TABLE OF CONTENTS

PART 1: GENERAL CONDITIONS AND PROVISIONS 2
1. GENERAL CONDITIONS 2
1.0 TITLE 2
1.1 COMPLIANCE WITH OTHER REGULATIONS 2
1.2 AREA TO WHICH BY-LAW APPLIES 2
1.3 REPEAL OF EXISTING BY-LAWS 2
1.4 ZONE DESIGNATIONS 3
1.5 ZONING EXCEPTIONS 4
1.6 COMPLIANCE WITH THIS BY-LAW 4
1.7 INTERPRETATION OF ZONE BOUNDARIES 6
1.8 INTERPRETATION OF WORDS 7
1.9 INTERPRETATION OF "✓" SYMBOL 7
1.10 INTERPRETATION OF PERMITTED USES 7
1.11 INTERPRETATION OF REFERENCES TO RESIDENTIAL ZONES 7
1.12 INTERPRETATION OF PHASED CONDOMINIUM REGISTRATION 8
1.13 ADMINISTRATION, ENFORCEMENT, AND PENALTIES 8
1.14 ILLUSTRATIONS 10
2. GENERAL PROVISIONS 15
2.1 ACCESSORY USES 15
2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT 15
2.3 PATIOS, DECKS, BALCONIES, AND PORCHES – RESIDENTIAL 17
2.4 FENCING AND PRIVACY SCREENS 18
2.5 SWIMMING POOLS 19
2.6 VIDEO GAME & PINBALL MACHINES 20
2.7 PROPANE FUEL STORAGE AND HANDLING FACILITIES 20
2.8 TRAILERS AND RECREATION VEHICLES 21
2.9 CAR WASH 21
2.10 MOTOR VEHICLE SERVICE STATION 22
2.11 DAYLIGHT TRIANGLES 23
2.12 VISIBILITY TRIANGLES 24
2.13 ENCROACHMENT INTO YARDS 25
2.14 LOT OF RECORD 26
2.15 FRONTAGE ON A PUBLIC STREET 26
2.16 SITE PLAN AND BUILDING PERMIT APPLICATIONS 26
2.18 HOME-BASED BUSINESS, COTTAGE INDUSTRY, HOME INDUSTRY 27
2.19 OFFICE USES IN RESIDENTIAL ZONES 28
2.20 PUBLIC AUTHORITY 29
2.21 USES PERMITTED IN ALL ZONES 30
2.22 PROHIBITED USES 38
2.23 LANDSCAPE AREA AND LANDSCAPE BUFFER 40
2.24 DRIVEWAY WIDTHS AND LANDSCAPED OPEN SPACE AREA 40
2.25 OFF-STREET PARKING AND LOADING REQUIREMENTS 42
2.26 GENERAL PARKING PROVISIONS 50
2.27 DEEMED STREET WIDTH 52
2.28 CLASSIFICATION OF ROADS 59
2.29 DEVELOPMENT CONTROL 62
2.30 LANDS ADJACENT TO LAKE ONTARIO AND BURLINGTON BAY 63
2.31 RESIDENTIAL BUILDING HEIGHT 65
2.32 BODY-RUB PARLOUR REGULATIONS 66
2.33 PARCEL OF TIED LAND (POTL) 68
2.34 EXTERIOR BARRIER-FREE ACCESSIBILITY RAMP 68
2.35 ADULT ENTERTAINMENT ESTABLISHMENT REGULATIONS 69
2.36 SETBACKS ABUTTING CREEK BLOCKS, O2 ZONES, O3 ZONES, AND RG ZONES 72
2.37 SETBACK FROM A CREEK 72

PART 1: GENERAL CONDITIONS AND PROVISIONS

1. GENERAL CONDITIONS

1.0 TITLE

By-law 2020, as amended, may be cited as the Zoning By-law of the City of Burlington.

1.1 COMPLIANCE WITH OTHER REGULATIONS

(a) The standards, regulations, and requirements contained in this By-Law shall apply to all lands and properties located within the corporate limits of the City of Burlington as they now exist, or as they may hereafter be enlarged or diminished.

(b) Where the provisions of this By-Law conflict with the regulations or requirements of any other Regional, Provincial, or Federal Government or an agency established by the Provincial or Federal Government, the regulations or requirements of that Government or agency shall prevail.

(c) Where there is a conflict with a provision of this By-Law and the Niagara Escarpment Plan, the provision of the Niagara Escarpment Plan prevails.

(d) Where there is a conflict between provisions of this By-Law, the most restrictive regulation shall prevail.

1.2 AREA TO WHICH BY-LAW APPLIES

The provisions of this By-Law shall apply throughout the Corporation of the City of Burlington, as shown on the zoning maps forming Part 15 of this By-Law, with the exception of those lands in the Niagara Escarpment Plan Area, which are subject to Niagara Escarpment Development Control, administered by the Niagara Escarpment Commission, pursuant to the *Niagara Escarpment Planning and Development Act*.

1.3 REPEAL OF EXISTING BY-LAWS

By-law 1642 of the City of Burlington and all subsequent amendments thereto are hereby repealed, except that, By-law 1642, as amended, shall continue to apply to those lands so indicated on the Maps contained in Part 15.

By-law 4000-3 of the City of Burlington and all subsequent amendments thereto are hereby repealed, except that, By-Law 4000-3, as amended, shall continue to apply to those lands so indicated on the Maps contained in Part 15.

1.4 ZONE DESIGNATIONS

The City of Burlington is hereby divided into several zones, each zone representing a class of land use permitted by this By-law. The land use classifications and zoning designations are shown in Table 1.4.1:

Table 1.4.1

Residential Zones – Low Density	**Holding Zone**
R1, R2, R3, R4, R5	H (prefix)
Residential Zones – Medium Density	**Mixed-Use Corridor Zones**
RM1, RM2, RM3, RM4, RM5	MXG, MXC, MXE, MXT
Residential Zones – High Density	**Downtown Centre Zones**
RH1, RH2, RH3, RH4, RH5	DC, DW, DL-A, DL-B, DL-C, DRH, DRM, DRL, DI
Residential Zones – Orchard Community	**Uptown Centre Zones**
RO1, RO2, RO3, RO4	UCR1, UCR2, UC, UE, UCR3, URH, UMXE, UOP, URM
Residential Zones – Alton Community	**Rural Zones**
RAL1, RAL2, RAL3, RAL4	RA, RG, ME
Employment Zones	**North Aldershot Zones**
BC1, BC2, GE1, GE2	RNA1, RNA2, RNA3, SNA, MRNA, CNA, ONA, DNA
Commercial Zones	**Development Zone**
CR, CC1, CC2, CE, CN1, CN2	D
Park Zones	**Utility Services Zone**
P, PC	S
Open Space Zones	
O1, O2, O3	

1.5 ZONING EXCEPTIONS

Where the zone designation on certain lands, as shown in the Zoning Maps, is followed by a dash and a number (e.g. RH4-10) the number is referred to as the exception number. This exception number indicates that special provisions, in addition to the standard zoning provisions, apply to the zoned lands. The special provisions are set out in Part 14 “Exceptions to Zone Designations” of this By-law. Lands zoned in this manner shall be subject to all of the restrictions of the zone, except as otherwise provided by the special provisions.

1.6 COMPLIANCE WITH THIS BY-LAW

1.6.1 No person shall use, cause, or permit the use of any land, building, structure, or part thereof, or erect, repair, or alter, or cause or permit the erection, repairing, or altering of any building or structure which is not in conformity with the provisions of this By-law, EXCEPT as follows:

(a) Where a building or structure, the existing use of which is permitted by this By-law, has been lawfully erected prior to the passing of this By-law, or any applicable amendments thereto, is deficient in respect of any regulation required by this By-law, the non-conforming building or structure may be enlarged or altered provided that the enlargement or alteration itself complies with all applicable provisions of this By-law.

(b) Nothing in this By-law will prevent a building or structure, lawfully established on the date of passing of this By-law 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 property.

(c) Nothing in this By-law will prevent any use of land, building, or structure, lawfully established on the date of passing of this By-law and which does not conform to the permitted uses of this By-law, from continuing until such time as the use ceases active continuous operation for a period of two years. Any use of the land, building, or structure thereafter shall be a permitted use within the zone designation of the property.

(d) Where a building permit has been lawfully issued for the construction of a building or structure and where the yard requirements for said building or structure are found to be in contravention of the minimum yard requirement by no more than 3 cm the non-conforming yard shall be deemed to conform with the yard requirements of this By-law.

(e) Where a building permit has been lawfully issued for the construction of a detached, semi-detached, duplex, triplex, fourplex, or street townhouse dwelling, and where any yard for said dwelling is in contravention of the yard requirements of this By-law, the non-conforming yard shall be deemed to conform with the yard requirements of this By-law provided the non-conforming yard has existed for 10 consecutive years.

(f) The provisions and regulations of this By-law shall be held to be the minimum requirements EXCEPT where the word maximum is used, in which case the maximum requirement will apply.

(g) No lot shall be changed in area or width by either the conveyance of land or otherwise so that:

(i) The lot coverage exceeds the maximum permitted by this By-law,
(ii) The existing or resulting lot area, width or yards will be less than the minimum permitted by the provisions of this By-law.

(h) No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot or tract of land has or have been conveyed to or acquired by any Public Authority.

(i) Any building or structure which is hereafter altered for or changed to a different use shall conform to the requirements of this By-law, except where the building or structure is deemed to be non-conforming as set out in Part 1, Subsection 1.6.1 (b), yard, lot coverage, and height requirements shall not apply.

(j) Except in accordance with Part 1, Subsection 2.21 (u) “Additional Residential Units”, where the applicable zone designation establishes minimum lot width and lot area requirements for an individual dwelling unit, only one dwelling unit shall be permitted on one lot.

(k) For purposes of interpreting this By-law, permitted uses are only permitted on a lot or lot of record as defined by this By-law.

(l) Nothing in this By-law shall prevent the restoration or repair to a safe condition of any building or structure or part of any building or structure that has been deemed unsafe by a Professional Engineer, provided the restoration or repair will not change the use or increase the height, size or volume of the building or structure and provided that the use has not ceased active continuous operation for a period of two years.

(m) Nothing in this By-law shall prevent the reconstruction of a building or structure severely damaged or destroyed by natural causes or by fire, provided the reconstruction will not increase the height and/or size of the building or structure, or change the use of the building or structure provided that the use has not ceased active continuous operation for a period of two years.

(n) Nothing in this By-Law will prevent the reconstruction of a lawfully established and existing building or structure in whole or in part, provided the reconstruction will not increase the height, size, volume or location of the building or structure.

1.6.2 No buildings or structures may be erected or used unless:

(a) The requirements for service connections as defined by the Ontario Building Code Act have been granted by the Region of Halton or the appropriate approval authority;

(b)

(i) The municipal urban road standard of base course asphalt is provided adjacent to the frontage of the lot or connecting the lot to an assumed municipal road; or,

(ii) For lots serviced by a private road or lane and deemed to be a public road elsewhere in the By-law or for lots serviced by a private road or lane that existed on July 4, 2005, the existing road standard is provided adjacent to the frontage of the lot or connecting the lot to an assumed municipal road; or,

(iii) For lots of record that existed on July 4, 2005, not meeting the requirements of (i) and (ii) above, the existing municipal road standard is provided adjacent to the frontage of the lot or connecting the lot to an assumed municipal road;

(c) The storm water management facilities are constructed and operational to service the lot;

(d) All other underground services required to be installed pursuant to clause (a) and clause (b) of this subsection are constructed and operational to service the lot; and,

(e) The requirements of any Parkland Dedication by-law enacted pursuant to the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13, as amended, by the City of Burlington have been fulfilled to the satisfaction of the Director of Parks and Recreation and the City Treasurer of the City of Burlington.

1.7 INTERPRETATION OF ZONE BOUNDARIES

1.7.1 Where any uncertainty exists as to the location of any boundary of any zone, the following rules shall apply:

(a) Where the zone boundary is shown following a street or lane, the centre line of the street or lane is the boundary and the zone designations shall be deemed not to be abutting;

(b) Where the 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 the zone boundary is shown following a watercourse, the top-of-bank of the watercourse, as it exists at that time, is the boundary;

(d) Where the zone boundary is shown following a natural or cultural feature the boundary shall be determined by the scale of the zoning map. Where existing features on the ground are at variance with the zoning maps, the actual location on the ground shall govern;

(e) Where the zone boundary is shown as substantially following lot lines shown on a registered plan of subdivision, the lot lines are the boundary;

(f) Where the location of a zone boundary within a lot is not specified by dimension on the zone map its location shall be determined by the scale of the map.

(g) Where a property or lot has two or more zoning designations, the zoning boundary between the designations shall be the limit from which the zoning regulations shall apply.

(h) The southerly boundary of the DL-C Zone south of Old Lakeshore Road east of Pearl Street, shall be deemed to be parallel with and 15 m back from the shoreline protection structure measured from the lakeside top edge of the structure.

(i) Wherever it may occur, the City Limit is the boundary of the zone adjacent to it.

(j) 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.

1.8 INTERPRETATION OF WORDS

In this By-law, words used in the present tense include the future; words in the singular include the plural; words in the plural include the singular; the word ‘used’ includes ‘arranged’, ‘designed’, or ‘intended to be used’; and the word ‘shall’ is mandatory and not permissive.

1.9 INTERPRETATION OF “✓” SYMBOL

Where a “✓” symbol appears in a table it shall mean, when associated with a use in a specified zone, that the use is permitted in that zone. When associated with a regulation it shall mean that the regulation applies to the specified zone.

1.10 INTERPRETATION OF PERMITTED USES

Where a permitted use is specified it shall be permitted only within the zone designation identified. Where the term ‘Other’ (e.g. Other Retail Uses) is used within the Permitted Use table it shall mean that any use which would normally fall within that category shall be permitted within the specified zone designation, unless otherwise prohibited by an associated Footnote or by Part 14 Exceptions to the Zone Designations.

1.11 INTERPRETATION OF REFERENCES TO RESIDENTIAL ZONES

(a) Where a provision of this By-law includes a requirement that applies relative to a residential zone in the general sense, it shall be interpreted to apply relative to a residential zone of this By-law and the Burlington Residential Zoning By-law (By-law 09-2026).

(b) Where a reference is made to an LN1, LN2, LN3, LN4, LN5, LN6, LN7, LN8 or HN zone, it shall mean that zone as described in the Burlington Residential Zoning By-law (By-law 09-2026).

(c) Nothing in this By-law shall apply to lands that are subject to regulation under the Burlington Residential Zoning By-law (By-law 09-2026).

1.12 INTERPRETATION OF PHASED CONDOMINIUM REGISTRATION

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

1.13 ADMINISTRATION, ENFORCEMENT, AND PENALTIES

1.13.1 This By-law shall be enforced by the person appointed by By-law by the Council of the Corporation of the City of Burlington as the Director of Building.

1.13.2 Where the Director of Building has reason to believe that any person has used land or erected or used any building or structure in contravention of this By-law, he or any employee of the City authorized by him, may at any reasonable hour enter and inspect the land, buildings, or structures.

1.13.3

(a) Every person who uses any land or erects or uses any building or structure in any manner contrary to any requirement of this By-law, or who causes or permits such use or erection, or who violates any provision of this By-law or causes or permits a violation, is guilty of an offence and on conviction pursuant to the Provincial Offences Act is liable,

- on a first conviction to a fine of not more than $20,000.00; and
- on a subsequent conviction to a fine of not more than $10,000.00 for each day or part thereof upon which the contravention continued after the day on which the person was first convicted.

(b) Where a corporation is convicted under Part 1, Subsection 1.12.3 (a), the maximum penalty that may be imposed shall be:

- on a first conviction a fine of not more than $50,000.00; and
- on a subsequent conviction a fine of not more than $25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted and not as provided for in Part 1, Subsection 1.10.3 (a).

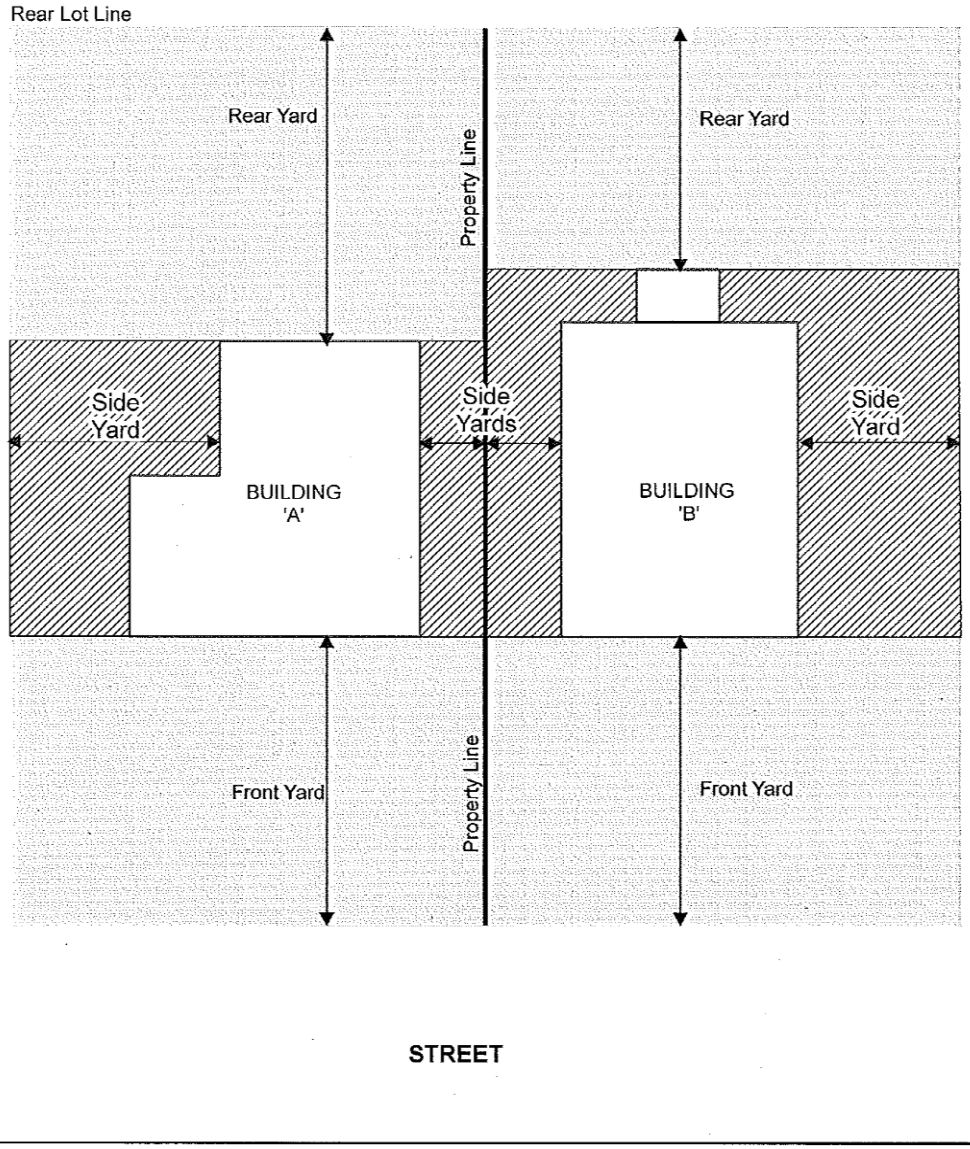
(c) Where a conviction is entered under Part 1, Subsection 1.12.3 (a), in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any other court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

1.13.4 REMEDIES

Any building or structure erected, altered, reconstructed, extended, or enlarged, or any building or structure or part thereof that is used, or any land that is used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the request of any ratepayer or of the CORPORATION pursuant to the provisions of the Municipal Act in that behalf.

1.14 ILLUSTRATIONS

ILLUSTRATION No. 1
SIDE YARD (examples)



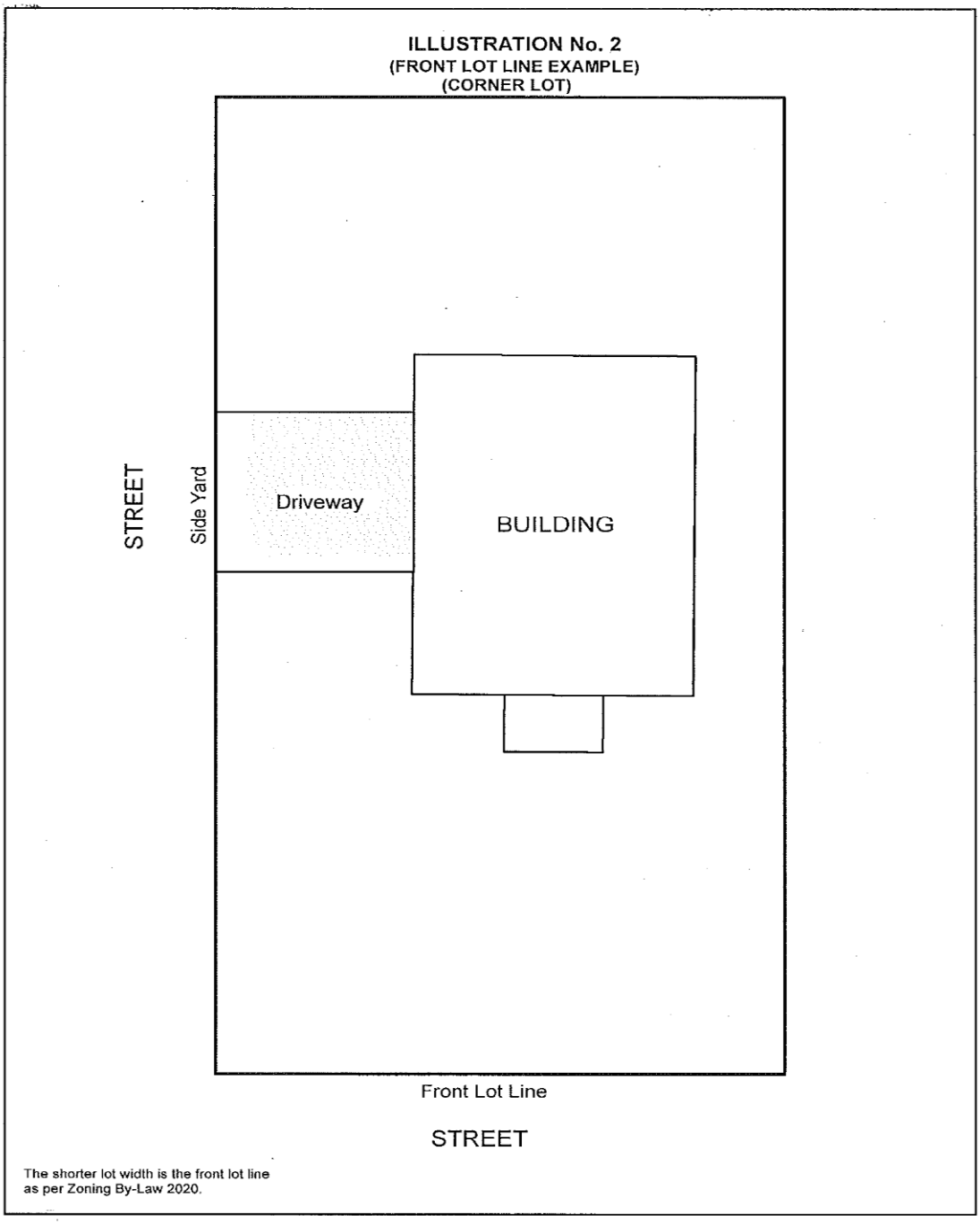

ILLUSTRATION No. 2
(FRONT LOT LINE EXAMPLE)
(CORNER LOT)
STREET
Side Yard
Driveway
BUILDING
Front Lot Line
STREET
The shorter lot width is the front lot line as per Zoning By-Law 2020.

ILLUSTRATION No. 3
DWELLING TYPES

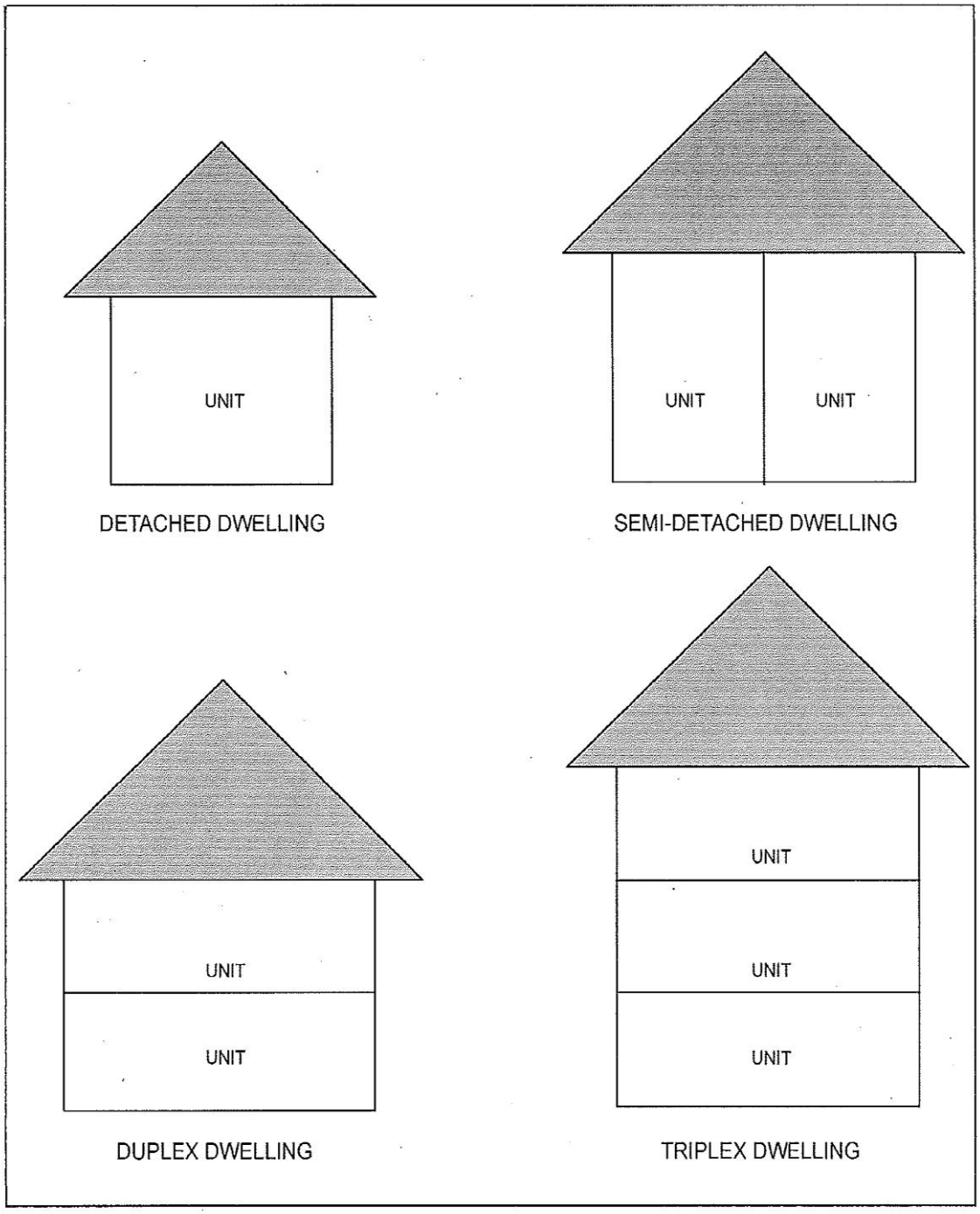


ILLUSTRATION No. 4

CIRCULAR DRIVEWAYS

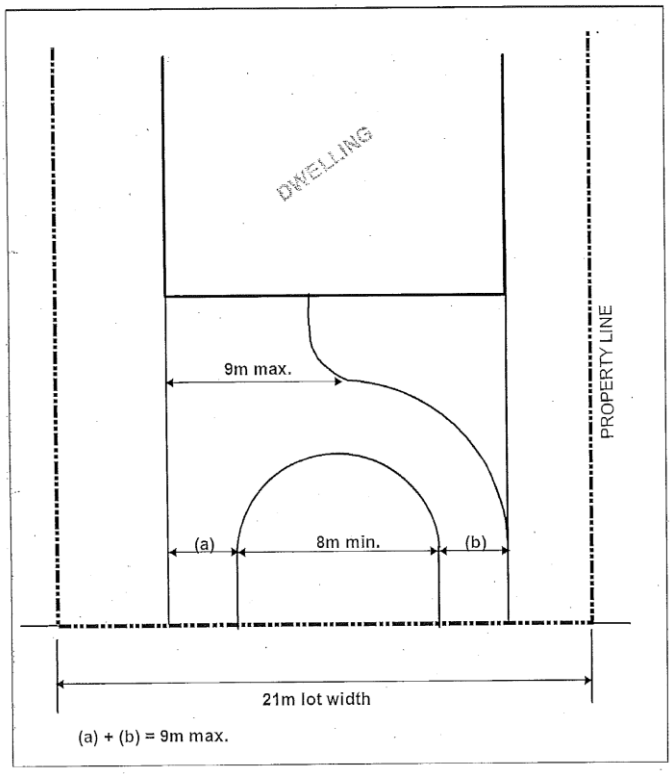


ILLUSTRATION No. 5

HAMMERHEAD DRIVEWAYS

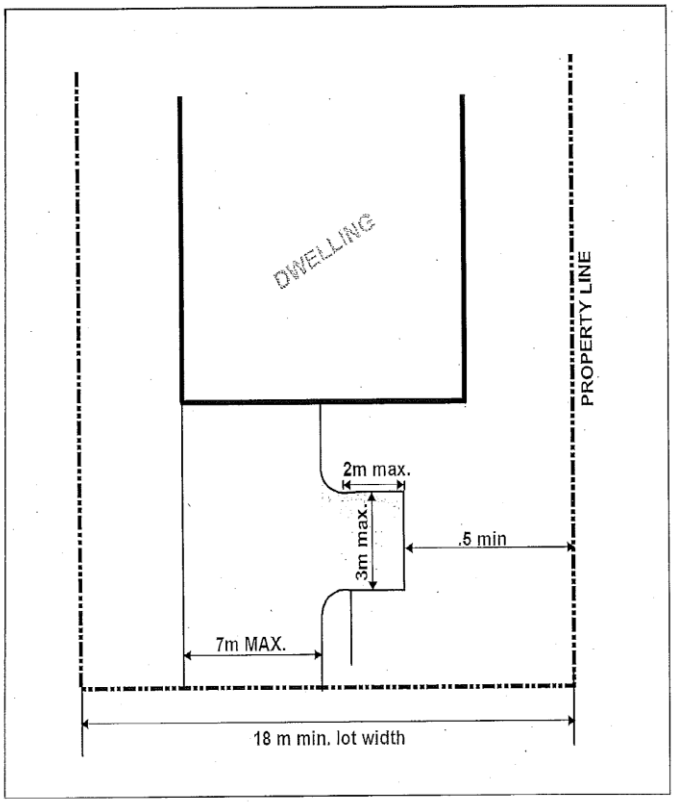
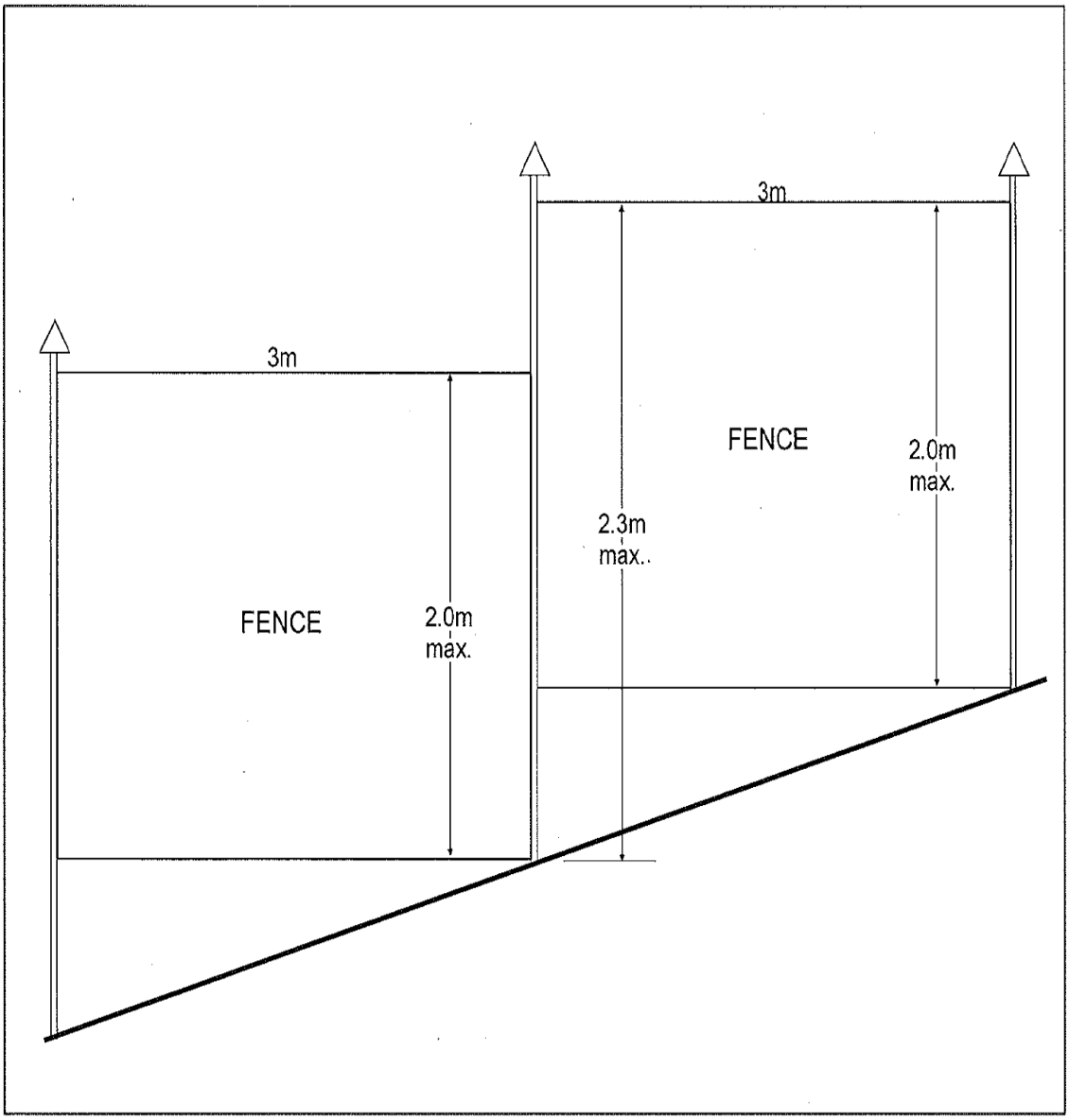


ILLUSTRATION No. 6

FENCING REG. 2.4.1 (iv)

(Where grade elevations vary)



2. GENERAL PROVISIONS

2.1 ACCESSORY USES

2.1.1 Where a use is permitted by a zone designation in this By-law, any use that is accessory to such use is also permitted, notwithstanding, the following are deemed not to be accessory uses:

- Retail propane transfer facilities
- Private propane transfer facilities
- Propane cylinder handling facilities
- Bulk propane storage depot
- Garages attached to a dwelling either directly or by indirect structural means
- Adult Entertainment Establishment

2.1.2 The following accessory uses shall be subject to the regulations specified:

- Decks, subject to Part 1, Subsection 2.3
- Fencing and Privacy Screens, subject to Part 1, Subsection 2.4
- Swimming Pools, subject to Part 1, Subsection 2.5
- Electronic Game and Pinball Machine Arcade, subject to Part 1, Subsection 2.6

2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT

2.2.1 The following regulations shall apply to buildings and structures, when accessory to detached, semi-detached, duplex, triplex, fourplex or street townhouse dwellings:

(a) Regulations for Accessory Buildings up to 10 m^2 in floor area:

(i) Setback from a side lot line abutting a street:	7.5 m
(ii) Setback from a rear lot line abutting a street:	90 cm
(iii) Setback from a front lot line:	15 m
(iv) Setback from any other lot line:	no minimum
(v) Maximum height:	2.5 m

(b) Regulations for Accessory Building greater than 10 m^2 in floor area and/or greater than 2.5 m in height:

(i) Not permitted in a front yard, street side yard or required side yard.

(ii) Permitted in a rear yard subject to the following:

• Setback from a rear lot line:	1.2 m
• Setback from a side lot line:	1.2 m
• Setback from a street side yard:	7.5 m
• Maximum roof overhang encroachment from a wall:	0.5 m
• Maximum floor area:	50 m^2
• Maximum one storey	

- Maximum height (peaked roof): 4.6 m
- Maximum height (flat roof): 3.5 m

(iii) Notwithstanding the required setback from a side lot line, the dividing wall of a semi-detached garage may be constructed on a side lot line.

(iv) A detached swimming pool enclosure may be greater than 50 m^2 in area provided that the yard requirements for a principal building on the same lot shall apply to the pool enclosure.

(c) Regulations for Accessory Structures:

(i) Not permitted in required front, side, street side yards.

(ii) Permitted in a rear yard subject to the following:

- Setback from a rear lot line: 90 cm
- Setback from a side lot line: 90 cm
- Setback from a street side yard 7.5 m
- Maximum area 42 m^2
- Maximum height 3.7 m
- Maximum roof overhang encroachment from a post 0.5 m

2.2.2 For all other uses not mentioned in 2.2.1 and except where specified in the respective zone, the yard requirements for a principal building shall apply to accessory buildings and accessory structures.

2.2.3 Where a building or structure for the storage of garbage for all other uses not mentioned in 2.2.1, would be permitted only in a rear or side yard, not in the front or street side lot line and shall comply with the following regulations:

(a) Shall be located outside a required landscape area, landscape buffer and landscape open space
(b) Minimum setback from a rear lot line: 1 m
(c) Minimum setback from a side lot line: 1 m
(d) Minimum setback from a residential zone: 15 m
(e) Maximum height: 3.7 m
(f) Shall not be located in any required parking area or obstruct any required parking or drive aisles

2.2.4 For all uses, accessory buildings and accessory structures may not be constructed of concrete or masonry blocks unless the blocks are decorative units or are covered with stucco or siding having a permanent colour finish.

2.2.5 For all uses, Unitary Equipment shall be subject to the following:

(a) Setback from a side lot line: 60 cm
(b) Setback from a rear lot line: 60 cm
(c) Setback from a dwelling: 1.5 m maximum from the front wall
(d) Swimming pool equipment is not permitted in a front yard.

2.3 PATIOS, DECKS, BALCONIES, AND PORCHES – RESIDENTIAL

2.3.1 Patios, as defined in Part 16, are permitted in all zones.

(a) Patio roofs shall be subject to the yard and setback regulations contained in Tables 1.2.1 and 1.2.2

2.3.2 Decks, as defined in Part 16, are permitted in all zones.

(a) Deck roofs shall be subject to the yard and setback regulations contained in Tables 1.2.1 and 1.2.2

(b) Decks located above the first storey on a wall facing the side and rear yard of detached dwellings are not permitted.

The above shall not apply to Uptown Centre, Orchard Community and Alton Community zones.

2.3.3 Balconies are permitted in all zones, provided:

- Accessory to dwelling unit
- Must meet principal building setback with encroachment allowance permitted in Part 1, Section 2.13 (c)

a) Balconies located above the first storey on a wall facing the side and rear yard of detached dwellings are not permitted.

The above shall not apply to Uptown Centre, Orchard Community and Alton Community zones.

2.3.4 Porches are permitted in all zones, provided:

- Maximum size 20 m^2 (no roof)
- No maximum size if roofed over
- Must meet principal building setback with encroachment allowance permitted in Part 1, Section 2.13 (d)

Table 1.2.1

Regulations for Decks associated with Detached, Semi-Detached, Duplex, Triplex, Fourplex, and Street Townhouse Dwelling Units			
Regulation	**Deck Requirements**		
	Over 60 cm to 1.2 m High	**Over 1.2 m High**	
		Up to 15 m^2	**Over 15 m^2**
Maximum Deck Area **(a)**	no maximum	15 m^2	30 m^2
Permitted in a Front Yard	no	no	no
Permitted in a Rear Yard	yes	yes	yes
Permitted in a Side Yard	yes	yes	yes
Setback from a Street Line	3 m	4.5 m	6 m
Setback from a Rear Lot Line	1.8 m	4.5 m	6 m
Setback from a Side Lot Line	1.2 m **(b)**	1.8 m **(b)**	3 m
Maximum coverage **(c)**	50% of the yard area in which decks are located		

Footnotes to Table 1.2.1

(a) Total combined area of all platforms over 1.2 m high excluding stairs.

(b) Where a side lot line extends from a common wall dividing attached dwelling units the setback shall not apply.

(c) Coverage means the surface area of a yard which may be covered by decks.

Table 1.2.2

Deck Regulations for all other dwellings not included in Table 1.2	
Encroachment into a Required Front Yard	Not permitted
Encroachment into a Required Rear Yard	3 m maximum
Encroachment into a Required Side Yard	3 m maximum

2.4 FENCING AND PRIVACY SCREENS

2.4.1 Fences and walls are permitted in all zones subject to the following regulations:

(a) For all non-residential uses and residential abutting non-residential uses maximum height shall be 3m provided the fence is located on a common lot line.

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

(i) Maximum fence height: 2.0 m

(ii) Within a front yard, maximum fence height shall be 1.2 m within 3 m of the street line except that where a front yard adjoins the rear yard of a corner lot the maximum fence height along the common property boundary within 3 m of a street line shall be 2.0 m;

(iii) Fence height shall be measured vertically from grade, exclusive of any artificial embankment, to the highest point of each 3 m section of fence, excluding decorative post caps;

(iv) Where the grade elevations along the fence vary, maximum fence height may increase to 2.3 m provided that the lowest height of the same 3 m fence section does not exceed 2.0 m in height (See Illustration 6 – Fencing Regulations for Grade Variation).

(c) Fencing for the purpose of enclosing a tennis court is permitted to a maximum height of 3 m.

2.4.2 Privacy screens are permitted on decks and balconies for detached, semi-detached, duplex, triplex, fourplex, townhouse, street townhouse, back-to-back and stacked townhouse dwellings subject to the following regulations:

(a) Maximum height from grade:	2.5 m
(b) Maximum height from platform:	1.8 m
(c) Enclosed on two sides only	
(d) Setback from the street line:	9 m
(e) Setback from side lot line:	1 m
(f) Setback from a side lot line that extends from a common wall dividing dwelling units:	0 m
(g) Setback from a rear lot line:	1.5 m
(h) Combined length of privacy screens (per unit):	12 m

2.5 SWIMMING POOLS

2.5.1 Regulations for outdoor swimming pools:

a. On lots containing detached or duplex dwellings and on lots containing one dwelling unit of a semi-detached, triplex, fourplex, or street townhouse:

i. On lots less than 12 m wide, swimming pools are permitted in a rear yard only.

ii. On lots 12 m wide or greater, swimming pools are not permitted in a required front or street side yard.

iii. In-ground pools shall be set back 1.5 m from a lot line or street line, measured from the inside wall of the pool.

iv. Above-ground and On-ground pools shall be setback 1.5 m from a lot line or street line, plus an additional setback equal to the height of the pool, measured from the lowest point of grade at the perimeter of the pool. The setback is measured from the lot line or street line to the inside wall of the pool.

v. On lots containing residential dwellings other than those identified in (a) above, in-ground and above-ground pools shall be set back 15 m from a lot line or street line, measured from the inside wall of the pool.

b. A hydro-massage pool having a water surface area which is less than 8 m^2 shall not be subject to the above regulations.

c. On lots abutting a pipeline, a swimming pool must be setback 3 m from the limits of the right-of-way.

2.6 VIDEO GAME & PINBALL MACHINES

2.6.1 Video Games and Pinball Machines are permitted accessory to the following uses:

(a) Hotel
(b) Recreational establishment
(c) Standard restaurant or night club
(d) Industrial uses

2.7 PROPANE FUEL STORAGE AND HANDLING FACILITIES

2.7.1 All regulations specified by the respective zone designation for lands on which propane fuel is to be stored or handled shall apply to propane fuel storage and handling facilities except as amended herein:

(a) Propane fuel storage tanks shall not be located in any required front yard, side yard, or street side yard.

(b) No part of a remote propane fuel dispensing island shall be located closer than 4.5 m to a street line or lot line, and in the case of a corner lot, no part of a remote propane fuel dispensing island shall be located within an area bounded by the street lines and the chord formed by a 15 m radius centred at the intersecting street lines.

(c) **Private Propane Transfer Facility**
Equipment used in the dispensing, storage, handling, or transfer of propane fuel shall not be located within 30 m of a residential zone.

(d) **Retail Propane Transfer Facility**
The following regulations and the regulations specified by the zoning designation for lands on which a Retail Propane Transfer Facility is located shall apply, except as amended herein and where the Retail Propane Transfer Facility is in conjunction with a service station the service station regulations shall also apply:

(i) Minimum lot area: 3000 m^2

(ii) The property is located 30 m from a residential zone.

(iii) The property is separated from a residential zoned property by a street having a deemed width of 30 m or greater.

(iv) Propane storage tanks shall not be located in a required front, side, or street side yard and shall maintain a setback of 6 m from a street line and 3 m from any other property line.

(v) The maximum aggregate storage capacity of propane fuel shall be 45, 000 litres.

2.8 TRAILERS AND RECREATION VEHICLES

2.8.1 The following regulations apply to parking of trailers and recreation vehicles on lots for detached dwellings, semi-detached dwellings, street triplex dwellings, street triplex and fourplex dwellings and street townhouse dwellings, in all zones except RA and RG zones:

(a) 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 1.82 m, may be parked or stored in any yard.

(b) 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 1.82 m, may be parked or stored in any yard between May 1st and October 31st. At any other time such parking or storage is permitted only in yards other than a front yard or street side yard.

(c) Notwithstanding (b) 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 3.66 m, is prohibited.

(d) Parking and storage of recreation vehicles and trailers is not permitted within a visibility triangle, at street intersections and railway intersections.

2.9 CAR WASH

2.9.1 The regulations specified by the zoning designation in which a car wash use is permitted shall apply in addition to and as amended by the following:

(a) Front Yard and Street Side Yard: 6 m; 20 m where car wash bay doors face a street.

(b) Where a car wash abuts a residential zone the yard abutting the residential zone shall be as required by the zoning of the property or 12 m, whichever is greater.

(c) Queuing Lane:

For a self-serve (manual) car wash sufficient space shall be provided on-site to accommodate 3 vehicles in a line commencing at the entrance of each wash bay and 1 vehicle at the bay exit;

For an automatic (mechanical) car wash sufficient space shall be provided on-site to accommodate 10 vehicles in a line commencing at the entrance of each wash bay and 2 vehicles in a line at each bay exit.

2.10 MOTOR VEHICLE SERVICE STATION

2.10.1 A Retail Propane Facility is permitted in conjunction with a Service Station subject to Part 1, Subsection 2.7 and as follows:

2.10.2 The regulations specified by the BC1, GE1, GE2 zoning designation in which a motor vehicle service station use is permitted shall apply in addition to and as amended by Table 1.2.3. In all other zones Table 1.2.4 shall apply.

Table 1.2.3

Regulation	Requirement
Lot Width	Interior Lot: 35 m Corner Lot: 45 m
Lot Depth	45 m
Lot Area	1500 m^2
Front Yard and Street Side Yard	9 m for kiosk buildings up to 14 m^2 floor area housing cash registers and fuel pump control equipment; 20 m for all other buildings.
Yard abutting a residential zone	9 m; 12 m for buildings containing a car wash
Other yards	4.5 m
Building Height	1 storey maximum
Convenience Store Floor Area	150 m^2 maximum
Convenience Store Parking	4 spaces/100 m^2 GFA

Table 1.2.4

Regulation	Requirement
Lot Width	Interior Lot: 35 m Corner Lot: 45 m
Lot Depth	45 m
Lot Area	1500 m^2
Front Yard and Street Side Yard	9 m for kiosk buildings up to 14 m^2 floor area housing cash registers and fuel pump control equipment; 20 m for buildings containing a car wash
Yard abutting a residential zone	12 m for buildings containing a car wash

2.10.3 **Queuing Lane:**

(i) For a self-serve (manual) car wash sufficient space shall be provided on-site to accommodate 3 vehicles in a line commencing at the entrance of the bay and 1 vehicle at the bay exit;

(ii) For an automatic (mechanical) car wash sufficient space shall be provided on-site to accommodate 10 vehicles in a line commencing at the entrance of the bay and 2 vehicles at the bay exit;

2.10.4 **Exterior Lighting:**
Exterior light standards or other illumination devices shall be set back 3 m from any street line and shall be directed away from streets and adjoining properties.

2.10.5 **Canopy:**
A canopy or roof over a fuel pump island shall maintain the following setbacks:

- 3 m from a street line
- 9 m from a residential zone
- 4.5 m from any other lot line

2.10.6 **Access:**
Each means of access shall maintain the following requirements:

(i) A width of 7.5 m measured perpendicular to the centre line

(ii) A maximum of two accesses per street frontage having a minimum separation of 7.5 m measured along the street line.

(iii) For corner lots each access shall be set back from the intersection of two street lines a minimum of 13.5 m where the deemed street width is 30 m or less and 18 m where the deemed street width is greater than 30 m.

(iv) Each access shall be set back a minimum of 3 m from a side or rear lot line.

(v) The interior angle formed by the intersection of a street line and the centre line of the access shall be between 70 degrees and 90 degrees.

(vi) The area between two accesses and the area forming a visibility triangle shall be curbed and kept free of any obstruction.

2.10.7 **Islands:**
Fuel pump islands shall maintain a setback of 4.5 m from a street or lot line. On corner lots fuel pump islands are not permitted within the area formed by intersecting streets and the chord of a 15 m radius measured from the point of intersection.

2.11 DAYLIGHT TRIANGLES

2.11.1 For purposes of determining a front lot line, or side lot line abutting a street, a daylight triangle is deemed not to exist, provided the minimum distance of any building or structure from the hypotenuse of a daylight triangle is 3 m.

2.12 VISIBILITY TRIANGLES

2.12.1 **Street Intersections:**
At every street intersection visibility triangles shall be provided in accordance with Table 1.2.5.

Within a visibility triangle solid fencing and landscaping shall not exceed a height of 1 m above the elevation of the street pavement measured at the centre point of intersecting streets.

Table 1.2.5

Zone	Visibility Triangle
RAL1	6 m x 6 m
RAL2	6 m x 6 m
RAL3	6 m x 6 m
RAL4	6 m x 6 m
RO1	6 m x 6 m
RO2	6 m x 6 m
RO3	6 m x 6 m
RO4	3 m x 3 m
REV1	6 m x 6 m
REV2	6 m x 6 m
REV3	6 m x 6 m
RM5	6 m x 6 m
UCR1-81	6 m x 6 m
DC, DW, DL-A, DL-B, DL-C, DRH, DRM	6 m x 6 m
Other Zones	9 m x 9 m

2.12.2 **Railway Intersections:**
Where a street crosses a railway track, a visibility triangle is required which shall not be used for any building, structure, storage, parking or for the planting of trees, shrubs, hedges, or any other landscape materials greater than 1 m high. Fencing to a maximum height of 1 m is permitted.

The minimum size of the visibility triangle shall be in accordance with the following:

(a) **At Mainline Track Crossings with Signal Lights or Gates:**
The triangle formed by connecting the centre point of the intersection to a point 60 m distant measured along the centre line of the street then to a point 106 m distant measured along the centre line of the track.

At Mainline Track Crossings without Signal Lights or Gates:
The triangle formed by connecting the centre point of the intersection to a point 75 m distant measured along the centre line of the street to a point 305 m distant measured along the centre line of the track.

(b) **At Spurline Track Crossings with Signal Lights or Gates:**
The triangle formed by connecting the centre point of the intersection to a point 60 m

distant measured along the centre line of the street to a point 60 m distant measured along the centre line of the track.

At Spurline Track Crossings without Signal Lights or Gates:
The triangle formed by connecting the centre point of the intersection to a point 60 m distant measured along the centre line of the street to a point 106 m distant measured along the centre line of the track.

2.13 ENCROACHMENT INTO YARDS

2.13.1 Every part of a required yard shall be unobstructed with respect to the following encroachments:

(a) The following obstructions may project 50 cm maximum into a side yard and 1 m maximum into any other yard from the wall of the building:

chimney	pilaster	belt course	roof overhang excluding eaves and gutter
sill	lintel	cornice	ornamental projection

(b) In RH1, RH2, RH3, RH4 zones a canopy may project into a required front or street side yard up to half the distance of the required yard.

In the following zones a canopy or awning may project into a required front yard or street side yard to the street line and 1 m maximum into any other yard:

MXE	DC	UCR1	RH5
MXG	DL-A, B, C	UCR3	
MXC	DW	URH	
MXT		UMXE	

In all other zones a canopy may encroach 50 cm into a required side yard and 1 m into all other yards.

(c) A bay window, balcony, vestibule, fire escape or open stairway may project 50 cm maximum into a required side yard and 1.6 m maximum into any other required yard, provided that:

(i) The sum of the length of these projections does not exceed one third of the permitted length of a building wall,

(ii) The length of any one projection does not exceed 3 m.

(iii) A bay window that projects into a required yard may not have a foundation and must have at least 30% of the surface area of the projection as a window.

(iv) Basement walkout only permitted in side and rear yards.

(d) The following obstructions may project 65 cm maximum into a required yard:

A roofed-over or screened but otherwise unenclosed 1-storey porch including steps and roof overhang excluding eaves and gutter
A terrace or unroofed porch
A carport

(e) A roofed or unroofed loading dock may project 3 m into a required yard except a yard abutting a residential zone.

(f) A Parking structure below grade and less than 1.6 m above grade may encroach into a required yard but shall not encroach into a required landscape buffer, provided that a minimum 3 m setback shall be maintained from a street line or property line.

2.14 LOT OF RECORD

(i) Where a lot of record exists in any zone having lesser width or area than is required by this By-law, or does not have frontage on a public street, a building or any addition to an existing building may be erected and used on such lot provided that such building conforms with all other provisions of this By-law and all other laws of any competent authority.

(ii) Where a draft plan of subdivision was approved by Council prior to the date of passing of this By-law, the subdivision may proceed to the draft approval and registration. Upon registration of the subdivision the lots shall be treated as lots of record.

2.15 FRONTAGE ON A PUBLIC STREET

Excepting Lots of Record and Parcels of Tied Land in a Common Element Condominium Corporation, no building or structure shall be constructed on a parcel of land which does not have frontage on a public street.

2.16 SITE PLAN AND BUILDING PERMIT APPLICATIONS

(a) The provisions of this By-law shall not apply to the following

(i) A site plan approved prior to the date of passing of this By-law for the period of time during which the approval is in effect;

(ii) A site plan application accepted prior to the date of passing of this By-law provided that the related building permit application has been accepted by the Building Department prior to the date of passing of this By-law;

(iii) A building permit application accepted by the Building Department prior to the passing of this By-law where site plan approval is not required.

2.18 HOME-BASED BUSINESS, COTTAGE INDUSTRY, HOME INDUSTRY

2.18.1 A Home-Based Business and Cottage Industry shall be permitted in all zones within a dwelling unit. A Home Industry shall be permitted as an accessory use to a commercial farm only in RA zones. A Home-Based Business, Cottage Industry and Home Industry shall comply with the following provisions:

(a) **Residential Character and Compatibility**
The residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.

(b) **Parking**
Off-Street parking shall be provided in accordance with Subsection 2.25.

(c) **Size**
A Home-Based Business, Cottage Industry or Home Industry shall not be permitted within an attached garage, but may be conducted within a dwelling unit from a basement or cellar and up to 25% of the floor area above grade, excluding an attached garage. A Home-Based Business or Cottage Industry in an RA or RG Zone shall have a maximum floor area of 100 m^2 or 25% of the residential living area, whichever is less. In addition, a Home Industry may be conducted from an accessory building having a maximum floor area of 200 m^2.
Where the business involves classes for teaching or instructional purposes, the maximum number of clients permitted at any one time shall be 3. For pet grooming and pet training, a maximum of 4 pets is permitted, including personal dogs and/or cats.

(d) **Employees**
In a Home-Based Business or Cottage Industry, no one other than a resident of the dwelling may be employed or have their services retained in the operation of the business or industry nor shall any person who is not a resident of the dwelling report to the dwelling for work assignment. In a Home Industry one employee who is not a resident of the dwelling on the property is permitted.

(e) **Retail Sales**
The retail sale of merchandise is not permitted except when the merchandise sold or offered for sale is ancillary to the permitted use. On-line sales are permitted provided that no direct customer sales or customer merchandise pick up is conducted on the site.

(f) **Location Restrictions**
The following businesses are permitted in detached dwellings only:

- Music, Dance, or Singing activities
- Physical Fitness activities
- Medical or Health Care Office
- Aesthetician
- Hairstylist
- Complementary Health Care
- Pet Grooming (inside only)
- Pet Training (inside only)

(g) **Storage and Display**
Outdoor storage or display of merchandise, material or equipment is prohibited except in RA zones where a Home Industry may store farm equipment outdoors. Merchandise may be displayed within the dwelling provided it shall not be visible from outside the dwelling.
Merchandise, material and equipment may be stored within an attached or detached garage or other accessory building provided it shall not be visible from outside the garage or accessory building.

(h) **Nuisance**
No equipment or process shall be used which creates or becomes a public nuisance in regard to persistent noise, odour, fumes, vibration, glare, traffic or parking, nor shall it cause electrical interference or interference with telephone, television, radio or satellite equipment reception.

2.19 OFFICE USES IN RESIDENTIAL ZONES

Office uses are permitted in a detached dwelling in all residential zones, including Holding residential zones, as a principal use or in combination with a dwelling unit, provided the dwelling has existed on the lot for a minimum of 2 years, subject to the parking requirements contained in Subsections 2.25 and 2.26 and as follows:

(a) **Lot Size**
Minimum lot width: 18 m

(b) **Location**
The lot shall have a front or side lot line in common with a Major Arterial, Multi-Purpose Arterial, or Minor Arterial road having a deemed width of 30 m or greater.

(c) **Residential Character and Compatibility**
The residential appearance and character of the dwelling and property shall be maintained and any exterior alteration or addition to the dwelling shall maintain the residential appearance and character of the dwelling and property and shall be subject to the regulations of the residential zone applying to the property.
Where the dwelling is identified by the City to be a cultural heritage resource, alterations or additions to the dwelling shall be in keeping with the conservation of the cultural heritage resource.

(d) **Size**

Number of office uses:	2 maximum
Gross Floor Area for all office uses:	200m^2 maximum

(e) **Landscape Area**

50% of the front yard shall be maintained as landscape area.
25% of the rear yard and street yard shall be maintained as landscape area.

(f) **Fencing**

Solid screen fencing with a minimum height of 1.8 m shall be installed along a rear lot line and along a side lot line extending from the rear lot line to the front wall of the dwelling.

(g) **Parking and Driveways**

Parking shall be located in a side or rear yard only.
Where the abutting property is used for a residential use, landscape buffers shall be provided as follows:

(i) 4.5 m along the rear lot line and 3 m along that portion of the side lot line which is located in the rear yard; and

(ii) 3 m along any side lot line where abutting a street, and 1 m along that portion of the side lot line which is located in the side or front yard.

Where the abutting property is used for a residential use, any parking area or driveway shall maintain a minimum setback of 6 m from the rear lot line and 3 m along that portion of the side lot line which is located in the rear yard.

Notwithstanding the definition of Landscape Buffer, for the purposes of this regulation, a driveway may pass diagonally through a rear yard landscape buffer abutting a side lot line at an angle of not less than 20 degrees, for the purpose of transitioning from a side yard to a rear yard.

Where the abutting property is used for any other use, a landscape buffer of 1 m in width shall be provided along the side and rear lot lines.

(h) **Storage and Display**

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

2.20 PUBLIC AUTHORITY

Except with respect to Part 1, Subsection 2.25 “Off Street Parking and Loading Requirements” and Subsection 2.26 “General Parking Provisions”, the provisions of this By-law shall not apply to a Public Authority in any zone, excepting O2 and O3 zones and except for public schools in GE1, GE2, BC1, BC2, MXE and UE zones, and excepting the uses and provisions of Subsection 2.21 “Uses Permitted In All Zones” excluding subsection (v) “Outdoor Patios”

2.21 USES PERMITTED IN ALL ZONES

The following uses are permitted in all zones, subject to Part 1, Subsection 2.25 “Off-Street Parking and Loading Requirements”, Part 1, Subsection 2.26 “General Parking Provisions”, and any other regulations specified for the use and required elsewhere in the By-law; except as follows:

- Except where specifically prohibited or limited within the zone and including any exception number associated with the zone
- Except on lands zoned O2, O3, RA, RG, ME, RNA1, RNA2, RNA3, MRNA, ONA, DNA and S, and any exception numbers associated with these zones, unless specifically permitted
- Except on lands Regulated by Conservation Halton, unless authorized by the Authority,
- Except where the zones are preceded by an H (Holding) zone prefix, notwithstanding that Agricultural and Farming, Miscellaneous Uses and Public Authorities are exempt from this provision.

(a) **Schools**

- Elementary or secondary school, college or university (private or public), including accessory buildings
- Elementary or secondary schools are not permitted in GE1, GE2, BC1, BC2, MXT, MXE, or UE zones.
- Lot width: 45 m
- Lot shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road. This regulation shall not apply to: one school addition up to 50% of the original existing school building prior to Zoning By-law 2020; portable classrooms; or accessory structures under 20 m^2 on existing school sites.
- Minimum setback from any street line shall be 3 m for the first storey plus 1 m for each additional storey, except, in the downtown setbacks shall be in accordance with Part 6, Subsection 4.1.
- Minimum setback from all other lot lines:15 m
- Maximum setback from a street line in an RO2 zone: 6 m
- Separation Distance: 30 m from a railway right-of-way
- Parking: not permitted within 3 m of a residential property in a residential zone

(b) **Long-Term Care Facilities**

Permitted in all residential zones subject to the provisions of the respective zone and provided the lot abuts a Major Arterial, Multi-Purpose Arterial, Minor Arterial or Collector Road.

Not permitted in BC1, BC2, GE1, GE2, MXT, MXE or UE zones, and any exception numbers associated with these zone(s), except where amended in the exception number.

Permitted in all other zones subject to the following:

(i) Lot abuts a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road

(ii) Lot width: 30 m
(iii) Lot Area: 900 m^2
(iv) Floor Area Ratio: 1.25:1 maximum
(v) Front Yard: 7.5 m abutting a street having a deemed width less than 30 m; 9 m abutting a street having a deemed width of 30 m or more
(vi) Rear Yard: 9 m
(vii) Side Yard: 4.5 m
(viii) Street Side Yard: 6 m
(ix) Separation Distance: 30 m from a railway right-of-way
(x) Building Height: 4 storeys maximum, or as provided for by the respective zone, whichever is greater and provided that the yard requirements of the respective zone shall also apply to buildings greater than 4 storeys.
(xi) Parking: not permitted within 3 m of a residential property in a residential zone

(c) **Public and Private Hospitals, Public Health Care, Social Services**

(i) Not permitted in BC1, BC2, GE1, GE2, MXE, MXT, or UE zones, and any exception numbers associated with these zone(s), except where amended in the exception number, when overnight accommodation is provided.
(ii) Lot width: 30 m
(iii) Lot shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road.
(iv) Setback from any street line shall be 3 m for the first storey plus 1 m for each additional storey, except, in the downtown setbacks shall be in accordance with Part 6, Subsection 4.1.
(v) Setback from all other lot lines: 15 m
(vi) Separation Distance: 30 m from a railway right-of-way
(vii) Parking: not permitted within 3 m of a residential property in a residential zone.

(d) **Places of Worship, Monasteries, Convents, Cemeteries**

Includes an attached or detached manse, an accessory dwelling unit for a watchman and any other associated buildings located on the same property, subject to the following:

- Places of worship, monasteries, and convents are not permitted in GE1, GE2, BC1, BC2, MXE, MXT, or UE zones. Places of worship, monasteries, convents, and cemeteries are not permitted in a DNA zone.
- Lot width: 30 m
- Lot abuts a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road.
- Minimum setback from any lot line or street line shall be 15 m, except within the downtown where Part 6, Subsection 4.1.1, Diagram 6A shall apply.
- Separation Distance: 30 m from a railway right-of-way
- Parking: not permitted within 3 m of a residential property in a residential zone.

(e) **Home Day Care**

(i) Also permitted in an RA, RG, and UE zone, and any exception numbers associated with these zone(s), except where amended in the exception number.
(ii) Permitted in a dwelling unit only.

(f) **Day Care Centre**

(i) In an R1, R2 or R3 zone, and any exception numbers associated with these zone(s), except where amended in the exception number, a lot shall not have more than two lot lines abutting any other lands zoned R1, R2, R3, excluding properties occupied by a school, place of worship, or is owned by a public authority.
(ii) Notwithstanding, a Day Care Centre is permitted in conjunction with a school or place of worship.
(iii) Not permitted in GE1, GE2, BC1, BC2, MXE, and UE zones, except as an accessory use to a principal use allowed in the respective zone.
(iv) Separation Distance: 30 m from a railway right-of-way
(v) Parking: not permitted within 3 m of a residential property in a residential zone
(vi) A day care centre shall be subject to the respective zone regulations
(vii) Lot abuts a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road.

(g) **Group Home**

(i) Permitted in a dwelling unit. In RNA1, RNA2, and RNA3 zones, lots shall have a minimum 30 m lot width and 0.3 ha lot area.
(ii) In apartment buildings over 3 storeys one Group Home is permitted for each 30 units and subject to one Group Home per floor.
(iii) Minimum distance between Group Home properties: 400 m
(iv) Minimum distance between a Group Home property and a Correctional Group Home property: 400 m

(h) **Correctional Group Home**

(i) Permitted in a detached dwelling in RNA1, RNA2, RNA3 and CNA zones.
(ii) Permitted in a detached dwelling in R1, R2, R3 zones, and any exception numbers associated with these zone(s), except where amended in the exception number.
(iii) Permitted in a detached dwelling in a D zone.
(iv) Permitted in a detached dwelling in an RM2 or RM3 zone, and any exception numbers associated with these zone(s), except where amended in the exception number, subject to R2.4 Zone regulations.
(v) Lot abuts a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road.
(vi) Minimum distance between Correctional Group Home properties: 400 m
(vii) Minimum distance between a Group Home property and a Correctional Group Home property: 400 m
(viii) Not permitted in any other zone.

(i) **Emergency Shelter, Correctional Facility**

(i) Not permitted in GE1, GE2, BC1, BC2, MXE and UE zones.
(ii) Lot width: 30 m
(iii) Lot shall have a front or side lot line in common with a Major Arterial, Multi-Purpose Arterial, or Minor Arterial Road.
(iv) Separation distance: 30 m from a railway right-of-way
(v) Setback from any street line shall be 3 m for the first storey plus 1 m for each additional storey, except in the downtown, setbacks shall be in accordance with Part 6, Subsection 4.1
(vi) Setback from all other lot lines: 15 m
(vii) Parking: not permitted within 3 m of a residential property in a residential zone
(viii) Minimum distance between emergency shelter properties: 400 m
(ix) Minimum distance between correctional facility properties: 400 m
(x) Minimum distance between a residential social services property and/or an emergency shelter property and/or a correctional facility property and/or a group home and/or a correctional group home: 400 m

(j) **Residential Social Services**

(i) Not permitted in GE1, GE2, BC1, BC2, MXE, and UE zones
(ii) Lot width: 18 m
(iii) Lot shall have a front or side lot line in common with a Major Arterial, Multi-Purpose Arterial, or Minor Arterial Road.
(iv) Separation distance: 30 m from a railway right-of-way
(v) Setback from any street line shall be 3 m for the first storey plus 1 m for each additional storey, except in the downtown, setbacks shall be in accordance with Part 6, Subsection 4.1
(vi) Setback from all other lot lines: 3 m
(vii) Minimum distance between residential social services properties: 400 m
(viii) Minimum distance between emergency shelter properties: 400 m
(ix) Minimum distance between correctional facility properties: 400 m
(x) Minimum distance between a residential social services property and/or an emergency shelter property and/or a correctional facility property and/or a group home and/or a correctional group home: 400 m

(k) **Boarding House**

(i) Permitted in a detached dwelling only
(ii) Lot width: 18 m
(iii) Lot abuts a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road.

(l) **Bed and Breakfast Home**

(i) Also permitted in an RA zone, and any exception numbers associated with these zone(s), except where amended in the exception number.
(ii) Permitted in a detached dwelling only
(iii) Lot width: 18 m
(iv) A maximum of three guest rooms or suites
(v) No exterior alteration shall be allowed which would indicate that any part of the premises is being used for any purpose other than that of a dwelling unit.
(vi) 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 Home.

(m) **Agriculture and Farming**

Agricultural or farming uses excluding the raising of pigs, mink, and chinchillas, are permitted subject to a minimum setback of 15 m from a street line or lot line for all buildings excluding a dwelling. For the main dwelling, the regulations of the respective zone shall apply.

- Not permitted in MXT zones
- Outdoor cannabis production facilities are not permitted on a site abutting a school or day care centre, or a residential zone

(n) **Community Garden**

(i) Also permitted in an RA and RG zone, and any exception numbers associated with these zone(s), except where amended in the exception number.
(ii) Not permitted in MXT zones.

(o) **Kennel**

(i) Also permitted in RA and RNA1 zones, and any exception numbers associated with these zone(s), except where amended in the exception number.
(ii) Not permitted in MXT zones.
(iii) Minimum lot area: 1 ha
(iv) Kennels shall be set back 30 m from any lot line or street line
(v) Parking: not permitted within 3 m of a residential property in a residential zone.

(p) **Roadside Stand**

A temporary roadside stand used for the display and sale of seasonal products produced on the agricultural land upon which the stand is located subject to the following:

- Also permitted in RA and RG zones, and any exception numbers associated with these zone(s), except where amended in the exception number.
- Not permitted in MXT zones
- Lot area: 1.2 ha
- Stand area: 20 m^2 maximum
- Height: 4 m maximum
- Setback from a street: 7.5 m, none required in RA and RG zones

(q) **Miscellaneous Uses**

(i) A telephone booth;

(ii) A temporary construction camp, tool shed, scaffold, or other such building or other such temporary work camp which is incidental to construction and provided it is located on the site where such work is underway and provided that it shall be removed from the site within 60 days of completing the work;

(iii) A temporary building or trailer for conducting sales of new dwelling units provided the sales building or trailer is located within the development site and that sales are restricted to dwelling units within that development only. The sales building or trailer shall be set back 30 m and parking 6 m from a residential property abutting the development site. The temporary sales office shall be removed from the site within 6 months or within 60 days of completing all sales of dwelling units, whichever is less.

A temporary office for conducting sales of new dwelling units may be established within a dwelling unit/model display home located within the development site. Sales shall be restricted to dwelling units within the development only. Parking shall be set back 6 m from a residential property abutting the development site.

Model Display Homes shall be permitted in all residential zones subject to the following:

i. The lands on which the model display homes are to be constructed have received draft plan approval under the *Planning Act*;

ii. The model display homes shall comply with the provisions and regulations of this By-law upon registration of the plan of subdivision;

iii. The maximum number of model display homes shall not exceed the lesser of 10 dwelling units or 10% of the total number of unregistered lots within the draft plan of subdivision, except for any draft plan having less than 20 unregistered lots where 2 model display homes are permitted.

iv. Model Display Homes must be located in groupings with no more than one proposed lot (as per the draft plan approval) between any two model display home units and no new grouping is to be initiated until such time as any previous grouping has reached 5 units.

(iv) Walls or fences required or approved by public authority for environmental or ecological purposes or for reasons of safety;

(v) A gate house or kiosk in an employment zone for security or parking lot management;

(vi) The retail sale of Christmas trees, except on a property occupied by a residential dwelling, provided the use is removed from the site by January 1st of the following year.

(r) **Utilities**

(i) Water supply, storm water sewer or sanity sewer (except for a commercial water-taking operation in RA and RG zones)
(ii) Gas or oil pipeline
(iii) Transmission or distribution of electric power, but not the generation of electric power
(iv) Telecommunications infrastructure and other cable services

The above uses are also permitted in RNA1, RNA2, RNA3, SNA, MRNA, CNA, ONA, and DNA zones.

Buildings associated with the above uses shall be prohibited on lands zoned O2 and RG, and any exception numbers associated with these zone(s), except where amended in the exception number.

(s) **Special Event**

An event on behalf of a charitable organization may be held indoor or outdoor on private property in all employment, commercial, mixed-use corridor, uptown mixed-use centre, downtown mixed-use centre and RA (Rural Agricultural) zones subject to the following regulations:

- The event is held for the primary purpose of supporting a charitable organization;
- An event shall not take place for longer than a 24 hour duration;
- No more than two events shall take place in any given facility or location within a 12-month period;
- On-site parking shall be provided in accordance with the requirements for Convention/Conference/Banquet Centre uses as per Section 2.25, Off-Street Parking and Loading Requirements;
- The event shall comply with all other by-laws and regulations of the City of Burlington;
- All approved Fire and EMS accesses shall be maintained;
- All Ontario Building Code and Fire Code requirements shall be met;
- Where a tent or other temporary structure and/or accessory building is used for the event, it is considered floor area for the purposes of off-street parking requirements;
- Where a tent or other temporary structure is deployed, it shall comply with the Ontario Building Code and all other applicable law;
- Where food is prepared and/or served all public health inspections and approvals shall be secured.

(t) **Training Centre or other place of learning including accessory buildings**

(i) Lot shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road
(ii) Separation Distance: 30 m from a railway right-of-way
(iii) Parking: not permitted within 3 m of a residential property

(u) **Additional Residential Units**

(i) Permitted in the R1, R2, R3, R4, R5, RM1, RM2, RM3, RM4, RM5, RH1, RH2, RH4, RH5, RO1, RO2, RO3, RO4, RAL1, RAL2, RAL3, RAL4, REV1, REV2, REV3, MXG, MXC, MXT, DRM, DRL, UCR1, UCR2, UCR3, URH, URM, RNA1, RNA2, RNA3, SNA, ONA, and DNA zones, and any exception numbers associated with these zones, and in the O2-195, O2-196, and O3-196 zones.
(ii) Also permitted in a zone preceded by an H (Holding) zone prefix in an existing building lawfully permitted on the date the amending By-law creating the 'H' zoning was enacted.
(iii) In addition to the principal dwelling unit, up to three Additional Residential Units are permitted on a parcel of urban residential land where one Detached Dwelling, Semi-Detached Dwelling, Street Townhouse, or Townhouse is permitted. For clarity, Additional Residential Units in association with a Townhouse are only permitted on a Parcel of Tied Land where one Townhouse is permitted.
(iv) Only one Additional Residential Unit may be located within an Accessory Building.
(v) Only one exterior entrance is permitted on each elevation of the principal building facing a street.
(vi) Tandem parking spaces are permitted.
(vii) Additional Residential Units shall not be included in the calculation of maximum density, maximum number of dwelling units, or minimum number of visitor parking spaces.
(viii) Requirements for minimum floor area per dwelling unit and minimum floor area ratio shall not apply to lots with Additional Residential Units.
(ix) Notwithstanding Part 1, Subsection 2.2 (b), the floor area of an Accessory Building containing an Additional Residential Unit is permitted up to a maximum of 80 m^2.
(x) Notwithstanding Part 1, Subsection 2.2 (b), a lawfully existing Accessory Building is permitted to be converted to an Additional Residential Unit.
(xi) Notwithstanding Part 2, Section 4.1, Table 2.4.1, requirements for a minimum 3 metre side yard shall not apply for the conversion of a lawfully existing attached garage into an Additional Residential Unit.
(xii) Notwithstanding anything in this By-law for all buildings with Additional Residential Units the maximum lot coverage may be the greater of the applicable zone requirement or 45%.
(xiii) Notwithstanding Part 2, Section 4.5, requirements for maximum floor area ratio shall not apply to properties with Additional Residential Units.
(xiv) Exterior recladding of a building may project a maximum of 0.05 metres from the existing wall of the building."

(v) **Outdoor Patio**

(i) Permitted in association with the following uses, except those in any Residential Zone identified in Part 2 – Residential Zones, and any exception numbers associated with these zones, unless specifically permitted:
    i. Restaurant use
    ii. Banquet Hall
    iii. Convenience/Specialty Food Store
    iv. Convention/Conference Centre
    v. Entertainment Establishment
    vi. Food Processing and Manufacturing
    vii. Hotel

viii. Night Club
ix. Recreational Establishment
x. Supermarket/Grocery Store
xi. Brewery, Distillery, Winery or any use involved in the manufacturing of beer, wine or spirits, as licensed by the Alcohol and Gaming Commission in a GE1, BC1 or BC2 zone; and
xii. Community Institution

(ii) An outdoor patio shall be set back at least 10 metres from the DRL, DRM, and URM Zones, any Residential Zone identified in Part 2 – Residential Zones, and any exception numbers associated with these zones, excluding the RO4 and RAL4-493 Zones.

(iii) An outdoor patio is not permitted in a side yard or rear yard abutting a DRL, DRM, or URM Zone, any Residential Zone identified in Part 2 – Residential Zones, or any exception numbers associated with these zones, excluding the RO4 and RAL4-493 Zones.

(iv) An outdoor patio located at least 1.8 m above grade or on the roof of a building is only permitted in the CR, CE, CC1, DC, DW, DL-A, DL-B, and DL-C zones, and is not permitted on lands abutting a DRL, DRM, or URM Zone, any Residential Zone identified in Part – 2 Residential Zones, or any exception numbers associated with these zones, excluding the RO4 and RAL4-493 Zones.

(v) An outdoor patio shall maintain a seating capacity of a minimum of 1.1 square metres per person.

(vi) An outdoor patio may not be used to provide any recreational or entertainment use or activity, except when located in a DC, DL-A, DL-B or DL-C Zone and where footnote (f) to Table 6.2.1 applies;

(vii) An outdoor patio shall not be located within a required landscape area or landscape buffer, except when located in a MXG, MXC, MXE or MXT(m) Zone.

(viii) An outdoor patio shall not be located within an internal walkway, sidewalk, or required parking area or space including accessible parking spaces or associated accessible parking pathways.

(ix) Notwithstanding Subsection viii. above, an outdoor patio that is temporary may be located within a required parking area or space, internal walkway, sidewalk, or other hard surfaced area excluding a drive aisle, provided that:

i. The outdoor patio, including any structures, appurtenances, or physical extensions, is in place on a seasonal basis only between April 15 to October 31; and
ii. The outdoor patio does not occupy or obstruct access to any accessible parking spaces or associated accessible parking pathways; and
iii. The outdoor patio located on an internal walkway or sidewalk shall maintain an unobstructed pedestrian clear path with a minimum width of 1.8 metres; and
iv. Notwithstanding Part 1, Section 2.22, a temporary tent may be used on an outdoor patio.

2.22 PROHIBITED USES

The following uses, in addition to prohibited uses within a zone, are prohibited unless specifically permitted by the respective zone:

(a) The making or establishing of pits and quarries except where operated by a public authority or licensed by the Ministry of Natural Resources

(b) A track for racing or other events involving motor vehicles or tractors

(c) 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) When used by the operators of a circus, carnival or carousel for a maximum period of 7 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) Where a dwelling unit or place of business is destroyed by accident or natural disaster, a temporary structure, tent, trailer, or recreation vehicle may be used as a temporary dwelling or place of business on that property by the residents or occupants of the premises immediately prior to its destruction, for a maximum period of 12 months.

(vi) Where an existing permitted commercial, institutional or industrial use must vacate its premises while renovations to the premises are carried out, that use may continue to operate from the property in a temporary structure or trailer during the period of construction, for a maximum period of 6 months, provided that:
- the temporary structure or trailer does not exceed 50 m^2 in area.
- one temporary structure or trailer is permitted.
- the temporary structure or trailer complies with the Ontario Building Code.

(d) Where a temporary structure, tent, trailer or recreational vehicle is permitted by this section it shall be set back a minimum of 3 m from a street line and shall not be located within a required landscape area or landscape buffer

(e) Hazardous Waste Storage

(i) No person shall place, store, keep, or permit the placing, storing, or keeping of hazardous waste including PCB waste, nuclear waste, and toxic waste, as defined by the *Environmental Protection Ac*t or regulations, as amended, in a Residential Zone, Commercial Zone, Mixed-Use Corridor Zone or Downtown and Uptown Centre Zones.

(ii) No property owner shall increase or permit the increase of any hazardous waste which exists in a Residential Zone, Commercial Zone, Mixed-Use Corridor Zone, or Downtown and Uptown Centre Zones.

(f) Noxious Use

No use shall be permitted within the City of Burlington which, by its nature or by the materials used therein is declared under the *Health Protection and Promotion Act*.

(g) Temporary stages and other structures for entertainment purposes shall be permitted for a maximum duration of a 10-day period.

2.23 LANDSCAPE AREA AND LANDSCAPE BUFFER

Landscape Areas and Landscape Buffers required by this By-law shall be provided, planted, and maintained by the property owner.

2.24 DRIVEWAY WIDTHS AND LANDSCAPED OPEN SPACE AREA

1) The width of driveways and walkways shall be measured perpendicular to the direction of travel of the vehicle or person.

2)

(a) A maximum of one driveway shall be permitted for each residential property, 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) The maximum width of the 2nd driveway is of 4 metres inclusive of walkways.

(c) Properties located within the Shoreacres Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps, only one driveway is permitted for each residential property including corner lots.

3) Unless otherwise specified in this by-law, driveways shall be a minimum of 6 m in length.

a) For dwelling units within a plan of condominium, driveway lengths shall be 6.7 m in length measured from back of curb to front of garage.

4) Unless otherwise specified in this by-law, the following combined maximum width of all hard surfaces (driveways plus walkways) and landscaped open space area requirements shall apply for detached, semi-detached, duplex, triplex, fourplex, common element townhouse, common element back-to-back townhouse, and street townhouse dwellings:

(a) For front or street side lot lines less than 9 metres in width:

(i) The combined maximum width of all hard surfaces is 4.5 m.

(ii) The remaining lot area between a street line and a building elevation facing a street shall be landscaped open space area.

(b) For front or street side lot lines equal to or greater than 9 m and less than 12 m in width:
    (i) The combined maximum width of all hard surfaces is 5.5 m.
    (ii) The remaining lot area between a street line and a building elevation facing a street shall be landscaped open space area.

(c) Notwithstanding the above, for lots with front or street side lot lines less than 12 m in width with an existing dwelling containing a two-car garage on or before December 14, 2009:
    (i) The combined maximum width of all hard surfaces is 7 m.
    (ii) The remaining lot area between a street line and a building elevation facing a street shall be landscaped open space area.

(d) For front or street side lot lines equal to or greater than 12 m and less than 18 m in width:
    (i) The combined maximum width of all hard surfaces is 7.5 m.
    (ii) The remaining lot area between a street line and a building elevation facing a street shall be landscaped open space area.

(e) Front lot or street side lot lines equal to or greater than 18 m in width:
    (i) The combined maximum width of all hard surfaces is 50% of the front lot or street side lot line.
    (ii) The remaining lot area between a street line and a building elevation facing a street shall be landscaped open space area.

(f) Circular Driveways are permitted subject to the following:
    (i) Front or street side lot lines are equal to or greater than 21 m in width.
    (ii) Must be located in a front or street side yard.
    (iii) Maximum width of a walkway shall be 2 m.
    (iv) The combined width of the two points of access shall not exceed a maximum width of 9 m.
    (v) The widest point beyond circular driveway shall not exceed a maximum width of 9 m.
    (vi) Minimum 8 m of landscape open space between access points.

See Section 1.13, Illustration No. 4 – Circular Driveway

(g) A hammerhead driveway is permitted subject to the following:
    (i) Front or street side lot lines are equal to or greater than 18 m in width.
    (ii) Maximum width of a walkway shall be 2 m.
    (iii) The widest point not including the 2 m hammerhead extension shall not exceed a maximum of 7 m.
    (iv) Shall have a maximum width of 3 m.
    (v) Shall have a maximum length of 2 m extending perpendicularly from the driveway.
    (vi) Shall be set back a minimum of 0.5 m from the interior and street side lot lines.

See Section 1.13, Illustration No. 5 – Hammerhead Driveway

(h) Properties located within the Shoreacres Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps, regardless of lot width,

shall be subject to subsection (e) above. Circular and hammerhead driveways are subject to subsections (f) and (g) above.

2.25 OFF-STREET PARKING AND LOADING REQUIREMENTS

2.25.1 Whenever a new development occurs or whenever an existing development is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle parking spaces shall be provided and maintained on the property and within the zone designation for all uses, except for:

(a) those properties shown on “Diagram 1A: Downtown Parking Exemption Area”. For the development of a parcel of land partially or wholly contained within the Downtown Parking Exemption Area, Section 2.25 shall only apply to residential uses; and

(b) those properties shown on “Diagram 1B: Plains Road Corridor Residential Parking Exemption Area”, “Diagram 1C: Fairview Street Corridor Residential Parking Exemption Area”, and “Diagram 1D: Appleby Line Corridor Residential Parking Exemption Area”. For the development of a parcel of land partially or wholly contained within a Residential Parking Exemption Area Overlay Map, Section 2.25 shall only apply to non-residential uses. Despite the above, where the owner/applicant chooses to provide parking facilities on-site, the City’s accessible parking spaces requirements shall apply and accessible parking spaces shall be provided in accordance with Table 1.2.7, and subsections 2.26 (9) (a) and (b), contained in PART 1, Section 2.26 General Parking Provisions.

2.25.2 Off-Street parking shall be in accordance with Subsection 2.26, “General Parking Provisions”

2.25.3 At least one off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings, but excluding residential buildings less than 4 storeys high.

2.25.4 The number of parking spaces required for permitted uses in all zones shall be in accordance with Table 1.2.6, unless otherwise specified in the respective zones. Where more than one use specified in Table 1.2.6 is provided on the same lot or in the same building, the parking spaces required shall be in respect of each use.

2.25.5 Notwithstanding Part 1, Subsection 2.25.4, when a use changes to another permitted use within a Multi-Unit Business Park that existed as of March 19, 2024, the number of existing parking spaces shall be deemed to conform with the parking requirements of this By-law, provided the change in use does not include an external addition to an existing building or the erection of a new building.

Table 1.2.6: Off-Street Parking Standards

USE	PARKING STANDARD
Detached Dwelling **Semi-Detached Dwelling** **Duplex Dwelling**	2 spaces per unit; one of which may be provided in an attached or detached garage Detached, Semi-detached and Duplex, on a parcel of tied land fronting onto a common element condominium road: 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway.
Street Townhouse Dwelling **Street Fourplex Dwelling**	2 spaces per unit
Triplex Dwelling	1 occupant space per unit, 0.33 visitor spaces per unit
Street Triplex Dwelling	2 spaces per unit A Triplex Dwelling on a parcel of tied land fronting onto a common element condominium road: 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway.
Townhouse Dwelling **Fourplex Dwelling** **Cluster Homes**	2 occupant spaces per unit, 0.25 visitor spaces per unit
Stacked Townhouse Dwellings	1 occupant space per unit, 0.25 visitor spaces per unit
Back-to-Back Townhouse Dwellings	2 occupant spaces per unit, 0.25 visitor spaces per unit

USE	PARKING STANDARD
Apartment Building	**Within a Primary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020, except for those properties identified in a Residential Parking Exemption Area shown on Diagrams 1B, 1C, or 1D, and as may be further amended**: 1.25 spaces per unit inclusive of visitor parking. *This is an interim rate and is subject to further study to be undertaken by the City. An application to reduce this parking rate will be required to be supported by a parking justification study deemed acceptable by the City.* **Within a Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by the Halton Region on November 30, 2020, except for those properties identified in a Residential Parking Exemption Area shown on Diagrams 1B, 1C, or 1D, and as may be further amended:** 1.25 spaces per unit inclusive of visitor parking. **For all areas outside of Primary and Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020, and as may be further amended:** 1 occupant spaces per one-bedroom unit 1.25 occupant spaces per two-bedroom unit 1.5 occupant spaces per three or more bedroom unit 0.25 visitor spaces per unit 1 additional 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 spaces per unit
Additional Residential Unit	First unit: 0 spaces Second or third units: 1 space
Adult Entertainment Establishment	1 space per 2 persons capacity
Bank, Trust Company, Credit Union	5 spaces per 100 m^2 gross floor area
Bed & Breakfast Home **Boarding House**	1 space per guest room in addition to the parking requirement for a detached dwelling
Cemetery	1 space per employee plus 1 per 4 seats chapel capacity
Community Institution	1 space per 4 persons capacity
Convent, Monastery	1 space per 2 beds
Convention/Conference/Banquet Centre	10 spaces per 100 m^2 gross floor area
Correctional Facility	0.85 spaces per employee 0.25 visitor spaces per resident
Correctional Group Home	4 parking spaces
Day Care Centre	4 spaces per 100 m^2 gross floor area

USE	PARKING STANDARD
Emergency Shelter	0.85 spaces per employee 0.25 visitor spaces per resident
Entertainment Establishment	10 spaces per 100 m^2 of gross floor area
Funeral Home, Mortuary, Crematorium	4 spaces per 100 m^2 gross floor area
Group Home	2 parking spaces
Home-Based Business	None required
Home Day Care	None required
Hospital, Health Care Facility	0.65 spaces per patient bed
Hotel	1 space per guest room or suite
Industrial Uses	1 space per 100 m^2 gross floor area, except those uses classified more specifically in Table 1.2.6
Kennel	1 space per employee plus 1 per 100 m^2 gross floor area
Library, Museum, Post Office	0.75 spaces per employee plus 1.5 spaces per 100 m^2 GFA
Lodge, Fraternity, Private Club	1 space per 4 persons capacity
Long-Term Care Facility	0.35 spaces per bed
Multi-Unit Business Park	2 spaces per 100 m^2 of gross floor area
Night Club, Dance Hall	1.1 spaces per 4 persons
Office: Medical **Other**	6 spaces per 100 m^2 gross floor area 3 spaces per 100 m^2 gross floor area
Outdoor Patio	None Required
Place of Assembly	6 spaces per 100 m^2 gross floor area
Place of Worship	0.2 spaces per seat or prayer space or 6 spaces per 100 m^2 of gross floor area whichever is higher
Recreational Establishment	5.5 spaces per 100 m^2 of gross floor area
Retail Store	3.5 spaces per 100 m^2 gross floor area
Retail Centre	5 spaces per 100 m^2 gross floor area
Residential Social Service	0.85 spaces per employee 0.25 visitor spaces per resident
Restaurant: Fast Food Restaurant	10 spaces per 100 m^2 of gross floor area
Restaurant: Standard Restaurant	18.5 spaces per 100 m^2 of gross floor area
Retirement Home	Occupant/Employee: 0.6 spaces per unit Visitor: 0.25 spaces per unit 1 additional space per 50 units for the use of maintenance vehicles servicing the site
School: Elementary **Secondary** **Post-Secondary** **Business, Commercial, Trade**	1.5 spaces per classroom 3 spaces per classroom 5 spaces per classroom plus 1 space per 6 person capacity of auditoriums 5 spaces per 100 m^2 of gross floor area
Service Commercial Uses	4 spaces per 100 m^2 gross floor area
Storage Locker Facility	0.5 spaces per 100 m^2 of gross floor area
Supermarket	6 spaces per 100 m^2 gross floor area
Warehouse and Logistics	1.5 spaces per 100 m^2 of gross floor area

Diagram 1A: Downtown Parking Exemption Area

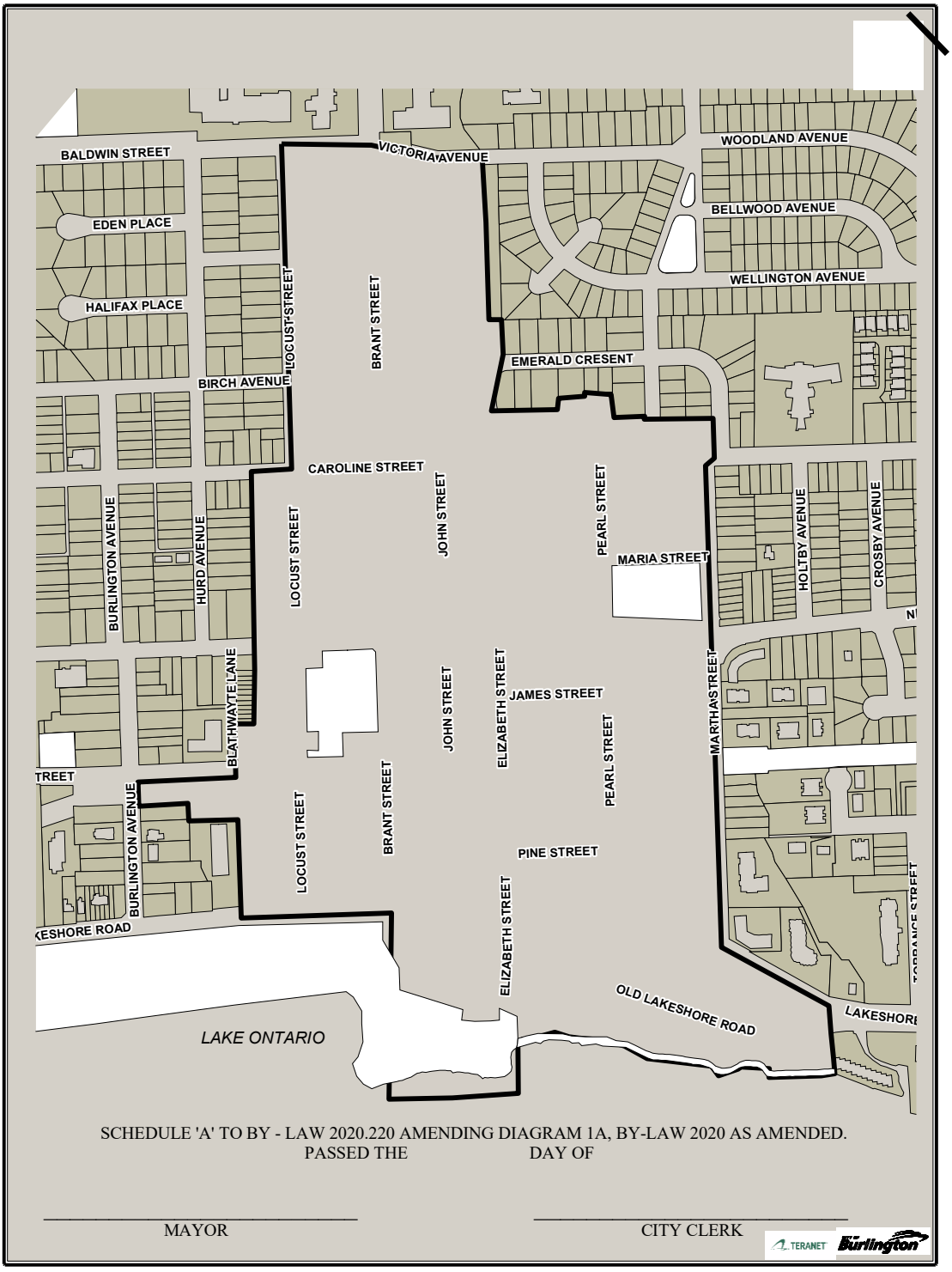


Diagram 1B: Plains Road Corridor Residential Parking Exemption Area

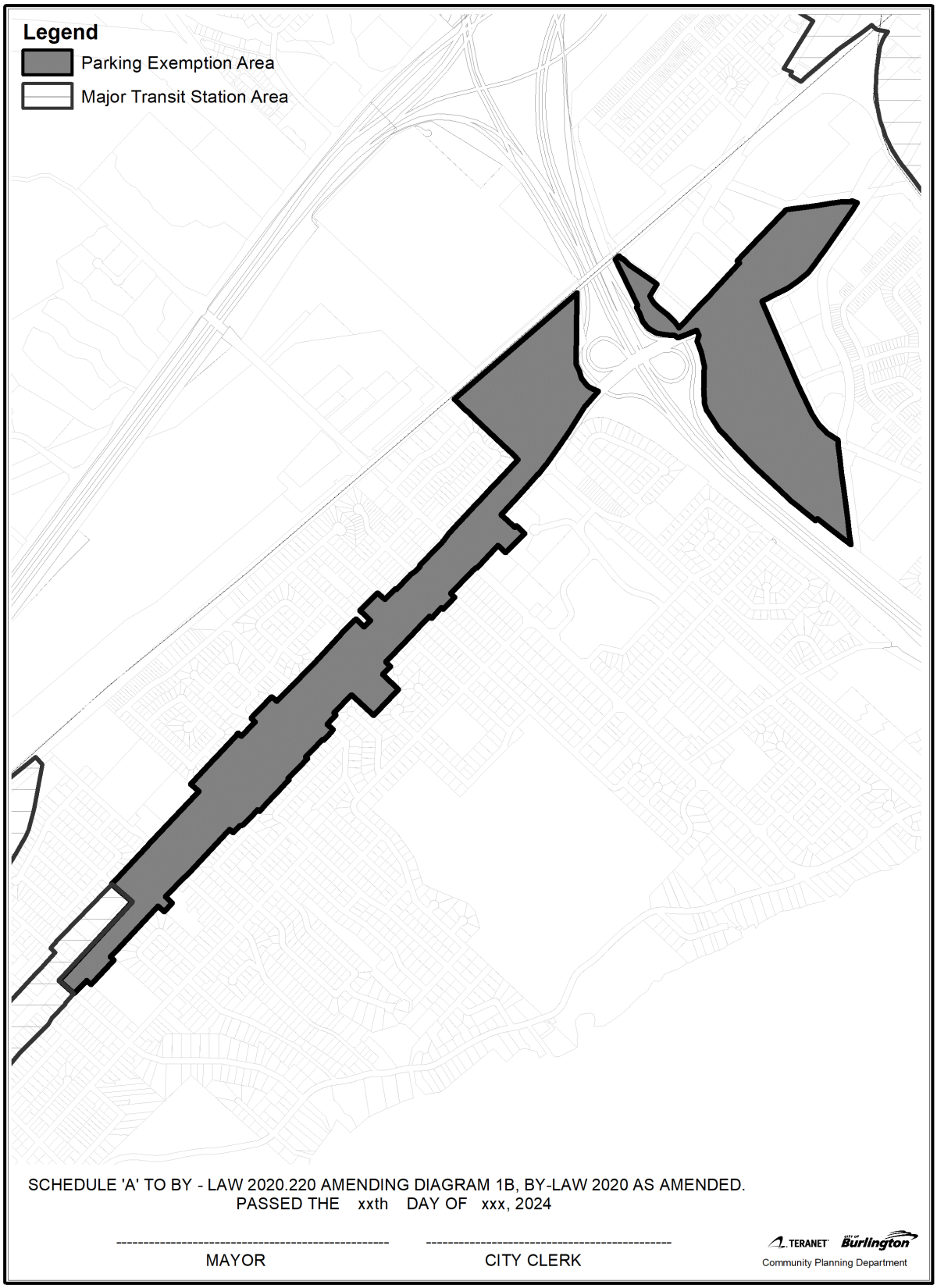


Diagram 1C: Fairview Street Corridor Residential Parking Exemption Area



Diagram 1D: Appleby Line Corridor Residential Parking Exemption Area



2.26 GENERAL PARKING PROVISIONS

(1) **Parking Space Size & Accessibility**

(a) Each parking space shall have a minimum width of 2.75 m and a minimum area of 16.5 m^2 and 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. The minimum area of a parking space may include walkways for residential uses only.

The minimum internal dimensions for a private garage are 6.0m depth x 3.0m width x 2.0m height. The minimum internal dimensions for unobstructed area in the private garage are 5.5m depth x 3.0m width x 2.0m height. One step is permitted in the unobstructed area.

(b) Accessibility shall not apply to a parking space in a garage which is for the exclusive use of a dwelling unit, provided the driveway serving the garage has a minimum length of 5.5 metres.
Accessibility is not required for 20% of the required occupant parking in townhouse, back-to-back townhouse, stacked townhouse, maisonette, fourplex, and apartment buildings.

(2) **Illumination**
Where parking facilities are illuminated by lighting fixtures or standards, they shall be arranged so that light from the fixture is shielded and/or directed away from residential dwellings.

(3) **Surface Treatment**
Every parking lot, which includes parking spaces and driveways, shall be graded and drained and the surface treated so as to provide a permanent durable and dustless surface. This provision shall not apply to parking lots of residential developments having three or fewer dwelling units.

(4) **Access**
Every such parking lot shall have adequate means of entrance and exit directly to an existing street or public lane, and every such entrance and/or exit shall be clearly marked by directional signs.

(5) **Parking Structures**
i) Any part of an enclosed parking structure that projects 1.6 m or more above grade shall be subject to the yard requirements of the zone designation.

ii) Entrance and exit ramps to below-grade and above-grade parking structures or buildings shall be set back 7.5 m from a street line.

iii) Below-grade parking structures shall not extend into a required landscape buffer and shall be set back 3 m from all other property lines and street lines.

(6) **Multiple Zones**
Where a property is covered by more than one zone designation, required parking and loading facilities shall be provided within that area of the property zoned for the permitted use and within which the permitted use is located.

However, a driveway providing access from a street to service a property zoned for a permitted use may be located on land zoned for a different permitted use.

(7) **Group Home Parking**
Required Parking for Group Homes may be blocked provided that at least two parking spaces are accessible at all times.

(8) **Correctional Group Home Parking**
Required Parking for Correctional Group Homes may be blocked provided that at least two parking spaces are accessible at all times.

(9) **Designated Accessible Parking Spaces**
Where parking facilities are required, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated accessible parking spaces shall be included in the calculation of required parking and shall be provided in accordance with Table 1.2.7, 9(a) and 9(b):

Table 1.2.7

Required Parking	Designated Accessible Parking Spaces
5 to 50 spaces	1 designated accessible parking space
51 to 90 spaces	2 designated accessible parking spaces
Over 90 spaces	3% of required parking

(a) Medical office and institutional uses shall provide a minimum of one designated accessible parking space. Where out-patient services are provided, a minimum of 10% of the required parking shall be designated accessible parking spaces.
(b) Each designated accessible parking space shall meet the minimum width and area requirements of subsection (1) (a) above and shall be located adjacent to a delineated “accessible parking pathway” with a minimum width of 2.0 metres.

(10) **Bicycle Parking**
Bicycle Parking spaces shall be provided in conjunction with office, retail, and service commercial, industrial and institutional developments, in accordance with Table 1.2.8 and (10)(a):

Table 1.2.8

Use	Required Bicycle Parking
Retail, Retail Centre Service Commercial Office, Institutional	2 spaces plus 1 space/1000 m^2 GFA
Industrial	2 spaces plus 0.25 spaces/1000m^2 GFA
Elementary & Secondary School	1 space/10 students & 1 space/35 employees
Post-Secondary School	1 space/20 students

(a) Each bicycle parking space shall be 60 cm x 1.8 m in size

2.27 DEEMED STREET WIDTH

2.27.1 For the purposes of establishing building setbacks or for the application of any other provisions of this By-law, the streets listed in Table 1.2.9 – "Deemed Street Widths" shall be deemed to be the width shown. Streets not included in Table 1.2.9 shall be deemed to be 20 m wide.

2.27.2 Where the actual width of a street is greater than its deemed width, all zoning provisions shall apply to the actual street width.

2.27.3 Where the actual width of a street within a metric registered plan of subdivision is less than 20 m wide, all provisions of this By-law shall apply to the actual street width.

2.27.4 Where the actual width of a street which has been deeded to the City is less than 20 m wide, all provisions of this By-law shall apply to the actual street width.

Table 1.2.9 – Deemed Street Widths

DEEMED STREET WIDTHS ® Indicates "Regional Road"			
STREET	**FROM**	**TO**	**WIDTH (m)**
A			
Alexan Crescent	Entire Length		16
Angus Court	Entire Length		18
Appleby Line	Lakeshore Road	New Street	30
	New Street	Fairview Street	36
	Fairview Street	QEW	40
	QEW	300 m south of Dundas St	40®
	300 m south of Dundas St	Hwy 407	42®
	Hwy 407	Derry Road	35®
Applegarth Drive	Entire Length		14
Atkinson Drive	Entire Length		18
Auckland Drive	Entire Length		14
Austin Court	Blue Spruce Avenue	50 m east	22
	50 m east	Limit	14
Autumn Harvest Way	Entire Length		14
Avalon Drive	Entire Length		14
B			
Baker Drive	Upper Middle Road	Sunmill Crescent	16
	Sunmill Crescent	Limit	14
Bayswater Avenue	Entire Length		15
Bell School Line	Entire Length		26
Bellhaven Crescent	Entire Length		15
Bellwood Avenue	Emerald Street	Wellington Avenue	18
Birch Avenue	Entire Length		17
Birchleaf Lane	Entire Length		12.5
Bird Boulevard	Entire Length		14
Blathwayte Lane	Entire Length		10
Blenheim Street	Brant Street	Hurd Avenue	16
Blue Spruce Avenue	Dryden Avenue	Thorn Lane	18
	Thorn Lane	Upper Middle Road	22
Bluegrass Lane	Entire Length		14.5

DEEMED STREET WIDTHS ® Indicates "Regional Road"			
STREET	**FROM**	**TO**	**WIDTH (m)**
Bonnieview Avenue	Spring Gardens Road	Parkhill Avenue	15
Brada Crescent	West Limit	Bluegrass Lane	14.5
	Bluegrass Lane	North Limit	18
Braeswood Lane	Entire Length		14
Brant Street	Lakeshore Road	Caroline Street	18
	Caroline Street	Olga Drive	26
	Olga Drive	Maplewood Avenue	30
	Maplewood Avenue	QEW	36
	QEW	Dundas Street	36®
Britannia Road	Entire Length		30
Brock Avenue	Lakeshore Road	Ontario Street	18
Broadleaf Crescent	Entire Length		14
Brookdale Street	Entire Length		14
Brookfield Avenue	Lakeshore Road	Pomona Avenue	15
Bruce Street	140 m west of Seneca Ave	137 m east of Delaware Ave	18
Bunton Crescent	Entire Length		14
Burloak Drive	Lakeshore Road	400 m north of New Street (realigned)	30
	400 m north of New Street	QEW	42
	QEW	Upper Middle Road	35®
Bushberry Lane	Entire Length		12.5
Bushtrail Court	Entire Length		15
C			
Carns Court	Entire Length		18
Casselman Court	Entire Length		14
Cachet Crescent	Entire Length		14
Cedar Springs Road	Entire Length		30
Chapman Court	Entire Length		18
Chercover Court	Blue Spruce Avenue	50 m north	22
	50 m north	Limit	14
Clark Avenue	Birch Avenue	Caroline Street	16
	Caroline Street	Cul-de-sac	18
Coaldale Drive	Entire Length		18
Coldwater Street	Entire Length		14
Cornerstone Drive	In front of Public School		19
Corporate Drive	Appleby Line	Burloak Drive	26
Crosby Avenue	New Street	Caroline Street	18
Crosswinds Court	Entire Length		18
Cumberland Avenue	Fairview Street	New Street	26
Curtis Road	Entire Length		14
D			
Danielle Drive	Entire Length		14
Debeir Street	Entire Length		14
Deer Place	Entire Length		18
Delaware Avenue	Lakeshore Road	New Street	17.5
Derry Road	Entire Length		35®
Dryden Avenue	Entire Length		26
Duchess Court	Entire Length		14
Dundas Street	Kerns Road	Tremaine Road	47®
Dunmore Avenue	Entire Length		14

DEEMED STREET WIDTHS ® Indicates "Regional Road"			
STREET	**FROM**	**TO**	**WIDTH (m)**
E			
Easton Road	Pathfinder Drive	Orchard Road	15.5
	Orchard Road	Sutton Drive	18
Edgewood Place	Entire Length		16
Elmside Crescent	Entire Length		14
Emerald Street	Caroline Street	North of Emerald Crescent	17
	North of Emerald Crescent	Wellington Avenue	18
	Victoria Avenue	North of Woodland Avenue	18
Emerson Drive	Entire Length		15.5
Empire Crescent	Entire Length		14
English Crescent	Entire Length		14
Eveningstar Drive	Entire Length		14
F			
Fairview Street	QEW	GO Station	40
	GO Station	150 m west of Guelph Line	36
	150 m west of Guelph Line	200m east of Guelph Line	40
	200m east of Guelph Line	150 m west of Walker's Line	36
	150 m west of Walker's Line	150 m east of Walker's Line	40
	150 m east of Walker's Line	150 m west of Appleby Line	36
	150 m west of Appleby Line	150 m east of Appleby Line	40
	150 m east of Appleby Line	Harvester Road	36
Fernbrook Court	Entire Length		16
Forest Grove Crescent	Entire Length		14
Fruitland Avenue	Lakeshore Road	Lake Ontario	15
G			
Garland Crescent	Entire Length		14
Georgina Court	Entire Length		14
Glenhaven Avenue	Entire Length		15
Green Street	South of Lakeshore Road		17
Greening Lane	Entire Length		14
Greer Drive	Entire Length		14
Guelph Line	Lakeshore Road	New Street	24
	New Street	Prospect Street	35
	Prospect Street	Fairview Street	40
	Fairview Street	QEW	42
	QEW	Dundas Street	42®
	Dundas Street	Derry Road	35®
H			
Hager Avenue	Ontario Street	Birch Avenue	16.5
Haldimand Crescent	Entire Length		14
Halton Place	Entire Length		18
Hampton Court	Entire Length		18
Harrison Court	South intersection of Appleby Line	Hydro Right-of-way	20-25
	Hydro Right-of-way	180 m easterly of north intersection of Appleby Line	18
	180 m easterly of north intersection of Appleby Line	North intersection of Appleby Line	22-26

DEEMED STREET WIDTHS ® Indicates "Regional Road"			
STREET	**FROM**	**TO**	**WIDTH (m)**
Harvester Road	Guelph Line	Appleby Line	32
	Appleby Line	Burloak Drive	36
Haswell Lane	Entire Length		12.5
Heslop Street	Entire Length		14
Heritage Road	North Service Road	Mainway	26
Holtby Avenue	New Street	Caroline Street	18
Hurd Avenue	Birch Avenue	Ontario Street	16
I			
Industrial Street	Mountainside Drive	Stanley Drive	26
	Stanley Drive	North Service Road	20
Irving Street	Entire Length		14
J			
Jacada Road	Entire Length		14
Jameson Crescent	Entire Length		14
Jardine Crescent	Blue Spruce Avenue	Redstone Street	22
	Redstone Street	Redstone Street	14
Jarvis Crescent	Entire Length		16
Joshua Drive	Entire Length		14
K			
Kempling Lane	Entire Length		14
Kenneth Crescent	Entire Length		14
Kevin Crescent	Entire Length		18
Kilbride Street	Town Line	McNiven Road	30
	McNiven Road	Carriage Trail	26
	Carriage Trail	Twiss Road	30
Kindos Street	Entire Length		14
King Road	North Shore Blvd.	C.N.R.	30
	C.N.R.	North Service Road	35
	North Service Road	Northerly Limit	30
L			
Lakeland Crescent	Lakeshore Road	Fruitland Avenue	15
Lakeshore Road	Entire Length		30
Langford Road	Entire Length		14
Little Street	Entire Length		14
M			
Mainway	Guelph Line	Burloak Drive	30
Maple Avenue	North Shore Blvd.	Ontario Street	26
	Ontario Street	Rambo-Hager Creek Diversion Channel	30
	Rambo-Hager Creek Diversion Channel	Fairview Street	35
	Fairview Street	Plains Road	30
Maria Street	Brant Street	Martha Street	15
Marjan Lane	Entire Length		12.5
Mackay Court	Entire Length		18
McCormack Drive	Entire Length		14

DEEMED STREET WIDTHS ® Indicates "Regional Road"			
STREET	**FROM**	**TO**	**WIDTH (m)**
McNiven Road	Cedar Springs Road	Derry Road	26
Medland Drive	Entire Length		18
Milburough Line	Entire Length		26
Mill Street (Kilbride)	Entire Length		15
Mountainside Drive	Industrial Street	Guelph Line	26
N			
Nelson Avenue	Lakeshore Road	Ontario Street	18
New Street	Martha Street	Beverly Drive	30
	Beverly Drive	Burloak Drive	35
Newell Crescent	Quinte Street	50 m east	22
	50 m east	Limit	14
No. 1 Side Road	Milburough Line	Guelph Line	26
	Guelph Line	Appleby Line	30
No. 2 Side Road	Cedar Springs Road	Guelph Line	30
	Walker's Line	Bell School Line	26
No. 4 Side Road	Entire Length		26
No. 8 Side Road	Cedar Springs Road	Twiss Road	26
	Twiss Road	Guelph Line	26
North Service Road	Old York Road	Lemonville Road	26
	Waterdown Road	Up to 500 m east of Guelph Line	30
	500 m east of Guelph Line	up to Burloak Drive	22
Norland Drive	Entire Length		14
North Shore Blvd.	Maple Avenue	Indian Road	35
	Indian Road	King Road	26
Nova Crescent	Quinte Street	50 m west	22
	50 m west	Limit	14
Novis Way	Entire Length		14
O			
Oakley Drive	Entire Length		14
Oak Grove Place	Entire Length		14
Old York Road	No. 6 Highway	Snake Road	30
	Snake Road	York Road	26
Omaha Street	Entire Length		10
P			
Page Crescent	Blue Spruce Avenue	50 m south	22
	50 m south	Limit	14.5
Palladium Way	Entire Length		26
Panton Street	South of Kilbride Street		15
Parkhill Avenue	Entire Length		15
Pathfinder Drive	Entire Length		18
Paula Court	Entire Length		18
Penman Lane	Entire Length		12.5
Picketts Way	Entire Length		14
Pine Cove Road	New Street	145 m north of Lakeshore Road	15
Pine Street	Brant Street	Martha Street	14
Pinemeadow Court	Headon Forest Drive	Westerly limit	18

DEEMED STREET WIDTHS ® Indicates "Regional Road"			
STREET	**FROM**	**TO**	**WIDTH (m)**
Plains Road	No. 6 Highway	South side of Hwy 403	30
	South side of Hwy 403	QEW	36
	130 m north of Fairview Street	Brenda Crescent	30
Player Court	Entire Length		18
Pomona Avenue	Lakeshore Road	146 m north of Lakeshore Road	15
Prescott Place	Entire Length		12.5
Price Court	Entire Length		18
Prospect Street	Guelph Line	Cumberland Avenue	30
Q			
Queensway Drive	Brenda Crescent	Guelph Line	30
Quinte Street	Upper Middle Road	Blue Spruce Avenue	18
	Blue Spruce Avenue	Redstone Street	22
R			
Ravine Crescent	Entire Length		14
Redstone Street	Entire Length		14
Ridgewell Road	Entire Length		14
Robjen Road	Entire Length		14
Rome Crescent	Quinte Street	50 m west	22
	50 m west	Limit	14
Rosaline Road	Entire Length		14
Roseland Crescent	Entire Length		18
Roseville Court	Entire Length		14
Russett Crescent	Entire Length		14
S			
Scotia Crescent	Quinte Street	English Street	22
	English Street	Limit	14
Seneca Avenue	Lakeshore Road	New Street	18
Seton Crescent	Entire Length		14
Shadetree Avenue	Entire Length		14
Simcoe Drive	Entire Length		18
Snake Road	Entire Length		30
South Service Road	Waterdown Road	King Road	26
Spence Lane	Entire Length		14
Stokes Lane	Entire Length		14
Stonehaven Drive	Entire Length		14
Sundial Road	Entire Length		14
Sunmill Crescent	Entire Length		14
Susan Court	Entire Length		18
Sutton Drive	Mainway	Upper Middle Road	30
	Upper Middle Road	Russet Crescent	26
	Russet Crescent	Trans Canada Pipeline	31
	Trans Canada Pipeline	Dundas Street	26
T			
Thomas Alton Boulevard	Entire Length		26
Thorn Lane	Entire Length		14
Torrance Street		Northerly Limit	18

DEEMED STREET WIDTHS ® Indicates "Regional Road"			
STREET	**FROM**	**TO**	**WIDTH (m)**
Tremaine Road	Dundas Street	No. 1 Side Road	35®
Twelve Mile Road	Valleyhigh Drive	90 m east	14
	90 m east	Northerly Limit	26
Twiss Road	No. 8 Side Road	Derry Road	30
Tydman Way	Entire Length		14
U			
Upper Middle Road	Westerly Limit	Highway 407	35
	Highway 407	Appleby Line	40
	Appleby Line	Burloak Drive	40®
V			
Valleyhigh Drive	Entire Length		14
Vanessa Drive	Entire Length		14
Viking Crescent	Entire Length		14
W			
Walker's Line	Lakeshore Road	New Street	30
	New Street	Dundas Street	35
	Dundas Street	Highway 407	35
	Highway 407	Derry Road	30
Waterdown Road	Plains Road	Northerly Limit	30
Waterloo Street	North of Woodland Avenue		18
Wellington Avenue	Victoria Avenue	Woodland Avenue	18
Whitehorn Drive	Entire Length		14
Willow Avenue	Entire Length		10
Wood Crescent	Entire Length		14
Woodglen Crescent	Entire Length		14
Woodland Avenue	New Street	Emerald Street	18
Woodsmere Court	Entire Length		16
Y			
York Boulevard	Boundary City of Hamilton	Plains Road	35
York Road	Entire Length		26

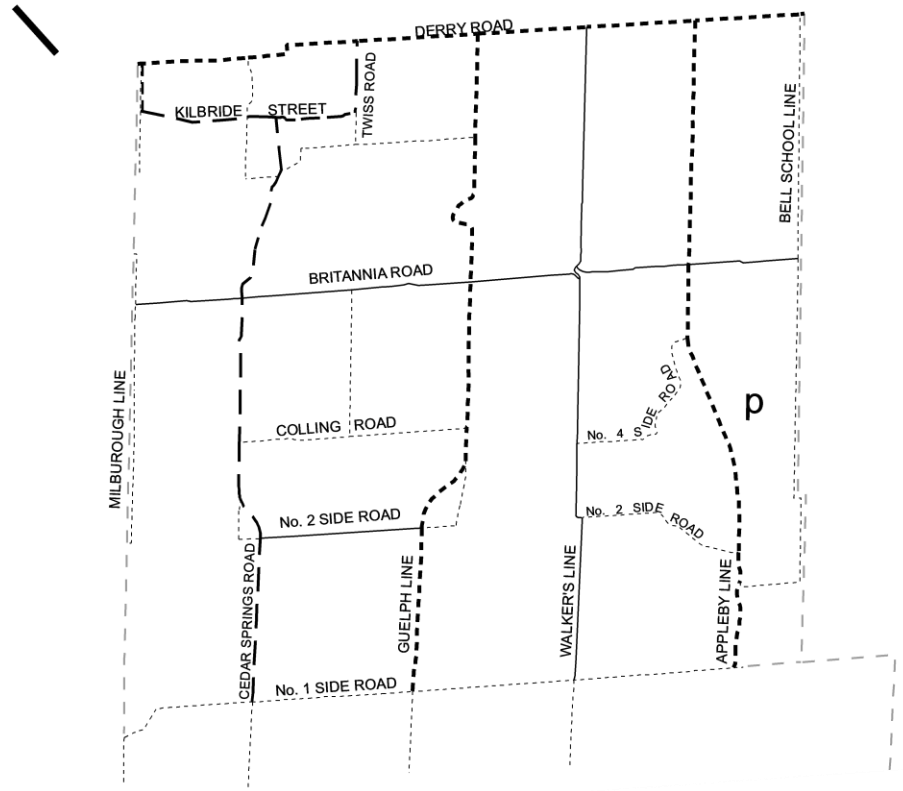
® Indicates "Regional Road"

2.28 CLASSIFICATION OF ROADS

Roads classified as Collector, Minor Arterial, Multi-Purpose Arterial, and Major Arterial are shown on Schedule 'A' (Rural Area) and Schedule 'B' (Urban and North Aldershot Areas).

SCHEDULE 'A'

CLASSIFICATION OF ROADS

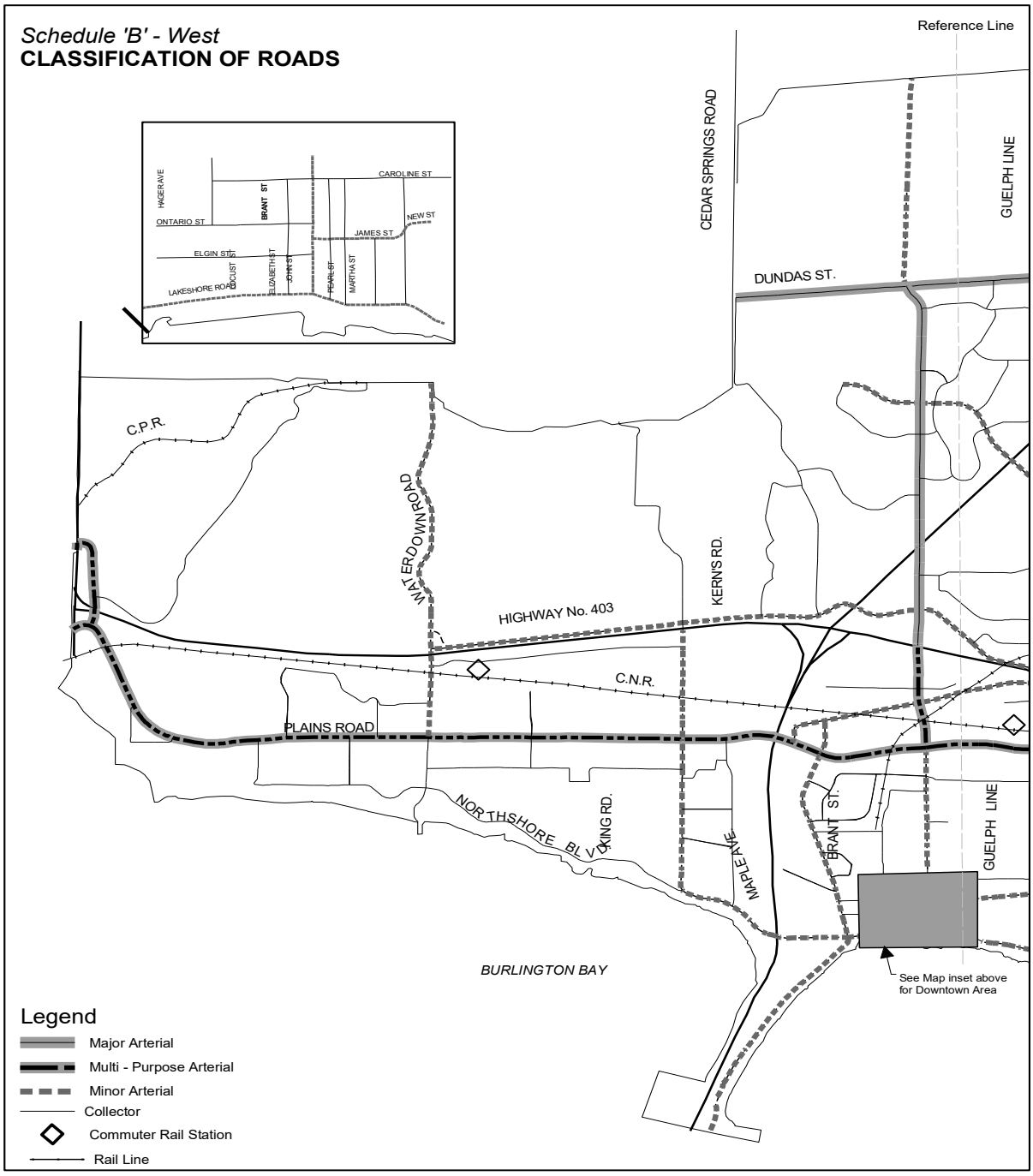


Legend

SCALE 1: 75000

- Major Arterial
- Minor Arterial
- Collector
- p Airport

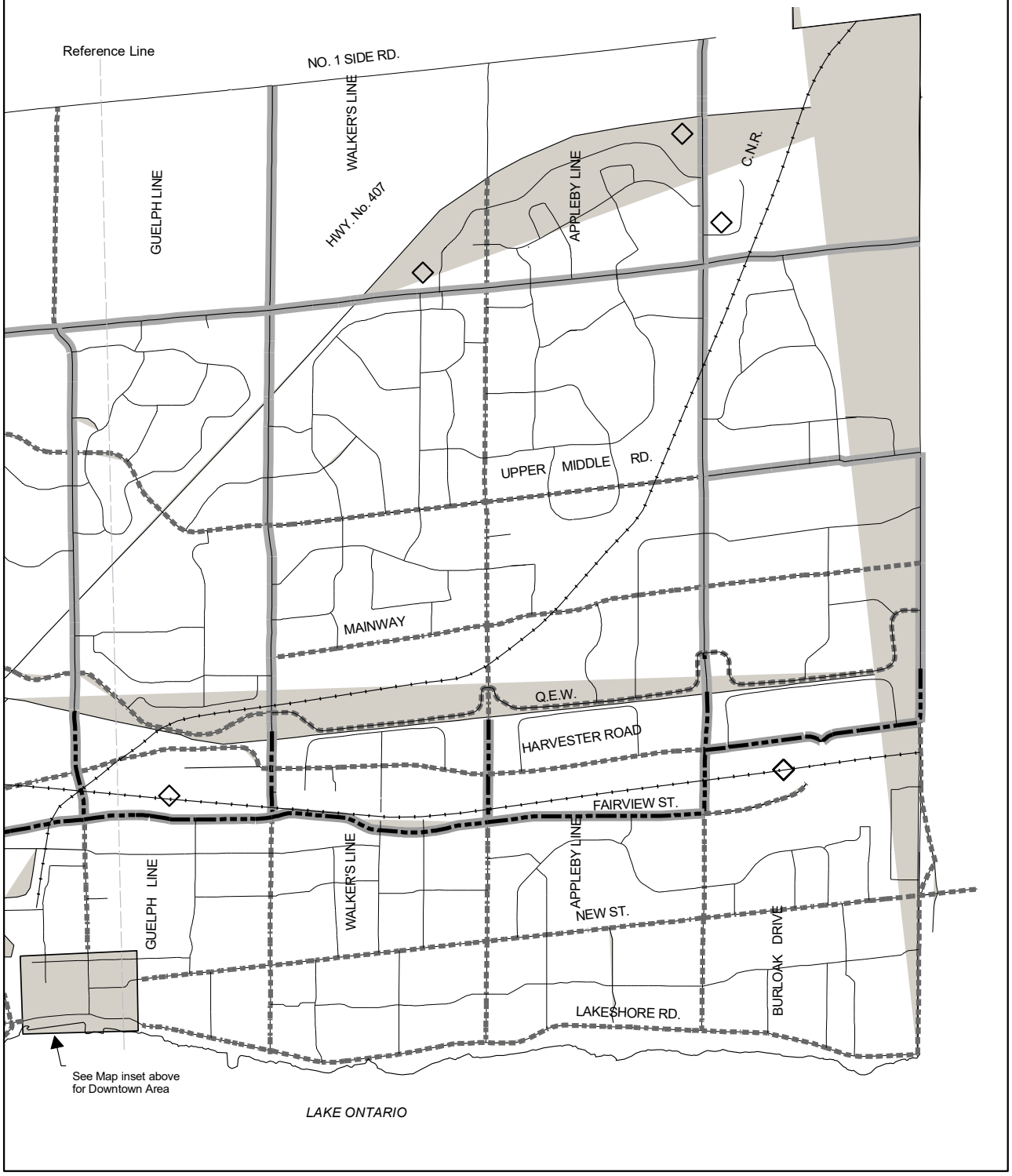
Other roads are classified as local roads



S:\Dept_GraphicFiles\Planning\ArcMap_Projects\bylaws\zoning general provisions

Schedule 'B' - East

CLASSIFICATION OF ROADS



2.29 DEVELOPMENT CONTROL

2.29.1 The Corporation of the City of Burlington hereby prohibits or requires the provision, maintenance, and use of the following facilities and matters, as a condition of the development or redevelopment of land or buildings in the areas regulated by this By-law, as from time to time amended:

(a) Widening of highways that abut on the land that is being developed or redeveloped.

(b) Subject to *The Public Transportation and Highway Improvement Act*, facilities to provide access to and from the land such as access ramps and curbing including the number, location, and size of such facilities and direction of traffic thereon.

(c) Off-street vehicular parking and loading areas and access driveways including the surfacing of such areas and driveways.

(d) Walkways and all other means of pedestrian access.

(e) Removal of snow from access ramps, driveways, parking areas and walkways.

(f) Grading or change in elevation or contour of the land and the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.

(g) Conveyance to The Corporation of the City of Burlington without cost of easements required for the construction, maintenance, or improvement of any existing or newly required watercourses, ditches, land drainage works and sanitary sewerage facilities on the land.

(h) Floodlighting of the land or of any buildings or structures thereon.

(i) Walls, fences, hedges, trees, shrubs, or other suitable ground-cover to provide adequate landscaping of the land or protection to adjoining lands.

(j) Vaults, central storage and collection areas and other facilities and enclosures as may be required for storage of garbage and other waste material.

(k) Plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required pursuant to this By-law.

(l) Drawings showing plan, elevation, and cross-section views for each building to be erected, which drawings are sufficient to display:

(i) the massing and conceptual design of the proposed building;
(ii) the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access;
(iii) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces, and interior walkways in adjacent buildings.

(iv) matters relating to exterior design, including without limitation, the character, scale, appearance, and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design;
(v) the sustainable design elements on any adjoining highway under City or Regional jurisdiction, including without limitation, trees, shrubs, hedges, plantings, or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

(m) Facilities designed to have regard for accessibility for persons with disabilities.

2.29.2 The facilities and matters required under Subsection 2.29.1 shall be provided and maintained by the Owner of the land at his sole risk and expense and to the satisfaction of the City and in default thereof all applicable provisions of the Municipal Act.

2.29.3 The Owner of the land and any mortgagees thereof or persons with other interests therein shall enter into one or more agreements with the City dealing with the facilities and matters referred to in Subsection 2.29.1.

2.29.4 No building permit shall be issued in respect of the land until the plans referred in Subsection 2.29.1(k) and 2.29.1(l) have been approved by the Corporation of the City of Burlington and until the agreement or agreements referred to in Subsection 2.29.3 have been entered into and have been registered against the land.

2.29.5 For the purpose of this section:
(a) “Development” means the construction of buildings or structures.
(b) “Redevelopment” means the removal of buildings or structures from the land and the construction of other buildings or structures thereon.
(c) “Structure” includes a parking lot or parking area.

2.30 LANDS ADJACENT TO LAKE ONTARIO AND BURLINGTON BAY

In addition to the other provisions of this by-law, the following shall apply:

(i) for lots located within 30 m of the top of the long-term stable slope of the Lake Ontario or Burlington Bay shoreline, all buildings and structures greater than 10 m^2 in area shall maintain a setback of 30 m from the top of the long-term stable slope of the Lake Ontario or Burlington Bay shoreline. This setback may be reduced to the applicable setback requirement contained in the base zoning, provided the approval of Conservation Halton is obtained; and,

(ii) for lots located adjacent to the Lake Ontario and Burlington Bay shoreline, all buildings and structures shall maintain a 5 m side yard setback along one side lot line. This setback may be reduced to the side yard standard contained in the base zoning, provided that there is a municipal road with direct access to the shoreline, or there is a combined setback on two neighbouring properties totaling 5 m, and provided the approval of Conservation Halton is obtained;

except that, the following shall be exempt from these provisions:
- shoreline protection works
- docks
- waterfront trails

- archaeological restoration projects
- forest, wildlife, and fisheries management projects
- storm water management and flood control projects

All lands in the vicinity of the shoreline of Lake Ontario and Burlington Bay which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards are subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, as administered by Conservation Halton. Landowners are advised to contact Conservation Halton with regard to requirements for development, pursuant to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. As such, a permit may be required from Conservation Halton prior to development occurring and will be subject to Conservation Halton's policies with regard to setbacks from the shoreline.

2.30.1 **Regulatory Flood Lines**

Where regulatory Flood Plain mapping has been prepared for watercourses in the City, the regulatory flood lines are shown conceptually on the maps contained in Part 15 of this By-law. These lines are intended for information and reference purposes, shall not constitute part of this By-law, and are subject to change from time to time without requiring a further amendment to this By-law. In addition to the provisions of their underlying zoning shown in this By-law, areas contained within these lines, among others, are also subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations administered by Conservation Halton.

It is noted that all watercourses have a natural flood plain associated with them; however, Regulatory Flood Plain mapping has only been prepared for certain watercourses. Any works within or near a watercourse shall be reviewed by the City and Conservation Halton for flood plain hazard implications. Landowners are advised to contact Conservation Halton for accurate determination of the precise limits of the areas subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations and for more detailed information concerning the administration of these regulations. As such, a permit may be required from Conservation Halton prior to development occurring.

Notwithstanding any other provision of this By-law, the Chief Building Official shall not issue a building permit under this By-law with respect to the lands in the City of Burlington defined by and subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations, without the approval of Conservation Halton.

2.31 RESIDENTIAL BUILDING HEIGHT

Table 2.31.1

A) R1, R2, R3, R4 Zones					
Peaked Roof Dwellings	**Building Height Maximum**				
Detached Semi-Detached Cluster	1 storey to 7.5 m (a)	1 ½ storey to 8.5 m (a)	2 storey to 10 m (a)	2 ½ storey N/A (a)	N/A
Flat Roof Dwellings	**Building Height Maximum**				
Detached Semi-Detached Cluster	1 storey to 4.5 m	N/A	2 storey to 7 m	N/A	N/A
Building Additions	Alternatively, additions and enlargements to existing dwellings are permitted to a maximum height of two storeys measured from the 1st floor ceiling of the existing dwelling. The following height regulations apply: i. A maximum of 6 m at the peak of the roof or a maximum of 3 m to a flat roof, for a two storey and/or second storey addition. ii. A maximum of 4.5 m at the peak of the roof or a maximum of 2.25 m to a flat roof, for a one storey and one and a half storey addition.				
B) All Other Zones					
Peaked Roof Dwellings	**Building Height Maximum**				
Detached Semi-Detached Duplex Triplex Fourplex Townhouse Back-to-back Townhouse Street Townhouse Stacked Townhouse Cluster	1 storey to 9 m	1 ½ storey to 10 m	2 storey to 11.5 m	2 ½ storey to 13 m	3 storey to 14 m
Flat Roof Dwellings	**Building Height Maximum**				
Detached Semi-Detached Duplex Triplex Fourplex Townhouse Back-to-back Townhouse Street Townhouse Stacked Townhouse Cluster	1 storey to 4.5 m	N/A	2 storeys to 7 m	N/A	3 storeys to 10 m
Building Additions	Alternatively, additions and enlargements to existing dwellings are permitted to a maximum height of two storeys measured from the 1st floor ceiling of the existing dwelling. The following height regulations apply: i. A maximum of 6.25 m at the peak of the roof or a maximum of 3 m to a flat roof, for a two storey and/or second storey addition. ii. A maximum of 4.5 m at the peak of the roof or a maximum of 2.25 m to a flat roof, for a one storey and one and a half storey addition.				

Footnotes to Table 2.31.1

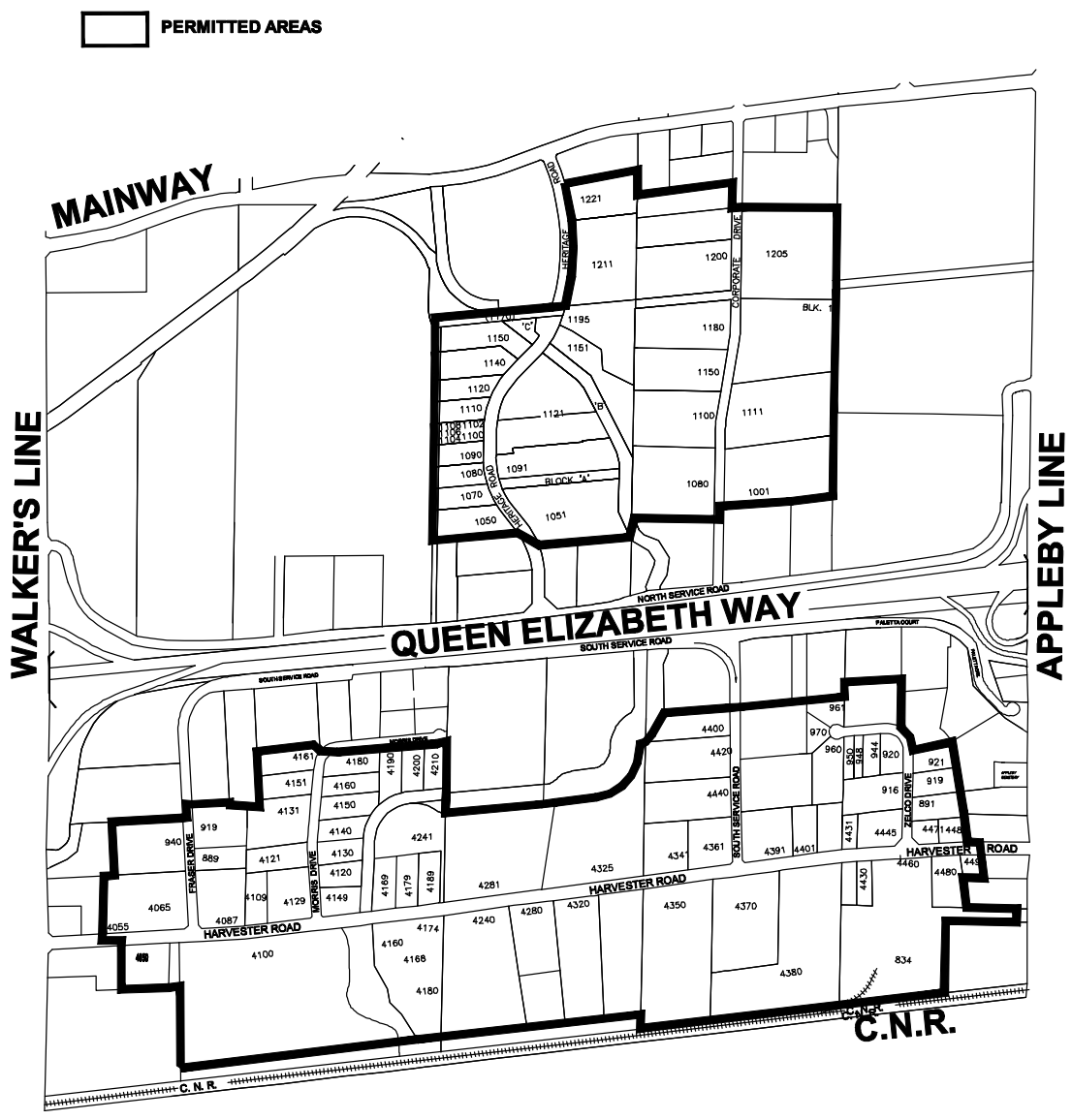
(a) Properties with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps) shall have a maximum height up to 2 ½ storeys in accordance with the provisions of "All Other Zones", Table 2.31.1 B). For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation.

2.32 BODY-RUB PARLOUR REGULATIONS

(a) A Body-Rub Parlour is only permitted on lands within the areas identified on "Schedule 1 – Body-Rub Parlour Permitted Areas"
(b) A Body-Rub Parlour shall not exceed 150 m^2 floor area.
(c) Only one Body-Rub Parlour is permitted on a lot.
(d) A Body-Rub Parlour must be located in a building or structure primarily devoted to another permitted use or uses.

Schedule 1 TO PART 1, SUB. 2.32

BODY-RUB PARLOUR PERMITTED AREAS



2.33 PARCEL OF TIED LAND (POTL)

Development on a POTL shall comply with all zoning regulations of this By-law related to Lots, except for frontage onto a public street where a POTL may front on either a public street or a condominium common element road. In cases where development will occur on a POTL which fronts onto a condominium common element road and is in any zone other than a Low Density Residential Zone, development shall comply with both the provisions and regulations of this by-law that govern the entire development and the following additional regulations:

- A POTL shall be used in a manner that complies with all of the regulations and prohibitions of this by-law that govern the POTL itself and all of the regulations and prohibitions of this by-law that govern the entire development.
- Front Yard: 3 m
- Driveway Length: 6.7 m
- Side Yard adjacent to an exterior wall of a building: 1.2 m
- Yard abutting a public street: 3 m
- Rear yard: 6 m, except that for back-to-back townhouses, the rear yard shall be 0 m

Part 1, Section 2.21, Subsection (u) Additional Residential Units, Section 2.2 Accessory Buildings and Structures and Unitary Equipment, Section 2.3 Patios and Decks – Residential, Section 2.4 Fencing and Privacy Screens, and Section 2.5 Swimming Pools, shall also apply per POTL.

2.34 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* or *Ontarians with Disabilities Act*.

An exterior barrier-free accessibility ramp shall be exempt from the provisions of this By-law except for the following requirements:

- Setback from a front lot line: 0.5 m
- Setback from a side lot line abutting a street: 0.5 m
- Setback from all other lot lines: 1.0 m

2.35 ADULT ENTERTAINMENT ESTABLISHMENT REGULATIONS

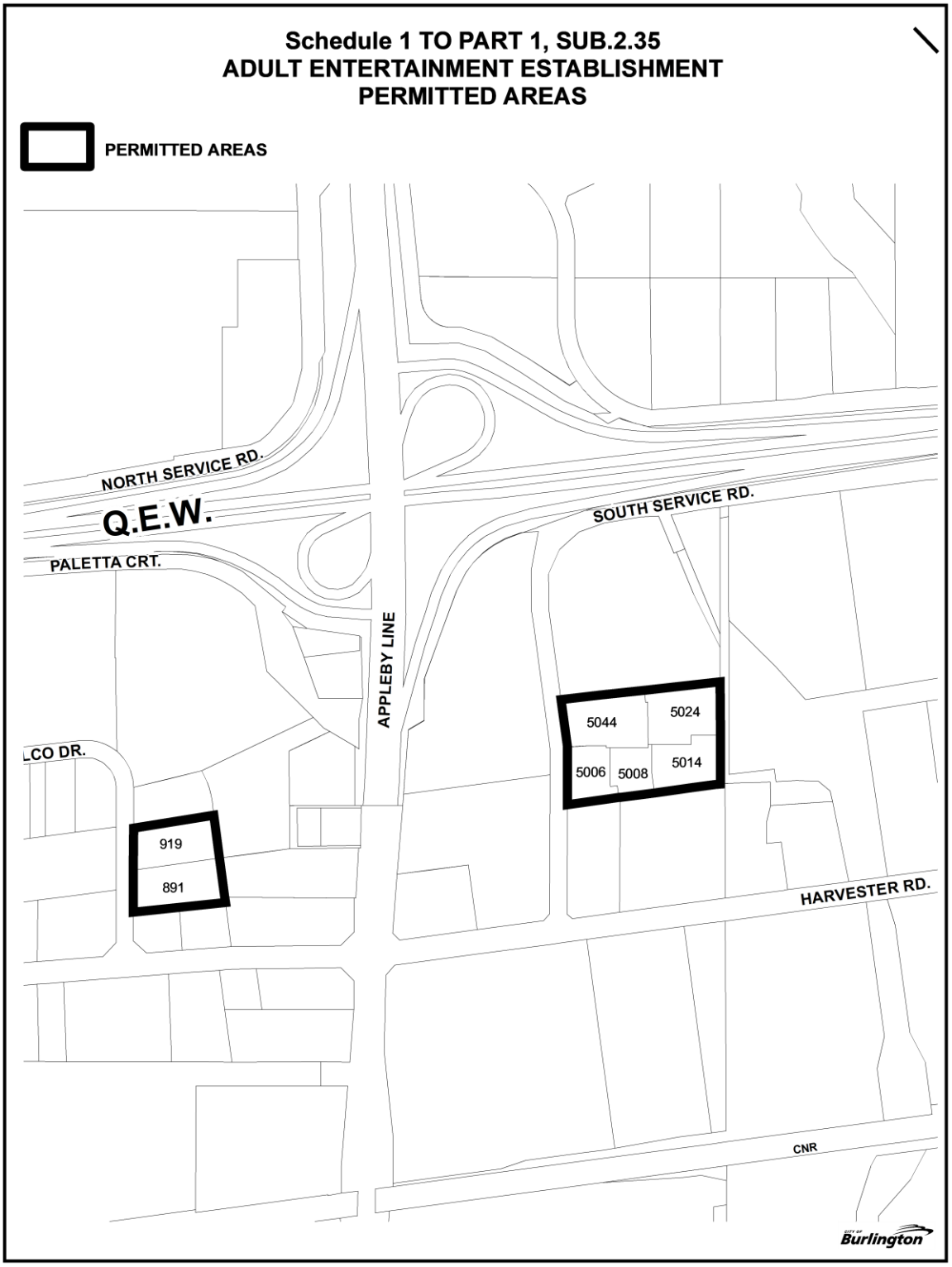
(a) An Adult Entertainment Establishment is only permitted on interior lots within the areas identified on “Schedules 1 and 2 to Part 1, Subsection 2.35 – Adult Entertainment Establishment Permitted Areas”.

(b) An Adult Entertainment Establishment shall not exceed 930 m^2 in floor area.

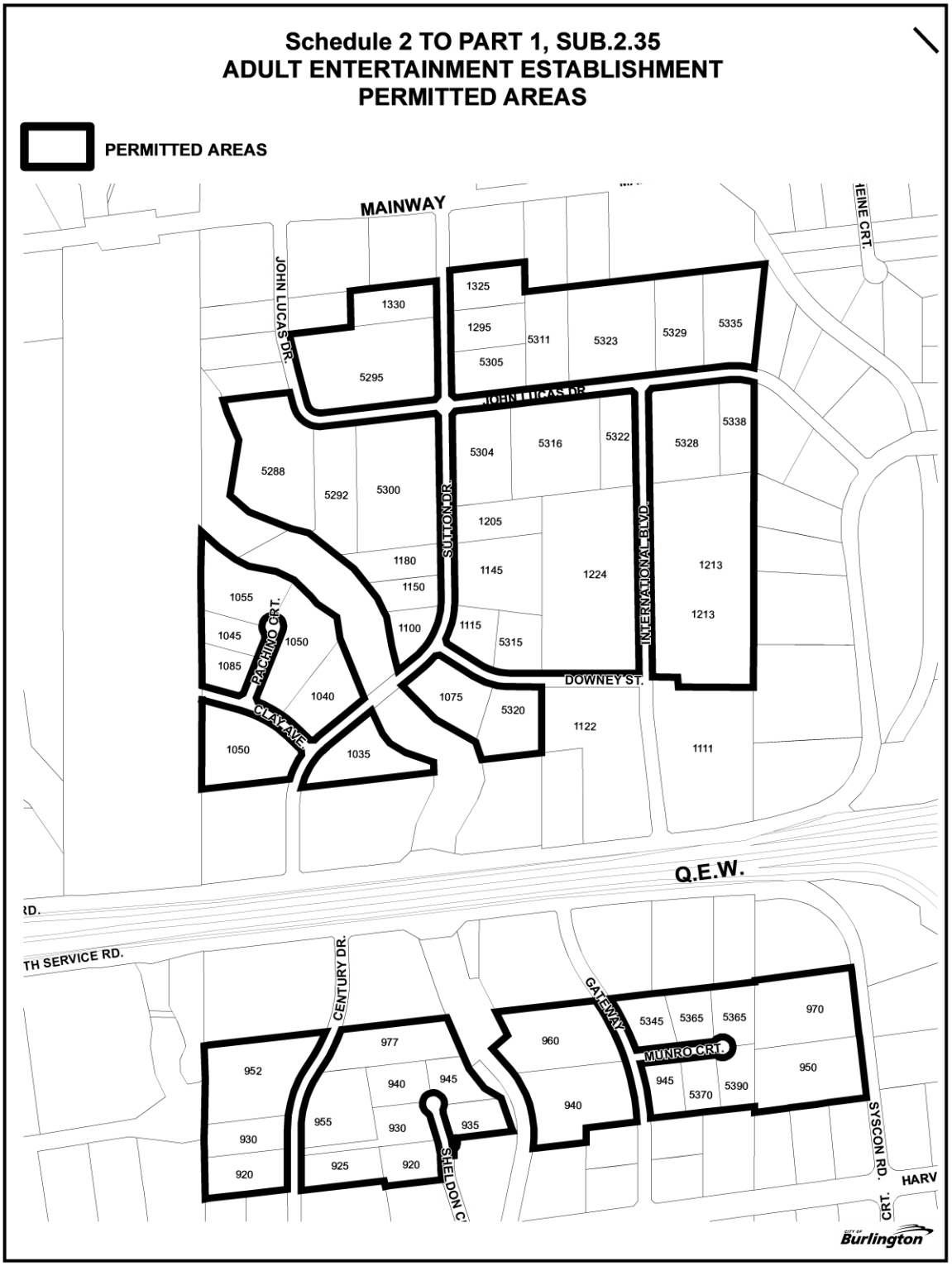
(c) A property containing an Adult Entertainment Establishment shall be located no closer than 1000 m to the property boundary of another parcel containing another Adult Entertainment Establishment; except that where two establishments are separated by the Queen Elizabeth Way, a property containing an Adult Entertainment Establishment shall be located no closer than 400 m to the property boundary of another parcel containing another Adult Entertainment Establishment.

(d) An Adult Entertainment Establishment may not be located in a building or structure which contains another use or uses.

Schedule 1 TO PART 1, SUB.2.35
ADULT ENTERTAINMENT ESTABLISHMENT
PERMITTED AREAS



Schedule 2 TO PART 1, SUB.2.35
ADULT ENTERTAINMENT ESTABLISHMENT
PERMITTED AREAS



2.36 SETBACKS ABUTTING CREEK BLOCKS, O2 ZONES, O3 ZONES, AND RG ZONES

Notwithstanding the other provisions of this By-law, all buildings and structures, including:

- dwellings and garages;
- above-ground and in-ground swimming pools;
- patios, decks, sheds, sunrooms, gazebos, unitary equipment;
- paved walkways;
- at-grade parking areas or above- or below-grade parking structures;

shall maintain the following setbacks from a creek block, O2 zone, O3 zone, or RG zone:

- 15 m for those areas located on Zoning Maps 1-W, 1-E, 2-W, 2-E, 3-W north of Plains Road West, 3-E north of the CNR railway, 4-W and 4-E; those areas zoned O3 on Maps 29-E, 30-W and 30-E, and those areas zoned RG on Maps 31-E and 32-E;
- 7.5 m for all other areas; 4.5 m if block includes a 3 m buffer.

The above provision shall not apply to Uptown Centre, Orchard Community, and Alton Community zones, and Evergreen Community zones, where only the setbacks of the base zoning apply.

The above setbacks may be reduced to the applicable setback requirement contained in the base zoning, provided the approval of Conservation Halton is obtained.

2.37 SETBACK FROM A CREEK

Every building, other than an accessory building, shall maintain a minimum setback of 4.5 m from the top-of-bank of a creek which is not within a creek block.