



Appendix A to DGM-69-25



# Residential Zoning Bylaw

---

**Draft**  
**City of Burlington**  
**June 2025**



# Table of Contents

Part 1: Administration .....	5
1.1 Title .....	5
1.2 Compliance With This Bylaw .....	5
1.3 Compliance With Other Regulations .....	5
1.4 Area to Which the Burlington Residential Zoning Bylaw Applies .....	5
1.5 Repeal Of Existing Bylaws .....	5
1.6 Effective Date .....	5
1.7 Legal Non-conforming Uses .....	5
1.8 Non-complying Lots .....	6
1.9 Non-complying Buildings and Structures .....	6
1.10 Lots Reduced by Acquisition for Road Widening or Park Dedications .....	7
1.11 Enforcement and Penalties .....	7
1.12 Technical Revisions not Requiring a Bylaw Amendment .....	7
1.13 Illustrations and other Reference Aids Not Part of the Bylaw .....	8
1.14 Severability / Validity .....	8
1.15 Transition Provisions– Complete Applications Received Prior to Bylaw Enactment .....	8
1.16 Transition Provisions– Applications Approved Prior to Bylaw Enactment .....	9
1.17 Zoning Administrator .....	9
Part 2: Establishment of Zones and Uses .....	10
2.1 Zone Designations .....	10
2.2 Zoning Exceptions .....	10
2.3 Zone Boundaries .....	10
2.4 Zone Maps and Overlays .....	11
2.5 Multiple Zones on One Lot .....	11
2.6 Holding Provisions .....	11
Part 3: Interpretation .....	12
3.1 Defined terms .....	12
3.2 Interpretation Of Words .....	12
3.3 Interpretation Of Tables .....	13
3.4 Interpretation Of Permitted Uses .....	13
3.5 Interpretation Of Phased Condominium Registration .....	13
3.6 0.3 m Reserves .....	13
3.7 Rounding to Determine Bylaw Compliance .....	13

# Table of Contents

3.8	Multiple Building Connections .....	14
3.9	Interpretation of Conservation Halton’s Regulatory Limit .....	14
3.10	Purpose Statements .....	14
Part 4: Definitions.....		15
Part 5: General Provisions .....		50
5.1	Accessory Uses.....	50
5.2	Accessory Buildings, Accessory Structures and Unitary Equipment.....	50
5.3	Garbage, Refuse and Storage.....	51
5.4	Patios, Platform Structures, and Porches.....	51
5.5	Fencing And Privacy Screens.....	51
5.6	Swimming Pools .....	52
5.7	Trailers, Recreation Vehicles and Commercial Vehicles .....	54
5.8	Daylight Triangles .....	54
5.9	Visibility Triangles .....	54
5.10	Encroachment Into Yards .....	55
5.11	Frontage On A Public Street .....	59
5.12	Home Occupation.....	59
5.13	Office Uses In Residential Zones .....	60
5.14	Uses Permitted In All Zones .....	60
5.15	Schools.....	61
5.16	Long-Term Care Facility and Retirement Home .....	62
5.17	Public and Private Hospitals.....	62
5.18	Places of Worship.....	63
5.19	Day Care Centre.....	63
5.20	Group Home .....	63
5.21	Correctional Group Home.....	64
5.22	Emergency Shelter .....	64
5.23	Boarding House .....	65
5.24	Utility .....	65
5.25	Agricultural uses .....	65
5.26	Bed and Breakfast .....	65
5.27	Model Homes .....	66
5.28	Temporary Sales Offices.....	66
5.29	Temporary Building and Structures for Construction .....	67
5.30	Setback To Lake Ontario And Burlington Bay.....	67

# Table of Contents

5.31	Setbacks Abutting Creek Blocks and Other Zones.....	67
5.32	Setback From A Creek.....	68
5.33	Setback From A Pipeline Easement .....	68
5.34	Setback from a Railway Right-of-Way .....	68
5.35	Parcel of Tied Land (POTL).....	68
5.36	Tents and Temporary Structures.....	68
5.37	Temporary Storage and Shipping Containers.....	69
5.38	Number of Buildings Per Lot.....	69
5.39	Availability of Municipal Services and Utilities .....	69
5.40	Additional Residential Units .....	70
5.41	Outdoor Patios.....	71
5.42	Exceptions to Height Provisions .....	72
5.43	Roof Top Mechanicals .....	73
5.44	Roof Top Solar Panels .....	73
5.45	Structures Related to Below-grade Parking .....	73
5.46	Short-term Accommodation .....	74
5.47	Large Dwelling Units Requirements .....	74
5.48	Established Front Yard .....	74
5.49	Highway Corridor Setback.....	75
5.50	General Landscaping Provisions .....	75
Part 6: Parking and Loading .....		76
6.1	Off-Street Parking And Loading Requirements.....	76
6.2	Parking Space Size .....	78
6.3	Accessibility .....	80
6.4	Illumination .....	80
6.5	Surface Treatment .....	80
6.6	Access .....	80
6.7	Parking Structures .....	81
6.8	Multiple Zones .....	81
6.9	Group Home Parking .....	81
6.10	Correctional Group Home Parking .....	81
6.11	Designated Accessible Parking Spaces .....	81
6.12	Bicycle Parking .....	82
6.13	Rounding Provision .....	84
6.14	Location .....	84

# Table of Contents

6.15	Loading Spaces .....	84
6.16	Electric Vehicle Parking Spaces .....	85
6.17	Cash-in-Lieu of Parking .....	86
6.18	Driveway Width and Landscaped Open Space Area .....	86
Part 7:	Residential Zones.....	89
7.1	Purpose Statements for Residential Zones .....	89
7.2	Permitted uses.....	90
7.3	Provisions for Detached Dwellings and Duplex Dwellings in the Low-Rise Neighbourhood 1 to 6 Zones.....	92
7.4	Provisions for Semi-Detached Dwellings in the Low-Rise Neighbourhood 1 to 6 Zones ..	94
7.5	Provisions for Cluster Dwellings in the Low-Rise Neighbourhood 7 Zone .....	96
7.6	Provisions for Triplex and Fourplex in the Low-Rise Neighbourhood Zones.....	97
7.7	Low-Rise Neighbourhood 8 Residential Zone Provisions .....	98
7.8	High-Rise Neighbourhood Residential Provisions.....	103
Part 8:	Holding Zone Requirements.....	106

# Administration

## Part 1: Administration

### 1.1 Title

This Bylaw may be cited as the Burlington Residential Zoning Bylaw.

### 1.2 Compliance With This Bylaw

- a) No **building** or **structure** shall be erected or altered, and no change of use or occupancy of any **building, structure**, land, premises, or any part thereof shall be made except in compliance with the rules of this Bylaw.
- b) Where there is a conflict between rules of this Bylaw, the most restrictive regulation shall prevail.

### 1.3 Compliance With Other Regulations

- a) Compliance with this Bylaw does not exempt any person from the requirements of any Federal, Provincial, Conservation Authority, Regional or Municipal legislation, approval process, licensing or permitting regime, agreements, or other **City** Bylaws.
- b) Where there is a conflict with a provision of this Bylaw and the Niagara Escarpment Plan, the provision of the Niagara Escarpment Plan prevails.

### 1.4 Area to Which the Burlington Residential Zoning Bylaw Applies

The rules of this Bylaw shall apply only to the Residential zoned areas within the City of Burlington as shown on the zoning maps forming Schedule A of this Bylaw.

### 1.5 Repeal Of Existing Bylaws

Zoning Bylaw 2020 and all amendments thereto are hereby repealed as it applies to the areas shown in Schedule A.

### 1.6 Effective Date

The effective date of this Bylaw is XX.

### 1.7 Legal Non-conforming Uses

- a) Nothing in this Bylaw shall apply to prevent the use of any land, **building** or **structure** for any purpose prohibited by the Bylaw if such land, **building** or **structure** was lawfully used for such purpose prior to the effective date of this Bylaw, so long as it continues to be used for that purpose.
- b) Nothing in this Bylaw shall prevent the strengthening to a safe condition or the reconstruction of any **building** or **structure** or part of any **building** or **structure** that is

# Administration

used for a **legal non-conforming use** provided such alteration does not increase the height, size, volume or change the use of the **building** or **structure**.

- c) Nothing in this Bylaw shall prevent the reconstruction of a **building** or **structure** used for a **legal non-conforming use** which is severely damaged or destroyed by natural causes or by fire, provided the reconstruction will not increase in height, size or volume, or change the use of the **building** or **structure** and provided that the use has not ceased active continuous operation for a period of two years before the damage or destruction.

## 1.8 Non-complying Lots

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

## 1.9 Non-complying Buildings and Structures

- a) Where a **building** permit has been lawfully issued for the construction of a **building** or structure and where the **yard** requirements for said **building** or **structure** are found to be in contravention of the minimum **yard** or **building height** by no more than 3 cm, the non-conforming **yard** shall be deemed to conform with the **yard** requirements of this Bylaw.
- b) A non-complying **building** or **structure** which existed legally prior to the effective date of this Bylaw may be enlarged, repaired, renovated or reconstructed provided that the enlargement, repair, renovation or reconstruction:
  - i) does not further encroach into a non-complying **yard**;
  - ii) does not have a **building height** higher than the **existing** height; and
  - iii) complies with all other applicable provision of this Bylaw.
- c) Nothing in this By-law shall prevent the restoration or repair to a safe condition of any **building** or **structure** or part of any **building** or **structure** that has been deemed unsafe by a Professional Engineer, provided the restoration or repair will not change the use or increase the height, size or volume of the **building** or **structure** and provided that the use has not ceased active continuous operation for a period of two years.
- d) Nothing in this By-law shall prevent the reconstruction of a **building** or **structure** severely damaged or destroyed by natural causes or by fire, provided the reconstruction will not increase the height and/or size of the **building** or **structure**.
- e) Nothing in this By-Law will prevent the reconstruction of a lawfully established and **existing building** or **structure** in whole or in part, provided the reconstruction will not increase the height, size, volume or location of the **building** or **structure**.

# Administration

## 1.10 Lots Reduced by Acquisition for Road Widening or Park Dedications

- a) Nothing in this Bylaw prevents the continued use of a **lot** reduced in **lot size** or **lot frontage** by public acquisition for road widening or park dedication and which results in a legally **existing building** or **structure** having increased **lot coverage**, reduced area of **landscaped open space, front yard, side yard** or **rear yard** that does not conform to the regulations for the **zone** in which such **lot** is located provided that:
  - i) no further reduction is made in the dimensions, area or any other characteristics of the **lot** as reduced, subsequent to the date of such acquisition, that would increase the extent of the said non-compliance; and
  - ii) no **building** or **structure** or addition thereto is erected on the **lot** as reduced, subsequent to the date of such acquisition, except in accordance with all the rules for the **zone** in which such **lot** is located.
- b) On **existing lots** and subdivisions, the land that has been dedicated may be included in any calculation for the purpose of determining **lot area, lot coverage, gross floor area** or floor area ratio, provided that any **building** or **structure** is in accordance with all of the regulations of the Bylaw applicable to the site.

## 1.11 Enforcement and Penalties

Any person or corporation that contravenes any provision of this Bylaw is guilty of an offence and upon conviction is liable to the fine(s) as provided in the *Planning Act* and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention is guilty of an offence.

## 1.12 Technical Revisions not Requiring a Bylaw Amendment

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

- a) correction of grammar, punctuation, spelling errors or typographical errors;
- b) changes to section numbering;
- c) additions or revisions to technical information on maps or schedules including, but not limited to matters such as updating and correcting infrastructure information, keys, legends or title blocks; and
- d) changes to appendices, footnotes, headings, indices, notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this Bylaw and are editorially inserted for convenience or reference only.

# Administration

## 1.13 Illustrations and other Reference Aids Not Part of the Bylaw

Illustrations, Appendices, purpose statements, headings, indices, marginal notes, tables of contents, references to former enactments or enabling legislation do not form part of the Bylaw and are inserted for clarification and reference only.

## 1.14 Severability / Validity

A decision of a court of competent jurisdiction that one or more of the rules of this Bylaw or any portion of the Zoning Maps to this Bylaw are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other rules or parts of the rules of this Bylaw.

## 1.15 Transition Provisions– Complete Applications Received Prior to Bylaw Enactment

- a) The rules of the Burlington Residential Zoning By-law shall not apply to prevent the issuance of a **building** permit for a project for which a **complete application** for a:
  - i) Draft plan of subdivision,
  - ii) Draft plan of condominium,
  - iii) Subdivision Agreement,
  - v) Site Plan approval,
  - vii) Removal of part lot control, or
  - viii) Committee of Adjustment approvalwas received on or before **xx, 2025**, or in the event of an appeal of the Burlington Residential Zoning Bylaw to the Ontario Land Tribunal, received prior to the date when all appeals to the Burlington Residential Zoning Bylaw have been withdrawn or finally disposed of, and any subsequent **complete applications** related to the project received thereafter, and for which the building permit is issued within 5 years after the effective date of this Bylaw.
- b) Where a project qualifies under subsection a) above, a building permit for that project may be issued, or the Committee of Adjustment approval, the Site Plan approval, the removal of Part Lot Control, the approval of draft plan of subdivision, or approval of draft plan of condominium may be granted if the project in question complies with the rules of Zoning Bylaw 2020 as it read on **xx, 2025**, and provided that no significant revisions to the project are submitted after this date.
- c) The exemption provided by this Transition Clause shall not continue beyond the issuance of the approval upon which the exemption is founded; and, once the permit, agreement or approval under subsections a) has been granted, the rules of the Burlington Residential Zoning By-law, or any subsequent amendments thereto, shall apply to the lands in question.

# Administration

## 1.16 Transition Provisions– Applications Approved Prior to Bylaw Enactment

- a) Nothing shall prevent the erection or use of a **building** or **structure** for which an application for a building permit was accepted within two years after the effective date of the Burlington Residential Zoning By-law to implement:
  - i) A site plan approved prior to the date of passing of this Bylaw;
  - ii) A minor variance approved prior to the date of passing of this Bylaw;
  - iii) A draft plan of subdivision approved prior to the date of passing of this Bylaw: and/ or
  - iv) A draft plan of condominium approved prior to the date of passing of this Bylaw provided project in question complies with all other rules of Zoning Bylaw 2020 as it read on **xx, 2025**, and provided that no significant revisions to the project are submitted after this date.
- b) For the purpose of 1.16 a) iv), the definition of significant is to be defined by the Director of Community Planning.

## 1.17 Zoning Administrator

The Director of Community Planning shall be the administrator of the Bylaw.

# Establishment of Zones and Uses

## Part 2: Establishment of Zones and Uses

### 2.1 Zone Designations

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

Low-Rise Neighbourhood (LN1)  
Low-Rise Neighbourhood (LN2)  
Low-Rise Neighbourhood (LN3)  
Low-Rise Neighbourhood (LN4)  
Low-Rise Neighbourhood (LN5)  
Low-Rise Neighbourhood (LN6)  
Low-Rise Neighbourhood (LN7)  
Low-Rise Neighbourhood (LN8)  
High-Rise Neighbourhood (HN)

### 2.2 Zoning Exceptions

- a) Where a **zone** symbol shown on Schedule A contains a hyphen followed by a number, the number represents a site-specific provision that applies to the lands noted. Site-specific are shown on Schedule A of this Bylaw.
- b) The regulations of the site-specific provision supersede any inconsistent regulations in the remainder of this Bylaw.

### 2.3 Zone Boundaries

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

- a) Where a **zone** boundary is shown following a street, **lane**, unopened road allowance; railway right-of-way; or **utility** corridor, the centreline of such street, **lane**, unopened road allowance, railway right-of-way or **utility** corridor is the boundary and the **zone** designations shall be deemed not to be **abutting**;
- b) Where a **zone** boundary is shown as running substantially parallel to a street or **lane**, and the distance from the street or **lane** is not indicated, the distance shall be determined by the scale of the zoning map measured from the limit of the street or **lane**;
- c) Where a **zone** boundary is shown as substantially following **Lot Lines**, the **zone** boundary follows such **Lot Lines**;
- d) Where a **zone** boundary is shown following a watercourse, the top-of-bank of the watercourse, plus a 6 metre erosion access allowance shall be the boundary or as determined by Conservation Halton;
- e) Where a **zone** boundary is shown as following flooding hazard limits established by Conservation Halton, the **zone** boundary shall be the flooding hazard limits as determined by Conservation Halton;
- f) Where a **zone** boundary is shown following a natural heritage feature or area, or other key feature including buffers or other wetlands, the boundary shall be determined by the

# Establishment of Zones and Uses

- scale of the zoning map. Where **existing** features on the ground are at variance with the zoning maps, the actual location on the ground shall govern;
- g) Where none of the above applies, the **zone** boundary shall be scaled from the Schedule(s); and
  - h) The determination of the boundaries of Niagara Escarpment Development Control is administratively the responsibility of the Niagara Escarpment Commission in accordance with regulations passed under the *Niagara Escarpment Planning and Development Act*.

## 2.4 Zone Maps and Overlays

The Zoning Map displays **zone** boundaries, overlay and appendix map information, which is attached as Schedule A and forms part of this Bylaw.

## 2.5 Multiple Zones on One Lot

- a) Where a **lot** falls into two or more **zones**, the use permissions and regulations for the applicable **zone** shall apply to that portion of the **lot**. Except, in cases where a **building** or **structure** is located on two or more **zones**, the more restrictive regulations shall apply.
- b) Notwithstanding subsection a) above, **parking spaces, driveways**, aisles and stacking spaces required by this Bylaw may be provided anywhere on a **lot** that falls into two or more **zones** except that portion of a **lot** in any Open Space Zone.
- c) A **zone** boundary dividing a **lot** into two or more **zones** is not a **Lot Line** for the purposes of this Bylaw.
- d) Notwithstanding 2.5 c), Where two or more **zones** apply to a **lot** and one of the **zones** is the NHS **zone**, the boundary between the NHS **zone** and the other **zone(s)** is considered a **Lot Line** for the purposes of calculating density, floor space index and determining **angular plane** requirements.

## 2.6 Holding Provisions

- a) Notwithstanding any other provision in this Bylaw, where the letter (H) followed by a number within a set of brackets follows a **zone** symbol, the lands affected are subject to a hold provision in accordance with Section 36 of the *Planning Act*.
- b) No person shall use the land to which the letter (H) symbol applies for any use other than the use that legally existed on the date the Bylaw applying the holding provision came into effect, or expand or replace an **existing building** or **structure**, until the (H) symbol is removed in accordance with the policies of the Official Plan and the criteria or reasons for removal of the (H) symbol have been satisfied.
- c) A minor addition to an **existing building** is permitted provided it doesn't exceed 50% of the **existing** floor area.
- d) **Lots** with holding provisions, including the conditions required to be satisfied prior to the removal of the (H) symbol, are identified in Section x.

# Interpretation

## Part 3: Interpretation

### 3.1 Defined terms

- a) Terms that are defined in Section 4 have been bolded in the text of the Bylaw.
- b) The definitions of words in this Bylaw are not intended to preclude the applicability of a definition under the Building Code any other Act or its regulations for the purpose of obtaining a building permit or approval.
- c) Words not defined in this Bylaw shall take on their usual meaning within a dictionary determined by the Director of Community Planning. The **City** may reference the meaning as they are defined in other relevant policy documents such as the Burlington Official Plan, Site Plan Guidelines, provincial policies, and the *Planning Act*.
- d) The Director of Community Planning may exercise discretion in interpreting defined and undefined words in this Bylaw to meet the general objectives and guiding principles of this Bylaw.

### 3.2 Interpretation Of Words

For the purposes of this Bylaw,

- a) words used in the present include the future;
- b) words in the singular include the plural and words in the plural include the singular;
- c) the words 'used' and 'occupied' shall include the words 'arranged' and 'designed to be 'used' or 'occupied' respectively;
- d) where a provision or standard involves two (2) or more conditions, connected by a conjunction, the following shall apply:
  - i) 'and' means all the connected items shall apply in combination; and
  - ii) 'or' means that the connected items may apply singly or in combination.
- e) the words 'provision', 'standard' and 'requirement' are sometimes used interchangeably to refer to the regulations of this Bylaw, and may be further interpreted as follows:
  - i) 'standard' and 'requirement' refer to regulations that set out **development standards**, such as required **yards** and **setbacks**;
  - ii) 'provision' refers to all other regulations, such as regulations setting out permitted and prohibited land uses.

# Interpretation

## 3.3 Interpretation Of Tables

- a) Where a “P” appears in a table it shall mean that the use is permitted in that **zone**.
- b) “--” shall mean the use is not permitted in that **zone**
- c) “P” followed by number “P#” means a qualification to the **permitted use** applies and is listed as a footnote to the table.
- d) a number in brackets (#) means one or more additional regulations apply and are listed as a footnote to the table.
- e) “m” means metres.
- f) “m<sup>2</sup>” means square metres.
- g) “N/R” means no requirement.

## 3.4 Interpretation Of Permitted Uses

- a) A use listed as a **permitted use** in a Table in Part 7 shall be permitted only with the **zone** in which it is permitted.
- b) A use not listed in a **permitted use** Table in Part 7 shall not be permitted in that **zone**, whether defined in Part 4: definitions or not.

## 3.5 Interpretation Of Phased Condominium Registration

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

## 3.6 0.3 m Reserves

For the purposes of this Bylaw, a 0.3 m reserve shall be considered to be part of the **abutting** road.

## 3.7 Rounding to Determine Bylaw Compliance

All measurements shall be rounded to 1 decimal place, based on the following rules of rounding numbers, to determine Bylaw compliance.

- a) For regulations calculated as a whole number, numbers less than 0.5 shall be rounded downward to the nearest whole number, and the numbers 0.5 and greater than shall be rounded upward to the nearest whole number;
- b) For regulations calculated as a number with one decimal place, numbers less than 0.05 shall be rounded downward to the nearest one-tenth number, and the numbers 0.05 and greater than shall be rounded upward to the one-tenth number;

# Interpretation

- c) For the purposes of calculating required parking, parking calculations shall be rounded to a whole number.

## 3.8 Multiple Building Connections

- a) Where **buildings** are connected only below ground, they are considered separate **buildings** for the purposes of applying the rules of the Bylaw.
- b) Except where a contrary intention is evident from the context, separation distances required by this Bylaw between **buildings** do not apply to those portions of the **building** below ground.
- c) Buildings connected above the ground floor by features such as pedways, breezeways, bridges, or other connections and that do not create additional **gross floor area** or gross leasable floor area within these connections are not considered one **building** for the purposes of applying the rules of the Bylaw.

## 3.9 Interpretation of Conservation Halton's Regulatory Limit

- a) The delineation of Conservation Halton's regulated area, including **hazardous lands** and wetlands, is defined by and subject to the Conservation Authorities Act and Ontario Regulation 41/24, which are administered by Conservation Halton.
- b) Schedule A includes the Approximate Regulation Limit of Conservation Halton as an Overlay.
- c) Conservation Halton must be contacted to confirm hazard and wetland limits.
- d) The text of the *Conservation Authorities Act* and associated regulation prevails over any mapping.
- e) Conservation Halton's regulation limit does not represent a **development** limit.
- f) Notwithstanding the rules of the residential **zones**, **development** within Conservation Halton's Approximate Regulation Limit shall be subject to Conservation Halton's legislative and regulatory requirements.
- g) A permit may be required from Conservation Halton prior to **development** occurring.

## 3.10 Purpose Statements

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

# Definitions

## Part 4: Definitions

### A

**Abutting:** means having a **Lot Line** or portion thereof in common with another **Lot Line** or with a **Street Line**.

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

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

**Accessory Building or Structure:** means a detached **Building** or **Structure**, the use of which is **Accessory** to the principal Use, **Building**, or **Structure** located on the same **Lot** and shall include a detached **carport** as otherwise defined.

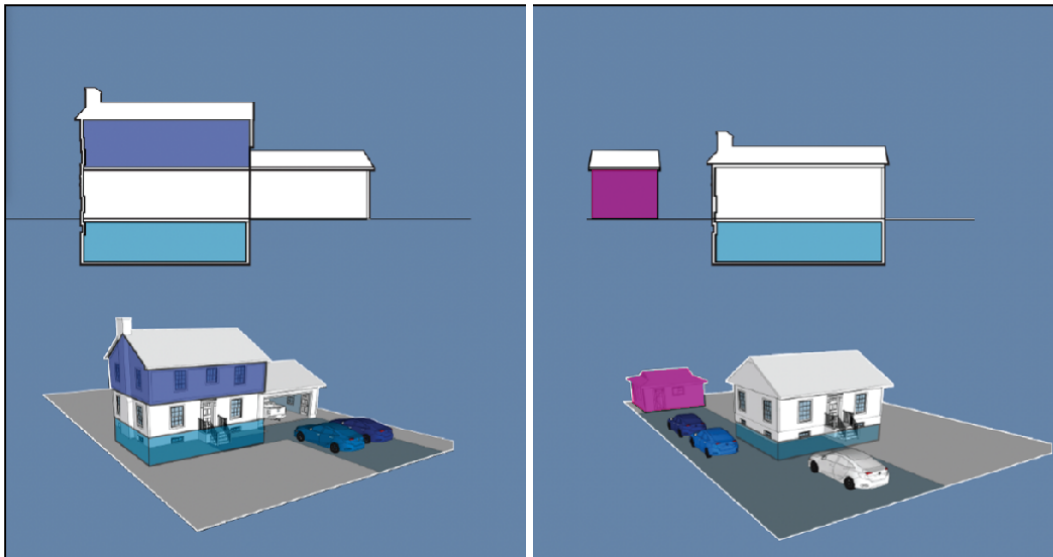
**Accessory Use:** means a use of land, a **Building**, or a **Structure** that is naturally and normally incidental to, subordinate to, and exclusively devoted to the principal Use, **Building**, or **Structure**, and located on the same **Lot**. 'Accessory' has a corresponding meaning.

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

**Additional Residential Unit - Attached:** means a self-contained **Dwelling Unit** which is located on a **Lot** and contained within a **Detached Dwelling**, **Semi-Detached Dwelling**, **Block Townhouse** or **Street Townhouse**.

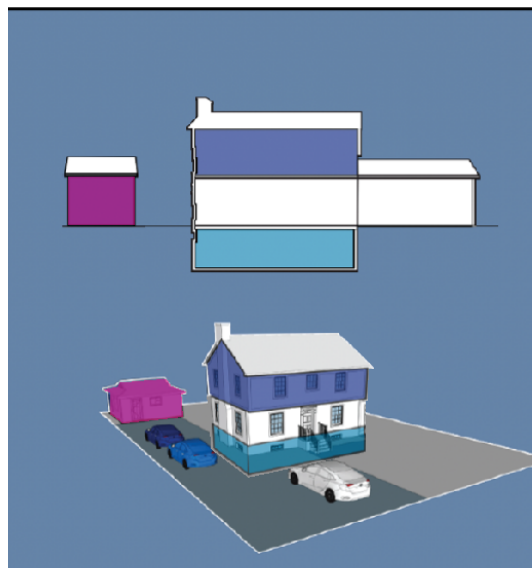
# Definitions

**Additional Residential Unit – Detached:** means a self-contained Dwelling Unit which is located within an Accessory Building on the same Lot that contains a Detached Dwelling, Semi-Detached Dwelling, Block Townhouse or Street Townhouse.



- Principle Dwelling Unit
- Additional Residential Unit Attached (1st)
- Additional Residential Unit Attached (2nd)

- Principle Dwelling Unit
- Additional Residential Unit Attached (1st)
- Additional Residential Unit Attached (2nd)
- Additional Residential Unit Detached (3rd)



- Principle Dwelling Unit
- Additional Residential Unit Attached (1st)
- Additional Residential Unit Attached (2nd)
- Additional Residential Unit Detached (3rd)

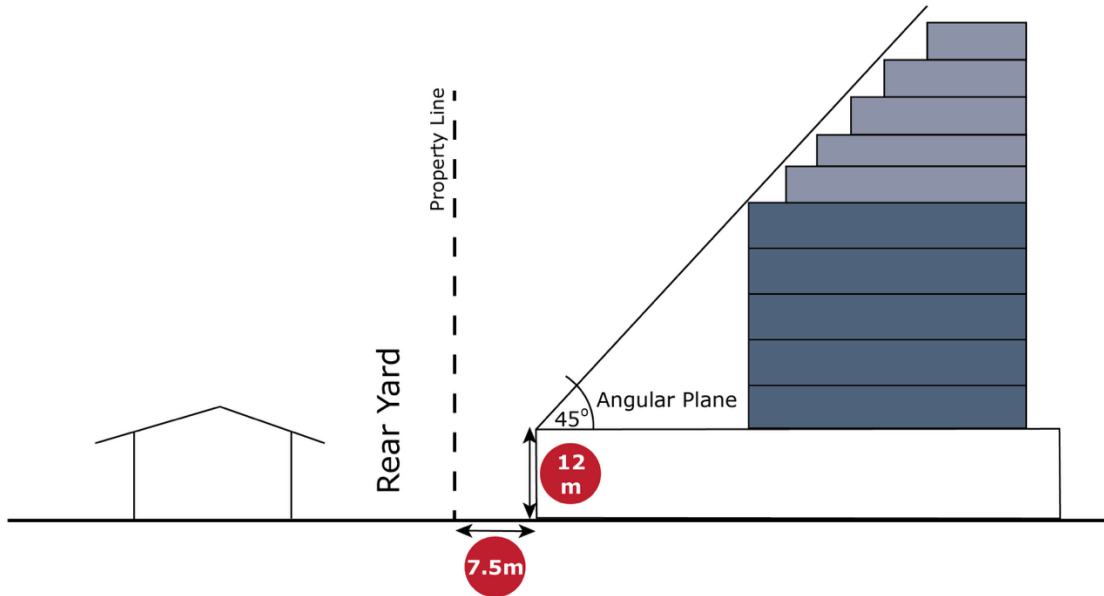
# Definitions

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

**Amenity Area - Common:** means an area on a **Lot** provided for the active or passive recreation and enjoyment of the occupants of a residential **development**, excluding a **Driveway** or any other **Parking Area**. Located inside or outside a **Structure**, **common amenity areas** may include landscape open space, **Building** rooftops, **patios**, terraces, above ground decks, **swimming pools**, party rooms, tennis courts and the like.

**Amenity Area - Private:** means an area on a **Lot** provided for private use for the active or passive recreation and enjoyment of the occupants of a **Dwelling Unit**, excluding a **Driveway**, **Parking Area**, or **walkway**, which is **accessory** to, directly accessible from, and outside of a **Dwelling Unit**.

**Angular plane:** means an imaginary inclined plane, rising over a **Lot**, drawn at a specified angle from the horizontal, which together with other **building** regulations and **Lot** size requirements, delineates the maximum bulk and **building height**.

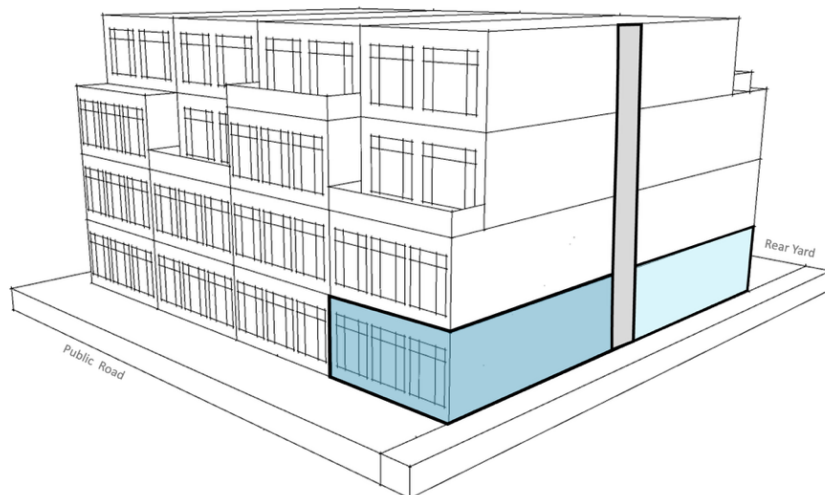


# Definitions

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

**AODA:** means the *Accessibility for Ontarians with Disabilities Act, 2005*, and Ontario Regulation 191/11 *Integrated Accessibility Standards*, as amended.

**Apartment Building:** means a **Building** containing five or more **Dwelling Units** which share a common entrance and utilize a common internal corridor, stairway, and/or elevator system. Occupants commonly share access to **Amenity Area** and **yards**.



# Definitions

## B

**Basement:** means that portion of a **Building** situated wholly or partly below the **First Storey**.

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

**Bed and Breakfast:** means an **accessory use** in which temporary sleeping accommodation, with or without meals, is provided for compensation within a **Dwelling Unit** that is the principal residence of the operator. Guest accommodation shall consist of guest rooms that do not contain cooking facilities. This use does not include a Hotel, Motel, **Boarding House** or Short-Term Accommodation.

**Bicycle parking space - long term:** means an area that is equipped with a bicycle rack or bicycle locker that is accessible, secure, weather protected and for use by occupants of a **building** and is not provided within a **dwelling unit**, suite, or on a balcony. A bicycle locker that is intended to satisfy the long-term bicycle parking requirements of this Bylaw shall not be used for any purpose other than bicycle parking.

**Bicycle parking space - short term:** means an area for the purpose of parking and securing bicycles at ground level that is accessible to a **building**.

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

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

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

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

# Definitions

## C

**Canopy:** means a roof-like cover, which may be structural or fabric, projecting from an exterior wall of a **Building** or **Structure**, primarily intended to provide shelter over entrances, windows, **walkways**, or service areas, and which is typically open on multiple sides beneath the cover (excluding necessary supports).

**Carport:** means a partially enclosed **structure** intended for parking having a roof supported by columns, piers, or walls and in which the total area of all closures around the perimeter does not exceed 60% of the total area of all sides of said **carport**.

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

**City:** means the Corporation of the City of Burlington.

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

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

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

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

**Complete Application:** means an application deemed to be complete in accordance with the *Planning Act* and *Ontario Building Code Act*.

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

### **Creek Block**

A parcel or block of land, owned by the City of Burlington or other Public Agency, containing a watercourse defined as the greater of the Regulatory **Floodplain** or the valley through which

# Definitions

the watercourse flows and may include an open space buffer area beyond the top-of-bank, but which shall not include a separate parcel or block of land for a storm water detention pond.

## D

**Day Care Centre:** means a premises licensed or required to be licensed as a child care centre under the *Child Care and Early Years Act, 2014*, as amended, providing temporary care or supervision for children. This term also includes premises providing similar temporary day-time care or supervision for more than five adults, where overnight accommodation is not provided for persons receiving care.

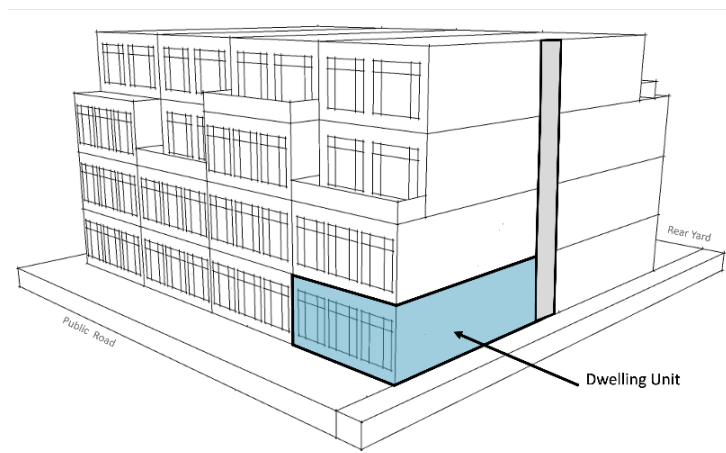
**Daylight Triangle:** means a triangular shaped area which if required, forms part of an intersecting street.

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

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

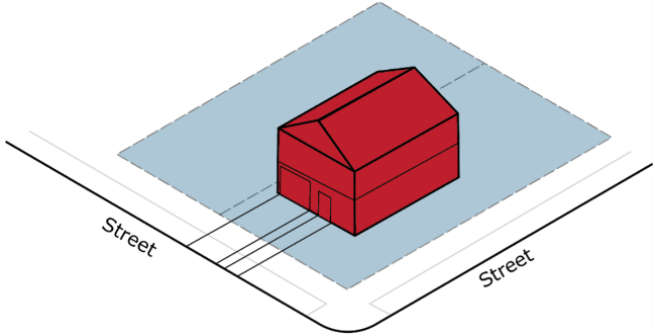
**Driveway Width:** means the width of a **Driveway**, determined as follows: (a) where there is an attached garage, the width is measured parallel to the front of such garage; or (b) where there is no garage or where there is a detached garage, the width is measured perpendicular to the primary path of vehicular travel on the **Driveway**.

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

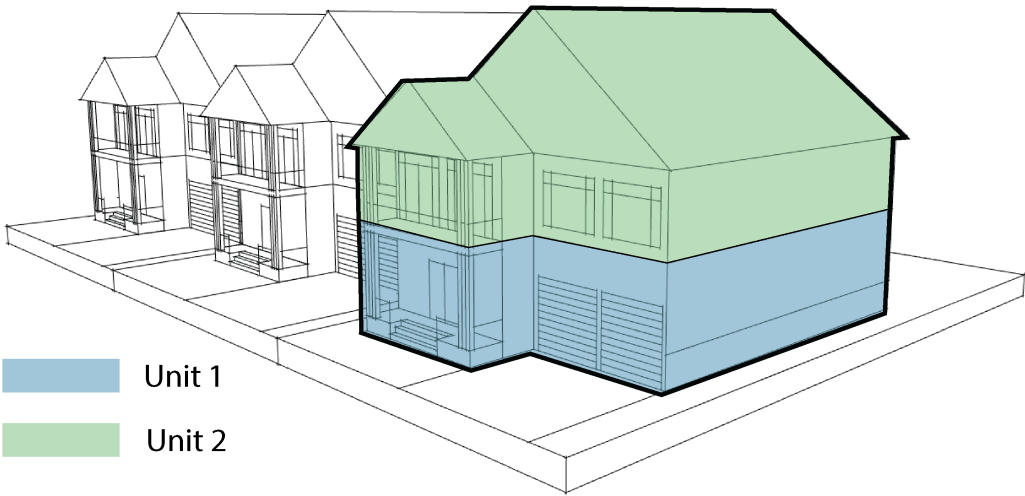


# Definitions

**Dwelling, Detached:** means a **Building** containing only one principal **Dwelling Unit** but may contain an **Additional Residential Unit** where permitted by this Bylaw.

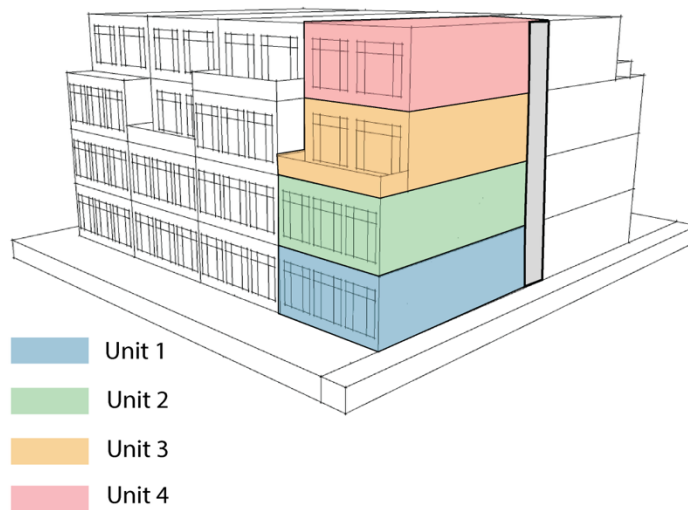


**Dwelling, Duplex:** means a **Building** that is divided horizontally into two principal **Dwelling Units**, each with independent access either directly from the outside or through a common vestibule

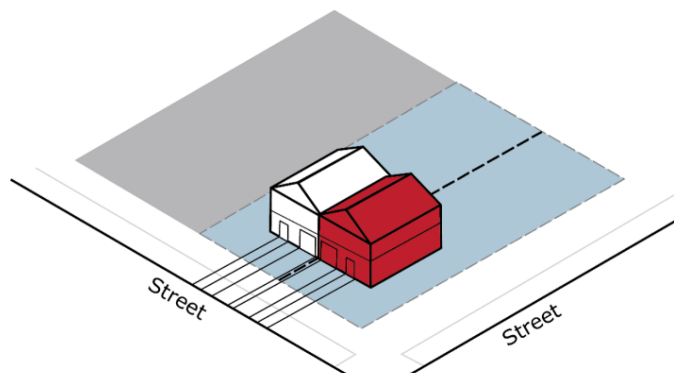


# Definitions

**Dwelling, Fourplex:** means a **Building** containing four principal **Dwelling Units**, where the units may be attached horizontally and/or vertically, and each unit has independent access either directly from the outside or through a common vestibule.

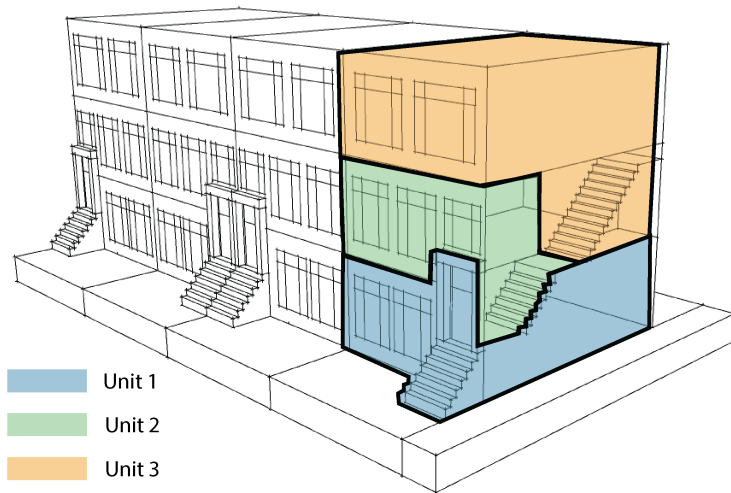


**Dwelling, Semi-Detached:** means a **Building** that is divided vertically by a **Common Wall** into two principal **Dwelling Units**, each with independent access. **Semi-Detached Dwellings** may contain one or more **Additional Residential Units** where permitted by this Bylaw.



# Definitions

**Dwelling, Triplex:** means a **Building** containing three principal **Dwelling Units**, where the units may be attached horizontally and/or vertically, and each unit has independent access either directly from the outside or through a common vestibule.



# Definitions

## E

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

**Electric Vehicle Capable Parking Space:** means a **parking space** designed and constructed with a roughed in electrical conduit, allowing for the future installation of a dedicated circuit and a minimum **Level 2 electric vehicle** supply equipment.

**Electric Vehicle Parking Space:** means a **parking space** designed and constructed as an **Electric Vehicle Capable Parking Space, Electric Vehicle Ready Parking Space, or EVSE Installed Parking Space.**

**Electric Vehicle Ready Parking Space:** means an **Electric Vehicle Capable Parking Space** that also features a dedicated electrical circuit terminating in an **Energized Outlet** or junction box, installed in accordance with the Electrical Safety Code, suitable for the future installation of **Level 2 Charging or higher Electric Vehicle Supply Equipment (EVSE).**

**Electric Vehicle Supply Equipment (EVSE):** means the equipment, including the connectors, attachment plugs, charging cables, and controls, installed specifically for the purpose of safely delivering electrical energy to an **Electric Vehicle.**

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

**Energized Outlet:** means an electrical outlet supplying current, specifically installed for the purpose of connecting **Electric Vehicle Supply Equipment (EVSE).**

**Established front yard:** means the average distance from the **Street Line** to the **front wall** of **existing buildings** situated on the two **lots** that abut each side of the property. In the case of a **corner lot**, or where one or both of the **abutting lots** are vacant, the next adjacent non-vacant **lot** shall be used in calculating the **established front yard.**

**EVSE Installed Parking Space:** means a **Parking Space** equipped with **operational Level 2 Charging or higher Electric Vehicle Supply Equipment (EVSE).**

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

# Definitions

## F

**Fence:** means a barrier erected for the purpose of enclosing all or part of a **lot**, or marking a boundary, typically constructed of posts and wire, wood, metal, or masonry, individually or in combination. This includes associated gates, but excludes retaining walls or landscape features such as trellises or arbours unless they form an integral part of the **fence structure** itself.

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

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

- a) Along river, stream and small inland lake system, the flooding hazard limit is the greater of:
  - i) The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954), transposed over a specific watershed and combined with local conditions, where evidence suggests that the storm event could have potentially occurred over watershed in the general area;
  - ii) The one hundred year flood; and,
  - iii) a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

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

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

**Floor Area, Accessory Buildings or Structures:** means the sum of the total horizontal area of each floor located at or above **grade**, measured to the outside of the exterior walls or posts of all **accessory buildings or structures** on a **lot**.

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

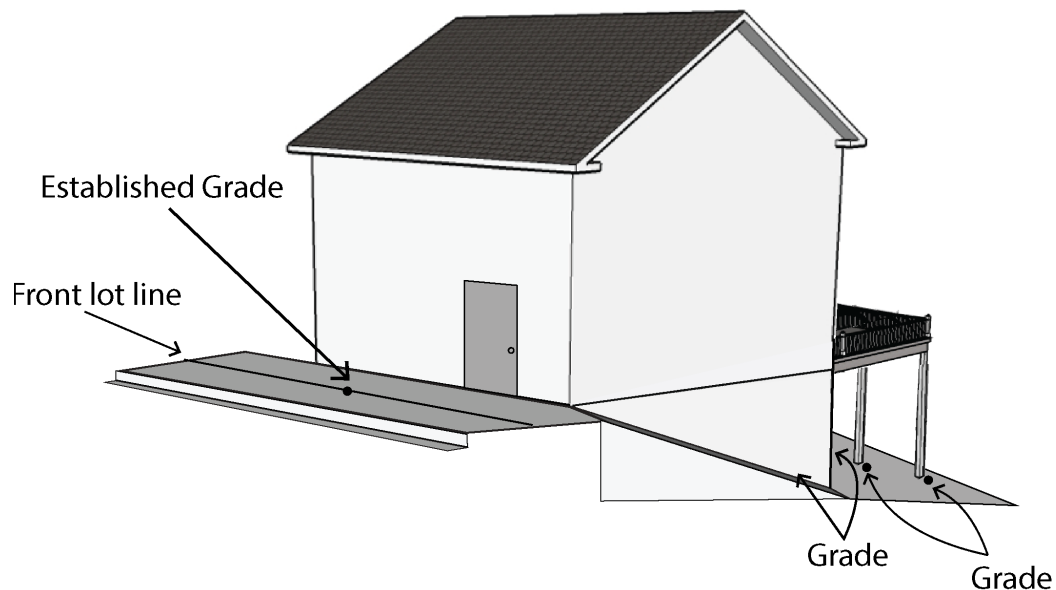
# Definitions

**Front Wall:** means the closest wall of a **building** to the **front Lot Line**.

## G

**Garage, Private:** means an enclosed **Accessory Building**, or an enclosed portion of a **principal Building**, designed or used primarily for the parking or storage of **Motor Vehicles** and **accessory** to the principal Use conducted on the same **Lot**.

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



**Grade, Established:** means the geodetic elevation taken at the midpoint of the **Front Lot Line** as confirmed by an Ontario Land Survey or Civil Engineer.

**Group Home:** means a single housekeeping unit in a residential **building** that is occupied by not more than ten persons (excluding staff or receiving family), living together under supervision that is licensed, approved, or funded under an Act of the Parliament of Canada or the Province of Ontario for the provision of specialized care or supervision.

# Definitions

## H

**Habitable Room:** means a room within a **Dwelling Unit** used or intended for use for living, sleeping, eating, or cooking. This excludes a bathroom, water closet compartment, laundry room, pantry, corridor, stairway, closet, lobby, **Private Garage**, **Basement** primarily used for storage/utility, non-habitable attic, sunroom not usable year-round, or any space used for **building** services or common access.

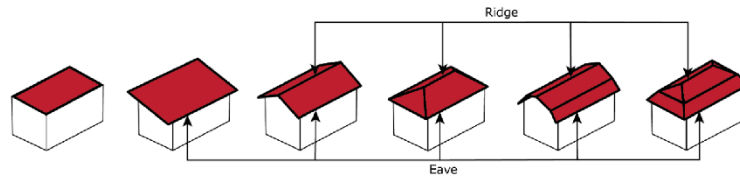
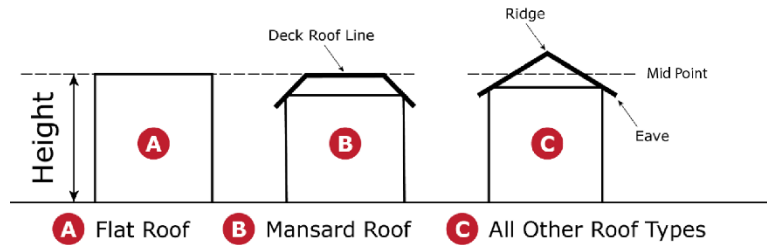
**Hard Landscaped Open Space:** means an area of land within a **Lot** dedicated to a *walkway* or area on a **Lot** surfaced by stable or fitted materials such as unit pavers, **patio** stones, concrete, gravel, stonework or artificial turf or similar materials, but does not include any **Driveway**, **internal roadway**, **Private Street**, ramp or **Parking Area**, **Parking Space** or **Loading Space**, whether surfaced or not.

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

**Height, Building:** means the vertical distance between the **established grade** of a **building** and the top of such **building**. The top is:

- a) In the case of a **flat roof**, the highest point of the roof's surface or **parapet**, whichever is greater;
- b) In the case of a mansard roof, the deck roof line;
- c) In the case of a gable, hip, gambrel or one slope roof, the mid point between the eaves and ridges; or
- d) Where an exterior wall, other than a required fire wall, extends above the top of the roof of a **building**, the topmost part of such exterior wall.

# Definitions



**Height, First Storey:** means the vertical distance between the top of the finished floor level of the **first storey** and the top of the finished floor level of the **storey** above.

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

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

**Home Occupation:** means an activity that provides a service as an **accessory use** within a **dwelling unit** or in an **accessory building**.

# Definitions

## I

### **Internal Roadway**

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

## K

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

## L

**Landscaped Open Space:** means that portion of the **Lot Area** which is required by this Bylaw to be used for Landscaping, and which excludes the area occupied by: **Buildings, Driveways, Bicycle Parking, Snow Storage, Transformers, Parking Areas, Parking Spaces;** and **Loading Spaces**. For clarity, **Landscaped Open Space** includes areas defined as **Hard Landscaped Open Space**, and **Soft Landscaped Open Space**, and may include Green Roofs and approved low impact **development** or stormwater management features when integrated as landscape elements, subject to any specific rules elsewhere in this Bylaw.

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

**Legal Non-Complying Building or Structure:** means a **building** or **structure**, the use of which is permitted in the **zone** applying to the land, which was lawfully constructed prior to the date of passing of this Bylaw or relevant amendment, but which does not comply with one or more of the applicable **zone** standards.

**Legal Non-Conforming Use:** means the use of land, **buildings** or **structures** for a purpose which is not listed as a **permitted use** in the **zone** applying to the land, but which was lawful on the date of passing of this Bylaw or relevant amendment making the use non-conforming, and has continued since that date.

**Level 2 Charging:** means a Level 2 electric charging level as defined by SAE International's J1772 Standard, as amended.

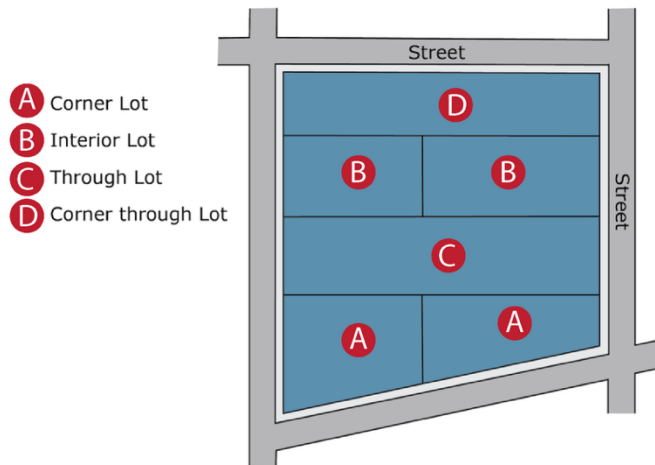
**Licensed Establishment:** means premises, which may include a **Restaurant**, nightclub, micro-brewery, or micro-distillery, that sells, provides, or serves alcohol pursuant to a licence issued by the Alcohol and Gaming Commission of Ontario (AGCO), but does not include premises operating solely under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

# Definitions

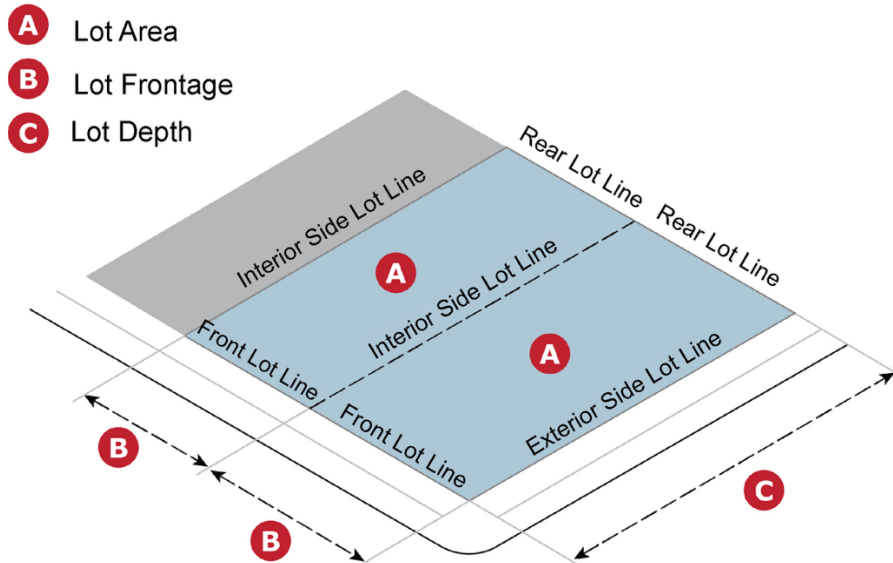
**Loading Space:** means an off-street space for the temporary parking of vehicles while loading or unloading merchandise or materials.

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

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



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



# Definitions

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

**Lot, Corner Through:** means a **lot** abutting three or more separate streets

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

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

**Lot Coverage:** means the percentage of the **lot area** covered by **buildings** excluding **accessory buildings and structures**, measured to the outside of the exterior walls, including all **buildings** and projections (cantilevered floor space, window projections, etc.).

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

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

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

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

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

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

**Lot Line, Rear:** means the **Lot Line** or point of intersection of the **Side Lot Lines** farthest from and opposite the **Front Lot Line**.

**Lot Line, Side:** means a **Lot Line** other than a **Front Lot Line** or a **Rear Lot Line**.

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

# Definitions

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

## M

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

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

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

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

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

**Minimum Tower Setback:** means the minimum required horizontal distance between a specified **Lot Line (Front, Rear, Interior Side, or Exterior Side)** and the nearest wall of the **Tower** portion of a **Building**, measured perpendicular to the **Lot Line**.

# Definitions

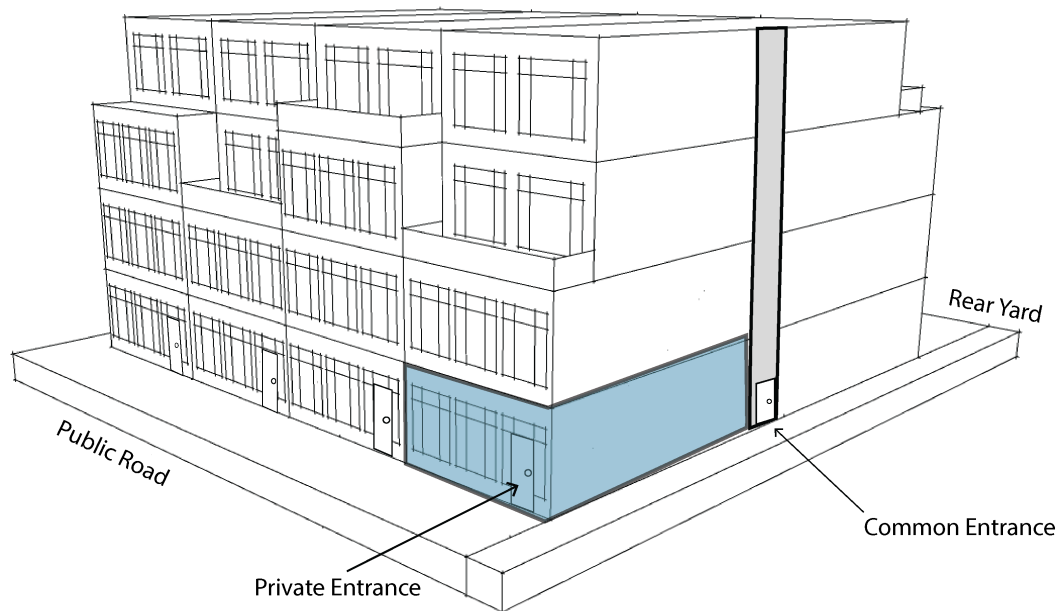
**Mobile Home:** means a dwelling designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons in accordance with the applicable Canadian Standards Association standard.

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

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

## **Multiplex**

Means a **building** containing more than 4 **dwelling units** with multiple private entrances and also a common entrance but is not an **apartment building**.



# Definitions

## N

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

## O

**Office:** means premises used primarily for conducting the affairs of a business, profession, service, industry, or government, including administration, clerical work, management, consulting, or the practice of a profession. This use does not include a **Retail Store**, **Personal Service Establishment**, or industrial activities such as manufacturing or warehousing, unless otherwise specifically defined or permitted as **accessory**.

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

## P

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

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

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

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

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

# Definitions

**Parking Structure:** means a **Building** or other **Structure**, or part thereof, located above or below **Grade**, used primarily for the parking or storage of five or more **motor vehicles**, and which may include **Electric Vehicle Parking Spaces** or **Electric Vehicle Supply Equipment (EVSE)**. This definition excludes a **private garage accessory** to a residential use with less than four **Dwelling Units**.

**Parcel of Tied Land:** means any parcel of land legally bound and tied to a common element condominium. A **Parcel of Tied Land** must front on either a **public street** or a condominium common element roadway and shall, subject to the regulations of this Bylaw that relate strictly to Parcels of Tied Land, be regarded as a type of **lot**.

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

- a) sewage works within the meaning of the *Ontario Water Resources Act* that are owned by,
  - i) a municipality,
  - ii) a municipal service board established under the *Municipal Act, 2001*,
  - iii) a city board established under the *City of Toronto Act, 2006*,
  - iv) a corporation established under sections 9, 10 and 11 of the *Municipal Act, 2001* in accordance with section 203 of that Act, or
  - v) a corporation established under sections 7 and 8 of the *City of Toronto Act, 2006* in accordance with sections 148 and 154 of that Act, and
- b) a municipal drinking water system within the meaning of the *Safe Drinking Water Act, 2002*.

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

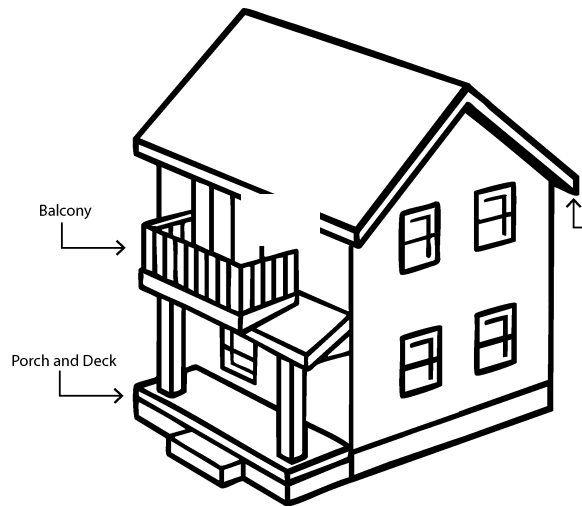
**Patio:** means an outdoor area on a **Lot**, typically with a surface constructed of materials such as concrete, pavers, stone, or wood, having a floor height less than 0.6 metres above adjacent **Grade**, used as **Amenity Area accessory** to a **Dwelling Unit**, and which is not covered by a roof.

**Permitted Use:** means a use permitted by this Bylaw.

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

# Definitions

**Platform Structure:** means a raised surface 0.6 metres or greater above **grade**, including but not limited to decks, balconies and terraces but does not include a landing.



**Podium:** means the lower portion or base of a **Mid-Rise Building** or **Tall Building**, including the Ground Floor and potentially **storeys** above, which is clearly differentiated from the **building** portions vertically above it, and is designed to define and frame the street edge and public realm at an appropriate scale.

*[Placeholder for future illustration]*

**Porch:** means a roofed platform attached to a **Building**, providing access to an entrance, which has direct access to **Grade** and is open on at least one or more sides (except for required guards or railings).

**Principal Building:** means the **Building** on a **Lot** in which the principal Use of the **Lot** is conducted. A **Lot** may have more than one **Principal Building** only where specifically permitted by this Bylaw.

**Privacy Screen:** means a decorative wall, **fence** or barrier designed primarily to provide visual privacy for a **Patio**, Deck, Balcony, or part of a **Yard**.

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

# Definitions

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

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

## R

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

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

**Restaurant, Convenience:** means any eating establishment having a floor area not exceeding 100 m<sup>2</sup>, with or without seating accommodation, located in a **building or structure** primarily devoted to another use or other uses, where food and beverages are prepared and served for consumption on or off the premises.

**Restaurant, Standard:** means a premises where food and beverages are primarily prepared and offered for consumption on the premises, typically involving service to seated patrons. Any take-out service is **accessory**, and it may include an associated **Outdoor Patio** or **Licensed Establishment** component, but does not include an associate Drive-Through Facility.

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

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

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

# Definitions

**Road, Collector:** means a road that connects neighbourhoods, distributes traffic to and from arterial roads, provides local routes and access to land uses. Collector Roads are identified on Schedule A.

**Road, Major Arterial:** means a road to serve regional and inter-municipal travel demands and accommodates regional or higher-order local transit service. **Major Arterial Roads** are identified on Schedule A.

**Road, Minor Arterial:** means a road that serve mainly local travel demands, which accommodate major local and inter-municipal bus routes, and which connect communities and inter-connect **Major and Multi-Purpose Arterial Roads**. **Minor Arterial Roads** are identified on Schedule A.

**Road, Multi-Purpose Arterial:** means a road that serves a mix of functions of **Major Arterial** and **Minor Arterial Roads** and which typically connects Major Arterials through urban areas or nodes. **Multi-Purpose Arterial Roads** are identified on Schedule A.

**Roof, Flat:** means a roof having a slope of less than 1:20

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

## S

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

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

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

**Sensitive Land Uses:** means **buildings, amenity areas**, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects resulting from noise, odour, dust, vibration, or contaminant discharges generated by nearby land uses. **Sensitive land uses** may be a part of the natural or built environment and include, but are not limited to: (a) Residential uses (including **dwelling units, group homes, retirement homes**, and long-term care facilities); (b) Institutional uses

# Definitions

(including **schools**, places of worship, **day care centres**, hospitals, and libraries); and (c) Parks and outdoor recreational areas used primarily for passive recreation activities.

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

*[Placeholder for future illustration]*

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

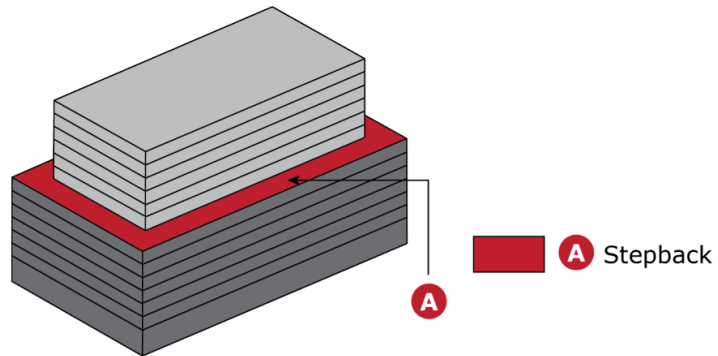
**Short-term Accommodation:** means the provision of a **Dwelling Unit** which is used for the temporary lodging of the travelling public for a rental period of not greater than 28 consecutive days to a maximum of 183 days per year in exchange for payment but does not include a Motel, Hotel, Hospital, **Long Term Care Facility, Retirement Home, Boarding House, Bed and Breakfast** Establishment, or similar uses otherwise defined in this Bylaw or other short-term accommodations where there is no payment.

**Soft Landscaped Open Space:** means an area of land within a **Lot** dedicated to the planting of trees, shrubs, flower beds, grass or other vegetative landscaping and which may include granular or loose geological materials such as soil, gravel and mulch which support vegetation, as well as other decorative landscape features but excludes hard surfaces such as **driveways, walkways, patios** or decks.

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

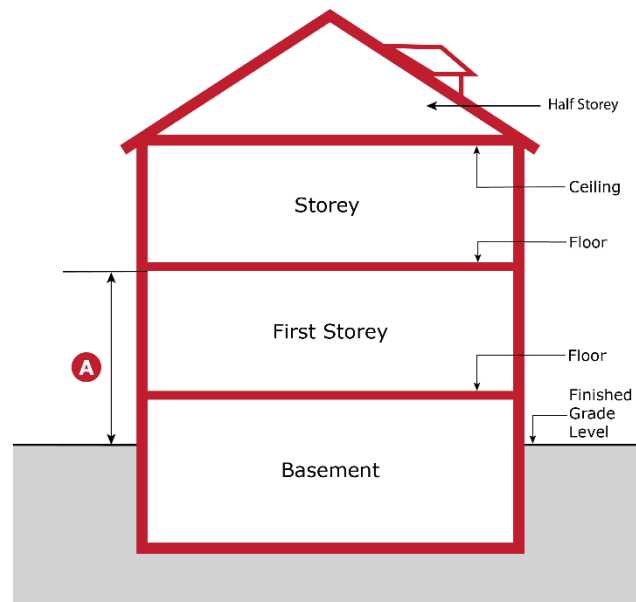
# Definitions

**Stepback:** means the horizontal recess of an exterior wall of an Upper **Building** or **Tower** from the exterior wall of the **Podium** or **storey(s)** immediately below.



**Storage Yard:** means an outdoor area on a **Lot** used primarily for the keeping or storage of goods, materials, equipment, or vehicles. Examples include, but are not limited to, storage for construction supplies, landscaping materials, road maintenance materials, **Shipping Containers**, contractor's equipment, **Motor Vehicles** (including salvage or impound yards where permitted), **Recreational Vehicles**, or **Utility Trailers**. A Storage **Yard** may include an **accessory** maintenance or repair facility related to the stored items, but does not include a **Parking Lot**, **Loading Space**, or areas used primarily for retail display.

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



**A** First Storey: More than 1.8 m above finished grade level

# Definitions

**Storey, First:** means the lowermost **Storey** of a **building** having its ceiling 1.8 metres or more above **Established Grade**.

**Storey, Half:** means a finished floor area above the **first storey** and any attached garage that is located partially or wholly within a sloping roof and having a floor area that does not exceed 50% of the floor area of the **storey** directly below the **half storey**.

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

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

**Street Width:** means the distance from **Lot Line** to **Lot Line** across a street, measuring the distance of land own by a Public Agency.

**Structure:** means anything that is constructed, erected, or placed on land, or affixed to something located on land, requiring a fixed location on the ground or attachment to something having a fixed location on the ground, but specifically excludes: (a) **Buildings**; (b) Signs; (c) **Fences**; (d) **Swimming pools** and hot tubs; (e) platforms, or **patios** with a floor height less than 0.6 metres above adjacent **Grade**; (f) **Walkways, driveways, patios**, sports courts, and similar surfaces constructed essentially at **Grade**; (g) Minor **accessory** landscape, recreational or decorative elements such as residential play equipment, planters, flagpoles, or garden ornaments; (h) Retaining walls having an exposed height less than 1.0 metre; and (i) Components of a **Utility Installation** such as individual poles, lines, pipes, or pedestals located within a public right-of-way or registered easement.

**Swimming Pool:** means any privately-owned outdoor tank or body of water used or which is intended to be used and maintained for swimming or display purposes and which has a maximum depth of water greater than 600 mm, other than an **existing** natural body of water or stream.

## T

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

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

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

**Tower:** means that portion of a **Tall Building** located vertically above a **Podium**, generally characterized by a smaller **Tower Floor Plate** than the **Podium**.

# Definitions

*[Placeholder for future illustration]*

**Tower Floor Plate:** means the **Gross Floor Area** of any individual **Storey** located within the Tower portion of a **building**.

**Tower Separation Distance:** means the minimum required horizontal distance between the exterior faces of the **Tower** portions (also referred to as **Upper Buildings**) of **buildings**. This distance shall be measured between **Towers** located on the same **lot**, and between a **Tower** on one **lot** and a **Tower** on an adjacent **lot**. For the purpose of measuring **Tower Separation Distance**, permitted projections such as balconies shall not be included.

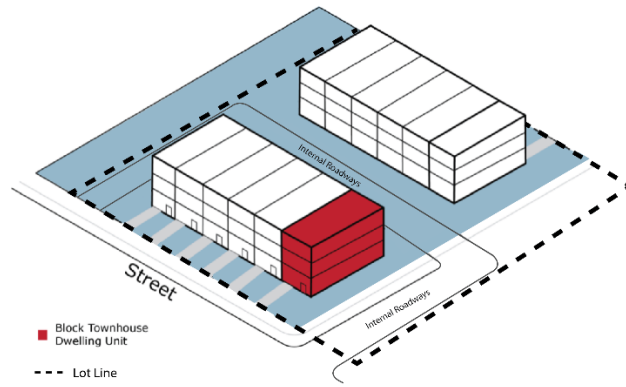
*[Placeholder for future illustration]*

**Townhouse Building:** means a **Building** containing four or more **Dwelling Units**, each divided from the others primarily by vertical **Common Walls** extending generally from foundation to roof, and each having an independent exterior entrance accessible directly from the ground level.

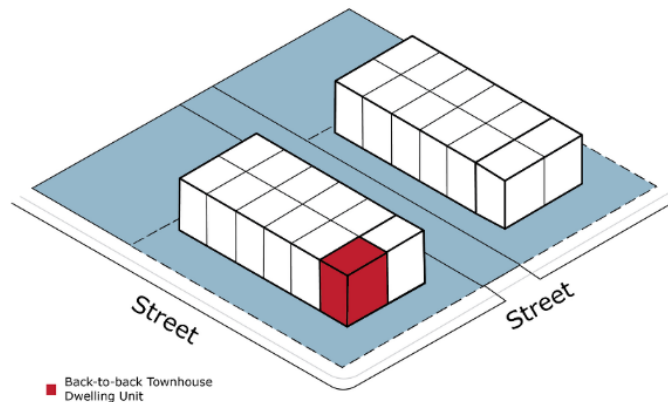
# Definitions

## Townhouse, Block

Means a **townhouse building** containing four or more **dwelling units** on a **lot** where each unit may share common vehicular access to a **public street** via a **driveway**, but shall not include a **street townhouse**. A Townhouse may contain one or more **Additional Residential Units** where permitted by this Bylaw.

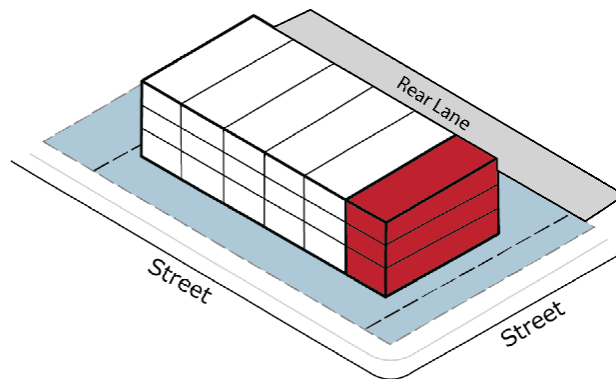


**Townhouse, Back-to-Back:** means a **Townhouse building** containing four or more **Dwelling Units** in which units are attached side-by-side and back-to-back by **Common Walls**, including a common rear wall, such that individual units do not have a **rear yard**, and where each unit has an independent entrance from the outside.



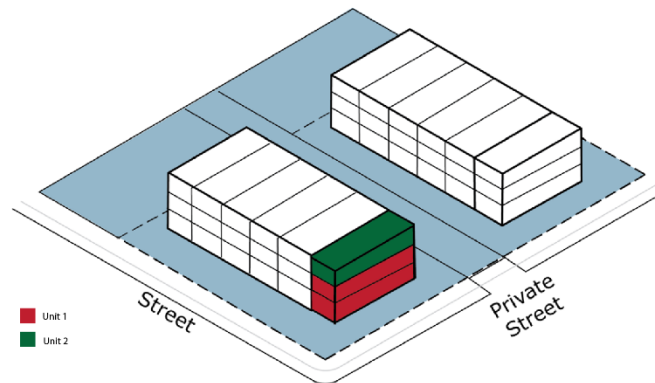
# Definitions

**Townhouse, Rear Lane:** means a **Townhouse building** where the units are accessed by a rear lane, with garages or parking spaces located at the rear of the lot.



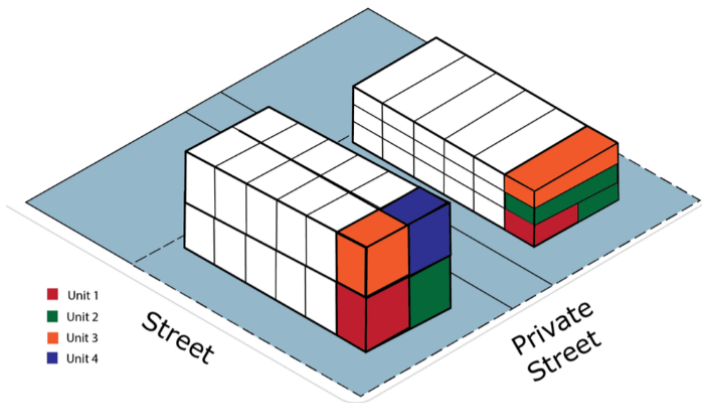
**Townhouse, Podium:** means a **Dwelling Unit** constructed in a townhouse form, typically having direct exterior access from the ground level or from a courtyard, located within the **Podium** of a **Mid-Rise Building** or **Tall Building**.

**Townhouse, Stacked:** means a **Townhouse building** containing four or more **Dwelling Units** arranged with units placed over or under other units, such that individual units are separated from each other both vertically (by common floor/ceiling assemblies) and horizontally (by **Common Walls**), and where each unit has an independent exterior entrance accessible from the ground level (which may include via an exterior or common interior stair).

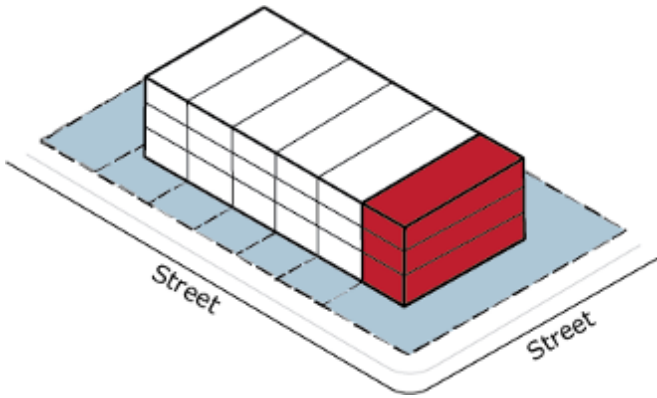


# Definitions

**Townhouse, Stacked Back-to-Back:** means a Townhouse, Stacked where **Dwelling Units** also share a common rear wall.



**Townhouse, Street:** means a **Townhouse building** where each individual **Dwelling Unit** is situated on its own legally conveyable **lot** or **Parcel of Tied Land** having **Lot Frontage** on a **public street**. A **Street townhouse** may contain one or more **Additional Residential Units** where permitted by this Bylaw.



# Definitions

## U

**Unitary Equipment:** means stand alone equipment including central air conditioning units, heat pumps, pool equipment, residential generators and gas metres which are consider **accessory structures**.

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

**Upper Building:** means the portion of a **Mid-Rise Building** located vertically above the **Podium**.

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

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

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

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

# Definitions

## V

**Visibility Triangle:** means a triangular area on a **corner lot** formed by the two **Street Lines** and a straight line drawn across the corner of the **lot** connecting two points measured a specified distance along each said line from their point of intersection. Where the **Street Lines** are not straight or do not intersect at a point, their point of intersection shall be determined by extending the lines to intersect.

## W

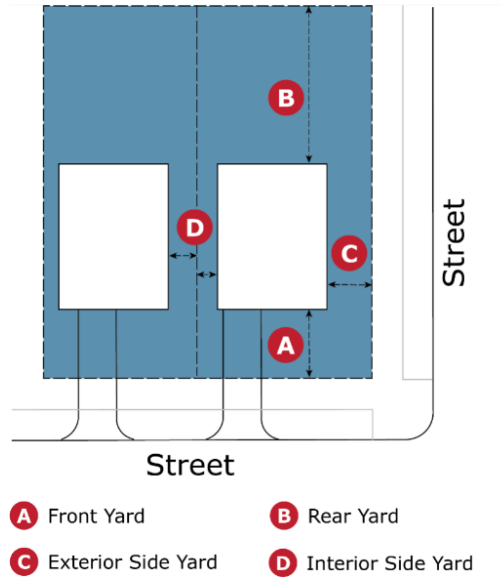
**Walkway:** means a surface treated area that provides pedestrian access to and from a **Driveway**, a Street or condominium common element roadway, and a **Dwelling Unit**.

**Window well:** means a recessed area at or below **grade**, between a below **grade** window and the surrounding earth which contains a foundation which forms part of the **building**.

# Definitions

## Y

**Yard:** means an open, uncovered space on a **Lot**, unoccupied from the ground upward except for landscaping or as otherwise specifically permitted by this Bylaw.



**Yard, Exterior Side:** means a **Yard** extending from the **Front Yard** to the **Rear Yard** between an **Exterior Side Lot Line** and the nearest wall of any **Building** or **Structure** on the **Lot**.

**Yard, Front:** means a **Yard** extending across the full width of the **Lot** between the **Front Lot Line** and the nearest wall of the **principal Building** located on the **Lot**.

**Yard, Interior Side:** means a **Yard** extending from the **Front Yard** to the **Rear Yard** between an **Interior Side Lot Line** and the nearest wall of any **Building** or **Structure** on the **Lot**.

**Yard, Rear:** means a **Yard** extending across the full width of the **Lot** between the **Rear Lot Line** and the nearest wall of the **principal Building** located on the **Lot**.

## Z

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

# General Provisions

## Part 5: General Provisions

### 5.1 Accessory Uses

Where this Bylaw provides that land may be used or a **building** or **structure** may be erected and used for a **permitted use**, that use shall include any **accessory use** as long as the **accessory use** is located within the same premises.

### 5.2 Accessory Buildings, Accessory Structures and Unitary Equipment

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

- a) An **accessory building or structure** shall not be used for habitation except as an **additional residential unit** - detached in accordance with Section 5.40.
- b) An **accessory building or structure** shall not be located within a **front yard** or required **exterior side yard**.
- c) The floor area of all **accessory buildings and structures** in a residential **zone** shall not exceed 10% of the **lot area** to a maximum of 55 m<sup>2</sup> whichever is greater, except when approved as an **additional residential unit**. Further the purposes of this rule, floor area shall be measured to the exterior walls of a **building** or exterior of a post for a roof **structure** separate or attached to an **accessory building**. The floor area of an **accessory building and structure** is in addition to the maximum coverage for the primary dwelling or **building**.
- d) Additional regulations for **accessory buildings and structures** in a residential **zone**:
  - i) Minimum **rear yard setback**: 0.6 m
  - ii) Minimum **setback** from a **interior side Lot Line**: 0.6 m
  - iii) Minimum **rear yard setback abutting** a street: 1 m
  - iv) Maximum roof overhang from a wall or post: 0.5 m
  - v) Maximum height (peaked roof): 4.6 m
  - vi) Maximum height (**flat roof**): 3.5 m
- e) Notwithstanding subsection b), **unitary equipment** shall be permitted in the **front yard** but shall be no further than 1.5 metres from the **front wall** of the **principal building**.

# General Provisions

## 5.3 Garbage, Refuse and Storage

- a) No garbage or refuse shall be stored on any **lot** in a residential **zone** except within the **building** or **structure** on such **lot** or in a container in the **interior side yard** or **rear yard** of such **lot**.
- b) A dumpster or garbage container shall be regulated in the same manner as an **accessory building or structure** in accordance with Section 5.2.
- c) Garbage containers for a **detached dwelling**, **semi-detached dwelling** and **street townhouse** are exempt from the rules of Section 5.3 when an individual container is less than 1 cubic metre in size.
- d) Notwithstanding subsection 5.2 d), a **building** or **structure** for the storage of garbage shall comply with the following regulations:
  - i) Shall not located in a required **landscaped open space**;
  - ii) Shall not be located in a front or **exterior side yard**;
  - iii) Minimum **setback** from a **rear Lot Line**: 1 m
  - iv) Minimum **setback** from an **interior side Lot Line**: 1 m
  - v) Minimum **setback** from an LN1-LN7 **zone**: 15 m
  - vi) Maximum height: 3.7 m
  - vii) Shall not be located in any required **parking space** or obstruct any required **parking aisle**.

## 5.4 Patios, Platform Structures, and Porches

- a) A **patio** or **platform structure** that is covered by a roof and is attached to a dwelling shall be regulated as a **porch**.
- b) A **porch** is not permitted above the **first storey**.
- c) **Platform structures** and **porches** are subject to maximum encroachment rules of Section 5.10.
- d) **Platform structures** located above the **first storey** and attached to a wall facing the **interior side yard** or **rear yard** are not permitted in the LN3, LN4, LN5, or LN6 **zones**.

## 5.5 Fencing And Privacy Screens

- a) For all non-residential uses and residential uses **abutting** non-residential uses, the maximum **fence** shall be 3 metres provided the **fence** is located on the common **Lot Line**.
- b) For all residential uses the following regulations apply:

# General Provisions

- i) Maximum **fence** height: 2.5 m.
  - ii) Within a **front yard**, maximum **fence** height shall be 1.2 m within 3 m of a **front Lot Line**.
  - iii) Notwithstanding (c) above, where a **front yard** abuts the **rear yard** of a **corner lot** the maximum **fence** height shall be 2.5 m along the common property boundary within 3 m of a **front Lot Line**.
  - iv) Fencing for the purpose of enclosing a sport court is permitted to a maximum height of 3 m.
- c) Fence height shall be measured vertically from **grade**, exclusive of any artificial embankment, to the highest point of each 3 m section of **fence**, excluding decorative post caps.
- d) Where the **grade** elevations along the **fence** vary, maximum **fence** height may be increased by 0.3 m provided that the lowest height of the same 3 m **fence** section does not exceed the maximum permitted height.
- e) **Privacy screens** are permitted on all **porches**, decks and balconies to a maximum height of 1.8 m. from the floor surface of the **porch**, deck or balcony.

*[Placeholder for future illustration]*

## 5.6 Swimming Pools

- a) An outdoor **swimming pool** or hot tub shall be permitted as an **accessory use** to any residential use, in accordance with the following regulations:
  - i) Not permitted in a **front yard** or required **exterior side yard**.
  - ii) On **lots** less than 12 meters wide, permitted in a **rear yard** only.

# General Provisions

- iii) Minimum **setback** from a **Lot Line**: 1.5 metres measured from the inside wall of the pool and 0.9 metres measured from the outside of any **hard landscaped open space**.
  - iv) Notwithstanding subsection iii), where the height of the outdoor **swimming pool** is greater than 1.5 metres, the minimum **setback** from any **Lot Line** shall be 3.0 metres.
  - v) Maximum height of an outdoor **swimming pool**: 2.0 metres.
  - vi) Notwithstanding subsection v) above, the maximum height shall not apply to a **swimming pool** or hot tub that is located on a **rooftop terrace** of an apartment dwelling.
- b) A hydro-massage pool having a water surface area which is less than 8 m<sup>2</sup> shall not be subject to the above regulations.
  - c) On **lots abutting** a pipeline, a **swimming pool** must be set back 3 m from the limits of the right-of-way.
  - d) Any **structure** used to contain **mechanical equipment** that is accessory to the operation of an outdoor **swimming pool** shall be considered an **accessory building or structure** and subject to the general rules for **accessory buildings and structures** in Section 5.2.

*[Placeholder for future illustration]*

# General Provisions

## 5.7 Trailers, Recreation Vehicles and Commercial Vehicles

- a) The following regulations apply to parking of trailers and recreation vehicles in all residential **zones**:
  - i) Any **recreational vehicle**, trailer, or any load thereon including a boat, whether on or off a trailer or other supporting device, which does not exceed a height of 2 metres, may be parked or stored in any **yard**.
  - ii) Any **recreational vehicle**, trailer, or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 2 metres, may be parked or stored in a **rear yard** or **interior side yard**.
  - iii) Notwithstanding (b) above, the parking or storage of a **recreational vehicle**, trailer, or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 3.6 metres, is prohibited.
  - iv) Parking and storage of recreation vehicles and trailers is not permitted within a **visibility triangle** or a required **landscaped open space** area.
- b) The parking of a maximum of one **commercial vehicle** shall be permitted in a residential **zone** subject to the following regulations:
  - i) The parking of a **commercial vehicle** shall only be permitted in a **private garage** or **driveway**.
  - ii) Where parked in a **driveway**, the **commercial vehicle**, including any attached equipment or accessories, shall not exceed 6.0 m in length and 2.3 m in height.
  - iii) A **commercial vehicle** in excess of the dimensions in subsection ii) shall only be permitted within a fully enclosed **private garage**.
  - iv) The minimum number of required **parking spaces** shall not be occupied or otherwise obstructed by the parking of a **commercial vehicle**.

## 5.8 Daylight Triangles

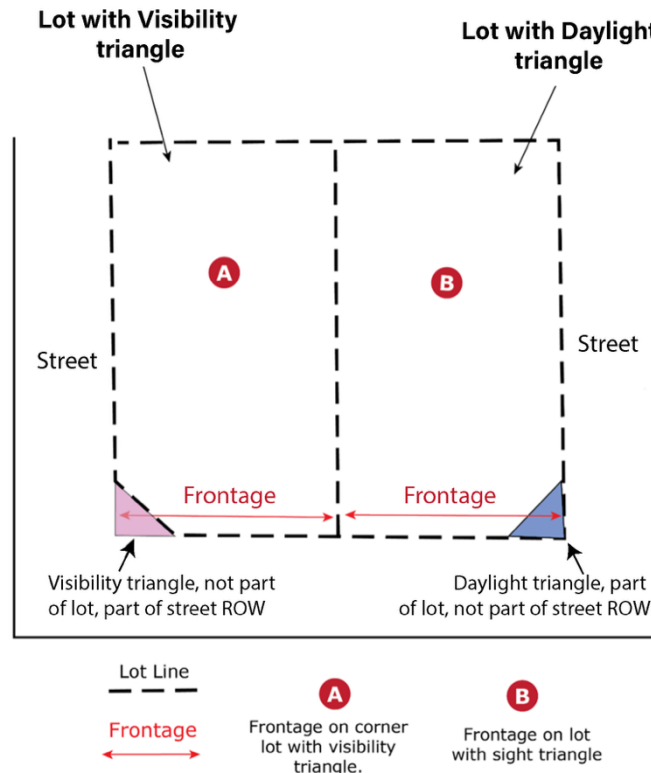
For purposes of determining a **front Lot Line**, or **side Lot Line abutting** a street or any **yard** dimension, a **daylight triangle** shall be deemed to be part of the **lot**, provided the minimum distance of any **building** or **structure** from the hypotenuse of the **daylight triangle** is 3 m.

## 5.9 Visibility Triangles

- a) At every street intersection, a 6 metre x 6 metre visibility triangle shall be provided
- b) At every driveway, lane, parking aisle or other vehicular access intersecting a street, 3 m x 3 m visibility triangles shall be provided.

# General Provisions

- c) Within a visibility triangle, buildings, structures, solid fencing, mechanical equipment and landscaping shall not exceed a height of 1 m above the elevation of the street pavement measured at the centre point of intersecting streets. This Rule shall not prevent the planting of one private or municipal deciduous tree within the defined triangle which is not subject to any height limit.



## 5.10 Encroachment Into Yards

Every part of a required **yard** shall be unobstructed except for the encroachments permitted in Table 1:

**Table 1: Permitted Encroachments into Yards**

Structure or Feature	Location of permitted encroachment	Maximum projection into a Required Yard	Minimum setback from Lot Line
Chimney; pilaster; belt course; sill; lintel; cornice; window box, ornamental projection	<b>Side yard</b>	0.5 m	0.6 m
	Any other <b>yard</b>	1 m	0.6 m
Awning or <b>Canopy</b>	<b>Side yard</b>	0.6 m <sup>(1)</sup>	0.6 m
	Any other <b>yard</b>	1 m <sup>(1)</sup>	

# General Provisions

Structure or Feature	Location of permitted encroachment	Maximum projection into a Required Yard	Minimum setback from Lot Line
Air Conditioners, heat pumps and similar <b>mechanical equipment</b>	<b>Side yard</b> or <b>rear yard</b>	1 m	0.6 m
Exterior stairs, fire escape, <b>basement</b> walkout	<b>Side yard</b> or <b>rear yard</b>	1.6 m	0.6 m
Roof Overhangs	Any required <b>yard</b>	1 m	0.3 m
Exterior Barrier-Free Accessibility Ramp	<b>Front</b> and <b>exterior side yard</b>	No maximum projection requirement	0.8 m
	<b>Interior side yard</b> or <b>rear yard</b>	No maximum projection requirement	0.6 m
<b>Porch</b>	<b>Front yard</b>	2 m <b>(A)</b>	1.5 <b>(B)</b>
	<b>Rear yard</b>	3 m <b>(A)</b>	4.5 m <b>(B)</b>
	<b>Interior side yard</b> <b>(C)</b>	0 m	<b>Building setback</b>
Platform <b>structure</b>	<b>Front yard</b> or <b>exterior side yard</b>	2m	1.5 m
	<b>Rear yard</b> where height is less than 1.2 m above <b>grade</b> <b>(A)</b>	N/R	1.8 m <b>(A)</b>
	<b>Rear yard</b> where height is more than 1.2 m above <b>grade</b> <b>(A)</b>	N/R	4.5 m <b>(A)</b>
	<b>Interior side yard</b> where height is less than 1.2 m above <b>grade</b> <sup>(2) (3)</sup> <b>(B)</b>	1 m	0.6 m
	<b>Interior side yard</b> where height is more than 1.2 m above <b>grade</b> <sup>(2) (3)</sup> <b>(B)</b>	0 m	1.8 m
<b>Platform Structure</b> above the <b>first storey</b>	<b>Interior side yard</b> or <b>rear yard</b>	1.6 m <sup>(4)</sup> <b>(C)</b>	1 m <b>(D)</b>
Roofed or unroofed loading dock	<b>Rear yard</b> <sup>(5)</sup>	3 m	3 m
<b>Window well</b>	Any required <b>yard</b>	1 m	0.6 m

# General Provisions

Structure or Feature	Location of permitted encroachment	Maximum projection into a Required Yard	Minimum setback from Lot Line
Bay window <sup>(6)</sup>	Side yard	0.5 m	0.6 m
	Front yard or exterior side yard	1.6 m	1.2 m
	Rear yard	1.6 m	N/R
Recladding of an existing building	Any required yard	0.15 m	N/R

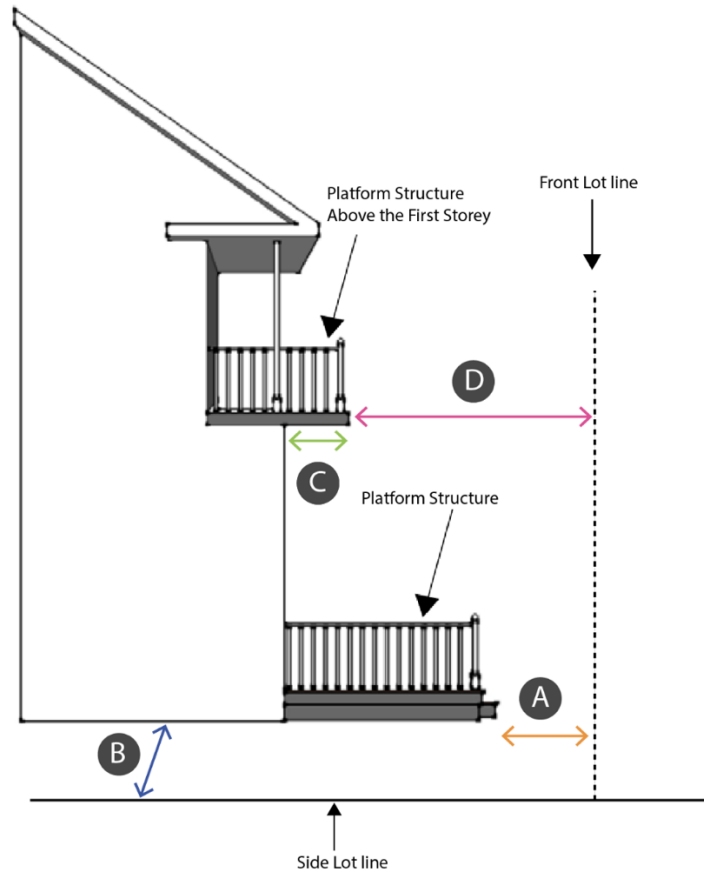
**Notes:**

- (1) Except in the HN **zone** where a **canopy** may project into a required front or **exterior side yard** up to half the distance of the required **yard**.
- (2) Where a **side Lot Line** extends from a **common wall** dividing attached **dwelling units** the **setback** shall not apply.
- (3) Height measured from the perimeter of the platform.
- (4) In no case shall a **platform structure** above the **first storey** project 3 metres beyond an exterior wall to which it is attached.
- (5) Except not permitted in a **yard abutting** an LN1-LN7 **zone**.
- (6) The maximum width shall not exceed 3 metres and must have at least 30% of the surface area of the projection as a window.

*[Placeholder for future illustration]*

# General Provisions

## Platform Structure



# General Provisions

## 5.11 Frontage On A Public Street

- a) Excepting Lots of Record and **Parcels of Tied Land** in a Common Element Condominium Corporation, no **building** or **structure** shall be constructed on a parcel of land which does not have frontage on a **public street**.
- b) Subsection a) does not apply to a **lot** used for:
  - i) A **utility installation**;
  - ii) A **cemetery**;
  - ii) A conservation/natural area.
- c) Subsection a) shall not restrict the erection of any **building** on a **lot** in a registered plan of subdivision where a subdivision agreement has been entered into but the streets will not be assumed until the end of the maintenance period.

## 5.12 Home Occupation

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

- a) If the **home occupation** is located within a **dwelling unit**, then the **gross floor area** of the **home occupation** must be less than 50% of the **gross floor area** dedicated to the residential use, excluding the **basement**.
- b) A **home occupation** shall not be permitted in an **accessory building** if it is occupied by an **additional residential unit**.
- c) Persons employed by the **home occupation** business shall be limited to residents of the household from which the **home occupation** is conducted.
- d) No **home occupation** shall interfere with the residential use of the **building** in which it is located.
- e) For a **home daycare**, the maximum number of non-resident persons being supervised is five.
- f) Where the business involves classes for teaching or instructional purposes, the maximum number of clients permitted at any one time shall be three.
- g) For pet grooming and pet training, a maximum of four pets are permitted within a dwelling.
- h) The following uses and activities are not permitted:
  - i) outside storage,
  - ii) outside manufacturing or processing activities,
  - iii) outside display and sales areas,

# General Provisions

- iv) automotive related uses,
- v) small engine repair,
- vi) **kennel**,
- vii) **restaurant**,
- viii) direct retail sales or customer merchandise pick up, and
- ix) nightclub.

## 5.13 Office Uses In Residential Zones

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

- a) Minimum **lot** width: 18 m
- b) The **lot** shall have a front or **side Lot Line** in common with a Major Arterial, Multi-Purpose Arterial, or **Minor Arterial road** as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan having a deemed width of 30 m or greater.
- c) Maximum number of **office** uses: 2
- d) Maximum **gross Floor Area** for all **office** uses: 200m<sup>2</sup>
- e) 50% of the **front yard** shall be maintained as **landscaped open space**.
- f) 25% of the **rear yard** and street **yard** shall be maintained as **landscaped open space**.
- g) Solid screen fencing with a minimum height of 2.5 m shall be installed along a **rear Lot Line** and along a **side Lot Line** extending from the **rear lot line** to the **front wall** of the dwelling.
- h) Parking shall be located in a **side** or **rear yard** only.
- i) Where the **lot** abuts a residential use, any **parking area** or **driveway** shall maintain a minimum **setback** of 6 m from the **rear lot line** and 3 m along that portion of the **side Lot Line** which is located in the **rear yard**.
- j) Storage or display of merchandise, material or equipment is prohibited.

## 5.14 Uses Permitted In All Zones

- a) The following uses are permitted in all residential **zones**:
  - i) **Schools** subject to Section 5.15;

# General Provisions

- ii) Long-term care facility and **retirement home** subject to Section 5.16;
- iii) Public and private hospitals subject to Section 5.17;
- iv) Parks and open space subject to the requirements of the Parks and Open Space **Zones** in Bylaw 2020;
- v) Places of worship subject to Section 5.18;
- vi) **Day care centre** subject to Section 5.19;
- vii) **Group home** subject to Section 5.20;
- viii) **Correctional group home** subject to Section 5.21;
- ix) **Emergency shelter** subject to Section 5.22;
- x) **Boarding house** subject to Section 5.23;
- xi) **Additional needs housing**;
- xii) Utilities subject to Section 5.24;
- xiii) **Community gardens**;
- xiv) Agriculture Use subject to Section 5.25;
- xv) **Bed and Breakfast** subject to Section 5.26;
- xvi) **Model Homes** subject to Section 5.27;
- xvii) **Temporary Sales Offices** subject to Section 5.28; and
- xviii) Infrastructure.

Subject to compliance with any other rules or standards which are generally applicable and required elsewhere in this Bylaw or any other rules or standards specified for the use in this Bylaw.

- b) Institutional uses including hospitals, long-term care homes, **retirement homes**, pre-schools, school nurseries, day cares, and **schools**, are only permitted outside of **hazardous lands**.

## 5.15 Schools

The following regulations apply to elementary **schools**, secondary **schools** and colleges and universities:

- a) Minimum **lot frontage**: 45 metres
- b) The **lot** shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan. This regulation shall not apply to an addition to an **existing school building** or the addition of portable classrooms or **accessory structures** on **existing school** sites.
- c) Minimum **setback** from any **Street Line**: 3 metres.
- d) Maximum **setback** from a **Street Line** in an LN1 **zone**: 6 metres.

# General Provisions

- e) Minimum **setback** from all other **Lot Lines**: 15 metres.
- f) The maximum **building height**: 3 storeys.
- g) Parking is not permitted within 3 m of a residential property in a residential **zone**.

## 5.16 Long-Term Care Facility and Retirement Home

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

- a) The **lot** shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial or Collector Road as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan.
- b) Minimum **lot frontage**: 30 metres.
- c) Minimum **lot area**: 900 square metres.
- d) Maximum floor area ratio: 1.25:1.
- e) Minimum **front yard**: 7.5 metres **abutting** a street having a deemed width less than 30 metres and 9 metres **abutting** a street having a deemed width of 30 metres or more.
- f) Minimum **rear yard**: 9 metres.
- g) Minimum **interior side yard**: 4.5 metres.
- h) Minimum **exterior side yard**: 6 metres.
- i) Maximum **building height**: 4 storeys.
- j) Parking is not permitted within 3 m of a residential property in a residential **zone**.

## 5.17 Public and Private Hospitals

The following regulations apply to a public and private hospitals:

- a) Maximum **lot frontage**: 30 metres.
- b) The **lot** shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan.
- c) Minimum **setback** from any **Street Line**: 3 metres.
- d) Minimum **setback** from all other **Lot Lines**: 15 metres.

# General Provisions

- e) Parking is not permitted within 3 m of a residential property in a residential **zone**.

## 5.18 Places of Worship

The following regulations apply to a place of worship:

- a) Includes an attached or detached manse, an **accessory dwelling unit** for a watchman and any other associated **buildings** located on the same property.
- b) Minimum **lot frontage**: 30 metres.
- c) The **lot** shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan.
- d) Minimum **setback** from any **Lot Lines** or **Street Line**: 15 metres.
- e) Parking is not permitted within 3 m of a residential property in a residential **zone**.

## 5.19 Day Care Centre

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

- a) Minimum **lot frontage**: 15 metres.
- b) Provides services to more than 5 children or adults
- c) Does not provide for overnight accommodation to those being cared for.
- d) Parking is not permitted within 3 m of a residential property in a residential **zone**.
- e) The **lot** shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan.
- f) For all other **lot** requirements, subject to the respective **zone** requirements.
- g) A **Day Care Centre** is also permitted in conjunction with a **school** or place of worship where it will be subject to the **setback** requirements for a **school** or place of worship.

## 5.20 Group Home

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

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

# General Provisions

- b) In **apartment buildings** over 3 **storeys**, one **Group Home** is permitted for each 30 units and subject to one **Group Home** per floor.
- c) The minimum **amenity area** for any **group home** is 12 square metres for each resident, including live-in staff or receiving family, and not less than a total of 100 m<sup>2</sup> for each **group home**.
- d) Any **amenity area** shall be located in the **rear yard**.
- e) A **group home** is not permitted in dwelling containing an **additional residential unit**.
- f) For all other **lot** requirements, subject to the respective **zone** requirements.

## 5.21 Correctional Group Home

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

- a) Permitted in a **detached dwelling** only.
- b) Minimum **lot frontage**: 15 metres.
- c) The **lot** shall abut a Major Arterial, Multi-Purpose Arterial, or **Minor Arterial Road** as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan.
- d) Minimum **setback** from any **Street Line**: 3 metres.
- e) Minimum **setback** from all other **Lot Lines**: 15 metres.
- f) Parking is not permitted within 3 m of a residential property in a residential **zone**.
- g) A **Correctional Group Home** is not permitted in a dwelling containing an **Additional Residential Unit**.

## 5.22 Emergency Shelter

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

- a) Minimum **lot frontage**: 30 metres.
- b) The **lot** shall abut a Major Arterial, Multi-Purpose Arterial, or **Minor Arterial Road** as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan.
- c) Minimum **setback** from any **Street Line**: 3 metres.
- d) Minimum **setback** from all other **Lot Lines**: 15 metres.

# General Provisions

- e) Parking is not permitted within 3 m of a residential property in a residential **zone**.
- f) The maximum number of beds permitted in an **emergency shelter** is 20.

## 5.23 Boarding House

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

- a) Permitted in a **detached dwelling** only.
- b) Minimum **lot frontage**: 18 metres.
- c) The **lot** shall abut a Major Arterial, Multi-Purpose Arterial, Minor Arterial, or Collector Road as shown in Schedule O-1 Classification of Transportation Facilities - Urban Area of the Burlington Official Plan.
- d) The maximum number of beds permitted in a **boarding house** is 10.
- e) A **boarding house** is not permitted in a dwelling containing an **Additional Residential Unit**.
- f) For all other **lot** requirements, subject to the respective **zone** requirements.

## 5.24 Utility

- a) A **utility installation** is permitted in all **zones**.
- b) Notwithstanding subsection a), any **building** containing the **utility installation** must comply with **zone setback** rules and maximum **building height**.

## 5.25 Agricultural uses

- a) Livestock operations and outdoor cannabis production facilities are not permitted in a Residential **Zone**.
- b) A minimum **setback** of 15 metres from a street line or **Lot Line** is required for all **building** excluding a dwelling which shall be subject to the rules of the respective **zone**.

## 5.26 Bed and Breakfast

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

- a) Minimum **lot frontage**: 18 metres.
- b) A maximum of three guest rooms or suites.

# General Provisions

- c) No one other than a resident of the dwelling may be employed or have their services retained in the operation of the **Bed and Breakfast Home**.
- d) Meals shall be provided to the guests of the **bed and breakfast** only.

## 5.27 Model Homes

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

- a) The number of **model homes** does not exceed 10 units or 10% of the **dwelling units** draft approved in the plan of subdivision or condominium whichever is the lesser;
- b) The **model home** is built within a **lot** defined by the draft approved plan of subdivision or condominium;
- c) The **model home** complies with all other requirements of this Bylaw for the applicable type of **dwelling unit** with the exception of the parking requirements; and
- d) The **buildings** are used for the purpose of **model homes** only and shall not be occupied prior to the date of registration of the subdivision, condominium, or similar development agreement.

## 5.28 Temporary Sales Offices

**Temporary sales offices** for the sale or rental of residential **lots** or units in a plan of subdivision or condominium are permitted, subject to the following regulations:

- a) The **temporary sales office** shall not be permitted until an applicable plan of subdivision or condominium has received draft plan approval or the property is in a **zone** that permits the proposed **development**.
- b) The **temporary sales office** shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days.
- c) The **temporary sales office** shall comply with the minimum **yards** for the applicable **zone**.
- d) If **parking spaces** are provided, the **temporary sales office** shall comply with the parking rules of this Bylaw.
- e) The **temporary sales office** is located in the plan of subdivision or condominium where the **lots** or units are being sold.

# General Provisions

## 5.29 Temporary Building and Structures for Construction

- a) Temporary **buildings** and **structures**, including a **shipping container**, normal and incidental to construction shall be permitted in all **zones**, provided that a valid **building** permit has been issued by the City of Burlington where a **building** permit is required, and that these uses shall only be permitted so long as the same are necessary for any work in progress which has been neither finished nor abandoned.
- b) Temporary **buildings** and **structures** shall be removed from the site within 60 days of final building permit inspection.

## 5.30 Setback To Lake Ontario And Burlington Bay

In addition to the other rules of this Bylaw, the following regulations shall apply:

- a) For **lots** located within 30 m of the top of the long-term stable slope of the Lake Ontario or Burlington Bay shoreline, all **buildings** and **structures** greater than 15 m<sup>2</sup> in area shall maintain a **setback** of 30 m from the top of the long-term stable slope of the Lake Ontario or Burlington Bay shoreline.
- b) The required **setback** in subsection a) may be reduced to the applicable **setback** requirement in the respective **zone** in which the **lot** is located, provided the approval of Conservation Halton is obtained.
- c) For **lots** located adjacent to the Lake Ontario and Burlington Bay shoreline, all **buildings** and **structures** shall maintain a 5 m side **yard setback** along one **interior side Lot Line**. This **setback** may be reduced to the side **yard** standard contained in the respective **zone** in which the **lot** is located, provided that there is a municipal road with direct access to the shoreline, or there is a combined **setback** on two neighbouring properties totaling 5 m, and provided the approval of Conservation Halton is obtained, except that, the following shall be exempt from these rules:
  - i) shoreline protection works,
  - ii) docks,
  - iii) waterfront trails,
  - iv) archaeological restoration projects,
  - v) forest, wildlife, and fisheries management projects, and
  - vi) storm water management and flood control projects.

## 5.31 Setbacks Abutting Creek Blocks and Other Zones

- a) Notwithstanding the other rules of this Bylaw, all **buildings** and **structures** shall maintain the following **setbacks** from a **creek block** or from an O2 **zone**, O3 **zone**, or RG **zone** of Zoning Bylaw 2020:
  - i) 15 m for those areas located on Schedule A;

# General Provisions

- ii) 3 m if **creek block** includes a 3 m buffer from limit of the flood plain and erosion hazards.
- iii) 7.5 m for all other areas;
- b) The above provision shall not apply to Uptown Centre, Orchard Community, and Alton Community **zones**, where only the **setbacks** of the base zoning apply.
- c) The above **setbacks** may be reduced to the applicable **setback** requirement contained in the base zoning, provided the approval of Conservation Halton is obtained where it related to regulated areas.

## 5.32 Setback From A Creek

Every **building**, including **accessory buildings** 15m<sup>2</sup> in size or greater, shall maintain a minimum **setback** of 6 m from the greater of the limit of the flood plain and the top-of-bank of a creek which is not within a **creek block**, unless a reduced **setback** is specifically permitted by Conservation Halton.

## 5.33 Setback From A Pipeline Easement

- a) Every **building** and **accessory building** shall maintain a minimum **setback** of 7 metres from a pipeline right of way.
- b) **Accessory structures** shall maintain a minimum **setback** of 3 metres from the pipeline right of way.

## 5.34 Setback from a Railway Right-of-Way

Notwithstanding any other rules in this Bylaw, all **buildings** and **structures** containing a **dwelling**, additional **dwelling unit**, place of worship, **day care centre**, **school**, college or university, hospital, long-term care facility, **retirement home**, **group home**, **correctional group home**, **emergency shelter** and **boarding house** shall be located no closer than 30 metres from any railway corridor.

## 5.35 Parcel of Tied Land (POTL)

**Development** on a POTL shall comply with all zoning regulations of this Bylaw related to **Lots**, except for frontage onto a **public street** where a POTL may front on either a **public street** or a condominium common element road.

## 5.36 Tents and Temporary Structures

- a) The use of temporary **structures**, tents, trailers or **recreational vehicles** for human habitation, business, storage of merchandise or other purposes, is prohibited except:
  - i) Tents may be used for children's play, excluding camps.

# General Provisions

- ii) Tents maybe be used by the operators of a circus, carnival or carousel for a maximum period of 14 days
- iii) Tents or trailers may be used for a special occasion or special sale of goods or merchandise in conjunction with a **permitted use**, for a maximum of 30 days in a calendar year.
- iv) One tent may be used for the seasonal sale of flowers, plants, shrubs, trees and other garden materials and landscape products, provided the zoning of the property permits the sale of these items, for a maximum period of 90 days and limited to one occasion in a 12 month period.
- v) The temporary **structure**, tent, trailer or **recreational vehicle** shall be set back a minimum of 3 m from a **Street Line** and shall not be located within a required **landscaped open space**.

## 5.37 Temporary Storage and Shipping Containers

- a) A movable storage **structure** or a **shipping container** may be permitted in a **driveway** of a residential property for a period not exceeding 30 days in any given calendar year, provided that:
  - i) the movable storage or **shipping container** is not located within or blocking access to a required **parking space**,
  - ii) the movable storage **shipping container** is **setback** a minimum of 0.6 metres from a **Street Line**,
  - iii) it does not exceed a maximum height of 3.0 m and a maximum length of 6.1 m.
- b) In no case shall a movable storage **structure** or **shipping container** encroach onto a public sidewalk, or a public right of way, or create a site line obstruction.

## 5.38 Number of Buildings Per Lot

No more than one **building** shall be located on a **lot** in a LN1-LN7 **zone**, with the exception of an **accessory building or structure** or an **Additional Residential Unit – Detached** as specifically permitted in this Bylaw.

## 5.39 Availability of Municipal Services and Utilities

- a) No land shall be built upon and no **building** or **structure** shall be erected or expanded for any purpose unless municipal services and utilities including sanitary sewers, storm sewers and drains, water mains, electric power lines and roads are available and adequate.
- b) The **City** may, at its sole discretion, require that an application for a Zoning Bylaw Amendment demonstrate the following to the satisfaction of the City:

# General Provisions

- i) The **development** includes adequate access to municipal water and wastewater and stormwater systems;
  - ii) There is sufficient available capacity in the municipal water and wastewater systems to service the proposed **development** in accordance with Section 8.1.2 (5.1) of Burlington Official Plan; and
  - iii) There is sufficient available capacity in the municipal stormwater system to service the proposed **development**.
- c) Where an application involves **development** which must occur in phases, the phasing of **development** shall be planned to ensure there will be sufficient available capacity in the municipal water, wastewater, and stormwater systems to service the proposed **development** to the satisfaction of the **City**.
- d) The **City** may, at its sole discretion, require that an application for a Zoning Bylaw Amendment provide details regarding the following elements insofar as they relate to the proposed **development**:
- i) The location and nature of **existing** and proposed utilities; and
  - ii) The location and nature of connections to **existing** and proposed utilities.

## 5.40 Additional Residential Units

- a) Up to three **additional residential units** are permitted on a **parcel of urban residential land** in all Residential **zones** where a **detached dwelling, semi-detached dwelling, street townhouse, or block townhouse** is permitted.
- b) For clarity, **additional residential units** in association with a **street townhouse** are only permitted on a **Parcel of Tied Land** where one townhouse is permitted.
- c) Of the three **additional residential units** permitted in subsection a) two **additional residential unit** may be located within an **accessory building**.
- d) Additional residential units are also permitted in a **zone** preceded by an H (Holding) **zone** prefix in an **existing building** lawfully permitted on the date the amending Bylaw creating the 'H' zoning was enacted or within any additional permitted under Section 2.6.
- e) **Additional residential units** shall not be included in the calculation of maximum density, maximum number of **dwelling units**, or minimum number of visitor **parking spaces**.
- f) Requirements for minimum floor area per **dwelling unit** and minimum and maximum floor area ratio shall not apply to **lots** with **additional residential units**.
- h) Where an exterior entrance to an **additional residential units** is accessed from an **interior side yard**, the minimum **interior side yard** for the dwelling shall be 1.5 metres.
- i) **Tandem parking spaces** are permitted.

# General Provisions

- j) Exterior stairs above the **first storey** to an additional **dwelling unit** are not permitted in the **front yard, exterior side yard** and in the required **interior side yard**.
- k) A lawfully **existing accessory building** is permitted to be converted to an **additional residential unit**.
- l) Notwithstanding Section 5.2 c), the floor area of an **accessory building** containing an additional residential unit is permitted to a maximum of 80 square metres.
- m) Notwithstanding Section 5.2 d), the minimum **interior side yard** and **rear yard** for an **accessory building** containing an **additional residential unit** shall be 1.2 m.
- n) A minimum separation distance of four metres shall be provided between the main dwelling on a **lot** and an **accessory building** containing an **additional residential unit**.
- o) A 1.2 metre wide unobstructed pedestrian access shall be provided from the street to the entrance of an **accessory building** containing an **additional residential unit**. A gate may be constructed within the pedestrian access, but no encroachments shall be permitted within the 1.2 metre width.
- p) Notwithstanding Section 5.2 d), the maximum **building height** for an **additional residential unit-detached** shall be 6 metres for a **flat roof** and 7 metres for a peaked roof measured from the **established grade** to the uppermost point of the roof surface.
- q) The second **storey** of an **additional residential unit-detached** shall have a minimum 3 metre **interior side yard** and **rear yard setback**.
- r) **Platform structures** and exterior stairs above the **first storey** and rooftop **amenity areas** are not permitted on or attached to an **additional residential unit-detached**.

## 5.41 Outdoor Patios

- a) An **outdoor patio** is permitted in association with a **restaurant**
- b) An **outdoor patio** is subject to the following rules and standards:
  - i) An **outdoor patio** shall maintain a seating capacity of a minimum of 1.1 square metres per person;
  - ii) An **outdoor patio** shall be located a minimum distance of 10 metres from **zones LN1-LN8**;
  - iii) An **outdoor patio** located at least 1.8m above **grade** or on the roof of a **building** is not permitted on lands **abutting** lands zoned residential, unless the **patio** is screened from view of the **abutting residential zone**;
  - iv) An **outdoor patio** must comply with the regulations of the City of Burlington's Business Licensing Bylaw, as amended [042-2008].

# General Provisions

- vi) An **outdoor patio** shall not be located within a required **landscaped open space**;
- vii) An **outdoor patio** shall not be located within an internal **walkway**, sidewalk, or required **parking area** or space including **accessible parking spaces** or associated accessible parking pathways;
- viii) Notwithstanding subsection vii) above, an **outdoor patio** that is temporary may be located within a required **parking area** or space, internal **walkway**, sidewalk, or other hard surfaced areas excluding a **parking aisle**, provided that:
  - a) The **outdoor patio** does not occupy or obstruct access to any **accessible parking spaces** or associated accessible parking pathways;
  - b) The **outdoor patio** located on an internal **walkway** or sidewalk shall maintain an unobstructed pedestrian clear path with a minimum width of 1.8 metres; and
  - c) A temporary tent may be used on an **outdoor patio**.

## 5.42 Exceptions to Height Provisions

The height restrictions of this Bylaw shall not apply to:

- a) an antenna or mast (when attached to or on a **building**)
- b) a chimney or smokestack
- c) a church spire or steeple
- d) clock **tower**, bell **tower**, belfry, or church **tower**
- e) ornamental architectural features such as, but not limited to, cupolas and finials
- f) an electrical power transmission **tower** or line and related apparatus
- g) rooftop mechanicals (subject to Section 5.43)
- h) a light standard, including outdoor sports field lighting facilities
- i) a flag pole
- j) a Federally regulated and authorized telecommunications **tower**
- k) a water **tower**
- l) a weathervane, lightning rod or other weather device
- m) storage tank
- n) roof top solar panel (subject to Section 5.44)
- o) **Buildings** and **structures** that are **accessory** to a permitted agriculture use, provided that the **building** or **accessory structure** is not used for human habitation.
- p) Roof top access to a **rooftop terrace** of a ground-oriented **building** of four **storeys** or less:
  - i) the feature must be **setback** a distance equal to its height from the **exterior front wall** and exterior rear wall;
  - ii) the maximum total area for the feature is 10.5 square metres;

# General Provisions

- iii) the maximum projection for eaves beyond the exterior walls of the feature is 0.6 metres; and
- iv) the maximum height for eaves on the feature is 3 metres.

## 5.43 Roof Top Mechanicals

- a) Shall be **setback** a minimum of 5 metres from the **building** edge; or,
- b) Shall be **setback** a minimum of 1.5 metres and shall be enclosed on four sides and be screened with solid screening equal to the height of rooftop mechanical unit.
- c) The height and **storey** rules of this Bylaw shall not apply to rooftop **mechanical equipment, mechanical penthouse** and solar panels.
- d) A **mechanical penthouse**, including any appurtenances thereto shall not exceed 6.0 metres above the maximum height.
- e) Rooftop **mechanical equipment**, including any appurtenances thereto shall not exceed 2.0 metres above the maximum height.

## 5.44 Roof Top Solar Panels

- a) Rooftop solar panels shall be set back a minimum of 5.0 metres from all edges of a roof.
- b) Notwithstanding subsection a), rooftop solar panels that do not exceed a height of 0.9 metres above the roof upon which it is located may have a minimum **setback** of 0.0 metres from all edges of a roof.
- c) Rooftop solar panels shall not exceed a height of 2.0 metres above the roof upon which it is located.

## 5.45 Structures Related to Below-grade Parking

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

- a) Shall not be located in a minimum required **front yard** or **exterior side yard**.
- b) Shall have a minimum **setback** of 3.0 m from any **Lot Line**.
- c) Air ventilation shafts are permitted to encroach up to the minimum required **landscaped open space**.

# General Provisions

## 5.46 Short-term Accommodation

Short-term accommodation is permitted within any **dwelling unit**, including an **accessory dwelling unit** subject to Section 5.40 and the following additional regulations:

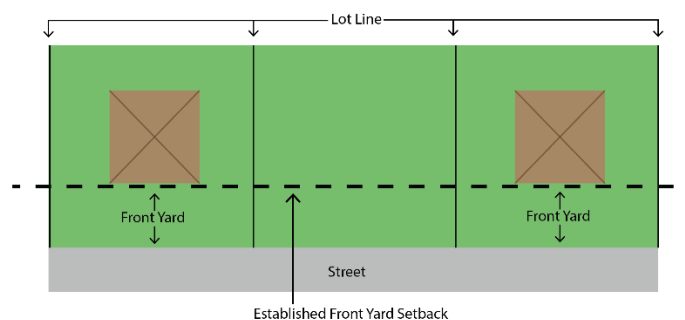
- a) The **dwelling unit** shall be the principal residence of the operator (landowner/tenant).
- b) A maximum of one short-term accommodation rental per **dwelling units** shall be permitted.

## 5.47 Large Dwelling Units Requirements

- a) In the case of a **mid-rise** or **tall apartment building**, at least 5 per cent of **dwelling units** must have at least three bedrooms, or a minimum **gross floor area** of at least 80 square metres.
- b) In the case of a low-rise **apartment building** or **stacked townhouse**, at least 15 per cent of **dwelling units** must have at least three bedrooms, or a **minimum gross floor area** of 80 square metres.
- c) The calculation for subsections (1) and (2) may be rounded down to the nearest whole number

## 5.48 Established Front Yard

- a) The minimum required **front yard** and/or minimum required **exterior side yard** may be reduced to the average of the **established front** and/or **exterior side yards** on **abutting lots** on either side of the subject lot, provided that the **building is setback** a minimum one metre from the **Lot Line** to be established by any required public acquisition of lands.
- b) On a **corner lot**, the average of the established **yard** will be calculated from the immediate **abutting** occupied lot and the occupied lot across the road on the same side of the road.



# General Provisions

- c) Where an **abutting lot** or adjacent **lot** thereto, or a **lot** across the road and on the same side of the road, is vacant, the next closest occupied **lot** on the same side of the road to the vacant property will be utilized to calculate the established average.

## 5.49 Highway Corridor Setback

Notwithstanding any other provision of this Bylaw, all **buildings** and **structures** and the following features shall be **setback** a minimum of 14.0 metres from the **Lot Line abutting** the boundary of Highway 403, Highway 407 and the Queen Elizabeth Way:

- a) Any required **parking area**, **parking lot** or loading area, including any required **parking space**, **loading space**, stacking space, or **bicycle parking space**, and any associated **parking aisle** or **driveway**;
- b) A required **amenity area**; and
- d) A stormwater management facility.

## 5.50 General Landscaping Provisions

- a) To qualify for any minimum landscaping coverage or minimum width of landscaping requirement of this Bylaw, an individual area of landscaping provided on a **lot** shall contain an area with minimum dimensions of 3 metres by 3 metres and may include additional area of lesser dimensions provided the additional area is contiguous to the 3 metres by 3 metres area.
- b) Landscaping provided on the roof of a **building** shall be included in the calculation of required landscaping on the **lot**, provided it meets the requirements of subsection (a) above.

# Parking and Loading

## Part 6: Parking and Loading

### 6.1 Off-Street Parking And Loading Requirements

- a) Whenever a new **development** occurs or whenever an **existing development** is enlarged, extended or increased in capacity, in accordance with this Bylaw, off-street vehicle **parking spaces** shall be provided and maintained on the property and within the **zone** designation for all uses.
- b) A minimum of one off-street **loading space** shall be provided in conjunction with every **principal building**, but shall exclude residential **buildings** less than 4 **storeys** high.
- c) The number of **parking spaces** required for **permitted uses** in all **zones** shall be in accordance with Table 2, unless otherwise specified in the respective **zones**. Where more than one use specified in Table 2 is provided on the same **lot** or in the same **building**, the **parking spaces** required shall be in respect of each use.

**Table 2: Off-Street Parking Standards**

Use	Parking Standard
<b>Detached Dwelling</b> <b>Semi-Detached Dwelling</b> <b>Duplex Dwelling</b>	2 <b>parking spaces</b> per unit;  If on a <b>parcel of tied land</b> fronting onto a common element condominium road: 1.5 <b>parking spaces</b> per unit where 1 <b>parking space</b> shall be located on the <b>parcel of tied land</b> and 0.5 <b>parking space</b> per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway.
<b>Street Townhouse, Rear Lane Townhouse</b>	2 <b>parking spaces</b> per unit
<b>Block Townhouse Dwelling, Fourplex Dwelling</b>	2 <b>parking spaces</b> per unit, 0.25 visitor <b>parking spaces</b> per unit
<b>Stacked Townhouse</b> <b>Stacked Back-to-back Townhouse</b>	1 <b>parking space</b> per unit, 0.25 visitor <b>parking spaces</b> per unit
<b>Triplex Dwelling</b>	1 <b>parking space</b> per unit
<b>Back-to-Back Townhouse</b>	2 <b>parking spaces</b> per unit
<b>Apartment Building, Multiplex</b>	1.25 <b>parking spaces</b> per unit inclusive of visitor parking.
<b>Dwelling Units on the 2<sup>nd</sup> or 3<sup>rd</sup> floor of a 2 or 3 storey commercial building</b>	1.25 <b>parking spaces</b> per unit, inclusive of visitor parking
<b>Additional Residential Unit</b>	0 <b>parking spaces</b> for the first <b>additional residential unit</b> 1 <b>parking space</b> for the second or third additional unit

# Parking and Loading

Use	Parking Standard
<b>Bed and Breakfast Establishment; Boarding House</b>	1 <b>parking space</b> per guest room in addition to the parking requirement for a <b>Detached Dwelling</b>
<b>Cemetery</b>	1 parking space per employee plus 1 <b>parking space</b> per 4 seats chapel capacity
<b>Convent, Monastery</b>	1 <b>parking space</b> per 2 beds
<b>Convenience Store, retail store</b>	3.5 spaces per 100 m <sup>2</sup> <b>gross floor area</b>
<b>Correctional Facility</b>	0.85 <b>parking space</b> per employee 0.25 visitor <b>parking spaces</b> per resident
<b>Day Care Centre</b>	4 <b>parking spaces</b> per 100 m <sup>2</sup> <b>gross floor area</b>
<b>Emergency Shelter</b>	0.85 <b>parking space</b> per employee 0.25 visitor <b>parking spaces</b> per resident
<b>Group Home</b>	2 <b>parking spaces</b>
<b>Home Occupation</b>	None required
<b>Home Day Care</b>	None required
<b>Hospital, Health Care Facility</b>	0.65 <b>parking spaces</b> per patient bed
<b>Long-Term Care Facility</b>	0.35 <b>parking spaces</b> per bed
<b>Personal Service</b>	4 spaces per 100 m <sup>2</sup> <b>gross floor area</b>
<b>Place of Worship</b>	0.6 <b>parking spaces</b> per 100 m <sup>2</sup> of <b>gross floor area</b> whichever is higher
<b>Restaurant</b>	18.5 spaces per 100 m <sup>2</sup> of <b>gross floor area</b>
<b>Retirement Home</b>	<b>Parking spaces:</b> 0.6 <b>parking spaces</b> per unit Visitor: 0.25 <b>parking spaces</b> per unit 1 additional <b>parking space</b> per 50 units for the use of maintenance vehicles servicing the site
<b>School</b>	For elementary <b>schools:</b> 1.5 <b>parking spaces</b> per classroom For secondary <b>schools:</b> 3 <b>parking spaces</b> per classroom
<b>Post-Secondary School</b>	5 <b>parking spaces</b> per classroom plus 1 <b>parking space</b> per 20.0 m <sup>2</sup> GFA of auditoriums
<b>Commercial School</b>	5 <b>parking spaces</b> per 100 m <sup>2</sup> of <b>gross floor area</b>

# Parking and Loading

## 6.2 Parking Space Size

- a) Unless otherwise specified in this Bylaw, all **parking spaces** shall comply with the following minimum dimensions:
  - i) 2.75 metres in width; and
  - ii) 5.5 metres in length;

*[Placeholder for future illustration]*

- b) Parallel **parking spaces** shall comply with the following minimum dimensions:
  - i) 2.75 metres in width;
  - ii) 7.2 metres in length; and
  - iii) Unobstructed end spaces may be 6.7 metres in length.
- c) The minimum width of a **parking space** shall increase by 0.3 metres for each wall, column or other obstruction that is adjacent to or within a **parking space**.
- d) Notwithstanding provision c) above, an additional 0.3 metres is not required when:
  - i) The maximum length of the wall, column or any other obstruction does not exceed 1.15 metres from the non-driving aisle end of the **parking space**;
  - ii) The wall, column or any other obstruction is located at the front or rear of the **parking space**.
  - iii) Up to 15% of the minimum required **parking spaces** may be designed for compact vehicles and shall be clearly identified as being reserved for the parking of small cars only.
  - iv) Up to 5% of the minimum required **parking spaces** may be designed for a motorcycle, cargo bicycle or similar vehicle and shall be clearly identified as being reserved for the parking of motorcycles, cargo bicycles or similar vehicles only.

# Parking and Loading

- e) Notwithstanding any other provision in this Bylaw, a **parking space** for compact vehicles shall comply with the following minimum dimensions:
  - i) 2.4 metres in width; and
  - ii) 5.5 metres in length.
- f) Notwithstanding any other provision in this Bylaw, a **parking space** for motorcycles, cargo bicycles or similar vehicles shall comply with the following minimum dimensions:
  - i) 1.3 metres in width; and
  - ii) 3.05 metres in length.
- g) The minimum internal dimensions for a **private garage** shall comply with the following minimum dimensions:
  - i) 6.0 metres in depth;
  - ii) 3.0 metres in width; and
  - iii) 2.0 metres of height clearance.

*[Placeholder for future illustration]*

- h) The minimum internal dimensions for unobstructed area in the **private garage** shall comply with the following minimum dimensions:
  - i) 5.5 metres in depth;
  - ii) 3.0 metres in width; and
  - iii) 2.0 metres of height clearance.

One step is permitted in the unobstructed area.

# Parking and Loading

[Placeholder for future illustration]

## 6.3 Accessibility

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

## 6.4 Illumination

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

## 6.5 Surface Treatment

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

## 6.6 Access

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

# Parking and Loading

## 6.7 Parking Structures

- a) Any part of a **parking structure** that projects 1.6 m or more above **grade** shall be subject to the **yard** requirements of the **zone**.
- b) Entrance and exit ramps to below-**grade parking structures** and above-**grade parking structures** or **buildings** shall be set back 7.5 m from a **Street Line**.
- c) Below-**grade parking structures** do not require a **setback** from any **Lot Line**.
- d) Where a below-**grade parking structure** is located in accordance with subsection c) and is located below a required landscaped open space, there shall be a minimum depth of 2.0 metres between **grade** and the **structure**.

## 6.8 Multiple Zones

- a) Where a property is covered by more than one **zone**, required parking and loading facilities shall be provided within that area of the property zoned for the **permitted use** and within which the **permitted use** is located.
- b) However, a **driveway** providing access from a street to service a property zoned for a **permitted use** may be located on land zoned for a different **permitted use**.

## 6.9 Group Home Parking

Required Parking for **Group Homes** may include **tandem parking spaces** provided that at least 2 **parking spaces** are accessible at all times.

## 6.10 Correctional Group Home Parking

Required Parking for **Correctional Group Homes** may be blocked provided that at least 2 **parking spaces** are accessible at all times.

## 6.11 Designated Accessible Parking Spaces

- a) Where parking facilities are required, the number of **accessible parking spaces** provided shall be in accordance with the **AODA** and as follows:
  - i) the total number of **accessible parking spaces** to be provided on a site for residential use shall be calculated as the sum of the requirements of the **AODA** applied to each type of parking that is provided (i.e. resident versus visitor parking), rounding up to the nearest whole number.
- b) Where parking facilities are required, designated **accessible parking spaces** for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for **accessible parking spaces**. Designated **accessible parking spaces** shall be included in the calculation of required parking.

# Parking and Loading

- c) Where an **accessible parking space** is provided, the **accessible parking space** shall:
  - i) be identified with a provincially regulated vertical sign displaying the international symbol for **accessible parking spaces** and, where the space is intended as a 'Type A' space under the **AODA**, identifying the space as van accessible;
  - ii) be located adjacent to a delineated "**accessible access aisle**" with a minimum width of 2 metres;
  - iii) where the space is intended as a 'Type A' space under the **AODA**, comply with the **parking space** width dimensions of the **AODA**;
  - iv) where the space is intended as a 'Type B' space under the **AODA**, comply with the **parking space** width dimensions in Section 6.2;
  - v) comply with the minimum **parking space** length dimensions of Section 6.2; and
  - vi) have a minimum height clearance of 2.75 metres.
  
- d) Where there are **accessible parking spaces** in a **parking area**, the entrance of the **parking area** and circulation to and from the **accessible parking spaces** shall include a minimum overhead clearance of 2.75 m.

## 6.12 Bicycle Parking

- a) A **bicycle parking space** not located in an enclosure must be separated from **parking spaces**, visitor **parking spaces** or **loading spaces** by 2.0 metres.
- b) Each horizontal **bicycle parking space** shall be a minimum of 0.6 metres wide, 1.8 metres deep with 2.0 metres of height clearance, exclusive of parking racks and hardware.
- c) Each vertical **bicycle parking space** shall be a minimum of 0.6 metres wide, 1.1 metres deep with 2.3 metres of height clearance, exclusive of parking racks and hardware.
- d) A minimum of 5% of required **bicycle parking spaces** shall be designated spaces for large bicycles, such as cargo, recumbent and bicycles with trailers.
- e) Each **bicycle parking space** for large bicycles, such as cargo, recumbent and bicycles with trailers shall be horizontal.
- f) Each horizontal **bicycle parking space** for large bicycles, such as cargo, recumbent and bicycles with trailers shall be a minimum of 0.91 metres wide, 3.05 metres deep with 2.0 metres of height clearance, exclusive of parking racks and hardware.
- g) Each **bicycle parking space** shall be accessed by an aisle with a minimum width of 1.5 metres.

# Parking and Loading

- h) **Bicycle parking spaces** and accesses shall be located on hard-surfaced areas.
- i) **Bicycle parking spaces** must be illuminated.
- j) Bicycle parking located at the end of a **parking space** shall not contribute toward **Bicycle Parking Space** Requirements.
- k) **Short-term bicycle spaces** and **long-term bicycle parking spaces** shall be provided in accordance with the minimum requirements in Table 3.
- l) Where a **lot** contains more than one (1) use, the required number of **bicycle parking spaces** is the sum of all **bicycle parking spaces** required for each use.
- m) **Long-term bicycle parking spaces:**
  - i) Shall be provided in a secure, weatherproof enclosure with controlled access.
  - ii) A minimum of 25% of the required **bicycle parking spaces** shall be stored in a horizontal ground mounted position. The remainder of the spaces may be provided as **stacked** or vertical **bicycle parking space**.
  - iii) A minimum of 50 per cent of the required **bicycle parking spaces** must be horizontal. A **bicycle parking space** located on the lower level of stacked rack is considered a horizontal **bicycle parking space**.
- n) **Short-term bicycle parking spaces:**
  - i) Shall be located no more than 25 metres from the primary pedestrian entrance to the **building**.
  - ii) A minimum of 25% of the required **bicycle parking spaces** shall be weather protected.
  - iii) Must not be provided as **stacked** or vertical **bicycle parking space**.

**Table 3: Bicycle Parking Space Requirements**

<b>Use</b>	<b>Bicycle parking spaces, long-term – minimum required</b>	<b>Bicycle parking spaces, short term – minimum required</b>
<b>Apartment building</b>	0.1 spaces per <b>dwelling unit</b> , 2 spaces minimum	0.5 space per <b>dwelling unit</b> , 2 spaces minimum
Commercial multi-unit <b>building</b> (includes individual <b>buildings</b> on the same <b>lot</b> as the multi-unit <b>building</b> )	0.2 spaces per 100 m2 GFA, 3 spaces minimum	0.1 spaces per 100 m2 GFA, 2 spaces minimum

# Parking and Loading

Use	Bicycle parking spaces, long-term – minimum required	Bicycle parking spaces, short term – minimum required
<b>Retail Store</b>	0.2 spaces per 100 m <sup>2</sup> GFA, 3 spaces minimum	0.1 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum
<b>Day Care Centre</b>	0.1 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum	0.2 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum
<b>Restaurant</b>	3 spaces plus 1.0 space per 1000 m <sup>2</sup> GFA	0.1 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum
<b>Office</b>	0.13 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum	0.2 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum <sup>1</sup>
All other commercial uses not otherwise specified	0.05 spaces per 100 m <sup>2</sup> GFA	2 spaces minimum 0.09 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum
Industrial uses	0.03 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum	0.07 spaces per 100 m <sup>2</sup> GFA, 2 spaces minimum
All other non-residential uses not otherwise specified	2 spaces minimum	2 spaces minimum
Footnote to Table 3: 1 For every 30 <b>long-term bicycle parking spaces</b> required, 2 shower and change facilities shall be provided.		

## 6.13 Rounding Provision

Where the number of proposed **parking spaces, bicycle parking spaces** or **loading spaces** results in a fractional number, the total number of required spaces or stalls shall be rounded up to the next whole number.

## 6.14 Location

- a) Any **parking space, accessible parking space, bicycle parking space, and loading space** requirements of this Bylaw shall be provided for and located on the same **lot** as the use for which the parking is required.
- b) In a Residential **Zone**, all off-street parking shall be confined to the **driveway, garage, or carport**.

## 6.15 Loading Spaces

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

# Parking and Loading

- i) 3.0 metres in width;
  - ii) 9.7 metres in length; and
  - iii) 3.0 metres of height clearance.
- b) The surface treatment of loading areas must be constructed and maintained with material suitable for their intended use (e.g., reinforced concrete).
- c) A residential **building** containing 25 **dwelling units** or more shall provide and maintain on the same **lot**, at least 1 **loading space**.
- d) A **building** with non-residential uses that requires the receiving, shipping, loading or unloading of goods, wares, merchandise or raw materials, shall comply with the following minimum rules:
- i) 1 **loading space** for **gross floor area** between 300 square metres and 2,299 square metres;
  - ii) 2 **loading spaces** for **gross floor area** of 2,300 square metres to 7,360 square metres; and
  - iii) 1 additional **loading space** for each **gross floor area** increment of 9,200 square metres (or part thereof) over 7,360 square metres.
- e) The location of loading doors and associated loading facilities:
- i) Shall not be allowed within a **yard abutting** a street; and
  - ii) Shall not be allowed in a required **yard abutting** an LN 1-8 **Zone**.

## 6.16 Electric Vehicle Parking Spaces

- a) Shared or common element **electric vehicle parking spaces** shall be clearly identified and demarcated.
- b) If a **building** has 4 or more **dwelling units**, a percentage of the provided number of **parking spaces** shall be provided as **electric vehicle parking spaces** as follows:
- i) 10% shall be **Electric Vehicle Supply Equipment Installed Parking Spaces** or **Electric Vehicle Ready Parking Spaces**, with at least one parking space being an **EVSE Installed Parking Space** available for use by all occupants of the **building**; and
  - ii) 40% of the parking provided shall be **Electric Vehicle Capable Parking Spaces**, **Electric Vehicle Ready Parking Spaces** or **Electric Vehicle Supply Equipment Installed Parking Spaces**.
- c) For any non-residential use, a minimum of 10% of the proposed **parking spaces** shall be provided as **Electric Vehicle Ready Parking Spaces**.
- d) All **Electric Vehicle Ready Parking Spaces** or **EVSE Installed Parking Spaces** must have an **Energized Outlet** capable of supporting **Level 2 Charging** or greater.

# Parking and Loading

## 6.17 Cash-in-Lieu of Parking

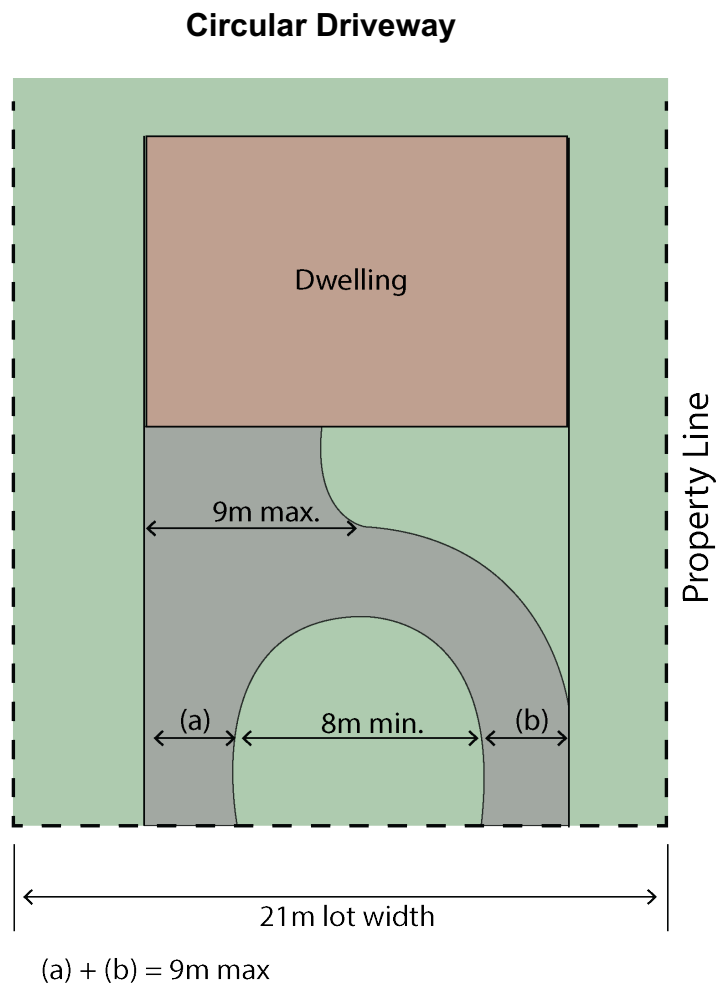
**Parking spaces** and **bicycle parking spaces** required by this Bylaw for non-residential uses shall not be required if the **City** enters into an agreement with the landowner respecting the payment of cash-in-lieu for some or all of the **parking spaces**, **bicycle parking spaces**, aisles, or **driveways** required, in accordance with Section 40 of the Planning Act.

## 6.18 Driveway Width and Landscaped Open Space Area

- a) A maximum of one **driveway** shall be permitted for each residential property, except in the case of a **corner lot** or **through lot** where a maximum of one **driveway** per street frontage may be permitted if the second **driveway** location is approved by the city.
- b) Where two **driveways** are permitted, the maximum width of one **driveway** shall be 4 metres inclusive of **walkways**.
- c) Unless otherwise specified in this by-law, **driveways** shall be a minimum of 6 m in length.
- d) For **dwelling units** within a plan of condominium, **driveway** lengths shall be 6 m in length measured from back of curb to front of garage.
- e) **Driveways** should have a minimum width of 2.75 m. The width of **driveways** and **walkways** shall be measured perpendicular to the direction of travel of the vehicle or person.
- f) Unless otherwise specified in this by-law, the following the combined maximum width of all hard surfaces (**driveways** plus **walkways**) for all dwelling types except apartments and **multiplexes** shall be:
  - i) For **lot frontage** less than 9 metres in width: 4.5 m.
  - ii) For **lot frontages** equal to or greater than 9 m and less than 12 m in width: 5.5 m.
  - iii) Notwithstanding the above, for **lot frontages** less than 12 m in width with an **existing** dwelling containing a two-car garage on or before December 14, 2009: 7 m.
  - iv) For **lot frontages** equal to or greater than 12 m and less than 18 m in width: 7.5 m.
  - v) For **lot frontages** equal to or greater than 18 m in width: 10 m.
- g) For **lots** identified in subsection f), the remaining **lot area** between a **Street Line** and a **front wall** of the dwelling facing a street shall be **landscaped open space** area, excluding **porches** and stairs.

# Parking and Loading

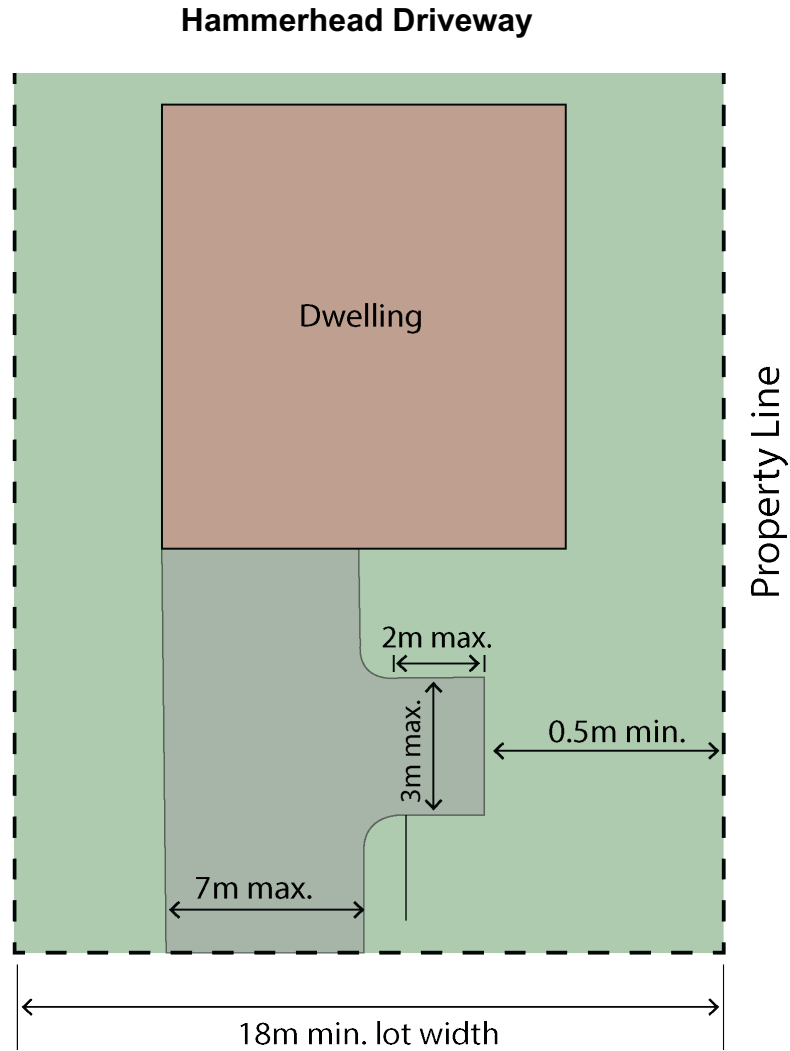
- h) Circular **Driveways** are permitted subject to the following:
- i) **Lot frontage** is equal to or greater than 21 m.
  - ii) Must be located in a front or **exterior side yard**.
  - iii) Maximum width of a **walkway** shall be 2 m.
  - iv) The combined width of the two points of access shall not exceed a maximum width of 9 m.
  - v) The widest point beyond circular **driveway** shall not exceed a maximum width of 9 m.
  - vi) Minimum width of 8 m of **landscaped open space** between **driveway** access points.



- i) A hammerhead **driveway** is permitted subject to the following:
- i) **Lot frontage** is equal to or greater than 18 m in width.
  - ii) Maximum width of a **walkway** shall be 2 m.
  - iii) The widest point not including the 2 m hammerhead extension shall not exceed a maximum of 7 m.
  - iv) Shall have a maximum width of 3 m.

# Parking and Loading

- v) Shall have a maximum length of 2 m extending perpendicularly from the **driveway**.
- vi) Shall be set back a minimum of 0.5 m from the **Interior Side Lot Line** and there **Exterior Side Lot Line**.



# Residential Zones

## Part 7: Residential Zones

### 7.1 Purpose Statements for Residential Zones

#### Low-Rise Neighbourhood 1-6 (LN1-6)

The purpose of this **zone** is to accommodate single **detached dwellings**, **semi-detached dwellings** and **duplex dwellings**, as well as **triplex** and **fourplex dwellings** under certain circumstances.

#### Low-Rise Neighbourhood 7 (LN7)

The purpose of this **zone** is to accommodate **semi-detached dwellings**, **duplex dwellings**, and **cluster homes** on a single **lot**.

#### Low-Rise Neighbourhood 8 (LN8)

The purpose of this **zone** is to accommodate **existing** single **detached dwellings** in addition to **semi-detached dwellings**, **duplex dwellings**, **triplex**, **fourplex** and **multiplex**, **block townhouses**, **street townhouses**, **rear lane townhouses**, **stacked townhouses**, **back-to-back townhouses** and **stacked back-to-back townhouses**. **Apartment buildings**, convenience stores, **personal services** and **retail stores** are also permitted subject to additional provisions.

#### High-Rise Neighbourhood(HN)

The purpose of this **zone** is to accommodate **triplex**, **fourplex** and **multiplex**, **block townhouses**, **street townhouses**, **rear lane townhouses**, **stacked townhouses**, **back-to-back townhouses**, **stacked back-to-back townhouses** and **apartment buildings**. Convenience stores, **personal services**, **restaurants** and **retail stores** are also permitted subject to additional provisions.

# Residential Zones

## 7.2 Permitted uses

The following Table 4 establishes the uses permitted in the Residential Zones.

**Table 4: Permitted uses in residential zones.**

Permitted uses	LN1	LN2	LN3	LN4	LN5	LN6	LN7	LN8	HN
<b>Residential uses</b>									
<b>Detached Dwelling</b>	P	P	P	P	P	P	--	P <sup>(1)</sup>	--
<b>Semi-Detached Dwelling</b>	P	P	P	P	P	P	P	P	--
<b>Duplex Dwelling</b>	P	P	P	P	P	P	P	P	--
<b>Cluster Homes</b>	--	--	--	--	--	--	P	--	--
<b>Triplex Dwelling</b>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	--	P	P
<b>Fourplex Dwelling</b>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	--	P	P
<b>Multiplex</b>	--	--	--	--	--	--	--	P	P
<b>Block Townhouse</b>	--	--	--	--	--	--	--	P	P
<b>Street Townhouse</b>	--	--	--	--	--	--	--	P	P
<b>Rear Lane Townhouse</b>	--	--	--	--	--	--	--	P	P
<b>Back-to-back Townhouse</b>	--	--	--	--	--	--	--	P	P
<b>Stacked Townhouse</b>	--	--	--	--	--	--	--	P	P
<b>Stacked Back-to-Back Townhouse</b>	--	--	--	--	--	--	--	P	P
<b>Apartment Building</b>	--	--	--	--	--	--	--	P <sup>(2)</sup>	P
<b>Non-residential uses</b>									
<b>Convenience Store</b>	--	--	--	--	--	--	--	P <sup>(3)</sup>	P <sup>(3)</sup>
<b>Personal Service</b>	--	--	--	--	--	--	--	P <sup>(3)</sup>	P <sup>(3)</sup>
<b>Restaurant Standard</b>	--	--	--	--	--	--	--	P <sup>(3)</sup>	P <sup>(3)</sup>
<b>Restaurant Take-Out</b>	--	--	--	--	--	--	--	P <sup>(3)</sup>	P <sup>(3)</sup>

# Residential Zones

Permitted uses	LN1	LN2	LN3	LN4	LN5	LN6	LN7	LN8	HN
<b>Retail Store</b>	--	--	--	--	--	--	--	P <sup>(3)</sup>	P <sup>(3)</sup>

**Notes:**

- (1) **Existing single detached dwellings** are permitted subject to the LN1 zone rules.
- (2) *Placeholder for next draft of the new Burlington Residential Zoning Bylaw* - Details about the specific locations where tri- and four-plex dwellings are permitted relies on further review, and updates as a result of this review will be contained in Draft 2.
- (3) Permitted on the ground floor of a **street townhouse, apartment building or multiplex** located adjacent to a Major Arterial or Multi-Purpose Arterial Street.

# Residential Zones

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

### a) Lot and Building Requirements by Building Type

The following Table 5 and additional rules establish the **zone** standards that apply to **detached dwellings** and **duplex dwellings** in the Low-Rise Neighbourhood LN1 to LN6 zones. Rules for **accessory buildings and structures** are set out in Section 5.2.

**Table 5: Provisions for Detached Dwellings and Duplex Dwellings**

	LN1	LN2	LN3	LN4	LN5	LN6
Minimum <b>Lot Area</b>	225 m <sup>2</sup>	270 m <sup>2</sup>	360 m <sup>2</sup>	425 m <sup>2</sup>	680 m <sup>2</sup>	925 m <sup>2</sup>
Minimum <b>Lot Frontage</b> <b>(A)</b>	7.5 m	9 m	12 m	15 m	18 m	24 m
Minimum <b>Front Yard Setback</b> <b>(B)</b>	3m <sup>(1)(2)</sup>	3 m <sup>(1)(2)</sup>	6 m <sup>(1)</sup>	6 m <sup>(1)</sup>	7.5 m <sup>(1)</sup>	9 m <sup>(1)</sup>
Maximum <b>Lot Coverage</b>	50%	50%	40% <sup>(3)</sup>	35% <sup>(3)</sup>	35% <sup>(3)</sup>	35% <sup>(3)</sup>
Minimum <b>Rear Yard Setback</b> <b>(C)</b>	6 m	7 m	7.5 m <sup>(4)</sup>	9 m <sup>(4)</sup>	9 m <sup>(4)</sup>	9 m <sup>(4)</sup>
Minimum <b>Interior Side Yard Setback</b> <b>(D)</b>	1.2 m one side, 0.6 m other side <sup>(5)</sup>	1.2 m one side, 0.6 m other side <sup>(5)</sup>	1.2 m one side, 0.6 m other side <sup>(5)</sup>	1.5 m <sup>(5)</sup>	1.8 m <sup>(5)</sup>	2.4 m <sup>(5)</sup>
Minimum <b>Exterior Side Yard Setback</b> <b>(E)</b>	3 m <sup>(1)(2)</sup>	3 m <sup>(1)(2)</sup>	4.5 m <sup>(1)(2)</sup>	4.5 <sup>(1)(2)</sup>	4.5 <sup>(1)(2)</sup>	9 m
Minimum <b>Front Yard Soft Landscaped Open Space</b>	30%	30%	30%	30%	40%	50%
Maximum <b>Building Height</b> <b>(F)</b>	2 storeys to 10 m or 7.5 m for a flat roof <sup>(6)</sup>	2 storeys to 10 m or 7.5 for a flat roof <sup>(6)</sup>	2 storeys to 10 m or 7.5 m for a flat roof <sup>(6)</sup>	2 storeys to 10 m or 7.5 m for a flat roof <sup>(6)</sup>	2 storeys to 10 m or 7.5 m for a flat roof <sup>(6)</sup>	2 storeys to 10 m or 7.5 m for a flat roof <sup>(6)</sup>

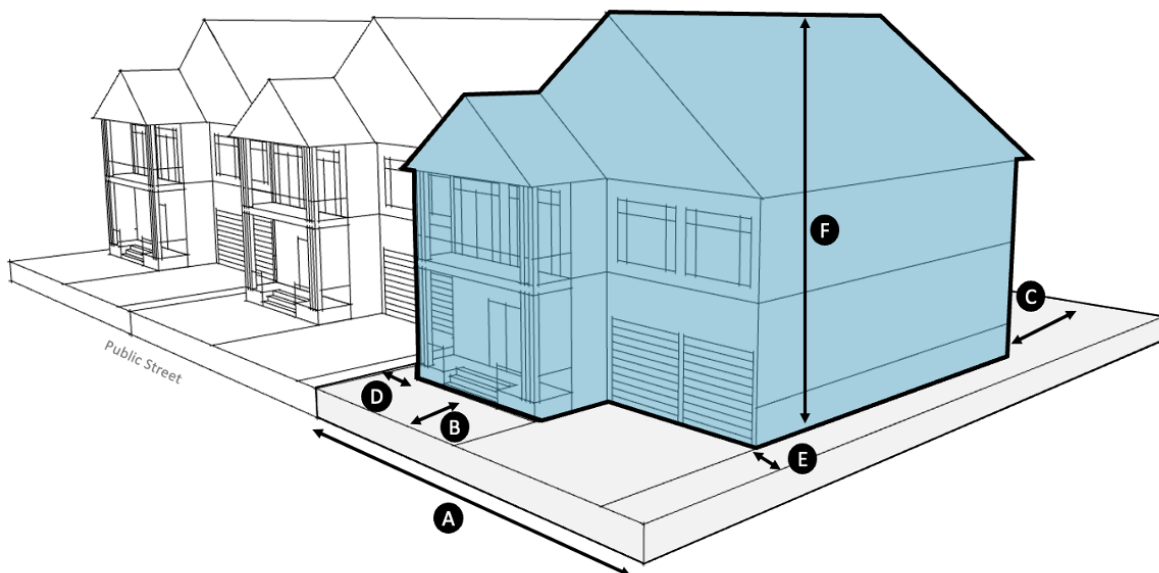
# Residential Zones

## Notes:

- (1) Or the **established front** or **exterior side yard**, whichever is less as per Section 5.48.
- (2) Except that for the wall of a **private garage** containing an opening for a vehicle, the minimum **front yard setback** or **exterior side yard setback** to the garage door of the **private garage** shall be 5.5 metres.
- (3) Minimum **lot coverage** on a lot with one or more **additional residential units** shall be 45%.
- (4) On a **corner lot** the **rear yard setback** may be 4.5 metres.
- (5) Where a detached **private garage** is in the **rear yard**, the minimum **interior side yard** leading to the **rear yard private garage** shall be 3 metres.
- (6) Properties with a front or **exterior side yard abutting** Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard shall have a maximum height up to 2.5 **storeys** to 13 metres. For **through lots**, the front **building** elevation shall determine the front of the **lot** for this regulation.

## b) Additional Provisions for Detached Dwellings and Duplex Dwellings

- i) The total width of all **private garage** door openings facing a street shall not exceed 50% of the width of its **building** elevation.
- ii) An attached **private garage** with a garage door facing a street is not permitted to project beyond the longest wall facing a street and containing residential floor area on the **first storey** of a dwelling.
- iii) The maximum height of the main entrance above **grade** shall be 1.5 metres.



# Residential Zones

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

### a) Lot and Building Requirements by Building Type

The following Table 6 and additional rules establish the **zone** standards that apply to **semi-detached dwellings** in the Low-Rise Neighbourhood **zones**. Rules for **accessory buildings and structures** are set out in Section 5.2.

**Table 6: Provisions for Semi-Detached Dwellings**

	LN1	LN2	LN3	LN4	LN5	LN6
Minimum Lot Area	165 m <sup>2</sup>	195 m <sup>2</sup>	270 m <sup>2</sup>	270 m <sup>2</sup>	400 m <sup>2</sup>	500 m <sup>2</sup>
Minimum Lot Frontage <b>(A)</b>	6.5 m	6.5 m	9 m	9 m	9.5 m	13 m
Minimum Front Yard Setback <b>(B)</b>	3 m <sup>(1)(2)</sup>	3 m <sup>(1)(2)</sup>	6 m <sup>(1)</sup>	6 m <sup>(1)</sup>	7.5 m <sup>(1)</sup>	9 m <sup>(1)</sup>
Maximum Lot Coverage	50%	50%	40% <sup>(3)</sup>	40% <sup>(3)</sup>	35% <sup>(3)</sup>	35% <sup>(3)</sup>
Minimum Rear Yard Setback <b>(C)</b>	6 m	7 m	7.5m	9 m	9 m	9 m
Minimum Interior Side Yard Setback	0.6 m <sup>(4)</sup>	0.6 m <sup>(4)</sup>	1.2 m <sup>(4)</sup>	1.5 m <sup>(4)</sup>	1.8 m <sup>(4)</sup>	2.4 m <sup>(4)</sup>
Minimum Exterior Side Yard Setback <b>(D)</b>	3 m <sup>(2)</sup>	3 m <sup>(2)</sup>	4.5 m <sup>(2)</sup>	4.5 m <sup>(2)</sup>	4.5 m <sup>(2)</sup>	4.5 m <sup>(2)</sup>
Minimum Front Yard Soft Landscaped Open Space	30%	30%	30%	30%	30%	30%
Maximum Building Height <b>(E)</b>	2 storeys to 10 m or 7 m for a flat roof	2 storeys to 10 m or 7 m for a flat roof	2.5 storeys to 13 m or 7 m for a flat roof	2 storeys to 10 m or 7 m for a flat roof <sup>(8)</sup>	2 storeys to 10 m or 7 m for a flat roof <sup>(8)</sup>	2 storeys to 10 m or 7 m for a flat roof <sup>(8)</sup>

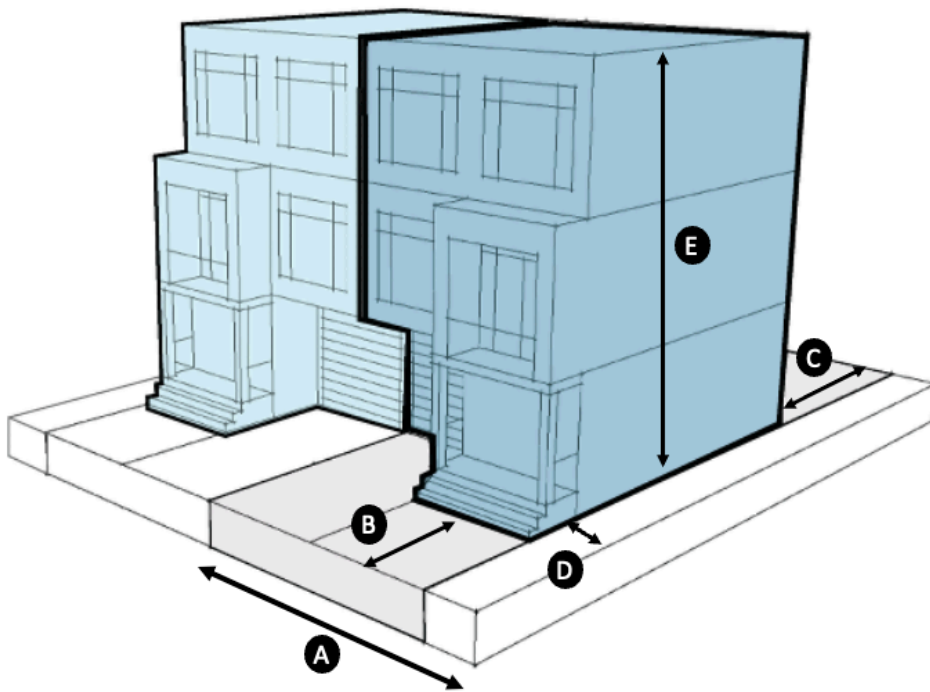
# Residential Zones

## Notes:

- (1) Or the **established front** or **exterior side yard**, whichever is less as per Section 5.48.
- (2) Except that for the wall of a **private garage** containing an opening for a vehicle, the minimum **front yard setback** or **exterior side yard setback** to the garage door of the **private garage** shall be 5.5 metres.
- (3) Maximum **lot coverage** on a lot with one or more **additional residential units** shall be 45%.

## b) Additional Provisions for Semi-Detached Dwellings

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



# Residential Zones

## 7.5 Provisions for Cluster Dwellings in the Low-Rise Neighbourhood 7 Zone

### g) Lot and Building Requirements by Building Type

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

**Table 7: Provisions for Cluster Dwellings**

	<b>LN7</b>
Minimum <b>Lot Area</b>	2000 m <sup>2</sup>
Minimum <b>Lot Frontage</b>	12 m
Maximum <b>Lot Coverage</b>	40%
Minimum <b>yard abutting</b> a street	7.5 m
Minimum <b>yard abutting</b> a rear <b>building</b> elevation	6 m <sup>(1)</sup>
Minimum <b>yard abutting</b> a side <b>building</b> elevation	3 m <sup>(2)</sup>
Minimum <b>Landscaped Open Space</b>	35%
Maximum <b>Building Height</b>	2 storeys to 10 m

**Notes:**

- (1) Except 9 m **abutting** an LN3, LN4, LN5 or LN6 **Zone**.
- (2) Except 4.5 m **abutting** an LN3, LN4, LN5 or LN6 **Zone**.

### b) Additional Provisions for Cluster Dwellings

- i) The minimum separation distance between cluster dwellings on the same **lot** shall be 2.4 metres for an side wall to side wall condition, 15 metres for a rear wall to rear wall condition and 15 metres for a **front wall** to **front wall** conditions.
- ii) The minimum distance from an end wall to an **internal roadway** shall be 1.5 metres.
- iii) The minimum distance from a wall other than an end wall to an **internal roadway** shall be 3.0 metres.
- iv) The minimum distance from an integral **private garage** of a cluster **dwelling unit** to an **internal roadway** shall be 5.5 metres.
- v) The maximum height of the main entrance above **grade** shall be 1.5 m.

# Residential Zones

## 7.6 Provisions for Triplex and Fourplex in the Low-Rise Neighbourhood Zones

### a) Lot and Building Requirements by Building Type

The following Table 8 and additional rules establish the **zone** standards that apply to **triplex** and **fourplex dwellings** in the Low-Rise Neighbourhood **Zones**.

**Table 8: Provisions for Triplex and Fourplex Dwellings**

	<b>Triplex</b>	<b>Fourplex</b>
Minimum <b>Lot Area</b>	390 m <sup>2</sup>	450 m <sup>2</sup>
Minimum <b>Lot Frontage</b>	13 m	15 m
Maximum <b>Lot Coverage</b>	45%	45%
Minimum <b>Front Yard Setback</b>	6m	6 m
Minimum <b>Rear Yard Setback</b>	7.5 m	7.5 m
Minimum <b>Interior Side Yard Setback</b>	1.2 m <sup>(1)</sup>	1.2 m <sup>(1)</sup>
Minimum <b>Exterior Side Yard Setback</b>	4.5 m	4.5 m
Minimum <b>Front Yard Soft Landscaped Open Space</b>	30%	30%
Maximum <b>Building Height</b>	2 <b>storeys</b> to 10 m in a LN1-6 Zone, 3 <b>storeys</b> to 14 m in LN8 <b>Zone</b>	2 <b>storeys</b> to 10 m in a LN1-6 Zone, 3.5 <b>storeys</b> to 15 m in LN8 <b>Zone</b>

**Notes:**

- (1) Where a detached **private garage** is in the **rear yard**, the minimum **interior side yard setback** leading to the **rear yard private garage** shall be 3 metres.
- (2) The minimum outdoor common amenity space requirement will comprise at least one contiguous outdoor area of a minimum of 30 m<sup>2</sup> at **grade**.

### b) Additional Provisions for Triplex and Fourplex

- i) The maximum height of the main entrance above **grade** shall be 1.5 metres.

# Residential Zones

## 7.7 Low-Rise Neighbourhood 8 Residential Zone Provisions

### a) Lot and Building Requirements for semi-detached dwellings

The rules for **semi-detached dwellings** in the Low-Rise Neighbourhood 8 **zone** shall be subject to the requirements of the LN1 **Zone** in Table 6.

### b) Lot and Building Requirements for triplex and fourplex dwellings

The rules for permitted **triplex** and **fourplex dwellings** in the Low-Rise Neighbourhood 8 **zone** shall be subject to the requirements of Section 7.5 and Table 8.

### c) Lot and Building Requirements for townhouses and back-to-back townhouses

i) The following Table 9 establishes the **zone** standards that apply in the various townhouse and **back-to-back townhouse** forms in the Low-Rise Neighbourhood 8 **zone**.

**Table 9: Provisions for Block, Street, Rear Lane and Back-to-Back Townhouse**

	Block Townhouse	Street Townhouse	Rear Lane Townhouse with detached rear garage	Rear Lane Townhouse with integral rear garage	Back-to-Back Townhouse <sup>(10)</sup>
Minimum Lot Area	4000 m <sup>2</sup>	160 m <sup>2</sup> <sup>(1)</sup>	165 m <sup>2</sup>	115 m <sup>2</sup>	75 m <sup>2</sup>
Minimum Lot Frontage or Unit Width <b>A</b>	5.5 m	6 m <sup>(2)(3)</sup>	5.5 m <sup>(4)</sup>	5.5 m <sup>(4)</sup>	6 m
Minimum Front Yard Setback <b>B</b>	4.5 m <sup>(5)</sup>	3 m <sup>(5)</sup>	3 m	3 m	3 m <sup>(5)</sup>
Minimum Rear Yard Setback <b>C</b>	7.5 m	6 m	1.75 m <sup>(6)</sup>	1.75 m <sup>(6)</sup>	0 m
Minimum Interior Side Yard Setback <b>D</b>	1.2 m <sup>(8)</sup>	1.2 m <sup>(7)(8)</sup>	1.2 m <sup>(7)(8)</sup>	1.2 m <sup>(7)(8)</sup>	1.2 m <sup>(7)(8)</sup>
Minimum Exterior Side Yard Setback <b>E</b>	3 m	3 m	3 m	3 m	3 m

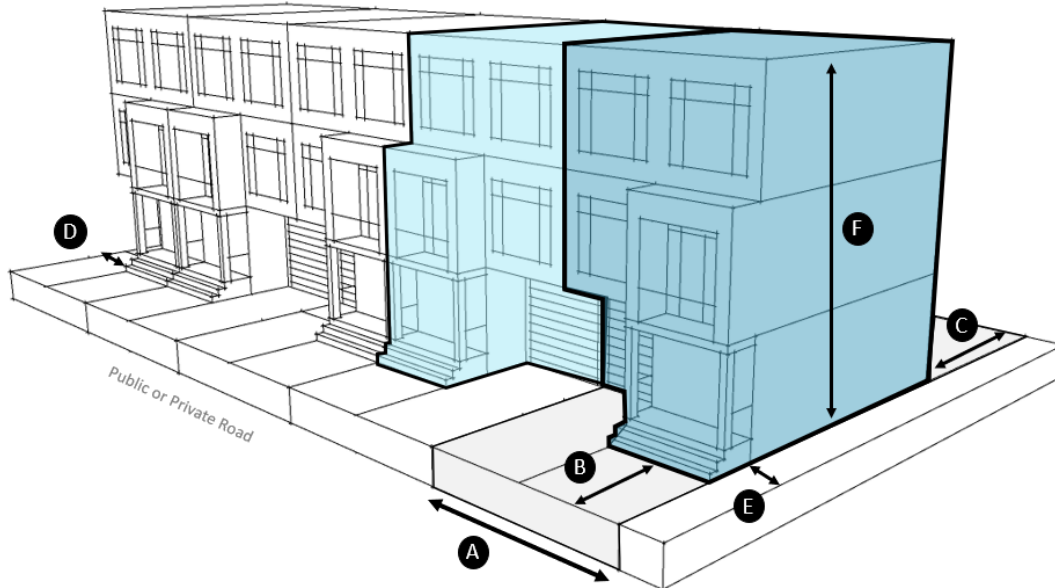
# Residential Zones

	Block Townhouse	Street Townhouse	Rear Lane Townhouse with detached rear garage	Rear Lane Townhouse with integral rear garage	Back-to- Back Townhouse <sup>(10)</sup>
Minimum Common Amenity Area	10 m <sup>2</sup> /unit <sup>(9)</sup>	N/R	N//R	N/R	N/R
Minimum Private Amenity Area	N/R	N/R	20 m <sup>2</sup> /unit	15 m <sup>2</sup> /unit	15 m <sup>2</sup> /unit
Minimum Front Yard Soft Landscaped Open Space	N/R	25%	50%	50%	25%
Maximum Building Height <b>F</b>	3 storeys to 14 m or 10 m for a flat roof	3 storeys to 14 m or 10 m for a flat roof	3 storeys to 14 m or 10 m for a flat roof	3 storeys to 14 m or 10 m for a flat roof	3 storeys to 14 m or 10 m for a flat roof
Maximum Number of Attached Units	8	8	8	8	16

## Notes:

- (1) Except 145 m<sup>2</sup> on a **private street**.
- (2) Except 5.5 m on a **private street**.
- (3) Except that for a **corner lot**, the minimum **lot frontage** shall be 9 metres.
- (4) Except that for a **corner lot**, the minimum **lot frontage** shall be 8.5 metres
- (5) Except that for the wall of a **private garage** containing an opening for a vehicle, the minimum **front yard setback** or **exterior side yard setback** to the garage door of the **private garage** shall be 5.5 metres.
- (6) To a **private garage**.
- (7) Where an **interior side Lot Line** shares a **common wall**, no **setback** is required.
- (8) Except when **abutting a detached dwelling, duplex dwelling or semi-detached dwelling** in an LN 4, 5 or 6 **Zone**, the **abutting yard** shall be a minimum of 4 m.
- (9) The minimum outdoor common amenity space requirement will comprise at least one contiguous outdoor area of a minimum of 55 m<sup>2</sup> at **grade**.
- (10) For multiple **back-to-back townhouses** occurring on one condominium **lot** or rental **lot**, the **lot area**, **lot frontage** and **amenity area** rules in Table 9 shall apply to each unit.

# Residential Zones



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

- i) The total width of all **private garage** door openings facing a street shall not exceed 50% of its **building** elevation.
- ii) The maximum height of the main entrance above **grade** shall be 1.5 metres.
- iii) The minimum **lot depth** or unit depth of a **back-to-back townhouse dwelling unit** shall be 13.0 metres.

**e) Additional provisions for block townhouses**

- i) The minimum separation distance between **block townhouse buildings** on the same **lot** shall be 2.4 metres for an end wall to end wall condition, 12 metres for a rear wall to rear wall condition and 12 metres for a **front wall** to **front wall** conditions.
- ii) The minimum distance from an end wall to an **internal roadway** shall be 1.5 metres.
- iii) The minimum distance from an end wall to a **parking aisle, parking lot** or **parking space** shall be 1.5 m.
- iv) The minimum distance from an integral **private garage** of a **block townhouse** unit to an **internal roadway** shall be 5.5 metres.
- v) The minimum **landscaped open space** on the **lot** shall be 30%.
- vi) The maximum height of the main entrance above **grade** shall be 1.5 metres.

**k) Additional provisions for rear lane townhouses**

- i) The maximum height of the main entrance above **grade** shall be 1.5 m.

# Residential Zones

**g) Lot and Building Requirements for multiplex, stacked townhouse, stacked back-to-back townhouse and apartment buildings**

- i) The following Table 10 and additional rules establish the **zone** standards that apply to **multiplex, stacked townhouse, stacked back-to-back townhouses and apartment buildings**.

**Table 10: Provisions for Multiplex, Stacked Townhouse, Stacked Back-to-Back Townhouse and Apartment Building**

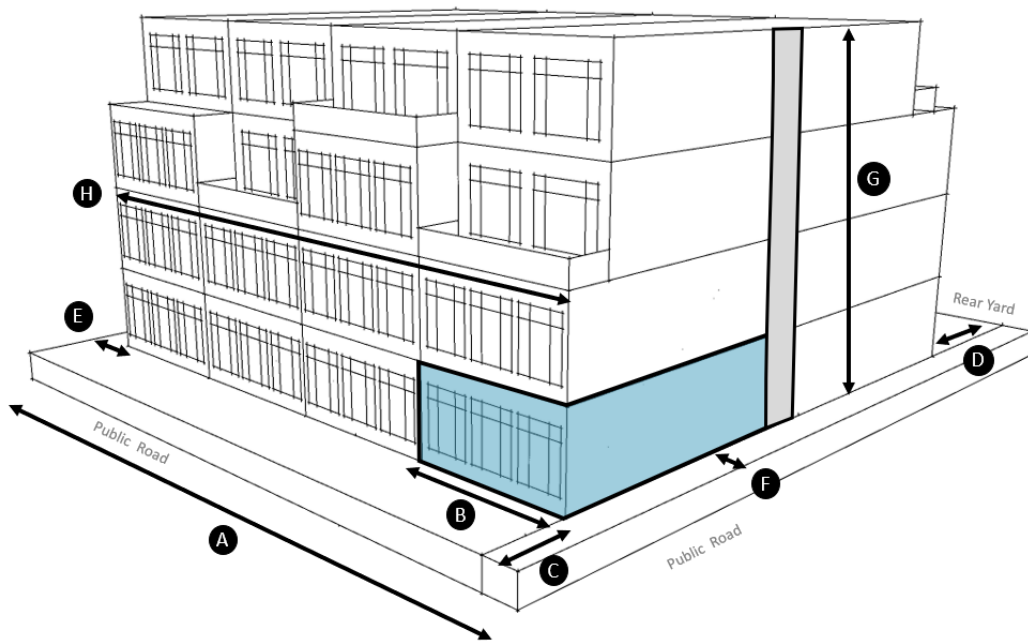
	Multiplex	Stacked Townhouse	Stacked Back-to-Back Townhouse	Apartment Building
Minimum Lot Area	2,000 m <sup>2</sup>	2,000 m <sup>2</sup>	2,000 m <sup>2</sup>	4,000 m <sup>2</sup>
Minimum Lot Frontage <b>A</b>	30 m	50 m	50 m	30 m
Minimum Unit Width <b>B</b>	N/A	5.5 m	5.5 m	N/A
Minimum Front Yard Setback <b>C</b>	3 m	3 m <sup>(1)</sup>	3 m <sup>(1)</sup>	3 m
Minimum Rear Yard Setback <b>D</b>	6 m <sup>(2)</sup>	6 m <sup>(2)</sup>	0	6 m <sup>(2)</sup>
Minimum Interior Side Yard Setback <b>E</b>	4 m	1.2 m <sup>(2)</sup>	1.2 m <sup>(2)</sup>	4 m
Minimum Exterior Side Yard Setback <b>F</b>	3 m	3 m	3 m	3 m
Minimum Common Amenity Area	5 m <sup>2</sup> /unit <sup>(3)</sup>	10 m <sup>2</sup> /unit <sup>(3)</sup>	10 m <sup>2</sup> /unit <sup>(3)</sup>	5 m <sup>2</sup> /unit <sup>(3)</sup>
Minimum Landscaped Open Space	35%	35%	35%	35%
Maximum Building Height <b>G</b>	4 storeys to 18 m or 13 m for a flat roof	4 storeys to 18 m or 13 m for a flat roof	4 storeys to 18 m or 13 m for a flat roof	4 storeys to 18 m or 13 m for a flat roof
Maximum Building Length <b>H</b>	60 m	60 m	60 m	60 m

**Notes:**

- (1) Except that for the wall of a **private garage** containing an opening for a vehicle, the minimum **front yard** or **exterior side yard** to the garage door of the **private garage** shall be 5.5 metres.
- (2) Except when **abutting a detached dwelling, duplex dwelling or semi-detached dwelling** in an LN 4, 5 or 6 Zone, the **abutting** internal side **yard setback** shall be a minimum 4 m, and the **abutting rear yard setback** shall be a minimum of 7.5 m.
- (3) The minimum outdoor common amenity space requirement will comprise at least one contiguous outdoor area of a minimum of 55 m<sup>2</sup> at **grade**.

# Residential Zones

- h) **Additional provisions for multiplex, stacked townhouse, stacked back-to-back townhouse and apartment buildings.**
- i) The maximum height of the main entrance above **grade** shall be 1.5 metres.
  - ii) When **abutting** a **detached dwelling, duplex dwelling** or **semi-detached dwelling** in an LN 4, 5 or 6 **Zone**, the fourth floor shall have a minimum setback of 3 metres.
  - iii) The minimum separation distance between **buildings** on the same **lot** shall be 2.4 metres for an end wall to end wall condition, 12 metres for a rear wall to rear wall condition and 12 metres for a **front wall to front wall** conditions.
  - iv) The minimum distance from an end wall to an **internal roadway** shall be 1.5 metres.
  - v) The minimum distance from a wall other than an end wall to an **internal roadway** shall be 3.0 metres.



# Residential Zones

## 7.8 High-Rise Neighbourhood Residential Provisions

### a) Lot and Building Requirements for triplex and fourplex dwellings

The rules for permitted **triplex** and **fourplex dwellings** in the High-Rise Neighbourhood **zone** shall be subject to the requirements of Section 7.5 and Table 8.

### b) Lot and Building Requirements for townhouses and back-to-back townhouses

The rules for permitted **block, street, rear land** and **back-to-back townhouses** in the High-Rise Neighbourhood **zone** shall be subject to the requirements of Section 7.6 and Table 9.

### c) Lot and Building Requirements for multiplex, stacked townhouses and back-to-back stacked townhouses

The rules for permitted **multiplex, stacked townhouse**, and **stacked back-to-back townhouses** in the High-Rise Neighbourhood **zone** shall be subject to the requirements of Section 7.6 and Table 10.

### d) Lot and Building Requirements by Building Type

The following Table 11 and additional rules establish the **zone** standards for **apartment buildings** in the High-Rise Neighbourhood **zone**.

# Residential Zones

**Table 11: Provisions for Apartment Buildings**

	<b>Apartment Building</b>
Minimum <b>Lot Area</b>	0.2 ha
Minimum <b>Lot Frontage</b>	30 m
Minimum <b>Front Yard</b>	3 m
Maximum <b>Front Yard</b>	7.5 m
Minimum <b>Rear Yard</b>	7.5 m
Minimum <b>Interior Side Yard</b>	4 m
Minimum <b>Exterior Side Yard</b>	3 m
Maximum <b>Exterior Side Yard</b>	7.5 m
Minimum <b>Tower Stepback from a Podium</b>	3 m <sup>(1)</sup>
Maximum Height of a <b>Podium</b>	<b>3 storeys</b>
Minimum separation between <b>Towers</b> on the same <b>lot</b>	25 m
Minimum <b>setback</b> of a <b>Tower</b> to a property line that is not the street	12.5 m
<b>Common Amenity Area</b>	5 m <sup>2</sup> / unit <sup>(2)</sup>
Maximum <b>Building Height</b>	See Maximum Heights in High-Rise Neighbourhood <b>Zone</b> Overlay in Schedule A
Minimum <b>Landscaped Open Space</b>	35%

**Notes:**

- (1) From the outer edge of the exterior wall of the **podium**.
- (2) The minimum outdoor common amenity space requirement will comprise at least one contiguous outdoor area of a minimum of 55 m<sup>2</sup> at **grade**.

**e) Additional Provisions**

- i) Where the **rear yard** of a **lot** containing a **mid-rise** or **tall apartment building** abuts a **lot** in a LN1-LN7 **Zone**, the **building height** above 3 **storeys** shall be limited by a 45-degree **angular plane** measured from a height of 12 metres at a **setback** of 7.5 metres from an adjoining LN1-LN7 **Zone**.
- ii) Where the **interior side yard** of a **lot** containing a **mid-rise** or **tall apartment building** abuts a **lot** in an LN1-LN7 **Zone**, the **building height** above 3 **storeys** shall be limited by a 45-degree **angular plane** measured from a height of 12 metres at a **setback** of 5.5 metres from an adjoining LN1-LN7 **Zone**.
- iii) The minimum separation distance between **podiums** and **mid-rise buildings** on the same **lot** shall be 2.4 metres for an end wall to end wall condition, 15 metres

# Residential Zones

for a rear wall to rear wall condition and 15 metres for a **front wall to front wall** conditions.

- iv) The minimum distance from an end wall to an **internal roadway** shall be 1.5 metres.
- v) The minimum distance from a wall other than an end wall to an **internal roadway** shall be 3.0 metres.
- vi) A **podium** shall be provided for **tall buildings**.

# Holding Zone Requirements

## Part 8: Holding Zone Requirements

The following list establishes the holding rules and the requirements to lift the hold.

- List of holds to be added.



**Planning  
& Design  
Inc.**

**1547 BLOOR STREET WEST  
TORONTO, ON  
M6P 1A5**

✉ [info@sglplanning.ca](mailto:info@sglplanning.ca)  
T (416) 923-6630