



# OAKVILLE

## **North Oakville Zoning By-law 2009-189**

**Passed by Council on November 23, 2009  
O.M.B. approved on April 15, 2010, July 14, 2010, and October 25, 2010  
Consolidation dated January 30, 2024**

**Disclaimer:**

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

# A User's Guide to the Zoning By-law

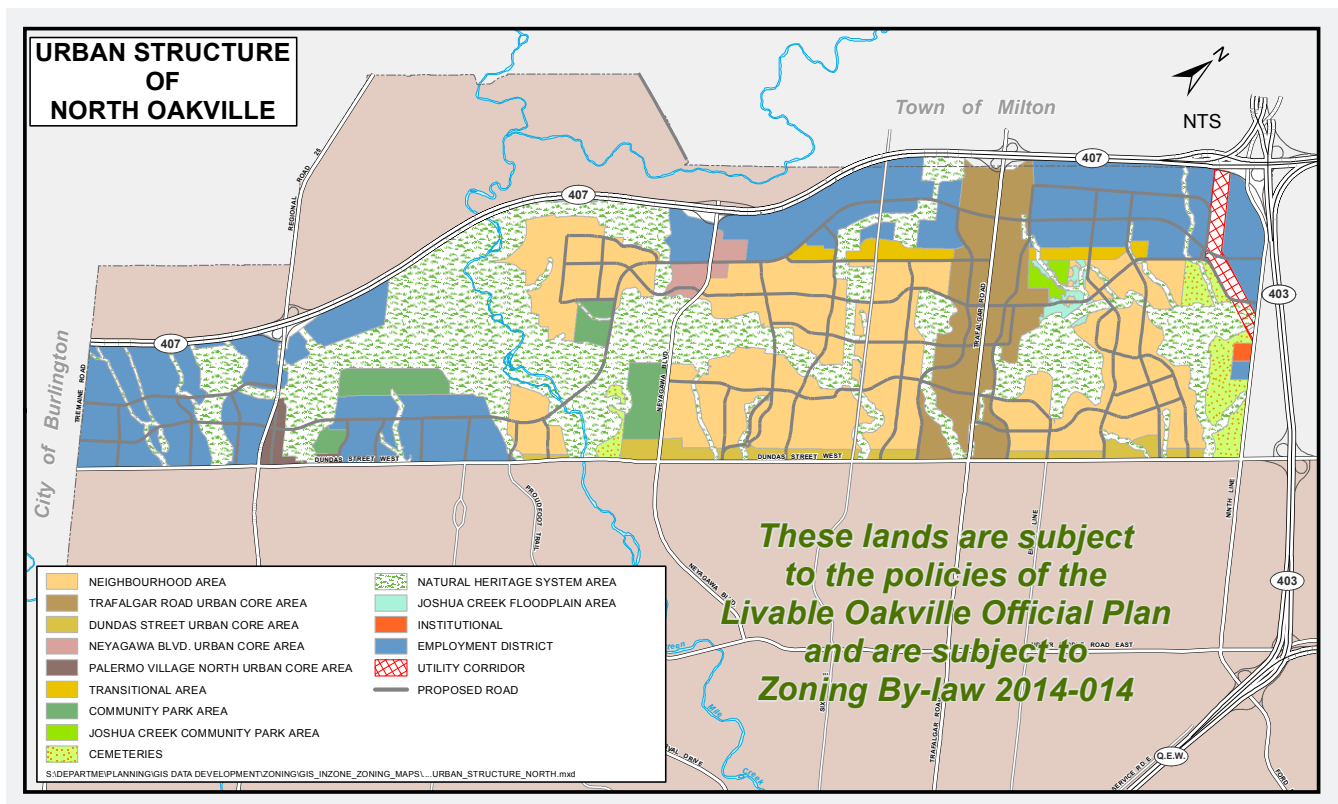
Zoning By-law 2009-189, as amended, is the comprehensive zoning by-law applying to all properties in North Oakville. These are lands north of Dundas Street and south of Highway 407. This user guide is intended only to make the By-law easier to understand and reference, and to outline how to use the By-law to find basic zoning information.

If you have any questions about the content of or how to interpret this By-law, or to obtain any content of this By-law in an alternate format, please do not hesitate to contact a member of the zoning section of Oakville's Building Services department or a planner in the Planning Services department.

## Purpose of the Zoning By-law

A zoning by-law is a "rule book" that controls building and development. Zoning by-laws regulate how land and buildings are used, the location of buildings, minimum lot sizes and dimensions, building heights, and other provisions necessary to ensure proper development.

The zoning by-law implements the community vision and policies for future growth and development expressed in the North Oakville East and North Oakville West Secondary Plans. The zoning by-law puts the Secondary Plan visions and policies into terms, permissions, and numbers that can be measured. The North Oakville East Secondary Plan was approved by the Ontario Municipal Board in February 2008, while the North Oakville West Secondary Plan was approved in 2009 and 2011 (portions remain under appeal). The North Oakville Secondary Plans apply to all lands in the Town of Oakville north of Dundas Street and south of Highway 407, as shown on the map below.



*The overall land use plan for North Oakville. Lands south of Dundas Street and north of Highway 407 are subject to the policies of the Livable Oakville Plan. That Plan and Zoning By-law 2014-014, both as amended, apply there.*

# A User's Guide to the Zoning By-law

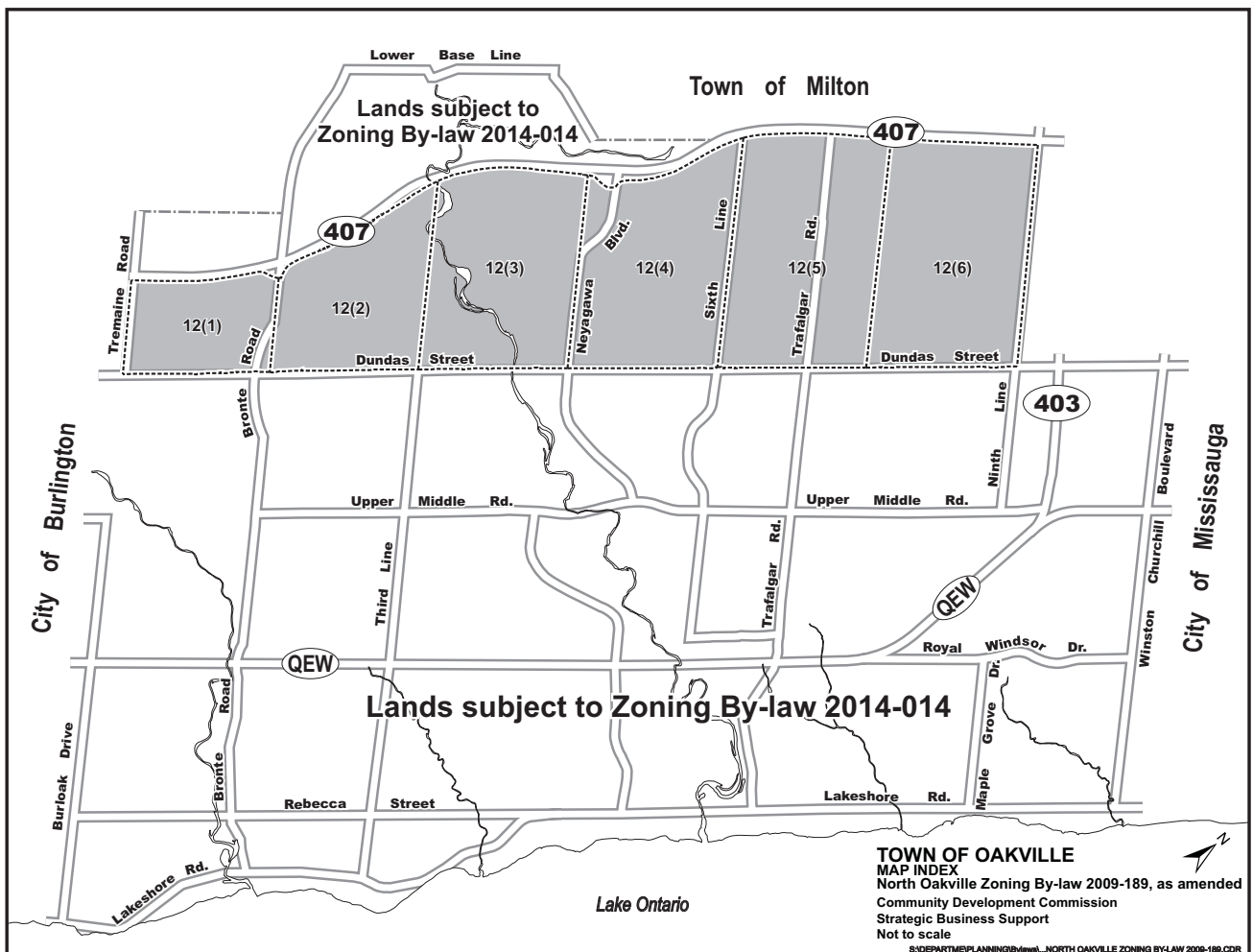
## How to Use this By-law

The following six steps describe how to identify what *uses* can be undertaken and the size of *buildings* that can be erected on a specific property. Staff in the zoning section of the Building Services department and Planning Services staff are always available to answer your questions and confirm the zoning regulations and planning policies applying to your property:

### 1. Start with the maps in Section 12 of the By-law to determine your zone

1. Find the map in Section 12 of the Zoning By-law that shows the applicable property. The By-law is divided into six maps based upon the grid shown on the following page;
2. Locate the property on the map; and,
3. Determine what *Zone* the property is in.

The *Zones* are identified by a short-form symbol, a series of letters and numbers. For instance, if a property is in the "Trafalgar Urban Core" *Zone* it will be identified as "TUC" on the maps.



# A User's Guide to the Zoning By-law

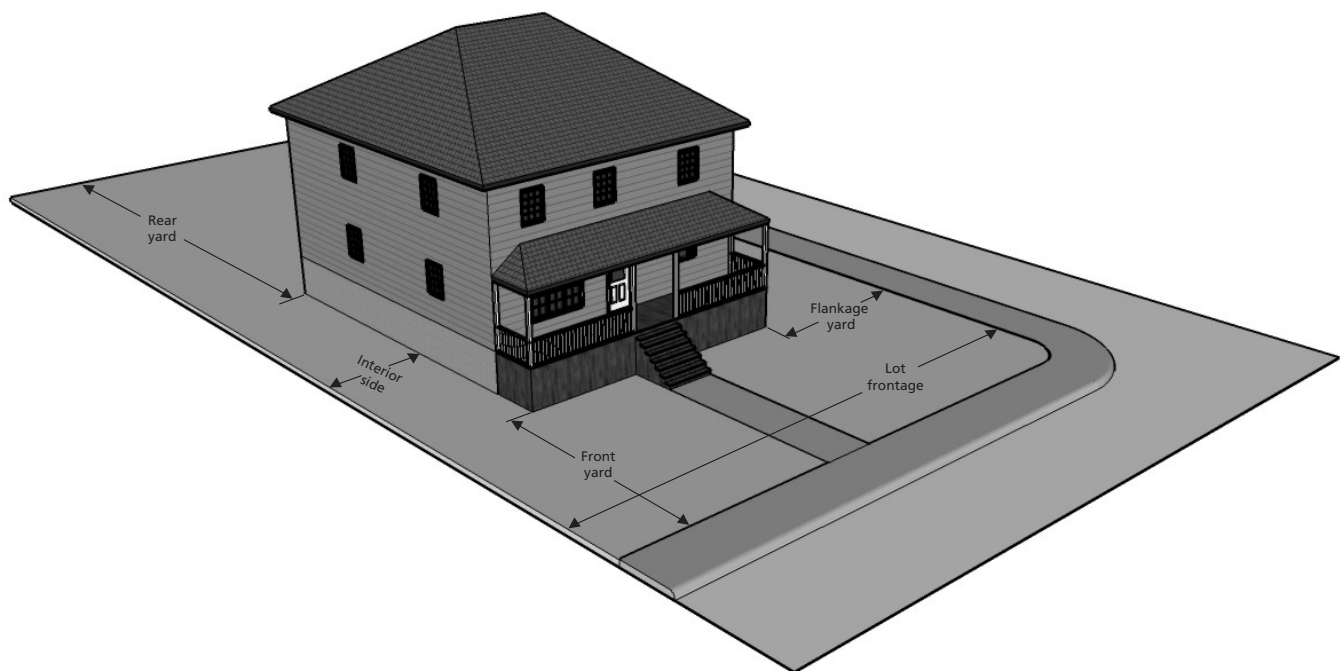
## 2. Turn to the appropriate Sections of the By-law (Sections 6 and 7) for the use permissions and building regulations applying in your zone.

Section 6 of this By-law contains two tables showing the list of permitted *uses*. The *use* is shown in the left-hand column, and the *zones* in which each *use* is permitted are marked with a “✓” symbol in the appropriate column. Some additional use permissions are located in Section 7, at the beginning of the individual *zone* standards.

Once the permitted *uses* are known, turn to the next section of the By-law, where the *zone* regulations can be found in a separate tables. There are multiple subsections, each corresponding to one particular *zone*. These regulation tables state what standards apply to the applicable type of *building* that could be located in the *zone*.

Together, these two sections of the By-law establish the parent *zone* permissions and standards. Using the Trafalgar Urban Core TUC *Zone* example above, Table 6.1 permits a range of commercial, service, institutional, and residential uses. Sections 7.1.1 through 7.1.4 establish minimum and maximum standards for *yards*, *floor space index (FSI)*, and *height*.

These regulations establish the “*building envelope*” for development on a *lot*. The amount of developable area and the types and sizes of *buildings* allowed are further regulated by other Sections of the By-law.



Additional regulations may follow the *use* permission and *building* regulation tables and should also be reviewed to ensure your building plans comply.

## 3. Turn to the appropriate Sections of the By-law (Sections 8 through 11) for any site- or area-specific provisions applying to your property.

Referring back to step one above, if a property has some additional site- or area-specific provisions, a number will be added to the *zone* symbol on the zoning maps contained in Section 12; for example, “TUC -30”. These site- or area-specific provisions modify the regulations for lands covered by that provision. These provisions are listed in the appropriate table in Section 11 of the By-law.

# A User's Guide to the Zoning By-law

If the property is subject to a Holding Provision, the symbol will be preceded by the letter “H” and a number (i.e. “H1-TUC”). A Holding Provision restricts the *uses* on a property only to those permitted under the Hold (typically, only existing *uses*), until a series of conditions are cleared. These conditions, and any modified provisions that apply while the Hold is in place, are listed in Section 9 of the By-law.

If the property is subject to an Interim Control By-law, a hatched line overlay will be shown on the property along with a number and letter “i” (i.e. “3i”). These properties are subject to a temporary removal of permitted *uses* or modified *building* or *structure* regulations, pending the completion of a study and potential amendment to the Zoning By-law. These provisions are listed in Section 10 of the By-law.

If the property is subject to a Temporary Use By-law, the symbol will be preceded by the letter “T” and a number (i.e. “T1-E2”). The intent of a temporary *use* by-law is to allow a *use* of land temporarily until the ultimate development vision for the area can be achieved through development, or when non-permanent uses are required for a short period of time. These permissions and associated provisions are listed in Section 11 of the By-law.

## 4. Turn to Section 4 to identify general regulations that apply in all zones.

After determining what standards may apply to a permitted *use* on the property, refer to the General Regulations section of the By-law to determine what provisions in that section may apply to the property. A review of this list will allow identification of regulations which may be applicable and which should then be reviewed.

## 5. Turn to Section 5 of the By-law for the parking, loading and stacking space requirements for your use.

Section 5 of this By-law contains the requirements associated with *motor vehicle parking spaces*, *bicycle parking spaces*, *loading spaces*, and shared *parking spaces*. Parking and loading regulations include parking and *loading space* dimensions, minimum required and maximum permitted number of spaces, and design-oriented regulations that apply to all *uses* in all *zones*. Additional regulations respecting *commercial* and *recreational vehicles* are also found here.

## 6. Turn to Section 3 to find definitions.

Throughout the By-law, you will find certain words are *italicized*. These are terms which have a definition in the By-law. The definitions are found in Section 3 of the By-law. Reference to the definitions section should be made to ensure a clear understanding of the implications of any italicized term used in the By-law.

## Any Further Questions?

If you have any questions about the content of or how to interpret this By-law, or to obtain any content of this By-law in an alternate format, please do not hesitate to contact the *Town* for more information. Staff in the Building Services and Planning Services departments are available Monday through Friday, 8:30 a.m. to 4:30 p.m., to assist with interpreting the *Town's* policies and regulations.

## List of Amending By-laws

This By-law was approved by Council on November 23, 2009, with implementing Ontario Municipal Board (OMB) Orders issued on April 15, 2010, July 14, 2010, and October 25, 2010 (File No. PL100041). As of the date of this consolidation, limited sections of the By-law are still subject to appeal as noted throughout the document.

This By-law has since been amended by the following zoning by-law amendments:

By-law Number	Name of Amendment	Location	Status / Effective Date/ Issue Date
2010-041	Oakville Energy Services Inc.	Maps 12(2), (3)	April 12, 2010
2010-069	Davis Minardi and Denbridge	Map 12(4)	OMB PL051188, March 26, 2010
2010-075	Housekeeping (ORC and Joshua Creek Heritage Art Centre)	Maps 12(2) and (6)	April 12, 2010
2010-116	Temporary Use (Vic Hadfield Golf)	Map 12(5)	June 21, 2010
2010-141	Regional Pump Station	Map 12(4)	September 27, 2010
2010-153	Power Generation Facilities	Town-wide	September 27, 2010
2010-171	Timson and Arrassa	Map 12(4)	December 13, 2010
2011-006	Removal of Hold (Hospital)	Maps 12(2), (3)	January 24, 2011
2011-073	Regional Wastewater Line	Maps 12(2), (3)	July 11, 2011
2011-129	Temporary Use (Medeiros Boat Works)	Map 12(5)	November 28, 2011
2012-001	Housekeeping (Governmental Authority)	Town-wide	March 19, 2012
2012-043	Lower Fourth Ltd. and Pendent Developments Ltd.	Map 12(4)	May 22, 2012
2013-065	Housekeeping (General Matters)	Town-wide	July 2, 2013
2013-066	Temporary Use (Vic Hadfield Golf)	Map 12(5)	July 2, 2013
2013-059	Infrastructure Ontario (Erinoak Kids)	Map 12(2)	August 6, 2013
2010-084	Memorial Gardens Canada Ltd.	Map 12(6)	OMB PL100509, August 28, 2013
2013-113	Green Ginger Development Inc.	Map 12(5)	December 2, 2013
2013-127	Davis-Minardi Home Corp.	Map 12(4)	December 2, 2013
2014-063	404072 Ontario Ltd.	Map 12(5)	May 12, 2014
2014-069	King's Christian Collegiate	Map 12(4)	June 9, 2014
2014-079	Pendent Developments Ltd. and Lower Fourth Development Ltd.	Map 12(4)	June 9, 2014
2014-080	Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S.)	Map 12(5)	August 6, 2014
2014-094	Dundas-Trafalgar Inc. (Minto)	Map 12(5)	OMB PL131293, September 15, 2014

## List of Amending By-laws

2014-101	Davis-Minardi Home Corp.	Map 12(4)	September 8, 2014
2014-105	Town-Initiated	Map 12(5)	September 8, 2014
2014-122	Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)	Map 12(5)	December 8, 2014
2014-129	Medeiros Boat Works	Map 12(5)	December 8, 2014
2014-131	V!VA Oakville Facilities Inc. and Viva Oakville Towns Inc.	Map 12(4)	December 8, 2014
2015-020	Dundas-Trafalgar Inc. (Minto Communities)	Map 12(5)	April 13, 2015
2016-021	Green Ginger Developments Inc.	Map 12(5)	February 16, 2016
2016-057	1463083 Ontario Ltd., Vic Hadfield Golf and Learning Centre	Map 12(5)	June 13, 2016
2016-067	Mattamy (Kaitting) Limited and Ruland Properties Inc.	Map 12(4)	July 25, 2016
2016-108	Town-initiated (Accessory Buildings and Public Parks)	Town-wide	November 1, 2016
2016-103	Sixth Line Corporation	Map 12(5)	November 28, 2016
2016-114	Pendent Developments Ltd. and Lower Fourth Developments Limited	Map 12(4)	November 28, 2016
2016-120	404072 Ontario Limited	Map 12(5)	November 28, 2016
2017-029	Metroly Developments	Map 12(4)	March 20, 2017
2017-012	EMGO (North Oakville I)	Map 12(5)	OMB PL140467 and PL140468, May 4, 2017
2017-013	Star Oak Developments Limited	Map 12(5)	OMB PL140412 and PL140413, May 4, 2017
2017-092	Sixth Line Corporation	Map 12(5)	October 11, 2017
2017-117	Medeiros Boat Works	Map 12(5)	December 5, 2017
2018-038	Town-initiated (Short-Term Accommodations)	Town-wide	March 19, 2018
2018-050	EMGO Lease Ltd.	Map 12(5)	April 19, 2018
2018-089	All Seniors Care Acquisitions Ltd.	Map 12(2)	June 11, 2018
2018-102	London Hills Builders Ltd.	Map 12(4)	July 9, 2018
2018-107	407 Dundas L.P.	Map 12(4)	August 7, 2018
2018-116	Infrastructure Ontario	Map 12(2)	September 10, 2018
2018-118	103 Dundas Corporation	Map 12(4)	October 1, 2018
2018-121	Martillac Estates Inc.	Map 12(3)	October 1, 2018
2018-122	Ontario Zoroastrian Community Foundation,	Map 12(6)	October 1, 2018
2018-108	Oakville Urban Core Developments	Map 12(6)	December 10, 2018

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2018-150	Block 381 and 382 on Plan 20M-1183	Map 12(5)	December 10, 2018
2018-154	EMGO, and 404072 Ontario Limited	Map 12(5)	December 10, 2018
2018-155	Sixth Line Corporation, EMGO, and 404072 Ontario Limited	Map 12(5)	December 10, 2018
2018-036	Bressa Developments Limited	Map 12(6)	LPAT PL170733, February 7, 2019
2019-006	393 Dundas L.P.	Map 12(4)	June 10, 2019
2019-026	Oakville Green Development Inc.	Map 12(3)	June 10, 2019
2019-044	1463083 Ontario Ltd., (Vic Hadfield Golf and Learning Centre)	Map 12(5)	June 10, 2019
2019-062	Mattamy (Joshua Creek) Limited	Map 12(6)	June 11, 2019; further amended on September 17, 2020
2019-080	Removal of Hold (ASC Oakville) Facility Limited Partnership	Map 12(2)	November 4, 2019
2019-094	Removal of Hold (Ontario Zoroastrian Community Foundation)	Map 12(6)	November 4, 2019
2020-010	Removal of Hold (Sixth Line Corporation)	Map 12(5)	January 13, 2020
2020-052	Dundas-Trafalgar Inc. (Minto) (3075 Trafalgar Rd., Part of Lot 12, Concession 1 N.D.S)	Map 12(5)	LPAT PL170666, March 4, 2020
2020-018	Mattamy (Joshua Creek) Limited/Bressa	Map 12(6)	March 9, 2020
2020-019	Partial Removal of Hold from Specified Lands (Mattamy Joshua Creek) Limited/Bressa	Map 12(6)	March 9, 2020
2019-091	Part of Lot 24 and 25, Concession 1, NDS (Graydon Banning Limited)	Map 12(3)	LPAT PL170737, March 20, 2020
2020-107	Removal of Hold: 393 Dundas Street West	Map 12(4)	November 2, 2020
2020-108	Removal of Hold: 407 Dundas Street West	Map 12(4)	November 2, 2020
2020-013	Martillac Estates Inc.	Map 12(3)	LPAT PL170735, November 16, 2020
2020-113	Martillac Estates Inc. and Graydon Banning Limited	Map 12(3)	LPAT PL170735 and PL170737, November 16, 2020
2020-116	Graydon Banning Limited	Map 12(3)	LPAT PL170737, November 16, 2020
2021-004	EMGO (North Oakville I)	Map 12(5)	January 18, 2021



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2021-003	Removal of Hold (1429 Dundas Street East)	Map 12(6)	March 8, 2021
2021-001	Removal of Hold (103 Dundas Street West)	Map 12(4)	March 8, 2021
2021-032	3064 Trafalgar Road Holdings Inc. (Distrikt)	Map 12(5)	April 12, 2021
2021-046	Mattamy (Joshua Creek) Limited – Phase 4	Map 12(6)	April 12, 2021
2021-040	Argo (Joshua Creek) Developments Ltd. - formerly Diam	Map 12(6)	June 7, 2021
2021-103	1019 and 1059 Dundas Street East (Capoak Inc., and Redoak G & A Inc.)	Map 12(6)	August 9, 2021
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2021-078	1357 Dundas Street West, Graydon Banning Limited (Mattamy Development Corporation)	Map 12(3)	December 7, 2021
2021-134	1415 Dundas Street East and 3006 William Cutmore Boulevard	Map 12(6)	December 7, 2021
2022-007	Town-initiated Omnibus Zoning By-law Amendment, File No. 42.26.01	Town-wide	January 17, 2022
2022-004	Block 263, 20M-1212, Part of Lot 14, Concession 1, NDS, 404072 Ontario Limited (Mattamy Petgor Phase 2)	Map 12(5)	January 17, 2022
2022-037	Part Lot 16, Concession 1, NDS (Timsin Holding Corp.)	Map 12(4)	May 16, 2022
2022-039	3270 Sixth Line (Argo (West Morrison Creek) Ltd.)	Map 12(4)	May 16, 2022
2022-048	3380 Sixth Line (Digram Developments Oakville Inc.)	Map 12(4)	May 16, 2022
2022-029	Part of Lot 15, Concession 1, North of Dundas Street (Cross-trail Estates Inc., Trafalgar Road (Oakville) Developments Limited, TWKD Developments Inc.)	Map 12(5)	June 7, 2022
2022-071	Part of Lot 25, Concession 1, NDS (Oakville Green Development Inc.)	Map 12(3)	June 27, 2022

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2022-059	Part of Lots 17 – 19, Con. 1, NDS, Lower Fourth Development Limited and Pendent Developments Ltd.	Map 12(4)	June 27, 2022
2022-024	Part of Lot 9, Concession 1, N.D.S, Mattamy (Joshua Creek) Ltd. Halton District School Board	Map 12(6)	July 11, 2022
2022-087	Part of Lot 9, Concession 1, NDS, Mattamy (Joshua Creek) Ltd.	Map 12(6)	July 14, 2022
2022-084	407 Dundas GP Inc. 3039-3062 Trailside Drive	Map 12(4)	August 4, 2022
2022-104	Removal of Hold (1005 Dundas Street East and 3033 Eighth Line)	Map 12(6)	September 2, 2022
2022-114	Temporary Use (340 Burnhamthorpe Road East) (1463083 Ontario Ltd.; Vic Hadfield Golf and Learning Centre)	Map 12(5)	September 29, 2022
2022-118	Removal of Hold (formerly 3369 Sixth Line)	Map 12(5)	November 29, 2022
2022-117	Removal of Hold (1235 Wheat Boom Drive)	Map 12(6)	November 30, 2022
2023-017	Part of Lot 24, Concession 1, NDS (Martillac Estates Inc.)	12(3)	LPAT PL170735, January 11, 2023
2023-007	145 Burnhamthorpe Road West, (Hulme Developments Limited)	12(4)	February 2, 2023
2023-008	90 Burnhamthorpe Road West (Star Oak Developments Limited)	12(4)	OLT-22-004517 and OLT-22-004518 February 6, 2023
2023-018	Part of Lots 17, Con. 1, NDS (Docasa Group Ltd.)	12(4)	OLT-22-004475 and OLT-22-004476 March 23, 2023
2023-025	Town-initiated Omnibus Zoning By-law Amendment, File No. 42.26.02	Town-wide	April, 4 2023
2023-013	103 Burnhamthorpe Road West, Sixth Oak Inc.	12(4)	April 17, 2023
2023-036	Part of Lots 8 & 9, Concession 1, North of Dundas Street, Mattamy (Joshua Creek) Limited – Phase 3	12(6)	May 15, 2023
2023-069	3008 William Cutmore Boulevard, Mattamy (Joshua Creek) Limited	12(6)	May 15, 2023

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2023-169	Blocks 5-15, 51, 57-58, 66, 71 & 79, 24T-12003/1309, Part of Lot 9, Concession 1, NDS, Mattamy (Joshua Creek) Ltd. – Dunoak Phase 2	12(6)	November 27, 2023
2024-011	Blocks 415 and 418 of Plan 20M-1186	12(5)	January 30, 2024
2024-012	3270 Sixth Line, Argo (West Morrison Creek) Ltd.	12(4)	January 30, 2024
2024-013	Block 22, Plan 20M-1258 and Block 201, Plan 20M-1255, Martillac Estates Inc.	12(3)	January 30, 2024

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Appendix B: Approximate location of the highway and railway corridors

Appendix C: Approximate location of the pipeline corridors

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# North Oakville Zoning By-law 2009-189

**Passed by Council on November 23, 2009  
O.M.B. approved on April 15, 2010, July 14, 2010, and October 25, 2010**

A By-law to restrict the *use* of land and the erecting, locating, or using of *buildings* or *structures*, and to regulate the *use* of land, *buildings*, and *structures*.

## **COUNCIL ENACTS AS FOLLOWS:**

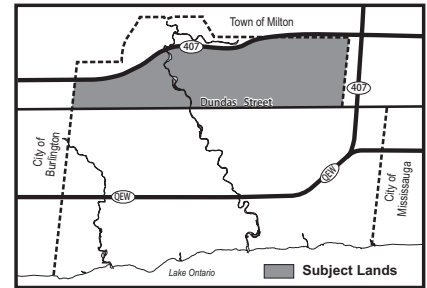
# Administration

## 1.1 Short Title

- i. This By-law may be cited as the “North Oakville Zoning By-law”.
- ii. References to the “Zoning By-law” or “By-law 1984-63” in other by-laws or documents shall be deemed to include a reference to the North Oakville Zoning By-law, unless the context requires otherwise.

## 1.2 Application

This By-law applies to all the lands in the Town of Oakville bounded by the south limit of Highway 407, the boundary with the Town of Milton, the midpoint of Ninth Line road allowance, the midpoint of the Dundas Street *street* allowance and the midpoint of the Tremaine Road *street* allowance and excludes lands north of Highway 407.



*This By-law applies to all lands north of Dundas Street and south of Highway 407.*

## 1.3 Repeal of Former By-Laws

The provisions of By-law 1984-63 of the Town of Oakville, and amendments thereto, are hereby repealed insofar as they affect the lands covered by this By-law.

## 1.4 Administration

This By-law shall be administered by the person designated as the Zoning Administrator.

## 1.5 Clarifications and Convenience (2013-065)

- a) Examples, margin notes, and illustrations are for the purpose of explanation, clarification and convenience and do not form part of this By-law.
- b) Any numbers in parentheses following any item in any Table indicates that one or more additional regulations apply to the use, *Zone*, or standard indicated. These additional regulations are listed below the applicable Table.
- c) Any geographic, biographic, referential, or identifying information and any list of Amending By-laws contained in Sections 8, 9, 10 and 11 of this By-law is provided for the purpose of clarification and convenience and does not form part of this By-law.
- d) The following character styles are provided for the purpose of convenience. Its usage or omission shall not be considered an interpretive statement by the Town:
  - i) Terms that are defined in Section 3 of this By-law have been italicized.
  - ii) Titles of Federal or Provincial legislation have been underlined.

*Examples of where these are found include after a “•” in a permitted use table, after a use or building standard term, and after a standard itself.*



# Administration

- e) Where a defined term listed in Section 3 of this By-law is reversed anywhere in this By-law, it is done for the ease and convenience of locating and identifying the definition with other like definitions. Such an inversion or lack thereof shall not be considered an interpretive statement by the Town.
- f) Any reference to legislation or regulations or sections thereof approved by another public authority shall be interpreted to include any amendments to or successions thereof.

*As an example, “private school” and “school, private”.*

## 1.6 Certificates of Occupancy

- i. Subject to subsection 1.6 (ii), no person shall make any change in the type of *use* of any land covered by this by-law or of any *building* or *structure* on such land without first obtaining a certificate of occupancy.
- ii. Certificates of occupancy shall not be required for changes to *residential uses*, other than *group homes, home occupations, bed and breakfast establishments, short-term accommodation, single detached dwelling with 3 or less lodgers* and the introduction of an *accessory dwelling unit*. (2018-038)(2022-007)(2023-025)
- iii. No certificate of occupancy shall be refused if the proposed *use* is not prohibited by the By-law.

*The requirements of this By-law must be met before a building permit is issued for the erection of, addition to, or alteration of any building or structure..*

## 1.7 Prohibitions

- i. No person shall use any land, *building* or *structure* or erect or alter any *building* or *structure* after the passage of this By-law, except in conformity and compliance with the provisions of this By-law.
- ii. No person, other than a *public authority*, shall reduce any *lot* by conveyance or otherwise so that it does not meet the requirements of this By-law or, if it did not meet the requirements initially, so that it is further from meeting them. (2012-001)
- iii. No *buildings* or *structures* may be erected, used or occupied unless:
  - a. Connection to the municipal water and wastewater systems has been approved by Halton Region where such services are required by the Ontario Building Code;
  - b. The *street* standard of base course asphalt is provided on any *street* adjacent to the *frontage* of the *lot*; or,
  - c. Any necessary *stormwater management facilities* are constructed and operational to service the *lot*.

## 1.8 Need for Compliance and Permission

Nothing in this By-law shall exempt any person from complying with the requirements of any other legislation or by-law in force or from obtaining any license, permission, permit, authority or approval required by this By-law, any other by-law or any other legislation.

*Without limiting its generality, Section 1.8 includes the Building Code (Ontario Regulation 350106), and the permitting procedures of Conservation Halton (Ontario Regulation 162/06).*

# Administration

## 1.9 Penalties

Every person who contravenes a provision of this By-law and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable to fines under the Planning Act.

## 1.10 Severability

A decision of a Court that one or more of the provisions of this By-law or any portion of the Zoning Maps to this By-law, are invalid, in whole or in part, does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

## 1.11 Interpretation of Words

Words used in the present tense include the future; words in the singular include the plural; words in the plural include the singular and the word “used” includes “intended to be used”; the word “shall” is mandatory, not permissive; and words used in the male gender shall include all genders. (2022-007)

## 1.12 Construction Tolerance

Where a building permit has been lawfully issued and has not been revoked for the construction of a *building* or *structure* and where the *height* or *yard* requirement for said as-built *building* or *structure* is found to be in contravention with the maximum *height* or *minimum yard* by no more than 0.03 metres, the non-compliant *height* or *yard* shall be deemed to comply with the *height* or *yard* requirement of this By-law. (2022-007)

# Establishment of Zones

## 2.1 Zones (2012-001), (2013-065)

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

<b>Zone</b>	<b>Symbol</b>	<b>Uses / Standards (non-operative)</b>
Trafalgar Urban Core	TUC	5.1 and 7.1
Dundas Urban Core	DUC	5.1 and 7.2
Neyagawa Urban Core Area	NUC	5.1 and 7.3
Palermo Village North Urban Core	PUC	5.1 and 7.4
Neighbourhood Centre	NC	5.1 and 7.5
General Urban	GU	5.1 and 7.6
Sub-urban	S	5.1 and 7.7
High Density Residential	HDR	5.1 and 7.8
Light Employment	LE	5.1 and 7.9
General Employment	GE	5.1 and 7.10
Service Area - Employment	SA	5.1 and 7.11
Institutional	I	5.1 and 7.12
Future Development (2022-007)	FD	5.1 and 7.13
Natural Heritage System	NHS	5.1 and 7.14
Cemetery	CE	5.1 and 7.15
Park	P	5.1 and 7.12
Stormwater Management Facility	SMF	5.1 and 7.12
Automotive Service	AS	5.1 and 7.17

## 2.2 Location of Zones

The *zones* and *zone* boundaries are shown on the Zoning Maps which are attached to and form Section 12 of this By-law. The lands identified on the Zoning Maps as being within a *zone* are subject to the provisions of this By-law applicable to that *zone* or *zones*.

*Each zone is intended to correspond to the Secondary Plan designation having the same name. There are exceptions to this convention, such as Institutional (I) and Park (P) zones.*

## 2.3 Determining Zone Boundaries

### 2.3.1 Interpreting Boundaries

Where the boundary of any *zone* is shown on the Zoning Maps:

- a) As following a *street, lane, railway, right-of-way, transmission line, or watercourse*, the boundary shall be the centre-line of the applicable feature;

# Establishment of Zones

- b) As following the *lot frontage* on a future *lot* shown on a draft approved Plan of Subdivision or Condominium, the boundary shall be the centre-line of the future *public street* being constructed;
- c) As following any other *lot line* on an existing *lot* or a future *lot* shown on a draft approved Plan of Subdivision or Condominium, the boundary shall be the existing or future *lot line*;
- d) As running substantially parallel to a *lot line* abutting any *street* and the distance from that *street* is not indicated, the boundary shall be parallel to the applicable *lot line* and the distance shall be determined according to the scale shown on the Zoning Maps;
- e) As following a *lot line* abutting an unopened road allowance, the boundary shall be the centre-line of such road allowance;
- f) As following a shoreline, the boundary shall follow such shoreline and in the event of a natural change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- g) As following the limits of the Town, the boundary shall be the limits of the Town; and,
- h) Where none of the above provisions apply, the zone boundary shall be scaled from the Zoning Maps.

## 2.3.2 Split Zoning

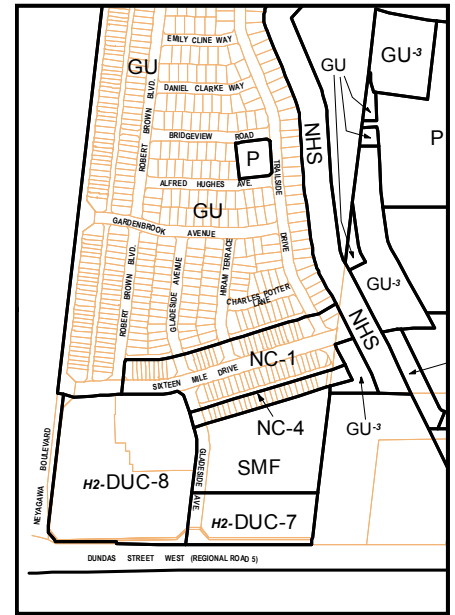
- a) Where a lot falls into two or more zones, each portion of the lot shall be subject to the applicable use permissions for the applicable zone applying to that portion of the lot. (2022-007)
- b) A *zone* boundary dividing a lot into two or more *zones* is not a *lot line* for the purposes of this By-law.
- c) *Building* and *structures* shall be subject to the applicable regulations for the *zone* in which it is located. In cases where a *building* or *structure* is located on two or more *zones*, the more restrictive regulations shall apply. (2022-007)

## 2.4 Special Zone Symbols

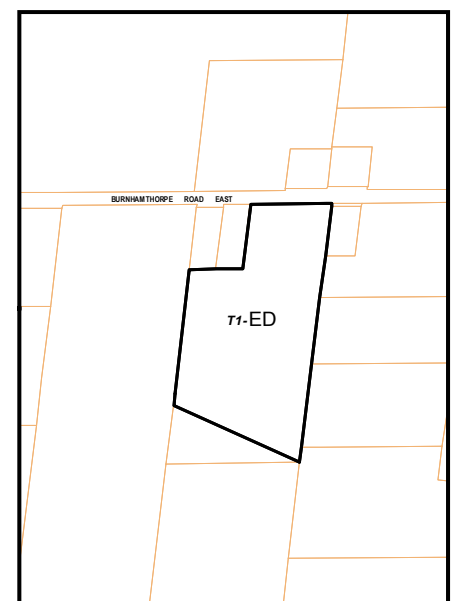
Where the *zone* symbol zoning certain lands on the Zoning Maps is preceded or followed by any combination of a hyphen, number, or letter, provisions relating to one or more of the following special *zone* regulations apply to the lands so designated on the Zoning Maps. Lands so designated shall be subject to all of the provisions and restrictions of the applicable parent *zone*, except as otherwise provided by the special *zone*.

### 2.4.1 Special Provisions

Where a *zone* symbol is followed by a hyphen and superscript number, the symbol refers to a Special Provision that applies to the lands so zoned.



*Lands subject to a Special Provision have a superscript number following the parent zone symbol (see Section 8.0). Lands subject to a Performance Zone have a normal-sized number following the parent zone symbol (see the end of the relevant part of Section 7.0). Lands subject to a Holding Provision have a letter H and number before the parent zone symbol (see Section 9.0).*



*Lands subject to a temporary use provision have a letter T and number before the parent zone symbol (see Section 10.0).*

## Establishment of Zones

### **2.4.2 Holding Provisions**

Where a *zone* symbol is preceded by an upper case letter “H”, a number, and a hyphen, the symbol refers to a Holding Provision that applies to the lands so zoned.

### **2.4.3 Interim Control By-laws**

Where a hatched line overlay is shown with a number and lower case letter “i” indicating in some manner to the overlay, the overlay refers to an Interim Control By-law that applies to the lands so zoned.

### **2.4.4 Temporary Use Permissions**

Where a *zone* symbol is preceded by an upper case letter “T”, a number, and a hyphen, the symbol refers to a Temporary Use Permission that applies to the lands so zoned.

### **2.4.5 Performance Zones**

Where a *zone* symbol is followed by a hyphen and letter or number in the same font size, the symbol refers to a Performance Zone that applies to the lands so zoned.

## **2.5 No Representation on Land Ownership**

No representation or implication is made by the Town nor should any inference be drawn from the Maps attached to this By-law as to the ownership of any land and/or rights of access to such land.

# Definitions

(Note: this index is provided for convenience purposes and does not form part of this By-law.)

## A

Accessory Building or Structure  
 Accessory Use  
 Adult Entertainment Establishment  
 Adult Video  
 Affected Airshed  
 Agriculture  
 Alternative Energy System  
 Amenity Area  
 Ancillary Retail/Service Commercial  
 Ancillary Services  
 Art Gallery

## B

Balcony  
 Basement  
 Bed and Breakfast Establishment  
 Bicycle Parking Space  
 Bicycle Parking Space:  
 - Occupant  
 - Visitor  
 Building

## C

Café  
 Campground  
 Cemetery  
 Club  
 Cogeneration  
 Cogeneration Facility  
 Commercial  
 Commercial Building  
 Commercial Fitness Centre  
 Commercial/residential:  
 - Combined commercial/residential  
 - Connected commercial/residential  
 Commercial Self-storage  
 Commercial Vehicle  
 Community Centre  
 Contractors Establishment  
 Convenience Store

## D

Day Care  
 District Energy  
 District Energy Facility  
 Dormitory  
 Drive-through Facility  
 Driveway  
 Dry Cleaning/Laundry  
 Dwelling:  
 - Apartment Dwelling or Apartment  
 - Townhouse Dwelling or Townhouse  
 - Townhouse Dwelling Back-to-Back or  
 Townhouse Back-to-Back  
 - Semi-detached Dwelling  
 - Single Detached Dwelling  
 - Stacked Townhouse Dwelling or Stacked Townhouse  
 - Triplex Dwelling or Triplex  
 - Duplex Dwelling or Duplex  
 - Dwelling Unit  
 - Accessory Dwelling Unit

## E

Emergency Service Facility  
 Enclosed and Roofed Walkways  
 Established Grade

## F

Financial Institution  
 Floor Area  
 Floor Area, Leasable  
 Floor Space Index (FSI)  
 Front Wall  
 Funeral Home

## G

Gas Bar  
 General Industrial Operation  
 General Office Use  
 Group Home

# Definitions

## H

Heavy Vehicle  
 Height or Overall Height  
 Home Occupation  
 Hotel

## I

Industrial Warehouse  
 Infrastructure  
 Institutional Building

## J

## K

## L

Landing  
 Landscape Area  
 Landscape Strip  
 Lane  
 Library  
 Light Industrial Operation  
 Limited Retail  
 Loading Dock  
 Lodger  
 Lodging House Keeper  
 Lot:  
 - Lot Area  
 - Lot Coverage  
 - Lot Frontage  
 - Lot Line  
 - Front Lot Line  
 - Rear Lot Line  
 - Flankage  
 - Interior Side Lot Line  
 - Side Lot Line  
 - Corner Lot  
 - Interior Lot  
 - Through Lot  
 - Lot Depth

## M

Main Building  
 Medical Office  
 Mixed Use Building  
 Museum

## N

Net Hectare  
 Nightclub  
 Non-complying or Non-compliance  
 Nursing Home

## O

Office Building  
 Outdoor Patio  
 Outside Processing  
 Outside Storage

## P

Park, Private  
 Park, Public  
 Parking Garage  
 Parking Lot  
 Parking Pad  
 Parking Space  
~~Personal Service Shop~~ Deleted by By-law 2023-025  
 Place of Amusement  
 Place of Worship  
 Porch  
 Porch, Inset  
 Power Generation Facility  
 Private Career College  
 Private Garage  
 Private-home Day Care  
 Propane Transfer or Storage Facility  
 Public Authority  
 Public Hall  
 Public Works Yardvehicles

# Definitions

## Q

## R

Recreational Vehicle  
Renewable Energy System  
Research and Development  
Residential Use  
Residential Zone  
Restaurant  
Retail  
Retirement Home

## S

School:  
- Commercial  
- Post-Secondary  
- Private  
- Public  
Second Suite Deleted by By-law 2023-025  
Sensitive Land Use  
Service Commercial  
Service Establishment  
Service Station  
Setback  
Short-Term Accommodation  
Stacking Lane  
Step-Back  
Storey  
Storey, First  
Stormwater Management Facility  
Street:  
- Private  
- Public  
Structure  
Suite  
Supermarket  
Surface Parking Area

## T

Tandem Parking Space  
Trailer  
Transportation Terminal

## U

Uncovered Platform  
Use

## V

Vehicle  
Vehicle Dealership  
Vehicle Repair Facility  
Vehicle Storage Compound  
Veterinary Clinic

## W

Waste  
Waste, Hazardous  
Waste Processing Station  
Waste – Transfer Station  
Wholesaling

## X

## Y

Yard:  
- Side  
- Flankage  
- Front  
- Rear  
- Required  
- Interior Side  
- Common  
- Porch  
- Inset  
- Inset Porch  
- Stoop

## Z

Zone



## Definitions

For the purposes of this By-law, the definitions and interpretations as set out in this Section shall govern.

**“accessory building”** or **“structure”** means a *building or structure* used for an accessory purpose, including a *private garage*, but not used for human habitation unless otherwise permitted by this By-law. *Accessory structures* do not include *driveways*, walks, fences, retaining walls, or ornamental walls, noise walls, or masonry incidental to the main *use* of the premises, but do include *parking pads*.

**“accessory use”** means a *use* naturally or normally incidental to, subordinate to or exclusively devoted to a principal *use* and located on the same *lot* as the principal *use*.

**“adult entertainment establishment”** means any premises or part thereof used in the pursuance of a business, if:

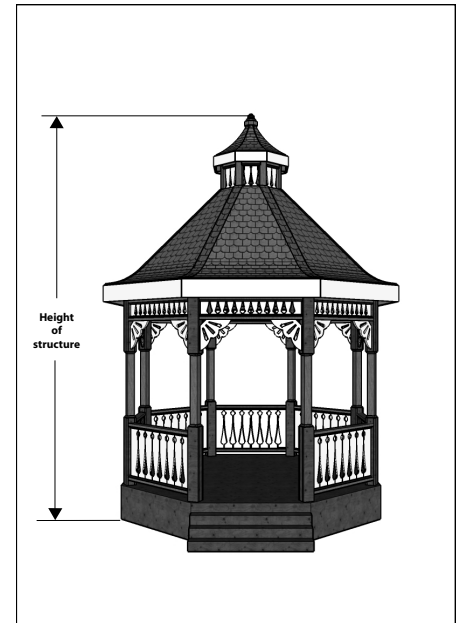
- i. entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the premises or part of the premises, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any person; or
- ii. body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person’s body are performed, offered or solicited in the premises or part of the premises, but does not include premises or part or them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario; or
- iii. adult videos are sold, rented, or offered or displayed for sale or rental, where the proportion of adult videos to other videos exceeds 1:10.

**“adult video”** means any cinematographic film, videotape, video disc, or other medium designed to produce visual images that may be viewed as moving pictures, classified by the Ontario Film Review Board or any successor agency, as both “restricted” and “adult sex film”, or any similar successor designation.

**“affected airshed”** means any area outside of the property boundaries of a proposed power generation facility where adverse effects (as defined in the PPS) may occur.

**“agriculture”** means lands and *buildings* used for arboriculture, horticulture, and animal husbandry, and “agricultural” has a similar meaning.

**“alternative energy system”** means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.



*A gazebo is a type of accessory structure.*

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## Definitions

**“amenity area”** means an area of land located anywhere on a *lot*, or the roof of a parking *structure*, *private garage* or any other *building* which includes *landscape area*, but which may also include areas of decking, decorative paving or other similar surface and includes a *balcony*, *porch* or deck.

**“ancillary retail/service commercial”** means a *retail* or service *commercial use* which is associated with, but clearly subordinate to, a principal *use*, but which is not *accessory* to it:

- i. with a maximum *leasable floor area* of 15% of the *building*;
- ii. with a maximum *leasable floor area* of 250 square metres per *ancillary retail use*, or *service commercial use*; and,
- iii. without a separate direct exterior access.

**“ancillary services”** means services necessary to maintain the reliability of the IESO-controlled grid, including frequency control, voltage control, reactive power and operating reserve services.

**“art gallery”** means a premises used for any combination of the preservation, production, exhibition or sale of paintings or other works of art.  
(2012-001)

**“balcony”** means an attached covered or uncovered platform projecting from the face of a wall, including above a *porch*, which is only directly accessible from within a *building*, usually surrounded by a balustrade or railing, and does not have direct exterior access to *grade*.

**“basement”** means that portion of a *building* below the *first storey*.

**“bed and breakfast establishment”** means the provision of lodging with or without meals for the traveling public within a *single detached dwelling*.

**“bicycle parking space”** means a *bicycle parking space - occupant* or a *bicycle parking space - visitor*.

**“bicycle parking space - occupant”** means an area that is equipped with a bicycle rack or locker that is accessible, secure, weather-protected and suitable for the purpose of long term-bicycle parking and:

- i. where the bicycles are to be parked on a horizontal surface:
  - a. has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres; and,
  - b. in the case of a bicycle rack, is designed for frame (not wheel-only) support, is securely anchored to the ground and is located in a secured room or area;
- ii. where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 0.5 metres and a vertical dimension of at least 1.9 metres; and,

# Definitions

iii. is not to be provided within a *dwelling unit, suite, or on a balcony.*

**“bicycle parking space - visitor”** means an area for the purpose of parking and securing bicycles with a bicycle rack that is accessible, and:

- i. where the bicycles are to be parked on a horizontal surface, is designed for frame (not wheel-only) support, is securely anchored to the ground, and has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
- ii. where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 0.5 metres and a vertical dimension of at least 1.9 metres;
- iii. may be located outdoors or indoors but not within a *commercial suite, secured room, enclosure or bicycle locker.*

**“building”** means a *structure* consisting of any combination of walls, roofs and floors, or a structural system serving the function thereof. (2012-001)

**“café”** means a *restaurant* with a maximum *leasable floor area* of 100 square metres and which serves non-alcoholic beverages, snacks and light meals and does not include a drive-through.

**“campground”** means the overnight and/or temporary camping or parking of travel trailers, truck campers, or tents for recreational or vacation *use.* (2012-001)

**“cemetery”** means the lands used or intended to be used for the interment of human remains.

**“club”** means premises used as a meeting place by members and guests and members for not-for-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include *uses* that are normally carried out as a *commercial* enterprise and does not include a place of worship.

**“cogeneration”** also known as combined heat and power means the generation of electricity or mechanical power and thermal energy (heating or cooling) produced from one fuel source in the same facility.

**“cogeneration facility”** means a *building or structure* or parts thereof used for *cogeneration.*

**“commercial”** means the *use of land, buildings or structures* for the purpose of buying and selling commodities and the supplying of services.

**“commercial building”** means a *building* that is used solely for *commercial* purposes and is not primarily used for a *general office use or medical office use.*



*Wheel-only supportive bicycle racks are not permitted.*



*Bicycle racks with frame supports are encouraged.*



*Wall-mounted bicycle racks could count as vertical spaces.*

## Definitions

**“commercial fitness centre”** means premises in which facilities are provided for the purpose of profit for recreational or athletic activities such as body-building and exercise classes and may include associated facilities such as a sauna, swimming pool, solarium, cafeteria and *accessory uses* as well as *ancillary retail*, but does not include a stadium or arena.

**“commercial/residential”** means a form of mixed-use or live-work *building* that has a *commercial* component and a residential component consisting of:

- i. **“combined commercial/residential”** : A *building* where the *commercial* and residential components are accessed by entirely separate entrances; or
- ii. **“connected commercial/residential”** : A *townhouse dwelling*, including a *stacked townhouse dwelling*, where the ground floor, or part thereof, is used for *commercial* purposes and where the *commercial* and residential components are accessed by a common internal entrance.

**“commercial self storage”** means a *building* consisting of individual, self-contained units that are leased or owned for the storage of business or household goods, including contractor’s supplies.

**“commercial vehicle”** means a motor *vehicle* having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways but does not include an *heavy vehicle*.

**“community centre”** means a multi-purpose facility or part of that facility owned and operated by a *public authority*, which offers a variety of programs of a recreational, cultural, community service, information or instructional nature, and other *uses* authorized through an agreement with the Town.  
(2012-001)

**“contractors facility”** means a facility where motor *vehicles* and equipment required for the maintenance and operation of *uses* undertaken by a contractor are stored, and materials used for or resulting from the maintenance and operation of such *uses* are stored or processed. (2012-001)

**“convenience store”** means a *retail* store with a maximum *leasable floor area* of 1,000 square metres where articles for sale are restricted to a limited range of goods, primarily food, toiletries, housewares, stationary and other similar daily household necessities, but does not include a *supermarket*.

**“day care”** means:

- i. a premises, including outdoor areas, where children are provided with temporary care and/or guidance for a continuous period not exceeding 24 hours and are licensed in accordance with the Child Care and Early Years Act as may be amended or replaced from time to time; or, (2022-007)

*Looking for “deck”? For zoning purposes, decks are called “uncovered platforms.” The definition can be found under “uncovered platform” in this section.*

# Definitions

- ii. an indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation. (2022-007)

**“district energy”** means the production of thermal energy (heating or cooling) with or without cogeneration that is distributed to users at a community scale.

**“district energy facility”** means a centrally located facility or linked facilities including pipeline distribution system for the production and distribution of district energy.

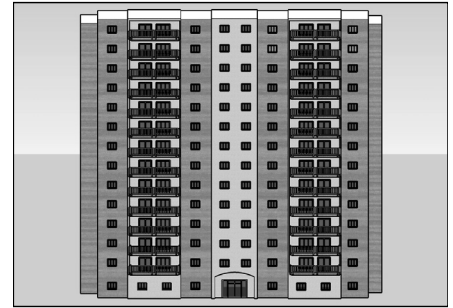
**“dormitory”** means a *building* or part of a *building* owned or operated by a *post-secondary school* or *private school* primarily used for the housing of students and staff and consisting of *dwelling units*, habitable rooms, or both. (2012-001)

**“drive-through facility”** means the *use* of land, *buildings* or *structures*, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in motorized *vehicles* that are in a designated *stacking lane*. A *drive through facility* may be in combination with other *uses*. A *drive-through facility* does not include *vehicle repair facility* or a *gas bar*.

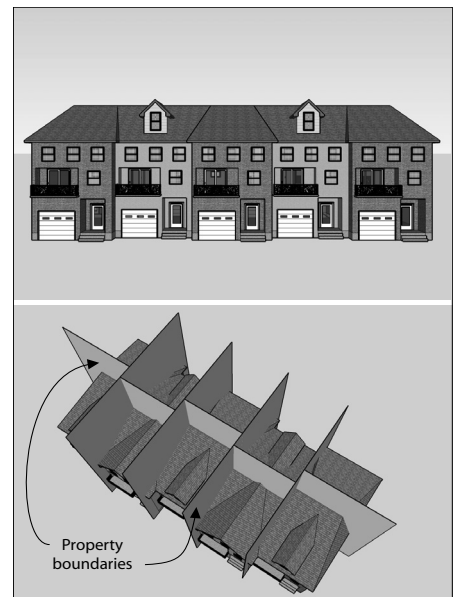
**“driveway”** means a *vehicle* access provided between a *street* or *lane* and a *parking space*, parking area or loading area, or between two parking areas and shall be constructed and maintained with a stable dustless surface.

**“dwelling”** means a place of residence, but does not include a *hotel*, or a *building* used for institutional purposes such as a *group home*, *nursing home*, or boarding school, and

- i. **“apartment dwelling”** or **“apartment”** means a *building* containing more than four *dwelling units* where the units are connected by an interior corridor;
- ii. **“townhouse dwelling”** or **“townhouse”** means a *building* or *structure* that is vertically divided into a minimum of three *dwelling units*, each of which has an independent entrance from *grade* to the front and rear of the *building*, and each of which are divided vertically above *grade* by a common wall adjoining *dwelling units* or a *private garage* above *grade*;
- iii. **“townhouse dwelling back-to-back”** or **“townhouse back-to-back”** means a *building* containing four or more *dwelling units* divided vertically above *grade* by common wall, including a rear common wall, that do not have *rear yards*;
- iv. **“semi-detached dwelling”** means a *building* or *structure* containing two *dwelling units* each having private accesses and designed for the *use* as a single non-profit housekeeping unit, which *dwelling units* are divided vertically above *grade* by a common wall;



Apartment dwellings.



Back-to-back townhouse dwellings.



Semi-detached dwellings.

# Definitions

- v. **“single detached dwelling”** means a separate *building* occupied or designed to be occupied by one or more persons as a single non-profit housekeeping *dwelling unit*, including domestic servants and non-paying guests;
- vi. **“stacked townhouse dwelling”** or **“stacked townhouse”** means a *building* or *structure* divided into a minimum of three *dwelling units* each *dwelling unit* being separated from the other vertically and/or horizontally and each *dwelling unit* having an entrance shared with no more than three other units;
- vii. **“triplex dwelling”** or **“triplex”** means a *building* that is divided into three (3) separate *dwelling units*, each with an entrance that is either independent or through a common vestibule but is not a *townhouse dwelling*;
- viii. **“duplex dwelling”** or **“duplex”** means a *building* that is divided into two (2) separate *dwelling units*, each with an entrance that is either independent or through a common vestibule but is not a *semi-detached dwelling*; and,
- ix. **“dwelling unit”** means one or more habitable rooms designed for *use* by, containing separate kitchen and bathroom facilities for the private use of, one household or person as a single non-profit housekeeping unit.
- x. **“accessory dwelling unit”** means an additional *dwelling unit* subordinate to the main *dwelling unit* on a *lot*. (2023-025)

**“emergency services facility”** means a *building* that houses emergency personnel, their supplies, equipment and *vehicles*. (2012-001)

**“enclosed and roofed walkways”** means a *structure* with no *basement* that connects a detached *accessory building* and the *main building* on the *lot* and which is designed and used as a walkway between *buildings* and not used for any other purpose.

**“established grade”** means the *grade* elevation measured at:

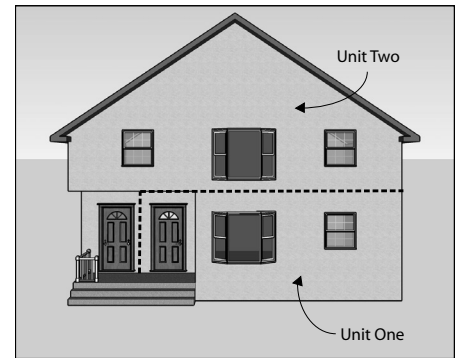
- i. the centre point of the *front lot line* for *interior lots*; and,
- ii. the average of the elevations of the centre points of each lot line abutting a street for corner lots, *through lots* and *interior lots* having more than one separate *front lot line*. (2022-007)

**“financial institution”** means a business where money is deposited, withdrawn, kept, lent or exchanged.

**“floor area”** means the total area of all floors of a *building* within the outside walls or outside finished furred partitions of the walls, but does not include a *porch*, non-walk-in bay window, *attic*, *basement*, *enclosed* or *roofed walkways* or *loading dock*, unless otherwise specified by this By-law. (2022-007)



Townhouse dwellings.



Duplex dwellings.

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# Definitions

**“floor area, leasable”** total area of all floors of a *building* within the outside walls or outside finished furred partitions of the walls, but does not include the area of walls, stair wells, elevators, escalators, ventilating shafts, attics, attached enclosed and covered *loading docks* and related enclosed corridors used for loading purposes, *parking garage*, rooms for garbage containment, rooms for bicycle parking and mechanical rooms. (2022-007)

**“floor space index”** means the *floor area* of all *buildings* on a *lot* divided by the *lot area*.

**“front wall”** means the closest point, measured at *grade level*, of the wall of a *building* facing or most nearly facing the *street* from which the *building* has its principal access.

**“frontage”** see *lot frontage*

**funeral home** means a *building*, or part of a *building*, used for furnishing funeral supplies and services to the public and includes facilities intended for the preparation of human body for interment or cremation.

**“gas bar”** means a *commercial use* for the sale of fuel, oils, and accessories for motor *vehicles* and which may also include a *convenience store* and/or a car wash as an *accessory use*.

**“general industrial operation”** means:

- i. heavy manufacturing, refining, repair, fabricating, processing operations, servicing, packaging and *industrial warehousing*; and
- ii. bulk storage of fuels and aggregates.

**“general office use”** means the practice of a profession, the conduct of the office operation of a business or public administration, but does not include a *medical office*. (2012-001)

**“grade”** means the average level of proposed or finished ground adjoining a *building* or *structure*. (2016-108)

**“group home”** includes a home that is licensed or approved by the Province of Ontario and consists of a single housekeeping unit in a residential *dwelling* with 6 to 10 residents (excluding staff or receiving family) living as a family under responsible supervision consistent with the requirements of its residents but shall not include:

- i. shared accommodation licensed or approved under provincial statute for 5 or fewer residents;
- ii. foster home as defined by provincial statute;
- iii. *group homes* and shared accommodation exclusively for adult offenders (Community Resource Centres) approved by the Province of Ontario; half way houses exclusively for adult ex-offenders approved

## Definitions

by the Province of Ontario ;and Open or Closed Custody Residences exclusively for juvenile offenders.

**“heavy vehicle”** means trucks, tractors and *commercial vehicles* exceeding a gross weight of 4500 kilograms, as licensed. (2012-001)

**“height”** or **“height, overall”** (2012-001), (2016-108)

- i. when the regulation established a specific dimension, the vertical distance between the *established grade* to the highest point of the *structure*
- ii. when the regulation establishes *height in storeys*, the number in *storeys*
- iii. when the regulation establishes a specific dimension for an *accessory building* or *structure*, other than detached *residential garages* and *enclosed and roofed walkways*, the vertical distance between the *grade* to the highest point of an *accessory building* or *structure*

**“home occupation”** means the *accessory use* of a *dwelling unit* for an occupation or business which results in a product or service but does not include a *bed and breakfast establishment* or *private-home day care*.

**“hotel”** means a *building*, or group of *buildings*, each containing sleeping accommodation, catering primarily to the traveling public, for rent or hire for temporary lodging. *Hotel* may also include *restaurant*, *public hall* and *ancillary retail uses* which are incidental and subordinate to the primary *hotel* function and oriented to serve the *hotel* patrons. (2012-001)

**“industrial warehouse”** means a *building* used primarily for the storage and distribution of goods and materials, but shall not include a wholesale or retail outlet; a *transportation terminal*; the storage of fuel; or a *commercial self-storage use*.

**“infrastructure”** means the *buildings*, *structures*, and corridors forming the foundation of development including water lines, wastewater lines, oil and gas distribution mains, telecommunications lines and other cabled services, transit and transportation corridors, district energy lines without *cogeneration*, and local electric power lines, but shall not include a *power generation facility* or *renewable energy system*. (2012-001)

**“institutional building”** means a *building* where institutional *use* is the principal *use*. *Ancillary* or *accessory residential uses* are not permitted unless within a *residential zone*.

**“landing”** means a platform, either open or covered by a company or roof, located at the same level of a *dwelling unit*, with or without a foundation connecting to the stairway.

**“landscape area”** means an area of land or on the roof of a *private garage*, parking *structure* or any other *building*, comprised of lawn, shrubs, trees, flowers, or other similar permeable surfaces and including fences and walls as part of the area, without access by *vehicles* (except emergency access by *vehicles* such as fire trucks or ambulances). (2012-001)



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## Definitions

**“landscape strip”** means an area which shall include a planting screen, or landscaped earth berm, or a combination of these features, and which may include fences and walls as part of the area. Walkways may traverse the *landscape strip*. (2012-001)

**“lane”** means a thoroughfare that provides secondary means of vehicular access, or in the case of a *lot* which fronts onto public or private open space the primary means, of vehicular access to an abutting property which is maintained by a condominium corporation as a private road condominium or by a *public authority*.

**“library”** means a collection of printed, electronic, and pictorial material for public *use* for the purposes of study, reference, and recreation, and which may include meeting rooms for community *use*, activity areas, cafeteria, space for recreational *uses*, and accessory *general office use*. (2012-001)

**“light industrial operation”** means light manufacturing, fabricating, processing, assembly, repair, servicing, packaging, *industrial warehousing* of products or materials and *wholesaling* excluding *wholesale* accessible to the general public.

**“limited retail”** means a *retail* sales, rental or display area for goods manufactured, assembled or *warehoused* on the premises, located on the same *lot*, and contained within the same unit as the permitted *use*.

**“loading dock”** means an area or space directly adjacent to a *building* or unit, for the purpose of loading and unloading *vehicles* through a loading door, in conjunction with a permitted *use*. A *loading dock* does not include a door that only permits access of a *vehicle* into the *building*.

**“lodger”** means any person who pays rent, fees or other valuable consideration to a *lodging housekeeper* for living accommodations in which kitchen and washroom facilities are shared with other persons.

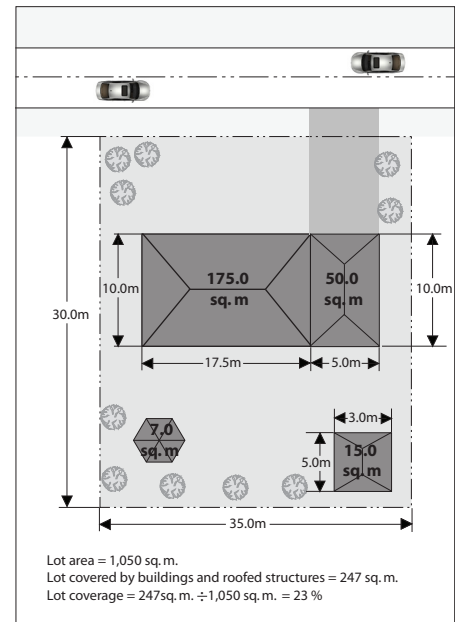
**“lodging house keeper”** includes the owner, landlord, lessee, tenant or occupant responsible for the granting of permission for the occupancy of a lodging unit and for the collection of the fees or rent payable by the *lodger*.

**“lot”** means a parcel of land owned by one person or one group of persons which meets the requirements of this by-law having regard to the *use* to which it is put or the *use* to which it is proposed to be put or, if it does not meet the requirements of this by-law, is the entire holding of that one person or one group of persons put to that *use* at the date of the passing of this by-law or, is a parcel of land which has been legally excused from meeting the requirements of this by-law, and

- i. **“lot area”** means the total horizontal area of a *lot*, less the horizontal area of any part of the *lot* which does not lie within a zone in which the proposed *use* is permitted.

# Definitions

- ii. **“lot coverage”** means the percentage of the *lot area* covered by all roofed *structures* and *buildings* above ground level excluding eave projections to a maximum of 0.6m. (2012-001) (2022-007)



*Lot coverage includes all areas covered by buildings and roofed structures on a lot. It is a two-dimensional calculation (as shown in the diagram above) independent of other volume- or area-based regulations.*

# Definitions

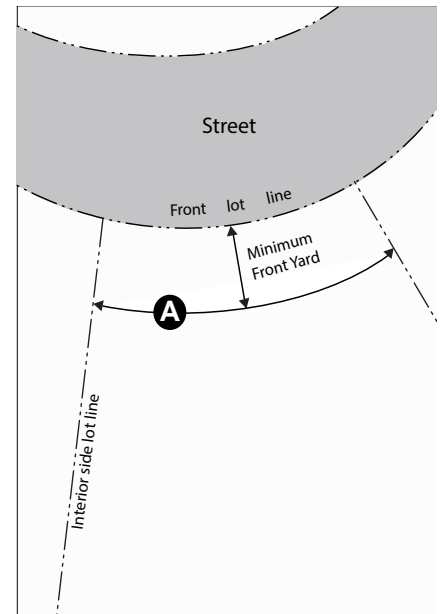
- iii. **“lot frontage”** means the horizontal distance between the side *lot lines* of a *lot* measured at the minimum applicable *front yard* setback. *Frontages* shall be determined in a manner that is most compatible with the surrounding development where possible, otherwise the shorter boundary abutting a *street* shall be deemed to be the *frontage*. (2012-001)
- iv. **“lot line”** means a line delineating any boundary of a *lot*.
- v. **“front lot line”** means the *lot line* which separates a *lot* from the *street* in front of it or where the *lot* does not have frontage on a *street*, the *lot line* which separates the *lot* from land in the Natural Heritage System (NHS) *Zone*, the Park (P) *Zone* or lands specifically zoned to limit the use to park or open space uses. (2012-001)
- vi. **“rear lot line”** means the *lot line* opposite to, and most distant from, the *front lot line*, but where the side *lot lines* intersect, as in the case of a triangular *lot*, the *rear lot line* shall be represented by the point of intersection.
- vii. **“flankage”** means the side *lot line* of a *corner lot* adjoining the *street*.
- viii. **“lot line, interior side”** means the *lot line* other than the *front* or *rear lot line* or the *flankage*.
- ix. **“lot line, side”** means a *flankage* or an *interior side lot line*.
- x. **“corner lot”** means a *lot* situated at the intersection of 2 or more *streets* or upon 2 parts of the same *street* having an angle of intersection not exceeding 135 degrees.
- xi. **“interior lot”** means a *lot* other than a *corner lot*.
- xii. **“through lot”** means a *lot* other than a *corner lot* having separate limits on 2 *streets*.
- xiii. **“lot depth”** means the shortest distance between the *front lot line* and *rear lot line*.

**“main building”** means the *building* designed or used for the principal *use* on the *lot*.

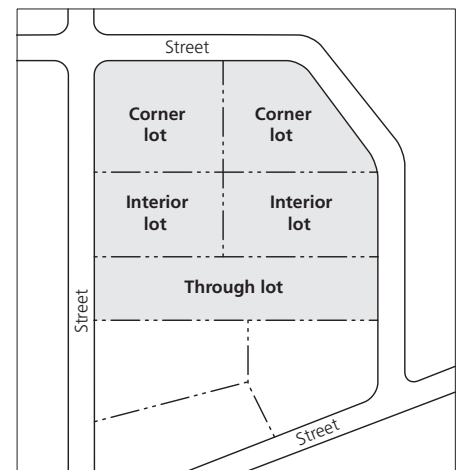
**“medical office”** means premises designed and used for the diagnosis, examination, and treatment of human patients, including pharmacies and dispensaries which are limited to a maximum of 50 square metres in *leasable floor area*, waiting rooms, treatment rooms, blood testing clinics, but shall not include overnight accommodation for in-patient care.

**“mixed use building”** means a *building* with multiple *uses* and which is not a *commercial building*.

**“museum”** means the preservation of a collection of any combination of paintings, other works of art, objects of natural history, mechanical, scientific or philosophical inventions, instruments, models, or designs, and which may also include a *library*, laboratories, and accessory *general office use*. (2012-001)



Measurement of lot frontage.



Lot types.

## Definitions

**“net hectare”** means the area of the *lot* excluding all *streets* public and private *lanes*, parks, schools and *stormwater management facilities* and any other area of a plan used for open space purposes including but not limited to valleylands, woodlots, wetlands, buffers and linkages. (2012-001)

**“nightclub”** means an establishment or part thereof having a capacity to accommodate no more than 1000 persons at a time, whose principal function is the provision of music and where food or beverages may be served.

**“non-complying”** or **“non-compliance”** means not in compliance with one or more provisions of this By-law. The phrase “non-complying use” shall include *uses, buildings, structures* and *lots* that are *non-complying*.

**“nursing home”** or **“retirement home”** a *building* in which persons are cared for and lodged, where, in addition to sleeping accommodation and meals, personal care, nursing services and medical care are provided or made available.

**“office building”** means a *building*, designed or used for *general office use* or *medical office use*. (2012-001)

**“outdoor patio”** means an outdoor eating area used only on a seasonal basis in conjunction with a *restaurant*, where seating accommodation is provided and where meals or refreshments are served to the public for consumption on the premises and which is located entirely within the owner’s property limits. (2012-001), (2013-065)

**“outside processing”** means processing, manufacture, or repair conducted outside.

**“outside storage”** means the occasional or continuous keeping of goods, inventory, materials or machinery or equipment outside, but does not include damaged, impounded or inoperable *vehicles*.

**“park, private”** means an area of land not under the jurisdiction of a *public authority* that is designed or maintained for active or passive recreational purposes. (2012-001)

**“park, public”** means an area of land under the jurisdiction of a *public authority* that is designed or maintained for active or passive recreational purposes and other *uses* authorized through an agreement with the Town. (2012-001)

**“parking garage”** means a *building*, or part thereof, used for the parking of *vehicles* and may include any permitted *use* in the *first storey*, but shall not include any area where *vehicles* for sale or repair are kept or stored. A *parking garage* includes underground parking and parking *structure*.

**“parking lot”** means an open area other than the *street* or *driveway*, used for the temporary parking of motor *vehicles* and available for public *use* whether free, for compensation, or as an accommodation for clients or customers.

## Definitions

**“parking pad”** means an open area of land that is paved and/or treated with a stable surface that is used for the parking and/or storage of three or less *vehicles* and which is exclusively devoted to a *residential use* on the same *lot*.

**“parking space”** means an unobstructed rectangular space that is designed to be used for the parking of a *vehicle*.

**“personal service shop”** (deleted by By-law 2023-025)

**“place of amusement”** means premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public, and includes a cinema or other theatre, billiard or pool rooms, bowling alleys, or, electronic games.

**“place of worship”** means a facility the primary *use* of which is the practice of religion, but which may include *accessory uses* subordinate and incidental to the primary *use* such as classrooms for religious instruction, programs for community social benefit, assembly areas, kitchens, offices and a residence for the faith group leader. Other than *day care* which shall be permitted, a *place of worship* shall not include a *private school* or residential or *commercial uses*.

**“porch”** means a roofed gallery or portico *structure* attached to the exterior of a *building*. A *basement* may be located under the *porch*.

**“porch, inset”** means a *porch* which is wholly or partially covered by the *building* rather than a roof.

**“power generation facility”** means a facility for generating electricity and includes a *cogeneration facility*, an *ancillary service* to power generation, and includes any *structures*, equipment or other things used for those purposes.

**“private career college”** means premises used by private post secondary institutions that enter into contracts with individual students to provide one or more vocational training programs for a fee and are licensed in accordance with that applicable Provincial Act but does not include a *commercial school*.

**“private garage”** means an *accessory building* or *structure* to, or a portion of, a *dwelling*, designed or primarily used for the parking of private motor *vehicles*.

**“private-home day care”** means the temporary care for reward or compensate of six children or fewer where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding 24 hours. (2022-007)

**“propane transfer or storage facility”** means a facility for the storage or transfer of propane, which does not include the *retail* sale of propane fuel to the public as an *accessory use* to a *commercial use*, or the storage of propane and its transfer and *use* by an individual business or establishment for the purposes of that individual business. (2012-001)

## Definitions

“**public authority**” means the Government of Canada, Province of Ontario, Region of Halton, Town of Oakville, and Conservation Halton. (2012-001)

“**public hall**” means any premises used for the purpose of holding banquets, bingos, weddings, receptions or other similar functions for which food and beverages may be prepared and served.

“**public works yard**” means a facility where motor *vehicles* and equipment required for the maintenance and operation of *uses* undertaken by a *public authority* are stored, and materials used for or resulting from the maintenance and operation of such *uses* are stored or processed.

“**recreational vehicle**” means a *vehicle* designed to be used primarily for travel, recreation or vacationing, which may be designed to be towed or propelled by a motor *vehicle* or self-propelled, and includes such *vehicles* commonly known as travel *trailers*, camper *trailers*, truck camper, motor homes, boats, snowmobiles or other similar *vehicles* but does not include a mobile home.

“**renewable energy system**” means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

“**research and development**” means scientific research investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

“**residential use**” means the *use* of land and *buildings* for human habitation but does not include a *hotel*.

“**residential zone**” means a *zone* that permits *residential uses*.

“**restaurant**” means an establishment or part thereof that is engaged in providing meals or refreshments to order for take-out or for consumption on the premises within a *building* and which may include table service on an ancillary exterior patio, walk, deck or veranda.

“**retail**” means the sale or rental of commodities to the consumer or end *user*.

“**retirement home**” see *nursing home*.

“**school, commercial**” means premises where instruction (excluding a *private career college*) of a skill is provided for the purpose of profit which may include but is not limited to, a cooking school, a computer school, a dancing school, a driving school, a tutoring service or a music school.

“**school, post-secondary**” means a public university or college of applied arts and technology, and may include a *dormitory*, *restaurant*, *financial institution*, and *service commercial* as *accessory uses*, but does not include a *commercial school* or *private career college*. (2012-001) (2023-025)

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## Definitions

**“school, private”** means a *building, structure* or part thereof where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided, but does not include a *commercial school, post-secondary school, private career college* or *public school*. (2012-001)

**“school, public”** means a *building, structure* or part thereof where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided under the jurisdiction of a school board established by the Province of Ontario. (2012-001)

**“second suite”** (Deleted by By-law 2023-025)

**“sensitive land use”** means *buildings, amenity areas*, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land *uses* may be part of the natural or built environment. Examples may include, but are not limited to: residences, *day care* centres, and educational and health facilities.

**“service commercial”** means:

- i. a non *retail* business associated with the grooming of persons, such as a barber or beauty salon or the maintenance or repair of personal wardrobe articles and accessories or, (2023-025)
- ii. professional studio such as that of a photographer, artist or interior designer or,
- iii. a non *retail* business associated with the operation and maintenance of a home or office such as a photo processing shop, a private mail box service, a small appliance repair shop, a catering service, or a maid or janitorial service, with a maximum floorspace of 250 square metres.
- iv. a non *retail* establishment for the grooming, training or daily care of dogs and cats and other domesticated animals, excluding livestock, but shall exclude overnight boarding and outdoor facilities. (2022-007)

**“service establishment”** means:

- i. a non *retail* establishment for servicing, repairing or installing items and equipment, such as a radio, television or computer service or repair shop, a locksmith shop, an appliance service or repair shop, but excluding any service, maintenance and repair of automotive *vehicles* and marine craft; or,
- ii. a non *retail* establishment for renting of equipment, a taxi dispatch service or a printing establishment.

**“service station”** means a *commercial use* for the servicing and repairing of motor *vehicles* and for the sale of fuel, oils and accessories for motor *vehicles*, but shall not include a *gas bar, vehicle dealership* or *vehicle repair facility*. (2022-007)

## Definitions

“**setback**” means the distance between a *building* and a *lot line*. In calculating the *setback* the horizontal distance from the respective *lot line* shall be used.

“**short-term accommodation**” means the provision of a *dwelling unit* which is used for the temporary lodging of the travelling public for a rental period not greater than 28 consecutive days. (2018-038)

“**stacking lane**” means a continuous on-site single queuing line that includes stacking tandem spaces for motorized *vehicles* which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs. (2022-007)

“**step-back**” means the horizontal distance between the exterior walls of a *storey* and the exterior walls of the *storey* directly below it. (2023-025)

“**storey**” means that portion of a *building* which is situated between the top of any floor and the top of the floor next above it and, if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include rooftop mechanical equipment or rooms or stairwell access.

“**storey, first**” means the *storey* with its floor closest to *grade* and having its ceiling more than 1.8 metres above *grade*.

“**stormwater management facility**” means an end-of-pipe, managed detention or retention basin, which may include a permanent pool, designed to temporarily store and treat collected stormwater runoff and release it at a controlled rate or direct it for an intended *reuse*. (2012-001)

“**street**” means a *public* or *private street*.

“**street, private**” means a right-of-way or roadway that is used by *vehicles* and is maintained by a condominium corporation as a private road condominium, but which provides access to individual free hold *lots*, and is not a private *lane*.

“**street, public**” means a right-of-way or roadway that is used by *vehicles* and is maintained by a *public authority*, but does not include a public *lane*.

“**structure**” means anything that is erected, built or constructed of parts joined together but does not include fences, retaining walls, light standards or signs. (2022-007)

“**suite**” Means a single room or series of rooms of complementary *use*, operated under a single tenancy and includes individual guest rooms in *hotels*, rooms occupied by *lodgers*, *group homes*, and dormitories.

“**supermarket**” means a *building*, or part thereof, containing a departmentalized food store, but does not include a *convenience store*.



## Definitions

**“surface parking area”** means an open area of land not located in a *building* or *structure* or on a *street* or *lane* which is used for the parking of *vehicles*, but shall not include any area where *vehicles* for sale or repair are kept or stored. The *use* of a *lot* for *surface parking area* may be considered to be the principal *use* of the *lot*.

**“tandem parking space”** means one *parking space* located immediately behind another *parking space* where both spaces are for the exclusive *use* of one *dwelling unit*.

**“trailer”** means a *vehicle* designed to be towed by a motor *vehicle* for the purpose of transporting or storage of goods, materials and equipment, including boat and snowmobile *trailers*.

**“transportation terminal”** means the *use* of land for the purpose of storing, parking or dispatching of *buses*, trucks, tractors or *trailers*, including servicing or repair within an enclosed *building*.

**“uncovered platform”** means an attached or freestanding *uncovered platform* or series of platforms, excluding any landing or stairs, which is constructed above *grade*, and which is located on the same level as or lower than the *first storey* of the *building* in which the *dwelling unit* or *suite* is located.

**“use”** means the purpose for which a *lot* or a *building* or *structure* is arranged, designed, or intended or for which either *building* or land or *structure* is or may be occupied or maintained; and *use* or used as a verbal expression means the doing or permitting of anything by the owner or occupant of any land, *building* or *structure* directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant, for the purpose of making *use* of the land, *building* or *structure*.

**“vehicle”** means a car, truck, *trailer*, *recreational vehicle* including boats, van, motorcycle, snowmobile, or any other *vehicle* required to be licensed.

**“vehicle dealership”** means the selling or leasing of *vehicles*, including the *outside storage* of inventory *vehicles*, and may include a *vehicle repair facility* within an enclosed *building*, but does not include a *gas bar* and is not a *retail store*.

**“vehicle repair facility”** means any *building*, or part of a *building*, equipped with facilities for the service, maintenance and repair of *vehicles*, which may include auto body repair facilities within an enclosed *building*, or a car wash facility.

**“vehicle storage compound”** means a parcel of land used for the temporary storage of damaged or impounded *vehicles*.

**“veterinary clinic”** includes an Animal Hospital, an Animal Clinic or an Animal Medical Centre and means premises designed and used by a veterinarian or group of veterinarians for the diagnosis, examination, and treatment of animals and includes the overnight care of animals supervised by a licensed

*Platforms covered by other platforms remain “uncovered platforms” when interpreting the regulations of this By-law.*

*“Uncovered platform” is Oakville’s catch all zoning term for decks, landings, and other similar structures without roofs.*

# Definitions

veterinarian within enclosed *buildings* in accordance with recognized veterinary standards, but does not include a boarding kennel.

**“waste”** means a material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a *useable* product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process.

**“waste, hazardous”** means any substance or material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

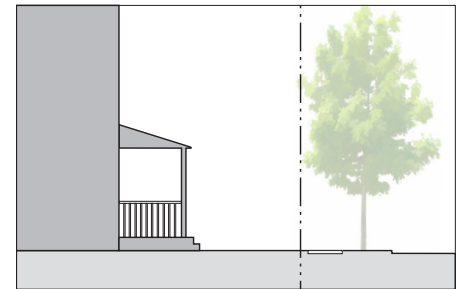
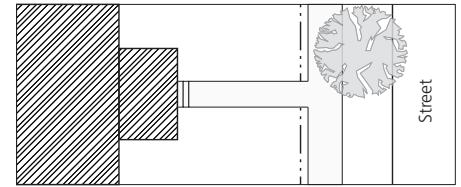
**“waste processing station”** means a facility within an enclosed *building* whose primary purpose is the sorting and processing of waste to create a new product or raw material on site.

**“waste transfer station”** means a facility within an enclosed *building* whose primary purpose is the collection and storage of waste or hazardous waste for shipment, and which may include limited sorting or preparation of that waste to facilitate its shipment for final disposal or to a waste processing station, but does not include salvage yards or scrap metal yards.

**“wholesaling”** means establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, *commercial*, institutional or professional business *users*, or to other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

**“yard”** means any open, uncovered, unoccupied space appurtenant to a *building*, and in determining *yard* measurement the minimum horizontal measurement shall be used, and;

- i. **“side yard”** means an *flankage yard* or *interior side yard*.
- ii. **“flankage yard”** means a *side yard* adjoining the *street* on a *corner lot* extending from the *front yard* to the *rear yard* between the *flankage* and the nearest part of a *building* on the *lot*.
- iii. **“front yard”** means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest part of any *building* on the *lot*.
- iv. **“rear yard”** means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest part of any *building* on the *lot*.
- v. **“required yard”** means the minimum *yard* required by this by-law, as amended.



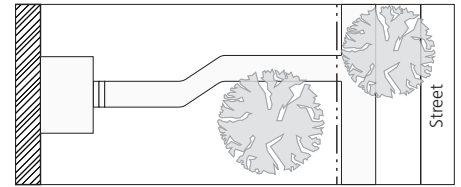
*Porch Yard.*

*Portions of buildings below grade are subject to the same yard requirements as buildings above grade, unless otherwise permitted by this By-law.*

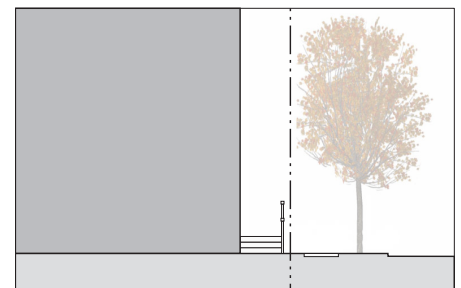
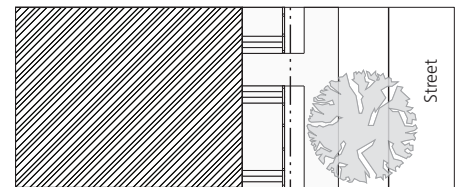
# Definitions

- vi. **“interior side yard”** means a *yard* extending from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest part of a *building* on the *lot*.
- vii. **“common yard”** means a *front yard* wherein the *front wall* is set back from the *front lot line* and there is no *porch*. The *front yard* created generally remains unfenced and is visually continuous with adjacent yards, supporting a common landscape.
- viii. **“porch yard”** means a *front yard* wherein the *front wall* is set back from the *front lot line* with an attached *porch* permitted to encroach.
- ix. **“inset porch yard”** means a *front yard* wherein the *front wall* is measured at the second *storey* and is set back from the *front lot line*. The second *storey* overhangs an attached *inset porch* which is permitted to encroach.
- x. **“stoop yard”** means a *front yard* wherein the *front wall* is aligned close to the *front lot line* with the *first story* elevated from the sidewalk by at least 1m to secure privacy for the windows. The entrance is usually an exterior stair and landing and vehicular access is via a *lane*.

**“zone”** means a designated area of land *use* shown in the Zoning Maps of this By-law.



*Common Yard.*



*Stoop Yard.*

# General Regulations

## 4.1 Contents

The contents of this Section are:

- 4.2 Application
- 4.3 *Uses Permitted in all Zones*
- 4.4 *Prohibited Uses*
- 4.5 Mobile Homes
- 4.6 *Uses Permitted in Accessory Buildings and Structures*
- 4.7 *Home Occupation*
- 4.8 *Bed and Breakfast Establishment*
- 4.9 Group Homes and Shared Accommodations
- 4.10 Compliance Achieved within a *Lot*
- 4.11 Legally Existing *Non-Complying Buildings, Structures and Lots*
- 4.12 Non-Compliance as a result of Expropriation
- 4.13 *Frontage on a Street*
- 4.14 Standards for *Accessory Buildings and Structures*
- 4.15 Standards for Detached *Private Garages* Accessed by a *Driveway* from a *Street*
- 4.16 Standards for Detached *Private Garages* Accessed by a *Rear Lane*
- 4.17 Standards for Attached *Private Garages* on Lots accessed by *Rear Lanes*
- 4.18 Standards for Attached *Private Garages* Accessed by a *Driveway* from a *Street*
- 4.19 Standards for *Parking Pads*
- 4.20 *Enclosed and Roofed Walkways*
- 4.21 Encroachments Permitted in *Required Yards*
- 4.22 Calculation of *Yards*
- 4.23 Storage of Garbage
- 4.24 Swimming Pools
- 4.25 *Landscape Strip* Regulations
- 4.26 External Air Conditioning and Other Equipment
- 4.27 *Porch*
- 4.28 Rooftop Mechanical
- 4.29 *Accessory Dwelling Units (2023-025)*
- 4.30 *Landings*
- 4.31 Streetscape
- 4.32 *Short-Term Accommodation*

## 4.2 Application

The regulations of this section shall apply to all *Zones* with the exception of the Natural Heritage System (NHS) *Zone* and the Future Development (FD) *Zone*, unless otherwise specified. (2022-007)

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# General Regulations

## 4.3 Uses Permitted in All Zones (2012-001)

### 4.3.1 All Zones

The following *uses*, *buildings* and *structures* shall be permitted in all *zones*:

- i. Fish, wildlife and conservation management *uses*;
- ii. A trail or fence undertaken or maintained by a *public authority*; and,
- iii. Existing *uses*, *buildings* and *structures* including the use of any land, *building* and *structure*, for any purpose that would otherwise be prohibited by this By-law, provided that such *uses*, *buildings* and *structures* shall only be permitted if such land, *building* or *structure* was lawfully used for such purpose on the day of the passing of this By-law, and so long as it continues to be used for that purpose.
- iv. *Uses* not subject to Zoning By-laws under Provincial or Federal legislation.

### 4.3.2 All Zones Except NHS and FD (2012-001) (2022-007)

The *uses*, *buildings* and *structures* shall be permitted in all *zones*, except for the Future Development (FD) and Natural Heritage System (NHS) *Zones* unless otherwise permitted in Section 7.13 or Section 7.14 of this By-law: (2022-007)

- i. *Accessory uses* (other than *retail sales uses*), *accessory buildings* and *accessory structures*, but only occurring in conjunction with the main permitted *use*;
- ii. A *private street* or *lane*;
- iii. A *community centre*, subject to the following regulations:
  - a. *Outside storage* and *outside processing* shall only be permitted if specifically permitted within the underlying *zone*; and,
  - b. Any *building* or *structure* having an area of greater than 5.0 m<sup>2</sup> shall be subject to all regulations for an *institutional building* in the underlying *zone*. Where no regulations for an *institutional building* exist, the provisions of the Institutional (I) *Zone* shall apply;
- iv. A *day care*, subject to the regulations of the *zone* in which it is located;
- v. An *emergency service facility*, subject to the following regulations:
  - a. *Outside storage* and *outside processing* shall only be permitted if specifically permitted within the underlying *zone*; and,
  - b. Any *building* or *structure* having an area of greater than 5.0 m<sup>2</sup> shall be subject to all regulations for an *institutional building* in the underlying *zone*. Where no regulations for an *institutional*

# General Regulations

*building* exist, the provisions of the Institutional (I) *Zone* shall apply;

- c. Notwithstanding subsection (b) above, *emergency service facilities* shall be exempt from minimum *height* and *Floor Space Index (FSI)* requirements in all *zones* except the Trafalgar Urban Core (TUC), Dundas Urban Core (DUC), Neyagawa Urban Core (NUC), Neighbourhood Centre (NC), and High Density Residential (HDR) *Zones*;
- vi. *Uses* incidental to construction, such as a construction camp or other such temporary work camp, a tool shed, a scaffold or other *building* or *structure* incidental to the construction, and the parking or storage of any construction equipment or construction *vehicle*, subject to the following provisions:
  - a. Such *uses* shall be permitted only for so long as the same are necessary for work in progress on the *lot* or a registered plan of subdivision including the *lot* which has neither been finished nor discontinued for a period of 60 days;
  - b. A valid *building* permit or site alteration permit for the construction remains in place; and,
  - c. Notwithstanding Section 4.3.2(i) of this By-law, such *uses* may be erected on the *lot* prior to the erection of the *main building*, provided it is used for no purpose other than storage;
- vii. Temporary sales offices for the sale of residential, employment or *commercial lots* or units in a plan of subdivision or condominium within the Town of Oakville, subject to the following provisions:
  - a. The temporary sales office shall not be permitted until an applicable plan of subdivision or condominium has received draft plan approval or the property has been zoned to permit the proposed development;
  - b. The temporary sales office shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days; and,
  - c. The temporary sales office shall comply only with the minimum setbacks for the applicable *Zone* and the parking provisions of Sections 5.2 and 5.4 of this By-law if any parking is provided;
- viii. Notwithstanding Section 1.7 of this By-law, model homes in the form of *single detached, semi-detached, townhouse, townhouse back-to-back, triplex, or duplex dwellings*, subject to the following provisions:
  - a. No model homes shall be permitted on a *lot* prior to draft approval of the plan of subdivision or condominium and the registration of a subdivision, condominium, or similar development agreement on title to the portion of the lot on which the model homes

*A temporary building occupied by any use permitted by this By-law while a permanent or main building is undergoing renovation is not subject to this general provision. All other requirements of this By-law, including zone standards and parking requirements, would continue to apply.*

*Depending on the concept, a sales office could be permitted as a general office use in various zones. Contact Planning Services for more information.*

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## General Regulations

- are to be located, securing the provision of services that would be required if the model homes were to be occupied as *dwelling units*;
- b. The number of *dwelling units* used for model homes shall not exceed 10% of the *dwelling units* proposed to be created through a plan of subdivision or condominium, and in no circumstances may more than 20 *dwelling units* be used as model homes;
  - c. The *dwelling units* shall be used for the purpose of model homes only and shall not be occupied prior to the date of registration of the subdivision, condominium, or similar development agreement;
  - d. The *model home* is built within a *lot* as defined by the draft approved plan of subdivision or condominium; and,
  - e. The model home complies with all other requirements of this By-law for the applicable type of *dwelling unit* as if the *lot* as defined by the draft plan of subdivision or condominium was registered;
- ix. *Infrastructure*, subject to the following provisions:
- a. Notwithstanding any other provision of this By-law, any *building* or *structure* for the purpose of providing or sheltering *infrastructure* shall be exempt from the regulations of the *Zone* within which it is located;
  - b. Any *building* or *structure* used for a *general office use*, *public works yard*, or warehouse shall be subject to the regulations of the underlying *Zone*;
- x. *Public park*, subject to the regulations of the Park (P) *Zone*; (2016-108)
- xi. *Stormwater management facility*.

### 4.4 Prohibited Uses

The following *uses* are prohibited in any *Zone*:

- i. pits and quarries;
- ii. the refining, storage or use in manufacturing of coal oil, rock oil, water oil, naphtha, benzene, dynamite, dualine, nitro-glycerine, gunpowder, petroleum and petroleum products or any other combustible, inflammable, volatile or otherwise dangerous liquids, gases or solid materials, except where specifically permitted for *commercial* purposes including the storage of petroleum products at a *gas bar*. This provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to an agricultural *use*, or the use of natural gas, propane or fuel oil for purposes such as heating and cooking, in conjunction with any *use*;
- iii. the tanning or storage of uncured hides or skins;
- iv. the boiling of blood, tripe, bones or soaps for *commercial* purposes;

## General Regulations

- v. the manufacturing of glue or fertilizers from dead animals or from human or animal *waste*;
- vi. an abattoir, livestock yard, livestock exchange, or dead stock yard;
- vii. the extracting of oil from fish;
- viii. a track for the driving, racing or testing of any motorized *vehicle*;
- ix. a salvage or scrap yard, or the collection, storage or sale of:
  - a. motorized *vehicles* which are not capable of operation; or,
  - b. partially or completely dismantled motorized *vehicles*;except for the storage of a motorized *vehicle* on land or *buildings* zoned for the repair or servicing of a motorized *vehicle*;
- x. a disposal site for solid waste, a waste processing station or a waste transfer station;
- xi. a *vehicle* occupied for human habitation, other than a mobile home where specifically permitted in accordance with the provisions of Section 4.5;
- xii. a *campground*, except as a temporary *use* pursuant to an emergency response plan administered by a *public authority*; (2012-001)
- xiii. an airport or landing strip;
- xiv. the keeping or raising of any livestock or poultry, including a kennel, other than household pets, except in conjunction with an existing agricultural *use* which includes the keeping or raising of any livestock or poultry;
- xv. any *use* which causes the emission of corrosive gases, toxic gases or radioactive gases provided that buildings heated with natural gas are not prohibited;
- xvi. the location or storage on any land for any purpose of any disused railroad car, streetcar, storage container, truck body, bus body or part thereof, whether or not same is located on a foundation;
- xvii. large scale outside storage of road salt, road sand or other de-icing materials; and,
- xviii *propane storage or transfer facility*, except where permitted as an *accessory use* in conjunction with a *gas bar* or *retail* store.



# General Regulations

## 4.5 Mobile Homes

No person shall locate or *use* a mobile home which is not a *recreational vehicle* in any *zone*, temporarily or permanently, unless:

- i. the *use* of a mobile home for a permitted *use* is specifically indicated as a permitted *structure* in a particular *Zone*; or,
- ii. a mobile home is used in accordance with the provisions of Section 4.3.2 (vii) and 4.3.2 (viii) of this By-law for a temporary construction or sales *use*; or, (2012-001)
- iii. the *use* of a mobile home has been temporarily authorized by the Town for *use* as an emergency shelter where a *dwelling* or other *building* has been damaged by fire or natural disaster.

## 4.6 Uses Permitted in Accessory Buildings and Structures

No *accessory building* or *accessory structure* shall be used for human habitation or an occupation for gain or profit, unless specifically permitted by this By-law including *home occupations*. (2023-025)

## 4.7 Home Occupation

### 4.7.1 Regulations

Where a *home occupation* is permitted in a *Zone*, the *home occupation*:

- i. shall clearly be a secondary *use* of the *lot*;
- ii. shall be conducted entirely within the *main building* on the *lot*, and/or an *accessory building* including a detached *private garage*.
- iii. shall be conducted by at least one of the residents of a *dwelling unit* located on the same *lot*;
- iv. shall not occupy more than 25 percent of the *floor area* of the *dwelling unit*;
- v. shall not occupy more than 50 percent of the *floor area* of an *accessory building*, including a detached *private garage*;
- vi. shall not create noise, vibration, fumes, odour, dust, glare or radiation which is evident outside the *dwelling unit* or detached *accessory building*;
- vii. shall not employ more than one employee, in addition to members of the household;
- viii. shall not involve the *outside storage*, *outside processing* or outdoor display of materials or finished products;

*Some uses permitted as a home occupation may require a Town of Oakville Business Licence, or a safety inspection by Halton Region. Contact the Clerks Department for more information.*

## General Regulations

- ix. shall not involve the sale of a commodity, except that telephone, internet, or mail order or other similar approach to the sale of goods is permitted, provided that customers do not enter the property to inspect, purchase or take possession of goods;
- x. if involving instructional activity, shall not be occupied by more than 4 students at any one time for such an activity;
- xi. shall not require receipt or delivery of merchandise, goods or equipment by heavy *vehicle* or other than by a mail or courier service using *vehicles* typically employed in residential deliveries; and,
- xii. does not involve the display of a sign.

### 4.7.2 Prohibited Home Occupations

Notwithstanding the provisions of Section 4.7.1, the following *uses* are not permitted as home occupations:

- i. any *use* involving the storage, repair, salvage, maintenance, sales and/or towing of motor *vehicles*; appliances, or motors and,
- ii. any *use* involving the treatment, care and/or grooming of any animal.

### 4.8 Bed and Breakfast Establishments

Where a *bed and breakfast establishment* is permitted in a *Zone*, the *bed and breakfast establishment* shall:

- i. be located on a *lot* with a minimum frontage of 12 metres and within a *single detached dwelling*;
- ii. have a maximum of three rooms or *suites* used for the exclusive use of the travelling public lodging at the *bed and breakfast establishment*; (2018-038)
- iii. a maximum *floor area* of 30% of the *single detached dwelling* occupied by the rooms or *suites* used by the travelling public lodging at the *bed and breakfast establishment*; (2018-038)
- iv. not have kitchen facilities for the exclusive use of the travelling public lodging at the *bed and breakfast establishment*;
- v. be operated by a person or persons whose principal residence is the *single detached dwelling*; and,
- vi. not be permitted in a *single detached dwelling* which is also used for a *home occupation* or where there are lodgers.

*Bed and breakfast establishments require a Town of Oakville Business License. Contact the Clerks Department for more information.*

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# General Regulations

## 4.9 Group Homes and Shared Accommodations

A *group home*, or shared accommodations licensed or approved under Provincial statute for five or fewer residents are permitted only in a *single detached dwelling* wherever such buildings are permitted in any *Zone*, provided that the *building* and the *lot* on which it is located comply with all of the applicable *Zone* provisions of this By-law.

In addition, a *group home* is only permitted where the *building* is located on a *lot* which is separated by a minimum of 800 metres from any other *lot* containing such a facility, with such minimum distance to be measured between the nearest *lot lines* of the two *lots*.

## 4.10 Compliance Achieved within a Lot

- i. Unless otherwise specified, compliance with the standards of this By-law shall be achieved within the *lot* on which the *building* is constructed or the *use* is undertaken.
- ii. Where portions of a *lot* are within more than one *Zone*, compliance with the provisions of the By-law related to each *Zone* shall be achieved within the portion of the *lot* within the *Zone*, with the zoning boundary being the limit from which the zoning regulations apply, provided,
  - a. *buildings* on the *lot* may cross the zoning boundary provided the *use* of the *building* within each *Zone* complies with the By-law;
  - b. if the portion of the *lot* within a *Zone* does not front onto a *street*, the *frontage* requirements for that portion of the *lot* may be satisfied by the *frontage* of a portion of the *lot* outside the *Zone*;
- iii. The division of a *lot* into one or more parcels of tied land or condominium units and common elements through the creation of one or more condominiums shall be deemed not to result in *non-compliance* with this By-law, provided:
  - a. the standards in this By-law are met if applied to the *lot* as a whole;
  - b. in the absence of a shared party wall, compliance with setback requirements is met within each parcel of tied land, if applicable; and,
  - c. the parking standards, servicing requirements and access requirements for each parcel of tied land or condominium units are met within the parcel of tied land or through a common element tied to that parcel.

# General Regulations

## 4.11 Legally Existing, Non-Complying Buildings, Structures and Lots

### 4.11.1 Enlargement, Repair or Renovation

A legally existing *non-complying* building or *structure* may be enlarged, repaired or renovated provided that the enlargement, repair or renovation does not create or further increase a situation of non-compliance.

### 4.11.2 Buildings and Structures Associated with Uses that are Non-Complying

*Buildings* or *structures* associated with existing *non-complying uses* permitted under Section 4.3.2 of this By-law may be enlarged, repaired, or renovated provided that the enlargement, repair, or renovation does not create or further increase a situation of non-compliance.

### 4.11.3 Legally Existing, Non-complying Lots

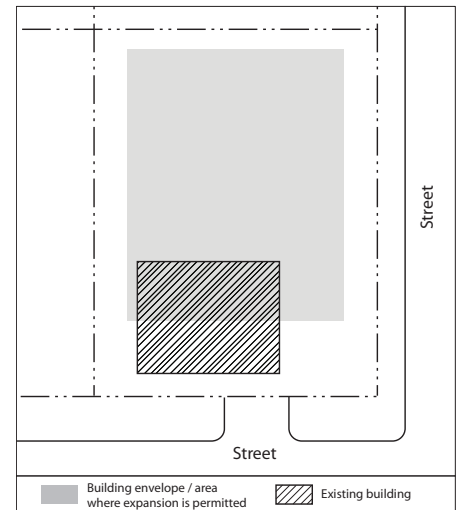
A legally existing vacant *lot* in existence prior to the effective date of this By-law that does not meet the *lot area* and/or *lot frontage* and/or *lot depth* requirements of the applicable *Zone*, may be used and *buildings* and *structures* thereon may be erected, enlarged, repaired or renovated provided the use conforms with the By-law and the *buildings* or *structures* comply with all of the other provisions of this By-law and the *lot* can be adequately serviced with approved water and wastewater services.

### 4.11.4 Blocks not Qualifying as Lots

Nothing in By-law 2009-189 precludes the creation of blocks in new plans of subdivision which do not qualify as *lots* having regard to the zoning to which they are subject, but such blocks, until they are combined with additional land so as to qualify as *lots*, shall be used for the purpose of horticulture only and no *building* or *structure* may be erected thereon.

## 4.12 Non-Compliance as a Result of Expropriation (2012-001)

Where the acquisition of part of a *lot* by a *public authority* by expropriation or purchase results in non-compliance with this By-law, the balance of the *lot* may be used for *uses* permitted within the relevant *Zone* notwithstanding such non-compliance, and *buildings* or *structures* on the *lot* may be renovated, repaired or enlarged, provided such renovation, repair or enlargement does not further increase a situation of non-compliance. Nothing in this Section shall permit the replacement of a non-complying *building* or *structure* if a *building* or *structure* could be constructed in compliance with this By-law.



*Potential area where a legal non-conforming building could be expanded without first requiring relief from the Zoning By-law.*

*If a lot or feature is undersized, a landowner can bring a lot closer to compliance (i.e. add more land to the lot, add more parking spaces) and still take advantage of these non-conformity clauses. Contact a zoning officer in Building Services for more information.*

*Should the Town, Region, or Province require land as part of a road widening or approval, this clause would be relied upon to ensure the affected lot remains compliant with the Zoning By-law. All regulations of this By-law are covered by this Section including yards, parking, and landscaping.*

*Staff would review planning applications to ensure known future land acquisitions are accounted for in the review stage. Contact a planner in the Planning Services department for more information.*

(2012-001)

# General Regulations

## 4.13 Frontage on a Street (2012-001)

### 4.13.1 Frontage Requirements

Unless otherwise specified by this By-law, no person shall erect any *building* or *structure* and no person shall use any *building* or *structure*, or *lot* unless the *lot* to be so used, or upon which the *building* or *structure* is situated or erected or proposed to be erected, fronts on a *street* which:

- i. is assumed by a *public authority*; or,
- ii. is being constructed pursuant to a Subdivision or other Agreement with a *public authority* as a *public street* which will be assumed by a *public authority*; or,
- iii. is being constructed pursuant to a Condominium Agreement or other approval by a *public authority* as a *private street*.

### 4.13.2 Open Space

Notwithstanding Section 4.13.1 above, *buildings* or *structures* shall also be permitted to front onto public or private open space provided access to the *building* or *structure* is provided from a *lane* or a *street* which:

- i. is assumed by a *public authority*; or,
- ii. is being constructed pursuant to a Subdivision or other Agreement with a *public authority* as a *public street* which will be assumed by a *public authority*; or,
- iii. is being constructed pursuant to a Condominium Agreement or other approval by a *public authority* as a *private street*.

### 4.13.3 Natural Heritage System Zone

Notwithstanding Section 4.13.1 or anything else in this By-law, a *lot* that is separated from a *street* by lands in the Natural Heritage System (NHS) Zone is deemed to have *frontage* on the *street*.

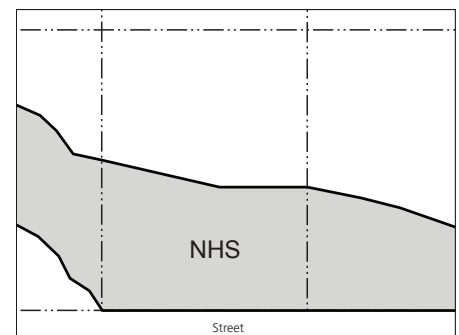
## 4.14 Standards for Accessory Buildings and Structures

*Accessory buildings* and *structures* which are not *private garages* or *parking pads* (See Sections 4.15-4.19 inclusive) or *enclosed and roofed walkways* (See Section 4.20), are subject to the following requirements:

### 4.14.1 Permitted Locations and Setbacks from Lot Lines

*Accessory buildings* and *structures* shall be located:

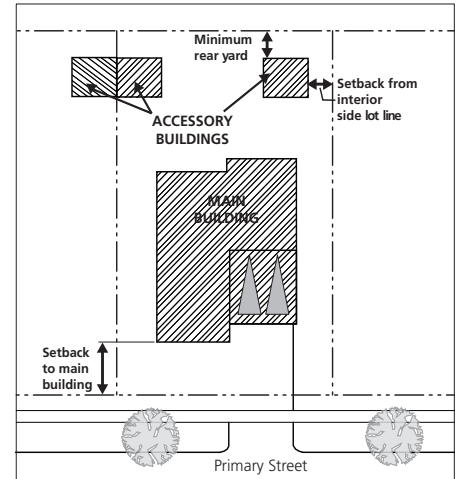
- i. No closer to the *front lot line* or *flankage* than the *main building*;
- ii. A minimum of 1.2 metres from the *interior side lot line*, but notwithstanding this provision:



*A lot separated from a street by North Oakville's Natural Heritage System has frontage onto a street.*

# General Regulations

- a. the *setback* from the *interior side lot line* for the first *storey* of *building* or *structure* may be reduced to 0.6 metres if there are no doors or windows on the wall facing the *interior side lot line*;
  - b. an *accessory building* or *structure* may share a common wall with another *accessory building* or *structure* on an *abutting lot* and no *setback* from the *interior side lot line* is required on that side of the *lot*; and,
- iii. A minimum of 0.6 metres from the *rear lot line*.
- iv. Notwithstanding subsections i. through ii., in no case shall an *accessory building* or *structure* other than an *enclosed* or *roofed walkway*, be located closer than 2.0 metres to the *main building* on the *lot*.
- v. Notwithstanding subsection i. through iv., in no case shall an *accessory building* or *structure* in the Institutional (I), Park (P) or Stormwater Management Facility (SMF) Zones, other than a detached *private garage* or *enclosed* or *roofed walkway*, be located: (2016-108)
- a. closer than 5.0 metres from a *lot line* abutting a *public street*; and,
  - b. closer than 5.0 metres from a *lot line* abutting a *zone* other than the Institutional (I), Park (P) or Stormwater Management Facility (SMF) Zones.



*Property owners should check for easements on their lot prior to placing an accessory building or structure. Most easements prohibit buildings and structures and the easement holder may demand that the building or structure be moved.*

## 4.14.2 Maximum Height (2016-108)

- i. The maximum permitted *overall height* of an *accessory building* is 4.0 metres measured from *grade*, and there is no minimum *height* requirement
- ii. Notwithstanding subsection i., in the Institutional (I), Park (P) and Stormwater Management Facility (SMF) Zones, the maximum permitted *overall height* is 6.0 metres measured from *grade*, and there is no minimum *height* requirement.

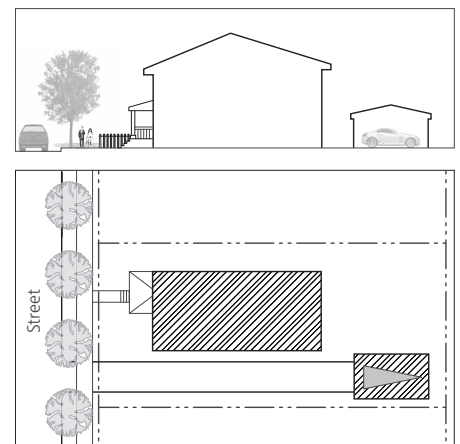
## 4.15 Standards for Detached Private Garages Accessed by a Driveway from a Street

Detached *private garages* associated with a *residential use* that are accessed only by a *driveway* from a *street* are subject to the following requirements.

### 4.15.1 Permitted Locations and Setbacks from Lot Lines

Detached *private garages* accessed only by a *driveway* from a *street* shall be located:

- i. A minimum distance from a *flankage* equal to the flankage yard requirement for the *main building* from the *flankage*.



*Detached private garage accessed by a street.*

# General Regulations

- ii. A minimum of 1.2 metres from the *interior side lot line*, but notwithstanding this provision:
  - a. the *setback* from the *interior side lot line* may be reduced to 0.6 metres if there are no doors or windows on the wall facing the *interior side lot line*; and,
  - b. a detached *private garage* may share a common wall with another detached *private garage* on an abutting lot and no *setback* from the *interior side lot line* is required on that side of the *lot*.
- iii. A minimum of 0.6 metres from the *rear lot line*.
- iv. In no case shall the wall of a *private garage* containing the opening for vehicular access be located closer than 5.5 metres to the *lot line* abutting the *street* that the *driveway* crosses to access the *private garage*.
- v. In no case shall a *private garage*, other than a *private garage* connected to the *main building* by an enclosed or *covered walkway*, be located closer than 2.0 metres to the *main building* on the *lot*.

## 4.15.2 Maximum Height

The maximum permitted *overall height* of any detached *private garage* on a lot having a *lot frontage* of less than 9.0 metres is 5.0 metres. If the *lot frontage* is 9.0 metres or more, the maximum permitted *overall height* of any detached *private garage* with a flat roof is 5.5 metres and for any other roof is 8.0 metres.

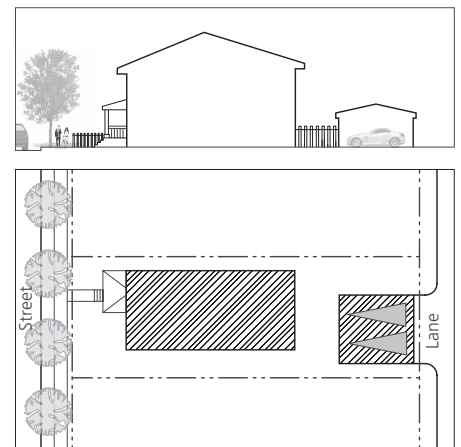
## 4.16 Standards for Detached Private Garages Accessed by a Lane

Detached *private garages* associated with a *residential use* that are accessed only by a *lane* are subject to the following requirements.

### 4.16.1 Permitted Locations and Setbacks from Lot Lines

Detached *private garages* are permitted in a *rear yard* and *interior side yard* only, and shall be located:

- i. a minimum distance of 0.75 metres from the *rear lot line*; and,
- ii. a minimum of 1.2 metres from the *interior side lot line*, but notwithstanding this provision:
  - a. the *setback* from the *interior side lot line* may be reduced to 0.6 metres if there are no doors or windows on the wall facing the *interior side lot line*; and,
  - b. a detached *private garage* may share a common wall with another detached *private garage* on an abutting *lot* and no *setback* from the *interior side lot line* is required on that side of the *lot*.



Detached private garage accessed by a lane.

# General Regulations

## 4.16.2 Setbacks from Main Building

All detached *private garages* shall be *setback* a minimum of 6.0 metres from the *main building* on the *lot*. The parking of motor *vehicles* is not permitted in the *setback* area.

## 4.16.3 Maximum Height

The maximum permitted *overall height* of any detached *private garage* on a *lot* having a lot frontage of less than 9.0 metres is 5.0 metres. If the *lot frontage* is 9.0 metres or more, the maximum permitted *overall height* of any detached *private garage* with a flat roof is 5.5 metres and for any other roof is 8.0 metres.

## 4.17 Standards for Attached Private Garages on lots Accessed by Lanes

Attached *private garages* associated with a *residential use* that are only accessed by a *lane* are subject to the following requirements.

### 4.17.1 Permitted Locations

Attached *private garages*, which are deemed to be part of the *main building* on the *lot*, are permitted provided that the *wall facing the lane*:

- i. is located no further than 7.5 metres from the *rear lot line*; and,
- ii. is located no closer than 0.75 metres to the *rear lot line*.

### 4.17.2 Amenity Area

The *amenity area* on the *lot* for *dwelling*s other than *back-to-back townhouses*, *stacked townhouses* and *apartments* shall:

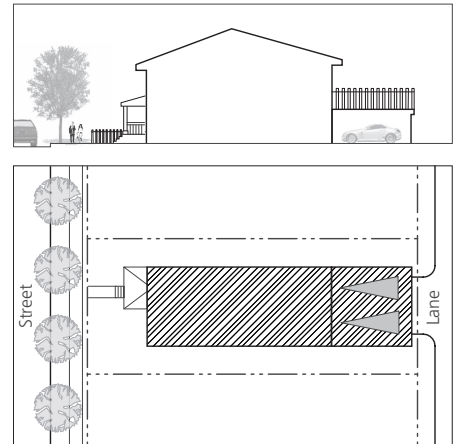
- i. be a minimum of 11 square metres;
- ii. not include any required *landscape area* or *landscape strip*; and,
- iii. have direct access from the interior of the *dwelling unit*.

## 4.18 Standards for Attached Private Garages Accessed by a Driveway from a Street

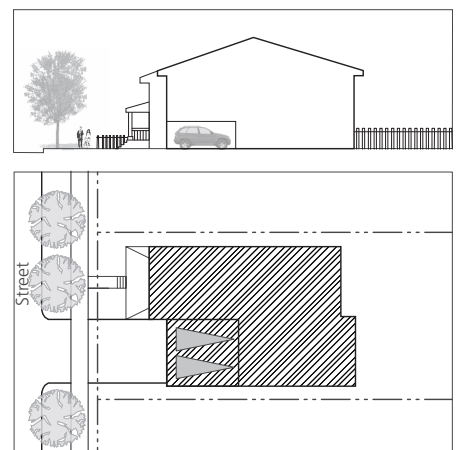
Attached *private garages* associated with a *residential use* that are accessed only by a *driveway* from a *street* are subject to the following requirements.

### 4.18.1 Permitted Locations and Setbacks from Lot Lines

Attached *private garages* accessed only by a *driveway* from a *street* shall be located:



Attached private garage accessed by a lane.

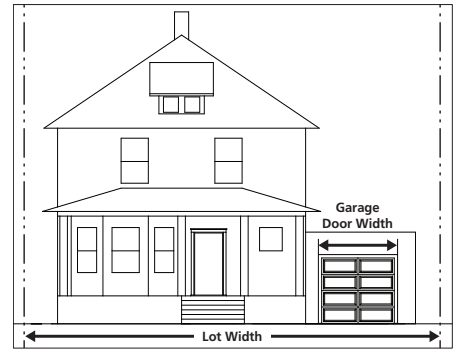


Attached private garage accessed by a street.



# General Regulations

- i. A minimum distance from a *side lot line* equal to the *side yard* requirement for the *main building* from the *side lot line*.
- ii. No part of a *private garage* shall project beyond the *front wall* of the *first storey* of the *dwelling* except where a *porch* is provided, in which case the *private garage* shall not project beyond the front of the *porch*.
- iii. Notwithstanding subsections i. and ii., in no case shall the wall of a *private garage* containing the opening for vehicular access be located closer than 5.5 metres to the *lot line* abutting the *street* that the *driveway* crosses to access the *private garage*.



### 4.18.2 Maximum Private Garage Door Width

The *private garage* door width shall not exceed 50% of the *lot frontage*.

### 4.18.3 Maximum Driveway Width

The maximum width of the *driveway* shall not exceed the exterior width of the garage, except where the *driveway* abuts a *porch*, in which case the width of the *driveway* may extend to the edge of the *porch*, or building to a maximum 1.0 metres beyond the width of the garage.



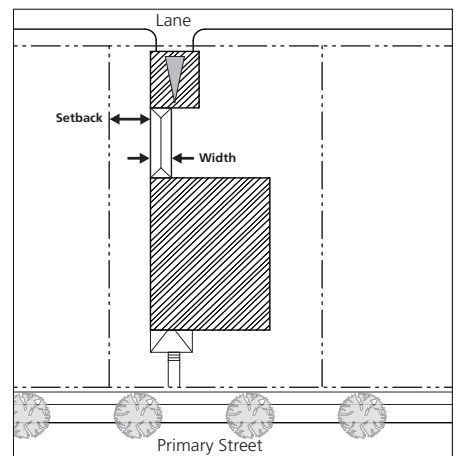
*The maximum width for a garage door is tied to the length of the lot frontage. The maximum width for a driveway is tied to the exterior width of the private garage.*

### 4.19 Standards for Parking Pads

One *parking pad* shall be permitted on a *lot* instead of, or in addition to, a *detached garage* where:

- i. an *attached garage* does not form part of the *dwelling* on the *lot*; and,
- ii. the *parking pad* is located in accordance with the regulations for *detached garages*.

In addition, a *parking pad* shall be permitted instead of, or in addition to, an *attached garage* on a *lot* accessed by a *lane*.



*Enclosed and roofed walkways.*

### 4.20 Enclosed and Roofed Walkways

*Enclosed and roofed walkways* associated with a *residential use* are permitted subject to the following provisions.

#### 4.20.1 Size

No part of an *enclosed or roofed walkway* shall be wider than 2.75 metres. In addition, the *overall height* of an *enclosed or roofed walkway* shall not exceed 4.5 metres.

#### 4.20.2 Permitted Locations

- i. *Enclosed or roofed walkway* shall be permitted in:

# General Regulations

- a. the area between the detached *private garage* and the *main building* on the *lot*; and,
  - b. in the area between the *flankage* and the exterior side wall of the *main building* on the *lot* and no *setback* shall be required from the *flankage*.
- ii. If the *enclosed or roofed walkway* is located on an *interior lot*, it shall be set back a minimum of 0.6 metres from the *interior side lot line*. Notwithstanding this provision, an *enclosed or roofed walkway* may share a common wall with another *enclosed or roofed walkway* on an abutting *lot* and no setback from the *interior side lot line* is required on that side of the *lot*.

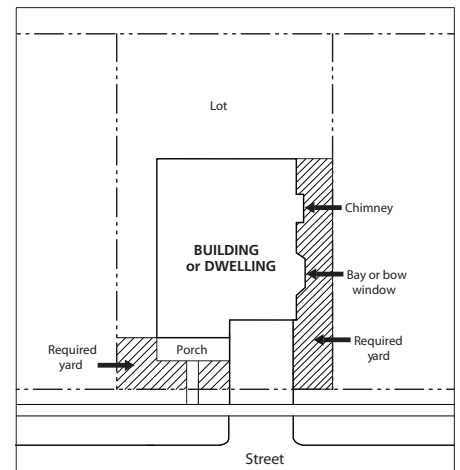
### 4.20.3 Exemption from Other Requirements

Notwithstanding any other provision of this By-law, no part of an *enclosed or roofed walkway* is deemed to be part of the *main building* on the *lot*, however, an *enclosed or roofed walkway* shall be considered as an *accessory structure* on the *lot*. In addition, a *private garage* that is attached to a *dwelling* by an *enclosed or roofed walkway* only, shall still be considered a detached *private garage*.

### 4.21 Encroachments Permitted in Required Yards

Every *yard* shall be open and unobstructed from the ground to the sky by any *structures*, except for:

- i. lawful fences, signs, and retaining, noise and ornamental walls;
- ii. *driveways* and walks; and,
- iii. the encroachments listed in Table 4.21 which are permitted in association with either the *main building*, or an *accessory buildings or structures*, subject to compliance with the regulations listed in the columns of the Table 4.21.



*Some architectural and building design features are permitted to project into minimum yards.*

Table 4.21 - Permitted Encroachments into Required Yards				
	Structure	Yard in which Structure is Permitted	Maximum projection into required yard	Minimum Distance from Lot Line <sup>1</sup>
(a)	Sills, belt courses, cornices, coves, pilasters, eaves, gutters, awnings, canopies or other non-structural architectural features	All	0.6m	n/a
(b)	Fire Escapes	Rear & Side	1.5m	0.6m from the lot line
(c)	Exterior stairways	Rear & Side	1.5m	0.6m from the lot line
(d)	Balconies	All	1.5m	1.5m unless overtop a porch in which case the setbacks shall be the same setbacks as the setback for a porch under sub-section (c)

# General Regulations

<b>Table 4.21 - Permitted Encroachments into Required Yards</b>				
	<b>Structure</b>	<b>Yard in which Structure is Permitted</b>	<b>Maximum projection into required yard</b>	<b>Minimum Distance from Lot Line<sup>1</sup></b>
(e)	Uncovered platforms 0.6 m or greater in <i>height</i> measured from surrounding <i>grade</i> and <i>porches</i> , including a <i>balcony</i> on top of a <i>porch</i> including vertical supports and a roof above and <i>landings</i> . However, any exterior stair required to provide access to an <i>uncovered platform</i> or <i>porch</i> shall be permitted to encroach into any <i>required yard</i> .	<i>Front</i>	1.5m	1m from the <i>front lot line</i> with exception of any exterior stair which may encroach to within 0.5m of the <i>front lot line</i> .
		<i>Rear</i>	2.5m	0.6m from the <i>rear lot line</i>
		<i>Interior Side</i>	n/a	0.6m from the <i>interior side lot line</i> except: i. where the platform is designed to allow drainage to occur underneath in which case the min. <i>setback</i> shall be 0m; and, ii. for <i>townhouse</i> and <i>semi detached</i> units in which case it may be 0m from an interior common wall
		<i>Flankage</i>	n/a	1m from the <i>flankage</i> with the exception of any exterior stair which may encroach to within 0.5m of the <i>flankage</i>
(f)	Chimneys and gas fireplace projections and chases (with a maximum width of 1.8m)	<i>Front &amp; Flankage</i>	0.6m	1m from the <i>front lot line</i> and <i>flankage</i>
		All other <i>yards</i>	0.6m	0.6m from the <i>lot line</i>
(g)	Bay, Box out and Bow Windows with or without foundations with a maximum width of 3m which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	<i>Front &amp; Flankage</i>	0.6m	1m from the <i>front lot line</i> and <i>flankage</i>
		All other <i>yards</i>	0.6m	0.6m from the <i>lot line</i>
(h)	Uncovered stairs below <i>grade</i> accessing a <i>main building</i>	<i>Rear</i>	1.5m	0.6m from the <i>lot line</i>
		<i>Side</i>	0m	1.5m
(i)	Uncovered platforms less than 0.6m in <i>height</i> measured from surrounding <i>grade</i>	<i>Front</i>	1.5m	1m from the <i>front lot line</i> and <i>flankage</i>
		<i>Interior Side</i>	n/a	0.6m from the <i>interior side lot line</i> except: i. where the platform is designed to allow drainage to occur underneath in which case the minimum <i>setback</i> shall be 0m; and, ii. for <i>townhouse</i> and <i>semi detached</i> units in which case it may be over 0m from an interior common wall
		All other <i>yards</i>	n/a	0.6m from the <i>lot line</i>
(j)	Unenclosed barrier free ramps	All	n/a	0.6m from the <i>lot line</i> unless the ramp is designed to allow drainage to occur underneath in which case the minimum <i>setback</i> shall be 0m

Minimum distance from lot line does not apply where minimum building setback is 0 metres.

# General Regulations

## 4.22 Calculation of Yards

For the purpose of calculating the *required yards, lot area, lot depth* and *frontage* on a *street*, a publicly-owned 0.3 metre (one foot) reserve and the daylight triangles adjoining the *lot* shall be deemed to be part of the *lot*.  
(2023-025)

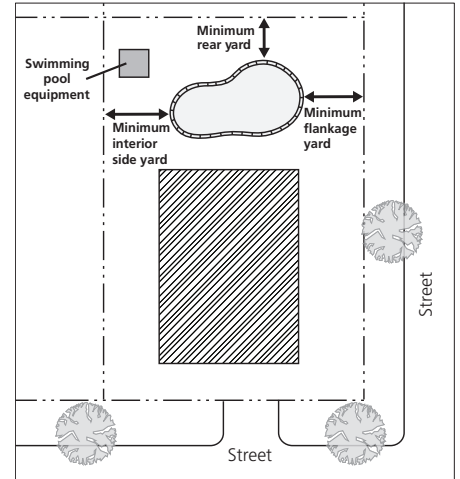
## 4.23 Storage of Garbage

All garbage, with the exception of garbage generated by uses in the Light Employment (LE) and General Employment (GE) Zones and for *residential buildings* with six or less *suites or dwelling units*, excluding any *townhouse dwelling, back-to-back townhouses* or *group homes*, shall be stored inside a fully enclosed *building or structure*. Garbage generated by uses in the Light Employment (LE) or General Employment (GE) Zones shall be stored inside a fully enclosed *building or structure* or a screened enclosure.

## 4.24 Swimming Pools and Hot Tubs

Uncovered swimming pools and hot tubs accessory to *residential uses* shall not be included the maximum *lot coverage* requirement for *accessory buildings and structures*, but:

- i. if in the *rear yard* or *side yard*, shall not be less than 1.5 metre from any lot line;
- ii. in the case of a *corner lot* shall be not less than 3.5 metre from any *flankage*;
- iii. shall not be located in the *front yard*, unless the *front yard* is at least 0.2 hectares in *lot area*, and shall not be nearer the *front lot line* than 15 metres or the required *building set back*, whichever is the greater, nor nearer the *side lot line* than 15 metres; and,
- iv. the maximum *height* of a swimming pool or hot tub shall be 1.5 metres above *established grade* as measured from the outside of the swimming pool or hot tub.



*Setbacks for pools and hot tubs are equal those of the parent zone and are measured to the water's edge.*

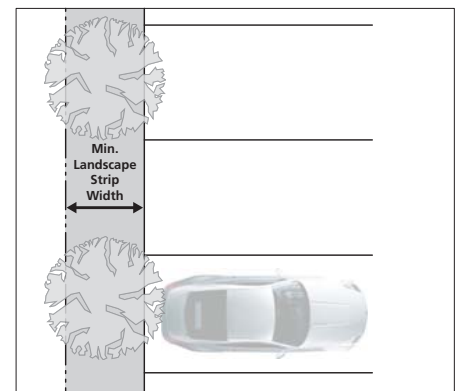
## 4.25 Landscape Area Regulations

### 4.25.1 Landscape Strip Width

The minimum width of a *landscape strip*, unless specified by other site or area provisions of this By-law, shall be 3.0 metres.

### 4.25.2 Landscaped Area

- 4.25.2.1 Minimum *landscape area* requirements under this By-law may be satisfied by one or more *landscape areas*, each of which shall have a dimension of at least 2.4 metres by 2.4 metres unless specified by other site or area provisions of this By-law.



*The minimum width for a width of landscaping in many locations in North Oakville is 3 metres.*

# General Regulations

- 4.25.2.2** A *landscape strip* required by the provisions of this By-law may form part of the minimum *landscape area* requirements of this By-law.

## 4.25.3 Maintenance

Where a *landscape strip* is required by the provisions of this By-law, said *landscape strip* shall be constructed and maintained by the owner(s) of the lot upon which the *landscape strip* is located.

## 4.26 External Air Conditioning and other Equipment

In any *residential zone* or *zone* which abuts a *residential use*, external heating or air conditioning equipment, swimming pool pumps, and filters shall not be located:

- i. in any *side yard*, or *rear yard* closer than 0.6 m to the *side lot line* and *flankage*, or *rear lot line* unless designed to allow drainage to occur underneath in which case the *minimum setback* shall be 0 metres; or
- ii. in any *front yard* further than 1.5 m from the *front wall* of the *building*.

## 4.27 Porch

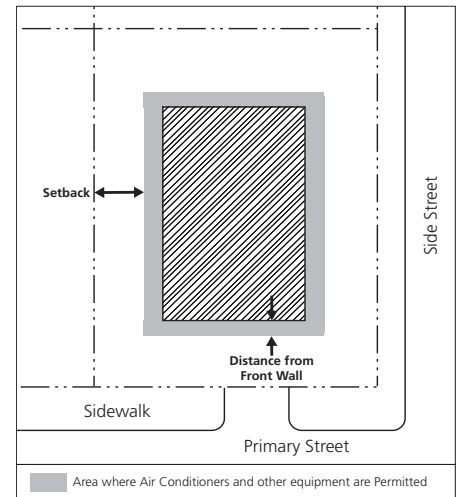
A *porch* shall have a minimum depth from the exterior of the *building* to the outside edge of the *porch* of 1.5 metres. Required depths shall be provided for a minimum of 70% of the porch. However, steps may encroach into the required depth. *Porches* shall have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the *building* or insect screening.

## 4.28 Exceptions to Height Requirements (2012-001)

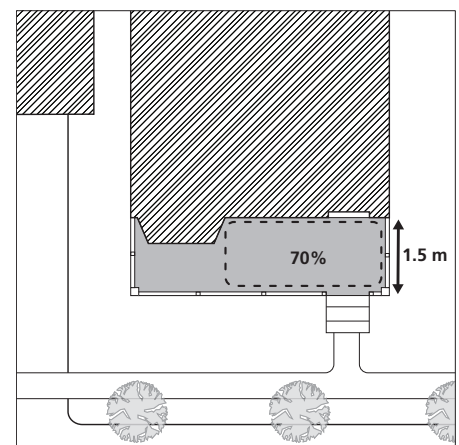
### 4.28.1 General Exceptions

The minimum and maximum *height* requirements of this By-law shall not apply to:

- i. Any architectural features such as, but not limited to, chimneys, cupolas, clock towers, weather vanes, steeples, and stair well access;
- ii. Rooftop mechanical equipment or rooms and associated screening;
- iii. Flagpoles and light standards;
- iv. *Buildings* and *structures* associated with a *public works yard*;
- v. *Buildings* and *structures* associated with an *emergency services facility*;
- vi. Monuments; and,
- vii. Water storage tanks.



*External heating and cooling equipment is permitted to project a small distance into rear, side and front yards.*



*The minimum depth and minimum open and enclosed requirements of this By-law apply to 70% of the porch: area for depth, and perimeter for openness.*

# General Regulations

viii. Rooftop Solar Panels. (2023-025)

(Section 4.28.2 deleted by 2022-007)

## 4.29 Accessory Dwelling Units (2022-007) (2023-025)

### 4.29.1 Permitted Building Types

*Accessory dwelling units* are permitted in the following *building* types:

- i. *Single detached dwelling*;
- ii. *Semi-detached dwelling*;
- iii. *Townhouse dwelling*;
- iv. *Accessory building* associated to a *single detached dwelling*, *semi-detached dwelling*, or *townhouse dwelling*; and,
- v. *Detached private garage* associated to a *single detached dwelling*, *semi-detached dwelling*, or *townhouse dwelling*.

### 4.29.2 Maximum Number of Accessory Dwelling Units

- i. A maximum of two *accessory dwelling units* in the *main building*; or,
- ii. A maximum of one *accessory dwelling unit* in the *main building* and one *accessory dwelling unit* in an *accessory building* or detached *private garage*.

## 4.30 Landings

A *landing* shall have a maximum width of 2.5 metres.

## 4.31 Streetscape

No person shall, in any block within a housing project, erect *single detached* and *semi-detached dwellings* more than 20% of which are alike in external design with respect to size and location of doors, windows, projecting *balconies*, *landings*, *porches* and type of surface materials. *Buildings* alike in external design shall not be erected on adjoining *lots* fronting on the same *street* unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining *lots* fronting on the same *street*.

## General Regulations

### 4.32 Short-Term Accommodation (2018-038)

Where a *short-term accommodation* is permitted in a *zone*, the *short-term accommodation* shall:

- i. be permitted within *dwellings* permitted by the applicable *zone*, including an *accessory dwelling unit*;
- ii. be operated by the person or persons whose principal residence is the *dwelling* in which the *short-term accommodation* is located. For the purpose of this provision, the principal residence of an *accessory dwelling unit* shall be deemed to be the principle residence of the main *dwelling unit* on the *lot*; and, (2023-025)
- iii. not be permitted in a *dwelling* which also contains a *bed and breakfast establishment*, lodging units, *private-home day care*, or *day care*.

### 4.33 Rooftop Mechanical Equipment and Rooftop Solar Panels (2022-007) (2023-025)

- i. Outside rooftop mechanical equipment shall be set back a minimum of 5.0 metres from all edges of a roof if it is not fully enclosed within a mechanical penthouse.
- ii. Rooftop solar panels shall be set back a minimum of 5.0 metres from all edges of a roof.
- iii. Notwithstanding subsection ii. above, rooftop solar panels that do not exceed a height of 0.9 metres above the roof upon which it is located may have a minimum set back of 0.0 metres from all edges of a roof.
- iv. Rooftop solar panels shall not exceed a height of 2.0m above the roof upon which it is located.

### 4.34 Restoration or Repair of Unsafe Buildings (2022-007)

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 to be unsafe by the *Town's* Chief Building Official, provided the reconstruction will not increase in *height*, size or volume, or change the *use* of the *building* or *structure* and provided that the *use* has not been abandoned.

## General Regulations

### **4.35 Reconstruction of an Existing Building or Structure**

*(2022-007)*

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 in *height*, size or volume, or change the *use* of the *building* or *structure* and provided that the *use* has not been abandoned.



# Parking and Loading Regulations

## 5.1 Parking Standards

### 5.1.1 General (2023-025)

#### 5.1.1.1 Requirement for Parking

No person shall use any land, *building* or *structure* in any *Zone* for any purpose permitted by this By-law, unless *parking spaces* are provided in accordance with the provisions of this Section.

#### 5.1.1.2 Parking of Vehicles Associated with Residential Uses

No person shall park a *vehicle* outdoors on any *lot* with a residential *use* unless the *vehicle* is parked entirely on a *driveway*, *surface parking area*, or the roof of a *parking garage*.

### 5.1.2 Number of Parking Spaces

#### 5.1.2.1 Number of Spaces

The number of *parking spaces* required shall be calculated in accordance with the standards set out in the following Parking Standards Tables 5.1A, 5.1B and 5.2.

#### 5.1.2.2 Rounding Provision

Where the application of ratios results in a fraction of a *parking space*, the required number of spaces shall be increased to the next highest whole number.

### 5.1.3 Location of Parking Spaces (2023-025)

Any *parking space*, *accessible parking space*, *bicycle parking space*, and *loading dock* required by this By-law shall be located on the same *lot* on which the *use* is located.

### 5.1.4 Cash-in-Lieu of Parking

Notwithstanding the provisions of Section 5.1.2.1, and where requested by the owner, the Municipality may, in any zone, enter into an agreement exempting an owner or occupant from the requirement of providing or maintaining some or all of the required minimum *parking spaces* and such an agreement shall provide for the making of one or more payments to the Municipality in lieu of the provision of parking.

### 5.1.5 Heritage Buildings

Any use in a designated heritage *building* shall not be required to provide parking.

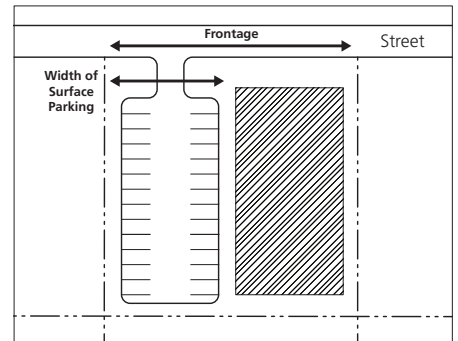
*Town staff interpret the Zoning By-law such that a cumulative minimum number of parking spaces is calculated when additional floor area is added on a lot or a change in use occurs. Contact Planning Services or Building Services for more information.*

# Parking and Loading Regulations

## 5.1.6 Surface Parking Area Location

Where *surface parking areas* are permitted on *lots* which abut Trafalgar Road, the maximum *lot frontage* or *flankage* on Trafalgar Road occupied by *surface parking area* shall be:

<i>Office building</i>	50%
<i>Mixed use and apartment buildings</i>	20%
<i>Commercial buildings</i>	20%
<i>Parking garage</i>	5%
<i>Institutional building</i>	5%
<i>Hotel</i>	5%
<i>Commercial/Residential buildings</i>	5%



Surface Parking Frontage.

This shall be measured as the maximum percentage of *lot frontage* or *flankage* occupied by *surface parking area* where no *building edge* is located within 6 metres of the Trafalgar Road *lot frontage* or *flankage*. The only exception shall be where the By-law permits a greater *front yard* or *flankage setback*, in which case that setback shall apply.

## 5.1.7 Hardscape Surface Treatment (2022-007)

All *parking spaces*, *tandem parking spaces*, *parking pad*, *loading dock*, *aisles* and *driveways* in any Zone other than a Natural Heritage Zone shall be surface treated with asphalt, concrete, interlocking brick, similar hardscaped surface, or other material sufficient to provide stability, prevent erosion, be usable in all seasons, and allow infiltration of surface water.

**Table 5.1A - Parking Requirements For Residential Uses**

(1)	<i>Single and Semi-detached dwellings</i> , foster homes, and shared accommodation for five or fewer residents licensed or approved under Provincial statute, including any <i>dwelling</i> where a maximum of 3 <i>lodgers</i> reside	Outside the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones 2 <i>parking spaces</i> per <i>dwelling unit</i> minimum.
(2)	<i>Duplex and, triplex</i>	1 <i>parking space</i> per <i>dwelling unit</i> minimum.
(3)	<i>Apartment</i> - 4 storeys or less	Up to 1.25 <i>parking spaces</i> per <i>dwelling unit</i> , plus 0.2 <i>parking spaces</i> per <i>dwelling unit</i> for visitors. Additional <i>parking spaces</i> shall not be permitted.
(4)	<i>Apartment</i> - More than 4 storeys	Up to 1.25 <i>parking spaces</i> per <i>dwelling unit</i> , plus 0.2 <i>parking spaces</i> per <i>dwelling unit</i> for visitors. Additional <i>parking spaces</i> shall not be permitted. In the Trafalgar Urban Core Zone, no <i>parking spaces</i> shall be permitted in a <i>surface parking area</i> , with the exception of visitor <i>parking spaces</i> which may be located underground, in a <i>parking garage</i> or in a <i>surface parking area</i> .
(5)	<i>Townhouse dwellings</i> including <i>back-to-back townhouse dwellings</i> and <i>stacked townhouses</i>	Outside the Trafalgar Urban Core Zone 1 <i>parking spaces</i> per <i>dwelling unit</i> minimum; For lands within the Trafalgar Urban Core Zone, 1 <i>parking spaces</i> per <i>dwelling unit</i> minimum and only 2 <i>parking spaces</i> per <i>dwelling unit</i> maximum shall be permitted for <i>back-to-back townhouse dwelling units</i> and in all other zones 3 <i>parking spaces</i> per <i>back-to-back townhouse dwelling unit</i> maximum shall be permitted.

# Parking and Loading Regulations

Table 5.1A - Parking Requirements For Residential Uses		
(6)	<i>Nursing Home Retirement home</i>	<p>Outside the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones 0.5 <i>parking spaces</i> minimum per <i>dwelling unit</i> or <i>suite</i>.</p> <p>For lands in the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones 0.5 <i>parking spaces</i> minimum per <i>dwelling unit</i> or <i>suite</i>. In the Trafalgar Urban Core Zone a maximum of 50% of the required <i>parking spaces</i> may be permitted in a <i>surface parking area</i>.</p>
(7)	<i>Bed and breakfast establishment Group Home</i>	The <i>parking spaces</i> required for a <i>single detached dwelling</i> plus 1 <i>parking space</i> per <i>suite</i> minimum. No additional <i>parking spaces</i> shall be permitted other than the required spaces.
(8)	<i>Short-Term Accommodation (2018-038)</i>	The <i>parking spaces</i> required for the <i>dwelling unit</i> plus 1 <i>parking space</i> . An additional <i>parking space</i> is not required when the additional parking can be accommodated in an existing visitor <i>parking space</i> .
(9)	<i>Accessory dwelling unit/Home occupation (2023-025)</i>	No additional <i>parking spaces</i> required.
(10)	Other residential uses not specified above in this Table	1 <i>parking space</i> per <i>dwelling unit</i> minimum.

Table 5.1B - Parking Requirements For Non-Residential Uses		
(1)	Arena; Stadium; or, Theatre	<p>Outside the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones 1 <i>parking space</i> per 6 seats minimum and 1 <i>parking space</i> per 5 seats maximum.</p> <p>For lands in the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones 1 <i>parking space</i> per 7 seats minimum and 1 <i>parking space</i> per 6 seats maximum. In the Trafalgar Urban Core Zone a maximum of 50% of the required <i>parking spaces</i> may be permitted at <i>grade</i>.</p> <p>For the purposes of this By-law, where the seating is provided by open benches, every 50 centimetres of bench length shall be considered as one seat.</p>
(2)	<i>Art gallery; Museum; or, Library</i>	<p>Outside the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones 1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum and 1 <i>parking space</i> per 25 square metres maximum.</p> <p>For lands in the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones 1 <i>parking space</i> per 93 square metres of <i>leasable floor area</i> minimum and 1 <i>parking space</i> per 30 square metres maximum.</p>
(3)	<i>Vehicle Dealership; and/or Vehicle Repair Use</i>	<p>4 <i>parking spaces</i> for each repair bay minimum plus 2 parking spaces minimum for each 100 square metres of <i>leasable floor area</i> exclusive of repair bays, and a maximum area equal to 10 parking spaces for outside display areas.</p> <p>However, a maximum of 30 <i>surface parking spaces</i> shall be permitted, in addition to the permitted outside display areas.</p>

# Parking and Loading Regulations

Table 5.1B - Parking Requirements For Non-Residential Uses		
(4)	<i>Café</i>	<p>No <i>parking spaces</i> shall be required and a maximum of 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> shall be permitted.</p> <p>In the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i> or <i>on-street</i>.</p>
(5)	<i>Club</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(6)	<i>Commercial fitness centre; or, Place of amusement</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(7)	<i>Commercial residential -combined (mixed use)</i>	The applicable regulations for <i>non-residential uses</i> apply to the <i>non-residential floor area</i> , while the applicable residential regulations apply to the <i>dwelling units</i> .
(8)	<i>Commercial residential -connected (live-work)</i>	<p>Residential Component: 1 <i>parking space</i> minimum and 2 <i>parking spaces</i> maximum per <i>dwelling unit</i> which may be provided in tandem; and,</p> <p>Commercial Component: i) up to 90 square metres - 2 <i>parking spaces</i> ii) over 90 square metres - the applicable regulations for <i>non-residential uses</i> apply to the <i>non-residential floor area</i></p>
(9)	<i>Commercial school</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(10)	<i>Commercial self storage</i>	1 <i>parking space</i> per 650 square metres of <i>leasable floor area</i> minimum.

# Parking and Loading Regulations

Table 5.1B - Parking Requirements For Non-Residential Uses		
(11)	Community centre	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p> <p>Notwithstanding the foregoing, where a <i>community centre</i> includes, or is located adjacent to, an arena, the parking requirements for the arena portion of the facility shall be those established for an arena, not the requirements for a <i>community centre</i>.</p>
(12)	Convenience store	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum</p>
(13)	Day care centre	<p>1 <i>parking space</i> per 40 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> maximum</p> <p>In addition, 1 queued <i>parking space</i> per every five pupil capacity maximum is required.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(14)	Funeral home	<p>Minimum of 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> or 1 <i>parking space</i> per 6 seats in a chapel, whichever is greater; and,</p> <p>Maximum of 1 <i>parking space</i> per 13 square metres of <i>leasable floor area</i> or 1 <i>parking space</i> per 4 seats in a chapel, whichever is greater</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p> <p>For the purposes of this standard, each 50 centimetres of bench length equals 1 seat.</p>
(15)	Hospital	<p>Minimum of 1 <i>parking space</i> per 40 square metres of <i>leasable floor area</i> minimum, and only 20% of the parking may be permitted in <i>surface parking areas</i>; and,</p> <p>Maximum of 1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> whichever is greater, and only 20% of the parking may be permitted in <i>surface parking areas</i>.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>

# Parking and Loading Regulations

Table 5.1B - Parking Requirements For Non-Residential Uses		
(16)	<i>Hotel</i>	<p>0.65 <i>parking spaces</i> per <i>suite</i> plus 1 <i>parking space</i> for every 10 square metres of <i>leasable floor area</i> devoted to public hall uses minimum; and,</p> <p>1 <i>parking space</i> per <i>suite</i> plus 1 <i>parking space</i> for every 10 square metres of <i>leasable floor area</i> devoted to <i>public hall</i> uses maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(17)	<p><i>Industrial use (Light or General)</i> with the exception of <i>industrial warehouses</i>:</p> <p>a. <i>leasable floor area</i> of each premises 7500 sq. m. or less</p> <p>b. <i>leasable floor area</i> of each premises in excess of 7500 sq. m.</p>	<p>1 <i>parking space</i> per 100 square metres of <i>leasable floor area</i> minimum.</p> <p>1 <i>parking space</i> per 200 square metres of <i>leasable floor area</i> minimum</p>
(18)	<p><i>Industrial warehouse</i>:</p> <p>a. with a <i>leasable floor area</i> of less than 5,000 sq. m.</p> <p>b. with a <i>leasable floor area</i> of 5,000 sq. m. or greater</p>	<p>1 <i>parking space</i> per 100 square metres of <i>leasable floor area</i> minimum.</p> <p>1 <i>parking space</i> per 200 square metres of <i>leasable floor area</i> minimum</p>
(19)	<p><i>Office use, General;</i> <i>Financial institution;</i> Call centre; or Information processing <i>Research and Development</i></p>	<p>1 <i>parking space</i> per 37 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> maximum except for a call centre where the maximum may be 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i>.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(20)	<i>Office, Medical</i>	<p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 15 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones, no additional <i>parking spaces</i> above the minimum shall be required or permitted unless such parking is located in a <i>parking garage</i>.</p>
(21)	<p><i>Service commercial</i> other than <i>veterinary clinic</i> and <i>funeral home</i>; or <i>Service establishment (2023-025)</i></p>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be required or permitted, unless such parking is located in a <i>parking garage</i>.</p>

# Parking and Loading Regulations

Table 5.1B - Parking Requirements For Non-Residential Uses		
(22)	<i>Place of worship</i>	<p>Outside the Trafalgar Urban Core Zone a maximum of 1 <i>parking space</i> per 10 square metres of <i>leasable floor area</i> or 1 <i>parking space</i> per 4 seats, whichever is greater; and,</p> <p>For lands in the Trafalgar Urban Core Zone a maximum of 1 <i>parking space</i> per 15 square metres of <i>leasable floor area</i> or 1 <i>parking space</i> per 6 seats, whichever is greater and,</p> <p>Where the seating is provided by open benches, every 50 cm of bench length shall be considered as one seat for the purpose of this By-law.</p>
(23)	<i>Public hall or Night club</i>	<p>1 <i>parking space</i> per 10 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 5.5 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(24)	<i>Public school elementary or Private school, elementary</i>	<p>1 <i>parking space</i> per classroom minimum; and,</p> <p>2 <i>parking spaces</i> per classroom maximum.</p>
(25)	<i>Public school secondary or Private school, secondary</i>	<p>1 <i>parking spaces</i> per classroom minimum; and,</p> <p>3 <i>parking spaces</i> per classroom maximum</p>
(26)	<i>Restaurant</i> (all types with the exception of <i>Cafés</i> )	<p>Outside the Trafalgar Urban Core Zone, a minimum of 1 <i>parking space</i> per 9 square metres of <i>leasable floor area</i> and, a maximum of 1 <i>parking space</i> per 6 square metres of <i>leasable floor area</i>.</p> <p>For lands within the Trafalgar Urban Core Zone, a minimum of 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> and a maximum of 1 <i>parking space</i> per 15 square metres of <i>leasable floor area</i>.</p> <p>Any <i>outdoor patio</i> area associated with a <i>restaurant</i> not exceeding 50 percent of the total <i>leasable floor area</i> of the <i>restaurant</i> shall be exempt from the parking requirements. <i>Outdoor patio</i> area in excess of 50 percent of the total <i>leasable floor area</i> of the <i>restaurant</i> shall require parking at the above rates.</p>
(27)	<i>Retail store</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum; and,</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be required or permitted, unless such parking is located in a <i>parking garage</i>.</p>
(28)	<i>Gas Bar</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p>
(29)	<i>Transportation terminal</i>	<p>A minimum of 1 space per 30 square metres of <i>leasable floor area</i> and 1 <i>parking space</i> for every 150 square metres of <i>leasable floor area</i> for the non-office component.</p>

## Parking and Loading Regulations

<b>Table 5.1B - Parking Requirements For Non-Residential Uses</b>		
(30)	<i>Veterinary clinic</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 15 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be required or permitted, unless such parking is located in a <i>parking garage</i>.</p>
(31)	Any use not specified above	1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> maximum.



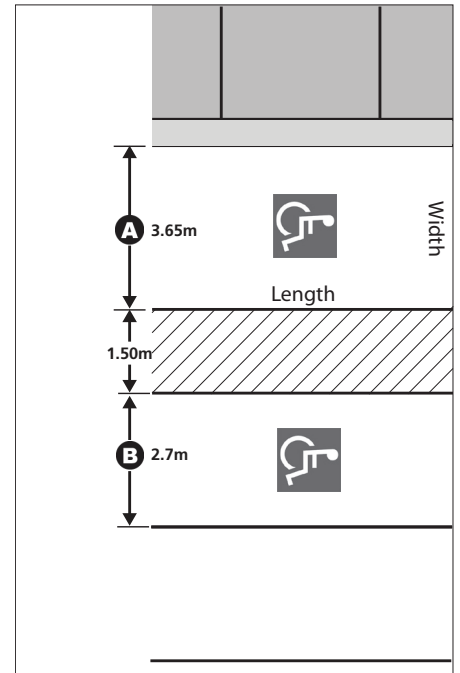
# Parking and Loading Regulations

## 5.2 Accessible Parking

### 5.2.1 Number of Accessible Parking Spaces Required (2022-007)

Accessible *parking spaces* are required for non-residential uses in accordance with the following table:

Table 5.2 - Accessible Parking	
Total number of Parking Spaces in all Parking Areas on the Lot (2023-025)	Number of Accessible Parking Spaces Required in Column A
COLUMN A	COLUMN B
Less than 10	0
11 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of the total
1001 and over	20 plus 1 for each 100 over 1000



Additional consideration should be given to providing a barrier-free path of travel between two accessible parking spots. Two barrier-free parking spaces, regardless of width, can share a barrier-free path of travel.

### 5.2.2 Dimensions and Paths of Travel (2022-007)

a. The minimum dimensions for an accessible *parking space* shall be in accordance with the dimensions of Table 5.2.2, below:

Table 5.2.2 - Dimensions of Accessible Parking Spaces		
Type	Width	Length
Type A	3.65m	5.20m
Type B	2.70m	5.20m

- b. Where the minimum number of accessible *parking spaces* required is even, an equal number of Type A and Type B accessible *parking spaces* shall be required.
- c. Where the minimum number of accessible *parking spaces* required is odd, the additional accessible parking space remaining shall be a Type B accessible *parking space*. Where the minimum number of accessible *parking spaces* is one, the accessible *parking space* shall be a Type A accessible *parking space*. (2023-025)

# Parking and Loading Regulations

- d. An accessible path of travel 1.5 metres in width is required abutting the entire length of the longest side of an accessible *parking space*. A path of travel can be shared by two accessible *parking spaces*.

## 5.3 Shared Parking

Where there is more than one use on a *lot*, parking for *residential uses* shall be provided in accordance with the requirements of Table 5.1A, while parking for non-*residential uses* may be provided in accordance with Table 5.1B or at a minimum of 1 parking space per 30 square metres *leasable floor area* and a maximum of 1 *parking space* per 20 square metres *leasable floor area* provided that *restaurants*, excluding *cafes*, occupy no more than 20% of the total *leasable floor area* of all *buildings* on the site. Where *restaurants*, excluding *cafes*, occupy more than 20% of the *leasable floor area*, parking for the additional *leasable floor area* for *restaurants* shall be provided on the basis of a minimum of 1 *parking space* per 9 square metres of *leasable floor area*.

## 5.4 Parking Area and Driveway Regulations

### 5.4.1 Regulations for Parking Areas

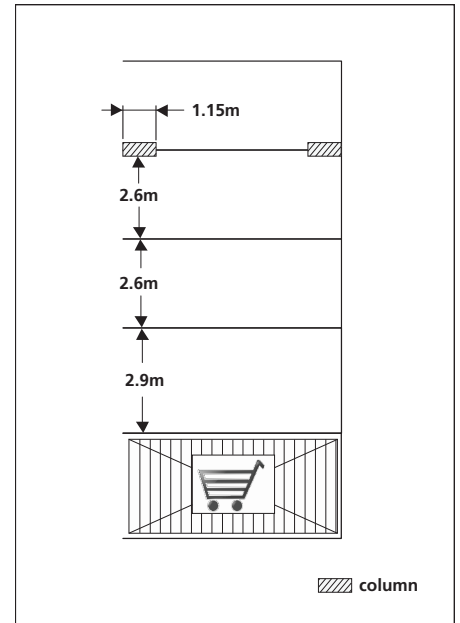
#### 5.4.1.1 Number of required parking spaces permitted on a driveway

No more than one required *parking space* associated with a *single detached dwelling*, *semi-detached dwelling unit*, *triplex dwelling*, *duplex dwelling* or street-related *townhouse dwelling unit* shall be located on a *driveway* within the *front yard* or the *flankage yard* of a *lot*.

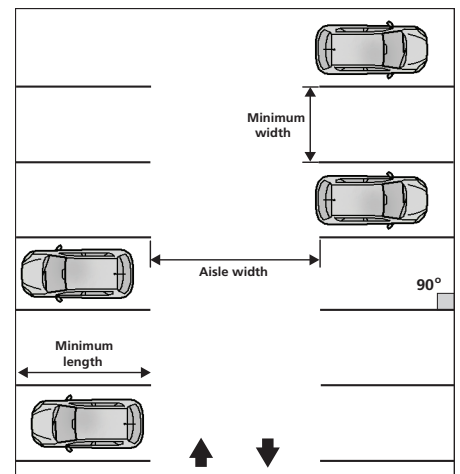
#### 5.4.1.2 Size of required parking spaces in a private garage

Each required *parking space* in a *private garage* for *single detached dwelling*, *semi-detached dwelling unit*, *triplex dwelling*, *duplex dwelling* or street-related *townhouse dwelling unit*, *back-to-back* and *stacked townhouses* shall have an unobstructed area with a width of not less than 3.0 metres and a length of not less than 5.5 metres for a single car *private garage* and a width of not less than 5.6 metres and a length of not less than 5.5 metres for a double car *private garage*. However, one step may encroach into the length of the *parking space* at the end of the *parking space*. In addition, obstructions within 1.15 metres of either stall end and not greater than 0.3 metres in width are permitted.

For a required *parking space* located exterior to a *parking garage* for a *single detached dwelling*, *semi-detached dwelling*, *triplex dwelling*, *duplex dwelling* or *stacked, back-to-back* or *street townhouse dwelling unit*, the minimum *parking space* size shall be a width of 2.6 metres and a length of 5.2 metres. Obstructions within



Where a wall, column, stairs, or other obstruction is located next to a parking space, additional width may be required.



The aisle width required where parking spaces are perpendicular to the drive aisle is 7.0 metres.

# Parking and Loading Regulations

1.15 metres of either stall end and not greater than 0.3 metres in width are permitted.

### 5.4.1.3 Size of required parking spaces in a parking garage or parking lot and minimum aisle widths

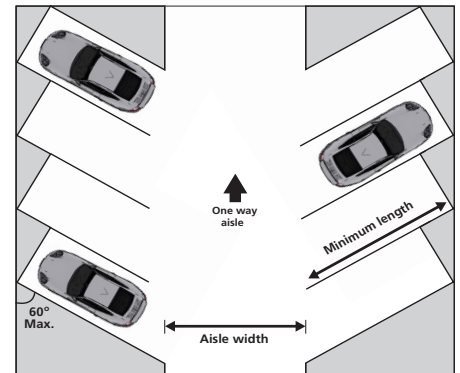
Each required *parking space* in a *parking garage* or *parking lot* shall have a width of not less than 2.6 metres and a length of not less than 5.2 metres. (2022-007)

Where a wall, column or other obstruction is located immediately adjacent to a stall, the width of the stall shall be increased by 0.3 metres for each side that is obstructed. Obstructions within 1.15 metres of either stall end do not require an increase in stall width.

*Parking spaces* shall be accessed with a minimum parking aisle width of 7 metres for 90 degree angle parking. For angles 60 degrees or less and providing one-way travel access, the minimum aisle width may be reduced to 5.5m. (2022-007)

### 5.4.1.4 Setbacks for parking garages below grade

No *setbacks* or *yards* shall be required for any portion of a *parking garage* if it is constructed completely below the *established grade*. This exemption shall also apply to ventilation shafts and housings, stairways and other similar facilities associated with the below *grade parking garage*, except abutting a *residential zone* when the *setback* shall be 1 metre.



*Aisle widths can be reduced where parking is provided at a 60 degree angle to the drive aisle.*

## Parking and Loading Regulations

### 5.4.1.5 Regulations for tandem parking spaces

*Tandem parking spaces* are permitted for *residential buildings* containing no more than 2 *dwelling units* and for a street-related *townhouse dwelling unit* and *stacked townhouses* and *back-to-back dwelling units*.

### 5.4.1.6 Parking access

Parking area access shall be provided by at least one entrance *lane* and one exit *lane*. If separate, each access *lane* shall be minimum width of 3 metres. If combined, the access *lane* shall be a minimum width of 5.5 metres.

## 5.5 Commercial Vehicles, Motor Homes, Recreational Trailers/Vehicles and Boats

No person shall *use* any parking area or *parking space* on any residential *lot*, except in accordance with the following provisions:

- i. *Commercial Vehicle* Parking/Storage
  - a. Parking in a *driveway* of one *commercial vehicle* is permitted provided the *commercial vehicle*:
    - does not exceed a gross weight of 3000 kg;
    - registered with the Province;
    - does not exceed a maximum length of 6 metres;
    - does not exceed a maximum height of 2.3 metres;
    - is used for the resident's transportation to and from a place of employment.
  - b. Parking and storage of the following vehicles are prohibited on all residential *lots*:
    - unlicensed *vehicles*;
    - *vehicles* equipped with more than 3 axles, excluding space wheels
    - designed to support the *vehicle* when parked or stored;
    - buses;
    - *vehicles* designed to run only on rails;
    - farm tractors;
    - construction *vehicles*;
    - tracked *vehicles*, except for snowmobiles; and,
    - vehicles in a wrecked, dismantled or inoperative condition.
- ii. *Recreational Vehicles*

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

- a. Any *trailer* or *recreational vehicle* which does not exceed a height of 2m, may be parked or stored in any *interior side yard*

## Parking and Loading Regulations

or *rear yard*, however if located within a *flankage yard* it must be screened from public view from the *street* by a fence, wall or hedge with a minimum *height* of 2m.

- b. Any *trailer* or *recreational vehicle*, which exceeds a *height* of 2m, may be parked or stored in any *side* or *rear yard* between May 1st and October 31st provided it is located in any *interior side* or *rear yard*, however it shall not be permitted within 10.5 metres of a *flankage*.

### 5.6 Loading Dock Requirements

#### 5.6.1 Number of Loading Docks Required

*Loading docks* may be permitted, but shall not be required for any *uses*, with the exception of industrial uses. *Loading docks* shall be provided for all industrial *uses* in accordance with the standards below:

- i. If the *use*, or a combination of *uses*, has a *leasable floor area* of less than 1,000 square metres, no *loading docks* are required.
- ii. If the *use*, or a combination of *uses*, has a *leasable floor area* of between 1,000 and 2,300 square metres, one *loading dock* is required.
- iii. If the *use*, or a combination of *uses*, has a *leasable floor area* greater than 2,300 square metres, a minimum of two *loading docks* are required.

#### 5.6.2 Loading Dock Regulations

A *loading dock*, when required or provided, shall satisfy the following requirements:

- i. Each *loading dock* shall have a minimum length of 9 metres;
- ii. Unobstructed access to a *loading dock* must be provided from an aisle, *driveway*, or lane that leads directly to a *street*.

#### 5.6.3 Permitted Location for Loading Docks

*Loading docks* when required or provided, shall be located only in an *interior side yard*, *flankage* or *rear yard* and on the same *lot* as the *use*, or combination of *uses*, for which the *loading docks* are required or are being provided. However, where *loading docks* are located in any *yard* abutting a *residential zone* or a *street*, they must be screened from view by an opaque screen with a minimum height of 1.5 metres.

# Parking and Loading Regulations

## 5.7 Bicycle Parking and End-of-Trip Requirements

- i. The number of *bicycle parking spaces* required shall be calculated in accordance with the standards set out in Tables 5.7A and 5.7B. Tables 5.7A and 5.7B establish the minimum amount of bicycle parking required for *residential uses* and non-residential *uses* respectively.
- ii. Where a *building* contains *residential* and non-residential *uses*, *bicycle parking spaces* must be provided for that *building* in accordance with the proportion of the *building* occupied by each use based on the rates set out in Tables 5.7A and 5.7B.
- iii. *Bicycle parking spaces* must be located on the same *lot* as the use or *building* for which it is provided.
- iv. Notwithstanding Sections i. and ii., a maximum of 200 *bicycle parking spaces* shall be required.
- v. Where the application of ratios results in a fraction of a *bicycle parking space*, the required number of spaces shall be increased to the next highest whole number.

### 5.7.1 Bicycle Parking Ratios

Table 5.7A - Minimum Number of Bicycle Parking Spaces Required		
Land Use	Bicycle Parking Spaces—Occupant	Bicycle Parking Spaces—Visitor
<i>Residential uses</i>	0.75 per <i>dwelling unit</i>	0.25 per <i>dwelling unit</i>
<i>Nursing Homes and Retirement Homes</i>	N/A	0.25 per <i>dwelling unit</i> or <i>suite</i> to a maximum of 30 spaces required

#### 5.7.1.1 Residential Use Exemptions

No bicycle parking requirement applies to residential *buildings* with 20 or less *suites* or *dwelling units*, *townhouse dwelling units*, or *group homes*.

Table 5.7B - Non-residential Uses: Minimum Requirements	
Land Use	Minimum Requirement
Non-Residential <i>uses</i> that require 15 or more non-residential <i>parking spaces</i> , as specified in the Zoning By-Law	<i>Bicycle Parking Spaces</i> required at a rate of 7% of automobile <i>parking spaces</i> , as required by the Zoning Bylaw, including a minimum of 5 <i>Bicycle Parking Spaces-Visitor</i>
An <i>office building</i> or hospital where the combined <i>leasable floor area</i> , excluding the uses listed in 5.7.1.4, is equal to or greater than 20,000 square metres.	1 shower-change facility for each gender

#### 5.7.1.2 Non-residential Use Exemptions

No bicycle parking requirement applies for the following *uses* specified in the Zoning By-law:

## Parking and Loading Regulations

Golf driving range, *funeral home, hotel, vehicle dealership, vehicle repair facility, gas bar, nursery/garden centre, commercial self-storage and veterinary clinic.*

### **5.7.2 Cash-in-lieu of Bicycle Parking**

Notwithstanding the provisions of Section 5.7.1, and where requested by the owner, the Municipality may, in any *zone*, enter into an agreement exempting an owner or occupant from the requirement of providing or maintaining some or all of the required *bicycle parking spaces-visitor* and such an agreement shall provide for the making of one or more payments to the Municipality in lieu of the provision of *bicycle parking spaces-visitor*.

# Permitted Uses

Subject to compliance with the balance of this By-law, the following uses are permitted within the zones corresponding to the columns identified with a “•” in Table 6.1:

Table 6.1 - Permitted Use Table													
USE	ZONE												
	TUC	DUC	NUC	PUC	NC	GU	S	HDR	LE	GE	SA	CE	AS
Open Space, Recreation and Conservation													
<i>Cemetery</i>													•
<i>Private Park (2012-001)</i>	•	•	•		•	•	•	•	•	•	•		
<i>Public Park</i>													
Commercial, Service and Related Uses													
<i>Retail Store, but not a Convenience Store</i>	•	•	•		•						•		
<i>Service Commercial</i>	•	•	•		•						•		
<i>Vehicle Dealership; Vehicle Repair Facility</i>											•		•
<i>General Office Use or Medical Office or Financial Institution</i>	•	•	•		•			•	•	•	•		
<i>Commercial \ Residential</i>	•	•	•		•			•					
<i>Commercial Fitness Centre</i>	•	•	•		•			•			•		
<i>Convenience Store</i>	•	•	•		•			•			•		
<i>Hotel</i>	•	•	•						•		•		
<i>Place of Amusement</i>	•	•	•						•	•	•		
<i>Club</i>	•	•	•					•	•	•	•		
<i>Nightclub</i>	•								•	•	•		
<i>Public Hall</i>	•	•	•					•	•	•	•		
<i>Parking Garage</i>	•	•	•					•	•	•	•		
<i>Restaurant</i>	•	•	•		•			•			•		
<i>Cafe</i>	•	•	•		•			•			•		
<i>Service Establishment</i>	•	•	•		•				•		•		

Uses permitted in a zone are denoted by the symbol “•” in the column applicable to that zone and corresponding with the row for the specific permitted use.



# Permitted Uses

Table 6.1 - Permitted Use Table													
USE	ZONE												
	TUC	DUC	NUC	PUC	NC	GU	S	HDR	LE	GE	SA	CE	AS
<i>Funeral Home</i>	•	•	•										
Arena, Theatre, Stadium, Trade and Convention Centre	•	•	•						•	•	•		
<i>Veterinary Clinic</i>	•	•	•										
<i>Gas Bar</i>													•
<i>Drive-Through Facility</i>													
<i>Ancillary Retail / Service Commercial</i>													
<b>Community and Institutional Uses</b>													
<i>Art Gallery (2012-001)</i>	•	•	•		•			•					
<i>Library (2012-001)</i>	•	•	•		•			•					
<i>Museum (2012-001)</i>	•	•	•		•			•					
<i>Place of Worship</i>	•	•	•		•			•	•		•		
<i>Post-Secondary School</i>	•	•	•										
<i>Public School</i>	•	•	•		•			•					
<i>Private School</i>	•	•	•		•								
<i>Commercial School</i>	•	•	•		•			•	•		•		
<i>Private Career College</i>	•	•	•						•		•		
<i>Community Centre</i>	•	•	•					•					
<i>Nursing Home</i>	•	•	•		•			•					
Hospital	•	•	•										
<i>Day Care</i>	•	•	•		•	•	•	•	•	•	•		
<b>Employment</b>													
<i>Contractors Facility (2012-001)</i>										•			
<i>Light industrial</i>									•	•	•		

# Permitted Uses

Table 6.1 - Permitted Use Table													
USE	ZONE												
	TUC	DUC	NUC	PUC	NC	GU	S	HDR	LE	GE	SA	CE	AS
Information processing	•	•	•						•	•	•		
Call Centres	•	•	•						•	•	•		
<i>Research and Development</i>	•	•	•						•	•			
<i>General industrial</i>										•			
<i>Outside Storage and Outside Processing</i>										•			
<i>Commercial self storage</i>													
<i>Transportation terminal</i>										•			
<i>Vehicle Storage Compound</i>													
<b>Residential</b>													
<i>Residential including accessory dwelling unit in accordance with Section 4.29 (2023-025)</i>	•	•	•		•	•	•	•					
<i>Retirement Home</i>	•	•	•		•			•					
<i>Private-home day care</i>	•	•	•		•	•	•	•					
<i>Home occupation</i>	•	•	•		•	•	•	•					
<i>Bed and breakfast establishment</i>	•	•	•		•	•	•	•					
<i>Short-Term Accommodation (2018-038)</i>	•	•	•		•	•	•	•					
<i>3 or less lodgers in a single detached dwelling where that building type is permitted. (2022-007)</i>	•	•	•		•	•	•						
<i>Caretaker dwelling unit</i>									•	•		•	

# Permitted Uses

<b>Table 6.2 - Permitted Use Table for Institutional, Park and Utility Zones (2012-001)</b>			
<b>USE</b>	<b>ZONE</b>		
	<b>I</b>	<b>P</b>	<b>SWM</b>
<b>Open Space, Recreation and Conservation Uses</b>			
<i>Park, Private</i>	•		
<i>Park, Public</i>	•	•	
<b>Commercial, Service and Related Uses</b>			
<i>Ancillary Retail / Service Commercial</i>	•	•	
<i>Club</i>		•	
<i>Financial Institution</i>	•		
<i>General Office Use</i>	•		
<i>Medical Office</i>	•		
<i>Parking Garage</i>	•		
<i>Public Hall</i>		•	
<b>Community and Institutional Uses</b>			
<i>Art Gallery</i>	•	•	
<i>Library</i>	•	•	
<i>Museum</i>	•	•	
<i>Nursing Home</i>	•		
<i>Place of Worship</i>	•		
<i>Private Career College</i>	•		
<i>Public Works Yard</i>	•		
<i>School, Commercial</i>	•		
<i>School, Post-secondary</i>	•		
<i>School, Private</i>	•		
<i>School, Public</i>	•		
<i>Stormwater Management Facility</i>			•
<b>Employment Uses</b>			
<i>Outside Storage and Outside Processing</i>	• (1)		
<i>Research and Development</i>	•		
<b>Residential Uses</b>			
<i>Caretaker Dwelling Unit</i>	•		
<i>Retirement Home</i>	•		

### Notes for Table 6.2

1. Permitted *accessory* to an *emergency service facility* and *public works yard* only, subject to the regulations of Section 7.10.4 of this By-law.

# Trafalgar Urban Core Zone

## 7.1 Trafalgar Urban Core (TUC) Zone Regulations

### 7.1.1 Uses Permitted

- i. See Section 6.
- ii. *Retail Uses*

Maximum *leasable floor area* of *retail commercial uses* in the TUC Zone, shall be 38,000 square metres.

7.1.2 Building Types Permitted and Related Standards						
Building Type	Min. Floor Space Index	Max. Floor Space Index	Min. Front Yard and Flankage <b>A B</b>	Max. Front Yard and Flankage <b>A B</b>	Minimum Interior Side Yard Setback <b>C</b>	Minimum Rear Yard Setback <b>D</b>
<ul style="list-style-type: none"> <li>• <i>Mixed use building;</i></li> <li>• <i>Apartment;</i></li> <li>• <i>Office building;</i></li> <li>• <i>Hotel;</i></li> <li>• <i>Institutional building;</i></li> <li>• <i>Parking garage;</i></li> <li>• <i>Commercial/residential building</i></li> </ul>	<p><i>Lots which abut Trafalgar Road</i> 1</p> <p>Other 0.75</p>	5	0.0 m	6 m	0.0 m <sup>1</sup>	<p>1 m with rear <i>lane</i> access, unless there is a <i>residential use at grade</i> where the <i>setback</i> shall be 0.75 m</p> <p>6 m without rear <i>lane</i> access, except abutting lands in the NHS, CE, or P Zones where the <i>setback</i> shall be a minimum of 3 m</p>

<sup>1</sup> *Minimum Interior Side Yard Setback* – Notwithstanding this requirement, if the *side yard* abuts lands in the GU or S Zone and the *building* on the *lot* has a *height* of 4 *storeys* or less, the *setback* shall be 1.5 m; and if the *building* has a *height* of more than 4 *storeys* the *setback* shall be 7 m.

### 7.1.3 Permitted Yard Encroachments

See Section 4.21

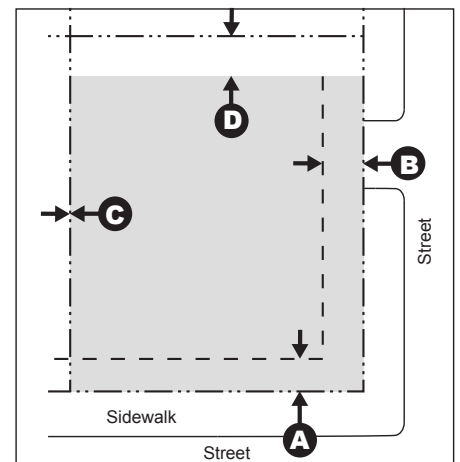
### 7.1.4 Height

- H** Minimum *height* for all *buildings*, other than *accessory buildings* and *structures* - 3 *storeys*

Maximum *height* - 15 *storeys*

### 7.1.5 Parking Standards

See Section 5



The grey represents potential building area. The internal dashed line represents the maximum yard.

# Trafalgar Urban Core Zone

## 7.1.6 Accessory Buildings and Structures

See Sections 4.14 through 4.20 inclusive

## 7.1.7 Performance Zone Categories – Trafalgar Urban Core (TUC) Zone

### 7.1.7.1 Trafalgar Urban Core Performance (TUC-1) Zone 1

In the Trafalgar Urban Core Performance (TUC-1) Zone 1, in addition to the permitted *uses*, *buildings* and regulations in the TUC Zone, the permitted *uses* and *buildings* in the GU Zone shall also be permitted, and the regulations of the GU Zone shall be applicable to those *uses* and buildings. Notwithstanding the regulations of the GU Zone, however, the minimum *rear yard* shall be 6m.

### 7.1.7.2 Trafalgar Urban Core Performance (TUC-2) Zone 2

The regulations of the TUC Zone shall apply in the Trafalgar Urban Core Performance (TUC-2) Zone 2, with the exception that the maximum *height* shall be 20 *storeys*.

### 7.1.7.3 Trafalgar Urban Core Performance (TUC-3) Zone 3

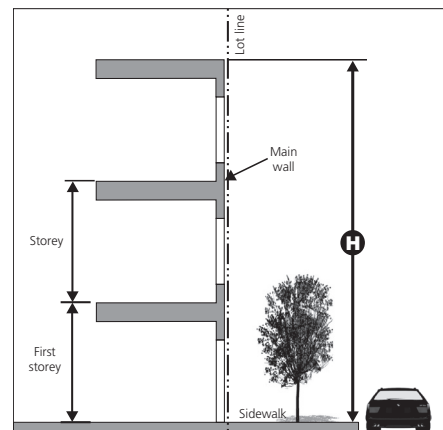
The regulations of the TUC Zone shall apply in the Trafalgar Urban Core Performance (TUC-3) Zone 3, with the exception that the maximum *height* shall be 30 *storeys* provided that:

- i. all parking shall be located underground or in a *parking garage* with the exception of visitor parking and service *vehicles*;
- ii. the *building* shall be LEED certified or equivalent; and,
- iii. a minimum of 50% of the *first storey* shall be utilized for *commercial* or institutional *uses*.

### 7.1.7.4 Trafalgar Urban Core Performance (TUC-4) Zone 4

The regulations of the TUC Zone shall apply in the Trafalgar Urban Core Performance (TUC-4) Zone 4, with exception that:

- i. Permitted *Uses* shall be limited to:
  - a. *general office* use,
  - b. *medical office*,
  - c. *hotel*, and,
  - d. institutional;
- ii. *Light industrial uses* shall also be permitted if a minimum of 40% of the *floor area* is used for *general office use*, *medical office*, information processing, call centres, *ancillary retail* and *service commercial* and business support services, and



Height is measured to the tallest point of a building, excluding a number of rooftop features (see Section 4.28).

## Trafalgar Urban Core Zone

*restaurants*. The 40% non-industrial uses shall be located in that portion of the building fronting on Trafalgar Road;

- iii. Permitted *buildings* shall be limited to *office buildings, hotel, institutional buildings, place of worship buildings, light industrial buildings* provided the *uses* satisfy the requirements of subsection ii., and *parking garages*; and,
- iv. The minimum *floor space index* for *lots* which do not abut Trafalgar Road or Burnhamthorpe Road shall be 0.35.

### 7.1.7.5 Trafalgar Urban Core Performance (TUC-5) Zone 5

The regulations of the TUC-4 *Zone* shall apply in the Trafalgar Urban Core Performance (TUC-5) *Zone* 5, however, in addition, *retail and service commercial uses, convenience stores and restaurants* shall be permitted in *commercial buildings* with a minimum *overall height* of 5 metres.

### 7.1.7.6 Trafalgar Urban Core Performance (TUC-6) Zone 6

The regulations of the TUC *Zone* shall apply in the Trafalgar Urban Core Performance (TUC-6) *Zone* 6, however, *commercial buildings* with a minimum *overall height* of 5 metres shall be permitted.

### 7.1.7.7 Trafalgar Urban Core Performance (TUC-7) Zone 7

Notwithstanding the limit on the *leasable floor area* of *retail commercial uses* in the TUC *Zone* established in Section 7.1.1 ii., an additional 55,000 square metres of *leasable floor area* of *retail commercial uses* shall be permitted in the Trafalgar Urban Core Performance (TUC-7) *Zone* 7.

### 7.1.7.8 Trafalgar Urban Core Performance (TUC-8) Zone 8

The permitted *uses, buildings* and regulations of the TUC *Zone* shall apply in the Trafalgar Urban Core Performance (TUC-8) *Zone* 8, however, where a *lot* has *streets* on three or four sides, the *front and flankage yard* requirements shall apply to all *yards* abutting a *street*.

### 7.1.7.9 Trafalgar Urban Core Performance (TUC-9) Zone 9

The permitted *uses, buildings* and regulations of the TUC *Zone* shall apply in the Trafalgar Urban Core Performance (TUC-9) *Zone* 9, however, notwithstanding the provisions of Section 5.1.3, *Location of Parking Spaces*, the required *parking spaces* for any *use* may be located on the *lot* on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

## Trafalgar Urban Core Zone

### **7.1.7.10 Trafalgar Urban Core Performance (TUC-10) Zone 10**

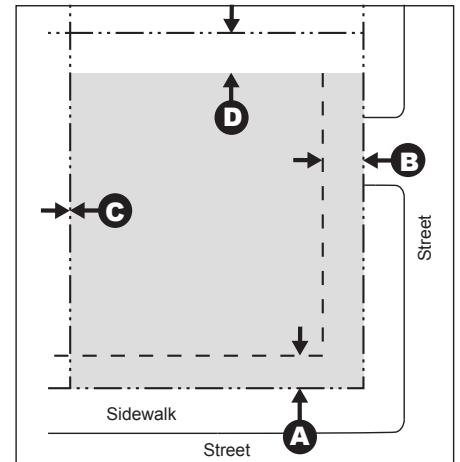
The permitted *uses, buildings* and regulations of the TUC Zone shall apply in the Trafalgar Urban Core Performance (TUC-10) Zone 10, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, Maximum *Height* for *private garages*, the maximum *height* if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

# Dundas Urban Core Zone

## 7.2 Dundas Urban Core (DUC) Zone Regulations

### 7.2.1 Uses Permitted

- i. See Section 6.
- ii. *Retail* Uses
  - a. No single *retail use* shall exceed a maximum of 7,000 square metres of *leasable floor area*; and,
  - b. The maximum total *retail* development in the DUC Zone, including any DUC Performance Zone, shall not exceed 32,000 square metres *leasable floor area* of *retail* development, of which a maximum of 19,000 square metres of *leasable floor area* of *retail* development, which may include a *supermarket*, shall be located within 300 metres of the intersection of Dundas St. and Neyagawa Blvd.



The grey represents potential building area. The internal dashed line represents the maximum yard.

7.2.2 Building Types Permitted and Related Standards						
Building Type	Min. Floor Space Index	Max. Floor Space Index	Min. Front Yard and Flankage <b>A B</b>	Max. Front Yard and Flankage <b>A B</b>	Min. Interior Side Yard Setback <b>C</b>	Minimum Rear Yard Setback <b>D</b>
<ul style="list-style-type: none"> <li>• <i>Mixed use building;</i></li> <li>• <i>Apartment;</i></li> <li>• <i>Office building;</i></li> <li>• <i>Hotel;</i></li> <li>• <i>Institutional building;</i></li> <li>• <i>Parking garage;</i></li> <li>• <i>Commercial/residential building</i></li> </ul>	0.5	2.5	0.0 m	6 m	0.0 m <sup>1</sup>	1 m with rear <i>lane</i> access, unless there is a <i>residential use</i> at <i>grade</i> where the <i>setback</i> shall be 0.75 m 6 m without rear <i>lane</i> access, except abutting lands in the NHS, CE, or P Zones where the <i>setback</i> shall be a minimum of 3 m

<sup>1</sup> *Minimum Interior Side Yard Setback* – Notwithstanding this requirement, if the *side yard* abuts lands in the GU or S Zone and the *building* on the *lot* has a *height* of 4 *storeys* or less, the *setback* shall be 1.5 m; and if the *building* has a *height* of more than 4 *storeys* the *setback* shall be 7 m.

### 7.2.3 Permitted Yard Encroachments

See Section 4.21



# Dundas Urban Core Zone

## 7.2.4 Height

- H** Minimum *height* for all *buildings*, other than *accessory buildings and structures* - 2 storeys

Maximum *height* - 8 storeys

## 7.2.5 Parking Standards

See Section 5

## 7.2.6 Accessory Buildings and Structures

See Sections 4.14 through 4.20 inclusive

## 7.2.7 Performance Zone Categories - Dundas Urban Core (DUC) Zone

### 7.2.7.1 Dundas Urban Core Performance (DUC-1) Zone 1

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-1) Zone 1, however, in addition *commercial buildings* with a minimum *overall height* of 5 metres shall be permitted.

### 7.2.7.2 Dundas Urban Core Performance (DUC-2) Zone 2

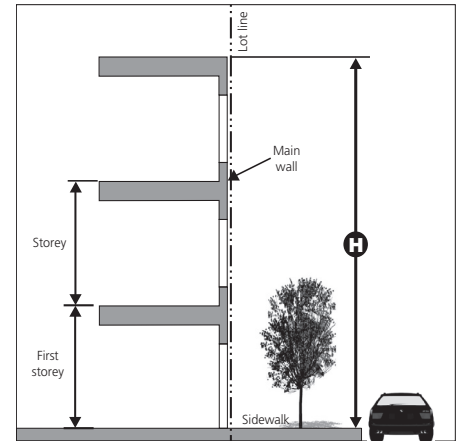
In addition to the permitted *uses* and regulations of the DUC Zone, in the Dundas Urban Core Performance (DUC-2) Zone 2, the *uses and buildings* in the GU Zone will also be permitted and the regulations of the GU Zone shall apply to those *uses and buildings*. Notwithstanding the regulations of the GU Zone, however, the *minimum rear yard* shall be 6 m.

### 7.2.7.3 Dundas Urban Core Performance (DUC-3) Zone 3

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-3) Zone 3, however, the minimum *height* for all *buildings*, other than *accessory buildings and structure* shall be three storeys.

### 7.2.7.4 Dundas Urban Core Performance (DUC-4) Zone 4

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-4) Zone 4, however, where a *lot* has *streets* on three or four sides, the *front and flankage yard* requirements shall apply to all *yards* abutting a *street*.



*Height is measured to the tallest point of a building, excluding a number of rooftop features (see Section 4.28).*

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## Dundas Urban Core Zone

### 7.2.7.5 Dundas Urban Core Performance (DUC-5) Zone 5

The permitted *uses*, *buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-5) Zone 5, however, notwithstanding the provisions of Section 5.1.3, Location of *Parking Spaces*, the required *parking spaces* for any use may be located on the *lot* on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

### 7.2.7.6 Dundas Urban Core Performance (DUC-6) Zone 6

The permitted *uses*, *buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-6) Zone 6, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, Maximum *Height* for *private garages*, the maximum *height*, if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

### 7.2.7.7 Dundas Urban Core Performance (DUC-7) Zone 7

In addition to the permitted uses and regulations of the DUC Zone, in the Dundas Urban Core Performance (DUC-7) Zone 7, the *uses* and *buildings* in the GU Zone will also be permitted and the regulations of the GU Zone shall apply to those *uses* and *buildings*. However, notwithstanding the permitted *building* types and related standards (Section 7.6.2) of the GU Zone, *single-detached* and *semi-detached building* types shall not be permitted.

### 7.2.7.8 Dundas Urban Core Performance (DUC-8) Zone 8

The permitted *uses*, *buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-8) Zone 8, however where a *lot* has *streets* on three or four sides, the *front* and *flankage yard* requirements shall apply to all *yards* abutting a *street*. In addition, the *height* for *commercial uses* shall be a minimum of 5 metres.

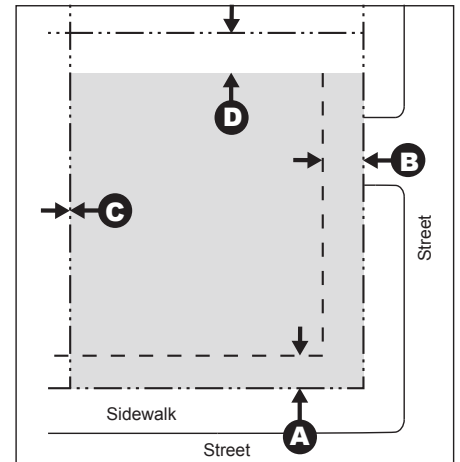
(DUC-9 and higher relocated by 2013-065)

# Neyagawa Urban Core Zone

## 7.3 Neyagawa Urban Core (NUC) Zone Regulations

### 7.3.1 Uses Permitted

- i. See Section 6.
- ii. *Retail Uses*
  - a. No single *retail use* shall exceed a maximum of 7,000 square metres of *leasable floor area*; and,
  - b. The maximum total *retail* development in the NUC Zone, including any NUC Performance Zone, shall not exceed 31,000 square metres *leasable floor area* of *retail* development, which may include a *super-market*.



The grey represents potential building area. The internal dashed line represents the maximum yard.

7.3.2 Building Types Permitted and Related Standards						
Building Type	Min. Floor Space Index	Max. Floor Space Index	Min. Front Yard and Flankage <b>A B</b>	Max. Front Yard and Flankage <b>A B</b>	Min. Interior Side Yard Setback <b>C</b>	Minimum Rear Yard Setback <b>D</b>
<ul style="list-style-type: none"> <li>• <i>Mixed use building;</i></li> <li>• <i>Apartment;</i></li> <li>• <i>Office building;</i></li> <li>• <i>Hotel;</i></li> <li>• <i>Institutional building;</i></li> <li>• <i>Parking garage;</i></li> <li>• <i>Commercial/residential building</i></li> </ul>	0.5	2.5	0.0 m	6 m	0.0 m <sup>1</sup>	1 m with rear <i>lane</i> access, unless there is a <i>residential use</i> at <i>grade</i> where the <i>setback</i> shall be 0.75 m  6 m without rear <i>lane</i> access, except abutting lands in the NHS, CE, or P Zones where the <i>setback</i> shall be a minimum of 3 m

<sup>1</sup> *Minimum Interior Side Yard Setback* – Notwithstanding this requirement, if the *side yard* abuts lands in the GU or S Zone and the *building* on the *lot* has a *height* of 4 *storeys* or less, the *setback* shall be 1.5 m; and if the *building* has a *height* of more than 4 *storeys* the *setback* shall be 7 m.

### 7.3.3 Permitted Yard Encroachments

See Section 4.21

# Neyagawa Urban Core Zone

## 7.3.4 Height

- H** Minimum *height* for all *buildings*, other than *accessory buildings* and *structures* - 3 storeys

Maximum *height* - 8 storeys

## 7.3.5 Parking Standards

See Section 5

## 7.3.6 Accessory Buildings and Structures

See Sections 4.14 through 4.20 inclusive

## 7.3.7 Performance Zone Categories – Neyagawa Urban Core (NUC) Zone

### 7.3.7.1 Neyagawa Urban Core Performance (NUC-1) Zone 1

In addition to the permitted *uses*, *buildings* and regulations of the NUC Zone in the Neyagawa Performance (NUC-1) Zone 1, the *uses* and *buildings* in the GU Zone will also be permitted and the regulations of the GU Zone shall apply to those *uses* and *buildings*. Notwithstanding the regulations of the GU Zone, however, the minimum *rear yard* shall be 6m.

### 7.3.7.2 Neyagawa Urban Core Performance (NUC-2) Zone 2

The permitted *uses*, *buildings* and regulations of the NUC Zone shall apply in the Neyagawa Urban Core Performance (NUC-2) Zone 2, however, in addition *commercial buildings* with a minimum overall *height* of 5 metres shall be permitted.

### 7.3.7.3 Neyagawa Urban Core Performance (NUC-3) Zone 3

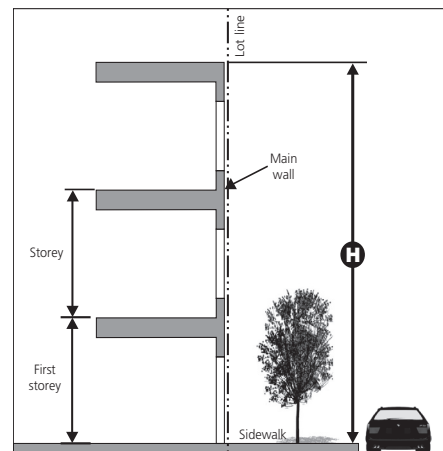
The permitted *uses*, *buildings* and regulations of the NUC Zone shall apply in the Neyagawa Urban Core Performance (NUC-3) Zone 3, however, where a *lot* has *streets* on three or four sides, the *front* and *flankage yard* requirements shall apply to all *yards* abutting a *street*.

### 7.3.7.4 Neyagawa Urban Core Performance (NUC-4) Zone 4

The *permitted uses*, *buildings* and regulations of the NUC Zone shall apply in the Neyagawa Urban Core Performance (NUC-4) Zone 4, however the minimum *height* for all *buildings* other than *accessory buildings* and *structures* shall be 2 storeys.

### 7.3.7.5 Neyagawa Urban Core Performance (NUC-5) Zone 5

The permitted *uses*, *buildings* and regulations of the NUC Zone shall apply in the Neyagawa Urban Core Performance (NUC-5)



*Height is measured to the tallest point of a building, excluding a number of rooftop features (see Section 4.28).*

## Neyagawa Urban Core Zone

*Zone 5*, however, notwithstanding the provisions of Section 5.1.3, Location of *Parking Spaces*, the required *parking spaces* for any use may be located on the *lot* on which the use is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

### **7.3.7.6 Neyagawa Urban Core Performance (NUC-6) Zone 6**

The permitted *uses, buildings* and regulations of the NUCZone shall apply in the Neyagawa Urban Core Performance (NUC-6) *Zone 6*, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, Maximum *Height* for *private garages*, the maximum *height* if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

# Palermo Village North Urban Core Zone

## **7.4 Palermo Village North Urban Core (PUC) Zone Regulations**

(Reserved for Palermo Village North zoning regulations)

# Neighbourhood Centre (NC) Zone

## 7.5 Neighbourhood Centre (NC) Zone Regulations

### 7.5.1 Uses Permitted

See Section 6.

7.5.2 Building Types Permitted and Related Standards								
Building Type	Min. Floor Space Index / Density	Max. Floor Space Index / Density	Min. Lot Frontage <b>A</b>	Min. Lot Depth <b>B</b>	Min. Interior Side Yard Setback One Side <b>C</b>	Min. Interior Side Yard Setback Opposite Side <b>D</b>	Min. Flankage Setback <b>E</b>	Min. Rear Yard Set-back <b>F</b>
<ul style="list-style-type: none"> <li>Mixed use building;</li> <li>Office building;</li> <li>Institutional building;</li> <li>Parking garage;</li> <li>Commercial building;</li> <li>Commercial / residential building</li> </ul>	0.5	2	n/a	n/a	0 m	0 m	2 m	0.75 m
<i>Apartment</i>	35 residential units per Net hectare	150 residential units per Net hectare	n/a	n/a	0 m	0 m	2 m	0.75 m
<i>Triplex</i>	n/a	n/a	10 m	23 m	1.5 m	1.5 m	2 m	0.75 m

# Neighbourhood Centre (NC) Zone

7.5.2 Building Types Permitted and Related Standards								
Building Type	Min. Floor Space Index / Density	Max. Floor Space Index / Density	Min. Lot Frontage <b>A</b>	Min. Lot Depth <b>B</b>	Min. Interior Side Yard Setback One Side <b>C</b>	Min. Interior Side Yard Setback Opposite Side <b>D</b>	Min. Flankage Setback <b>E</b>	Min. Rear Yard Set-back <b>F</b>
Townhouse dwelling Unit Street Access Private garage	n/a	n/a	4.9 m/unit	23 m	Interior Unit 0.0 m	Interior Unit 0.0 m	2 m	6 m
Townhouse dwelling Unit lane access	n/a	n/a	5.5 m/unit	17 m	Exterior Unit 1.2 m	Exterior Unit 1.2 m		0.75 m
Townhouse dwelling Unit Back to Back	n/a	n/a	5.5 m/unit	12 m				0 m

## 7.5.3 Front Yard Setback by Permitted Yard Types

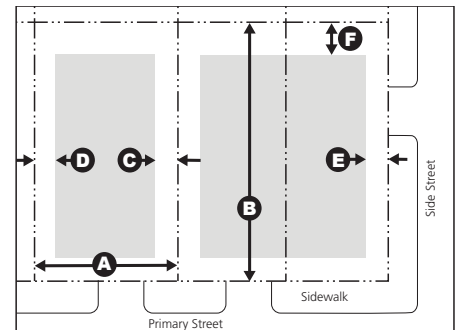
### 7.5.3.1 Townhouse Dwelling or Apartment

#### Minimum Setback

Common Yard	2.5 m
Porch Yard	2.5 m
Inset Porch Yard	2.5 m
Stoop Yard on lots accessed by a rear lane	1.5 m

### 7.5.3.2 All Other Buildings

Minimum Setback	0 m
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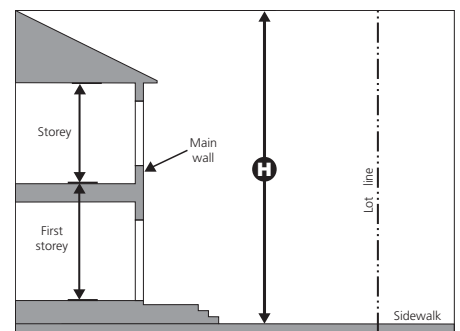
The grey represents potential building area. The internal dashed line represents the maximum yard.

## 7.5.4 Permitted Yard Encroachments

See Section 4.21.

## 7.5.5 Height

- H** Minimum height, other than accessory buildings and structures - 2 storeys
- Maximum height - 5 storeys



Height is measured to the tallest point of a building.



# Neighbourhood Centre (NC) Zone

## 7.5.6 Parking Standards

See Section 5.

<b>7.5.7 Accessory Buildings and Structures</b>	
<b>See the following sections with respect to standards for:</b>	
<i>Accessory buildings and structures other than private garages and walkways</i>	See Section 4.14
<i>Detached private garages accessed by a driveway from a street</i>	See Section 4.15
<i>Detached private garages accessed by a lane</i>	See Section 4.16
<i>Attached private garages accessed by a lane</i>	See Section 4.17
<i>Attached private garages accessed by a street</i>	See Section 4.18
<i>Standards for parking pads</i>	See Section 4.19
<i>Enclosed and roofed walkways</i>	See Section 4.20

## 7.5.8 Performance Zone Categories – Neighbourhood Centre (NC) Zone

### 7.5.8.1 Neighbourhood Centre Performance (NC-1) Zone 1

The regulations of the NC Zone shall apply in the Neighbourhood Centre Performance (NC-1) Zone 1, however, the following additional *buildings* shall be permitted subject to the related regulations:

<b>Building Type</b>	<b>Minimum Lot Frontage</b>	<b>Lot Depth</b>	<b>Minimum Interior Side Yard Setback One Side</b>	<b>Min. Interior Side Yard Setback Opposite Side</b>	<b>Minimum Flankage Setback</b>	<b>Minimum Rear Yard Setback</b>
<i>A Single-detached dwelling</i>	6 m	18 m minimum 30 m maximum	1.2 m	0.6 m	2 m	<i>Lane access</i> 0.75 m <i>Street access</i> 6 m
<i>Semi-detached dwelling unit</i>	5.5 m / unit	18 m minimum	0.9 m	0 m	2 m	<i>Lane access</i> 0.75 m <i>Street access</i> 6 m

## Neighbourhood Centre (NC) Zone

### **7.5.8.2 Neighbourhood Centre Performance (NC-2) Zone 2**

The permitted *uses, buildings* and regulations of the NC Zone shall apply in the Neighbourhood Centre Performance (NC-2) Zone 2, however, notwithstanding the provisions of Section 5.1.3, Location of *Parking Spaces*, the required *parking spaces* for any use may be located on the *lot* on which the use is located, and/or on one half of the *street* abutting the *lot* where the on-street *parking* is permitted.

### **7.5.8.3 Neighbourhood Centre Performance (NC-3) Zone 3**

The permitted *uses, buildings* and regulations of the NC Zone shall apply in the Neighbourhood Centre Performance (NC-3) Zone 3, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, Maximum *Height* for *Private Garages*, the maximum *height* if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

### **7.5.8.4 Neighbourhood Centre Performance (NC-4) Zone 4**

The permitted *uses, buildings* and regulations of the NC Zone shall apply in the Neighbourhood Centre Performance (NC-4) Zone 4, however, notwithstanding the definition of *front lot line* and Section 4.13.1, the *front lot line* shall be deemed to be the *lot line* that is opposite to the *lot line* abutting the *lane* providing access to the *lot*.

*(7.5.8.5 and 7.5.8.6 relocated by 2012-001)*

# General Urban Zone

## 7.6 General Urban (GU) Zone Regulations

### 7.6.1 Uses Permitted

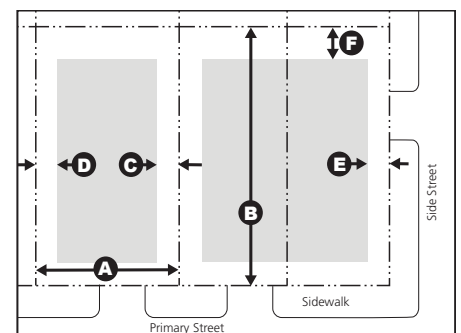
See Section 6.

7.6.2 Building Types Permitted and Related Standard						
Building Type	Minimum Lot Frontage <b>A</b>	Minimum Lot Depth <b>B</b>	Minimum Interior Side Yard Setback One Side <b>C</b>	Min. Interior Side Yard Setback Opposite Side <b>D</b>	Minimum Flankage Setback	Minimum Rear Yard Setback
<i>A single detached dwelling street access attached private garage</i>	8.5 m	22 m	1.2 m	0.6 m	2 m	7 m <sup>1</sup>
<i>A single detached dwelling street access detached private garage or parking pad</i>	8.5 m	22 m	3 m	0.6 m	<b>E</b> 2 m	<b>F</b> 7 m <sup>1</sup>
<i>A single detached dwelling attached rear private garage accessed from the front or side</i>	9 m	26 m	3 m	0.6 m	2 m	0.3 m
<i>A single-detached dwelling with lane access</i>	8 m	17 m	1.2 m	0.6 m	2 m	0.75 m
<i>Semi-detached dwelling unit street access attached private garage</i>	5.5 m / unit	22 m	0.9 m	0.0 m	2 m	7 m
<i>Semi-detached dwelling unit street access detached private garage or attached rear private garage accessed from front or side</i>	5.5 m / unit	26 m	3 m	0.0 m	2 m	0.3 m

# General Urban Zone

7.6.2 Building Types Permitted and Related Standard						
Building Type	Minimum Lot Frontage <b>A</b>	Minimum Lot Depth <b>B</b>	Minimum Interior Side Yard Setback One Side <b>C</b>	Min. Interior Side Yard Setback Opposite Side <b>D</b>	Minimum Flankage Setback <b>E</b>	Minimum Rear Yard Setback <b>F</b>
<i>Semi-detached dwelling unit with lane access</i>	5.5 m / unit	17 m	0.9 m	0.0 m	2 m	0.75 m
<i>Triplex or duplex</i>	7 m	23 m	1.5 m	1.5 m	2 m	0.75 m
<i>Townhouse dwelling unit street access private garage</i>	4.9 m / unit	23 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	6 m
<i>Townhouse dwelling unit with lane access</i>	5.5 m / unit	17 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	0.75 m
<i>townhouse dwelling unit back to back</i>	5.5 m / unit	12 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	0.0 m

<sup>1</sup> The minimum rear yard setback may be reduced to 3.0 m for a one storey addition for a maximum of 45% of the dwelling width measured at the rear of the main building. The one storey addition shall have a maximum vertical distance of 4.0 m measured between the finished floor level of the first storey and the highest point of the roof of the one storey addition. (2022-007)



The grey represents potential building area. The internal dashed line represents the maximum yard.

# General Urban Zone

## 7.6.3 Front Yard Types Permitted - Minimum Setback

*Common Yard - 2.5 m*  
*Porch Yard - 2.5 m*  
*Inset Porch Yard - 2.5 m*

## 7.6.4 Permitted Yard Encroachments

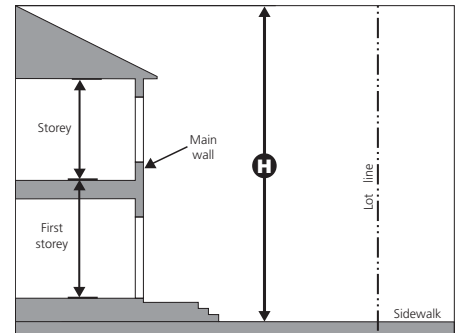
See Section 4.21

## 7.6.5 Maximum Height

**H** 3 storeys

## 7.6.6 Parking

See Section 5



Height is measured to the tallest point of a building.

## 7.6.7 Accessory Buildings and Structures

**See the following sections with respect to standards for:**

<i>Accessory buildings and structures other than private garages and walkways</i>	See Section 4.14
<i>Detached private garages accessed by a driveway from a street</i>	See Section 4.15
<i>Detached private garages accessed by a lane</i>	See Section 4.16
<i>Attached private garages accessed by a lane</i>	See Section 4.17
<i>Attached private garages accessed by a street</i>	See Section 4.18
<i>Standards for parking pads</i>	See Section 4.19
<i>Enclosed and roofed walkways</i>	See Section 4.20

## 7.6.8 Minimum Landscape Area

Minimum *landscape area* - 10 %

## 7.6.9 Performance Zone Categories – General Urban (GU) Zone

### 7.6.9.1 General Urban Performance (GU-1) Zone 1

The regulations of the *GU Zone* shall apply in the *General Urban Performance (GU-1) Zone 1*, however, in addition an elementary *public school* shall be a permitted use subject to the regulations of the *Institutional (I) Zone*.

### 7.6.9.2 General Urban Performance (GU-2) Zone 2

The permitted *uses, buildings* and regulations of the *GU Zone* shall apply in the *General Urban Performance (GU-2) Zone 2*, however, notwithstanding the provisions of Section 5.1.3, Location of *Park-*

## General Urban Zone

*ing Spaces*, the required *parking spaces* for any *use* may be located on the *lot* on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

### **7.6.9.3 General Urban Performance (GU-3) Zone 3**

The permitted *uses*, *buildings* and regulations of the *GU Zone* shall apply in the General Urban Performance (GU-3) *Zone 3*, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, Maximum *Height* for *Private Garages*, the maximum *height* if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

# Sub-urban Zone

## 7.7 Sub-urban (S) Zone Regulations

### 7.7.1 Uses Permitted

See Section 6

<b>7.7.2 Building Types Permitted and Related Standards</b>						
<b>Building Type</b>	<b>Minimum Lot Frontage</b>	<b>Minimum Lot Depth</b>	<b>Minimum Interior Side Yard Setback, One Side</b>	<b>Min. Interior Side Yard Setback, Opposite Side</b>	<b>Minimum Flankage Setback</b>	<b>Minimum Rear Yard Setback</b>
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<i>A single detached dwelling street access attached private garage</i>	8.5 m	22 m	1.2 m	0.6 m	2 m	7 m <sup>1</sup>
<i>A single detached dwelling street access detached private garage or parking pad</i>	8.5 m	22 m	3 m	0.6 m	2 m	7 m <sup>1</sup>
<i>A single detached dwelling attached rear private garage accessed from the front or side</i>	9 m	26 m	3 m	0.6 m	2 m	0.3 m
<i>A single detached dwelling with lane access</i>	8 m	17 m	1.2 m	0.6 m	2 m	0.75 m
<i>Semi-detached dwelling unit street access attached private garage</i>	5.5 m / unit	22 m	0.9 m	0.0 m	2 m	7 m
<i>Semi-detached dwelling unit street access detached private garage or rear private garage accessed from front or side</i>	5.5 m / unit	26 m	3 m	0.6 m	2 m	0.3 m

# Sub-urban Zone

7.7.2 Building Types Permitted and Related Standards						
Building Type	Minimum Lot Frontage <b>A</b>	Minimum Lot Depth <b>B</b>	Minimum Interior Side Yard Setback, One Side <b>C</b>	Min. Interior Side Yard Setback, Opposite Side <b>D</b>	Minimum Flankage Setback <b>E</b>	Minimum Rear Yard Setback <b>F</b>
<i>Semi-detached dwelling unit with lane access</i>	5.5 m / unit	17 m	0.9 m	0.0 m	2 m	0.75 m
<i>Triplex or duplex</i>	7 m	23 m	1.5 m	1.5 m	2 m	0.75 m
<i>Townhouse dwelling unit street access private garage</i>	4.9 m / unit	23 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	7 m
<i>Townhouse dwelling unit with lane access</i>	5.5 m / unit	17 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	0.75 m
<i>Townhouse dwelling unit back to back</i>	5.5 m / unit	12 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	0.0 m

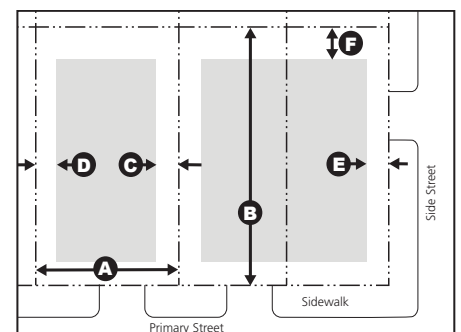
<sup>1</sup> The minimum rear yard setback may be reduced to 3.0 m for a one storey addition for a maximum of 45% of the dwelling width measured at the rear of the main building. The one storey addition shall have a maximum vertical distance of 4.0 m measured between the finished floor level of the first storey and the highest point of the roof of the one storey addition. (2022-007)

### 7.7.3 Front Yard Types Permitted - Minimum Setback

- Common Yard - 2.5 m
- Porch Yard - 2.5 m

### 7.7.4 Permitted Yard Encroachments

See Section 4.21



The grey represents potential building area. The internal dashed line represents the maximum yard.



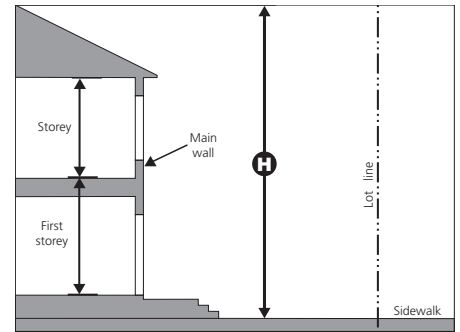
# Sub-urban Zone

## 7.7.5 Maximum Height

**H** Maximum *Height* - 3 storeys

## 7.7.6 Parking

See Section 5



*Height is measured to the tallest point of a building.*

## 7.7.7 Accessory Buildings and Structures

**See the following sections with respect to standards for:**

<i>Accessory buildings and structures other than private garages and walkways</i>	See Section 4.14
<i>Detached private garages accessed by a driveway from a street</i>	See Section 4.15
<i>Detached private garages accessed by a lane</i>	See Section 4.16
<i>Attached private garages accessed by a lane</i>	See Section 4.17
<i>Attached private garages accessed by a street</i>	See Section 4.18
<i>Standards for parking pads</i>	See Section 4.19
<i>Enclosed and roofed walkways</i>	See Section 4.20

## 7.7.8 Minimum Landscape Area

Minimum *Landscape Area* - 10 %

## 7.7.9 Performance Zone Categories – Sub-urban (S) Zone

### 7.7.9.1 Sub-urban Performance (S-1) Zone 1

The regulations of the S *Zone* shall apply in the Sub-urban Performance (S-1) *Zone* 1, however, in addition a elementary *public school* shall be a permitted *use* subject to the regulations of the Institutional (I) *Zone*.

### 7.7.9.2 Sub-urban Performance (S-2) Zone 2

The permitted *uses, buildings* and regulations of the S *Zone* shall apply in the Sub-urban Performance (S-2) *Zone* 2, however, notwithstanding the provisions of Section 5.1.3, *Location of Parking Spaces*, the required parking spaces for any *use* may be located on the lot on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

### 7.7.9.3 Sub-urban Performance (S-3) Zone 3

The permitted *uses, buildings* and regulations of the S *Zone* shall apply in the Sub-urban Performance (S-3) *Zone* 3, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, *Maximum Height for Private Garages*, the maximum *height* if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

# High Density Residential Zone

## 7.8 High Density Residential (HDR) Zone Regulations

### 7.8.1 Uses Permitted

See Section 6.

7.8.2 Building Types Permitted and Related Standards						
Building Type	Min. Floor Space Index / Density	Max. Floor Space Index / Density	Min. Front Yard and Flankage <b>(A B)</b>	Max. Front Yard and Flankage <b>(A B)</b>	Min. Interior Side Yard Setback <b>(C)</b>	Minimum Rear Yard Set-back <b>(D)</b>
<ul style="list-style-type: none"> <li>Commercial/Residential building</li> <li>Office building;</li> <li>Institutional building;</li> <li>Parking garage;</li> <li>Mixed-use building</li> <li>Apartment</li> </ul>	0.75	4	2 m	7 m	5 m	0.75 m with rear <i>lane</i> access  6 m without rear <i>lane</i> access, except abutting lands in the NHS Zone where the <i>setback</i> shall be a minimum of 3 m
	50 residential units per net hectare	300 residential units per net hectare				

### 7.8.3 Permitted Yard Encroachments

See Section 4.21

### 7.8.4 Maximum Height

- (H)** Minimum *height* for all other buildings, other than *accessory buildings* and *structures* - 5 storeys  
Maximum *height* - 10 storeys

### 7.8.5 Parking Standards

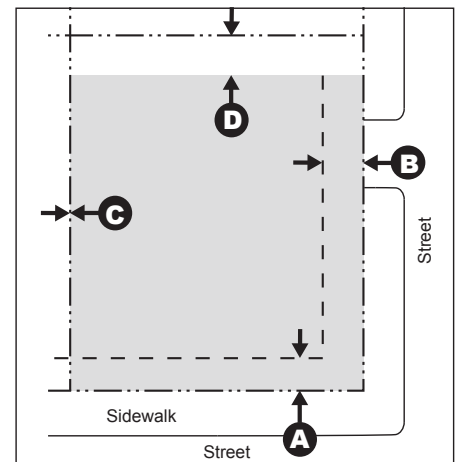
See Section 5

### 7.8.6 Accessory Buildings and Structures

See Sections 4.14 through 4.20 inclusive

### 7.8.7 Minimum Landscape Area

Minimum *landscape* area - 10 %



The grey represents potential building area. The internal dashed line represents the maximum yard.

### OMB Appeals 7.8.7 Landscaping

PL100041  
(2009-189 original passage)

# High Density Residential Zone

## 7.8.8 Performance Zone Categories – High Density Residential (HDR) Zone

### 7.8.8.1 High Density Residential Performance (HDR-1) Zone 1

In the High Density Residential Performance (HDR-1) *Zone 1*, in addition to the permitted *uses, buildings* and regulations of the HDR *Zone, townhouse dwellings* and *apartments* with a maximum *height* of 3 *storeys* shall also be permitted, and the regulations of the NC *Zone* shall be applicable to those *uses*.

### 7.8.8.2 High Density Residential Performance (HDR-2) Zone 2

The permitted *uses, buildings* and regulations of the HDR *Zone* shall apply in the High Density Residential Performance (HDR-2) *Zone 2*, however, notwithstanding the provisions of Section 5.1.3, *Location of Parking Spaces*, the required *parking spaces* for any *use* may be located on the *lot* on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

### 7.8.8.3 High Density Residential Performance (HDR-3) Zone 3

The permitted *uses, buildings* and regulations of the HDR *Zone* shall apply in the High Density Residential Performance (HDR-3) *Zone 3*, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, *Maximum Height for Private Garages*, the maximum *height* if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

# Light Employment Zone

## 7.9 Light Employment (LE) Zone Regulations

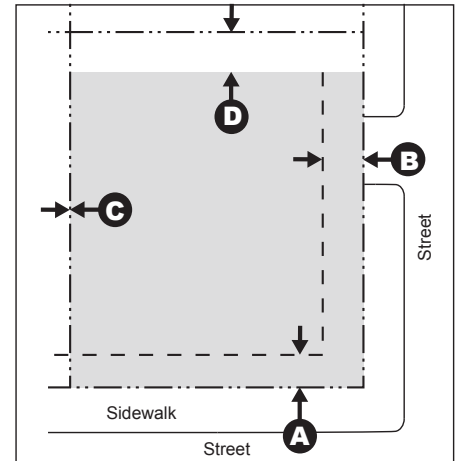
### 7.9.1 Uses Permitted

See Section 6.

#### 7.9.1.1 Limited Retail Uses

*Limited retail uses* are permitted subject to the following regulations:

- i. the sales area is separated from the warehousing, storage, manufacturing or assembly area by a wall at least 2 metres in height;
- ii. there is no display of goods or *retail* sales within the warehousing, storage, manufacturing or assembly area;
- iii. the sales area does not occupy more than 40% of the area for warehousing, storage, manufacturing or assembly and the sales area is not greater than a 1,000 square metres;
- iv. the calculation of the area for warehousing, storage, manufacturing or assembly area shall exclude offices and common areas such as stairs, mechanical rooms and washrooms; and,
- v. the *limited retail uses* shall be located in the *first storey* of the building.



The grey represents potential building area. The internal dashed line represents the maximum yard.

### 7.9.2 Building Types Permitted and Related Standards

Building Type	Max. Floor Space Index	Min. Lot Frontage	Max. Front Yard and Flankage A B	Min. Front Yard and Flankage A B	Min. Sideyard Setbacks C	Min. Rear Yard Set-back D	Max. Height
<ul style="list-style-type: none"> <li>• Office Building;</li> <li>• Employment Building</li> </ul>	3	15 m	24 m	3 m	3 m	7.5 m	15 storeys

Note: Notwithstanding the setbacks above the minimum setback for a yard abutting a residential zone shall be 10 m, unless the lot with the employment use is separated from the developable area in the residential zone by a street.

### 7.9.3 Permitted Yard Encroachments

See Section 4.21

### 7.9.4 Minimum Landscape Area

Minimum landscape area - 10 %

# Light Employment Zone

## 7.9.5 Parking

### 7.9.5.1 Parking Standards

See Section 5

### 7.9.5.2 Heavy Vehicles

The parking of *heavy vehicles* is not permitted between any *building* and the *front lot line* or any *yard* abutting a *residential zone*.

## 7.9.6 Accessory Buildings and Structures

See Section 4.14

## 7.9.7 Performance Zone Categories – Light Employment (LE) Zone Regulations

### 7.9.7.1 Light Employment Performance (LE-1) Zone 1

In addition to the permitted *uses*, and *buildings* in the Light Employment (LE) *Zone*, a *commercial self storage use* shall be permitted in the Light Employment Performance (LE-1) *Zone 1* subject to the regulations of the LE *Zone*.

### 7.9.7.2 Light Employment Performance (LE-2) Zone 2

In addition to the permitted *uses*, *buildings* and *structures* in the Light Employment (LE) *Zone*, a *funeral home* shall be permitted in the Light Employment Performance (LE-2) *Zone 1* subject to the regulations of the LE *Zone*, provided that the the minimum *FSI* shall be 0.4, the maximum *height* of the *buildings* and *structures* shall be 3 *storeys*, and no parking shall be permitted between the front of the principal *building* and the *street*.

# General Employment Zone

## 7.10 General Employment (GE) Zone Regulations

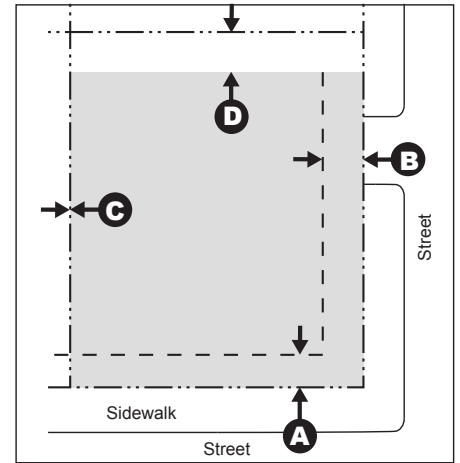
### 7.10.1 Uses Permitted

See Section 6.

#### 7.10.1.1 Limited Retail Uses

*Limited Retail uses* are permitted subject to the following regulations:

- i. the sales area is separated from the warehousing, storage, manufacturing or assembly area by a wall at least 2 metres in height;
- ii. there is no display of goods or retail sales within the warehousing, storage, manufacturing or assembly area;
- iii. the sales area does not occupy more than 40% of the area for warehousing, storage, manufacturing or assembly and the sales area is not greater than a 1,000 square metres;
- iv. the calculation of the area for warehousing, storage, manufacturing or assembly area shall exclude offices and common areas such as stairs, mechanical rooms and washrooms; and,
- v. the *limited retail uses* shall be located in the *first storey* of the building.



The grey represents potential building area. The internal dashed line represents the maximum yard.

### 7.10.2 Building Types Permitted and Related Standards

Building Type	Max. Floor Space Index	Min. Lot Frontage	Max. Front Yard and Flankage <b>A B</b>	Min. Front Yard and Flankage <b>A B</b>	Min. Side Yard Set-back <b>C</b>	Min. Rear Yard Set-back <b>D</b>	Max. Height
<ul style="list-style-type: none"> <li>• Office Building;</li> <li>• Employment Building</li> </ul>	3	15 m	24 m	3 m	3 m	7.5 m	15 storeys

Note: Notwithstanding the setbacks above the minimum setback for a yard abutting a residential zone shall be 15 m, unless the lot with the employment use is separated from the developable area in the residential zone by a street.

### 7.10.3 Permitted Yard Encroachments

See Section 4.21

# General Employment Zone

## 7.10.4 Outside Storage and/or Outside Processing Placement

### 7.10.4.1 Location

*Outside Storage* and/or *Outside Processing* shall be not be permitted in the *front yard*.

### 7.10.4.2 Minimum Landscape Strip Width and Setback

- i. Minimum *setback* and *landscape strip* width adjacent to *interior side lot line* or *rear lot line*: 3 metres
- ii. Minimum *setback* and *landscape strip* width adjacent to *flankage*: 5 metres

### 7.10.4.3 Screening

- i. *Outside storage* or *outside processing* must be screened along all *streets* abutting the *lot* by a minimum 1.8m high opaque fence or wall.
- ii. Where *outside storage* exceeds 1.8 metres in *height*, it shall only be located in the *rear yard*.

## 7.10.5 Minimum Landscape Area

Minimum *landscape area* - 10 %

## 7.10.6 Parking

### 7.10.6.1 Parking Standards

See Section 5

### 7.10.6.2 Heavy Vehicles

The parking of *heavy vehicles* is not permitted between any *building* and the *front lot line* or in any *yard* abutting a *residential zone*.

## 7.10.7 Accessory Buildings and Structures

See Section 4.14

## 7.10.8 Adult Entertainment Establishments

Notwithstanding any other regulations of this By-law, *adult entertainment establishments* shall only be permitted in a General Employment (GE) *Zone* subject to:

- i. the regulations of the *Zone*;
- ii. a separation distance of a minimum of 500 metres from any other adult entertainment *use* measured from *building* to *building*;

## General Employment Zone

- iii. the *use* being located in a free-standing, single *use structure* which shall not have a *floor area* of more than 929 square metres; and,
- iv. a separation distance of a minimum of 800 metres from any *residential zone* whether the zone is in Oakville or in its neighbouring municipalities.

### 7.10.9 Performance Zone Categories – General Employment (GE) Zone Regulations

#### 7.10.9.1 General Employment Performance (GE-1) Zone 1

In addition to the permitted *uses*, and *buildings* in the General Employment (GE) *Zone*, a *commercial self storage use* shall be permitted in the General Employment Performance (GE-1) *Zone 1* subject to the regulations of the GE *Zone*.



# Service Area-Employment Zone

## 7.11 Service Area-Employment (SA) Zone Regulations

### 7.11.1 Uses Permitted

See Section 6.

7.11.2 Building Types Permitted and Related Standards								
Building Type	Max. Floor Space Index	Min. Floor Space Index	Min. Lot Frontage	Min. Front Yard <b>(A)</b>	Max. Front Yard <b>(A)</b>	Min. Flankage <b>(B)</b>	Min. Rear Yard Setback <b>(D)</b>	Max. Height
<i>Commercial building; Mixed use building; Employment Building</i>	3	0.25 for <i>commercial building</i>	15 m	3 m	6 m	3m	7.5 m	15 storeys

### 7.11.3 Permitted Yard Encroachments

See Section 4.21

### 7.11.4 Minimum Landscape Area

Minimum *landscape area* - 10%

### 7.11.5 Parking

#### 7.11.5.1 Parking Standards

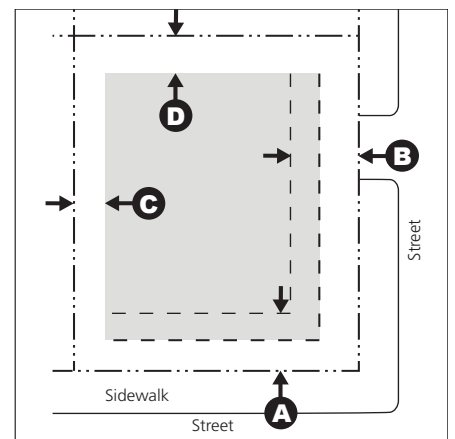
See Section 5.

#### 7.11.5.2 Surface Parking Area Placement

No surface parking shall be permitted between any *building* and the *front lot line* or *flankage*.

#### 7.11.5.3 Heavy Vehicles

The parking of *heavy vehicles* is not permitted between any *building* and the *front lot line* or in any *yard* abutting a *residential zone*.



The grey represents potential building area. The internal dashed line represents the maximum yard.

### 7.11.6 Accessory Buildings and Structures

See Section 4.14

## Service Area-Employment Zone

### 7.11.7 Performance Zone Categories - Service Area - Employment (SA) Zone Regulations

#### 7.11.7.1 Service Area - Employment Performance (SA-1) Zone 1

In addition to the permitted *uses, buildings and structures* in the Service Area-Employment (SA) *Zone*, a *funeral home* shall be permitted in the Service Area-Employment (SA-1) *Zone 1* subject to the regulations of the SA *Zone*, provided that the minimum *FSI* shall be 0.4, the maximum *height* of the *buildings and structures* shall be 3 *storeys*, and no parking shall be permitted between the front of the principal *building* and the *street*.

# Institutional and Park Zone

## 7.12 Institutional and Park Zone Regulations (2012-001)

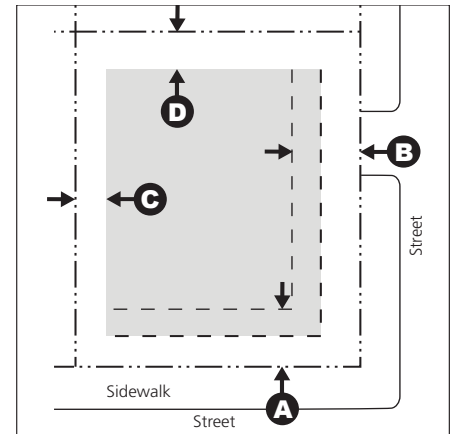
### 7.12.1 Uses Permitted

See Section 6.

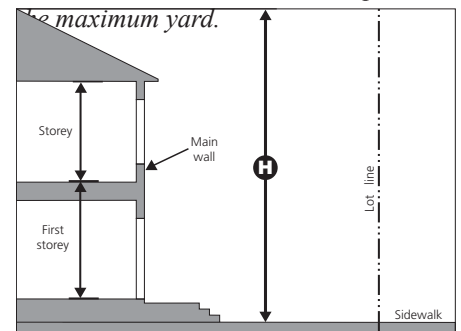
7.12.2 Building Standards (2022-007)				
For all buildings		I	P	SMF
Minimum required front yard	<b>A</b>	3.0 m	3.0 m	n/a
Maximum front yard	<b>A</b>	6.0 m	6.0 m	n/a
Minimum required flankage	<b>B</b>	3.0 m	3.0 m	n/a
Maximum flankage	<b>B</b>	6.0 m	6.0 m	n/a
Minimum required interior side yard	<b>C</b>	1.5 m (1)	n/a (2)	n/a
Minimum required rear yard	<b>D</b>	7.5 m (3)	7.5 m (3)	n/a
Minimum height (2023-025)	<b>H</b>	11.0 m (4)	11.0 m	n/a
Maximum height	<b>H</b>	16.0 m	16.0 m	n/a
Accessory buildings and structures are permitted subject to Section 4.14 of this By-law.				
Yard encroachments are permitted subject to Section 4.21 of this By-law.				
Parking standards are set out in Section 5 of this By-law.				

### Notes to Section 7.12.2

1. Minimum required interior side yard where a building is greater than 16.0 metres in height – 3.0 metres.
2.
  - i) Minimum required interior side yard where the interior side yard abuts a lot in the General Urban (GU) or Sub-urban (S) Zone – 1.5 metres.
  - ii) Minimum required interior side yard where a building is greater than 16.0 metres in height and where the interior side yard abuts a lot in the General Urban (GU) or Sub-urban (S) Zone – 3.0 metres.
3.
  - i) Minimum required rear yard on a lot only accessed by a rear lane – 0.75 metres.
  - ii) Minimum required rear yard on a lot abutting lands in the Natural Heritage System (NHS), Cemetery (CE), or Park (P) Zone – 3.0 metres.
4. Shall not apply to a commercial school, post-secondary school, private school or public school. (2023-025)



The grey represents potential building area. The internal dashed line represents the maximum yard.



Height is measured to the tallest point of a building.

# Institutional and Park Zone

## 7.12.3 Performance Zone Categories – Institutional (I) Zone

### 7.12.3.1 Institutional Performance (I-1) Zone 1

In addition to the permitted *uses, buildings* and regulations of the Institutional (I) Zone, a *private school use* and related *buildings* shall be permitted in the Institutional Performance (I-1) Zone 1 subject to the regulations of the I Zone, with the exception that the maximum *floor space index* shall be 1.5 and any surface parking shall be located in accordance with the following:

- i. Minimum *setback* from the *front lot line*: 4 metres provided that no surface parking shall be permitted between any *building* and the *front lot line* or *flankage*.
- ii. Minimum setback from the *interior side lot line*: 3 metres
- iii. Minimum *setback* from the *flankage*: 4 metres
- iv. Minimum *setback* from the *rear lot line* where it abuts a *residential zone*: 7 metres

*(I-2 and higher relocated by 2012-001 and 2013-065)*

# Future Development Zone

## 7.13 Future Development (FD) Zone Regulations *(2012-001)* *(2022-007)*

### 7.13.1 Permitted Uses

- i. The uses as permitted in Section 4.3.1.
- ii. Infrastructure for which an Environmental Assessment has been completed or which are required as a condition of approval under the Planning Act, subject to the following provisions:
  - a. Notwithstanding any other provision of this By-law, any *building* or *structure* for the purpose of providing or sheltering infrastructure shall not be subject to Section 7.13.2;
  - b. Any *building* or *structure* used for a *general office use*, *public works yard*, or *warehouse* shall not be permitted.
- iii. The *use* of legally existing *buildings* and *structures* by new *accessory uses*.

### 7.13.2 Permitted Expansion of Legal Buildings and Structures

The existing *lot coverage* on the day of the passage of this by-law, for all existing *buildings* or *structures* and existing *accessory buildings* or *structures*, may be increased by a maximum of 10% subject to regulations of this section and section 5.

### 7.13.3 Maximum Height

10 metres except for *agricultural buildings*

### 7.13.4 Minimum Yards

*Front Yard* and *Flankage* - 9 m  
*Side Yard* - 2.4 m  
*Rear Yard* - 7.5 m

*(Performance zones relocated by 2012-001 and 2013-065)*

# Natural Heritage System Zone

## 7.14 Natural Heritage System (NHS) Zone Regulations

(2012-001)

### 7.14.1 Permitted Uses

- i. The *uses* as permitted in Section 4.3.1;
- ii. *Infrastructure* located within one of:
  - a. A *public street*; or,
  - b. A future *public street* for which an Environmental Assessment has been completed or a Planning Act approval has been received.
- iii. The *use* of legally existing *buildings* and *structures* by new *accessory uses*.

### 7.14.2 Building Types Permitted

Legally existing *buildings* and *structures*.

### 7.14.3 Parking Standards

See Section 5

### 7.14.4 Performance Zone Categories – Natural Heritage System (NHS) Zone

#### 7.14.4.1 Natural Heritage System Performance (NHS-1) Zone 1

In addition to the *uses* permitted in the Natural Heritage System (NHS) *Zone* in Section 6, *stormwater management facilities* and *accessory uses*, *accessory buildings* and *accessory structures* shall be permitted in the Natural Heritage Performance (NHS-1) *Zone* 1.

#### 7.14.4.2 Natural Heritage System Performance (NHS-2) Zone 2

In addition to the *uses* permitted in the Natural Heritage System (NHS) *Zone* in Section 6, a private *driveway* with a maximum width of 6 m shall be permitted in the Natural Heritage Performance (NHS-2) *Zone* 2.

#### 7.14.4.3 Natural Heritage System Performance (NHS-3) Zone 3

In addition to the *uses* permitted in the Natural Heritage System (NHS) *Zone* in Section 6, the legally existing *buildings* and *structures* in the Natural Heritage Performance (NHS-3) *Zone* 3 may be used, in addition to any legally existing *uses*, for institutional *uses* including an *art gallery* and *art school*.

#### OMB Appeals

**7.14.1(ii) Appeal seeks additional permitted locations for infrastructure. Section is otherwise in effect.**

PL100041  
(2009-189 original passage)

# Cemetery Zone

## 7.15 Cemetery (CE) Zone Regulations

### 7.15.1 Permitted Use

See Section 6.

7.15.2 Building Types Permitted and Related Standards						
Building Type	Max. Floor Space Index	Min. Lot Frontage <b>A</b>	Min. Side Yard Set-back <b>B</b>	Min. Front Yard and Flankage <b>C</b>	Min. Rear Yard Set-back <b>D</b>	Max. Height
Visitation Centre; Columbarium; Mausoleum; <i>Place of Worship</i>	0.5	30 m	5 m	5 m	7.5 m	16 metres

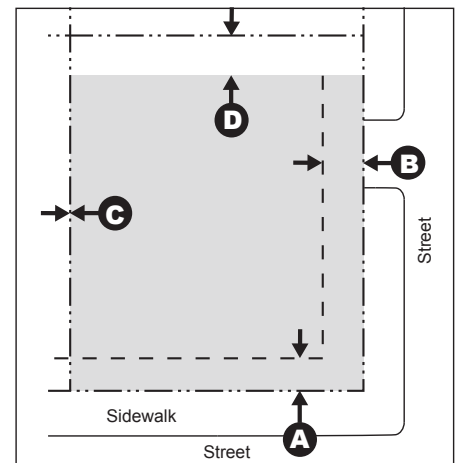
### 7.15.3 Parking Standards

See Section 5

### 7.15.4 Performance Zone Categories – Cemetery (CE) Zone

#### 7.15.4.1 Cemetery Performance (CE-1) Zone 1

In addition to the *uses* permitted in the *Cemetery (CE) Zone* in Section 6, a crematorium with a maximum *height* of 11 metres shall be permitted in the *Cemetery Performance (CE-1) Zone 1*.



The grey represents potential building area. The internal dashed line represents the maximum yard.

# Automotive Service Zone

## 7.16 Reserved (2012-001)

## 7.17 Automotive Service (AS) Zone Regulations

### 7.17.1 Uses Permitted

See Section 6.

7.17.2 Building Types Permitted and Related Standards								
Building Type	Min. Floor Space Index	Max. Floor Space Index	Min. Lot Frontage <b>A</b>	Min. Side Yard Set-back <b>B</b>	Min. Front Yard and Flankage <b>C</b>	Max. Front Yard and Flankage <b>D</b>	Min. Rear Yard Set-back <b>E</b>	Min. Overall Height
Commercial building	0.25	2	15 m	3 m	3 m	3.5 m	7.5 m	5 m

Note: Notwithstanding the setbacks above the minimum setback for a yard adjacent to a residential zone shall be 10m.

### 7.17.3 Permitted Yard Encroachments

See Section 4.21

### 7.17.4 Minimum Landscape Area

Minimum landscape area - 10%

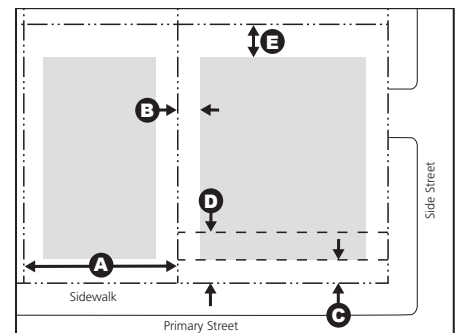
### 7.17.5 Parking

#### 7.17.5.1 Parking Standards

See Section 5

#### 7.17.5.2 Surface Parking Area Placement

- i. Min. setback from the front lot line: 2m provided that no surface parking shall be permitted between any building and the front lot line or flankage.
- ii. Min. setback from the interior side lot line: 1.5m
- iii. Min. setback from the flankage: 2m
- iv. Min. setback from the rear lot line: 3 m



The grey represents potential building area. The internal dashed line represents the maximum yard.



## Automotive Service Zone

### **7.17.5.3 Heavy Vehicles**

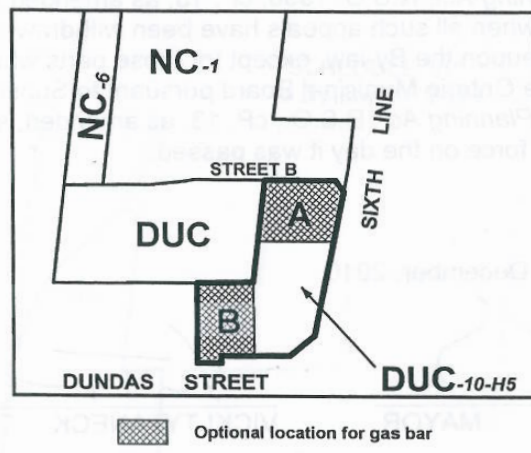
The parking of *heavy vehicles* is not permitted between any *building* and the *front lot line* or in any *yard* abutting a *residential zone*.

# Special Provisions

Where a *zone* symbol is followed by a hyphen and superscript number, the symbol refers to a Special Provision that applies to the lands so *zoned*. The provisions of this By-law are modified as set out in the Special Provision. All other provisions of this By-law shall continue to apply.

<b>1</b>	<b>Timsin Holding Corp. &amp; Arrassa Investments Inc. N/W Dundas Street and Sixth Line (Block 114, Plan 20M-1114)</b>	Parent Zone: DUC
Map 12(4)		(2010-171) (2013-065)
<b>8.1.1 Zone Provisions</b>		

- a) The permitted *uses, buildings* and regulations of the Dundas Urban Core DUC *Zone* shall apply however where a *lot* has *streets* on three or four sides, the *front* and *flankage yard* requirements shall apply to all *yards* abutting a *street*.
- b) *Commercial buildings* with a minimum overall *height* of 5 metres shall be permitted. *Height* shall be determined from the finished floor at *grade*.
- c) A *Gas Bar* will also be a permitted *use*, subject to the following additional regulations:
  - i. Only one (1) *gas bar* will be permitted which shall be located at either Location A or Location B, as shown below:



- ii. Maximum site area for *gas bar* - 0.26 ha
- iii. Minimum *Floor Space Index* - not applicable to *gas bar* component of the site only
- iv. Maximum *floor area* (*gas bar* component only) - 300 sq. metres
- v. Additional regulation for Location A, if applicable
  - Gas pump area including related canopy shall be located a minimum of 15 metres from Sixth Line and Street B.
- vi. Additional regulations for Location B, if applicable
  - Minimum *interior side yard* (westerly limit of Location B as shown in Figure 8.1.1 for the *building*, canopy and gas pumps - 10 m
  - *Gas pump* area including related canopy shall be located a minimum of 15 metres from Dundas Street

# Special Provisions

<b>2</b>	<b>Lower Fourth Ltd. &amp; Pendent Developments Ltd. (Part of Lots 16-19, Concession 1 N.D.S.)</b>	Parent Zone: DUC
Map 12(4)		(2012-043) (2013-065) (2014-079)
<b>8.2.1 Zone Provisions</b>		

- a) The *uses* and *buildings* in the GU Zone, not including *single detached* and *semi-detached dwellings*, will be permitted, and the regulations of the GU Zone shall apply to those *uses* and *buildings*. Where *uses* and *buildings* are subject to the GU Zone, the minimum *rear yard* shall be 6 metres.
- b) Required *parking spaces* for any *use* may be located on the *lot* on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.
- c) *Commercial, retail* and *office uses* are only permitted at-grade where these *uses* front Dundas Street, Harman Gate and Kaitting Trail, and only within a *commercial/residential building* or a *mixed-use building*.
- d) Where a *mixed-use building* is located, the following additional regulations apply:
1. Office and ancillary *residential uses* are permitted on any floor of a *building*.
  2. Residential *dwelling units* are not permitted at-grade except where the *dwelling units* face Kaitting Trail.
  3. Below *grade setbacks*: Minimum 0 metres
  4. Ground floor *height*, measured from top-of-slab to top-of-slab, other than for a multiple-attached unit: Minimum 4.5 metres
  5. Projection of stairs, *porches, balconies*, at-grade terraces, cornices, pilasters and/or bay windows, with or without foundation, beyond the main wall of a *building*: To a maximum of 0.3 metres from any *public street*.
  6. Height of parapets: Maximum 3 metres
  7. Height of mechanical and/or elevator penthouse, rooftop equipment, and stair tower: Maximum 6 metres
  8. Height of rooftop architectural features, including pitched roofs: Maximum 6 metres
  9. *Building height* : Maximum 29 metres
  10. Where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2 metres in height and are not integrated with the extension of the *building's* façade, these must be set back a minimum of 4 metres from all edges of the roof and screened by an opaque architectural feature.
  11. A step back to a *building* wall that faces a *public street* is not permitted below a *height* of 12 metres.
  12. *Building height* for *buildings* or *building* towers shall be measured exclusive of any mechanical penthouse, elevator tower, stair tower, and/or parapet, notwithstanding any podium, stepped back and/or terraced portions of the same *building* which may be below the minimum *height*.
  13. Maximum distance between unit entrances for multiple-attached residential units at-grade shall be no more than 9 metres, or 12 metres for end units.
  14. Any *mixed-use building* taller than 19 metres in *height* shall have a *building* wall (or façade) of no longer than 50 metres where parallel to a *public street*.
  15. Where *commercial* and/or office units are located at-grade, a minimum of one principal *building* entrance to each unit shall be directly accessible from, and oriented towards, a *public street*. A maximum of one *building* entrance to each unit shall be oriented towards a *yard* other than the *public street yard*.
  16. Any awning, canopy and/or similar weather shielding *structure*, and any *restaurant* patio, may project to the *lot line*.
  17. Stairs and air vents associated with an underground parking *structure* are permitted in any *yard*.
  18. *Established grade* is defined as the finished floor elevation at *grade*.
  19. *Balconies* and/or open-air terraces are permitted in any *yard*.

## Special Provisions

<b>3</b>	<b>Lower Fourth Ltd. &amp; Pendent Developments Ltd.;</b> <b>404072 Ontario Ltd.: Sixth Line Corporation</b> <b>(Part of Lots 16-19, Concession 1, N.D.S.)</b>	Parent Zones: GU
Map 12(4)		(2012-043) (2013-065) (2014-063)
<b>8.3.1 Zone Provisions</b>		

In addition to the regulations of the General Urban (GU) *Zone*, the following regulations shall apply:

- a) Where a garage door faces the *interior side lot line*, the garage may project beyond the *front wall* of the *dwelling* provided the garage is setback 2.5 metres from the *front lot line*
- b) The maximum width of the *driveway* shall not exceed 50% of the *lot frontage*;
- c) Notwithstanding Table 4.21(g), Bay, Box Out and Bow Windows with or without foundations with a maximum width of 4.0 metres which may be a maximum of three *storeys* in *height* and which may include a door, shall be permitted to encroach into a *flankage yard*;
- d) Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply for *inset porches*;
- e) A *porch* shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the *building* or insect screening
- f) A *parking space* in a *private garage* shall have an unobstructed area with a width of not less than 2.9 metres for a single car *private garage* and one step may encroach into the width of a *parking space* within a garage at the side of the *parking space*.

# Special Provisions

4	<b>Lower Fourth Ltd. &amp; Pendent Developments Ltd. (Part of Lots 16-19, Concession 1 N.D.S.)</b>	Parent Zone: S
Map 12(4)		(2012-043) (2013-065)
<b>8.4.1 Zone Provisions</b>		

In addition to the regulations of the Sub-Urban (S) *Zone*, the following regulations shall apply:

- a) Where a garage door faces the *interior side lot line*, the garage may project beyond the *front wall* of the *dwelling* provided the garage is *setback* 2.5 metres from the *front lot line*;
- b) The maximum width of the *driveway* shall not exceed 50% of the *lot frontage*;
- c) Notwithstanding Table 4.21(g), Bay, Box Out and Bow Windows with or without foundations with a maximum width of 4.0 metres which may be a maximum of three *storeys* in *height* and which may include a door, shall be permitted to encroach into a *flankage yard*;
- d) Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply for *inset porches*;
- e) A *parking space* in a *private garage* shall have an unobstructed area with a width of not less than 2.9 metres for a single car *private garage* and one step may encroach into the width of a *parking space* within a garage at the side of the *parking space*.

# Special Provisions

<b>5</b>	<b>Lower Fourth Ltd. &amp; Pendent Developments Ltd. (Part of Lots 16-19, Concession 1 N.D.S.)</b>	Parent Zone: S
Map 12(4)		(2012-043) (2013-065)
<b>8.5.1 Zone Provisions</b>		

In addition to the regulations of the Sub-Urban (S) *Zone*, the following regulations shall apply:

- a) Where a garage door faces the *interior side lot line*, the garage may project beyond the *front wall* of the dwelling provided the garage is *setback 2.5 metres* from the *front lot line*;
- b) The maximum width of the *driveway* shall not exceed 50% of the *lot frontage*;
- c) Notwithstanding Table 4.21(g), Bay, Box Out and Bow Windows with or without foundations with a maximum width of 4.0 metres which may be a maximum of three *storeys* in *height* and which may include a door, shall be permitted to encroach into a *flankage yard*;
- d) Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply for *inset porches*;
- e) A *parking space* in a *private garage* shall have an unobstructed area with a width of not less than 2.9 metres for a single car *private garage* and one step may encroach into the width of a *parking space* within a garage at the side of the *parking space*.
- f) A *single detached dwelling street access attached private garage* may have a minimum *lot depth* of 16.0 metres and a minimum *rear yard setback* of 2.5 metres.

## Special Provisions

<b>6</b>	<b>Lower Fourth Ltd. &amp; Pendent Developments Ltd. 404072 Ontario Ltd.; Sixth Line Corporation (Part of Lots 16-19, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(4)		(2012-043) (2013-065) (2014-079)
<b>8.6.1 Zone Provisions</b>		

In addition to the regulations of the Neighbourhood Centre (NC) *Zone*, the following regulations shall apply:

- a) Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply for *inset porches*;
- b) A *parking space* in a private *garage* shall have an unobstructed area with a width of not less than 2.9 metres for a single car *private garage* and one step may encroach into the width of a *parking space* within a *garage* at the side of the *parking space*.

## Special Provisions

<b>7</b>	<b>Lower Fourth Ltd. &amp; Pendent Developments Ltd.;</b> <b>404072 Ontario Ltd.; Sixth Line Corporation</b> <b>(Part of Lots 16-19, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(4)		(2012-043) (2013-065) (2014-063) (2014-079) (2016-103)
<b>8.7.1 Zone Provisions</b>		

In addition to the permitted uses and regulations of the Neighbourhood Centre (NC-1) Performance *Zone*, the following regulations shall apply:

- a) The maximum width of the *driveway* shall not exceed 50% of the *lot frontage*;
- b) Notwithstanding Table 4.21(g), Bay, Box Out and Bow *Windows* with or without foundations with a maximum width of 4.0 metres which may be a maximum of three *storeys* in *height* and which may include a door shall be permitted to encroach into a *flankage yard*;
- c) Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply for *inset porches*;
- d) A *porch* shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the *building* or insect screening.
- e) A *parking space* in a private *garage* shall have an unobstructed area with a width of not less than 2.9 metres for a single car *private garage* and one step may encroach into the width of a *parking space* within a *garage* at the side of the *parking space*.
- f) A one *storey* addition for a *single detached dwelling street* access attached *private garage* may project into the *rear yard* with a minimum *setback* of 3 m for a maximum of 45% of the *dwelling* width measured at the rear of the main *building* for lands identified as Block 1 lands on Figure 8.7.1 only.
- g) Minimum *rear setback* for lands identified as Block 1 and Block 2 lands on Figures 8.7.1 and 8.7.2 only - 7 m
- h) Notwithstanding the maximum *lot depth* for a *single-detached dwelling* in Section 7.5.8.1, the maximum *lot depth* for a *single-detached dwelling* for lands identified as Block 2 on Figure 8.7.2 only - 34 m



# Special Provisions

<b>7</b>	<b>Lower Fourth Ltd. &amp; Pendent Developments Ltd.;</b> <b>404072 Ontario Ltd.; Sixth Line Corporation</b> <b>(Part of Lots 16-19, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(4)		(2012-043) (2013-065) (2014-063) (2014-079) (2016-103)

## 8.7.2 Special Site Figures

Figure 8.7.1

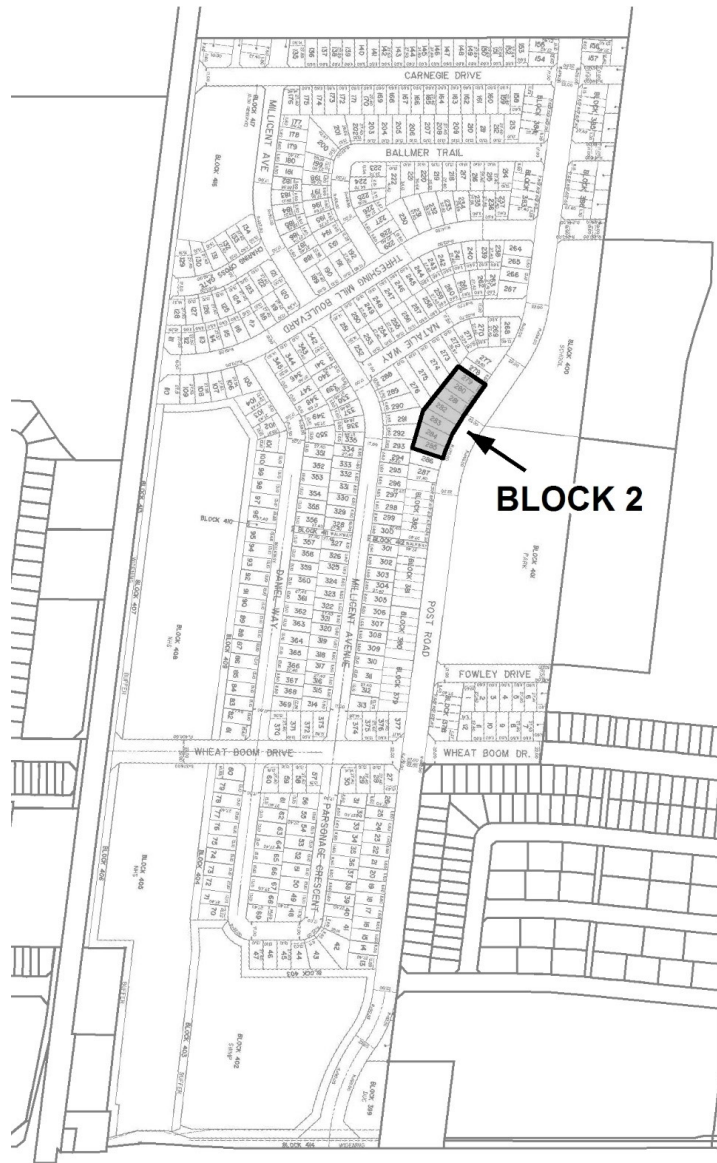


# Special Provisions

<b>7</b>	<b>Lower Fourth Ltd. &amp; Pendent Developments Ltd.;</b> <b>404072 Ontario Ltd.; Sixth Line Corporation</b> <b>(Part of Lots 16-19, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(4)		(2012-043) (2013-065) (2014-063) (2014-079) (2016-103)

## 8.7.2 Special Site Figures

Figure 8.7.2



# Special Provisions

<b>8</b>	<b>3135 Third Line (Part of Lot 25, Concession 1 N.D.S)</b>	Parent Zone: LE
Map 12(3)		(2010-041) (2013-065)
<b>8.8.1 Zone Provisions</b>		

In addition to the permitted *uses, buildings and structures* in the Light Employment (LE) *Zone*, a *district energy facility/system* with ancillary fuel storage shall be permitted in the subject to the regulations of the LE *Zone* except wherein conflict with the following in which case the following shall apply:

- a. Parking for the *District Energy Facility/System* – 10 *parking spaces* (minimum).
- b. Notwithstanding Section 4.13.1, the subject property shall be deemed to have *frontage* on the Third Line unopened road allowance and the New North Oakville Transportation Corridor until such a time as Third Line and the New North Oakville Transportation Corridor in this area has been constructed.

# Special Provisions

<b>9</b>	<b>Halton Health Care Services 3000 Third Line (Part of Lot 26, Concession 1 N.D.S.)</b>	<b>Parent Zone: I</b>
Map 12(2)		(2009-179) (2012-001) (2013-065)
<b>8.9.1 Zone Provisions</b>		

In addition to the permitted *uses* and *buildings* of the Institutional (I) *Zone* except for *public school, private school, commercial school, private career college* and *caretaker dwelling unit*, the following additional *uses* shall be permitted.

a. Additional Permitted Uses

- i. Hospital;
- ii. Professional, business and *medical offices*;
- iii. District energy including *cogeneration* (capacity less than 10 MW);
- iv. *Commercial fitness centre*;
- v. A temporary presentation centre related to the hospital use in accordance with the regulations for temporary sales office in Section 4.3.2 (vii);
- vi. *Stormwater management facility*;
- vii. *Accessory uses*; and,
- viii. *Ancillary retail* and *service commercial uses*.

b. Regulations

The permitted *uses* are subject to the regulations of the I *Zone* except wherein conflict with the following, in which case the following will prevail:

- i. *Height* - minimum 11 m, maximum 15 *storeys*;
- ii. Required *Building Setbacks*
  - Third Line: minimum 0 m, maximum 52 m
  - Dundas Street: minimum 0 m, maximum 35 m
  - Road on west side of property: minimum 0 m, maximum 20 m
  - Road on north side of property: minimum 0 m, maximum 85 m;
- iii. Required *Parking Spaces* - maximum 2100 of which a minimum of 50% shall be in a parking *structure(s)*;
- iv. Location of Loading Areas - Loading areas shall be screened from view by an opaque screen with a minimum height of 1.5 m and shall not be permitted in a *yard* abutting Dundas Street or Third Line;
- v. Minimum Landscaped Open Space - 10%

# Special Provisions

<b>10</b>	<b>Fern Hill School 3300 Ninth Line (Part of Lot 6, Concession 1 N.D.S.)</b>	Parent Zone: I
Map 12(6)		(2013-065) OMB PL100041
<b>8.10.1 Zone Provisions</b>		

The permitted *uses, buildings* and regulations of the I *Zone* shall apply is subject to the regulations of the I *Zone* except wherein conflict with the following, in which case the following will prevail:

Private Elementary School

- Parking
- Minimum - 1 *parking space* per classroom
  - Maximum - 96 spaces

# Special Provisions

11	<b>3175 &amp; 3185 Dundas Street West (Part of Lot 32, Concession 1 N.D.S.)</b>	Parent Zone: FD
Map 12(1)		(1982-171) (2013-065) (2022-007)
<b>8.11.1 Zone Provisions</b>		

The permitted *uses* and regulations in Sections 7.13.1-7.13.4 inclusive apply except where in conflict with the following, in which case the following will prevail:

a) Permitted *Uses*

In addition to the *uses* permitted, the following *uses* are also permitted:

- i. Warehousing and storage within enclosed *buildings* and the assembly of manufactured products such as textiles, woods, paper, light metal sections, radio and television equipment and other similar products;
- ii. The manufacture within enclosed *buildings* of radio and television equipment, drugs, cosmetics, jewelry and watches, toys, office equipment, sanitation products and any other light manufacturing operations which are not obnoxious by reason of erosion or the emission of noise, odour, dust, gas, fumes, smoke, refuse or water carried waste;
- iii. Administrative offices related to, and on the same *lot* as, any *use* permitted in this subsection;
- iv. The outdoor testing of electronic equipment.

b) Regulations

For the uses permitted in paragraphs (a) (i), (ii), (iii) the following regulations apply:

- i. *Lot area* - Minimum - 1 hectare;
- ii. *Lot frontage* - Minimum - 60 metres;
- iii. *Front yard* - Minimum - 27 metres;
- iv. *Side yard* - Minimum - 6 metres except along a *flankage* in which case - 15 metres;
- v. *Rear yard* - Minimum - 7.5 metres;
- vi. *Landscaped area* excluding buffer strip:
  - *Front yard* - Minimum - 45% of area of *required front yard*
  - *Other yards* - Minimum - 10% of area of lot excluding area of *front yard*;
- vii. *Floor area* - Minimum - 1300 square metres;
- viii. *Floor area* - Maximum - 3716 square metres;
- ix. Parking as required for Section 5 (except for Section 5.8) except that 5 *parking spaces* shall be provided per 93 square metres of space devoted to *retail* sales and 5 *parking spaces* shall be provided for the first 93 square metres and 1 *parking space* for each additional 93 square metres of space devoted to manufacture or assembly of merchandise.

## Special Provisions

<b>12</b>	<b>Service Station, N/W Dundas &amp; Trafalgar</b>	Parent Zone: FD
Map 12(1)	<b>305 Dundas Street East</b> <b>(Part of Lot 13, Concession 1 N.D.S.)</b>	(1985-014) (2005-022) (2013-065) (2022-007)
<b>8.12.1 Zone Provisions</b>		

The land in the may be used for the *uses* permitted in Section 8.13.1 subject to the applicable regulations therefore, except where in conflict with the following regulations, in which case the following shall prevail:

- a. Regulations
  - i. *Setbacks* - any *building*, structure or canopy erected on this part of the site must be located entirely within the *building* envelope as shown in hatchmarks on Schedule “B” to By-law 2005-022.
  - ii. No part of any *building* or *structure* or canopy shall exceed an overall *building height* of 7.5 metres from *established grade*.
  - iii. The total gross *floor area* for a *building* or portion thereof containing the display and *retail* sale of food or sundry or take-out *restaurant* will not exceed 170m<sup>2</sup>, of which: maximum gross *floor area* for take-out restaurant – 35m<sup>2</sup>.
  - iv. Where there is a split *zoning* on the property, the requirements of the *zone* shall be met entirely within the boundaries of that *zone*.

## Special Provisions

<b>13</b>	<b>Service Station N/E Dundas &amp; Trafalgar</b>	Parent Zone: FD
Map 12(5)	<b>325 Dundas Street East</b> <b>(Part of Lot 12, Concession 1 N.D.S.)</b>	(2009-189) (2013-065) OMB PL100041 (2022-007)
<b>8.13.1 Zone Provisions</b>		

The permitted *uses* and regulations in Sections 7.13.1-7.13.4 inclusive apply except where in conflict with the following, in which case the following will prevail:

- a) Additional Permitted *Uses*
  - i. *gas bar*;
  - ii. car wash; and,
  - iii. ancillary sale of food and sundry *uses*, *restaurant*-take-out permitted in conjunction with a *gas bar* and each only within the same enclosed *building* or portion thereof as the service counter directly related to the consumer purchase of automotive fuels and products.
- b) *Yards* for *buildings*, equipment excluding Fuel Pumps
  - i. *Front*: 15m
  - ii. *Side*: 3.04m
  - iii. *Rear*: 7.5m
- c) Additional Regulations for Fuel Pumps:
  - i. The minimum distance between the nearest fuel pump to a line between a point on the *front lot line* and a point on the *side lot line*, each point being 15m from the intersection: 3m; and,
  - ii. Minimum *yard* abutting a *street*: 3m
- d) Additional Regulations for Canopies:
  - i. Minimum *yard*: 5m.
- e) Additional Regulations for *Buildings* or *Structures* containing a *retail* sale of food and sundry *use* or take-out *restaurant*:
  - i. The total *floor area* for a *building* or portion thereof containing a *retail* sale of food or sundry *use* or take-out *restaurant* will not exceed 170m<sup>2</sup>, of which:
    - Maximum gross *floor area* for the display and *retail* sale of food and sundry *use*: 102m<sup>2</sup>;
    - Maximum gross *floor area* for take-out *restaurant*: 35m<sup>2</sup>
  - ii. The *floor area* for *retail* sale of food and sundry *use* is determined to be the area inclusive of the service counter directly related to the consumer purchase of automotive fuels and products, and any area devoted to public *use* and the display of goods within the enclosed *building*, excluding the area devoted to public washrooms;
  - iii. Eating area and tables for the *use* of customers not permitted.



## Special Provisions

<b>13</b>	<b>Service Station N/E Dundas &amp; Trafalgar 325 Dundas Street East (Part of Lot 12, Concession 1 N.D.S.)</b>	Parent Zone: FD
Map 12(5)		(2009-189) (2013-065) OMB PL100041 (2022-007)
<b>8.13.1 Zone Provisions</b>		

- f) Additional regulations for mechanical *car washes*:
- i. *Car wash* facilities are restricted to a maximum size of 300m<sup>2</sup>;
  - ii. Only 1 bay may be used for washing *vehicles*;
  - iii. Queuing space for not less than 8 *vehicles* must be provided for ingress to a car washing facility, and for not less than 2 *vehicles* for egress, and in both cases shall be so located, and appropriately demarcated, so as not to interfere with other operations of the automobile *service station* or *accessory uses*.
- g) Additional regulations:
- i. Storage areas, and any office area not directly related to the consumer purchase of automotive fuels or products, must be clearly separate from the *gross floor areas* set out in e. above by a physical wall barrier; paved parking requirements for gas bars-minimum (no maximum and Section 5.8 excepted):
    - for the gas bar: 2 spaces
    - for *retail* sale of food and *sundry use*: one *parking space* plus one *parking space* for every 45 square metres of *floor area* devoted to *public use*
    - for take out *restaurant* 3 spaces or 1 space for ever 8 square metres of *floor area* developed to take out *restaurant*, whichever is greater
    - for carwash facility: 1 space

<b>14</b>	<b>Marc Pettigrew 351 Dundas Street East (Part of Lot 12, Concession 1 N.D.S.)</b>	Parent Zone: ED
Map 12(5)		(1983-116) (2013-065) (2014-094)
<b>8.14.1 Zone Provisions</b>		

Deleted by By-law 2014-094

## Special Provisions

<b>15</b>	<b>GE Water &amp; Process Technologies</b> <b>3239 Dundas Street West</b> <b>(Part of Lots 32 and 33, Concession 1 N.D.S.)</b>	Parent Zone: FD
Map 12(1)		(1998-209) (1999-134) (2013-065) (2022-007)
<b>8.15.1 Zone Provisions</b>		

The permitted uses and regulations in Sections 7.13.1-7.13.4 inclusive apply except where in conflict with the following, in which case the following will prevail:

- a) Additional Permitted *Uses*
- i. The assembly of manufactured products, manufacturing, warehousing, storage of products and research and development facilities related to water and wastewater servicing systems, within an enclosed *building*;
  - ii. *Outside storage* in conjunction with *uses* identified in paragraph (a) (i) provided that it is screened using fencing and/or landscaping;
  - iii. Offices including administrative offices related to and on the same *lot* as any *use* permitted in this subsection;
  - iv. *Day nursery* in conjunction with *uses* identified in paragraph (a), and;
  - v. *Stormwater management facilities*.

b) Regulations

Notwithstanding the Future Development provisions of this By-law, for the *uses* permitted in paragraph (a), the following regulations apply:

- i. For the purpose of calculating parking, the following minimums (no maximum and Section 5.8 excepted) apply:
  - one *parking space* for every 18.5 square metres of the first 93 square metres of *floor area* and 1 *parking space* for every subsequent 93 square metres of *floor area*, to be used only for parking of employees' and customers' vehicles and vehicles incidental to the industrial undertaking.
- ii. Notwithstanding *yard* provisions within this By-law, all *structures* and parking shall be built within the development envelope shown on Schedule "C" of By-law 1998-209.
- iii. *Landscaped Area* - Minimum 35% of the area to be developed (8 hectares). The *landscaped area* shall include any required *stormwater management facilities* and lands *zoned* "NHS" but shall exclude the top of bank buffer which is outside of the development envelope as per Schedule "C" of By-law 1998-209.
- iv. *Floor Area* (max.) - 16,300 square metres
- v. Offices including administrative offices shall not exceed 49% of the built *floor area*.
- vi. The maximum *building height*, excluding roof-top mechanical equipment shall be 15 metres measured from a geodetic elevation of 155.1 metres above sea level and shall not exceed 3 *storeys*.
- vii. *Outside storage* shall not exceed 40% of the development envelope as shown on Schedule "C" of By-law 1998-209.

# Special Provisions

<b>16</b>	<b>Joshua Creek Heritage Art Center 1086 Burnhamthorpe Road East (Part of Lot 10, Concession 1 N.D.S.)</b>	Parent Zone: FD
Map 12(6)		(2009-189) (2013-065) OMB PL100041 (2022-007)
<b>8.16.1 Zone Provisions</b>		

The permitted *uses* and regulations in Sections 7.13.1-7.13.4 inclusive apply except where in conflict with the following, in which case the following will prevail:

- a) Additional Permitted *Uses* and Regulations

An *art gallery* and art school shall be permitted on the property in conjunction with the existing *buildings* and *structures* on the property and the existing parking provided on the property at the time of passing of this by-law.

# Special Provisions

17	<b>3120 Third Line (Part of Lot 26, Concession 1 NDS)</b>		Parent Zone: I
Map 12(2)			(2013-059)
<b>8.17.1 Prohibited Uses</b>			
The following <i>uses</i> are prohibited:			
a)	<i>Nursing Home</i>		
b)	<i>Public Works Yard</i>		
c)	<i>Outside Storage and Outside Processing</i>		
d)	<i>Caretaker Dwelling Unit</i>		
e)	<i>Retirement Home</i>		
<b>8.17.2 Zone Provisions</b>			
The following regulations apply:			
a)	Minimum <i>height</i> - 10 m		
b)	Maximum <i>height</i> - n/a		
<b>8.17.3 Parking Regulations</b>			
The following parking regulations apply:			
a)	Minimum number of <i>parking spaces</i>	1 <i>parking space</i> per 25 square metres of <i>leasable floor area</i> minimum	
<b>8.17.4 Special Site Provisions</b>			
The following additional provision applies:			
a)	The <i>lot</i> shall be deemed to have <i>lot frontage</i> on a <i>public street</i> until the future Third Line/ New North Oakville Transportation Corridor has been constructed.		
b)	The <i>front lot line</i> shall be the <i>lot line</i> abutting the future Third Line/New North Oakville Transportation Corridor until such time as that <i>street</i> has been constructed, and Third Line/ New North Oakville Transportation Corridor after that <i>street</i> has been constructed.		

# Special Provisions

18	<b>Green Ginger Development Inc. (Part of Lots 13 &amp; 14, Concession 1 N.D.S.)</b>		Parent Zones: TUC
Map 12(5)			(2013-113)
<b>8.18.1 Additional Permitted Uses</b>			
The following additional <i>uses</i> are permitted:			
a)	Permitted <i>uses</i> and <i>buildings</i> shall also include <i>townhouse dwellings</i> and <i>townhouse dwellings back-to-back</i> where such <i>uses</i> will be subject to the regulations of the General Urban GU <i>Zone</i> unless otherwise modified by this Special Provision.		
<b>8.18.2 Zone Provisions</b>			
The following regulations apply:			
a)	Minimum <i>rear yard</i> for a permitted <i>dwelling</i> with a <i>private garage</i> having <i>street</i> access	6.0 m	
b)	Minimum <i>rear yard</i> for a permitted <i>dwelling</i> having <i>lane</i> access	0.75 m	
c)	Maximum projection into a <i>rear yard</i> , measured at the main rear wall of the main <i>building</i> of any one <i>storey</i> addition	3.0 m, but only for a maximum 50% of the width of the <i>dwelling</i>	
d)	Minimum <i>lot depth</i> for a permitted <i>dwelling</i> with <i>lane</i> access	16.0 m	
e)	Minimum <i>lot depth</i> for a <i>townhouse dwelling</i> with a <i>private garage</i> having <i>street</i> access	22.5 m	
f)	Section 4.27 shall not apply for <i>inset porches</i> .		
g)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the <i>building</i> or insect screening.		
<b>8.18.3 Parking Regulations</b>			
The following parking regulations apply:			
a)	Minimum width of a <i>parking space</i> in a single car <i>private garage</i>	2.9 metres	
b)	One step may encroach into the length and width of a <i>parking space</i> within a garage at the end of the <i>parking space</i>		
<b>8.18.4 Special Site Provisions</b>			
The following additional provisions apply:			
a)	“Lot frontage” means the horizontal distance between the <i>side lot lines</i> of a lot measured parallel to and 6.0 metres back from the <i>front lot line</i>		
b)	“Lot depth” means the horizontal distance between the <i>front lot line</i> and <i>rear lot line</i> . If the front and rear <i>lot lines</i> are not parallel, lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> with the mid-point of the <i>rear lot line</i> . Where there is no <i>rear lot line</i> , lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> to the apex of the triangle formed by the <i>side lot lines</i> .		

# Special Provisions

19	<b>Green Ginger Development Inc. (Part of Lots 13 &amp; 14, Concession 1 N.D.S.)</b>	Parent Zone: TUC
Map 12(5)		(2013-113)
<b>8.19.1 Zone Provisions</b>		
The following regulations apply:		
a)	Maximum <i>front yard</i> for <i>buildings</i> fronting onto Dundas Street East	10.0 m
b)	Minimum <i>building height</i>	12.0 m
c)	Maximum <i>front yard</i> shall not be required for <i>buildings</i> fronting into other <i>streets</i>	
d)	Maximum <i>flankage yard</i> shall not be required	
e)	<i>Accessory buildings</i> and <i>structures</i> , including an exit stair from a <i>parking garage</i> , shall be permitted to be closer to the flankage than the main <i>building</i>	
f)	Maximum projection into any yard for <i>balconies</i> and open-air terraces	Up to the applicable <i>lot line</i>
<b>8.19.2 Parking Regulations</b>		
The following parking regulations apply:		
a)	Maximum permitted <i>parking spaces</i> for any <i>apartment building</i>	2.0 spaces per unit, inclusive of visitor
b)	Minimum required <i>parking spaces</i> for a <i>commercial use</i>	0 spaces
c)	Visitor <i>parking spaces</i> shall be permitted in a <i>surface parking area</i>	
<b>8.19.3 Special Site Provisions</b>		
The following additional provisions apply:		
a)	The <i>front lot line</i> shall be deemed to be the <i>lot line</i> abutting Dundas Street East	
b)	All other <i>lots lines</i> shall be deemed to be <i>flankages</i> .	
c)	“Established grade” means the finished floor elevation at <i>grade</i>	
d)	“Lot frontage” means the horizontal distance between the <i>side lot lines</i> of a lot measured parallel to and 6 metres back from the <i>front lot line</i>	
e)	“Lot depth” means the horizontal distance between the <i>front lot line</i> and <i>rear lot line</i> . If the <i>front</i> and <i>rear lot lines</i> are not parallel, <i>lot depth</i> means the measurement of a straight line joining the mid-point of the <i>front lot line</i> with the mid-point of the <i>rear lot line</i> . Where there is no <i>rear lot line</i> , lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> to the apex of the triangle formed by the <i>side lot lines</i> .	

# Special Provisions

20	<b>Green Ginger Development Inc. (Part of Lots 13 &amp; 14, Concession 1 N.D.S.)</b>		Parent Zone: TUC
Map 12(5)			(2013-113)
<b>8.20.1 Additional Permitted Uses</b>			
The following regulations apply:			
a)	Permitted <i>uses</i> and <i>buildings</i> shall also include <i>single-detached dwellings</i> where such <i>uses</i> will be subject to the regulations of the General Urban GU <i>Zone</i> unless otherwise modified by this Special Provision.		
<b>8.20.2 Zone Provisions</b>			
The following additional provisions apply:			
a)	Minimum <i>rear yard</i> for a permitted <i>dwelling</i> with a <i>private garage</i> having <i>street</i> access	6.0 m	
<b>8.20.3 Special Site Provisions</b>			
The following additional provisions apply:			
a)	“Lot frontage” means the horizontal distance between the <i>side lot lines</i> of a <i>lot</i> measured parallel to and 6 metres back from the <i>front lot line</i> .		
b)	“Lot depth” means the horizontal distance between the <i>front lot line</i> and <i>rear lot line</i> . If the <i>front</i> and <i>rear lot lines</i> are not parallel, lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> with the mid-point of the <i>rear lot line</i> . Where there is no <i>rear lot line</i> , lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> to the apex of the triangle formed by the <i>side lot lines</i> .		

# Special Provisions

21	<b>Green Ginger Development Inc. (Part of Lots 13 &amp; 14, Concession 1 N.D.S.)</b>		Parent Zone: DUC
Map 12(5)			(2013-113)
<b>8.21.1 Additional Permitted Uses</b>			
a)	Permitted <i>uses</i> and <i>buildings</i> in the General Urban GU Zone, not including <i>single-detached</i> and <i>semi-detached dwellings</i> , which shall be subject to the regulations of the General Urban GU Zone unless otherwise modified by this Special Provision		
b)	Permitted <i>uses</i> in the Dundas Urban Core Performance 8 Zone DUC-8		
<b>8.21.2 Zone Provisions</b>			
The following regulations apply:			
a)	Minimum <i>rear yard</i> for a permitted <i>dwelling</i> with a <i>private garage</i> having <i>street access</i>	6.0 m	
b)	Minimum <i>rear yard</i> for a permitted <i>dwelling</i> having <i>lane access</i>	0.75 m	
c)	Maximum <i>front yard</i> for <i>buildings</i> fronting onto Dundas Street East	10.0 m	
d)	Maximum <i>front yard</i> shall not be required for <i>buildings</i> fronting onto other <i>streets</i>		
e)	Maximum <i>flankage yard</i> shall not be required		
f)	<i>Accessory buildings</i> and <i>structures</i> , including an exit stair from a <i>parking garage</i> , shall be permitted to be closer to the <i>flankage</i> than the <i>main building</i>		
g)	Minimum <i>building height</i>	12.0 m	
h)	Maximum projection into any <i>yard</i> for <i>balconies</i> and open-air terraces	Up to the applicable <i>lot line</i>	
<b>8.21.3 Parking Regulations</b>			
The following parking regulations apply:			
a)	Maximum permitted <i>parking spaces</i> for any <i>apartment building</i>	2.0 spaces per unit, inclusive of visitor	
b)	Visitor <i>parking spaces</i> shall be permitted in a <i>surface parking area</i>		
<b>8.21.4 Special Site Provisions</b>			
The following additional provisions apply:			
a)	The <i>front lot line</i> shall be deemed to be the <i>lot line</i> abutting Dundas Street East		
b)	All other <i>lot lines</i> shall be deemed to be <i>flankages</i>		
c)	“Established grade” means the finished floor elevation at <i>grade</i>		
d)	“Lot frontage” means the horizontal distance between the <i>side lot lines</i> of a <i>lot</i> measured parallel to and 6 metres back from the <i>front lot line</i>		
e)	“Lot depth” means the horizontal distance between the <i>front lot line</i> and <i>rear lot line</i> . If the <i>front</i> and <i>rear lot lines</i> are not parallel, lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> with the mid-point of the <i>rear lot line</i> . Where there is no <i>rear lot line</i> , lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> to the apex of the triangle formed by the <i>side lot lines</i> .		



# Special Provisions

22	<b>Green Ginger Development Inc. (Part of Lots 13 &amp; 14, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(5)		(2013-113)
<b>8.22.1 Zone Provisions</b>		
The following regulations apply:		
a)	Section 4.27 shall not apply for <i>inset porches</i>	
b)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the <i>building</i> or insect screening	
<b>8.22.2 Parking Regulations</b>		
The following parking regulations apply:		
a)	Three steps may encroach into the length of a <i>parking space</i> within a garage at the end of the <i>parking space</i>	
<b>8.22.3 Special Site Provisions</b>		
The following additional provisions apply:		
a)	“Lot frontage” means the horizontal distance between the <i>side lot lines</i> of a <i>lot</i> measured parallel to and 6 metres back from the <i>front lot line</i>	
b)	“Lot depth” means the horizontal distance between the <i>front lot line</i> and <i>rear lot line</i> . If the <i>front</i> and <i>rear lot lines</i> are not parallel, lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> with the mid-point of the <i>rear lot line</i> . Where there is no <i>rear lot line</i> , lot depth means the measurement of a straight line joining the mid-point of the <i>front lot line</i> to the apex of the triangle formed by the <i>side lot lines</i> .	

# Special Provisions

23	<b>Green Ginger Development Inc. (Part of Lots 13 &amp; 14, Concession 1 N.D.S.)</b>	Parent Zone: GU
Map 12(5)		(2013-113)
<b>8.23.1 Zone Provisions</b>		
The following regulations apply:		
a)	Section 4.27 shall not apply for inset <i>porches</i>	
b)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the <i>building</i> or insect screening	
<b>8.23.2 Parking Regulations</b>		
The following <i>parking</i> regulations apply:		
a)	Three steps may encroach into the length of a <i>parking space</i> within a garage at the end of the <i>parking space</i>	
<b>8.23.3 Special Site Provisions</b>		
The following additional provisions apply:		
a)	“Lot frontage” means the horizontal distance between the side lot lines of a lot measured parallel to and 6 metres back from the front lot line	
b)	“Lot depth” means the horizontal distance between the <i>front lot line</i> and <i>rear lot line</i> . If the front and <i>rear lot lines</i> are not parallel, <i>lot depth</i> means the measurement of a straight line joining the mid-point of the <i>front lot line</i> with the mid-point of the <i>rear lot line</i> . Where there is no <i>rear lot line</i> , <i>lot depth</i> means the measurement of a straight line joining the mid-point of the <i>front lot line</i> to the apex of the triangle formed by the <i>side lot lines</i> .	

## Special Provisions

24	<b>528 Burnhamthorpe Road</b> <b>(Part of Lot 20, Concession 1 N.D.S.)</b>	Parent Zone: NUC
Map 12(4)		(2014-069)
<b>8.24.1 Zone Provisions</b>		
The following regulations apply:		
a)	Maximum <i>front yard</i> (Burnhamthorpe Road)	35.0 m
b)	Maximum <i>flankage yard</i> (Neyagawa Boulevard)	110.0 m
c)	Maximum <i>flankage yard</i> (Old Fourth Line)	50.0 m
d)	Minimum <i>floor space index</i>	0.25
e)	Minimum <i>height</i>	2 <i>storeys</i>
f)	Maximum <i>height for accessory buildings</i>	6.0 m
<b>8.24.2 Parking Regulations</b>		
The following parking regulations apply:		
a)	Maximum permitted <i>parking spaces</i> for a <i>private school</i>	4 spaces per classroom

# Special Provisions

<b>25</b>	<b>3079 Neyagawa Blvd</b> <b>(Part of Lot 20, Concession 1 N.D.S.)</b>	Parent Zone: NUC
Map 12(4)	OMB Appeals PL140087 (2013-127)	(2013-127) (2014-069)

### 8.25.1 Additional Permitted Uses

- a) Permitted *uses* and *buildings* in the General Urban GU Zone, which shall be subject to the regulations of the General Urban GU Zone unless otherwise modified by this Special Provision

### 8.25.2 Zone Provisions

a)	Maximum <i>front yard</i> (from Neyagawa Blvd.) for <i>uses</i> and <i>buildings</i> subject to the General Urban GU Zone	4.5 m
b)	Minimum <i>rear yard</i> for <i>uses</i> and <i>buildings</i> subject to the General Urban GU Zone	6.0 m
c)	Maximum <i>front yard</i> for any <i>corner lot</i> fronting onto Neyagawa Blvd.	6.0 m
d)	Minimum <i>rear yard</i> for <i>lots</i> with a <i>lot depth</i> of 27m	5.5 m
e)	No part of a <i>private garage</i> shall project beyond the front wall of the <i>first storey</i> of the <i>dwelling</i> except where a <i>porch</i> or <i>landing</i> is provided, in which case the <i>private garage</i> shall not project beyond the front of the <i>porch</i> or <i>landing</i>	
f)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the <i>building</i>	
g)	For any <i>through lot</i> abutting Neyagawa Blvd., the <i>front lot line</i> shall be the <i>lot line</i> abutting Neyagawa Blvd., with access and parking from the <i>rear yard</i> .	
h)	For Lot 26, the <i>rear lot line</i> shall be the <i>lot line</i> abutting Lot 18 and the <i>side lot line</i> shall be the <i>lot line</i> abutting Lots 15, 16, and 17.	

### 8.25.3 Zone Provisions for Block 1

The following additional regulations apply on lands identified as Block 1 on Figure 8.25.2:

- a) The *zone* requirements for a *private school* or *public school* shall be those of the Neyagawa Urban Core (NUC – SP 24) Zone.

### 8.25.4 Special Site Figures

Figure 8.25.1

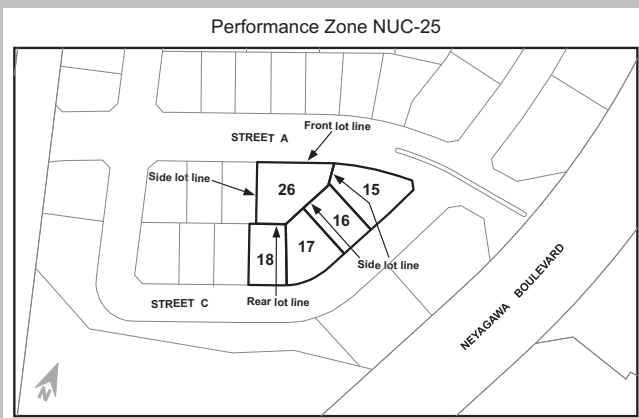
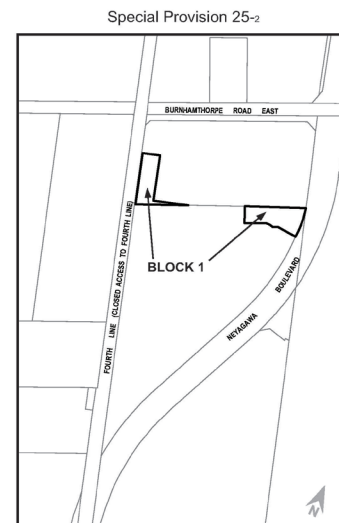


Figure 8.25.2



# Special Provisions

26	<b>404072 Ontario Ltd.</b> <b>(Part of Lots 14 &amp; 15, Concession 1, N.D.S.)</b>		Parent Zone: DUC
Map 8(5)			(2014-063)
<b>8.26.1 Additional Permitted Uses</b>			
The following additional <i>uses</i> are permitted:			
a)	<i>Townhouse dwellings</i> where such <i>uses</i> will be subject to the regulations of the General Urban (GU – SP 3) <i>Zone</i> unless otherwise modified by this Special Provision.		
b)	<i>Townhouse dwellings back-to-back</i> where such <i>uses</i> will be subject to the regulations of the General Urban (GU – SP 3) <i>Zone</i> unless otherwise modified by this Special Provision.		
<b>8.26.2 Zone Provisions</b>			
The following regulations apply:			
a)	Minimum <i>rear yard</i> for a <i>dwelling</i> with a <i>private garage</i> having <i>street</i> access	6.0 m	
b)	Section 4.27 shall not apply for <i>inset porches</i> .		
c)	A <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the <i>building</i> or insect screening.		
<b>8.26.3 Zone Provisions for Mixed Use Buildings</b>			
a)	<i>Commercial, retail</i> and office <i>uses</i> are only permitted at-grade where the associated premises front a <i>public street</i> , and are only permitted within a <i>commercial / residential building</i> or a <i>mixed use building</i> .		
b)	Office and ancillary <i>residential uses</i> are permitted on any floor of a <i>building</i> .		
c)	<i>Residential dwelling units</i> are not permitted at-grade except where the <i>dwelling units</i> face away from a <i>public street</i> .		
d)	Minimum <i>rear yard</i> below <i>grade</i>	0 metres	
e)	Minimum <i>height</i> of the <i>first storey</i>	4.5 metres, and shall not apply to that portion of a <i>building</i> occupied by a <i>dwelling unit</i>	
f)	Maximum permitted encroachment for bay, box out and bow windows with or without foundation	Up to 0.3 metres from any <i>public street</i>	
g)	Maximum <i>height</i> of parapets	3.0 metres	
h)	Maximum <i>height</i> of mechanical and/or elevator penthouse, rooftop equipment, and stair tower	6.0 metres	
i)	Maximum <i>height</i> of rooftop architectural features	6.0 metres	
j)	Maximum <i>height</i>	29.0 metres	
k)	Where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2 metres in height and are not integrated with the extension of the <i>building's</i> façade, these must be set back a minimum of 4 metres from all edges of the roof and screened by an opaque architectural feature.		
l)	A step back to a <i>building</i> wall that faces a <i>public street</i> is not permitted below a <i>height</i> of 12 metres.		
m)	Any podium, stepped back, or terraced portions of a <i>building</i> are permitted below the minimum <i>height</i> .		
n)	Any <i>mixed-use building</i> taller than 19 metres in <i>height</i> shall have a <i>building</i> wall of no longer than 50 metres where parallel to a <i>public street</i> .		
o)	Where commercial and/or office units are located at-grade, a minimum of one principal <i>building</i> entrance to each unit shall be directly accessible from, and oriented towards, a <i>public street</i> . A maximum of one <i>building</i> entrance to each unit shall be oriented towards a <i>yard</i> other than the <i>public street yard</i> .		
p)	Stairs and air vents associated with an underground parking <i>structure</i> are permitted in any <i>yard</i> .		
q)	<i>Balconies</i> are permitted in any <i>yard</i> .		

## Special Provisions

26	<b>404072 Ontario Ltd.</b> <b>(Part of Lots 14 &amp; 15, Concession 1, N.D.S.)</b>	Parent Zone: DUC
Map 8(5)		(2014-063)
<b>8.26.4 Parking Regulations</b>		
The following parking regulations apply:		
a)	Minimum width of a <i>parking space</i> in a <i>private garage</i>	2.9 metres
b)	One step may encroach into the length and width of a <i>parking space</i> within a garage at the end of the <i>parking space</i>	
<b>8.26.5 Special Site Provisions</b>		
a)	“Lot frontage” means the horizontal distance between the <i>side lot lines</i> of a <i>lot</i> measured parallel to and 6.0 metres back from the <i>front lot line</i>	
b)	“Height” shall be measured from the finished floor elevation at <i>grade</i> .	

## Special Provisions

27	<b>Pendent Developments Ltd. and Lower Fourth Development Ltd.</b>	Parent Zone: NC
Map 12(4)	<b>(Part of Lots 16, 17, 18, 19, Concession 1, N.D.S.)</b>	(2014-079)
<b>8.27.1 Zone Provisions</b>		
The following regulations apply:		
a)	The <i>front lot line</i> shall be deemed the <i>lot line</i> that is abutting the <i>lane</i> providing access.	
b)	Minimum <i>lot frontage</i> for a <i>townhouse dwelling</i> with <i>lane</i> access and <i>rear yard</i> adjacent to a Natural Heritage System Zone	4.2 m
c)	Minimum <i>lot depth</i> for a <i>townhouse dwelling</i> with <i>lane</i> access and <i>rear yard</i> adjacent to a Natural Heritage System Zone	18.5 m
d)	Maximum encroachment permitted into a <i>rear yard</i> for <i>porches</i> , <i>uncovered platforms</i> , and <i>balconies</i> for a <i>townhouse dwelling</i> with <i>lane</i> access and <i>rear yard</i> adjacent to a Natural Heritage System Zone	Up to 1.0 m from the <i>rear lot line</i>
e)	A <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the <i>porch</i> . Steps may encroach into the required depth. <i>Porches</i> shall have walls that are open and unenclosed for at least 35% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
<b>8.27.2 Parking Regulations</b>		
The following parking regulations apply:		
a)	The maximum width of the <i>driveway</i> for a <i>townhouse dwelling</i> with <i>lane</i> access and <i>rear yard</i> adjacent to a Natural Heritage System Zone shall be 50% of the <i>lot frontage</i> .	
b)	A <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a <i>private garage</i> at the side of the <i>parking space</i> .	

# Special Provisions

28	<b>Pendent Developments Ltd. and Lower Fourth Development Ltd.</b>	Parent Zone: I
Map 12(4)	<b>(Part of Lots 16, 17, 18, 19, Concession 1, N.D.S.)</b>	(2014-079)
<b>8.28.1 Special Site Provisions</b>		
The following additional provisions apply:		
a)	Lands identified in an Institutional (I – SP 28) <i>Zone</i> subject to this Special Provision shall not be subject to Sections 1.7(iii) related to prohibitions, and 4.13.1 related to <i>lot frontage</i> requirements.	
b)	For the purposes of this By-law, the limits of the Institutional (I – SP 28) <i>Zone</i> boundary as scaled from Map 12(4), as amended by By-law 2014-079, shall be deemed the <i>lot lines</i> until such time as the <i>lot</i> is created. While this provision is in effect, the <i>front lot line</i> shall be the southern <i>zone</i> boundary (abutting the future Sixteen Mile Drive right-of-way) and the <i>flankage lot line</i> shall be the eastern <i>zone</i> boundary.	
c)	Maximum <i>flankage yard</i> for an elementary school	25.0 m
d)	Minimum <i>building height</i> for an elementary school	8.0 m
e)	Minimum <i>floor space index</i> for an elementary school	0.20
<b>8.28.2 Parking Regulations</b>		
The following parking regulations apply:		
a)	The maximum width of the <i>driveway</i> for a <i>townhouse dwelling</i> with <i>lane</i> access and <i>rear yard</i> adjacent to a Natural Heritage System <i>Zone</i> shall be 50% of the <i>lot frontage</i> .	
b)	A <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a <i>private garage</i> at the side of the <i>parking space</i> .	



# Special Provisions

29	<b>Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(5)		(2014-080)
<b>8.29.1 Additional Permitted Uses</b>		
The following <i>buildings</i> are the only <i>buildings</i> permitted:		
a)	<i>Single-detached, semi-detached and townhouse dwellings</i> , which shall be subject to the provisions of the General Urban (GU – SP 3) <i>Zone</i> unless otherwise modified by this Special Provision	
<b>8.29.2 Zone Regulations for Mixed Use Buildings</b>		
The following regulations apply to <i>mixed use buildings</i> :		
a)	<i>Dwelling units</i> are not permitted on a <i>first storey</i> except where the <i>front wall</i> of the <i>dwelling unit</i> is not oriented toward a <i>public street</i>	
b)	Permitted non-residential <i>uses</i> are only permitted on a <i>first storey</i> . The <i>front wall</i> of the premises shall be oriented toward a <i>public street</i>	
c)	Notwithstanding subsection (b) above, permitted office and ancillary <i>residential uses</i> are permitted on any <i>storey</i>	
d)	Minimum <i>rear yard</i> below <i>grade</i>	0.0 m
e)	Minimum height of the <i>first storey</i>	4.5 m, and shall not apply to that portion of a building occupied by a <i>dwelling unit</i>
f)	Maximum permitted encroachment for bay, box out, and bow windows with or without foundation	Up to 0.3 m from any <i>front lot line</i> or <i>flankage lot line</i>
g)	Maximum <i>height</i>	17.0 m, and excludes features identified in subsections (h), (i), and (j) below
h)	Maximum height of parapets	3.0 m
i)	Maximum height of mechanical and/or elevator penthouse, rooftop equipment, and stair tower	6.0 m
j)	Maximum height of rooftop architectural features	6.0 m
k)	Maximum length of a <i>building wall</i> parallel to a <i>public street</i>	50.0 m
l)	Maximum projection of a <i>balcony</i>	2.0 m
m)	Where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2.0 metres in height and are not integrated with the extension of a <i>building's</i> <i>façade</i> , these must be set back a minimum of 4.0 metres from all edges of the roof and screened by an opaque architectural feature.	
n)	Any podium, stepped back, or terraced portions of a <i>building</i> are permitted below the minimum <i>height</i> .	
o)	Stairs and air vents associated with an underground <i>parking garage</i> are permitted in any <i>yard</i> .	
<b>8.29.3 Parking Regulations</b>		
The following parking regulations apply:		
a)	Minimum width of a <i>parking space</i> in a <i>private garage</i>	2.9 m
b)	One step may encroach into the length and width of a <i>parking space</i> within a <i>private garage</i> at the end of the <i>parking space</i> .”	

# Special Provisions

<b>30</b>	<b>Dundas-Trafalgar Inc. (Minto) (Part of Lot 12, Concession 1 N.D.S.)</b>		Parent Zone: TUC
Map 12(5)			(2014-094) (2022-007) OMB PL131293
<b>8.30.1 Only Building Types Permitted</b>			
The following <i>buildings</i> are the only <i>buildings</i> permitted:			
a)	<i>Apartment dwelling</i>		
b)	<i>Commercial / residential building</i>		
c)	<i>Mixed use building</i>		
d)	<i>Stacked townhouse dwelling</i> , subject to the standards of the General Urban (GU) Zone for a <i>townhouse dwelling back-to-back</i>		
e)	<i>Townhouse dwelling back-to-back</i> , subject to the standards of the General Urban (GU) Zone		
f)	<i>Townhouse dwelling with lane access</i> , subject to the standards of the General Urban (GU) Zone		
g)	<i>Townhouse dwelling with street access</i> , subject to the standards of the General Urban (GU) Zone		
h)	<i>Accessory buildings and structures</i>		
<b>8.30.2 Additional Zone Regulations for Block 1 Lands</b>			
The following regulations apply to lands identified as Block 1 on Figure 8.30.1:			
a)	Minimum <i>height</i> for a <i>stacked townhouse dwelling</i>	12.0 m	
b)	Minimum <i>height</i> for a minimum of 30% of all <i>dwelling units</i> in Block 1	3 storeys and 9.0 m	
c)	Minimum <i>height</i> for all other <i>dwelling units</i>	8.0 m	
d)	Maximum <i>height</i>	18.0 m	
e)	A <i>stacked townhouse dwelling</i> shall only be located on a <i>lot</i> abutting a <i>public street</i> .		
<b>8.30.3 Additional Zone Regulations for Block 2 Lands</b>			
The following additional regulations apply to lands identified as Block 2 on Figure 8.30.1:			
a)	Minimum <i>height</i>	3 storeys and 9.0 m	
b)	Maximum <i>height</i>	18.0 m	
<b>8.30.4 Additional Zone Regulations for Block 3 Lands</b>			
The following additional regulations apply to lands identified as Block 3 on Figure 8.30.1:			
a)	Maximum <i>height</i> for any <i>building</i> located within 40.0 metres of a <i>lot line</i> abutting a <i>storm-water management facility</i>	26.0 m	
b)	Minimum cumulative length of any main wall oriented toward any <i>flankage lot line</i> to be located within the area defined by the <i>minimum and maximum flankage yard</i>	Equal to 50% of the length of the <i>flankage lot line</i>	
c)	Minimum <i>height</i> for an <i>apartment building</i>	13.5 m	
d)	Minimum <i>height</i> for a minimum of 30% of all other <i>dwelling units</i> in each individual area identified as Block 3	3 storeys and 9.0 m	
e)	Minimum <i>height</i> for all other <i>dwelling units</i>	8.0 m	
f)	Maximum <i>height</i> in all other locations	18.0 m	
<b>8.30.6 Additional Zone Regulations for All Lands</b>			
The following additional regulations apply to all lands identified as subject to this Special Provision:			
a)	Minimum number of <i>dwelling units</i>	40 units per net hectare	
b)	Minimum <i>lot depth</i> for a <i>townhouse dwelling</i> with a <i>private garage</i> having <i>street access</i>	21.0 m	
c)	Minimum <i>front yard</i> and <i>flankage yard</i> for a <i>stacked townhouse dwelling</i>	1.5 m	

# Special Provisions

<b>30</b>	<b>Dundas-Trafalgar Inc. (Minto) (Part of Lot 12, Concession 1 N.D.S.)</b>	Parent Zone: TUC
Map 12(5)		(2014-094) (2022-007) OMB PL131293

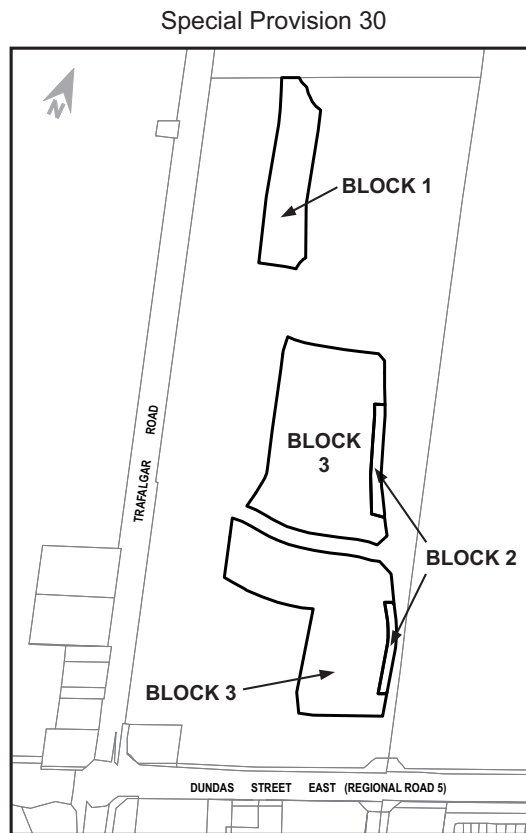
### 8.30.7 Parking Regulations

The following parking regulations apply:

a)	Minimum number of <i>parking spaces</i> for all <i>commercial uses</i>	1 / 24 sq.m <i>leasable floor area</i>
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### 8.30.8 Special Site Figures

Figure 8.30.1



### 8.30.9 Special Site Provisions

The following additional provisions apply:

a)	For the purposes of Section 4.22, relating to the calculation of <i>yards</i> , the calculation of <i>lot depth</i> can include the daylight triangle adjoining the <i>lot</i> .
b)	The minimum and maximum <i>height</i> and <i>storey</i> requirements on lands subject to this Special Provision shall not apply to <i>accessory buildings</i> .
c)	The calculation of <i>lot frontage</i> shall be measured at a line set back 3.0 metres and parallel to the <i>front lot line</i> .”

# Special Provisions

31	<b>Dundas-Trafalgar Inc. (Minto) (Part of Lot 12, Concession 1 N.D.S.)</b>	Parent Zone: TUC
Map 12(5)		(2014-094) OMB PL131293 (2022-007)
<b>8.31.1 Zone Regulations for All Lands</b>		
The following additional <i>building</i> is permitted on lands identified as Block 1 on Figure 8.31.1 below:		
a)	<i>Commercial building</i>	
<b>8.31.2 Zone Regulations for All Lands</b>		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum <i>height</i> for all <i>buildings</i> , except <i>accessory buildings</i>	16.0 m
b)	Maximum <i>height</i>	47.0 m
c)	Minimum number of <i>storeys</i> for all <i>buildings</i> , except <i>accessory buildings</i>	5
d)	Minimum main wall <i>height</i> of a <i>building</i> oriented toward the <i>front lot line</i> (Dundas Street) or <i>flankage lot line</i> (any street that is not Dundas Street)	12.0 m
e)	Minimum <i>height</i> of the <i>first storey</i>	4.5 m
f)	Main walls no less than 12.0 metres in <i>height</i> shall occupy at least 50% of the length of any <i>front lot line</i> (Dundas Street) or <i>flankage lot line</i> (any street that is not Dundas Street) the wall faces	
g)	Maximum <i>front yard</i> and <i>flankage yard</i> for any <i>building</i> located greater than 30.0 metres from the applicable <i>lot line</i>	Shall not apply
h)	Maximum length of all sections of the main wall located within the area defined by the minimum and maximum <i>front yards</i> (Dundas Street) before a break in the main wall of no less than 5 metres in width by 2 metres in depth shall be provided	55 metres, exclusive of architectural features or details
i)	Minimum <i>front yard</i> (Dundas Street) for an <i>apartment building</i> (excluding a <i>building</i> occupied by a <i>retirement use</i> )	Equal to a minimum of 50% of the depth of the <i>lot</i>
j)	Minimum <i>FSI</i>	1.0 m
<b>8.31.3 Additional Zone Regulations for Block 1</b>		
Notwithstanding Section 8.31.2 above, the following regulations apply to <i>commercial buildings</i> on lands identified as Block 1 on Figure 8.31.1 below:		
a)	Minimum <i>height</i> for a <i>commercial building</i>	5.0 m
b)	Minimum number of <i>storeys</i> for a <i>commercial building</i>	1
c)	Minimum <i>height</i> for main walls within 30.0 metres of the point of intersection of the projections of the <i>front lot line</i> (Dundas Street) and a <i>flankage lot line</i> for a <i>commercial building</i>	8.0 m
d)	Maximum length of the main wall located within the area defined by the <i>minimum and maximum front yards</i> (Dundas Street) for any <i>commercial building</i>	80.0 m, exclusive of any indentations or projections
e)	Main walls no less than 5.0 metres in height shall occupy at least 50% of the length of any <i>front lot line</i> (Dundas Street) or <i>flankage lot line</i> (any street that is not Dundas Street) the wall faces	
f)	Each premises located on the <i>first storey</i> of a <i>commercial building</i> shall contain a principal entrance that is directly accessible from, and oriented toward, a <i>public street</i>	

# Special Provisions

31	<b>Dundas-Trafalgar Inc. (Minto)</b> <b>(Part of Lot 12, Concession 1 N.D.S.)</b>	Parent Zone: TUC
Map 12(5)		(2014-094) OMB PL131293 (2022-007)

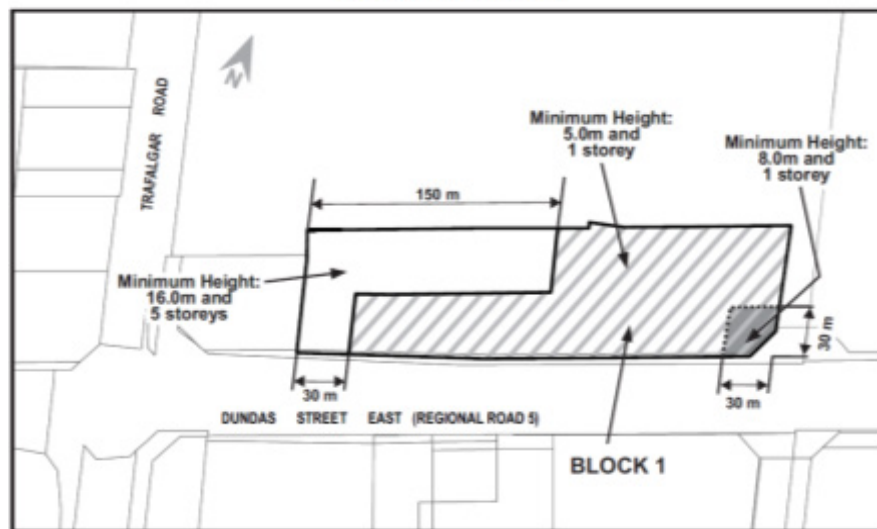
## 8.31.4 Parking Regulations

The following parking regulations apply:

a)	Minimum number of <i>parking spaces</i> for all <i>commercial uses</i>	1 / 24 sq.m <i>leasable floor area</i>
b)	Maximum length of a <i>front lot line</i> (Dundas Street) and <i>flankage lot line</i> permitted to be occupied by a <i>surface parking area</i> or <i>landscaping</i> immediately adjacent to a <i>surface parking area</i>	20% of the cumulative length of the applicable <i>lot line</i>
c)	A <i>surface parking area</i> or <i>landscaping</i> immediately adjacent to a <i>surface parking area</i> is not permitted along the <i>front lot line</i> within 30.0 metres of the westernmost <i>interior side lot line</i> and any <i>flankage lot line</i> .	
d)	A <i>surface parking area</i> or <i>landscaping</i> immediately adjacent to a <i>surface parking area</i> is not permitted along the <i>flankage lot line</i> within 30.0 metres of the <i>front lot line</i> .	

## 8.31.5 Special Site Figures

Special Provision 31



## 8.31.6 Special Site Provisions

The following additional provisions apply:

a)	All lands identified as subject to this Special Provision shall be considered as one <i>lot</i> for the purposes of this By-law.
b)	“Main wall” means a primary exterior front, rear or side wall of a <i>building</i> , not including permitted projections.
c)	For the purposes of Section 4.22, relating to the calculation of <i>yards</i> , the calculation of <i>lot depth</i> can include the daylight triangle adjoining the <i>lot</i> .
d)	The minimum and maximum <i>height</i> and <i>storey</i> requirements on lands subject to this Special Provision shall not apply to <i>accessory buildings</i> .
e)	The calculation of <i>lot frontage</i> shall be measured at a line set back 3.0 metres and parallel to the <i>front lot line</i> .”

# Special Provisions

32	<b>Dundas-Trafalgar Inc. (Minto)</b> <b>(Part of Lot 12, Concession 1 N.D.S.)</b>	Parent Zone: GU
Map 12(5)		(2014-094) OMB PL131293
<b>8.32.1 Prohibited Buildings</b>		
The following <i>buildings</i> are prohibited:		
a)	<i>Single detached dwellings</i>	
b)	<i>Semi-detached dwellings</i>	
<b>8.32.2 Special Site Provisions</b>		
The following additional provisions apply:		
a)	Minimum <i>lot depth</i> for a <i>townhouse dwelling</i> with a <i>private garage</i> having <i>street access</i>	21.0 m
b)	Maximum <i>flankage yard</i>	3.0 m
<b>8.32.3 Special Site Provisions</b>		
The following additional provisions apply:		
a)	For the purposes of Section 4.22, relating to the calculation of <i>yards</i> , the calculation of <i>lot depth</i> can include the daylight triangle adjoining the <i>lot</i> .	
b)	The calculation of <i>lot frontage</i> shall be measured at a line set back 3.0 metres and parallel to the <i>front lot line</i> .	

# Special Provisions

33	<b>3079 Neyagawa Boulevard</b> <b>Part of Lot 20, Can. 1 NDS</b>	Parent Zone: GU, S
Map 12(4)		(2014-101)

### 8.33.1 Zone Provisions

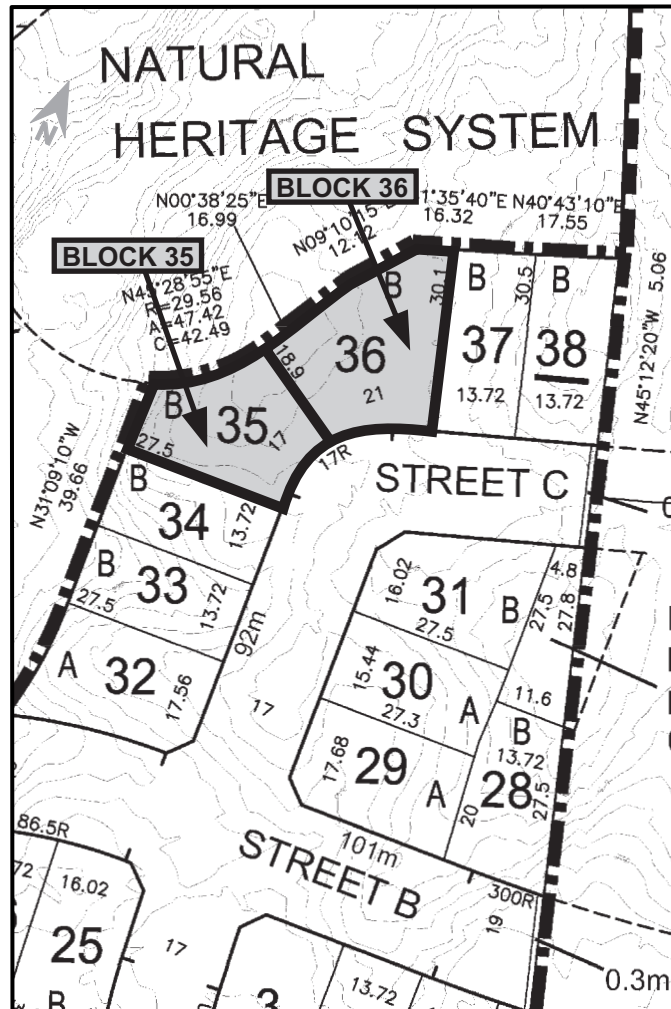
The following regulations apply:

- a) Notwithstanding Section 4.27, a *porch* shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the *building*
- b) No part of a *private garage* shall project beyond the *front wall* of the *first storey* of the *dwelling* except where a *porch* or *landing* is provided, in which case the *private garage* shall not project beyond the front of the *porch* or *landing*
- c) *Minimum rear yard* for lots 35 and 36 6.0 m

### 8.33.2 Special Site Figures

Figure 8.33.1

Special Provision 33



# Special Provisions

34	<b>Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)</b>	Parent Zone: DUC
Map 12(5)		(2014-122)
<b>8.34.1 Additional Permitted Buildings</b>		
The following additional <i>buildings</i> are permitted:		
a)	<i>Stacked townhouse dwelling</i> , subject to the standards of the General Urban (GU) <i>Zone</i> for a <i>townhouse dwelling back-to-back</i>	
b)	<i>Townhouse dwelling</i> , subject to the standards of the General Urban (GU) <i>Zone</i>	
c)	<i>Townhouse dwelling back-to-back</i> , subject to the standards of the General Urban (GU) <i>Zone</i>	
<b>8.34.2 Zone Regulations for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum <i>height</i> for all <i>buildings</i> except accessory <i>buildings</i> and <i>structures</i>	
b)	Maximum <i>height</i> for a <i>stacked townhouse dwelling</i> , <i>townhouse dwelling</i> , and <i>townhouse dwelling back-to-back</i> shall not apply.	
c)	Minimum <i>height</i> for an <i>apartment building</i>	6 storeys and 20.0 m
d)	Minimum height of the <i>first storey</i> for a <i>commercial building</i> , <i>mixed use building</i> , or <i>office building</i>	4.5 m
e)	A minimum of 80% of the cumulative length of any main wall oriented toward any <i>front lot line</i> for each individual <i>building</i> shall be located within the area defined by the minimum and maximum <i>front yard</i> .	
f)	Maximum <i>flankage yard</i>	12.0 m
g)	A minimum of 30% of the cumulative length of any main wall oriented toward any <i>flankage lot line</i> for each individual <i>building</i> shall be located within the area defined by the minimum and maximum <i>flankage yard</i> .	
h)	Minimum <i>rear yard</i>	0.0 m
i)	Maximum <i>rear yard</i>	6.0 m
j)	Minimum setback from western-most <i>flankage lot line</i> (Street A) for a <i>stacked townhouse dwelling</i> , <i>townhouse dwelling</i> , and <i>townhouse dwelling back-to-back</i>	75.0 m
k)	Minimum setback from the <i>lot line</i> abutting Dundas Street for a <i>parking garage</i> above grade	32.0 m
<b>8.34.3 Additional Zone Regulations for Block 1 Lands</b>		
The following additional regulations apply to lands identified as Block 1 on Figure 8.34.1:		
a)	Maximum <i>front yard</i> for lots having a <i>front lot line</i> abutting Street C or Street D	12.0 m
b)	A minimum of 30% of the cumulative length of any main wall oriented toward any <i>front lot line</i> abutting Street C or Street D for each individual <i>building</i> shall be located within the area defined by the minimum and maximum <i>front yard</i> .	
c)	Section 8.34.2(e) shall not apply to lots having a <i>front lot line</i> abutting Street E, Street F, or a <i>private street</i> .	



# Special Provisions

<b>34</b>	<b>Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)</b>	Parent Zone: DUC
Map 12(5)		(2014-122)

### 8.34.4 Special Site Provisions

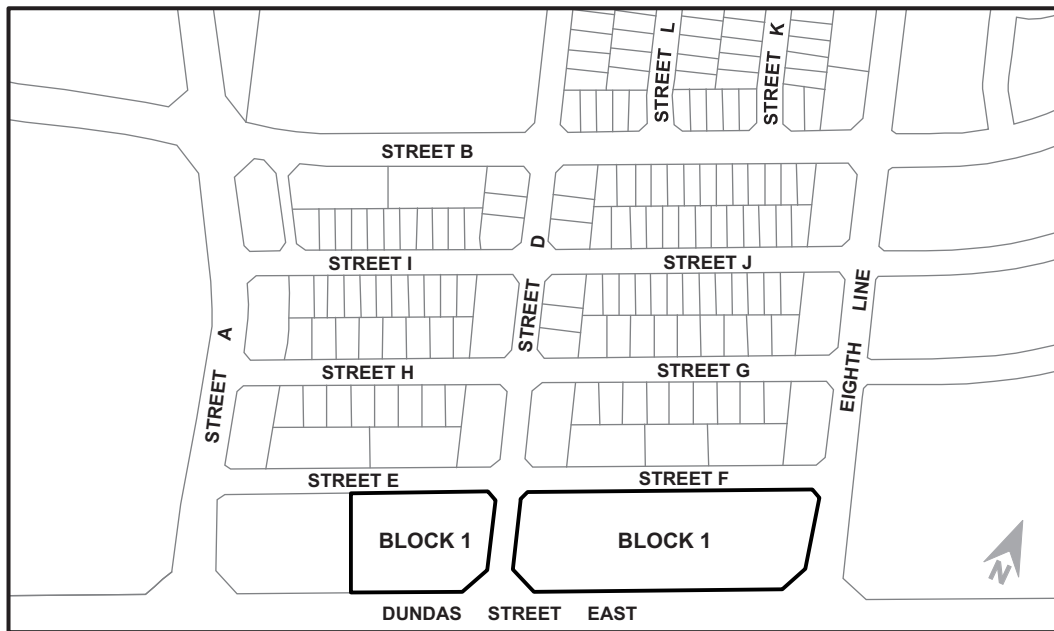
The following additional provisions apply:

- a) For *through lots* located within Block 1, any *lot line* abutting a *street* shall be a *front lot line*.
- b) Where an *apartment building* is located on a *through lot* extending from Dundas Street to Street E or Street F within Block 1, the *front lot line* shall be the *lot line* abutting Dundas Street.
- c) For all other lands, the *front lot line* shall be the *lot line* abutting Dundas Street.
- d) Section 8.34.2(k) shall not apply to a *building* occupied by a *stacked townhouse dwelling, townhouse dwelling, or townhouse dwelling back-to-back* provided that the residential component of the *building* is located entirely between the *parking garage* and a *lot line* abutting Dundas Street.

### 8.34.5 Special Site Figures

Figure 8.34.1

Special Provision 34



# Special Provisions

<b>35</b>	<b>Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(5)		(2014-122)

### 8.35.1 Additional Permitted Buildings

The following additional *buildings* are permitted:

- a) *Single-detached dwelling*
- b) *Semi-detached dwelling*

### 8.35.2 Zone Regulations for All Lands

The following regulations apply to all lands identified subject to this Special Provision:

- a) No part of a *private garage* shall project beyond the front wall of the *first storey* of the *dwelling* except where a *porch* or *landing* is provided, in which case the *private garage* shall not project beyond the front of the *porch* or *landing*.
- b) Notwithstanding Section 4.27, a *porch* shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the *building*.

### 8.35.3 Additional Zone Regulations for Block 1 Lands

The following additional regulations apply to lands identified as Block 1 on Figure 8.35.1:

- a) The regulations of Neighbourhood Centre Performance (NC-1) *Zone 1* shall additionally apply.
- b) Notwithstanding Section 4.31 of this By-law, no more than 30% of *single detached* and *semi-detached dwellings* in any block shall be alike in external design with respect to size and location of doors, windows, projecting *balconies*, *landings*, *porches*, and type of surface materials. *Buildings* alike in external design shall not be erected on adjoining *lots* fronting on the same *street* unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining *lots* fronting on the same *street*.

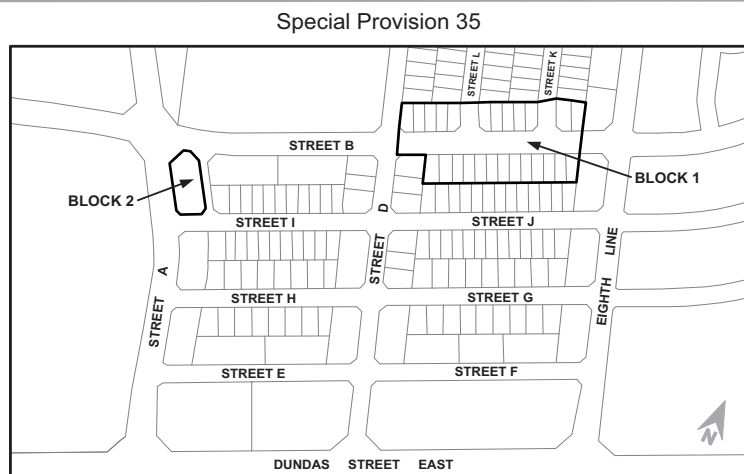
### 8.35.4 Additional Zone Regulations for Block 2 Lands

The following additional regulations apply to lands identified as Block 2 on Figure 8.35.1:

- a) Minimum required *parking spaces* for *commercial residential – connected* (live-work) where commercial component is less than or equal to 90.0 m<sup>2</sup> 2.0 spaces per unit, inclusive of both the residential and commercial component
- b) *Tandem parking spaces* are permitted for *commercial residential – connected* (live-work) units.

### 8.35.5 Special Site Figures

Figure 8.35.1



## Special Provisions

36	<b>Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)</b>	Parent Zone: GU
Map 12(5)		(2014-122)
<b>8.36.1 Zone Regulations</b>		
The following regulations apply:		
a)	Minimum <i>rear yard</i> for <i>lots</i> with a <i>lot depth</i> of 27.5 m or less	6.0 m
b)	No part of a <i>private garage</i> shall project beyond the front wall of the <i>first storey</i> of the <i>dwelling</i> except where a <i>porch</i> or <i>landing</i> is provided, in which case the <i>private garage</i> shall not project beyond the front of the <i>porch</i> or <i>landing</i> .	
c)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the <i>building</i> .	
d)	Notwithstanding Section 4.31 of this By-law, no more than 30% of <i>single detached</i> and <i>semi-detached dwellings</i> in any block shall be alike in external design with respect to size and location of doors, windows, projecting <i>balconies</i> , <i>landings</i> , <i>porches</i> , and type of surface materials. <i>Buildings</i> alike in external design shall not be erected on adjoining <i>lots</i> fronting on the same <i>street</i> unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining <i>lots</i> fronting on the same <i>street</i>	

## Special Provisions

37	<b>Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)</b>	Parent Zone: S
Map 12(5)		(2014-122)
<b>8.37.1 Zone Regulations</b>		
The following regulations apply:		
a)	Minimum <i>rear yard</i> for <i>lots</i> with a <i>lot depth</i> of 27.5 m or less	6.0 m
b)	No part of a <i>private garage</i> shall project beyond the <i>front wall</i> of the <i>first storey</i> of the <i>dwelling</i> except where a <i>porch</i> or <i>landing</i> is provided, in which case the <i>private garage</i> shall not project beyond the front of the <i>porch</i> or <i>landing</i> .	
c)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the <i>building</i> .	
d)	Notwithstanding Section 4.31 of this By-law, no more than 30% of <i>single detached</i> and <i>semi-detached dwellings</i> in any block shall be alike in external design with respect to size and location of doors, windows, projecting <i>balconies</i> , <i>landings</i> , <i>porches</i> , and type of surface materials. <i>Buildings</i> alike in external design shall not be erected on adjoining <i>lots</i> fronting on the same <i>street</i> unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining <i>lots</i> fronting on the same <i>street</i> .	

## Special Provisions

<b>38</b>	<b>VIVA Oakville Facilities Inc. and Viva Oakville Towns Inc. 3108 and 3130 Sixth Line (Part of Lot 16, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(4)		(2014-131)
<b>8.38.1 Zone Regulations</b>		
The following regulations apply:		
a)	The <i>front lot line</i> shall be deemed to be Sixteen Mile Drive	
b)	Maximum <i>building height</i> , inclusive of all rooftop mechanical equipment and architectural features, within 29 metres of the <i>flankage lot line</i> (Sixth Line)	26.0 metres (6 <i>storeys</i> )
c)	Maximum <i>building height</i> , inclusive of all rooftop mechanical equipment and architectural features, for all other areas	17.0 metres (5 <i>storeys</i> )
d)	Minimum <i>Interior Side Yard Setback</i>	18 metres
e)	Maximum <i>Floor Space Index</i>	2.1
f)	Minimum <i>Landscape Strip</i> adjacent to the <i>interior side lot line</i>	3.0 metres

# Special Provisions

40	<b>EMGO (North Oakville I) Ltd.</b> <b>(Part of Lot 15, Concession 1, NDS 3369 Sixth Line)</b>	Parent Zone: NC
Map 12(5)		PL140467, PL140468, (2017-012) (2021-004)
<b>8.40.1 Zone Regulations for Mixed Use Buildings</b>		
The following regulations apply to <i>mixed use buildings</i> :		
a)	<i>Dwelling units</i> are not permitted on a <i>first storey</i> unless they are separated from the wall facing a <i>public street</i> by a <i>commercial unit</i> .	
b)	Non-residential <i>uses</i> are only permitted on a <i>first storey</i> . The <i>front wall</i> of the premises shall be oriented toward a <i>public street</i> .	
c)	Notwithstanding subsection (b) above, office and ancillary <i>residential uses</i> are permitted on any <i>storey</i> .	
d)	Minimum <i>rear yard</i> below <i>grade</i>	0.0 m
e)	Minimum <i>storey</i> height of the <i>first storey</i> , as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a <i>building</i> occupied by a <i>dwelling unit</i> )	4.5 m
f)	Maximum permitted encroachment for bay, box out, and bow windows with or without foundation	Up to 0.3 m from a <i>front lot line</i> or <i>flankage lot line</i>
g)	Maximum <i>height</i>	17.0 m, and excludes features identified in subsections (h), (i), and (j) below
h)	Maximum height of parapets from top of roof	3.0 m
i)	Maximum height of mechanical and/or elevator penthouse, rooftop equipment, and stair tower from top of roof	6.0 m
j)	Maximum height of rooftop architectural features from top of roof	6.0 m
k)	Maximum length of a <i>building</i> wall parallel to a <i>public street</i>	50.0 m
l)	Maximum projection of a <i>balcony</i> into any <i>yard</i>	2.0 m
m)	Where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2.0 metres in height from top of roof and are not integrated with the extension of a <i>building's</i> façade, these must be set back a minimum of 4.0 metres from all edges of the roof and screened by an architectural feature.	
n)	Stairs and air vents associated with an underground <i>parking garage</i> are permitted in any <i>yard</i> .	
<b>8.40.2 Zone Regulations for All Buildings</b>		
The following regulations apply to all <i>buildings</i> :		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door	4.0 m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Notwithstanding section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	
e)	Any podium, stepped back, or terraced portions of a <i>building</i> are permitted below the minimum <i>height</i> .	
f)	Minimum <i>lot frontage</i> for <i>townhouse dwelling unit lane access</i>	4.6 m/unit
g)	Minimum <i>amenity area</i> on the <i>lot</i> for <i>townhouse dwelling unit lane access</i>	9.0 square metres

# Special Provisions

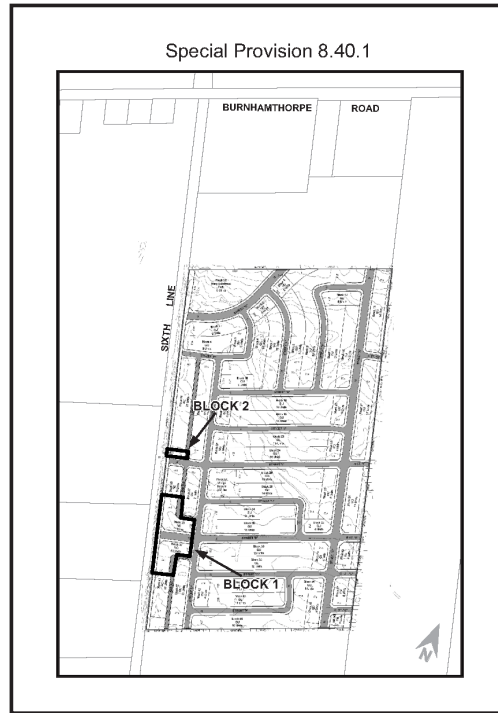
40	<b>EMGO (North Oakville I) Ltd.</b> <b>(Part of Lot 15, Concession 1, NDS 3369 Sixth Line)</b>	Parent Zone: NC
Map 12(5)		PL140467, PL140468, (2017-012) (2021-004)
<b>8.40.3 Permitted Building Type for Block 1 Lands</b>		
Notwithstanding Section 7.5.2, only the following <i>building</i> type is permitted on lands identified as Block 1 on Figure 8.40.1:		
a)	<i>Commercial / residential building</i>	
b)	Section 4.17.1 i) shall not apply.	
<b>8.40.4 Additional Permitted Uses for Block 2 Lands</b>		
The following additional <i>uses</i> are permitted on lands identified as Block 2 on Figure 8.40.1:		
a)	A maximum of one <i>single detached dwelling</i> which is a built heritage resource either designated under the <u>Ontario Heritage Act</u> or listed on the Town of Oakville Heritage Register	
<b>8.40.5 Additional Zone Regulations for Block 2 Lands</b>		
The following additional regulations apply to lands identified as Block 2 on Figure 8.40.1:		
a)	All permitted <i>uses</i> of the Neighbourhood Centre NC <i>Zone</i> shall be permitted within a <i>single detached dwelling</i> .	
b)	<i>Single detached dwellings</i> shall be subject to the regulations of the General Urban GU <i>Zone</i> unless otherwise modified by this Special Provision.	
<b>8.40.6 Additional Parking Regulations for Block 2 Lands</b>		
Notwithstanding Tables 5.1A and 5.1B, the following parking regulations apply to <i>single detached dwelling buildings</i> regardless of <i>use</i> on lands identified as Block 2 on Figure 8.40.1:		
a)	Minimum number of <i>parking spaces</i>	2
b)	Maximum number of <i>parking spaces</i>	4
c)	Maximum number of <i>parking spaces</i> located outside of a <i>private garage</i>	2
<b>8.40.7 Parking Regulations for Block 1 Lands</b>		
The following additional parking regulations apply to Block 1 lands identified in Figure 8.40.1:		
a)	The minimum parking aisle width of 7 metres for 90 degree angle parking shall not apply to <i>commercial uses</i> .	
b)	<i>Tandem parking spaces</i> are permitted for <i>commercial uses</i> for a <i>connected commercial/residential building</i> , to a maximum of 2 <i>parking spaces</i> .	
<b>8.40.8 Special Site Provision for Block 1 Lands</b>		
The following additional provision apply to Block 1 lands identified in Figure 8.40.1:		
a)	A <i>connected commercial/residential building</i> is a building divided into a minimum of <i>three dwelling units</i> , each <i>dwelling unit</i> being separated from the other vertically and/or horizontally, and where the ground floor, or part thereof, is used for commercial purposes and where the commercial and residential components are accessed by a common internal entrance.	

# Special Provisions

<b>40</b>	<b>EMGO (North Oakville I) Ltd.</b> <b>(Part of Lot 15, Concession 1, NDS 3369 Sixth Line)</b>	Parent Zone: NC
Map 12(5)		PL140467, PL140468, (2017-012) (2021-004)

**8.40.9 Special Site Figures**

Figure 8.40.1





# Special Provisions

<b>41</b>	<b>EMGO (North Oakville I) Ltd. (Part of Lot 15, Concession 1, NDS 3369 Sixth Line)</b>	Parent Zone: NC-1
Map 12(5)		PL140467, PL140468, (2017-012)
<b>Special Provision 41 – removed by By-law 2021-004</b>		

## Special Provisions

42	<b>EMGO (North Oakville I) Ltd.</b> <b>(Part of Lot 15, Concession 1, NDS 3369 Sixth Line)</b>	Parent Zone: GU
Map 12(5)		PL140467, PL140468, (2017-012)
<b>8.42.1 Zone Regulations</b>		
The following regulations apply:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door	4.0 m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Notwithstanding section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	
e)	Notwithstanding Section 4.31 of this By-law, no more than 30% of <i>single detached</i> and <i>semi-detached dwellings</i> in any block shall be alike in external design with respect to size and location of doors, windows, projecting <i>balconies</i> , <i>landings</i> , <i>porches</i> and type of surface materials. <i>Buildings</i> alike in external design shall not be erected on adjoining <i>lots</i> fronting onto the same <i>street</i> unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining <i>lots</i> fronting onto the same <i>street</i> .	

## Special Provisions

43	<b>Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)</b>	Parent Zone: NC
Map 12(5)		PL140412, PL140413, (2017-013)
<b>8.43.1 Zone Regulations for Mixed Use Buildings</b>		
The following regulations apply to <i>mixed use buildings</i> , but do not apply to <i>connected commercial/residential buildings</i> :		
a)	<i>Dwelling units</i> are not permitted on a <i>first storey</i> unless they are separated from the wall facing a <i>public street</i> by a <i>commercial unit</i> .	
b)	Non-residential <i>uses</i> are only permitted on a <i>first storey</i> . The <i>front wall</i> of the premises shall be oriented toward a <i>public street</i> .	
c)	Notwithstanding subsection (b) above, office and ancillary <i>residential uses</i> are permitted on any <i>storey</i> .	
d)	Minimum <i>rear yard</i> below <i>grade</i>	0.0 m
e)	Minimum <i>storey height</i> of the <i>first storey</i> , as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a <i>building</i> occupied by a <i>dwelling unit</i> )	4.5 m
f)	Maximum permitted encroachment for bay, box out, and bow windows with or without foundation	Up to 0.3 m from a <i>front lot line</i> or <i>flankage lot line</i>
g)	Maximum <i>height</i>	17.0 m, and excludes features identified in subsections (h), (i), and (j) below
h)	Maximum height of parapets from top of roof	3.0 m
i)	Maximum height of mechanical and/or elevator penthouse, rooftop equipment, and stair tower from top of roof	6.0 m
j)	Maximum height of rooftop architectural features from top of roof	6.0 m
k)	Maximum length of a <i>building wall</i> parallel to a <i>public street</i>	50.0 m
l)	Maximum projection of a <i>balcony</i> into any <i>yard</i>	2.0 m
m)	Where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2.0 metres in height from top of roof and are not integrated with the extension of a <i>building's</i> façade, these must be set back a minimum of 4.0 metres from all edges of the roof and screened by an architectural feature.	
n)	Stairs and air vents associated with an underground <i>parking garage</i> are permitted in any <i>yard</i> .	
<b>8.43.2 Zone Regulations for Townhouse dwellings with attached private garages accessed by lanes</b>		
The following regulations apply to <i>Townhouse dwellings</i> with attached <i>private garages</i> accessed by <i>lanes</i> :		
a)	Notwithstanding Section 7.5.5, minimum <i>height</i> of any portion of a <i>building</i> within 55% of the <i>lot depth</i> from the <i>rear lot line</i>	1 <i>storey</i>
b)	Notwithstanding Section 7.5.5, the minimum <i>height</i> requirement shall not apply to permitted encroachments listed in Table 4.21 and shall not apply to the portion of an attached <i>private garage</i> between the <i>front wall</i> of a <i>dwelling</i> and the front of a <i>porch</i> .	
c)	Minimum length of any dimension of the <i>amenity area</i> required by Section 4.17.2	3.0 m

## Special Provisions

43	<b>Star Oak Developments Ltd.</b> <b>(Parts of Lots 14 and 15, Concession 2, NDS)</b>	Parent Zone: NC
Map 12(5)		PL140412, PL140413, (2017-013)
<b>8.43.3 Zone Regulations for all Buildings</b>		
The following regulations apply to all <i>buildings</i> :		
a)	Notwithstanding section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
b)	Notwithstanding section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical <i>planes</i> forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Any podium, stepped back, or terraced portions of a <i>building</i> are permitted below the minimum <i>height</i> .	

## Special Provisions

44	<b>Star Oak Developments Ltd.</b> <b>(Parts of Lots 14 and 15, Concession 2, NDS)</b>	Parent Zone: GU
Map 12(5)		PL140412, PL140413, (2017-013)
<b>8.44.1 Zone Regulations</b>		
The following regulations apply:		
a)	Notwithstanding the minimum <i>rear yard setback</i> for a <i>single-detached dwelling street access</i> attached <i>private garage</i> in Section 7.6.2, the minimum <i>rear yard setback</i> for a <i>single-detached dwelling street access</i> attached <i>private garage</i> on a <i>lot</i> with a <i>lot depth</i> of 27.5m or less	6 m
b)	A one <i>storey</i> addition for a <i>single detached dwelling street access</i> attached <i>private garage</i> on a <i>lot</i> with a <i>lot depth</i> of 27.5m or less may project into the <i>rear yard</i> with a minimum <i>setback</i> of 3 m for a maximum of 45% of the <i>dwelling</i> width measured at the rear of the <i>main building</i>	
c)	Notwithstanding section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
e)	Notwithstanding section 4.18.1.ii, no part of a <i>private garage</i> shall project beyond the <i>front wall</i> of the <i>first storey</i> of the <i>dwelling</i> except where a <i>porch</i> or <i>landing</i> is provided, in which case the <i>private garage</i> shall not project beyond the front of the <i>porch</i> or <i>landing</i> .	
f)	Notwithstanding Section 4.31, no person shall, in any block within a housing project, erect <i>single detached</i> and <i>semi-detached dwellings</i> more than 30% of which are alike in external design with respect to size and location of doors, windows, projecting <i>balconies</i> , <i>landings</i> , <i>porches</i> and type of surface materials. <i>Buildings</i> alike in external design shall not be erected on adjoining <i>lots</i> fronting on the same <i>street</i> unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining <i>lots</i> fronting on the same <i>street</i> .	

## Special Provisions

45	<b>Star Oak Developments Ltd.</b> <b>(Parts of Lots 14 and 15, Concession 2, NDS)</b>	Parent Zone: LE
Map 12(5)		PL140412, PL140413, (2017-013)
<b>8.45.1 Zone Regulations</b>		
The following regulations apply:		
a)	Notwithstanding Section 5.6.3, <i>loading docks</i> when required or provided, shall be prohibited in the <i>front yard</i> and shall be located on the same <i>lot</i> as the <i>use</i> , or combination of <i>uses</i> , for which the <i>loading docks</i> are required or are being provided. However, where <i>loading docks</i> are located in any <i>yard</i> abutting a <i>residential zone</i> or a <i>street</i> , they must be screened from view by an opaque screen with a minimum height of 1.5 metres.	

# Special Provisions

46	<b>Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)</b>	Parent Zone: SMF
Map 12(5)		PL140412, PL140413, (2017-013)
<b>8.46.1 Zone Regulations</b>		
The following regulations apply:		
a)	Section 4.13 - <i>Frontage</i> on a <i>Street</i> shall not apply	

# Special Provisions

47	<b>Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)</b>	Parent Zone: NHS-1
Map 12(5)		PL140412, PL140413, (2017-013)
<b>8.47.1 Zone Regulations</b>		
The following regulations apply:		
b)	Section 4.13 - <i>Frontage</i> on a <i>Street</i> shall not apply	



## Special Provisions

48	<b>404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15, Concession 1, NDS)</b>	Parent Zone: NC  (2016-120)
<b>8.48.1 Zone Provisions</b>		
The following regulations apply to <i>mixed use buildings</i> , but do not apply to connected <i>commercial/residential buildings</i> :		
a)	<i>Dwelling units</i> are not permitted on a <i>first storey</i> unless they are separated from the wall facing a <i>public street</i> by a <i>commercial unit</i> .	
b)	Non-residential <i>uses</i> are only permitted on a <i>first storey</i> . The <i>front wall</i> of the premises shall be oriented toward a <i>public street</i> .	
c)	Notwithstanding subsection (b) above, office and ancillary <i>residential uses</i> are permitted on any <i>storey</i> .	
d)	Minimum <i>rear yard</i> below <i>grade</i>	0.0 m
e)	Minimum <i>storey height</i> of the <i>first storey</i> , as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a <i>building</i> occupied by a <i>dwelling unit</i> )	4.5 m
f)	Maximum permitted encroachment for bay, box out, and bow windows with or without foundation	Up to 0.3 m from a <i>front lot line</i> or <i>flankage lot line</i>
g)	Maximum <i>height</i>	17.0 m, and excludes features identified in subsections (h), (i), and (j) below
h)	Maximum height of parapets from top of roof	3.0 m
i)	Maximum height of mechanical and/or elevator penthouse, rooftop equipment, and stair tower from top of roof	6.0 m
j)	Maximum height of rooftop architectural features from top of roof	6.0 m
k)	Maximum length of a <i>building wall</i> parallel to a <i>public street</i>	50.0 m
l)	Maximum projection of a <i>balcony</i> into any <i>yard</i>	2.0 m
m)	Where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2.0 metres in height from top of roof and are not integrated with the extension of a <i>building's</i> façade, these must be set back a minimum of 4.0 metres from all edges of the roof and screened by an architectural feature.	
n)	Stairs and air vents associated with an underground <i>parking garage</i> are permitted in any <i>yard</i> .	
<b>8.48.2 Only Building Types Permitted for Block 1 Lands</b>		
Notwithstanding section 7.5.2, only the following building types are permitted on lands identified as Block 1 on Figure 8.48.1:		
a)	<i>Commercial/residential building</i>	
b)	<i>Stacked townhouse dwelling</i> , subject to the standards for <i>townhouse dwelling unit lane access</i>	
<b>8.48.3 Additional Building Type Permitted for Block 2 Lands</b>		
Notwithstanding section 7.5.2, the following additional <i>building</i> type is permitted on lands identified as Block 2 on Figure 8.48.1:		
a)	<i>Stacked townhouse dwelling</i> , subject to the standards for <i>apartment</i>	
<b>8.48.4 Additional Zone Regulations for Block 2 Lands</b>		
The following additional regulations apply to lands identified as Block 2 on Figure 8.48.1:		
a)	Notwithstanding the minimum <i>rear yard setback</i> in section 7.5.2, where a lot has <i>public streets</i> on three or four sides, the <i>front</i> and <i>flankage yard</i> requirements shall apply to all <i>yards</i> abutting a <i>public street</i> .	
b)	Where a lot has <i>public streets</i> on four sides, the <i>front lot line</i> shall be the <i>lot line</i> abutting Settlers Road East.	

# Special Provisions

48	<b>404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15, Concession 1, NDS)</b>	Parent Zone: NC
Map 12(5)		(2016-120)

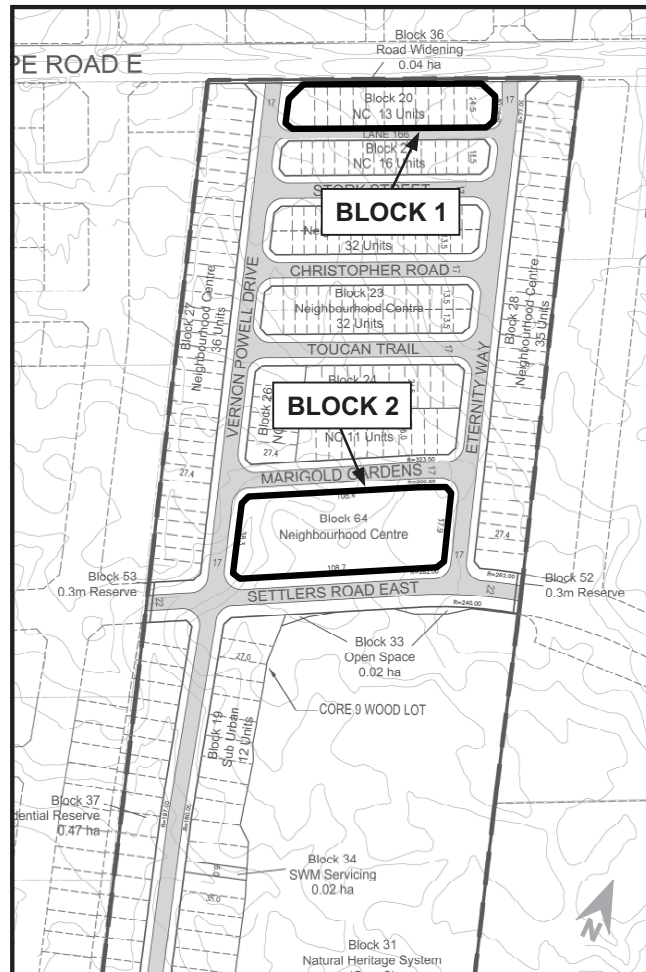
### 8.48.5 Zone Regulations for all Buildings

The following regulations apply to all *buildings*:

- a) Notwithstanding section 7.5.5, any podium, stepped-back, or terraced portions of a *building* are permitted below the minimum *height*.
- b) Notwithstanding section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to *inset porches*.
- c) Notwithstanding Section 5.4.1.2, a *parking space* in a *private garage* shall have an unobstructed area with a width of not less than 2.9 metres for a single car *private garage* and one step may encroach into the width of a *parking space* within a *garage* at the side of the *parking space*.

### 8.48.6 Special Site Figures

Figure 8.48.1



## Special Provisions

49	<b>404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15, Concession 1, NDS)</b>	Parent Zone: GU
Map 12(5)		(2016-120)
<b>8.49.1 Zone Provisions</b>		
The following regulations apply:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door	4.0m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Notwithstanding section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	
e)	Notwithstanding Section 4.31 of this By-law, no more than 30% of <i>single detached</i> and <i>semi-detached dwellings</i> in any block shall be alike in external design with respect to size and location of doors, windows, projecting <i>balconies</i> , <i>landings</i> , <i>porches</i> and type of surface materials. <i>Buildings</i> alike in external design shall not be erected on adjoining <i>lots</i> fronting onto the same <i>street</i> unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining <i>lots</i> fronting onto the same <i>street</i> .	

# Special Provisions

50	<b>404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15, Concession 1, NDS)</b>	Parent Zone: S
Map 12(5)		(2016-120)

### 8.50.1 Zone Provisions

The following regulations apply:

a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door	4.0m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to inset <i>porches</i> .	
c)	Notwithstanding section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	

### 8.50.2 Additional Zone Regulations for Block 1 Lands

The following additional regulations apply to lands identified as Block 1 on Figure 8.50.1:

a)	Notwithstanding the minimum <i>rear yard setback</i> in Section 7.7.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street access attached private garage</i>	6.0 m
b)	A one <i>storey</i> addition for a <i>single detached dwelling street access attached private garage</i> may project into the <i>rear yard</i> with a minimum <i>setback</i> of 3 m for a maximum of 45% of the <i>dwelling</i> width measured at the rear of the <i>main building</i> .	

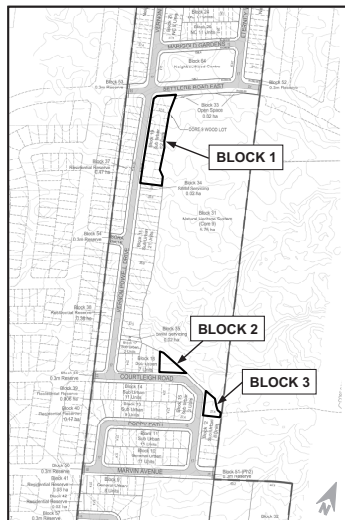
### 8.50.3 Additional Zone Regulations for Block 2 and Block 3 Lands

The following additional regulations apply to lands identified as Block 2 and Block 3 on Figure 8.50.1:

a)	Notwithstanding the minimum <i>lot depth</i> in Section 7.7.2, the minimum <i>lot depth</i> for a <i>single detached dwelling street access attached private garage</i>	12.0 m
b)	Notwithstanding the minimum <i>rear yard setback</i> in Section 7.7.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street access attached private garage</i>	0.6 m

### 8.50.4 Special Site Figures

Figure 8.50.1



# Special Provisions

<b>51</b>	<b>Pendent Developments Ltd. and Lower Fourth Developments Limited (Part of Lots 17, 18 &amp; 19)</b>	Parent Zone: NC-2
Map 12(4)		(2016-114) (2022-007)
<b>8.51.1 Zone Regulations</b>		
a)	Minimum number of units for Block 1, Block 2 and Block 3 lands	160
<b>8.51.2 Permitted Building Types for Block 1 Lands</b>		
Notwithstanding the permitted building types listed in Table 7.5.2 the following building types shall only be permitted:		
<ul style="list-style-type: none"> <li>• <i>Mixed use building;</i></li> <li>• <i>Parking Garage</i>, permitted underground only with an associated <i>mixed use building</i>.</li> </ul>		
<b>8.51.3 Zone Regulations for Mixed Use Buildings on Block 1 lands</b>		
The following regulations apply to <i>mixed use buildings</i> :		
a)	<i>Dwelling units</i> are not permitted on a <i>first storey</i> unless they are separated from the wall facing a <i>public street</i> by a <i>commercial</i> unit.	
b)	Non-residential <i>uses</i> are only permitted on a <i>first storey</i> . The front wall of the premises shall be oriented toward a <i>public street</i> .	
c)	Notwithstanding subsection (b) above, office and ancillary <i>residential uses</i> are permitted on any <i>storey</i> .	
d)	<i>Retail, Service Commercial</i> or <i>Community Uses</i> required within the first 9m of depth of the <i>building</i> , measured in from the main wall oriented toward the <i>front lot line</i> of North Park Boulevard or <i>flankage lot line</i> of Carding Mill Trail, on the <i>first storey</i> . Notwithstanding this, an ancillary <i>residential use</i> on the <i>first storey</i> is permitted to occupy a maximum of 15% of the length of the main wall oriented toward a <i>public street</i> .	
e)	Minimum <i>rear yard</i> below <i>grade</i>	0.0 m
f)	Minimum <i>storey</i> height of the <i>first storey</i> , as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a <i>building</i> occupied by a <i>dwelling unit</i> )	4.5 m
g)	Maximum permitted encroachment for bay, box out, and bow windows with or without foundation	Up to 0.3 m from a <i>front lot line</i> or <i>flankage lot line</i>
h)	Minimum <i>Building Height</i>	4 <i>storeys</i>
i)	Maximum height of parapets from top of roof	3.0 m
j)	Maximum height of mechanical and/or elevator penthouse, rooftop equipment, and stair tower from top of roof	6.0 m
k)	Maximum height of rooftop architectural features from top of roof	6.0 m
l)	Maximum projection of a <i>balcony</i> into any <i>yard</i>	2.0 m
m)	Notwithstanding j), where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2.0 metres in height from top of roof and are not integrated with the extension of a <i>building's</i> façade, these must be set back a minimum of 4.0 metres from all edges of the roof and screened by an architectural feature.	
n)	Any podium, stepped back, or terraced portions of a <i>building</i> are permitted below the minimum <i>height</i> .	
o)	Stairs and air vents associated with an underground <i>parking garage</i> are permitted in any <i>yard</i> .	

# Special Provisions

<b>51</b>	<b>Pendent Developments Ltd. and Lower Fourth Developments Limited (Part of Lots 17, 18 &amp; 19)</b>	Parent Zone: NC-2
Map 12(4)		(2016-114) (2022-007)

### 8.51.4 Permitted Building Types for Block 2 Lands

Notwithstanding the permitted *building* types listed in Table 7.5.2 the following *building* types shall only be permitted:

- *Mixed use building*;
- *Apartment*;
- *Parking Garage*, permitted underground only with an associated mixed use *building*.
- *Stacked townhouse dwelling*, subject to the related standards for *Apartments*;

a)	Minimum <i>Building Height</i>	4 storeys
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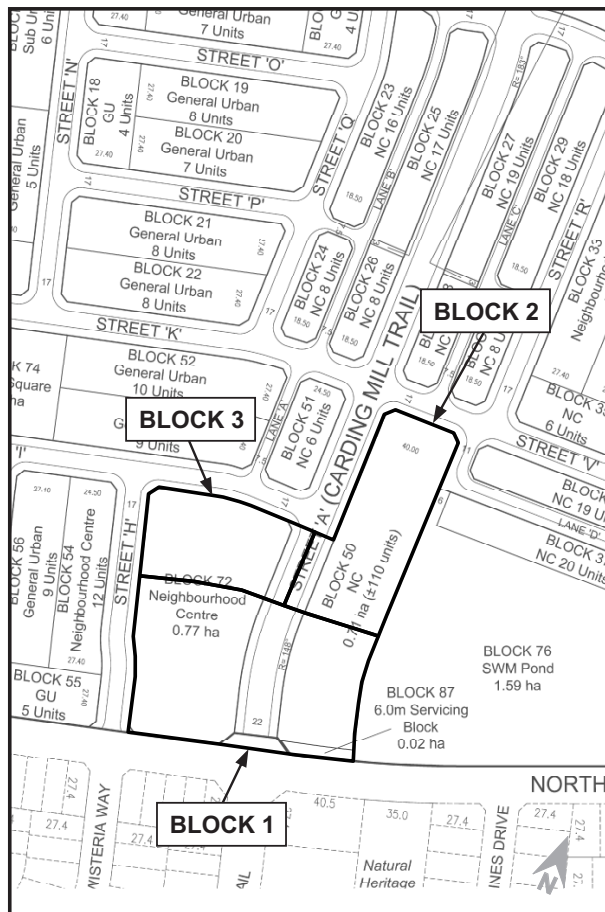
### 8.51.5 Permitted Building Types for Block 3 Lands

Notwithstanding the permitted *building* types listed in Table 7.5.2 the following *building* types shall only be permitted:

- *Commercial/residential building*;
- *Townhouse dwelling unit lane access*;
- *Stacked townhouse dwelling*, subject to the related standards for *Apartments*;

### 8.51.6 Special Site Figure

Figure 8.51.1



# Special Provisions

<b>52</b>	<b>Pendent Developments Ltd. and Lower Fourth Developments Limited (Part of Lots 17, 18 &amp; 19)</b>		Parent Zone: NC-2
Map 12(4)			(2016-114)
<b>8.52.1 Permitted Building Types</b>			
Notwithstanding the permitted <i>building</i> types listed in Table 7.5.2 the following <i>building</i> types shall only be permitted:			
a)	<ul style="list-style-type: none"> <li>• <i>Apartment;</i></li> <li>• <i>Parking garage, permitted underground only with an associated apartment building.</i></li> </ul>		
<b>8.52.2 Zone Regulations</b>			
In addition to the permitted <i>uses</i> and regulations of the Neighbourhood Centre (NC-2) Performance <i>Zone</i> , the following regulations shall apply:			
a)	Minimum number of residential <i>dwelling units</i>		62
b)	Maximum number of residential <i>dwelling units</i>		102
c)	Notwithstanding Section 7.5.5, Maximum <i>Height</i>		12 <i>storeys</i> and 43 metres
d)	Carding Mill Trail shall be deemed the <i>front lot line</i>		
e)	Storeys 1-4: Minimum <i>front yard</i> (Carding Mill Trail) and minimum <i>flankage yard</i> (Polly Drive)		2m
f)	Storeys 1-4: Maximum <i>front yard</i> (Carding Mill Trail) and maximum <i>flankage yard</i> at (Polly Drive)		6m
g)	Minimum <i>front yard</i>	Up to 4 <i>storeys</i>	2 m
		5 <i>storeys</i>	4.4 m
		6 <i>storeys</i>	6.8 m
		7 <i>storeys</i>	9.2 m
		8 <i>storeys</i>	11.6 m
		9 <i>storeys</i>	14 m
		10 <i>storeys</i>	16.4 m
		11 <i>storeys</i>	18.8 m
h)	Minimum <i>rear yard</i>	Up to 4 <i>storeys</i>	14 m
		5 <i>storeys</i>	17.5 m
		6 <i>storeys</i>	21 m
		7 <i>storeys</i>	24.5 m
		8 <i>storeys</i>	28 m
		9 <i>storeys</i>	31.5 m
		10 <i>storeys</i>	35 m
		11 <i>storeys</i>	38.5 m
i)	Storeys 5-12 shall be <i>setback</i> 1.5 m from wall facing Polly Drive.		

# Special Provisions

<b>53</b>	<b>3058, 3062, 3066, 3070, 3074, and 3078 Sixth Line formerly 3060 &amp; 3072 Sixth Line (Part of Lot 16, Con.1 N.D.S.)</b>						Parent Zone: NC	
Map 12(4)							(2017-029) (2022-007)	
<b>8.53.1 Building Types Permitted and Related Standards</b>								
Notwithstanding section 7.5.2, only the following <i>building</i> types are permitted, subject to the following related standards:								
Building Type	Min. Floor Space Index / Density	Max. Floor Space Index / Density	Min. Lot Frontage	Min. Lot Depth	Min. Interior Side Yard Setback, North Side	Min. Interior Side Yard Setback, South Side	Min. Flankage Setback	Min. Rear Yard Setback
<i>Stacked townhouse dwelling</i>	35 residential units per net hectare	150 residential units per net hectare	n/a	n/a	2.0 m	Within 15 m of front lot line 5.1 m  Beyond 15 m from front lot line 6.0 m	n/a	6.0 m
<i>Townhouse dwelling with underground parking</i>	35 residential units per net hectare	150 residential units per net hectare	n/a	n/a	2.0 m	Within 15 m of front lot line 5.1 m  Beyond 15 m from front lot line 6.0 m	n/a	6.0 m
<b>8.53.2 Zone Provisions</b>								
The following regulations apply:								
a)	Notwithstanding section 7.5.3.2, minimum <i>front yard</i>						Section 7.5.3.1 shall apply	
<b>8.53.3 Additional Zone Provisions for Stacked townhouse dwellings</b>								
The following additional regulations apply to <i>Stacked townhouse dwellings</i> :								
a)	Notwithstanding section 7.5.5, maximum <i>height</i> , exclusive of parapets, the opaque barrier required in 8.53.5(f), and subject to section 4.28						12.5 m	
<b>8.53.4 Additional Zone Provisions for Townhouse dwellings with underground parking</b>								
The following additional regulations apply to <i>Townhouse dwellings</i> with underground parking:								
a)	Notwithstanding section 7.5.5, maximum <i>height</i> , exclusive of <i>parapets</i> , the opaque barrier required in 8.53.5(f), and subject to section 4.28						11 m	



## Special Provisions

53	<b>3058, 3062, 3066, 3070, 3074, and 3078 Sixth Line formerly 3060 &amp; 3072 Sixth Line (Part of Lot 16, Con.1 N.D.S.)</b>	Parent Zone: NC  (2017-029) (2022-007)
<b>8.53.5 Special Site Provisions for All Buildings</b>		
The following additional regulations apply to all <i>buildings</i> :		
a)	Maximum number of <i>dwelling units</i>	109 units
b)	The <i>front lot line</i> shall be deemed to be Sixth Line.	
c)	For the purposes of this special provision, “rooftop terrace” means an outdoor <i>amenity area</i> located on the roof of a <i>building</i> .	
d)	Rooftop terraces shall be permitted above the second <i>storey</i> .	
e)	Minimum set back of a rooftop terrace from any edge of roof facing a <i>side yard</i> or <i>rear yard</i> , unless there is a <i>building</i> located between the roof edge and that <i>side lot line</i> or <i>rear lot line</i>	2.0 m
f)	Notwithstanding 8.53.5(e) above, the minimum set back of a rooftop terrace is not required from any edge of a roof facing a <i>side lot line</i> or <i>rear lot line</i> if the rooftop terrace is screened from that <i>side yard</i> or <i>rear yard</i> using an opaque barrier with a minimum height of 1.8 m located along the edge of the rooftop terrace.	
g)	No access from <i>grade</i> shall be permitted to a rooftop terrace.	
<b>8.53.6 Parking Regulations</b>		
a)	Minimum number of visitor <i>parking spaces</i>	17 spaces
b)	Minimum number of resident <i>parking spaces</i>	119 spaces

## Special Provisions

<b>54</b>	<b>Bressa Developments Limited (Part of Lots 7 and 8, Concession 1, NDS)</b>	Parent Zone: GU
Map 12(6)	<b>Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)</b>	(2018-036) (2020-018)
<b>8.54.1 Zone Regulations for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	
e)	Notwithstanding Table 7.6.2, the minimum <i>rear yard</i> for <i>single detached dwellings</i> with a <i>lot</i> depth of 27.5 m or less.	6.0 m

# Special Provisions

55	<b>Bressa Developments Limited</b> <b>Part of Lots 7 and 8, Concession 1, NDS</b>	Parent Zone: S
Map 12(6)		(2018-036)

### 8.55.1 Zone Regulations for All Lands

The following regulations apply to all lands identified as subject to this special provision:

a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Notwithstanding Section 4.27, a porch shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	
e)	Notwithstanding the minimum <i>rear setback yard</i> in Section 7.7.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street access attached private garage</i>	6.0 m

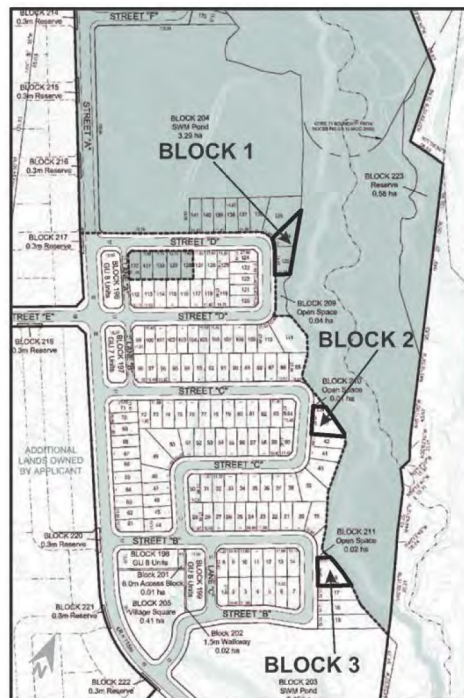
### 8.55.2 Additional Zone Regulations for Block 1, 2 and 3 Lands

The following additional regulations apply to lands identified as Block 1, 2 and 3 on Figure 8.55.1:

a)	Notwithstanding the minimum <i>lot depth</i> in Section 7.7.2, the minimum <i>lot depth</i> for a <i>single detached dwelling street access attached private garage</i>	12.0 m
b)	Notwithstanding the minimum <i>rear setback yard</i> in Section 7.7.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street access attached private garage</i>	0.6 m

### 8.55.3 Special Site Figure

Figure 8.55.1



# Special Provisions

56	<b>Bressa Developments Limited</b>		Parent Zone: DUC-1
Map 12(6)	<b>Part of Lots 7 and 8, Concession 1, NDS</b>		(2018-036)
<b>8.56.1 Additional Permitted Building Type</b>			
The following additional <i>buildings</i> are permitted:			
a)	<i>Townhouse dwelling unit street access private garage</i> , subject to the standards of the Neighbourhood Centre (NC) <i>Zone</i> unless modified by this Special Provision.		
b)	<i>Townhouse dwelling unit with lane access</i> , subject to the standards of the Neighbourhood Centre (NC) <i>Zone</i> unless modified by this Special Provision.		
c)	<i>Townhouse dwelling</i> back-to back, subject to the standards of the Neighbourhood Centre (NC) <i>Zone</i> unless modified by this Special Provision.		
d)	<i>Stacked townhouse dwelling</i> subject to the regulations of Section 7.2 Dundas Urban Core (DUC) <i>Zone</i> unless modified by this Special Provision.		
<b>8.56.2 Zone Regulation</b>			
The following regulations apply:			
a)	<i>Apartments, mixed use buildings, and commercial buildings</i> shall be the only permitted <i>building</i> types within 50 metres of Dundas Street East.		
b)	Minimum <i>building height</i> for an <i>apartment</i> or a <i>mixed use building</i> within 50 metres of Dundas Street East.	6 <i>storeys</i> and 20 m	
c)	Maximum <i>building height</i> for an <i>apartment</i> or a <i>mixed use building</i> within 50 metres of Dundas Street East.	8 <i>storeys</i> and 29.5 m	
d)	Maximum <i>building height</i> for an <i>apartment</i> or a <i>mixed use building</i> within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 <i>storeys</i> and 45 m	
e)	Minimum number of <i>dwelling units</i>	300	
f)	Minimum <i>height</i> of the <i>first storey</i> of a <i>mixed use building</i> for non-residential and accessory <i>residential uses</i> .	4.5 m	
g)	Minimum <i>floor area</i> for non-residential <i>uses</i> in a <i>mixed use building</i> .	350 sq.m	
h)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination.		
i)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m	
j)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .		
k)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.		
l)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .		
m)	Ventilation shafts/housing and stairways associated with an underground <i>parking structure</i> are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .		

# Special Provisions

<b>56</b>	<b>Bressa Developments Limited</b> <b>Part of Lots 7 and 8, Concession 1, NDS</b>	Parent Zone: DUC-1
Map 12(6)		(2018-036)
<b>8.56.3 Bonusing Provisions</b>		
<p>In order to permit the increased <i>height</i> permissions contained in this Special Provision, zoning compliance for <i>building height</i> above 8 <i>storeys</i> for an <i>apartment building</i> or <i>mixed use building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the Planning Act. The owner of the subject lands shall provide to the satisfaction of the Town, facilities, services and matters in the form of one or more of the following:</p>		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 1.3 b) (i) of the Town’s 2006 Official Plan.	

# Special Provisions

<b>57</b>	<b>Oakville Green Developments Inc. (Part of Lot 25, Concession 1, NDS)</b>	Parent Zone: LE
Map 12(3)		(2019-026) (2022-071)
<b>8.57.1 Only Permitted Uses</b>		
The following <i>uses</i> are the only <i>uses</i> permitted:		
a)	<i>Private Park</i>	
b)	<i>Public Park</i>	
c)	<i>General Office Use</i>	
d)	<i>Medical Office</i>	
e)	<i>Hotel</i>	
f)	<i>Parking Garage</i>	
g)	Trade and Convention Centre	
h)	Information Processing	
i)	<i>Research and Development</i>	
j)	<i>Nursing Home</i> , excluding <i>dwelling units</i> which are prohibited	
k)	<i>Retirement Home</i> , excluding <i>dwelling units</i> which are prohibited	
<b>8.57.2 Only Permitted Ancillary Uses</b>		
The following ancillary <i>uses</i> are the only ancillary <i>uses</i> permitted:		
a)	<i>Retail Store</i>	
b)	<i>Convenience Store</i>	
c)	<i>Restaurant</i>	
d)	<i>Café</i>	
e)	<i>Service Commercial</i>	
f)	<i>Commercial Fitness Centre</i>	
g)	<i>Financial Institution</i>	
h)	<i>Service Establishment</i>	
i)	<i>Day Care</i>	
<b>8.57.3 Additional Permitted Building Type</b>		
The following additional <i>building</i> type is permitted:		
a)	<i>Institutional Building</i>	
<b>8.57.4 Zone Regulations</b>		
The following addition regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum <i>Floor Space Index</i>	1.0
b)	Minimum <i>front yard, rear yard, flankage yard and interior side yard</i>	0.0 m
c)	Maximum <i>front yard and flankage yard</i>	3.0 m
d)	Minimum <i>height</i>	6 <i>storeys</i> and 22.0 m
e)	Minimum separation between <i>building</i> towers above a podium	25.0 m
f)	Maximum floorplate area of a <i>building</i> tower above the podium measured from the exterior of the outside walls above 5 <i>storeys</i>	2,500 sq.m.

# Special Provisions

<b>57</b>	<b>Oakville Green Developments Inc. (Part of Lot 25, Concession 1, NDS)</b>		Parent Zone: LE
Map 12(3)			(2019-026) (2022-071)
g)	Notwithstanding Section 8.57.4 c), a maximum of 25% of the cumulative length of the exterior <i>building</i> wall oriented toward the <i>front lot</i> and <i>flankage lot lines</i> may be located beyond the maximum <i>front yard</i> .		
h)	Transformer vaults and pads shall not be located between a <i>building</i> and a <i>public street</i> .		
i)	The maximum <i>leasable floor area</i> for ancillary <i>uses</i> shall not be greater than 10% of the <i>leasable floor area</i> of a <i>building</i> .		
j)	Maximum <i>leasable floor area</i> per premises for an ancillary <i>use</i> located on the <i>first storey</i>	1,400 sq.m.	
k)	Maximum <i>leasable floor area</i> for a <i>hotel</i>	14,000 sq.m.	
l)	Maximum total <i>leasable floor area</i> for a <i>nursing home</i> and <i>retirement home</i>	23,226 sq.m	
<b>8.57.5 Parking Regulations</b>			
The following additional parking regulations apply to all lands identified as subject to this Special Provision:			
a)	A stacked <i>parking space</i> that is positioned above or below another <i>parking space</i> and is accessed only by means of an elevating device shall not be included in the number of <i>parking spaces</i> provided for a <i>lot</i> .		
b)	The minimum aisle width is not required for a stacked <i>parking space</i> that is positioned above or below another <i>parking space</i> and is accessed only by means of an elevating device.		
c)	A <i>parking garage</i> above finished ground level is not permitted.		
d)	Maximum <i>surface parking area</i> coverage	5%	
e)	A <i>surface parking area</i> , not including a <i>driveway</i> , shall not be permitted in the <i>front</i> or <i>flankage yard</i> between a <i>building</i> and a <i>public street</i> .		
f)	<i>Parking</i> standard for <i>General Office Use; Information Processing; Research and Development; or Trade and Convention Centre</i>	1 <i>parking space</i> per 32 square metres of <i>leasable floor area</i> minimum; and 1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> maximum	
g)	<i>Parking</i> standard for <i>Medical Office</i>	1 <i>parking space</i> per 19 square metres of <i>leasable floor area</i> minimum; and 1 <i>parking space</i> per 15 square metres of <i>leasable floor area</i> maximum	
h)	<i>Parking</i> standard for <i>Nursing Home; or Retirement Home</i>	0.6 <i>parking space</i> per <i>suite</i> minimum	

# Special Provisions

<b>59</b>	<b>All Seniors Care Acquisitions Ltd. 2135 Dundas Street West (Part of Lot 27, Concession 1, NDS)</b>	Parent Zone: I
Map 12(2)		(2018-089)
<b>8.59.1 Prohibited Uses</b>		
a)	<i>School, Public</i>	
b)	<i>School, Private</i>	
c)	<i>School, Post-secondary</i>	
d)	<i>School, Commercial</i>	
e)	<i>Private Career College</i>	
f)	<i>Caretaker Dwelling Unit</i>	
g)	<i>Outside Storage and Outside Processing</i>	
h)	<i>Public Works Yard</i>	
i)	<i>Dwelling Units within a nursing home or retirement home</i>	
<b>8.59.2 Zone Regulations</b>		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	The <i>lot line</i> abutting Dundas Street West shall be deemed the <i>front lot line</i> .	
b)	Maximum <i>front yard</i>	10.0 m
c)	Maximum <i>flankage yard</i>	10.0 m
d)	Maximum <i>height</i>	27 m
e)	Notwithstanding Section 8.59.2 b), a maximum of 55% of the cumulative length of the exterior <i>building</i> wall oriented toward the <i>front lot line</i> may be located beyond the maximum <i>front yard</i> to a maximum <i>setback</i> of 17 metres from the <i>front lot line</i> .	
f)	Notwithstanding Section 8.59.2 c), a maximum of 10% of the cumulative length of the exterior <i>building</i> wall oriented toward the <i>flankage lot line</i> may be located beyond the maximum <i>flankage yard</i> to a maximum <i>setback</i> of 13.0 metres from the <i>flankage lot line</i> .	
g)	A <i>parking garage</i> above finished ground level is prohibited within the first 5.0 metres of depth of the <i>building</i> measured in from the exterior side of the <i>building</i> wall oriented toward the <i>front lot line</i> .	
h)	Notwithstanding Section 8.59.2 g), a <i>parking garage</i> above finished ground level is prohibited within the first 3.9 metres of depth of the <i>building</i> measured in from the exterior side of the <i>building</i> wall oriented toward the <i>front lot line</i> for a maximum of 40% of the cumulative length of the exterior <i>building</i> wall.	
i)	A <i>parking garage</i> above finished ground level is prohibited within the first 9.0 metres of depth of the <i>building</i> measured in from the exterior side of the <i>building</i> wall oriented toward the <i>flankage lot line</i> .	
<b>8.59.3 Parking Regulations</b>		
The following additional parking regulations apply to all lands identified as subject to this Special Provision:		
a)	Section 5.2 shall apply.	



# Special Provisions

<b>60</b>	<b>Oakville Urban Core Developments 1005 Dundas Street East and 3033 Eighth Line</b>	Parent Zone: DUC
Map 12(6)		(2018-108)
<b>8.60.1 Only Building Types Permitted</b>		
The following regulations apply:		
a)	<i>Apartment dwelling</i>	
b)	<i>Townhouse dwelling</i>	
c)	Underground <i>parking garage</i>	
<b>8.60.2 Zone Regulations for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The <i>lot line</i> abutting Dundas Street East shall be deemed the <i>front lot line</i> .	
b)	Minimum <i>front yard</i>	2.0 m
c)	Maximum <i>front yard</i>	5.0 m
d)	Minimum <i>rear yard</i>	5.6 m
e)	Maximum <i>rear yard</i>	5.7 m
f)	Minimum <i>flankage yard</i> for an <i>apartment dwelling</i>	2.0 m
g)	Maximum <i>flankage yard</i> for an <i>apartment dwelling</i>	7.0 m
h)	Minimum <i>flankage yard</i> for a <i>townhouse dwelling</i>	3.0 m
i)	Maximum <i>flankage yard</i> for a <i>townhouse dwelling</i>	5.5 m
j)	Minimum <i>interior side yard</i>	3.0 m
k)	<i>Height</i> for an <i>apartment dwelling</i>	8 <i>storeys</i>
l)	Maximum <i>height</i> for an <i>apartment dwelling</i>	29.0 m
m)	Minimum <i>height</i> for a <i>townhouse dwelling</i>	3 <i>storeys</i> and 9.0 m
n)	Minimum <i>setback</i> from the <i>front lot line</i> for a <i>townhouse dwelling</i>	40.0 m
o)	Rooftop mechanical equipment, elevator penthouse or stairwell access tower exceeding 2 metres in <i>height</i> , measured from the top of the roof, that are not integrated with the extension of the <i>building's</i> façade, must be set back a minimum of 4 metres from the edge of the roof and screened by an opaque architectural feature.	
p)	For <i>townhouse dwellings</i> a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the <i>building</i> wall or screening.	

## Special Provisions

<b>60</b>	<b>Oakville Urban Core Developments 1005 Dundas Street East and 3033 Eighth Line</b>	Parent Zone: DUC
Map 12(6)		(2018-108)
<b>8.60.3 Parking Regulations</b>		
The following parking regulations apply:		
a)	Minimum number of <i>parking spaces</i> for an <i>apartment dwelling</i>	1.35 <i>parking spaces</i> per <i>dwelling unit</i> of which 0.25 <i>parking spaces</i> per <i>dwelling unit</i> are designated visitor <i>parking spaces</i>
b)	Minimum number of <i>parking spaces</i> for a <i>townhouse dwelling</i>	2.0 <i>parking spaces</i> per <i>dwelling unit</i> of which 0.25 <i>parking spaces</i> per <i>dwelling unit</i> are designated visitor <i>parking spaces</i>
c)	Minimum number of designated accessible <i>parking spaces</i> for <i>residential uses</i>	2% of the number of <i>parking spaces</i> required
d)	Minimum <i>setback</i> from the <i>lot line</i> abutting Dundas Street East for a visitor <i>surface parking area</i> or an <i>above grade parking garage</i>	30.0 m
e)	Minimum <i>setback</i> from all <i>lot lines</i> for an <i>underground parking garage</i> , including ventilation shafts/housing, stairways, and other facilities associated with an <i>underground parking garage</i>	0.0 m
f)	Ventilation shafts/housing and stairways associated with an <i>underground parking structure</i> are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	
<b>8.60.4 Special Site Provisions</b>		
The following additional provisions apply:		
a)	A visitor <i>surface parking area</i> shall be set back a minimum of 0.5 m from any <i>townhouse dwelling</i> .	
b)	A minimum of 80% of the cumulative length of an <i>apartment dwelling building wall</i> oriented toward any <i>front lot line</i> and <i>flankage lot line</i> shall be located within the area defined by the minimum and maximum <i>front and flankage yard</i> for the first 12 metres of <i>building height</i> .	

# Special Provisions

61	<b>407 Dundas Street West (Part of Lot 19, Concession 1, N.D.S.)</b>	Parent Zone: DUC
Map 12(4)		(2018-107)
<b>8.61.1 Only Building Types Permitted</b>		
The following <i>building</i> types are only permitted:		
a)	<i>Mixed Use Building</i>	
b)	<i>Underground Parking Garage</i>	
c)	<i>Stacked Townhouse Dwelling</i>	
<b>8.61.2 Zone Provisions for All Lands</b>		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	Maximum <i>height</i> for a <i>mixed use building</i>	8 <i>storeys</i> and 28 m
b)	Maximum <i>height</i> for a <i>mixed use building</i> (upon execution of a Section 37 Agreement)	10 <i>storeys</i> and 35 m
c)	Maximum <i>height</i> for a <i>stacked townhouse dwelling</i>	3 <i>storeys</i>
d)	The maximum <i>height</i> for a <i>stacked townhouse dwelling</i> shall not apply to rooftop storage rooms up to a maximum <i>floor area</i> of 15 m <sup>2</sup> per <i>dwelling unit</i> .	
e)	Minimum <i>height</i> of the <i>first storey</i> of a <i>mixed use building</i> for <i>commercial</i> and common areas	4.5 m
f)	Minimum <i>commercial floor area, leasable</i> , in a <i>mixed use building</i>	345 m <sup>2</sup>
g)	Minimum number of <i>dwelling units</i>	246
h)	Minimum <i>rear yard</i> for a <i>stacked townhouse dwelling</i>	2.5 m
i)	Minimum <i>rear yard</i> for a <i>mixed use building</i>	58 m
j)	Maximum <i>front yard</i> for a <i>mixed use building</i>	3.5 m
k)	Maximum <i>flankage yard</i> for a <i>stacked townhouse dwelling</i>	9.0 m
l)	Minimum separation distance between <i>stacked townhouse dwellings</i>	13.5 m
<b>8.61.3 Bonus Provisions</b>		
In order to permit the increased <i>height</i> permissions contained in this Special Provision, zoning compliance for <i>building height</i> above 8 <i>storeys</i> for a <i>mixed use building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u> . The owner of the subject lands shall provide to the satisfaction of the Town, facilities, services and matters in the form of one or more of the following:		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 1.3 b) (i) of the Town's 2006 Official Plan.	

# Special Provisions

62	<b>Infrastructure Ontario (Part of Lot 26, Concession 1, N.D.S.)</b>		Parent Zone: I
Map 12(2)			(2018-116)
<b>8.62.1 Prohibited Uses</b>			
The following <i>uses</i> are prohibited:			
a)	<i>School, Public</i>		
b)	<i>School, Private</i>		
c)	<i>School, Post-secondary</i>		
d)	<i>School, Commercial</i>		
e)	<i>Private Career College</i>		
f)	<i>Caretaker Dwelling Unit</i>		
g)	<i>Outside Storage and Outside Processing</i>		
h)	<i>Public Works Yard</i>		
i)	<i>Art Gallery</i>		
j)	<i>Museum</i>		
k)	<i>Nursing Home</i>		
l)	<i>Retirement Home</i>		
<b>8.62.2 Additional Zone Regulations</b>			
The following additional regulations apply to a courthouse <i>building</i> on lands identified as subject to this Special Provision:			
a)	Minimum <i>height</i>		3 <i>storeys</i>
b)	Maximum <i>height</i>		10 <i>storeys</i>
c)	Maximum <i>Floor Space Index</i>		3.0
d)	Maximum <i>front yard</i>		Shall not apply
e)	Maximum <i>flankage</i>		Shall not apply
<b>8.62.3 Additional Zone Regulations</b>			
The following additional regulations apply to a <i>parking garage</i> on lands identified as subject to this Special Provision:			
a)	A <i>parking garage</i> , excluding bicycle parking is prohibited in the first 5.0 m depth of the <i>building</i> measured in from the exterior side of the <i>building</i> oriented toward a <i>public street</i> , on the <i>first storey</i> within 20 m of a <i>public street</i> .		
b)	A <i>parking garage</i> shall be <i>setback</i> a minimum of 80.0 m from the <i>lot line</i> abutting William Halton Parkway.		
c)	Maximum length of a wall facing Glenorchy Road		75 m
d)	Maximum <i>Floor Space Index</i>		3.0
<b>8.62.4 Parking Regulations</b>			
The following additional parking regulations apply to all lands identified as subject to this Special Provision:			
a)	Minimum number of <i>parking spaces</i> for a courthouse <i>building</i> .		875
b)	Required parking for a courthouse may be provided on the same <i>lot</i> as the courthouse <i>building</i> and/or on another <i>lot</i> within 500 metres of the <i>lot</i> with the courthouse <i>building</i> .		

# Special Provisions

63	<b>103 Dundas Street West Part of Lot 16, Concession 1 NDS</b>		Parent Zone: DUC
Map 12(4)			(2018-118)
<b>8.63.1 Zone Provisions for All Lands</b>			
The following regulations apply to all lands identified as subject to this Special Provision:			
a)	Dundas Street West shall be deemed the <i>front lot line</i> .		
b)	Minimum westerly <i>interior side yard</i>	Up to 4 <i>storeys</i>	0.0 m
		5 <sup>th</sup> and 6 <sup>th</sup> <i>storey</i>	8.0 m
		7 <sup>th</sup> and 8 <sup>th</sup> <i>storey</i>	10.0 m
c)	Minimum <i>rear yard</i>	1 <sup>st</sup> <i>storey</i>	6.0 m
		2 <sup>nd</sup> to 4 <sup>th</sup> <i>storey</i>	7.5 m
		5 <sup>th</sup> <i>storey</i>	9.0 m
		6 <sup>th</sup> <i>storey</i>	12.0 m
		7 <sup>th</sup> <i>storey</i>	14.5 m
		8 <sup>th</sup> <i>storey</i>	18.0 m
d)	Rooftop terraces shall be permitted above the first <i>storey</i> .		
<b>8.63.2 Parking Regulations</b>			
The following parking regulations apply:			
a)	Minimum number of accessible <i>parking spaces</i> required for <i>residential uses</i>		3
b)	Minimum <i>setback</i> from all <i>lot lines</i> for a <i>parking garage</i> including ventilation shafts, stairways and other facilities associated with the <i>parking garage</i>		0.5 m
c)	<i>Tandem parking spaces</i> are permitted for a maximum of 3 <i>dwelling units</i> .		

# Special Provisions

64	<b>1187 Burnhamthorpe Road East (Part Lot 9, Conc. 2, NDS)</b>	Parent Zone: FD, I
Map 12(6)		(2018-122) (2022-007)
<b>8.64.1 Only Permitted Uses for Lands Zoned I</b>		
The following <i>uses</i> are the only <i>uses</i> permitted:		
a)	<i>Place of worship</i> , but shall not include a residence for a faith group leader	
b)	Legal <i>uses</i> , <i>buildings</i> , and <i>structures</i> existing on the <i>lot</i> .	
<b>8.64.2 Only Permitted Uses for Lands Zoned FD</b>		
The following <i>uses</i> are the only <i>uses</i> permitted:		
a)	Legal <i>uses</i> , <i>buildings</i> , and <i>structures</i> existing on the <i>lot</i> .	
<b>8.64.3 Additional Zone Provisions for a Place of Worship</b>		
The following additional regulations apply to a <i>place of worship</i> :		
a)	Minimum <i>front yard</i>	20.0 m
b)	Maximum <i>front yard</i>	110.0 m
c)	Minimum westerly <i>side yard</i>	66.0 m
d)	Minimum <i>height</i>	7.0 m
e)	Minimum <i>Floor Space Index (FSI)</i> shall not apply	
f)	Maximum <i>Floor Area</i>	580 m <sup>2</sup>
g)	No <i>building</i> or <i>structure</i> may be erected or enlarged unless the requirements for service connections as defined by the Ontario Building Code have been granted.	

# Special Provisions

<b>65</b>	<b>3075 Trafalgar Road</b> <b>(Part of Lot 12, Concession 1 N.D.S)</b>	Parent Zone: TUC
Map 12(5)		(2020-052)
<b>8.65.1 Zone Regulations for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The <i>lot line</i> abutting Trafalgar Road shall be deemed to be the <i>front lot line</i> .	
b)	Maximum <i>height</i> (upon execution of a Section 37 agreement)	100.0 m and 30 <i>storeys</i>
c)	Minimum <i>height</i> of the <i>first storey</i> for non-residential uses	4.5 m
d)	Maximum floorplate dimension of a <i>building</i> tower above the <i>podium</i> measured from the exterior of the outside walls above 12 <i>storeys</i>	40.0 m
e)	Minimum separation distances between <i>buildings</i> above 12 <i>storeys</i>	25.0 m
f)	Minimum percentage of glazing of the <i>first storey building</i> wall for non-residential uses oriented toward any <i>front lot line</i> and <i>flankage lot line</i> for each individual <i>building</i>	75%
g)	Maximum <i>balcony</i> projection into a <i>required yard</i>	2.0 m
h)	Minimum podium <i>height</i> for an <i>apartment building</i> or <i>mixed use building</i>	11.0 m and 4 <i>storeys</i>
i)	The maximum length of a <i>building wall</i> for <i>storeys</i> 9 to 12 shall be the greater of 75% of the <i>building wall</i> length of the 8th storey or a floorplate dimension of 40 metres	
j)	A minimum of 70% of the <i>front lot line</i> length and <i>flankage lot line</i> length must be occupied by a <i>building(s)</i> within the area defined by the minimum and maximum <i>front</i> and <i>flankage yard</i> , inclusive of projections and indentations, and excluding daylight triangles.	
k)	Only non-residential <i>uses</i> and ancillary residential <i>uses</i> (such as lobbies, common areas and amenity areas) are permitted within a minimum depth of the first 9.0 metres of the ground floor of a <i>building</i> , measured from the <i>building</i> wall, and oriented towards Threshing Mill Boulevard and Wheat Boom Drive.	
l)	Non-residential units located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>street</i> or an outdoor communal <i>amenity area</i> .	
m)	<i>Dwelling units</i> adjacent and oriented to Trafalgar Road are not permitted more than 1.0 m below <i>grade</i> .	
n)	Residential bedrooms on the <i>first storey</i> are not permitted on the frontage of a <i>building</i> abutting and oriented towards Trafalgar Road.	
o)	For the purposes of this special provision “rooftop terrace” means an outdoor <i>amenity area</i> located on the roof of any <i>storey</i> of a <i>building</i> .	
p)	Rooftop terraces shall be permitted.	
q)	For <i>apartment</i> and <i>mixed use buildings</i> , rooftop mechanical equipment, elevator penthouse or stairwell access tower exceeding 2 metres in height, measured from the top of the roof, that are not integrated with the extension of the <i>building's</i> façade, must be set back a minimum of 3 metres from the edge of the roof and screened by an architectural feature.	
r)	Notwithstanding any severance, partition or division of the lands subject to this Special Provision, the regulations of each Block identified in Figure 8.65.1 shall apply to the whole of such lands as if no severance, partition or division had occurred.	
<b>8.65.2 Parking Regulations for All Lands</b>		
The following parking regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum number of <i>parking spaces</i> required for <i>residential uses</i>	1 <i>parking space</i> per <i>dwelling unit</i>
b)	Minimum number of designated accessible <i>parking spaces</i> for <i>residential uses</i>	1% of the number of <i>parking spaces</i> provided

## Special Provisions

65		3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)	Parent Zone: TUC
Map 12(5)			(2020-052)
c)	Minimum number of <i>parking spaces</i> required for visitors of the <i>apartment dwelling units</i>		0.10 <i>parking spaces</i> per <i>dwelling unit</i>
d)	Minimum number of <i>parking spaces</i> required for non-residential <i>uses</i> , excluding a <i>library</i>		1 <i>parking space</i> per 30 metres of <i>leasable floor area</i>
e)	Stairways associated with an underground <i>parking garage</i> are not permitted between a <i>building</i> wall and Trafalgar Road or Threshing Mill Boulevard or Wheat Boom Road.		
f)	Ventilation shafts/housing and stairways associated with an underground parking garage are not permitted between a <i>building</i> wall and the <i>flankage lot line</i> where walkways are located.		
g)	The parking of <i>motor vehicles</i> is prohibited in an above <i>grade parking garage</i> for the first 9.0 metres of the depth of a <i>building</i> , measured from a <i>building</i> wall oriented towards a <i>lot line</i> abutting a <i>public</i> or <i>private street</i> or measured from a <i>building</i> wall oriented towards an outdoor communal <i>amenity</i> area.		
h)	A minimum of 10% of the <i>parking spaces</i> provided on a <i>lot</i> shall be supplied with the provision for the installation of electric <i>motor vehicle</i> charging equipment.		
i)	Where a <i>parking space</i> is designated for car share in a <i>building</i> , the minimum number of <i>parking spaces</i> for <i>residential uses</i> shall be decreased by 10 <i>parking spaces</i> to a maximum reduction of 10% of the total minimum <i>parking spaces</i> .		
j)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination.		
k)	Visitor <i>parking spaces</i> for any permitted use may be provided in a <i>surface parking area</i> up to a maximum of 10% of the total required <i>parking spaces</i> .		
<b>8.65.3 Additional Zone Regulations for Block A Lands</b>			
The following regulations apply to lands identified as Block A on figure 8.65.1:			
a)	Minimum number of <i>dwelling units</i> for Block A lands		200
b)	Minimum <i>floor space index</i>		3.0
c)	Minimum <i>height</i>		36.0 m and 12 <i>storeys</i>
<b>8.65.4 Additional Zone Regulations for Block B Lands</b>			
The following regulations apply to lands identified as Block B on figure 8.65.1:			
a)	Minimum number of <i>dwelling units</i> for Block B lands		370
b)	Minimum <i>floor space index</i>		3.0
c)	Minimum <i>height</i>		24.0 m and 8 <i>storeys</i>
<b>8.65.5 Additional Zone Regulations for Block C Lands</b>			
The following regulations apply to lands identified as Block C on figure 8.65.1:			
a)	Minimum number of <i>dwelling units</i> for Block C lands		200
b)	Minimum <i>floor space index</i>		3.0
c)	Minimum <i>height</i>		45.0 m and 15 <i>storeys</i>
d)	Minimum non-residential <i>floor area</i> for a <i>building</i> located immediately adjacent to Threshing Mill Boulevard, excluding accessory residential <i>uses</i> . Of the required minimum non-residential <i>floor area</i> , a minimum 60% of the area shall exclude <i>general office</i> and <i>medical office uses</i> .		460 sq. m
e)	Non-residential <i>uses</i> must be oriented toward the <i>lot line</i> adjacent to Threshing Mill Boulevard.		



# Special Provisions

<b>65</b>	<b>3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)</b>	Parent Zone: TUC
Map 12(5)		(2020-052)
f)	Section 5.1.6 also applies to a <i>lot</i> which fronts onto Threshing Mill Boulevard	
<b>8.65.6 Additional Zone Regulations for Block D Lands</b>		
The following regulations apply to lands identified as Block D on figure 8.65.1:		
a)	Minimum number of <i>dwelling units</i> for Block D lands	400
b)	Minimum <i>floor space index</i>	3.0
c)	Minimum <i>height</i>	45.0 m and 15 storeys
d)	Minimum non-residential <i>floor area</i> for a <i>mixed use building</i> located immediately adjacent to Threshing Mill Boulevard, excluding accessory residential <i>uses</i> . Of the required minimum non-residential <i>floor area</i> , a minimum 60% of the <i>floor area</i> must exclude <i>general office</i> and <i>medical office uses</i> .	929 sq. m
e)	Non-residential <i>uses</i> must be oriented toward the <i>lot line</i> adjacent to Threshing Mill Boulevard.	
f)	Minimum <i>rear yard</i>	6.0 m
g)	For the purpose of calculating <i>lot line</i> length in section 8.65.1 (j), any daylight triangles plus an additional 6 metres shall be excluded from the overall <i>lot line</i> length.	
h)	Notwithstanding Table 4.21, above-grade encroachments are not permitted into the <i>required rear yard</i> .	
i)	Section 5.1.6 also applies to a <i>lot</i> which abuts Threshing Mill Boulevard.	
<b>8.65.7 Additional Permitted Building Types for Block E Lands</b>		
a)	<i>Stacked townhouse dwelling</i>	
b)	<i>Townhouse dwelling back-to-back</i>	
<b>8.65.8 Additional Zone Regulations for Block E Lands</b>		
The following regulations apply to lands identified as Block E on figure 8.65.1:		
a)	Minimum number of <i>dwelling units</i> for Block E lands.	300
b)	Maximum number of <i>townhouse dwelling units</i>	116
c)	Minimum <i>floor space index</i>	2.5
d)	Minimum <i>height</i> for an <i>apartment building</i> or <i>mixed use building</i> located immediately adjacent to Wheat Boom Drive and Trafalgar Road	32.0 m and 12 <i>storeys</i>
e)	Minimum <i>height</i> for an <i>apartment building</i> or <i>mixed use building</i> immediately adjacent to Trafalgar Road only	22.0 m and 8 <i>storeys</i>
f)	Minimum <i>height</i> for a <i>stacked townhouse dwelling</i>	11.0 m
g)	Maximum <i>height</i>	68.0 m and 20 <i>storeys</i>
h)	Minimum non-residential <i>floor area</i> for a <i>building</i> located immediately adjacent to Wheat Boom Drive and fronting on Trafalgar Road, excluding accessory residential <i>uses</i> . Of the required minimum non-residential <i>floor area</i> , a minimum 60% of the area must exclude <i>general office</i> and <i>medical office uses</i> .	185 sq. m
i)	Non-residential <i>uses</i> must be oriented toward the <i>lot line</i> adjacent to Wheat Boom Drive.	
j)	Minimum <i>setback</i> from the <i>lot line</i> abutting Trafalgar Road for <i>stacked townhouse</i> or <i>townhouse dwelling back to back</i>	30.0 m
k)	Minimum <i>rear yard setback</i> for <i>stacked townhouse dwelling</i> or <i>townhouse dwelling back to back</i>	6.0 m

# Special Provisions

<b>65</b>	<b>3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)</b>	Parent Zone: TUC
Map 12(5)		(2020-052)
l)	Minimum setback from a <i>lot line</i> abutting Wheat Boom Drive for a <i>stacked townhouse dwelling</i> or <i>townhouse dwelling back to back</i>	30.0 m
m)	Minimum interior side yard for <i>stacked townhouse dwelling</i> or <i>townhouse dwelling back to back</i>	1.2 m
n)	For the purpose of calculating <i>lot line</i> length in Section 8.65.1 (j), any daylight triangles plus an additional 6 metres shall be excluded from the overall <i>lot line</i> length	
o)	Notwithstanding Table 4.21, above-grade encroachments are not permitted into the required <i>rear yard</i> .	
<b>8.65.9 Additional Permitted Building Types for Block F Lands</b>		
a)	<i>Stacked townhouse dwelling</i>	
b)	<i>Townhouse dwelling back-to-back</i>	
<b>8.65.10 Zone Regulations for Block F Lands</b>		
The following regulations apply to lands identified as Block F on figure 8.65.1:		
a)	Minimum number of <i>dwelling units</i>	350
b)	Maximum number of <i>stacked townhouse dwelling</i> and <i>townhouse dwelling back to back dwelling units</i>	80
c)	Minimum <i>floor space index</i>	3.2
d)	Minimum <i>height</i> for an <i>apartment building</i> or <i>mixed use building</i> located immediately adjacent to a <i>lot line</i> abutting a Natural Heritage System (NHS) Zone and fronting on Trafalgar Road	32.0 m and 12 <i>storeys</i>
e)	Minimum <i>height</i> for an <i>apartment building</i> or a <i>mixed use building</i> located immediately adjacent to the southerly <i>lot line</i> abutting the Stormwater Management Facility (SMF) zone and fronting on Trafalgar Road.	32.0 m and 12 <i>storeys</i>
f)	Minimum <i>height</i> for any other <i>building</i> fronting on Trafalgar Road only	22.0 m and 8 <i>storeys</i>
g)	Minimum <i>height</i> for a <i>stacked townhouse dwelling</i>	11.0 m
h)	Maximum <i>height</i>	68.0 m and 20 <i>storeys</i>
i)	Minimum setback from a <i>lot line</i> abutting Trafalgar Road for <i>stacked townhouse dwelling</i> or <i>townhouse dwelling back to back</i>	25.0 m
j)	Minimum <i>rear yard setback</i> for <i>stacked townhouse dwelling</i> or <i>townhouse dwelling back to back</i>	2.0 m
k)	Minimum setback from a <i>lot line</i> abutting Wheat Boom Drive for a <i>stacked townhouse dwelling</i> or <i>townhouse dwelling back to back</i>	60.0 m
l)	Minimum <i>interior side yard</i> for <i>stacked townhouse dwelling</i> or <i>townhouse dwelling back to back</i>	1.2 m

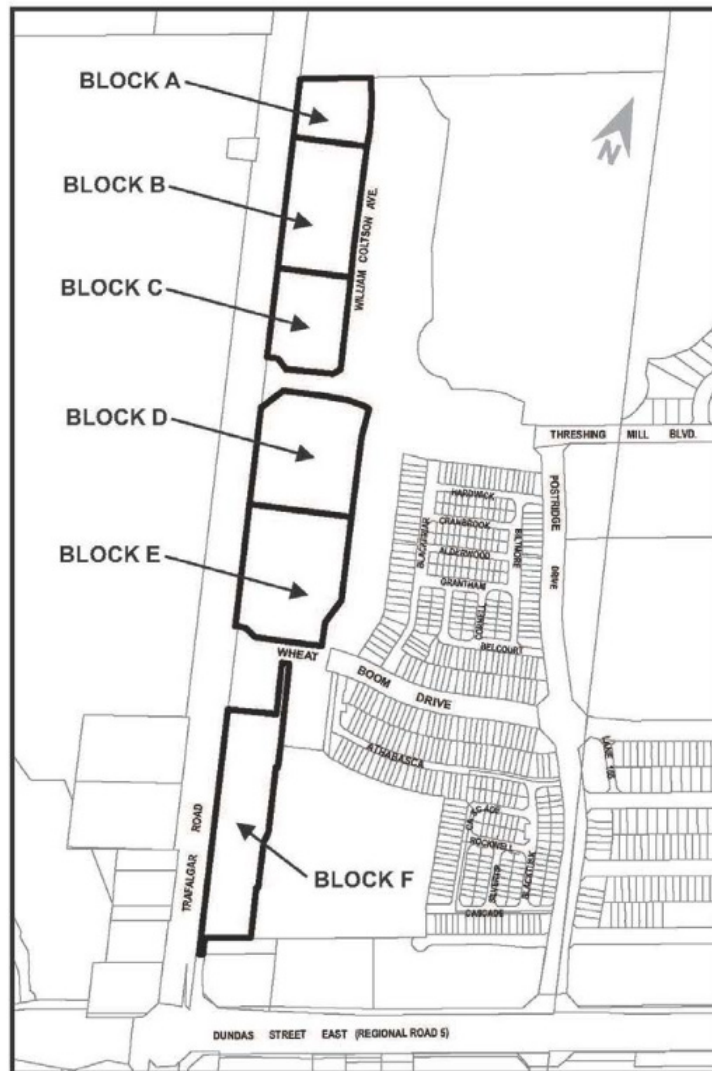
# Special Provisions

<b>65</b>	<b>3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)</b>	Parent Zone: TUC
Map 12(5)		(2020-052)

**8.65.11 Special Site Figures**

Figure 8.65.1

**Special Provision 65**



**8.65.12 Special Site Provisions**

The following additional provisions apply:

- a) *Height* shall be measured from the finished floor elevation closest to *grade* for an *apartment building* or *mixed use building*
- b) Notwithstanding Section 4.28.1, *height* of a *stacked townhouse dwelling* shall be measured from *grade* to the highest point of a *building* or *structure*.
- c) The calculation of *lot line* length shall be measured parallel to, and 3.0 metres back from, the *front lot line*.

## Special Provisions

<b>65</b>	<b>3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)</b>	Parent Zone: TUC
Map 12(5)		(2020-052)
<b>8.65.12 Bonussing Provisions</b>		
<p>In order to permit the increased permissions contained in this Special Provision, zoning compliance for <i>height</i> and <i>storeys</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u>. The owner of the subject lands shall provide to the satisfaction of the Town the facilities, services, and matters in the form of one or more of the following</p>		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in the Official Plan.	
b)	Space within a <i>building</i> for a <i>public authority use</i>	
c)	Any <i>building</i> with a principal entrance located within 10 metres of a transit stop may incorporate a transit shelter within the <i>podium</i> oriented towards a <i>public street</i> should there be a need to facilitate a transit stop within close proximity to the intersection.	

# Special Provisions

<b>66</b>	<b>3075 Trafalgar Road</b> (Part of Lot 12, Concession 1 N.D.S.)	Parent Zone: GU
Map 12(5)		(2020-052)

### 8.66.1 Only Building Types Permitted

- a) *Townhouse dwelling with lane access*

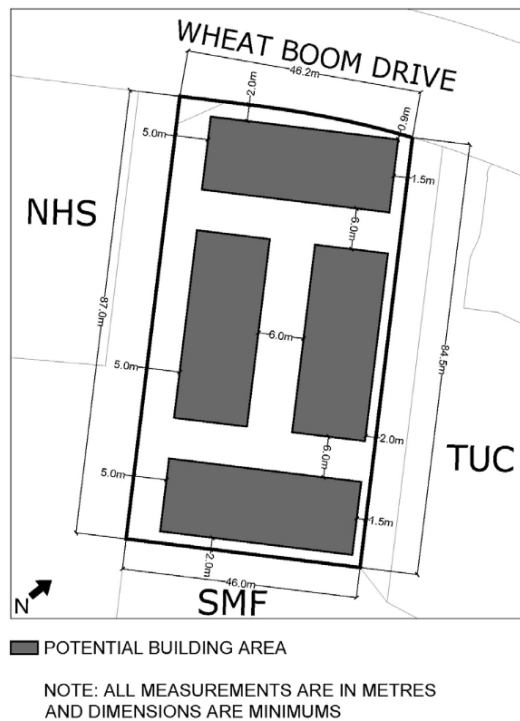
### 8.66.2 Zone Regulations

The following regulations apply to all lands identified as subject to this Special Provision:

a)	The <i>lot line</i> abutting Wheat Boom Drive shall be deemed the <i>front lot line</i> .	
b)	Minimum number of <i>dwelling units</i>	32
c)	Maximum <i>floor space index</i>	1.4
d)	Minimum <i>height</i>	8.0 m and 3 <i>storeys</i>
e)	Maximum projection into a <i>required yard</i> for a <i>porch</i> or exterior stair	1.2 m, and a minimum set-back of 0.3 m from a <i>lot line</i>
f)	All site development shall comply with Figure 8.66.1 of this Special Provision.	
g)	A <i>porch</i> shall have a minimum depth of 1.1 metres and have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the <i>building</i> wall or screening.	
h)	Notwithstanding any severance, partition or division of the lands subject to this Special Provision, the regulations shall apply to the whole of such lands as if no severance, partition or division had occurred.	

### 8.66.3 Special Site Figures

Figure 8.66.1



### 8.66.4 Parking Regulations

The following parking regulations apply to all lands identified as subject to this Special Provision:

- a) A minimum of two visitor *parking spaces* shall be provided and may be provided off-site on abutting lands.

## Special Provisions

68	<b>Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS Capoak Inc. and Redoak G &amp; A Inc. Part of Lot 10, Concession 1, NDS</b>	Parent Zone: GU
Map 12(6)		(2019-062) (2021-103)
<b>8.68.1 Zone Regulations for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Notwithstanding Section 4.27, a porch shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	
e)	Notwithstanding Table 7.6.2, the minimum <i>rear yard</i> for <i>single detached dwellings</i> with a <i>lot depth</i> of 27.5 m or less.	6.0 m

# Special Provisions

<b>69</b>	<b>Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS</b>	Parent Zone: NC
Map 12(6)		(2019-062)

### 8.69.1 Zone Regulations for All Lands

The following regulations apply to all lands identified as subject to this special provision:

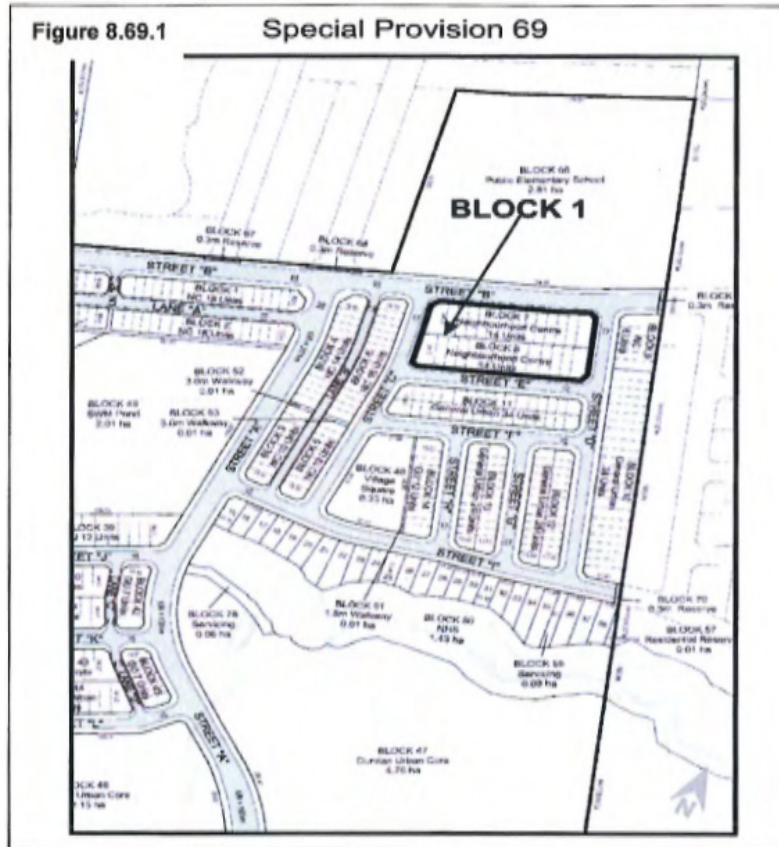
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	

### 8.69.2 Additional Permitted Building Type for Block 1

The following additional buildings are permitted on lands identified as Block 1 on Figure 8.69.1:

- a) *Stacked townhouse dwelling*, subject to the standards for *apartments*.

### 8.69.3 Special Site Figure



## Special Provisions

70	<b>Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS</b>	Parent Zone: NC-4
Map 12(6)		(2019-062)
<b>8.70.1 Zone Regulations</b>		
The following regulations apply:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .	
c)	Notwithstanding Section 4.27, a porch shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car <i>private garage</i> and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .	



## Special Provisions

71	<b>Mattamy (Joshua Creek) Limited/ Halton District School Board</b>	Parent Zone: I
Map 12(6)	Part of Lot 9, Concession 1, N.D.S	(2019-062) (2022-024)
<b>8.71.1 Zone Provisions</b>		
The following regulations apply:		
a)	Maximum <i>front yard</i>	Shall not apply
b)	Minimum <i>building height</i> for a public school elementary	Shall not apply
c)	Maximum <i>building height</i> for a public school elementary	18.0 m
d)	Minimum <i>landscape strip</i> along the <i>interior lot line</i> and <i>rear lot line</i>	4.5 m
e)	Section 1.7 (iii)	Shall not apply
f)	Section 4.13.1	Shall not apply
<b>8.71.2 Parking Regulations</b>		
a)	Parking requirements for a <i>public school</i> elementary	3 <i>parking spaces</i> per classroom maximum
b)	Parking requirements for a <i>day care</i> centre inclusive of <i>parking spaces</i> for queuing	1 <i>parking space</i> per 18 m <sup>2</sup> of <i>leasable floor area</i> minimum; and, no maximum

# Special Provisions

72	<b>Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS</b>		Parent Zone: DUC-1
Map 12(6)			(2019-062)
<b>8.72.1 Additional Permitted Building Type</b>			
The following additional <i>buildings</i> are permitted:			
a)	<i>Townhouse dwelling unit street access private garage</i> , subject to the standards of the Neighbourhood Centre (NC) Zone unless modified by this Special Provision.		
b)	<i>Townhouse dwelling unit with lane access</i> , subject to the standards of the Neighbourhood Centre (NC) Zone unless modified by this Special Provision.		
c)	<i>Townhouse dwelling back-to back</i> , subject to the standards of the Neighbourhood Centre (NC) Zone unless modified by this Special Provision.		
d)	<i>Stacked townhouse dwelling</i> , subject to the apartment standards of Section 7.5.2 Neighbourhood Centre (NC) Zone unless modified by this Special Provision.		
<b>8.72.2 Zone Regulations</b>			
The following regulations apply:			
a)	<i>Apartments, mixed use buildings, and commercial buildings</i> shall be the only permitted <i>building</i> types within 50 metres of Dundas Street East.		
b)	Minimum <i>height</i> for an <i>apartment</i> or a <i>mixed use building</i> within 50 metres of Dundas Street East.	6 <i>storeys</i> and 20 m	
c)	Maximum <i>height</i> for an <i>apartment</i> or a <i>mixed use building</i> within 50 metres of Dundas Street East.	8 <i>storeys</i> and 29.5 m	
d)	Maximum <i>height</i> for an <i>apartment</i> or a <i>mixed use building</i> within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 <i>storeys</i> and 45 m	
e)	Minimum number of <i>dwelling units</i> (west of Street A)	225	
f)	Minimum number of <i>dwelling units</i> (east of Street A)	480	
g)	Minimum <i>height</i> of the <i>first storey</i> of a <i>mixed use building</i> for non-residential and accessory <i>residential uses</i> .	4.5 m	
h)	Minimum <i>floor area</i> for non-residential <i>uses</i> in <i>mixed use building</i> .	350 sq.m.	
i)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination.		
j)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m	
k)	Notwithstanding Section 4.27, the requirement to have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter shall not apply to <i>inset porches</i> .		
l)	Notwithstanding Section 4.27, a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.		
m)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.9 metres for a single car private garage and one step may encroach into the width of a <i>parking space</i> within a garage at the side of the <i>parking space</i> .		
n)	Ventilation shafts/housing and stairways associated with an underground <i>parking structure</i> are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .		

## Special Provisions

72	<b>Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS</b>	Parent Zone: DUC-1
Map 12(6)		(2019-062)
<b>8.72.3 Bonusing Provisions</b>		
<p>In order to permit the increased <i>height</i> permissions contained in this Special Provision, zoning compliance for <i>height</i> above 8 storeys for an <i>apartment building</i> or <i>mixed use building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u>. The owner of the subject lands shall provide to the satisfaction of the Town, facilities, services and matters in the form of one or more of the following:</p>		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 1.3 b) (i) of the Town's 2006 Official Plan.	

# Special Provisions

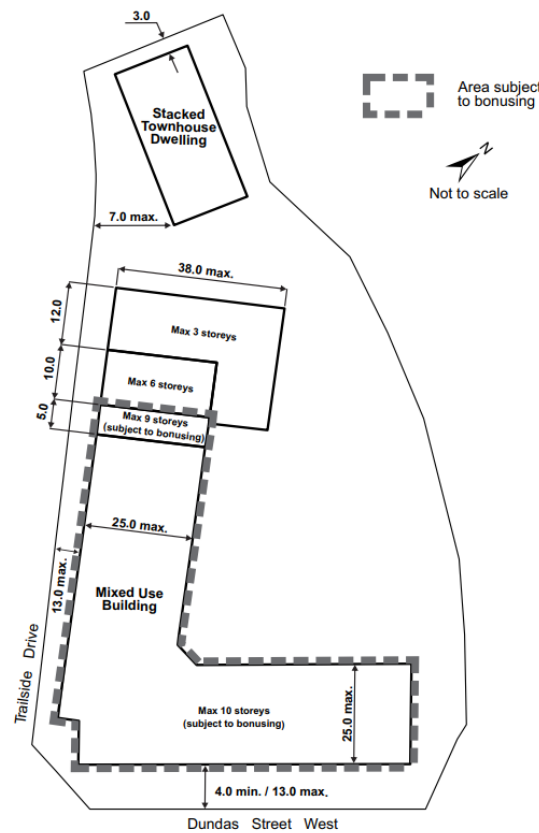
73	<b>393 Dundas Street West (Part of Lot 19, Concession 1, N.D.S)</b>	Parent Zone: DUC
Map 12(4)		(2019-006)
<b>8.73.1 Only Building Types Permitted</b>		
The following <i>building types</i> are only permitted:		
a)	<i>Mixed Use Building</i>	
b)	<i>Underground Parking Garage</i>	
c)	<i>Stacked Townhouse Dwelling</i>	
<b>8.73.2 Zone Provisions for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Dundas Street West shall be deemed the <i>front lot line</i>	
b)	Notwithstanding Section 4.22, the daylight triangle adjoining the <i>lot</i> shall not be deemed to be part of the <i>lot</i> for the purpose of calculating the <i>required yards/setbacks</i> .	
c)	Minimum number of <i>dwelling units</i>	250
d)	Maximum <i>height</i> for a <i>mixed use building</i>	8 <i>storeys</i> and 28 m
e)	Maximum <i>height</i> for a <i>mixed use building</i> (upon execution of a Section 37 Agreement)	10 <i>storeys</i> and 35 m
f)	Minimum <i>height</i> of a <i>storey</i> of a <i>mixed use building</i> containing non-residential and ancillary residential uses	4.5 m
g)	Maximum <i>Floor Space Index</i>	Shall not apply
h)	Minimum non-residential <i>leasable floor area</i> in a <i>mixed use building</i>	275 m <sup>2</sup>
i)	Maximum <i>height</i> for a <i>stacked townhouse dwelling</i>	3 <i>storeys</i>
j)	The maximum <i>height</i> for a <i>stacked townhouse dwelling</i> shall not apply to rooftop storage rooms up to a maximum <i>floor area</i> of 15 m <sup>2</sup> per <i>dwelling unit</i>	
k)	All site development shall comply with Figure 8.73.3 of this Special Provision	

# Special Provisions

73	<b>393 Dundas Street West (Part of Lot 19, Concession 1, N.D.S)</b>	Parent Zone: DUC
Map 12(4)		(2019-006)

### 8.73.3 Special Site Figure

Figure 8.73.3



**Note:** All measurements are in metres and are minimums unless otherwise noted.

### 8.73.4 Parking Regulations

- a) A stacked *parking space* that is positioned above or below another *parking space* and is accessed only by means of an elevating device shall not be included in the number of *parking spaces* provided for a *lot*.
- b) The minimum aisle width is not required for a stacked *parking space* that is positioned above or below another *parking space* and is accessed only by means of an elevating device.

### 8.73.5 Bonusing Provisions

In order to permit the increased *height* permissions contained in this Special Provision, zoning compliance for *building height* above 8 *storeys*, for a *mixed use building*, for a maximum of 10 *storeys*, shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the Planning Act. The owner of the subject lands shall provide to the satisfaction of the Town, facilities, services and matters in the form of one or more of the following:

- a) Financial contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 1.3 b) (i) of the Town’s 2006 Official Plan or the North Oakville East Secondary Plan.

## Special Provisions

78	<b>Graydon Banning Limited</b> <b>(Part of Lots 24 and 25, Concession 1, NDS)</b>	Parent Zone: NC
Map 12(3)		(2019-091) PL170737
<b>8.78.1 Zone Regulations</b>		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	For <i>corner lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps may encroach into the required depth.	
b)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	

# Special Provisions

79	<b>Graydon Banning Limited</b> <b>(Part of Lots 24 and 25, Concession 1, NDS)</b>	Parent Zone: NC
Map 12(3)		(2019-091) PL170737
<b>8.79.1 Additional Permitted Building Type</b>		
The following additional <i>building</i> type is permitted.		
a)	<i>Stacked Townhouse Dwelling</i> including each <i>dwelling unit</i> having an independent entrance.	
<b>8.79.2 Zone Provisions</b>		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	For the purposes of this By-law, the front lot line shall be deemed as “Street G”	
b)	Minimum yard abutting a <i>public street</i>	2.0 m
c)	Minimum <i>rear yard</i> abutting the Natural Heritage System (NHS)	2.5 m
d)	Minimum width of a <i>landscape strip</i> abutting the Natural Heritage System (NHS)	1.5 m
e)	Minimum <i>interior side yard</i>	0 m
f)	For <i>corner lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps may encroach into the required depth.	
g)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
h)	Transformer vaults and pads are not be permitted in any <i>yard</i> abutting a <i>public street</i> .	

## Special Provisions

80	<b>Graydon Banning Limited</b> <b>(Part of Lots 24 and 25, Concession 1, NDS)</b>	Parent Zone: GU
Map 12(3)		(2019-091) PL170737
<b>8.80.1 Zone Regulations for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows in a <i>front</i> and/or <i>flankage yard</i> , with or without foundations which may be a maximum of three <i>storeys</i> in height and which may include a door.	3.7 m
b)	For <i>corner lots</i> or abutting the Park zone (P), a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps may encroach into the required depth.	
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	



## Special Provisions

83	<b>Martillac Estates Inc.</b> <b>(Part of Lots 24, Concession 1, NDS)</b>	Parent Zone: NC
Map 12(3)		PL170735, (2020-013)
<b>8.83.1 Zone Provisions</b>		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	For <i>corner lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
b)	For <i>interior lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the <i>porch</i> . Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding Section 5.4.1.2, a <i>parking space</i> in a <i>private garage</i> shall have an unobstructed area with a width of not less than 2.95 metres for a single car <i>private garage</i> and no step may encroach into the width of a <i>parking space</i> .	

# Special Provisions

84	<b>Martillac Estates Inc.</b> <b>(Part of Lots 24, Concession 1, NDS)</b>	Parent Zone: NC
Map 12(3)		PL170735, (2019-091) (2022-007)
<b>8.84.1 Additional Permitted Building Type</b>		
The following additional <i>building type</i> is permitted.		
a)	<i>Stacked Townhouse Dwelling</i> including each <i>dwelling unit</i> having an independent entrance.	
<b>8.84.2 Zone Provisions</b>		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	The <i>lot line</i> abutting Richard Plummer Trail shall be deemed the <i>front lot line</i> .	
b)	Minimum yard abutting a <i>public street</i>	2.0 m
c)	Minimum <i>rear yard</i> abutting the Natural Heritage System (NHS) zone	2.5 m
d)	Minimum width of a <i>landscape strip</i> abutting the Natural Heritage System (NHS) zone	1.5 m
e)	Minimum <i>interior side yard</i>	0 m
f)	For <i>corner lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
g)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
h)	Transformer vaults and pads are not permitted in any <i>yard</i> abutting a <i>public street</i> .	

# Special Provisions

85	<b>3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)</b>	Parent Zone: LE
Map 12(1)		(2023-014)
<b>8.85.1 Additional Permitted Uses</b>		
The following additional <i>uses</i> are permitted:		
a)	<i>Café</i>	
<b>8.85.2 Additional Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding any other provision of this By-law, all above and below grade <i>buildings</i> and <i>structures</i> and the following features shall be set back a minimum of 14.0 metres from the <i>lot line</i> abutting the boundary of the highway corridor/407 Transitway ROW: i) Any minimum required <i>parking space</i> , including a barrier-free <i>parking space</i> , <i>bicycle parking space</i> , or stacking lane; ii) Any <i>loading dock</i> ; iii) Any <i>aisle</i> leading to any of the features listed in subsections (i) and (ii) above.	
b)	The <i>lot line</i> abutting Dundas Street West shall be deemed the <i>front lot line</i> .	
c)	Minimum <i>building height</i> for any portion of a <i>building</i> located within 60.0 m of the <i>lot line</i> abutting Dundas Street West	9 m
d)	Minimum <i>yard</i> abutting the NHS <i>zone</i>	7.5 m

# Special Provisions

86	<b>3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)</b>	Parent Zone: GE
Map 12(1)		(2023-014)
<b>8.86.1 Additional Permitted Uses</b>		
The following additional <i>uses</i> are permitted:		
a)	<i>Café</i>	
<b>8.86.2 Additional Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Minimum width of <i>landscape strip</i> abutting the P zone	10.0 m
b)	Notwithstanding section 8.86.2 a), an access for emergency purposes is permitted to cross the required <i>landscape strip</i> .	
c)	Minimum <i>yard</i> abutting the NHS zone	7.5 m

# Special Provisions

<b>87</b>	<b>3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)</b>	Parent Zone: SA
Map 12(1)		(2023-014)
<b>8.87.1 Additional Permitted Uses</b>		
The following additional <i>uses</i> are permitted:		
a)	<i>Limited Retail</i> , subject to the regulations of section 7.9.1.1	
b)	<i>Research and Development</i>	
<b>8.87.2 Prohibited Uses</b>		
The following <i>uses</i> are prohibited:		
a)	<i>Retail Store</i>	

# Special Provisions

88	<b>3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)</b>	Parent Zone: SA
Map 12(1)		(2023-014)
<b>8.88.1 Additional Permitted Uses</b>		
The following additional uses are permitted:		
a)	<i>Limited Retail</i> , subject to the regulations of section 7.9.1.1	
b)	<i>Research and Development</i>	
c)	<i>Gas Bar</i>	
<b>8.88.2 Prohibited Uses</b>		
The following <i>uses</i> are prohibited:		
a)	<i>Retail Store</i>	
<b>8.88.3 Additional Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Minimum <i>building height</i> for any portion of a <i>building</i> located within 60.0 m of the <i>lot line</i> abutting Dundas Street West	9 m
b)	Notwithstanding 8.88.3 a), minimum <i>building height</i> for a <i>gas bar</i>	5.0 m

# Special Provisions

89	<b>3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)</b>	Parent Zone: NHS
Map 12(1)		(2023-014)

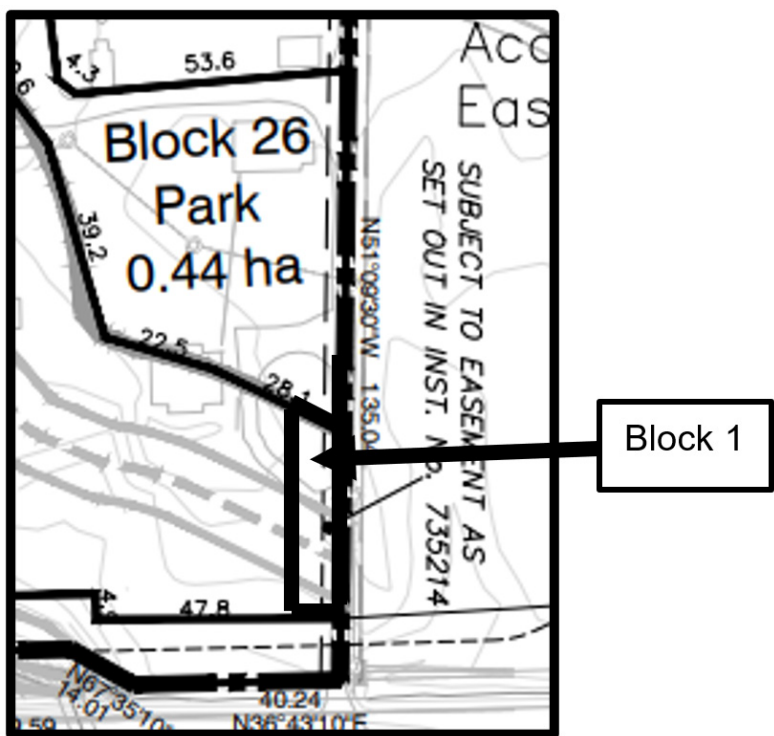
### 8.89.1 Additional Permitted Uses

The following additional *uses* are permitted:

- a) Water and wastewater services in Block 1 identified in Special Site Figure 8.89.1.

### 8.89.2 Special Site Figure

Figure 8.89.1



# Special Provisions

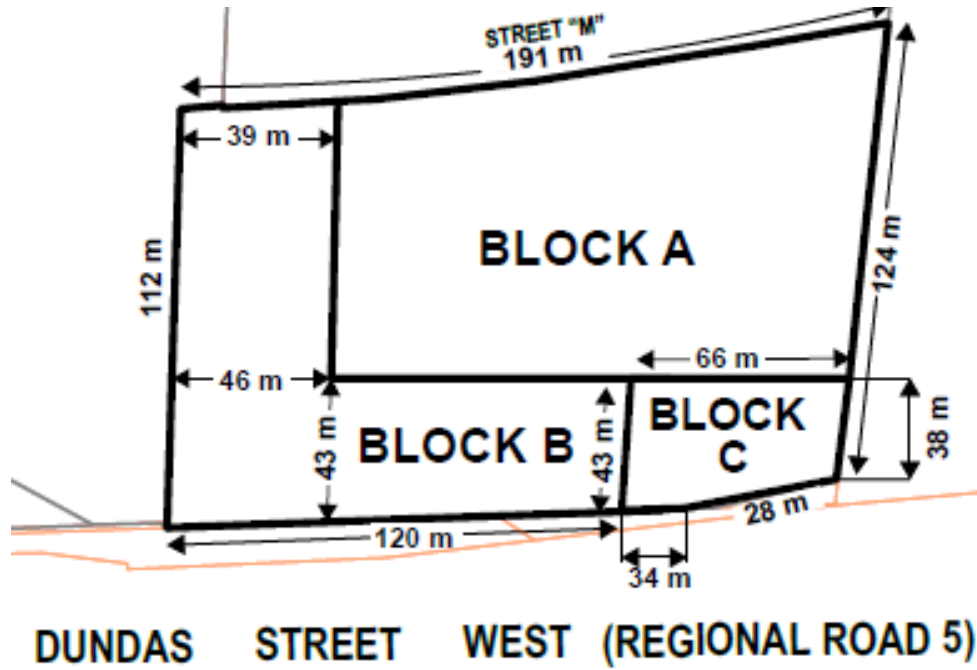
92	<b>Martillac Estates Inc. and Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, NDS)</b>	Parent Zone: DUC
Map 12(3)		(2020-113)
<b>8.92.1 Additional Building Types</b>		
The following additional <i>building</i> types are permitted within in Block A identified in Figure 8.92.1:		
a)	<i>Stacked townhouse dwelling</i> , including each <i>dwelling unit</i> having an independent entrance	
b)	<i>Townhouse dwelling</i>	
<b>8.92.2 Zone Regulations for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum and maximum <i>floor space index</i> shall not apply.	
b)	The <i>lot line</i> abutting a Dundas Street West shall be deemed the <i>front lot line</i> .	
c)	Maximum <i>front yard</i> and <i>flankage yard</i> shall not apply.	
d)	Minimum easterly <i>interior side yard</i>	7.5 m
e)	Minimum <i>rear yard</i>	2.5 m
f)	Minimum <i>first storey height</i> for <i>mixed use buildings</i> , <i>apartments</i> and <i>commercial/ residential buildings</i>	4.5 m
g)	Minimum and maximum <i>height</i> requirements shall not apply to rooftop mechanical penthouses, mechanical equipment and associated screening provided they do not exceed 6.0 m in height measured from the top of the roof.	
<b>8.92.3 Additional Zone Regulations for Block A</b>		
The following additional regulations apply to all lands identified as Blocks A identified in Figure 8.92.1:		
a)	Minimum <i>building height</i>	9 m and 3 <i>storeys</i>
b)	Maximum <i>building height</i>	29 m and 8 <i>storeys</i>
c)	Maximum <i>building height</i> (upon execution of a Section 37 Agreement)	41 m and 12 <i>storeys</i>
<b>8.92.4 Additional Zone Regulations for Block B</b>		
a)	Minimum <i>building height</i>	16 m and 5 <i>storeys</i>
b)	Maximum <i>building height</i>	41 m and 12 <i>storeys</i>
c)	Maximum <i>building height</i> (upon execution of a Section 37 Agreement)	54 m and 16 <i>storeys</i>
<b>8.92.5 Additional Zone Regulations for Block C</b>		
a)	Minimum <i>building height</i>	16 m and 5 <i>storeys</i>
b)	Maximum <i>building height</i>	29 m and 8 <i>storeys</i>
c)	Maximum <i>building height</i> (upon execution of a Section 37 Agreement)	41 m and 12 <i>storeys</i>
<b>8.92.6 Parking Regulations</b>		
The following parking regulations apply:		
a)	Ventilation shafts/housing and stairways associated with an underground <i>parking garage</i> are not permitted between a <i>building wall</i> and any <i>lot line</i> abutting a <i>public street</i> .	



# Special Provisions

## 8.92.7 Special Site Figures for All Lands

Figure 8.92.1



**DUNDAS STREET WEST (REGIONAL ROAD 5)**

## 8.92.8 Special Site Provisions

The following additional provisions apply:

- a) *Height* shall be measured from the finished floor elevation closest to *grade*.
- b) Transformer vault pads are not permitted between a *building wall* and any *lot line* abutting a public street.
- c) The finished floor elevation of a *dwelling unit* is not permitted more than 0.6 m below the highest grade level immediately adjacent to the *dwelling unit*.

## 8.92.9 Bonusing Provisions for Lands

In order to permit the increased height permissions contained in this Special Provision (sections 8.92.3(c), 8.92.4(c) and 8.92.5(c), zoning compliance for the additional height and storeys shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the Planning Act. The owner of the subject lands shall provide to the satisfaction of the Town the facilities, services, and matters in the form of one or more of the following:

- a) Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in the Official Plan.

# Special Provisions

93	<b>Graydon Banning Limited</b> <b>(Part of Lots 24 and 25, Concession 1, NDS)</b>	Parent Zone: NC
Map 12(3)		(2020-116)
<b>8.93.1 Zone Regulations</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The <i>lot line</i> abutting a William Halton Parkway shall be deemed the <i>front lot line</i> .	
b)	<i>Mixed use buildings</i> shall be the only building type permitted to front onto William Halton Parkway	
e)	Minimum <i>building height</i>	6 m and 2 <i>storeys</i>
f)	Maximum <i>building height</i>	23 m and 6 <i>storeys</i>
g)	Minimum <i>first storey height</i> for <i>mixed use buildings</i> and <i>apartments</i>	4.5 m
h)	Minimum number of <i>dwelling units</i>	85
<b>8.93.2 Parking Regulations</b>		
The following parking regulations apply:		
a)	Ventilation shafts/housing and stairways associated with an underground <i>parking garage</i> are not permitted between a <i>building wall</i> and any <i>lot line</i> abutting a <i>public street</i> .	
<b>8.93.3 Special Site Provisions</b>		
The following additional provisions apply:		
a)	<i>Height</i> shall be measured from the finished floor elevation closest to <i>grade</i> .	
b)	Transformer vault pads are not permitted between a <i>building wall</i> and any <i>lot line</i> abutting a <i>public street</i> .	

# Special Provisions

94	<b>Graydon Banning Limited</b> <b>(Part of Lots 24 and 25, Concession 1, NDS)</b>	Parent Zone: HDR
Map 12(3)		(2020-116)
<b>8.94.1 Zone Regulations</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The <i>lot line</i> abutting a Richard Plummer Trail shall be deemed the <i>front lot line</i> .	
b)	Maximum front yard and <i>flankage yard</i> shall not apply.	
e)	Minimum <i>building height</i>	16 m and 5 <i>storeys</i>
f)	Maximum <i>building height</i>	35 m and 10 <i>storeys</i>
g)	Minimum <i>height of first storey (mixed use buildings and apartments)</i>	4.5 m
h)	Minimum number of <i>dwelling units</i>	205
<b>8.94.2 Parking Regulations</b>		
The following parking regulations apply:		
a)	Ventilation shafts/housing and stairways associated with an underground <i>parking garage</i> are not permitted between a <i>building wall</i> and any <i>lot line</i> abutting a <i>public street</i> .	
<b>8.94.3 Special Site Provisions</b>		
The following additional provisions apply:		
a)	<i>Height</i> shall be measured from the finished floor elevation closest to <i>grade</i> .	
b)	Transformer vault pads are not permitted between a <i>building wall</i> and any <i>lot line</i> abutting a <i>public street</i> .	

# Special Provisions

<b>95</b>	<b>3064 Trafalgar Road (Part of Lot 13, Conc. 1, N.D.S)</b>	Parent Zone: TUC
Map 12(5)		(2021-032)
<b>8.95.1 Zone Provisions</b>		
The following regulations apply:		
a)	Maximum <i>Floor Space Index</i>	Shall not apply
b)	Minimum <i>front yard</i>	2.0 m
c)	Maximum <i>front yard</i>	9.0 m
d)	Minimum <i>southerly interior side yard</i>	11.5 m
e)	Minimum <i>height</i>	50.0 m
f)	Maximum <i>height</i>	68.0 m
g)	Maximum <i>height</i> (upon execution of a Section 37 Agreement)	100.0 m
h)	Minimum <i>height</i> of the <i>first storey</i> for <i>non-residential uses</i> and <i>ancillary residential uses</i>	4.5 m
i)	Maximum podium <i>height</i> for an <i>apartment building</i> or <i>mixed use building</i>	24.0 metres
j)	Maximum floorplate area of a <i>building</i> tower measured from the exterior of the outside walls, above 45 metres <i>height</i>	800 m <sup>2</sup>
k)	Maximum floorplate area of a <i>building</i> tower measured from the exterior of the outside walls, above 68 metres <i>height</i>	750 m <sup>2</sup>
l)	Minimum separation distances between <i>building</i> towers above 45 metres <i>height</i>	25.0 m
m)	Maximum <i>balcony</i> projection in a required <i>yard</i>	2.0 m
<b>8.95.2 Special Site Provisions</b>		
The following additional regulations apply:		
a)	<i>Dwelling units</i> adjacent and oriented towards Trafalgar Road are not permitted to be below <i>grade</i> .	
b)	A minimum of 70% of the <i>front lot line</i> length must be occupied by a <i>building(s)</i> within the area defined by the minimum and maximum <i>front yard</i> , inclusive of projections and indentations.	
<b>8.95.3 Parking Regulations</b>		
The following additional regulations apply to all lands identified as Blocks A identified in Figure 8.92.1:		
a)	Minimum number of <i>parking spaces</i> for an <i>apartment building</i> or <i>mixed use building</i>	1.0 <i>parking spaces</i> per <i>dwelling unit</i> , plus 0.15 <i>parking spaces</i> per <i>dwelling unit</i> for visitors
b)	Minimum number of designated accessible <i>parking spaces</i> for <i>residential uses</i>	1% of the total number of <i>parking spaces</i> provided
c)	Maximum number of <i>parking spaces</i> on a <i>surface parking area</i>	10
d)	A <i>surface parking area</i> is not permitted within 25 metres of Trafalgar Road	
e)	Visitor <i>parking spaces</i> are the only permitted <i>parking spaces</i> in a <i>surface parking area</i> .	
f)	A minimum of 20% of the <i>parking spaces</i> in a <i>building</i> shall include the provision for the installation of electric motor vehicle supply equipment.	
g)	Ventilation shafts/housing and stairways associated with an underground <i>parking garage</i> are not permitted between a <i>building</i> wall and Trafalgar Road.	

## Special Provisions

95	<b>3064 Trafalgar Road</b> <b>(Part of Lot 13, Conc. 1, N.D.S)</b>	Parent Zone: TUC
Map 12(5)		(2021-032)
<b>8.95.4 Bonusing Provisions</b>		
<p>In order to permit the increased height permissions contained in this Special Provision, zoning compliance for <i>height</i> above 68 metres for an <i>apartment dwelling</i> or <i>mixed use building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u>. The Owner of the subject lands shall provide to the satisfaction of the Town the facilities, services, and matters in the form of one or more of the following:</p>		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 1.3b) of the Town's 2006 Official Plan.	
b)	Contributions to indoor and/or outdoor recreation facilities identified by the Town.	

## Special Provisions

96	<b>Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)</b>	Parent Zone: S
Map 12(6)		(2021-040)
<b>8.96.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For <i>corner lots</i> or <i>lots</i> abutting the Natural Heritage System (NHS) <i>zone</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding the minimum <i>rear setback yard</i> in Section 7.7.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street</i> access attached <i>private garage</i> abutting the Natural Heritage System (NHS) <i>zone</i> .	6.0 m

## Special Provisions

<b>97</b>	<b>Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS) Mattamy (Joshua Creek) Limited (Part of Lots 8 &amp; 9, Concession 1, N.D.S.)</b>	Parent Zone: NC
Map 12(6)		(2021-040) (2023-036)
<b>8.97.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) <i>zone</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	

## Special Provisions

<b>98</b>	<b>Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)</b>	Parent Zone: NC
Map 12(6)		(2021-040)
<b>8.98.1 Only Permitted Building Type</b>		
The following <i>Building Types</i> are the only <i>Building Types</i> permitted:		
a)	<i>Mixed use building</i>	
b)	<i>Office building</i>	
c)	<i>Institutional building</i>	
d)	<i>Commercial building</i>	
e)	<i>Commercial/residential building</i>	
<b>8.98.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum <i>height</i>	4 <i>storeys</i> and 13 m
b)	Maximum <i>height</i>	6 <i>storeys</i> and 20 m
c)	Minimum <i>height</i> of the <i>first storey</i> .	4.5 m



## Special Provisions

99	<b>Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)</b>	Parent Zone: DUC
Map 12(6)		(2021-040)
<b>8.99.1 Additional Permitted Building Type</b>		
The following additional <i>building</i> types are permitted:		
a)	<i>Townhouse dwelling</i>	
b)	<i>Townhouse dwelling back-to back</i>	
<b>8.99.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	<i>Apartments, mixed use buildings, and commercial/residential buildings</i> shall be the only permitted <i>building</i> types within 50 metres of Dundas Street East.	
b)	Minimum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East.	6 <i>storeys</i> and 20 m
c)	Maximum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East.	8 <i>storeys</i> and 29.5 m
d)	Maximum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 <i>storeys</i> and 45 m
e)	Minimum number of <i>dwelling units</i>	291
f)	Minimum <i>height</i> of the <i>first storey</i> of a <i>mixed use building</i> or <i>commercial/residential building</i> for non-residential and ancillary <i>residential uses</i> .	4.5 m
g)	Minimum <i>floor area</i> for non-residential <i>uses</i>	750 m <sup>2</sup>
h)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination.	
i)	Ventilation shafts/housing and stairways associated with an underground <i>parking structure</i> are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	
<b>8.99.3 Bonusing Provisions</b>		
In order to permit the increased <i>height</i> permissions contained in this Special Provision, zoning compliance for <i>height</i> above 8 <i>storeys</i> for an <i>apartment building</i> or <i>mixed use building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u> . The owner of the subject lands shall provide to the satisfaction of the Town, facilities, services and matters in the form of one or more of the following:		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 28.6 of the Town's Livable Oakville Plan.	

# Special Provisions

<b>101</b>	<b>Mattamy (Joshua Creek) Limited (Part of Lot 7, Concession 1, NDS) Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)</b>	Parent Zone: GU
Map 12(6)		(2021-040) (2021-046) (2023-036)
<b>8.101.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) zone, a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	

# Special Provisions

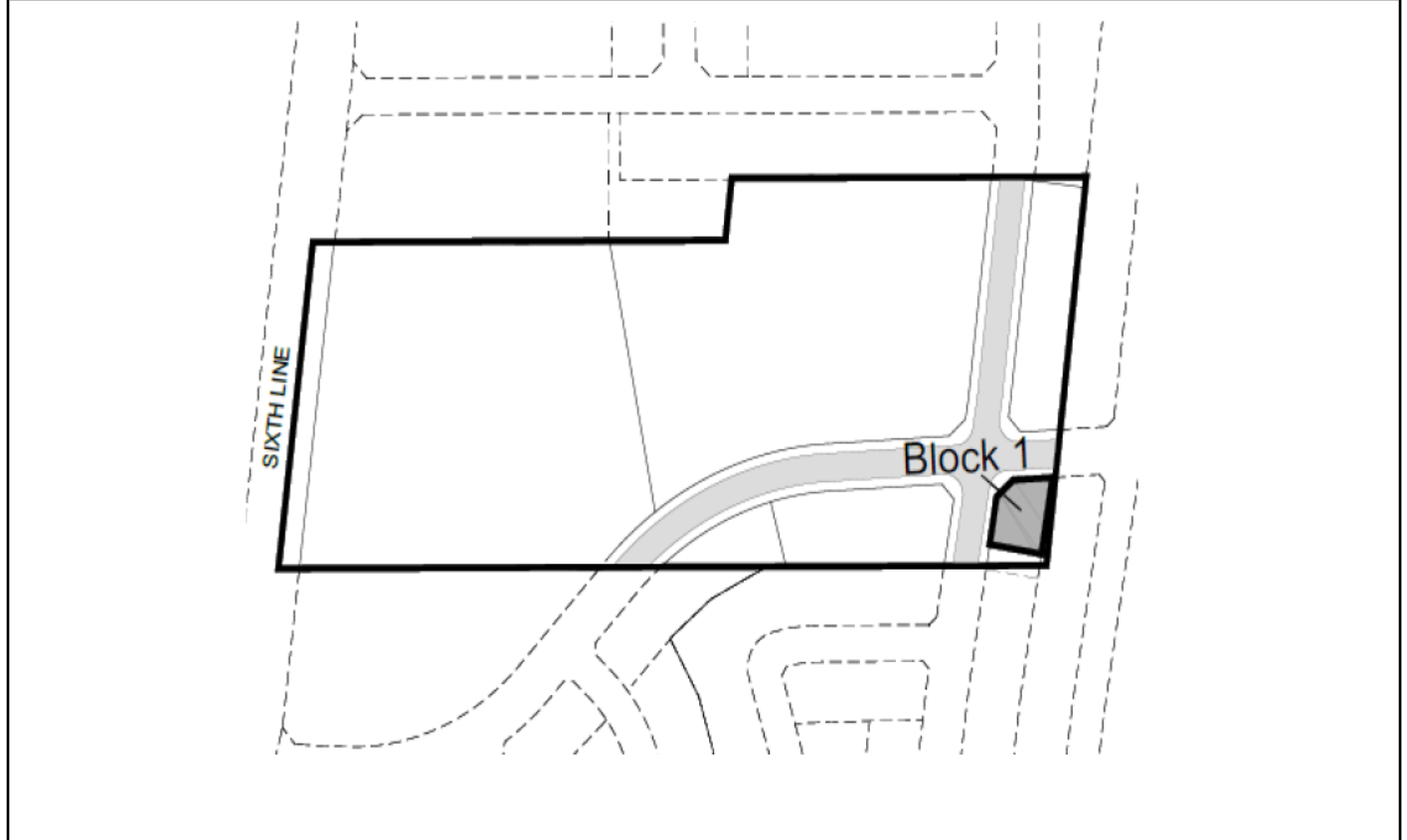
102	<b>3483 Sixth Line (Part of Lot 15, Concession 1, N.D.S)</b>	Parent Zone: NC
Map 12(5)		(2021-066)
<b>8.102.1 Zone Provisions for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in height and which may include a door	4.0 m
b)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the building or insect screening.	
<b>8.102.2 Only Permitted Building Type for Block 1 Lands</b>		
The following <i>building</i> type is the only permitted <i>building</i> type for lands identified as Block 1 on Figure 8.102.1:		
a)	<i>Connected commercial/residential</i>	
<b>8.102.3 Additional Zone Provisions for Block 1 Lands</b>		
The following additional regulations apply to lands identified as Block 1 on Figure 8.102.1:		
a)	Minimum <i>rear yard</i> setback to an attached <i>private garage</i>	0.6 m
b)	Maximum <i>private garage</i> door width	6.0 m
c)	Minimum <i>commercial floor area</i>	85 m <sup>2</sup>
<b>8.102.4 Parking Regulations for Block 1 Lands</b>		
The following parking regulations apply to lands identified as Block 1 on Figure 8.102.1:		
a)	The minimum parking aisle width of 7 metres for 90 degree angle parking shall not apply to <i>commercial uses</i> .	
b)	<i>Tandem parking spaces</i> are permitted for <i>commercial uses</i> for a <i>connected commercial/residential building</i> , to a maximum of 2 <i>parking spaces</i> .	
<b>8.102.5 Special Site Provisions for Block 1 Lands</b>		
The following additional provision apply to lands identified as Block 1 on Figure 8.102.1:		
a)	A <i>connected commercial/residential building</i> is a <i>building</i> divided into a minimum of three <i>dwelling units</i> , each <i>dwelling unit</i> being separated from the other vertically and/or horizontally, and where the ground floor, or part thereof, is used for <i>commercial</i> purposes and where the <i>commercial</i> and residential components are accessed by a common internal entrance.	

# Special Provisions

102	<b>3483 Sixth Line (Part of Lot 15, Concession 1, N.D.S)</b>	Parent Zone: NC
Map 12(5)		(2021-066)

## 8.102.6 Special Site Figures

Figure 8.102.1



# Special Provisions

<b>103</b>	<b>3483 Sixth Line (Part of Lot 15, Concession 1, N.D.S)</b>	Parent Zone: I
Map 12(5)		(2021-066)
<b>8.103.1 Only Permitted Uses for Lands Zoned I</b>		
The following additional <i>uses</i> are permitted:		
a)	<i>Day Care</i> ; only permitted in conjunction to a <i>school, public</i>	
<b>8.103.2 Zone Provisions for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum <i>Floor Space Index</i> for a <i>school, public</i> with or without a <i>Day Care</i> shall not apply	

## Special Provisions

104	<b>Capoak Inc. and Redoak G &amp; A Inc. Part of Lot 10, Concession 1, NDS</b>	Parent Zone: S
Map 12(6)		(2021-103)
<b>8.104.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	A <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
b)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
<b>8.104.2 Special Site Provisions</b>		
a)	Notwithstanding the definition of " <i>Lot Frontage</i> " the minimum <i>lot frontage</i> shall be measured at a setback of 6 metres from the <i>front lot line</i> .	

# Special Provisions

<b>105</b>	<b>Capoak Inc. and Redoak G &amp; A Inc. Part of Lot 10, Concession 1, NDS</b>	Parent Zone: GU
Map 12(6)		(2021-103)
<b>8.105.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	A <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
b)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	

## Special Provisions

<b>106</b>	<b>Capoak Inc. and Redoak G &amp; A Inc. Part of Lot 10, Concession 1, NDS</b>	Parent Zone: NC
Map 12(6)		(2021-103)
<b>8.106.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	A <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
b)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	



# Special Provisions

107	<b>Capoak Inc. and Redoak G &amp; A Inc. Part of Lot 10, Concession 1, NDS</b>	Parent Zone: NC
Map 12(6)		(2021-103)
<b>8.107.1 Only Permitted Building Type</b>		
The following <i>Building Types</i> are the only <i>Building Types</i> permitted:		
a)	<i>Mixed use building</i>	
b)	<i>Commercial/residential building</i>	
<b>8.107.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum and maximum <i>Floor Space Index</i> shall not apply to a <i>commercial/residential building</i>	
b)	Minimum <i>height</i>	2 <i>storeys</i> and 8 m
c)	Maximum <i>height</i>	6 <i>storeys</i> and 21 m
d)	Minimum <i>height</i> of the <i>first storey</i> for a <i>mixed use building</i>	4.5m

# Special Provisions

108	<b>Capoak Inc. and Redoak G &amp; A Inc. Part of Lot 10, Concession 1, NDS</b>	Parent Zone: DUC
Map 12(6)		(2021-103)
<b>8.108.1 Additional Permitted Building Type</b>		
The following additional <i>building</i> types are permitted:		
a)	<i>Townhouse dwelling unit street access private garage</i>	
b)	<i>Townhouse dwelling back-to-back</i>	
<b>8.108.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	<i>Apartments, mixed use buildings, and commercial/residential buildings</i> shall be the only permitted <i>building</i> types within 50 metres of Dundas Street East.	
b)	Minimum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East.	6 storeys and 20 m
c)	Maximum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East.	8 storeys and 29.5 m
d)	Maximum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 storeys and 45 m
e)	Minimum number of <i>dwelling units</i>	225
f)	Minimum <i>height</i> of the <i>first storey</i> of a <i>mixed use building</i> or <i>commercial/residential building</i> for non-residential and ancillary <i>residential uses</i> .	4.5 m
g)	Minimum <i>floor area</i> for non-residential <i>uses</i>	800 m <sup>2</sup>
h)	The <i>lot line</i> abutting Dundas Street East shall be deemed the <i>front lot line</i> .	
i)	Non-residential <i>uses</i> on the <i>first storey</i> must be oriented toward the <i>flankage lot line</i> and ancillary <i>residential uses</i> are permitted to occupy a maximum of 15% of the length of the main wall oriented toward the <i>flankage lot line</i> .	
j)	Notwithstanding Section 8.108.2 i), non-residential <i>uses</i> on the <i>first storey</i> may be oriented toward the <i>front lot line</i> .	
k)	Non-residential units located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>street</i> or an outdoor <i>amenity area</i> .	
l)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination.	
m)	Ventilation shafts/housing and stairways associated with an underground <i>parking structure</i> are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	
<b>8.108.3 Special Site Provision</b>		
The following regulations apply to <i>townhouse dwelling</i> or <i>townhouse dwelling back-to-back</i> on individual freehold <i>lots</i> or parcels of tied land:		
a)	Section 8.108.2 shall not apply	
b)	Standards of the Neighbourhood Centre (NC) <i>Zone</i> shall apply	
c)	<i>Townhouse dwelling</i> or <i>townhouse dwelling back-to-back</i> shall not be located within 50 m of Dundas Street East	
<b>8.108.4 Bonusing Provisions</b>		
In order to permit the increased <i>height</i> permissions contained in this Special Provision, zoning compliance for <i>height</i> above 8 storeys for an <i>apartment building</i> or <i>mixed use building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u> . The owner of the subject lands shall provide to the satisfaction of the Town, facilities, services and matters in the form of one or more of the following:		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 28.6 of the Town's Livable Oakville Plan.	

# Special Provisions

109	<b>Capoak Inc. and Redoak G &amp; A Inc. Part of Lot 10, Concession 1, NDS</b>	Parent Zone: DUC
Map 12(6)		(2021-103)
<b>8.109.1 Additional Permitted Building Type</b>		
The following additional <i>building</i> types are permitted:		
a)	<i>Townhouse dwelling unit street access private garage</i>	
b)	<i>Townhouse dwelling back-to back</i>	
<b>8.109.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	<i>Apartments, mixed use buildings, and commercial/residential buildings shall be the only permitted building types within 50 metres of Dundas Street East.</i>	
b)	Minimum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East.	6 <i>storeys</i> and 20 m
c)	Maximum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East.	8 <i>storeys</i> and 29.5 m
d)	Maximum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 <i>storeys</i> and 45 m
e)	Minimum number of <i>dwelling units</i>	275
f)	Minimum <i>height</i> of the <i>first storey</i> of a <i>mixed use building</i> or <i>commercial/residential building</i> for non-residential and ancillary <i>residential uses</i> .	4.5 m
g)	Minimum <i>floor area</i> for non-residential uses	800 m <sup>2</sup>
h)	The <i>lot line</i> abutting Dundas Street East shall be deemed the <i>front lot line</i> .	
i)	Non-residential <i>uses</i> on the <i>first storey</i> must be oriented toward the <i>flankage lot line</i> and ancillary <i>residential uses</i> are permitted to occupy a maximum of 15% of the length of the main wall oriented toward the <i>flankage lot line</i> .	
j)	Notwithstanding Section 8.109.2 i), non-residential <i>uses</i> on the <i>first storey</i> may be oriented toward the <i>front lot line</i> .	
k)	Non-residential units located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>street</i> or an outdoor <i>amenity area</i> .	
l)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination.	
m)	Ventilation shafts/housing and stairways associated with an underground <i>parking structure</i> are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	
<b>8.109.3 Special Site Provision</b>		
The following regulations apply to <i>townhouse dwelling</i> or <i>townhouse dwelling back-to-back</i> on individual freehold <i>lots</i> or parcels of tied land:		
a)	Section 8.109.2 shall not apply	
b)	Standards of the Neighbourhood Centre (NC) <i>Zone</i> shall apply	
c)	<i>Townhouse dwelling</i> or <i>townhouse dwelling back-to-back</i> shall not be located within 50 m of Dundas Street East	
<b>8.109.4 Bonusing Provisions</b>		
In order to permit the increased <i>height</i> permissions contained in this Special Provision, zoning compliance for <i>height</i> above 8 <i>storeys</i> for an <i>apartment building</i> or <i>mixed use building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u> . The owner of the subject lands shall provide to the satisfaction of the Town, facilities, services and matters in the form of one or more of the following:		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 28.6 of the Town's Livable Oakville Plan.	

## Special Provisions

<b>110</b>	<b>Capoak Inc. and Redoak G &amp; A Inc. Part of Lot 10, Concession 1, NDS</b>	Parent Zone: NC
Map 12(6)		(2021-103)
<b>8.110.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum <i>lot depth townhouse dwelling unit street access private garage</i>	20 m
b)	Minimum <i>lot depth townhouse dwelling unit lane access</i>	16.5 m
c)	A <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	

# Special Provisions

<b>111</b>	<b>Part of Lot 15, Concession 1, NDS (Crosstrail Estates Inc., Trafalgar Road (Oakville) Developments Limited, TWKD Developments Inc.)</b>	Parent Zone: GU
Map 12(5)		(2022-029)

### 8.111.1 Only Permitted Building Types

The following *building* types are the only *building* types permitted:

- a) *Townhouse dwelling unit street access private garage*
- b) *Townhouse dwelling unit with lane access*
- c) *Townhouse dwelling unit back-to-back*

### 8.111.2 Zone Provisions

The following regulations apply to all lands identified as subject to this Special Provision:

- |    |  |       |
|----|--|-------|
| a) | Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.  | 4.0 m |
| b) | For <i>corner lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and columns may encroach a maximum of 0.3 metres into the required depth. |       |
| c) | Porches shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.  |       |

### 8.111.3 Additional Zone Provisions for Blocks 1 and 2

The following additional regulations apply to lands identified as Blocks 1 and 2 on Figure 8.111.1:

- a) Section 4.17.1 i) shall not apply.

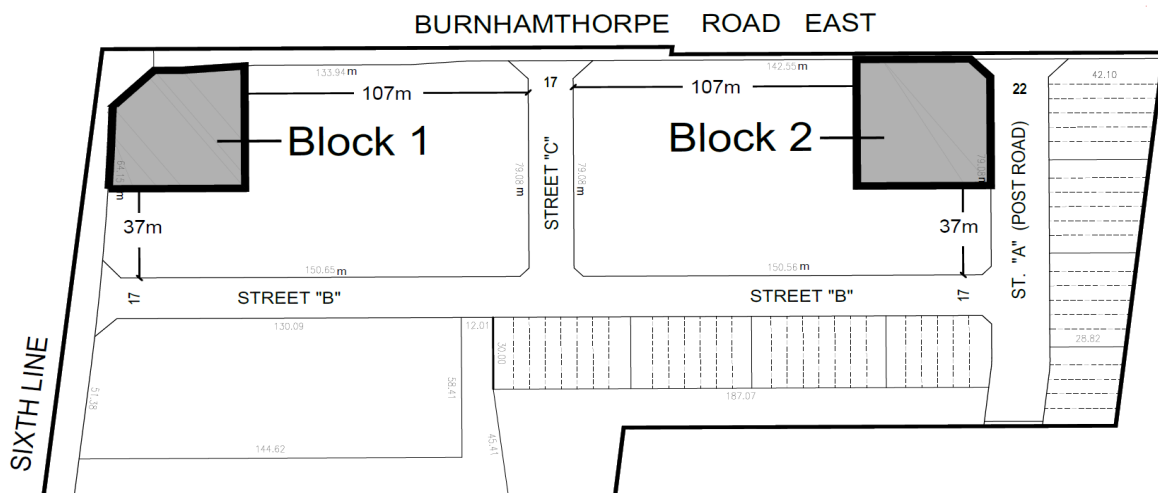
### 8.111.4 Parking Regulations

The following parking regulations apply:

- |    |  |                   |
|----|--|-------------------|
| a) | Minimum <i>floor area</i> of a <i>private garage</i> | 18 m <sup>2</sup> |
|----|--|-------------------|

### 8.111.5 Special Site Figure

Figure 8.111.1



# Special Provisions

112	<b>Part of Lot 15, Concession 1, NDS (Crosstrail Estates Inc., Trafalgar Road (Oakville) Developments Limited, TWKD Developments Inc.)</b>	Parent Zone: GU
Map 12(5)		(2022-029)
<b>8.112.1 Only Permitted Building Types</b>		
The following <i>building</i> types are the only <i>building</i> types permitted:		
a)	<i>Townhouse dwelling unit street access private garage</i>	
b)	<i>Townhouse dwelling unit with lane access</i>	
c)	<i>Townhouse dwelling unit back-to-back</i>	
<b>8.112.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For <i>corner lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and columns may encroach a maximum of 0.3 metres into the required depth.	
c)	Porches shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
<b>8.112.3 Parking Regulations</b>		
a)	Minimum <i>floor area</i> of a <i>private garage</i>	18 m <sup>2</sup>

## Special Provisions

113	<b>Part of Lot 15, Concession 1, NDS (Crosstrail Estates Inc., Trafalgar Road (Oakville) Developments Limited, TWKD Developments Inc.)</b>	Parent Zone: NC
Map 12(5)		(2022-029)
<b>8.113.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in height and which may include a door.	4.0 m
b)	For <i>corner lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and columns may encroach a maximum of 0.3 metres into the required depth.	
c)	Porches shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
<b>8.113.2 Parking Regulations</b>		
a)	Minimum <i>floor area</i> of a <i>private garage</i>	18 m <sup>2</sup>

## Special Provisions

114	<b>Timsin Holding Corp. Part Lot 16, Concession 1, NDS</b>	Parent Zone: S, GU and NC
Map 12(4)		(2022-037)
<b>8.114.1 Zone Provisions for All Lands</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows, with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For corner <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the <i>porch</i> . Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening. The total area of the vertical plane shall be measured from the top of the <i>porch</i> slab to the underside of the <i>porch</i> ceiling.	
<b>8.114.2 Additional Zone Provision for GU lands</b>		
a)	Minimum <i>rear yard</i> setback for <i>semi-detached dwelling unit street</i> access attached <i>private garage</i> .	6 m



# Special Provisions

<b>115</b>	<b>Argo (West Morrison Creek) Ltd. 3270 Sixth Line</b>	Parent Zone: S, NC
Map 12(4)	<b>Digram Developments Oakville Inc. 3380 Sixth Line</b>	(2022-039) (2022-048)

### 8.115.1 Zone Provisions for All Lands

The following regulations apply to all lands identified as subject to this special provision:

a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows, with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For corner <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the <i>porch</i> . Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening. The total area of the vertical plane shall be measured from the top of the <i>porch</i> slab to the underside of the <i>porch</i> ceiling.	

### 8.115.2 Additional Zone Provisions for S Lands

The following regulations apply to all lands identified as subject to this special provision:

a)	Minimum <i>rear yard</i> setback for <i>lots</i> abutting the NHS or SMF <i>zones</i> with a <i>single detached dwelling street</i> access attached <i>private garage building</i> type.	6 m
b)	Notwithstanding 8.115.2 a, Footnote 1 of Table 7.6.2 continues to apply.	

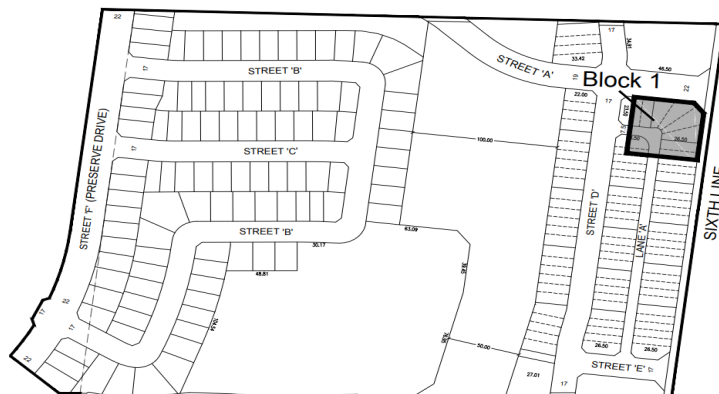
### 8.115.3 Additional Zone Provisions for NC Lands

The following regulations apply to all lands identified as subject to this special provision:

a)	Section 4.17.1 i) shall not apply to the land identified as Block 1 in Special Site Figure 8.115.1.	
b)	Minimum <i>lot depth</i> for <i>lots</i> abutting the NHS <i>zone</i> with a <i>Townhouse Dwelling Unit Street Access Private garage building</i> type.	22 m

### 8.115.4 Special Site Figure

Figure 8.115.1



# Special Provisions

116	<b>Argo (West Morrison Creek) Ltd. 3270 Sixth Line</b>	Parent Zone: NC
Map 12(4)		(2022-039)
<b>8.116.1 Only Permitted Building Type</b>		
The following is the only <i>Building</i> Type permitted:		
a)	<i>Mixed use building</i>	
<b>8.116.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The <i>lot line</i> abutting Sixth Line shall be deemed the <i>front lot line</i> .	
b)	Maximum <i>Floor Space Index</i> /Density	3.7
c)	Maximum <i>height</i>	8 <i>storeys</i> and 29.5 m
d)	Minimum <i>height</i> of the <i>first storey</i> for a <i>mixed use building</i>	4.5 m
e)	Setback for rooftop <i>accessory structures</i> from the rooftop edge	5 m
f)	Minimum <i>floor area</i> for non-residential uses	300 sq.m
g)	Non-residential <i>suites</i> located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>street</i> .	
h)	Ventilation shafts/housing, stairways associated with an underground <i>parking structure</i> , hydro vaults and above-ground gas meters including any appurtenances thereto are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	

# Special Provisions

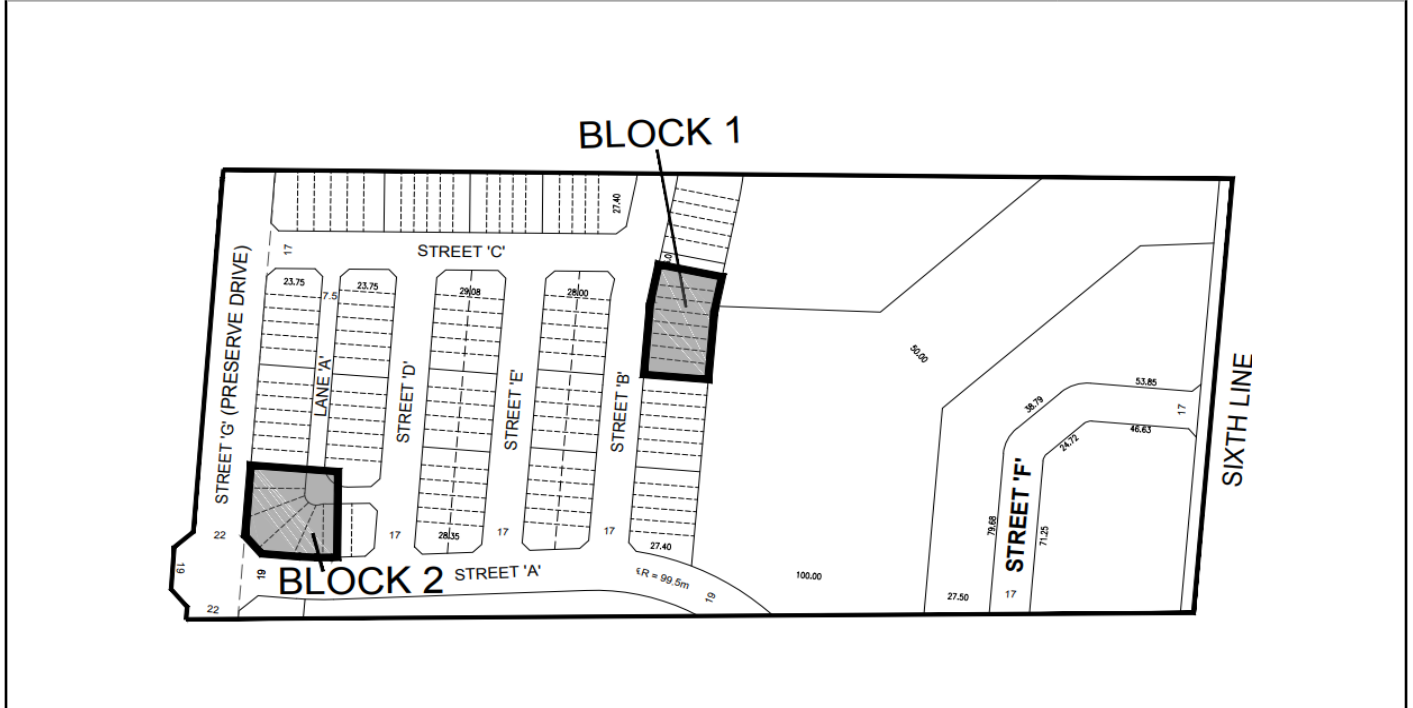
117	<b>Digram Developments Oakville Inc. 3380 Sixth Line</b>	Parent Zone: GU, NC
Map 12(4)		(2022-048)
<b>8.117.1 Zone Provisions for all Lands</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows, with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For corner <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the <i>porch</i> . Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening. The total area of the vertical plane shall be measured from the top of the <i>porch</i> slab to the underside of the <i>porch</i> ceiling.	
<b>8.117.2 Special Zone Provision for GU - Block 1</b>		
The following regulation shall apply to the land identified as Block 1 in Special Figure 8.117.1		
a)	Minimum <i>rear yard setback</i> for <i>townhouse dwelling unit street access private garage</i> abutting <i>SMF zone</i>	5.5 m
<b>8.117.3 Special Zone Provision for NC – Block 2</b>		
The following regulation shall apply to the land identified as Block 2 in Special Figure 8.117.1		
a)	Section 4.17.1 i) shall not apply to the land identified as Block 2 in Special Zone Figure 8.117.1.	

# Special Provisions

117	<b>Digram Developments Oakville Inc. 3380 Sixth Line</b>	Parent Zone: GU, NC
Map 12(4)		(2022-048)

**8.117.4 Special Zone Figure**

Figure 8.117.1



# Special Provisions

118	<b>Digram Developments Oakville Inc. 3380 Sixth Line</b>	Parent Zone: NC
Map 12(4)		(2022-048) (2023-025)
<b>8.118.1 Only Permitted Building Type</b>		
The following is the only <i>Building</i> Type permitted:		
a)	<i>Mixed use building</i>	
<b>8.118.3 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	That the portion of Street F perpendicular to Sixth Line, as shown on Figure 8.117.1, shall be deemed the <i>front lot line</i> .	
c)	Maximum <i>height</i>	6 <i>storeys</i> and 21 m
d)	Minimum <i>height</i> of the <i>first storey</i> for a <i>mixed use building</i>	4.5 m
f)	Minimum <i>floor area</i> for non-residential uses	300 sq.m
g)	Non-residential <i>suites</i> located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>street</i> .	
h)	Ventilation shafts/housing, stairways associated with an underground <i>parking structure</i> , hydro vaults and above-ground gas meters including any appurtenances thereto, are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	

# Special Provisions

119	<b>Digram Developments Oakville Inc. 3380 Sixth Line</b>	Parent Zone: NC
Map 12(4)		(2022-048) (2023-025)
<b>8.119.1 Only Permitted Building Type</b>		
The following is the only <i>Building</i> Type permitted:		
a)	<i>Mixed use building</i>	
b)	<i>Apartment</i>	
<b>8.119.3 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
b)	The <i>lot line</i> abutting Street F, as shown on Figure 8.117.1, shall be deemed the <i>front lot line</i> .	
c)	Minimum <i>rear yard</i> setback	6 m
c)	Maximum <i>height</i>	6 <i>storeys</i> and 21 m
d)	Minimum <i>height</i> of the <i>first storey</i> for a <i>mixed use building</i>	4.5 m
e)	Maximum <i>Floor Space Index</i> /Density	2
f)	Minimum <i>floor area</i> for non- <i>residential uses</i>	300 sq.m
g)	Non- <i>residential suites</i> located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>street</i> .	
h)	Ventilation shafts/housing, stairways associated with an underground <i>parking structure</i> , hydro vaults and above-ground gas meters including any appurtenances thereto are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	

# Special Provisions

<b>120</b>	<b>Lower Fourth Development Limited and Pendent Developments Ltd.</b>	Parent Zone: S, GU, NC
Map 12(4)	<b>Part of Lots 17 – 19, Con. 1, NDS</b>	(2022-039) (2022-048) (2022-059)

### 8.120.1 Zone Provisions

The following regulations apply to all lands identified as subject to this special provision:

a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows, with or without foundations which may be a maximum of three <i>storeys</i> in height and which may include a door.	4.0 m
b)	For corner <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the <i>porch</i> . Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening. The total area of the vertical plane shall be measured from the top of the <i>porch</i> slab to the underside of the <i>porch</i> ceiling.	

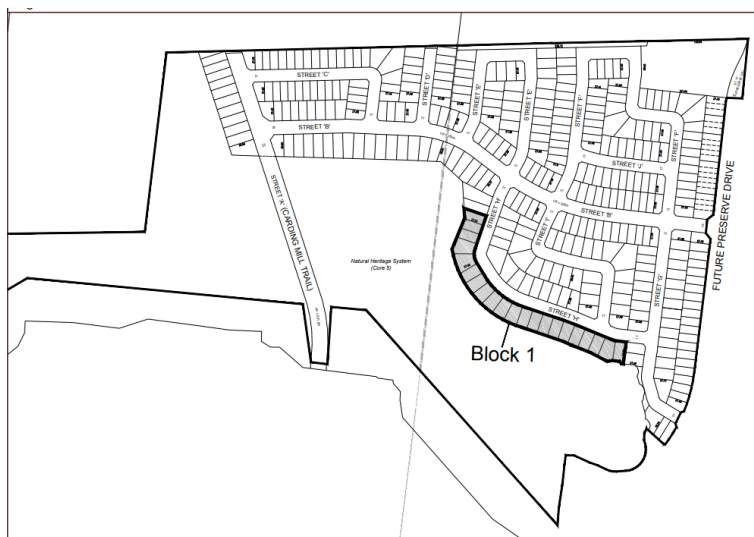
### 8.120.2 Additional Zone Provisions for Block 1

The following additional regulations apply to Block 1 identified in Figure 8.120.1.

a)	Minimum <i>rear yard setback</i>	6 m
b)	Notwithstanding 8.120.2 a) above, the minimum <i>rear yard setback</i> may be reduced to 3.0 m for a one <i>storey</i> addition for a maximum of 45% of the dwelling width measured at the rear of the <i>main building</i> . The one <i>storey</i> addition shall have a maximum vertical distance of 4.0 m measured between the finished floor level of the <i>first storey</i> and the highest point of the roof of the one <i>storey</i> addition.	

### 8.120.3 Special Site Figure

Figure 8.120.1



# Special Provisions

<b>121</b>	<b>Lower Fourth Development Limited and Pendent Developments Ltd. Part of Lots 17 – 19, Con. 1, NDS</b>	Parent Zone: I
Map 12(4)	<b>Docasa Group Ltd. Part of Lots 17, Con. 1, NDS</b>	(2022-039) (2022-048) (2022-059) (2023-018)
<b>8.121.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Maximum <i>front yard</i>	Shall not apply
b)	Maximum <i>flankage yard</i>	Shall not apply
c)	Minimum <i>building height</i> for a <i>public school</i> elementary	Shall not apply
d)	Maximum <i>building height</i> for a <i>public school</i> elementary	18 m
e)	Minimum <i>landscape strip</i> width along the <i>rear lot line</i> or <i>interior lot line</i>	4.5 m
f)	Section 1.7 (iii)	Shall not apply
g)	Section 4.13.1	Shall not apply
<b>8.121.2 Parking Regulations</b>		
a)	Parking requirements for a <i>Public School</i> Elementary	3 <i>parking spaces</i> per classroom maximum
b)	Parking requirements for <i>Day Care</i> Centre inclusive of <i>parking spaces</i> for queuing	1 <i>parking space</i> per 18 m <sup>2</sup> of <i>leasable floor area</i> minimum; and, no maximum



## Special Provisions

122	<b>Sixth Oak Inc. 103 Burnhamthorpe Road West</b>	Parent Zone: I
Map 12(4)		(2023-013)
<b>8.122.1 Additional Permitted Uses</b>		
The following additional use is permitted:		
a)	<i>Sports facility</i> in conjunction with a <i>school, public</i>	
b)	<i>Day care centre</i> in conjunction with a <i>school, public</i>	
<b>8.122.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	The <i>lot line</i> abutting Burnhamthorpe Road West shall be deemed the <i>front lot line</i> .	
b)	Maximum <i>front yard</i>	Shall not apply
c)	Maximum <i>flankage yard</i>	Shall not apply
d)	Minimum <i>height</i> for a <i>school, public</i>	Shall not apply
e)	Maximum <i>height</i> for a <i>school, public</i>	21.0 m
f)	Maximum <i>height</i> for a <i>sports facility</i>	30.0 m
g)	Section 1.7 (iii)	Shall not apply
<b>8.122.3 Parking Regulations</b>		
The following parking regulations apply for a <i>school public</i> , inclusive of a <i>sports facility</i> and a <i>day care centre</i> :		
a)	Minimum number of <i>parking spaces</i>	205
b)	Maximum number of <i>parking spaces</i>	256
c)	<i>Parking spaces</i> for <i>day care centre</i> queuing	Shall not apply
<b>8.122.4 Special Site Provisions</b>		
The following additional provisions apply:		
a)	“ <b>Sports facility</b> ” means a premises or outdoor area in which facilities are provided for leagues, instruction, practice, training or physical exercise for sports.	

## Special Provisions

124	<b>Star Oak Developments Limited 90 Burnhamthorpe Road West</b>	Parent Zone: GU, NC
Map 12(4)	<b>Docasa Group Ltd. Part of Lots 17, Con. 1, NDS</b>	(2023-008) (2023-018)
<b>8.124.1 Zone Provisions for all Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows, with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For corner <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior <i>lots</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the <i>porch</i> . Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening. The total area of the vertical plane shall be measured from the top of the <i>porch</i> slab to the underside of the <i>porch</i> ceiling.	
<b>8.124.2 Additional Zone Provisions for GU Zoned Lands</b>		
The following regulations shall apply to <i>lots</i> with a <i>lot depth</i> of 28.0 metres or less with a <i>single detached dwelling street</i> access attached <i>private garage building</i> type:		
a)	Minimum <i>rear yard setback</i>	6.0 m
b)	<i>Floor area</i> beyond the minimum <i>rear yard setback</i> of 6.0 m is prohibited.	

# Special Provisions

125	<b>Docasa Group Ltd.</b> <b>Part of Lots 17, Con. 1, NDS</b>		Parent Zone: NC
Map 12(4)			(2023-018)
<b>8.125.1 Only Permitted Building Type</b>			
The following <i>building</i> types are the only <i>building</i> types permitted:			
a)	<i>Apartment</i>		
b)	<i>Mixed use building</i>		
<b>8.125.2 Zone Provisions</b>			
The following regulations apply to all lands identified as subject to this special provision:			
a)	The <i>lot line</i> abutting Street A extension, future Preserve Drive, shall be deemed the <i>front lot line</i> .		
b)	Minimum <i>front yard setback</i>	0.0 m	
c)	Minimum <i>flankage yard setback</i>	1.0 m	
d)	Minimum <i>Floor Space Index</i> for an <i>apartment</i>	0.5	
e)	Maximum <i>Floor Space Index</i> for an <i>apartment</i>	2.0	
f)	Minimum and maximum <i>density</i> for an <i>apartment</i> in Table 7.5.2 shall not apply.		
g)	Maximum <i>height</i>	6 <i>storeys</i> and 21.0 m	
h)	Minimum <i>height</i> of the <i>first storey</i> for an <i>apartment</i> or <i>mixed use building</i>	4.5 m	
<b>8.125.3 Parking Regulations</b>			
The following parking regulations apply:			
a)	Ventilation shafts, stairs and stairways associated with a <i>parking garage</i> below <i>grade</i> , hydro vaults and above <i>grade</i> water and gas meters including any appurtenances thereto are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .		
<b>8.125.4 Special Site Provisions</b>			
The following additional provisions apply:			
a)	<i>Height</i> shall be measured from the finished floor elevation of the <i>first storey</i> .		

# Special Provisions

126	<b>Docasa Group Ltd.</b> <b>Part of Lots 17, Con. 1, NDS</b>		Parent Zone: NC
Map 12(4)			(2023-018)
<b>8.126.1 Only Permitted Building Type</b>			
The following <i>building</i> type is the only <i>building</i> types permitted:			
a)	<i>Mixed use building</i>		
<b>8.126.2 Zone Provisions</b>			
The following regulations apply to all lands identified as subject to this special provision:			
a)	The <i>lot line</i> abutting the Street A extension, future Preserve Drive, shall be deemed the <i>front lot line</i> .		
b)	Minimum <i>flankage yard setback</i>	1.0 m	
c)	Minimum <i>rear yard setback</i> abutting GU zone	7.5 m	
d)	Minimum <i>rear yard setback</i> for <i>parking garages</i> below <i>grade</i> abutting GU zone	3.0 m	
e)	Maximum <i>height</i>	6 storeys and 21.0 m	
f)	Minimum <i>height</i> of the <i>first storey</i> for a <i>mixed use building</i>	4.5 m	
g)	Minimum <i>floor area</i> for non-residential uses	350 m <sup>2</sup>	
h)	Each non-residential unit located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>public street</i> .		
<b>8.126.3 Parking Regulations</b>			
The following parking regulations apply:			
a)	Ventilation shafts, stairs and stairways associated with a <i>parking garage</i> below <i>grade</i> , hydro vaults and above <i>grade</i> water and gas meters including any appurtenances thereto are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .		
b)	<i>Parking</i> requirements for non-residential uses	1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum	
<b>8.126.4 Special Site Provisions</b>			
The following additional provisions apply:			
a)	<i>Height</i> shall be measured from the finished floor elevation of the <i>first storey</i> .		

# Special Provisions

<b>128</b>	<b>Mattamy (Joshua Creek) Limited Part of Lot 8 &amp; 9, Concession 1, NDS</b>	Parent Zone: S
Map 12(6)		(2023-036)

### 8.128.1 Zone Provisions for all lands

The following regulations apply to all lands identified as subject to this Special Provision:

a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) zone, a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding the minimum <i>rear setback yard</i> in Section 7.6.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street</i> access attached <i>private garage</i> abutting the Natural Heritage System (NHS) <i>zone</i> .	6.0 m

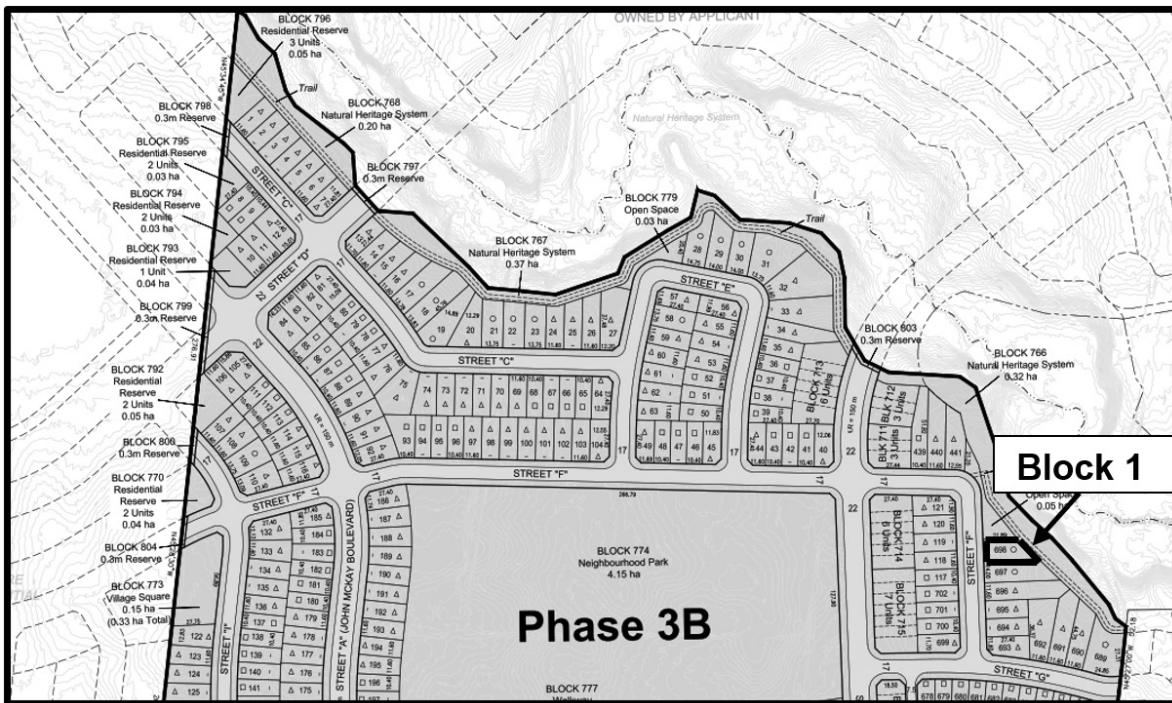
### 8.128.2 Additional Zone Regulations for Blocks 1 and 2

The following additional regulations apply to the lands identified as Blocks 1 and 2 on Figures 8.128.1, and 8.128.2:

a)	Minimum <i>lot depth</i>	20 m
----	--------------------------	------

### 8.128.3 Special Site Figure

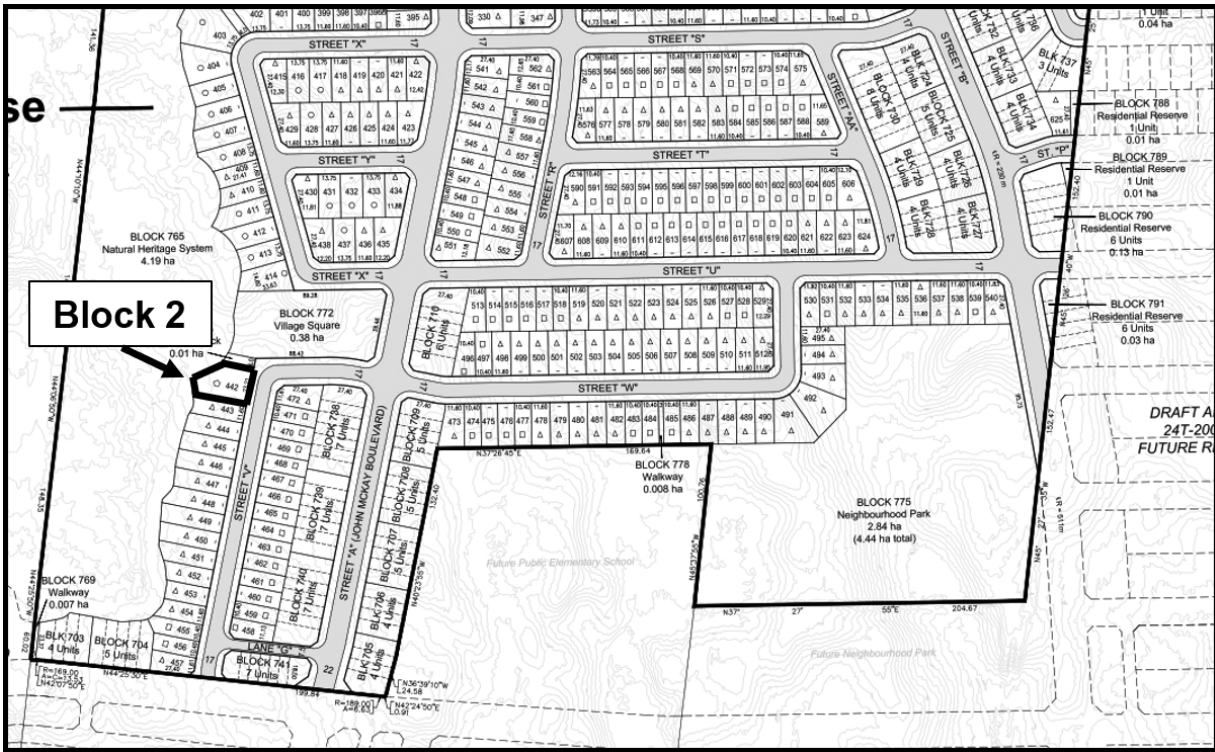
Figure 8.128.1 Special Provision 128



# Special Provisions

128	<b>Mattamy (Joshua Creek) Limited</b> Part of Lot 8 & 9, Concession 1, NDS	Parent Zone: S
Map 12(6)		(2023-036)

Figure 8.128.2



# Special Provisions

129	<b>Mattamy (Joshua Creek) Limited Part of Lot 8 &amp; 9, Concession 1, NDS</b>	Parent Zone: NC
Map 12(6)		(2023-036)

### 8.129.1 Zone Provisions for all lands

The following regulations apply to all lands identified as subject to this Special Provision:

- |    |  |       |
|----|--|-------|
| a) | Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.  | 4.0 m |
| b) | For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) zone, a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth. |       |
| c) | <i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.   |       |

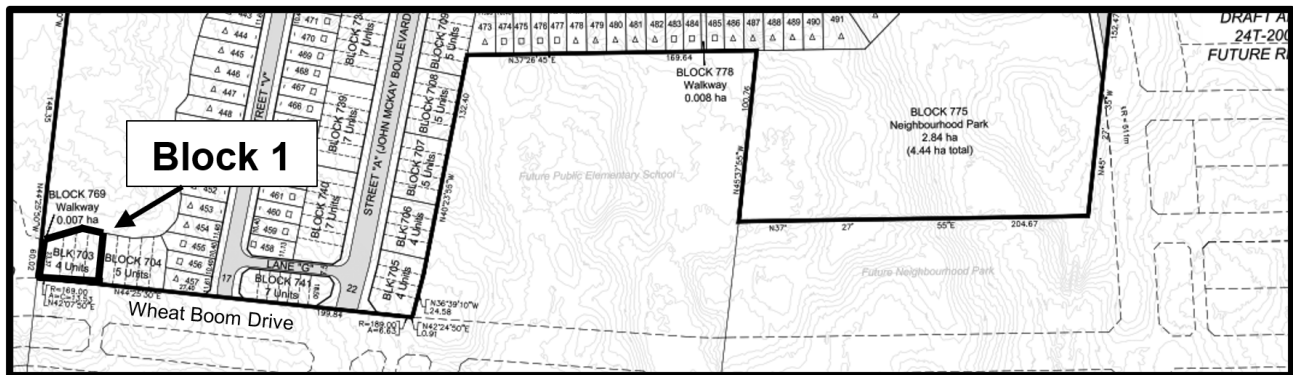
### 8.129.2 Additional Zone Regulations for Block 1

The following additional regulations apply to the lands identified as Block 1 on Figure 8.129.1:

- |    |   |       |
|----|---|-------|
| a) | Minimum <i>rear yard</i> setback for the end <i>dwelling unit</i> adjacent to the walkway | 3.5 m |
|----|---|-------|

### 8.129.3 Special Site Figure

Figure 8.129.1 Special Provision 129



## Special Provisions

130	<b>Mattamy (Joshua Creek) Limited Part of Lot 8 &amp; 9, Concession 1, NDS</b>	Parent Zone: NC
Map 12(6)		(2023-036)
<b>8.130.1 Only Permitted Building Types</b>		
The following <i>Building Types</i> are the only <i>Building Types</i> permitted:		
a)	<i>Connected commercial/residential building</i>	
<b>8.130.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum and maximum <i>Floor Space Index</i> shall not apply to a <i>connected commercial/residential building</i>	
b)	Each <i>dwelling unit</i> shall include a <i>commercial</i> component on the ground floor for a <i>connected commercial/residential building</i>	
c)	Section 4.17.1 i) shall not apply.	
<b>8.130.3 Parking Regulations</b>		
The following parking regulations apply to a <i>connected commercial/residential building</i> :		
a)	For the <i>commercial</i> component up to 90 square metres – 2 <i>parking spaces</i> which may be provided in tandem	



# Special Provisions

<b>131</b>	<b>Mattamy (Joshua Creek) Limited Part of Lot 8 &amp; 9, Concession 1, NDS</b>	Parent Zone: GU
Map 12(6)		(2023-036)

### 8.131.1 Zone Provisions for all lands

The following regulations apply to all lands identified as subject to this Special Provision:

a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) zone, a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the porch of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding the minimum <i>rear setback yard</i> in Section 7.6.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street</i> access attached <i>private garage</i> abutting the Natural Heritage System (NHS) zone.	6.0 m

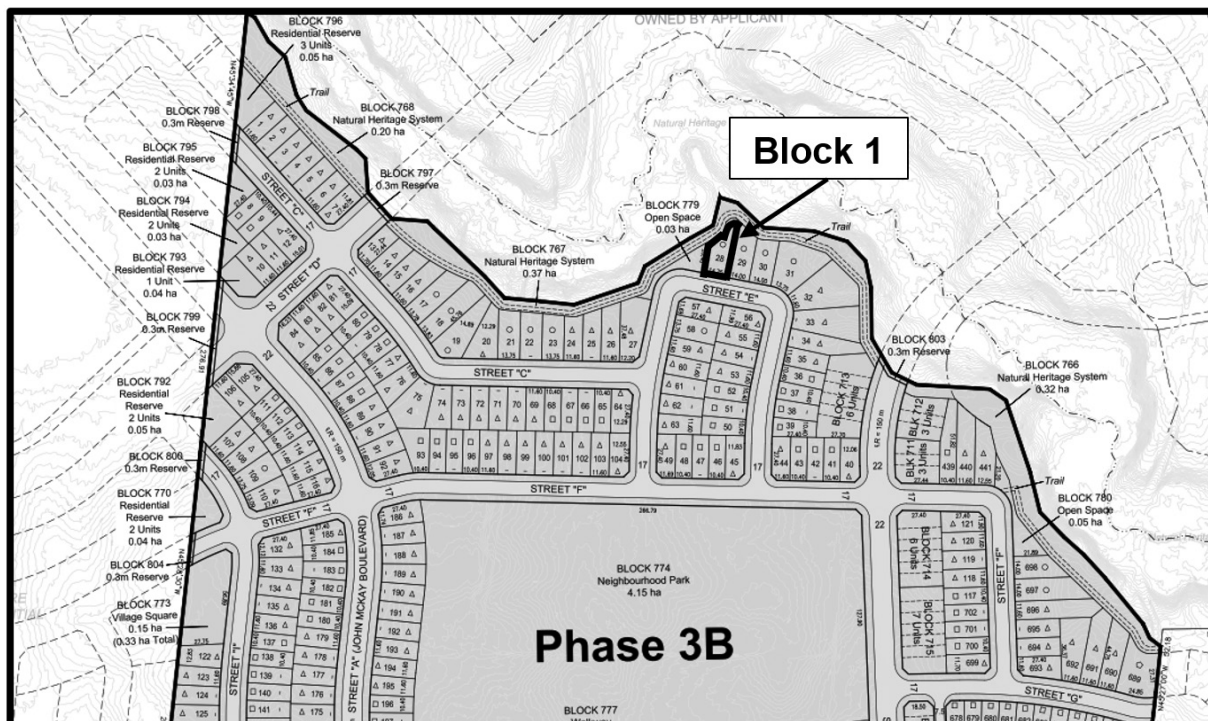
### 8.131.2 Additional Zone Regulations for Block 1

The following additional regulations apply to the lands identified as Block 1 on Figure 8.131.1:

a)	Minimum <i>lot depth</i>	20 m
----	--------------------------	------

### 8.131.3 Special Site Figure

Figure 8.131.1 Special Provision 131



# Holding Provisions

## 9.1 General Prohibition *(2013-065)*

Where a *zone* symbol is preceded by an upper case letter “H”, a number, and a hyphen, the symbol refers to a Holding Provision that applies to the lands so designated. No person shall *use* or permit the land to be used to which the Hold applies for the uses specified in the appropriate clause in this Part of this By-law, erect a new *building* or *structure*, or expand or replace an existing *building* or *structure* until the Holding Provision is removed in accordance with Section 36 of the Planning Act.

## 9.2 Exceptions to Prohibition

Notwithstanding the above and unless modified by the provisions of Section 9.3, the following *uses* are permitted without the need to remove a Holding Provision.

- a) Construction *uses* in accordance with Section 4.3.2(vi) of this By-law;
- b) Model homes in accordance with Section 4.3.2(viii) of this By-law;
- c) Temporary sales offices in accordance with 4.3.2(vii) of this By-law;

## 9.3 Holding Provisions

The following provisions apply to the lands specified:

<b>H1</b>	<b>Water and Wastewater Allocation in North Oakville</b>	Parent Zone: Various
Various Maps		(2014-094)
<b>9.3.1.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses</i> , <i>buildings</i> and <i>structures</i> existing on the lot.	
<b>9.3.1.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following conditions shall first be completed to the satisfaction of the Town of Oakville:		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the Town of Oakville.	

## Holding Provisions

<b>H2</b>	<b>Davis Minardi Home Corporation and Denbridge Developments Inc. – Dundas Street West and Neyagawa Boulevard</b>	Parent Zone: DUC
Map 12(4)		(2018-102) (2022-007)
<b>H2 - Removed by By-law 2018-102</b>		

### 9.3.2 Davis Minardi Home Corporation and Denbridge Developments Inc. – Dundas Street West and Neyagawa Boulevard (2018-102) (2022-007)

Holding Provision	Condition for Removal	Date Enacted	Zoning Map	Uses and Regulations Pending Removal of Holding Provision
H2	<p>The holding symbol “H2” shall only apply to residential <i>uses</i> and will only be removed when the following conditions have been satisfied:</p> <p>i) Halton Region water and wastewater servicing allocation has been granted to these blocks; and,</p> <p>ii) Halton Region advises that item i) above has been satisfied.</p>	March 12, 2010	12(4)	<p><u>Permitted Uses:</u> For such time as the “H2” symbol is in place, these lands shall only be used for permitted non-residential <i>uses</i> as well as existing permitted <i>uses, buildings</i> and <i>structures</i>.</p> <p><u>Regulations:</u> For such time as the “H2” symbol is in place, these lands shall be subject to the relevant zone (DUC-7 or DUC-8) that apply.</p>

<b>H3</b>	<b>Oakville Hydro Energy Services Inc. Third Line, North of Dundas Street</b>	Parent Zone: I
Map 12(2)		(2011-006)
<b>H3 - Removed by By-law 2011-006</b>		

# Holding Provisions

## 9.3.4 Fern Hill School - 3300 Ninth Line (2022-007)

Holding Provision	Condition for Removal	Date Enacted	Zoning Map	Uses and Regulations Pending Removal of Holding Provision
H4	<p>The holding symbol “H4” shall apply and will only be removed when the following conditions have been satisfied:</p> <ol style="list-style-type: none"> <li>1. That the Town is advised by Halton Region that municipal water and wastewater services are available.</li> <li>2. The removal of the Minister’s Zoning Order from the subject property.</li> </ol>	-	12(6)	<p><u>Permitted Uses:</u> For such time as the “H4” symbol is in place, these lands shall only be used for the <i>uses</i> permitted in the FD <i>zone</i> and in addition, a private elementary school.</p> <p>For such time as the “H4” symbol is in place, these lands shall be subject to the regulations of the FD <i>zone</i>, and except where in conflict with the following regulations, in which case the following will prevail:</p> <p><u>Private Elementary School</u> Max. <i>lot coverage</i> - 25% Max. <i>height</i> - 10 metres</p> <p><b>Minimum Yards -</b> <i>Front Yard &amp; Flankage</i> - 15 m <i>Side Yard</i> - 15 m <i>Rear Yard</i> - 15 m</p> <p><b>Parking -</b> As provided for in the relevant <i>zone</i></p>

# Holding Provisions

## 9.3.5 Timsin Holding Corp. and Arrassa Investments Inc. - Dundas Street West and Sixth Line

Holding Provision	Condition for Removal	Date Enacted	Zoning Map	Uses and Regulations Pending Removal of Holding Provision
H5	<p>1. The holding symbol “H5”, as it applies only to <i>residential uses</i>, will be removed when the following conditions have been satisfied:</p> <p>i) Halton Region water and wastewater servicing allocation has been assigned to this block; and,</p> <p>ii) Halton Region advises that item i) above has been satisfied.</p>	December 13, 2010	12(4)	<p><u>Permitted Uses:</u> For such time as the “H5” symbol is in place, these lands shall only be used for permitted non-residential <i>uses</i> as well as existing permitted <i>uses, buildings</i> and <i>structures</i>.</p> <p><u>Regulations:</u> For such time as the “H5” symbol is in place, these lands shall be subject to the regulations of the relevant <i>zone</i> that apply.</p>

<b>H6</b>	<b>Mattamy (Kaitting) Limited and Ruland Properties Inc. (Part of Lots 16 and 17, Concession 1 Trafalgar N.D.S.)</b>	Parent Zone: DUC
Map 12(4)		(2016-067)
<b>H6 - Removed by By-law 2016-067</b>		

<b>H7</b>	<b>Green Ginger Development Inc. (Part of Lots 13 &amp; 14, Concession 1 N.D.S.)</b>	Parent Zone: TUC
Map 12(5)		(2013-113) (2016-021)
<b>H7 - Removed by By-law 2016-021</b>		

# Holding Provisions

<b>H8</b>	<b>Green Ginger Development Inc. (Part of Lots 13 &amp; 14, Concession 1 N.D.S.)</b>	Parent Zone: DUC
Map 12(5)		(2013-113) (2023-103)
<b>H8 - Removed by By-law 2023-103</b>		

<b>H9</b>	<b>Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S.)</b>	Parent Zone: NU, GU
Map 12(5)		(2014-080)
<b>9.3.9.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
<b>9.3.9.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following conditions shall first be completed to the satisfaction of the Town of Oakville:		
a)	The Director of Planning is satisfied the lands may be developed in accordance with the phasing policies [Section 7.9.2(c)] of the North Oakville Secondary Plan, as amended.	

# Holding Provisions

<b>H10</b>	<b>Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S.)</b>	Parent Zone: NC
Map 12(5)		(2014-080) (2024-011)
<b>H10 - Removed by By-law 2024-011</b>		

<b>H12</b>	<b>EMGO (North Oakville I) Ltd. (Part of Lot 15, Concession 1, NDS 3369 Sixth Line)</b>	Parent Zone: NC, GU
Map 12(5)		PL140467, PL140468, (2017-012) (2022-118)
<b>H12 - Removed by By-law 2022-118</b>		

# Holding Provisions

<b>H13</b>	<b>Star Oak Developments Ltd.</b> <b>(Parts of Lots 14 and 15, Concession 2, NDS)</b>	Parent Zone: NC
Map 12(5)		PL140412, PL140413, (2017-013)

**9.3.13.1 Only Permitted Uses Prior to Removal of the “H”**

For such time as the “H” symbol is in place, these lands shall only be used for the following:

- a) All *uses* permitted in the underlying *zone*

**9.3.13.2 Zone Regulations Prior to Removal of the “H”**

For such time as the “H” symbol is in place, the provisions of the underlying *zone* shall apply. Notwithstanding this, the following regulations shall additionally apply for such time as the “H” symbol is in place:

- a) *Dwelling units* are not permitted on the *first storey*

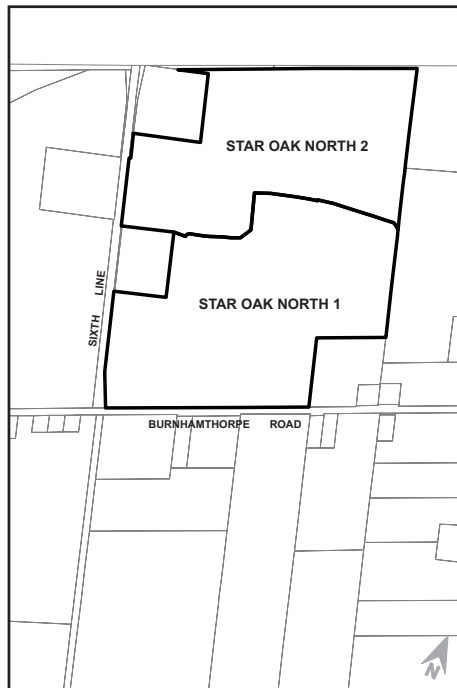
**9.3.13.3 Conditions for Removal of the “H”**

The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:

- a) A minimum of three years has passed since the date of registration of the underlying draft plan of subdivision for Star Oak North 1 lands only (as identified in Figure 9.3.13.1 below).

**9.3.13.4 Special Site Figures**

Figure 9.3.13.1





# Holding Provisions

<b>H14</b>	<b>Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)</b>	Parent Zone: LE
Map 12(5)		PL140412, PL140413, (2017-013)

**9.3.14.1 Only Permitted Uses Prior to Removal of the “H”**

For such time as the “H” symbol is in place, these lands shall only be used for the following:

- a) Legal uses, buildings, and structures existing on the lot.

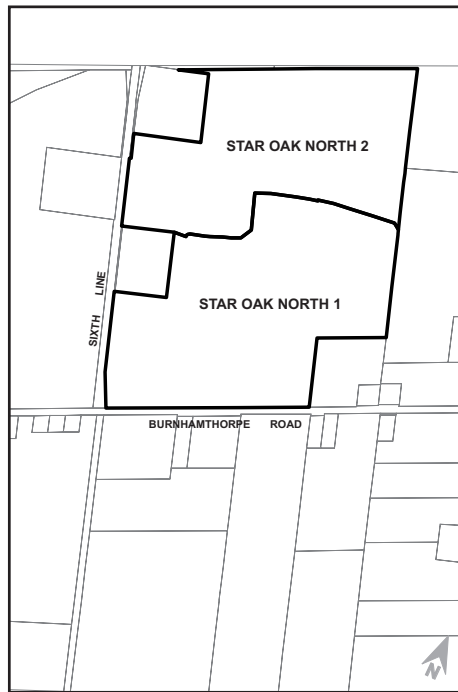
**9.3.14.2 Conditions for Removal of the “H”**

The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:

- a) All of Star Oak North 2 lands (as identified in Figure 9.3.14.1 below) shall be successfully registered to the satisfaction of the Director of Planning.

**9.3.14.2 Special Site Figures**

Figure 9.3.14.1



# Holding Provisions

<b>H15</b>	<b>Sixth Line Corporation (Part of Lot 15, Concession 1, N.D.S. 41 Dundas Street)</b>	Parent Zone: NC, GU
Map 12(5)		(2016-103) (2020-010) (2024-011)
<b>9.3.15.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be used for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
<b>9.3.15.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That written confirmation is received from Conservation Halton indicating that these lots are no longer susceptible to flooding under the Regional Storm event to the satisfaction of the Town of Oakville.	

<b>H16</b>	<b>Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S. 41 Dundas Street)</b>	Parent Zone: NC, GU
Map 12(5)		(2016-103) (2017-092)
<b>H16 - Removed by By-law 2017-092</b>		

# Holding Provisions

<b>H17</b>	<b>404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15, Concession 1, NDS)</b>	Parent Zone: NC
Map 12(5)		(2016-120) (2022-004)
<b>H17 - Removed by By-law 2022-004</b>		

<b>H18</b>	<b>All Seniors Care Acquisitions Ltd. 2135 Dundas Street West (Part of Lot 27, Concession 1, NDS)</b>	Parent Zone: I
Map 12(2)		(2018-089) (2019-080)
<b>H18 - Removed by By-law 2019-080</b>		

# Holding Provisions

<b>H20</b>	<b>Oakville Urban Core Developments 1005 Dundas Street East and 3033 Eighth Line</b>	Parent Zone: DUC
Map 12(6)		(2018-108) (2022-104)
<b>H20 - Removed by By-law 2022-104</b>		

# Holding Provisions

<b>H21</b>	<b>407 Dundas Street West (Part of Lot 19, Concession 1, N.D.S.)</b>	Parent Zone: DUC
Map 12(4)		(2018-107) (2020-108)
<b>H21 - Removed by By-law 2020-108</b>		

# Holding Provisions

<b>H22</b>	<b>Infrastructure Ontario (Part of Lot 26, Concession 1, N.D.S.)</b>	Parent Zone: I
Map 12(2)		(2018-116)
<b>9.3.22.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following:		
a)	Legal uses, buildings and structures existing on the lot	
b)	General Office Use where the primary business conducted within a building is a publicly administered courthouse; and,	
c)	Parking Garage	
d)	Accessory Uses	
<b>9.3.22.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton and the Town of Oakville.	
b)	The owner has entered into any required servicing agreement(s) with the Town regarding stormwater management.	
c)	All required land conveyances have been undertaken.	
d)	A Phase 1 Environmental Site Assessment (O.Reg. 153/04 compliant) and any recommended environmental reports, along with a Letter of Reliance extending third party reliance to the Region of Halton, which demonstrate that the lands are free and clear for their intended use to the satisfaction of the Region of Halton.	
e)	Updated stormwater management report to the satisfaction of the Director of Development Engineering and Conservation Halton.	
f)	Updated Transportation Impact Study	
g)	Urban Design Brief	
h)	Updated Functional Servicing Report to the satisfaction of the Region of Halton.	
i)	Land Use Compatibility Study relating to adverse impact on existing or permitted land uses within the Health Oriented Mixed Use Node and adjacent lands to the satisfaction of the Region of Halton and Town of Oakville.	
j)	That the EIR-FSS be updated to the satisfaction of Conservation Halton and the Town of Oakville to include infiltration targets and a general concept plan showing all LID measures to be used on each of the three development blocks.	

# Holding Provisions

<b>H23</b>	<b>103 Dundas Street (Part of Lot 16, Concession 1, N.D.S.)</b>	Parent Zone: DUC
Map 12(4)		(2018-118)
<b>H23 - Removed by By-law 2021-001</b>		

<b>H24</b>	<b>407 Dundas Street West (Part of Lot 19, Concession 1, N.D.S.)</b>	Parent Zone: GU
Map 12(4)		(2018-107) (2022-084)
<b>H24 - Removed by By-law 2022-084</b>		

# Holding Provisions

<b>H25</b>	<b>1187 Burnhamthorpe Road East (Part Lot 9, Conc. 2, N.D.S)</b>	Parent Zone: ED, I
Map 12(6)		(2018-122) (2019-094)
<b>H25 - Removed by By-law 2019-094</b>		

<b>H28</b>	<b>Bressa Developments Limited (Part of Lots 7 and 8, Concession 1, N.D.S)</b>	Parent Zone: GU, S
Map 12(6)		(2018-036) (2021-003)
<b>H28 - Removed by By-law 2021-003</b>		

<b>H29</b>	<b>Bressa Developments Limited (Part of Lots 7 and 8, Concession 1, N.D.S)</b>	Parent Zone: DUC-1
Map 12(6)		(2018-036) (2021-134) (2023-069)

### 9.3.29.1 Only Permitted Uses Prior to Removal of the “H”

For such time as the “H” symbol is in place, these lands shall only be *used* for the following uses:

- a) Legal *uses, buildings and structures* existing on the *lot*

### 9.3.29.2 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by *Town Council* passing a By-law under Section 36 of the Planning Act. The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:

- a) That water and wastewater Servicing Allocation has been secured for the subject lands and the proposed development through Halton Region; and that Halton Region provides correspondence indicating that sufficient water and wastewater servicing allocation has been secured to support the development.
- b) That the JC-31 realignment works are completed and written confirmation is received from Conservation Halton confirming that the Dundas Urban Core (Block 200) is no longer within Conservation Halton’s regulated area, which includes the flooding hazard under the Regional Storm Event and its associated 7.5 metre allowance or the draft plan of subdivision is redlined in accordance with the final limits of the Natural Heritage System.
- c) The registration on title of a Section 37 Agreement per the Planning Act, where applicable.



# Holding Provisions

<b>H30</b>	<b>Mattamy (Joshua Creek) Limited (Part of Lot 9, Concession 1, N.D.S.)</b>	Parent Zone: DUC-1, GU, NC-4, NC
Map 12(6)		(2019-062)
<b>9.3.30.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
<b>9.3.30.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed by <i>Town</i> Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the Town of Oakville:		
a)	That the ultimate stormwater management pond (Block 52) and associated storm infrastructure to be shared with adjacent lands to the west to service Phase 1 of the Dunoak draft plan of subdivision are constructed, certified, stabilized, operational and in public ownership, in accordance with Town approved engineering drawings, MOECP Environmental Compliance Approval (ECA and Conservation Halton permits) to the satisfaction of the Town of Oakville, Conservation Halton and Regional Municipality of Halton.	
b)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> for Dundas Urban Core Blocks 49 and 50, where applicable.	

<b>H31</b>	<b>Mattamy (Joshua Creek) Limited (Part of Lot 9, Concession 1, N.D.S.)</b>	Parent Zone: GU, NC-4, NC
Map 12(6)		(2019-062) (2022-087)
<b>H31 - Removed by By-law 2022-087</b>		

# Holding Provisions

<b>H32</b>	<b>Mattamy (Joshua Creek) Limited (Part of Lot 9, Concession 1, N.D.S.)</b>	Parent Zone: GU, NC, NC-4
Map 12(6)		(2019-062) (2023-169)
<b>H32 - Removed by By-law 2023-169</b>		

<b>H33</b>	<b>Mattamy (Joshua Creek) Limited (Part of Lot 9, Concession 1, N.D.S.)</b>	Parent Zone: NC, NC-4, GU
Map 12(6)		(2019-062) (2022-087)
<b>H33 - Removed by By-law 2022-087</b>		

# Holding Provisions

<b>H39</b>	<b>3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)</b>	Parent Zone: LE, GE, SA
Map 12(1)		(2023-014)
<b>9.3.39.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
<b>9.3.39.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> and <i>Region of Halton</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton.	
b)	That an updated FSR be approved by Halton Region.	

<b>H40</b>	<b>3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)</b>	Parent Zone: LE, GE, SA
Map 12(1)		(2023-014)
<b>9.3.40.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
<b>9.3.40.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> and <i>Region of Halton</i> :		
a)	That the crossing of the West Fourteen Mile Creek tributary associated with the Arterial One extension has been constructed and operational, providing appropriate primary access for fire protection purposes.	
b)	Confirmation that temporary water and wastewater services proposed along the easterly property limit commencing at Dundas Street West and extending to Avenue Three are available.	
c)	Confirmation that the temporary fire prevention access along the easterly property limit commencing at Dundas Street West and extending to Avenue Three is available.	
d)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton.	
e)	That an updated FSR be approved by Halton Region.	

# Holding Provisions

<b>H41</b>	<b>3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)</b>	Parent Zone: LE, GE
Map 12(1)		(2023-014)
<b>9.3.41.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
<b>9.3.41.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> and <i>Region of Halton</i> :		
a)	That the extension of Colonel William Parkway and associated municipal servicing infrastructure have been constructed and operational through the easterly abutting lands and connects into proposed Avenue Three.	
b)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton.	
c)	That an updated FSR be approved by Halton Region.	

# Holding Provisions

<b>H42</b>	<b>Graydon Banning Limited</b> <b>(Part of Lots 24 and 25, Concession 1, N.D.S)</b>	Parent Zone: NC, GU
Map 12(3)	<b>Martillac Estates Inc.</b> <b>(Part of Lot 24, Concession 1, NDS)</b>	PL170737, (2019-091) PL170735, (2023-017)
<b>9.3.42.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be used for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
<b>9.3.42.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That water and wastewater Servicing Allocation has been secured for the subject lands and the proposed development through Halton Region; and that Halton Region provides correspondence indicating that sufficient water and wastewater servicing allocation has been secured to support the development.	

# Holding Provisions

<b>H43</b>	<b>Martillac Estates Inc.</b> <b>(Part of Lots 24, Concession 1, N.D.S)</b>	Parent Zone: NC
Map 12(3)		PL170735 (2020-013) 2023-017
<b>9.3.43.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
<b>9.3.43.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) related to <u>Blocks 25 and 28, 24T-16005/1324</u> shall first be completed to the satisfaction of the Town of Oakville and Region of Halton:		
a)	That the ultimate extension of Richard Plummer Trail southward from Harasym Street to Dundas Street West has been: <ul style="list-style-type: none"> <li>i. constructed to a minimum base coarse asphalt;</li> <li>ii. conveyed to the Town of Oakville; and,</li> <li>iii. either dedicated as a public highway on a plan of subdivision or subject to a by-law dedicating the lands as a public highway.</li> </ul>	
b)	That Region of Halton has confirmed that the Owner has made arrangements to the satisfaction of the Region of Halton for the delivery of the ultimate water and wastewater services for the blocks including the water conversion works and including entering into a Servicing Agreement and provision of securities as applicable.	

# Holding Provisions

<b>H46</b>	<b>Martillac Estates Inc. and Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, N.D.S)</b>		Parent Zone: DUC
Map 12(3)			(2020-113) (2024-013)
<b>9.3.46.1 Only Permitted Uses Prior to Removal of the “H”</b>			
For such time as the “H” symbol is in place, these lands shall only be used for the following:			
a)	Legal uses, buildings and structures existing on the lot.		
b)	Uses permitted in the Dundas Urban Core (DUC) Special Provision 92 zone subject to compliance with Section 9.3.46.2.		
<b>9.3.46.2 Zone Regulations Prior to Removal of the “H”</b>			
For such time as the “H” symbol is in place, the regulations of the Dundas Urban Core (DUC) Special Provision 92 shall apply. Notwithstanding this, the following regulation shall additionally apply for such time as the “H” symbol is in place:			
a)	Maximum building height	5 storeys	
<b>9.3.46.3 Conditions for Removal of the "H"</b>			
The “H” symbol shall, upon application by the landowner, be removed for all or part of a Block by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :			
a)	That either: <ul style="list-style-type: none"> <li>i. Adjacent land is no longer being used for the purpose of an AM radio station; or</li> <li>ii. Analysis/study/testing is completed and documented with respect to such lands to identify and manage potential effects, if any, of the existing AM radio station on future residents, including compliance with applicable standards or guidelines related to potential interference with the consumer electronics and medial equipment (EMCAB-2 and IEC60601-1-2 as of October, 2020) and health and safety (Safety Code 6 as of October, 2020) and further, that any mitigation plan necessary to deal with potential effects is secured, all to the satisfaction of the Town of Oakville and Halton Region.</li> </ul>		

# Holding Provisions

<b>H47</b>	<b>Graydon Banning Limited</b> <b>(Part of Lots 24 and 25, Concession 1, N.D.S)</b>	Parent Zone: NC, HDR
Map 12(3)		(2020-116)
<b>9.3.47.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
<b>9.3.47.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed for all or part of a Block by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .	

<b>H48</b>	<b>Graydon Banning Limited</b> <b>(Part of Lots 24 and 25, Concession 1, N.D.S)</b>	Parent Zone: NC, HDR
Map 12(3)		(2020-116)
<b>9.3.48.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
b)	For lands zoned Neighbourhood Centre (NC) Special Provision 93, uses permitted in Neighbourhood Centre (NC) Special Provision 93, subject to compliance with 9.3.48.2	
c)	For lands zoned High Density Residential (HDR) Special Provision 94, uses permitted in High Density Residential (HDR) Special Provision 94, subject to compliance with 9.3.48.2	
<b>9.3.48.2 Zone Regulations Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, the regulations of the Neighbourhood Centre (NC) Special Provision 93 or High Density Residential (HDR) Special Provision 94 shall apply. Notwithstanding this, the following regulation shall additionally apply for such time as the "H" symbol is in place:		
a)	Maximum <i>building height</i>	5 storeys
<b>9.3.48.3 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed for all or part of a Block by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That either: <ul style="list-style-type: none"> <li>i. Adjacent land is no longer being used for the purpose of an AM radio station; or</li> <li>ii. Analysis/study/testing is completed and documented with respect to such lands to identify and manage potential effects, if any, of the existing AM radio station on future residents, including compliance with applicable standards or guidelines related to potential interference with the consumer electronics and medial equipment (EMCAB-2 and IEC60601-1-2 as of October, 2020) and health and safety (Safety Code 6 as of October, 2020) and further, that any mitigation plan necessary to deal with potential effects is secured, all to the satisfaction of the Town of Oakville and Halton Region</li> </ul>	



# Holding Provisions

<b>H49</b>	<b>3064 Trafalgar Road (Part of Lot 13, Conc. 1, N.D.S)</b>	Parent Zone: TUC
Map 12(5)		(2021-032)
<b>9.3.49.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be used for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
<b>9.3.49.2 Zone Regulations Prior to Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That water and wastewater Servicing Allocation, including the issuance of the Public Works Commissioner Notice, has been secured for the subject lands to the satisfaction of the Region of Halton and the Town of Oakville.	
b)	That the Owner has submitted, to the satisfaction of the Region of Halton, an updated Addendum to the Functional Servicing Study prior to engineering drawing submission to include water modelling of the development that addresses watermain sizing, flows, pressures, dead-end watermains and the proposed water pressure zone realignment.	
c)	That the external watermain and sanitary sewer extensions on Trafalgar Road that are required to service the property have been constructed and are operational or that alternative provisions have been made by the Owner for the design and construction of the watermain and sanitary sewer extensions to the satisfaction of the Region of Halton.	
d)	That the Owner shall update the Environmental Implementation Report / Functional Servicing Study (EIR/FSS) dated October 2020, to reflect all comments from the Town of Oakville, Region of Halton and Conservation Halton, dated January 14, 2021, November 20, 2020 and December 17, 2020 respectively.	
e)	That the Owner dedicate to the Town the Natural Heritage System lands, depicted on Schedule ‘A’ to this by-law as “NHS”, free of charge and with clear title (free and clear of encumbrances) and any necessary easements in a condition satisfactory to the Town. A Certificate of Title shall be provided, in a form satisfactory to the Town.	
f)	That the Owner shall dedicate all lands required for the Trafalgar Road widening to be conveyed to the Region of Halton, free of charge and with clear title (free and clear of encumbrances) and any necessary easements. A Certificate of Title shall be provided, in a form satisfactory to the Region or other authority.	
g)	That the Owner provide the design of a passive low impact development feature in the Linkage Preserve Area to the satisfaction and final approval of Conservation Halton and the Town of Oakville.	
h)	That the Owner secure an easement from the Town of Oakville over the Linkage Preserve Area of the Natural Heritage System Lands, depicted on Schedule ‘A’ to this by-law as “NHS”, to allow for grading, access, construction and operation of low impact development features and the required maintenance.	
i)	It is confirmed that flood free access has been provided to the subject lands through one of the following approaches:  A) The installation of the culvert south of the Dundas Street and Trafalgar Road intersection be completed. Confirmation regarding the removal of the floodplain from the frontage of the subject lands such that suitable flood free access is available shall be provided to the satisfaction of the Region of Halton, Town of Oakville and Conservation Halton  OR,  B) That, in the event the culvert has not been installed south of the Dundas Street and Trafalgar Road intersection, suitable flood free access to the subject lands shall be provided to the satisfaction of the Region of Halton, Town of Oakville, and Conservation Halton. This access will be confirmed by the applicant entering into a Regional Servicing Agreement, to be registered on title, in conjunction with submitting a Site Plan Application to the Town of Oakville. Further, payment of all necessary securities is required to the satisfaction of the Region of Halton.	

# Holding Provisions

<b>H50</b>	<b>Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, N.D.S)</b>	Parent Zone: DUC, GU, S, NC
Map 12(6)		(2021-040)
<b>9.3.50.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>9.3.50.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed by <i>Town</i> Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and the Region of Halton:		
a)	<ul style="list-style-type: none"> <li>• Secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;</li> <li>• Sign the applicable Allocation Agreement or any required Amending Agreements;</li> <li>• Made all required payments; and,</li> <li>• Confirm receipt of a Region of Halton Public Works Commissioner's Notice (PWCN).</li> </ul>	
b)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> , for Dundas Urban Core Block 283, where applicable.	

# Holding Provisions

<b>H51</b>	<b>Capoak Inc. and Redoak G &amp; A Inc. (Part of Lot 10, Concession 1, N.D.S)</b>	Parent Zone: DUC, GU
Map 12(6)		(2021-103)
<b>9.3.51.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the lot	
<b>9.3.51.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by <i>Town Council</i> passing a By-law under Section 36 of the <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and the Region of Halton:		
a)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;	
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements.	
c)	The Owner shall have made all required payments associated with the Allocation Program;	
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice (PWCN) letter; and	
e)	The registration on title of a Section 37 Agreement per the <i>Planning Act</i> , for Dundas Urban Core blocks 198 and 199, where applicable.	

# Holding Provisions

<b>H52</b>	<b>Mattamy (Joshua Creek) Limited/ Halton District School Board (Part of Lot 9, Concession 1, N.D.S)</b>	Parent Zone: I
Map 12(6)		(2022-037) (2022-039) (2022-048) (2022-024) (2022-117)
<b>H52 - Removed by By-law 2022-117</b>		

# Holding Provisions

<b>H53</b>	<b>Timsin Holding Corp. (Part Lot 16, Concession 1, N.D.S)</b>	Parent Zone: GU and NC
Map 12(4)	<b>Digram Developments Oakville Inc. 3380 Sixth Line</b>	(2022-037) (2022-039) (2022-048) (2024-012)
<b>9.3.53.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>9.3.53.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town passing a By-law under Section 36 of the <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville, Halton Region and Conservation Halton:		
a)	That the Sixth Line Road works and associated storm sewer (located on Town lands abutting the subject lands to the east) that affects the subject property is constructed, certified, stabilized, operational and in public ownership in accordance with Town approved engineering drawings, MOECC Environmental Compliance Approval (ECA and Conservation Halton permits) to the satisfaction of the Town of Oakville, Regional Municipality of Halton and Conservation Halton.	
b)	That the storm sewer works within the neighbouring Argo West Morrison Creek Development (Street E) is constructed and operational.	

# Holding Provisions

<b>H54</b>	<b>Argo (West Morrison Creek) Ltd. 3270 Sixth Line</b>	Parent Zone: NC
Map 12(4)	<b>Digram Developments Oakville Inc. 3380 Sixth Line</b>	(2022-039) (2022-048) (2023-018)
	<b>Docasa Group Ltd</b> Part of Lots 17, Con. 1, NDS	
<b>9.3.54.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>9.3.54.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town passing a By-law under Section 36 of the <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and/or the Region of Halton:		
a)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program.	
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements.	
c)	The Owner shall have made all required payments associated with the Allocation Program;	
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice (PWCN) letter.	

# Holding Provisions

<b>H55</b>	<b>Timsin Holding Corp.</b> <b>Part Lot 16, Concession 1, N.D.S</b>	Parent Zone: S, GU, NC and I
Map 12(4)	<b>Digram Developments Oakville Inc.</b> <b>3380 Sixth Line</b>	(2022-037) (2022-039) (2022-048) (2022-059) (2023-008) (2023-018) (2024-012)
	<b>Lower Fourth Development Limited and Pendent          Developments Ltd.</b> <b>Part of Lots 17 – 19, Con. 1, NDS</b>	
	<b>Star Oak Developments Limited</b> <b>90 Burhamthorpe Road West</b>	
	<b>Docasa Group Ltd.</b> <b>Part of Lots 17, Con. 1, NDS</b>	
<b>9.3.55.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>9.3.55.2 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town passing a By-law under Section 36 of the <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and Halton Region:		
a)	That the external local watermains and sanitary sewer extensions that are proposed on the lands adjacent to the subject lands and that are required to service this property have been constructed and are operational to the satisfaction of the Region of Halton or that alternative provisions have been made by the Owner for the design and construction of the external watermain and sanitary sewer extensions to the satisfaction of the Region of Halton.	

# Holding Provisions

<b>H56</b>	<b>Oakville Green Development Inc. (Part of Lot 25, Concession 1, NDS)</b>	Parent Zone: LE
Map 12(3)		(2022-071)
<b>16.3.56.1 Only Permitted Uses Prior to Removal of the “H”</b>		
Until such time as the "H- 56" Holding Provision is lifted, and subject to the removal of H-37, the lands may be used for any use permitted by the LE, Light Employment, Special Provision 57 zone except a <i>retirement home or nursing home</i> .		
<b>16.3.56.2 Zone Regulations Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the regulations of the LE, Light Employment, Special Provision 57 zone shall apply.		
<b>16.3.56.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the Town of Oakville:		
a)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program to the satisfaction of Halton Region.	
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements to the satisfaction of Halton Region.	
c)	The Owner shall have made all required payments associated with the Allocation Program to the satisfaction of Halton Region.	
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice letter to the satisfaction of Halton Region.	



# Holding Provisions

<b>H58</b>	<b>Docasa Group Ltd.</b> <b>Part of Lots 17, Con. 1, NDS</b>	Parent Zone: GU
Map 12(4)		(2023-018)
<b>9.3.58.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>9.3.58.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the Town passing a By-law under Section 36 of the <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville, Halton Region and Conservation Halton:		
a)	An interim servicing plan is prepared by the proponent to demonstrate how existing external flows from north of Burnhamthorpe Road will be accommodated prior to the Hulme/SGGC lands being developed.	

# Holding Provisions

<b>H60</b>	<b>Mattamy (Joshua Creek) Limited Part of Lot 8 &amp; 9, Concession 1, NDS</b>	Parent Zone: GU, S, NC
Map 12(6)		(2022-036)
<b>9.60.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>9.60.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the <i>Town</i> passing a By-law under Section 36 of the <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and the Region of Halton:		
a)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;	
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;	
c)	The Owner shall have made all required payments associated with the Allocation Program; and	
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.	

# Interim Control By-laws

## **10.0 Interim Control By-laws** (2013-065)

Where a hatched line overlay is shown with a number and lower case letter “i” indicating in some manner to the overlay, the overlay refers to an Interim Control By-law that applies to the lands so designated. No change in *use* and no construction of any *buildings* or *structures* as identified in the applicable Interim Control By-law in this Part of this By-law shall be permitted until the expiry or repeal of the applicable Interim Control By-law, in accordance with Section 38 of the Planning Act.

*An Interim Control By-law is the temporary freezing of identified development permissions on subject lands until a corresponding land use planning study is completed. They can apply for a period of up to two years: one year on adoption by Council, and up to one more year through an extension of the By-law. The authority to approve an Interim Control By-law comes from Section 38 of the Planning Act.*

# Temporary Use Permissions

## 11.0 Temporary Use Permissions (2013-065)

Where a *zone* symbol is preceded by an upper case letter “T”, a number, and a hyphen, the symbol refers to a Temporary Use Permission that applies to the lands so designated. The provisions of this By-law are modified for the lands to which the Temporary Use Permission applies as set out in this Section of this By-law, until the permission granted by the applicable Temporary Use By-law expires, in accordance with Section 39 of the Planning Act.

<b>T1</b>	<b>Medeiros Boat Works, 210 Burnhamthorpe Road East PT. Lot 14, Con. 1, NDS</b>	Parent Zone: FD
Map 12(5)		(1994-003) (1997-006) (1999-160) (2002-152) (2005-124) (2008-166) (2011-129) (2013-065) (2014-129) (2017-117) (2022-007)
		Expires: <b>December 4, 2020</b>

### 11.1.1 Zone Provisions

The lands subject to Temporary *Zone 1* may be used for the *uses* permitted in the general provision of this By-law subject to the regulations provided for such *uses* and, in addition, the following *use* subject to the regulations set out herein:

- a) Additional Permitted *Uses*
  - i. A boat manufacturing and fabrication operation.
- b) Regulations
  - i. As of the date of passing of this By-law, the existing 855 m2 *building* may continue to be used for boat manufacturing and fabrication and be located as shown in hatchmarks on Schedule “B” to By-law 2008-166. No additions may be made to this *building*. None of the other existing *buildings* on the site may be used for this purpose.
  - ii. No new *buildings* or *structures* may be erected or used on the subject property for the purpose of boat manufacturing and fabrication.
  - iii. *Outside storage* of goods and materials necessary for the boat manufacturing and fabrication operation shall be limited to the location and dimensions as shown on Schedule “B” to by-law 2008-166 and shall be screened from the *street* and adjacent properties by a solid wall, fence or hedge.
  - iv. No *retail sales*, showroom or display of manufactured products shall be permitted on the subject property.
  - v. No signage shall be displayed for the boat manufacturing and fabrication operation.
  - vi. Minimum number of *parking spaces* which may be unpaved – 10.

*This use shall be in effect for a maximum of 3 years from the date of the passing of this By-law.*

# Temporary Use Permissions

<b>T2</b>	<b>Vic Hadfield Golf and Learning Centre, 340 Burnhamthorpe Road East</b>	Parent Zone: FD
Map 12(5)		(2013-065) (2013-066) (2016-057) (2022-007) (2022-114)
		Expires: <b>September 29, 2025</b>
<p>The lands subject to Temporary <i>Zone 2</i> may be used for the <i>uses</i> permitted in sections 4.2 and 7.13 of this By-law subject to the regulations provided for such <i>uses</i> and, in addition, the following <i>use</i> subject to the regulations set out herein:</p>		
<b>11.2.1 Additional Permitted Uses</b>		
<p>The following additional <i>uses</i> are temporarily permitted for a maximum of three years from the date of the passing of this by-law:</p>		
a)	Golf driving range	
b)	Pro-shop/Sales/Office	
c)	<i>Accessory building</i> for the storage of maintenance equipment	
<b>11.2.2 Zone Provisions</b>		
<p>The following regulation applies to the additional <i>uses</i> permitted in Section 11.7.1:</p>		
a)	Maximum <i>lot area</i>	9.7 ha
b)	Maximum <i>floor area</i> for the existing <i>dwelling</i> which may be used as a pro-shop/sales/office	112 m <sup>2</sup>
c)	Maximum <i>floor area</i> for an <i>accessory building</i>	140 m <sup>2</sup>
d)	Maximum number of driving tees	65
<b>11.2.3 Parking Provisions</b>		
a)	Minimum number of <i>parking spaces</i> which may be unpaved	70

*This By-law shall be in effect for a maximum period of 3 years commencing from 29 September, 2022.*

# Temporary Use Permissions

<b>T3</b>	<b>87 Dundas Street East</b>	Parent Zone: FD
Map 12(5)	<b>(PT LT 15, CON 1 TRAFALGAR, NORTH OF DUNDAS STREET, PART 1, 20R11415 AS IN 819994 EXCEPT PARTS 6 AND 7, 20R20526 TOWN OF OAKVILLE)</b>	(2018-050) (2022-007)
		Expires: <b>April 16, 2021</b>
The lands subject to Temporary <i>Zone 3</i> may be used for the <i>uses</i> permitted in sections 4.2 and 7.13 of this By-law subject to the regulations provided for such <i>uses</i> and, in addition, the following <i>use</i> subject to the regulations set out herein:		
<b>11.3.1 Additional Permitted Uses</b>		
The following additional <i>use</i> is temporarily permitted for a maximum of three years from the date of the passing of this by-law:		
a)	Temporary sales office for the sale of residential, employment or <i>commercial lots</i> or units in a plan of subdivision or condominium within the Town of Oakville.	
<b>11.3.2 Zone Provisions</b>		
The following regulations apply to the additional <i>uses</i> permitted in Section 11.3.1:		
a)	The temporary sales office shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days.	
b)	Minimum <i>front yard</i>	2 m
c)	Maximum <i>front yard</i>	6 m
d)	Minimum <i>interior side yard</i>	2 m
e)	Minimum <i>rear yard</i>	6 m
f)	A <i>landscape strip</i> shall be provided along all <i>lot lines</i> .	
g)	Minimum width of <i>landscape strip</i> along an <i>interior side lot line</i>	1.7 m
h)	Minimum width of <i>landscape strip</i> along all other <i>lot lines</i>	2 m
i)	<i>Vehicle</i> access shall not be permitted from Dundas Street East.	
<b>11.3.3 Parking Provisions</b>		
a)	The temporary sales office shall comply with the parking provisions of Section 5.2 and 5.4 of this By-law.	

# Temporary Use Permissions

<b>T5</b>	<b>1359 Dundas Street West</b>	Parent Zone: FD
Map 12(3)	<b>(Part of Lots 24 and 25, Concession 1, N.D.S.)</b>	(2018-121) (2022-007)
		Expires: <b>October 1, 2021</b>
The lands subject to Temporary <i>Zone 5</i> may be used for the <i>uses</i> permitted in sections 4.2 and 7.13 of this By-law subject to the regulations provided for such <i>uses</i> and, in addition, the following <i>use</i> subject to the regulations set out herein:		
<b>11.5.1 Additional Permitted Uses</b>		
The following additional <i>use</i> is temporarily permitted for a maximum of three years from the date of the passing of this by-law:		
a)	Temporary sales office for the sale of residential and commercial <i>lots</i> or units in a plan of subdivision or condominium with draft plan approval, located on the subject lands or within lands that form part of plan 24T-12012 (3369 Sixth Line).	
<b>11.5.2 Zone Provisions</b>		
The following regulations apply to the additional <i>use</i> permitted in Section 11.5.1 above:		
a)	The temporary sales office shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days.	
b)	Maximum <i>front yard</i>	12 m
c)	Maximum <i>floor area</i>	255 m <sup>2</sup>
d)	Maximum <i>height</i>	1 <i>storey</i>
e)	Minimum width of a <i>landscape strip</i> along the <i>front lot line</i> .	7.5 m
f)	A <i>driveway</i> may traverse the <i>landscape strip</i> along the <i>front lot line</i> .	
<b>11.5.3 Parking Regulations</b>		
a)	The temporary sales office shall comply with the parking provisions of Section 5.2 and 5.4 of this By-law only.	

# Temporary Use Permissions

<b>T6</b>	<b>Hulme Developments Limited</b> <b>145 Burnhamthorpe Road West</b>	Parent Zone: FD
Map 12(4)		(2023-007)
		Expires: <b>February 2, 2026</b>
The lands subject to Temporary Zone T6 may be used for the <i>uses</i> permitted in section 4.3.1 and 7.13 of this By-law subject to the regulations provided for such <i>uses</i> and, in addition, the following <i>use</i> subject to the additional regulations set out herein:		
<b>11.6.1 Additional Permitted Use</b>		
The following additional use is temporarily permitted for a maximum of three years from the date of the passing of this by-law:		
a)	<i>General Office Use</i>	
<b>11.6.2 Additional Zone Provisions</b>		
The following additional regulation applies to the additional <i>uses</i> permitted in Section 11.6.1:		
a)	Maximum <i>floor area</i>	256 m <sup>2</sup>
<b>11.6.3 Additional Parking Regulations</b>		
The following additional parking regulation applies to the additional <i>uses</i> permitted in Section 11.6.1:		
a)	Maximum number of <i>parking spaces</i>	18



# Town of Milton

## Lands subject to Zoning By-law 2014-014

City of Burlington

City of Mississauga

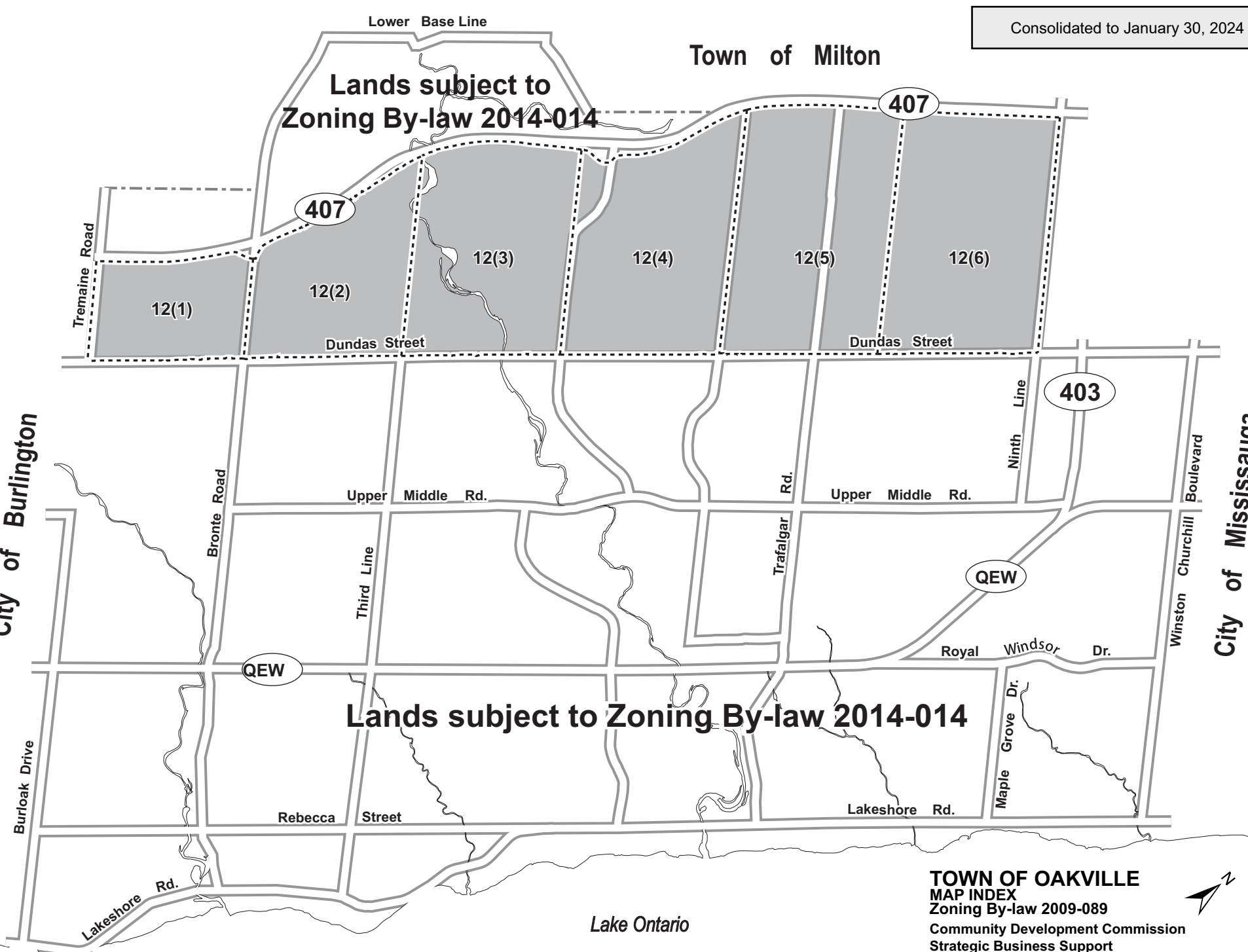
## Lands subject to Zoning By-law 2014-014

Lake Ontario

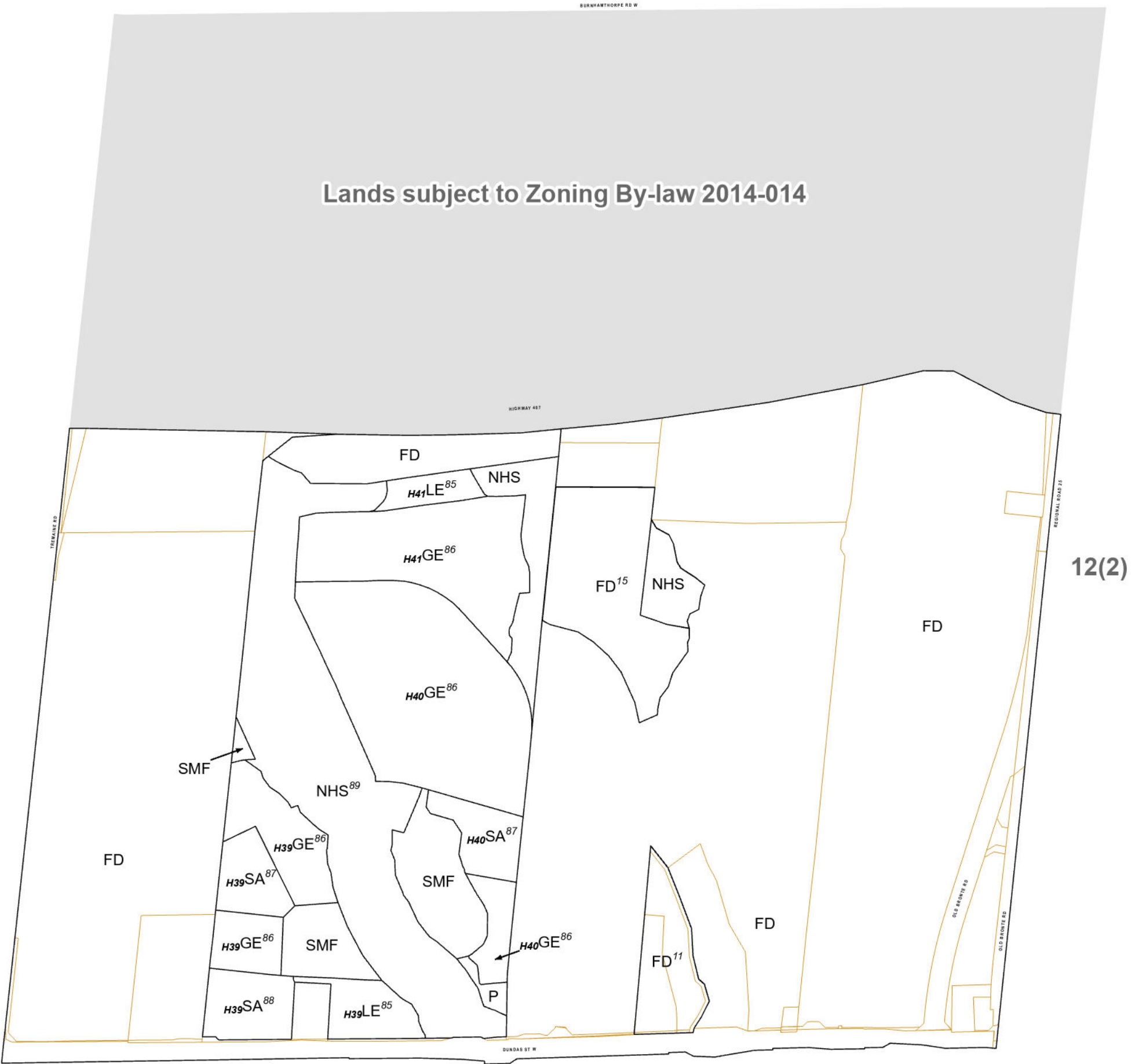
### TOWN OF OAKVILLE

MAP INDEX  
Zoning By-law 2009-089

Community Development Commission  
Strategic Business Support  
Not to scale



Lands subject to Zoning By-law 2014-014



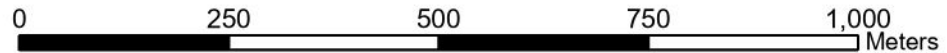
12(2)

19(18)

— ZONING BOUNDARY



**TOWN OF OAKVILLE**  
 North Oakville Zoning By-law 2009-189, as amended  
 Community Development Commission  
 Strategic Business Support



Lands subject to Zoning By-law 2014-014

BURNHAMTHORPE RD W

HIGHWAY 407

FD

12(1)

12(3)

FD

H221<sup>62</sup>

I<sup>17</sup>

WILLIAM HALTON PKY W

FD

P

SMF

I<sup>9</sup>

I<sup>59</sup>

FD

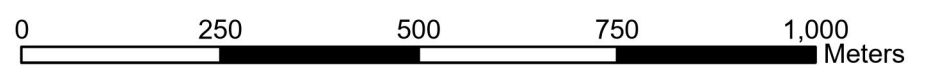
DUNDAS ST W

19(19)

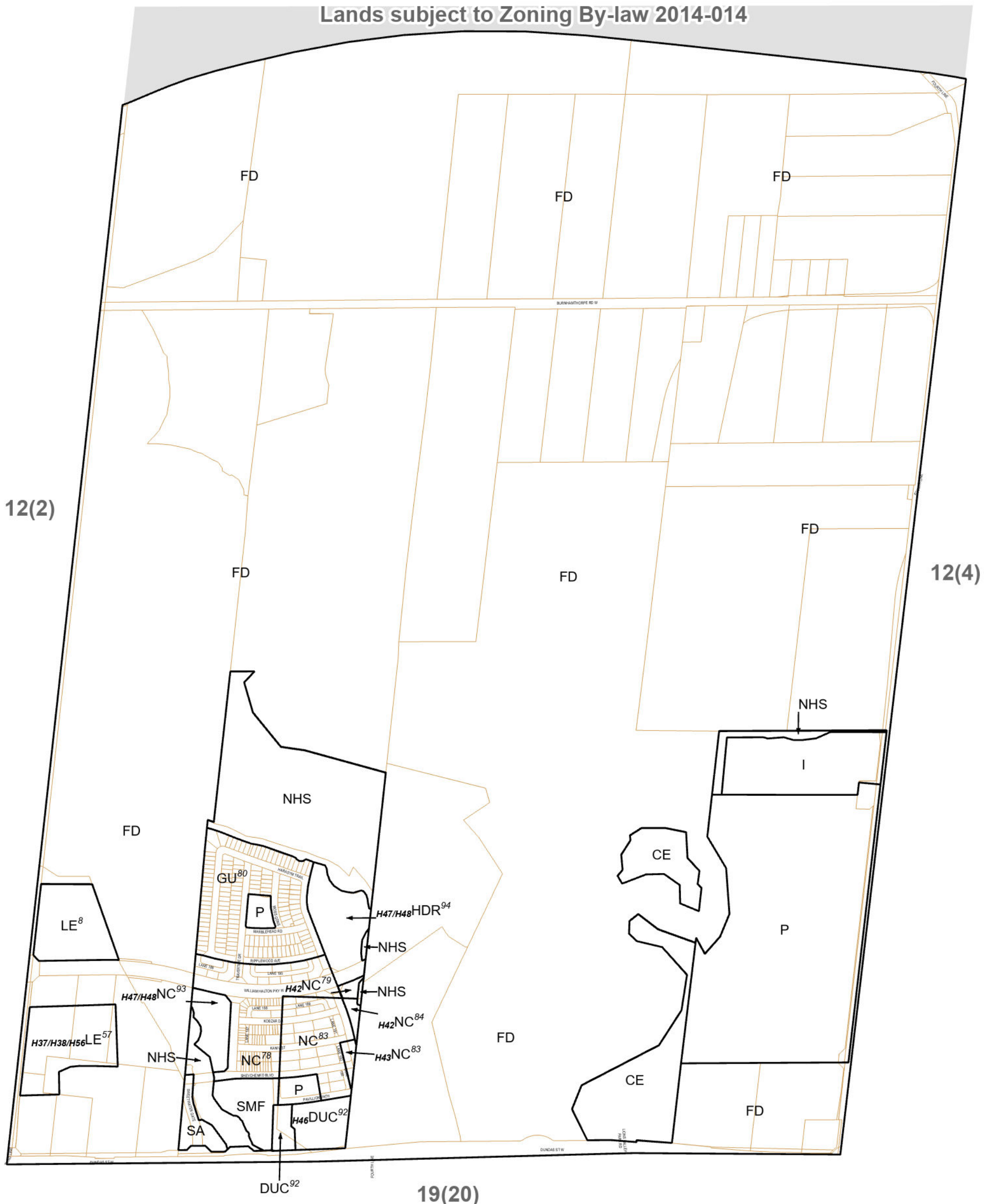
— ZONING BOUNDARY



**TOWN OF OAKVILLE**  
North Oakville Zoning By-law 2009-189, as amended  
Community Development Commission  
Strategic Business Support



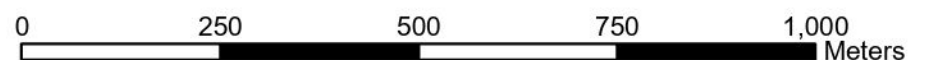
Lands subject to Zoning By-law 2014-014



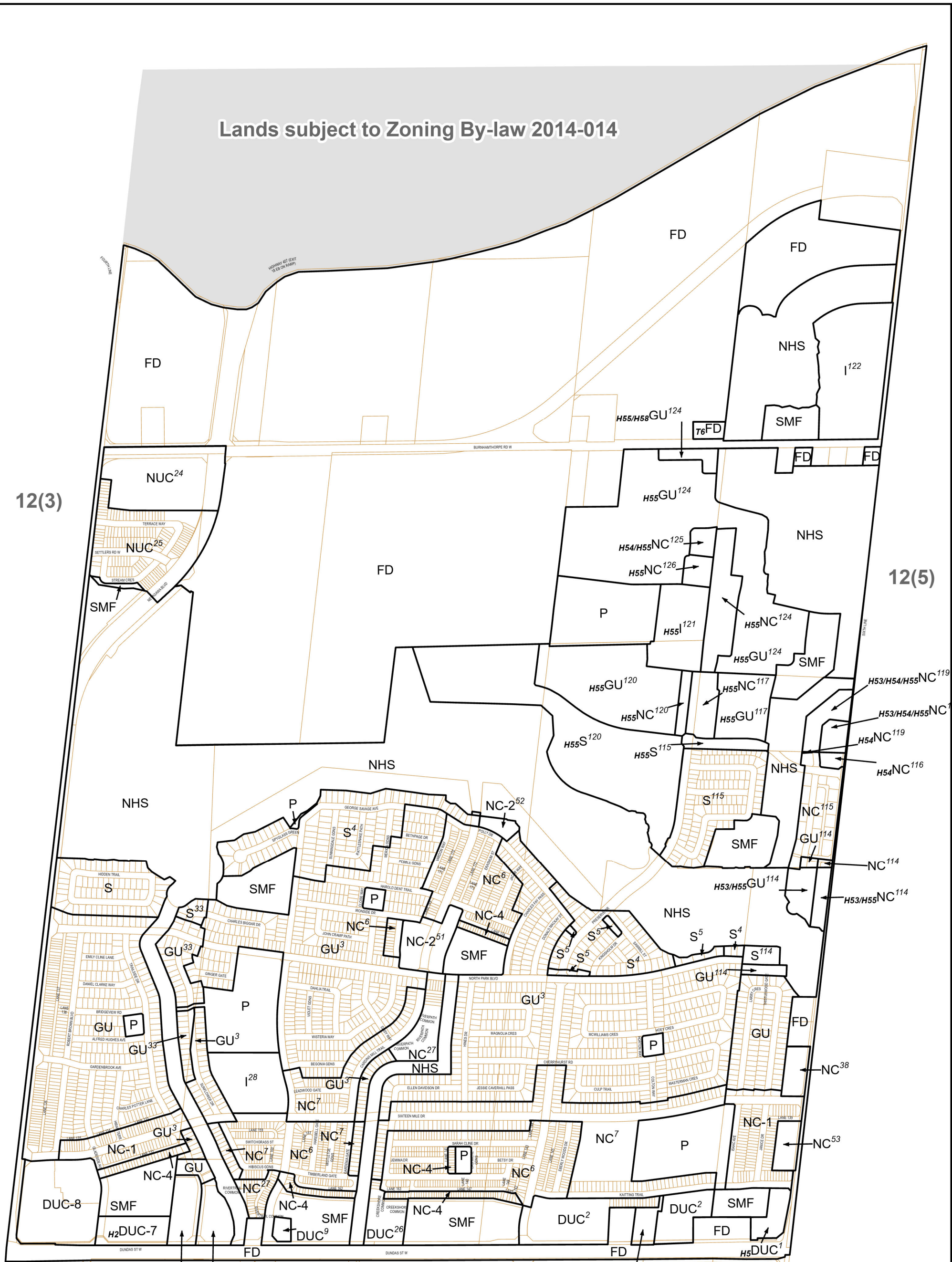
— ZONING BOUNDARY



**TOWN OF OAKVILLE**  
 North Oakville Zoning By-law 2009-189, as amended  
 Community Development Commission  
 Strategic Business Support



Lands subject to Zoning By-law 2014-014



12(3)

12(5)

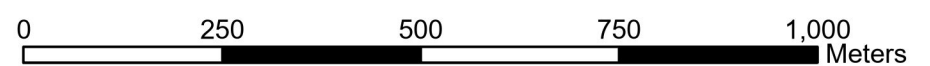
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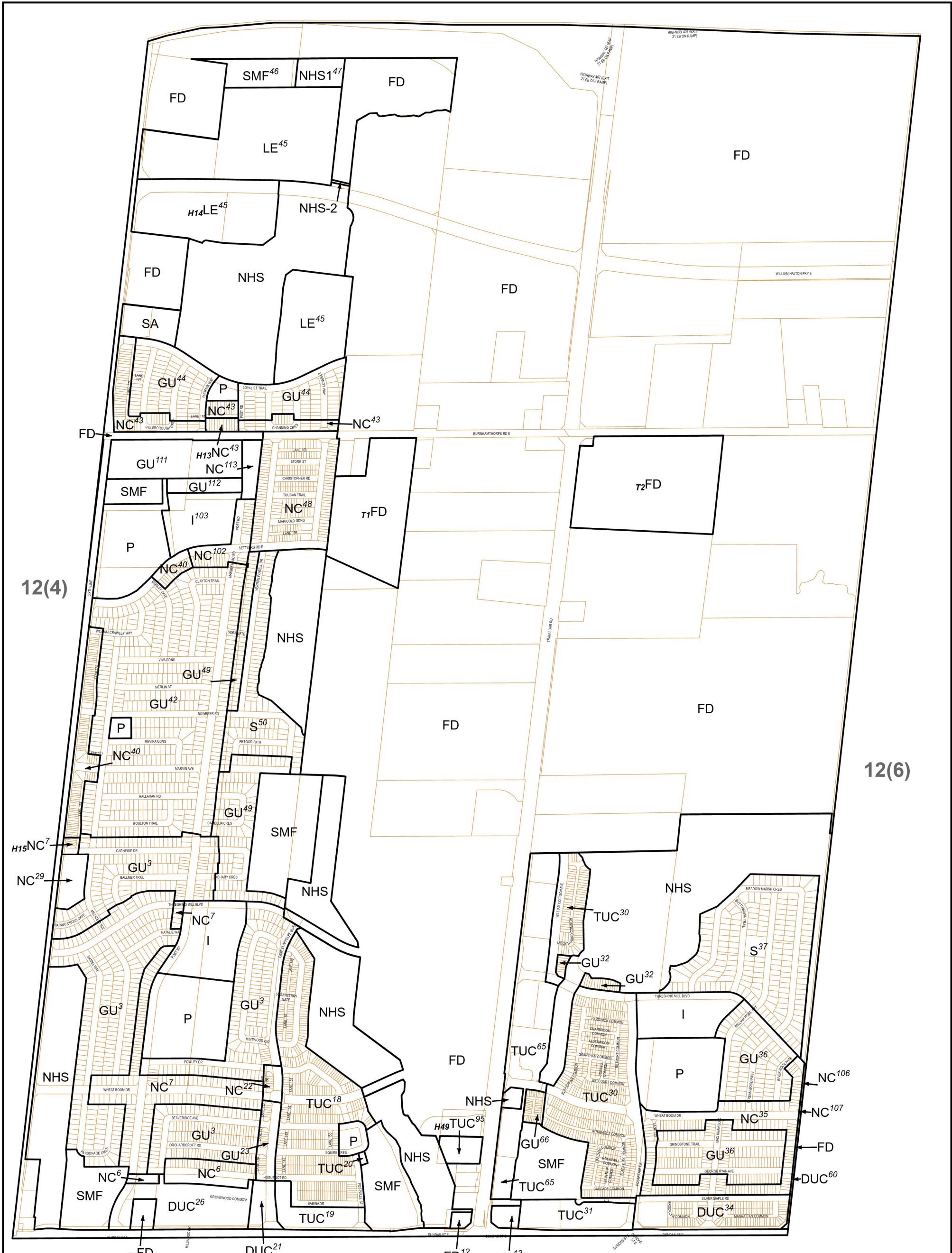
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— ZONING BOUNDARY



**TOWN OF OAKVILLE**  
 North Oakville Zoning By-law 2009-189, as amended  
 Community Development Commission  
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12(4)

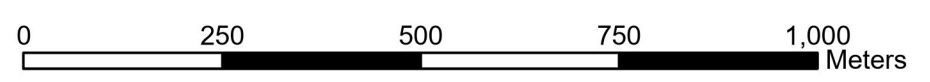
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19(22)

— ZONING BOUNDARY

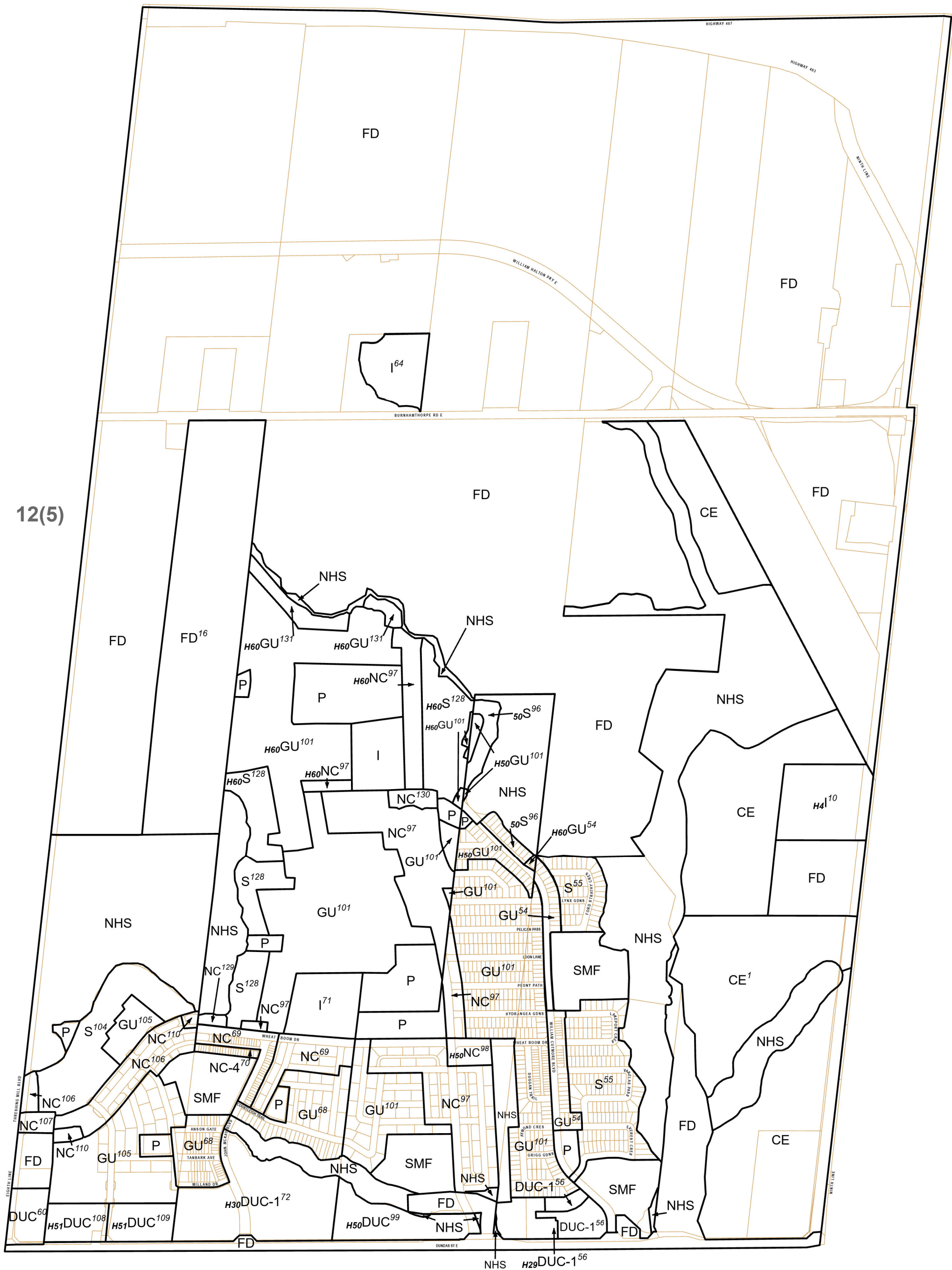


**TOWN OF OAKVILLE**  
 North Oakville Zoning By-law 2009-189, as amended  
 Community Development Commission  
 Strategic Business Support



12(5)

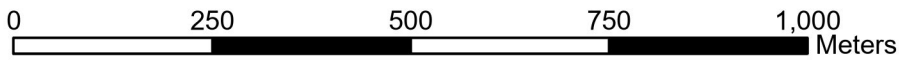
19(23)



— ZONING BOUNDARY



**TOWN OF OAKVILLE**  
 North Oakville Zoning By-law 2009-189, as amended  
 Community Development Commission  
 Strategic Business Support



12(6)

# Enactment

## 13.1 Effective Date *(2013-065)*

This By-law shall come into force on November 23, 2009 if no appeals are received.

If an appeal(s) is received, this By-law or portions thereof shall come into force when such appeals have been withdrawn or finally disposed of whereupon the By-law, except for those parts or provisions repealed or amended, shall be deemed to have come into force and effect on November 23, 2009.

## 13.2 Readings and Signatures *(2013-065)*

PASSED this 23rd day of November, 2009

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Rob Burton

MAYOR

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Vicki Tytaneck

A/CLERK