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.

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

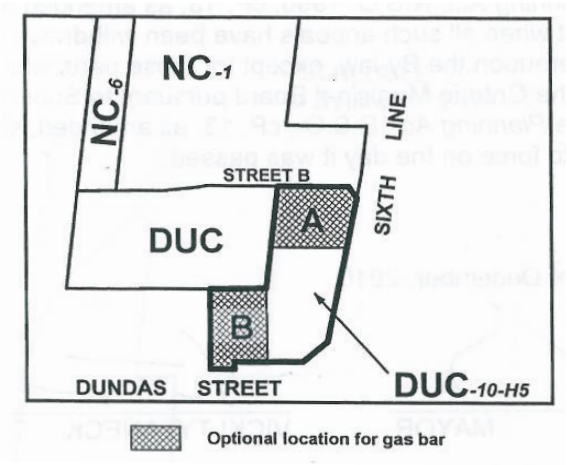
8.1.1 Zone Provisions

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

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

8.2.1 Zone Provisions

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

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

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	Lower Fourth Ltd. & Pendent Developments Ltd. (Part of Lots 16-19, Concession 1 N.D.S.)	Parent Zone: S
Map 12(4)		(2012-043) (2013-065)

8.4.1 Zone Provisions

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

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

8.5.1 Zone Provisions

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

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

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

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

8.7.1 Zone Provisions

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

7	Lower Fourth Ltd. & Pendent Developments Ltd.; 404072 Ontario Ltd.; Sixth Line Corporation (Part of Lots 16-19, Concession 1 N.D.S.)	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

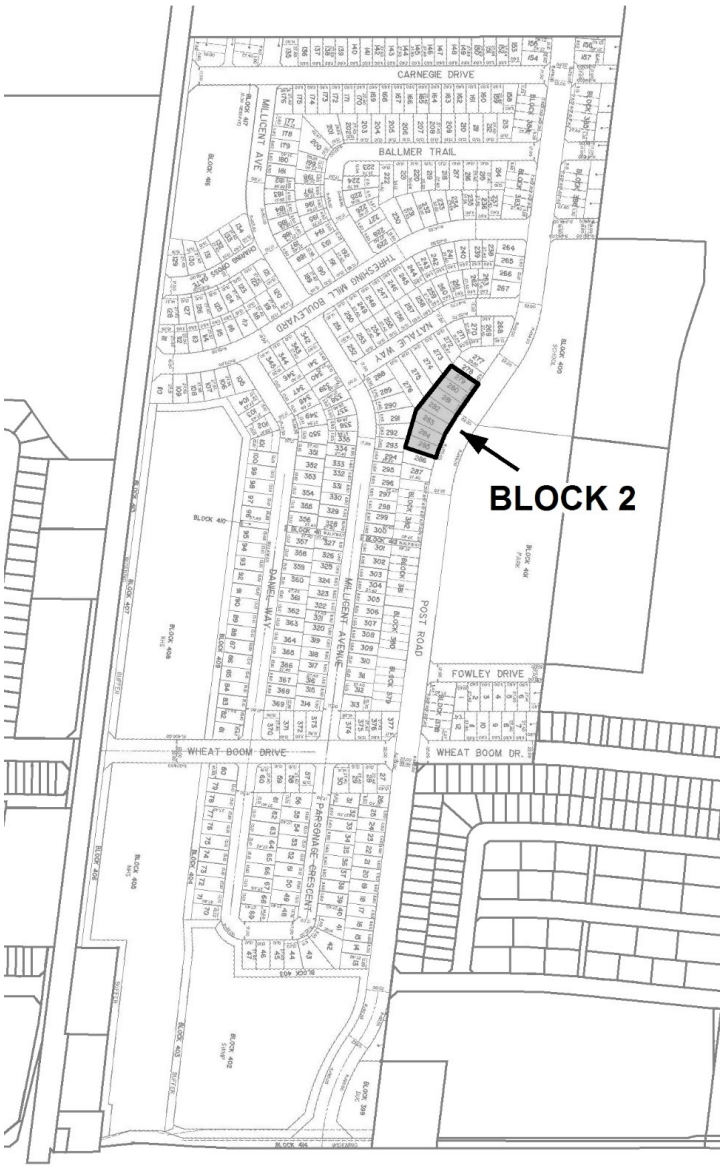
BLOCK 1 LANDS

Special Provisions

7	Lower Fourth Ltd. & Pendent Developments Ltd.; 404072 Ontario Ltd.; Sixth Line Corporation (Part of Lots 16-19, Concession 1 N.D.S.)	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

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

8.8.1 Zone Provisions

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

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

8.9.1 Zone Provisions

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

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

8.10.1 Zone Provisions

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	3175 & 3185 Dundas Street West (Part of Lot 32, Concession 1 N.D.S.)	Parent Zone: FD
Map 12(1)		(1982-171) (2013-065) (2022-007)

8.11.1 Zone Provisions

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

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

8.12.1 Zone Provisions

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^2, of which: maximum gross *floor area* for take-out restaurant – 35m^2.
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

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

8.13.1 Zone Provisions

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^2, of which:

- Maximum gross *floor area* for the display and *retail* sale of food and sundry *use*: 102m^2;
- Maximum gross *floor area* for take-out *restaurant*: 35m^2

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

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

f) Additional regulations for mechanical *car washes*:

i. *Car wash* facilities are restricted to a maximum size of 300m^2;
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

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

Deleted by By-law 2014-094

Special Provisions

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

8.15.1 Zone Provisions

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

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

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 Map 12(2)	**3120 Third Line** **(Part of Lot 26, Concession 1 NDS)**	Parent Zone: I (2013-059)

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

Special Provisions

18 Map 12(5)	**Green Ginger Development Inc.** **(Part of Lots 13 & 14, Concession 1 N.D.S.)**	Parent Zones: TUC (2013-113)

8.18.1 Additional Permitted Uses		
The following additional *uses* are permitted:		
a)	Permitted *uses* and *buildings* shall also include *townhouse dwellings* and *townhouse dwellings back-to-back* where such *uses* will be subject to the regulations of the General Urban GU *Zone* unless otherwise modified by this Special Provision.	
8.18.2 Zone Provisions		
The following regulations apply:		
a)	Minimum *rear yard* for a permitted *dwelling* with a *private garage* having *street* access	6.0 m
b)	Minimum *rear yard* for a permitted *dwelling* having *lane* access	0.75 m
c)	Maximum projection into a *rear yard*, measured at the main rear wall of the main *building* of any one *storey* addition	3.0 m, but only for a maximum 50% of the width of the *dwelling*
d)	Minimum *lot depth* for a permitted *dwelling* with *lane* access	16.0 m
e)	Minimum *lot depth* for a *townhouse dwelling* with a *private garage* having *street* access	22.5 m
f)	Section 4.27 shall not apply for *inset porches*.	
g)	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* or insect screening.	
8.18.3 Parking Regulations		
The following parking regulations apply:		
a)	Minimum width of a *parking space* in a single car *private garage*	2.9 metres
b)	One step may encroach into the length and width of a *parking space* within a garage at the end of the *parking space*	
8.18.4 Special Site Provisions		
The following additional provisions apply:		
a)	"Lot frontage" means the horizontal distance between the *side lot lines* of a lot measured parallel to and 6.0 metres back from the *front lot line*	
b)	"Lot depth" means the horizontal distance between the *front lot line* and *rear lot line*. If the front and rear *lot lines* are not parallel, lot depth means the measurement of a straight line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line*. Where there is no *rear lot line*, lot depth means the measurement of a straight line joining the mid-point of the *front lot line* to the apex of the triangle formed by the *side lot lines*.	

Special Provisions

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

Special Provisions

20 Map 12(5)	**Green Ginger Development Inc.** **(Part of Lots 13 & 14, Concession 1 N.D.S.)**	Parent Zone: TUC (2013-113)

8.20.1 Additional Permitted Uses		
The following regulations apply:		
a)	Permitted *uses* and *buildings* shall also include *single-detached dwellings* where such *uses* will be subject to the regulations of the General Urban GU *Zone* unless otherwise modified by this Special Provision.	
8.20.2 Zone Provisions		
The following additional provisions apply:		
a)	Minimum *rear yard* for a permitted *dwelling* with a *private garage* having *street* access	6.0 m
8.20.3 Special Site Provisions		
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 *front lot line* and *rear lot line*. If the *front* and *rear lot lines* are not parallel, lot depth means the measurement of a straight line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line*. Where there is no *rear lot line*, lot depth means the measurement of a straight line joining the mid-point of the *front lot line* to the apex of the triangle formed by the *side lot lines*.	

Special Provisions

21 Map 12(5)	**Green Ginger Development Inc.** **(Part of Lots 13 & 14, Concession 1 N.D.S.)**	Parent Zone: DUC (2013-113)

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

Special Provisions

22	Green Ginger Development Inc. (Part of Lots 13 & 14, Concession 1 N.D.S.)	Parent Zone: NC
Map 12(5)		(2013-113)

8.22.1 Zone Provisions	
The following regulations apply:	
a)	Section 4.27 shall not apply for *inset porches*
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* or insect screening
8.22.2 Parking Regulations	
The following parking regulations apply:	
a)	Three steps may encroach into the length of a *parking space* within a garage at the end of the *parking space*
8.22.3 Special Site Provisions	
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 *front lot line* and *rear lot line*. If the *front* and *rear lot lines* are not parallel, lot depth means the measurement of a straight line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line*. Where there is no *rear lot line*, lot depth means the measurement of a straight line joining the mid-point of the *front lot line* to the apex of the triangle formed by the *side lot lines*.

Special Provisions

23	Green Ginger Development Inc. (Part of Lots 13 & 14, Concession 1 N.D.S.)	Parent Zone: GU
Map 12(5)		(2013-113)

8.23.1 Zone Provisions	
The following regulations apply:	
a)	Section 4.27 shall not apply for inset *porches*
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* or insect screening
8.23.2 Parking Regulations	
The following *parking* regulations apply:	
a)	Three steps may encroach into the length of a *parking space* within a garage at the end of the *parking space*
8.23.3 Special Site Provisions	
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 *front lot line* and *rear lot line*. If the front and *rear lot lines* are not parallel, *lot depth* means the measurement of a straight line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line*. Where there is no *rear lot line*, *lot depth* means the measurement of a straight line joining the mid-point of the *front lot line* to the apex of the triangle formed by the *side lot lines*.

Special Provisions

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

Special Provisions

25	3079 Neyagawa Blvd (Part of Lot 20, Concession 1 N.D.S.)	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 *front yard* (from Neyagawa Blvd.) for *uses* and *buildings* subject to the General Urban GU *Zone*	4.5 m
b)	Minimum *rear yard* for *uses* and *buildings* subject to the General Urban GU *Zone*	6.0 m
c)	Maximum *front yard* for any *corner lot* fronting onto Neyagawa Blvd.	6.0 m
d)	Minimum *rear yard* for *lots* with a *lot depth* of 27m	5.5 m
e)	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*	
f)	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*	
g)	For any *through lot* abutting Neyagawa Blvd., the *front lot line* shall be the *lot line* abutting Neyagawa Blvd., with access and parking from the *rear yard*.	
h)	For Lot 26, the *rear lot line* shall be the *lot line* abutting Lot 18 and the *side lot line* shall be the *lot line* 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

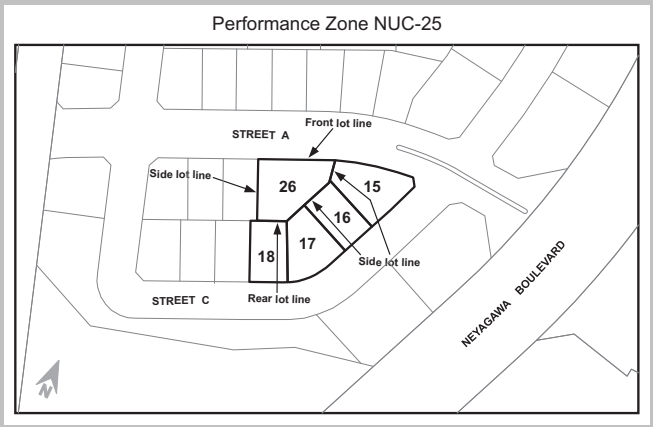
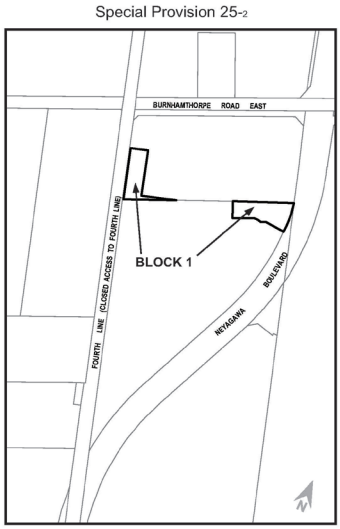


Figure 8.25.2



Special Provisions

26	404072 Ontario Ltd. (Part of Lots 14 & 15, Concession 1, N.D.S.)	Parent Zone: DUC
Map 8(5)		(2014-063)

8.26.1 Additional Permitted Uses		
The following additional *uses* are permitted:		
a)	*Townhouse dwellings* where such *uses* will be subject to the regulations of the General Urban (GU – SP 3) *Zone* unless otherwise modified by this Special Provision.	
b)	*Townhouse dwellings back-to-back* where such *uses* will be subject to the regulations of the General Urban (GU – SP 3) *Zone* unless otherwise modified by this Special Provision.	
8.26.2 Zone Provisions		
The following regulations apply:		
a)	Minimum *rear yard* for a *dwelling* with a *private garage* having *street* access	6.0 m
b)	Section 4.27 shall not apply for *inset porches*.	
c)	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.	
8.26.3 Zone Provisions for Mixed Use Buildings		
a)	*Commercial, retail* and office *uses* are only permitted at-grade where the associated premises front a *public street*, and are only permitted within a *commercial / residential building* or a *mixed use building*.	
b)	Office and ancillary *residential uses* are permitted on any floor of a *building*.	
c)	Residential *dwelling units* are not permitted at-grade except where the *dwelling units* face away from a *public street*.	
d)	*Minimum rear yard* below *grade*	0 metres
e)	Minimum *height* of the *first storey*	4.5 metres, and shall not apply to that portion of a *building* occupied by a *dwelling unit*
f)	Maximum permitted encroachment for bay, box out and bow windows with or without foundation	Up to 0.3 metres from any *public street*
g)	Maximum *height* of parapets	3.0 metres
h)	Maximum *height* of mechanical and/or elevator penthouse, rooftop equipment, and stair tower	6.0 metres
i)	Maximum *height* of rooftop architectural features	6.0 metres
j)	Maximum *height*	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 *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.	
l)	A step back to a *building* wall that faces a *public street* is not permitted below a *height* of 12 metres.	
m)	Any podium, stepped back, or terraced portions of a *building* are permitted below the minimum *height*.	
n)	Any *mixed-use building* taller than 19 metres in *height* shall have a *building* wall of no longer than 50 metres where parallel to a *public street*.	
o)	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*.	
p)	Stairs and air vents associated with an underground parking *structure* are permitted in any *yard*.	
q)	*Balconies* are permitted in any *yard.*	

Special Provisions

26	404072 Ontario Ltd. (Part of Lots 14 & 15, Concession 1, N.D.S.)	Parent Zone: DUC
Map 8(5)		(2014-063)

8.26.4 Parking Regulations		
The following parking regulations apply:		
a)	Minimum width of a *parking space* in a *private garage*	2.9 metres
b)	One step may encroach into the length and width of a *parking space* within a garage at the end of the *parking space*	
8.26.5 Special Site Provisions		
a)	"Lot frontage" means the horizontal distance between the *side lot lines* of a *lot* measured parallel to and 6.0 metres back from the *front lot line*	
b)	"Height" shall be measured from the finished floor elevation at *grade*.	

Special Provisions

27 Map 12(4)	**Pendent Developments Ltd. and Lower Fourth Development Ltd.** **(Part of Lots 16, 17, 18, 19, Concession 1, N.D.S.)**	Parent Zone: NC (2014-079)
8.27.1 Zone Provisions		
The following regulations apply:		
a)	The *front lot line* shall be deemed the *lot line* that is abutting the *lane* providing access.	
b)	Minimum *lot frontage* for a *townhouse dwelling* with *lane* access and *rear yard* adjacent to a Natural Heritage System *Zone*	4.2 m
c)	Minimum *lot depth* for a *townhouse dwelling* with *lane* access and *rear yard* adjacent to a Natural Heritage System *Zone*	18.5 m
d)	Maximum encroachment permitted into a *rear yard* for *porches, uncovered platforms*, and *balconies* for a *townhouse dwelling* with *lane* access and *rear yard* adjacent to a Natural Heritage System *Zone*	Up to 1.0 m from the *rear lot line*
e)	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*. Steps may encroach into the required depth. *Porches* 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 *building* or insect screening.	
8.27.2 Parking Regulations		
The following parking regulations apply:		
a)	The maximum width of the *driveway* for a *townhouse dwelling* with *lane* access and *rear yard* adjacent to a Natural Heritage System *Zone* shall be 50% of the *lot frontage*.	
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 *private garage* at the side of the *parking space*.	

Special Provisions

28 Map 12(4)	**Pendent Developments Ltd. and Lower Fourth Development Ltd.** **(Part of Lots 16, 17, 18, 19, Concession 1, N.D.S.)**	Parent Zone: I (2014-079)

8.28.1 Special Site Provisions		
The following additional provisions apply:		
a)	Lands identified in an Institutional (I – SP 28) *Zone* subject to this Special Provision shall not be subject to Sections 1.7(iii) related to prohibitions, and 4.13.1 related to *lot frontage* requirements.	
b)	For the purposes of this By-law, the limits of the Institutional (I – SP 28) *Zone* boundary as scaled from Map 12(4), as amended by By-law 2014-079, shall be deemed the *lot lines* until such time as the *lot* is created. While this provision is in effect, the *front lot line* shall be the southern *zone* boundary (abutting the future Sixteen Mile Drive right-of-way) and the *flankage lot line* shall be the eastern *zone* boundary.	
c)	Maximum *flankage yard* for an elementary school	25.0 m
d)	Minimum *building height* for an elementary school	8.0 m
e)	Minimum *floor space index* for an elementary school	0.20
8.28.2 Parking Regulations		
The following parking regulations apply:		
a)	The maximum width of the *driveway* for a *townhouse dwelling* with *lane* access and *rear yard* adjacent to a Natural Heritage System *Zone* shall be 50% of the *lot frontage*.	
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 *private garage* at the side of the *parking space*.	

Special Provisions

29	Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S.)	Parent Zone: NC
Map 12(5)		(2014-080) (2024-112)

8.29.1 Additional Permitted Building Type		
The following additional building types are permitted:		
a)	*Single-detached, semi-detached and townhouse dwellings*, which shall be subject to the provisions of the General Urban (GU – SP 3) *Zone* unless otherwise modified by this Special Provision	
8.29.2 Zone Regulations for Mixed Use Buildings		
The following regulations apply to *mixed use buildings*:		
a)	*Dwelling units* are not permitted on a *first storey* except where the *front wall* of the *dwelling unit* is not oriented toward a *public street*	
b)	Permitted non-residential *uses* are only permitted on a *first storey*. The *front wall* of the premises shall be oriented toward a *public street*	
c)	Notwithstanding subsection (b) above, permitted office and ancillary *residential uses* are permitted on any *storey*	
d)	Minimum *rear yard* below *grade*	0.0 m
e)	Minimum height of the *first storey*	4.5 m, and shall not apply to that portion of a building occupied by a *dwelling unit*
f)	Maximum permitted encroachment for bay, box out, and bow windows with or without foundation	Up to 0.3 m from any *front lot line* or *flankage lot line*
g)	Maximum *height*	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 *building* wall parallel to a *public street*	50.0 m
l)	Maximum projection of a *balcony*	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 *building's* façade, 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 *building* are permitted below the minimum *height*.	
o)	Stairs and air vents associated with an underground *parking garage* are permitted in any *yard*.	
8.29.3 Parking Regulations		
The following parking regulations apply:		
a)	Minimum width of a *parking space* in a *private garage*	2.9 m
b)	One step may encroach into the length and width of a *parking space* within a *private garage* at the end of the *parking space.”*	

Special Provisions

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

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

Special Provisions

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

8.30.7 Parking Regulations

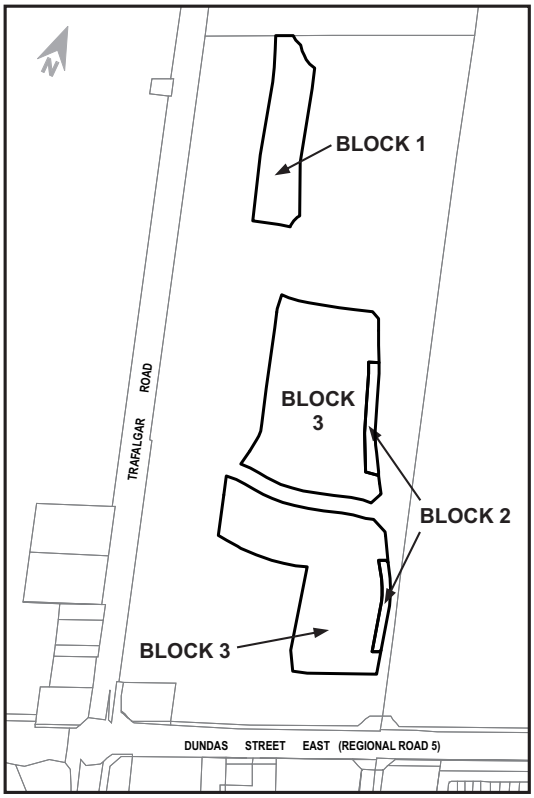
The following parking regulations apply:

a)	Minimum number of *parking spaces* for all *commercial uses*	1 / 24 sq.m *leasable floor area*

8.30.8 Special Site Figures

Figure 8.30.1

Special Provision 30



8.30.9 Special Site Provisions

The following additional provisions apply:

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

Special Provisions

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

8.31.1 Zone Regulations for All Lands		
The following additional *building* is permitted on lands identified as Block 1 on Figure 8.31.1 below:		
a)	*Commercial building*	
8.31.2 Zone Regulations for All Lands		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum *height* for all *buildings*, except *accessory buildings*	16.0 m
b)	Maximum *height*	47.0 m
c)	Minimum number of *storeys* for all *buildings*, except *accessory buildings*	5
d)	Minimum main wall *height* of a *building* oriented toward the *front lot line* (Dundas Street) or *flankage lot line* (any street that is not Dundas Street)	12.0 m
e)	Minimum *height* of the *first storey*	4.5 m
f)	Main walls no less than 12.0 metres in *height* shall occupy at least 50% of the length of any *front lot line* (Dundas Street) or *flankage lot line* (any *street* that is not Dundas Street) the wall faces	
g)	Maximum *front yard* and *flankage yard* for any *building* located greater than 30.0 metres from the applicable *lot line*	Shall not apply
h)	Maximum length of all sections of the main wall located within the area defined by the minimum and maximum *front yards* (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 *front yard* (Dundas Street) for an *apartment building* (excluding a *building* occupied by a *retirement use*)	Equal to a minimum of 50% of the depth of the *lot*
j)	Minimum *FSI*	1.0 m
8.31.3 Additional Zone Regulations for Block 1		
Notwithstanding Section 8.31.2 above, the following regulations apply to *commercial buildings* on lands identified as Block 1 on Figure 8.31.1 below:		
a)	Minimum *height* for a *commercial building*	5.0 m
b)	Minimum number of *storeys* for a *commercial building*	1
c)	Minimum *height* for main walls within 30.0 metres of the point of intersection of the projections of the *front lot line* (Dundas Street) and a *flankage lot line* for a *commercial building*	8.0 m
d)	Maximum length of the main wall located within the area defined by the *minimum and maximum front yards* (Dundas Street) for any *commercial building*	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 *front lot line* (Dundas Street) or *flankage lot line* (any *street* that is not Dundas Street) the wall faces	
f)	Each premises located on the *first storey* of a *commercial building* shall contain a principal entrance that is directly accessible from, and oriented toward, a *public street*	

Special Provisions

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

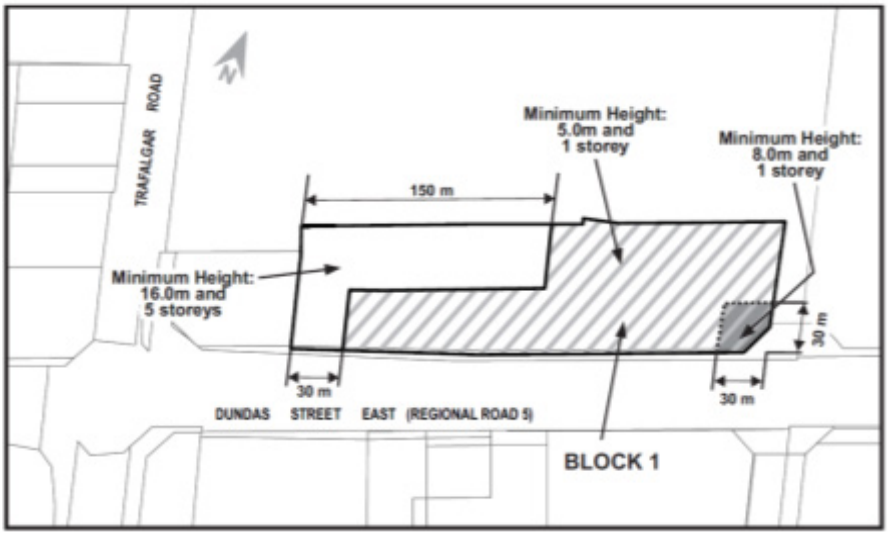
8.31.4 Parking Regulations

The following parking regulations apply:

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

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

Special Provisions

32	Dundas-Trafalgar Inc. (Minto) (Part of Lot 12, Concession 1 N.D.S.)	Parent Zone: GU
Map 12(5)		(2014-094) OMB PL131293

8.32.1 Prohibited Buildings		
The following *buildings* are prohibited:		
a)	*Single detached dwellings*	
b)	*Semi-detached dwellings*	
8.32.2 Special Site Provisions		
The following additional provisions apply:		
a)	Minimum *lot depth* for a *townhouse dwelling* with a *private garage* having *street* access	21.0 m
b)	Maximum *flankage* yard	3.0 m
8.32.3 Special Site Provisions		
The following additional provisions apply:		
a)	For the purposes of Section 4.22, relating to the calculation of *yards*, the calculation of *lot depth* can include the daylight triangle adjoining the *lot*.	
b)	The calculation of *lot frontage* shall be measured at a line set back 3.0 metres and parallel to the *front lot line*.	

Special Provisions

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

8.33.1 Zone Provisions

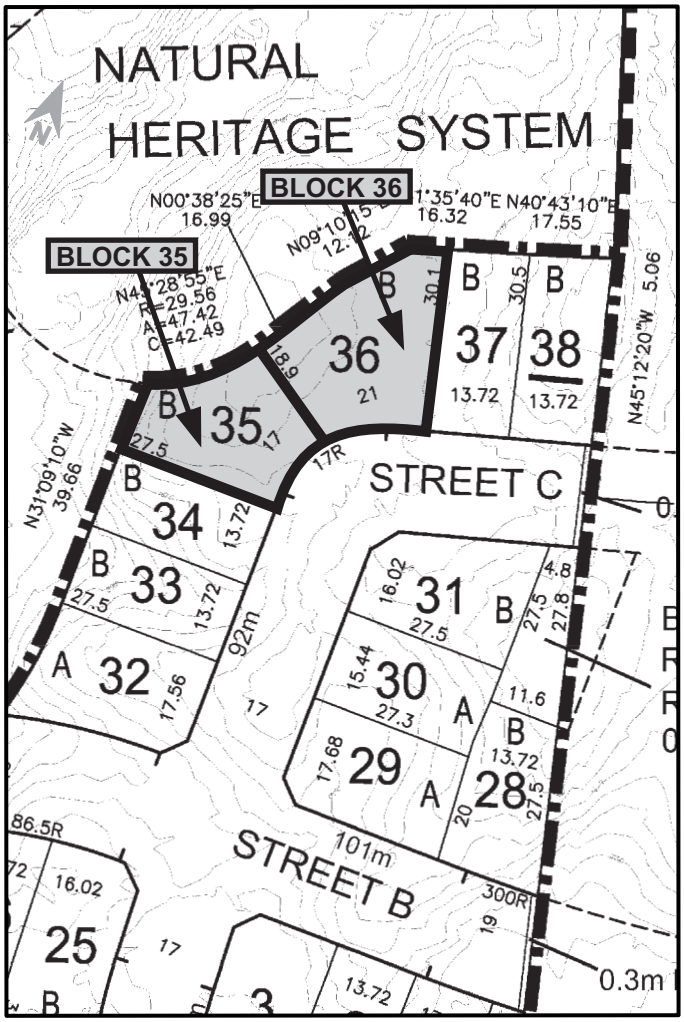
The following regulations apply:

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

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

Special Provisions

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

8.34.4 Special Site Provisions

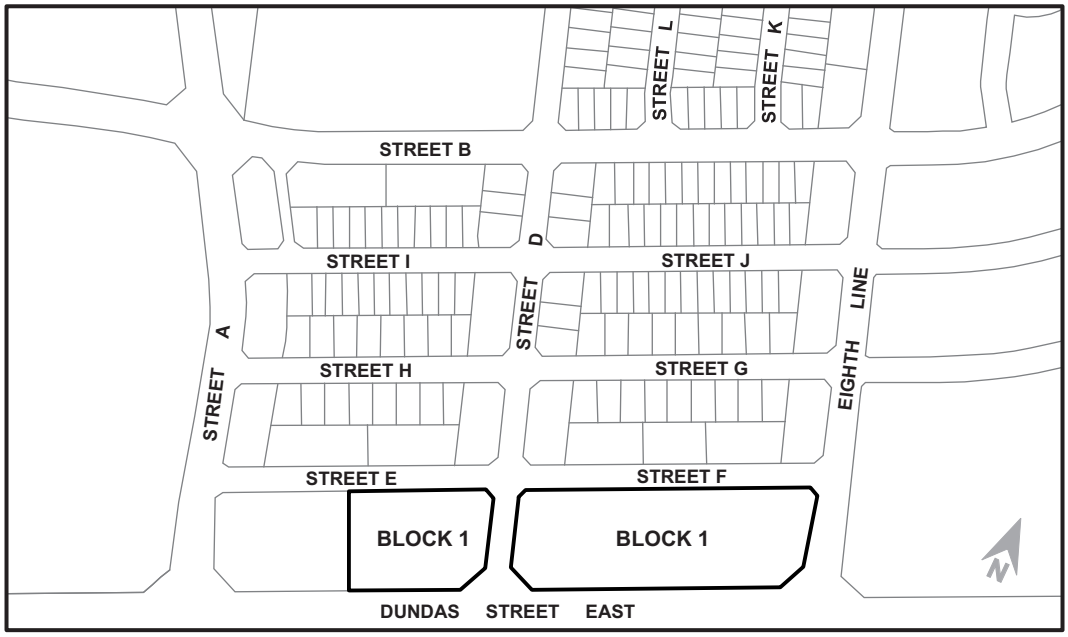
The following additional provisions apply:

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 *town-house 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

35	Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)	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

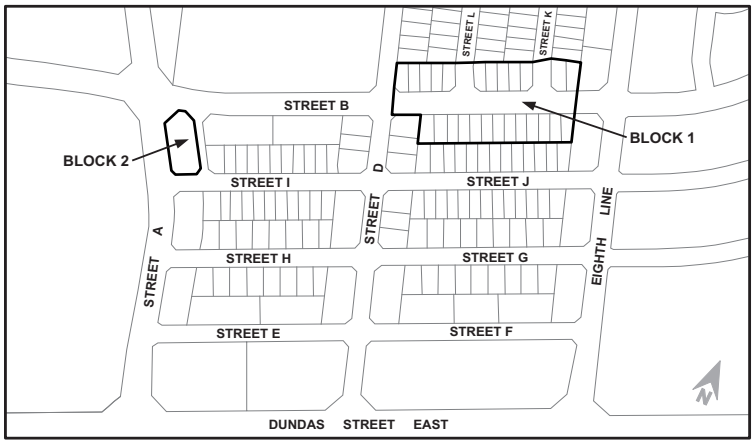
The following additional regulations apply to lands identified as Block 2 on Figure 8.35.1:

a)	Minimum required *parking spaces* for *commercial residential – connected* (live-work) where commercial component is less than or equal to 90.0 m^2	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 Provision 35



Special Provisions

36	Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)	Parent Zone: GU
Map 12(5)		(2014-122)

8.36.1 Zone Regulations		
The following regulations apply:		
a)	Minimum *rear yard* for *lots* with a *lot depth* of 27.5 m or less	6.0 m
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)	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*.	
d)	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*	

Special Provisions

37	Shieldbay Developments Inc. (Part of Lot 11, Concession 1 N.D.S.)	Parent Zone: S
Map 12(5)		(2014-122)

8.37.1 Zone Regulations

The following regulations apply:

a)	Minimum *rear yard* for *lots* with a *lot depth* of 27.5 m or less	6.0 m
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)	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*.	
d)	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*.	

Special Provisions

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

Special Provisions

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

8.40.1 Zone Regulations for Mixed Use Buildings		
The following regulations apply to *mixed use buildings*:		
a)	*Dwelling units* are not permitted on a *first storey* unless they are separated from the wall facing a *public street* by a *commercial* unit.	
b)	Non-residential *uses* are only permitted on a *first storey*. The *front wall* of the premises shall be oriented toward a *public street*.	
c)	Notwithstanding subsection (b) above, office and ancillary *residential uses* are permitted on any *storey*.	
d)	Minimum *rear yard* below *grade*	0.0 m
e)	Minimum *storey* height of the *first storey*, as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a *building* occupied by a *dwelling unit*)	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 *front lot line* or *flankage lot line*
g)	Maximum *height*	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 *building* wall parallel to a *public street*	50.0 m
l)	Maximum projection of a *balcony* into any *yard*	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 *building's* 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 *parking garage* are permitted in any *yard*.	

8.40.2 Zone Regulations for All Buildings		
The following regulations apply to all *buildings*:		
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 *storeys* in *height* 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 *inset porches*.	
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 *building* or insect screening.	
d)	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*.	
e)	Any podium, stepped back, or terraced portions of a *building* are permitted below the minimum *height*.	
f)	Minimum *lot frontage* for *townhouse dwelling unit lane* access	4.6 m/unit
g)	Minimum *amenity area* on the *lot* for *townhouse dwelling unit lane* access	9.0 square metres

Special Provisions

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

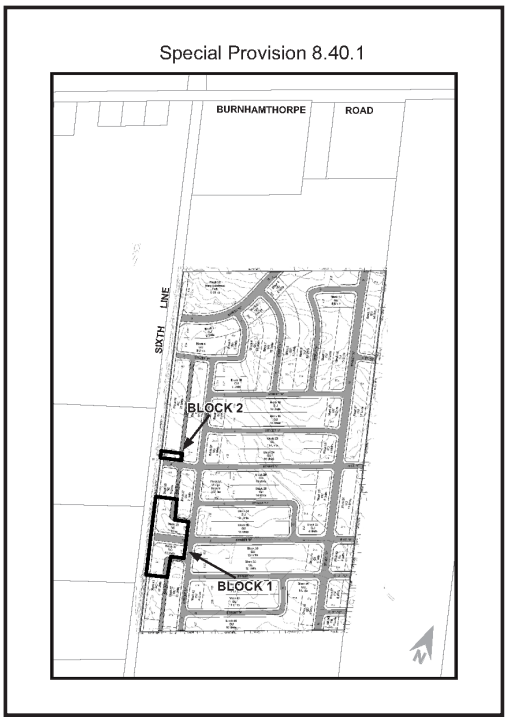
8.40.3 Permitted Building Type for Block 1 Lands		
Notwithstanding Section 7.5.2, only the following *building* type is permitted on lands identified as Block 1 on Figure 8.40.1:		
a)	*Commercial / residential building*	
b)	Section 4.17.1 i) shall not apply.	
8.40.4 Additional Permitted Uses for Block 2 Lands		
The following additional *uses* are permitted on lands identified as Block 2 on Figure 8.40.1:		
a)	A maximum of one *single detached dwelling* which is a built heritage resource either designated under the Ontario Heritage Act or listed on the Town of Oakville Heritage Register	
8.40.5 Additional Zone Regulations for Block 2 Lands		
The following additional regulations apply to lands identified as Block 2 on Figure 8.40.1:		
a)	All permitted *uses* of the Neighbourhood Centre NC *Zone* shall be permitted within a *single detached dwelling*.	
b)	*Single detached dwellings* shall be subject to the regulations of the General Urban GU *Zone* unless otherwise modified by this Special Provision.	
8.40.6 Additional Parking Regulations for Block 2 Lands		
Notwithstanding Tables 5.1A and 5.1B, the following parking regulations apply to *single detached dwelling buildings* regardless of *use* on lands identified as Block 2 on Figure 8.40.1:		
a)	Minimum number of *parking spaces*	2
b)	Maximum number of *parking spaces*	4
c)	Maximum number of *parking spaces* located outside of a *private garage*	2
8.40.7 Parking Regulations for Block 1 Lands		
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 *commercial uses*.	
b)	*Tandem parking spaces* are permitted for *commercial uses* for a c*onnected commercial/residential building*, to a maximum of 2 *parking spaces*.	
8.40.8 Special Site Provision for Block 1 Lands		
The following additional provision apply to Block 1 lands identified in Figure 8.40.1:		
a)	A c*onnected commercial/residential building* is a building divided into a minimum of *three dwelling units,* each *dwelling unit* 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

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

8.40.9 Special Site Figures

Figure 8.40.1



Special Provisions

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

Special Provisions

42	EMGO (North Oakville I) Ltd. (Part of Lot 15, Concession 1, NDS 3369 Sixth Line)	Parent Zone: GU
Map 12(5)		PL140467, (2017-012)

8.42.1 Zone Regulations

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 *storeys* in *height* 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 *inset porches*.	
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 *building* or insect screening.	
d)	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*.	
e)	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 onto 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 onto the same *street*.	

Special Provisions

43	Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)	Parent Zone: NC
Map 12(5)		PL140412, (2017-013)

8.43.1 Zone Regulations for Mixed Use Buildings		
The following regulations apply to *mixed use buildings*, but do not apply to *connected commercial/residential buildings*:		
a)	*Dwelling units* are not permitted on a *first storey* unless they are separated from the wall facing a *public street* by a *commercial* unit.	
b)	Non-residential *uses* are only permitted on a *first storey*. The *front wall* of the premises shall be oriented toward a *public street*.	
c)	Notwithstanding subsection (b) above, office and ancillary *residential uses* are permitted on any *storey*.	
d)	Minimum *rear yard* below *grade*	0.0 m
e)	Minimum *storey height* of the *first storey*, as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a *building* occupied by a *dwelling unit*)	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 *front lot line* or *flankage lot line*
g)	Maximum *height*	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 *building* wall parallel to a *public street*	50.0 m
l)	Maximum projection of a *balcony* into any *yard*	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 *building*'s 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 *parking garage* are permitted in any *yard*.	

8.43.2 Zone Regulations for Townhouse dwellings with attached private garages accessed by lanes		
The following regulations apply to *Townhouse dwellings* with attached *private garages* accessed by *lanes*:		
a)	Notwithstanding Section 7.5.5, minimum *height* of any portion of a *building* within 55% of the *lot depth* from the *rear lot line*	1 *storey*
b)	Notwithstanding Section 7.5.5, the minimum *height* requirement shall not apply to permitted encroachments listed in Table 4.21 and shall not apply to the portion of an attached *private garage* between the *front wall* of a *dwelling* and the front of a *porch*.	
c)	Minimum length of any dimension of the *amenity area* required by Section 4.17.2	3.0 m

Special Provisions

43	Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)	Parent Zone: NC
Map 12(5)		PL140412, (2017-013)

8.43.3 Zone Regulations for all Buildings	
The following regulations apply to all *buildings*:	
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, other than where it abuts the exterior of the *building* 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 *planes* forming its perimeter shall not apply to *inset porches*.
c)	Any podium, stepped back, or terraced portions of a *building* are permitted below the minimum *height*.

Special Provisions

44	Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)	Parent Zone: GU
Map 12(5)		PL140412, (2017-013)

8.44.1 Zone Regulations

The following regulations apply:

a)	Notwithstanding the minimum *rear yard setback* for *a single-detached dwelling street* access attached *private garage* in Section 7.6.2, the minimum *rear yard setback* for a *single-detached dwelling street* access attached *private garage* on a *lot* with a *lot depth* of 27.5m or less	6 m
b)	A one *storey* addition for a *single detached dwelling street* access attached *private garage* on a *lot* with a *lot depth* of 27.5m or less 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*	
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 *building* 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 *inset porches*.	
e)	Notwithstanding section 4.18.1.ii, 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*.	
f)	Notwithstanding Section 4.31, no person shall, in any block within a housing project, erect *single detached* and *semi-detached dwellings* more than 30% 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*.	

Special Provisions

45	Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)	Parent Zone: LE
Map 12(5)		PL140412, (2017-013)

8.45.1 Zone Regulations

The following regulations apply:

a)	Notwithstanding Section 5.6.3, *loading docks* when required or provided, shall be prohibited in the *front yard* and shall be located 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.

Special Provisions

46	Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)	Parent Zone: SMF
Map 12(5)		PL140412, (2017-013)

8.46.1 Zone Regulations	
The following regulations apply:	
a)	Section 4.13 - *Frontage* on a *Street* shall not apply

Special Provisions

47	Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)	Parent Zone: NHS-1
Map 12(5)		PL140412, (2017-013)

8.47.1 Zone Regulations	
The following regulations apply:	
b)	Section 4.13 - *Frontage* on a *Street* shall not apply

Special Provisions

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

8.48.1 Zone Provisions		
The following regulations apply to *mixed use buildings*, but do not apply to connected *commercial/residential buildings*:		
a)	*Dwelling units* are not permitted on a *first storey* unless they are separated from the wall facing a *public street* by a *commercial* unit.	
b)	Non-residential *uses* are only permitted on a *first storey*. The *front wall* of the premises shall be oriented toward a *public street*.	
c)	Notwithstanding subsection (b) above, office and ancillary *residential uses* are permitted on any *storey*.	
d)	Minimum *rear yard* below *grade*	0.0 m
e)	Minimum *storey height* of the *first storey*, as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a *building* occupied by a *dwelling* unit)	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 *front lot line* or *flankage lot line*
g)	Maximum *height*	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 *building* wall parallel to a *public street*	50.0 m
l)	Maximum projection of a *balcony* into any *yard*	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 *building*'s 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 *parking garage* are permitted in any *yard*.	
8.48.2 Only Building Types Permitted for Block 1 Lands		
Notwithstanding section 7.5.2, only the following building types are permitted on lands identified as Block 1 on Figure 8.48.1:		
a)	*Commercial/residential building*	
b)	*Stacked townhouse dwelling*, subject to the standards for *townhouse dwelling unit lane access*	
8.48.3 Additional Building Type Permitted for Block 2 Lands		
Notwithstanding section 7.5.2, the following additional *building* type is permitted on lands identified as Block 2 on Figure 8.48.1:		
a)	*Stacked townhouse dwelling,* subject to the standards for *apartment*	
8.48.4 Additional Zone Regulations for Block 2 Lands		
The following additional regulations apply to lands identified as Block 2 on Figure 8.48.1:		
a)	Notwithstanding the minimum *rear yard setback* in section 7.5.2, where a lot has *public streets* on three or four sides, the *front* and *flankage yard* requirements shall apply to all *yards* abutting a *public street*.	
b)	Where a *lot* has *public streets* on four sides, the *front lot line* shall be the *lot line* abutting Settlers Road East.	

Special Provisions

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

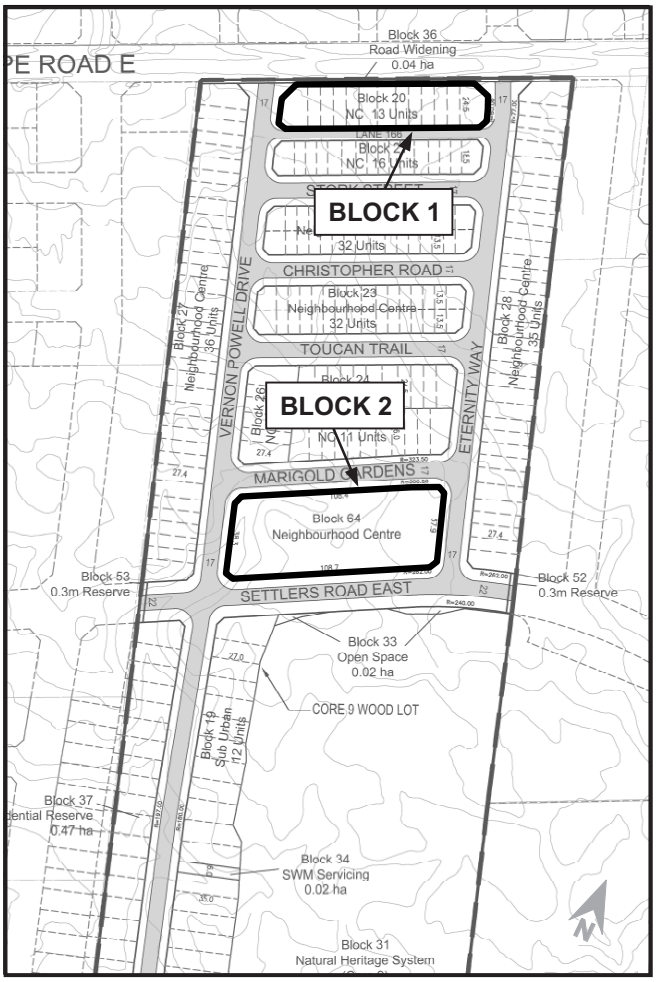
8.48.5 Zone Regulations for all Buildings

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 Map 12(5)	**404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15,Concession 1, NDS)**	Parent Zone: GU (2016-120)

8.49.1 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 *storeys* in *height* 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 porches*.	
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 *building* or insect screening.	
d)	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*.	
e)	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 onto 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 onto the same *street*.	

Special Provisions

50 Map 12(5)	**404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15, Concession 1, NDS)**	Parent Zone: S (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 *storeys* in *height* 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 *porches*.	
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 *building* or insect screening.	
d)	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*.	

8.50.2 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 *rear yard setback* in Section 7.7.2, the minimum *rear yard setback* for a *single detached dwelling street* access attached *private garage*	6.0 m
b)	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*.	

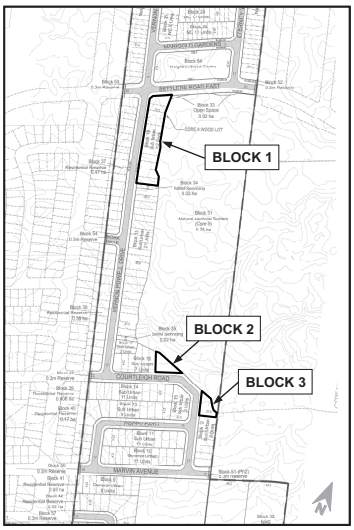
8.50.3 Additional Zone Regulations for Block 2 and Block 3 Lands

The following additional regulations apply to lands identified as Block 2 and Block 3 on Figure 8.50.1:

a)	Notwithstanding the minimum *lot depth* in Section 7.7.2, the minimum *lot depth* for a *single detached dwelling street* access attached *private garage*	12.0 m
b)	Notwithstanding the minimum *rear yard setback* in Section 7.7.2, the minimum *rear yard setback* for a *single detached dwelling street* access attached *private garage*	0.6 m

8.50.4 Special Site Figures

Figure 8.50.1



Special Provisions

51	Pendent Developments Ltd. and Lower Fourth Developments Limited (Part of Lots 17, 18 & 19)	Parent Zone: NC-2
Map 12(4)		(2016-114) (2022-007)

8.51.1 Zone Regulations		
a)	Minimum number of units for Block 1, Block 2 and Block 3 lands	160
8.51.2 Permitted Building Types for Block 1 Lands		
Notwithstanding the permitted building types listed in Table 7.5.2 the following building types shall only be permitted:		
• *Mixed use building*; • *Parking Garage*, permitted underground only with an associated *mixed use building*.		
8.51.3 Zone Regulations for Mixed Use Buildings on Block 1 lands		
The following regulations apply to *mixed use buildings*:		
a)	*Dwelling units* are not permitted on a *first storey* unless they are separated from the wall facing a *public street* by a *commercial* unit.	
b)	Non-residential *uses* are only permitted on a *first storey*. The front wall of the premises shall be oriented toward a *public street*.	
c)	Notwithstanding subsection (b) above, office and ancillary *residential uses* are permitted on any *storey*.	
d)	*Retail, Service Commercial* or Community *Uses* required within the first 9m of depth of the *building*, measured in from the main wall oriented toward the *front lot line* of North Park Boulevard or *flankage lot line* of Carding Mill Trail, on the *first storey*. Notwithstanding this, an ancillary *residential use* on the *first storey* is permitted to occupy a maximum of 15% of the length of the main wall oriented toward a *public street*.	
e)	Minimum *rear yard* below *grade*	0.0 m
f)	Minimum *storey* height of the *first storey,* as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a *building* occupied by a *dwelling unit*)	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 *front lot line* or *flankage lot line*
h)	Minimum *Building Height*	4 *storeys*
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 *balcony* into any *yard*	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 *building*'s 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 *building* are permitted below the minimum *height*.	
o)	Stairs and air vents associated with an underground *parking garage* are permitted in any *yard*.	

Special Provisions

51	Pendent Developments Ltd. and Lower Fourth Developments Limited (Part of Lots 17, 18 & 19)	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 *Building Height*	4 *storeys*

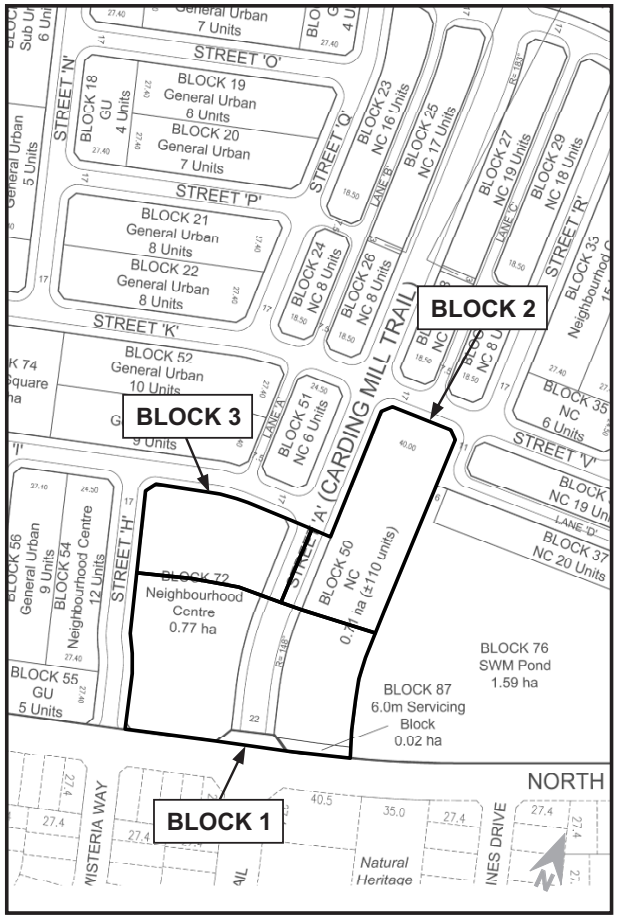
8.51.5 Permitted Building Types for Block 3 Lands

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

52	Pendent Developments Ltd. and Lower Fourth Developments Limited (Part of Lots 17, 18 & 19)	Parent Zone: NC-2
Map 12(4)		(2016-114)

8.52.1 Permitted Building Types

Notwithstanding the permitted *building* types listed in Table 7.5.2 the following *building* types shall only be permitted:

a)
- *Apartment*;
- *Parking garage*, permitted underground only with an associated *apartment building*.

8.52.2 Zone Regulations

In addition to the permitted *uses* and regulations of the Neighbourhood Centre (NC-2) Performance *Zone*, the following regulations shall apply:

a)	Minimum number of residential *dwelling units*			62
b)	Maximum number of residential *dwelling units*			102
c)	Notwithstanding Section 7.5.5, Maximum *Height*			12 *storeys* and 43 metres
d)	Carding Mill Trail shall be deemed the *front lot line*			
e)	*Storeys* 1-4: Minimum *front yard* (Carding Mill Trail) and minimum *flankage yard* (Polly Drive)			2m
f)	*Storeys* 1-4: Maximum *front yard* (Carding Mill Trail) and maximum *flankage yard* at (Polly Drive)			6m
g)	Minimum *front yard*	Up to 4 *storeys*	2 m	
		5 *storeys*	4.4 m	
		6 *storeys*	6.8 m	
		7 *storeys*	9.2 m	
		8 *storeys*	11.6 m	
		9 *storeys*	14 m	
		10 *storeys*	16.4 m	
		11 *storeys*	18.8 m	
		12 *storeys*	21.2 m	
h)	Minimum *rear yard*	Up to 4 *storeys*	14 m	
		5 *storeys*	17.5 m	
		6 *storeys*	21 m	
		7 *storeys*	24.5 m	
		8 *storeys*	28 m	
		9 *storeys*	31.5 m	
		10 *storeys*	35 m	
		11 *storeys*	38.5 m	
		12 *storeys*	42 m	
i)	*Storeys* 5-12 shall be *setback* 1.5 m from wall facing Polly Drive.			

Special Provisions

53	3058, 3062, 3066, 3070, 3074, and 3078 Sixth Line formerly 3060 & 3072 Sixth Line (Part of Lot 16, Con.1 N.D.S.)	Parent Zone: NC
Map 12(4)		(2017-029) (2022-007)

8.53.1 Building Types Permitted and Related Standards

Notwithstanding section 7.5.2, only the following *building* 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
Stacked townhouse dwelling	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
Townhouse dwelling with underground parking	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

8.53.2 Zone Provisions

The following regulations apply:

a)	Notwithstanding section 7.5.3.2, minimum *front yard*	Section 7.5.3.1 shall apply

8.53.3 Additional Zone Provisions for Stacked townhouse dwellings

The following additional regulations apply to *Stacked townhouse dwellings*:

a)	Notwithstanding section 7.5.5, maximum *height*, exclusive of parapets, the opaque barrier required in 8.53.5(f), and subject to section 4.28	12.5 m

8.53.4 Additional Zone Provisions for Townhouse dwellings with underground parking

The following additional regulations apply to *Townhouse dwellings* with underground parking:

a)	Notwithstanding section 7.5.5, maximum *height*, exclusive of *parapets*, the opaque barrier required in 8.53.5(f), and subject to section 4.28	11 m

Special Provisions

53 Map 12(4)	**3058, 3062, 3066, 3070, 3074, and 3078 Sixth Line formerly 3060 & 3072 Sixth Line (Part of Lot 16, Con.1 N.D.S.)**	Parent Zone: NC (2017-029) (2022-007)
8.53.5 Special Site Provisions for All Buildings		
The following additional regulations apply to all *buildings*:		
a)	Maximum number of *dwelling units*	109 units
b)	The *front lot line* shall be deemed to be Sixth Line.	
c)	For the purposes of this special provision, "rooftop terrace" means an outdoor *amenity area* located on the roof of a *building*.	
d)	Rooftop terraces shall be permitted above the second *storey*.	
e)	Minimum set back of a rooftop terrace from any edge of roof facing a *side yard* or *rear yard*, unless there is a *building* located between the roof edge and that *side lot line* or *rear lot line*	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 *side lot line* or *rear lot line* if the rooftop terrace is screened from that *side yard* or *rear yard* using an opaque barrier with a minimum height of 1.8 m located along the edge of the rooftop terrace.	
g)	No access from *grade* shall be permitted to a rooftop terrace.	
8.53.6 Parking Regulations		
a)	Minimum number of visitor *parking spaces*	17 spaces
b)	Minimum number of resident *parking spaces*	119 spaces

Special Provisions

54 Map 12(6)	**Bressa Developments Limited** **(Part of Lots 7 and 8, Concession 1, NDS)** **Argo (Joshua Creek) Developments Ltd.** **(Part of Lot 8, Concession 1, NDS)**	Parent Zone: GU (2018-036) (2020-018)
8.54.1 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 *storeys* in *height* 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 *inset porches*.	
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 *building* or insect screening.	
d)	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*.	
e)	Notwithstanding Table 7.6.2, the minimum *rear yard* for *single detached dwellings* with a *lot* depth of 27.5 m or less.	6.0 m

Special Provisions

55 Map 12(6)	**Bressa Developments Limited** **Part of Lots 7 and 8, Concession 1, NDS**	Parent Zone: S (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 *storeys* in *height* 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 *inset porches*.	
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 *building* or insect screening.	
d)	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*.	
e)	Notwithstanding the minimum *rear setback yard* in Section 7.7.2, the minimum *rear yard setback* for a *single detached dwelling street* access attached *private garage*	6.0 m

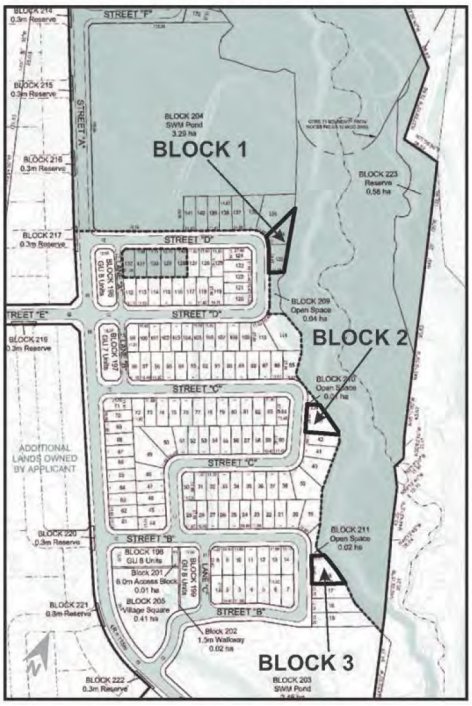
8.55.2 Additional Zone Regulations for Block 1, 2 and 3 Lands

The following additional regulations apply to lands identified as Block 1, 2 and 3 on Figure 8.55.1:

a)	Notwithstanding the minimum *lot depth* in Section 7.7.2, the minimum *lot depth* for a *single detached dwelling street* access attached *private garage*	12.0 m
b)	Notwithstanding the minimum *rear setback yard* in Section 7.7.2, the minimum *rear yard setback* for a *single detached dwelling street* access attached *private garage*	0.6 m

8.55.3 Special Site Figure

Figure 8.55.1



Special Provisions

56 Map 12(6)	**Bressa Developments Limited** **Part of Lots 7 and 8, Concession 1, NDS**	Parent Zone: DUC-1 (2018-036)

8.56.1 Additional Permitted Building Type

The following additional *buildings* are permitted:

a)	*Townhouse dwelling unit street access private garage*, subject to the standards of the Neighbourhood Centre (NC) *Zone* unless modified by this Special Provision.
b)	*Townhouse dwelling unit* with *lane access*, subject to the standards of the Neighbourhood Centre (NC) *Zone* unless modified by this Special Provision.
c)	*Townhouse dwelling* back-to back, subject to the standards of the Neighbourhood Centre (NC) *Zone* unless modified by this Special Provision.
d)	*Stacked townhouse dwelling* subject to the regulations of Section 7.2 Dundas Urban Core (DUC) *Zone* unless modified by this Special Provision.

8.56.2 Zone Regulation

The following regulations apply:

a)	*Apartments*, *mixed use buildings*, and *commercial buildings* shall be the only permitted *building* types within 50 metres of Dundas Street East.	
b)	Minimum *building height* for an *apartment* or a *mixed use building* within 50 metres of Dundas Street East.	6 *storeys* and 20 m
c)	Maximum *building height* for an *apartment* or a *mixed use building* within 50 metres of Dundas Street East.	8 *storeys* and 29.5 m
d)	Maximum *building height* for an *apartment* or a *mixed use building* within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 *storeys* and 45 m
e)	Minimum number of *dwelling units*	300
f)	Minimum *height* of the *first storey* of a *mixed use building* for non-residential and accessory *residential uses*.	4.5 m
g)	Minimum *floor area* for non-residential *uses* in a *mixed use building*.	350 sq.m
h)	Designated residential visitor *parking spaces* may be counted toward non-residential *parking spaces* 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 *storeys* in *height* 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 *inset porches*.	
k)	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 *building* or insect screening.	
l)	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*.	
m)	Ventilation shafts/housing and stairways associated with an underground *parking structure* are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	

Special Provisions

56	**Bressa Developments Limited** **Part of Lots 7 and 8, Concession 1, NDS**	Parent Zone: DUC-1
Map 12(6)		(2018-036)

8.56.3 Bonusing Provisions

In order to permit the increased *height* permissions contained in this Special Provision, zoning compliance for *building height* above 8 *storeys* for an *apartment building* or *mixed use building* 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)	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

57	Oakville Green Developments Inc. (Part of Lot 25, Concession 1, NDS)	Parent Zone: LE
Map 12(3)		(2019-026) (2022-071)

8.57.1 Only Permitted Uses		
The following *uses* are the only *uses* permitted:		
a)	*Private Park*	
b)	*Public Park*	
c)	*General Office Use*	
d)	*Medical Office*	
e)	*Hotel*	
f)	*Parking Garage*	
g)	Trade and Convention Centre	
h)	Information Processing	
i)	*Research and Development*	
j)	*Nursing Home,* excluding *dwelling units* which are prohibited	
k)	*Retirement Home,* excluding *dwelling units* which are prohibited	
8.57.2 Only Permitted Ancillary Uses		
The following ancillary *uses* are the only ancillary *uses* permitted:		
a)	*Retail* Store	
b)	*Convenience Store*	
c)	*Restaurant*	
d)	*Café*	
e)	*Service Commercial*	
f)	*Commercial Fitness Centre*	
g)	*Financial Institution*	
h)	*Service Establishment*	
i)	*Day Care*	
8.57.3 Additional Permitted Building Type		
The following additional *building* type is permitted:		
a)	*Institutional Building*	
8.57.4 Zone Regulations		
The following addition regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum *Floor Space Index*	1.0
b)	Minimum *front yard, rear yard, flankage yard and interior side yard*	0.0 m
c)	Maximum *front yard and flankage yard*	3.0 m
d)	Minimum *height*	6 *storeys* and 22.0 m
e)	Minimum separation between *building* towers above a podium	25.0 m
f)	Maximum floorplate area of a *building* tower above the podium measured from the exterior of the outside walls above 5 *storeys*	2,500 sq.m.

Special Provisions

57 Map 12(3)	**Oakville Green Developments Inc.** **(Part of Lot 25, Concession 1, NDS)**	Parent Zone: LE (2019-026) (2022-071)
g)	Notwithstanding Section 8.57.4 c), a maximum of 25% of the cumulative length of the exterior *building* wall oriented toward the *front lot* and *flankage lot lines* may be located beyond the maximum *front yard.*	
h)	Transformer vaults and pads shall not be located between a *building* and a *public street.*	
i)	The maximum *leasable floor area* for ancillary *uses* shall not be greater than 10% of the *leasable floor area* of a *building.*	
j)	Maximum *leasable floor area* per premises for an ancillary *use* located on the *first storey*	1,400 sq.m.
k)	Maximum *leasable floor area* for a *hotel*	14,000 sq.m.
l)	Maximum total *leasable floor area* for a *nursing home* and *retirement home*	23,226 sq.m
8.57.5 Parking Regulations		
The following additional parking regulations apply to all lands identified as subject to this Special Provision:		
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.	
c)	A *parking garage* above finished ground level is not permitted.	
d)	Maximum *surface parking area* coverage	5%
e)	A *surface parking area,* not including a *driveway*, shall not be permitted in the *front* or *flankage yard* between a *building* and a *public street.*	
f)	*Parking* standard for *General Office Use*; *Information Processing*; *Research and Development*; or *Trade and Convention Centre*	1 *parking space* per 32 square metres of *leasable floor area* minimum; and 1 *parking space* per 30 square metres of *leasable floor area* maximum
g)	*Parking* standard for *Medical Office*	1 *parking space* per 19 square metres of *leasable floor area* minimum; and 1 *parking space* per 15 square metres of *leasable floor area* maximum
h)	*Parking* standard for *Nursing Home;* or *Retirement Home*	0.6 *parking space* per *suite* minimum

Special Provisions

59	All Seniors Care Acquisitions Ltd. 2135 Dundas Street West (Part of Lot 27, Concession 1, NDS)	Parent Zone: I
Map 12(2)		(2018-089) (2024-097)

8.59.1 Additional Permitted Uses		
The following additional *uses* are permitted:		
a)	*Dwelling Units* within a *Retirement Home*	
8.59.2 Prohibited Uses		
a)	*School, Public*	
b)	*School, Private*	
c)	*School, Post-secondary*	
d)	*School, Commercial*	
e)	*Private Career College*	
f)	*Outside Storage* and *Outside Processing*	
g)	*Public Works Yard*	
8.59.3 Zone Regulations		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	The *lot line* abutting Dundas Street West shall be deemed the *front lot line.*	
b)	Maximum *front yard*	10.0 m
c)	Maximum *flankage yard*	10.0 m
d)	Maximum *height*	27 m
e)	Notwithstanding Section 8.59.3 b), a maximum of 55% of the cumulative length of the exterior *building* wall oriented toward the *front lot line* may be located beyond the maximum *front yard* to a maximum *setback* of 17 metres from the *front lot line*.	
f)	Notwithstanding Section 8.59.3 c), a maximum of 10% of the cumulative length of the exterior *building* wall oriented toward the *flankage lot line* may be located beyond the maximum *flankage yard* to a maximum *setback* of 13.0 metres from the *flankage lot line*.	
g)	A *parking garage* above finished ground level is prohibited within the first 5.0 metres of depth of the *building* measured in from the exterior side of the *building* wall oriented toward the *front lot line*.	
h)	Notwithstanding Section 8.59.3 g), a *parking garage* above finished ground level is prohibited within the first 3.9 metres of depth of the *building* measured in from the exterior side of the *building* wall oriented toward the *front lot line* for a maximum of 40% of the cumulative length of the exterior *building* wall.	
i)	A *parking garage* above finished ground level is prohibited within the first 9.0 metres of depth of the *building* measured in from the exterior side of the *building* wall oriented toward the *flankage lot line*.	
j)	Maximum number of *dwelling units* within a *retirement home*	33
8.59.4 Parking Regulations		
The following additional parking regulations apply to all lands identified as subject to this Special Provision:		
a)	Section 5.2 shall apply.	

Special Provisions

60	Oakville Urban Core Developments 1005 Dundas Street East and 3033 Eighth Line	Parent Zone: DUC
Map 12(6)		(2018-108)

8.60.1 Only Building Types Permitted		
The following regulations apply:		
a)	*Apartment dwelling*	
b)	*Townhouse dwelling*	
c)	Underground *parking garage*	
8.60.2 Zone Regulations for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The *lot line* abutting Dundas Street East shall be deemed the *front lot line*.	
b)	Minimum *front yard*	2.0 m
c)	Maximum *front yard*	5.0 m
d)	Minimum *rear yard*	5.6 m
e)	Maximum *rear yard*	5.7 m
f)	Minimum *flankage yard* for an *apartment dwelling*	2.0 m
g)	Maximum *flankage yard* for an *apartment dwelling*	7.0 m
h)	Minimum *flankage yard* for a *townhouse dwelling*	3.0 m
i)	Maximum *flankage yard* for a *townhouse dwelling*	5.5 m
j)	Minimum *interior side yard*	3.0 m
k)	*Height* for an *apartment dwelling*	8 *storeys*
l)	Maximum *height* for an *apartment dwelling*	29.0 m
m)	Minimum *height* for a *townhouse dwelling*	3 *storeys* and 9.0 m
n)	Minimum *setback* from the *front lot line* for a *townhouse dwelling*	40.0 m
o)	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 *building's* 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 *townhouse dwellings* 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 *building* wall or screening.	

Special Provisions

60 Map 12(6)	**Oakville Urban Core Developments** **1005 Dundas Street East and 3033 Eighth Line**	Parent Zone: DUC (2018-108)

8.60.3 Parking Regulations		
The following parking regulations apply:		
a)	Minimum number of *parking spaces* for an *apartment dwelling*	1.35 *parking spaces* per *dwelling unit* of which 0.25 *parking spaces* per *dwelling unit* are designated visitor *parking spaces*
b)	Minimum number of *parking spaces* for a *townhouse dwelling*	2.0 *parking spaces* per *dwelling unit* of which 0.25 *parking spaces* per *dwelling unit* are designated visitor *parking spaces*
c)	Minimum number of designated accessible *parking spaces* for *residential uses*	2% of the number of *parking spaces* required
d)	Minimum *setback* from the *lot line* abutting Dundas Street East for a visitor *surface parking area* or an above *grade parking garage*	30.0 m
e)	Minimum *setback* from all *lot lines* for an underground *parking garage*, including ventilation shafts/housing, stairways, and other facilities associated with an underground *parking garage*	0.0 m
f)	Ventilation shafts/housing and stairways associated with an underground *parking structure* are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	
8.60.4 Special Site Provisions		
The following additional provisions apply:		
a)	A visitor *surface parking area* shall be set back a minimum of 0.5 m from any *townhouse dwelling*.	
b)	A minimum of 80% of the cumulative length of an *apartment dwelling building* wall oriented toward any *front lot line* and *flankage lot line* shall be located within the area defined by the minimum and maximum *front* and *flankage yard* for the first 12 metres of *building height*.	

Special Provisions

61	407 Dundas Street West (Part of Lot 19, Concession 1, N.D.S.)	Parent Zone: DUC
Map 12(4)		(2018-107)

8.61.1 Only Building Types Permitted		
The following *building* types are only permitted:		
a)	*Mixed Use Building*	
b)	Underground *Parking Garage*	
c)	*Stacked Townhouse Dwelling*	
8.61.2 Zone Provisions for All Lands		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	Maximum *height* for a *mixed use building*	8 *storeys* and 28 m
b)	Maximum *height* for a *mixed use building* (upon execution of a Section 37 Agreement)	10 *storeys* and 35 m
c)	Maximum *height* for a *stacked townhouse dwelling*	3 *storeys*
d)	The maximum *height* for a *stacked townhouse dwelling* shall not apply to rooftop storage rooms up to a maximum *floor area* of 15 m^2 per *dwelling unit.*	
e)	Minimum *height* of the *first storey* of a *mixed use building* for *commercial* and common areas	4.5 m
f)	Minimum *commercial floor area, leasable*, in a *mixed use building*	345 m^2
g)	Minimum number of *dwelling units*	246
h)	Minimum *rear yard* for a *stacked townhouse dwelling*	2.5 m
i)	Minimum *rear yard* for a *mixed use building*	58 m
j)	Maximum *front yard* for a *mixed use building*	3.5 m
k)	Maximum *flankage yard* for a *stacked townhouse dwelling*	9.0 m
l)	Minimum separation distance between *stacked townhouse dwellings*	13.5 m
8.61.3 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* 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)	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	Infrastructure Ontario (Part of Lot 26, Concession 1, N.D.S.)	Parent Zone: I
Map 12(2)		(2018-116)

8.62.1 Prohibited Uses		
The following *uses* are prohibited:		
a)	*School, Public*	
b)	*School, Private*	
c)	*School, Post-secondary*	
d)	*School, Commercial*	
e)	*Private Career College*	
f)	*Caretaker Dwelling Unit*	
g)	*Outside Storage* and *Outside Processing*	
h)	*Public Works Yard*	
i)	*Art Gallery*	
j)	*Museum*	
k)	*Nursing Home*	
l)	*Retirement Home*	
8.62.2 Additional Zone Regulations		
The following additional regulations apply to a courthouse *building* on lands identified as subject to this Special Provision:		
a)	Minimum *height*	3 *storeys*
b)	Maximum *height*	10 *storeys*
c)	Maximum *Floor Space Index*	3.0
d)	Maximum *front yard*	Shall not apply
e)	Maximum *flankage*	Shall not apply
8.62.3 Additional Zone Regulations		
The following additional regulations apply to a *parking garage* on lands identified as subject to this Special Provision:		
a)	A *parking garage*, excluding bicycle parking is prohibited in the first 5.0 m depth of the *building* measured in from the exterior side of the *building* oriented toward a *public street*, on the *first storey* within 20 m of a *public street*.	
b)	A *parking garage* shall be *setback* a minimum of 80.0 m from the *lot line* abutting William Halton Parkway.	
c)	Maximum length of a wall facing Glenorchy Road	75 m
d)	Maximum *Floor Space Index*	3.0
8.62.4 Parking Regulations		
The following additional parking regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum number of *parking spaces* for a courthouse *building*.	875
b)	Required parking for a courthouse may be provided on the same *lot* as the courthouse *building* and/or on another *lot* within 500 metres of the *lot* with the courthouse *building*.	

Special Provisions

63 Map 12(4)	**103 Dundas Street West** **Part of Lot 16, Concession 1 NDS**		Parent Zone: DUC (2018-118)
8.63.1 Zone Provisions for All Lands			
The following regulations apply to all lands identified as subject to this Special Provision:			
a)	Dundas Street West shall be deemed the *front lot line.*		
b)	Minimum westerly *interior side yard*	Up to 4 *storeys*	0.0 m
		5th and 6th *storey*	8.0 m
		7th and 8th *storey*	10.0 m
c)	Minimum *rear yard*	1st *storey*	6.0 m
		2nd to 4th *storey*	7.5 m
		5th *storey*	9.0 m
		6th *storey*	12.0 m
		7th *storey*	14.5 m
		8th *storey*	18.0 m
d)	Rooftop terraces shall be permitted above the first *storey*.		
8.63.2 Parking Regulations			
The following parking regulations apply:			
a)	Minimum number of accessible *parking spaces* required for *residential uses*		3
b)	Minimum *setback* from all *lot lines* for a *parking garage* including ventilation shafts, stairways and other facilities associated with the *parking garage*		0.5 m
c)	*Tandem parking spaces* are permitted for a maximum of 3 *dwelling units.*		

Special Provisions

64 Map 12(6)	**1187 Burnhamthorpe Road East (Part Lot 9, Conc. 2, NDS)**	Parent Zone: FD, I (2018-122) (2022-007)
8.64.1 Only Permitted Uses for Lands Zoned I		
The following *uses* are the only *uses* permitted:		
a)	*Place of worship,* but shall not include a residence for a faith group leader	
b)	Legal *uses*, *buildings*, and *structures* existing on the *lot*.	
8.64.2 Only Permitted Uses for Lands Zoned FD		
The following *uses* are the only *uses* permitted:		
a)	Legal *uses*, *buildings*, and *structures* existing on the *lot*.	
8.64.3 Additional Zone Provisions for a Place of Worship		
The following additional regulations apply to a *place of worship*:		
a)	Minimum *front yard*	20.0 m
b)	Maximum *front yard*	110.0 m
c)	Minimum westerly *side yard*	66.0 m
d)	Minimum *height*	7.0 m
e)	Minimum *Floor Space Index (FSI)* shall not apply	
f)	Maximum *Floor Area*	580 m^2
g)	No *building* or *structure* may be erected or enlarged unless the requirements for service connections as defined by the Ontario Building Code have been granted.	

Special Provisions

65 Map 12(5)	**3075 Trafalgar Road** **(Part of Lot 12, Concession 1 N.D.S)**	Parent Zone: TUC (2020-052)

8.65.1	**Zone Regulations for All Lands**	
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The *lot line* abutting Trafalgar Road shall be deemed to be the *front lot line*.	
b)	Maximum *height* (upon execution of a Section 37 agreement)	100.0 m and 30 *storeys*
c)`	Minimum *height* of the *first storey* for non-residential uses	4.5 m
d)	Maximum floorplate dimension of a *building* tower above the *podium* measured from the exterior of the outside walls above 12 *storeys*	40.0 m
e)	Minimum separation distances between *buildings* above 12 *storeys*	25.0 m
f)	Minimum percentage of glazing of the *first storey building* wall for non-residential uses oriented toward any *front lot line* and *flankage lot line* for each individual *building*	75%
g)	Maximum *balcony* projection into a *required yard*	2.0 m
h)	Minimum podium *height* for an *apartment building* or *mixed use building*	11.0 m and 4 *storeys*
i)	The maximum length of a *building wall* for *storeys* 9 to 12 shall be the greater of 75% of the *building wall* length of the 8th storey or a floorplate dimension of 40 metres	
j)	A minimum of 70% of the *front lot line* length and *flankage lot line* length must be occupied by a *building(s)* within the area defined by the minimum and maximum *front* and *flankage yard*, inclusive of projections and indentations, and excluding daylight triangles.	
k)	Only non-residential *uses* and ancillary residential *uses* (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 *building*, measured from the *building* wall, and oriented towards Threshing Mill Boulevard and Wheat Boom Drive.	
l)	Non-residential units located on the *first storey* shall have a minimum of one main entrance oriented towards a *street* or an outdoor communal *amenity area*.	
m)	*Dwelling units* adjacent and oriented to Trafalgar Road are not permitted more than 1.0 m below *grade*.	
n)	Residential bedrooms on the *first storey* are not permitted on the frontage of a *building* abutting and oriented towards Trafalgar Road.	
o)	For the purposes of this special provision “rooftop terrace” means an outdoor *amenity area* located on the roof of any *storey* of a *building*.	
p)	Rooftop terraces shall be permitted.	
q)	For *apartment* and *mixed use buildings*, 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 *building's* 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.	
8.65.2	**Parking Regulations for All Lands**	
The following parking regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum number of *parking spaces* required for *residential uses*	1 *parking space* per *dwelling unit*
b)	Minimum number of designated accessible *parking spaces* for *residential uses*	1% of the number of *parking spaces* provided

Special Provisions

65 Map 12(5)	**3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)**	Parent Zone: TUC (2020-052)
c)	Minimum number of *parking spaces* required for visitors of the *apartment dwelling units*	0.10 *parking spaces* per *dwelling unit*
d)	Minimum number of *parking spaces* required for non-residential *uses,* excluding a *library*	1 *parking space* per 30 metres of *leasable floor area*
e)	Stairways associated with an underground *parking garage* are not permitted between a *building* 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 *building* wall and the *flankage lot line* where walkways are located.	
g)	The parking of *motor vehicles* is prohibited in an above *grade parking garage* for the first 9.0 metres of the depth of a *building*, measured from a *building* wall oriented towards a *lot line* abutting a *public* or *private street* or measured from a *building* wall oriented towards an outdoor communal *amenity* area.	
h)	A minimum of 10% of the *parking spaces* provided on a *lot* shall be supplied with the provision for the installation of electric *motor vehicle* charging equipment.	
i)	Where a *parking space* is designated for car share in a *building*, the minimum number of *parking spaces* for *residential uses* shall be decreased by 10 *parking spaces* to a maximum reduction of 10% of the total minimum *parking spaces*.	
j)	Designated residential visitor *parking spaces* may be counted toward non-residential *parking spaces* and may be provided in any combination.	
k)	Visitor *parking spaces* for any permitted use may be provided in a *surface parking area* up to a maximum of 10% of the total required *parking spaces*.	
8.65.3	**Additional Zone Regulations for Block A Lands**	
The following regulations apply to lands identified as Block A on figure 8.65.1:		
a)	Minimum number of *dwelling units* for Block A lands	200
b)	Minimum *floor space index*	3.0
c)	Minimum *height*	36.0 m and 12 *storeys*
8.65.4	**Additional Zone Regulations for Block B Lands**	
The following regulations apply to lands identified as Block B on figure 8.65.1:		
a)	Minimum number of *dwelling units* for Block B lands	370
b)	Minimum *floor space index*	3.0
c)	Minimum *height*	24.0 m and 8 *storeys*
8.65.5	**Additional Zone Regulations for Block C Lands**	
The following regulations apply to lands identified as Block C on figure 8.65.1:		
a)	Minimum number of *dwelling units* for Block C lands	200
b)	Minimum *floor space index*	3.0
c)	Minimum *height*	45.0 m and 15 *storeys*
d)	Minimum non-residential *floor area* for a *building* located immediately adjacent to Threshing Mill Boulevard, excluding accessory residential *uses*. Of the required minimum non-residential *floor area*, a minimum 60% of the area shall exclude *general office* and *medical office uses*.	460 sq. m
e)	Non-residential *uses* must be oriented toward the *lot line* adjacent to Threshing Mill Boulevard.	

Special Provisions

65 Map 12(5)	**3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)**	Parent Zone: TUC (2020-052)
f)	Section 5.1.6 also applies to a *lot* which fronts onto Threshing Mill Boulevard	
8.65.6	**Additional Zone Regulations for Block D Lands**	
The following regulations apply to lands identified as Block D on figure 8.65.1:		
a)	Minimum number of *dwelling units* for Block D lands	400
b)	Minimum *floor space index*	3.0
c)	Minimum *height*	45.0 m and 15 storeys
d)	Minimum non-residential *floor area* for a *mixed use building* located immediately adjacent to Threshing Mill Boulevard, excluding accessory residential *uses*. Of the required minimum non-residential *floor area*, a minimum 60% of the *floor area* must exclude *general office* and *medical office uses*.	929 sq. m
e)	Non-residential *uses* must be oriented toward the *lot line* adjacent to Threshing Mill Boulevard.	
f)	Minimum *rear yard*	6.0 m
g)	For the purpose of calculating *lot line* length in section 8.65.1 (j), any daylight triangles plus an additional 6 metres shall be excluded from the overall *lot line* length.	
h)	Notwithstanding Table 4.21, above-grade encroachments are not permitted into the *required rear yard*.	
i)	Section 5.1.6 also applies to a *lot* which abuts Threshing Mill Boulevard.	
8.65.7	**Additional Permitted Building Types for Block E Lands**	
a)	*Stacked townhouse dwelling*	
b)	*Townhouse dwelling back-to-back*	
8.65.8	**Additional Zone Regulations for Block E Lands**	
The following regulations apply to lands identified as Block E on figure 8.65.1:		
a)	Minimum number of *dwelling units* for Block E lands.	300
b)	Maximum number of *townhouse dwelling units*	116
c)	Minium *floor space index*	2.5
d)	Minimum *height* for an *apartment building* or *mixed use building* located immediately adjacent to Wheat Boom Drive and Trafalgar Road	32.0 m and 12 *storeys*
e)	Minimum *height* for an *apartment building* or *mixed use building* immediately adjacent to Trafalgar Road only	22.0 m and 8 *storeys*
f)	Minimum *height* for a *stacked townhouse dwelling*	11.0 m
g)	Maximum *height*	68.0 m and 20 *storeys*
h)	Minimum non-residential *floor area* for a *building* located immediately adjacent to Wheat Boom Drive and fronting on Trafalgar Road, excluding accessory residential *uses*. Of the required minimum non-residential *floor area*, a minimum 60% of the area must exclude *general office* and *medical office uses*.	185 sq. m
i)	Non-residential *uses* must be oriented toward the *lot line* adjacent to Wheat Boom Drive.	
j)	Minimum *setback* from the *lot line* abutting Trafalgar Road for *stacked townhouse* or *townhouse dwelling back to back*	30.0 m
k)	Minimum *rear yard setback* for *stacked townhouse dwelling* or *townhouse dwelling back to back*	6.0 m

Special Provisions

65 Map 12(5)	**3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)**	Parent Zone: TUC (2020-052)
l)	Minimum setback from a *lot line* abutting Wheat Boom Drive for a *stacked townhouse dwelling* or *townhouse dwelling back to back*	30.0 m
m)	Minimum interior side yard for *stacked townhouse dwelling* or *townhouse dwelling back to back*	1.2 m
n)	For the purpose of calculating *lot line* length in Section 8.65.1 (j), any daylight triangles plus an additional 6 metres shall be excluded from the overall *lot line* length	
o)	Notwithstanding Table 4.21, above-grade encroachments are not permitted into the required *rear yard*.	
8.65.9	**Additional Permitted Building Types for Block F Lands**	
a)	*Stacked townhouse dwelling*	
b)	*Townhouse dwelling back-to-back*	
8.65.10	**Zone Regulations for Block F Lands**	
The following regulations apply to lands identified as Block F on figure 8.65.1:		
a)	Minimum number of *dwelling units*	350
b)	Maximum number of *stacked townhouse dwelling* and *townhouse dwelling back to back dwelling units*	80
c)	Minimum *floor space index*	3.2
d)	Minimum *height* for an *apartment building* or *mixed use building* located immediately adjacent to a *lot line* abutting a Natural Heritage System (NHS) Zone and fronting on Trafalgar Road	32.0 m and 12 *storeys*
e)	Minimum *height* for an *apartment building* or a *mixed use building* located immediately adjacent to the southerly *lot line* abutting the Stormwater Management Facility (SMF) zone and fronting on Trafalgar Road.	32.0 m and 12 *storeys*
f)	Minimum *height* for any other *building* fronting on Trafalgar Road only	22.0 m and 8 storeys
g)	Minimum *height* for a *stacked townhouse dwelling*	11.0 m
h)	Maximum *height*	68.0 m and 20 *storeys*
i)	Minimum setback from a *lot line* abutting Trafalgar Road for *stacked townhouse dwelling* or *townhouse dwelling back to back*	25.0 m
j)	Minimum *rear yard setback* for *stacked townhouse dwelling* or *townhouse dwelling back to back*	2.0 m
k)	Minimum setback from a *lot line* abutting Wheat Boom Drive for a *stacked townhouse dwelling* or *townhouse dwelling back to back*	60.0 m
l)	Minimum *interior side yard* for *stacked townhouse dwelling* or *townhouse dwelling back to back*	1.2 m

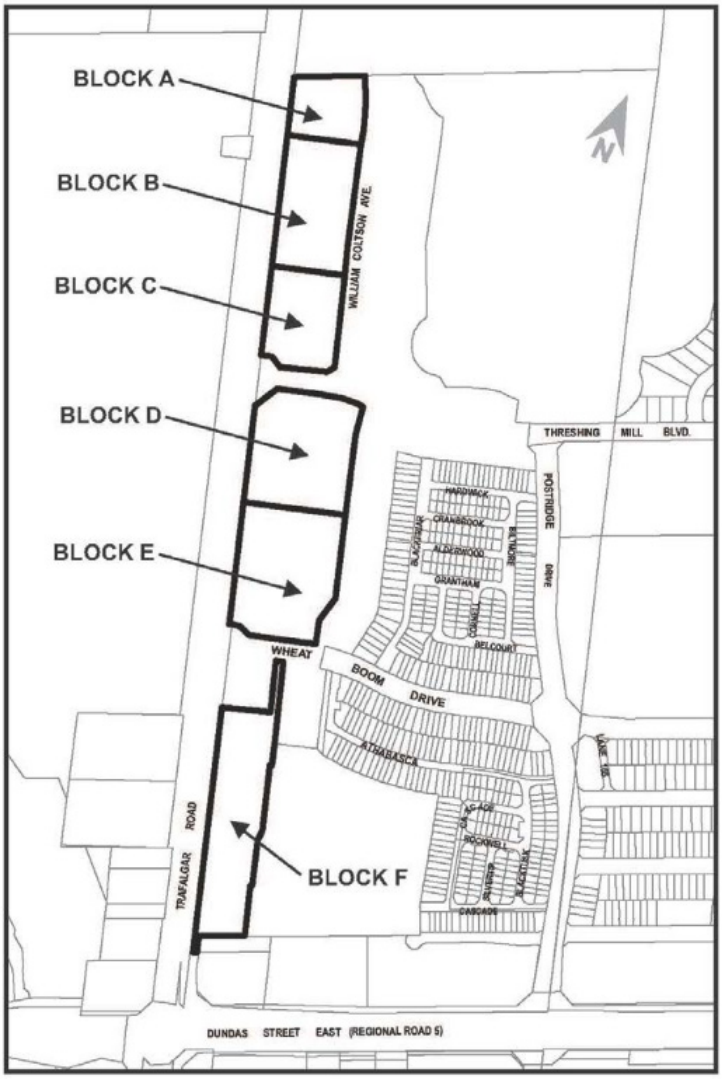
Special Provisions

65	3075 Trafalgar Road (Part of Lot 12, Concession 1 N.D.S)	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

65 Map 12(5)	**3075 Trafalgar Road** **(Part of Lot 12, Concession 1 N.D.S)**	Parent Zone: TUC (2020-052)

8.65.12 Bonussing Provisions

In order to permit the increased permissions contained in this Special Provision, zoning compliance for *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

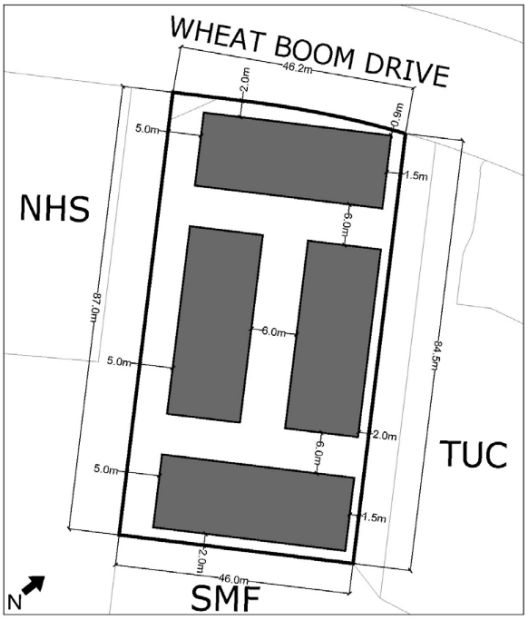
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in the Official Plan.
b)	Space within a *building* for a *public authority use*
c)	Any *building* with a principal entrance located within 10 metres of a transit stop may incorporate a transit shelter within the *podium* oriented towards a *public street* should there be a need to facilitate a transit stop within close proximity to the intersection.

Special Provisions

66	**3075 Trafalgar Road** (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 *lot line* abutting Wheat Boom Drive shall be deemed the *front lot line*.	
b)	Minimum number of *dwelling units*	32
c)	Maximum *floor space index*	1.4
d)	Minimum *height*	8.0 m and 3 *storeys*
e)	Maximum projection into a *required yard* for a *porch* or exterior stair	1.2 m, and a minimum set-back of 0.3 m from a *lot line*
f)	All site development shall comply with Figure 8.66.1 of this Special Provision.	
g)	A *porch* 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 *building* 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



POTENTIAL BUILDING AREA

NOTE: ALL MEASUREMENTS ARE IN METRES AND DIMENSIONS ARE MINIMUMS

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	Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS	Parent Zone: GU
Map 12(6)	Capoak Inc. and Redoak G & A Inc. Part of Lot 10, Concession 1, NDS	PL170731, (2019-062) (2021-103)

8.68.1 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 *storeys* in *height* 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 *inset porches*.	
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 *building* or insect screening.	
d)	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*.	
e)	Notwithstanding Table 7.6.2, the minimum *rear yard* for *single detached dwellings* with a *lot depth* of 27.5 m or less.	6.0 m

Special Provisions

69	Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS	Parent Zone: NC
Map 12(6)		PL170731, (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 *storeys* in *height* 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 *inset porches*.	
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 *building* or insect screening.	
d)	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*.	

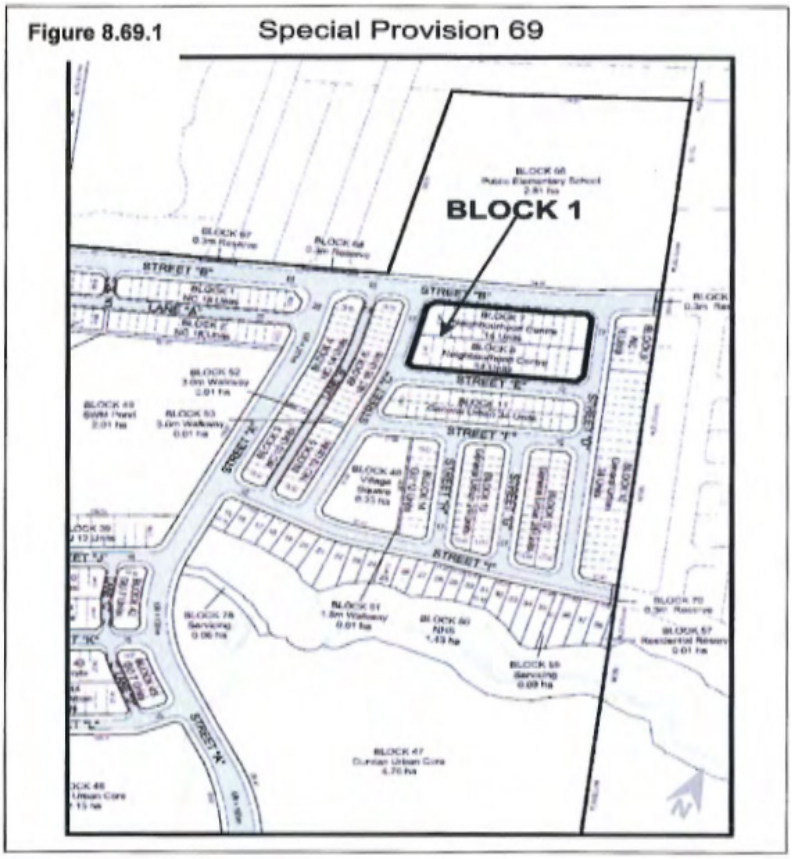
8.69.2 Additional Permitted Building Type for Block 1

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

Figure 8.69.1 Special Provision 69



Special Provisions

70	Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS	Parent Zone: NC-4
Map 12(6)		PL170731, (2019-062)

8.70.1 Zone Regulations		
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 *storeys* in *height* 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 *inset porches*.	
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 *building* or insect screening.	
d)	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*.	

Special Provisions

71 Map 12(6)	**Mattamy (Joshua Creek) Limited/Halton District School Board** **Part of Lot 9, Concession 1, NDS**	Parent Zone: I PL170731, (2019-062) (2022-024)
8.71.1 Zone Provisions		
The following regulations apply:		
a)	Maximum *front yard*	Shall not apply
b)	Minimum *building height* for a public school elementary	Shall not apply
c)	Maximum *building height* for a public school elementary	18.0 m
d)	Minimum *landscape strip* along the *interior lot line* and *rear lot line*	4.5 m
e)	Section 1.7 (iii)	Shall not apply
f)	Section 4.13.1	Shall not apply
8.71.2 Parking Regulations		
a)	Parking requirements for a *public school* elementary	3 *parking spaces* per classroom maximum
b)	Parking requirements for a *day care* centre inclusive of *parking spaces* for queuing	1 *parking space* per 18 m^2 of *leasable floor area* minimum; and, no maximum

Special Provisions

72	Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, NDS	Parent Zone: DUC-1
Map 12(6)		PL170731, (2019-062)

8.72.1 Additional Permitted Buimlding Type		
The following additional *buildings* are permitted:		
a)	*Townhouse dwelling unit street access private garage*, subject to the standards of the Neighbourhood Centre (NC) Zone unless modified by this Special Provision.	
b)	*Townhouse dwelling unit* with *lane access*, subject to the standards of the Neighbourhood Centre (NC) Zone unless modified by this Special Provision.	
c)	*Townhouse dwelling back-to back*, subject to the standards of the Neighbourhood Centre (NC) Zone unless modified by this Special Provision.	
d)	*Stacked townhouse dwelling*, subject to the apartment standards of Section 7.5.2 Neighbourhood Centre (NC) *Zone* unless modified by this Special Provision.	
8.72.2 Zone Regulations		
The following regulations apply:		
a)	*Apartments*, *mixed use buildings*, and *commercial buildings* shall be the only permitted *building* types within 50 metres of Dundas Street East.	
b)	Minimum *height* for an *apartment* or a *mixed use building* within 50 metres of Dundas Street East.	6 *storeys* and 20 m
c)	Maximum *height* for an *apartment* or a *mixed use building* within 50 metres of Dundas Street East.	8 *storeys* and 29.5 m
d)	Maximum *height* for an *apartment* or a *mixed use building* within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 *storeys* and 45 m
e)	Minimum number of *dwelling units* (west of Street A)	225
f)	Minimum number of *dwelling units* (east of Street A)	480
g)	Minimum *height* of the *first storey* of a *mixed use building* for non-residential and accessory *residential uses*.	4.5 m
h)	Minimum *floor area* for non-residential *uses* in *mixed use building*.	350 sq.m.
i)	Designated residential visitor *parking spaces* may be counted toward non-residential *parking spaces* 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 *storeys* in *height* 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 *inset porches*.	
l)	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 *building* or insect screening.	
m)	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*.	
n)	Ventilation shafts/housing and stairways associated with an underground *parking structure* are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	

Special Provisions

72	**Mattamy (Joshua Creek) Limited** **Part of Lot 9, Concession 1, NDS**	Parent Zone: DUC-1
Map 12(6)		PL170731, (2019-062)

8.72.3 Bonusing Provisions

In order to permit the increased *height* permissions contained in this Special Provision, zoning compliance for *height* above 8 storeys for an *apartment building* or *mixed use building* 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)	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	393 Dundas Street West (Part of Lot 19, Concession 1, N.D.S)	Parent Zone: DUC
Map 12(4)		(2019-006)

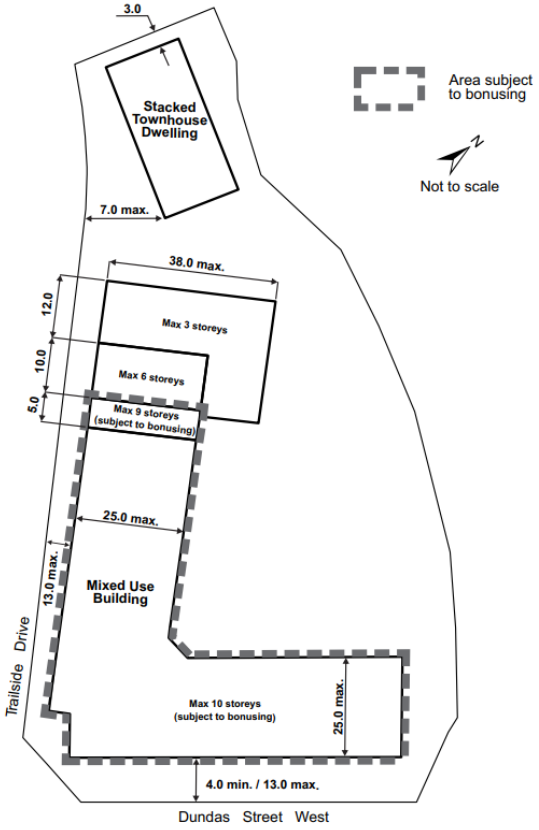
8.73.1 Only Building Types Permitted		
The following *building types* are only permitted:		
a)	*Mixed Use Building*	
b)	Underground *Parking Garage*	
c)	*Stacked Townhouse Dwelling*	
8.73.2 Zone Provisions for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Dundas Street West shall be deemed the *front lot line*	
b)	Notwithstanding Section 4.22, the daylight triangle adjoining the *lot* shall not be deemed to be part of the *lot* for the purpose of calculating the *required yards/setbacks*.	
c)	Minimum number of *dwelling units*	250
d)	Maximum *height* for a *mixed use building*	8 *storeys* and 28 m
e)	Maximum *height* for a *mixed use building* (upon execution of a Section 37 Agreement)	10 *storeys* and 35 m
f)	Minimum *height* of a *storey* of a *mixed use building* containing non-residential and ancillary residential *uses*	4.5 m
g)	Maximum *Floor Space Index*	Shall not apply
h)	Minimum non-residential *leasable floor area* in a *mixed use building*	275 m^2
i)	Maximum *height* for a *stacked townhouse dwelling*	3 *storeys*
j)	The maximum *height* for a *stacked townhouse dwelling* shall not apply to rooftop storage rooms up to a maximum *floor area* of 15 m^2 per *dwelling unit*	
k)	All site development shall comply with Figure 8.73.3 of this Special Provision	

Special Provisions

73	393 Dundas Street West (Part of Lot 19, Concession 1, N.D.S)	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	Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, NDS)	Parent Zone: NC
Map 12(3)		(2019-091) PL170737

8.78.1 Zone Regulations	
The following additional regulations apply to all lands identified as subject to this Special Provision:	
a)	For *corner lots*, 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 40% of the *porch*. However, steps may encroach into the required depth.
b)	*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 *building* or insect screening.

Special Provisions

79 Map 12(3)	**Graydon Banning Limited** **(Part of Lots 24 and 25, Concession 1, NDS)**	Parent Zone: NC (2019-091) PL170737

8.79.1 Additional Permitted Building Type		
The following additional *building* type is permitted.		
a)	*Stacked Townhouse Dwelling* including each *dwelling unit* having an independent entrance.	
8.79.2 Zone Provisions		
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 *public street*	2.0 m
c)	Minimum *rear yard* abutting the Natural Heritage System (NHS)	2.5 m
d)	Minimum width of a *landscape strip* abutting the Natural Heritage System (NHS)	1.5 m
e)	Minimum *interior side yard*	0 m
f)	For *corner lots*, 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 40% of the *porch*. However, steps may encroach into the required depth.	
g)	*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 *building* or insect screening.	
h)	Transformer vaults and pads are not be permitted in any *yard* abutting a *public street.*	

Special Provisions

80	Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, NDS)	Parent Zone: GU
Map 12(3)		(2019-091) PL170737

8.80.1 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 in a *front* and/or *flankage yard,* with or without foundations which may be a maximum of three *storeys* in height and which may include a door.	3.7 m
b)	For *corner lots* or abutting the Park *zone* (P), 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 40% of the *porch*. However, steps may encroach 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 *building* or insect screening.	

Special Provisions

83	Martillac Estates Inc. (Part of Lots 24, Concession 1, NDS)	Parent Zone: NC
Map 12(3)		PL170735, (2020-013)

8.83.1 Zone Provisions

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

a)	For *corner lots*, 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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.
b)	For *interior lots*, 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*. Steps and other obstructions 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 *building* or insect screening.
d)	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 2.95 metres for a single car *private garage* and no step may encroach into the width of a *parking space*.

Special Provisions

84 Map 12(3)	**Martillac Estates Inc.** **(Part of Lots 24, Concession 1, NDS)**	Parent Zone: NC PL170735, (2019-091) (2022-007)

8.84.1 Additional Permitted Building Type		
The following additional *building type* is permitted.		
a)	*Stacked Townhouse Dwelling* including each *dwelling unit* having an independent entrance.	
8.84.2 Zone Provisions		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	The *lot line* abutting Richard Plummer Trail shall be deemed the *front lot line*.	
b)	Minimum yard abutting a *public street*	2.0 m
c)	Minimum *rear yard* abutting the Natural Heritage System (NHS) zone	2.5 m
d)	Minimum width of a *landscape strip* abutting the Natural Heritage System (NHS) zone	1.5 m
e)	Minimum *interior side yard*	0 m
f)	For *corner lots*, 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 40% of the *porch*. Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
g)	*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 *building* or insect screening.	
h)	Transformer vaults and pads are not permitted in any *yard* abutting a *public street*.	

Special Provisions

85 Map 12(1)	**3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)**	Parent Zone: LE (2023-014)
8.85.1 Additional Permitted Uses		
The following additional *uses* are permitted:		
a)	*Café*	
8.85.2 Additional Zone Provisions		
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 *buildings* and *structures* and the following features shall be set back a minimum of 14.0 metres from the *lot line* abutting the boundary of the highway corridor/407 Transitway ROW: i) Any minimum required *parking space*, including a barrier-free *parking space*, *bicycle parking space*, or stacking lane; ii) Any *loading dock*; iii) Any *aisle* leading to any of the features listed in subsections (i) and (ii) above.	
b)	The *lot line* abutting Dundas Street West shall be deemed the *front lot line*.	
c)	Minimum *building height* for any portion of a *building* located within 60.0 m of the *lot line* abutting Dundas Street West	9 m
d)	Minimum *yard* abutting the NHS *zone*	7.5 m

Special Provisions

86	3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)	Parent Zone: GE
Map 12(1)		(2023-014)

8.86.1 Additional Permitted Uses		
The following additional *uses* are permitted:		
a)	*Café*	
8.86.2 Additional Zone Provisions		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Minimum width of *landscape strip* 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 *landscape strip.*	
c)	Minimum *yard* abutting the NHS *zone*	7.5 m

Special Provisions

87 Map 12(1)	**3269 and 3271 Dundas Street West** **(Part of Lot 33 and 34, Concession 1, NDS)**	Parent Zone: SA (2023-014)

8.87.1 Additional Permitted Uses	
The following additional *uses* are permitted:	
a)	*Limited Retail*, subject to the regulations of section 7.9.1.1
b)	*Research and Development*
8.87.2 Prohibited Uses	
The following *uses* are prohibited:	
a)	*Retail Store*

Special Provisions

88 Map 12(1)	**3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)**	Parent Zone: SA (2023-014)
8.88.1 Additional Permitted Uses		
The following additional uses are permitted:		
a)	*Limited Retail,* subject to the regulations of section 7.9.1.1	
b)	*Research and Development*	
c)	*Gas Bar*	
8.88.2 Prohibited Uses		
The following *uses* are prohibited:		
a)	*Retail Store*	
8.88.3 Additional Zone Provisions		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Minimum *building height* for any portion of a *building* located within 60.0 m of the *lot line* abutting Dundas Street West	9 m
b)	Notwithstanding 8.88.3 a), minimum *building height* for a *gas bar*	5.0 m

Special Provisions

89	3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)	Parent Zone: NHS
Map 12(1)		(2023-014)

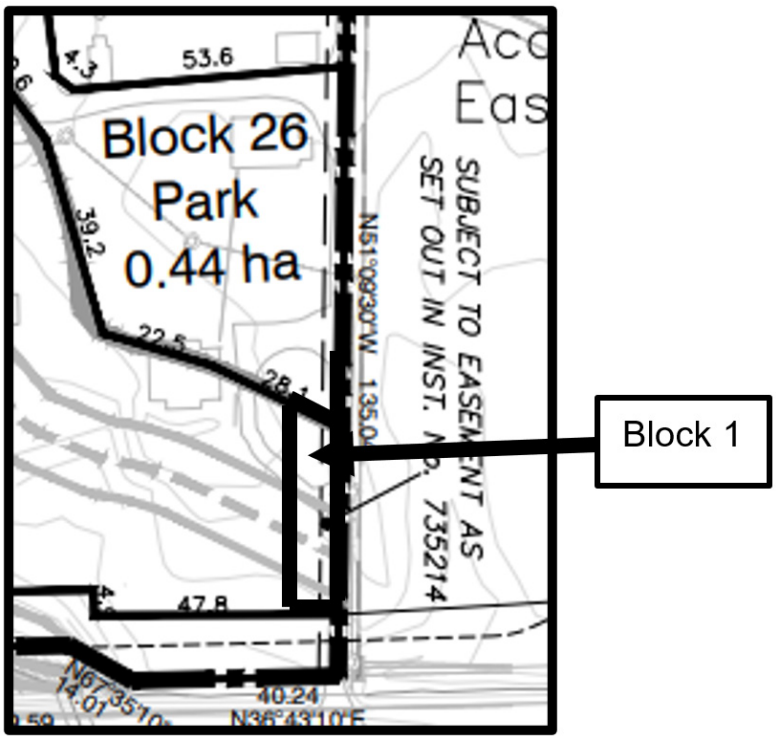
8.89.1 Additional Permitted Uses

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

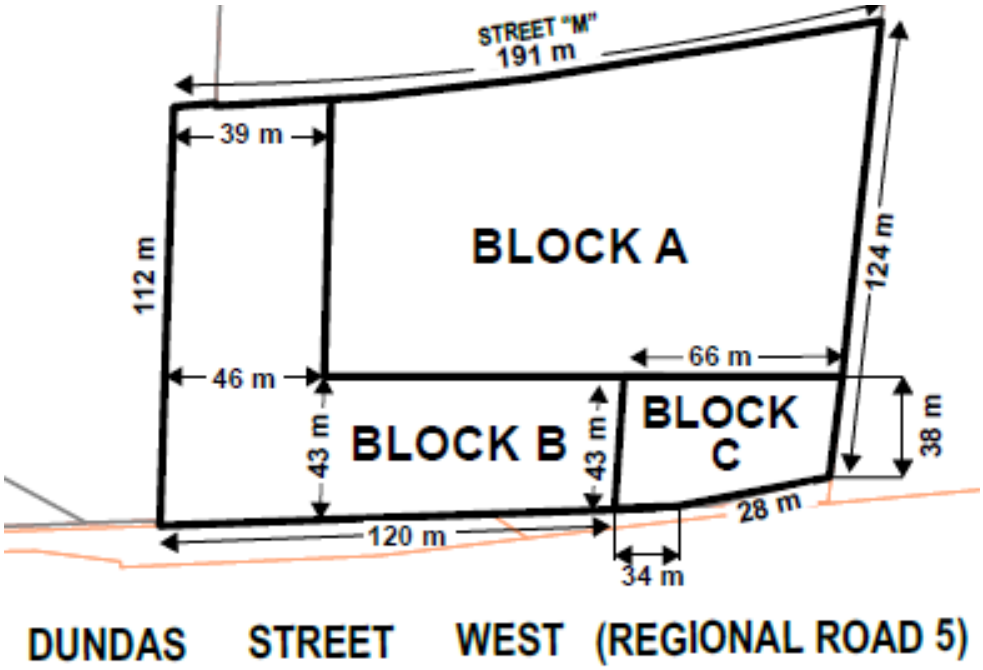
92	Martillac Estates Inc. and Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, NDS)	Parent Zone: DUC
Map 12(3)		(2020-113)

8.92.1 Additional Building Types		
The following additional *building* types are permitted within in Block A identified in Figure 8.92.1:		
a)	*Stacked townhouse dwelling*, including each *dwelling unit* having an independent entrance	
b)	*Townhouse dwelling*	
8.92.2 Zone Regulations for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum and maximum *floor space index* shall not apply.	
b)	The *lot line* abutting a Dundas Street West shall be deemed the *front lot line*.	
c)	Maximum *front yard* and *flankage yard* shall not apply.	
d)	Minimum easterly *interior side* yard	7.5 m
e)	Minimum *rear yard*	2.5 m
f)	Minimum *first storey height* for *mixed use buildings*, *apartments* and *commercial/ residential buildings*	4.5 m
g)	Minimum and maximum *height* 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.	
8.92.3 Additional Zone Regulations for Block A		
The following additional regulations apply to all lands identified as Blocks A identified in Figure 8.92.1:		
a)	Minimum *building height*	9 m and 3 *storeys*
b)	Maximum *building height*	29 m and 8 *storeys*
c)	Maximum *building height* (upon execution of a Section 37 Agreement)	41 m and 12 *storeys*
8.92.4 Additional Zone Regulations for Block B		
a)	Minimum *building height*	16 m and 5 *storeys*
b)	Maximum *building height*	41 m and 12 *storeys*
c)	Maximum *building height* (upon execution of a Section 37 Agreement)	54 m and 16 *storeys*
8.92.5 Additional Zone Regulations for Block C		
a)	Minimum *building height*	16 m and 5 *storeys*
b)	Maximum *building height*	29 m and 8 *storeys*
c)	Maximum *building height* (upon execution of a Section 37 Agreement)	41 m and 12 *storeys*
8.92.6 Parking Regulations		
The following parking regulations apply:		
a)	Ventilation shafts/housing and stairways associated with an underground *parking garage* are not permitted between a *building wall* and any *lot line* abutting a *public street*.	

Special Provisions

8.92.7 Special Site Figures for All Lands

Figure 8.92.1



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 Map 12(3)	**Graydon Banning Limited** **(Part of Lots 24 and 25, Concession 1, NDS)**	Parent Zone: NC (2020-116)
8.93.1 Zone Regulations		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The *lot line* abutting a William Halton Parkway shall be deemed the *front lot line*.	
b)	*Mixed use buildings* shall be the only building type permitted to front onto William Halton Parkway	
e)	Minimum *building height*	6 m and 2 *storeys*
f)	Maximum *building height*	23 m and 6 *storeys*
g)	Minimum *first storey height* for *mixed use buildings* and *apartments*	4.5 m
h)	Minimum number of *dwelling units*	85
8.93.2 Parking Regulations		
The following parking regulations apply:		
a)	Ventilation shafts/housing and stairways associated with an underground *parking garage* are not permitted between a *building* wall and any *lot line* abutting a *public street*.	
8.93.3 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*.	

Special Provisions

94 Map 12(3)	**Graydon Banning Limited** **(Part of Lots 24 and 25, Concession 1, NDS)**	Parent Zone: HDR (2020-116)
8.94.1 Zone Regulations		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The *lot line* abutting a Richard Plummer Trail shall be deemed the *front lot line*.	
b)	Maximum front yard and *flankage yard* shall not apply.	
e)	Minimum *building height*	16 m and 5 *storeys*
f)	Maximum *building height*	35 m and 10 *storeys*
g)	Minimum *height of first storey* (*mixed use buildings* and *apartments)*	4.5 m
h)	Minimum number of *dwelling units*	205
8.94.2 Parking Regulations		
The following parking regulations apply:		
a)	Ventilation shafts/housing and stairways associated with an underground *parking garage* are not permitted between a *building* wall and any *lot line* abutting a *public street*.	
8.94.3 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*.	

Special Provisions

95 Map 12(5)	**3064 Trafalgar Road** **(Part of Lot 13, Conc. 1, N.D.S)**	Parent Zone: TUC (2021-032)

8.95.1 Zone Provisions		
The following regulations apply:		
a)	Maximum *Floor Space Index*	Shall not apply
b)	Minimum *front yard*	2.0 m
c)	Maximum *front yard*	9.0 m
d)	Minimum *southerly interior side yard*	11.5 m
e)	Minimum *height*	50.0 m
f)	Maximum *height*	68.0 m
g)	Maximum *height* (upon execution of a Section 37 Agreement)	100.0 m
h)	Minimum *height* of the *first storey* for *non-residential uses* and ancillary *residential uses*	4.5 m
i)	Maximum podium *height* for an *apartment building* or *mixed use building*	24.0 metres
j)	Maximum floorplate area of a *building* tower measured from the exterior of the outside walls, above 45 metres *height*	800 m^2
k)	Maximum floorplate area of a *building* tower measured from the exterior of the outside walls, above 68 metres *height*	750 m^2
l)	Minimum separation distances between *building* towers above 45 metres *height*	25.0 m
m)	Maximum *balcony* projection in a required *yard*	2.0 m
8.95.2 Special Site Provisions		
The following additional regulations apply:		
a)	*Dwelling units* adjacent and oriented towards Trafalgar Road are not permitted to be below *grade*.	
b)	A minimum of 70% of the *front lot line* length must be occupied by a *building(s)* within the area defined by the minimum and maximum *front yard*, inclusive of projections and indentations.	
8.95.3 Parking Regulations		
The following additional regulations apply to all lands identified as Blocks A identified in Figure 8.92.1:		
a)	Minimum number of *parking spaces* for an *apartment building* or *mixed use building*	1.0 *parking spaces* per *dwelling unit*, plus 0.15 *parking spaces* per *dwelling unit* for visitors
b)	Minimum number of designated accessible *parking spaces* for *residential uses*	1% of the total number of *parking spaces* provided
c)	Maximum number of *parking spaces* on a *surface parking area*	10
d)	A *surface parking area* is not permitted within 25 metres of Trafalgar Road	
e)	Visitor *parking spaces* are the only permitted *parking spaces* in a *surface parking area*.	
f)	A minimum of 20% of the *parking spaces* in a *building* shall include the provision for the installation of electric motor vehicle supply equipment.	
g)	Ventilation shafts/housing and stairways associated with an underground *parking garage* are not permitted between a *building* wall and Trafalgar Road.	

Special Provisions

95	3064 Trafalgar Road (Part of Lot 13, Conc. 1, N.D.S)	Parent Zone: TUC
Map 12(5)		(2021-032)

8.95.4 Bonusing Provisions

In order to permit the increased height permissions contained in this Special Provision, zoning compliance for *height* above 68 metres for an *apartment dwelling* or *mixed use building* 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 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 Map 12(6)	**Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)**	Parent Zone: S (2021-040)
8.96.1 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 *storeys* in *height* and which may include a door.	4.0 m
b)	For *corner lots* or *lots* abutting the Natural Heritage System (NHS) *zone*, 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 40% of the *porch*. However, steps and other obstructions 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 *building* or insect screening.	
d)	Notwithstanding the minimum *rear setback yard* in Section 7.7.2, the minimum *rear yard setback* for a *single detached dwelling street* access attached *private garage* abutting the Natural Heritage System (NHS) *zone*.	6.0 m

Special Provisions

97 Map 12(6)	**Argo (Joshua Creek) Developments Ltd.** **(Part of Lot 8, Concession 1, NDS)** **Mattamy (Joshua Creek) Limited** **(Part of Lots 8 & 9, Concession 1, N.D.S.)**	Parent Zone: NC (2021-040) (2023-036)
8.97.1 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 *storeys* in *height* and which may include a door.	4.0 m
b)	For *corner lots* or lots abutting the Natural Heritage System (NHS) *zone*, 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 40% of the *porch*. However, steps and other obstructions 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 *building* or insect screening.	

Special Provisions

98 Map 12(6)	**Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)**	Parent Zone: NC (2021-040)
8.98.1 Only Permitted Building Type		
The following *Building Types* are the only *Building Types* permitted:		
a)	*Mixed use building*	
b)	*Office building*	
c)	*Institutional building*	
d)	*Commercial building*	
e)	*Commercial/residential building*	
8.98.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum *height*	4 *storeys* and 13 m
b)	Maximum *height*	6 *storeys* and 20 m
c)	Minimum *height* of the *first storey.*	4.5 m

Special Provisions

99 Map 12(6)	**Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)**	Parent Zone: DUC (2021-040)

8.99.1 Additional Permitted Building Type		
The following additional *building* types are permitted:		
a)	*Townhouse dwelling*	
b)	*Townhouse dwelling back-to back*	
8.99.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	*Apartments*, *mixed use buildings*, and *commercial/residential buildings* shall be the only permitted *building* types within 50 metres of Dundas Street East.	
b)	Minimum *height* for *buildings* within 50 metres of Dundas Street East.	6 *storeys* and 20 m
c)	Maximum *height* for *buildings* within 50 metres of Dundas Street East.	8 *storeys* and 29.5 m
d)	Maximum *height* for *buildings* within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 *storeys* and 45 m
e)	Minimum number of *dwelling units*	291
f)	Minimum *height* of the *first storey* of a *mixed use building* or *commercial/residential building* for non-residential and ancillary *residential uses*.	4.5 m
g)	Minimum *floor area* for non-residential *uses*	750 m^2
h)	Designated residential visitor *parking spaces* may be counted toward non-residential *parking spaces* and may be provided in any combination.	
i)	Ventilation shafts/housing and stairways associated with an underground *parking structure* are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	
8.99.3 Bonusing Provisions		
In order to permit the increased *height* permissions contained in this Special Provision, zoning compliance for *height* above 8 *storeys* for an *apartment building* or *mixed use building* 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)	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

101 Map 12(6)	**Mattamy (Joshua Creek) Limited** **Part of Lots 7, 8 and 9, Concession 1, NDS** **Argo (Joshua Creek) Developments Ltd.** **Part of Lot 8, Concession 1, NDS** **Rampen Holdings Inc.** **1086 Burnhamthorpe Road East**	Parent Zone: GU (2021-040) (2021-046) (2023-036) (2024-090)

8.101.1 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 *storeys* in *height* and which may include a door.	4.0 m
b)	For *corner lots* or lots abutting the Natural Heritage System (NHS) zone, 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 40% of the *porch*. However, steps and other obstructions 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 *building* or insect screening.	

Special Provisions

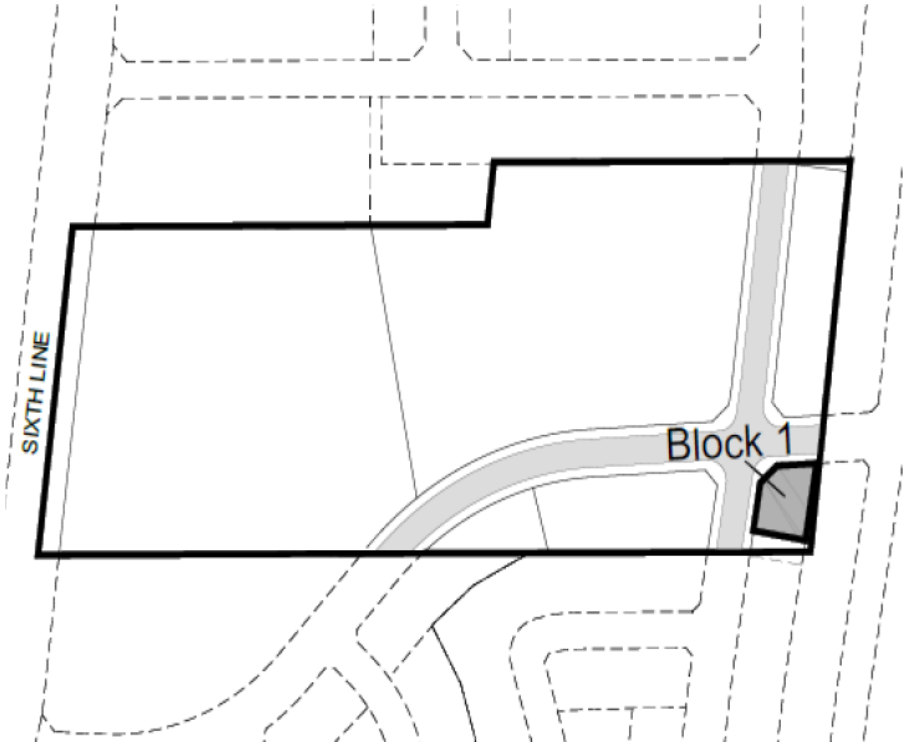
102 Map 12(5)	**3483 Sixth Line** **(Part of Lot 15, Concession 1, N.D.S)**	Parent Zone: NC (2021-066)
8.102.1 Zone Provisions for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three *storeys* in height and which may include a door	4.0 m
b)	*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 building or insect screening.	
8.102.2 Only Permitted Building Type for Block 1 Lands		
The following *building* type is the only permitted *building* type for lands identified as Block 1 on Figure 8.102.1:		
a)	*Connected commercial/residential*	
8.102.3 Additional Zone Provisions for Block 1 Lands		
The following additional regulations apply to lands identified as Block 1 on Figure 8.102.1:		
a)	Minimum *rear yard* setback to an attached *private garage*	0.6 m
b)	Maximum *private garage* door width	6.0 m
c)	Minimum *commercial floor area*	85 m^2
8.102.4 Parking Regulations for Block 1 Lands		
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 *commercial uses*.	
b)	*Tandem parking spaces* are permitted for *commercial uses* for a *connected commercial/residential building*, to a maximum of 2 *parking spaces*.	
8.102.5 Special Site Provisions for Block 1 Lands		
The following additional provision apply to lands identified as Block 1 on Figure 8.102.1:		
a)	A *connected commercial/residential building* is a *building* divided into a minimum of three *dwelling units*, each *dwelling unit* 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

102	3483 Sixth Line (Part of Lot 15, Concession 1, N.D.S)	Parent Zone: NC
Map 12(5)		(2021-066)

8.102.6 Special Site Figures

Figure 8.102.1



Special Provisions

103	3483 Sixth Line (Part of Lot 15, Concession 1, N.D.S)	Parent Zone: I
Map 12(5)		(2021-066)

8.103.1 Only Permitted Uses for Lands Zoned I	
The following additional *uses* are permitted:	
a)	*Day Care*; only permitted in conjunction to a *school*, *public*

8.103.2 Zone Provisions for All Lands	
The following regulations apply to all lands identified as subject to this Special Provision:	
a)	Minimum *Floor Space Index* for a *school*, *public* with or without a *Day Care* shall not apply

Special Provisions

104 Map 12(6)	**Capoak Inc. and Redoak G & A Inc.** **Part of Lot 10, Concession 1, NDS**	Parent Zone: S (2021-103)

8.104.1 Zone Provisions	
The following regulations apply to all lands identified as subject to this special provision:	
a)	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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.
b)	*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 *building* or insect screening.
8.104.2 Special Site Provisions	
a)	Notwithstanding the definition of *"Lot Frontage"* the minimum *lot frontage* shall be measured at a setback of 6 metres from the *front lot line*.

Special Provisions

105	Capoak Inc. and Redoak G & A Inc. Part of Lot 10, Concession 1, NDS	Parent Zone: GU
Map 12(6)		(2021-103)

8.105.1 Zone Provisions	
The following regulations apply to all lands identified as subject to this special provision:	
a)	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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.
b)	*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 *building* or insect screening.

Special Provisions

106	Capoak Inc. and Redoak G & A Inc. Part of Lot 10, Concession 1, NDS	Parent Zone: NC
Map 12(6)		(2021-103)

8.106.1 Zone Provisions	
The following regulations apply to all lands identified as subject to this special provision:	
a)	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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.
b)	*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 *building* or insect screening.

Special Provisions

107 Map 12(6)	**Capoak Inc. and Redoak G & A Inc.** **Part of Lot 10, Concession 1, NDS**	Parent Zone: NC (2021-103)
8.107.1 Only Permitted Building Type		
The following *Building Types* are the only *Building Types* permitted:		
a)	*Mixed use building*	
b)	*Commercial/residential building*	
8.107.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum and maximum *Floor Space Index* shall not apply to a *commercial/residential building*	
b)	Minimum *height*	2 *storeys* and 8 m
c)	Maximum *height*	6 *storeys* and 21 m
d)	Minimum *height* of the *first storey* for a *mixed use building*	4.5m

Special Provisions

108	Capoak Inc. and Redoak G & A Inc. Part of Lot 10, Concession 1, NDS	Parent Zone: DUC
Map 12(6)		(2021-103)

8.108.1 Additional Permitted Building Type		
The following additional *building* types are permitted:		
a)	*Townhouse dwelling unit street access private garage*	
b)	*Townhouse dwelling back-to-back*	
8.108.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	*Apartments*, *mixed use buildings*, and *commercial/residential buildings* shall be the only permitted *building* types within 50 metres of Dundas Street East.	
b)	Minimum *height* for *buildings* within 50 metres of Dundas Street East.	6 *storeys* and 20 m
c)	Maximum *height* for *buildings* within 50 metres of Dundas Street East.	8 *storeys* and 29.5 m
d)	Maximum *height* for *buildings* within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 *storeys* and 45 m
e)	Minimum number of *dwelling units*	225
f)	Minimum *height* of the *first storey* of a *mixed use building* or *commercial/residential building* for non-residential and ancillary *residential uses*.	4.5 m
g)	Minimum *floor area* for non-residential *uses*	800 m^2
h)	The *lot line* abutting Dundas Street East shall be deemed the *front lot line*.	
i)	Non-residential *uses* on the *first storey* must be oriented toward the *flankage lot line* and ancillary *residential uses* are permitted to occupy a maximum of 15% of the length of the main wall oriented toward the *flankage lot line*.	
j)	Nothwithstanding Section 8.108.2 i), non-residential *uses* on the *first storey* may be oriented toward the *front lot line*.	
k)	Non-residential units located on the *first storey* shall have a minimum of one main entrance oriented towards a *street* or an outdoor *amenity area*.	
l)	Designated residential visitor *parking spaces* may be counted toward non-residential *parking spaces* and may be provided in any combination.	
m)	Ventilation shafts/housing and stairways associated with an underground *parking structure* are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	
8.108.3 Special Site Provision		
The following regulations apply to *townhouse dwelling* or *townhouse dwelling back-to-back* on individual freehold *lots* or parcels of tied land:		
a)	Section 8.108.2 shall not apply	
b)	Standards of the Neighbourhood Centre (NC) *Zone* shall apply	
c)	*Townhouse dwelling* or *townhouse dwelling back-to-back* shall not be located within 50 m of Dundas Street East	
8.108.4 Bonusing Provisions		
In order to permit the increased *height* permissions contained in this Special Provision, zoning compliance for *height* above 8 storeys for an *apartment building* or *mixed use building* 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)	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 Map 12(6)	**Capoak Inc. and Redoak G & A Inc.** **Part of Lot 10, Concession 1, NDS**	Parent Zone: DUC (2021-103)

8.109.1 Additional Permitted Building Type		
The following additional *building* types are permitted:		
a)	*Townhouse dwelling unit street access private garage*	
b)	*Townhouse dwelling back-to back*	
8.109.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	*Apartments*, *mixed use buildings*, and *commercial/residential buildings* shall be the only permitted *building* types within 50 metres of Dundas Street East.	
b)	Minimum *height* for *buildings* within 50 metres of Dundas Street East.	6 *storeys* and 20 m
c)	Maximum *height* for *buildings* within 50 metres of Dundas Street East.	8 *storeys* and 29.5 m
d)	Maximum *height* for *buildings* within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 *storeys* and 45 m
e)	Minimum number of *dwelling units*	275
f)	Minimum *height* of the *first storey* of a *mixed use building* or *commercial/residential building* for non-residential and ancillary *residential uses*.	4.5 m
g)	Minimum *floor area* for non-residential uses	800 m^2
h)	The *lot line* abutting Dundas Street East shall be deemed the *front lot line*.	
i)	Non-residential *uses* on the *first storey* must be oriented toward the *flankage lot line* and ancillary *residential uses* are permitted to occupy a maximum of 15% of the length of the main wall oriented toward the *flankage lot line*.	
j)	Nothwithstanding Section 8.109.2 i), non-residential *uses* on the *first storey* may be oriented toward the *front lot line*.	
k)	Non-residential units located on the *first storey* shall have a minimum of one main entrance oriented towards a *street* or an outdoor *amenity area*.	
l)	Designated residential visitor *parking spaces* may be counted toward non-residential *parking spaces* and may be provided in any combination.	
m)	Ventilation shafts/housing and stairways associated with an underground *parking structure* are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	
8.109.3 Special Site Provision		
The following regulations apply to *townhouse dwelling* or *townhouse dwelling back-to-back* on individual freehold *lots* or parcels of tied land:		
a)	Section 8.109.2 shall not apply	
b)	Standards of the Neighbourhood Centre (NC) *Zone* shall apply	
c)	*Townhouse dwelling* or *townhouse dwelling back-to-back* shall not be located within 50 m of Dundas Street East	
8.109.4 Bonusing Provisions		
In order to permit the increased *height* permissions contained in this Special Provision, zoning compliance for *height* above 8 *storeys* for an *apartment building* or *mixed use building* 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)	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

110	Capoak Inc. and Redoak G & A Inc. Part of Lot 10, Concession 1, NDS	Parent Zone: NC
Map 12(6)		(2021-103)

8.110.1 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum *lot depth townhouse dwelling unit street access private garage*	20 m
b)	Minimum *lot depth townhouse dwelling unit lane access*	16.5 m
c)	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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	*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 *building* or insect screening.	

Special Provisions

111 Map 12(5)	**Part of Lot 15, Concession 1, NDS (Crosstrail Estates Inc., Trafalgar Road (Oakville) Developments Limited, TWKD Developments Inc.)**	Parent Zone: GU (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 *storeys* in *height* and which may include a door.	4.0 m
b)	For *corner lots*, 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 40% of the *porch*. 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 *building* 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.

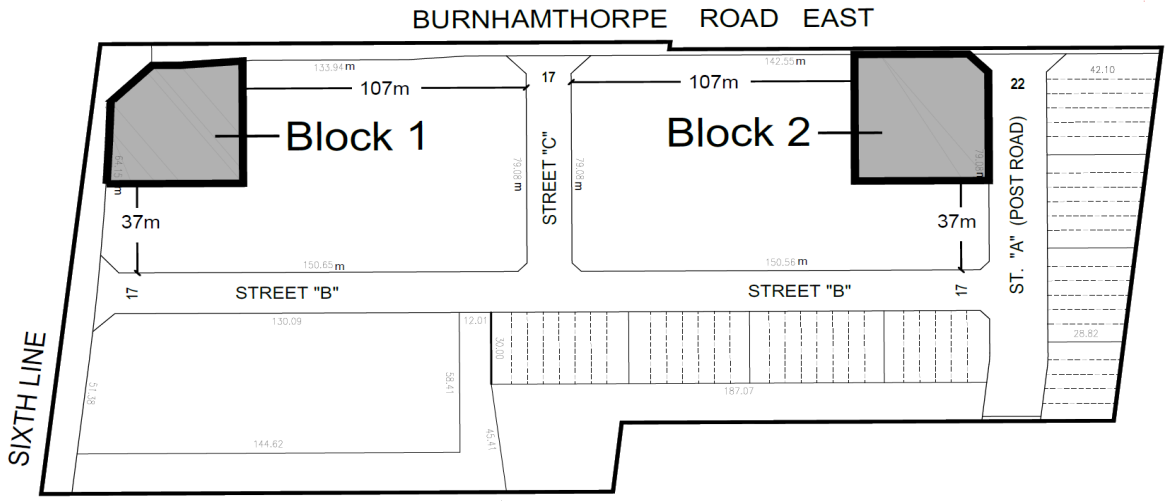
8.111.4 Parking Regulations

The following parking regulations apply:

a)	Minimum *floor area* of a *private garage*	18 m^2

8.111.5 Special Site Figure

Figure 8.111.1



Special Provisions

112 Map 12(5)	**Part of Lot 15, Concession 1, NDS (Crosstrail Estates Inc., Trafalgar Road (Oakville) Developments Limited, TWKD Developments Inc.)**	Parent Zone: GU (2022-029)
8.112.1 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	
8.112.2 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 *storeys* in *height* and which may include a door.	4.0 m
b)	For *corner lots*, 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 40% of the *porch*. 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 *building* or insect screening.	
8.112.3 Parking Regulations		
a)	Minimum *floor area* of a *private garage*	18 m^2

Special Provisions

113 Map 12(5)	**Part of Lot 15, Concession 1, NDS (Crosstrail Estates Inc., Trafalgar Road (Oakville) Developments Limited, TWKD Developments Inc.)**	Parent Zone: NC (2022-029)
8.113.1 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 *storeys* in height and which may include a door.	4.0 m
b)	For *corner lots*, 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 40% of the *porch*. 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 *building* or insect screening.	
8.113.2 Parking Regulations		
a)	Minimum *floor area* of a *private garage*	18 m^2

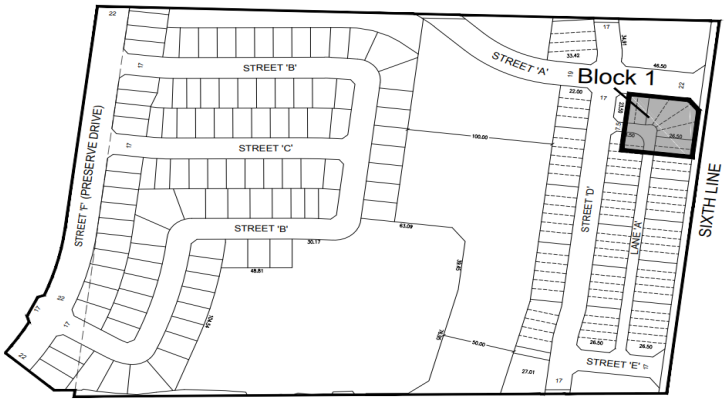
Special Provisions

114 Map 12(4)	**Timsin Holding Corp.** **Part Lot 16, Concession 1, NDS**	Parent Zone: S, GU and NC (2022-037)
8.114.1 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 *storeys* in *height* and which may include a door.	4.0 m
b)	For corner *lots*, 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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior *lots*, 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*. Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	*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 *building* or insect screening. The total area of the vertical plane shall be measured from the top of the *porch* slab to the underside of the *porch* ceiling.	
8.114.2 Additional Zone Provision for GU lands		
a)	Minimum *rear yard* setback for *semi-detached dwelling unit street* access attached *private garage*.	6 m

Special Provisions

115	Argo (West Morrison Creek) Ltd. 3270 Sixth Line Digram Developments Oakville Inc. 3380 Sixth Line	Parent Zone: S, NC
Map 12(4)		(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 *storeys* in *height* and which may include a door.	4.0 m
b)	For corner *lots,* 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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior *lots*, 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*. Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	*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 *building* or insect screening. The total area of the vertical plane shall be measured from the top of the *porch* slab to the underside of the *porch* 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 *rear yard* setback for *lots* abutting the NHS or SMF *zones* with a *single detached dwelling street* access attached *private garage building* 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 *lot depth* for *lots* abutting the NHS *zone* with a T*ownhouse Dwelling Unit Street* Access *Private garage* building type.	22 m
8.115.4 Special Site Figure		
Figure 8.115.1		



Special Provisions

116	**Argo (West Morrison Creek) Ltd.** **3270 Sixth Line**	Parent Zone: NC
Map 12(4)		(2022-039)

8.116.1 Only Permitted Building Type		
The following is the only *Building* Type permitted:		
a)	*Mixed use building*	
8.116.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The *lot line* abutting Sixth Line shall be deemed the *front lot line.*	
b)	Maximum *Floor Space Index*/Density	3.7
c)	Maximum *height*	8 *storeys* and 29.5 m
d)	Minimum *height* of the *first storey* for a *mixed use building*	4.5 m
e)	Setback for rooftop *accessory structures* from the rooftop edge	5 m
f)	Minimum *floor area* for non-*residential uses*	300 sq.m
g)	Non-*residential suites* located on the *first storey* shall have a minimum of one main entrance oriented towards a *street.*	
h)	Ventilation shafts/housing, stairways associated with an underground *parking structure,* hydro vaults and above-ground gas meters including any appurtenances thereto are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	

Special Provisions

117	Digram Developments Oakville Inc. 3380 Sixth Line	Parent Zone: GU, NC
Map 12(4)		(2022-048)

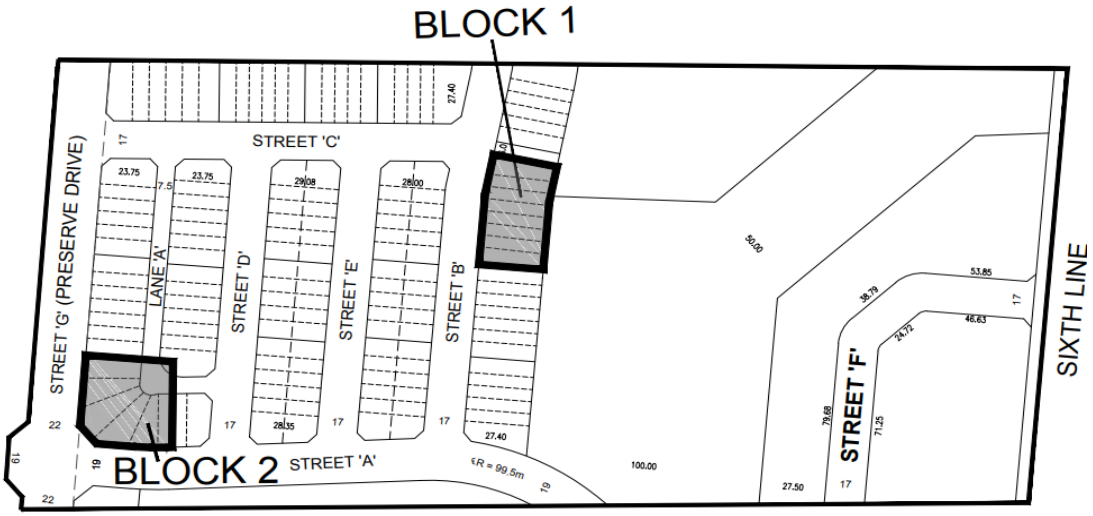
8.117.1 Zone Provisions for all Lands		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows, with or without foundations which may be a maximum of three *storeys* in *height* and which may include a door.	4.0 m
b)	For corner *lots,* 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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior *lots*, 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*. Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	*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 *building* or insect screening. The total area of the vertical plane shall be measured from the top of the *porch* slab to the underside of the *porch* ceiling.	
8.117.2 Special Zone Provision for GU - Block 1		
The following regulation shall apply to the land idenfitied as Block 1 in Special Figure 8.117.1		
a)	Minimum *rear yard setback* for *townhouse dwelling unit street* access *private garage* abutting *SMF zone*	5.5 m
8.117.3 Special Zone Provision for NC – Block 2		
The following regulation shall apply to the land idenfitied 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	Digram Developments Oakville Inc. 3380 Sixth Line	Parent Zone: GU, NC
Map 12(4)		(2022-048)

8.117.4 Special Zone Figure

Figure 8.117.1



Special Provisions

118	**Digram Developments Oakville Inc.** **3380 Sixth Line**	Parent Zone: NC
Map 12(4)		(2022-048) (2023-025)

8.118.1 Only Permitted Building Type		
The following is the only *Building* Type permitted:		
a)	*Mixed use building*	
8.118.3 Zone Provisions		
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 *front lot line.*	
c)	Maximum *height*	6 *storeys* and 21 m
d)	Minimum *height* of the *first storey* for a *mixed use building*	4.5 m
f)	Minimum *floor area* for non-*residential uses*	300 sq.m
g)	Non-*residentia*l *suites* located on the *first storey* shall have a minimum of one main entrance oriented towards a *street*.	
h)	Ventilation shafts/housing, stairways associated with an underground *parking structure,* hydro vaults and above-ground gas meters including any appurtenances thereto, are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	

Special Provisions

119	Digram Developments Oakville Inc. 3380 Sixth Line	Parent Zone: NC
Map 12(4)		(2022-048) (2023-025)

8.119.1 Only Permitted Building Type		
The following is the only *Building* Type permitted:		
a)	*Mixed use building*	
b)	*Apartment*	
8.119.3 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
b)	The *lot line* abutting Street F, as shown on Figure 8.117.1, shall be deemed the *front lot line.*	
c)	Minimum *rear yard* setback	6 m
c)	Maximum *height*	6 *storeys* and 21 m
d)	Minimum *height* of the *first storey* for a *mixed use building*	4.5 m
e)	Maximum *Floor Space Index*/Density	2
f)	Minimum *floor area* for non-*residential uses*	300 sq.m
g)	Non-*residential suites* located on the *first storey* shall have a minimum of one main entrance oriented towards a *street*.	
h)	Ventilation shafts/housing, stairways associated with an underground *parking structure,* hydro vaults and above-ground gas meters including any appurtenances thereto are not permitted between a *building* wall and *front lot line* or *flankage lot line*.	

Special Provisions

120 Map 12(4)	**Lower Fourth Development Limited and Pendent Developments Ltd. Part of Lots 17 – 19, Con. 1, NDS**	Parent Zone: S, GU, NC (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 *storeys* in height and which may include a door.	4.0 m
b)	For corner *lots,* 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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior *lots*, 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*. Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	*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 *building* or insect screening. The total area of the vertical plane shall be measured from the top of the *porch* slab to the underside of the *porch* ceiling.	

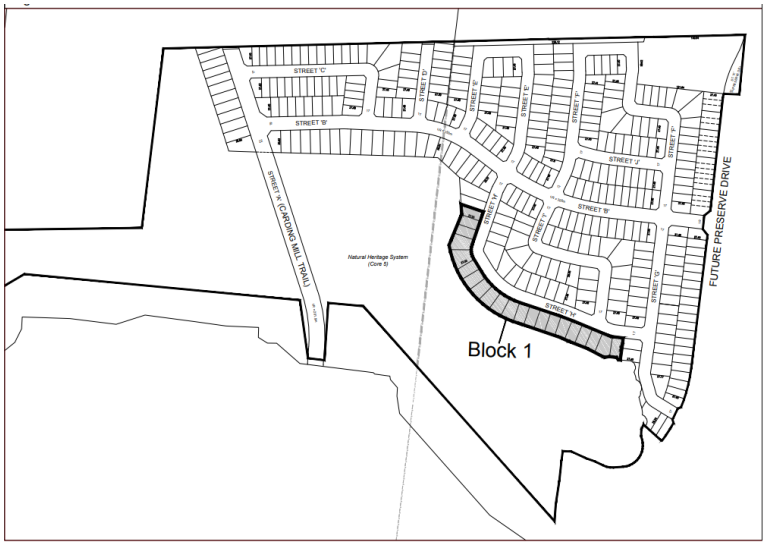
8.120.2 Additional Zone Provisions for Block 1

The following additional regulations apply to Block 1 identified in Figure 8.120.1.

a)	Minimum *rear yard* setback	6 m
b)	Notwithstanding 8.120.2 a) above, 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.	

8.120.3 Special Site Figure

Figure 8.120.1



Special Provisions

121 Map 12(4)	**Lower Fourth Development Limited and Pendent Developments Ltd.** **Part of Lots 17 – 19, Con. 1, NDS** **Docasa Group Ltd.** **Part of Lots 17, Con. 1, NDS**	Parent Zone: I (2022-059) (2023-018) OLT-22-004475
8.121.1 Zone Provisions		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Maximum *front yard*	Shall not apply
b)	Maximum *flankage yard*	Shall not apply
c)	Minimum *building height* for a *public school* elementary	Shall not apply
d)	Maximum *building height* for a *public school* elementary	18 m
e)	Minimum *landscape strip* width along the *rear lot line* or *interior lot line*	4.5 m
f)	Section 1.7 (iii)	Shall not apply
g)	Section 4.13.1	Shall not apply
8.121.2 Parking Regulations		
a)	Parking requirments for a *Public School* Elementary	3 *parking spaces* per classroom maximum
b)	Parking requirments for *Day Care* Centre inclusive of *parking spaces* for queuing	1 *parking space* per 18 m^2 of *leasable floor area* minimum; and, no maximum

Special Provisions

122	Sixth Oak Inc. 103 Burnhamthorpe Road West	Parent Zone: I
Map 12(4)		(2023-013)

8.122.1 Additional Permitted Uses		
The following additional use is permitted:		
a)	*Sports facility* in conjunction with a *school, public*	
b)	*Day care* centre in conjunction with a *school, public*	
8.122.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this special provision:		
a)	The *lot line* abutting Burnhamthorpe Road West shall be deemed the *front lot line.*	
b)	Maximum *front yard*	Shall not apply
c)	Maximum *flankage yard*	Shall not apply
d)	Minimum *height* for a *school, public*	Shall not apply
e)	Maximum *height* for a *school, public*	21.0 m
f)	Maximum *height* for a *sports facility*	30.0 m
g)	Section 1.7 (iii)	Shall not apply
8.122.3 Parking Regulations		
The following parking regulations apply for a *school public*, inclusive of a *sports facility* and a *day care* centre:		
a)	Minimum number of *parking spaces*	205
b)	Maximum number of *parking spaces*	256
c)	*Parking spaces* for *day care* centre queuing	Shall not apply
8.122.4 Special Site Provisions		
The following additional provisions apply:		
a)	"**Sports facility**" means a premises or outdoor area in which facilities are provided for leagues, instruction, practice, training or physical exercise for sports.	

Special Provisions

124 Map 12(4)	**Star Oak Developments Limited** **90 Burnhamthorpe Road West** **Docasa Group Ltd.** **Part of Lots 17, Con. 1, NDS**	Parent Zone: GU, NC (2023-008) OLT-22-004517, (2023-018) OLT-22-004475
8.124.1 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 *storeys* in *height* and which may include a door.	4.0 m
b)	For corner *lots,* 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 40% of the *porch*. However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	For interior *lots*, 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*. Steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
d)	*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 *building* or insect screening. The total area of the vertical plane shall be measured from the top of the *porch* slab to the underside of the *porch* ceiling.	
8.124.2 Additional Zone Provisions for GU Zoned Lands		
The following regulations shall apply to *lots* with a *lot depth* of 28.0 metres or less with a *single detached dwelling street* access attached *private garage building* type:		
a)	Minimum *rear yard setback*	6.0 m
b)	*Floor area* beyond the minimum *rear yard setback* of 6.0 m is prohibited.	

Special Provisions

125 Map 12(4)	**Docasa Group Ltd.** **Part of Lots 17, Con. 1, NDS**	Parent Zone: NC (2023-018) OLT-22-004475
8.125.1 Only Permitted Building Type		
The following *building* types are the only *building* types permitted:		
a)	*Apartment*	
b)	*Mixed use building*	
8.125.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this special provision:		
a)	The *lot line* abutting Street A extension, future Preserve Drive, shall be deemed the *front lot line.*	
b)	Minimum *front yard setback*	0.0 m
c)	Minimum *flankage yard setback*	1.0 m
d)	Minimum *Floor Space Index* for an *apartment*	0.5
e)	Maximum *Floor Space Index* for an a*partment*	2.0
f)	Minimum and maximum *density* for an a*partment* in Table 7.5.2 shall not apply.	
g)	Maximum *height*	6 *storeys* and 21.0 m
h)	Minimum *height* of the *first storey* for an *apartment* or *mixed use building*	4.5 m
8.125.3 Parking Regulations		
The following parking regulations apply:		
a)	Ventilation shafts, stairs and stairways associated with a *parking garage* below *grade*, hydro vaults and above *grade* water and gas meters including any appurtenances thereto are not permitted between a *building* wall and *front lot line* or *flankage lot line.*	
8.125.4 Special Site Provisions		
The following additional provisions apply:		
a)	*Height* shall be measured from the finished floor elevation of the *first storey.*	

Special Provisions

126 Map 12(4)	**Docasa Group Ltd.** **Part of Lots 17, Con. 1, NDS**	Parent Zone: NC (2023-018) OLT-22-004475
8.126.1 Only Permitted Building Type		
The following *building* type *is* the only *building* types permitted:		
a)	*Mixed use building*	
8.126.2 Zone Provisions		
The following regulations apply to all lands identified as subject to this special provision:		
a)	The *lot line* abutting the Street A extension, future Preserve Drive, shall be deemed the *front lot line.*	
b)	Minimum *flankage yard setback*	1.0 m
c)	Minimum *rear yard setback* abutting GU *zone*	7.5 m
d)	Minimum *rear yard setback* for *parking garages* below *grade* abutting GU *zone*	3.0 m
e)	Maximum *height*	6 storeys and 21.0 m
f)	Minimum *height* of the *first storey* for a *mixed use building*	4.5 m
g)	Minimum *floor area* for non-residential *uses*	350 m^2
h)	Each non-residential unit located on the *first storey* shall have a minimum of one main entrance oriented towards a *public street*.	
8.126.3 Parking Regulations		
The following parking regulations apply:		
a)	Ventilation shafts, stairs and stairways associated with a *parking garage* below *grade*, hydro vaults and above *grade* water and gas meters including any appurtenances thereto are not permitted between a *building* wall and *front lot line* or *flankage lot line.*	
b)	*Parking* requirements for non-residential *uses*	1 *parking space* per 30 square metres of *leasable floor area* minimum
8.126.4 Special Site Provisions		
The following additional provisions apply:		
a)	*Height* shall be measured from the finished floor elevation of the *first storey.*	

Special Provisions

128	Mattamy (Joshua Creek) Limited Part of Lot 8 & 9, Concession 1, NDS Rampen Holdings Inc. 1086 Burnhamthorpe Road East	Parent Zone: S
Map 12(6)		(2023-036) (2024-090)

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 *storeys* in *height* and which may include a door.	4.0 m
b)	For *corner lots* or lots abutting the Natural Heritage System (NHS) zone, 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 40% of the *porch*. However, steps and other obstructions 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 *building* or insect screening.	
d)	Notwithstanding the minimum *rear setback yard* in Section 7.6.2, the minimum *rear yard setback* for a *single detached dwelling street* access attached *private garage* abutting the Natural Heritage System (NHS) *zone*.	6.0 m

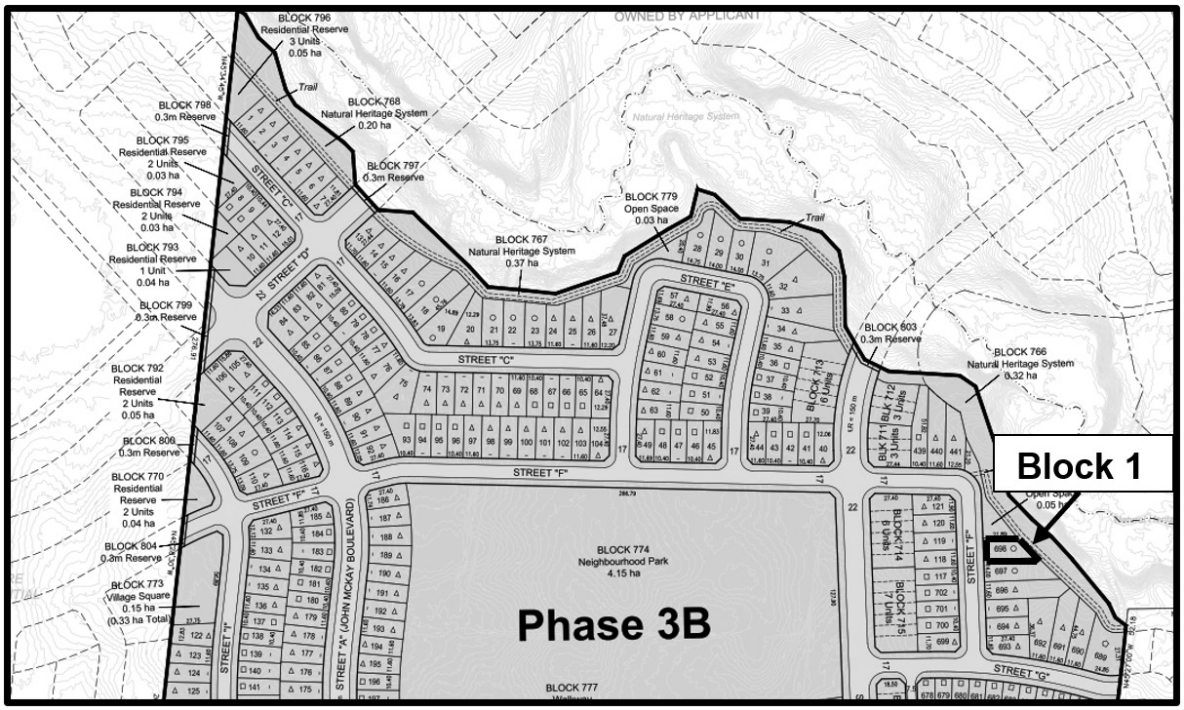
8.128.2 Additional Zone Regulations for Blocks 1 and 2

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 *lot depth*	20 m

8.128.3 Special Site Figure

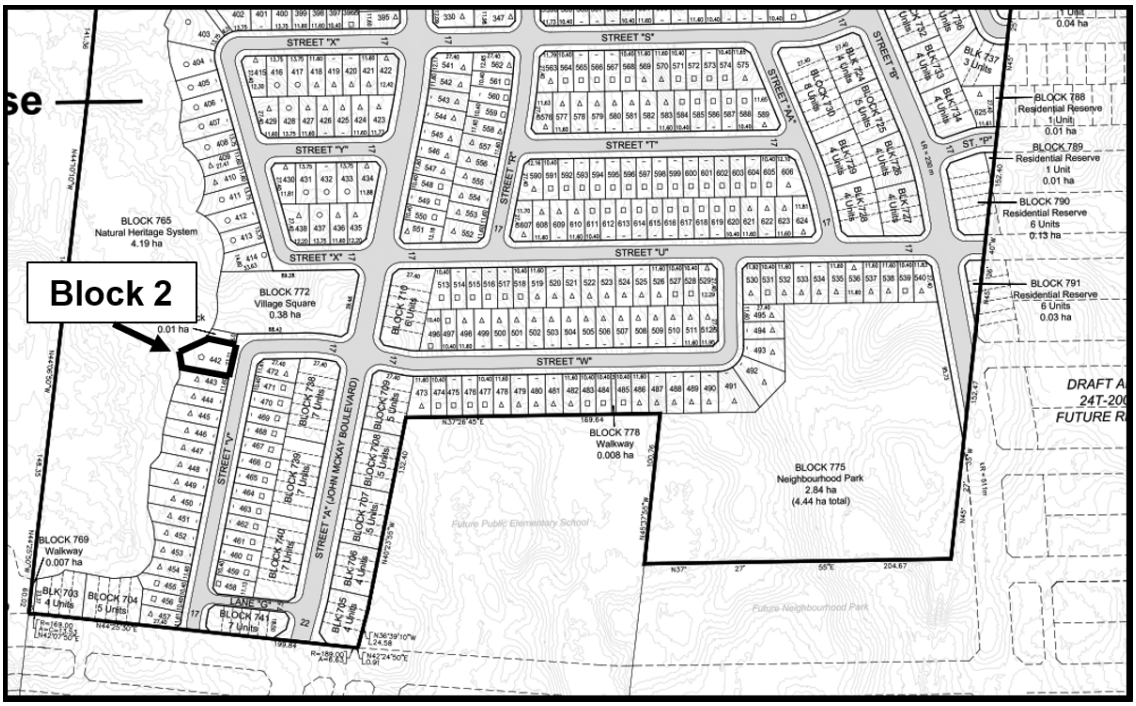
Figure 8.128.1 Special Provision 128



Special Provisions

128	Mattamy (Joshua Creek) Limited Part of Lot 8 & 9, Concession 1, NDS Rampen Holdings Inc. 1086 Burnhamthorpe Road East	Parent Zone: S
Map 12(6)		(2023-036) (2024-090)

Figure 8.128.2



Special Provisions

129	Mattamy (Joshua Creek) Limited Part of Lot 8 & 9, Concession 1, NDS	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 *storeys* in *height* and which may include a door.	4.0 m
b)	For *corner lots* or lots abutting the Natural Heritage System (NHS) zone, 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 40% of the *porch*. However, steps and other obstructions 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 *building* or insect screening.	

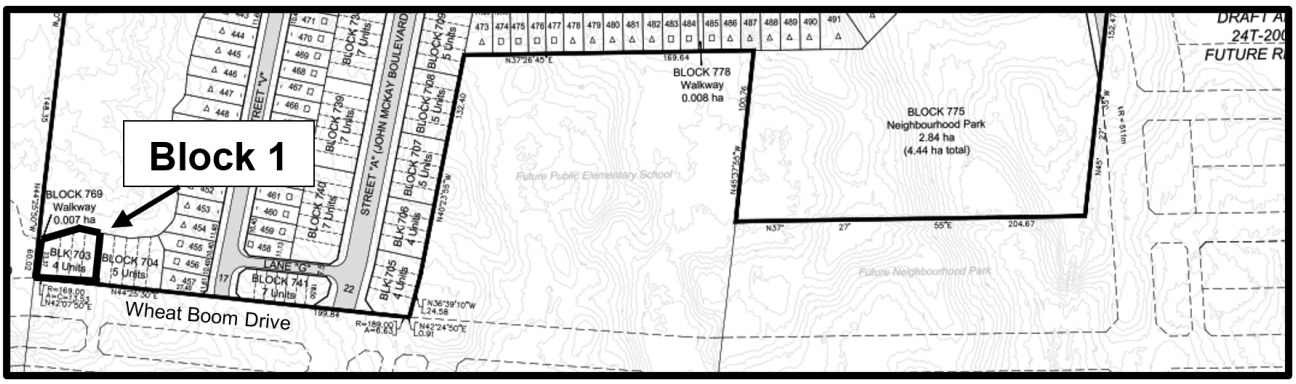
8.129.2 Additional Zone Regulations for Block 1

The following additional regulations apply to the lands identified as Block 1 on Figure 8.129.1:

a)	Minimum *rear yard* setback for the end *dwelling unit* adjacent to the walkway	3.5 m

8.129.3 Special Site Figure

Figure 8.129.1 Special Provision 129

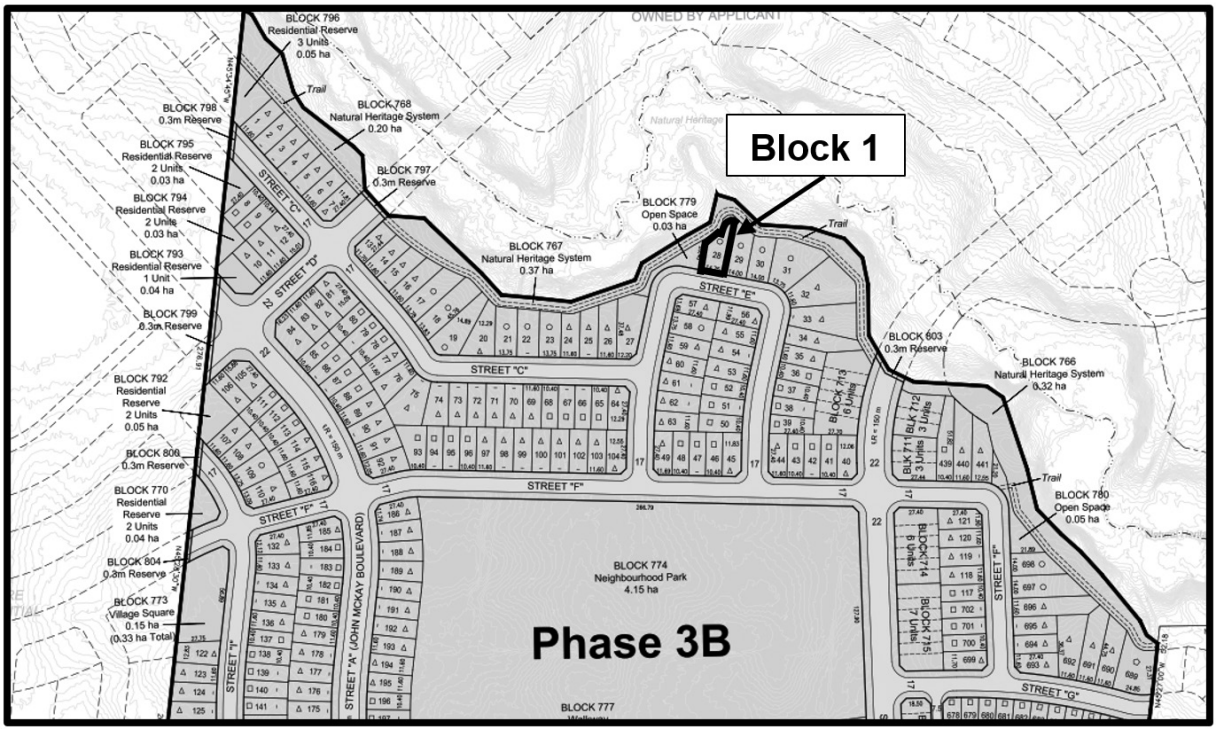


Special Provisions

130	Mattamy (Joshua Creek) Limited Part of Lot 8 & 9, Concession 1, NDS	Parent Zone: NC
Map 12(6)		(2023-036)

8.130.1 Only Permitted Building Types	
The following *Building Types* are the only *Building Types* permitted:	
a)	*Connected commercial/residential building*
8.130.2 Zone Provisions	
The following regulations apply to all lands identified as subject to this Special Provision:	
a)	Minimum and maximum *Floor Space Index* shall not apply to a *connected commercial/residential building*
b)	Each *dwelling unit* shall include a *commercial* component on the ground floor for a connected *commercial/residential building*
c)	Section 4.17.1 i) shall not apply.
8.130.3 Parking Regulations	
The following parking regulations apply to a *connected commercial/residential building:*	
a)	For the *commercial* component up to 90 square metres – 2 *parking spaces* which may be provided in tandem

Special Provisions

131	Mattamy (Joshua Creek) Limited Part of Lot 8 & 9, Concession 1, NDS	Parent Zone: GU
Map 12(6)	Rampen Holdings Inc. 1086 Burnhamthorpe Road East	(2023-036) (2024-090)

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 *storeys* in *height* and which may include a door.	4.0 m
b)	For *corner lots* or lots abutting the Natural Heritage System (NHS) zone, 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 40% of the *porch*. However, steps and other obstructions 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 *building* or insect screening.	
d)	Notwithstanding the minimum *rear setback yard* in Section 7.6.2, the minimum *rear yard setback* for a *single detached dwelling street* access attached *private garage* 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 *lot depth*	20 m
8.131.3 Special Site Figure		
Figure 8.131.1 Special Provision 131