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**SECTION 6.0 - GENERAL PROVISIONS**

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## 6.1. Uses Permitted in All Zones

6.1.1.  
Amended by  
Bylaws No.  
146-92, 181-98

The provisions of this Bylaw shall not apply to prevent the use of any lot, or to prevent the erection or use of any building or structure for the following purposes:

- .1 A public street or highway.
- .2 Rail lines, including tracks, spurs, and other railway facilities.
- .3 Public services, in accordance with Section 6.19 of this Bylaw.
- .4 The erection or use of field offices, contractors' huts, or other temporary buildings or of scaffolding or other temporary structures, the sole purpose of which is incidental to the erection, alteration, enlargement, or repair of buildings or structures, for only so long as the same are necessary for work in progress which has neither been finished or abandoned.
- .5 The use of a building or part thereof as a temporary polling station for a Federal, Provincial, or Municipal election or referendum.
- .6 Any undertaking of Ontario Hydro which has been approved or granted an exemption under the Environmental Assessment Act, and existing electric power facilities.
- .7 Public parks, in accordance with Section 11.1.2. of this Bylaw.
- .8 Signs subject to the prohibitions and regulations contained in the City Sign Bylaw.
- .9 The erection and use of temporary buildings and structures, the sole purpose being the promotional sale or rental of land or buildings, subject to the following regulations:
  - .1 Such buildings or structures shall be located on a lot for only as long as the same are necessary for the sales or rentals to be completed, or the development on the lot is finished or abandoned.
  - .2 No portion of said building or structure shall be used for human habitation.
  - .3 Notwithstanding Section 6.27, such building or structure may be established without connections to municipal sanitary sewers and water, subject to the approval of the City.
  - .4 Such buildings or structures may be located on a lot occupied by no more than one other principal use permitted by the Zone applying to said lot.

## 6.2. Uses Prohibited in a Zone

6.2.1. A use is prohibited in a Zone unless specifically permitted by this Bylaw.

- 6.2.2. Noxious uses shall be prohibited in all Zones.
- 6.2.3. An amusement arcade shall be prohibited as an accessory use to any permitted use.
- 6.2.4  
Amended by  
Bylaw No.  
25-91 In the RE, R1A, R1B, R1C, R1D, R2, R3, RC and R4A Zones, two or more permitted principal uses on one lot are prohibited, except that a day nursery may be combined with another permitted principal use in said Zones.
- 6.2.5  
Amended by  
Bylaw No.  
25-91 In the RE, R1A, R1B, R1C, R1D, R2, R3, RC and R4A Zones, two or more main buildings on one lot are prohibited, except that in a R4A Zone, block dwellings contained in more than one main building may occupy one lot.

### **6.3. Accessory Uses, Buildings, and Structures**

- 6.3.1.  
Amended by  
Bylaws No.  
34-93 & 44-97 Where this Bylaw permits the use of any lot, or the erection or use of any building or structure, that purpose shall include any accessory use, accessory building, or accessory structure, except as otherwise specified herein, subject to the following regulations:
- .1 The maximum lot coverage of all accessory buildings and structures shall be 10%.
  - .2 Notwithstanding Section 2.2.10, the maximum height measured from the finished grade level to the highest point of an accessory building or structure shall be:
 

.1 All Residential Zones	4.5 m
.2 All Institutional Zones	4.5 m
.3 All Commercial Zones	6.0 m
.4 All Industrial Zones	6.0 m
.5 All Open Space Zones	4.5 m
.6 Accessory dwellings in other than a Residential Zone	2 storeys
  - .3 In Residential Zones, no accessory building or structure shall be located:
    - .1 In a required front yard or required exterior side yard, except a gate house in a RHD Zone.
    - .2 Closer than 0.6 m to an interior lot line.
    - .3 Closer than 0.6 m to a rear lot line, or, in the case of a through lot, no closer than 0.6 metres to a public laneway.
    - .4 Closer than 1.5 m to any main building or structure on the lot.
  - .4 No accessory building or structure shall be used for an habitable room, or for the purposes of a home occupation, unless otherwise permitted by this Bylaw.
  - .5 Notwithstanding Section 6.3.1.1, a deck with a maximum height of 1.2 m above the mean elevation of the area below the deck shall not be included in the calculation of maximum lot coverage.
- Amended by  
Bylaw No.  
166-2005

- .6 In all Industrial, Commercial, and Institutional Zones, no accessory building or structure shall be located:
  - .1 In a required front yard or required exterior side yard, except a gate house.
  - .2 Closer than 0.6 m to any lot line.
  - .3 Closer than 3.0 m to any main building or structure on the lot.
  - .4 In contravention of Section 6.10 or 6.11.
- .7 In an Open Space (OS) Zone, accessory buildings or structures shall be located in accordance with the regulations for main buildings and structures.
- .8 The gate house permitted by Sections 6.3.1.3.1 and 6.3.1.6.1 shall not exceed 3.0 m in height or 12.0 m<sup>2</sup> in gross floor area.

6.3.2.  
Amended by  
Bylaw No.  
140-2002  
166-2005  
57-2010

#### Accessory Swimming Pools

Swimming pools in all Residential Zones shall be subject to the following regulations:

- .1 A private outdoor swimming pool shall:
  - .1 only be permitted in an interior side yard or rear yard;
  - .2 be located no closer than 1.5m to any side or rear lot line;
  - .3 be located no closer to the street than the minimum required front yard when situated in the rear yard of a through lot, or, in the case in which the rear lot line abuts a public laneway, a minimum of 1.5 metres;
  - .4 not exceed a height of 2.0 m above ground elevation;
  - .5 be excluded from the determination of the lot coverage of a lot for a permitted use, and for an accessory use where the height of the swimming pool is 1.2 m or less;
  - .6 be permitted to have the deck surround structure of an aboveground outdoor swimming pool attached to the main building on the lot where such deck surround structure is 1.2 m or less in height and otherwise complies with the provisions of this Bylaw regarding accessory structures; and
  - .7 shall be enclosed in accordance with the Corporation's Bylaw regarding the erection and maintenance of fences and gates around private outdoor swimming pools.
  - .8 be located no closer than 1.5m from all building and structures on the lot;
  - .9 include those types of private outdoor swimming pools commonly referred to as "hot tubs", which must comply with all of the provisions of Section 6.3.2.1, save and except for Section 6.3.2.1.8, which shall not apply.

- .2 A private enclosed detached swimming pool shall:
  - .1 comply with the relevant provisions of this Bylaw regarding accessory buildings and structures;
  - .2 be included in the determination of maximum lot coverage for the main building or structure, and not the maximum lot coverage for accessory buildings and structures.
- .3 A private enclosed attached swimming pool shall:
  - .1 comply with the relevant provisions of this Bylaw regarding main buildings;
  - .2 be included in the determination of maximum lot coverage for the main building.

#### 6.3.3. Satellite Dishes

Amended by  
Bylaw No.  
115-92

- .1 A satellite dish shall not be permitted in any front yard or exterior side yard in any Zone.
- .2 Satellite dishes shall be set back from the rear and side lot lines a minimum of 1.5 m., or the equivalent of the required exterior side yard for the Zone in which the lot is located, whichever is the greater.
- .3 The maximum height of a satellite dish shall be 4.5 m., measured from the finished grade level to the highest point of the satellite dish.
- .4 The maximum height of a satellite dish mounted on a building shall be the maximum building height permitted in the Zone.

#### 6.3.4. Accessory Caretaker's Residence

Amended by  
Bylaw No.  
34-93

- .1 Notwithstanding Section 6.3.1.4, no residential uses shall be permitted in an Industrial Zone except for a dwelling unit occupied by the owner, a caretaker or watchman employed full time by the industrial use on the lot to which the dwelling unit is accessory. Such dwelling unit shall be established in accordance with the following regulations in addition to the Industrial Zone regulations:
  - .1 Lot Area (minimum) 50.0 m<sup>2</sup> in addition to the minimum lot area required for the industrial use
  - .2 Interior Side Yard (minimum) 4.5 m for the portion of the building containing the dwelling unit, if the dwelling unit has one or more windows or doors facing the interior side lot line.
  - .3 Gross Floor Area (minimum) 40.0 m<sup>2</sup>

6.3.5. Accessory General Offices

- .1 General offices which are accessory to, and used for administration or to accommodate the in-house technical and professional services of a use permitted in an Industrial Zone may be permitted either:
  - .1 in the same building as the main permitted use, or
  - .2 in a separate building on the same lot as the building occupied by the main permitted use, and such building shall be subject to the regulations of a main building.

6.3.6. Accessory Retail Sales

Amended by  
Bylaw No.  
185-2001

- .1 Where accessory retail sales are permitted in an Industrial Zone, the following regulations shall apply:
  - .1 A maximum of 10% of the gross floor area of a manufacturing or warehouse use may be used for the retail sale of goods, materials or things produced or warehoused on the premises.
  - .2 Where a lot supports an industrial mall or buildings containing more than one manufacturing or warehousing use, the maximum gross floor area for any accessory retail sales associated with a manufacturing or warehousing use shall be calculated individually for each manufacturing or warehousing use.
  - .3 The gross floor area used for accessory retail sales shall be separated from the main manufacturing or warehousing use by a permanent, solid, floor-to-ceiling and wall-to-wall partition and closed doors.

6.3.7 Accessory Used Motor Vehicle Sales

Amended by  
Bylaw No.  
141-94

- .1 Used motor vehicle sales are permitted as an accessory use to an autobody repair shop, automobile service station, or public garage.

**6.4 Permitted Encroachments in Required Yards**

6.4.1. Every part of any yard required by this Bylaw shall be open and unobstructed by any building or structure above grade level, except as provided in the following table:

6.4.1.1.  
Amended by  
Bylaws No.  
34-93  
140-2002

<u>Structure</u>	<u>Yard in Which Projection is Permitted</u>	<u>Maximum Permitted Projection</u>
Unenclosed porch, verandah or deck (with or without	All	2.5 m, provided the projection is no closer than

a roof)		1.2 m to a lot line
Fire escapes and exterior staircases	Side and rear yards	1.5 m, provided the projection is no closer than 1.2 m to a lot line
Sills, belt courses, cornices, eaves, chimney breasts, pilasters, lintels, and other ornamental structures	All	0.6m, provided the projection is no closer than 0.3m to a lot line
Bay windows (not constructed on foundations)	All	0.6 m, provided the projection is no closer than 0.3m to a lot line
Unenclosed steps (with or without a landing)	All	3.0 m, provided the projection is no closer than 0.6 m to a lot line
Balconies (not constructed on foundations)	All	1.5 m, provided the projection is no closer than 3.0 m to a lot line
Ramps for physically disabled persons	All	Unlimited, provided the projection is no closer than 0.6 m to a lot line
Canopy (attached to an apartment building)	Front and side	6.0 m, provided the projection is no closer than 3.0 m to a lot line
Heating/cooling equipment and utility metres	All	1.2 m, provided the projection is no closer than 0.6 m to a lot line

#### 6.4.2. Enclosure of Porches, Verandahs and Decks

- .1 In all Residential Zones, the enclosure of a porch, verandah or deck shall be permitted, provided:
  - .1 That the porch, verandah or deck complies with the required front, side and rear yards of the applicable Residential Zone; and
  - .2 The dwelling, including the enclosed porch, verandah or deck, does not exceed the maximum lot coverage of the applicable Residential Zone.

## 6.5. Non-Conforming Uses

6.5.1. Nothing in this Bylaw shall prevent:

- .1 The use of any lot, building, or structure for any purpose prohibited by this Bylaw if such lot, building, or structure was lawfully used for such purpose on the day of passing of this Bylaw, and provided that it continues to be used for that purpose;
- .2 The erection or use for a purpose prohibited by this Bylaw of a building or structure for which a permit has been issued by the Chief Building Official, prior to the day of passing of this Bylaw, pursuant to the Building Code Act, so long as the building or structure when erected is used and continues to be used for the purpose identified on the building permit, and provided the permit has not been revoked pursuant to the Building Code Act; or

Amended by  
Bylaw No.  
100-98

- .3 The repair, replacement or strengthening to a safe condition, of any building or structure or part thereof which is used for a non-conforming use, provided such repair, replacement or strengthening does not increase the height, size, floor area, or use of such building or structure beyond the original foundation walls of the building or structure.

## 6.6. Non-Compliant Use

6.6.1. Nothing in this Bylaw shall prevent the extension, enlargement, repair, strengthening, or replacement of a use, building, or structure which is non-compliant provided that:

- .1 The use or uses are permitted by this Bylaw.
- .2 The extension, enlargement, repair, strengthening, or replacement does not further deviate from the required regulations established by this Bylaw.
- .3 Buffering is provided in accordance with the provisions of this Bylaw.

## 6.7. Non-Compliant Lots

6.7.1 Lots Reduced by Expropriation

Amended by  
Bylaw No.  
34-93

Where a lot has a lesser lot area and/or lot frontage than herein required as a result of an acquisition of part of said lot by any public agency having the power of expropriation and would have otherwise complied to said lot area and/or lot frontage requirements prior to said acquisition, such lot may be used and a building or structure may be erected or used thereon in accordance with all other provisions of this Bylaw.

6.7.2 Existing Vacant Lots

Amended by  
Bylaw No.  
34-93

Where a lot has a lesser lot area and/or frontage as required herein, and

- .1 was legally created and held in distinct and separate ownership from abutting lots prior to the passing of this Bylaw; and

.2 was vacant at the time of passing of this Bylaw and has continued to be vacant; such lot may be used and a building or structure may be erected or used thereon in accordance with all other provisions of this Bylaw.

## 6.8. Day Nursery

6.8.1. Day nurseries shall be permitted only in accordance with the following:

Amended by  
Bylaw No.  
100-98

.1 Access is required from a major arterial road, a minor arterial road, a major collector road or a minor collector road in all Zones, except I (Institutional), C (Commercial), and M (Industrial) Zones.

.2 A free-standing day nursery building shall be subject to the following regulations:

- |     |  |  |
|-----|--|--|
| .1  | Lot Area (minimum)   | 420.0 m <sup>2</sup>   |
| .2  | Lot Frontage (minimum)   | 15.0 m   |
| .3  | Lot Coverage (maximum)   | 35%  |
| .4  | Building Height (maximum)  | 2 storeys  |
| .5  | Front Yard (minimum)   | 6.0 m or the minimum front yard required in the Zone, whichever is greater |
| .6  | Rear Yard (minimum)  | 7.5 m  |
| .7  | Side Yard (minimum)  |  |
|     | .1 Interior  | 2.4 m  |
|     | .2 Exterior  | 6.0 m  |
| .8  | Landscaped Open Space (minimum)  | 30%  |
| .9  | Parking in accordance with   | Section 6.18   |
| .10 | Planting strip:  |  |
|     | .1 Abutting a freeway or the corridor area shown on Schedule "J"             | 15.0 m   |
|     | .2 Abutting any other street   | 1.5 m  |
| .11 | Open Storage   | Prohibited   |
| .12 | Buffering in accordance with   | Section 6.10   |
| .13 | Outdoor play space shall not be located in a required front yard or required |  |

Amended by  
Bylaw No.  
100-98

exterior side yard, and shall be located within the landscaped open space.

6.8.2. Where a day nursery is permitted in a dwelling, it shall only be permitted in an apartment dwelling, block townhouse dwelling or single family dwelling.

6.8.3. When a day nursery is located in a portion of an apartment dwelling or a block townhouse dwelling, or as a portion of any other building, the following regulations shall apply in addition to the regulations for the Zone in which the day nursery is located:

- .1 The day nursery shall only be permitted on the ground floor.
- .2 Open storage Prohibited
- .3 Parking in accordance with Section 6.18
- .4 Outdoor play space shall not be located in a required front yard, required exterior side yard or parking area, and shall be located within the landscaped open space.

**6.9 DELETED**

Amended by  
Bylaw No.  
141-94

**6.10. Buffering**

6.10.1. Notwithstanding any other provisions of this Bylaw, where a lot in an Institutional, Commercial, or Industrial Zone abuts a lot in a Residential Zone, an Open Space Zone, or a residential use in an Institutional Zone, a buffer consisting of either 15.0m of landscaped open space or a buffer approved pursuant to the Site Plan Control provisions of the Planning Act shall be provided and maintained on the institutional, commercial, or industrial lot to screen all parking spaces, parking areas, loading spaces, and open storage areas thereon.

6.10.2. Notwithstanding any other provision of this Bylaw, where a lot in a non-residential Zone abuts a lot in a Residential Zone, no building or structure and no open storage exceeding 1.5 m in height shall be permitted within 6 m of a lot in a Residential Zone.

6.10.3. Notwithstanding any other provisions of this Bylaw, where an elementary, secondary or private school abuts a Residential Zone, a building or structure shall be permitted to have a minimum interior side and/or rear yard of 7.5 metres, provided a buffer approved pursuant to the Site Plan Control provisions of the Planning Act, is provided and maintained on the institutional lot to screen the building or structure.

**6.11. Planting Strip**

6.11.1. Unless otherwise required herein, the following planting strips are required in all Institutional and Commercial Zones:

- Amended by .1 Abutting a freeway or the corridor area Minimum 15.0m planting strip or a reduced planting strip approved  
Bylaws No. shown on Schedule "J"  
100-98

81-2001		pursuant to the Site Plan Control provisions of the Planning Act 3.0 m or the area between the Established Front Building Line and the street, whichever is less.
	.2 Abutting any other street	
6.11.2. Unless otherwise required herein, the following planting strips are required in all Industrial Zones:		
Amended by Bylaws No. 100-98 81-2001	.1 Abutting a freeway or the corridor area shown on Schedule "J"	Minimum 15.0m planting strip or a reduced planting strip approved pursuant to the Site Plan Control provisions of the Planning Act
	.2 Abutting Lynden Road or any street in an M3 Zone	3.0 m
	.3 Abutting any other street in an M1, M2 or M4 Zone	1.5 m or the area between the Established Front Building Line and the street, whichever is less.
6.11.3. Unless otherwise required herein, the following planting strips are required in R4A, R4B and RHD Zones:		
Amended by Bylaws No. 100-98 81-2001	.1 Abutting a freeway or the corridor area shown on Schedule "J"	Minimum 15.0 planting strip or a reduced planting strip approved pursuant to the Site Plan Control provisions of the Planning Act
<b>6.12. <u>Open Storage</u></b>		
6.12.1. <u>Open Storage - Commercial Zone</u>		
	.1 Unless otherwise permitted herein, open storage shall be prohibited in a Commercial Zone.	
	.2 Where permitted, open storage shall comply with the following:	
	.1 Open storage shall not be permitted in a yard abutting a street.	
Amended by Bylaw No. 100-98	.2 Notwithstanding Section 6.12.1.2.1, if the lot on which the open storage is located abuts two or more streets, then the open storage may be permitted in one such yard provided such open storage complies with	

Section 6.12.1.2.3, but in no case shall open storage be permitted in a yard abutting a freeway or the corridor area shown on Schedule "J".

- .3 An open storage area shall be located or buffered so that it is not visible from a street or an abutting lot in other than a Commercial Zone.
- .4 An open storage area shall not extend over more than 30% of the lot area and such area shall not include required parking spaces, parking areas, and landscaped open space.
- .5 The height of stored materials shall not exceed 4.5 m.

Amended by  
Bylaw No.  
50-2003

- .3 Notwithstanding Sections 6.12.1.1 and 6.12.1.2 inclusive, the open storage of new and used vehicles shall be permitted in any yard as an accessory use to an automobile sales establishment.

6.12.2. Open Storage - M1 (Industrial Commercial) and M3 (Business Park Industrial) Zones

- .1 In an M1 (Industrial Commercial) Zone and M3 (Business Park Industrial) Zone, open storage shall not be permitted in a yard abutting a street.
- .2 Industrial uses in M1 (Industrial Commercial) and M3 (Business Park Industrial) Zones shall not be permitted the open storage of garbage and refuse except in accordance with this subsection:
  - .1 An open storage area in M1 (Industrial Commercial) and M3 (Business Park Industrial) Zones shall be located and buffered so that it is not visible from a street or an abutting lot in a non-industrial zone.
  - .2 An open storage area shall not extend over more than 10% of the lot area, and such area shall be exclusive of required parking spaces, parking areas, and landscaped open spaces.
- .3 Notwithstanding Sections 6.12.2.1. to 6.12.2.2. inclusive, the open storage of new and used vehicles shall be permitted in any yard as an accessory use to an automobile sales establishment.
- .4 The height of stored materials shall not exceed 1.8 m.

6.12.3. Open Storage - M2 (General Industrial) Zone

Amended by  
Bylaw No.  
89-96

- .1 In an M2 (General Industrial) Zone, open storage shall not be permitted in a yard abutting a street.

Amended by  
Bylaw No.  
100-98

- .2 Notwithstanding Section 6.12.3.1, if the lot on which the open storage is located abuts two or more streets, then the open storage may be permitted in one such yard provided such open storage complies with Section 6.12.3.3, but in no case shall open storage be permitted in a yard abutting a freeway or the corridor area shown on Schedule "J".
- .3 Industrial uses in an M2 (General Industrial) Zone shall not be permitted the

open storage of garbage and refuse except in accordance with this subsection:

- .1 An open storage area in an M2 (General Industrial) Zone shall be located and buffered so that it is not visible from a street, Highway 403 or an abutting lot in a non-industrial Zone.
- .2 An open storage area shall not extend over more than 30% of the lot area, and such area shall be exclusive of required parking spaces, parking areas, and landscaped open spaces.
- .4 The height of stored materials shall not exceed 4.5 m.

#### 6.12.4 Open Storage - M4 (Industrial Extraction) Zone

- .1 Open storage areas shall be prohibited within:
  - .1 90.0 m of a lot line in a Residential Zone; or
  - .2 30.0 m of all other lot lines or zone boundaries.

#### 6.13. Flood Lighting

- 6.13.1. Where flood lighting facilities are provided in conjunction with any use in this Bylaw, said lighting shall be directed away from any adjacent habitable living space or street.

#### 6.14. Height Exceptions

- 6.14.1. A stair tower, elevator shaft, water tank, skylight, mechanical penthouse, or other heating, cooling, or ventilating equipment, window washing equipment, or a fence, wall, or structure enclosing such elements shall be permitted, which exceeds the height regulations of the Zone, provided that:
  - .1 the maximum height of such elements is 5.0 m;
  - .2 the aggregate horizontal area of such elements, including the fence or other enclosure, does not exceed 30% of the area of the roof;
  - .3 the width of such elements, including the fence or other enclosure, does not exceed 30% of the width of the wall of the main building facing any street line.
- 6.14.2. An aerial, antenna (excluding a satellite dish), chimney, silo, fire hose tower, steeple, cupola, or other ornamental structure which does not provide habitable living space shall be permitted which exceeds the height regulations of the Zone.

#### 6.15. Group Home, Mini-Group Home, Group Residence, Crisis Residence, Group Correctional Home, and Group Correctional Residence

- 6.15.1. All group homes, mini-group homes, group residences, crisis residences, group correctional homes, and group correctional residences shall be registered in accordance with Bylaw No. 12-88 of the City of Brantford as amended from time to time, passed pursuant to the Municipal Act.

- 6.15.2. Amended by Bylaw No. 34-93 The minimum separation distance between lots occupied by mini-group homes, group homes, group residences, crisis residences, group correctional homes or group correctional residences shall be in accordance with Schedule I.
- 6.15.3. OMB Order R910193 **DELETED.**
- 6.15.4. OMB Order R910193 **DELETED** by Bylaw 34-93.
- 6.15.5. A maximum of one mini-group home, group home, group residence, crisis residence, group correctional home, or group correctional residence shall be permitted per lot.
- 6.15.6. Notwithstanding Section 6.15.5, a maximum of 5% of the block townhouse dwellings or apartment dwelling units on a lot may be used for a mini-group home, or one mini-group home per lot, whichever is the greater.
- 6.15.7. A mini-group home shall be located within a dwelling unit permitted in a Residential Zone in accordance with this Bylaw.
- 6.15.8. A group home, crisis residence, group correctional home, group correctional residence, and group residence shall be subject to the following regulations unless a greater regulation is required for the zone in which said use is located:
- |     |  |                      |
|-----|--|----------------------|
| .1  | Lot Area (minimum)                         | 420.0 m <sup>2</sup> |
| .2  | Lot Width (minimum)                        | 15.0 m               |
| .3  | Lot Coverage (maximum)                     | 35%                  |
| .4  | Building Height (maximum)                  | 10.0 m               |
| .5  | Front Yard (minimum)                       | 6.0 m                |
| .6  | Rear Yard (minimum)                        | 7.5 m                |
| .7  | Side Yard (minimum)                        |                      |
|     | .1 Interior                                | 2.4 m                |
|     | .2 Exterior                                | 6.0 m                |
| .8  | Landscaped Open Space (minimum)            | 30%                  |
| .9  | Parking in accordance with                 | Section 6.18         |
| .10 | Setback from Rail Lines in accordance with | Section 6.30         |
- 6.15.9. A dwelling or dwelling unit used or constructed for the purposes of a group home, a

mini-group home, a group residence, a crisis residence, a group correctional home, or a group correctional residence shall be designed, constructed or altered in a manner which would maintain the residential character of the dwelling and be compatible with the character of the neighbourhood in which it is located.

6.15.10 Notwithstanding any provision of this Bylaw to the contrary, no mini-group home, group home, group residence, crisis residence, group correctional home or group correctional residence shall be permitted in the following areas:  
Amended by Bylaw No. 25-91

.1 An area bounded by Terrace Hill Street, St. Paul Avenue, and Ridgewood Drive, as projected to intersect with St. Paul Avenue and Terrace Hill Street, excepting those lands municipally-known as 20 Lyons Avenue.

## **6.16. Bed and Breakfast Establishment**

Amended by Bylaw No. 25-91 In addition to any applicable regulation for the principal use in which a bed and breakfast establishment is located, said bed and breakfast establishments shall be subject to the following regulations:

6.16.1. A bed and breakfast establishment shall be conducted entirely within a dwelling unit by the occupant of the said dwelling unit, who may employ or be assisted by no more than one other person.

6.16.2. A bed and breakfast establishment shall be clearly secondary to the use of the dwelling unit as a private residence.

6.16.3. A bed and breakfast establishment shall not create or become a nuisance.

6.16.4. There shall be a maximum of three (3) guest bedrooms in any such establishment, and such guest bedrooms shall not occupy more than 25% of the gross floor area of the dwelling unit.

6.16.5. It shall not be apparent from the exterior of the premises that such use is conducted therein, other than by means of a sign as regulated by the City Sign Bylaw.  
Amended by Bylaw No. 146-92

6.16.6 In addition to any off-street parking required for the dwelling unit containing the bed and breakfast establishment, there shall be a minimum of one (1) parking space provided on the lot for each guest bedroom, and said parking spaces shall not be located in the minimum front yard. Notwithstanding the provisions of Section 6.18.4, the required parking spaces need not be located in a parking area and may include tandem parking spaces or parking in an existing driveway.  
Amended by Bylaw No. 25-91

6.16.7. No goods, wares or merchandise shall be offered or exposed for sale on the premises, but this shall not be construed to preclude the serving of meals to guests.

## **6.17. Home Occupation**

A home occupation shall be permitted in all Residential Zones, subject to the following regulations:

- 6.17.1. A home occupation shall be conducted entirely within a dwelling unit by the occupant of the said dwelling unit, who may employ or be assisted by no more than one other person.
- 6.17.2. A home occupation shall not occupy more than 25% of the gross floor area of the dwelling unit including any basement area used as habitable living space, or 28.0 m<sup>2</sup> whichever is the lesser.
- 6.17.3. A home occupation shall not create or become a nuisance.
- 6.17.4. A home occupation shall clearly be secondary to the residential use of the dwelling unit.
- 6.17.5. It shall not be apparent from the exterior of the premises that such use is conducted therein, other than by means of a sign as regulated by the City Sign Bylaw.  
Amended by  
Bylaw No.  
146-92
- 6.17.6. One parking space additional to the parking space or spaces required for the residential use shall be provided on-site and may include a tandem parking space, or a parking space located in an existing driveway.
- 6.17.7. No goods, wares, or merchandise shall be offered or displayed for sale on the premises.
- 6.17.8. The dwelling unit in which the home occupation is located shall be the principal residence, as defined by the Income Tax Act, of the occupant of the said dwelling.

## **6.18. Parking Regulations**

### **6.18.1. Parking Space Dimensions**

Amended by  
Bylaw No.  
144-98

- .1 Required parking spaces shall have minimum width and length as follows, and as illustrated on Schedule D:
- .1 2.75 m wide x 6.7 m long for a parallel parking space
  - .2 2.75 m wide x 11.0 m long for a tandem parking space
  - .3 4.6 m wide x 6.0 m long for an individual parking space designated for persons with disabilities
  - .4 3.1m wide x 6.0m long each where two adjacent parking spaces designated for persons with disabilities are provided with a common 1.5m wide access aisle
  - .5 2.75m wide x 6.0m long for all other parking spaces
- .2 Pillars and other ceiling support elements may project a maximum of 0.15 m into a required parking space.

### **6.18.2. Parking Deficiencies**

- .1 Where a use existing at the date of adoption of this Bylaw provides fewer than the minimum number of parking spaces required herein, the existing number of parking spaces shall be deemed to be the minimum number of parking spaces required for the said use.
- .2 A use identified in Section 6.18.2.1 may be enlarged or changed to another permitted use in accordance with the following:
  - .1 The minimum number of parking spaces existing at the date of adoption of this Bylaw shall continue to be provided.
  - .2 Additional parking spaces for the enlarged or changed use shall be established as follows:
    - .1 The total minimum number of parking spaces for the enlarged or changed use as required by Table 6.1 of this Bylaw, minus the total minimum number of parking spaces the previous use would have required pursuant to Table 6.1, notwithstanding Section 6.18.2.1.
- .3 Where a changed use requires less than the number of existing parking spaces, then the minimum number of parking spaces required shall be in accordance with Table 6.1, notwithstanding the provisions of Section 6.18.2.2.1.

6.18.3. Location

The location of a required parking space shall be subject to the following regulations:

- .1 The required parking space shall be located on the same lot as the use, building, or structure for which it is required.
- Amended by Zone, Bylaw No. 68-2011 .2 Notwithstanding the provisions of Section 6.18.3.1. within any C1, C2 or M2 required parking spaces may be provided on an abutting lot, or on another lot, within the C1, C2 or M2 Zone, that is located within a maximum of 150.0 m. of the nearest lot line of the subject property on the condition that an agreement providing for the continuation of the required parking spaces is entered into with the City and is registered against both parcels of land.
- .3 The required parking space shall not be located in a minimum front yard in a RE, R1A, R1B, R1C, R1D, R2, R3 or RC Zone.
- .4 The required parking space shall be located a minimum of 1.0 m from any other lot line abutting a street in a RE, R1A, R1B, R1C, R1D, R2, R3 or RC Zone.
- .5 The required parking space shall be located in an R4A, R4B, or RHD Zone a minimum of 6.0 m from any lot line abutting a street, and a minimum of 1.0 m from any other lot line. This provision shall not apply to an underground parking structure.
- .6 All parking spaces shall have access to a street by means of a driveway.
- Amended by Bylaw No. .7 Within all Zones, the parking of motor vehicles is restricted to driveways and/or parking spaces.

25-91

Amended by  
Bylaws No.  
115-92 &  
118-2000

- .8 A driveway shall have a minimum width of 2.4 metres on lots in all Residential Zones.

Amended by  
Bylaw No.  
118-2000

- .9 Within all Residential Zones, a minimum of 50% of the front yard shall be maintained as landscaped open space.

#### 6.18.4. Access to Parking

Where three or more parking spaces are required herein, such spaces shall be located in a parking area, and access thereto shall be provided in accordance with the following regulations:

- .1 All parking areas shall have access to a street by means of a driveway.
- .2 Parking areas shall provide access to each parking space by means of a traffic aisle with a minimum width as follows and as illustrated on Schedule D:
- .1 A two-way traffic aisle with a minimum width of 6.0 m where the parking space angle is 90 degrees.
- .2 A one-way traffic aisle with a minimum width of 5.8 m where the parking space angle is between 75 and 89 degrees.
- .3 A one-way traffic aisle with a minimum width of 4.9 m where the parking space angle is between 60 and 74 degrees.
- .4 A one-way traffic aisle with a minimum width of 3.7 m where the parking space angle is between 45 and 59 degrees.
- .5 A one-way traffic aisle with a minimum width of 3.4 m where the parking space angle is less than 45 degrees.
- .6 A one-way traffic aisle with a minimum width of 3.0 m or a two-way traffic aisle with a minimum width of 6.0 m, for a parallel parking space.
- .3 No parking shall be permitted in traffic aisles or driveways.

#### 6.18.5. Parking Structure

Where required parking spaces are provided in a parking structure, the parking structure shall be subject to the following regulations:

- .1 The parking structure shall be located on the same lot as the use, building or structure for which it is required except within any C1, C2 or M2 Zone, where said required structure may be located on an adjacent lot or on another lot within the C1, C2 or M2 Zone that is within 150.0 m. of the nearest lot line of the subject property; on the condition that an agreement providing for the continuation of the required parking spaces within said parking structure is

entered into with the City and is registered against both parcels of land.

- .2 That portion of a parking structure at or above the finished grade level shall conform to all the provisions for the main buildings or structures herein, and that portion of a parking structure located below the finished grade level shall be located no closer than 0.3 m to any lot line.

6.18.6.  
Amended by  
Bylaw No.  
139-2006  
87-2007

Surfacing

All parking spaces and driveways in Industrial, Commercial, Institutional, Medium Density Residential, High Density Residential Zones, and any properties subject to Site Plan Control shall be provided with a solid stable hard surface treatment to prevent the raising of dust, mud, stones or loose particles and consisting of commercially acceptable and available products, including hot mix laid asphalt, asphalt surface treatments, concrete and precast concrete paving stones, or a surface treatment approved pursuant to the Site Plan Control provisions of the Planning Act.

6.18.7. Parking Standards

- .1 Except as otherwise provided herein, the minimum number of parking spaces to be provided and maintained shall be determined in accordance with Table 6.1.
- .2 Within the Parking Exemption Area 1 defined on Schedule C, the minimum number of parking spaces to be provided and maintained shall be fifty percent (50%) of the required parking spaces determined in accordance with Table 6.1.
- .3 Within the Parking Exemption Area 2 as defined on Schedule C, the minimum number of parking spaces to be provided and maintained shall be 75% of the required parking spaces determined in accordance with Table 6.1.
- .4 Within the Parking Exemption Area 3 as defined on Schedule C, uses shall be exempt from the parking requirements of Table 6.1
- .5 Where seating is provided in the form of benches or pews, one seat shall comprise 0.55 m in length of any bench or pew.
- .6 Where more than one use specified in Table 6.1 is provided on the same lot or in the same building or structure as any other use specified therein, the parking shall be required in respect of each such use; provided, however, that:
  - .1 Only the parking prescribed for an industrial mall need be provided for all uses located therein.
  - .2 Only the parking prescribed for a shopping centre need be provided for all uses located therein.

Amended by  
Bylaw No.  
144-98

- .7 One percent of the required parking spaces shall be provided as designated parking spaces for persons with disabilities in all Zones other than a RE, R1A, R1B, R1C, R1D, R2, R3 or RC Zone.

.8 Off-Street Parking Requirements

Amended by  
Bylaws No.  
25-91 &  
113-93

**TABLE 6.1**

<b><u>Permitted Use</u></b>	<b><u>Parking Standard</u></b>
Accessory Retail Sales	1.0 space/30.0 m <sup>2</sup> GFA
Amended by Bylaw No. 120-94 Adult Live Entertainment Parlour	1.0 space/4 persons of permitted capacity
Ambulance Station	1.0 space/30.0 m <sup>2</sup> GFA excluding any garage
Art Gallery	1.0 space/25.0 m <sup>2</sup> GFA
Arena or Rink	1.0 space/6 seats, plus 1.0 space/4 persons permitted capacity. Where there are no seats, 1.0 space/4 persons permitted capacity
Autobody Repair Shop	4.0 spaces/service bay
Automobile Gas Bar	1 space
Automobile Rental Establishment	1.0 space/40.0 m <sup>2</sup> GFA, in addition to any area used to park the equipment offered for rental
Automobile Sales Establishment (having a building in which vehicles may be repaired)	1.0 space/30.0 m <sup>2</sup> GFA, plus 4.0 spaces/service bay
Automobile Sales Establishment (having no building in which vehicles may be repaired)	1.0 space/30.0 m <sup>2</sup> GFA
Automobile Service Station	4.0 spaces/service bay
Automobile Washing Facility - Automated	12.0 spaces/washing bay, and said spaces may be stacked one behind the other
Automobile Washing Facility - Manual	3.0 spaces/washing bay, and said spaces may be stacked one behind the other
Bakery	1.0 space/30.0 m <sup>2</sup> GFA

Boarding House

1.0 space/3 licensed boarders

Bowling Alley

4.0 spaces, plus 4.0 spaces/bowling lane, plus  
1.0 space/4 persons of permitted capacity

**Permitted Use****Parking Standard**

Brewers' Warehousing Retail Outlet	1.0 space/10.0 m <sup>2</sup> GFA
Building Supply Outlet	1.0 space/30.0 m <sup>2</sup> GFA of retail showroom and office space, plus 1.0 space/100.0 m <sup>2</sup> GFA of warehouse and open storage
Caretaker's Residence	1.0 space/dwelling unit
Catering Service	1.0 space/30.0 m <sup>2</sup> GFA
Cemetery	1.0 space/30.0 m <sup>2</sup> GFA of accessory office
Columbarium	1.0 space/30.0 m <sup>2</sup> GFA of accessory office
Computer, Electronic or Data Processing Establishment	1.0 space/25.0 m <sup>2</sup> GFA for the first 500.0 m <sup>2</sup> plus 1.0 space/40.0 m <sup>2</sup> GFA thereafter
Convention Centre	1.0 space/4 persons of permitted capacity
Crematorium	1.0 space/30.0 m <sup>2</sup> GFA of accessory office
Crisis Residence	2.0 spaces, plus 1.0 space/3 residents
Curling Rink	4.0 spaces/curling sheet, plus 1.0 space/4 persons of permitted capacity
Day Nursery	1.0 space/28.0 m <sup>2</sup> of gross floor area of playroom space
Department Store	1.0 space/30.0 m <sup>2</sup> GFA
Dry Cleaning Depot	2.0 spaces, plus 1.0 space/30.0 m <sup>2</sup> GFA
Dwelling:	
Apartment	1.5 spaces/unit
Converted	1.0 space/unit
Duplex	1.0 space/unit
Fourplex or Double Duplex	1.5 spaces/unit
Semi-detached	1.0 space/unit
Single detached	1.0 space/unit
Street Townhouse	1.0 space/unit
Block Townhouse	1.5 spaces/unit
Triplex	1.0 space/unit
Financial Institution	1.0 space/15.0 m <sup>2</sup> GFA

	<u>Permitted Use</u>	<u>Parking Standard</u>
	Fire Station	1.0 space/30.0 m <sup>2</sup> GFA excluding any garage
Amended by Bylaw No. 113-93	Flea Market	12.0 spaces/93.0 m <sup>2</sup> GFA
	Fresh Produce Outlet	1.0 space/25.0 m <sup>2</sup> GFA
	Funeral Home	1.0 space/20.0 m <sup>2</sup> GFA, or 20 spaces, whichever is the greater
Amended by Bylaw No. 74-98	Gaming Establishment	1.0 space/4 persons of permitted capacity
	Garage, Public	4.0 spaces/service bay
	Gas Bar	1.0 space/gasoline pump island kiosk
	Golf Course	2.0 spaces/hole, plus 1.0 space/4 persons of permitted capacity
	Golf Driving Range	1.0 space/tee-off pad
	Grocery Store	1.0 space/40.0 m <sup>2</sup> GFA
	Group Correctional Home	2.0 spaces, plus 1.0 space/3 residents
	Group Correctional Residence	2.0 spaces, plus 1.0 space/3 residents
	Group Home	2.0 spaces, plus 1.0 space/3 residents
	Group Residence	2.0 spaces, plus 1.0 space/3 residents
	Gymnasium	1.0 space/20.0 m <sup>2</sup> GFA, plus 1.0 space/4 persons of permitted capacity
	Hair Stylist	1.0 space/20.0 m <sup>2</sup> GFA
	Health Club	1.0 space/20.0 m <sup>2</sup> GFA
	Home for the Aged	1.0 space/3 beds
	Home Furnishing Store	1.0 space/50.0 m <sup>2</sup> GFA
	Hospital	1.5 spaces/bed
	Hotel	1.0 space/guest room, plus 1.0 space/4 persons permitted capacity of any restaurant and place of assembly

	<u>Permitted Use</u>	<u>Parking Standard</u>
Amended by Bylaws No. 25-91 & 185-2001	Impound Yard	6.0 spaces plus 1 space/1000.0 m <sup>2</sup> of GFA and of open storage
	Industrial Mall	1.0 space/40.0m <sup>2</sup> for the first 1,200.0m <sup>2</sup> of GFA, plus 1.0 space/100.0m <sup>2</sup> for the remainder of the GFA in excess of 1,200.0m <sup>2</sup>
	Laundromat	1.0 space per 2 washing machines
	Library	1.0 space/30.0 m <sup>2</sup> GFA
	Liquid Waste Transfer Station	6.0 spaces, plus 1 space/1000.0 m <sup>2</sup> GFA
	Liquor Control Board of Ontario Store	1.0 space/10.0 m <sup>2</sup> GFA
	Manufacturing Use	1.0 space/100.0 m <sup>2</sup> GFA
	Mausoleum	1.0 space/30.0 m <sup>2</sup> GFA of accessory office
	Medical Office or Medical Clinic	1.0 space/25.0 m <sup>2</sup> GFA
	Mini-Group Home	2.0 spaces
	Miniature Golf Establishment	1.5 spaces/hole
	Monastery	1.0 space/3 beds
	Motel	1.0 space/guest room, plus 1.0 space/4 persons permitted capacity of any restaurant and place of assembly
	Museum	1.0 space/25.0 m <sup>2</sup> GFA
	Neighbourhood Convenience Store	1.0 space/30.0 m <sup>2</sup> of gross leaseable floor area
	Nursery Garden Centre	1.0 space/30.0 m <sup>2</sup> GFA of retail showroom and office space, plus 1.0 space/100.0 m <sup>2</sup> of warehouse and open storage
	Nursing Home	1.0 space/3 beds
Office, General	1.0 space/30.0 m <sup>2</sup> GFA	
Office, Accessory General	1.0 space/30.0 m <sup>2</sup> GFA	

	<u>Permitted Use</u>	<u>Parking Standard</u>
	Personal Service Store	1.0 space/30.0 m <sup>2</sup> GFA
	Photocopy Shop	1.0 space/30.0 m <sup>2</sup> GFA
	Photographer's Studio	1.0 space/30.0 m <sup>2</sup> GFA
	Place of Assembly (not otherwise specified)	1.0 space/4 persons of permitted capacity
Amended by Bylaw No. 68-2011	Place of Entertainment/Recreation	1.0 space/4 persons of permitted capacity
	Place of Worship	1.0 space/5 persons permitted capacity
	Police Station	1.0 space/30.0 m <sup>2</sup> GFA
	Post-Secondary School	1.0 space/70.0 m <sup>2</sup> GFA
	Postal Station	1.0 space/30.0 m <sup>2</sup> GFA
	Private Club	1.0 space/4 persons of permitted capacity
	Public Hall	1.0 space/4 persons of permitted capacity
	Public Transit Facility	0 spaces
	Racquet Facility	2.0 spaces/court plus 1.0 space/4 persons or permitted capacity
	Rental Establishment	2.0 spaces, plus 1.0 space/30.0 m <sup>2</sup> GFA
	Research Use	1.0 space/30.0 m <sup>2</sup> GFA
	Restaurant, Fast Food	1.0 space/10.0 m <sup>2</sup> GFA plus 1 space per 4 customer seats
	Restaurant, Full Service	1.0 space/4 persons of permitted capacity
	Restaurant, Take-out	1.0 space/10.0 m <sup>2</sup> GFA
	Retail Food Warehouse	1.0 space/30.0 m <sup>2</sup> GFA of retail showroom and office space, plus 1.0 space/100.0 m <sup>2</sup> GFA of warehouse
	Retail Store	1.0 space/30.0 m <sup>2</sup> GFA
	Retail Warehouse	1.0 space/30.0 m <sup>2</sup> GFA of retail showroom and office space, plus 1.0 space/100.0 m <sup>2</sup> GFA of warehouse

	<u>Permitted Use</u>	<u>Parking Standard</u>
	Retirement Home	1.0 space/3 beds
	Salvage Establishment	6.0 spaces, plus 1.0 space/1000.0 m <sup>2</sup> of GFA and of open storage
Amended by Bylaw No. 25-91	School, Elementary	The greater of either 3.0 spaces plus 1.0 space/teaching station or 1.0 space/4 persons of permitted capacity of the place of public assembly within the elementary school which has the greatest permitted capacity.
	School, Post Secondary	1.0 space/70.0 m <sup>2</sup> GFA
Amended by Bylaw No. 25-91	School, Private	The greater of either 3.0 spaces/teaching station or 1.0 space/4 persons of permitted capacity of the place of public assembly within the private school which has the greatest permitted capacity.
Amended by Bylaw No. 25-91	School, Secondary	The greater of either 3.0 spaces/teaching station or 1.0 spaces/4 persons of permitted capacity of the place of public assembly within the secondary school which has the greatest permitted capacity.
	Service Industry	1.0 space/20.0 m <sup>2</sup> GFA
	Service or Repair Shop	1.0 space/30.0 m <sup>2</sup> GFA
	Shopping Centre	5.5 spaces/100.0 m <sup>2</sup> GFA
	Specialty Drug/Food Warehouse	1.0 space/30.0 m <sup>2</sup> GFA of retail showroom and office space, plus 1.0 space/100.0 m <sup>2</sup> GFA of warehouse
	Specialty Retail Store	1.0 space/30.0 m <sup>2</sup> GFA
	Stadium	1.0 space/6 seats
	Supermarket	1.0 space/25.0 m <sup>2</sup> GFA
	Swimming Pool	1.0 space/20.0 m <sup>2</sup> GFA (excluding pool) plus 1.0 space/4 persons of permitted capacity
	Telecommunications Centre	A minimum of 175 spaces
	Telecommunications Services	1.0 space/30.0 m <sup>2</sup> GFA

**Permitted Use****Parking Standard**

Theatre	1.0 space/4 persons of permitted capacity
Trade School	2.0 spaces, plus 1 space/ 20.0 m <sup>2</sup> GFA
Transportation Terminals	6.0 spaces, plus 1 space/1000.0 m <sup>2</sup> GFA
Veterinary Clinic	1.0 space/15.0 m <sup>2</sup> GFA (excluding kennels and runs)
Warehouse Use	2.0 spaces, plus 1.0 space/1,000.0 m <sup>2</sup> GFA
Wholesale Use	1.0 space/80.0 m <sup>2</sup> GFA
All other uses not herein specified	1.0 space/30.0 m <sup>2</sup> GFA

6.18.8.  
Amended by  
Bylaw No.  
180-2003

Storage or Parking of Motor Homes, Travel Trailers  
Snowmobiles, Boats, and Trailers in Residential Zones

- .1 Storage or parking of motor homes, travel trailers, snowmobiles or boats with accessory trailers, or trailers shall be permitted within a garage or a carport.
- .2 Outdoor storage or parking of a motor home, travel trailer, snowmobile or boat with accessory trailer, or trailer, in a RE, R1A, R1B, R1C, R1D, R2, R3, or RC Zone, shall be subject to the following regulations:
  - .1 Storage or parking shall only be permitted in the rear yard or interior side yard.
  - .2 The motor home, travel trailer, snowmobile or boat with accessory trailer, or trailer shall be located no closer than 1.0 m to any lot line.
- .3 The owner of any dwelling may not store or park in the open more than a total of two motor homes, travel trailers, snowmobiles or boats with accessory trailers, or trailers on the lot.
- .4 A trailer or accessory trailer stored in a Residential Zone shall not exceed 11.0 m in length.
- .5 A motor home, travel trailer, snowmobile or boat with accessory trailer, or trailer may be stored in a front yard or exterior side yard for a period not exceeding 72 hours in one calendar month.
- .6 A motor home, travel trailer or boat may be used for human habitation on a temporary basis for a period not exceeding 14 days in one calendar month.

- 6.18.9. Storage or Parking of Commercial Vehicles, Limousines, Construction Equipment, Buses, and School Buses in Residential Zones  
Amended by Bylaw No. 46-2004
- .1 Storage or parking of commercial vehicles, limousines, construction equipment, buses, and school buses shall be prohibited in all yards of a lot in any Residential Zone, except within a garage.
  - .2 Notwithstanding Section 6.18.9.1 of this Bylaw, a commercial vehicle or construction equipment may be stored or parked in any yard of a lot in a Residential Zone while being used in conjunction with construction, maintenance or demolition activities on said lot.
- 6.19 Public Services**
- 6.19.1. Public services, excluding fire, ambulance, or police stations, public works yards and sanitary landfill sites, shall be permitted in all Zones.
- 6.19.2. Any main or accessory building or structure shall comply with the more restrictive provisions of this Bylaw with respect to the Zone in which it is located.
- 6.19.3. The open storage of goods, materials or equipment shall be prohibited, except as otherwise permitted in the Zone or except as permitted herein.
- 6.19.4. Any building in a Residential Zone shall be designed, constructed and shall maintain the residential character of the Zone.
- 6.19.5. Utility service equipment which is enclosed by a building or an opaque fence or walls exceeding the height of the equipment:
- .1 Where the height and area of the building or enclosure are in accordance with the regulations for accessory buildings in that Zone Minimum required yards in accordance with regulations for accessory buildings
  - .2 Where the height and area of the building or enclosure exceeds the regulations for accessory buildings in that Zone Minimum required yards in accordance with regulations for main buildings
- 6.19.6. When utility service equipment is located on a lot and not enclosed, and is greater than 1.4 m in height, such equipment shall:  
Amended by Bylaw No. 34-93
- .1 Be screened on all sides by an opaque fence and/or wall of a minimum height equal to the height of the utility service equipment to a maximum of 4.0 m, or a buffer approved pursuant to the Site Plan Control provisions of the Planning Act.
  - .2 Not be permitted within 6.0 m of either a lot in a Residential Zone or a lot line abutting a street.

**6.20**      **Interior Side Yard – Common Walls**

6.20.1.      Notwithstanding any provision of this Bylaw, the minimum interior side yard may be 0.0 m along a common wall separating units in a semi-detached, double duplex, fourplex, or street townhouse dwelling.

**6.21**      **Sight Triangles**

6.21.1.      A sight triangle will be enforced on a corner lot in accordance with Municipal Roads Bylaw Number 29-78, as amended from time to time.

6.21.2.      Buildings, structures, walls, fences or hedges within a required sight triangle shall conform to all requirements of Municipal Roads Bylaw Number 29-78, as amended from time to time.

**6.22**      **Yards and Planting Strips**

6.22.1.      Notwithstanding any other provision of this Bylaw, all yards abutting the corridor area shown on Schedule "J" or freeway right-of-way shall be a minimum of 15.0 m.  
Amended by  
Bylaw No.  
100-98

6.22.2.      All yards required under this Bylaw shall be measured from the limit of the proposed street right-of-way or the existing right-of-way, whichever is greater:

Amended by Bylaw No. 100-98	<b>Road</b>	<b>Proposed Right-of-way Width (metres)</b>
	Baldwin Avenue (River Road to Erie Avenue)	20
	Balmoral Drive (Myrtleville Drive to Power Line Road)	26
	Birkett Lane	20
	Brantford Southern Access Route (North of Hwy. 403)	60
	Catharine Avenue (Spalding Drive to Sherwood Drive)	20
	Charing Cross Street (West Street to CNR)	26
	Charing Cross Street (CNR to Henry Street)	40
	Clarence Street (West Street to Colborne Street)	26
	Colborne Street West (Oakhill Drive to Brant Avenue)	26
	Conklin Road	26
	Dunsdon Street (King George Road to Memorial Drive)	26
	Eagle Avenue (Foster Street to River Road)	20

Erie Avenue (Market Street to Eagle Avenue) (Cayuga Street to City Limits)	26
Fairview Drive (Hwy. 403 Access to Hayhurst Road) (Memorial Drive to Park Road North)	26
Garden Avenue (Lynden Road to Hwy. 403) (Henry Street to Colborne Street East)	26
Gilkison Street (Brunswick Street to BSAR Overpass)	20
Grey Street (James Avenue to Rowanwood Avenue)	26
Hardy Road	26
Henry Street (West Street to Wayne Gretzky Parkway) (Middleton Street to Plant Farm Road)	26
Icomm Drive (Mill Street to Clarence Street)	30
King George Road (Kent Road to Fairview Drive)	35
Locks Road (Lloyd Street to Colborne Street East)	26
Lynden Road (Brantwood Park Road to City Limit)	35
Market Street South	26
Memorial Drive (Harvest Lane to Evelyn Street) (Buckingham Street to Fairview Drive)	26
Mohawk Street (Greenwich Street to Birkett Lane)	20
Morton Avenue (Hill Avenue to Furzey Avenue)	20
Mt. Pleasant Street	26
Murray Street (Grey Street to Elgin Street)	20
Newport Street (BSAR to Dalhousie Street)	30
North Park Street (St. George Street to Dundas Street)	20
Oak Park Road (Hwy. 403 to City Limits)	26
Oak Park Road (Hwy. 403 Southerly)	60
Rawdon Street (Dalhousie Street to Colborne Street)	20
River Road (Marlene Avenue to Birkett Lane) (Aberdeen Avenue to Strathcona Avenue)	20

Shellard Lane	26
St. Paul Avenue (Dufferin Avenue to Grand River Ave.)	20
Stanley Street (CNR to Dalhousie Street)	20
Toll Gate Road (Hwy. 403 Overpass/King George Road)	26
West Street (Market Street to Clarence Street) (Harris Avenue to Charing Cross Street) (Farringford Drive to Fairview Drive)	26
Wilkes Street (Morrell Street to St. Paul Avenue)	20

- 6.22.3. Where the proposed right-of-way in Section 6.22.2. is greater than the existing right-of-way, then one-half the difference between the two rights-of-way shall be applied to each side of the existing right-of-way and the yards and planting strips shall be measured from that point.

## **6.23 Loading Spaces**

6.23.1.  
Amended by  
Bylaw No.  
44-97

### Dimensions:

- .1 A required loading space shall have minimum dimensions, exclusive of any land used for access, driveways or manoeuvring, as follows:
- .1 Loading space – type A: 3.5 m x 9.0 m, with 4.5 m in clear unobstructed height.
  - .2 Loading space – type B: 3.5 m x 20.0 m, with 4.5 m in clear unobstructed height.

### 6.23.2. Loading Deficiencies:

- .1 Where a use existing at the date of adoption of this Bylaw provides fewer than the minimum number of loading spaces required herein, the existing number of loading spaces shall be deemed to be the minimum number of loading spaces required for the said use.
- .2 A use identified in Section 6.23.2.1. may be enlarged or changed to another permitted use in accordance with the following:
- .1 The minimum number of loading spaces existing at the date of adoption of this Bylaw shall continue to be provided.
  - .2 Additional loading spaces for the enlarged or changed use shall be established as follows:

- .1 The total minimum number of loading spaces for the enlarged or changed use as required by Section 6.23.6 of this Bylaw, minus the total minimum number of loading spaces the previous use would have required notwithstanding Section 6.23.2.1.

- .3 Where a changed use requires less than the number of existing loading spaces, then the minimum number of loading spaces required shall be in accordance with Section 6.23.6.2.

#### 6.23.3. Location

The location of a loading space required herein shall be subject to the following regulations:

- .1 The loading space shall be located on the same lot as the use, building, or structure for which it is required, and shall not be located on a street.
- .2 No loading space shall be located in any front yard unless the front yard is a minimum of 20.0 m.

#### 6.23.4. Access to Loading

- .1 All loading spaces shall have adequate access on the same lot to permit ingress, egress, and manoeuvring by means of a driveway, no part of which shall be used for the parking or storage of any motor vehicle.
- .2 The driveway providing access to a loading space shall have a minimum width of 3.5 m for one-way traffic and 7.0 m for two-way traffic.

#### 6.23.5. Surfacing

- .1 All loading spaces and driveways shall be provided with a stable surface treated to prevent the raising of dust or loose particles and consist of asphalt, concrete, or other hard-surfaced material, or combination thereof.

#### 6.23.6. Number of Spaces

- .1 The minimum number of loading spaces to be maintained for an apartment dwelling shall be one loading space for each apartment dwelling containing 25 or more dwelling units.
- .2 Except as otherwise provided herein, the minimum number of loading spaces to be provided and maintained for an industrial or commercial use shall be determined based on the total gross floor area of all uses on the lot for which the loading spaces are required, and in accordance with the following:

**LOADING SPACE REQUIREMENTS**  
**TABLE 6.2**

Gross Floor Area in Square Metres	Required Number of spaces
0.0 up to and including 300.0	0
Over 300.0 up to and including 1850.0	1
Over 1850.0 up to and including 3700.0	2
Over 3700.0 up to and including 9250.0	3
Over 9250.0 up to and including 14800.0	4
Over 14800.0 up to and including 22200.0	5
Over 22200.0 up to and including 29600.0	6
Over 29600.0 up to and including 37000.0	7
For each 9250.0 over 37000.0	1 additional

**6.23.7. Type of Space**

- .1 Any required loading space for an apartment dwelling shall be Loading Space – Type A, as defined in Section 6.23.1.1.1.
- .2 Any required loading space for the following uses shall be Loading Space – Type B, as defined in Section 6.23.1.1.2.:
  - Industrial uses
  - Retail warehouses
  - Commercial uses with greater than 1000.0 m<sup>2</sup> total gross floor area.
- .3 The required loading spaces for all other uses shall be Loading Space – Type A, as defined in Section 6.23.1.1.1.

**6.24. Wayside Pits and Quarries**

- 6.24.1. Amended by Bylaw No. 25-91
- Where identified as a permitted use in this Bylaw, wayside pits and wayside quarries may be opened, established, or operated only under the authority of a permit issued pursuant to the Aggregate Resources Act.

**6.25. Propane Storage Tanks**

- 6.25.1. Any propane storage tank having a capacity of 475.0 litres or greater shall not be located in any required yard for a main building and, further, shall be located a minimum of 8.0 metres from any lot line, provided that such requirement shall not be deemed to supersede any more restrictive regulation enforced by any public agency.

**6.26. Established Front Building Line**

- 6.26.1. The Established Front Building Line shall be the average of the front yard of the two lots on the same side of the same street which abut the property at the time of application for a building permit.

- 6.26.2. In the case of a corner lot, or where one or both of the abutting lots on the same side of the street are vacant, the next adjacent non-vacant lot with a front lot line on the same side of the street shall be used in calculating the Established Front Building Line.

**6.27. Servicing Requirements**

- 6.27.1. No land shall be used, nor any building or structure erected or used in any Zone, unless adequate public services including sanitary sewer, storm sewer, water, and electrical power are connected to service the land, building or structure, except as may be otherwise provided in this Bylaw.

**6.28. Flood "F" Prefix**

- 6.28.1. Where a Zone symbol is preceded by the letter "F", the land shall be developed in accordance with the following regulations:

Amended by  
Bylaws No.  
25-91 & 178-94  
140-2002

- .1 For lots in the area identified on Schedules K and L, a permit has been issued by the Grand River Conservation Authority.
- .2 The uses permitted shall not include:
  - .1 a new elementary school;
  - .2 a new private school;
  - .3 a new secondary school;
  - .4 a hospital;
  - .5 a home for the aged;
  - .6 a nursing home;
  - .7 a retirement home;
  - .8 a group home;
  - .9 a mini-group home;
  - .10 a group residence;
  - .11 a crisis residence;
  - .12 a group correctional home;
  - .13 a group correctional residence;
  - .14 a police station;
  - .15 a fire station;
  - .16 an ambulance station.
- .3 Extensions and enlargements of up to 50 percent of the existing gross floor area shall be permitted for existing fire and police stations.
- .4 Notwithstanding Section 6.28.1.1, the following buildings and structures do not require the issuance of a permit by the Grand River Conservation Authority, unless located on a lot abutting an OS3 Zone:
  - .1 unenclosed porches, verandahs or decks
  - .2 outdoor swimming pools
  - .3 accessory buildings and structures less than 9.3 m<sup>2</sup> in size located within all Residential Zones.

**6.29 Temporary Use "T" Prefix**

6.29.1 Where a zone symbol is preceded by the letter "T" the lands may be developed for a use on a temporary basis in accordance with the following regulations:

Amended by  
Bylaws No.  
16-91, 135-93,  
136-93, 137-93  
138-93 & 139-93  
119-94, 189-96,  
190-96, 191-96,  
192-96, 193-96,  
15-97, 149-97

**.1 DELETED**

Amended by  
Bylaws No.  
113-93, 55-96,  
13-97

**.2 DELETED**

Amended by  
Bylaws No.  
5-95 & 35-95

**.3 DELETED**

Amended by  
Bylaw No.  
187-2001

**.4 DELETED**

Amended by  
Bylaw No.  
60-2002

**.5 DELETED**

Amended by  
Bylaws No.  
34-2003,  
56-2005

**.6 DELETED**

Amended by  
Bylaw No.  
133-2003

**.7 13 Philip Street (T-RC)**

Notwithstanding any provision of this Bylaw to the contrary, any lot within any T-RC Zone may be used only for the following uses:

- .1 A single detached dwelling.
- .2 A catering service.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any T-RC Zone use any lot, or erect, alter or use any building or structure for a catering service except in accordance with the following:

- .1 A catering service must be accessory to the single detached dwelling located on the property.
- .2 Two off-street parking spaces shall be required for a catering service, plus one off-street parking space shall be required for the single detached dwelling.

- .3 The required off-street parking shall only be provided in a tandem layout in the existing driveway.
- .4 All food preparation activities of the catering service shall be wholly contained within an accessory building not exceeding a maximum gross floor area of 66.5m<sup>2</sup>.
- .5 Any accessory building used for the storage of goods and materials associated with the catering service shall be restricted to the size and location of buildings used for such purposes on December 3, 2001.
- .6 Section 6.29.1.7 shall remain in effect for a period of time expiring on June 1, 2006 at which time it shall be deemed repealed in accordance with the provisions of Section 39 of the Planning Act R.S.O. 1990.

That all the provisions of the RC Zone in Section 7.8.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by  
Bylaw No.  
126-2005

**.8 143 – 161 Wellington Street (T-C3-1)**

Notwithstanding any provision of this Bylaw to the contrary, any lot within any T-C3-1 Zone may be used for all of the uses permitted in the C3-1 Zone plus the following:

- .1 A Health Club which may include a day nursery as an accessory use.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any T-C3-1 Zone use any lot, or erect, alter or use any building or structure for a health club except in accordance with the following:

- .1 A health club shall be located wholly within the building located on the lot on June 1, 2005.
- .2 A minimum of 68 off-street parking spaces shall be provided for the health club and any accessory day nursery.
- .3 Section 6.29.1.8 shall remain in effect for a period of time expiring on July 3, 2008 at which time it shall be deemed repealed in accordance with the provisions of Section 39 of the Planning Act R.S.O. 1990.

That all the provisions of the C3-1 Zone in Section 9.3.2 and 9.3.3 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by  
Bylaw No.  
23-2009

**.9 196 Dalhousie Street (T-C6-4)**

Notwithstanding any provision of this Bylaw to the contrary, any lot within any T-C6-4 Zone may be used for all of the uses permitted in the C6-4 Zone plus the following:

.1 A Pawnbroker shop

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any T-C6-4 Zone use any lot, or erect, alter or use any building or structure except in accordance with the following provisions:

- .1 Gross Floor Area of a Pawnbroker shop 230 m<sup>2</sup>  
(maximum)
- .2 Section 6.29.1.9 shall remain in effect for a period of time expiring on March 2, 2012 at which time it shall be deemed repealed in accordance with the provisions of Section 39 of the Planning Act R.S.O. 1990.

That all remaining provisions of the C6-4 Zone in Section 9.6.3.4. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by  
Bylaw No.  
53-2009

**.10 27 Sinclair Boulevard (T-M3-9)**

Notwithstanding any provision of this Bylaw to the contrary, any lot within any T-M3-9 Zone may be used for all of the uses permitted in the M3-9 Zone plus the following:

- .1 A parking lot containing 119 spaces

Notwithstanding any provision of this By-law to the contrary, no person shall within any T-M3-9 Zone use any lot, or erect, alter or use any building or structure except in accordance with the following provisions:

- .1 Section 6.29.1.10 shall remain in effect for a period of time expiring on May 4, 2012 at which time it shall be deemed repealed in accordance with the provisions of Section 39 of the Planning Act R.S.O. 1990.

That all remaining provisions of the M3-9 Zone in Section 10.3.3.9. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

**6.30**                      **Setbacks from Rail Lines**

- 6.30.1                      Notwithstanding any other provision of this Bylaw, any building or structure, which contains a dwelling unit and abuts a main or branch rail line, shall provide a minimum yard of:
- OMB Order  
R910193  
Amended by  
Bylaw No.  
68-2011
- .1    15.0 m abutting a branch rail line as identified on Schedule G;
  - .2    30.0 m abutting a main rail line as identified on Schedule G.
- 6.30.2                      Section 6.30.1 shall not apply to accessory buildings or structures which do not contain dwelling units.
- 6.30.3                      Section 6.30.1 shall not apply to the alteration of any existing building or structure which does not result in the creation of an additional dwelling unit.
- 6.30.4                      Section 6.30.1 shall not apply to any lands subject to Schedule B.

**6.31**                      **Refreshment Carts**

- 6.31.1                      Where a lot in the C3, C8, C9, C10 or C11 Zones has located upon it a grocery store, restaurant, supermarket, bakery, delicatessen or meat store, a refreshment cart may be permitted subject to the following regulations:
- Amended by  
Bylaws No.  
173-92, 82-93,  
137-95, 149-97
- .1    A refreshment cart shall comply with the regulations of the City's Licencing Bylaw, as amended from time to time.
  - .2    A refreshment cart shall only be located in a defined parking area, unless otherwise approved pursuant to the Site Plan Control provisions of the Planning Act.
  - .3    The location of a refreshment cart shall not diminish the minimum number of required off-street parking spaces for all of the uses situated on the lot.
  - .4    No off-street parking spaces are required for a refreshment cart.
- 6.31.2                      Notwithstanding any other provision of this Bylaw, refreshment carts may be permitted in public parks.