infrastructure.

Subject to compliance with any other regulations or standards which are generally applicable and required elsewhere in this By-law or any other regulations or standards specified for the **use** in this By-law.

b) The **development** of essential emergency services or institutional uses including hospitals, **long term care facilities**, **retirement homes**, pre-schools, school nurseries, **day care centres**, and **schools**, are only permitted outside of **hazardous lands** and hazardous sites.

5.14 Additional Residential Units

a) Up to three **additional residential units** are permitted on a **parcel of urban residential land** in all residential **zones** where one **detached dwelling**, **semi-detached dwelling**, **street townhouse**, or **rear lane townhouse** is permitted.

b) Of the three **additional residential units** permitted in a) above, up to two are permitted to be an **additional residential unit – detached**.

c) A maximum of one **accessory building** containing **additional residential units – detached** is permitted on a **parcel of urban residential land**.

d) **Additional residential units** shall not be included in the calculation of minimum number of visitor **parking spaces**.

e) A 1.2 metre wide unobstructed pedestrian access shall be provided from the **street** to the entrance of an **additional residential unit – attached** or **additional residential unit – detached** located in the **rear yard** or **interior side yard**. A gate may be constructed within the pedestrian access, but no projections shall be permitted within the 1.2 metre width.

f) Notwithstanding Sections 5.2 c) and d) of this By-law, an **accessory building** containing an **additional residential unit – detached** shall be subject to the regulations of Table 2 and as follows:

   i) Exterior stairs above the **first storey** are not permitted to project into the **front yard**, **exterior side yard** or the required **interior side yard**.

   ii) **Decks** and **balconies** above the **first storey** of the **accessory building** and rooftop **common amenity areas** or **private amenity areas** are not permitted on or attached to an **accessory building** containing an **additional residential unit – detached**.

Table 2: Provisions for Accessory Buildings Containing an Additional Residential Unit - Detached

	Accessory Building containing an **Additional Residential Unit - Detached**
Maximum **gross floor area**	80 m^2 except in the LN5 and LN6 **zones**, the maximum **gross floor area** is 15% of the **lot area**.
Minimum **setback** from an **interior side lot line** or **rear lot line**	1.2 m, except 3 m for the portion of the **accessory building** that is greater than 4.6 m in **height** for a **peaked roof** or 3.5 m in **height** for a **flat roof**.
Minimum **setback** to the **exterior side lot line**	Same as minimum required **exterior side yard** for the **principal building.**
Maximum **height**	7 m for a **peaked roof** 6 m for a **flat roof**
Maximum roof overhang from a wall or post	0.5 m

g) A minimum separation distance of 4 metres shall be provided from an **additional residential unit – detached** and a **principal building** located on the same **parcel of urban residential land**.

5.15 Schools

The following regulations apply to **schools** and **post-secondary schools**:

a) Minimum **lot frontage**: 45 metres.

b) For **post-secondary schools,** the **lot** shall abut a Major Arterial, Multi-Purpose Arterial, Urban Avenue or Main Street identified on Schedule B in Part 10 of this By-law.

c) Minimum **setback** from any **street line**: 3 metres.

d) Maximum **setback** from a **street line** in an LN1 **zone**: 6 metres.

e) Minimum **interior side yard**: 3 metres plus an additional 3 metres where the **yard** is adjacent to an LN1 to LN7 zone, except the minimum **interior side yard** for a portable shall be 3 metres.

f) Minimum **rear yard:** 7.5 metres plus an additional 1.5 metres for a **building** greater than 11.25 metres in height.

g) Notwithstanding the **yard** requirements in Section 5.2, the **yard** requirements for portables shall comply with the regulations of this section.

h) Notwithstanding Section 5.2, seasonal sports domes are permitted on a secondary **school** or **post-secondary school** site, subject to the minimum **setback** and maximum **building height** regulations of Section 5.15 of this By-law.

i) The maximum **building height**: 15 metres; 25 metres for a seasonal sports dome.

j) Parking is not permitted within 3 metres of a residential **use** in a residential **zone**.

k) **School board administrative uses** are permitted in a **building** constructed as a **school** in all residential zones as a principal **use**, provided the **building** has existed on the **lot** for a minimum of 2 years, and the **lot** has a **front** or **side lot line** in common with a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, Neighbourhood Connector or Industrial Connector as identified on Schedule B in Part 10 of this By-law.

l) Where a **school** site consists of multiple **lots**, the **school** site shall be considered one **lot** for the purposes of this By-law.

5.16 Long-Term Care Facility and Retirement Home

The following regulations apply to a **long-term care facility** and **retirement home**:

a) The **lot** shall **abut** a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, or Neighbourhood Connector identified on Schedule B in Part 10 of this By-law.

b) Minimum **lot frontage**: 30 metres.

c) Minimum **lot area**: 900 square metres.

d) Minimum **front yard**: 7.5 metres.

e) Minimum **rear yard**: 9 metres.

f) Minimum **interior side yard**: 3 metres plus an additional 3 metres where the **yard** is adjacent to an LN1 to LN7 **zone**.

g) Minimum **exterior side yard**: 6 metres.

h) Maximum **building height**: 15 metres.

i) Parking is not permitted within 3 metres of a residential **use** in a residential **zone**.

5.17 Public and Private Hospitals

The following regulations apply to public and private hospitals:

a) Maximum **lot frontage**: 30 metres.

b) The **lot** shall **abut** a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, or Neighbourhood Connector identified on Schedule B in Part 10 of this By-law.

c) Minimum **setback** from any **street line**: 3 metres.

d) Minimum **setback** from all other **lot lines**: 15 metres.

e) Parking is not permitted within 3 metres of a residential **use** in a residential **zone**.

5.18 Places of Worship

The following regulations apply to a place of worship:

a) Includes an attached or detached manse, an **accessory dwelling unit** for a watchman and any other associated **buildings** located on the same property.

b) Minimum **lot frontage**: 30 metres.

c) The **lot** shall **abut** a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, or Neighbourhood Connector identified on Schedule B in Part 10 of this By-law.

d) Minimum **setback** from any **lot lines** or **street line**: 15 metres.

e) Parking is not permitted within 3 metres of a residential **use** in a residential **zone**.

5.19 Day Care Centre

a) The following regulations apply to a **day care centre**:

i) Minimum **lot frontage**: 15 metres.

ii) Shall provide services to more than 5 children or adults.

iii) Shall not provide for overnight accommodation to those being cared for.

iv) Parking is not permitted within 3 metres of a residential **use** in a residential **zone**.

v) The **lot** shall **abut** a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, or Neighbourhood Connector, as identified on Schedule B in Part 10 of this By-law.

vi) Within the LN1 to LN7 **zones**, the maximum **gross floor area** shall be 300 square metres.

vii) Sections 5.19 a) v) and vi) shall not apply to a **day care centre** on a **school** site or within a **school building**.

b) For all other **lot** and **building** requirements, the following shall apply:

i) within the LN1 to LN7 **zones**, the regulations for **detached dwellings** in the respective **zone**.

ii) within the LN8 or HN **zones**, the regulations for **detached dwellings** in the LN1 **zone**.

iii) Notwithstanding ii), a **day care centre** contained within an **apartment building** in the LN8 or HN **zones** shall be subject to the regulations for **apartment buildings** in the respective **zone**.

iv) A **day care centre** is also permitted in conjunction with a **school** or place of worship where it will be subject to the **setback** requirements for a **school** or place of worship.

5.20 Group Home

The following regulations apply to a **group home**:

a) Minimum **lot frontage**: 15 metres.

b) In **apartment buildings** over 3 **storeys**, one **group home** is permitted for every 30 **dwelling units** and subject to one **group home** per floor.

c) The minimum **private amenity area** for any **group home** is 12 square metres for each resident, including live-in staff or receiving family.

d) Any **private amenity area** shall be located in the **rear yard**.

e) For all other **lot** and **building** requirements, the respective **zone** regulations for **detached dwellings** and **apartment buildings** shall apply.

5.21 Correctional Facility

The following regulations apply to a **correctional facility**:

a) Minimum **lot frontage**: 15 metres.

b) Minimum **lot area**: 500 square metres.

c) Maximum **lot coverage**: 35%.

d) The **lot** shall **abut** a Major Arterial, Multi-Purpose Arterial, or Urban Avenue as identified on Schedule B in Part 10 of this By-law.

e) Minimum **setback** from any **street line**: 3 metres.

f) Minimum **setback** from all other **lot lines**: 15 metres.

g) Maximum **building height**: 10 metres for a **peaked roof** or 7.5 metres for a **flat roof**.

h) Parking is not permitted within 3 metres of a residential **use** in a residential **zone**.

5.22 Emergency Shelter

The following regulations apply to an **emergency shelter**:

a) Minimum **lot frontage**: 30 metres.

b) Minimum **setback** from any **street line**: 3 metres.

c) Minimum **setback** from all other l**ot lines**: 15 metres.

d) Parking is not permitted within 3 metres of a residential **use** in a residential **zone**.

e) The maximum number of beds permitted in an **emergency shelter** is 20.

f) For all other **lot** and **building** requirements, the respective **zone** regulations for a **detached dwelling** shall apply.

5.23 Boarding House

The following regulations apply to a **boarding house**:

a) Minimum **lot frontage**: 18 metres.

b) The maximum number of beds permitted in a **boarding house** is 10.

c) For all other **lot** and **building** requirements, the respective **zone** regulations for a **detached dwelling** shall apply.

5.24 Additional Needs Housing

a) A **long-term care facility** shall be subject to the regulations of Section 5.16.

b) Other **additional needs housing** shall be permitted in any permitted housing form and subject to the regulations for the housing form in the respective **zone**.

5.25 Utility

Any **building** containing a **utility installation** must comply with **zone** regulations for a **detached dwelling** in the LN1 to LN7 **zones**, and in the LN8 and HN **zones**, the respective **zone** requirements for **detached dwellings** in the LN1 **zone** shall apply.

5.26 Agricultural Uses

a) Livestock operations, greenhouses, and outdoor cannabis production facilities are not permitted in a residential **zone**.

b) A minimum **setback** of 15 metres from a **street line** or l**ot line** is required for all **buildings** excluding a dwelling which shall be subject to the regulations of the respective **zone**.

5.27 Bed and Breakfast

A **bed and breakfast** is permitted in a **detached dwelling** subject to the following regulations:

a) Minimum **lot frontage**: 18 metres.

b) A maximum of three guest rooms or suites.

c) No one other than a resident of the dwelling may be employed or have their services retained in the operation of the **bed and breakfast**.

d) Meals shall be provided to the guests of the **bed and breakfast** only.

5.28 Model Homes

Model homes are permitted on lands that have received draft plan of subdivision or condominium approval for residential purposes, subject to the following regulations:

a) The number of **model homes** does not exceed 10 units or 10% of the **dwelling units** draft approved in the plan of subdivision or condominium whichever is the lesser.

b) The **model home** is built within a **lot** defined by the draft approved plan of subdivision or condominium.

c) The **model home** complies with all other requirements of this By-law for the applicable type of **dwelling unit** with the exception of the parking requirements.

5.29 Temporary Sales Offices

a) The **temporary sales office** is located in the plan of subdivision, condominium, or site plan where the **lots** or units are being sold or leased.

b) The **temporary sales office** shall not be permitted until an applicable plan of subdivision, condominium, or site plan control has received draft plan approval.

c) The **temporary sales office** shall only be permitted for such period that work within a relevant plan of subdivision, condominium, or site plan remains in progress, having not been finished or discontinued for 60 days.

d) The **temporary sales office** shall comply with the minimum **yards** for the applicable **zone**.

5.30 Temporary Building and Structures for Construction

a) Temporary **buildings** and **structures**, including a **shipping container**, normal and incidental to construction shall be permitted in all **zones**, provided that a valid **building** permit has been issued by the City of Burlington where a **building** permit is required, and that these uses shall only be permitted so long as the same are necessary for any work in progress which has been neither finished nor abandoned.

b) Temporary **buildings** and **structures** shall be removed from the site within 60 days of final building permit inspection.

5.31 Tents and Temporary Structures

a) The **use** of temporary **structures**, tents, trailers or **recreational vehicles** for human habitation, business, storage of merchandise or other purposes, is prohibited except:

i) Tents may be used for children's play, excluding camps.

ii) Tents maybe be used by the operators of a circus, carnival or carousel for a maximum period of 14 days.

iii) Tents or trailers may be used for a special occasion or special sale of goods or merchandise in conjunction with a **permitted use**, for a maximum of 30 days in a calendar year.

iv) One tent may be used for the seasonal sale of flowers, plants, shrubs, trees and other garden materials and landscape products, provided the zoning of the property permits the sale of these items, for a maximum period of 90 days and limited to one occasion in a 12 month period.

v) Temporary stages and other **structures** for entertainment purposes shall be permitted for a maximum period of 10 days.

vi) The temporary **structure**, tent, trailer or **recreational vehicle** shall be set back a minimum of 3 metres from a **street line** and shall not be located within a required **landscaped open space**.

5.32 Temporary Storage and Shipping Containers

a) A movable storage **structure** or a **shipping container** may be permitted in a **driveway** of a residential property for a period not exceeding 30 days in any given calendar year, provided that:

i) the movable storage or **shipping container** is not located within or blocking access to a required **parking space.**

ii) the movable storage or **shipping container** is set back a minimum of 0.6 metres from a **street line.**

iii) it does not exceed a maximum height of 3 metres and a maximum length of 6.1 metres.

b) In no case shall a movable storage **structure** or **shipping container** encroach onto a public sidewalk, or a public right-of-way, or create a site line obstruction.

5.33 Number of Buildings Per Lot

No more than one **building** shall be located on a **lot** in a LN1 to LN7 **zone**, with the exception of an **accessory building or structure** or an **additional residential unit – detached** as specifically permitted in this By-law, or on **school** sites.

5.34 Availability of Municipal Services and Utilities

No land shall be built upon and no **building** or **structure** shall be erected or expanded for any purpose unless municipal services and utilities including sanitary sewers, storm sewers and drains, water mains, electric power lines and roads are available and adequate.

5.35 Outdoor Patios

An **outdoor patio** is not permitted in a residential **zone.**

5.36 Kennels

A **kennel** is not permitted in a residential **zone**.

5.37 Exceptions to Height Provisions

The height restrictions of this By-law shall not apply to:

a) an antenna, **antenna system**, or mast (when attached to or on a **building**)

b) a chimney or smokestack

c) a spire or steeple on a place of worship

d) clock tower, bell tower, belfry, or church tower

e) ornamental architectural features such as, but not limited to, cupolas and finials

f) an electrical power transmission tower or line and related apparatus

g) rooftop **mechanical equipment** and **mechanical penthouse** (subject to Section 5.38)

h) a light standard, including outdoor sports field lighting facilities

i) a flag pole

j) a Federally regulated and authorized telecommunications tower

k) a water tower

l) a weathervane, lightning rod or other weather device

m) storage tank

n) roof top solar panel (subject to Section 5.39)

o) a required fire wall extending above the top of the roof of a **building**

p) **buildings** and **structures** that are **accessory** to a permitted **agricultural use**, provided that the **building** or **accessory structure** is not used for human habitation.

q) roof top access to a **rooftop terrace** provided that:

i) the feature must be set back a distance equal to its height from the **exterior front wall** and exterior **rear wall**;

ii) the maximum total area for the feature is 10.5 square metres;

iii) the maximum projection for eaves beyond the exterior walls of the feature is 0.6 metres; and

iv) the maximum height to the eaves of the roof top access is 3 metres.

5.38 Mechanical Equipment including Roof Top Mechanicals

a) Roof top **mechanical equipment**:

i) Shall have a minimum **setback** of 5 metres from the **building** edge.

ii) Notwithstanding i) above, shall have a minimum **setback** of 1.5 metres from the **building** edge provided it is enclosed on four sides and screened with solid screening equal to the height of rooftop mechanical unit.

iii) A **mechanical penthouse**, including any appurtenances thereto shall not exceed 6 metres above the maximum **building height**.

iv) Rooftop **mechanical equipment**, including any appurtenances thereto shall not exceed 2 metres above the maximum **building height**.

b) **Unitary equipment** not located on a rooftop shall be subject to the following regulations:

i) Permitted in all **yards**.

ii) Minimum **interior side yard**, **exterior side yard** and **rear yard**: 0.6 metres.

iii) When located in the **front yard**, shall be no further than 1.5 metres from the **front wall** of the **principal building.**

5.39 Roof Top Solar Panels

a) Rooftop solar panels that exceed a height of 0.9 metres above the roof upon which it is located shall be set back a minimum of 5 metres from all edges of a roof.

b) Notwithstanding a) above, rooftop solar panels shall not exceed a height of 2 metres above the roof upon which it is located.

5.40 Structures Related to Below-grade Parking

Notwithstanding any other requirement of this By-law, air ventilation shafts or an access staircase, shall be permitted anywhere on the same **lot** as the **parking structure** is located, subject to the following regulations:

a) Shall not be located in a required **front yard** or **exterior side yard**.

b) Shall have a minimum **setback** of 3 metres from any **lot line**.

5.41 General Landscaping Provisions

a) To qualify for any minimum **landscaped open space** or **soft landscaped open space** requirement of this By-law, an individual area of landscaping provided on a **lot** shall contain an area with minimum dimensions of 3 metres by 3 metres and may include additional area of lesser dimensions provided the additional area is contiguous to the 3 metres by 3 metres area.

b) Required **soft landscaped open space** shall **abut** the **front lot line**.

c) Landscaping provided on the roof of a **building** shall be included in the calculation of required **landscaped open space** on the **lot**, provided it meets the requirements of a) above and has a minimum soil depth of 1 metre.

5.42 Exterior Barrier-Free Accessibility Ramp

An exterior unenclosed ramp to provide a barrier-free path of travel to a **building** or **structure** as may be required under the *Ontario Building Code Act* or *Accessibility for Ontarians with Disabilities Act* shall be exempt from the provisions of this By-law except for the following requirements:

a) **Setback** from a **front lot line**: 0.5 metres.

b) **Setback** from a **side lot line abutting** a **street**: 0.5 metres.

c) **Setback** from all other **lot lines**: 1 metre.

5.43 Setback Abutting Creek Blocks and Other Zones

a) Notwithstanding the other regulations of this By-law, all **buildings** and **structures** shall maintain the following **setbacks** from lands zoned O2 or O3 in the following maps of the City of Burlington Zoning By-law 2020:

i) 15 metres from an O2 or O3 **zone** on Zoning Maps 1-W and 1-E north of Plains Road West;

ii) 3 metres if **creek block** includes a 3 metres buffer from limit of the **floodplain** and erosion hazards; and,

iii) 7.5 metres from an O2 or O3 **zone** on all other Zoning Maps except Zoning Maps 25, 30 and 29.

b) The above **setbacks** may be reduced to the applicable **setback** requirement contained in the base zoning, provided the approval of the **City** and, in the case of lands located within Conservation Halton's regulated area, the approval of Conservation Halton is obtained.

5.44 Setback from a Watercourse

Every **building**, including **accessory buildings** 15 square metres in size or greater, and **parking lots** shall maintain a minimum **setback** of 6 metres from the greater of the limit of the **floodplain**, meander belt, or stable top-of-bank of any **watercourse** which is not within a **creek block**, unless a reduced **setback** is specifically permitted by Conservation Halton or, in the case of a **watercourse** not regulated by Conservation Halton.

5.45 Setback from a Pipeline Right-of-Way

a) Every **building** and **accessory building** shall maintain a minimum **setback** of 7.7 metres from a pipeline right-of-way.

b) **Accessory structures** shall maintain a minimum **setback** of 3.3 metres from the pipeline right-of-way.

c) Notwithstanding a) above, every **building** and **accessory building** shall maintain a minimum **setback** of 11 metres from the Trans-Northern Pipeline Inc. pipeline right-of-way, unless a reduced **setback** is specifically permitted by the pipeline company.

d) Notwithstanding b) above, every **structure**, **parking area**, **parking lot**, or loading area, including any **parking spaces**, **loading spaces**, stacking spaces, and any associated **parking aisle** or **driveway** shall maintain a minimum **setback** of 7.7 metres from the TransCanada PipeLines Limited (TCPL) pipeline right-of-way.

5.46 Setback from a Highway Corridor

Notwithstanding any other provision of this By-law, all **buildings** and **structures** and the following features shall have a minimum **setback** of 14 metres from the **lot line abutting** the boundary of Highway 403, Highway 407 and the Queen Elizabeth Way:

a) Any required **parking area**, **parking lot** or loading area, including any required **parking space**, **loading space**, stacking space, or **bicycle parking space**, and any associated **parking aisle** or **driveway**;

b) A required **amenity area**; and

c) A stormwater management facility.

5.47 Setback from a Railway Right-of-Way

Notwithstanding any other regulations in this By-law, all outdoor amenity areas and **buildings** and **structures** containing a **dwelling unit**, community centre, place of worship, **day care centre**, **school**, **post-secondary school**, hospital, long-term care facility, **retirement home**, **group home**, **correctional facility**, **emergency shelter** and **boarding house** shall be located no closer than 30 metres from any railway corridor.

Part 6: Parking and Loading

6.1 Off-Street Parking and Loading Space Requirements

a) Whenever a new **development** occurs or whenever a **development** is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle **parking spaces** shall be provided and maintained.

b) Any **parking space**, **accessible parking space**, **bicycle parking space**, and **loading space** requirements of this By-law shall be provided for and located on the same **lot** as the **use** for which the parking is required.

c) The number of **parking spaces** required for **permitted uses** in all **zones** shall be in accordance with Table 3, unless otherwise specified in the respective **zones**. Where more than one **use** specified in Table 3 is provided on the same **lot** or in the same **building**, the **parking spaces** required shall be in respect of each **use**.

d) For **developments** containing 11 **dwelling units** or more, a minimum of one **electric vehicle parking space** shall be provided. If the **electric vehicle parking space** is provided as a visitor **parking space**, it shall not count towards meeting the minimum number of visitor **parking spaces** or **accessible parking spaces** required in Table 3 or Section 6.1 of this By-law, respectively.

Table 3: Off-Street Parking Standards

Use	Minimum Parking Standard
Cluster Home **Detached Dwelling** **Semi-Detached Dwelling**	2 **parking spaces** per unit; If on a **parcel of tied land** fronting onto a common element condominium road: 1.5 **parking spaces** per unit where 1 **parking space** shall be located on the **parcel of tied land** and 0.5 **parking spaces** per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway.
Street Townhouse, Rear Lane Townhouse	2 **parking spaces** per unit
Block Townhouse	2 **parking spaces** per unit, 0.25 visitor **parking spaces** per unit
Stacked Townhouse **Stacked Back-to-Back Townhouse**	1 **parking space** per unit, 0.25 visitor **parking spaces** per unit
Back-to-Back Townhouse	2 **parking spaces** per unit, 0.25 visitor **parking spaces** per unit
Apartment Building	1 **parking space** per one-bedroom unit 1.25 **parking spaces** per two-bedroom unit 1.5 **parking spaces** per three or more bedroom unit

Parking and Loading

Use	Minimum Parking Standard
	0.25 visitor **parking space** per unit 1 additional **parking space** per 75 units for the use of maintenance vehicles servicing the site
Dwelling Units on the 2nd or 3rd floor of a 2 or 3 storey commercial building	1.25 **parking spaces** per unit, inclusive of visitor parking
Additional Residential Unit	0 **parking spaces** for the first **additional residential unit** 1 **parking space** for the second or third **additional residential unit**
Bed and Breakfast **Boarding House**	1 **parking space** per guest room
Cemetery	1 **parking space** per employee plus 1 **parking space** per 4 seats chapel capacity
Convent, Monastery	1 **parking space** per 2 beds
Convenience Store, retail store	3.5 **parking spaces** per 100 m^2 **gross floor area**
Correctional Facility	0.85 **parking space** per employee 0.25 visitor **parking spaces** per resident
Day Care Centre	4 **parking spaces** per 100 m^2 **gross floor area**
Emergency Shelter	0.85 **parking space** per employee 0.25 visitor **parking spaces** per resident
Group Home	2 **parking spaces**
Home Occupation	None required
Home Day Care	None required
Hospital, Health Care Facility	0.65 **parking spaces** per patient bed
Long-Term Care Facility	0.35 **parking spaces** per bed
Medical Office	6 **parking spaces** per 100 m^2 of **gross floor area**
Office	3 **parking spaces** per 100 m^2 of **gross floor area**
Personal Service	4 **parking spaces** per 100 m^2 **gross floor area**
Place of Worship	0.2 **parking spaces** per seat or prayer space, or 6 **parking spaces** per 100 m^2 of **gross floor area**, whichever is higher
Restaurant, Standard	18.5 **parking spaces** per 100 m^2 of **gross floor area**
Restaurant, Take-Out	10 **parking spaces** per 100 m^2 of **gross floor area**
Retirement Home	0.6 **parking spaces** per unit 0.25 visitor **parking spaces** per unit 1 additional **parking space** per 50 units for the use of maintenance vehicles servicing the site

Use	Minimum Parking Standard
Retail Store	3.5 **parking spaces** per 100 m^2 of **gross floor area**
Retail Centre	5 **parking spaces** per 100 m^2 of **gross floor area**
School	For elementary **schools**: 1.5 **parking spaces** per classroom For secondary **schools**: 3 **parking spaces** per classroom
Post-Secondary School	5 **parking spaces** per classroom plus 1 **parking space** per 20 m^2 of **gross floor area** of auditoriums

e) In addition to **parking spaces**, a residential **building** containing 25 **dwelling units** or more shall provide and maintain on the same **lot** a minimum of 1 **loading space**.

f) In addition to **parking spaces**, industrial or commercial uses that require the receiving, shipping, loading or unloading of goods, wares, merchandise or raw materials, shall comply with the following minimum regulations:

i) 1 **loading space** for **gross floor area** between 300 square metres and 2,299 square metres;

ii) 2 **loading spaces** for **gross floor area** of 2,300 square metres to 7,360 square metres; and

iii) 1 additional **loading space** for each **gross floor area** increment of 9,200 square metres (or part thereof) over 7,360 square metres.

6.2 Parking Space & Loading Space Size

a) Unless otherwise specified in this By-law, all **parking spaces** shall have a minimum width of 2.75 metres and a minimum area of 16.5 square metres.

b) Parallel **parking spaces** shall comply with the following minimum dimensions:

i) 2.75 metres in width;

ii) 7.2 metres in length; and

iii) Unobstructed end spaces may be 6.7 metres in length.

c) Where a wall, column or other obstruction is adjacent to or within a **parking space** in a **parking structure**, the minimum width of the **parking space** shall increase by 0.3 metres.

d) Notwithstanding c) above, an additional 0.3 metres is not required when:

i) The maximum length of the wall, column or any other obstruction does not exceed 1.15 metres from the non-driving aisle end of the **parking space**;

ii) The wall, column or any other obstruction is located at the front or rear of the **parking space**.

e) Up to 5% of the minimum required **parking spaces** may be designed for a motorcycle, cargo bicycle or similar vehicle and shall be clearly identified as being reserved for the parking of motorcycles, cargo bicycles or similar vehicles only.

f) Notwithstanding any other provision in this By-law, a **parking space** for motorcycles, cargo bicycles or similar vehicles shall comply with the following minimum dimensions:

i) 1.3 metres in width; and

ii) 3 metres in length.

g) The minimum internal dimensions for a **private garage** shall comply with the following minimum dimensions:

i) 6 metres in depth;

ii) 3 metres in width; and

iii) 2 metres of height clearance.

h) The minimum internal dimensions for unobstructed area in the **private garage** shall comply with the following minimum dimensions:

i) 5.5 metres in depth;

ii) 3 metres in width; and

iii) 2 metres of height clearance.

One step is permitted in the unobstructed area.

i) **Loading spaces** shall comply with the following minimum dimensions:

i) 3 metres in width;

ii) 9.7 metres in length; and

iii) 3 metres of height clearance.

j) The location of loading doors and associated loading facilities:

i) Shall not be allowed within a **yard abutting** a **street**; and

ii) Shall not be allowed in a required **yard abutting** an LN 1 to LN8 **zone**.

6.3 Surface Treatment

Every **parking lot** shall be graded and drained and the surface treated so as to provide a permanent durable and dustless surface.

6.4 Parking Structures

a) Any part of a **parking structure** that projects 1.6 metres or more above **grade** shall be subject to the **yard** requirements of the **zone**.

b) Entrance and exit ramps to below-ground **parking structures** and above-ground **parking structures** or **buildings** shall be set back 7.5 metres from a **street line**.

c) A minimum **setback** of 2 metres from any **lot line** shall apply to below-ground **parking structures**.

d) Where a below-ground **parking structure** is located in accordance with c) above, and is located below a required **landscaped open space**, there shall be a minimum depth of 2 metres between **grade** and the top of the **structure**.

6.5 Designated Accessible Parking Spaces

a) Where **parking spaces** are required, **accessible parking spaces** shall be provided in accordance with this section.

b) The total number of **accessible parking spaces** required shall be in accordance with Table 4. Where both resident and visitor **parking spaces** are required for a residential **use**, the **accessible parking spaces** required shall be calculated as the sum of the requirements of Table 4 applied to each type of parking (i.e. resident and visitor).

Table 4: Accessible Parking Standards

Required Parking Spaces	Required Accessible Parking Spaces
12 or fewer	1 Type A space
13-100	4% of **parking spaces** with an equal number of Type A and Type B spaces (1)
101-200	1 space plus 3% of **parking spaces** with an equal number of Type A and Type B spaces (1)
201-1,000	2 spaces plus 2% of **parking spaces** with an equal number of Type A and Type B spaces (1)
1,001 or greater	11 spaces plus 1% of **parking spaces** with an equal number of Type A and Type B spaces (1)

Notes:

(1) If an odd number of **accessible parking spaces** is required, the additional space may be a Type B **accessible parking space**, except if only one **accessible parking space** is required, it shall be a Type A space.

c) Section 6.5 b) above shall not apply to **detached dwellings**, **semi-detached dwellings**, **cluster homes**, **street townhouses**, and **rear lane townhouses**.

d) **Accessible parking spaces** shall be counted towards the minimum number of required **parking spaces**.

e) Where an **accessible parking space** is provided, the **accessible parking space** shall:

i) be identified with a provincially regulated vertical sign displaying the international symbol for **accessible parking spaces** and, for a 'Type A' space, identifying the space as van accessible;

ii) be located adjacent to a delineated **accessible access aisle** with a minimum width of 2 metres;

iii) comply with the **accessible parking space** dimensions in Table 5.

Table 5: Accessible Parking Space Dimensions

Accessible Parking Space Type	Minimum Width	Minimum Length	Minimum Overhead Clearance
Type A	3.4 m	6 m	2.75 m
Type B	2.75 m	6 m	2.75 m

f) Where there are **accessible parking spaces** in a **parking lot**, the entrance of the **parking lot** and circulation to and from the **accessible parking spaces** shall include a minimum overhead clearance of 2.75 metres.

6.6 Bicycle Parking

a) A **bicycle parking space** not located in an enclosure must be separated from **parking spaces**, visitor **parking spaces** or **loading spaces** by 2 metres.

b) Each horizontal **bicycle parking space** shall be a minimum of 0.6 metres wide, 1.8 metres deep with 2 metres of height clearance, exclusive of parking racks and hardware.

c) Each vertical **bicycle parking space** shall be a minimum of 0.6 metres wide, 1.1 metres deep with 2.3 metres of height clearance, exclusive of parking racks and hardware.

d) A minimum of 5% of required **bicycle parking spaces** shall be designated spaces for large bicycles, such as cargo, recumbent and bicycles with trailers.

e) Each **bicycle parking space** for large bicycles, such as cargo, recumbent and bicycles with trailers shall be horizontal.

f) Each horizontal **bicycle parking space** for large bicycles, such as cargo, recumbent and bicycles with trailers shall be a minimum of 0.91 metres wide, 3.05 metres deep with 2 metres of height clearance, exclusive of parking racks and hardware.

g) Each **bicycle parking space** shall be accessed by an aisle with a minimum width of 1.5 metres.

h) **Bicycle parking spaces** and accesses shall be located on hard-surfaced areas.

i) **Short-term bicycle spaces** and **long term bicycle parking spaces** shall be provided in accordance with the minimum requirements in Table 6.

j) Where a **lot** contains more than one use, the required number of **bicycle parking spaces** is the sum of all **bicycle parking spaces** required for each use.

k) **Long term bicycle parking spaces**:

  i) A minimum of 25% of the required **long term bicycle parking spaces** shall be stored in a horizontal ground mounted position. The remainder of the spaces may be provided as **stacked** or vertical **bicycle parking spaces.**

  ii) A minimum of 50% of the required **long term bicycle parking spaces** must be horizontal. A **bicycle parking space** located on the lower level of stacked rack is considered a horizontal **bicycle parking space**.

l) **Short term bicycle parking spaces**:

  i) Shall be located no more than 25 metres from the primary pedestrian entrance to the **building**.

  ii) A minimum of 25% of the required **short term bicycle parking spaces** shall be weather protected, except none of the required **bicycle parking spaces** for an elementary **school** are required to be weather protected.

  iii) Must not be provided as **stacked** or vertical **bicycle parking space**.

Table 6: Bicycle Parking Space Requirements

Use	Bicycle parking spaces, short term – minimum required	Bicycle parking spaces, long term – minimum required
Apartment building	0.1 spaces per **dwelling unit**, 2 spaces minimum	0.5 space per **dwelling unit**, 2 spaces minimum
Commercial multi-unit **building** (includes individual **buildings** on the same **lot** as the multi-unit **building**)	0.2 spaces per 100 m^2 of **gross floor area**, 3 spaces minimum	0.1 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum
Retail Store	0.2 spaces per 100 m^2 of **gross floor area**, 3 spaces minimum	0.1 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum
Day Care Centre	0.1 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum	0.2 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum
Restaurant	3 spaces plus 1 space per 1000 m^2 of **gross floor area**	0.1 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum
Office/ medical office	0.13 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum	0.2 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum[1]
Elementary **School**	4 spaces minimum	No minimum
All other commercial uses not otherwise specified	0.05 spaces per 100 m^2 of **gross floor area**	2 spaces minimum 0.09 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum
Industrial uses	0.03 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum	0.07 spaces per 100 m^2 of **gross floor area**, 2 spaces minimum
All other non-residential uses not otherwise specified	2 spaces minimum	2 spaces minimum

6.7 Driveway Width, Length and Landscaped Open Space Area

a) A maximum of one **driveway** shall be permitted for each residential **lot**, except in the case of a **corner lot** or **through lot** where a maximum of one **driveway** per **street** frontage may be permitted if the second **driveway** location is approved by the **City**.

b) Where two **driveways** are permitted, the maximum width of one **driveway** shall be 4 metres inclusive of **walkways**.

c) Unless otherwise specified in this By-law, **driveways** shall be a minimum of 6 metres in length. For **driveways** with direct access to a **public street**, **driveway** length shall be measured from the **street line** to the front of garage or where there is no garage, to the end of the **driveway**. For **driveways** with direct access to a **private street**, **driveway** length shall be measured from back of sidewalk, or where there is no sidewalk from back of curb, to the front of garage or where there is no garage, to the end of the **driveway**.

d) **Driveways** shall have a minimum width of 2.75 metres. The width of **driveways** and **walkways** shall be measured perpendicular to the direction of travel of the vehicle or person.

e) Unless otherwise specified in this By-law, the combined maximum width of all hard surfaces (**driveways** plus **walkways**) for all dwelling types except **apartment buildings** shall be:

   i) For **lot frontage** less than 9 metres in width: 4.5 metres.

   ii) For **lot frontages** equal to or greater than 9 metres and less than 12 metres in width: 5.5 metres.

   iii) Notwithstanding the above, for **lot frontages** less than 12 metres in width with a dwelling containing a two-car garage on or before December 14, 2009: 7 metres.

   iv) For **lot frontages** equal to or greater than 12 metres and less than 18 metres in width: 7.5 metres.

   v) For **lot frontages** equal to or greater than 18 metres in width: 10 metres.

f) For **lots** identified in e) above, the remaining **lot area** between a **street line** and a **front wall** of the dwelling facing a **street** shall be **landscaped open space**, excluding **porches** and stairs.

g) Circular **driveways** are permitted subject to the following:

   i) **Lot frontage** is equal to or greater than 21 metres.

   ii) Must be located in a front or **exterior side yard**.

   iii) Maximum width of a **walkway** shall be 2 metres.

   iv) The combined width of the two points of access shall not exceed a maximum width of 9 metres.

v) The widest point beyond circular **driveway** shall not exceed a maximum width of 9 metres.

vi) Minimum width of 8 metres of **landscaped open space** between **driveway** access points.

6.8 Tandem Parking

a) Required **parking spaces** shall be readily accessible without obstructions at all times for parking and removal of a **motor vehicle** without the necessity of moving any other vehicle or obstruction.

b) Notwithstanding a) above, required **parking spaces** for the following uses are permitted to be provided as **tandem parking spaces**:

i) **Additional residential units**;

ii) **Group homes,** provided that at least 2 **parking spaces** are accessible at all times;

iii) **Dwelling units,** provided:

i. the **tandem parking spaces** are located in a **private garage** or on a **driveway** devoted exclusively to the **dwelling unit**; or

ii. the **tandem parking spaces** are located in a **parking lot** or **parking structure**, are occupant spaces, and comprise a maximum of 20% of the required occupant parking.

Part 7: Residential Zones

7.1 Purpose Statements for Residential Zones

Low-Rise Neighbourhood 1-6 (LN1 to LN6)
The purpose of these **zones** is to accommodate **detached dwellings**, **semi-detached dwellings** and, in the Orchard Community, **street townhouses**.

Low-Rise Neighbourhood 7 (LN7)
The purpose of this **zone** is to accommodate **cluster homes** on a single **lot.**

Low-Rise Neighbourhood 8 (LN8)
The purpose of this **zone** is to accommodate **existing detached dwellings,** new **detached dwellings** with at least one **additional residential unit – attached**, in addition to **semi-detached dwellings**, **block townhouses**, **street townhouses**, **rear lane townhouses**, **stacked townhouses**, **back-to-back townhouses** and **stacked back-to-back townhouses**. **Apartment buildings**, **personal services** and **retail stores** are also permitted subject to additional provisions.

High-Rise Neighbourhood (HN)
The purpose of this **zone** is to accommodate new **detached dwellings** with at least two **additional residential units – attached**, **block townhouses, street townhouses**, **rear lane townhouses**, **stacked townhouses**, **back-to-back townhouses**, **stacked back-to-back townhouses** and **apartment buildings**. **Personal services**, **restaurants** and **retail stores** are also permitted subject to additional provisions.

7.2 Permitted uses

The following Table 7 establishes the uses permitted in the Residential **Zones**.

Table 7: Permitted Uses in Residential Zones

Permitted uses	LN1	LN2	LN3	LN4	LN5	LN6	LN7	LN8	HN
Residential uses									
Detached Dwelling	P	P	P	P	P	P	--	P (1)(2)	P (3)
Semi-Detached Dwelling	P	P	P	P	P	P	--	P	--
Cluster Homes	--	--	--	--	--	--	P	--	--
Block Townhouse	--	--	--	--	--	--	--	P	P
Street Townhouse	P (4)	--	--	--	--	--	--	P	P
Rear Lane Townhouse	--	--	--	--	--	--	--	P	P
Back-to-back Townhouse	--	--	--	--	--	--	--	P	P
Stacked Townhouse	--	--	--	--	--	--	--	P	P
Stacked Back-to-Back Townhouse	--	--	--	--	--	--	--	P	P
Apartment Building	--	--	--	--	--	--	--	P (5)	P
Non-residential uses									
Personal Service	--	--	--	--	--	--	--	P (6)	P (6)
Restaurant Standard	--	--	--	--	--	--	--	P (6)	P (6)
Restaurant Take-Out	--	--	--	--	--	--	--	P (6)	P (6)
Retail Store	--	--	--	--	--	--	--	P (6)	P (6)

Notes:

(1) **Existing detached dwellings** are permitted.

(2) New **detached dwellings** containing a minimum of one **additional residential unit – attached** are permitted.

(3) New **detached dwellings** containing a minimum of two **additional residential units – attached** are permitted.

(4) Permitted only on **lots** in the Orchard Community (lands bounded by Upper Middle Road to the south, Bronte Creek Valley to the east, Dundas Street and the CN rail line to the north, and Appleby Line to the west).

(5) Permitted only on **lots** with a **front lot line abutting** a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, or Neighbourhood Connector identified on Schedule B in Part 10 of this By-law.

(6) Permitted on the ground floor of a **street townhouse** or **apartment building** located adjacent to a Major Arterial, Multi-Purpose Arterial, Urban Avenue, or Main Street identified on Schedule B in Part 10 of this By-law to a maximum **gross floor area** of 300 square metres.

7.3 Provisions for Detached Dwellings in the Low-Rise Neighbourhood 1 to 6 Zones

a) Lot and Building Requirements by Building Type

The following Table 8 and additional regulations establish the **zone** standards that apply to **detached dwellings** in the Low-Rise Neighbourhood LN1 to LN6 **zones**. Regulations for **accessory buildings and structures** are set out in Section 5.2.

Table 8: Provisions for Detached Dwellings

	LN1	LN2	LN3	LN4	LN5	LN6
Minimum **Lot Area**	225 m^2	270 m^2	360 m^2	425 m^2	680 m^2	925 m^2
Minimum **Lot Frontage**	7.5 m	9 m	12 m	15 m	18 m	24 m
Minimum **Front Yard**	3 m (1)	3 m (1)	6 m (1)	6 m (1)	7.5 m (1)	9 m (1)
Maximum **Lot Coverage**	50%	50%	40% (2)	35% (2)	35% (2)	35% (2)
Minimum **Rear Yard**	6 m	7 m	7.5 m (3)	9 m (3)	9 m (3)	9 m (3)
Minimum **Interior Side Yard**	1.2 m one side, 0.6 m other side (4)	1.2 m one side, 0.6 m other side (4)	1.2 m one side, 0.6 m other side (4)	1.5 m (4)	1.8 m (4)	2.4 m (4)
Minimum **Exterior Side Yard**	3 m (1)	3 m (1)	4.5 m (1)	4.5 m (1)	4.5 m (1)	9 m (1)
Minimum **Front Yard Soft Landscaped Open Space**	30%	30%	30%	30%	40%	50%
Maximum **Building Height**	11.5 m for a **peaked roof** or 7.5 m for a **flat roof**	10 m for a **peaked roof** or 7.5 m for a **flat roof** (5)(6)	10 m for a **peaked roof** or 7.5 m for a **flat roof** (6)	10 m for a **peaked roof** or 7.5 m for a **flat roof** (6)	10 m for a **peaked roof** or 7.5 m for a **flat roof** (6)	10 m for a **peaked roof** or 7.5 m for a **flat roof** (6)

Notes:

(1) The minimum required **front yard** or **exterior side yard** may be reduced to the **established front** or **exterior side yard**, provided there is a minimum **setback** of 1 metre from the **street line**.

(2) Maximum **lot coverage** on a **lot** with one or more **additional residential units** shall be 45%.

(3) On a **corner lot** the **rear yard** may be 4.5 metres.

(4) Where a detached **private garage** is in the **rear yard**, the minimum **interior side yard** leading to the **rear yard private garage** shall be 3 metres.

(5) Properties in the Alton Community (lands bounded by Highway 407 to the north, Appleby Line to the east, and Dundas Street to the south) or Orchard Community (lands bounded by Upper Middle Road to the south, Bronte Creek Valley to the east, Dundas Street and the CN rail line to the north, and Appleby Line to the west)) shall have a maximum **building height** of 14 metres for a **peaked roof** or 10 metres for a **flat roof**.

(6) Properties with a **front** or **exterior side yard abutting** Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard shall have a maximum **building height** of 13 metres for a **peaked roof** or 10 metres for a **flat roof**. For **through lots**, the front **building** elevation shall determine the front of the **lot** for this regulation.

b) Additional Provisions for Detached Dwellings

i) The total width of all **private garage** door openings facing a **street** shall not exceed 50% of the width of its **building** elevation.

ii) An attached **private garage** with a garage door facing a **street** is not permitted to project beyond the longest wall facing a **street** and containing residential floor area on the **first storey** of a dwelling, or where there is a **porch** attached to the longest wall facing a **street**, it shall not project past the **porch**.

iii) The maximum height above **grade** of any pedestrian entrance facing a **front yard** or **exterior side yard** shall be 7 stair risers.

iv) In the LN5 and LN6 **zones**, the maximum **building** depth shall be 20 metres, measured from the minimum required **front yard** or **established front yard**, to the wall more than 0.5 metres above **grade** closest to the **rear lot line**.

7.4 Provisions for Semi-Detached Dwellings in the Low-Rise Neighbourhood 1 to 6 Zones

a) Lot and Building Requirements by Building Type

The following Table 9 and additional regulations establish the **zone** standards that apply to each **semi-detached dwelling** unit in the Low-Rise Neighbourhood **zones**. Regulations for **accessory buildings and structures** are set out in Section 5.2.

Table 9: Provisions for Semi-Detached Dwellings

	LN1	LN2	LN3	LN4	LN5	LN6
Minimum **Lot Area**	165 m^2	165 m^2	270 m^2	270 m^2	400 m^2	500 m^2
Minimum **Lot Frontage**	6.5 m	6.5 m	9 m	9 m	9.5 m	13 m
Minimum **Front Yard**	3 m (1)	3 m (1)	6 m (1)	6 m (1)	7.5 m (1)	9 m (1)
Maximum **Lot Coverage**	50%	50%	40% (2)	40% (2)	35% (2)	35% (2)
Minimum **Rear Yard**	6 m	7 m	7.5m	9 m	9 m	9 m
Minimum **Interior Side Yard**	0.6 m (3)	0.6 m (3)	1.2 m (3)	1.5 m (3)	1.8 m (3)	2.4 m (3)
Minimum **Exterior Side Yard**	3 m	3 m	4.5 m	4.5 m	4.5 m	4.5 m
Minimum **Front Yard Soft Landscaped Open Space**	30%	30%	30%	30%	30%	30%
Maximum **Building Height**	11.5 m for a **peaked roof** or 7.5 m for a **flat roof**	10 m for a **peaked roof** or 7.5 m for a **flat roof** (4)(5)	10 m for a **peaked roof** or 7.5 m for a **flat roof** (5)	10 m for a **peaked roof** or 7.5 m for a **flat roof** (5)	10 m for a **peaked roof** or 7.5 m for a **flat roof** (5)	10 m for a **peaked roof** or 7.5 m for a **flat roof** (5)

Notes:

(1) The minimum required **front yard** or **exterior side yard** may be reduced to the **established front** and/or **exterior side yard**, provided there is a minimum **setback** of 1 metre from the **street line**.

(2) Maximum **lot coverage** on a **lot** with one or more **additional residential units** shall be 45%.

(3) Where an **interior side lot line** shares a **common wall**, no **setback** is required.

(4) Properties in the Alton Community (lands bounded by Highway 407 to the north, Appleby Line to the east, and Dundas Street to the south) or Orchard Community (lands bounded by Upper Middle Road to the south, Bronte Creek Valley to the east, Dundas Street and the CN rail line to the north, and Appleby Line to the west)) shall have a maximum **building height** of 14 metres for a **peaked roof** or 10 metres for a **flat roof**.

(5) Properties with a **front** or **exterior side yard abutting** Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard shall have a maximum **building height** of 13 metres for a **peaked roof** or 10 metres for a **flat roof**. For **through lots**, the front **building** elevation shall determine the front of the **lot** for this regulation.

b) Additional Provisions for Semi-Detached Dwellings

i) The total width of all **private garage** door openings facing a **street** shall not exceed 50% of the width of the **building**.

ii) In the LN5 and LN6 **zones**, the maximum **building** depth shall be 20 metres, measured from the minimum required **front yard** or **established front yard**, to the wall more than 0.5 metres above **grade** closest to the **rear lot line**.

iii) The maximum height above **grade** of any pedestrian entrance facing a **front yard** or **exterior side yard** shall be 7 stair risers.

7.5 Provisions for Street Townhouses in the Low-Rise Neighbourhood 1 Zone

a) Lot and Building Requirements for Street Townhouses

The regulations for permitted **street townhouses** in the Low-Rise Neighbourhood 1 **zone** shall be subject to the requirements of the LN8 **zone** in Section 7.7, except that the maximum **building height** shall be 11.5 metres for a **peaked roof** or 7.5 metres for a **flat roof**.

7.6 Provisions for Cluster Homes in the Low-Rise Neighbourhood 7 Zone

a) Lot and Building Requirements by Building Type

The following Table 10 and additional regulations establish the **zone** standards that apply to **cluster homes** in the Low-Rise Neighbourhood 7 **zone**.

Table 10: Provisions for Cluster Homes

	LN7
Minimum **Lot Area**	2000 m^2
Minimum **Lot Frontage**	12 m
Maximum **Lot Coverage**	40%
Minimum **yard abutting** a **street**	7.5 m
Minimum **yard abutting** a rear **building** elevation	6 m (1)
Minimum **yard abutting** a side **building** elevation	3 m (2)
Minimum **Landscaped Open Space**	35%
Maximum **Building Height**	10 m for a **peaked roof** or 7.5 m for a **flat roof**

Notes:

(1) Except 9 metres **abutting** an LN3, LN4, LN5 or LN6 **zone**.

(2) Except 4.5 metres **abutting** an LN3, LN4, LN5 or LN6 **zone**.

b) Additional Provisions for Cluster Homes

i) The minimum separation distance between **cluster homes** on the same **lot** shall be 2.4 metres for a **side wall** to **side wall** condition; 15 metres for a **rear wall** to **rear wall** condition; 15 metres for a **front wall** to **front wall** condition; 15 metres for a **front wall** to **rear wall** condition and 8.5 metres for a **side wall** to a **front wall** or **rear wall** condition.

ii) The minimum distance from a **side wall** to an **internal roadway, parking aisle**, **parking area, parking lot** or **parking space** shall be 1.5 metres.

iii) The minimum distance from a wall other than a **side wall** to an **internal roadway, parking aisle**, **parking area,** or **parking lot** shall be 3 metres.

iv) The maximum height above **grade** of any pedestrian entrance facing a **front yard** or **exterior side yard** shall be 7 stair risers.

7.7 Low-Rise Neighbourhood 8 Residential Zone Provisions

a) Lot and Building Requirements for Detached Dwellings

The regulations for permitted **detached dwellings** in the Low-Rise Neighbourhood 8 **zone** shall be subject to the requirements of the LN1 **zone** in Section 7.3.

b) Lot and Building Requirements for Semi-Detached Dwellings

The regulations for **semi-detached dwellings** in the Low-Rise Neighbourhood 8 **zone** shall be subject to the requirements of the LN1 **zone** in Section 7.4, except that the maximum **building height** shall be 14 metres for a **peaked roof** or 10 metres for a **flat roof**.

c) Lot and Building Requirements for Townhouses and Back-to-Back Townhouses

i) The following Table 12 establishes the **zone** standards that apply to the various **townhouse** and **back-to-back townhouse** forms in the Low-Rise Neighbourhood 8 **zone**.

Table 12: Provisions for Block, Street, Rear Lane and Back-to-Back Townhouse

	Block Townhouse	Street Townhouse	Rear Lane Townhouse with detached rear garage	Rear Lane Townhouse with integral rear garage	Back-to-Back Townhouse (19)
Minimum **Lot Area**	4000 m^2	160 m^2 (1)	165 m^2	115 m^2	80 m^2
Minimum **Lot Frontage** or **Unit Width**	5.5 m	6 m (2)(3)	5.5 m (4)	5.5 m (4)	6 m
Minimum **Front Yard**	4.5 m	3 m	3 m	3 m	3 m
Minimum **Rear Yard**	7.5 m	6 m	1.75 m (5)	1.75 m (5)	0 m
Minimum **Interior Side Yard**	1.2 m (7)	1.2 m (6)(7)	1.2 m (6)(7)	1.2 m (6)(7)	1.2 m (6)(7)
Minimum **Exterior Side Yard**	3 m	3 m	3 m	3 m	3 m
Minimum **Common Amenity Area**	10 m^2/unit (8)	N/R	N//R	N/R	N/R

	Block Townhouse	Street Townhouse	Rear Lane Townhouse with detached rear garage	Rear Lane Townhouse with integral rear garage	Back-to-Back Townhouse (19)
Minimum **Private Amenity Area**	N/R	N/R	20 m^2/unit	15 m^2/unit	15 m^2/unit
Minimum **Front Yard Soft Landscaped Open Space**	N/R	25%	50%	50%	25%
Maximum Number of Attached Units	8	8	8	8	16
Maximum **Building Height**	14 m for a **peaked roof** or 10 m for a **flat roof**				

Notes:

(1) Except 145 square metres on a **private street**.

(2) Except 5.5 metres on a **private street**.

(3) Except that for a **corner lot**, the minimum **lot frontage** shall be 9 metres.

(4) Except that for a **corner lot**, the minimum **lot frontage** shall be 8.5 metres.

(5) To a **private garage**.

(6) Where an **interior side lot line** shares a **common wall**, no **setback** is required.

(7) Except when **abutting** a **detached dwelling** or **semi-detached dwelling** in an LN4, LN5 or LN6 **zone**, the **abutting yard** shall be a minimum of 4 metres.

(8) The minimum **common amenity area** requirement shall comprise at least one contiguous outdoor area of a minimum of 55 square metres at ground level.

(9) For multiple **back-to-back townhouses** occurring on one **lot**, the **lot area**, **lot frontage** and **amenity area** regulations in Table 12 shall apply to each unit.

d) Additional provisions for street townhouses and back-to-back townhouses

i) The total width of all **private garage** door openings facing a **street** shall not exceed 50% of its **building** elevation.

ii) The maximum height above **grade** of any pedestrian entrance facing a **front yard** or **exterior side yard** shall be 7 stair risers.

iii) The minimum **lot depth** or unit depth of a **back-to-back townhouse dwelling unit** shall be 13 metres.

e) Additional Provisions for Block Townhouses

i) The minimum separation distance between **block townhouse buildings** on the same **lot** shall be 2.4 metres for a **side wall** to **side wall** condition; 12 metres for a **rear wall** to **rear wall** condition; 12 metres for a **front wall** to **front wall**

conditions; 12 metres for a **front wall** to **rear wall** condition and 7.5 metres for a **side wall** to a **front wall** or **rear wall** condition.

ii) The minimum distance from a **side wall** to an **internal roadway, parking aisle**, **parking area, parking lot** or **parking space** shall be 1.5 metres.

iii) The minimum distance from a wall other than a **side wall** to an **internal roadway, parking aisle**, **parking area or parking lot** shall be 3 metres.

iv) The minimum distance from an integral **private garage** of a **block townhouse** unit to an **internal roadway** shall be 5.5 metres.

v) The minimum **landscaped open space** on the **lot** shall be 30%.

vi) The maximum height above **grade** of any pedestrian entrance facing a **front yard** or **exterior side yard** shall be 7 stair risers.

f) Additional Provisions for Rear Lane Townhouses

i) The maximum height above **grade** of any pedestrian entrance facing a **front yard** or **exterior side yard** shall be 7 stair risers.

g) Lot and Building Requirements for Stacked Townhouse, Stacked Back-to-Back Townhouse and Apartment Buildings

i) The following Table 13 and additional regulations establish the **zone** standards that apply to **stacked townhouses**, **stacked back-to-back townhouses** and **apartment buildings**.

Table 13: Provisions for Stacked Townhouse, Stacked Back-to-Back Townhouse and Apartment Building

	Stacked Townhouse	Stacked Back-to-Back Townhouse	Apartment Building
Minimum **Lot Area**	2,000 m^2	2,000 m^2	4,000 m^2
Minimum **Lot Frontage**	50 m	50 m	30 m
Minimum **Unit Width**	5 m	5.5 m	N/A
Minimum **Front Yard**	3 m (1)	3 m (1)	3 m
Minimum **Rear Yard**	6 m (2)	0 m	6 m (2)
Minimum **Interior Side Yard**	1.2 m (2)	1.2 m (2)	4 m
Minimum **Exterior Side Yard**	3 m	3 m	3 m
Minimum **Common Amenity Area**	10 m^2/unit (3)	10 m^2/unit (3)	5 m^2/unit (3)
Minimum **Landscaped Open Space**	35%	35%	35%
Maximum **Building** Length	60 m	60 m	60 m

	Stacked Townhouse	Stacked Back-to-Back Townhouse	Apartment Building
Maximum **Building Height**	18 m for a **peaked roof** or 13 m for a **flat roof**		

Notes:

(1) Except that for the wall of a **private garage** containing an opening for a vehicle, the minimum **front yard** or **exterior side yard** to the garage door of the **private garage** shall be 5.5 metres.

(2) Except when **abutting** a **detached dwelling** or **semi-detached dwelling** in an LN4, LN5 or LN6 **Zone**, the **abutting** internal **side yard** shall be a minimum 4 metres, and the **abutting rear yard** shall be a minimum of 7.5 metres.

(3) The minimum **common amenity area** requirement shall comprise at least one contiguous outdoor area of a minimum of 55 square metres at ground level or on the roof of a **podium**, **tower**, or **building**.

h) Additional provisions for stacked townhouse, stacked back-to-back townhouse and apartment buildings

i) The maximum height above **grade** of any pedestrian entrance facing a **front yard** or **exterior side yard** shall be 7 stair risers.

ii) When **abutting** a **detached dwelling** or **semi-detached dwelling** in an LN4, LN5 or LN6 **zone**, the fourth **storey** shall have a minimum **stepback** of 3 metres.

iii) The minimum separation distance between **buildings** on the same **lot** shall be 2.4 metres for a **side wall** to **side wall** condition; 12 metres for a **rear wall** to **rear wall** condition; 12 metres for a **front wall** to **front wall** conditions; 12 metres for a **front wall** to **rear wall** condition and 7.5 metres for a **side wall** to a **front wall** or **rear wall** condition.

iv) The minimum distance from a **side wall** to an **internal roadway**, **parking aisle**, **parking area**, **parking lot** or **parking space** shall be 1.5 metres.

v) The minimum distance from a wall other than a **side wall** to an **internal roadway**, **parking aisle**, **parking area, parking lot** or **parking space** shall be 3 metres.

i) Additional provisions for non-residential uses permitted in Table 7

i) Where there is a combination of two or more non-residential **uses** as permitted in Table 7, in one or more **buildings**, on one or more **lots**, designed as an integrated, planned **development** having common off-street parking and **driveways**, the non-residential **uses** shall be subject to the off-street parking standard for Retail Centre in Table 3.

7.8 High-Rise Neighbourhood (HN) Residential Zone Provisions

a) Lot and Building Requirements for Detached Dwellings

The regulations for permitted **detached dwellings** in the High-Rise Neighbourhood **zone** shall be subject to the requirements of the LN1 **zone** in Section 7.3, except that the maximum **building height** shall be 14 m for a **peaked roof** or 10 m for a **flat roof**.

b) Lot and Building Requirements for Townhouses, Back-to-Back Townhouses, Stacked Townhouses, and Back-to-Back Stacked Townhouses

The regulations for permitted **block**, **street**, **rear lane**, **back-to-back**, **stacked**, and **stacked back-to-back townhouses** in the High-Rise Neighbourhood **zone** shall be subject to the requirements of Section 7.7.

c) Lot and Building Requirements for Apartment Buildings

The following Table 14 and additional regulations establish the **zone** standards for **apartment buildings** in the High-Rise Neighbourhood **zone**.

Table 14: Provisions for Apartment Buildings

	Apartment Building
Minimum **Lot Area**	0.2 ha
Minimum **Lot Frontage**	30 m
Minimum **Front Yard**	3 m
Maximum **Front Yard**	7.5 m
Minimum **Rear Yard** i. Where **abutting** an LN1 to LN7 **Zone** ii. All other cases	 **Storeys** 1 to 3: 7.5 m **Storeys** 4 to 6: 16.5 m **Storeys** 7 and above: 25.5 m 7.5 m
Minimum **Interior Side Yard** i. Where **abutting** an LN1 to LN7 **Zone** ii. All other cases	 **Storeys** 1 to 3: 5.5 m **Storeys** 4 to 6: 14.5 m **Storeys** 7 and above: 25 m 4 m
Minimum **Exterior Side Yard**	3 m
Maximum **Exterior Side Yard**	7.5 m
Minimum **stepback** of a **Tower** or **Upper Building** from a **Podium**	3 m
Maximum Height of a **Podium**	3 **storeys**
Minimum **Tower Separation Distance**	25 m

Minimum **setback** of a **Tower** to a **lot line** that is not the **street line**	12.5 m
Minimum **setback** of an **Upper Building** to a **lot line** that is not the **street line**	10 m
Common Amenity Area	5 m^2/ unit (1)
Maximum **Building Height**	See Maximum Heights shown on the Zoning Maps in Schedule A
Minimum **Landscaped Open Space**	35%

Notes:

(1) The minimum **common amenity area** requirement shall comprise at least one contiguous outdoor area of a minimum of 55 square metres at ground level or on the roof of a **podium, tower** or **building**.

d) Additional Provisions

i) Where a **podium** wall contains windows opposite another **podium** containing windows, the minimum separation distance between the wall and the opposite **podium** shall be 15 metres. Where a **podium** wall contains no windows and is opposite another **podium** wall with no windows, the minimum separation distance shall be 2.4 metres. Where a **podium** wall contains no windows and is opposite another **podium** wall containing windows, the minimum separation distance shall be 8.5 metres.

ii) The minimum distance from an end wall to an **internal roadway** shall be 1.5 metres.

iii) The minimum distance from a wall other than an end wall to an **internal roadway** shall be 3 metres.

iv) A **podium** shall be provided for **mid-rise buildings** and **tall buildings**.

v) Where there is a combination of two or more non-residential **uses** as permitted in Table 7, in one or more **buildings**, on one or more **lots**, designed as an integrated, planned **development** having common off-street parking and **driveways**, the non-residential **uses** shall be subject to the off-street parking standard for Retail Centre in Table 3.

Part 8: Holding Zone Requirements

8.1 General Requirements for Lands Subject to a Holding Provision

a) No person shall **use** the land to which the letter (H) symbol applies, create a new lot, erect a new **building** or **structure**, or expand or replace an **existing building** or **structure**, until the (H) symbol is removed in accordance Section 36 of the *Planning Act*, except:

i) **Uses**, **buildings**, and **structures** that were legally established or permitted in the applicable underlying **zone** immediately prior to the effective date of this By-law;

ii) Interim **uses** permitted in the applicable holding provision; and

iii) Any other exceptions permitted in the applicable holding provision.

8.2 Holding Provision (H1) - Lands within 75 metres of a railway right-of-way

a) The following interim **uses** are permitted, and must comply with the regulations of this By-law including applicable regulations of the underlying zone and Parts 5 and 6, prior to the removal of the (H) holding provision:

i) **Uses** that were legally established or permitted in the applicable underlying **zone** immediately prior to the effective date of this By-law;

ii) Replacement of a legally established existing **use**, provided the replacement does not result in an increase in the number of dwelling units, except for **additional residential units** subject to the regulations of Section 5.14, and it complies with the **lot** and **building** requirements of the underlying **zone** or is authorized by a Section 45 *Planning Act* minor variance;

iii) **Accessory uses**, including the erection of **accessory buildings or structures**, in accordance with Section 5.1 and Section 5.2, respectively;

iv) **Home occupations**, excluding **home day cares**, in accordance with Section 5.11;

v) **Office uses**, in accordance with Section 5.12;

vi) **Utilities**, **agricultural uses**, **model homes**, **temporary sales offices**, and **infrastructure**, in accordance with Section 5.13;

vii) **Additional residential units**, in accordance with Section 5.14; and

viii) Non-residential **uses** permitted in the underlying **zone**, in accordance with Section 7.2.

b) An addition or alteration to a legally established **building** or **structure** is permitted, provided the addition or alteration itself does not result in an increase in the number of dwelling units, except for additional residential units subject to the regulations of Section 5.14, and it complies with the **lot** and **building** requirements of the underlying **zone** or is authorized by a Section 45 *Planning Act* minor variance;

c) The (H) holding provision shall be removed when the following conditions have been completed to the satisfaction of the **City**:

i) Submission of a noise and vibration study that assesses the potential adverse effects of nearby railway operations on any proposed new **use** and identifies any recommended mitigation measures for the new **use** to ensure land use compatibility to the satisfaction of the Director of Community Planning; and

ii) Submission of a letter of undertaking from the owner agreeing to undertake the study's recommended mitigation measures and incorporate them into the building permit plans and as part of any applicable *Planning Act* application to the satisfaction of the Director of Community Planning.

8.3 Holding Provision (H2) - Lands between 75 metres and 300 metres of a railway right-of-way

a) The following interim **uses** are permitted, and must comply with the regulations of this By-law including applicable regulations of the underlying zone and Parts 5 and 6, prior to the removal of the (H) holding provision:

i) **Uses** that were legally established or permitted in the applicable underlying **zone** immediately prior to the effective date of this By-law;

ii) Replacement of a legally established existing **use**, provided the replacement does not result in an increase in the number of dwelling units, except for **additional residential units** subject to the regulations of Section 5.14, and it complies with the **lot** and **building** requirements of the underlying **zone** or is authorized by a Section 45 *Planning Act* minor variance;

iii) **Accessory uses**, including the erection of **accessory buildings or structures**, in accordance with Section 5.1 and Section 5.2, respectively;

iv) **Home occupations**, excluding **home day cares**, in accordance with Section 5.11;

v) **Office uses**, in accordance with Section 5.12;

vi) **Utilities**, **agricultural uses**, **model homes**, **temporary sales offices**, and **infrastructure**, in accordance with Section 5.13;

vii) **Additional residential units**, in accordance with Section 5.14; and

viii) Non-residential **uses** permitted in the underlying **zone**, in accordance with Section 7.2.

b) An addition or alteration to a legally established **building** or **structure** is permitted, provided the addition or alteration itself does not result in an increase in the number of dwelling units, except for additional residential units subject to the regulations of Section 5.14, and it complies with the **lot** and **building** requirements of the underlying **zone** or is authorized by a Section 45 *Planning Act* minor variance;

c) The (H) holding provision shall be removed when the following conditions have been completed to the satisfaction of the **City**:

i) Submission of a noise study that assesses the potential adverse effects of nearby railway operations on any proposed new **use** and identifies any recommended mitigation measures for the new **use** to ensure land use compatibility to the satisfaction of the Director of Community Planning; and

ii) Submission of a letter of undertaking from the owner agreeing to undertake the study's recommended mitigation measures and incorporate them into the building permit plans and as part of any applicable *Planning Act* application to the satisfaction of the Director of Community Planning.

8.4 Holding Provision (H3) - Lands within 75 metres of a railway yard

a) The following interim **uses** are permitted, and must comply with the regulations of this By-law including applicable regulations of the underlying zone and Parts 5 and 6, prior to the removal of the (H) holding provision:

i) **Uses** that were legally established or permitted in the applicable underlying **zone** immediately prior to the effective date of this By-law;

ii) Replacement of a legally established existing **use**, provided the replacement does not result in an increase in the number of dwelling units, except for **additional residential units** subject to the regulations of Section 5.14, and it complies with the **lot** and **building** requirements of the underlying **zone** or is authorized by a Section 45 *Planning Act* minor variance;

iii) **Accessory uses**, including the erection of **accessory buildings or structures**, in accordance with Section 5.1 and Section 5.2, respectively;

iv) **Home occupations**, excluding **home day cares**, in accordance with Section 5.11;

v) **Office uses**, in accordance with Section 5.12;

vi) **Utilities**, **agricultural uses**, **model homes**, **temporary sales offices**, and **infrastructure**, in accordance with Section 5.13;

vii) **Additional residential units**, in accordance with Section 5.14; and

viii) Non-residential **uses** permitted in the underlying **zone**, in accordance with Section 7.2.

b) An addition or alteration to a legally established **building** or **structure** is permitted, provided the addition or alteration itself does not result in an increase in the number of dwelling units, except for additional residential units subject to the regulations of Section 5.14, and it complies with the **lot** and **building** requirements of the underlying **zone** or is authorized by a Section 45 *Planning Act* minor variance;

c) The (H) holding provision shall be removed when the following conditions have been completed to the satisfaction of the **City**:

i) Submission of a noise, vibration, and air quality study that assesses the potential adverse effects of nearby railway operations on any proposed new **use** and identifies any recommended mitigation measures for the new **use** to ensure land use compatibility to the satisfaction of the Director of Community Planning; and

ii) Submission of a letter of undertaking from the owner agreeing to undertake the study's recommended mitigation measures and incorporate them into the building permit plans and as part of any applicable *Planning Act* application to the satisfaction of the Director of Community Planning.

8.5 Holding Provision (H4) - Lands between 75 metres and 1,000 metres of a railway yard

a) The following interim **uses** are permitted, and must comply with the regulations of this By-law including applicable regulations of the underlying zone and Parts 5 and 6, prior to the removal of the (H) holding provision:

i) **Uses** that were legally established or permitted in the applicable underlying **zone** immediately prior to the effective date of this By-law;

ii) Replacement of a legally established existing **use**, provided the replacement does not result in an increase in the number of dwelling units, except for **additional residential units** subject to the regulations of Section 5.14, and it complies with the **lot** and **building** requirements of the underlying **zone** or is authorized by a Section 45 *Planning Act* minor variance;

iii) **Accessory uses**, including the erection of **accessory buildings or structures**, in accordance with Section 5.1 and Section 5.2, respectively;

iv) **Home occupations**, excluding **home day cares**, in accordance with Section 5.11;

v) **Office uses**, in accordance with Section 5.12;

vi) **Utilities**, **agricultural uses**, **model homes**, **temporary sales offices**, and **infrastructure**, in accordance with Section 5.13;

vii) **Additional residential units**, in accordance with Section 5.14; and

viii) Non-residential **uses** permitted in the underlying **zone**, in accordance with Section 7.2.

b) An addition or alteration to a legally established **building** or **structure** is permitted, provided the addition or alteration itself does not result in an increase in the number of dwelling units, except for additional residential units subject to the regulations of Section 5.14, and it complies with the **lot** and **building** requirements of the underlying **zone** or is authorized by a Section 45 *Planning Act* minor variance;

c) The (H) holding provision shall be removed when the following conditions have been completed to the satisfaction of the **City**:

i) Submission of a noise and air quality study that assesses the potential adverse effects of nearby railway operations on any proposed new **use** and identifies any recommended mitigation measures for the new **use** to ensure land use compatibility to the satisfaction of the Director of Community Planning; and

d) Submission of a letter of undertaking from the owner agreeing to undertake the study's recommended mitigation measures and incorporate them into the building permit plans and as part of any applicable *Planning Act* application to the satisfaction of the Director of Community Planning.

8.6 Holding Provision (H5) - 2105 Headon Rd.

a) The (H) holding symbol shall be removed when the following condition has been completed to the satisfaction of the **City**:

i) That the Owner is required to submit a revised Functional Servicing Report that includes analysis and/or calculations that demonstrate that the existing water system in the area can accommodate the proposed development to the satisfaction of Halton Region.

Part 9: Site-Specific Exceptions

Exception: 1	Map: Map 20 - E	Parent Zone: LN8	Amending Bylaw: 43-2026	Enacted: July 21, 2026
9.1.1 Permitted Uses				
Only the following uses shall be permitted:				
a) **Block Townhouse**				
9.1.2 Provisions for Block Townhouse				
The following regulations apply for **Block Townhouses**				
a) Minimum **Lot Area**	2500 m^2			
b) Minimum **Front Yard**	30 m			
c) Minimum **Rear Yard**	2.7 m			
d) Minimum **Interior Side Yard**	6 m			
e) Maximum **Building Height**	3 **storeys** up to 14 m for a **peaked roof** or 10 m for a **flat roof**			
f) Minimum distance from a wall to an **internal roadway**	0 m			
g) Minimum distance from a wall to a **parking space**	2.3 m			
h) Minimum distance from an attached **private garage** to an **internal roadway**	0 m			
i) Minimum distance from a **parking space** to the north-west **interior side lot line**	2 m			
j) **Accessible Parking spaces**	The **accessible parking space** requirements of Section 6.5 shall not apply to resident parking provided that each unit includes an attached **private garage** with 2 **parking spaces**. **Accessible parking spaces** for visitor parking shall be subject to the requirements of Section 6.5.			
9.1.3 Special Site Provisions				
The following additional provision applies:				
a) Notwithstanding any future severance, partition, or division of the lands subject to this exception, the provisions of this By-law shall apply to the whole of these lands as if no severance, partition or division had occurred.				

Part 10: Maps

Schedule A: Zoning Maps
Schedule B: Road Classifications

Appendices to the By-law (Not Operative Parts of the By-law)

Appendix A: Approximate location of Conservation Authority Regulation Limit
Appendix B: Approximate location of highway and railway right-of-ways
Appendix C: Approximate location of pipeline right-of-ways