

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario

**15-173-OMB-01**

Exhibits "B", "D" and "E"



**ISSUE DATE:** May 3, 2016

**CASE NO(S):** PL150805

**PROCEEDING COMMENCED UNDER** subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

**Appellant:** Coalition For Rural Ontario Environmental Protection  
**Appellant:** Pharm Meds Limited  
**Appellant:** St. Mary's Cement Inc. (Canada)  
**Subject:** Proposed Official Plan Amendment No. 9  
**Municipality:** City of Hamilton  
**OMB Case No.:** PL150805  
**OMB File No.:** PL150805  
**OMB Case Name:** Coalition For Rural Ontario Environmental Protection v. Hamilton (City)

**PROCEEDING COMMENCED UNDER** subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

**Appellant:** 3727 Highway Six Inc.  
**Appellant:** Artstone Holdings Limited  
**Appellant:** Jawad Chaudhry  
**Appellant:** Coalition For Rural Ontario Environmental Protection; and others  
**Subject:** By-law No. 15-173  
**Municipality:** City of Hamilton  
**OMB Case No.:** PL150805  
**OMB File No.:** PL150806

**Heard:** April 7, 2016 in Hamilton, Ontario

**APPEARANCES:**

**Parties**

City of Hamilton

**Counsel**

J. Wice

Coalition for Rural Ontario Environmental Protection (CROP)	M. Connell
Multi-area Developments Inc.	J. Hoffman
20 Road (Glanbrook) Developments Limited Artstone Holdings Limited Weizer Investments Limited Corpveil Holdings Limited Pharm Meds Limited	A. Toumanians
Silverwood Homes Limited. Fern Brook Resorts Inc.	D. Baker
Oliver Klass and Jessica Myers	Self-represented
3727 Highway Six Inc.	R. Wellenreiter

**MEMORANDUM OF ORAL DECISION DELIVERED BY M. C. DENHEZ ON  
APRIL 7, 2016 AND ORDER OF THE BOARD**

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**INTRODUCTION**

[1] This is the first of a two-part decision.

[2] The decision stems from the first pre-hearing conference ("PHC") concerning Rural Hamilton Official Plan Amendment No. 9 ("RHOPA") of the City of Hamilton ("the City"), and the corresponding Zoning By-law No. 15-173 ("ZB").

[3] Both dealt specifically with the Rural area of the City, and the ZB was intended to harmonize various provisions across the City's former municipalities.

[4] Both the OPA and ZB were appealed, by various interests, to the Ontario Municipal Board ("the Board"). In some instances, settlements were negotiated, and/or Appellants withdrew. In others, the parties agreed on a roadmap for further



proceedings. Finally, in one instance, namely the appeal by 3727 Highway Six Inc., the City challenged the status of that Appellant to bring its appeal under the *Planning Act* ("the Act").

[5] This last matter, concerning the standing of this would-be Appellant, was addressed in the afternoon session of this PHC, and that outcome will be the subject of a separate decision of this Board. All other matters were addressed in the morning session of the PHC, whose outcome is outlined below.

### **PARTIES AND PARTICIPANTS**

[6] Aside from the existing Appellants of record, no one else came forward seeking party or participant status.

[7] The Board has noted the withdrawal of two Appellants, St. Mary's Cement Inc. (Canada) and Jawad Chawdry.

### **ONGOING INFORMATION**

[8] The City noted that it has created a website for materials related to these proceedings, at: <https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-zoning>

[9] The City said that, among other things, it intended to maintain an Exhibit List and Appellant Index on that website.

### **APPROVAL OF UNCONTESTED PROVISIONS**

[10] The City said it had notified all the Appellants that it would be seeking approval of the uncontested portions of the OPA and ZB. It said that, in response, none had expressed an objection.

[11] The Board agrees with the City's request, and will return to that topic at the end of this decision.

[12] The City also used the opportunity to correct a numbering mistake on a municipal address.

### **RE-CATEGORIZATION OF APPEAL**

[13] There were two unrepresented parties, Oliver Klass and Jessica Myers, who had filed an appeal of the OPA, and not of the ZB. The City said that, on review of the substance of their concern, it appeared that their appeal should actually have been directed the other way round, i.e. against the ZB and not the OPA. Mr. Klass and Ms. Myers did not dispute that characterisation.

[14] The City, Mr. Klass and Ms. Myers agreed that their appeal should proceed as an appeal of the ZB instead. There was no dispute.

[15] The Board is prepared to re-categorize their appeal accordingly.

### **THE FERN BROOK EXCEPTION**

[16] One appellant, Fern Brook Resorts Inc. ("Fern Brook") owns property which, under the provisions of the applicable pre-existing Zoning By-law, was subject to a Holding ("H") provision.

[17] Fern Brook told the City that the new ZB would produce a substantive change in that zoning. On further discussion, Fern Brooke and the City agreed that they would maintain the pre-existing zoning status of the property.

[18] The City's planner, Joanne Hickey-Evans, provided sworn evidence that, from the standpoint of good planning, there was nothing wrong with the previous zoning status of the property – or with continuing it.

[19] The Board finds no dispute.

### **THE CROP APPEAL**

[20] The Board was told that the appeal by the Coalition for Rural Ontario Environmental Protection (“CROP”) tended to cover topics different from the other appeals in this file, but akin to topics covered in another Board File, No. PL151130. The latter file pertained to appeals of three by-laws that had been adopted more recently. Those three by-laws triggered appeals not only by CROP, but by other appellants.

[21] The City said that it might be more appropriate to "sever" CROP's current appeal from the current file, and to treat it as being together with the matters in PL151130. CROP did not dispute the idea.

[22] The Board is mindful that there is a PHC scheduled for PL151130, on July 13, 2016. The Board is also mindful that there are other parties to PL151130, who may have opinions on the matter. The Board therefore expresses no opinion as to whether the CROP appeal in the current file should be simply consolidated administratively with its appeal in PL151130, whether it should be fully consolidated with that file, whether those matters should be heard together, or otherwise. When the prospects there become clearer, notably subsequent to the July 13 PHC in that file, the Board is prepared to consider the matter further, including the possibility of "severing" the CROP appeal from the rest of the current proceedings, according to what may be most expeditious.

## NEXT STEPS

[23] In the current file, there was consensus on the utility of another PHC in July 2016. The parties agreed on timelines to advise each other of their issues, and any procedural suggestions: Appellants would advise the City of same, about six weeks ahead of the PHC, and the City would respond, about two weeks ahead of the PHC.

[24] The Board reminded the parties of the availability of its mediation services.

[25] The Board also takes this opportunity to remind the parties that it may be in their interest to start thinking ahead to the possibility of eventual expert witness statements, expert meetings, agreed statements of fact, and whether any experts might testify as a panel.

[26] The Board disposes of the above matters as follows. The Board orders:

1. Those parts of Rural Hamilton Official Plan Amendment No. 9 that are not under appeal, as set out in Exhibit "C" to the affidavit of Ms. Hickey-Evans, dated March 30, 2016 (the "annotated RHOPA", at Exhibit 1 of these proceedings), came into effect on the day after the last day for filing a notice of appeal, being August 10, 2015, in accordance with the provisions of s. 17(27) of the Act.
2. Paragraph 1 above is subject to the following:
  - (a) That the coming into effect of portions of the RHOPA shall be strictly without prejudice to and shall not have the effect of:
    - (i) limiting the resolution of an appellant's appeal;

- (ii) affecting a party's right to seek to modify, delete or add to the unapproved policies, schedules and associated text or to seek to add a new policy to the RHOPA; or
  - (iii) limiting the jurisdiction of the Board to consider and approve modifications, deletions or additions to the unapproved policies, schedules and associated text or to add a new policy on a general or site-specific basis, as the case may be.
- (b) The coming into effect of portions of the RHOPA is without prejudice to the positions taken by the parties to any site-specific appeals so that if those appeals proceed on a site-specific basis to a hearing, either on their own or as may be consolidated with other appeals, the City will not take the position that the Board ought not to approve site-specific modifications to the affected policies, schedules and associated text on the basis that they deviate from or are inconsistent with such policies, schedules and associated text on a City-wide basis (or as approved in respect of other lands which are subject to the same policies, schedules and associated text). However, this does not affect the City's right to assert that the approved policies, schedules and associated text should be applied to the specific sites without modification on the basis that they constitute good planning.
3. Those parts of Zoning By-law 15-173 (the "By-law") that are not in issue, as set out in Exhibit "D" to the affidavit of Ms. Hickey-Evans dated March 30, 2016 (the "annotated By-law"), are deemed to have come into force on the day the By-law was passed, being July 10, 2015, in accordance with s. 34(31) of the Act.
  4. Paragraph 3 above is subject to the following:

- (a) The appeal by Fern Brook Resorts Inc. is allowed to the extent necessary to implement the changes as set out in Exhibit “E” to the affidavit of Ms. Hickey-Evens dated March 30, 2016, and the City is directed and authorized to remove the reference to Fern Brook Resort Inc. from the annotated version of the By-law as contained in Exhibit “D”.
- (b) Correction of the municipal address error in Special Exception 118 shall be made in accordance with Exhibit “B” in the affidavit of Ms. Hickey-Evens dated March 30, 2016;
- (c) The coming into effect of certain portions of the By-law shall be strictly without prejudice to, and shall not have the effect of:
- (i) limiting the resolution of an appellant’s appeal;
  - (ii) affecting a party’s right, to seek to modify, delete or add to the unapproved sections, tables, definitions, maps, schedules, and associated text; or
  - (iii) limiting the jurisdiction of the Board to consider and approve modifications, deletions or additions to the unapproved sections, tables, definitions, maps, schedules and associated text, on a general or site-specific basis, as the case may be.
- (d) The coming into effect of certain portions of the By-law is without prejudice to the positions taken by the parties to any site-specific appeal, so that if those appeals proceed to a hearing, either on their own or as may be consolidated with other appeals, the City will not take the position that the Board ought not to approve site-specific modifications to the affected sections, tables, definitions, maps, schedules, and associated text, on the basis that they deviate from or are inconsistent with such sections, tables, definitions, maps, schedules, and associated text on a City-wide basis (or as approved in

respect of other lands which are subject to the same sections, tables, definitions, maps, schedules, and associated text). However, this does not affect the City's right to assert that the approved sections, tables, definitions, maps, schedules, and associated text should be applied to the specific sites without modification on the basis that they constitute good planning.

5. The Board notes that, notwithstanding anything ordered above, the City has not conceded that any portions of the RHOPA or the By-law that have not come into effect or that are not deemed in effect are properly under appeal and the City has reserved the right to bring motions or take any other action to have the breadth and scope of any appeal determined by the Board at a future date.
6. Notwithstanding anything ordered above, the Board hereby retains jurisdiction to consider and approve modifications to any policies, schedules and associated text approved herein as may be appropriate to dispose of any of the outstanding appeals before the Board, in accordance with s. 87 of the *Ontario Municipal Board Act*.
7. Any future settlements may be brought forward for approval by the Board by way of telephone conference call upon prior notice and circulation of the information to the parties.
8. On the consent of the City, the Board is prepared to treat the appeal by Mr. Klass and Ms. Myers as an appeal of Zoning By-law 15-173, as opposed to an appeal of the RHOPA, in the sense that Mr. Klass and Ms. Myers will be treated as parties to the appeal of Zoning By-law 15-173, and will be considered to have withdrawn their appeal of the RHOPA.
9. The Board fixes **Tuesday, July 26, 2016, at 10 a.m.** for the start of the next pre-hearing conference, at:

**Dundas Town Hall  
Second Floor Auditorium  
60 Main Street, Dundas  
Hamilton, Ontario L9H 1C6**

10. In anticipation of a forthcoming Procedural Order, each Appellant shall provide to the City a draft of their own proposed issues, for eventual insertion into a consolidated Issues List. Their draft of issues shall be provided to the City no later than **June 14, 2016**. The City shall respond no later than **July 14, 2016**.
11. No further notice will be given for the matters currently before the Board.
12. This Member is not seized.

*“M.C. Denhez”*

M.C. DENHEZ  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Ontario Municipal Board**

A constituent tribunal of Environment and Land Tribunals Ontario  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248



**ONTARIO MUNICIPAL BOARD**  
**Commission des affaires municipales de l'Ontario**

IN THE MATTER of subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended,

Appellants: (See attached Appellant Index)  
Subject: Rural Hamilton Official Plan Amendment Number 9  
Municipality: City of Hamilton  
OMB Case No.: PL150805

AND IN THE MATTER of subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended,

Appellants: (See attached Appellant Index)  
Subject: By-law 15-173  
Municipality: City of Hamilton  
OMB Case No.: PL150805

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**AFFIDAVIT OF JOANNE HICKEY-EVANS, MCIP, RPP**  
**March 30, 2016**

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I, Joanne Hickey-Evans, of the City of Hamilton, make oath and swear as follows:

1. I am a Member of the Canadian Institute of Planners and a Registered Professional Planner. I have previously been qualified to provide expert evidence on land use planning matters by the Ontario Municipal Board. Attached hereto as Exhibit "A" is a copy of my curriculum vitae together with my executed Acknowledgement of Expert's Duty.
2. I have been employed as a planner with the City of Hamilton and the former Region of Hamilton-Wentworth for 31 years. I hold the position of Manager of Policy Planning and Zoning By-law Reform with the City of Hamilton ("City")

and have been responsible for supervising the team which prepared Rural Hamilton Official Plan Amendment No. 9 ("RHOPA") and Zoning By-law 15-173 ("the By-law") both of which are the subject of the appeals before the Ontario Municipal Board in OMB Case No. PL150805.

3. As a result of my position with the City and my responsibilities as Manager of the project, I have knowledge of the matters to which I hereinafter depose.

**Motion 1 - Partial approval of the RHOPA and to deem the By-law in force**

4. On July 10, 2015, the City of Hamilton adopted the RHOPA and passed the By-law which provide for the new, harmonized rural zoning, implementing the policy direction of the City's Rural Hamilton Official Plan. Subsequently, appeals were filed for both the RHOPA and By-law.
5. After reviewing the appeals with staff, I worked with and directed my staff to prepare annotated copies of those instruments. To the best of my knowledge, those annotations show the portions of the instrument that an appellant has taken to be at issue through grey shading and indicating in the explanatory notes within the margins the appellant associated with the annotation.
6. Through the review of Council approved By-law 15-173, errors in the municipal numbers referenced within the text of Special Exception 118 and an associated zoning map (Map 213) were found.
7. The municipal address for the property referenced as 3322 Highway 56 within Special Exception 118 has been confirmed to be 3316 Highway 56. To rectify this error the number "3322" has been deleted and replaced with "3316" within Special Exception 118.
8. The extent of the Special Exception 118 boundary applied on Map 213 as it pertains to these lands is correct and no changes are required.
9. Attached hereto as Exhibit "B" is the proposed correction with the portions to be revised shaded for clarity.

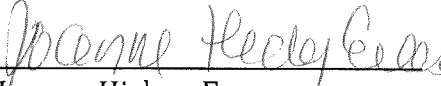
10. Attached to this Affidavit and marked as Exhibit "C", as well as provided on the City of Hamilton website at [www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-zoning](http://www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-zoning), is an annotated version of the RHOPA dated March 29, 2016 (hereinafter known as the "annotated RHOPA").
11. Attached to this Affidavit and marked as Exhibit "D", as well as provided on the City of Hamilton website at [www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-zoning](http://www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-zoning), is an annotated version of the By-law dated March 29, 2016 (hereinafter known as the "annotated By-law", together with the annotated RHOPA as the "annotated instruments").
12. The annotations that have been made to the instruments show the portions of the RHOPA and By-law that were noted as being under appeal by at least one appellant. Where an appellant has raised a site-specific concern, the mapping for the property/properties at issue are annotated for the purpose of noting that the RHOPA or By-law is not in effect at all for those shaded lands.
13. These annotated instruments dated March 11, 2016, were made available to the public generally on the City's website as of March 17, 2016, and the appellants were specifically provided with this information on March 18, 2016. Subsequent to feedback from some of the appellants, changes were made and a March 29, 2016 version of each was created and also made available on March 30, 2016.
14. If the Board grants the City's motion, the various appellant's rights to carry forward their remaining unresolved issues through a hearing or settlement process will be protected, while balancing the broader public interest of confirming the effective date for the RHOPA and allowing the By-law to substantially come into force.
15. It is my professional opinion that the portions of the RHOPA and the By-law not identified as under appeal (as depicted in the annotated instruments) represent good planning and are in the public interest. The provisions of the


By-law should come into effect as soon as possible to ensure section 26(9) of the *Planning Act*, being the requirement for zoning to be brought into conformity with an Official Plan within three years of amendments respecting conformity to provincial plans coming into effect, is met.

**Motion 2 – Settlement of Fern Brook Inc. (“Fern Brook”) appeal**

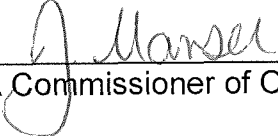
16. Subsequent to the filing of its appeal, discussions between City staff and Fern Brook have resulted in a City Council supporting a revision to the text of the By-law that will result in the reinstatement of some of the language in the previously approved By-Law 14-097.
17. To implement the settlement of the matter between the City and Fern Brook Resort, within Holding provision H9 of the By-law, the words “Shall not be permitted until such time as:” have been deleted and replaced with the following “The Holding provision shall remain in effect until such time as the completion of the following conditions:”.
18. The change would clarify the language within a site specific holding provision and would not result in a substantive change in the by-law.
19. Attached hereto as Exhibit “E” is the proposed replacement text to implement the settlement.
20. I make this affidavit as part of the City’s motions and for no other or improper purpose.

SWORN BEFORE ME )  
at the City of Hamilton )  
in the Province of Ontario )  
this 30 day of March, )  
2016 )

  
Joanne Hickey-Evans

  
J. Manser  
Notary Public for Ontario, etc.,  
Province of Ontario, for the City of Hamilton.  
Expires April 13, 2018.

This is Exhibit "A" referred to in  
the affidavit of Joanne Hickey-Evans  
sworn before me, this 30<sup>th</sup> day of March, 2016

  
\_\_\_\_\_  
A Commissioner of Oaths

**Jillian Claire Manser, a Commissioner, etc.,  
Province of Ontario, for the City of Hamilton.  
Expires April 13, 2018.**

## **Joanne Hickey-Evans, M.C.I.P., R.P.P.**

### Work Experience

#### **MANAGER POLICY PLANNING AND ZONING BY-LAW REFORM (VARIETY OF NAME CHANGES), PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT, CITY OF HAMILTON**

2001 To Present

- Project lead for the development of specific zones for Comprehensive Zoning By-law (e.g.rural)
- Project leader/manager for the development of the Urban Hamilton Official Plan (2009) and the Rural Hamilton Official Plan (2006)
- Manager of GIS based information planning
- Policy Planning Lead/Divisional Lead for City Initiatives- Sourcewater Protection Planning, Airport Employment Growth District, Food and Farming Action Plan, Urban agriculture, Farmers market

#### **MANAGER OF POLICY PLANNING AND ANYLSIS, PLANNING DEPARTMENT, CITY OF HAMILTON**

1991 to 2001

- Manager responsible for Hamilton Official Plan and Policy Planning
- Departmental Lead with Region and local municipalities on Policy planning matters
- Manager of major policy planning initiatives
- Division Head of Development and Urban Design Section (September 1996-1997)

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#### **QUEENS UNIVERSITY, KINGSTON, ONTARIO**

Master Degree, Urban and Regional Planning, 1985

Bachelor of Arts Degree, Geography/Economics, 1982



Ontario  
Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

**ACKNOWLEDGMENT OF EXPERT'S DUTY**


<b>Case Number</b>	<b>Municipality</b>
PL150805	City of Hamilton

1. My name is Joanne Hickey-Evans  
I live at the City of Hamilton in the Province of Ontario
2. I have been engaged by or on behalf of the City of Hamilton to provide evidence in relation to the above-noted Board proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
  - a. to provide opinion evidence that is fair, objective and non-partisan;
  - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
  - c. to provide such additional assistance as the Board may reasonably require, to determine a matter in issue.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date...March 18 2016.....

Signature..........

This is Exhibit "B" referred to in  
the affidavit of Joanne Hickey-Evans  
sworn before me, this 30<sup>th</sup> day of March, 2016



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A Commissioner of Oaths

**Jillian Claire Manser, a Commissioner, etc.,  
Province of Ontario, for the City of Hamilton  
Expires April 13, 2018.**



**Exhibit “B” – Special Exception 118 (Numbering Correction)**

Bold and highlighted text is the numbering requiring correction

Existing Wording of Special Exception 118 in By-law 15-173:

118. Notwithstanding Section 12.1.1 and in addition to Section 12.1.2, on those lands zoned Agriculture (A1) Zone identified on Maps 53, 65, 100, 109, 128, 129, 140, 141, 179, 180, 188, 191, 193, 194, 200, 201, 203, 206, 207, 213, 214, 215, 219 and 223, on Schedule “A” – Zoning Maps and described as addresses:

2330 Guyatt Road	Maps 193 and 194
1433 Guyatt Road	Map 206
2860 Kirk Road	Map 213
1115 Hendershot Road	Map 194
Part of 9305 Chippewa Road West	Map 201
<b>3322</b> Highway 56	Map 213
Part of 1400 Seaton Road	Map 53
Part of 1270 Trinity Church Road	Map 179
3316 Golf Club Road	Map 180
6175 White Church Road East	Map 203
3157 Hendershot Road	Map 214
2147 Woodburn Road	Maps 207 and 215
1280 Hendershot Road	Map 194
1240 Seaton Road	Map 65
6363 White Church Road East	Maps 191 and 203
Part of 1700 Hall Road	Maps 219 and 223
435 Lynden Road	Maps 129 and 141
Part of 2505 Highway No. 5 West	Maps 100 and 109
3291 Jerseyville Road West	Map 141
Part of 160 Norsworthy Road	Maps 188 and 200
Part of 683 Lynden Road	Map 129
Part of 3667 Indian Trail Road	Maps 128, 140 and 141
Part of 4574 Governors Road	Map 128
1280 Hendershot Road	Map 194
345 Bell Road	Maps 224 and 225

The following special provisions shall also apply:

...

- c) The following regulation shall also apply for the property located at **3322** Highway 56:

The minimum side yard for the agricultural buildings and structures shall be 10.2 metres.

Proposed wording of Special Exception 118 in By-law 15-173:

118. Notwithstanding Section 12.1.1 and in addition to Section 12.1.2, on those lands zoned Agriculture (A1) Zone identified on Maps 53, 65, 100, 109, 128, 129, 140, 141, 179, 180, 188, 191, 193, 194, 200, 201, 203, 206, 207, 213, 214, 215, 219 and 223, on Schedule "A" – Zoning Maps and described as addresses:

2330 Guyatt Road	Maps 193 and 194
1433 Guyatt Road	Map 206
2860 Kirk Road	Map 213
1115 Hendershot Road	Map 194
Part of 9305 Chippewa Road West	Map 201
<b>3316</b> Highway 56	Map 213
Part of 1400 Seaton Road	Map 53
Part of 1270 Trinity Church Road	Map 179
3316 Golf Club Road	Map 180
6175 White Church Road East	Map 203
3157 Hendershot Road	Map 214
2147 Woodburn Road	Maps 207 and 215
1280 Hendershot Road	Map 194
1240 Seaton Road	Map 65
6363 White Church Road East	Maps 191 and 203
Part of 1700 Hall Road	Maps 219 and 223
435 Lynden Road	Maps 129 and 141
Part of 2505 Highway No. 5 West	Maps 100 and 109
3291 Jerseyville Road West	Map 141
Part of 160 Norsworthy Road	Maps 188 and 200
Part of 683 Lynden Road	Map 129
Part of 3667 Indian Trail Road	Maps 128, 140 and 141
Part of 4574 Governors Road	Map 128
1280 Hendershot Road	Map 194
345 Bell Road	Maps 224 and 225

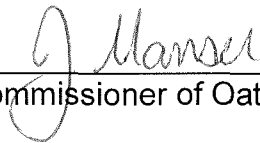
The following special provisions shall also apply:

...

- c) The following regulation shall also apply for the property located at **3316** Highway 56:

The minimum side yard for the agricultural buildings and structures shall be 10.2 metres.

This is Exhibit "C" referred to in  
the affidavit of Joanne Hickey-Evans  
sworn before me, this 30<sup>th</sup> day of March, 2016



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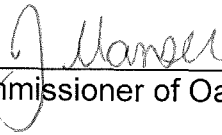
A Commissioner of Oaths

**Jillian Claire Manser, a Commissioner, etc.,  
Province of Ontario, for the City of Hamilton.  
Expires April 13, 2018.**

\*\*Exhibit "C" is also available online at:

<https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-zoning>

This is Exhibit "D" referred to in  
the affidavit of Joanne Hickey-Evans  
sworn before me, this 30<sup>th</sup> day of March, 2016



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A Commissioner of Oaths

**Jillian Claire Manser, a Commissioner, ctc.,  
Province of Ontario, for the City of Hamilton,  
Expires April 13, 2018.**

\*\*Exhibit "D" is also available online at:

<https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-zoning>

Zoning By-law 15-173 is currently under appeal to the Ontario Municipal Board (OMB).

The text not in force is covered with a grey tone in this document.

**Authority:** Item 7, Planning Committee  
Report: 15- 011(PED13167(c))  
CM: July 10, 2015

**Bill No. 173**

**CITY OF HAMILTON**

**BY-LAW NO. 15-173**

**To Amend By-law 05-200 to Create New Zones for the Rural Area  
of the City of Hamilton**

**WHEREAS** the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

**AND WHEREAS** the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law 05-200;

**AND WHEREAS** it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

**AND WHEREAS** the said new comprehensive Zoning By-law is being enacted and is coming into force and effect in several stages;

**AND WHEREAS**, the first stage of the Zoning By-law, being By-law 05-200, came into force on May 25, 2005;

**AND WHEREAS** this By-law represents the fifth stage of the Zoning By-law to create new Rural Zones, amending certain provisions of By-law 05-200 and, applying to the Rural Area of the City, as hereinafter described and depicted;

**AND WHEREAS** the Rural Hamilton Official Plan was declared in force and effect on March 7, 2012 and is the Official Plan in effect for lands within the Rural Area of the City of Hamilton;

**AND WHEREAS** this By-law will be in conformity with the Rural Hamilton Official Plan of the City of Hamilton upon approval of Official Plan Amendment No. 9.

**To Amend By-law 05-200 to Create New Zones for the Rural Area  
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**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That SECTION 2: INTERPRETATION of By-law 05-200 is hereby amended as follows:

a) That Section 2.1 b) – Open Space and Parks Classification be amended by adding the following Zones and Zone Symbols following the words “Conservation/Hazard Land Zone, P5”:

“Conservation/Hazard Land – Rural	P6
Conservation/Hazard Land – Rural	P7
Conservation/Hazard Land – Rural	P8”

b) That Section 2.1 d) – Industrial Classification be amended by adding the following Zone and Zone Symbol following the words “Airport Prestige Business Park Zone, M11”:

“Extractive Industrial	M12”
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c) That Section 2.1 is amended by adding the following new clause:

“e)	Rural Classification <u>Zones</u>	
	Agriculture	A1
	Rural	A2
	Settlement Residential	S1
	Settlement Commercial	S2
	Settlement Institutional	S3
	Existing Rural Commercial	E1
	Existing Rural Industrial	E2”

2. That SECTION 3: DEFINITIONS of By-law 05-200 is hereby amended as follows:

a) That the following new definitions be added:

<b>Abattoir</b>	Shall mean the use of land, building or structure, or portion thereof, for the confinement of live animals awaiting slaughter and slaughtering of live animals and the packaging of animal carcasses and may include the processing, packing, treating, and storing of the product on the premises, but shall not include the
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	<p>manufacture of inedible meat by-products, or rendering of such products as tallow, grease, glue, fertilizer, or any other inedible product.</p>
<p><b>Agriculture</b></p>	<p>Shall mean the growing of crops, including Nursery and horticultural crops; raising of livestock; raising, boarding and training of horses; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; aquaponics; apiaries; agro-forestry; maple syrup production; greenhouse operations; Medical Marihuana Growing and Harvesting Facilities; hydroponics; and other such accessory uses as are customarily and normally associated with agriculture, including limited value retention uses required to make a commodity grown primarily as part of the farm operation salable, such as, but not limited to, grain drying, washing, sorting, grading, treating, storing, packing and packaging, feed mill, or grain mill, and selling of agricultural products primarily grown as part of the farm operation, and associated on-farm buildings and structures, including one Single Detached farm dwelling and a Farm Labour Residence.</p>
<p><b>Agricultural Brewery/Cidery/Winery</b></p>	<p>Shall mean a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beers, ciders or wines. Agricultural Brewery/Cidery/Winery uses may include the crushing, fermentation, production, bottling, aging, storage, and Accessory sale of beers, ciders, wines and related products to both, a laboratory, an administrative office, and a tasting,</p>

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	hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, or overnight accommodation.
<b>Agricultural Processing Establishment – Secondary</b>	Shall mean a Secondary use to an Agricultural operation on the same lot, for a facility dedicated to the transformation of raw agricultural commodities, but shall not include an Abattoir or Agricultural Brewery/Cidery/Winery. Agricultural Processing - Secondary shall be limited to the processing of agricultural commodities grown primarily as part of the farm operation, and may include Accessory Retail.
<b>Agricultural Processing Establishment – Stand Alone</b>	Shall mean the use of land, building or structure, or portion thereof, for a stand alone facility dedicated to the transformation of raw agricultural commodities and may include Accessory Retail, but shall not include an Abattoir, or Agricultural Brewery/Cidery/Winery.
<b>Agricultural Research Operation</b>	Shall mean a Secondary use to an Agricultural operation on the same lot for the study and research of Agriculture.
<b>Agricultural Establishment Storage</b>	Shall mean the use of land, building or structure, or portion thereof, for a stand alone facility dedicated to the storage of agricultural products from one or more farm operation(s).
<b>Agritourism</b>	Shall mean a Secondary Use to an Agricultural operation on the same lot that provides educational and active opportunities to experience the agricultural way of life in Rural Hamilton. Such activities may include, for example, farm machinery



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	<p>and equipment exhibitions, farm-tours, petting zoos, corn mazes, hay rides, sleigh rides, processing demonstrations, pick your own produce/products, farm theme playground for children, and educational facilities that focus on farming instruction, and which may include accessory retail, but shall not include a Restaurant or Conference or Convention Centre.</p>
<p><b>Farm Labour Residence</b></p>	<p>Shall mean accommodation Accessory to Agriculture and on the same lot as an existing permanent principal farm Dwelling, provided for full-time farm labour where the size and nature of the farm operation requires additional employment, in the form of any of the following:</p> <ul style="list-style-type: none"> <li>a) An Accessory apartment attached to and forming part of the principal farm Dwelling; or,</li> <li>b) An Accessory detached dwelling of temporary construction, such as a mobile home; or,</li> <li>c) An Accessory detached bunk house of temporary construction, where cooking and sanitary facilities are shared.</li> </ul>
<p><b>Farm Produce/Product Stand</b></p>	<p>Shall mean a building or structure where fresh fruit and vegetables, flowers and plants grown and other products derived from the Agricultural operation on the same property are offered for sale on a seasonal basis.</p>
<p><b>Golf Course</b></p>	<p>Shall mean the use of land for the purpose of playing golf and may</p>

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	<p>include such buildings and structures necessary for the operation and maintenance of the golf courses well as Accessory uses such as a club house, restaurant and a dwelling for maintenance and/or security purposes.</p>
<p><b>Home Industry</b></p>	<p>Shall mean a Secondary use to an Agricultural operation on the same lot, which is limited to a use directly related to Agriculture such as the repair of agricultural equipment, or a Craftsperson Shop, Tradespersons Shop, or artisans studio, together with the retailing of commodities produced, but shall not include a Motor Vehicle Collision Repair Establishment, Motor Vehicle Service Station, Motor Vehicle Wrecking Establishment, or Contractor's Establishment.</p>
<p><b>Landscape Contracting Establishment – Secondary</b></p> <div data-bbox="277 1251 613 1535" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>OMB Appeals</b></p> <p><b>Definition of Landscape Contracting Establishment – Secondary</b></p> <p><b>1 - CROP</b></p> </div>	<p>Shall mean a Secondary use to a Nursery operation on the same lot, which is limited to storage of soil, composted materials and other soil amendments, mulch, rock, screening and other similar landscape materials; landscape design services and off-site landscape installation services; storage of landscaping and horticultural maintenance equipment; composting and mixing of soil and soil amendments; and Accessory storage of snow removal equipment.</p>
<p><b>Livestock Assembly Point</b></p>	<p>Shall mean feedlots, livestock auction markets, livestock assembly pens, stockyards, dealers in livestock, cooperative or buying stations, livestock shows, or other places where livestock is assembled for the purposes of sale, show, exchange, breeding, barter, or transportation, and where the</p>

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	<p>assembled livestock has more than one owner, but shall not include Retail pet stores. The assembly point may handle one or more species of livestock.</p>
<p><b>Medical Marihuana Growing and Harvesting Facility</b></p> <p><b>OMB Appeals</b></p> <p><b>Definition of Medical Marihuana Growing and Harvesting Facility</b></p> <p><b>7 – Pharm Meds Limited</b></p>	<p>Shall mean a wholly enclosed building or structure used for growing, harvesting, testing, destroying, packaging, and shipping of marihuana for medical purposes as permitted under the Marihuana for Medical Purposes Regulations (MMPR) SOR/2013-119 made under the Controlled Substances Act as the MMPR read on March 31, 2014. The testing, packaging, and shipping shall be accessory to the growing and harvesting of the marihuana for medical purposes.</p>
<p><b>Mineral Aggregate Resources</b></p>	<p>Shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the <u>Aggregate Resources Act</u> suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the <u>Mining Act</u>.</p>
<p><b>Mineral Aggregate Operation</b></p>	<p>Shall mean:</p> <p>a) Lands under license or permit, other than for wayside pits and quarries, issued in accordance with the <u>Aggregate Resources Act</u>, or successors thereto;</p> <p>b) For lands not designated</p>

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	<p>under the <u>Aggregate Resources Act</u>, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit the continuation of the operation; and,</p> <p>c) Associated facilities used in extraction, transport, beneficiation, processing or recycling of Mineral Aggregate Resources, including concrete and asphalt recycling, and shall include a concrete batch plant, but shall not include an asphalt plant or the production of secondary related products.</p>
<b>Nursery</b>	<p>Shall mean an Agricultural operation for the growing of plants, shrubs, trees or similar vegetation and may include Accessory retailing of horticultural products grown on site and bulk product such as, but not limited to, soil, mulch and aggregate.</p>
<b>Salt Storage Facility</b>	<p>Shall mean the use of land, building or structure for the storage of road salt or salt/sand mixture which is transported to the site in bulk.</p>
<b>Seasonal Campground</b>	<p>Shall mean the use of land, building or structure for seasonal recreational tenting and camping facilities for recreational or vacation purposes and may include Accessory uses such as washrooms, laundry facilities, a convenience store, administrative offices, utility buildings</p>

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	and sports fields.
<b>Secondary</b>	Shall mean, when used to describe a use of land, building or structure, a use which is secondary to the principal use of the property.
<b>Veterinary Service – Farm Animal</b>	Shall mean an establishment where a veterinarian administers care for the cure, prevention and treatment of disease and injury to farm animals and that may also contain an animal enclosure for farm animals during the treatment period.

- b) That the definition of **Dwelling** be amended:

By adding the words “, or Farm Labour Residence.” after the words “recreational vehicle or tent.”

- c) That the definition of “**Kennel**” be deleted and replaced with the following definition:

“**Kennel**                      Shall mean the use of land, building or structure, or part thereof, for the breeding, raising, training, sheltering or boarding of dogs, cats and other domestic animals, but shall not include Veterinary Service and Veterinary Service – Farm Animal, or the keeping of farm animals as part of an Agricultural operation.”

3. That SECTION 4: GENERAL PROVISIONS of By-law 05-200 is hereby amended as follows:

- a) That Subsection 4.4 PUBLIC USES PERMITTED IN ALL ZONES, is deleted in its entirety and replaced with the following:

**“4.4 PUBLIC USES PERMITTED IN ALL ZONES**

Notwithstanding anything else in this By-law, a utility company, a communication company, the City or any of its local boards as defined in The Municipal Act, any communications or transportation system owned or operated by or for the City, and any agency of the Federal or Provincial Government, including Hydro One, may, for the purposes of the public service, use any land or erect or use any

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building in any zone subject to the use or building being in compliance with the most restrictive regulations contained in such zone for any use and the parking requirements of Section 5 of this By-law, for such use and subject to there being no outdoor storage of goods, materials or equipment in any yard abutting a Residential Zone or a Downtown D5 or Downtown D6 Zone or Settlement Residential (S1) Zone. Any buildings erected or used in a Residential Zone or a Downtown D5 or Downtown D6 Zone or Settlement Residential (S1) Zone under the provisions of this Section, shall be designed so as not to intrude into the residential character of the area. This exemption for use in any zone shall not apply to the Neighbourhood Park (P1) Zone, any use, land or building used by Hamilton Hydro, Hydro One or any communication company or utility company for executive or administrative offices, or retail purposes, or any land or building used by any local School Board, University or College. (By-law 06-166, June 14, 2006, By-law 07-321, November 14, 2007).”

b)

That Subsection 4.8.1 RESIDENTIAL ZONES, DOWNTOWN D5 AND DOWNTOWN D6 ZONES AND INSTITUTIONAL ZONES, be amended by adding the words “SETTLEMENT COMMERCIAL, SETTLEMENT INSTITUTIONAL AND SETTLEMENT RESIDENTIAL ZONES” after the words “INSTITUTIONAL ZONES”, so that it shall read as follows:

**“4.8.1 RESIDENTIAL ZONES, DOWNTOWN D5 AND DOWNTOWN D6 ZONES, INSTITUTIONAL ZONES, SETTLEMENT COMMERCIAL, SETTLEMENT INSTITUTIONAL AND SETTLEMENT RESIDENTIAL ZONES”**

c)

That the following new Subsection be added to SECTION 4:  
GENERAL PROVISIONS:

**“4.8.2 AGRICULTURE A1 ZONE, RURAL A2 ZONE, EXISTING RURAL COMMERCIAL E1 ZONE AND EXISTING RURAL INDUSTRIAL E2 ZONE**

- a) No accessory buildings or structures shall be located within a front yard.
- b) All buildings and structures accessory to an Agriculture use shall comply with all regulations under the Agriculture Regulations section of the A1 and A2 Zones.

**OMB Appeals**

**Accessory Structures  
(Storage Containers)  
in Settlement  
Residential (S1) Zone**

**9 – Greg Gowing**

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- c) All buildings accessory to a Single Detached Dwelling shall not exceed an area of 120 square metres and shall have a maximum building height of 6.0 metres.
- d) All buildings accessory to a Single Detached Dwelling shall have a minimum setback of 1.0 metres from a rear or side lot line.”
- d) That Subsection 4.12 VACUUM CLAUSE is amended by adding the following new clause:
  - “d) Notwithstanding any other provisions of this By-law, any lot within the Rural and Agricultural Zones of this By-law, and the location thereon of any building or structure, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this By-law.”
- e) That Subsection 4.21 a) is amended by adding the following new clause:
  - “x) Within the A1, A2, S1 and P6 Zones, an office of 1 physical or mental health practitioner, physician or dentist existing at the time of passing of this by-law.”
- f) That Subsection 4.23 d) Setback from a Conservation/Hazard Land (P5) Zone of Section 4.23 SPECIAL SETBACKS is hereby deleted in its entirety and replaced with the following:
  - “d) Setback from a Conservation/Hazard Land (P5) Zone, Conservation/Hazard Land Rural (P7) Zone and Conservation/Hazard Land Rural (P8) Zone  
  
All buildings or structures located on a property shall be setback a minimum of 7.5 metres from a P5, P7 and P8 Zone boundary.”
- g) That the following new Subsection be added to SECTION 4: GENERAL PROVISIONS:

**“4.28 MINIMUM DISTANCE SEPARATION FORMULAE**

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- a) That all development within the City of Hamilton be subject to the Minimum Distance Separation (MDS) formulae as established by the Province, as amended from time to time.
  - b) Notwithstanding a) above, where a new dwelling is proposed to be constructed on an existing lot less than 4.0 hectares in size, MDS I shall not be applied.
  - c) Notwithstanding a) above, where a new building other than buildings associated with agriculture are proposed to be constructed on an existing lot, MDS I shall not be applied.
- h) That the following new Subsection be added to SECTION 4: GENERAL PROVISIONS:

**“4.29 ENVIRONMENTAL IMPACT STATEMENT (EIS)**

An EIS may be required where development is proposed in or adjacent to an environmental feature in order to ensure that the environmental feature is appropriately protected against the impacts of development. Accordingly, an EIS may be required for development proposed on lands zoned P6, P7 and P8 as well as development proposed within 120 metres of natural features.”

- i) That the following new Subsection be added to SECTION 4: GENERAL PROVISIONS:

**“4.30 NIAGARA ESCARPMENT PLAN DEVELOPMENT CONTROL AREA**

Pursuant to Ontario Regulations 828/90, as amended from time to time, when lands are located within the Development Control Area defined under Ontario Regulation 826/90, as amended from time to time, and identified as “Niagara Escarpment Commission Development Control Area” on Schedule “A” – Zoning Maps, zoning shall have no effect and is provided for information purposes only.”

5. That SECTION 5: PARKING of By-law 05-200 is hereby amended as follows:

- a) That clause a) of Subsection 5.2 DESIGN STANDARDS of SECTION 5: PARKING, is hereby deleted in its entirety and replaced with the following:

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**“5.2 DESIGN STANDARDS**

- a) Where a parking lot is situated on a lot which abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown D5 or Downtown D6 Zone, a visual barrier shall be provided and maintained along that portion of the lot line that abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown D5 Zone or Downtown D6 Zone in accordance with Section 4.19 of this By-law;”
- b) That Subsection 5.3 COMMERCIAL MOTOR VEHICLES of SECTION 5: PARKING, is hereby deleted in its entirety and replaced with the following:

**“5.3 COMMERCIAL MOTOR VEHICLES**

- a) In any Residential Zone, Downtown D5 Zone, Downtown D6 Zone, or  
Settlement Residential S1 Zone, Commercial Motor Vehicles:
  - i) Shall not be stored or parked except within a fully enclosed building; and,
  - ii) Notwithstanding Subsection i) above, any commercial motor vehicle may attend residential properties for the purpose of delivery or service only.
- b) In any Agricultural A1 Zone or Rural A2 Zone,
  - i) A maximum of 1 Commercial Motor Vehicle may be parked unenclosed, provided it is setback a minimum of 20 metres from any lot line and 50 metres from a dwelling on an adjacent lot.
  - ii) Notwithstanding the definition of Commercial Motor Vehicle, Section i) above does not apply to the storage or parking of agricultural vehicles and equipment associated with an agricultural operation.”
- c) That Subsection 5.4 MAJOR RECREATIONAL EQUIPMENT of SECTION 5: PARKING, be amended by relabeling the existing clause as a), and adding the words “or Settlement Residential S1 Zone” after the words “Downtown D6 Zone” in the first line, and by adding the following new clause:

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- “b) In any Rural Zone, Major Recreational Equipment:
- i) May be stored enclosed;
  - ii) Shall not be stored in the minimum required front yard or flankage yard;
  - iii) May be stored in a rear yard or side yard provided that the Major Recreational Equipment is screened with a visual barrier in accordance with Section 4.19 of this By-law, and has a minimum setback of 1.2 metres from the side or rear lot line;
  - iv) Notwithstanding Subsections i), ii) and iii) herein, Major Recreational Equipment may be parked on a driveway wholly inside the lot line between May 1<sup>st</sup> and October 31<sup>st</sup> in each year.
  - v) Storage of Major Recreational Equipment shall only be permitted for Major Recreational Equipment owned by a resident of the lot.”
- d) That Subsection 5.6 c) Parking Schedule for all Zones, except the Downtown Zones of Subsection 5.6 PARKING SCHEDULES of SECTION 5: PARKING, be amended by adding the following new sub-section:

<b>“vi. Uses in A1 and A2 Zones</b>	
Farm Product Supply Dealer	1 for each 30.0 square metres of gross floor area which accommodates the Showroom component of the use.
Kennel	1 for each 30.0 square metres of gross floor area which accommodates the Office and Retail component of the use.
Residential Care Facility	1 for each 3 persons accommodated or designed for accommodation.
Single Detached Dwelling	1 for each dwelling unit.
Uses not listed above	No minimum parking required.”

6. That SECTION 7: OPEN SPACE AND PARK ZONES is hereby amended as follows:

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- a) That Subsection 7.4.1 – Permitted Uses of Section 7.4 – Open Space (P4) Zone be amended by adding the words “Seasonal Campground” following the words “Recreation”.
- b) That the following new subsections are added:

**“7.6 CONSERVATION/HAZARD LAND RURAL (P6) ZONE**

***Explanatory Note:*** *The P6 Zone applies to all lands identified as an Environmentally Significant Area or Earth Science ANSI in the Rural Hamilton Official Plan. In addition, the P6 Zone is also applied to all lands identified as a Key Natural Heritage Feature outside of the Greenbelt Natural Heritage System, identified in the Rural Hamilton Official Plan.*

*New development within the P6 Zone may require the approval of a Site Plan Control application, including the submission of an Environmental Impact Statement, to demonstrate that there will be no negative impact on Core Area features, as identified in the Rural Hamilton Official Plan, as a result of the proposed development, prior to the development proceeding.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Conservation/Hazard Land Rural (P6) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

<b>7.6.1</b>	<b>PERMITTED USES</b>	Agriculture Conservation Flood and Erosion Control Facilities Recreation, Passive Secondary Uses to Agriculture Single Detached Dwelling	
<b>7.6.2</b>	<b>REGULATIONS</b>		
<b>7.6.2.1</b>	<b>AGRICULTURE REGULATIONS</b>		
a)	New Buildings and Structures	i)	Shall not be permitted on a vacant lot.
		ii)	Shall be in accordance with the requirements of Sections 12.1.3.1 and 4.8.2.

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	b) Expansions to Existing Buildings and Structures		Shall be in accordance with the requirements of Section 12.1.3.1 and 4.8.2.
<b>7.6.2.2</b>	<b>SECONDARY USES TO AGRICULTURE – ADDITIONAL REGULATIONS</b>		In addition to Section 12.1.3.1, the following additional regulations shall apply to Secondary Uses to Agriculture:
	a) Shall not be permitted on a vacant lot.		
	b) Uses Permitted as Secondary to Agriculture		Agricultural Processing Establishment – Secondary Agricultural Research Operation Agritourism Home Industry Kennel Agricultural Brewery/Cidery/Winery Landscape Contracting Establishment – Secondary
	c) Minimum Lot Area		Notwithstanding Sections 12.1.3.1 a) and 4.12 d), Secondary Uses to Agriculture shall only be permitted on a lot with a minimum lot area of 5.0 hectares.
	d) Limitation on Uses		Notwithstanding Section 7.6.2.2 a), only one Home Industry or one Landscape Contracting Establishment – Secondary shall be permitted per lot.
	e) Agricultural Processing Establishment - Secondary	i)	The maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment - Secondary shall not exceed 500.0 square metres;
		ii)	Notwithstanding Sections 12.1.3.1

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			b), c) and d), all buildings or structures associated with an Agricultural Processing Establishment - Secondary shall be setback a minimum of 30.0 metres from any lot line;
		iii)	Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 12.1.3.1 f), and shall not exceed an aggregate area of 100.0 square metres;
f)	Agritourism		The maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.
g)	Home Industry	i)	All buildings or structures used as part of the Home Industry shall be setback a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;
		ii)	Shall be operated by a resident of the property, with no more than 3 non-resident employees;
		iii)	Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 12.1.3.1 f), and shall not exceed an aggregate area of 100.0 square metres;
		iv)	In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Home Industry may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does

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			not apply to the storage or parking of Agricultural vehicles and equipment;
	h) Kennel	i)	The maximum gross floor area for all buildings and structures devoted to a Kennel use shall be 500.0 square metres;
		ii)	Notwithstanding Sections 12.1.3.1 b), c) and d), all buildings or structures associated with a Kennel shall be setback a minimum of 60.0 metres from any lot line;
		iii)	No domestic animals shall be permitted to be kept in any open area within 60.0 metres of any lot line.
	i) Agricultural Brewery/Cidery/Winery	i)	Notwithstanding Sections 12.1.3.1 a), 12.1.3.2 b), and 4.12 d), an Agricultural Brewery/Cidery/Winery shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing of grapes, fruits, hops or other produce directly associated with on-site beer, cider or wine production;
		ii)	The maximum building area devoted to an Agricultural Brewery/Cidery/Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.
	j) Landscape Contracting	i)	Notwithstanding Section 12.1.3.2

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	Establishment – Secondary		a), a Landscape Contracting Establishment – Secondary shall only be permitted as a use Secondary to a Nursery;
	<div style="border: 1px solid black; padding: 5px;"> <p><b>OMB Appeals</b></p> <p><b>Landscape Contracting Establishment – Secondary Regulations</b></p> <p><b>1 - CROP</b></p> </div>	ii)	<p>In addition to Section 12.1.3.2 b),</p> <ol style="list-style-type: none"> <li>1. A minimum of 65 percent of the lot area zoned Agriculture (A1), Rural (A2) and/or Conservation/Hazard Land – Rural (P6) shall be used for the growing of plants, shrubs, trees or similar vegetation as part of the Nursery operation, and may include the growing of other Agricultural products; and,</li> <li>2. In no cases shall the Nursery and Agricultural growing area be less than 3.0 hectares in size.</li> </ol>
		iii)	All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be setback a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;
		iv)	Notwithstanding Section 12.1.3.1 f), outdoor storage of goods, materials or equipment shall not exceed an aggregate area of 100.0 square metres, and shall be setback a minimum of 30 metres from any lot line and screened by a visual barrier in accordance with Section 4.19 of this By-law.
		v)	In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Landscape

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			Contracting Establishment - Secondary may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles - Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles or equipment or parking of employee Motor Vehicles.
<b>7.6.2.3</b>	<b>SINGLE DETACHED DWELLING REGULATIONS</b>		
a)	New Buildings and Structures	i)	Shall not be permitted on a vacant lot.
		ii)	Shall be in accordance with the requirements of Sections 12.1.3.3 and 4.8.2.
b)	Expansions to Existing Buildings and Structures		Shall be in accordance with Sections 12.1.3.3 (c), (d), (e), and (f) and 4.8.2.

**7.7 CONSERVATION/HAZARD LAND RURAL (P7) ZONE**

***Explanatory Note:*** *The P7 Zone applies to all lands identified as a Key Hydrologic Feature, with the exception of Provincially Significant Wetlands, in the Rural Hamilton Official Plan. In addition, the P7 Zone is also applied to all lands identified as a Key Natural Heritage Feature within the Greenbelt Natural Heritage System, identified in the Rural Hamilton Official Plan.*

*New development within the P7 Zone may require the approval of a Site Plan Control application, including the submission of an Environmental Impact Statement, to demonstrate that there will be no negative impact on Core Area features, as identified in the Rural Hamilton Official Plan, as a result of the proposed development, prior to the development proceeding.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Conservation/Hazard Land Rural (P7) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:





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**STRUCTURE,  
INCLUDING EXISTING  
SINGLE DETACHED  
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is demolished in whole or in part may be rebuilt provided the setbacks to the building or structure which had existed on the date of passing of the By-law are maintained.

- ii) Notwithstanding (i) above, a maximum encroachment of up to 10% of the existing setbacks, as determined through (i) above, may be permitted.

**7.8 CONSERVATION/HAZARD LAND RURAL (P8) ZONE**

***Explanatory Note:** The P8 Zone applies to all lands identified as a Provincially Significant Wetland in the Rural Hamilton Official Plan.*

*New development within the P8 Zone may require the approval of a Site Plan Control application, including the submission of an Environmental Impact Statement, to demonstrate that there will be no negative impact on Core Area features, as identified in the Rural Hamilton Official Plan, as a result of the proposed development, prior to the development proceeding.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Conservation/Hazard Land Rural (P8) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**7.8.1 PERMITTED USES**

Agriculture  
Conservation  
Existing Single Detached Dwelling  
Flood and Erosion Control Facilities  
Recreation, Passive

**7.8.2 REGULATIONS**

**7.8.2.1 REGULATIONS FOR  
AGRICULTURE AND  
EXISTING SINGLE  
DETACHED DWELLING**

New buildings or structures, or expansions to existing buildings and structures, shall not be permitted.

**7.8.2.2 REGULATIONS FOR  
REPLACEMENT OF AN  
EXISTING BUILDING OR  
STRUCTURE,**

- i) Notwithstanding Section 7.8.2.1 above, an existing building or structure which is demolished in whole or in part may be rebuilt

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**INCLUDING EXISTING  
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provided the setbacks to the building or structure which had existed on the date of passing of the By-law are maintained.

- ii) Notwithstanding (i) above, a maximum encroachment of up to 10% of the existing setbacks, as determined through (i) above, may be permitted.”

7. That SECTION 9: INDUSTRIAL ZONES of By-law 05-200 is hereby amended by adding the following new subsection:

**“9.12 EXTRACTIVE INDUSTRIAL (M12) ZONE**

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within an Extractive Industrial (M12) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

- |   |  |
|---|--|
| <b>9.12.1 PERMITTED USES</b>            | Agriculture<br>Conservation<br>Mineral Aggregate Operation<br>Recreation, Passive<br>Secondary Uses to Agriculture |
| <b>9.12.2 PROHIBITED USES</b>           | A snow storage facility that is greater than 0.01 ha in size below the water table.                                |
| <b>9.12.3 REGULATIONS</b>               |  |
| <b>9.12.3.1 AGRICULTURE REGULATIONS</b> |  |
| a) Minimum Lot Area                     | 40.4 hectares  |
| b) Minimum Front Yard                   | 15.0 metres  |
| c) Minimum Side Yard                    | 15.0 metres  |
| d) Minimum Rear Yard                    | 15.0 metres  |
| e) Maximum Lot Coverage                 | i) 20%;  |

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- ii) Notwithstanding i) above, the maximum lot coverage for greenhouse operations shall be 70%.
  
- f) Outdoor Storage
  - i) Shall not be permitted in any Front Yard or Flankage Yard;
  - ii) Shall be located a minimum of 20.0 metres from any lot line, and screened by a visual barrier in accordance with Section 4.19 of this By-law;
  - iii) Sections i) and ii) above do not apply to the storage or parking of Agricultural vehicles or equipment.
  
- g) Accessory Buildings
  - In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law.
  
- h) Parking
  - In accordance with the requirements of Section 5 of this By-law.
  
- i) Small Scale Retailing of Agricultural Products
  - i) The maximum gross floor area of all buildings and structures devoted to retailing of agricultural products grown primarily as part of the farm operation, exclusive of a Farm Produce/Product Stand, shall be 200.0 square metres;
  - ii) Shall not be permitted within a Dwelling or a Farm Labour Residence;
  - iii) In addition to Section 9.12.3.1 i) i), the maximum gross floor area of a Farm Produce/Product Stand shall be 18.5 square metres;
  - iv) Notwithstanding Sections 9.12.3.1 b), c) and d) and Section 4.8.2 a), a Farm Produce/Product Stand shall be permitted in any yard.
  
- j) Farm Labour Residence
  - i) A maximum of one Farm Labour

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Residence shall be permitted on a lot.

ii) Where a Farm Labour Residence is in the form of a temporary detached dwelling or temporary bunk house, the following regulations shall apply:

1. Shall be located within 30.0 metres of the farm Dwelling.
2. Shall have a maximum building height of 10.5 metres.
3. Shall utilize the existing driveway access to the farm dwelling.
4. Any temporary detached dwelling shall have a minimum floor area of 65.06 square metres, and a maximum floor area of 116.2 square metres.
5. Any temporary bunk house shall have a minimum gross floor area of 65.06 square metres or 8.36 square metres per resident, whichever is greater.

iii) Where a Farm Labour Residence is in the form of an Accessory apartment attached to and forming part of the principal farm Dwelling, the Accessory apartment shall not exceed 25% of the gross floor area of the principal farm Dwelling.

k) Mushroom Operations      i) Notwithstanding Sections 9.12.3.1 b), c), and d) above, any buildings or structures used for a Mushroom Operation shall be setback a minimum of 30.0 metres from any lot line;

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- ii) No stockpiles of waste, manure, fertilizers or compost shall be permitted within 30.0 metres of any lot line.
- l) Nursery
  - i) Retailing of horticultural products and bulk material shall be in accordance with Section 9.12.3.1 i);
  - ii) The outdoor storage of unenclosed piles of bulk product for retail purposes shall not exceed an aggregate area of 100.0 square metres.

m) **Medical Marihuana Growing and Harvesting Facility**

**OMB Appeals**

**Medical Marihuana Growing and Harvesting Facility Regulations**

**7 – Pharm Meds Limited**

- i) **The maximum gross floor area for all new buildings and structures devoted to a Medical Marihuana Growing and Harvesting Facility shall not exceed 2,000.0 square metres;**
- ii) **Notwithstanding Section 9.12.3.1 m) i) above, existing buildings may be used for a Medical Marihuana Growing and Harvesting Facility;**
- iii) **Notwithstanding Sections 9.12.3.1 b), c) and d) above, all buildings or structures associated with the use shall be setback a minimum of 20.0 metres from any lot line;**
- iv) **Notwithstanding Sections 9.12.3.1 f) i), ii) and iii) above, outdoor storage shall not be permitted;**
- v) **Notwithstanding Sections 9.12.3.1 i) i), ii), iii) and iv) above, retail sales shall not be permitted.**

**9.12.3.2 SECONDARY USES TO AGRICULTURE – ADDITIONAL REGULATIONS**

In addition to Section 9.12.3 above, the following additional regulations shall apply to Secondary Uses to Agriculture:

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- |  |   |
|--|---|
| a) Uses Permitted as Secondary to Agriculture        | Agricultural Processing Establishment – Secondary<br>Agricultural Research Operation<br>Agritourism<br>Home Industry<br>Kennel<br>Agricultural Brewery/Cidery/Winery<br>Landscape Contracting Establishment – Secondary   |
| b) Minimum Lot Area                                  | Notwithstanding Sections 9.12.3.1 a) and 4.12 d), Secondary Uses to Agriculture shall have a minimum lot area of 5.0 hectares.  |
| c) Limitations on Use                                | Notwithstanding Section 9.12.3.2 a) a), only one Home Industry or one Landscape Contracting Establishment – Secondary shall be permitted per lot.   |
| d) Agricultural Processing Establishment - Secondary | i) The maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment - Secondary shall not exceed 500.0 square metres;<br><br>ii) Notwithstanding Sections 9.12.3.1 b), c), and d), all buildings or structures associated with the Agricultural Processing Establishment – Secondary shall be setback a minimum of 30.0 metres from any lot line;<br><br>iii) Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 9.12.3.1 f), and shall not exceed an aggregate area of 100.0 square metres; |
| e) Agritourism                                       | The maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.  |

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- f) Home Industry
- i) All buildings or structures used as part of the Home Industry shall be setback a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;
  - ii) Shall be operated by a resident of the property, with no more than 3 non-resident employees.
  - iii) Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 9.12.3.1 f), and shall not exceed an aggregate area of 100.0 square metres.
  - iv) Notwithstanding Section 5.3 b), a maximum of three Motor Vehicles associated with the Home Industry or Landscape Contracting Establishment may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles and equipment.
- g) Kennel
- i) The maximum gross floor area for all buildings and structures devoted to a Kennel use shall be 500.0 square metres.
  - ii) Notwithstanding Sections 9.12.3.1 b), c), and d), all buildings or structures associated with a Kennel shall be setback a minimum of 60.0 metres from any lot line;
  - iii) No domestic animals shall be permitted to be kept in any open area within 60.0 metres of any lot

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line.

h) Agricultural  
Brewery/Cidery/Winery

i) Notwithstanding Sections 9.12.3.1 a), 9.12.3.2 b), and 4.12 d), an Agricultural Brewery/Cidery/Winery shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing production of grapes, fruits, hops or other produce directly associated with on-site beer, cider or wine production;

ii) The maximum building area devoted to an Agricultural Brewery/Cidery/ Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.

i) Landscape Contracting Establishment – Secondary

i) Notwithstanding Section 9.12.3.2 a), a Landscape Contracting Establishment – Secondary shall only be permitted as a use Secondary to a Nursery.

<b>OMB Appeals</b>
<b>Landscape Contracting Establishment – Secondary Regulations</b>
<b>1 - CROP</b>

ii) In addition to Section 9.12.3.2 b),

1. A minimum of 65 percent of the lot area zoned Agriculture (A1), Rural (A2) and/or Conservation/Hazard Land – Rural (P6) shall be used for the growing of plants, shrubs, trees or similar vegetation as part of the Nursery operation, and may include the growing of other Agricultural products; and,

2. In no cases shall the Nursery

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and Agricultural growing area  
be less than 3.0 hectares in  
size.

- iii) All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be setback a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;
- iv) Notwithstanding Section 9.12.3.1 f), outdoor storage of goods, materials or equipment shall not exceed an aggregate area of 100.0 square metres, and shall be setback a minimum of 30 metres from any lot line and screened by a visual barrier in accordance with Section 4.19 of this By-law.
- v) In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Landscape Contracting Establishment – Secondary may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles or equipment or parking of employee Motor Vehicles.

**9.12.3.4 MINERAL AGGREGATE  
OPERATION  
REGULATIONS**

- a) Minimum Setback for Excavation
  - i) 30.0 metres from any portion of a property lot line abutting a Settlement Residential (S1) Zone;
  - ii) 30.0 metres from any portion of a

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- property lot line abutting a property which contains a residential use;
- iii) 30.0 metres from a street line;
  - iv) 15.0 metres from all other property lot lines, but shall not be required adjacent to lands zoned Extractive Industrial (M12) Zone.
- b) Minimum Setback for buildings or structures, including processing plants
- i) 90.0 metres from any portion of a property lot line abutting a Settlement Residential (S1) Zone;
  - ii) 90.0 metres from any portion of a property lot line abutting a property which contains a residential use;
  - iii) 30.0 metres from all other property lot lines, but shall not be required adjacent to lands zoned Extractive Industrial (M12) Zone.
- c) Restriction on Location of Stockpiles of Aggregate, Topsoil, or Overburden
- i) Shall not be located within 90.0 metres of a lot line abutting a Settlement Residential (S1) Zone or containing a residential use;
  - ii) Shall not be located within 30.0 metres of all other lot lines, except where adjacent to lands zoned Extractive Industrial (M12) Zone.
- d) Landscape and Fencing Requirements
- i) A minimum 1.2 metre high fence shall be provided and maintained around the licensed boundary of a Mineral Aggregate Operation, but shall not be required adjacent to lands zoned Extractive Industrial (M12) Zone;
  - ii) A Planting Strip having a minimum width of 6.0 metres shall be provided and maintained adjacent to a street line and to any lot line abutting a Settlement Residential

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S1) Zone or containing a residential use, and may include a berm or fence.

e) Accessory Buildings                      In accordance with the requirements of Section 4.8 of this By-law.

f) Parking                                      In accordance with the requirements of Section 5 of this By-law.”

8. That SECTION 12: RURAL ZONES is added to By-law 05-200 by including the following new subsections:

**“12.1 AGRICULTURE (A1) ZONE**

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within an Agriculture (A1) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**12.1.1      PERMITTED USES**                      Agriculture  
Residential Care Facility  
Secondary Uses to Agriculture  
Single Detached Dwelling  
Veterinary Service – Farm Animal

**12.1.2      PROHIBITED USES**                      The following uses are prohibited, as follows:

a) For lands located within Vulnerable Area 1 as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule “F”- Special Figures:

i) Waste Disposal sites under Part V of Environmental Protection Act that include the following activities:

- 1) storage, treatment and discharge of mine tailings;
- 2) land farming of petroleum refining waste;
- 3) storage of polychlorinated

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- biphenyl (PCB) waste;
  - 4) application of untreated septage to land;
  - 5) injection of liquid waste into a well;
  - 6) storage of hazardous waste.
- ii) hazardous waste management facility
  - iii) waste management facility
  - iv) Salt Storage Facility that can accommodate 5,000 tonnes and greater
  - v) snow storage facility greater than 1 ha in size
  - vi) Motor Vehicle Service Station
  - vii) motor vehicle collision repair establishment
- b) For lands located within Vulnerable Area 2, as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
- i) Waste Disposal sites under Part V of Environmental Protection Act that include the injection of liquid waste into a well;
  - ii) waste disposal facility
- c) For lands located within Vulnerable Area 3 as delineated on Figure 5.0 of Schedule "F"-Special Figures:
- i) Waste Disposal sites under Part V of Environmental Protection Act that include

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the application of untreated  
septage to land.

- d) Notwithstanding Section 12.1.1 and the definition of Agriculture, for lands located within Lower Stoney Creek as delineated on Figure 6.0 of Schedule "F" – Special Figures:
  - i) Medical Marihuana Growing and Harvesting Facility;
  - ii) aquaponics facility.

**12.1.3 REGULATIONS**

**12.1.3.1 AGRICULTURE AND  
VETERINARY SERVICE  
– FARM ANIMAL  
REGULATIONS**

- a) Minimum Lot Area
  - i) 40.4 hectares;
  - ii) Notwithstanding i) above, for the lots delineated on Figure "7.0" - Specialty Crop of Schedule "F" – Special Figures, the minimum Lot Area shall be 16.2 hectares.
- b) Minimum Front Yard 15.0 metres
- c) Minimum Side Yard 15.0 metres
- d) Minimum Rear Yard 15.0 metres
- e) Maximum Lot Coverage
  - i) 20%;
  - ii) Notwithstanding i) above, the maximum lot coverage for greenhouse operations shall be 70%.
- f) Outdoor Storage
  - i) Shall not be permitted in any minimum Front Yard or minimum Flankage Yard;

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- ii) Shall be located a minimum of 10 metres from any lot line, and screened by a visual barrier in accordance with Section 4.19 of this By-law;
  - iii) Sections i) and ii) above do not apply to the storage or parking of Agricultural vehicles or equipment.
  
- g) Accessory Buildings In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law.
  
- h) Parking In accordance with the requirements of Section 5 of this By-law.
  
- i) Small Scale Retailing of Agricultural Products
  - i) The maximum gross floor area of all buildings and structures devoted to retailing of agricultural products grown primarily as part of the farm operation, exclusive of a Farm Produce/Product Stand, shall be 200.0 square metres;
  - ii) Shall not be permitted within a Dwelling or a Farm Labour Residence;
  - iii) In addition to Section 12.1.3.1 i) i), the maximum gross floor area of a Farm Produce/Product Stand shall be 18.5 square metres;
  - iv) Notwithstanding Sections 12.1.3.1 b), c) and d) and Section 4.8.2 a), a Farm Produce/Product Stand shall be permitted in any yard.
  
- j) Farm Labour Residence
  - i) A maximum of one Farm Labour Residence shall be permitted on a lot;
  - ii) Where a Farm Labour Residence is in the form of a temporary detached

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dwelling or temporary bunk house,  
the following regulations shall apply:

1. Shall be located within 30 metres of the farm Dwelling.
  2. Shall have a maximum building height of 10.5 metres.
  3. Shall utilize the existing driveway access to the farm Dwelling.
  4. Any temporary detached dwelling shall have a minimum floor area of 65.06 square metres, and a maximum floor area of 116.2 square metres.
  5. Any temporary bunk house shall have a minimum gross floor area of 65.06 square metres or 8.36 square metres per resident, whichever is greater.
- iii) Where a Farm Labour Residence is in the form of an Accessory apartment attached to and forming part of the principal farm Dwelling, the Accessory apartment shall not exceed 25% of the gross floor area of the principal farm Dwelling.
- k) Mushroom Operations
- i) Notwithstanding Sections 12.1.3.1 b), c), and d) above, any buildings or structures used for a Mushroom Operation shall be setback a minimum of 30.0 metres from any lot line;
  - ii) No stockpiles of waste, manure, fertilizers or compost shall be permitted within 30.0 metres of any

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lot line.

i) Nursery

i) Retailing of horticultural products and bulk material shall be in accordance with Section 12.1.3.1 i);

ii) The outdoor storage of unenclosed piles of bulk product for retail purposes shall not exceed an aggregate area of 100.0 square metres.

m) Medical Marihuana Growing and Harvesting Facility

i) The maximum gross floor area for all new buildings and structures devoted to a Medical Marihuana Growing and Harvesting Facility shall not exceed 2,000.0 square metres;

<p><b>OMB Appeals</b></p> <p><b>Medical Marihuana Growing and Harvesting Facility Regulations</b></p> <p><b>7 – Pharm Meds Limited</b></p>
--

ii) Notwithstanding Section 12.1.3.1 m) i) above, existing buildings may be used for a Medical Marihuana Growing and Harvesting Facility;

iii) Notwithstanding Sections 12.1.3.1 b), c) and d) above, all buildings or structures associated with the use shall be setback a minimum of 20.0 metres from any lot line;

iv) Notwithstanding Sections 12.1.3.1 f) i), ii) and iii) above, outdoor storage shall not be permitted;

v) Notwithstanding Sections 12.1.3.1 i) i), ii), iii) and iv) above, retail sales shall not be permitted.

**12.1.3.2 SECONDARY USES TO AGRICULTURE – ADDITIONAL REGULATIONS**

In addition to Section 12.1.3.1 above, the following additional regulations shall apply to Secondary Uses to Agriculture:

a) Uses Permitted as Secondary to Agriculture

Agricultural Processing Establishment – Secondary  
Agricultural Research Operation

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Agritourism  
Home Industry  
Kennel  
Agricultural Brewery/Cidery/Winery  
Landscape Contracting Establishment –  
Secondary

- b) Minimum Lot Area Notwithstanding Sections 12.1.3.1 a) and 4.12 d), Secondary Uses to Agriculture shall only be permitted on a lot with a minimum lot area of 5.0 hectares.
- c) Limitation on Uses Notwithstanding Section 12.1.3.2 a), only one Home Industry or one Landscape Contracting Establishment – Secondary shall be permitted per lot.
- d) Agricultural Processing Establishment - Secondary
- i) The maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment - Secondary shall not exceed 500.0 square metres;
  - ii) Notwithstanding Sections 12.1.3.1 b), c) and d), all buildings or structures associated with an Agricultural Processing Establishment - Secondary shall be setback a minimum of 30.0 metres from any lot line;
  - iii) Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 12.1.3.1 f), and shall not exceed an aggregate area of 100.0 square metres;
- e) Agritourism The maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.

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- f) Home Industry
- i) All buildings or structures used as part of the Home Industry shall be setback a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;
  - ii) Shall be operated by a resident of the property, with no more than 3 non-resident employees;
  - iii) Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 12.1.3.1 f), and shall not exceed an aggregate area of 100.0 square metres;
  - iv) In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Home Industry may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles and equipment.
- g) Kennel
- i) The maximum gross floor area for all buildings and structures devoted to a Kennel use shall be 500.0 square metres;
  - ii) Notwithstanding Sections 12.1.3.1 b), c) and d), all buildings or structures associated with a Kennel shall be setback a minimum of 60.0 metres from any lot line;
  - iii) No domestic animals shall be permitted to be kept in any open area within 60.0 metres of any lot line.

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h) Agricultural  
Brewery/Cidery/Winery

i) Notwithstanding Sections 12.1.3.1 a), 12.1.3.2 b), and 4.12 d), an Agricultural Brewery/Cidery/Winery shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing of grapes, fruits, hops or other produce directly associated with on-site beer, cider or wine production;

ii) The maximum building area devoted to an Agricultural Brewery/Cidery/Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.

i) Landscape Contracting Establishment – Secondary

i) Notwithstanding Section 12.1.3.2 a), a Landscape Contracting Establishment – Secondary shall only be permitted as a use Secondary to a Nursery;

<b>OMB Appeals</b>
<b>Landscape Contracting Establishment – Secondary Regulations</b>
<b>1 - CROP</b>

ii) In addition to Section 12.1.3.2 b),

1. A minimum of 65 percent of the lot area zoned Agriculture (A1), Rural (A2) and/or Conservation/Hazard Land – Rural (P6) shall be used for the growing of plants, shrubs, trees or similar vegetation as part of the Nursery operation, and may include the growing of other Agricultural products; and,

2. In no cases shall the Nursery and Agricultural growing area be less than 3.0 hectares in size.

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- iii) All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be setback a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;
- iv) Notwithstanding Section 12.1.3.1 f), outdoor storage of goods, materials or equipment shall not exceed an aggregate area of 100.0 square metres, and shall be setback a minimum of 30 metres from any lot line and screened by a visual barrier in accordance with Section 4.19 of this By-law.
- v) In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Landscape Contracting Establishment – Secondary may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles or equipment or parking of employee Motor Vehicles.

**12.1.3.3 SINGLE DETACHED  
DWELLING AND  
RESIDENTIAL CARE  
FACILITY  
REGULATIONS**

- a) Minimum Lot Area            0.4 hectares
- b) Minimum Lot Width            30.0 metres
- c) Maximum Building Height    10.5 metres

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- |   |   |
|---|---|
| d) Minimum Front Yard                             | 10.0 metres   |
| e) Minimum Side Yard                              | 3.0 metres  |
| f) Minimum Rear Yard                              | 10.0 metres   |
| g) Maximum Capacity for Residential Care Facility | Shall not exceed 10 residents.  |
| h) Home Business Regulations                      | In accordance with the requirements of Section 4.21 of this By-law.           |
| i) Accessory Buildings                            | In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law. |
| j) Parking  | In accordance with the requirements of Section 5 of this By-law.              |

**12.2 RURAL (A2) ZONE**

---

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Rural (A2) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**12.2.1 PERMITTED USES**

Abattoir  
Agriculture  
Agricultural Processing Establishment - Stand Alone  
Agricultural Storage Establishment  
Farm Product Supply Dealer  
Kennel  
Livestock Assembly Point  
Residential Care Facility  
Secondary Uses to Agriculture  
Single Detached Dwelling  
Veterinary Service – Farm Animal

**12.2.2 PROHIBITED USES**

The following uses are prohibited, as follows:

- a) For lands located within Vulnerable Area 1 as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"- Special Figures:
  - i) Waste Disposal sites under

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Part V of Environmental Protection Act that include the following activities:

- 1) storage, treatment and discharge of mine tailings;
  - 2) land farming of petroleum refining waste;
  - 3) storage of polychlorinated biphenyl (PCB) waste;
  - 4) application of untreated septage to land
  - 5) injection of liquid waste into a well
  - 6) storage of hazardous waste
- 
- ii) hazardous waste management facility
  - iii) waste management facility
  - iv) Salt Storage Facility that can accommodate 5,000 tonnes and greater
  - v) snow storage facility greater than 1 ha in size
  - vi) Motor Vehicle Service Station
  - vii) motor vehicle collision repair establishment
- 
- b) For lands located within Vulnerable Area 2, as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
- i) Waste Disposal sites under Part V of Environmental Protection Act that include

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the injection of liquid waste  
into a well;

- ii) waste disposal facility
- c) For lands located within Vulnerable Area 3 as delineated on Figure 5.0 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the application of untreated septage to land.

**12.2.3 REGULATIONS**

**12.2.3.1 AGRICULTURE AND  
VETERINARY SERVICE  
– FARM ANIMAL  
REGULATIONS**

- a) Minimum Lot Area 40.4 hectares
- b) Minimum Front Yard 15.0 metres
- c) Minimum Side Yard 15.0 metres
- d) Minimum Rear Yard 15.0 metres
- e) Maximum Lot Coverage
  - i) 20%;
  - ii) Notwithstanding i) above, the maximum lot coverage for greenhouse operations shall be 70%.
- f) Outdoor Storage
  - i) Shall not be permitted in any minimum Front Yard or minimum Flankage Yard;
  - ii) Shall be located a minimum of 10.0 metres from any lot line, and screened by a visual barrier in accordance with Section 4.19 of this

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2. Shall have a maximum building height of 10.5 metres.
  3. Shall utilize the existing driveway access to the farm Dwelling.
  4. Any temporary detached dwelling shall have a minimum floor area of 65.06 square metres, and a maximum floor area of 116.2 square metres.
  5. Any temporary bunk house shall have a minimum gross floor area of 65.06 square metres or 8.36 square metres per resident, whichever is greater.
- iii) Where a Farm Labour Residence is in the form of an Accessory apartment attached to and forming part of the principal farm Dwelling, the Accessory apartment shall not exceed 25% of the gross floor area of the principal farm Dwelling.
- k) Mushroom Operations
- i) Notwithstanding Sections 12.2.3.1 b), c), and d) above, any buildings or structures used for a Mushroom Operation shall be setback a minimum of 30.0 metres from any lot line;
  - ii) No stockpiles of waste, manure, fertilizers or compost shall be permitted within 30.0 metres of any lot line.
- l) Nursery
- i) Retailing of horticultural products and bulk material shall be in accordance with Section 12.2.3.1 i);
  - ii) The outdoor storage of unenclosed

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piles of bulk product for retail purposes shall not exceed an aggregate area of 100.0 square metres.

m) Medical Marihuana Growing and Harvesting Facility

i) The maximum gross floor area for all new buildings and structures devoted to a Medical Marihuana Growing and Harvesting Facility shall not exceed 2,000.0 square metres;

<p><b>OMB Appeals</b></p> <p><b>Medical Marihuana Growing and Harvesting Facility Regulations</b></p> <p><b>7 – Pharm Meds Limited</b></p>
--

ii) Notwithstanding Section 12.2.3.1 m) i) above, existing buildings may be used for a Medical Marihuana Growing and Harvesting Facility;

iii) Notwithstanding Sections 12.2.3.1 b), c) and d) above, all buildings or structures associated with the use shall be setback a minimum of 20.0 metres from any lot line;

iv) Notwithstanding Sections 12.2.3.1 f) i), ii) and iii) above, outdoor storage shall not be permitted;

v) Notwithstanding Sections 12.2.3.1 i) i), ii), iii) and iv) above, retail sales shall not be permitted.

**12.2.3.2 SECONDARY USES TO AGRICULTURE – ADDITIONAL REGULATIONS**

In addition to Section 12.2.3.1 above, the following additional regulations shall apply to Secondary Uses to Agriculture:

a) Uses Permitted as Secondary to Agriculture

- Agricultural Processing Establishment – Secondary
- Agricultural Research Operation
- Agritourism
- Home Industry
- Agricultural Brewery/Cidery/Winery
- Landscape Contracting Establishment – Secondary

b) Minimum Lot Area

Notwithstanding Sections 12.2.3.1 a) and

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4.12d), Secondary Uses to Agriculture shall have a minimum lot area of 5.0 hectares.

- c) Limitation on Uses Notwithstanding Section 12.2.3.2 a), only one Home Industry or one Landscape Contracting Establishment – Secondary shall be permitted per lot.
- d) Agricultural Processing Establishment - Secondary
- i) The maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment – Secondary is 500.0 square metres;
  - ii) Notwithstanding Sections 12.2.3.1 b), c), and d), all buildings or structures associated with an Agricultural Processing Establishment – Secondary shall be setback a minimum of 30.0 metres from any lot line;
  - iii) Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 12.2.3.1 f), and shall not exceed an aggregate area of 100.0 square metres.
- e) Agritourism The maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.
- f) Home Industry
- i) All buildings or structures used as part of the Home Industry shall be setback a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;
  - ii) Shall be operated by a resident of the property, with no more than 3 non-resident employees;
  - iii) Outdoor storage of goods, materials or equipment shall be permitted in

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accordance with Section 12.2.3.1 f), and shall not exceed an aggregate area of 100.0 square metres;

iv) In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Home Industry may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles and equipment.

g) Agricultural  
Brewery/Cidery/Winery

i) Notwithstanding Sections 12.2.3.1 a), 12.2.3.2 b), and 4.12 d) an Agricultural Brewery/Cidery/Winery shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing production of grapes, fruits, hops or other produce directly associated with on-site beer, cider or wine production;

ii) The maximum building area devoted to an Agricultural Brewery/Cidery/Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.

h) Landscape Contracting Establishment - Secondary

i) Notwithstanding Section 12.2.3.2 a), a Landscape Contracting Establishment – Secondary shall only be permitted as a use Secondary to a Nursery;

<b>OMB Appeals</b>
<b>Landscape Contracting Establishment – Secondary Regulations</b>
<b>1 - CROP</b>

ii) In addition to Section 12.2.3.2 b),  
1. A minimum of 65 percent of

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the lot area zoned Agriculture (A1), Rural (A2) and/or Conservation/Hazard Land – Rural (P6) shall be used for the growing of plants, shrubs, trees or similar vegetation as part of the Nursery operation, and may include the growing of other Agricultural products; and,

2. In no cases shall the Nursery and Agricultural growing area be less than 3.0 hectares in size.

iii) All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be setback a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;

iv) Notwithstanding Section 12.2.3.1 f), outdoor storage of goods, materials or equipment shall not exceed an aggregate area of 100.0 square metres, and shall be setback a minimum of 30 metres from any lot line and screened by a visual barrier in accordance with Section 4.19 of this By-law.

v) In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Landscape Contracting Establishment – Secondary may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles or

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- a) Minimum Lot Area
  - i) Notwithstanding Section 4.12 d), the Minimum Lot Area shall be 5.0 hectares.
- b) Minimum Setbacks
  - i) All buildings or structures associated with the use shall be setback a minimum of 100.0 metres from any lot line;
  - ii) No livestock shall be permitted to be kept in any open area within 60 metres of any lot line.
- c) Maximum Gross Floor Area 500.0 square metres
- d) Retail The maximum area permitted for accessory retail sales shall not exceed 20% of the total gross floor area.
- e) Outdoor Storage
  - i) Shall not be permitted in any Front Yard or Flankage Yard;
  - ii) Shall be located a minimum of 20.0 metres from any lot line, and screened by a visual barrier in accordance with Section 4.19 of this By-law.

**12.2.3.5 AGRICULTURAL  
PROCESSING  
ESTABLISHMENT –  
STAND ALONE  
REGULATIONS**

- a) Minimum Lot Area
  - i) Notwithstanding Section 4.12 d) the Minimum Lot Area for an Agricultural Processing Establishment – Stand Alone shall be 0.6 hectares.
- b) Minimum Setbacks
  - i) Any buildings or structures associated with the Agricultural Processing Establishment shall be setback a minimum of 30.0 metres from any lot line.

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- c) Maximum Gross Floor Area 500.0 square metres
- d) Retail The maximum area permitted for accessory retail sales shall not exceed 20% of the total gross floor area.
- e) Outdoor Storage
  - i) Shall not be permitted in any Front Yard or Flankage Yard;
  - ii) Shall be located a minimum of 20.0 metres from any lot line, and screened by a visual barrier in accordance with Section 4.19 of this By-law.

**12.2.3.6 KENNEL  
REGULATIONS**

- a) Minimum Lot Area
  - i) Notwithstanding Section 4.12 d), the Minimum Lot Area for a Kennel shall be 2.0 hectares.
- b) Minimum Setbacks
  - i) Any buildings or structures associated with a Kennel shall be setback a minimum of 60.0 metres from any lot line;
  - ii) No domestic animals shall be permitted to be kept in any open area within 60 metres of any lot line.
- c) Maximum Gross Floor Area 500.0 square metres
- d) Retail The maximum area permitted for accessory retail sales shall not exceed 20% of the total gross floor area.
- e) Outdoor Storage
  - i) Shall not be permitted in any Front Yard or Flankage Yard;
  - ii) Shall be located a minimum of 20.0 metres from any lot line, and screened by a visual barrier in

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accordance with Section 4.19 of this  
By-law.

**12.2.3.7 SINGLE DETACHED  
DWELLING AND  
RESIDENTIAL CARE  
FACILITY  
REGULATIONS**

- a) Minimum Lot Area            0.4 hectares
- b) Minimum Lot Width        30.0 metres
- c) Maximum Building Height 10.5 metres
- d) Minimum Front Yard       10.0 metres
- e) Minimum Side Yard        3.0 metres
- f) Minimum Rear Yard        10.0 metres
- g) Maximum Capacity for Residential Care Facility    Shall not exceed 10 residents.
- h) Home Business Regulations    In accordance with the requirements of Section 4.21 of this By-law.
- i) Accessory Buildings        In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law.
- j) Parking                        In accordance with the requirements of Section 5 of this By-law.

**12.3 SETTLEMENT RESIDENTIAL (S1) ZONE**

---

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Settlement Residential (S1) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

- 12.3.1 PERMITTED USES**            Residential Care Facility  
Single Detached Dwelling

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**12.3.2 PROHIBITED USES**

The following uses are prohibited, as follows:

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a) For lands located within Vulnerable Area 1 as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"- Special Figures:

i) Waste Disposal sites under Part V of Environmental Protection Act that include the following activities:

- 1) storage, treatment and discharge of mine tailings;
- 2) land farming of petroleum refining waste;
- 3) storage of polychlorinated biphenyl (PCB) waste;
- 4) application of untreated septage to land;
- 5) injection of liquid waste into a well;
- 6) storage of hazardous waste.

ii) hazardous waste management facility

iii) waste management facility

iv) Salt Storage Facility that can accommodate 5,000 tonnes and greater

v) snow storage facility greater than 1 ha in size

vi) Motor Vehicle Service Station

vii) motor vehicle repair establishment

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- b) For lands located within Vulnerable Area 2, as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the injection of liquid waste into a well;
  - ii) waste disposal facility
  
- c) For lands located within Vulnerable Area 3 as delineated on Figure 5.0 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the application of untreated septage to land.

**12.3.3 REGULATIONS**

- a) Minimum Lot Area                      0.4 hectares
- b) Minimum Lot Width                    30.0 metres
- c) Minimum Front Yard                 7.5 metres
- d) Minimum Side Yard                  3.0 metres

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- |   |   |
|---|---|
| e) Minimum Rear Yard                              | 7.5 metres  |
| f) Maximum Building Height                        | 10.5 metres   |
| g) Maximum Capacity for Residential Care Facility | Shall not exceed 6 residents.   |
| h) Home Business Regulations                      | In accordance with the requirements of Section 4.21 of this By-law.           |
| i) Accessory Buildings                            | In accordance with the requirements of Sections 4.8 and 4.8.1 of this By-law. |
| j) Parking  | In accordance with the requirements of Section 5 of this By-law.              |

**12.4 SETTLEMENT COMMERCIAL (S2) ZONE**

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Settlement Commercial (S2) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

- |                              |   |
|------------------------------|---|
| <b>12.4.1 PERMITTED USES</b> | Catering Service<br>Commercial Recreation<br>Craftsperson Shop<br>Day Nursery<br>Farm Product Supply Dealer<br>Financial Establishment<br>Medical Clinic<br>Motor Vehicle Service Station<br>Office<br>Personal Services<br>Private Club or Lodge<br>Repair Service<br>Restaurant<br>Retail<br>Studio<br>Veterinary Service<br>Veterinary Service – Farm Animal |
|------------------------------|---|

- |                               |  |
|-------------------------------|--|
| <b>12.4.2 PROHIBITED USES</b> | The following uses are prohibited, as follows: |
|-------------------------------|--|

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- a) For lands located within Vulnerable Area 1 as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
- i) Waste Disposal sites under Part V of Environmental Protection Act that include the following activities:
    - 1. storage, treatment and discharge of mine tailings;
    - 2. land farming of petroleum refining waste;
    - 3. storage of polychlorinated biphenyl (PCB) waste;
    - 4. application of untreated septage to land;
    - 5. injection of liquid waste into a well;
    - 6. storage of hazardous waste.
  - ii) hazardous waste management facility
  - iii) waste management facility
  - iv) Salt Storage Facility that can accommodate 5,000 tonnes and greater

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- v) snow storage facility  
greater than 1 ha in size
  - vi) Motor Vehicle Service  
Station
  - vii) motor vehicle collision  
repair establishment
- b) For lands located within  
Vulnerable Area 2, as delineated  
in Figures 5.0, 5.1, 5.2 and 5.3 of  
Schedule "F"-Special Figures:
- i) Waste Disposal sites  
under Part V of  
Environmental  
Protection Act that  
include the injection of  
liquid waste into a well;
  - ii) waste disposal facility
- c) For lands located within  
Vulnerable Area 3 as delineated  
on Figure 5.0 of Schedule "F"-  
Special Figures:
- i) Waste Disposal sites  
under Part V of  
Environmental  
Protection Act that  
include the application  
of untreated septage to  
land.

**12.4.3 REGULATIONS**

- a) Minimum Lot Area            0.4 hectares
- b) Minimum Yard                3.0 metres  
    Abutting a Street
- c) Minimum Side Yard        i)    3.0 metres;



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- ii) 6.0 metres abutting a Settlement Residential (S1) Zone;
  - iii) 6.0 metres abutting a Settlement Institutional (S3) Zone.
- d) Minimum Rear Yard 7.0 metres
- e) Maximum Building Height 10.5 metres
- f) Additional Regulations for Motor Vehicle Service Station Notwithstanding b), c, and d) above, fuel pump islands, fuel pumps and canopies shall be setback a minimum 4.5 metres from any lot line.
- g) Outdoor Storage
  - i) No outdoor storage of goods, materials or equipment shall be permitted;
  - ii) Notwithstanding i) above, the display of goods or materials for retail purposes shall be permitted.
- h) Planting Strip Requirements A minimum 3.0 metre Planting Strip shall be provided and maintained abutting a street, except for points of ingress and egress and abutting a Settlement Residential (S1) Zone or a Settlement Institutional (S3) Zone.
- i) Visual Barrier A visual barrier shall be provided and maintained along any lot line abutting a Settlement Residential (S1) Zone or a Settlement Institutional (S3) Zone property line, in accordance with the requirements of Section 4.19 of this By-law.
- j) Accessory Buildings In accordance with the requirements of Sections 4.8 and 4.8.1 of this By-law.
- k) Parking In accordance with the requirements of Section 5 of this By-law.

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**12.5 SETTLEMENT INSTITUTIONAL (S3) ZONE**

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Settlement Institutional (S3) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

- 12.5.1 PERMITTED USES**
- Day Nursery
  - Educational Establishment
  - Library
  - Place of Worship

- 12.5.2 PROHIBITED USES**
- The following uses are prohibited, as follows:

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- a) For lands located within Vulnerable Area 1 as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the following activities:
    - 1. storage, treatment and discharge of mine tailings;
    - 2. land farming of petroleum refining waste;
    - 3. storage of polychlorinated biphenyl (PCB) waste;
    - 4. application of untreated septage to land;
    - 5. injection of liquid waste into a well;
    - 6. storage of hazardous waste.
  - ii) snow storage facility greater than 1 ha in size
  - iii) Motor Vehicle Service Station
  - iv) motor vehicle collision repair establishment

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- b) For lands located within Vulnerable Area 2, as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the injection of liquid waste into a well;
  - ii) waste disposal facility
- c) For lands located within Vulnerable Area 3 as delineated on Figure 5.0 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the application of untreated septage to land.

**12.5.3 REGULATIONS**

- a) Minimum Lot Area 0.4 hectares
- b) Maximum Lot Area for a Place of Worship 2.0 hectares
- c) Minimum Lot Width 30.0 metres
- d) Minimum Front Yard 6.0 metres
- e) Minimum Side Yard 3.0 metres
- f) Minimum Rear Yard 7.0 metres
- g) Maximum Building Height 10.5 metres
- h) Accessory Buildings In accordance with the requirements of Sections 4.8 and 4.8.1 of this By-law.



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- a) For lands located within Vulnerable Area 1 as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the following activities:
    - 1. storage, treatment and discharge of mine tailings;
    - 2. land farming of petroleum refining waste;

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3. storage of polychlorinated biphenyl (PCB) waste;
  4. application of untreated septage to land;
  5. injection of liquid waste into a well;
  6. storage of hazardous waste.
- ii) hazardous waste management facility
  - iii) waste management facility
  - iv) Salt Storage Facility that can accommodate 5,000 tonnes and greater
  - v) snow storage facility greater than 1 ha in size
  - vi) Motor Vehicle Service Station
  - vii) motor vehicle collision repair establishment
- b) For lands located within Vulnerable Area 2, as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
- i) Waste Disposal sites under Part V of Environmental Protection Act that include the injection of liquid waste into a well;
  - ii) waste disposal facility

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c) For lands located within Vulnerable Area 3 as delineated on Figure 5.0 of Schedule "F"-Special Figures:

i) Waste Disposal sites under Part V of Environmental Protection Act that include the application of untreated septage to land.

**12.6.3 REGULATIONS**

- |                                  |   |
|----------------------------------|---|
| a) Maximum Lot Coverage          | 30%   |
| b) Minimum Front Yard            | 10.0 metres   |
| c) Minimum Side Yard             | 6.0 metres  |
| d) Minimum Flankage Yard         | 10.0 metres   |
| e) Minimum Rear Yard             | 7.5 metres  |
| f) Maximum Building Height       | 11.0 metres   |
| g) Planting Strip Requirements   | A minimum 3.0 metre Planting Strip shall be provided and maintained abutting a street, except for points of ingress and egress.                         |
| h) Minimum Landscaped Open Space | 10%;  |
| i) Outdoor Storage               | i) Shall only be used for Retail sales display area;<br><br>ii) Shall be set back a minimum of 2.0 metres from any Flankage Lot Line or Front Lot Line. |
| j) Accessory Buildings           | In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law.   |



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- k) Parking
  - i) In accordance with the requirements of Section 5 of this By-law;
  - ii) Notwithstanding Section 12.6.3 k) i) above, a Farm Product Supply Dealer shall be subject to the requirements of Section 5.6 c) vi).

**12.6.4 KENNEL  
REGULATIONS**

- a) Minimum Lot Area Notwithstanding Section 4.12 d), the Minimum Lot Area for a Kennel shall be 2.0 hectares.
- b) Minimum Setbacks
  - i) Any buildings or structures associated with a Kennel shall be setback a minimum of 60.0 metres from any lot line;
  - ii) No domestic animals shall be permitted to be kept in any open area within 60 metres of any lot line.
- c) Maximum Gross Floor Area 500.0 square metres
- d) Retail The maximum area permitted for accessory retail sales shall not exceed 20% of the total gross floor area.
- e) Outdoor Storage
  - i) Shall not be permitted in any Front Yard or Flankage Yard;
  - ii) Shall be located a minimum of 20.0 metres from any lot line, and screened by a visual barrier in accordance with Section 4.19 of this By-law.
- f) Accessory Buildings In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law.

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- a) For lands located within Vulnerable Area 1 as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the following activities:
    - 1. storage, treatment and discharge of mine tailings;
    - 2. land farming of petroleum refining waste;

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3. storage of polychlorinated biphenyl (PCB) waste;
  4. application of untreated septage to land;
  5. injection of liquid waste into a well;
  6. storage of hazardous waste.
- ii) hazardous waste management facility
  - iii) waste management facility
  - iv) Salt Storage Facility that can accommodate 5,000 tonnes and greater
  - v) snow storage facility greater than 1 ha in size
  - vi) Motor Vehicle Service Station
  - vii) motor vehicle collision repair establishment
- b) For lands located within Vulnerable Area 2, as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
- i) Waste Disposal sites under Part V of Environmental Protection Act that include the injection of liquid waste into a well;
  - ii) waste disposal facility

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- c) For lands located within Vulnerable Area 3 as delineated on Figure 5.0 of Schedule "F"-Special Figures:
  - i) Waste Disposal sites under Part V of Environmental Protection Act that include the application of untreated septage to land.

**12.7.3 REGULATIONS**

- a) Maximum Lot Coverage 50%
- b) Minimum Front Yard 7.5 metres
- c) Minimum Side Yard
  - i) 3.0 metres;
  - ii) 10.0 metres abutting a Residential Zone.
- d) Minimum Flankage Yard 10.0 metres
- e) Minimum Rear Yard
  - i) 7.5 metres;
  - ii) 10.0 metres abutting a Residential Zone.
- f) Maximum Building Height 15.0 metres
- g) Planting Strip Requirements A minimum 3.0 metre Planting Strip shall be provided and maintained abutting a street, except for points of ingress and egress.
- h) Minimum Landscaped Open Space 10%

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- |                                    |   |
|------------------------------------|---|
| i) Outdoor Storage                 | iii) Shall not be permitted in any Front Yard or Flankage Yard;   |
|                                    | iv) Shall be screened by a visual barrier in accordance with Section 4.19 of this By-law.   |
| j) Maximum Retail Gross Floor Area | The maximum area permitted for accessory retail sales, shall not exceed 10% of the gross floor area of the permitted use.               |
| k) Accessory Buildings             | In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law.   |
| l) Parking                         | i) In accordance with the requirements of Section 5 of this By-law;   |
|                                    | ii) Notwithstanding Section 12.7.3 l)i) above, a Farm Product Supply Dealer shall be subject to the requirements of Section 5.6 c) vi). |

9. That Schedule "A" – Zoning Maps of By-law 05-200 is hereby amended as follows:

- a) by including the Industrial Zone boundaries, as shown on the Maps numbered 16-17, 70-71, 82-84, 94-95, 146 and 169, attached in Schedule "1" of this By-law;
- b) by including the Open Space and Park Zone boundaries, as shown on the Maps numbered 2-6, 8-97, 99-133, 135-146, 148-160, 162-175, 177-207, 210-215 and 217-228, attached in Schedule "1" of this By-law; and,
- c) by including the Rural Zone boundaries, as shown on Maps 1-28, 31-39, 41-62, 64-74, 76-96, 99-123, 125-133, 135-146, 148-160, 162-175, 177-225 and 227-228, attached in Schedule "1" of this By-law.

10. That Schedule "C" – Special Exceptions of By-law 05-200 is hereby amended by adding additional Special Exceptions as follows:

- "50. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 113 of Schedule "A" –

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Zoning Maps and described as 2 Station Street, a Feed Mill shall also be permitted.

51. Notwithstanding Section 12.4.1 and in addition to Section 12.4.2, on those lands zoned Settlement Commercial (S2) Zone, identified on Maps 113, 114, and 122 of Schedule "A" – Zoning Maps and described as addresses:

2012 Governors Road	Map 114
2024 Governors Road	Map 114
2030 Governors Road	Map 114
2038 Governor's Road	Maps 113 and 114
1045 Highway No. 52 North	Maps 113 and 114

The following uses shall be prohibited:

- i) Catering Service;
- ii) Medical Clinic; and,
- iii) Restaurant.

52. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 60, 113, 114 and 122 of Schedule "A" – Zoning Maps and described as addresses:

2192 Governors Road	Maps 113 and 122
2208 Governors Road	Map 122
2170 Governors Road	Maps 113 and 122
Part of 49 Inksetter Road	Maps 113 and 114
Part of 37 Highway No. 52 North	Map 113
122 Highway No. 52 North	Map 113
102 Highway No. 52 North	Map 113
Part of 393 Concession 5 West	Map 60
395 Concession 5 West	Map 60
Part of 971 Highway 6	Map 60

The Minimum Lot Area shall be 1.0 hectare.

53. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 42, 43, and 65 of Schedule "A" – Zoning Maps and described as addresses:

1330 Old Highway No. 8	Map 65
Part of 1340 Old Highway No. 8	Map 65
1847 Concession 8 West	Map 42
1851 Concession 8 West	Map 42

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1881 Concession 8 West	Map 42
1883 Concession 8 West	Map 42
Part of 1492 Kirkwall Road	Maps 42 and 43
Part of 1500 Kirkwall Road	Maps 42 and 43
1561 Kirkwall Road	Map 42
1566 Kirkwall Road	Map 42
1572 Kirkwall Road	Map 42
1576 Kirkwall Road	Map 42
1582 Kirkwall Road	Map 42
1586 Kirkwall Road	Map 42

The Minimum Lot Area shall be 0.5 hectares.

54. Notwithstanding Section 12.3.3 a) and Section 12.3.3 b), on those lands zoned Settlement Residential (S1) Zone, identified on Map 195 of Schedule "A" – Zoning Maps and described as addresses:

Part of 1052 Golf Club Road	Map 195
1078 Golf Club Road	Map 195
1088 Golf Club Road	Map 195
1102 Golf Club Road	Map 195
1128 Golf Club Road	Map 195
1136 Golf Club Road	Map 195
1142 Golf Club Road	Map 195
1152 Golf Club Road	Map 195
1164 Golf Club Road	Map 195
1184 Golf Club Road	Map 195
1204 Golf Club Road	Map 195
1214 Golf Club Road	Map 195
1232 Golf Club Road	Map 195
1242 Golf Club Road	Map 195
1248 Golf Club Road	Map 195
1260 Golf Club Road	Map 195
1278 Golf Club Road	Map 195
520 Woodburn Road	Map 195
550 Woodburn Road	Map 195
568 Woodburn Road	Map 195
575 Woodburn Road	Map 195
584 Woodburn Road	Map 195
585 Woodburn Road	Map 195
595 Woodburn Road	Map 195
602 Woodburn Road	Map 195
618 Woodburn Road	Map 195
1095 Woodburn Road	Map 195
1120 Woodburn Road	Map 195



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1130 Woodburn Road	Map 195
1144 Woodburn Road	Map 195
1182 Woodburn Road	Map 195
1196 Woodburn Road	Map 195
1208 Woodburn Road	Map 195
1220 Woodburn Road	Map 195
1230 Woodburn Road	Map 195
1242 Woodburn Road	Map 195
1259 Woodburn Road	Map 195
1268 Woodburn Road	Map 195
1291 Woodburn Road	Map 195
1299 Woodburn Road	Map 195
Part of 1320 Woodburn Road	Map 195
1327 Woodburn Road	Map 195
1333 Woodburn Road	Map 195
1339 Woodburn Road	Map 195
1344 Woodburn Road	Map 195
1354 Woodburn Road	Map 195
Part of 1355 Woodburn Road	Map 195
Part of 1375 Woodburn Road	Map 195

a) The following regulations shall apply:

- |                       |              |
|-----------------------|--------------|
| i) Maximum Lot Area   | 0.8 hectares |
| ii) Maximum Lot Width | 76.0 metres  |

55. In addition to Section 12.3.3 d), on those lands zoned Settlement Residential (S1) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as 318 Carlisle Road, the following special provision shall also apply:

a) The minimum side yard setback, from all boundaries of the abutting cemetery to the west, for all structures and above-ground and in-ground swimming pools shall be 4.5 metres.

56. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as 298 Carlisle Road, permitted uses are restricted to the existing Multiple Dwelling.

57. In addition to Section 12.4.1 and notwithstanding Section 12.4.3 c), on those the lands zoned Settlement Commercial (S2) Zone, identified on Map 18 of Schedule "A" – Zoning Maps and described as 454 Carlisle Road, the following special provisions shall also apply:

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- a) The following use shall also be permitted:
  - i) Tree Care Service Establishment
- b) For the purposes of Special Exception 57, the following definition shall apply:

Tree Care Service Establishment: Shall mean a business which includes the maintenance, fertilizing and removal of trees, shrubs and evergreens, and includes arboricultural training.

- c) The following regulation shall apply:
  - i) Minimum Interior Side Yard 2.31 metres.

58. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 49 of Schedule "A" – Zoning Maps and described as 941 Centre Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - Motor Vehicle Sales and Service Establishment
- b) For the purposes of Special Exception No. 58 the following definition shall apply:

Motor Vehicle Sales and Service Establishment	Shall mean a use within a building or structure, or part thereof, where new and/or used motor vehicles are stored or displayed for the purpose of sale, rental or leasing and may include a building for the storage and sale of accessories and lubricants for motor vehicles and an associated Motor Vehicle Service Station.
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59. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 25 of Schedule "A" – Zoning Maps and described as 835 Regional Road No. 97, a Medical Clinic with a maximum gross floor area of 98.0 square metres shall also be permitted.

60. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 35, 79, and 80 of Schedule "A" – Zoning Maps and described as addresses:

Part of 694 Old Highway 8	Map 80
Part of 706 Old Highway 8	Map 80
724 Old Highway 8	Map 80
726 Old Highway 8	Map 80
730 Old Highway 8	Map 80
Part of 732 Old Highway 8	Maps 79 and 80
734 Old Highway 8	Map 80
762 Old Highway 8	Maps 79 and 80
768 Old Highway 8 (check re P6)	Maps 79 and 80
1587 Brock Road	Map 35
Part of 870 Concession 8 West	Map 35
Part of 874 Concession 8 West	Map 35
Part of 877 Concession 8 West	Map 35
Part of 878 Concession 8 West	Map 35

The Minimum Lot Area shall be 0.9 hectares.

61. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Map 65 of Schedule "A" – Zoning Maps and described as

1244 Old Highway 8	Map 65
Part of 1250 Old Highway 8	Map 65
Part of 1254 Old Highway 8	Map 65
1266 Old Highway 8	Map 65
1270 Old Highway 8	Map 65
1272 Old Highway 8	Map 65

The Minimum Lot Area shall be 1.4 hectares.

62. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 390 Freelon Road, the following special provisions shall also apply:

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- a) The following use shall also be permitted:

retirement home

- b) The maximum number of dwelling units within the retirement home shall be 29.

63. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 120 of Schedule "A" – Zoning Maps and described as 89 Lynden Road, the Medical Clinic within the existing building shall also be permitted.

64. In addition to Section 12.1.1 and notwithstanding Section 5.2 e), on those lands zoned Agriculture (A1) Zone, identified on Maps 73 and 85 of Schedule "A" – Zoning Maps and described as 250 Concession 4 Road West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

agricultural promotion centre shall be permitted only accessory to the principal use of the lands for agricultural purposes.

- b) For the purposes of Special Exception No. 64 the following definition shall apply:

Agricultural Promotion Centre	Shall mean a lot, building or structure, or part thereof, used as an education, resource and presentation centre (consisting of classrooms, presentation facilities; including broadcasting webinars, activity and interpretation centre, and meeting and conference rooms), office, restaurant and hospitality facility, commercial kitchen, cidery, accessory retail uses for products grown/produced primarily on site (including butcher), and related parking.
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- c) The following regulations shall apply to the use identified in a) above:

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i)	Maximum Gross Floor Area	1,600.0 square metres of which, a Maximum Gross Floor Area for a restaurant shall be 500.0 square metres and a Maximum Gross Floor Area for accessory retail shall be 450.0 square metres;
ii)	Parking	Minimum parking requirement of 1 space per 20.0 square metres of Gross Floor Area to a maximum of 95 spaces;
iii)	Maximum Gross Floor Area for Retail	558.0 square metres.
iv)	No livestock building or structure, including associated manure storage facility shall be located within 500 metres of the southerly most property line.	
v)	No outdoor tents or marquees for events shall be permitted.	
vi)	A visual barrier shall be provided on the north and west side of any parking area and the north side of the agritourism buildings, to be comprised of a continuous planting of suitable trees or shrubs, with a minimum 3.0 metre wide planting area appropriate for healthy plant growth, such trees to have a minimum height of 1.8 metres.	
vii)	Permeable pavers and/or gravel shall be permitted for all parking and loading spaces, except the main driveway.	
vii)	No part of the land on which a patio or courtyard is situated shall be used as a place of entertainment for the purpose of providing entertainment or amusement including live or recorded music or dance facilities.	

65. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as part of 2340 Wilson Street West,

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one accessory dwelling unit may be permitted with a commercial use.

- 66. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as 2318 Wilson Street West, a Motor Vehicle Sales and Service Establishment shall also be permitted.
- 67. Notwithstanding Sections 12.3.3 a) and e), on those lands zoned Settlement Residential (S1) Zone, identified on Map 142 of Schedule "A" – Zoning Maps and described as 31, 47, 63, 79 and 95 Poplar Street, the following regulations shall apply:

i)	Minimum Lot Area	0.75 hectares;
ii)	Minimum Rear Yard	30.0 metres for all buildings, structures, pools, sheds or any other accessory structure.

- 68. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 51 of Schedule "A" – Zoning Maps and described as part of 519 Parkside Drive, a temporary sales office for home sales shall also be permitted.
- 69. Notwithstanding Section 12.2.3.1 c), on those lands zoned Rural (A2) Zone, identified on Map 38 of Schedule "A" – Zoning Maps and described as part of 1142 Centre Road, a minimum side yard of 2.0 metres shall be permitted for an agricultural building.
- 70. In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Maps 49, 61 and 62 of Schedule "A" – Zoning Maps and described as part of 715 Centre Road, Agriculture and a cemetery shall also be permitted.
- 71. Notwithstanding Section 12.3.3 a) and b), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 94, 95, 106 and 107 of Schedule "A" – Zoning Maps and described as addresses:

392 Moxley Road	Map 94
394 Moxley Road	Map 94
396 Moxley Road	Map 94
404 Moxley Road	Map 94
361 Brock Road	Map 94
383 Old Brock Road	Map 94

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387 Old Brock Road	Map 94
2 Short Road	Map 95
622 Harvest Road	Map 95
632 Harvest Road	Map 95
5 Kirby Ave	Maps 94 and 106
293 Brock Road	Maps 94, 106 and 107

a) The following regulations shall apply:

i)	Minimum Lot Area	0.6 hectares;
ii)	Minimum Lot Width	36.0 metres;
iii)	Maximum Lot Coverage	10%.

72. Notwithstanding Section 12.3.3 a) and b), on those lands zoned Settlement Residential (S1) Zone, identified on Maps 94 and 95 of Schedule "A" – Zoning Maps and described as addresses:

397 Old Brock Road	Map 94
399 Old Brock Road	Map 94
430 Old Brock Road	Map 94
436 Old Brock Road	Map 94
594 Harvest Road	Map 95

a) The following regulations shall apply:

i)	Minimum Lot Area	0.8 hectares;
ii)	Minimum Lot Width	35.0 metres.

73. Notwithstanding Section 12.3.3 d), on those lands zoned Settlement Residential (S1) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as 24 Mountain View Road, the following regulations shall apply:

i)	Minimum northerly side yard	1.5 metres;
ii)	Minimum southerly side yard	1.2 metres.

74. Notwithstanding Section 12.3.3 e), on those lands zoned Settlement Residential (S1) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as 68, 70, 72 and 74

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Oak Avenue, the minimum rear yard for all buildings and septic systems shall be 30.0 metres.

75. Notwithstanding Section 12.3.3 d) and e), on those lands zoned Settlement Residential (S1) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as addresses:

73 Oak Avenue	Map 106
75 Oak Avenue	Map 106
76 Oak Avenue	Map 106
Part of 172 Weir's Lane	Map 106
Part of 176 Weir's Lane	Map 106
Part of 178 Weir's Lane	Map 106
184 Weir's Lane	Map 106
186 Weir's Lane	Map 106
190 Weir's Lane	Map 106
194 Weir's Lane	Map 106
198 Weir's Lane	Map 106
224 Weir's Lane	Map 106
228 Weir's Lane	Map 106

The Minimum Rear Yard and Minimum Side Yard shall be 30.0 metres from the Brow of the Niagara Escarpment.

76. Notwithstanding Sections 12.3.3 d) and e), on those lands zoned Settlement Residential (S1) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as:

37 Jameson Drive	Map 106
38 Jameson Drive	Map 106
43 Jameson Drive	Map 106
49 Jameson Drive	Map 106
55 Jameson Drive	Map 106
15 Hauser Place	Map 106
16 Hauser Place	Map 106
21 Hauser Place	Map 106
22 Hauser Place	Map 106
57 Marshboro Avenue	Map 106
58 Marshboro Avenue	Map 106
64 Marshboro Avenue	Map 106
70 Marshboro Avenue	Map 106
75 Marshboro Avenue	Map 106

- a) The following regulations shall apply:

i)	Minimum Rear Yard	i)	15.0 metres for 57
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79. Notwithstanding Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as 151 Highway 8, permitted uses are restricted to the existing Construction, Haulage and Swimming Pool Contracting Establishment.
80. In addition to Sections 7.4.1 and 7.4.2, on those lands zoned General Open Space (P4) Zone, identified on Map 85 of Schedule "A" – Zoning Maps, described as part of 167 Highway No. 5 West, the following special provisions shall also apply:
- a) Accessory restaurant and retail uses are restricted to an existing building; and,
  - b) The maximum gross floor area for retail shall be 500.0 square metres.
81. Notwithstanding Sections 12.2.3.7 a) and b), on those lands zoned Rural (A2) Zone, identified on Maps 8 and 9 of Schedule "A" – Zoning Maps and described as 20, 25, 40, 45, 60, 65, 80, 85, 100, 105, 120, 125, and 140 Chesswood Trail and part of 137 Campbellville Road, the following regulations shall apply:
- a) Minimum Lot Area                      1.22 hectares; and,
  - b) Minimum Lot Width                      33.5 metres.
82. Notwithstanding Section 12.2.3.7 b) and Section 7.6.2.2 b), on those lands zoned Rural (A2) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Map 6 of Schedule "A" – Zoning Maps, described as 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, and 19 Timberrun Court, the following special provision shall apply:
- a) Minimum Lot Width                      5.0 metres.
83. Notwithstanding Sections 4.5 and 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 35, 36, 46, and 47 of Schedule "A" – Zoning Maps, and described as part of 771 Safari Road, a maximum of 5 single detached dwellings shall be permitted on one lot.
84. Notwithstanding Sections 4.5 and 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 179 and 192 of Schedule "A" – Zoning Maps, and described as part of 1511 Nebo Road, a

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maximum of 2 single detached dwellings shall be permitted on one lot.

85. Notwithstanding Sections 4.5, 12.2.1, 7.7.1 and 7.8.1, on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 46 and 47 of Schedule “A” – Zoning Maps, and described as part of 784 Safari Road, a maximum of 4 single detached dwellings shall be permitted on one lot.
86. Notwithstanding Sections 4.5 and 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 122 and 131 of Schedule “A” – Zoning Maps, and described as part of 1341, 1375, and 1399 Powerline Road West, a maximum of 3 single detached dwellings shall be permitted on one lot.
87. Notwithstanding Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 93 of Schedule “A” – Zoning Maps and described as 1028 Highway 5 West, the following special provisions shall apply:
- a) Only the following uses shall be permitted:
    - i) Craftsperson shop;
    - ii) Dry Cleaning Distribution Establishment;
    - iii) Dwelling Unit;
    - iv) Office;
    - v) Repair Service;
    - vi) Retail;
    - vii) Tradesperson shop; and,
    - viii) Veterinary Service.
  - b) A maximum of one dwelling unit is permitted. The dwelling unit shall be restricted to the second storey of the Existing building.
88. In addition to Sections 12.2.1, 7.4.1, 7.6.1, 7.7.1 and 7.8.1, on those lands zoned Rural (A2) Zone, General Open Space (P4) Zone, Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 42 and 54 of Schedule “A” – Zoning Maps and described as 1386 - 1965 Cooper Road (African Lion Safari), the following uses shall also be permitted:

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- i) Park for the keeping and raising of any domesticated and/or wild animals, reptiles or birds for educational, entertainment, recreational or scientific purposes; and,
  - ii) Existing accessory single detached dwellings for employees.
89. In addition to Sections 12.2.1 and 12.2.3, on those lands zoned Rural (A2) Zone, identified on Map 15 of Schedule "A" – Zoning Maps, described as part of 1085 and 1091 Concession 10 West, the following special provisions shall also apply:

- a) The following uses shall also be permitted
  - i) A manufactured and mobile home park with a maximum of 100 units;
  - ii) An existing private lodge; and,
  - iii) One Existing Single Detached Dwelling.
- b) The following regulations shall apply to the manufactured and mobile home park:

i)	Minimum Lot Area	3.0 hectares;
ii)	Maximum Lot Coverage for non-residential buildings within the manufactured and mobile home park	5 percent of the total lot area.
iii)	Minimum Lot Width	200.0 metres;
iv)	Maximum Height	11.0 metres;
v)	Minimum Front Yard	15.0 metres;
vi)	Minimum Rear Yard	15.0 metres;
vii)	Minimum Interior Side Yard	15.0 metres;
viii)	Minimum Planting Strip	6.0 metres width along each lot line
ix)	Minimum Flankage Yard	15.0 metres;
x)	Minimum Landscaped Open Space	30 percent

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- c) The following shall apply to the individual manufactured and mobile home site:

i)	Minimum Lot Area	370.0 square metres;
ii)	Minimum Lot Width	12.0 metres;
iii)	Minimum Front Yard	3.0 metres
iv)	Minimum Rear Yard	3.0 metres
v)	Minimum Interior Side Yard	1.5 metres
vi)	Minimum Flankage Yard	3.0 metres
vii)	Maximum Lot Coverage	35 percent;
viii)	Minimum Landscaped Open Space	10 percent;
ix)	Open Storage	Shall not be permitted

90. In addition to Sections 12.2.1 and 12.2.3, on those lands zoned Rural (A2) Zone, identified on Map 10 of Schedule "A" – Zoning Maps, described as addresses:

404 Concession 12 East	Map 10
1 and 2 Ashgrove Court	Map 10
1 to 19 Valley Ridge Lane (inclusive)	Map 10
21 and 23 Valley Ridge Lane	Map 10
1 to 8 Woodspring Court (inclusive)	Map 10
10 Woodspring Court	Map 10
18 and 23 Needlepine Drive	Map 10

- a) The following uses shall also be permitted:
- i) A manufactured and mobile home park with a maximum of 76 units;
  - ii) A maximum of five existing rental cabins; and,
  - iii) One Existing Single Detached Dwelling.
- b) The following regulations shall apply to the manufactured and mobile home park:

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i)	Minimum Lot Area	3.0 hectares;
ii)	Maximum Lot Coverage for non-residential buildings within the manufactured and mobile home park	5 percent of the total lot area.
iii)	Minimum Lot Width	13.7 metres;
iv)	Maximum Height	11.0 metres;
v)	Minimum Front Yard	15.0 metres;
vi)	Minimum Rear Yard	15.0 metres;
vii)	Minimum Interior Side Yard	15.0 metres;
viii)	Minimum Planting Strip	6.0 metres width along each lot line
ix)	Minimum Flankage Yard	15.0 metres;
x)	Minimum Landscaped Open Space	8 percent

c) The following shall apply to an individual manufactured and mobile home site:

i)	Minimum Lot Area	370.0 square metres;
ii)	Minimum Lot Width	12.0 metres;
iii)	Minimum Front Yard	3.0 metres
iv)	Minimum Rear Yard	3.0 metres
v)	Minimum Interior Side Yard	1.5 metres
vi)	Minimum Flankage Yard	3.0 metres
vii)	Maximum Lot Coverage	35 percent;
viii)	Minimum Landscaped Open	10 percent

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	Space	
ix)	Open Storage	Shall not be permitted.

91. In addition to Sections 12.2.1, 12.2.3, 7.6.1, 7.6.2, 7.7.1, 7.7.2, 7.8.1 and 7.8.2, on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 33, 34, 44, and 45 of Schedule “A” – Zoning Maps, described as 1264 and 1294 Concession 8 West, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) A manufactured and mobile home park with a maximum of 475 units, subject to the following:
    - 1. All units shall have a maximum of 1 bedroom.
    - 2. In addition to 1. above, a minimum of 25% of the total dwelling units shall have a maximum gross floor area of 111.0 square metres.
- b) The following regulations shall apply to the manufactured and mobile home park:

i)	Minimum Lot Area	3.0 hectares;
ii)	Maximum Lot Coverage for non-residential buildings within the Manufactured and Mobile Home Park	5 percent of the total lot area.
iii)	Minimum Lot Width	200.0 metres;
iv)	Maximum Height	11.0 metres;
v)	Minimum Front Yard	15.0 metres;
vi)	Minimum Rear Yard	15.0 metres;
vii)	Minimum Interior Side Yard	15.0 metres;
viii)	Minimum Planting Strip	30.0 metres width along each lot line

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ix)	Minimum Flankage Yard	15.0 metres;
x)	Minimum Landscaped Open Space	30 percent

- c) The following shall apply to an individual manufactured and mobile home site:

i)	Minimum Lot Area	370.0 square metres;
ii)	Minimum Lot Width	12.0 metres;
iii)	Minimum Front Yard	3.0 metres;
iv)	Minimum Rear Yard	3.0 metres;
v)	Minimum Interior Side Yard	1.5 metres;
vi)	Minimum Flankage Yard	3.0 metres;
vii)	Maximum Lot Coverage	35 percent;
viii)	Minimum Landscaped Open Space	10 percent
ix)	Open Storage	Shall not be permitted

92. In addition to Sections 12.1.1, 12.1.3, 7.6.1 and 7.6.2, on those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 53 and 65 of Schedule “A” – Zoning Maps, described as part of 1429 Sheffield Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
- i) A mobile home park with a maximum of 186 units;
  - ii) seasonal campground;
  - iii) Community Hall; and,
  - iv) Existing Single Detached Dwellings.
- b) The following regulations shall apply to the mobile home park and sites:



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- i) A maximum area of 12.14 hectares shall be permitted for the mobile home park;
  - ii) A minimum area of 300.0 square metres shall be permitted for each mobile home site;
  - iii) A minimum frontage of 10.0 metres shall be permitted for each mobile home site;
  - iv) Measured from the building face, every dwelling and mobile home shall be separated from any other dwelling or mobile home by a minimum of:
    - 1. Side to side: 3.0 metres;
    - 2. End to side: 2.4 metres; and,
    - 3. End to end: 1.8 metres.
  - v) All sites shall have frontage on a road with 6.0 metres of clear width.
- c) The following regulations shall apply to the recreational campground:
- i) The maximum area shall be 0.4 hectares;
  - ii) A maximum of 12 sites shall be permitted for recreational vehicles or tents.
- d) The following regulations shall apply to an individual recreational camping site:
- i) The minimum area shall be 200.0 square metres;
  - ii) The minimum frontage shall be 7.5 metres;
  - iii) The maximum coverage shall be 35 percent;
  - iv) The minimum front yard setback shall be 3.0 metres;
  - v) Measured from the building face, every recreational vehicle shall be separated from any other recreational vehicle or mobile home by a minimum of:
    - 1. Side to side: 3.0 metres;
    - 2. End to side: 2.4 metres; and,
    - 3. End to end: 1.8 metres.
  - vi) All sites shall have a frontage on a road with 6.0 metres of clear width.
93. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 166 of Schedule "A" – Zoning Maps and described as 54 and 62 Upper Centennial Parkway, a Salvage Yard shall also be permitted.

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94. In addition to Sections 12.1.1 and 12.1.3, on those lands zoned Agriculture (A1) Zone, identified on Map 82 of Schedule “A” – Zoning Maps, described as part of 1161 Concession 4 West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) A mobile home park with a maximum of 15 units;
  - ii) Seasonal Campground; and,
  - iii) One existing Single Detached Dwelling.
  
- b) The following regulations shall apply to the mobile home park:

i)	Minimum Lot Area	3.0 hectares;
ii)	Maximum Lot Coverage for non-residential buildings within the mobile home park	5 percent of the total lot area.
iii)	Maximum Height	11.0 metres;
iv)	Minimum Front Yard	15.0 metres;
v)	Minimum Rear Yard	15.0 metres;
vi)	Minimum Interior Side Yard	15.0 metres;
vii)	Minimum Planting Strip	30.0 metres width along each lot line
viii)	Minimum Flankage Yard	15.0 metres;
ix)	Minimum Landscaped Open Space	30 percent

- c) The following shall apply to an individual mobile home site:

i)	Minimum Lot Area	370.0 square metres;
ii)	Minimum Lot Width	12.0 metres;
iii)	Minimum Front Yard	3.0 metres;

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iv)	Minimum Rear Yard	3.0 metres;
v)	Minimum Interior Side Yard	1.5 metres;
vi)	Minimum Flankage Yard	3.0 metres;
vii)	Maximum Lot Coverage	35 percent;
viii)	Minimum Landscaped Open Space	10 percent
ix)	Open Storage	Shall not be permitted

95. In addition to Sections 7.7.1 and 7.7.2, on those lands zoned Conservation/Hazard Land – Rural (P7) Zone identified on Map 16 of Schedule “A” – Zoning Maps, described as part of 9 and 33 Concession 12 East, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) A manufactured and mobile home park with a maximum of 7 units.
- b) The following regulations shall apply to the Manufactured and Mobile Home Park:

i)	Minimum Lot Area	3.0 hectares;
ii)	Maximum Lot Coverage for non-residential buildings within the Manufactured and Mobile Home Park	5 percent of the total lot area.
iii)	Minimum Lot Width	13.7 metres;
iv)	Maximum Height	11.0 metres;
v)	Minimum Front Yard	15.0 metres;
vi)	Minimum Rear Yard	15.0 metres;
vii)	Minimum Interior Side Yard	15.0 metres;

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viii)	Minimum Planting Strip	6.0 metres width along each lot line
ix)	Minimum Flankage Yard	15.0 metres;
x)	Minimum Landscaped Open Space	8 percent

- c) The following shall apply to the individual Manufactured and Mobile Home site:

i)	Minimum Lot Area	370.0 square metres;
ii)	Minimum Lot Width	12.0 metres;
iii)	Minimum Front Yard	3.0 metres
iv)	Minimum Rear Yard	3.0 metres
v)	Minimum Interior Side Yard	1.5 metres
vi)	Minimum Flankage Yard	3.0 metres
vii)	Maximum Lot Coverage	35 percent;
viii)	Minimum Landscaped Open Space	10 percent
ix)	Open Storage	Shall not be permitted.

96. In addition to Sections 12.1.1, 12.1.3 and Section 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 71 of Schedule "A"- Zoning Maps and described as part of 682 Concession 5 West, the following special provisions shall also apply:

- a) The following use shall also be permitted:

a topsoil preparation and supply business shall also be permitted in addition to the existing stone structure (the former dwelling) and silo.

- b) For the purposes of Special Exception 96 the following definition shall apply:

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topsoil preparation and supply business	Shall mean a business in which soil, manure, and mulches are screened, mixed and/or stored on site for distribution off premises.
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c) The following special provisions shall apply to the use identified in a) above:

a)	Maximum floor area for a maintenance building	700 square metres
b)	Minimum front yard (excluding a single detached dwelling)	145 metres
c)	Minimum setback from the westerly lot line, northerly lot line and any Conservation/Hazard Land - Rural (P8) Zone	30 metres
d)	Parking	A) In accordance with Section 5 of this By-law.  B) Notwithstanding A) above, a minimum of 10 spaces shall be required.
e)	A landscaped berm having a height of one (1) metre shall be provided along the entire 30 metre setback from the P8 Zone	

97. In addition to Section 12.7.1 and notwithstanding Section 12.7.3 on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 83 of Schedule "A" – Zoning Maps, described as the Northwest corner of Concession 4 West and Brock Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
- i) Aggregate Storing;
  - ii) Crushing and Screening of Aggregate;
  - iii) Concrete Mix Manufacturing;

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- iv) Concrete Product Manufacturing;
- v) Recycling of Concrete;
- vi) Repair and refurbishment of Construction and/or Aggregate machinery and equipment; and,
- vii) Accessory Uses, which may include but no be limited to business, professional or administrative offices, outdoor storage, retailing or wholesaling of goods produced on the premises.

b) The following regulations shall apply to the uses identified in a) above:

i)	Maximum Building Height	15 metres
ii)	Maximum Lot Coverage	50 percent
iii)	Minimum Front Yard	7.5 metres
iv)	Minimum Rear Yard	A) 7.5 metres B) Notwithstanding A) above, the minimum required rear yard shall be 10 metres abutting a Residential Zone or use
v)	Minimum Side Yard	A) 3.0 metres B) Notwithstanding A) above, the minimum required side yard shall be 10 metres abutting a Residential Zone or use
v)	Minimum Flankage Yard	10 metres
vii)	Minimum yard for accessory buildings	15 metres
viii)	Minimum Planting Strip	A 7.5 metre planting strip is required along the entire front lot line, flankage lot line and adjacent to any lot line which abuts a residential use. The required planting strip shall be bermed throughout to a minimum height of one (1)

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		metre, and shall contain trees and shrubs with a minimum height of one (1) metre on planting.	
ix)	Parking	A)	In accordance with Section 5 of this By-law.
		B)	Notwithstanding A) above, 1 space for each 50 square metres of gross floor area.
x)	Outdoor Storage	Shall not be permitted in any required Front or Flankage Yard	

98. Notwithstanding Sections 12.1.1, 12.1.3.2 g), 7.6 and 7.7, on those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land – Rural (P6) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 17, 23, 73, 78, 119, 130, 144, 186, and 189 of Schedule “A” – Zoning Maps and described as addresses:

1733 Centre Road	Map 17
1469 Sawmill Road	Map 186
Part of 135 Weir Road	Map 119
Part of 636 Millgrove Side Road	Map 73
Part of 2621 Powerline Road West	Map 130
Part of 416 Highway 52 South	Map 144
1854 Trinity Road South	Map 186
1332 Regional Road 97	Map 23
Part of 1031 Lynden Road	Map 78
226 Carluke Road East	Map 189

The following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
Kennel
- b) The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.6 b) through e).
- c) For the property located at 1469 Sawmill Road, the following regulations shall also apply to aKennel:

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- i) A maximum of 12 animal runs are permitted.
  - ii) Notwithstanding Section 12.2.3.6 b) ii), minimum setback for animal runs shall be 24.0 metres from all lot lines.
  - iii) A visual barrier shall be provided and maintained at the entrance to the kennel and between any location where the kennel faces an abutting property.
- d) For the property located at 416 Trinity Road South, the following regulations shall also apply to a Kennel:
- i) A kennel is only permitted within an existing accessory building
  - ii) Dog runs must be enclosed and shall not exceed 4.5 metres in length
  - iii) A 1.5 metre wide planting strip shall be provided along any lot line abutting the residential use located at 424 Trinity Road South
  - iv) Notwithstanding Section 12.2.3.6 b) ii), outdoor animal play areas shall be located a minimum of 30 metres from any lot line abutting a residential use
  - v) A solid fence 1.8 metres in height is required around the perimeter of all dog runs
  - vi) Max 75 dogs and 25 cats.
- e) Notwithstanding Sections 12.2.3.6 b) i) and c), for the property located at 226 Carluke Road East, the following regulations shall also apply to a Kennel:

i)	Minimum Setbacks	Any buildings or structures associated with a Kennel shall be setback a minimum of 10.0 metres from any lot line.
ii)	Maximum Gross Floor Area	1,600.0 square metres

99. In addition to Sections 12.1.1 and 12.2.1, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 9,



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32, 36, 38, 49, 57, 61, 84, 105, 138, 139, 141, 145, 152, 162, 166, 167, 168 and 177 of Schedule "A" – Zoning Maps, described as addresses:

241 and 245 Campbellville Road	Map 9
1149 Westover Road	Map 57
1774 Valens Road	Map 32
1552 Highway 6	Map 36
420 and 424 Highway 5 West	Map 84
265 Middletown Line and 1117 2nd Concession Road West	Map 105
Part of 329 6th Concession Road East	Maps 38 and 49
575 Shaver Road	Map 145
3203 Jerseyville Road West	Map 141
2869 Upper James Street	Map 177
218 Glover Road	Map 138
Part of 907 Highway 8	Map 138
1455 Highway 8	Map 139
Part of 10 Bridgman Lane	Map 139
218 Mud Street East	Map 167
653 Mud Street East	Map 168
Part of 41 5th Concession Road East	Map 61
63 Regional Road 20	Map 166
583 Tapleytown Road (not in list)	Map 152
2149 Upper James Street	Map 162

a) A Place of Worship shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through g).

b) Notwithstanding a) above, for the Place of Worship located at 2149 Upper James Street, a minimum northerly side yard of 2.0 m shall be provided.

100. In addition to Sections 12.1.1 and 12.2.1, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 17, 65, 81, 84, 166, 193, 201, 202, 203 and 205 of Schedule "A" – Zoning Maps, described as addresses:

1346 4th Concession Road West	Map 81
280 10th Concession Road East	Map 17
Part of 1624 Centre Road	Map 17
1279 Seaton Road	Map 65
Part of 542 Ofield Road North	Map 84
6025 White Church Road	Map 203
2121 Regional Road 56	Maps 193 and 205

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55 Regional Road 20	Map 166
3975 Highway 6	Maps 201 and 202

An Educational Establishment shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through g).

101. Notwithstanding Sections 4.21 a) ix) and b) vi), on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 23, 33, 58, 65, 73, 157 and 191 of Schedule “A” – Zoning Maps, described as addresses:

2290 Safari Road	Map 65
2174 Nebo Road	Map 191
689 Highway 6	Map 73
1474 Regional Road 97	Maps 23 and 33
912 6th Concession Road West	Map 58
2436 Wilson Street West	Map 157

The existing Craftsperson Shop with accessory retail is permitted within existing buildings.

102. In addition to Sections 12.1.1 and 12.2.1, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 48, 58, 59, 90, 173 and 182 of Schedule “A” – Zoning Maps, described as addresses:

360 Regional Road 20	Map 182
Part of 952 Brock Road	Map 59
Part of 988 Brock Road	Map 59
829 6th Concession Road West	Maps 58 and 59
Part of 1002 6 <sup>th</sup> Concession Road West	Map 58
Part of 1235 & 1287 Trinity Road South	Map 173
696 Woodhill Road	Map 90
Part of 494 6 <sup>th</sup> Concession Road West	Map 48

The following special provisions shall also apply:

- a) the existing Tradesperson’s Shop shall also be permitted within existing buildings.
- b) In addition to a) above, for the property located at 360 Regional Road 20, the following regulations apply:

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- i) Minimum parking setback – 1.5 metres from a rear lot line and 7.5 metres from any lot line which abuts a street or a lot used primarily for residential purposes;
  - ii) A planting strip with a minimum width of 1.5 metres shall be provided adjacent to any lot line which abuts a lot used primarily for residential purposes.
- c) Notwithstanding a) above, for the property located at 1235 and 1287 Trinity Road South, the following regulations apply:
- i) The maximum gross floor area of the existing building to be used in conjunction with the Tradesperson Shop shall not exceed 350 square metres.
  - ii) Open storage shall be permitted to a maximum area of 465 square metres.
  - iii) The total lot area to be used in connection with the Tradesperson Shop shall not exceed 2, 815 square metres.
  - iv) All outdoor storage and parking associated with the Tradesperson Shop shall be setback a minimum of 128 metres from Trinity Road.
- d) In addition to a) above, for the properties located at 952 Brock Road, 829 6<sup>th</sup> Concession Road West and 1002 6<sup>th</sup> Concession Road West, open storage shall be prohibited.
- e) In addition to a) above, for the property located at 494 6<sup>th</sup> Concession Road West, outdoor storage shall be limited to a 37 square metre area to the east of the accessory building and shall be screened by a 1.8 m high wood privacy fence.

103. In addition to Sections 12.1.1, 12.2.1 and 12.6.1 and notwithstanding Section 12.6.3, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing Rural Commercial (E1) Zone, identified on Maps 18, 36, 47, 49, 50, 61, 71, and 73 of Schedule "A" – Zoning Maps, described as addresses:

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6 8th Concession Road East	Maps 36 and 47
831 Centre Road	Map 49
850 Centre Road	Map 49
437 Parkside Drive	Map 50
Part of 557 Carlisle Road	Map 18

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Part of 22 5th Concession Road East	Map 61
717 Brock Road	Map 71
Part of 624 Millgrove Side Road	Map 73
35 Parkside Drive	Map 73
643 Robson Road	Map 50

The following special provisions shall also apply:

a) The following use shall also be permitted:

landscape contracting establishment

b) For the purposes of Special Exception No. 103 the following definition shall apply:

Landscape Establishment	Contracting	Shall mean the use of land building or structure, or part thereof for the storage of soil, composted materials and other soil amendments, mulch, rock, screening and other similar materials along with the provision of landscape design services and off-site landscape installation services; storage of landscaping and horticultural maintenance equipment; composting and mixing of soil and soil amendments; and Accessory storage of snow removal equipment.
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c) The following regulations shall apply to the use identified in a) above:

i)	Minimum Setbacks	All buildings or structures shall be setback a minimum of 15.0 metres from any lot line.
ii)	Outdoor Storage	Shall be setback a minimum of 30.0 metres from any lot line and screened by a visual

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		barrier in accordance with Section 4.19 of this By-law.
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104. In addition to Sections 12.1.1, 12.2.1 and 12.6.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing Rural Commercial (E1), identified on Maps 49, 61, 73, 84, 85, 166, 182 and 190 of Schedule "A" – Zoning Maps, described as addresses:

Part of 340 Regional Road 20	Map 182
Part of 334 Highway 5 West	Map 84
3750 Highway 6	Map 190
8 and 20 5th Concession Road East	Maps 61 and 73
855 Centre Road	Map 49
Part of 163 Highway 5 West	Map 85
Part of 2 Highland Road East	Map 166

- a) The following use shall also be permitted:
- Garden Centre
- b) The following regulations shall also apply to the use identified in a) above:
- i) The Garden Centre located at 340 Regional Road 20 shall be in accordance with Section 12.1.3.1 b), c), d) e) and g);
  - ii) The Garden Centre located at 163 Highway 5 West shall be in accordance with Section 12.2.3.1 b), c), d), e) and g);
  - iii) The Garden Centre located at 8 5th Concession Road East and 855 Centre Road, the following regulations shall apply:
    - 1. Maximum gross floor area shall be 30 percent of the total floor area of the greenhouses on the same lot;
    - 2. Open storage shall only be used for a retail sales and display area; and,
    - 3. In accordance with Section 12.2.3.1 b), c), d) and g).

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105. In addition to Sections 12.1.1, 12.2.1, 12.6.1 and 12.7.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone, Existing Rural Commercial (E1) Zone, Existing Rural Industrial (E2) Zone, Conservation/Hazard Land – Rural (P6) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 15, 32, 36, 37, 48, 49, 60, 72, 84, 91, 95, 132, 139, 156, 157, 181, 182 and 209 of Schedule “A” – Zoning Maps, described as addresses:

1618 Regional Road 97	Map 32
242 8th Concession Road East	Map 37
1050 Regional Road 56	Map 181
628 Ofield Road North	Maps 72 and 84
1361 Edgewood Road	Map 36
510 4 <sup>th</sup> Concession Road West	Map 72
113 6th Concession Road East	Map 49
4663 Highway 6	Map 209
460 Regional Road 20	Map 182
Part of 1413 Highway 8	Map 139
1597 4 <sup>th</sup> Concession Road West	Map 91
3058 Wilson Street West	Map 156
Part of 1062 Gore Road	Map 15
Part of 278 Highway 52 North	Map 132
590 Highway 5 West	Maps 84 and 95
1092 Highway 6	Map 48
1489 Highway 6	Map 36
Part of 1451 Highway No. 8	Map 139
2623 Wilson Street West	Map 157
5 6 <sup>th</sup> Concession Road East	Map 60
1129 Highway 5 W	Map 93

- a) The following use shall also be permitted:
- Motor Vehicle Service Station
- b) The following special provisions shall also apply to the Motor Vehicle Service Stations located at 1618 Regional Road 97, 242 8th Concession Road East, 1050 Regional Road 56, 628 Ofield Road North, 1361 Edgewood Road, 113 6th Concession Road East, 1062 Gore Road and 278 Highway 52 North:
- i) The sale of fuel is prohibited;

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- c) The regulations pertaining the use identified in a) above shall be in accordance with Section 12.6.3 b) through k).
  - d) Notwithstanding Section 12.6.3 i), the following special provision shall also apply to the Motor Vehicle Service Stations located at 242 8<sup>th</sup> Concession Road East and 628 Ofield Road North;
    - i) Open storage is prohibited;
  - e) In addition to a) above and notwithstanding the definition of Motor Vehicle Service Station and Section 12.6.3 i), for the property located at 1050 Regional Road 56, the following special provisions shall also apply:
    - i) The following use shall also be permitted:  
  
the sale of four (4) motor vehicles accessory to the Motor Vehicle Service Station
    - ii) The following regulations shall also apply:
      - A) Servicing of commercial tractors is also permitted;
      - B) Maximum area of open storage – 425 square metres;
      - C) Open storage areas shall be fenced with a solid wood fence with a maximum height of 1.8 metres;
      - D) Access is restricted to one driveway;
  - f) Notwithstanding the definition of Motor Vehicle Service Station, for the property located at 510 4<sup>th</sup> Concession Road West, the servicing of Commercial Motor Vehicles is also permitted.
106. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 84 of Schedule “A” – Zoning Maps and described as part of 495 Ofield Road North, the following special provisions shall also apply:
- a) The following use shall also be permitted:

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Garden Centre, where the processing, rental and sales of landscape and garden supplies shall be allowed.

- b) For the purposes of Special Exception 106, the sale of the following goods shall be permitted, but not limited to: aggregates, soil, mulch, compost; fertilizer, organic pest and weed control products; plant materials; bricks, natural and precast wall stone; tools, hardware and wheelbarrows; irrigation, piping supplies; mason ring/concrete supplies; pool and pond supplies; garden sheds, lumber and cedar shakes; lighting and electrical supplies and night lighting for the purposes of landscaping; ceramic, clay and natural pots; accessory open storage; bird baths and feeders.

107. In addition to Section 12.7.1 and 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 15 and 82 of Schedule "A" – Zoning Maps, described as addresses:

622 - 624 Middletown Line	Map 82
2089 Highway 6	Map 15

The following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) Salvage Yard;
  - ii) Warehouse;
  - iii) For the property located at 2089 Highway 6, a Motor Vehicle Service Station and Transport Terminal shall also be permitted.
  
- b) The following regulation shall also apply:
  - i) For the property located at 622 - 624 Middletown Line, a continuous solid fence with a height of 2 metres must completely enclose the Salvage Yard.

108. Notwithstanding Section 7.4.2, on those lands zoned Open Space (P4) Zone, identified on Maps 81 and 92 of Schedule "A" – Zoning Maps, described as part of 592 Westover Road, the following regulations shall apply to the dwelling accessory to the Golf Course:

i)	Minimum Front Yard	375.0 metres
ii)	Minimum Exterior Side Yard	200.0 metres



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iii)	Minimum Rear Yard	465.0 metres
iv)	Maximum Distance from Clubhouse	130.0 metres
v)	Maximum Gross Floor Area	120.0 metres

109. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 36, 84, 85 and 150 of Schedule "A" – Zoning Maps, described as addresses:

Part of 1480 Highway 6	Map 36
261 Highway 5 West	Map 85
567 Highway 5 West	Map 84
Part of 244 Upper Centennial Parkway	Map 150

The following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
Restaurant
- b) For the Restaurant located at 567 Highway 5 West, the following regulations shall apply:
  - i) Notwithstanding Section 12.6.3 c), the minimum easterly side yard shall be 1.7 m.
  - ii) In addition to Section 12.6.1, one dwelling unit shall be permitted on the second floor.

110. Notwithstanding Sections 12.2.3.7 d) and e), on those lands zone Rural (A2) Zone, identified on Map 73 of Schedule "A" – Zoning Maps, described as addresses:

547 Highway 6	Map 73
557 Highway 6	Map 73
559 Highway 6	Map 73
561 Highway 6	Map 73
569 Highway 6	Map 73
2 Woodsworth Avenue	Map 73
5 Woodsworth Avenue	Map 73
11 Woodsworth Avenue	Map 73
14 Woodsworth Avenue	Map 73

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16 Woodsworth Avenue	Map 73
17 Woodsworth Avenue	Map 73
20 Woodsworth Avenue	Map 73
1 Garwood Avenue	Map 73
2 Garwood Avenue	Map 73
11 Garwood Avenue	Map 73
14 Garwood Avenue	Map 73
16 Garwood Avenue	Map 73
17 Garwood Avenue	Map 73
18 Garwood Avenue	Map 73
20 Garwood Avenue	Map 73

The following special provisions shall apply:

- a) The following regulations shall apply to a Single Detached Dwelling:

i)	Minimum Front Yard	7.5 metres
ii)	Minimum Interior Side Yard	1.8 metres
iii)	Minimum Flankage Yard	3.0 metres

111. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 61 and 84 of Schedule "A" – Zoning Maps, described as addresses:

Part of 367 Highway 5 West	Map 84
845 Highway 6	Map 61

The following special provisions shall also apply:

- a) The following use shall also be permitted:

flea market

- b) In addition to a) above, for the property located at part of 367 Highway 5 West, a Warehouse shall also be permitted.

112. In addition to Sections 12.1.1, 12.2.1 and 12.7.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing Rural Industrial (E2) Zone, identified on Maps 79, 177, 181, 182, and 190 of Schedule "A" – Zoning Maps, described as addresses:

8399 Airport Road East	Maps 177 and 190
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185 Hendershot Road	Maps 181 and 182
1842 5th Concession Road West	Map 79

- a) The following use shall also be permitted:
- Warehouse
- b) The following regulations shall also apply to the use identified in a) above:
- c) For the warehouse operation located at 8399 Airport Road:
- A) The warehouse areas must be fully enclosed and the buildings related to the warehouse operation shall not exceed a maximum gross floor area of 1,984 square metres and shall be set back a minimum of 6.0 metres from all lot lines;
  - B) One dwelling unit shall be permitted within a building also containing the office and an enclosed storage area related to the warehouse operation;
  - C) The retail sale of packing materials and supplies may be permitted as an accessory use to the warehouse;
  - D) A minimum of 18 parking spaces shall be provided;
  - E) Notwithstanding Section 5.2 e), required parking areas may also be constructed with gravel surface which is permanently maintained and provided with adequate drainage; and,
  - F) A 3.0 wide landscaped area shall be provided along the westerly side lot line together with a chain link fence.
- d) For the warehouse operation located at 185 Hendershot Road, the warehouse areas must be fully enclosed.
- e) For the warehouse operation located at 1842 5th Concession Road West, in accordance with Section 12.1.3.1 b) through h).

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113. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 218 of Schedule “A” – Zoning Maps, described as 4255 Hall Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) Veterinary Service within the existing buildings; and,
  - ii) Kennel.
  
- b) The following regulations shall also apply to the uses identified in a) above:
  - i) The veterinary service shall have a maximum of three practitioners;
  - ii) The veterinary service must be fully enclosed;
  - iii) The following regulations apply to the existing Kennel:
    - A) Maximum floor area – 376.0 square metres.
    - B) The kennel must be used for the training of dogs only. The keeping and boarding of dogs and/or domestic pets; dog sport competition events and dog shows are prohibited.
    - C) No animals shall be kept in any open area and no buildings or structures associated with a kennel may be located within 90 metres of any residential use on any adjacent lot.

114. In addition to Sections 7.4.1 and 7.6.1, on those lands zoned Open Space (P4) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 38, 167, 172, 182 and 183 of Schedule “A” – Zoning Maps, described as addresses:

Part of 1317 Alberton Road	Map 172
Part of 373 7th Concession Road East	Map 38
559, 575 and 599 Regional Road 20	Maps 167, 182, and 183

The existing rifle range and a trapshooting range shall also be permitted and shall be in accordance with Section 7.4.2.

115. In addition to Sections 7.2.1, 7.4.1, 7.6.1, 7.7.1, 7.8.1 and 12.2.1 on those lands zoned City Wide Park (P2) Zone, Open Space (P4)

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Zone, Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone, Conservation/Hazard Land – Rural (P8) Zone and Rural (A2) Zone, identified on Maps 10, 17, 34, 45, 111, 120 and 151 of Schedule “A” – Zoning Maps, described as addresses:

395 10th Concession Road East	Maps 10 and 17
1218 8th Concession Road West	Maps 34 and 45
206 Lynden Road	Maps 111 and 120
226 Lynden Road	Map 111
166 Green Mountain Road	Map 151

A private club or lodge shall also be permitted and shall be in accordance with Section 7.4.2.

116. Notwithstanding Section 4.3 a), on those lands zoned Agriculture (A1) Zone, Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 77, 78, 131, 142, 143 and 156 of Schedule “A” – Zoning Maps, described as addresses:

292 Sunny Ridge Road	Map 156
994 Settlers Road	Maps 77 and 78
1997 Jerseyville Road West	Maps 131 and 143
2854 Jerseyville Road West	Map 142

The following special provisions shall also apply:

- a) The properties shall be deemed to be lots.
- b) The following regulations shall also apply:
  - i) For the property located at 2854 Jerseyville Road West, the eastern lot line is deemed to be the front lot line.
  - ii) For the property located at 994 Settlers Road, the northern lot line is deemed to be the front lot line

117. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule “A” – Zoning Maps and described as 497 Millgrove Side Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:

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private school

- b) The following regulations shall also apply to the use identified in a) above:

i)	Maximum Lot Area	2.85 hectares
ii)	In accordance with Section 12.1.3.1 b) through h).	

118. Notwithstanding Section 12.1.1 and in addition to Section 12.1.2, on those lands zoned Agriculture (A1) Zone identified on Maps 53, 65, 100, 109, 128, 129, 140,141, 179, 180, 188, 191, 193, 194, 200, 201, 203, 206, 207, 213, 214, 215, 219 and 223, on Schedule "A" – Zoning Maps and described as addresses:

2330 Guyatt Road	Maps 193 and 194
1433 Guyatt Road	Map 206
2860 Kirk Road	Map 213
1115 Hendershot Road	Map 194
Part of 9305 Chippewa Road West	Map 201
3322 Highway 56	Map 213
Part of 1400 Seaton Road	Map 53
Part of 1270 Trinity Church Road	Map 179
3316 Golf Club Road	Map 180
6175 White Church Road East	Map 203
3157 Hendershot Road	Map 214
2147 Woodburn Road	Maps 207 and 215
1280 Hendershot Road	Map 194
1240 Seaton Road	Map 65
6363 White Church Road East	Maps 191 and 203
Part of 1700 Hall Road	Maps 219 and 223
435 Lynden Road	Maps 129 and 141
Part of 2505 Highway No. 5 West	Maps 100 and 109
3291 Jerseyville Road West	Map 141
Part of 160 Norsworthy Road	Maps 188 and 200
Part of 683 Lynden Road	Map 129
Part of 3667 Indian Trail Road	Maps 128,140 and 141
Part of 4574 Governors Road	Map 128
1280 Hendershot Road	Map 194
345 Bell Road	Maps 224 and 225

The following special provisions shall also apply:

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- a) The following use shall be prohibited:
- Single Detached Dwelling
- b) The following use shall also be prohibited for the following addresses:
- i) For the property located at 1433 Guyatt Road, the use of barns, existing on the 13<sup>th</sup> day of May, 2009, for the housing of livestock;
- ii) For the property located at 2860 Kirk Road, the use of barns, existing on the 14<sup>th</sup> day of May, 2008, for the housing of livestock.
- iii) For the property located at 2147 Woodburn Road, the use of a barn, existing on the 14<sup>th</sup> day of December, 2005, for the housing of livestock.
- c) The following regulation shall also apply for the property located at 3322 Highway 56:

The minimum side yard for the agricultural buildings and structures shall be 10.2 metres.

119. Notwithstanding Sections 12.1.1, 12.2.1 and 7.6.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 202 and 212 of Schedule “A” – Zoning Maps and described as 3555 Fletcher Road and 8588 Chippewa Road, no uses shall be permitted.

120. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 35 of Schedule “A” – Zoning Maps and described as 1436 Brock Road, a medical clinic shall also be permitted within an existing building and shall be in accordance with Section 12.2.3.1 b) through h).

121. In addition to Section 12.2.1 and notwithstanding Section 5.6 c), on those lands zoned Rural (A2) Zone, identified on Map 59 of Schedule “A” – Zoning Maps and described as part of 988 Brock Road, the following special provisions shall also apply:

- a) The following use shall also be permitted:

saw mill

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- b) The following regulations shall also apply to the use identified in a) above:

i)	Open Storage	A minimum setback of 25.0 metres from the front lot line;
ii)	Parking	Minimum 15 spaces.
iii)	In accordance with Section 12.2.3.1 b), c), d), e) and g).	

122. Notwithstanding Sections 4.5 a) and 5.6 c) and in addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 36 of Schedule "A" – Zoning Maps, described as part of 1345 Highway 6, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
- i) Existing commercial storage operation; and,
  - ii) Two Existing Dwelling Units, subject to the following:
    - 1. One Existing Dwelling Unit shall be accessory and used for maintenance or security purposes only.

- b) The following regulations shall apply to the use identified in a) i) above:

i)	Open Storage	1.	Shall be restricted to the storage of major recreational equipment;
		2.	Shall be located a minimum of 12.0 metres from any lot line;
		3.	Maximum area devoted to open storage shall be 25% of the gross floor area of the commercial storage buildings or 2970.0 square metres,



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			whichever is less.
ii)	Planting Strip	1.	Minimum 5.0 metre wide planting strip along the front lot line, flankage lot line and any lot line abutting a residential use;
		2.	In addition to ii) 1. above, a minimum 3.0 metre planting strip shall be required along all other lot lines;
		3.	All plantings must have a minimum height of 0.8 metres.
iii)	Parking	1.	Minimum of 4 parking spaces;
		2.	In addition to iii) 1. above, 1 barrier free parking space shall be provided.
iv)	No driving aisle or maneuvering space is permitted between a commercial storage building and any adjacent residential use.		
v)	No windows or doors shall be located along the wall of any commercial storage building abutting a residential use		

123. Notwithstanding Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as part of 870-880 Highway 5 West, the following special provision shall also apply:

- a) Only the following use shall be permitted:
  - i) Establishment for the rendering and recycling of food and meat by-products and the extracting of oil from

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fish or animal matter and the processing of oil  
products.

124. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as part of 870-880 Highway 5 West, the following special provision shall also apply:
- a) Only the following use shall be permitted:
    - water treatment facilities accessory to the rendering and manufacturing use located on the same lot.
  - b) The regulations pertaining the use identified in a) above shall be in accordance with Section 12.2.3.1 b) through h).
125. In addition to Section 12.1.1 on those lands zoned Agriculture (A1) Zone, identified on Maps 82, 83 and 93 of Schedule "A" – Zoning Maps, described as 967 Highway 5 West and 966 4th Concession Road West, the following special provisions shall also apply:
- a) The following uses shall also be permitted:
    - i) Animal oriented events such as rodeos and exhibitions;
    - ii) Commercial Entertainment;
    - iii) Flea Markets;
    - iv) Auctions;
    - v) Horse Racetrack and Racing of Animals;
    - vi) Horse Breeding;
    - vii) Park;
    - viii) Public Assembly events such as meetings, cultural and educational gatherings; and,
    - ix) Seasonal Campground
  - b) The regulations pertaining the uses identified in a) above shall be in accordance with Section 12.1.3.1 b) through h).
126. In addition to Section 7.4.1, on those lands zoned Open Space (P4) Zone, identified on Map 67 of Schedule "A" – Zoning Maps and described as 1049 Kirkwall Road, a museum shall also be permitted.
127. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 38 of Schedule "A" – Zoning Maps and described as 369, 381, 383 and 385 and part of 377

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Concession 6 East, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) aircraft maintenance and storage;
  - ii) Building and Lumber Supply Establishment;
  - iii) Manufacturing;
  - iv) Motor Vehicle Service Station, excluding the sale of fuel;
  - v) Office;
  - vi) Tradesperson’s Shop;
  - vii) Warehouse; and,
  - viii) Water bottling plant.

128. In addition to Sections 12.6.1 on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 61 and 129 of Schedule “A” – Zoning Maps, described as addresses:

780 Highway No. 6	Map 61
Part of 847 Lynden Road	Map 129

- a) The following use shall also be permitted:

Veterinary Service

129. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 8 and 15 of Schedule “A” – Zoning Maps and described as 1012 Gore Road, a warehouse for the storage and distribution of chemicals shall also be permitted.

130. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 73 of Schedule “A” – Zoning Maps and described as 197 4th Concession Road West, an Equipment and Machinery Sales, Rental and Service Establishment shall also be permitted.

131. Notwithstanding Section 7.4.1 and the definition of Golf Course within Section 3, on those lands zoned General Open Space (P4) Zone, identified on Map 113 of Schedule “A” – Zoning Maps and described as 71 Highway 52, an accessory dwelling for maintenance and/or security purposes is prohibited.

132. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 91 of Schedule “A” – Zoning Maps and

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described as part of 621 Highway 8, the following special provisions shall also apply:

- a) The following uses shall also be permitted within the Existing building:
  - i) Restaurant; and,
  - ii) Retail.
- b) The following regulations shall apply to the uses identified in a) above:

i)	Open Storage	Shall not be permitted;
ii)	Maximum Parking area	3300.0 square metres;
iii)	Maximum Gross Floor Area for Retail	558.0 square metres.

133. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 48 and 60 of Schedule “A” – Zoning Maps and described as 1031 Highway 6, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) Existing assembly and distribution business.
- b) The following regulations shall apply to the use identified in a) above:

i)	Open Storage	Shall not be permitted;
ii)	In accordance with Section 12.2.3.1 b), c), d), e) and g).	

134. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 38 and 39 of Schedule “A” – Zoning Maps and described as 442 6th Concession Road East, general contracting, including servicing of equipment and vehicles and associated open storage, shall also be permitted and shall be in accordance with Section 12.1.3.1 b), c), d), e) and g).

135. In addition to Sections 12.2.1 and 12.2.2, on those lands zoned Rural (A2) Zone, identified on Maps 93 and 94 of Schedule “A” –

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Zoning Maps and described as 952 Highway 5 West, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) wholesale and retail sale of nursery stock, related pre-packaged fertilizer and chemical fertilizers.
- b) The following use shall also be prohibited:
  - i) blending and bulk fertilizer storage.
- c) The regulations pertaining the use identified in a) above, shall be in accordance with Section 12.2.3.1 b) through h).

136. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 35 of Schedule "A" – Zoning Maps and described as 1407 Brock Road, a propane distribution depot, a refreshment vehicle and a Retail establishment shall also be permitted.

137. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 102 of Schedule "A" – Zoning Maps and described as part of 1890 Highway 5 West, the following special provision shall also apply:

- a) The following uses shall also be permitted:
  - i) Manufacturing; and,
  - ii) Retail establishment for the sale of sporting goods.

138. In addition to Sections 12.7.1 and 7.6.1, on those lands zoned Existing Rural Industrial (E2) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 102 and 111 of Schedule "A" – Zoning Maps and described as part of 1890 Highway 5 West, a landfill for the dumping of foundry waste and/or flue dust shall also be permitted.

139. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 48 of Schedule "A" – Zoning Maps and described as part of 1099 Highway 6, the following special provision shall also apply:

- a) The following uses shall also be permitted:
  - i) Manufacturing

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- ii) Motor Vehicle Service Station; and,
- iii) Transport Terminal.

140. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 61 of Schedule “A” – Zoning Maps and described as part of 823 Highway 6, a patio furniture outlet and a retail establishment for the sale of antiques and crafts shall also be permitted shall be in accordance with Section 12.2.3.1 b) through h).

141. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 36 and 150 of Schedule “A” – Zoning Maps and described as addresses:

1363 Highway 6	Map 36
1464, 1470 and 1474 Highway 6	Map 36
268, 270 and 274 Upper Centennial Parkway	Map 150

A Motor Vehicle Service Station and a Restaurant shall also be permitted.

142. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 187 of Schedule “A” – Zoning Maps and described as part of 2194 Shaver Road, a bakery shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).

143. Notwithstanding Sections 7.4.1 and 12.2.1 and in addition to Section 12.2.3, on those lands zoned Open Space (P4) Zone and Rural (A2) Zone, identified on Maps 79, 144 and 158 of Schedule “A” – Zoning Maps, and described as addresses:

812 and 814 Old Highway 8	Map 79
Part of 630 Trinity Road South	Maps 144 and 158

- a) Only the following uses shall be permitted:
  - i) Fairgrounds owned and operated by a non-profit Agricultural Society and shall only include the following:
    - A Fair or Circus
    - Agricultural Education Programs
    - Animal Shows and Training
    - Conference and Convention Centre in existing building

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Recreation  
Auctions  
Farmer's Market

- b) For the property at 812 and 814 Old Highway 8, Section 7.4.2 shall apply to the uses identified in a) i) above.
- c) For the property at 630 Trinity Road South, the following regulations shall apply to the uses identified in a) i) above:

i)	Maximum lot coverage	5 percent	
ii)	Maximum height	16.0 metres	
iii)	Minimum setback	A.	7.0 metres from the southerly lot line;
		B.	30.0 metres from a Conservation/Hazard Land – Rural (P7) Zone boundary line
iv)	Landscaped Area	38.0 metres wide, shall be provided and maintained along the westerly lot line abutting the property at 1772 Wilson Street West;	
v)	Parking	A parking area containing a minimum of 1,042 spaces (284 parking spaces on a paved surface and 758 parking spaces on a gravel surface) shall be permitted.	

144. In addition to Sections 12.7.1 and 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified as Map 166 on Schedule "A" – Zoning Maps and described as 130 Upper Centennial Parkway, the following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
warehousing operation

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- b) The following regulations shall apply to the use identified in a) above:
  - i) No parking space located adjacent to Highland Road shall be permitted to be used for the parking of rental trucks or rental trailers;
  - ii) A maximum of 10 rental trucks and 5 rental trailers shall also be permitted.

145. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 132 of Schedule "A" – Zoning Maps and described as part of 145 Highway 52 North, the following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
liquid petroleum transfer business

- b) The following regulations shall apply to the use identified in a) above:

i)	A maximum of five tanker trucks may be stored on the site.
ii)	In accordance with Section 12.2.3.1 b), c), d), e), g) and h).

146. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified as Map 166 on Schedule "A" – Zoning Maps and described as 146 Upper Centennial Parkway, the existing outdoor storage and rental of construction and industrial equipment shall also be permitted.

147. In addition to Section 12.1.1 and notwithstanding and Section 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 188 of Schedule "A" – Zoning Maps and described as part of 58 Carluke Road West, the following special provisions shall also apply:

- a) The following use shall also be permitted  
  
Bakery

- b) For the purposes of Special Exception 147, the following definition shall apply:



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**Bakery** Shall mean the milling of grain grown on the subject lands and on lands in the surrounding agricultural community, production of bread and other related products, and shall include ancillary uses of storage, warehouse and office facilities in connection with this operation.

c) The following regulations shall apply to the use identified in a) above:

i)	Maximum Gross Floor Area	36,510 square metres;	
ii)	Maximum Lot Coverage	40%	
iii)	Minimum Front Yard	A.	50.0 metres;
		B.	Notwithstanding A. above, 35.0 metres shall be provided for buildings existing as of April 26, 2006.
iv)	Minimum Side Yard	13.0 metres;	
v)	Minimum Flankage Yard	13.0 metres;	
vi)	Minimum Rear Yard	A.	7.6 metres
		B.	Notwithstanding A. above, 3.0 metres for the existing temporary storage building.
vii)	Planting Strip	A minimum 3.0 metre wide planting strip shall be provided and maintained along the boundary line adjacent to Fiddler's Green Road, except for the driveway area	
viii)	Parking	123 spaces, plus one additional space for every	

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		140.0 square metres of gross floor area in excess of 18, 720 square metres shall be required.
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148. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as 2692 Wilson Street West, a Hotel shall also be permitted.
149. In addition to Section 12.6.1 on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 120 and 129 of Schedule "A" – Zoning Maps and described as 4206 Governor's Road, a variety or grocery store, a post office, and one dwelling unit shall also be permitted within an existing building.
150. In addition to Section 9.12.1, on those lands zoned Extractive Industrial (M12) Zone, identified on Map 146 of Schedule "A" – Zoning Maps and described as part of 658 Fiddlers Green Road, the following special provisions shall also apply:
- a) The following uses shall also be permitted:
    - i) The operations and equipment storage of an excavation contractor; and,
    - ii) Transportation Depot and Truck Terminal.
151. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 205 of Schedule "A" – Zoning Maps and described as part of 2187 Regional Road 56, a motor vehicle storage, sales and repair operation and an office for a travel agency shall also be permitted.
152. In addition to Sections 12.6.1 and 5.6 c) and notwithstanding Section 12.6.2, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 223 of Schedule "A" – Zoning Maps and described as 2060 Haldibrook Road the following special provisions shall also apply:
- a) The following uses shall also be permitted:
    - i) Car Compound;
    - ii) Garden Centre;
    - iii) Motor Vehicle Service Station;
    - iv) Repair Service; and,
    - v) Small Engine Retail.

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- b) For the purposes of Special Exception No. 152 the following definition shall apply:

**Car Compound**            Shall mean an area of land not exceeding 560 square metres in area enclosed by a solid fence having a minimum height of 1.8 metres to be used only for the temporary storage of motor vehicles, but shall not include a Motor Vehicle Wrecking Establishment, a Salvage Yard or the collection, storage or sale of junk, salvage, partially or completely dismantled automobiles, other motor vehicles or trailers.

- c) For the purposes of Special Exception No.152, the regulations pertaining to the Motor Vehicle Service Station shall be as follows:

i)	Minimum Lot Width	45.0 metres;
ii)	Minimum Lot Depth	60.0 metres;
iii)	Maximum Lot Coverage	30 percent;
iv)	Minimum Front Yard	14.0 metres;
v)	Minimum Side Yard	14.0 metres;
vi)	Minimum Rear Yard	14.0 metres
vii)	Maximum Building Height	10.7 metres;
viii)	Parking	i) No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1.5 metres of any rear lot line, or within 3 metres of any street line or the boundary of any Residential or

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		Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes;
		ii) The maximum number of outside parking spaces and/or the maximum capacity of outside parking areas associated with the uses permitted in this special exception shall be ten (10) motor vehicles. All other parking on the subject lot shall be wholly enclosed and/or screened from view with a solid fence having a minimum height of 1.8 metres.
ix)	Planting Strip	A minimum width of 3 metres and a fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes;
x)	Landscaped Area	a minimum width of 3 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such area shall be continuous except for the required driveway(s).
xi)	Notwithstanding any other provisions of this by-law, light standards, fuel pump islands, fuel pumps, attendant's kiosks and canopies may be located in any required minimum yard at a distance of not less than 4.5 metres from any street line but no part of a required daylighting	

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	triangle shall be construed to be part of a required minimum yard for the purpose of this Clause.
xii)	The width of an entrance or exit ramp shall not be less than 9 metres or more than 10.7 metres measured along the street line, subject to the requirements of the authority having jurisdiction for the abutting street.
xiii)	No entrance or exit ramp shall be located within 3 metres of the side or rear lot line that abuts an adjoining lot, except where there is a shared access between the abutting lots.

153. In addition to Sections 12.1.1 and 5.3 b), on those lands zoned Agriculture (A1) Zone, identified on Maps 77 and 78 of Schedule "A" – Zoning Maps and described as part of 996 Settlers Road, the following special provisions shall also apply:

a) The following use shall also be permitted:

existing building and house moving business

b) The following regulations shall apply to the use identified in a) above:

i)	Outdoor Storage	Shall not exceed an area of 1,400.0 square metres.
ii)	Commercial Motor Vehicles	A Maximum of three commercial motor vehicles shall be parked/stored on the property.
iii)	In accordance with Section 12.1.3.1 b), c), d), e), g) and h).	

154. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 211 and 217 of Schedule "A" – Zoning Maps and described as part of 5364 Tyneside Road, a storage and wholesaling establishment for metal products shall also be permitted.

155. In addition to Section 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 166 on Schedule "A" – Zoning Maps and described as 19 Highland Road East, Part of 154

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Upper Centennial Parkway and Part of 146 Upper Centennial Parkway, the following special provision shall also apply:

- a) Maximum height for Outdoor storage and vehicle parking or storage shall be 2.5 metres within 15.0 metres of any lot line that abuts a street, measured from the average grade along such lot lines.

156. In addition to Section 12.7.1 and notwithstanding Section 12.7.3 c), on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 182 of Schedule "A" – Zoning Maps, described as 380 and part of 400 Regional Road 20, the following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
cheese processing operation
- b) The following regulation shall apply to the use identified in a) above, for the property located at 380 Regional Road 20:
  - i) Minimum side yard shall be 7.5 metres.

157. In addition to Section 12.6.1 and notwithstanding Sections 12.6.3 b) and g) on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 183 of Schedule "A" – Zoning Maps, described as 622, 626, 630, and 634 South Townline Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) Garden Centre;
  - ii) Small scale retailing of agricultural products not grown primarily on site; and,
  - iii) Veterinary Service.
- b) The following special provisions shall apply to the uses identified in a) above:
  - i) Minimum front yard shall be 30.0 metres;
  - ii) Maximum number of employees permitted shall be 3;
  - iii) A landscape area having a minimum width of 6.0 metres shall be provided and maintained along any lot line adjacent to Regional Road 20;

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- iv) A landscape area having a minimum width of 3 metres; and a fence having a minimum height of 1.8 metres and a maximum height of 2.1 metres shall be provided and maintained along any portion of any lot line adjacent to a commercial use.
158. In addition to Sections 12.7.1 and 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 202 and 203 of Schedule "A" – Zoning Maps and described as 3320 Miles Road, the following special provisions shall also apply:
- a) The following use shall also be permitted:  
  
pipe storage, processing and distribution operation
  - b) The following regulation shall also apply to the use identified in a) above:
    - i) The height of the pipes in the outdoor storage area measured from ground level shall not exceed 2.3 metres;
    - ii) An earth berm with a minimum height of 1.8 metres and a planting strip along the top of the berm consisting of evergreens with a minimum height of 1.5 metres shall be provided along any lot line adjacent to a street or a residential use.
159. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 218 of Schedule "A" – Zoning Maps and described as part of 4080 Hall Road, the following special provisions shall also apply:
- a) The following use shall also be permitted:  
  
Existing Holistic Wellness Centre
  - b) For the purposes of Special Exception 159 the following definition shall apply:  
  
Holistic Wellness Centre      Shall mean a centre, open to the public on an out-patient basis, specializing in the practice of holistic medicine and therapy by not more than seven





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- iii) Minimum yards (including graves) – 30 metres from any adjoining land which is used for residential purposes, 15 metres for any other lot line;
  - iv) Minimum setback for parking areas – 15 metres from any adjoining land which is used for residential purposes, 7.5 metres for any other lot line;
  - v) A planting strip consisting of coniferous trees and having a minimum width of 7.5 metres shall be provided along the western lot line of the subject lands;
  - vi) A planting strip having a minimum width of 3 metres shall be provided along the eastern lot line of the subject lands;
  - vii) A fence with a minimum height of 1.8 metres shall be provided along the western lot line of the subject lands;
  - viii) A fence with a minimum height of 1.8 metres shall be provided along the southern and eastern lot lines of the subject lands, and along the northern portion of the lands which are being actively developed at any one time;
  - ix) The internal vehicular road system shall be a minimum of 7.5 metres in width;
  - x) No buildings or structures are permitted for an agricultural use.
162. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 182 of Schedule “A” – Zoning Maps and described as 230, 240 and 250 Regional Road 20, the following special provisions shall also apply:
- a) The following use shall also be permitted:  
  
Barnboard and Beam Business
  - b) For the purposes of Special Exception 162 the following definition shall apply:  
  
Barnboard and

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Beam Business

Shall mean a business involving the dismantling of old barns, the sorting and storing of barnboards and beams, a sawmill operation where the boards are cut and planed to create antique flooring, and the storage of timber for future sale.

163. In addition to Section 7.3.1, on those lands zoned City Wide Park (P3) Zone, identified on Map 204 of Schedule "A" – Zoning Maps and described as part of 4300 Binbrook Road, a municipal administration office shall also be permitted.
164. In addition to Section 7.4.2, on those lands zoned Open Space (P4) Zone, identified on Map 177 of Schedule "A" – Zoning Maps and described as 8475 English Church Road East, the following additional provisions shall apply:
- a) A clubhouse shall be set back a minimum of 200.0 metres from English Church Road East and Upper James Street, and a minimum of 900.0 metres from the adjacent livestock building and manure storage facility on the lands to the east described as 8149 English Church Road East;
  - b) Minimum yards for all golf tees, fairways, greens and practice areas shall be 30.0 metres from any lot line that abuts a public street or a lot used for residential or institutional purposes;
  - c) A landscaped area with a minimum width of 10.0 metres shall be provided adjacent to any lot line that abuts a public street or a lot used for residential or institutional purposes.
165. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 182 of Schedule "A" – Zoning Maps and described as 443 Regional Road 20, a Restaurant and banquet centre shall also be permitted.
166. Notwithstanding Section 5.6 c) and 12.7.3 on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 167 of Schedule "A" – Zoning Maps and described as 432 Highland Road East, an Agriculture Processing Establishment – Stand Alone shall be subject to the following regulations:

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- a) Minimum flankage yard shall be as per the existing building, but in no case less than 10.0 metres
  - b) Maximum flankage yard 115.0 metres;
  - c) Minimum front yard 85.0 metres;
  - d) Maximum front yard 200.0 metres;
  - e) Maximum coverage permitted within the building envelope established through a), b), c), and d) above shall be 30 percent;
  - f) Maximum coverage permitted for accessory buildings within the established building envelope shall be 5 percent;
  - g) Maximum height 7.5 metres;
  - h) Any accessory retail uses must be located on the ground floor of the principal building and must not exceed 20 percent of the gross floor area of that building;
  - i) One parking space is required for every 28.0 square metres of gross floor area devoted to accessory retail uses;
  - j) One parking space is required for every 100.0 square metres of gross floor area devoted to the agricultural-related use;
  - k) No parking space or lot shall be located closer than 30.0 metres from the front lot line or 10 metres from the flankage lot line;
  - l) Open air operations, outdoor storage, and outdoor display of goods or materials other than operative motor vehicles, trucks, or operative agricultural equipment are prohibited.
167. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 944 Highway 8, the processing, wholesaling, warehousing, storage of agricultural and food products and associated buildings and structures shall also be permitted.
168. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 934 and 936 Highway 8 and 190 Glover Road, a

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Place of Worship, Day Nursery and Educational Establishment shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).

- 169. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 166 on Schedule "A" – Zoning Maps and described as part of 154 Upper Centennial Parkway, the sales and rental of golf equipment and snow and ice removal equipment shall also be permitted.
- 170. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 35 on Schedule "A" – Zoning Maps and described 793 8th Concession Road West, the existing custom workshop for the sale, service and distribution of water pumps, tanks and related accessories shall also be permitted.
- 171. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 120, 160, 194 and 206 on Schedule "A" – Zoning Maps and described as addresses:

Part of 909 Courtland Drive	Map 160
Part of 3826 Governors Road	Map 120
2040 Guyatt Road	Maps 194 and 206

- a) The following use shall also be permitted:  
  
farmer's market
- b) The regulations pertaining the use identified in a) above, shall be in accordance with Section 12.1.3.1 b) through h).
- 172. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 36 on Schedule "A" – Zoning Maps and described as part of 20 and 24 Carlisle Road, a trailer manufacturing business shall also be permitted.
- 173. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 50 and 62 on Schedule "A" – Zoning Maps and described as 407 and 411 Parkside Drive, an extraction and refining operation of abrasive material for industrial cleaning shall also be permitted.
- 174. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 31 on Schedule "A" – Zoning Maps and described as part of 1817 and 1829 Regional Road 97, a bakery, pallet manufacturing operation and welding operation shall also be permitted.

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- 175. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 66 on Schedule "A" – Zoning Maps and described as part of 1074 Highway 8, the existing outdoor storage operation shall also be permitted.
- 176. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 70 and 202 on Schedule "A" – Zoning Maps and described as part of 8155 Chippewa Road and 971 5th Concession Road West, Manufacturing shall also be permitted.
- 177. In addition to Section 12.1.1 and notwithstanding Section 12.1.3.1 e) i), on those lands zoned Agricultural (A1) Zone, identified on Maps 65, 88 and 100 on Schedule "A" – Zoning Maps and described as 2387 4th Concession Road West and part of 1188 Highway 8, the following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
Agricultural Processing Establishment – Stand Alone
- b) The following regulations shall apply to the use identified in a) above:

i)	In accordance with Section 12.1.3.1 b) through h).
ii)	Notwithstanding b) i) above and Section 12.1.3.1 e) i), for the property at 1188 Highway 8, the Maximum Lot Coverage shall be 35 percent.

- 178. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 190 on Schedule "A" – Zoning Maps and described as 3727 and 3737 Highway 6, warehousing and sales of flooring products such as ceramic, marble and vinyl flooring, and related products shall also be permitted.

**OMB Appeals**  
**Special Exception 178**  
**14 - 3727 Highway 6 Inc.**

- 179. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 62 on Schedule "A" – Zoning Maps and described as 329, 337 and part of 345 Parkside Drive, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) Long-Term Care Facility; and,

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- ii) Retirement Home.
  - b) The following regulations shall apply to the uses identified in a) above:
    - i) Maximum Height 11.0 m
    - ii) Minimum Front Yard 15.0 m
    - iii) Minimum Rear Yard 7.5 m
    - iv) Minimum Side Yard 7.5 m
    - v) Minimum Flankage Yard 15.0 m
    - vi) A Minimum Planting Strip of 3.0 m adjacent to street line shall be provided and maintained.
  - c) Access shall be permitted through a zone that does not allow the use.
180. Notwithstanding Section 12.7.1 and in addition to Section 12.7.3, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 166 of Schedule "A" – Zoning Maps and described as part of 92 Highland Road East, the following special provisions shall also apply:
- a) Only the following use shall be permitted:

Abattoir and/or a meat packaging operation which may include an accessory retail outlet, warehousing and wholesaling.
  - b) The following additional regulation shall apply:

Any new buildings or additions shall be a minimum of 48.0 metres from any existing dwelling.
181. In addition to Section 12.1.1 and notwithstanding Section 12.1.3.2 c), on those lands zoned Agriculture (A1) Zone, identified on Map 182 of Schedule "A" – Zoning Maps and described as part of 341 Regional Road 20, the following special provisions shall apply:
- a) The following uses shall also be permitted:
    - i) Garden Centre; and,

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- ii) A maximum of two Home Industries per lot.
- b) The following regulations shall apply to the uses identified in a) above:
  - i) A minimum 9.0 metre wide landscape strip shall be provided and maintained along the westerly lot line;
  - ii) A minimum 6.0 metre wide landscape strip shall be provided and maintained along the southerly lot line except for points of ingress and egress;
  - iii) A minimum flankage side yard of 45.0 metres shall be required;
  - iv) Accessory outdoor storage will not be permitted in the flankage side yard or the front yard.
  - v) In accordance with Section 12.1.3.1 b), d), e), g) and h).
- 182. In addition to Section 12.1.1 and notwithstanding Section 12.1.3.2 c), on those lands zoned Agriculture (A1) Zone, identified as Map 182 on Schedule "A" – Zoning Maps and described as part of 341 Regional Road 20, the following special provisions shall also apply:
  - a) The following use shall also be permitted:  
  
A maximum of two Home Industries per lot
  - b) The following regulations shall apply to the use identified in a) above:
    - i) A minimum 6.0 metre wide landscape strip shall be provided and maintained along the easterly zone boundary and southerly lot line except for points of ingress and egress;
    - ii) Accessory outdoor storage will not be permitted in the front yard.
    - iii) In accordance with Section 12.1.3.1 b), c), d), e), g) and h).
- 183. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 189 and 190 on

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Schedule "A" – Zoning Maps and described as 3840 Highway 6, the existing motor vehicle body shop, and the sale of motor vehicles, recreational vehicles and recreational trailers shall also be permitted.

184. In addition to Section 12.6.1 and notwithstanding Section 12.6.3 i), on those lands zoned Existing Rural Commercial (E1) Zone, identified as Map 180 on Schedule "A" – Zoning Maps and described as 603 Fletcher Road, the existing wholly enclosed equipment rental operation shall also be permitted.

185. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 113 of Schedule "A" – Zoning Maps and described as 153 Highway 52, a Veterinary Service use, in conjunction with a Veterinary Service-Farm Animal use, comprising the entire existing area of the barn and paddock, shall also be permitted.

186. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 71 of Schedule "A" – Zoning Maps and described as part of 692 Concession 5 West, the following special provisions shall also apply:

- a) The following use shall also be permitted:
  - i) Existing custom workshop and garage door contracting business.
- b) The following regulations shall apply to the use identified in a) above:

i)	Open Storage	Shall not be permitted.
ii)	In accordance with Section 12.2.3.1 b), c), d), e), g) and h).	

187. Notwithstanding Section 12.7.1 and the definition of a Motor Vehicle Service Station found in Section 3 of this By-law, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as 400 Brock Road, the following special provisions shall also apply:

- a) Only the following uses shall be permitted:
  - i) Manufacturing;



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- ii) Motor Vehicle Collision Repair Establishment;
- iii) Motor Vehicle Service Station where the sale of fuel is prohibited;
- iv) Motor Vehicle Sales and Service Establishment;
- v) Towing Establishment;
- vi) Bulk Fuel and Oil Storage Establishment; and,
- vii) Transport Terminal.

b) The following uses shall be prohibited:

- i) Abattoir; and,
- ii) Open Storage.

188. Notwithstanding Sections 12.7.1 and 12.7.3 and in addition to Section 5.6 c), on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 223 and 224 of Schedule "A" – Zoning Maps and described as part of 1500 Haldibrook Road the following special provisions shall also apply:

a) Only the following uses shall be permitted:

- i) Waste Disposal Facility; and,
- ii) Waste Processing Facility.

b) The following regulations shall apply to the uses identified in a) above:

i)	Maximum Lot Coverage	5 percent;	
ii)	Minimum Yards	60.0 metres;	
iii)	Maximum Height	10.7 metres;	
iv)	Minimum Parking requirements	1)	Parking spaces shall be provided on the same lot on which the principal use is located, sufficient in number to accommodate the employees of, and the visitors to, the permitted waste disposal facility and landfill site; and,
		2)	No parking space or part thereof shall be located and no land shall be used

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			for the temporary parking or storage of any motor vehicle at a distance of less than 30 metres of any lot line.
v)	Minimum Loading Spaces	1)	Off-street loading spaces shall be provided on the same lot on which the principal use is located, sufficient in number to provide for the needs of the permitted waste disposal facility and landfill site; and
		2)	No loading space or part thereof shall be located and no land shall be used for loading purposes within 30 metres of any lot line.
vi)	Minimum Fencing Requirements:		A fence having a minimum height of 1.8 metres shall be provided and thereafter maintained adjacent to every boundary of the existing solid waste disposal and landfill operation.

189. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 48 and 139 of Schedule "A" – Zoning Maps and described as 1134 Highway 6 and part of 1421 Highway No. 8, Retail shall also be permitted.

190. In addition to Section 12.6.1 and notwithstanding the definition of a Major Recreational Vehicle Sales and Service Establishment found in Section 3 of this By-law, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 142 of Schedule "A" – Zoning Maps and described as 2782 Jerseyville Road West, a Major Recreational Vehicle Sales and Service Establishment shall also be permitted, including the sales and service of motorcycles, recreational equipment and the storage of domestic fuel.

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191. In addition to Section 7.4.1 and notwithstanding Section 7.4.2 b), on those lands zoned Open Space (P4) Zone, identified on Map 66 of Schedule "A" – Zoning Maps and described as part of 1144 Cooper Road, the following special provisions shall apply:
- a) The following uses shall also be permitted:
    - i) Private club or lodge; and,
    - ii) Airport.
  - b) The following regulation shall also apply:
    - i) Maximum height of an accessory building or structure shall be 7.0 metres.
192. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 31 of Schedule "A" – Zoning Maps and described as part of 1802 and 1824 Regional Road 97, a Livestock Assembly Point shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).
193. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 92 of Schedule "A" – Zoning Maps and described as part of 1289 Highway 5 West,
- a) The following uses shall also be permitted:
    - i) Motor Vehicle Service Station;
    - ii) Restaurant;
    - iii) Towing Establishment; and,
    - iv) Truck Depot.
  - b) The following regulation shall also apply:
    - i) The septic tank and driveway access for the uses in the Existing Rural Industrial (E2) Zone shall be located within the portion of the property zoned Rural (A2) Zone.
194. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Maps 189 and 190 of Schedule "A" – Zoning Maps and described as 3868 Highway 6, a marine equipment sales, service and storage establishment shall also be permitted.
195. Notwithstanding Sections 4.8.1 d) and 4.8.2 c), on those lands zoned Agriculture (A1) Zone and Settlement Residential (S1) Zone,

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identified on Maps 18, 27, 79 and 210 of Schedule "A" – Zoning Maps, the following maximum accessory building heights shall apply to the addresses as follows:

Property	Map(s)	Maximum Accessory Building Height
Part of 358 Carlisle Road	Map 27	5.8 metres
23 Vanstraalen Street	Maps 18 and 27	5.5 metres
757 Old Highway 8	Map 79	6.0 metres
Part of 4427 Miles Road	Map 210	7.6 metres

- a) In addition to the above and notwithstanding Section 4.8, for the property located at 4427 Miles Road, an accessory structure with habitable rooms shall also be permitted.
196. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 61 of Schedule "A" – Zoning Maps and described as 100 Concession 5 Road East, a compressor station and accessory uses for the transportation and distribution of petroleum resources shall also be permitted.
197. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 71 of Schedule "A" – Zoning Maps and described as 910 Brock Road, a Day Nursery shall also be permitted and shall be in accordance with Section 12.2.3.7 c), d), e), f), i) and j).
198. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 78 of Schedule "A" – Zoning Maps and described as part of 921 Lynden Road, a wholesale warehouse for the distribution of dental supplies shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).
199. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as part of 1064 and 1070 Highway 8, a recreational vehicle dealership and motor vehicle dealership shall also be permitted.
200. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule "A" – Zoning Maps and described as 929 Highway 8, three dwelling units and buildings accessory thereto and the teaching of voice and music within the

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main residence as an accessory use thereto shall also be permitted and shall be in accordance with Section 12.1.3.3 c), d), e), f), i) and j).

201. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 157 of Schedule "A" – Zoning Maps and described as 648 Alberton Road, the following special provisions shall apply:
- a) The following use shall also be permitted:  
  
seed storage and distribution business
  - b) The following regulations shall apply to the use identified in a) above:
    - i) A minimum of 2 parking spaces shall be provided;
    - ii) A maximum gross floor area of 980.0 square metres shall be permitted.
    - iii) In accordance with Section 12.1.3.1 b), c), d), f), g) and h).
202. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 201 of Schedule "A" – Zoning Maps and described as 4262 Highway 6, the following uses shall also be permitted:
- a) Existing commercial use (meat store);
  - b) Existing single detached dwelling; and,
  - c) Existing barn, as an accessory building to either or both a) and b) above.
203. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 146 of Schedule "A" – Zoning Maps and described as part of 558 Fiddler's Green Road, heating fuel storage shall also be permitted.
204. In addition to Section 12.1.1 and Section 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 179 of Schedule "A" – Zoning Maps and described as part of 6065 Dickenson Road East, the following special provisions shall also apply:
- a) The following uses shall also be permitted:

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- i) an equestrian centre, which may include, horses, stables and indoor riding arenas with viewing area, and ancillary uses, including administration facilities;
    - ii) a restaurant;
    - iii) short term overnight accommodation facilities to be used in association with equestrian activities;
    - iv) parking area and buildings and structure accessory thereto.
  - b) The following regulations shall apply to the uses identified in a) above:
    - i) On-site parking spaces shall be provided at the minimum standard of one (1) parking space for every three (3) horse stalls plus one (1) parking space for every two (2) employees plus one (1) parking space for every four (4) persons that can be accommodated in the restaurant at any one time (maximum designed capacity).
    - ii) The maximum gross floor area of the restaurant, including the kitchen, storage and public areas, shall be 242.0 square metres.
    - iii) The maximum gross floor area of the short term overnight accommodation facilities shall be 242.0 square metres and the maximum designed capacity shall be 16 beds.
    - iv) In accordance with Section 12.1.3.1 b) through h).
205. In addition to Section 7.4.2 and notwithstanding Section 7.4.2 a), on those lands zoned Open Space (P4) Zone, identified on Map 187 of Schedule "A" – Zoning Maps and described as the South East corner of Carluke Road West and Shaver Road, the following special provisions shall apply:
- a) The minimum required front yard to a monument shall be 10.0 metres;
  - b) The minimum required side and rear yard to a monument shall be 3.0 metres;
206. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.1 and 5.6 c), on those lands zoned Agriculture (A1) Zone, identified

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on Map 202 of Schedule "A" – Zoning Maps and described as part of 8360 Leeming Road, the following special provisions shall apply:

- a) The following uses shall also be permitted:
  - i) an equestrian centre, which may include a horse stable, an indoor riding arena with a viewing area, an outdoor riding arena with a viewing area, an outdoor riding area and track, and ancillary uses including administration and classroom facilities;
  - ii) a restaurant;
  - iii) short term overnight accommodation facilities to be used in association with equestrian activities;
  - iv) parking area and buildings and structure accessory thereto.
  
- b) The following regulations shall apply to the use identified in a) i) above:

i)	No stable, barn or other building used to house animals, and no feed lot area or manure storage area shall be located:	1. closer than 48.0 metres to the front lot line or any street line;
		2. closer than 60.0 metres to any other lot line; or
		3. closer than 150.0 metres to any Residential or Institutional Zone, or to any residential or institutional use, except the residential uses on the subject lands.
ii)	No horse training track shall be located:	1. closer than 3.0 metres to the front lot line or street line;
		2. closer than 30.0 metres (100 feet) to any other lot line; or

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		3. closer than 30 metres to any Residential or Institutional Zone, or to any residential or institutional use, except the residential uses on the subject lands.
iii)	No other buildings shall be located closer than 15.0 metres to any lot line or street line.	

c) The following regulations shall apply to the use identified in a) ii) and iii) above:

i)	The maximum gross floor area of the restaurant, including the kitchen, storage and public areas, shall be 280.0 square metres, and the maximum density capacity shall be 100 persons.
ii)	The maximum gross floor area of the short term overnight accommodation facilities, including bedrooms, washroom and common areas, shall be 745.0 square metres, and the maximum design capacity shall be 50 persons.
iii)	In accordance with Section 12.1.3.1 b) through g).

d) The following regulations shall apply to the uses identified in a) i), ii) and iii) above:

On-site parking spaces shall be provided at the minimum standard of:	
i)	One (1) parking space for each three (3) horse stalls; plus
ii)	One (1) parking space for each 28.0 square metres or fraction thereof of total gross floor area devoted to short term overnight accommodation facilities; plus
iii)	One (1) parking space for each 9.3 square metres or fraction thereof of total public floor area devoted to a



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	restaurant facility; plus
iv)	One (1) parking space for each two (2) employees.

207. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 138 of Schedule “A” – Zoning Maps and described as 904 Highway 8, a convenience food store and an accessory dwelling unit shall also be permitted.

208. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 66 of Schedule “A” – Zoning Maps and described as 1100 Highway 8, the following special provision shall apply:

- a) The following uses shall also be permitted:
  - i) Motor Vehicle Service Station; and,
  - ii) Restaurant.

209. In addition to Section 12.2.1 and notwithstanding Sections 12.2.3.5 a), b), c) and e), on those lands zoned Rural (A2) Zone, identified on Map 105 of Schedule “A” – Zoning Maps and described as part of 381 Highway 8, the following special provisions shall apply:

- a) The following uses shall also be permitted:
  - i) Warehouse; and,
  - ii) Agricultural Processing Establishment – Stand Alone, including accessory Retail.
- b) The following regulations shall apply to the uses identified in a) above:

i)	Shall be subject to the regulations contained within Section 12.2.3.1 b), c), d) and g).	
ii)	Maximum Lot Coverage	50 percent
iii)	In addition, the use identified within a)ii) above shall also be subject to Section 12.2.3.5 d).	

210. Notwithstanding Sections 12.2.3.6 b) i) and c), on those lands zoned Rural (A2) Zone, identified on Maps 59 and 71 of Schedule “A” – Zoning Maps and described as 905 and 929 Brock Road, the following special provisions shall apply:

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a) The following regulations shall apply to a Kennel:

i)	Minimum Setbacks	Any buildings or structures associated with a Kennel shall be setback a minimum of 20.0 metres from any lot line.
ii)	Maximum Gross Floor Area	2,800.0 square metres

- 211. Notwithstanding Section 7.6.2.3 a)i), on those lands zoned Conservation/Hazard Land – Rural (P6) Zone, identified on Map 6 of Schedule “A” – Zoning Maps and described as part of 15 Timberrun Court, a Single Detached Dwelling on a vacant lot shall also be permitted.
- 212. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 90 of Schedule “A” – Zoning Maps and described as 556 Woodhill Road, Manufacturing shall also be permitted.
- 213. Notwithstanding Section 12.3.3 a), on those lands zoned Settlement Residential (S1) Zone, identified on Map 42 of Schedule “A” – Zoning Maps and described as part of 1605 Kirkwall Road, the Minimum Lot Area shall be 0.55 hectares.
- 214. Notwithstanding Sections 4.5 and 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 131, 132, 143 and 144 of Schedule “A” – Zoning Maps, and described as part of 1440 and 1450 Jerseyville Road West, a maximum of 2 single detached dwellings shall be permitted on one lot.
- 215. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.2 g) and 5.6 c) and the definition of a Kennel, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule “A” – Zoning Maps and described as part of 548 Millgrove Side Road, the following special provisions shall also apply:

a) The following uses shall also be permitted:

- i) Kennel, Accessory to an agricultural use; and,
- ii) Accessory Retail for a Kennel, occupying no greater than 5 percent of the gross floor area.

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- b) For the purposes of Special Exception No. 215 the following definition shall apply:

Kennel	Shall mean any lot, building or structure used at any time for the breeding, raising, keeping, training, grooming or boarding of four or more cats.
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- c) The following regulations shall apply to a Kennel:

i)	Maximum of 120 cats;	
ii)	The maximum gross floor area for all buildings and structures devoted to a Kennel use shall be 300.0 square metres;	
iii)	Minimum Front Yard	15.0 metres;
iv)	Maximum Front Yard	17.0 metres;
v)	Minimum parking requirements for a Kennel	4 parking spaces;

216. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 58 of Schedule "A" – Zoning Maps and described as part of 850 Concession 6 West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
- i) Motor vehicle repair shop, including body and fender repairs; and,
  - ii) Motor vehicle sales.
- b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).

217. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 24 and 25 of Schedule "A" – Zoning Maps and described as part of 963 Regional Road 97, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

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- i) Motor vehicle repair shop;
    - ii) Motor vehicle sales, excluding sale of new motor vehicles; and,
    - iii) Salvage yard.
  - b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).
218. In addition to Section 12.7.1, on those lands zoned Existing Industrial (E2) Zone, identified on Maps 84, 94 and 95 of Schedule "A" – Zoning Maps and described, in part, as 600 Highway 5 West, the following special provisions shall also apply:
- a) The following uses shall also be permitted:
    - i) an aggregate processing area;
    - ii) ready mix concrete plant;
    - iii) lime manufacturing plant;
    - iv) vehicle maintenance facilities;
    - v) parking, office and shipping facilities; and,
    - vi) accessory uses including aggregate storage, berms, aggregate recycling facilities, crushing and screening, washing, stockpiling, ponds, water management, maintenance shop, laboratory facilities, emission control devices, conveyors, and outdoor storage.
  - b) Section 12.7.3 (g) and (i) shall not apply to the subject lands.
  - c) Notwithstanding Section 12.7.3 e), the minimum rear yard for the lands located at 600 Highway 5 West shall be 3.0 m.
  - d) Notwithstanding Section 12.7.3 f), the maximum building height shall be 25.0 m.
219. In addition to Section 9.12.1, on those lands zoned Extractive Industrial (M12) Zone, identified on Maps 70, 71, 82 and 83 of Schedule "A" – Zoning Maps and described as part of 685 Brock Road and 807 Brock Road, concrete and asphalt mix manufacturing shall also be permitted and shall be in accordance with Section 9.12.3.4.
220. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 36 of Schedule "A" – Zoning Maps and

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described as 609 Safari Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) automobile repair shop, including accessory motor vehicle sales; and,
  - ii) custom workshop.
- b) The following regulations shall apply to the uses identified in a) above:
  - i) The maximum gross floor area for the automobile repair shop shall be 185.8 square metres.
  - ii) The maximum gross floor area for the custom workshop shall be 371.6 square metres.
  - iii) In accordance with Section 12.2.3.1 b), c), d), e), and g).

221. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 24 and 25 of Schedule "A" – Zoning Maps and described as part of 955 Regional Road 97, the following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
trucking operation
- b) The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).

222. Notwithstanding Section 7.8.1 and Section 7.8.2, on those lands zoned Conservation/Hazard Land – Rural (P8) Zone, identified on Map 152 of Schedule "A" – Zoning Maps and described as part of 490 Fifth Road East, the following special provisions shall also apply:

- a) The following use shall also be permitted:  
  
Single Detached Dwelling
- b) The following regulations shall apply to use identified in a) above:

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i)	Minimum front yard	7.5 metres from the boundary of the "P8, 222" Zone
ii)	Minimum side yard	7.5 metres from the boundary of the "P8, 222" Zone
iii)	Minimum rear yard	7.5 metres from the boundary of the "P8, 222" Zone
iv)	Outside storage	No outside storage shall be permitted
v)	Minimum parking requirements	2 spaces, one of which may be located in the required front yard
vi)	Maximum building height	11 metres
vii)	Minimum elevation for any building openings	193.15 metres geodetic

223. Notwithstanding Section 7.8.1 and Section 7.8.2, on those lands zoned Conservation/Hazard Land – Rural (P8) Zone, identified on Map 152 of Schedule "A" – Zoning Maps and described as part of 520 Fifth Road East, the following special provisions shall also apply:

a) The following use shall also be permitted:

Single Detached Dwelling

b) The following regulations shall apply to use identified in a) above:

i)	Minimum front yard	10.0 metres from the boundary of the "P8, 223" Zone
ii)	Minimum side yard	10.0 metres from the boundary of the "P8, 223" Zone
iii)	Minimum rear yard	10.0 metres from the boundary of the "P8, 223" Zone

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iv)	Outside storage	No outside storage shall be permitted
v)	Minimum parking requirements	2 spaces, one of which may be located in the required front yard
vi)	Maximum building height	11 metres
vii)	Minimum elevation for any building openings	193.15 metres geodetic

224. In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 84 of Schedule "A" – Zoning Maps and described as 557 Highway No. 5, the following uses shall also be permitted:

- a) Commercial Motor Vehicle Sales, Rental and Service Establishment;
- b) fruit and vegetable market;
- c) Garden Centre;
- d) Motor Vehicle Sales and Service Establishment;
- e) Manufacturing; and,
- f) Restaurant.

225. Notwithstanding Section 7.3.1, on those lands zoned City Wide Park (P3) Zone, identified on Map 26 of Schedule "A" – Zoning Maps and described as part of 159 – 165 Carlisle Road, shall only be used for Recreation.

226. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps and described as part of 533 Millgrove Side Road, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
  - i) A second dwelling unit within the existing building;
  - ii) gift shop;
  - iii) restaurant;
  - iv) place of assembly;
  - v) fruit or vegetable market, selling produce grown on the property and/or local farms; and,
  - vi) An ancillary petting zoo.

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- b) The uses identified in a) above shall be subject to the regulations contained within Section 12.1.3.1 b) through h).
227. In addition to Sections 12.2.2 and 12.2.3, on those lands zoned Rural (A2) Zone, identified on Map 204 of Schedule "A" – Zoning Maps and described as part of 3075 Tisdale Road, the following special provisions shall also apply:
- a) The following use shall also be permitted:
- Place of Worship
- b) The following regulation shall also apply to the use identified in a) above:
- i) The minimum setback for any buildings or structures shall be 16.0 metres from the barn on the abutting property to the north.
228. In addition to the Section 12.7.1 and notwithstanding Section 12.7.3 i), on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 92 of Schedule "A" – Zoning Maps and described as 466 Highway 52, 489 Highway 8 and 1379 Highway 5 West, the following special provisions shall also apply:
- a) The following uses shall also be permitted:
- i) Accessory Outdoor Storage;
- ii) Commercial Motor Vehicle Sales, Rental and Service Establishment;
- iii) Concrete Batching Plant;
- iv) Manufacturing;
- v) Office;5
- vi) the blending, sale and storage of fertilizers;
- vii) the sale and servicing of lawn and garden and industrial equipment; and,
- viii)Transport Terminal.
- b) In addition to a) above, for the property located at 1379 Highway 5 West, the following uses shall also be permitted:
- i) fuel depot;
- ii) Motor Vehicle Collision Repair Establishment;
- iii) Towing Establishment; and,
- iv) Warehouse.



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- c) For the purposes of Special Exception 228 the following definition shall apply:

Concrete Batching Plant Shall mean a plant where dry materials are weighted, batched and distributed to trucks as part of the process to produce concrete. The dry material may be mixed with the water in the truck or mixed with water in a stationary mixer prior to being distributed to the truck.

- d) Section 12.7.3 i) shall not apply to the subject lands.

229. In addition to Section 12.1.1 and Section 7.7.1, on those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Map 45 of Schedule “A” – Zoning Maps and described as part of 1233 Safari Road, a Medical Clinic with a maximum of one health care professional shall also be permitted within a Single Detached Dwelling.

230. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 91 of Schedule “A” – Zoning Maps and described as 634 Valens Road, a lumber supply establishment shall also be permitted.

231. In addition to Section 12.6.1 and notwithstanding Section 12.6.3, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 190 of Schedule “A” – Zoning Maps and described as 3761 Highway No. 6, the following special provisions shall also apply:

- a) The following uses shall also be permitted:

- i) Motor Vehicle Sales and Rental Establishment;
- ii) Motor Vehicle Service Station; and,
- iii) Restaurant.

- b) For the purposes of Special Exception 231 the following definition shall apply:

Motor Vehicle Sales and Rental Establishment	The use of land, building or structure, or part thereof, where Motor Vehicles or parts for such vehicles are stored and displayed for the purpose of sale, lease, or rental.
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- c) The following regulations shall apply to the uses identified in a) above:

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i)	Maximum Height	10.7 metres;
ii)	Maximum Lot Coverage	23 percent;
iii)	Minimum Front Yard Setback	14.0 metres;
iv)	Minimum Rear Yard Setback	18.0 metres;
v)	Minimum Northerly Side Yard Setback	1.5 metres;
vi)	Minimum Southerly Side Yard Setback	6.0 metres;
vii)	Minimum Parking Requirements	In accordance with the requirements of Section 5 of this By-law;
viii)	Minimum Loading Requirements	In accordance with the requirements of Section 5 of this By-law;
ix)	Minimum Landscaping Requirements	A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such area shall be continuous except for the required driveway(s);
x)	Outside Storage	Outside storage shall not be permitted. Notwithstanding the foregoing, the parking of Motor Vehicles awaiting repair at a Motor Vehicle Service Station shall be permitted outside on the premises.

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232. In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 49 of Schedule "A" – Zoning Maps and described as 937 Centre Road, a Commercial School shall also be permitted.

233. Notwithstanding Section 12.4.3, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 27 of Schedule "A" – Zoning Maps and described as 1442 Centre Road, permitted uses shall only be permitted within the Existing building.

234. Notwithstanding Section 12.2.3.7 a), on those lands zoned Rural (A2) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 10 and 17 of Schedule "A" – Zoning Maps and described 1, 2, 5, 6, 9, 10, 14, 15, 17, 18, 21 and 22 Stonebury Place, the following special provision shall also apply:

a) The following regulation shall apply for a Single Detached Dwelling:

i)	Minimum Lot Area	1.0 ha
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235. Notwithstanding Section 12.2.3.7 a) and Section 12.2.3.7 b), on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P7) and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 20, 21, 30 and 31 of Schedule "A" – Zoning Maps and described as 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 40, 44, 48 and 52 Pioneer Way and 2030, 2048 and 2058 Concession 10 West, the following special provision shall apply:

a) The following regulations shall apply for a Single Detached Dwelling:

i)	Minimum Lot Area	0.6 ha
ii)	Minimum Lot Width	36.0 metres

236. Notwithstanding Section 7.4.1, Section 7.4.2, Section 7.6.1 and Section 7.6.2, on those lands zoned Open Space (P4) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 205 and 213 of Schedule "A" – Zoning Maps and described as part of 2527 Binbrook Road, the following special provisions shall apply:

a) Only the following use shall be permitted:

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Golf Course with a maximum of 18 holes

- b) The following regulations shall apply to the use identified in a) above:

i)	Minimum clubhouse setback from Regional Road 56	150.0 metres;
ii)	Minimum setback for all golf tees, fairways, greens and practice areas from any lot line	30.0 metres;
iii)	Minimum landscaped area width adjacent to a residential use	10.0 metres;
iv)	Buffering, screening and/or fencing	Shall be provided adjacent to every lot line that abuts an agricultural use;
v)	Principal public access to the Golf Course facilities	Shall be restricted to Regional Road 56.

237. In addition to Section 12.5.1, on those lands zoned Settlement Institutional (S3) Zone, identified on Map 62 of Schedule "A" – Zoning Maps and described as part of 715 Centre Road, a convent shall also be permitted.

238. Notwithstanding Section 7.2.1 and Section 7.2.2, on those lands zoned Community Park (P2) Zone, identified on Map 95 of Schedule "A" – Zoning Maps and described as part of 71 Tews Lane, no development shall be permitted.

239. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 84 and 95 of Schedule "A" – Zoning Maps and described as 419, 433, 437, 441, 451, 459, 465 and 477 Ofield Road South and 588 Highway No. 5 West, the following special provisions shall also apply:

- a) The following uses shall also be permitted:
- i) Building and Lumber Supply Establishment;
  - ii) Commercial Motor Vehicle Sales, Rental and Service Establishment;

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- iii) Equipment and Machinery Sales, Rental and Service Establishment;
- iv) Existing Social Services Establishment;
- v) Manufacturing;
- vi) Office;
- vii) Transport Terminal; and,
- viii) Warehouse.

b) Notwithstanding Sections 12.7.3 (f) and (i), the following regulations shall apply to the property located at 588 Highway No. 5 West:

i)	Maximum height of silo	24.4 metres
ii)	Maximum height of all other buildings and structures	18.2 metres
iii)	Open storage shall be permitted in the front yard at a minimum horizontal distance of 9.14 m from the front lot line and no planting strip shall be required for the open storage areas.	

240. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 5 and 9 of Schedule "A" – Zoning Maps and described as 341 Mountsberg Road, the following special provisions shall apply:

a) The following use shall also be permitted:

Existing Accessory Building

b) The following regulations shall also apply for the Existing Accessory Building:

i)	Minimum Front Yard	10.0 metres;
ii)	Maximum Height	10.0 metres.

c) For the purposes of Special Exception 240 the following definition shall apply:

Existing Accessory Building            Shall mean a detached building or structure which:

(i) is used for an accessory use;

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- (ii) cannot contain food preparation facilities;
- (iii) cannot be used for human habitation; and
- (iv) includes a detached garage, detached carport and deck.

**241.** In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 182 of Schedule “A” – Zoning Maps and described as part of 340 Regional Road 20, the following special provisions shall also apply:

<b>OMB Appeals</b>
<b>Special Exception 241</b>
<b>1 - CROP</b>

a) The following use shall also be permitted:

landscape contracting operation

b) The following regulations shall apply to the use identified in a) above:

i)	Maximum Gross Floor Area	618.0 square metres
ii)	Outside Storage	Shall not exceed an area of 8,094 square metres
iii)	Minimum Lot Area being used for Agricultural production	22.2 hectares

**242.** In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.1 and 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 196 of Schedule “A” – Zoning Maps and described as part of 420 Westbrook Road, the following special provisions shall apply:

a) The following uses shall also be permitted as accessory uses to the Agricultural operation on the other lands included within the existing lot:

- i) Sale of produce and trees grown on site;
- ii) Sale of farm and garden supplies;
- iii) Sale and repair of farm machinery;

b) The following regulations shall apply to the uses identified in a) above:

i)	Minimum Frontage	30.0 metres;
ii)	Maximum Flankage	200.0 metres;

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iii)	Maximum Area	0.6 hectares;
iv)	Minimum Yard Adjacent to a Street	15.0 metres;
v)	Minimum Building Setback from Other Boundary Lines	7.5 metres;
vi)	Maximum Lot Coverage	25 percent
vii)	Maximum Building Height	10.7 metres;
viii)	Minimum Parking Requirements	1. One (1) parking space for every 45 square metres of gross floor area, with a minimum of ten (10) parking spaces shall be provided on-site.
		2. All parking areas shall be setback a minimum distance of 3.0 metres from all streets and boundary lines.
ix)	Minimum Landscaping Requirements	1. A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of the subject lands that abuts Highway No. 20 and Westbrook Road.
		2. All portions of the subject lands not covered by buildings or structures or not used for driveways, parking, loading,

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		outside storage and/or display, walkways or cultivation, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.
x)	Outside Display and Storage	The outside display and/or storage of the permitted goods, materials and equipment shall be setback a minimum distance of 15.0 metres from any street line and shall be setback a minimum distance of 7.5 metres from all other boundary lines.
xi)	Access	Shall be restricted to Westbrook Road.

243. In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 62 of Schedule "A" – Zoning Maps and described as part of 619 Centre Road, a stormwater management pond shall also be permitted.

244. In addition to Section 12.1.1 and notwithstanding Sections 12.1.3.1 and 5.6 c), on those lands zoned Agriculture (A1) Zone, identified on Map 190 of Schedule "A" – Zoning Maps and described as Part of Lot 8, Concession 5, the following special provisions shall apply:

- a) The following uses shall also be permitted:
  - i) A general office facility for a sod company;
  - ii) Minor repair, maintenance and storage of sod-related agricultural equipment;
- b) The following regulations shall apply to the uses identified in a) above:

i)	Minimum Front Yard	45.0 metres;
ii)	Maximum Gross Floor Area of	929.0 square metres;



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	the building	
iii)	Maximum Building Height	7.5 metres;
iv)	Minimum Parking Requirements	<p>1. No parking space or part thereof shall be located and no land shall be used for the temporary parking of any motor vehicle at a distance of less than 22.5 metres from Airport Road and 7.5 metres from any other lot lines.</p> <p>2. The minimum number of parking spaces shall be one (1) space for each 46.0 square metres of gross floor area.</p>
v)	Minimum Landscaping Requirements	<p>1. A landscaped area having a minimum width of 22.5 metres shall be provided and thereafter maintained adjacent to Airport Road (except the driveway).</p> <p>2. All portions of the lot not covered by buildings or structures or not used for driveways, storage, parking, walkways or agricultural crops, shall be grassed or have other suitable vegetative cover designed to provide an attractive appearance.</p>
vi)	Outside Storage Requirements	<p>1. No outside storage shall be permitted at a distance of less than</p>

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		45.0 metres from Airport Road.
		2. All outside storage shall be screened with a solid fence with a minimum height of 1.8 metres and/or planting strip consisting of coniferous trees having a minimum initial height of 1.5 metres.

245. In addition to Section 7.4.1, on those lands zoned Open Space (P4) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 58 12th Concession Road East, the following special provision shall apply:

- a) Only the following use shall be permitted:
  - i) private sewage treatment plant with dispersal fields and water distribution system.

246. In addition to Section 7.4.1 and notwithstanding Section 7.4.2 and Section 5, on those lands zoned Open Space (P4) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 58 12th Concession Road East, the following special provisions shall also apply:

- a) For the purposes of Special Exception 246, a Seasonal Campground may include as ancillary uses a residential dwelling for a manager of the park, a recreational building or pavilion, excluding outdoor entertainment facilities and amphitheater, with a convenience store, an administrative office, utility buildings for maintenance equipment and accessory sport fields without lighting.
- b) For the purposes of Special Exception 246, the following definition shall apply:

Seasonal	The occupancy of individual camping sites shall be permitted only during the period between April 15 <sup>th</sup> to October 31 <sup>st</sup> .
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- c) The following regulations shall apply to a Seasonal Campground:

i)	The total number of recreational camping sites shall not exceed 100.	
ii)	Minimum Lot Area	4.0 ha;
iii)	Maximum Lot Area	13.1 ha;
iv)	Maximum Lot Coverage	0.5%;
v)	Minimum Front Yard	A seasonal trailer site shall not be permitted within 94.0 metres of the front property line;
vi)	Minimum Rear Yard	<ol style="list-style-type: none"> <li>1. A seasonal trailer site shall not be permitted within 45.0 metres of the rear property line and shall include a 15.0 metre wide naturalized planting strip.</li> <li>2. A building for recreation or entertainment purposes or park offices, garbage enclosures and visitors parking shall not be permitted within 90.0 metres of the rear property line.</li> </ol>
vii)	Minimum Side Yard	A seasonal trailer site shall not be permitted within 7.6 metres of the side property line.
viii)	Parking	<ol style="list-style-type: none"> <li>1. One parking space per seasonal trailer site</li> </ol>

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		and 0.25 spaces per seasonal trailer site for visitors.
		2. Visitor parking shall be provided in one or more designated parking areas on the property.
		3. Parking spaces for camping sites or visitors shall have minimum dimensions of 2.6 X 5.5 metres.
ix)	Open Storage	No open storage shall be permitted.
x)	Planting Strip	1. A planting strip shall not be required along the front property line.
		2. A minimum 15.0 metre wide naturalized planting strip shall be provided along the rear property line.
xi)	Minimum Width of Internal Roads	6.0 metres for two way travel.

247. Notwithstanding Section 7.8.1, on those lands zoned Conservation/Hazard Land – Rural (P8) Zone, identified on Map 16 of Schedule “A” – Zoning Maps and described as part of 57 and 58 12th Concession Road East, the following special provision shall apply:

- a) Only the following use shall be permitted:
  - i) Conservation; and,
  - ii) Any buildings or structures associated with flood or erosion control, drainage or watercourse protection.

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248. In addition to Section 12.2.1 and Section 12.2.2 and notwithstanding Section 5, on those lands zoned Rural (A2) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 57 12th Concession Road East, the following special provisions shall apply:

- a) The following uses shall also be permitted:
  - i) mobile home park;
  - ii) clubhouse, accessory to the mobile home park, which may include as ancillary uses to the park, administrative offices, a convenience store, a hotel consisting of 20 suites, a restaurant and tavern, a dining area, games room, fitness and leisure facilities including a pool, hot tub, sauna, showers, and fitness room.
  - iii) One manager's suite and two staff apartments, adjacent to the existing clubhouse;
  - iv) Maintenance, utility and storage buildings; and,
  - v) Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.
- b) The use permitted in a) i) above, shall be subject to the removal of Holding Provisions "H9" and "H10".
- c) The uses permitted in a) ii), iii), iv) and v) above, shall be subject to the removal of Holding Provision "H9" only.
- d) The following regulations shall apply to the mobile home park:

i)	The total number of mobile home sites shall not exceed 150.	
ii)	Minimum Lot Area	3.0 ha;
iii)	Maximum Lot Area	19.4 ha;
iv)	Minimum Park and Place of Recreation Area	12.4 % of Lot Area;
v)	Maximum Lot Coverage for Clubhouse	1.5 % of the Lot;

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vi)	Minimum Lot Frontage	106.0 metres;
vii)	Maximum Height	1. Existing Buildings shall be recognized;
		2. No new buildings or additions shall exceed 11.0 metres.
viii)	Minimum Front Yard	1. 15.0 metres for new mobile home units;
		2. Existing club house and attached residential suits shall not be located closer than 25.0 metres from the front property line.
ix)	Minimum Rear Yard	1. 15.0 metres for all new buildings;
		2. 8.5 metres for Existing buildings.
x)	Minimum Side Yard	1. 15.0 metres for all new buildings;
		2. 6.5 metres for Existing buildings.
xi)	Parking	1. One parking space per mobile home site and 0.25 spaces per mobile home site for visitor's parking;
		2. Visitor parking shall be located only within a

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		designated parking area on the property.
		3. Parking spaces shall have minimum dimensions of 2.6 X 5.5 metres.
xii)	Minimum Width of Internal Roads	3.0 metres for one way travel only.

e) The following regulations shall apply to a mobile home site:

i)	Minimum Lot Area	234.0 square metres;
ii)	Minimum Lot Frontage	4.1 metres;
iii)	Maximum Lot Coverage	1. Existing mobile home units, garages, carports, and accessory structures shall be recognized;  2. Replacement mobile home units and all other buildings or structures shall not exceed the lesser of 144.0 square metres or 50% of the total lot area.
iv)	Minimum Front Yard	1. Front Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;  2. 1.5 metres for replacement mobile home units.
v)	Minimum Rear Yard	1. Rear Yard Setbacks for existing mobile home

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		units, garages, carports and structures shall be recognized;
		2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) ix) above.
vi)	Minimum Interior Side Yard	1. Interior Side Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;
		2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) x) above.
vii)	Minimum Flankage Yard	1. Flankage Yard Setbacks for existing mobile home units, garages, carports and structures shall be recognized;
		2. 1.5 metres for replacement mobile home units and all other buildings or structures, except where noted in d) x) above.
viii)	Minimum Landscaped Open Space	10%
ix)	Open Storage	No open storage shall be



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		permitted.
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249. In addition to Sections 12.2.1 and 12.7.1, on those lands zoned Rural (A2) Zone and Existing Rural Industrial (E2) Zone, identified on Map 48 of Schedule “A” – Zoning Maps and described as part of 1046, 1055, 1056 and 1064 Highway 6, the following uses shall also be permitted:

- a) Commercial Motor Vehicle Sales, Rental and Service Establishment;
- b) Manufacturing; and,
- c) Warehouse.

250. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 120 of Schedule “A” – Zoning Maps and described as part of 1974 Concession 2 West, a private school shall also be permitted and shall be subject to Section 12.1.3.1 b) through g).

251. In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 120 of Schedule “A” – Zoning Maps and described as part of 1974 Concession 2 West, a pet cemetery shall also be permitted and shall be subject to Section 12.1.3.1 b) through g).

252. In addition to Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Maps 70 on Schedule “A” – Zoning Maps and described as 1072 5th Concession Road West, a towing operation shall also be permitted.

253. In addition to Sections 12.1.1, 12.2.1, 12.3.1, 12.6.1, 7.6.1 and 7.7.1 on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone, Settlement Residential (S1) Zone, Existing Rural Commercial (E1) Zone, Conservation/Hazard Land – Rural (P6) Zone and Conservation/Hazard Land – Rural (P7) Zone, identified on Maps 25, 27, 35, 39, 46, 47, 48, 49, 50, 58, 60, 61, 69, 70, 71, 72, 73, 82, 84, 111, 112, 113, 131, 132, 141, 144, 156, 173 and 186 on Schedule “A” – Zoning Maps and described as addresses:

<b>OMB Appeals</b>
<b>Special Exception 253</b>
<b>1 - CROP</b>

Property	Map(s)	Special Exception Area
Part of 3517 Indian Trail	Map 141	6,520 square metres (0.65 Ha)
Part of 534 Concession 5 West	Maps 60 and 72	19,205 square metres (1.92 Ha) and set back 137 metres from Concession 5 West
Part of 1431 Centre Road	Map 27	1,690 square metres (0.17 Ha) and set back 44 metres from Centre

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		Road
Two Parts of 183 Orkney Road	Map 112	9,153 square metres (0.91 Ha) Part 1 – 562 square metres (0.05 Ha) and set back 36 metres from Orkney Road Part 2 – 8,591 square metres (0.86 Ha) and set back 20 metres from Orkney Road
Part of 682 Ofield Road North	Map 72	1,630 square metres (0.16 Ha) and set back 150 metres from Concession 4 West
Part of 1 Karendale Crescent	Map 25	986 square metres (0.1 Ha)
Part of 1299 Highway 6 North	Map 47	1,411 square metres (0.14 Ha)
Two Parts of 912 Beeforth Road	Map 39	10,971 square metres (1.1 Ha) Part 1 – 2,973 square metres (0.3 Ha) and set back 67 metres from Beeforth Road Part 2 – 7,998 square metres (0.80 Ha) and set back 243 metres from Beeforth Road
Part of 262 Lynden Road	Map 111	2,413 square metres (0.24 Ha)
Part of 313 Sunnyridge Road	Map 156	1,920 square metres (0.19 Ha) and set back 59 metres from Sunnyridge Road
Part of 561 Concession 5 Road West	Map 60	4,705 square metres (0.47 Ha) and set back 25 metres from Concession 5 West
Part of 658 Concession 5 Road West	Map 71	17,789 square metres (1.78 Ha)
Part of 72 Shelton Lane	Map 72	20,290 square metres (2.03 Ha)
Part of 728 Highway 6	Map 73	6,934 square metres (0.69 Ha) and set back 118 metres from Highway 6
Part of 996 Jerseyville Road West	Maps 132 and 144	29,393 square metres (2.94 Ha) and set back 229 metres from Jerseyville Road West
Part of 98 Concession 7 Road East	Map 48	1,353 square metres (0.14 Ha) and set back 144 metres from Concession 7 East
Part of 877 Westover Road	Map 69	1,851 square metres (0.19 Ha) and set back 20 metres from Westover Road
Part of 148 Concession 6 Road East	Maps 49	5,788 square metres (0.58 Ha) and set back 125 metres from Concession 6 Road East

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Part of 11 Parkside Drive	Map 73	15,475 square metres (1.55 Ha)
Part of 631 Robson Road	Map 50	5,810 square metres (0.58 Ha) and set back 85 metres from Robson Road
Part of 1650 Powerline Road West	Map 131	2,841 square metres (0.28 Ha) and set back 126 metres from Power Line Road West
Two Parts of 1420 Concession 2 Road West	Map 113	9,862 square metres (0.99 Ha) Part 1 – 4,137 square metres (0.41 Ha) Part 2 – 5,725 square metres (0.57Ha) and setback 154 metres from Concession 2 West
Part of 751 Middletown Road	Map 82	1,019 square metres (0.1 Ha) and set back 86 metres from Middletown Road
Part of 460 Highway 5 West	Map 84	7,756 square metres (0.78 Ha) and set back 17 metres from Highway 5 West
Part of 1326 Butter Road West	Maps 173 and 186	22,101 square metres (2.21 Ha) and set back 65 metres from Butter Road West and 192 metres from Trinity Road South
Part of 1441 Jerseyville Road West	Map 132	1,354 square metres (0.14 Ha) and set back 113 metres from Jerseyville Road West
Part of 510 Ofield Road North	Map 84	1,869 square metres (0.19Ha) and set back 162 metres from Ofield Road North and 174 metres from Highway No. 5 West
Part of 65 Concession 6 Road East	Map 48	1,220 square metres (0.12 Ha) and set back 176 metres from Concession 6 East
Part of 797 Concession 8 Road West	Map 35	307 square metres (0.03 Ha) and set back 48 metres from Concession 8 West
Part of 940 Concession 5 Road West	Map 70	1,702 square metres (0.17 Ha) and set back 57 metres from Concession 5 West
Part of 1182 Brock Road	Map 46	1,373 square metres (0.14 Ha) and set back 76 metres from Brock Road
Part of 143 Concession 6 Road East	Map 49	868 square metres (0.09 Ha) and set back 33 metres from Concession 6 East

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Part of 1049 Concession 6 Road West	Map 58	1,503 square metres (0.15 Ha) and set back 118 metres from Concession 6 West
Part of 181 Concession 6 Road East	Map 49	40,658 square metres (4.07 Ha) and set back 557 metres from Concession 6 Road East
Part of 136 Concession 5 Road East	Map 61	20,446 square metres (2.04 Ha)
Part of 598 Middletown Road	Maps 82 and 93	20,464 square metres (2.05 Ha) and set back 46 metres from Concession 4 West and 102 metres from Middletown Road
Part of 367 Highway 5 West	Map 84	8,800 square metres (0.88 Ha) and set back 74 metres from Highway 5 West
Part of 888 Beeforth Road	Map 39	6,078 square metres (0.61 Ha) and set back 160 metres from Beeforth Road

The following special provisions shall also apply:

a) The following use shall also be permitted:

landscape contracting establishment

b) For the purposes of Special Exception No. 253 the following definition shall apply:

Landscape Establishment	Contracting	Shall mean the use of land building or structure, or part thereof for the storage of soil, composted materials and other soil amendments, mulch, rock, screening and other similar materials along with the provision of landscape design services and off-site landscape installation services; storage of landscaping and horticultural maintenance equipment; composting and mixing of soil and soil amendments; and Accessory storage of snow removal equipment.
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- c) Notwithstanding a) above, for the property located at 534 Concession 5 West, two landscape contracting establishments shall be permitted.
- d) Notwithstanding a) above, for the property located at 996 Jerseyville Road West, multiple landscape contracting establishments shall be permitted.
- e) In addition to a) above, for the property located at 367 Highway 5 West, a flea market shall also be permitted.
- f) The following regulations shall apply to the use identified in a), c) and d) above:

i)	Minimum Setbacks	All buildings or structures shall be setback a minimum of 15.0 metres from any lot line.
ii)	Outdoor Storage	Shall be setback a minimum of 30.0 metres from any lot line and screened by a visual barrier in accordance with Section 4.19 of this By-law.
iii)	Access	Access shall be permitted through a zone that does not permit the use.

- 254. In addition to Section 12.6.1 and Section 12.1.1, on those lands zoned Existing Rural Commercial (E1) Zone and Agriculture (A1) Zone, identified on Map 168 on Schedule "A" – Zoning Maps and described as 735 Mud Street West, a salvage yard shall also be permitted with an aggregate maximum gross floor area of 5,349 square metres in three buildings, and a maximum height of 7.3 m.
- 255. Notwithstanding Section 12.4.3, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 65 of Schedule "A" – Zoning Maps and described as 1292 Old Highway 8, permitted uses shall be restricted to Office.
- 256. In addition to Section 12.6.1 and Section 12.2.1, on those lands zoned Existing Rural Commercial (E1) Zone and Rural (A2) Zone, identified on Maps 48 and 60 of Schedule "A" – Zoning Maps and described as 992 Highway 6, an Agricultural Processing

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Establishment for the packaging, treating and storing of produce grown on or off the premises shall be permitted.

257. In addition to Section 7.6.1, Section 7.7.1, and Section 7.8.1 and notwithstanding Section 7.6.2, Section 7.7.2, and Section 7.8.2, on those lands zoned Conservation/Hazard Land – Rural (P6) Zone, Conservation/Hazard Land – Rural (P7) Zone, and Conservation/Hazard Land – Rural (P8) Zone identified on Maps 6 and 10 of Schedule “A” – Zoning Maps and described as part of 353 Concession 11 East, part of 385 Concession 11 East, part of 475 Concession 11 East, part of 515 Concession 11 East and part of Part Lot 2, Lot 3 Concession 11, the following special provisions shall apply:

a) The following use shall be prohibited:

Mineral Aggregate Operation

b) The following regulations shall apply:

No new buildings or structures shall be permitted.

258. In addition to Section 12.2.2, on those lands zoned Rural (A2) Zone identified on Map 10 of Schedule “A” – Zoning Maps and described as part of 353 Concession 11 East, part of 385 Concession 11 East, part of 475 Concession 11 East, and part of Part Lot 2, Lot 3 Concession 11, the following special provisions shall apply:

a) The following use shall be prohibited:

Mineral Aggregate Operation

259. In addition to Section 7.6.1 on those lands zoned Conservation Hazard Land – Rural (P6) Zone, identified on Maps 6 and 10 of Schedule “A” – Zoning Maps and described as part of 515 Concession 11 East, the following special provisions shall apply:

a) The following use shall be prohibited:

Mineral Aggregate Operation

b) The following use shall be permitted:

Single Detached Dwelling and accessory uses, in accordance with Sections 7.6.2.3 and 4.8.2.

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260. Notwithstanding Section 12.1.3.3 d), on those lands zoned Agriculture (A1) Zone, identified on Map 76 of Schedule "A" – Zoning Maps and described as 2530 Concession 6 Road West, a Minimum Front Yard of 6.4 metres shall be permitted for a Single Detached Dwelling.
261. Notwithstanding Section 12.3.3 b), on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described as 25 Park Avenue, a Minimum Lot Width of 20 metres shall be permitted for a Single Detached Dwelling.
262. In addition to Section 12.1.3.1 j), on those lands zoned Agriculture (A1) Zone, identified on Map 76 of Schedule "A" – Zoning Maps and described as 1709 Highway 5 West, the following special provisions shall also apply:
- a) A Farm Labour Residence may be permitted in the form of Single Detached Dwelling which is not of temporary construction.
  - b) Subsection 12.1.3.1 j) ii) 1 shall not apply.
263. Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 60 of Schedule "A" – Zoning Maps and described as part of 524 Concession 6 Road West, Manufacturing shall also be permitted.
264. Notwithstanding Section 12.7.1, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 81 of Schedule "A" – Zoning Maps and described as part of 1419-1421 Concession 4 Road West, the following uses shall also be permitted:
- a) Manufacturing;
  - b) motor vehicle repair shop;
  - b) sawmill; and,
  - c) welding shop.
265. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described as part of 18 Short Road, the following uses shall also be permitted within the existing building:
- a) Tradesperson's Shop; and,
  - b) storage.

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266. Notwithstanding Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Map 107 of Schedule "A" – Zoning Maps and described as part of 18 Short Road, the following uses shall also be permitted within the existing building:
- a) Craftsperson Shop;
  - b) Office;
  - c) Personal Services;
  - d) retail store; and,
  - e) one residential unit.
267. In addition to a Single Detached Dwelling as identified within Section 4.7, on those lands zoned Agriculture (A1) Zone, identified on Map 65 of Schedule "A" – Zoning Maps and described as 1190 Highway No. 8, Section 4.7 shall also apply to any other permitted uses within the Agriculture (A1) Zone.
268. Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 169 of Schedule "A" – Zoning Maps and described as part of 913 Mud Street, a contractor's establishment shall also be permitted.
269. Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 83 of Schedule "A" – Zoning Maps and described as 565 Brock Road, the following special provisions shall also apply:
- a) The following uses shall also be permitted:
    - i) Aggregate, concrete and asphalt storage and recycling;
    - ii) Topsoil preparation; and,
    - iii) Accessory repair, maintenance and storage of Commercial Motor Vehicles associated with the uses in i) and ii) above.
  - b) The following regulation shall also apply:
    - i) An earth berm with a minimum height of 2.0 metres and a planting strip along the top of the berm consisting of evergreens with a minimum height of 1.5 metres shall be provided along the front property line from the north east corner of the property and extending 115 metres south. The earth berm shall be setback 6.0 metres from the front property line.



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270. Notwithstanding Sections 12.2.3.6 b) i) and c) and the definition of a Kennel, on those lands zoned Rural (A2) Zone, identified on Map 71 of Schedule “A” – Zoning Maps and described as 899 Brock Road, the following special provisions shall apply:

a) For the purposes of Special Exception No. 270 the following definition shall apply:

Kennel	Shall mean a commercial establishment for the training of domestic animals.
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b) The following regulations shall apply to a Kennel:

i)	Minimum Setbacks	Any buildings or structures associated with a Kennel shall be setback a minimum of 20.0 metres from any lot line.
ii)	Maximum Gross Floor Area	2,800.0 square metres

271. Notwithstanding Sections 12.2.3.1 m) i) and ii), on those lands zoned Rural (A2) Zone, identified on Maps 35 and 36 of Schedule “A” – Zoning Maps and described as part of 780 Concession 8 Road West, a maximum gross floor area of 21,500.0 square metres shall be permitted for all buildings and structures associated with a Medical Marihuana Growing and Harvesting Facility.”

11. That Schedule “D” – Holding Provisions of By-law 05-200 is hereby amended by adding additional Holding Provisions as follows:

“1. Notwithstanding Section 12.4 of this By-law, on those lands zoned Settlement Commercial (S2) Zone, identified on Maps 113 and 114 of Schedule “A” – Zoning Maps and described as 2038 Governors Road, no development shall be permitted until such time as:

(i) The owner/applicant has receiving approval of a Site Plan Control Application, to the satisfaction of the Director of Planning, Planning and Economic Development Department.

2. Notwithstanding Section 12.2 of this By-law, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 166 of Schedule “A” – Zoning Maps and described as 19 Highland Road East and part of 154 and part of 146 Upper Centennial Parkway, no development shall be permitted until such time as:

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- (i) The owner/applicant has receiving approval of a Site Plan Control Application, to the satisfaction of the Director of Planning, Planning and Economic Development Department; and,
  - (ii) A signed Record of Site Condition (RSC) has been submitted to the Director of Planning, Planning and Economic Development Department and the Ministry of the Environment (MOE). This RSC, must be to the satisfaction of the City of Hamilton, including acknowledgement of receipt of the RSC by the MOE.
- 3. Notwithstanding Section 12.1 of this By-law, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps and described as part of 497 Millgrove Side Road, no development shall be permitted until such time as:
  - (i) An Archaeological Assessment for the subject property is completed and approved by the Director of Planning and the Minister of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
- 4. Notwithstanding Section 12.1 of this By-law, on those lands zoned Agriculture (A1) Zone, identified on Map 85 of Schedule "A" – Zoning Maps and described as part of 533 Millgrove Side Road, the combined capacity of restaurant and Place of Assembly shall be limited to 150 seats, until such time as:
  - (i) The owner submits an additional Hydrogeological Investigation, demonstrating that the Restaurant and Place of Assembly uses can be adequately serviced by private water and sanitary services accommodating capacities of 112 seats and 250 seats, respectively, to the satisfaction of the Manager of Development Planning, Heritage and Design, and the Manager of Infrastructure and Source Water Planning, in consultation with the Ministry of the Environment. Once the Holding provision has been removed, a 112-seat Restaurant and a 250-seat Place of Assembly shall be permitted.
- 5. Notwithstanding Section 12.2 of this By-law, on those lands zoned Rural (A2) Zone, identified on Map 204 of Schedule "A" – Zoning

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Maps and described as 3075 Tisdale Road, no development shall be permitted until such time as:

- (i) Proof that an adequate private sanitary sewage system can be designed for the site, to the satisfaction of the Manager, Infrastructure and Source Water Planning; and,
  - (ii) That a Stage 3 archaeological assessment of Tisdale site (AgGw-518) be completed, to the satisfaction of the Director of Planning and the Ministry of Tourism, Culture and Sport.
6. Notwithstanding Section 12.3 of this By-law, on those lands zoned Settlement Residential (S1) Zone, identified on Map 42 of Schedule "A" – Zoning Maps and described as part of 1605 Kirkwall Road, no development shall be permitted until such time as:
- (i) The owner enter into a Consent Agreement with the City of Hamilton, which will include required private servicing and monitoring conditions to the satisfaction of the Manager of Source Protection Planning, Public Works Department and Senior Director of Growth Management.
7. Notwithstanding Section 12.3 of this By-law, on those lands zoned Settlement Residential (S1) Zone, identified on Map 94 of Schedule "A" – Zoning Maps and described as part of 403 Old Brock Road, no development shall be permitted until such time as:
- (i) The Holding provision shall preclude development of the thirteenth lot until such time that a sufficient monitoring assessment of 10 of the 13 approved lots has been completed, and that it has been demonstrated that the remaining lots can be sustained without unacceptable degradation of the ground and surface waters, to the satisfaction of the Director of Planning and Ministry of Health.
8. Notwithstanding Section 7.4 and Special Exception No. 245 and No. 246 of this By-law, on those lands zoned Open Space (P4) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 58 12th Concession Road East, the development of up to 100 seasonal trailer sites and the private sewage treatment plant with dispersal fields, shall not be permitted until such times as:
- (i) Site Plan Agreement

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The Owner has entered into a Site Plan Agreement with the City and registered said Agreement on title. The Site Plan Agreement will address but shall not be limited to: required improvements and upgrades to the servicing, infrastructure, and layout of the seasonal trailer park, through which the required financial securities for the construction of works identified through the Site Plan Approval process will be specified by the City and posted by the Owner prior to Site Plan Approval; and,

(ii) **Municipal Responsibility Agreement**

The Owner has executed and registered on title the signed Municipal Responsibility Agreement and associate Trust Agreement to the satisfaction of the Senior Director of Growth Management and the Director of Hamilton Water, Public Works, and the Director of Planning. Prior to registration of said Agreements, the Owner shall post the financial securities required thereunder to the satisfaction of Senior Director of Growth Management and the Director of Hamilton Water, Public Works, and the Director of Planning.

9,

Notwithstanding Section 12.2 and Special Exception No. 248 of this By-law, on those lands zoned Rural (A2) Zone, identified on Map 16 of Schedule "A" –Zoning Maps and described as part of 57 12th Concession Road East, the development of up to 50 permanent mobile home sites (units) as well as the following uses:

Clubhouse, accessory to the Manufactured and Mobile Home Park, which may include as ancillary uses to the park, administrative offices, a convenience store, a hotel consisting of 20 suites, a restaurant and tavern, a dining area, games room, fitness and leisure facilities including a pool, hot tub, sauna, showers, and fitness room;

One Manager's suite and two staff apartments, adjacent to the existing clubhouse;

Maintenance, utility and storage buildings; and,

Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.

Shall not be permitted until such time as:

(i) **Site Plan Agreement**

<b>OMB Appeals</b>
<b>Holding Provision 9</b>
<b>10 - Fern Brook Resort Inc.</b>

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The Owner shall enter into a Site Plan Agreement with the City and register it on title, for Block "1"- North Lands to address required improvements and upgrades to the servicing, infrastructure, and layout of the mobile home park in a multi-phase plan to be developed through the Site Plan approval process, through which the required financial securities for the construction of works identified through Site Plan approval process will be specified by the City and posted by the Owner prior to Site Plan approval of each phase;

(ii) **Municipal Responsibility Agreement**

The Owner shall register the signed Municipal Responsibility Agreement and associate Trust Agreement on title. Prior to registration, the Owner shall post the financial securities required thereunder to the satisfaction of Senior Director of Growth Management, the Director of Hamilton Water, Public Works, and the Director of Planning; and,

(iii) **Conservation Halton**

(a) A Flood Emergency Plan to the satisfaction of Conservation Halton is required to ensure a safe evacuation of residents during a flood emergency; and,

(b) The completion of fill placement/grading and pedestrian bridge upgrades as recommended in the March 6, 2008, Stantec letter report, is required to ensure safe ingress/egress during Regulatory Storm Events to the satisfaction of Conservation Halton.

**NOTES FOR HOLDING REMOVAL:**

In order to allow for the development of the first 50 permanent mobilehome sites and services, it will be necessary to first remove the Holding Provision "H8" from the lands to the south. This will accommodate the relocation of the seasonal camping sites from the subject lands to lands to the south.

10. Notwithstanding Section 12.2 and Special Exception No. 248 of this By-law, on those lands zoned Rural (A2) Zone, identified on Map 16 of Schedule "A" –Zoning Maps and described as part of 57 12th Concession Road East, the development of an additional 100 permanent mobile home sites, for a total of 150 permanent mobile home sites, shall not be permitted until such times as:

(i) **Functional Servicing Report**

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An addendum to the Functional Servicing Report and Operations and Maintenance Manual is required which demonstrates the following to the satisfaction of the Senior Director of Growth Management and the Director of Hamilton Water, Public Works:

- a) Undertake a Hydrogeological Study for at least one (1) year, with the assistance of a Qualified Person, to characterize the following:
  - i) The direction of groundwater flow;
  - ii) The existence of both an upstream and downstream monitoring well whose location reflects the groundwater flow regime;
  - iii) Confirm that the downstream well is located within the effluent plume and at least 40 metres from the septic system and tile field;
  - iv) Confirm that the monitoring well number and the monitoring well information provided to date was sampled from the upstream and downstream monitoring wells identified in (ii) and (iii), above;
  - v) Determine appropriate effluent trigger limits at the monitoring wells;
  - vi) If recommended by the Hydrogeologist, install additional monitoring wells in order to address items (i) to (v);
- b) Following the collection of at least three consecutive years of monitoring data, the Owner shall reassess the Hydrogeological Study to confirm effluent trigger limits and provide recommendations on any required infrastructure upgrades, referencing the monitoring data in conjunction with the water and waste water flow rate and occupancy records;
- c) Submission of theoretical design flows for both the water and wastewater systems, based on full occupancy of the Fern Brook Development (150 permanent and 100 season sites),

**To Amend By-law 05-200 to Create New Zones for the Rural Area  
of the City of Hamilton**

Page 187 of 196

following MOE Design Guidelines (2008), City of Hamilton Engineering Guidelines (2006), and the Ontario Building Code;

- d) Submission of historical water and wastewater flow rates which are based on Ministry of Environment Design Criteria and accompanied by occupancy records for the related time period;
  - e) Demonstration that the rated capacity of the Water Treatment System is capable of servicing the full Fern Brook Development (150 permanent and 100 seasonal sites), with the rated capacity being based on the largest unit for each process component out of service, and that the system is adequately designed to meet the MOE/Hamilton Fire Department fire storage and fire flow requirements;
  - f) Demonstration that the Sewage Treatment System will: i) function adequately for the design flows of the full Fern Brook Development (150 permanent sites and 100 seasonal sites), identifying the need for additional equipment in order to meet the rated firm capacity with the largest unit out of service; ii) operate in accordance with the associated Certificate of Approval; iii) produce an effluent, at the discharge point of the treatment system, with a nitrate concentration less than, or equal to 10mg/L; and iv) maintain a nitrate concentration, at the property boundary downstream of the sewage treatment system, that does not exceed 2.5 mg/L.; and,
  - g) Revisions to the Operations and Maintenance Manuals for the water and wastewater treatment facilities which follow MOE's prescribed format and which include a comprehensive set of operating instructions and a process narrative to explain how the facility is intended to operate in accordance with the required treatment system as determined through the ongoing engineering analysis and in consultation with the City.
11. Notwithstanding Section 12.1 and Special Exception 94 of this By-law, on those lands zoned Agriculture (A1) Zone, identified on Map 824 of Schedule "A" – Zoning Maps and described as 161 Concession 4 West, no development shall be permitted until such time as:

**To Amend By-law 05-200 to Create New Zones for the Rural Area  
of the City of Hamilton**

- i) A Site Plan Agreement has been entered into between the owners of the property and the Approval Authority.
  - ii) The Owner has entered into a Financial Assurance agreement with the Ministry of the Environment for the installation and operation of a communal sewage disposal system on the property.
  - iii) The owner has installed to the satisfaction of the Ministry of Environment a communal sewage disposal system that will provide suitable sewage disposal for the portion of the property zoned as Agriculture (A1,94) Zone, Modified.
12. Notwithstanding Section 12.4.1 and Special Exception 255 of this By-law, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 65 of Schedule "A" – Zoning Maps and described as 1292 Old Highway 8, no development shall be permitted until such time as:
- i) A private servicing strategy, including design details and monitoring, has been approved by the Sourcewater Protection Section, to the satisfaction of the Director of Water and Wastewater Planning and Capital."

12. That Schedule "E" – Temporary Use Provisions of By-law 05-200 is hereby amended by adding an additional Temporary Use Provision as follows:

"1. Notwithstanding Sections 12.1.1 and 12.2.1 of this By-law, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, a temporary Garden Suite shall be permitted on the following Maps of Schedule "A" – Zoning Maps until their expiry date, which is also noted below:

	<b>Map(s)</b>	<b>Address</b>	<b>Expiry Date</b>
a)	47	1143 Edgewood Road	January 10, 2017
b)	71	783 Brock Road	January 11, 2017
c)	81 and 82	1192 4th Concession Road West	May 14, 2018

And shall be subject to the following special provisions:

A Garden Suite shall be defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

Upon expiry of the temporary use By-law, as described above, the By-law shall be repealed."

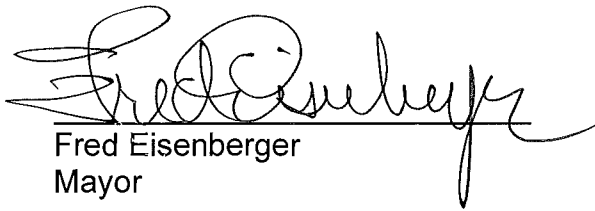


**To Amend By-law 05-200 to Create New Zones for the Rural Area  
of the City of Hamilton**

Page 189 of 196

13. That Schedule "F" – Special Figures of By-law 05-200 is hereby amended by adding Special Figure 5.0, Special Figure 5.1, Special Figure 5.2, Special Figure 5.3, Special Figure 6.0 and Special Figure 7.0.
14. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the Planning Act.
15. That this By-law No. 15-173 shall come into force and be deemed to have come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of this By-law or as provided by the said Subsection.

**PASSED** this 10<sup>th</sup> day of July, 2015.

  
Fred Eisenberger  
Mayor

  
Rose Caterini  
City Clerk

**To Amend By-law 05-200 to Create New Zones for the Rural Area  
of the City of Hamilton**

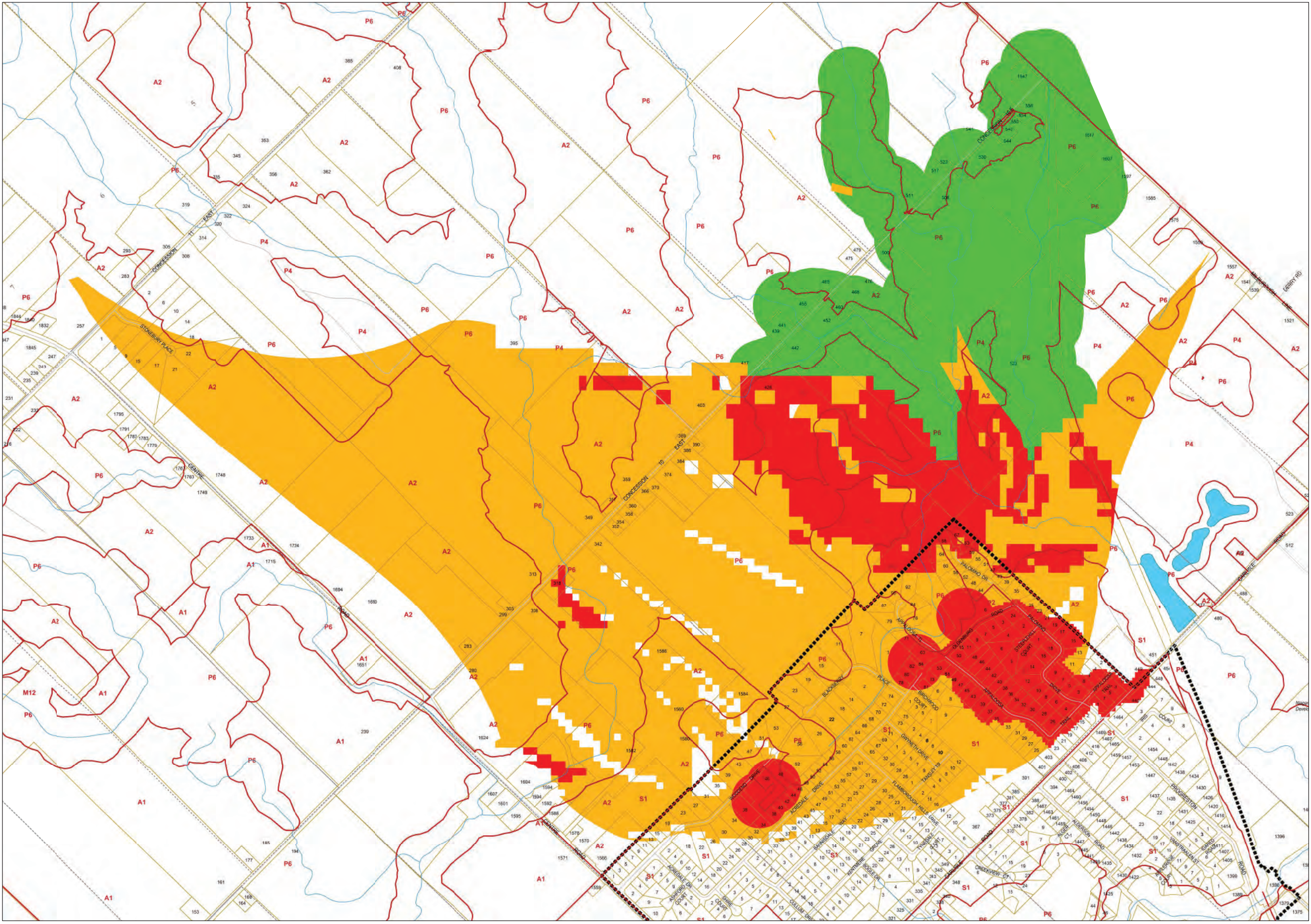
Page 190 of 196

**Schedule 1 – Zoning Maps**

**Please see attached binder for Maps**



# Figure 5.0



- Legend**
- Vulnerable Area 1
  - Vulnerable Area 2
  - Vulnerable Area 3
  - Streams
  - RSA Boundary
  - A Zoning Code (05-200)
  - Zoning Boundary (05-200)
  - Property Boundary
  - Lot/Concession
  - City Boundary

Vulnerability Score based on  
Surface to Well Advection Time (SWAT)

Source: Conservation Halton,  
Hamilton Conservation Authority,  
Ontario Ministry of Natural Resources  
City of Hamilton, Ministry of Environment  
Ontario Geological Survey, Natural Resources Canada  
Teranet Enterprises Inc., MPAC

**Source Water Protection  
Vulnerability Score  
Carlisle**

Date Plotted:  
January 29, 2014

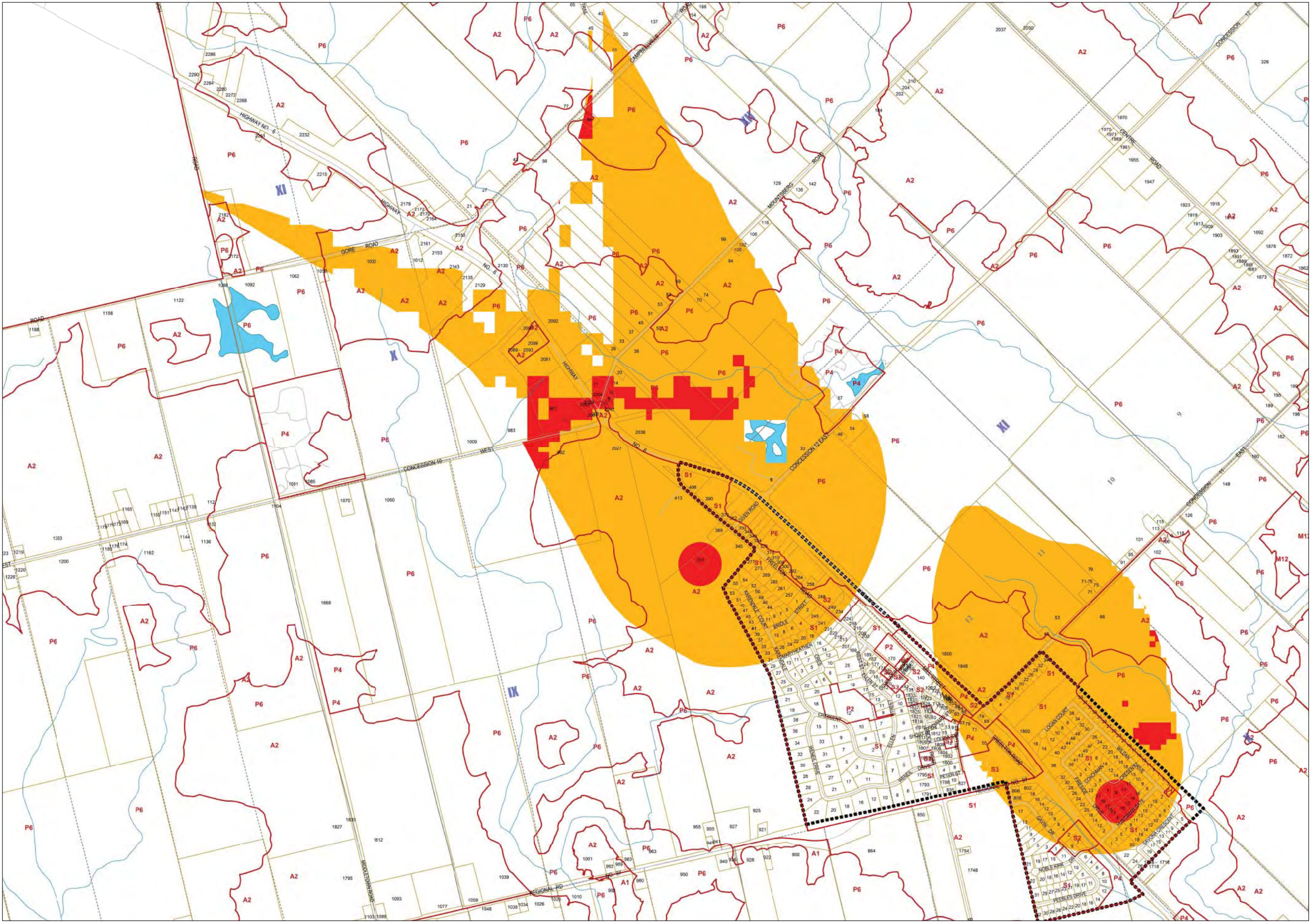


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Figure 5.1



- Legend**
- Vulnerable Area 1
  - Vulnerable Area 2
  - Vulnerable Area 3
  - Streams
  - RSA Boundary
  - Zoning Code (05-200)
  - Zoning Boundary (05-200)
  - Property Boundary
  - Lot/Concession
  - City Boundary

Vulnerability Score based on Surface to Well Advection Time (SWAT)

Source: Conservation Halton, Hamilton Conservation Authority, Ontario Ministry of Natural Resources, City of Hamilton, Ministry of Environment, Ontario Geological Survey, Natural Resources Canada, Teranet Enterprises Inc., MPAC

**Source Water Protection Vulnerability Score**  
Freelon

Date Plotted:  
January 29, 2014

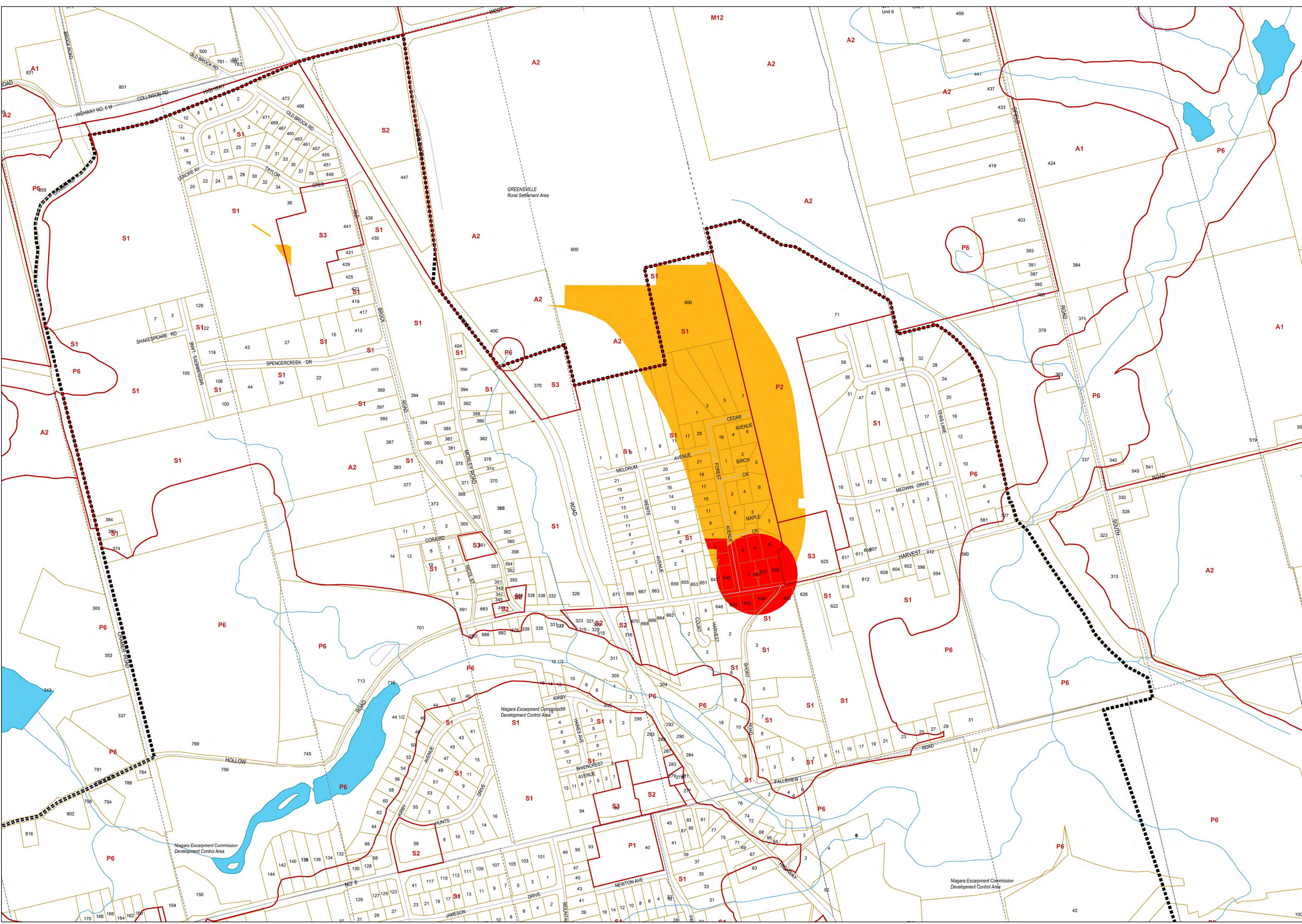


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# Figure 5.2



- Legend**
- Vulnerable Area 1
  - Vulnerable Area 2
  - Vulnerable Area 3
  - Streams
  - RSA Boundary
  - Zoning Code (05-200)
  - Zoning Boundary (05-200)
  - Property Boundary
  - Lot/Concession
  - City Boundary

Vulnerability Score based on Surface to Well Advection Time (SWAT)

Source: Conservation Halton, Hamilton Conservation Authority, Ontario Ministry of Natural Resources, City of Hamilton, Ministry of Environment, Ontario Geological Survey, Natural Resources Canada, Teranet Enterprises Inc., MPAC

**Source Water Protection Vulnerability Score**  
Greenville

Date Plotted:  
January 29, 2014



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## Schedule F



# Figure 5.3

## Legend

- Vulnerable Area 1
- Vulnerable Area 2
- Vulnerable Area 3
- Streams
- RSA Boundary
- A Zoning Code (05-200)
- Zoning Boundary (05-200)
- Property Boundary
- Lot/Concession
- City Boundary

Vulnerability Score based on  
Surface to Well Advection Time (SWAT)

Source: Conservation Halton,  
Hamilton Conservation Authority,  
Ontario Ministry of Natural Resources  
City of Hamilton, Ministry of Environment  
Ontario Geological Survey, Natural Resources Canada  
Teranet Enterprises Inc., MPAC

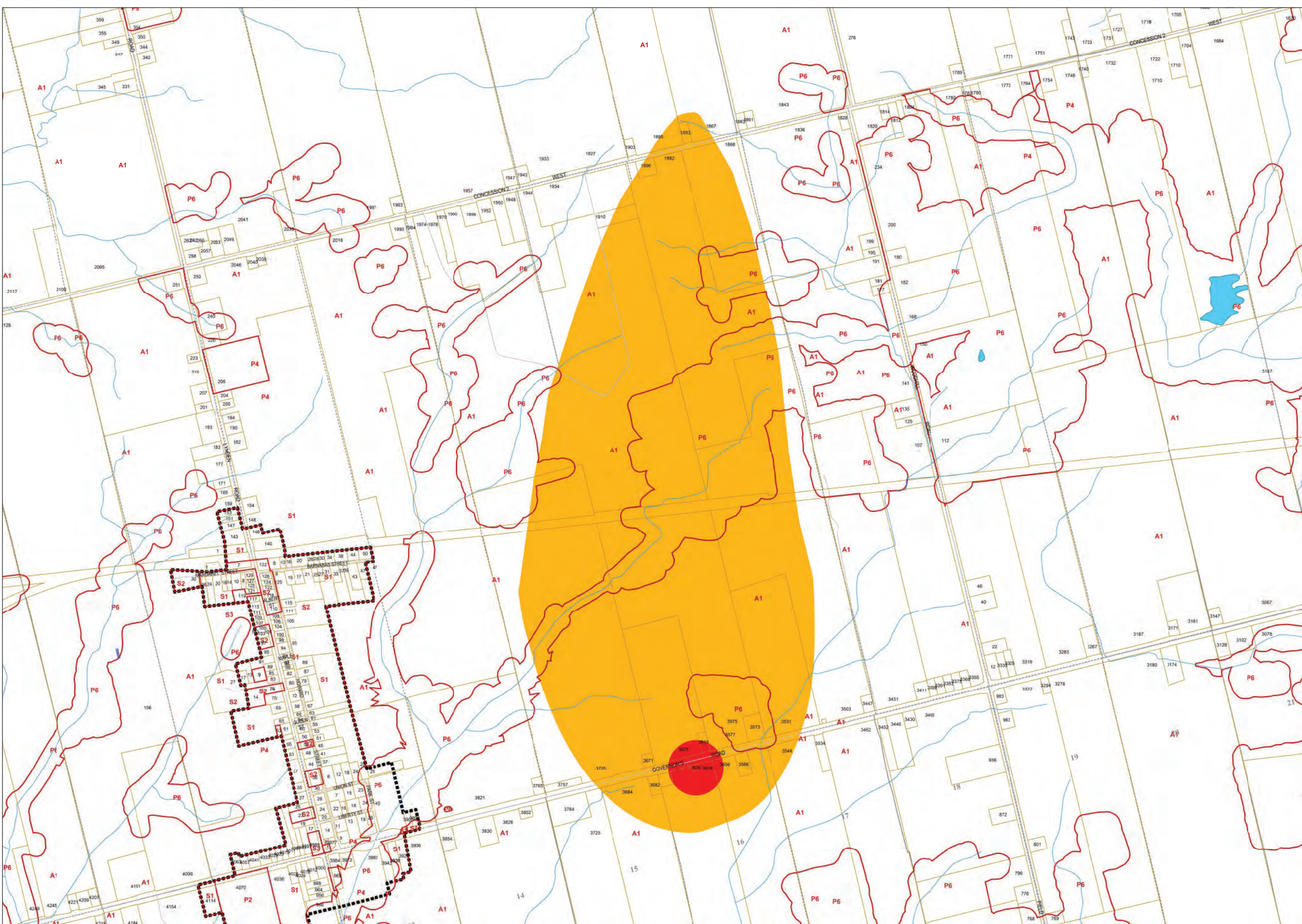
### Source Water Protection Vulnerability Score Lynden

Date Plotted:  
January 29, 2014



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# Schedule F

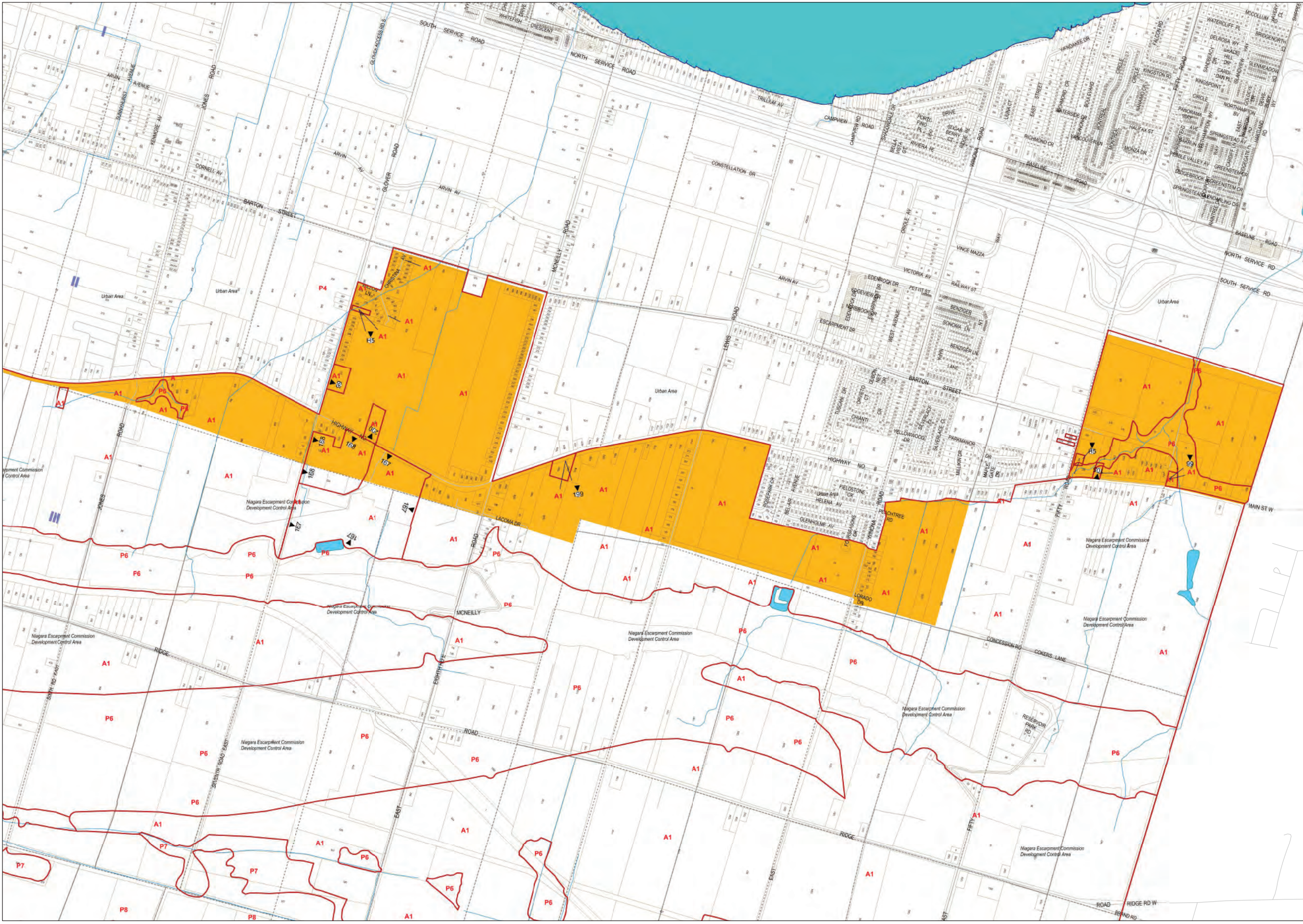
Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016



# Figure 6.0

## Legend

- Lower Stoney Creek Lands
- Streams
- RSA Boundary
- Zoning Code (05-200)
- Zoning Boundary (05-200)
- Property Boundary
- Lot/Concession
- City Boundary



## Lower Stoney Creek Lands

Date Plotted:  
November 17, 2014



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
GIS - PLANNING & ANALYSIS

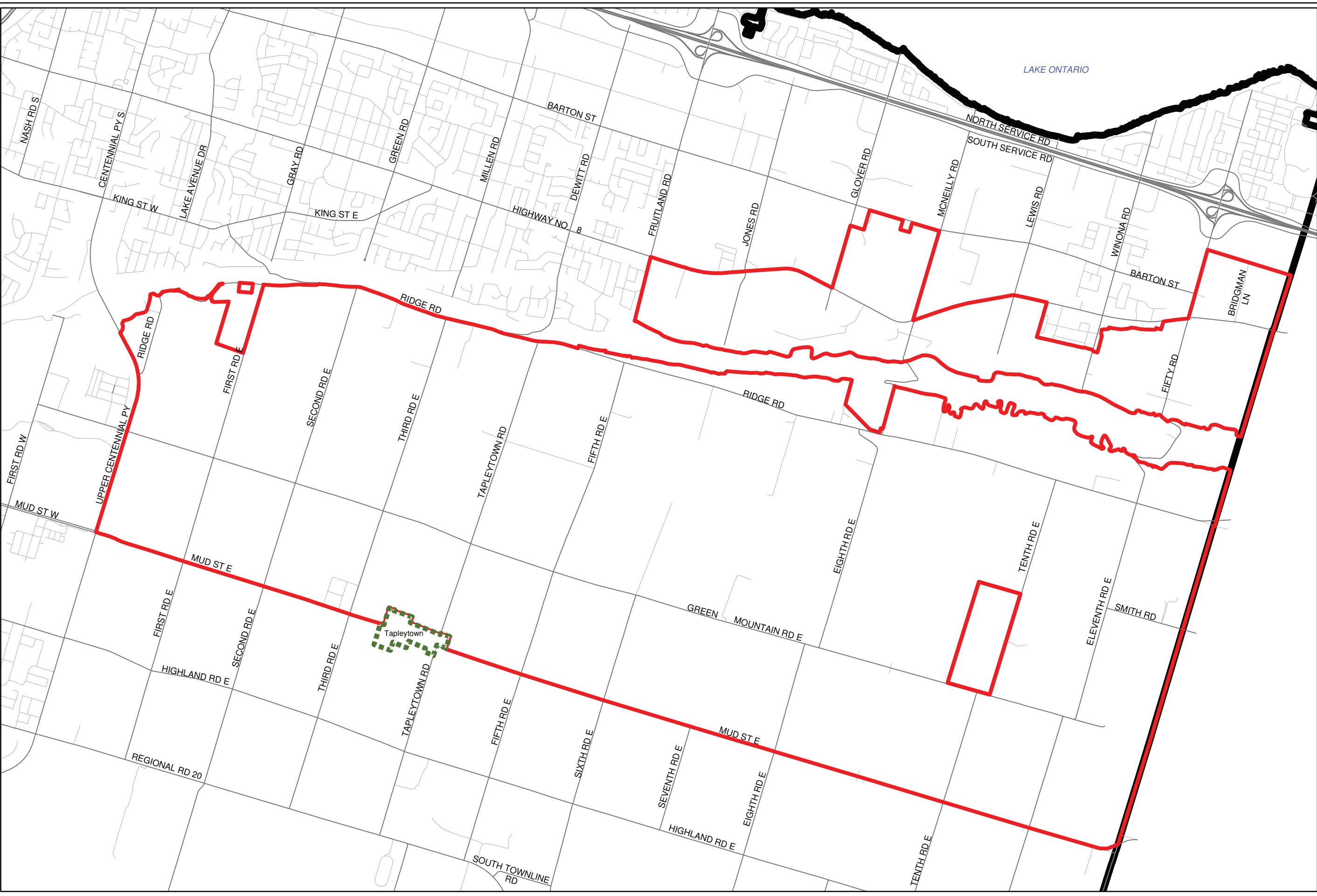
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# Schedule F

Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016



Figure 7.0



Legend

- Specialty Crop Lands
- RSA Boundary
- City Boundary

Specialty Crop Lands

Date: March 2015	
---------------------	--

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

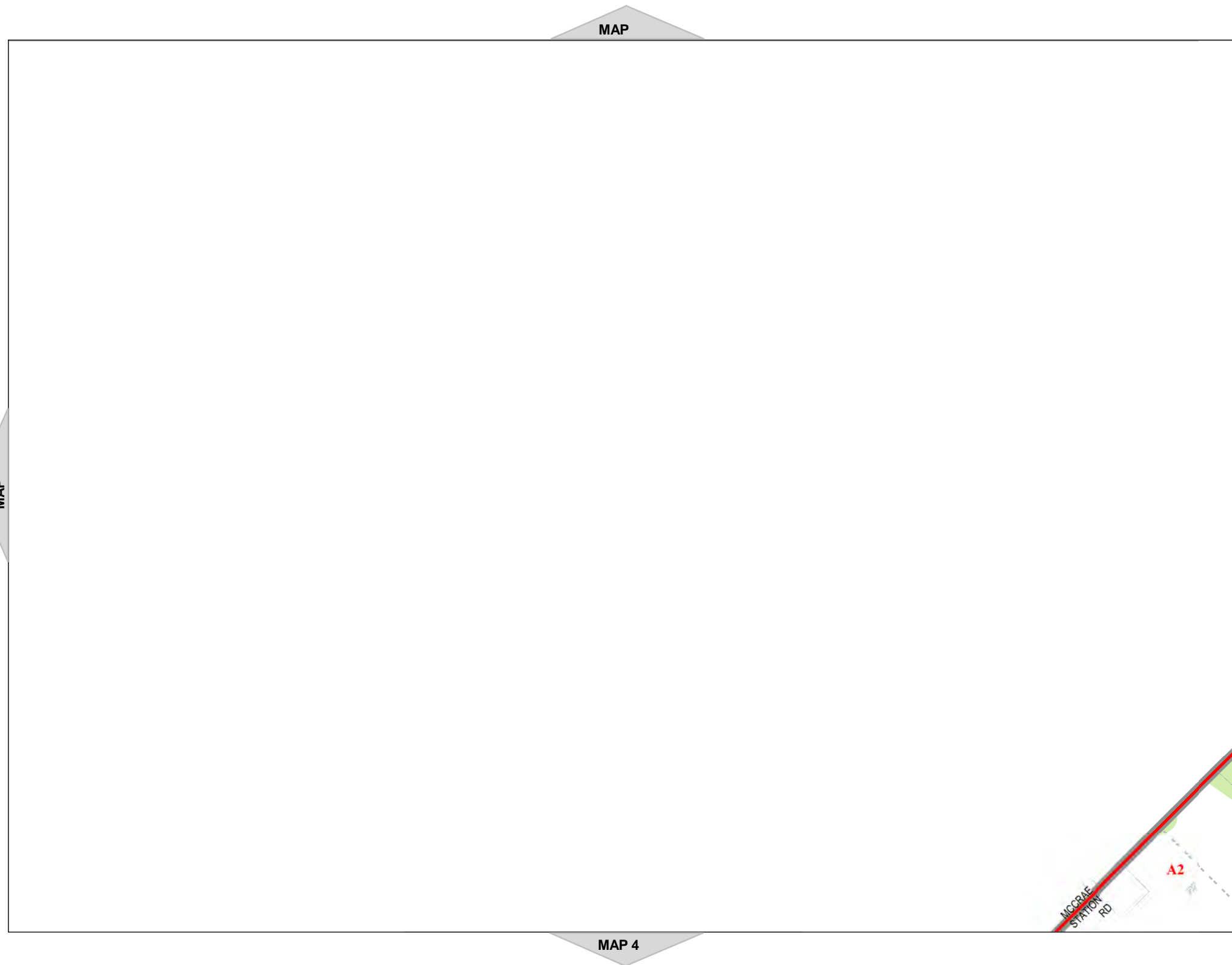
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 1 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

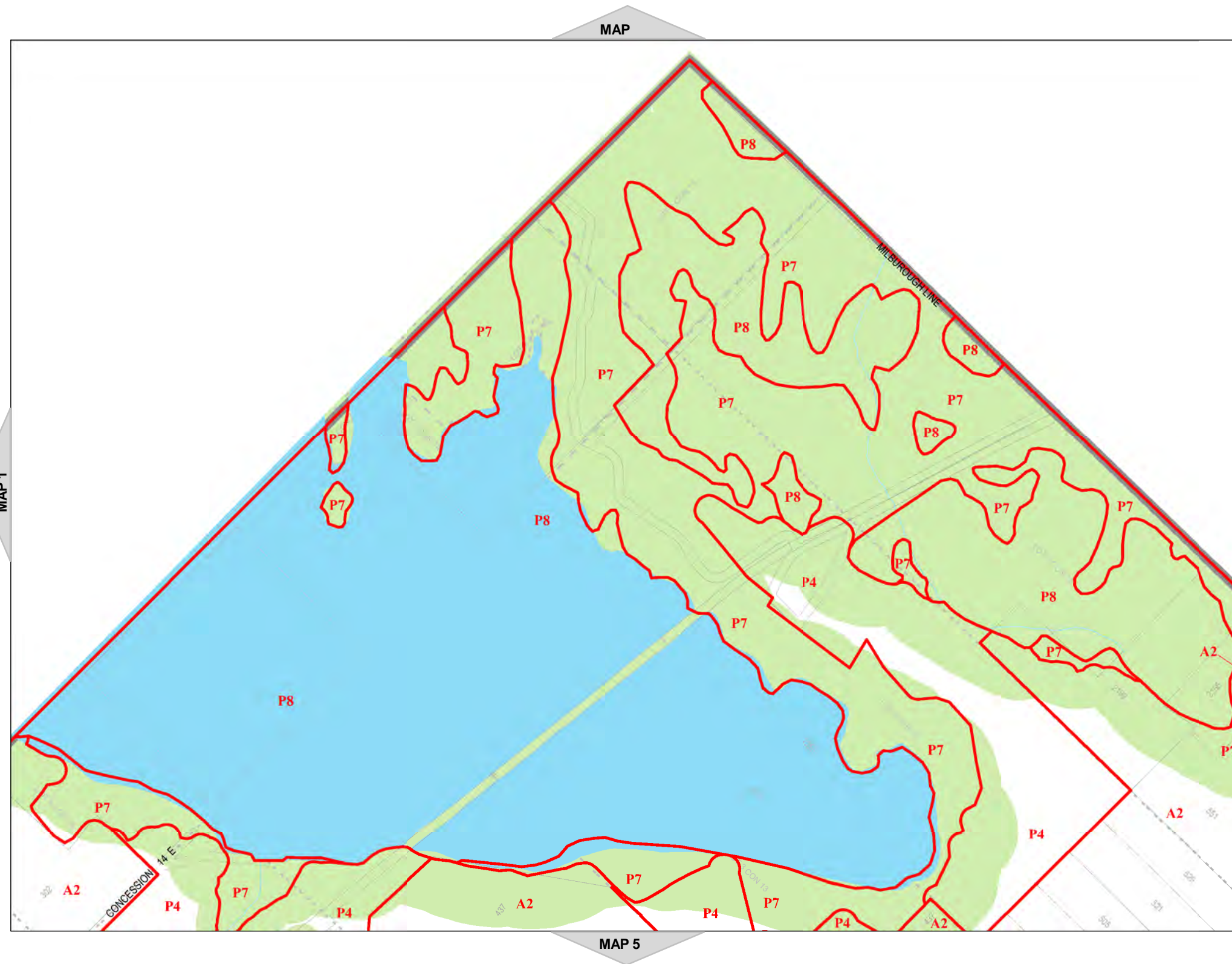
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 2 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 3 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

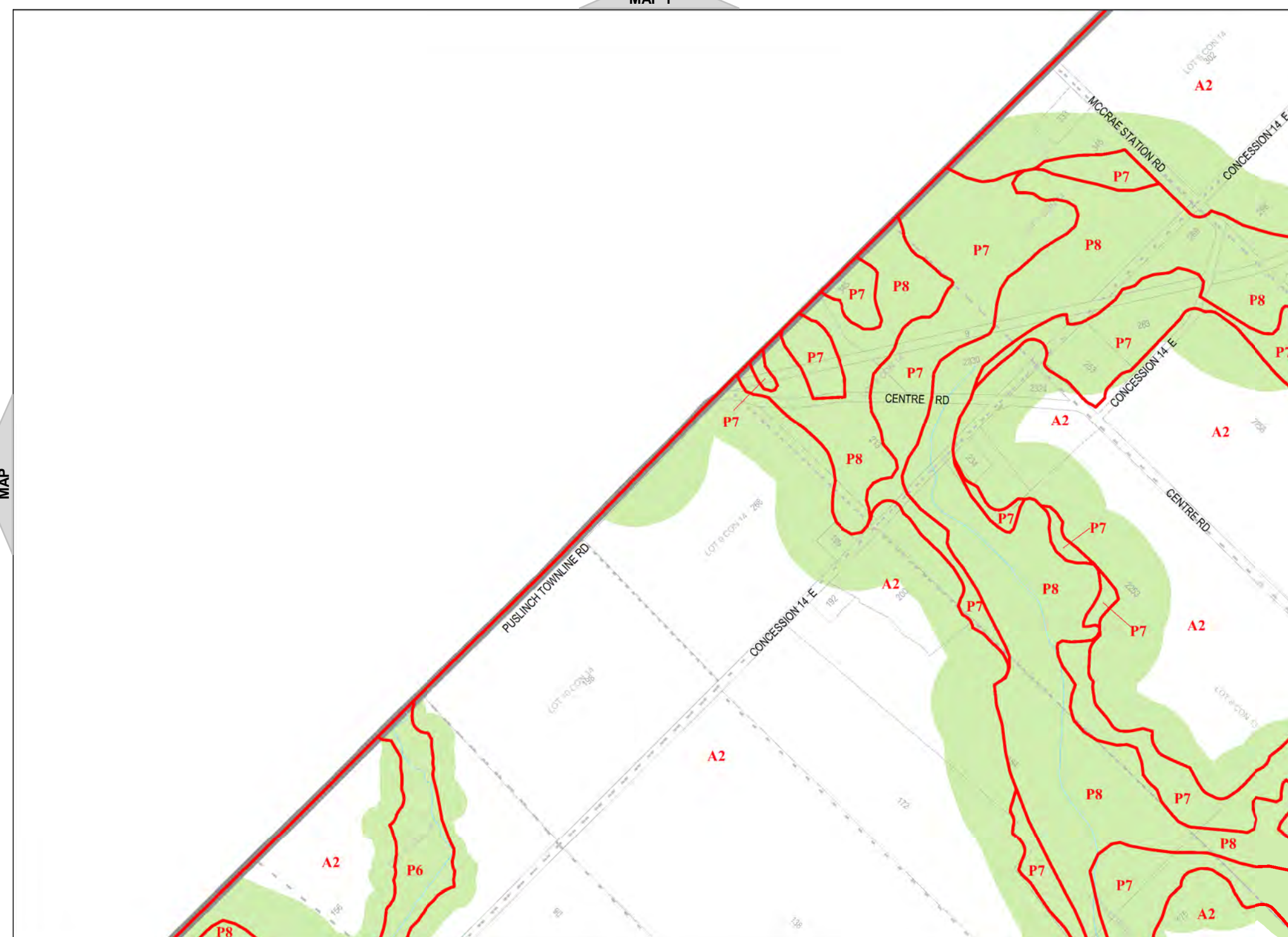
Legend

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-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 4 of Schedule 'A'



MAP 1

MAP 8

MAP

MAP 5
















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

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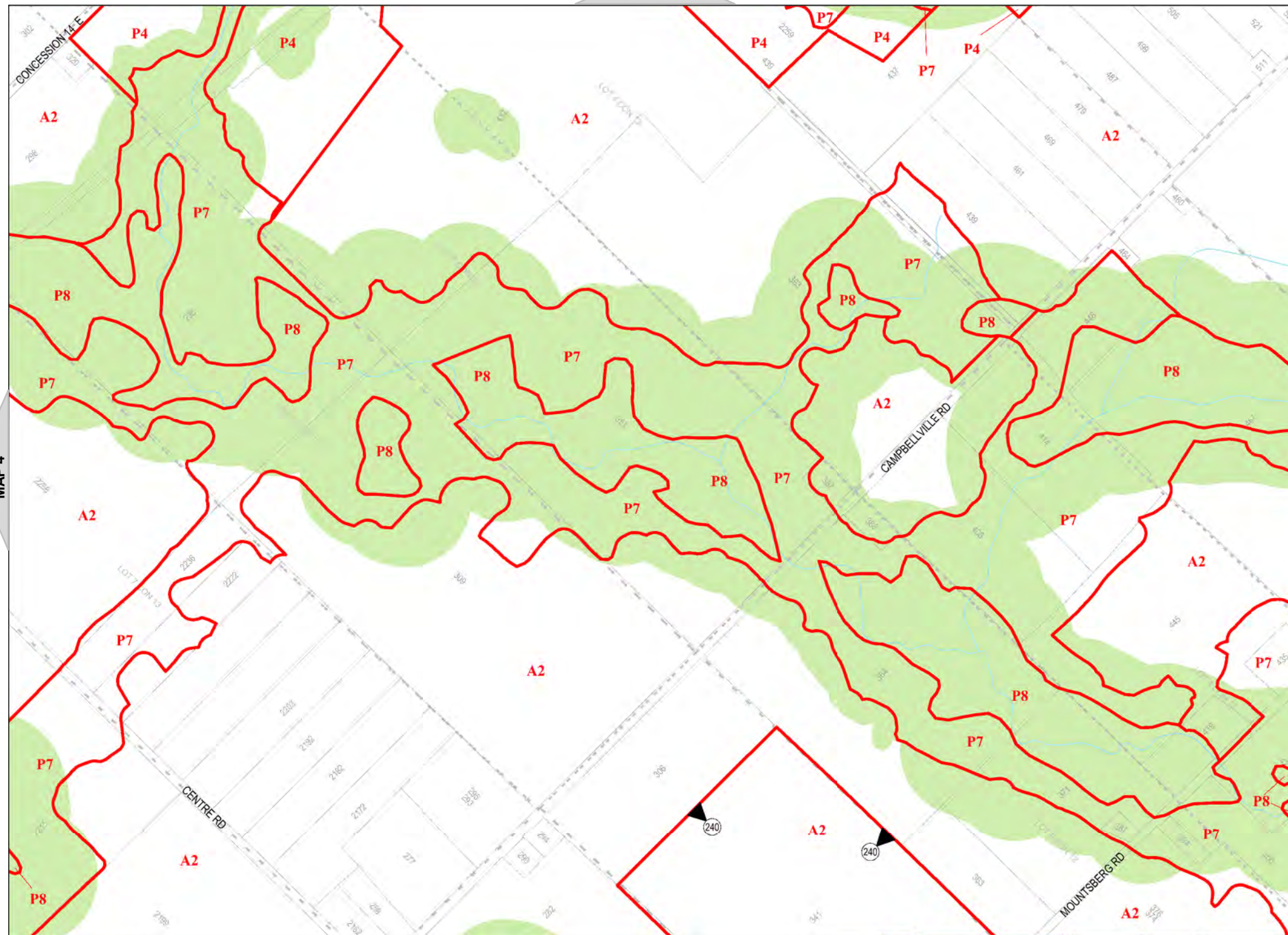
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-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 5 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

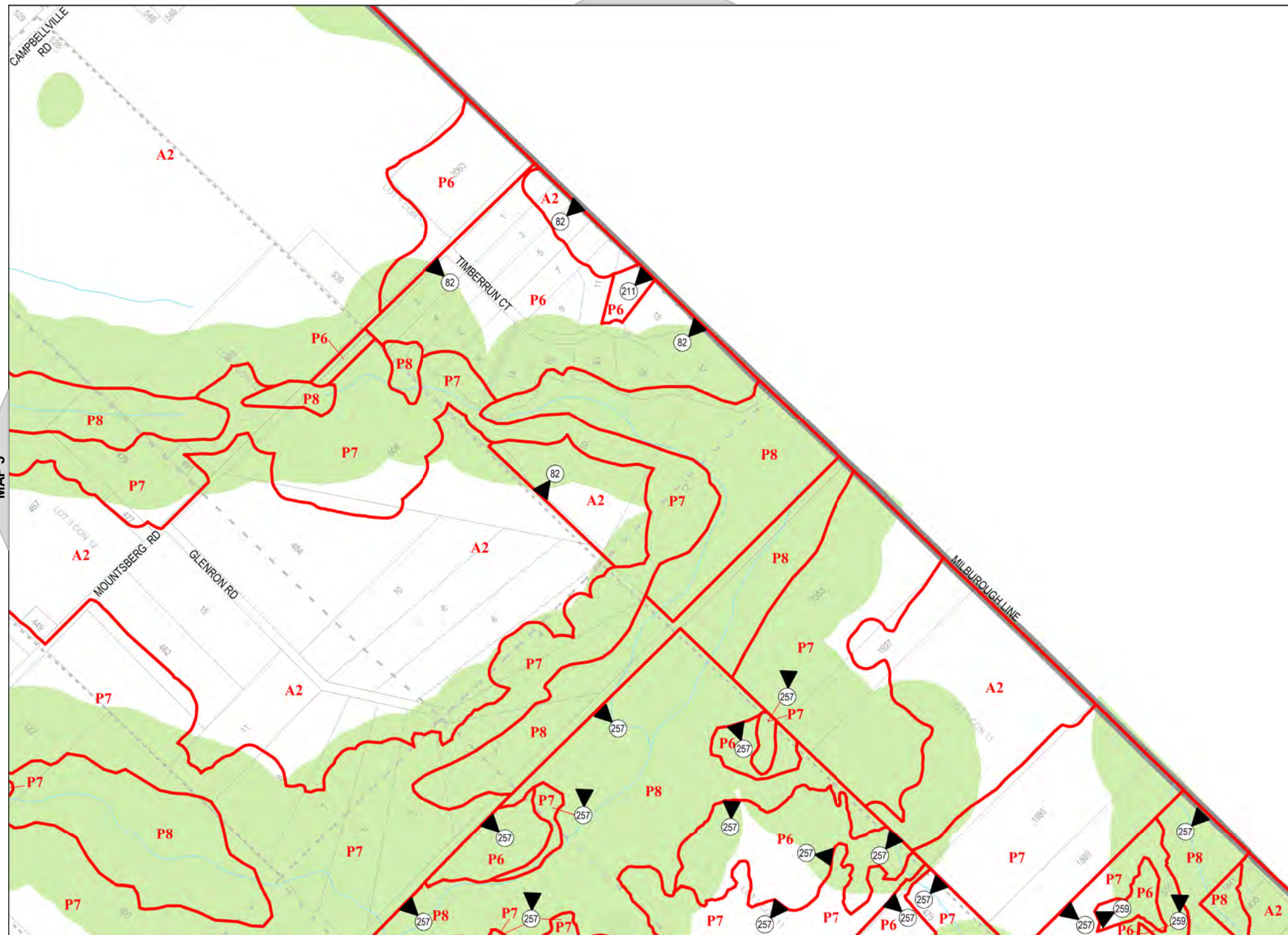
Legend

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-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 6 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 7 of Schedule 'A'

MAP

MAP 6

MAP

MAP 11

MILBU-  
ROUGH  
LINE  
AZ





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

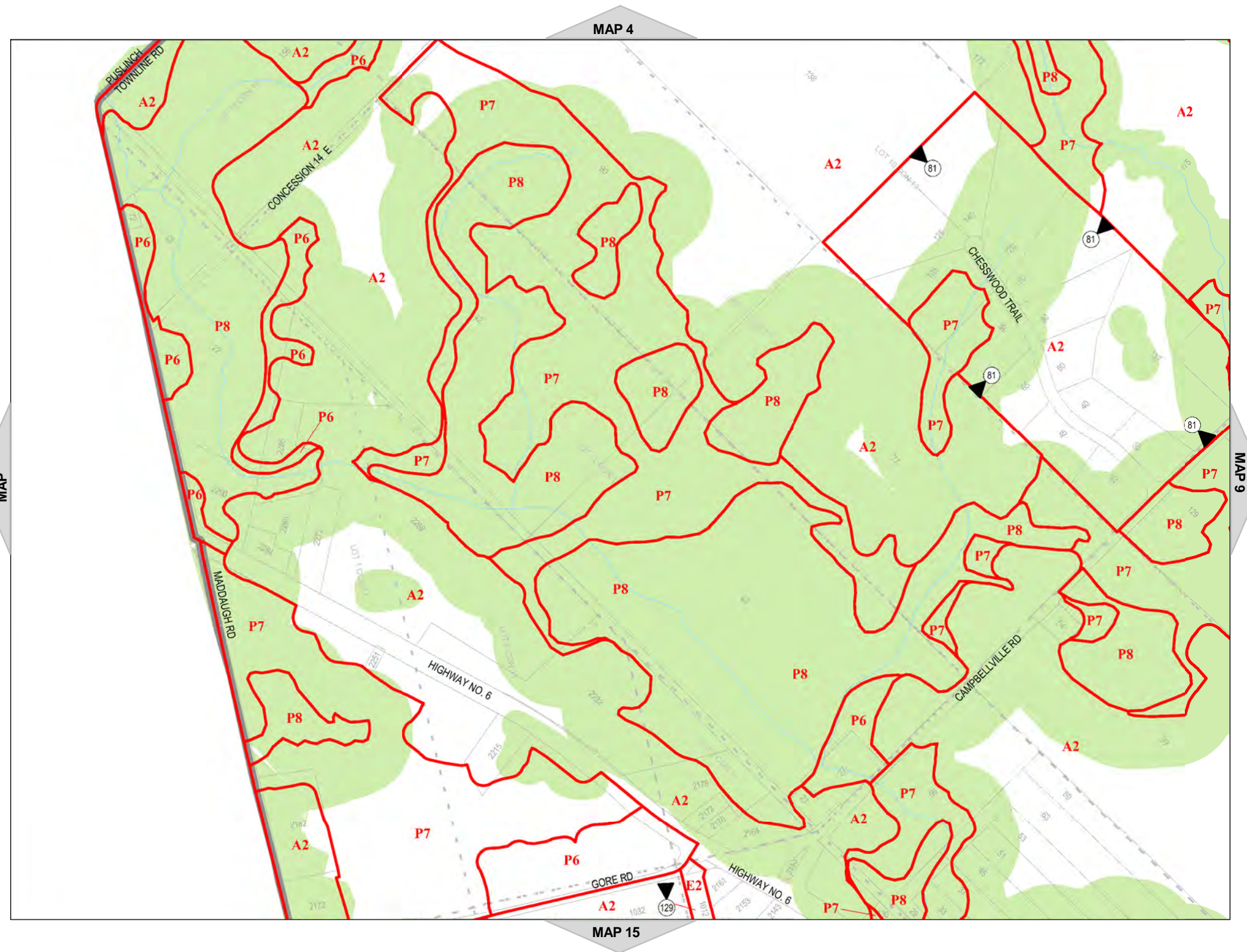
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 8 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

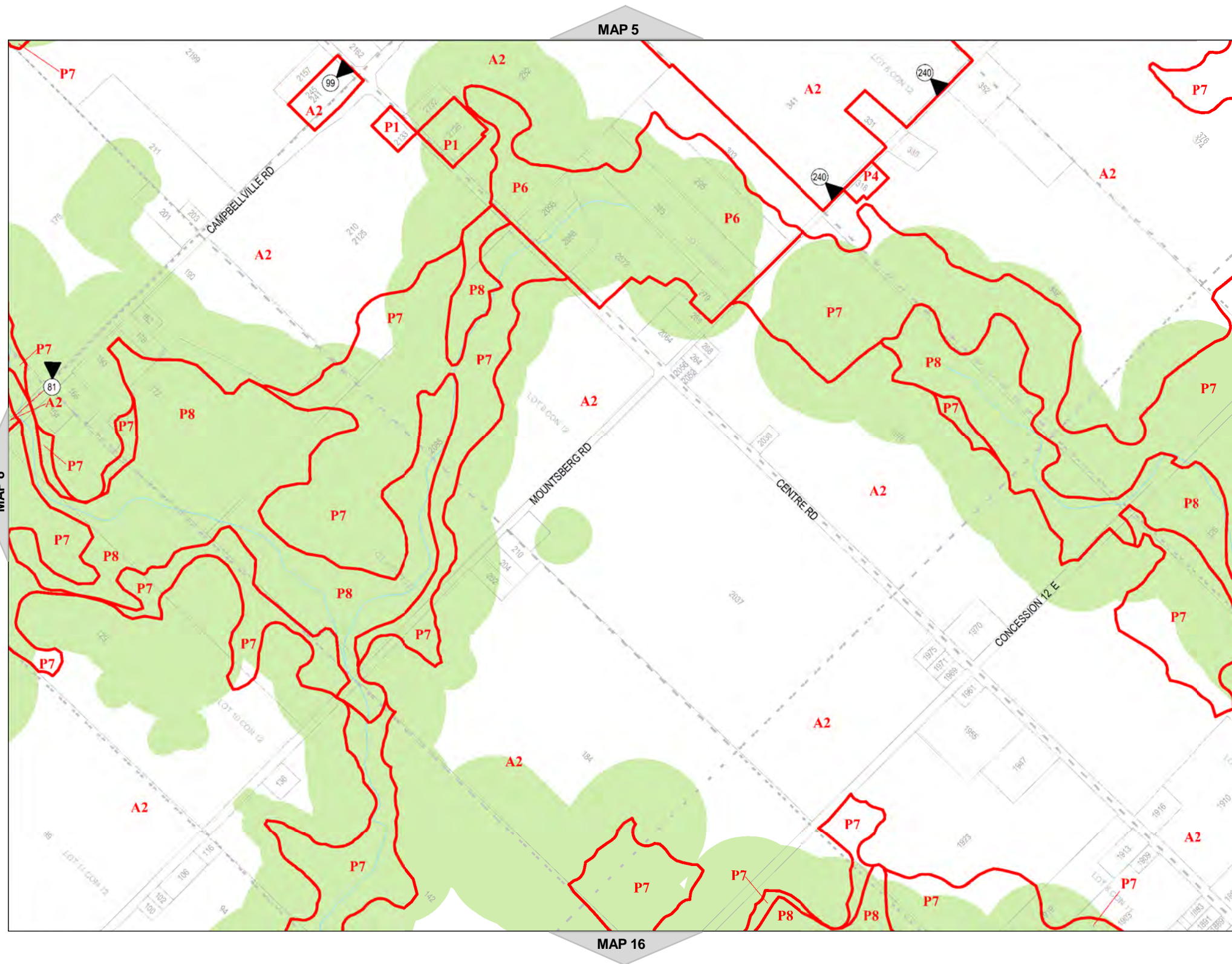
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-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 9 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

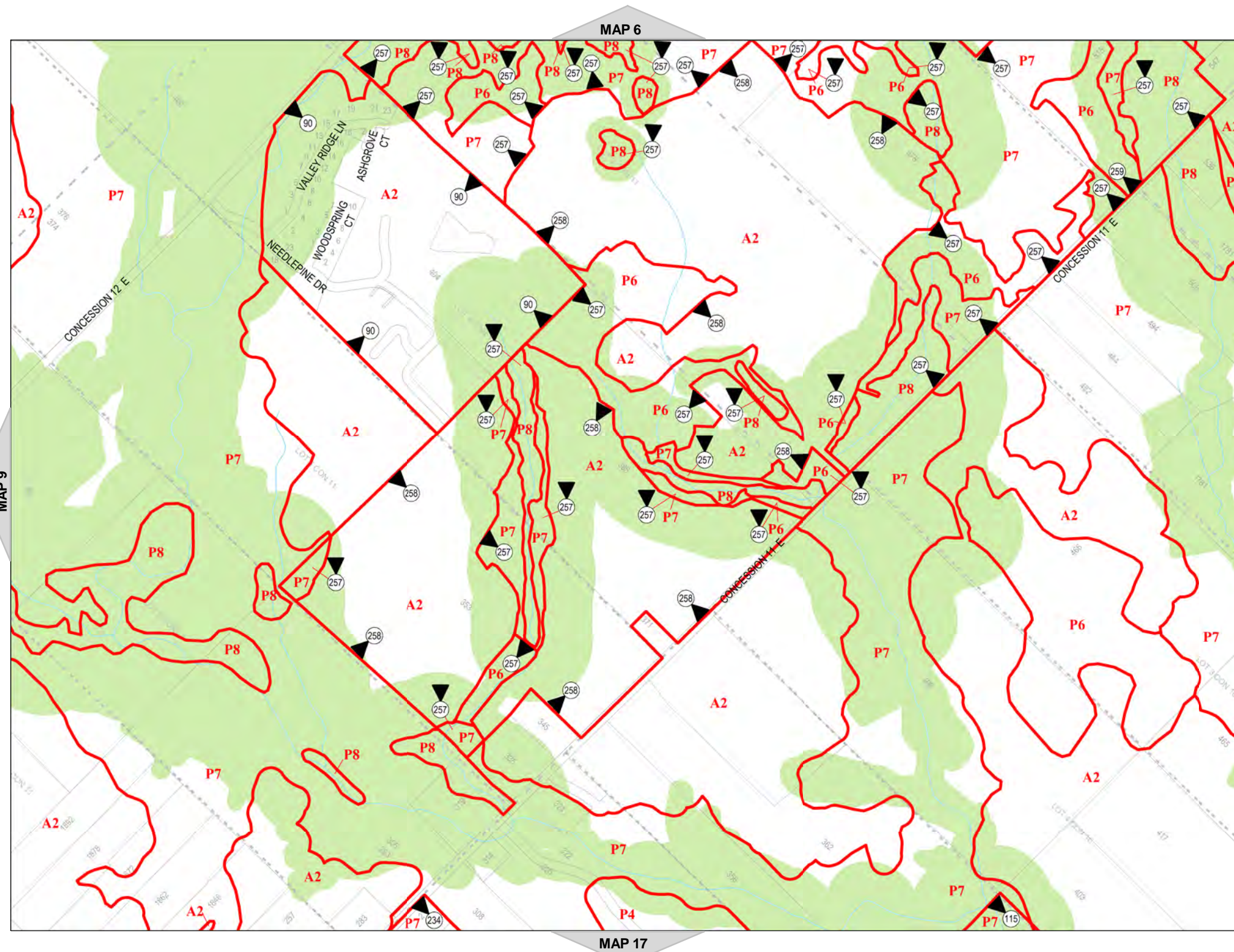
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-  Lots and Concessions
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-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 10 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

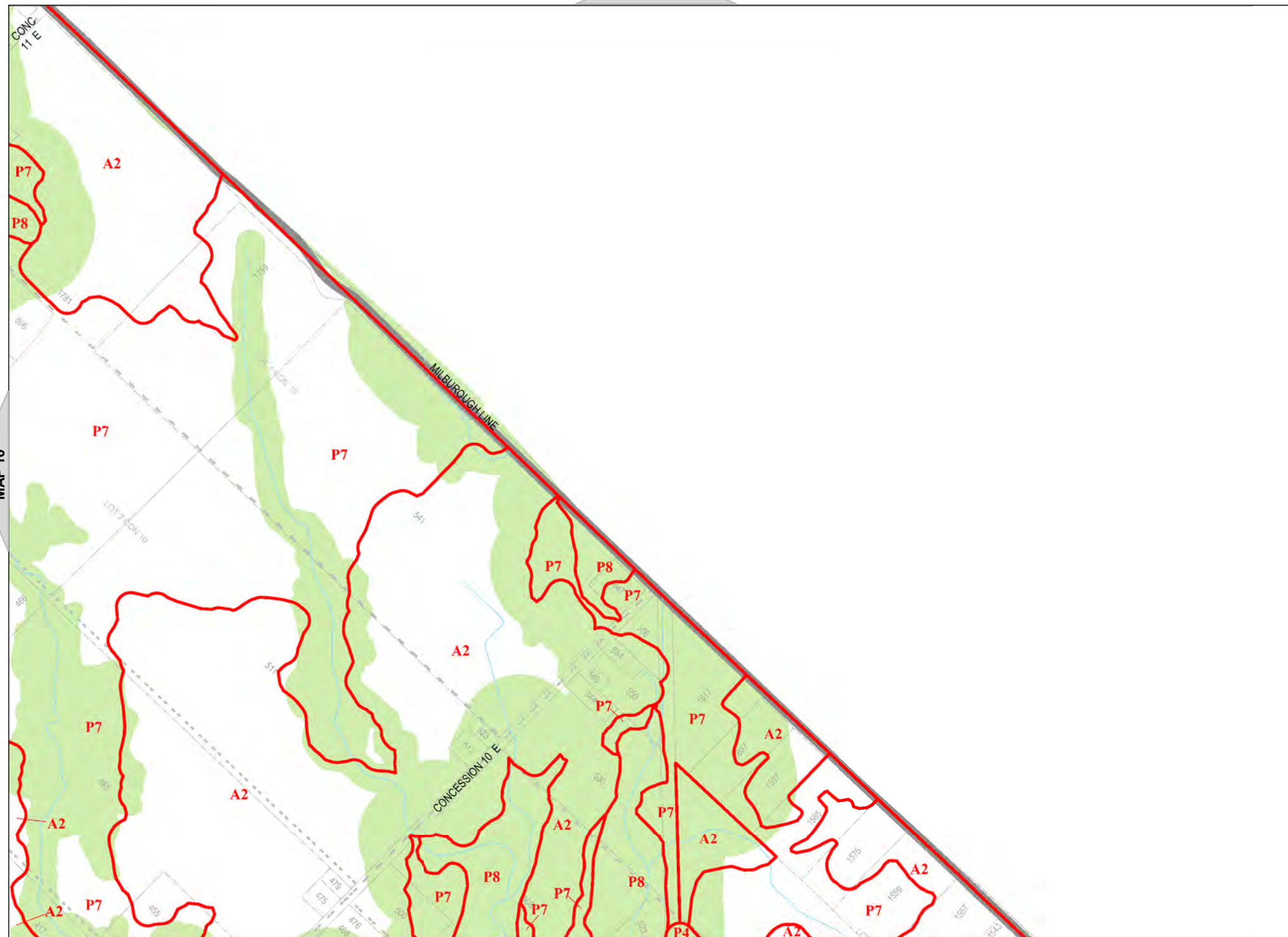
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-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 11 of Schedule 'A'



MAP 7

MAP 10

MAP

MAP 18















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

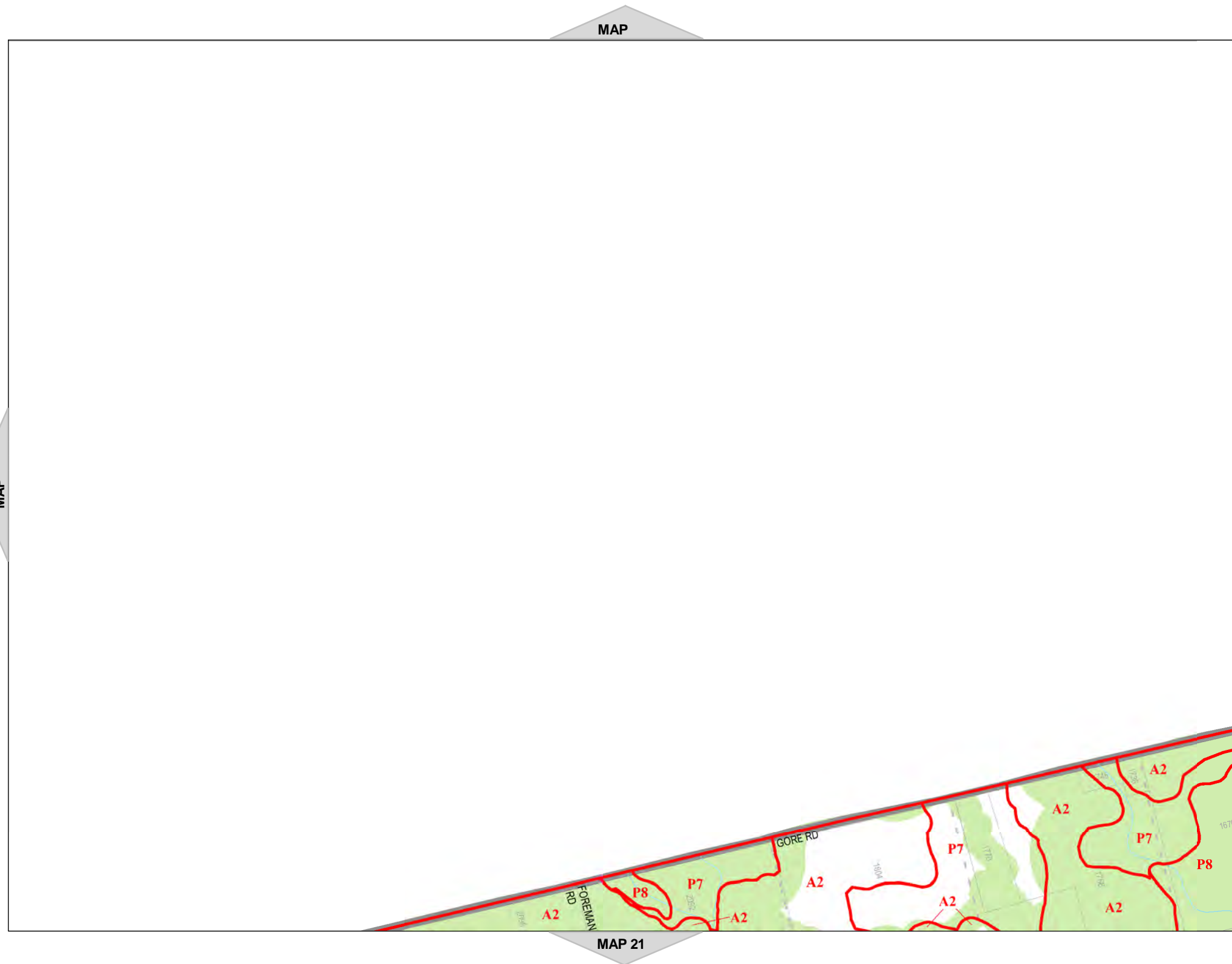
Legend

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-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 12 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

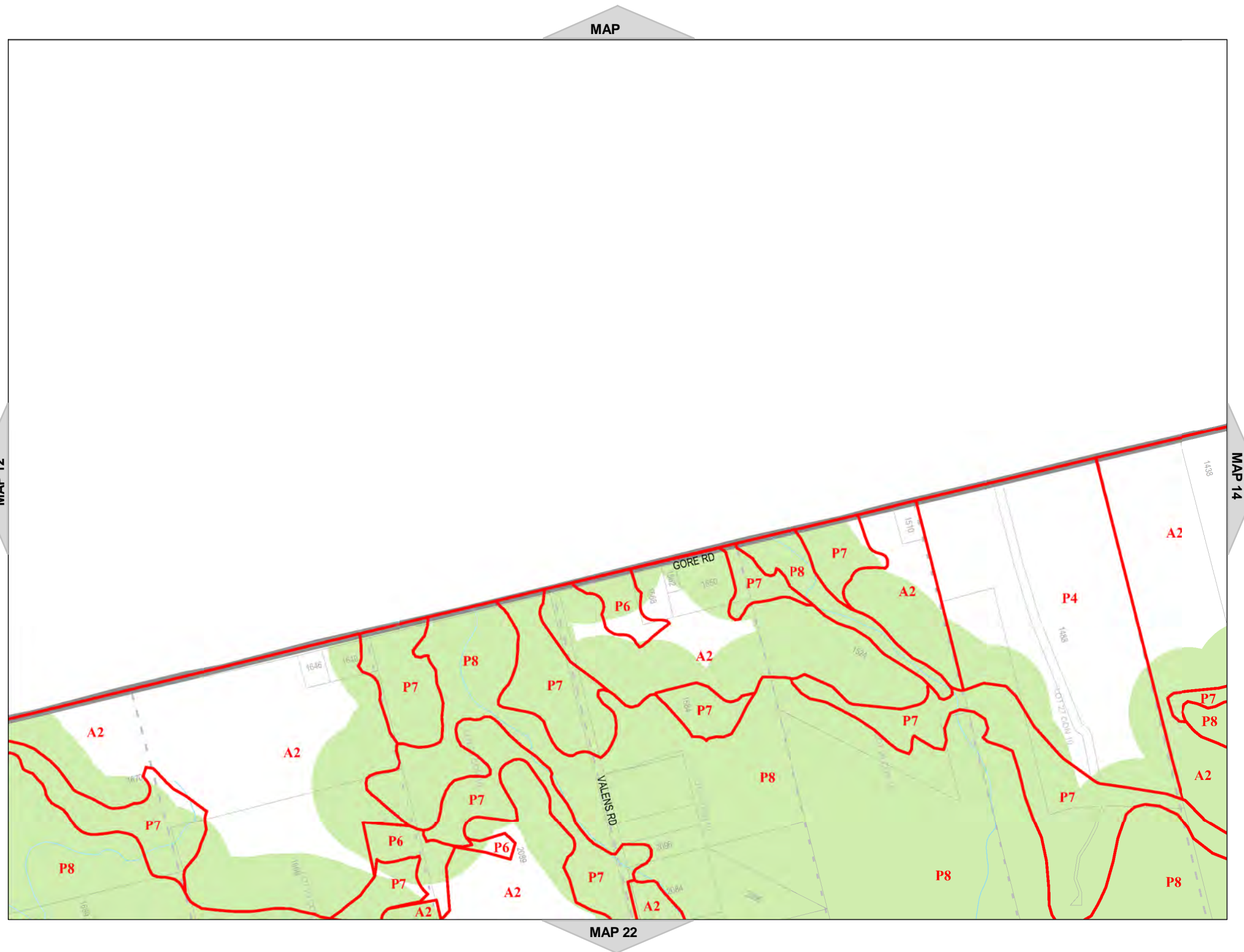
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-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 13 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

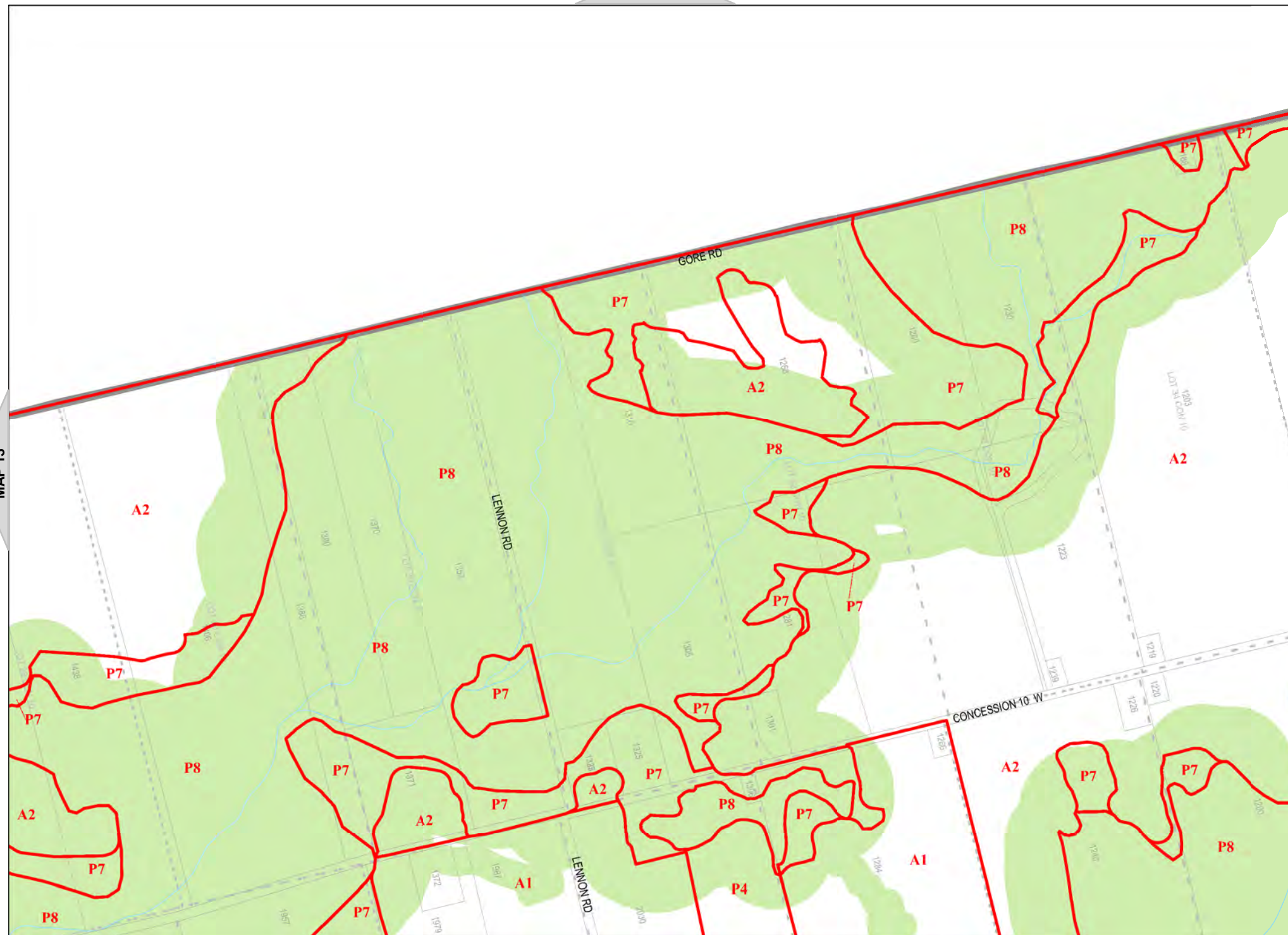
Legend

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-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 14 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

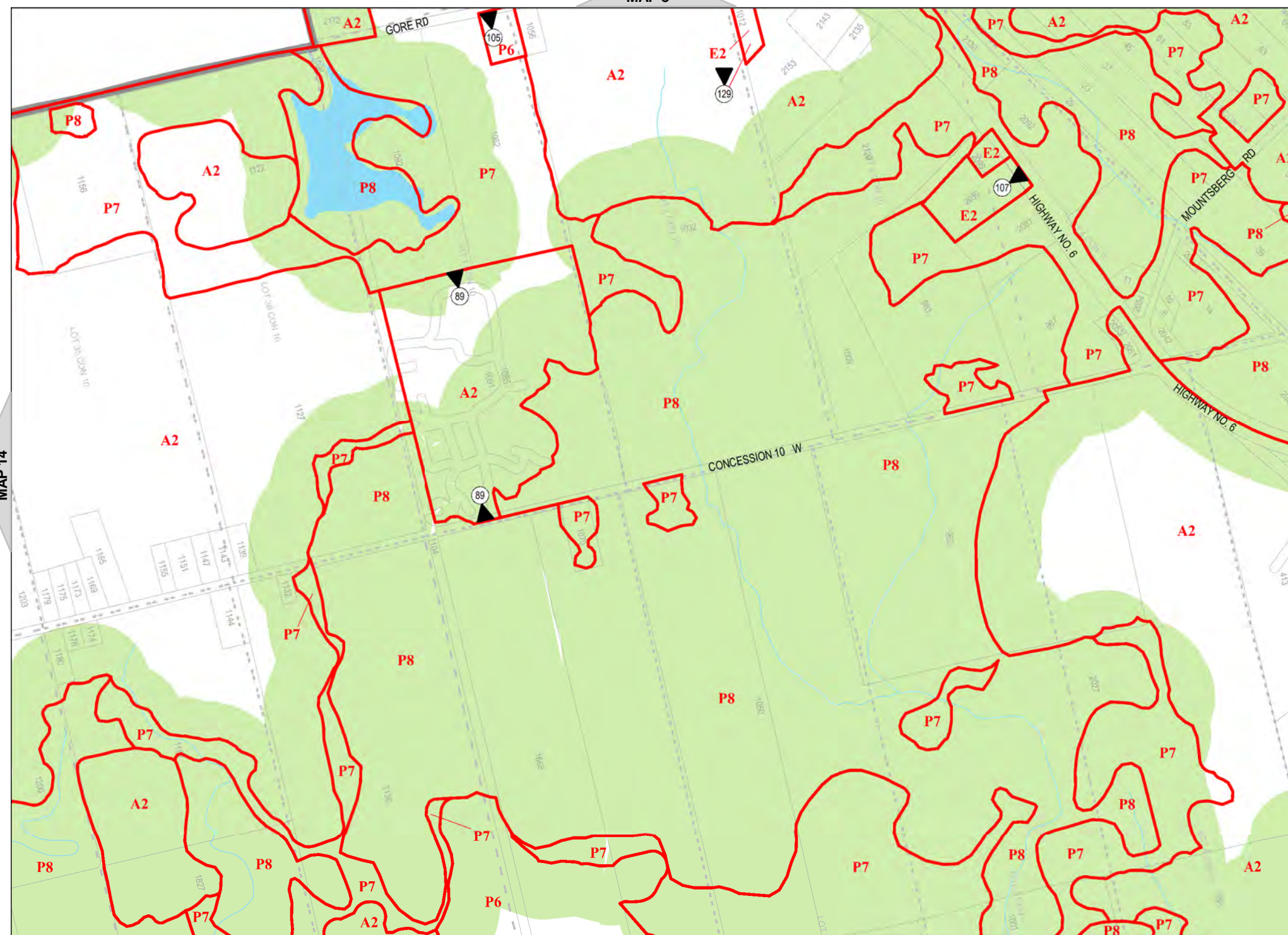
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 15 of Schedule 'A'



MAP 8

MAP 14

MAP 16

MAP 24

Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016

Date: July 10, 2015





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

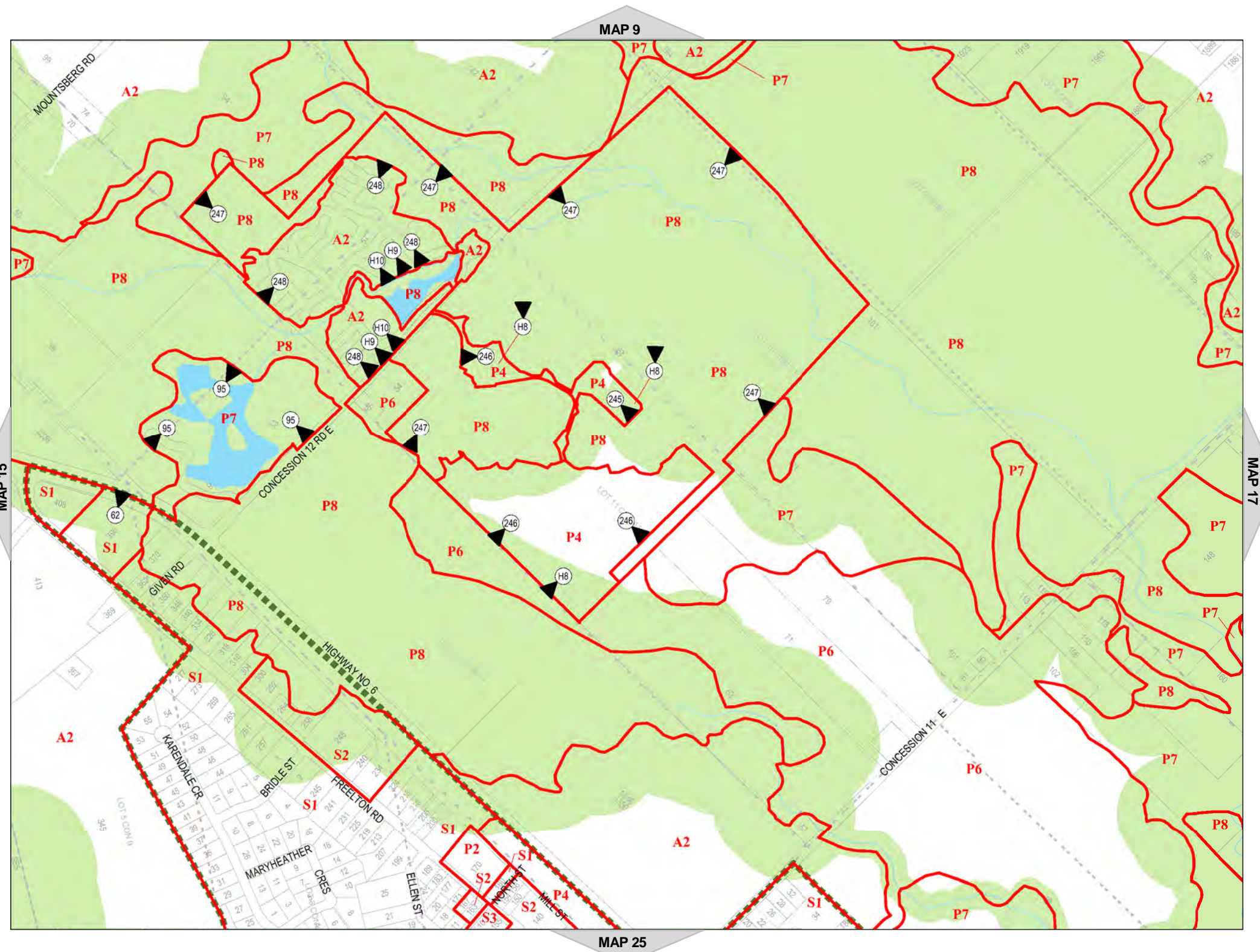
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 16 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

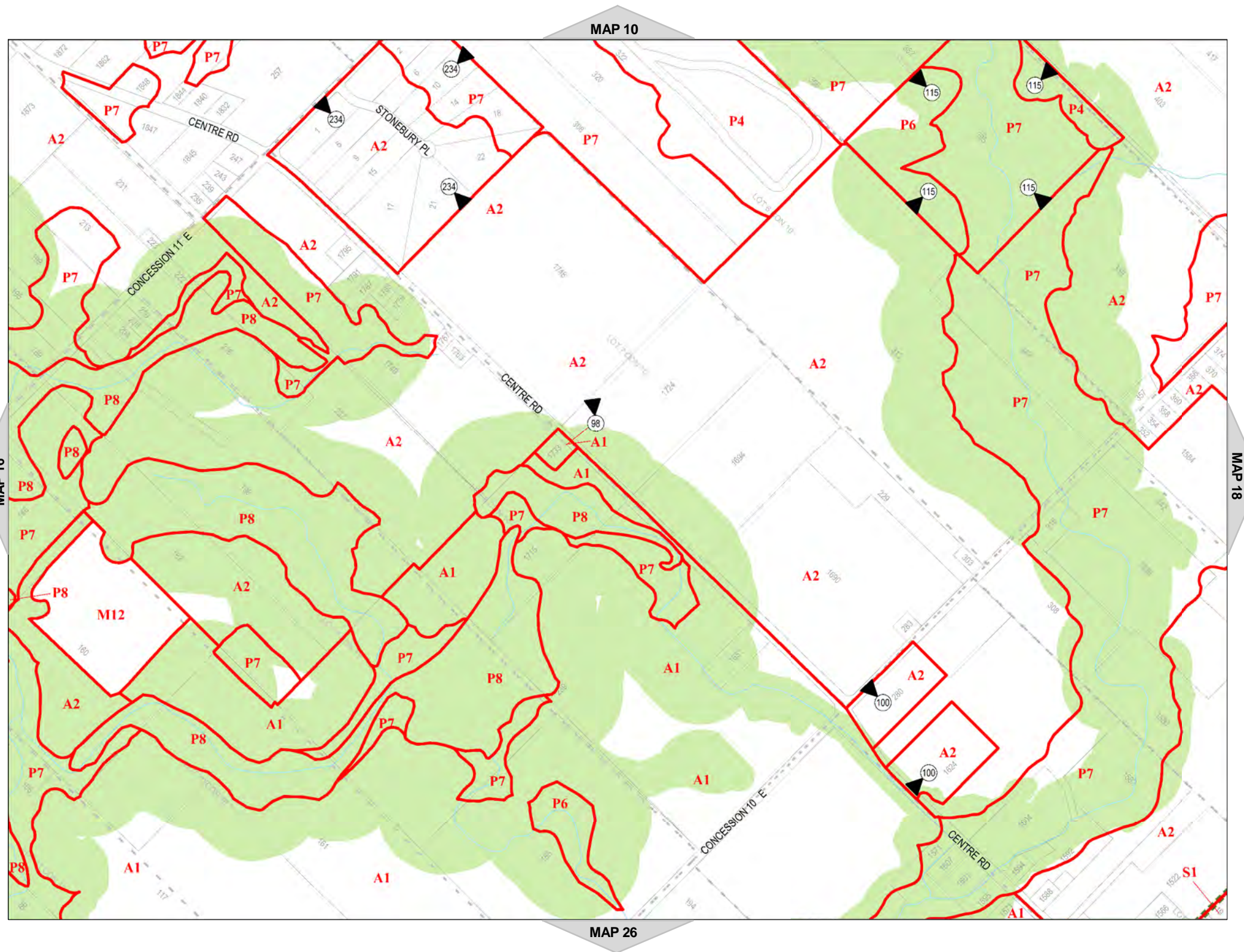
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000


MAP 17 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

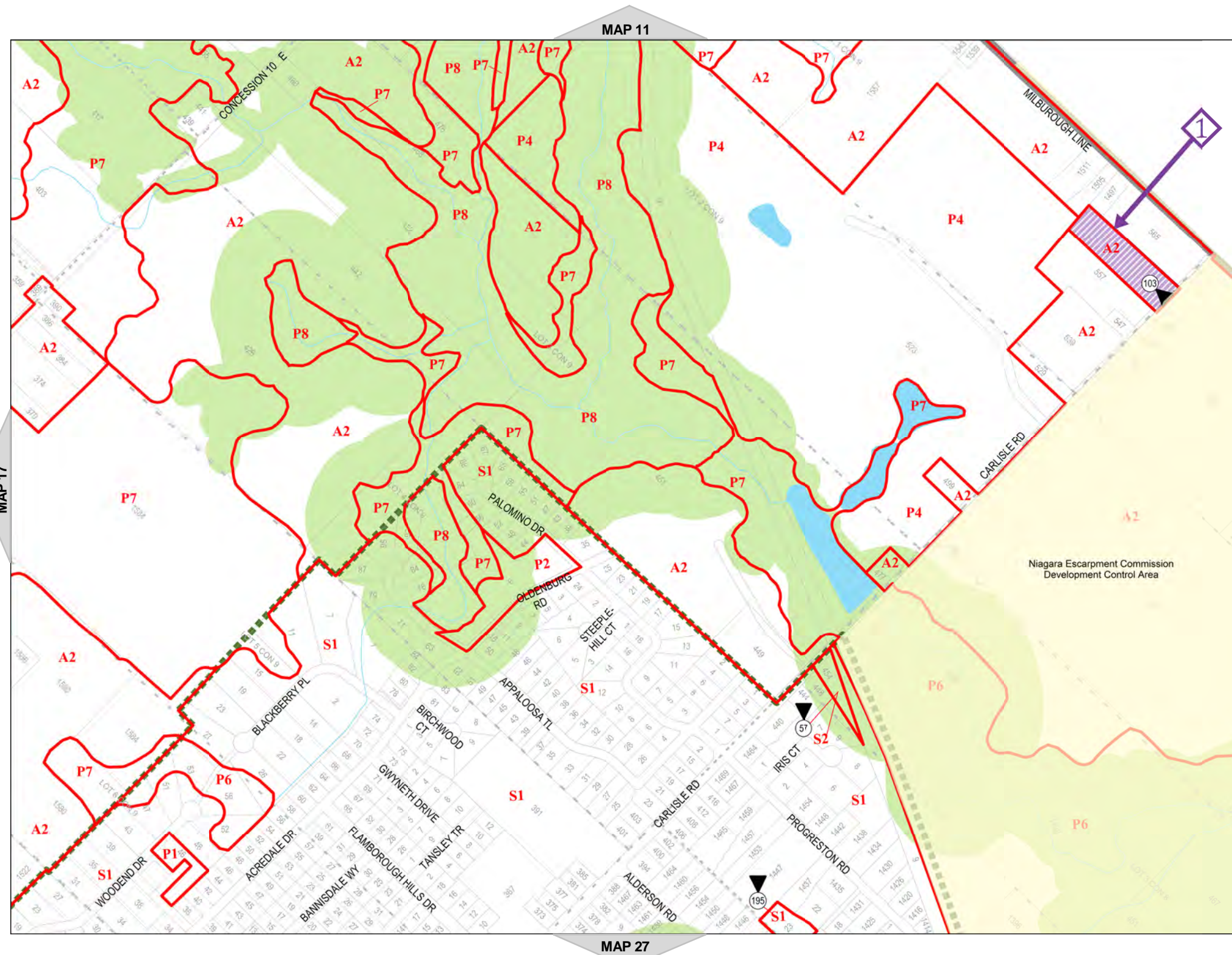
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 9,997

**MAP 18 of Schedule 'A'**

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

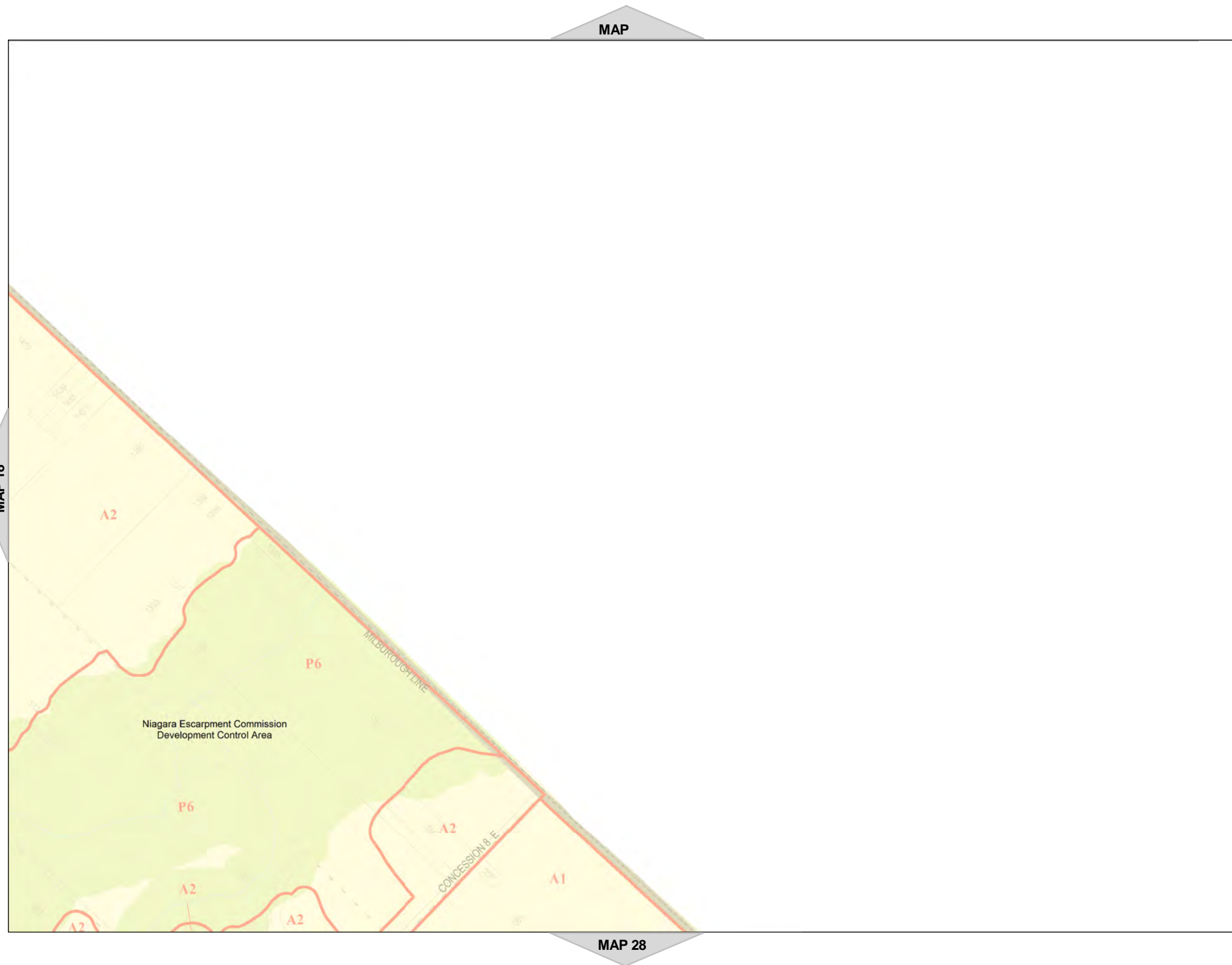
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 19 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

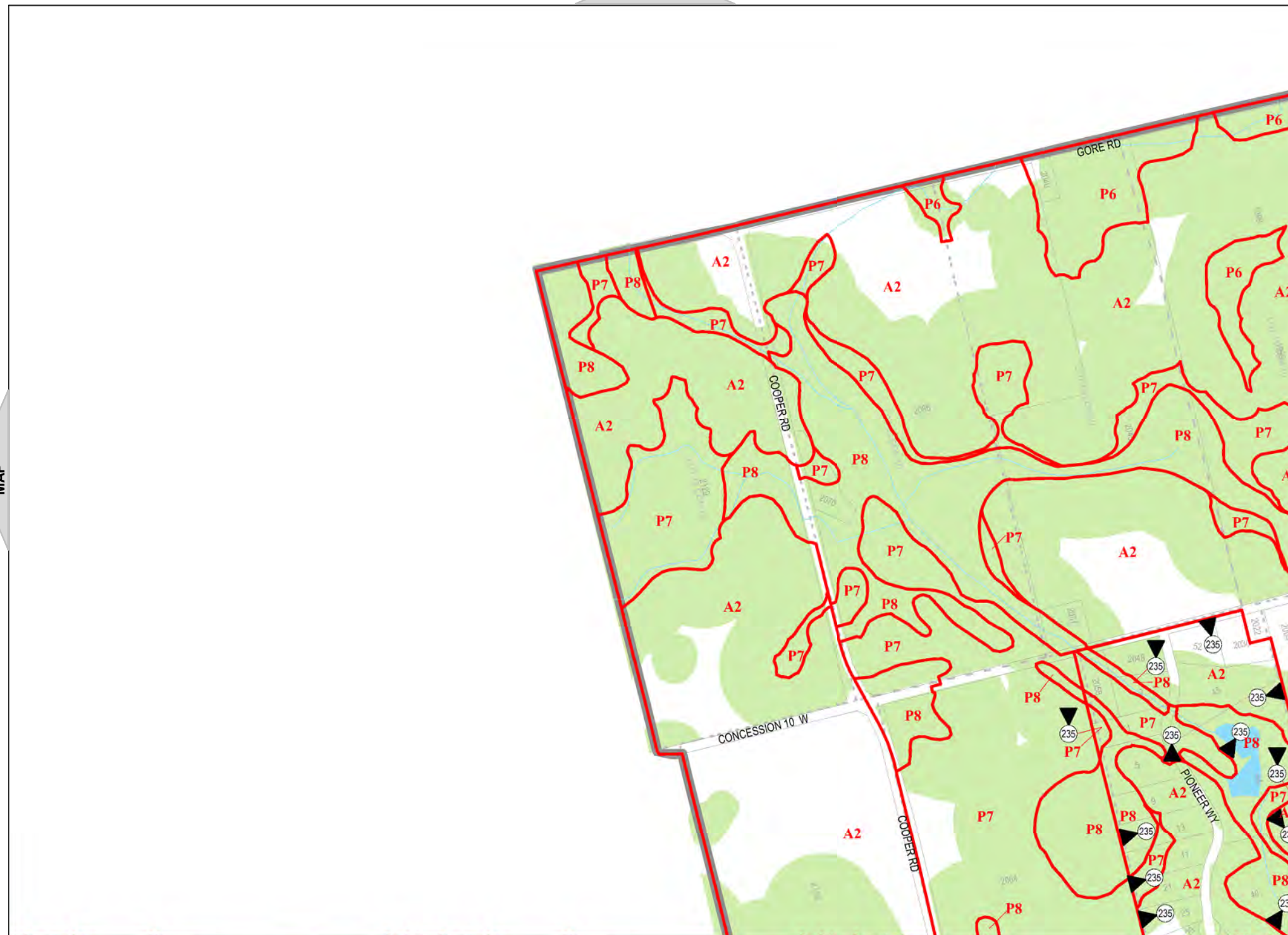
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 20 of Schedule 'A'



MAP

MAP

MAP 21

MAP 30
















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

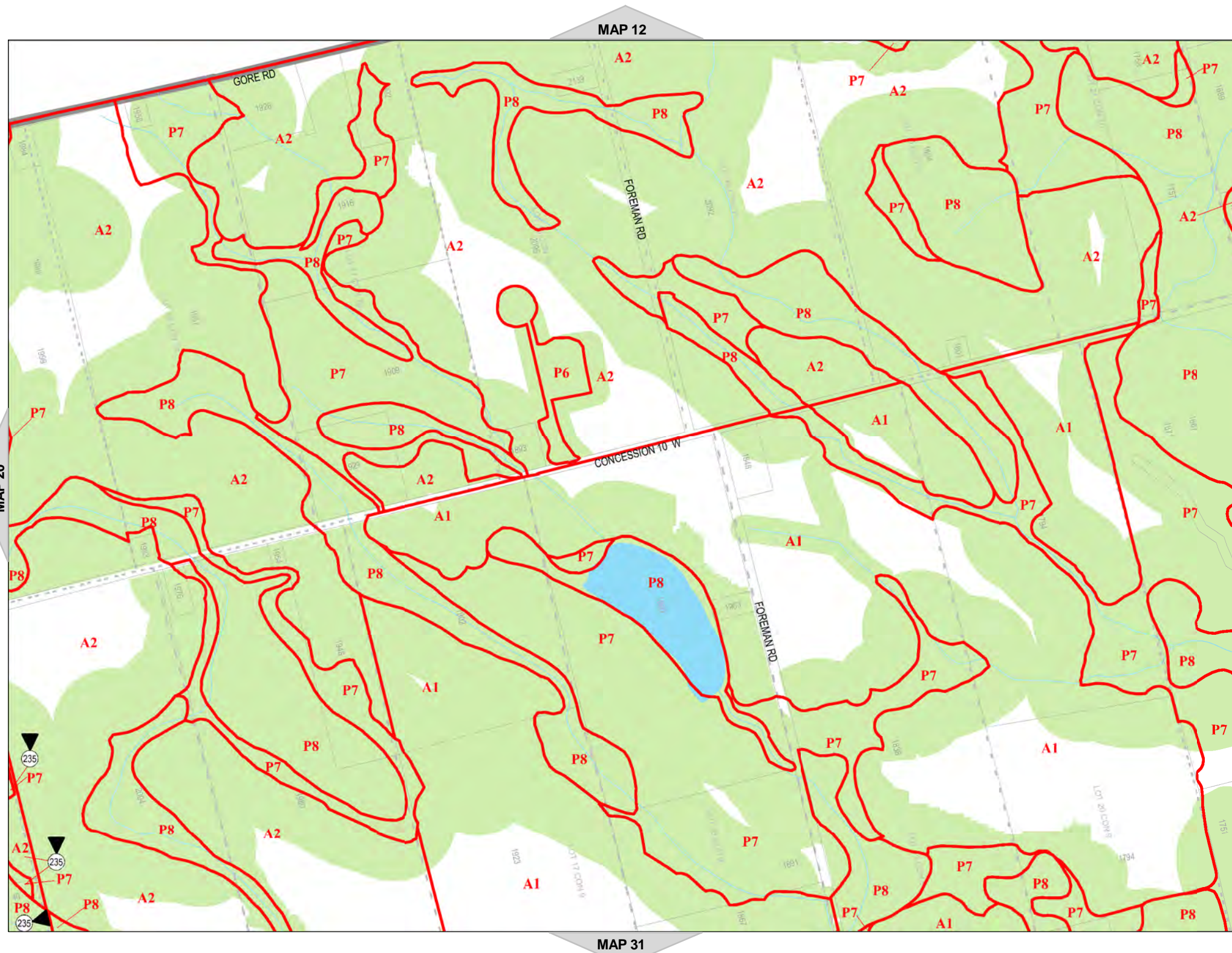
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 21 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

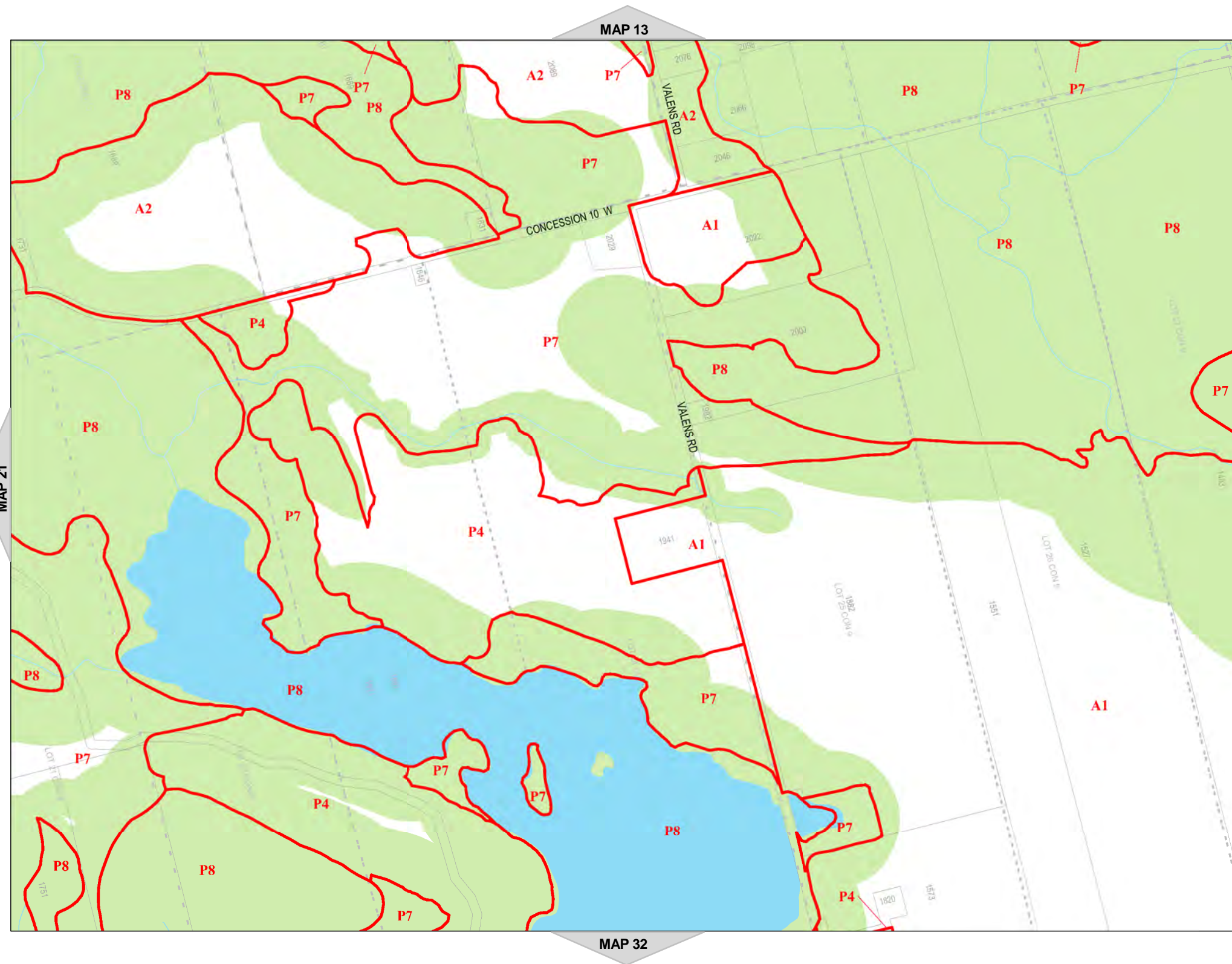
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 22 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

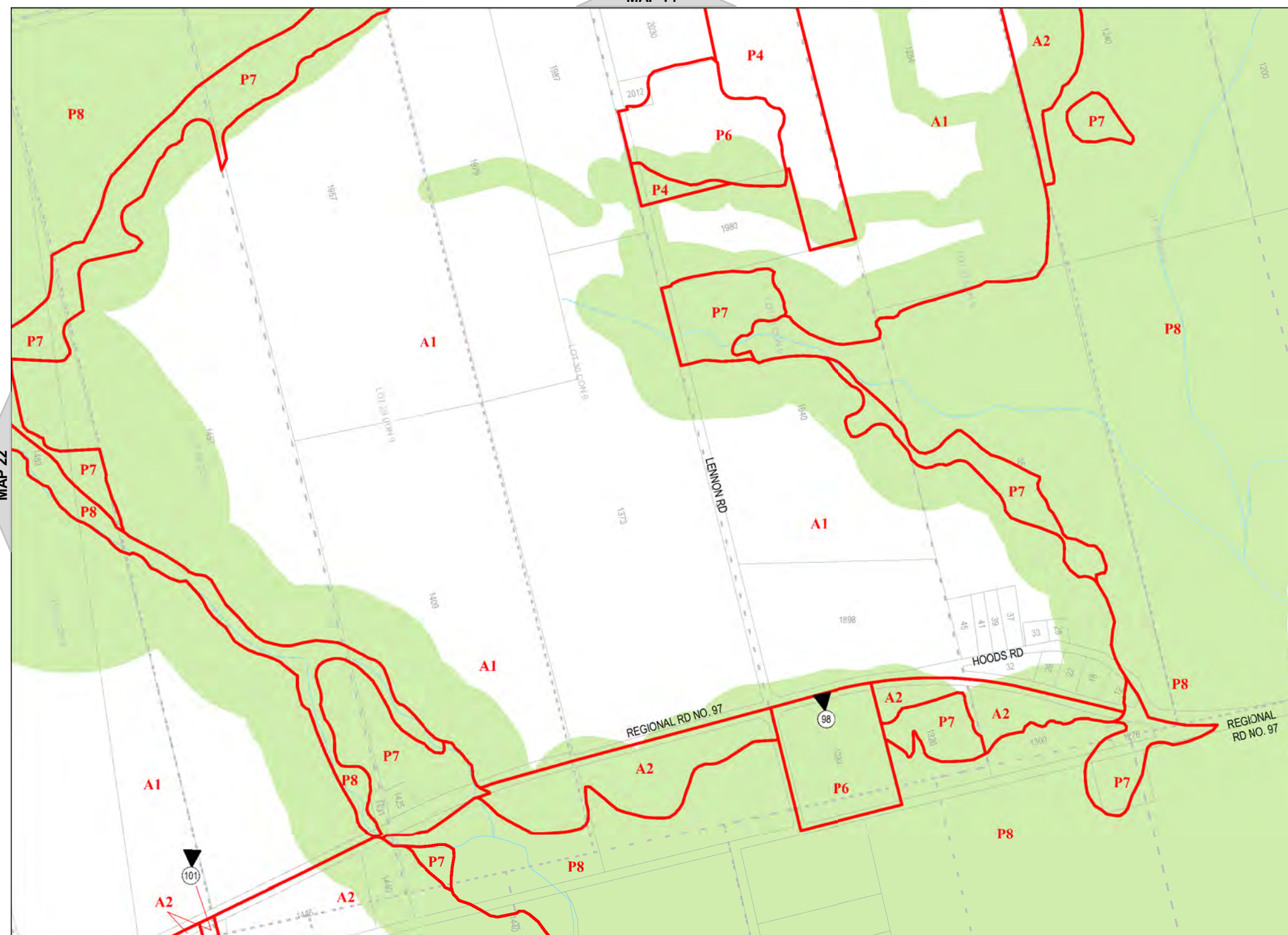
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 23 of Schedule 'A'



MAP 14

MAP 22

MAP 24

MAP 33

Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016

Date: July 10, 2015

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

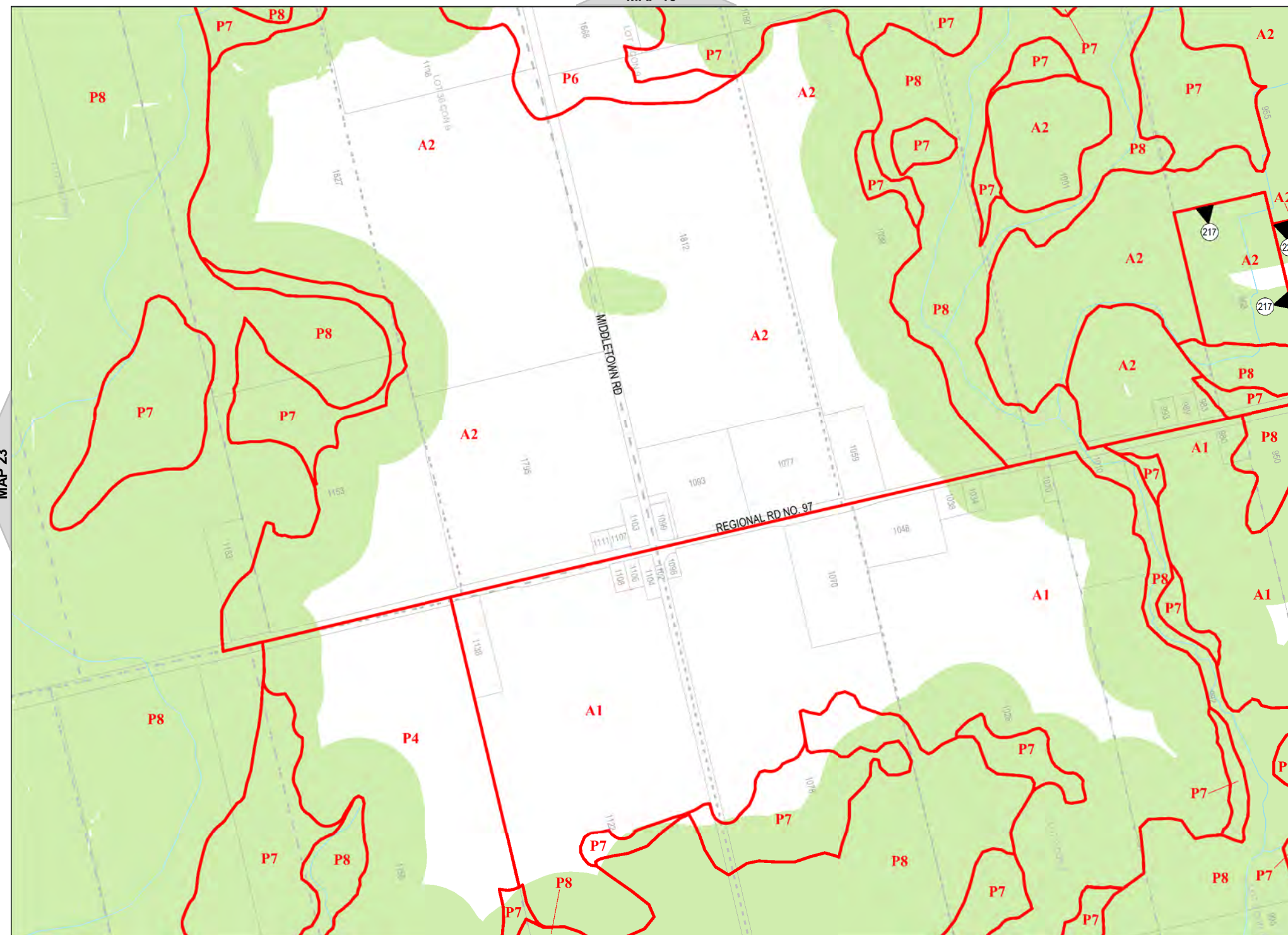
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 24 of Schedule 'A'



MAP 15

MAP 23

MAP 25

MAP 34


Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016

Date: July 10, 2015

















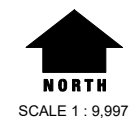
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

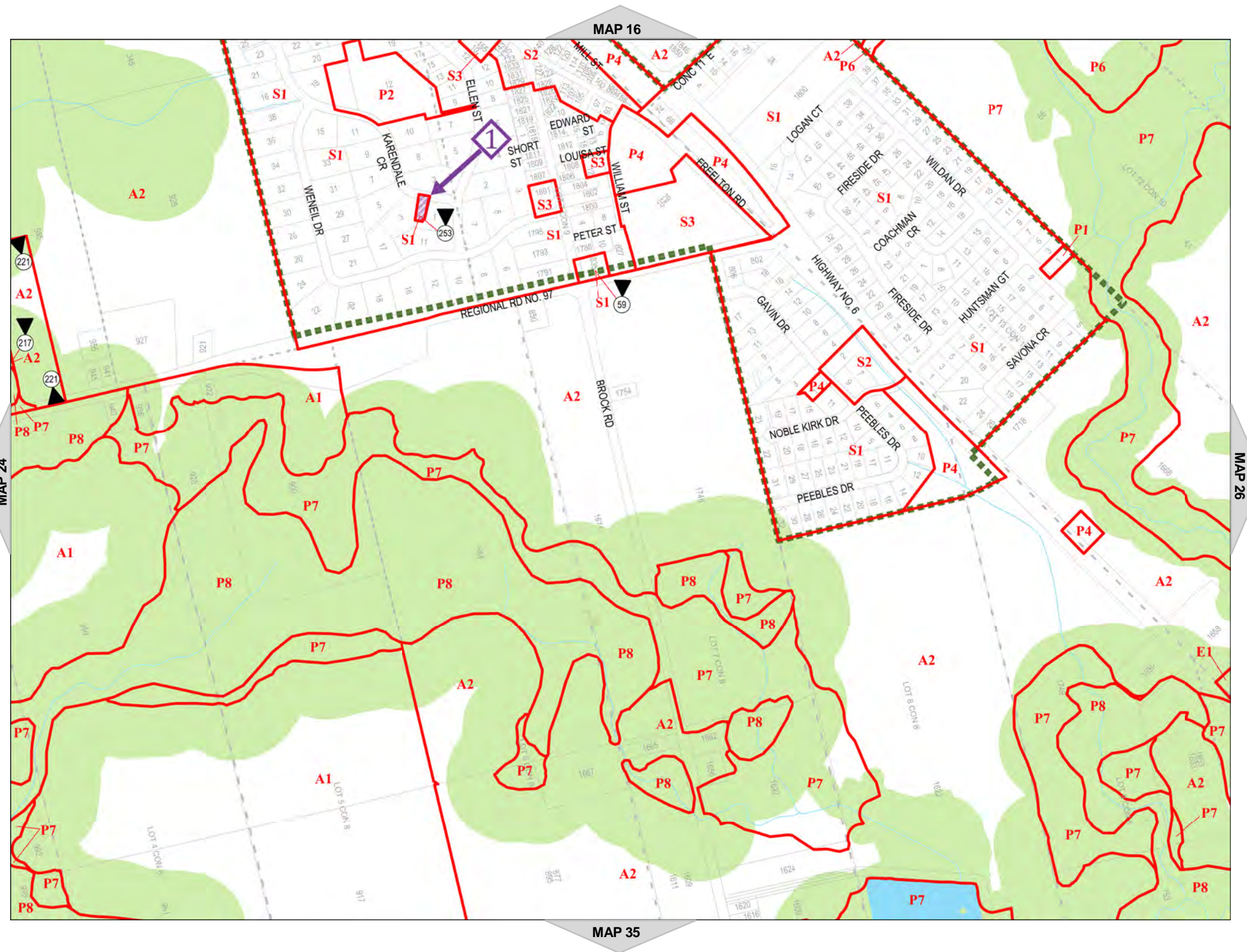
ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 25 of Schedule 'A'**



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

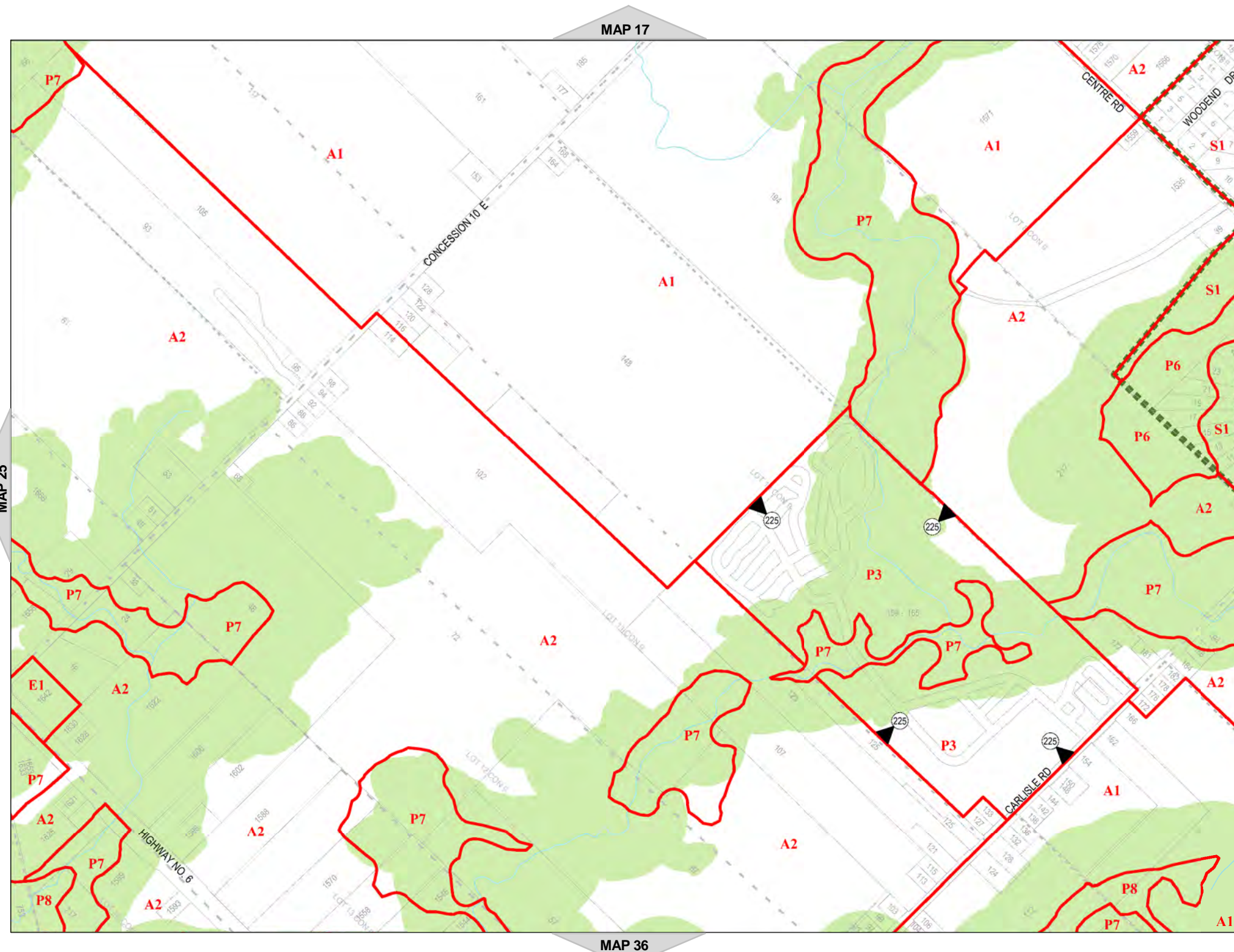
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 26 of Schedule 'A'



MAP 17

MAP 25


MAP 27

MAP 36

















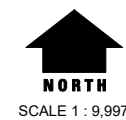
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

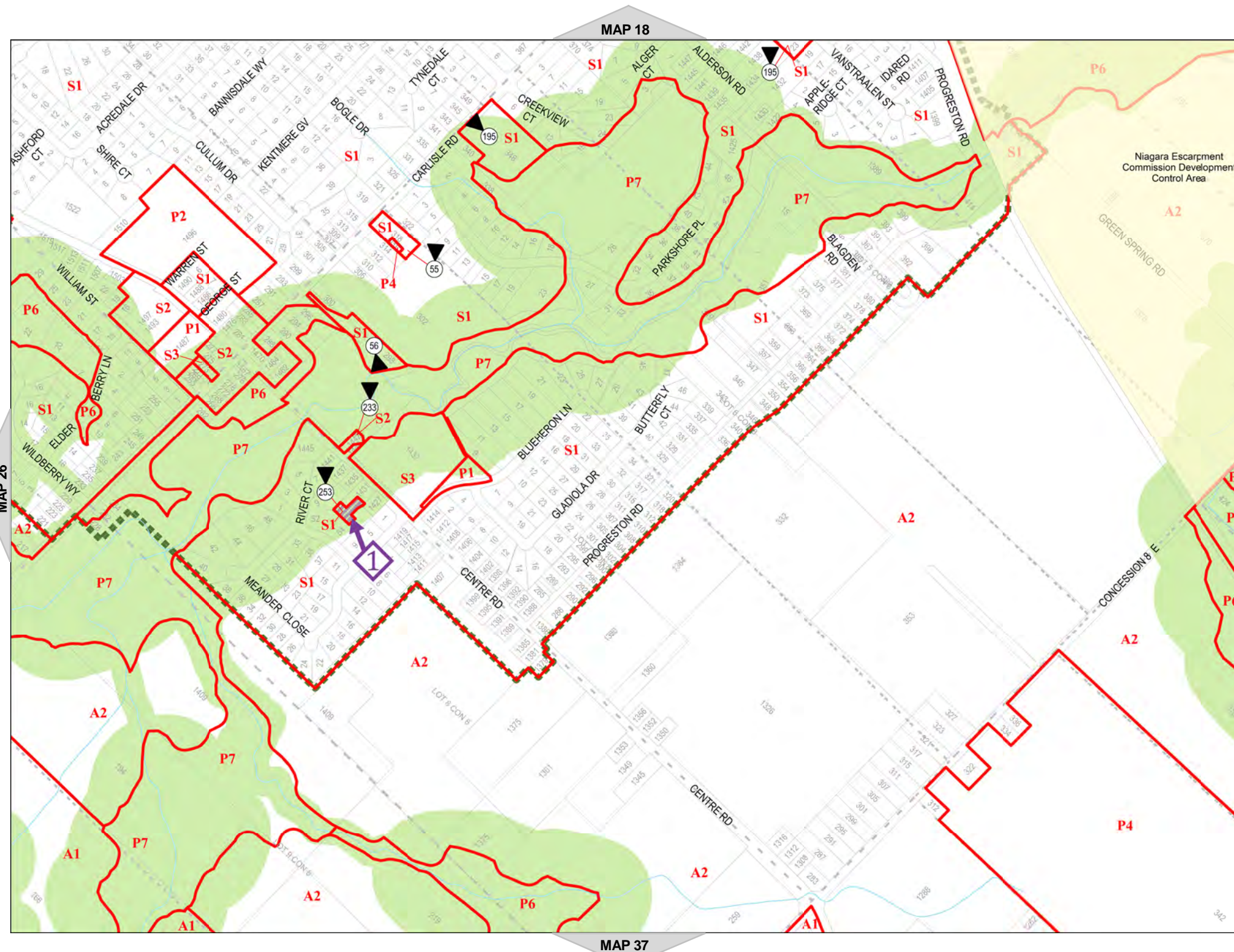
ID 1  
Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 27 of Schedule 'A'**


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

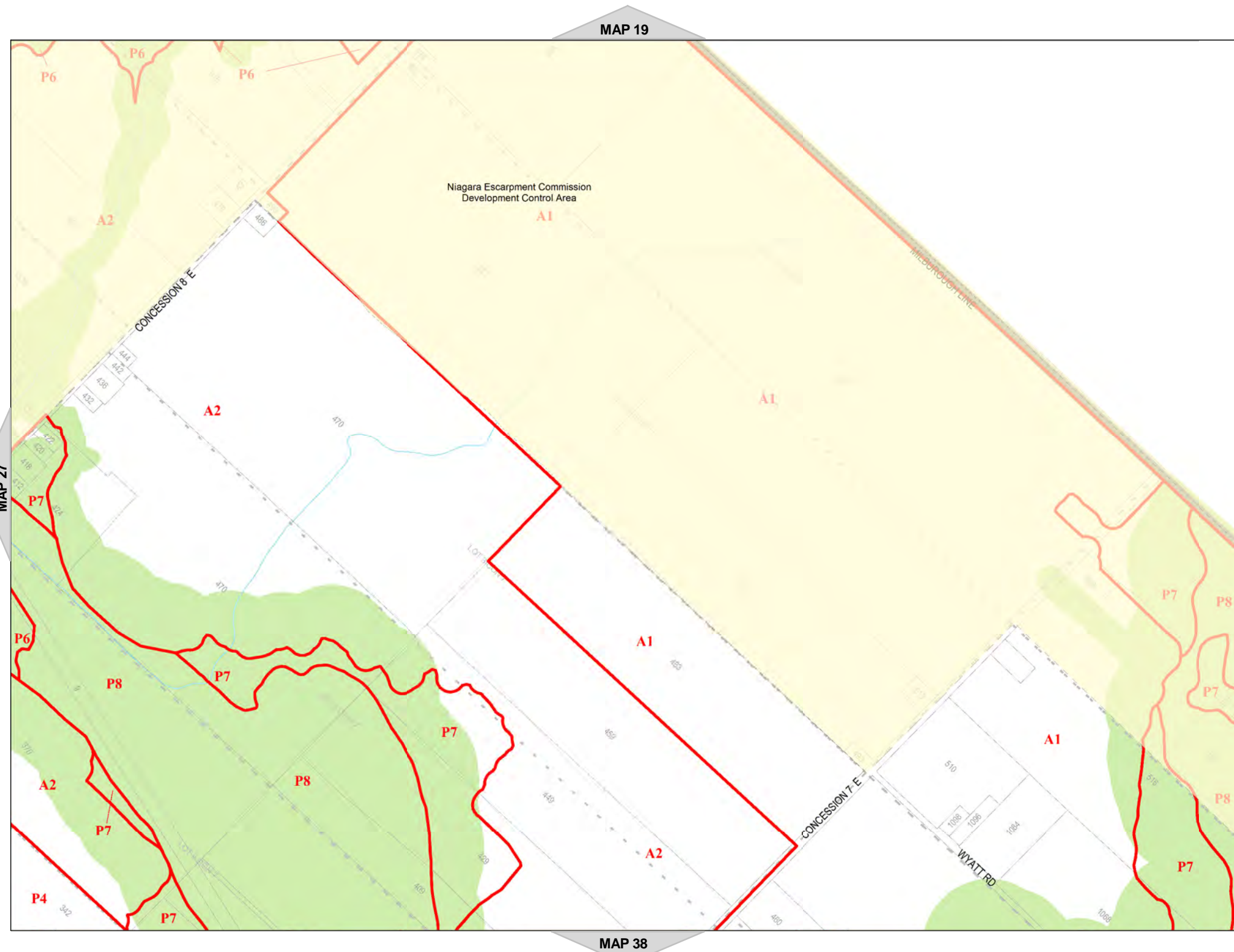
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 28 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

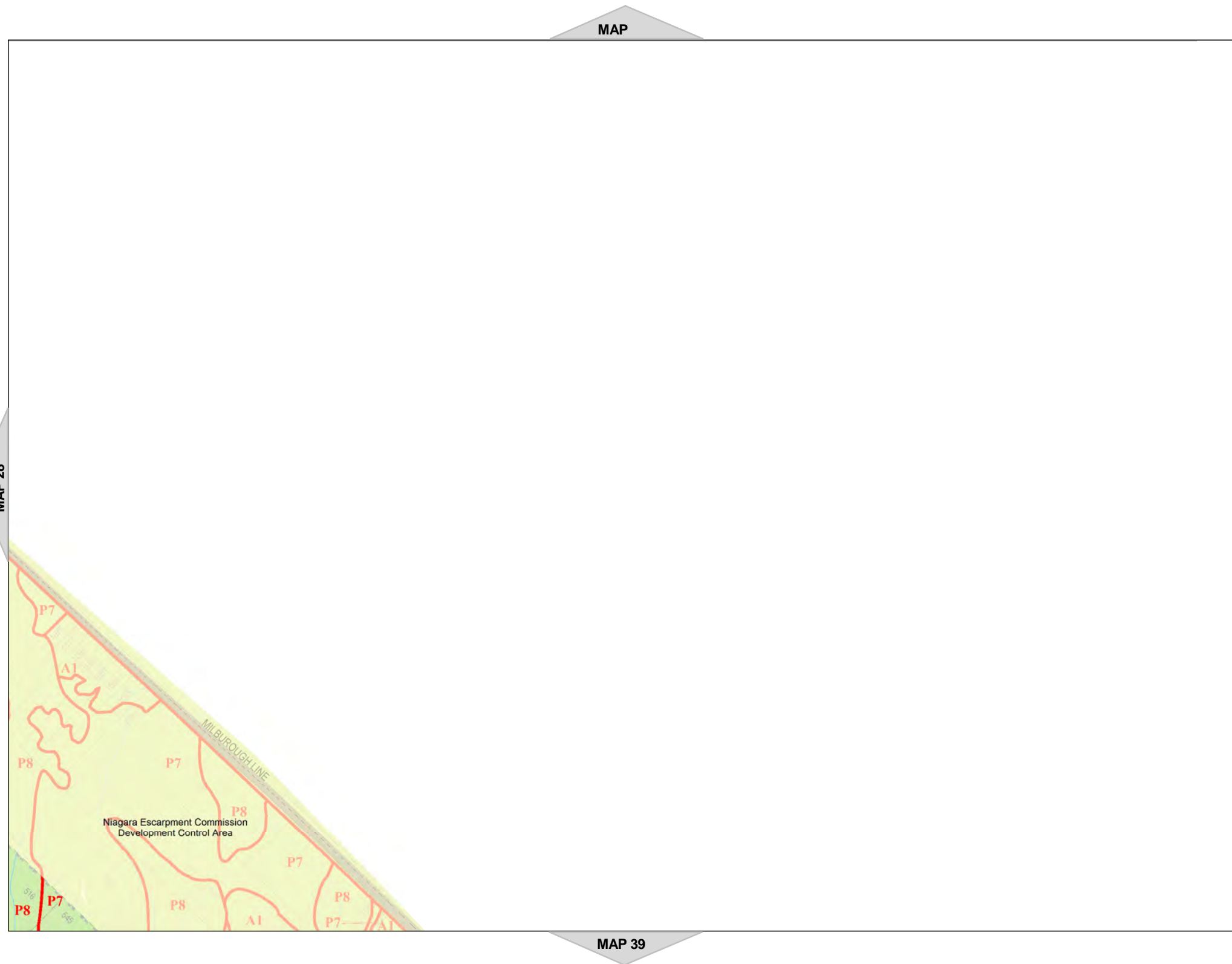
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 29 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

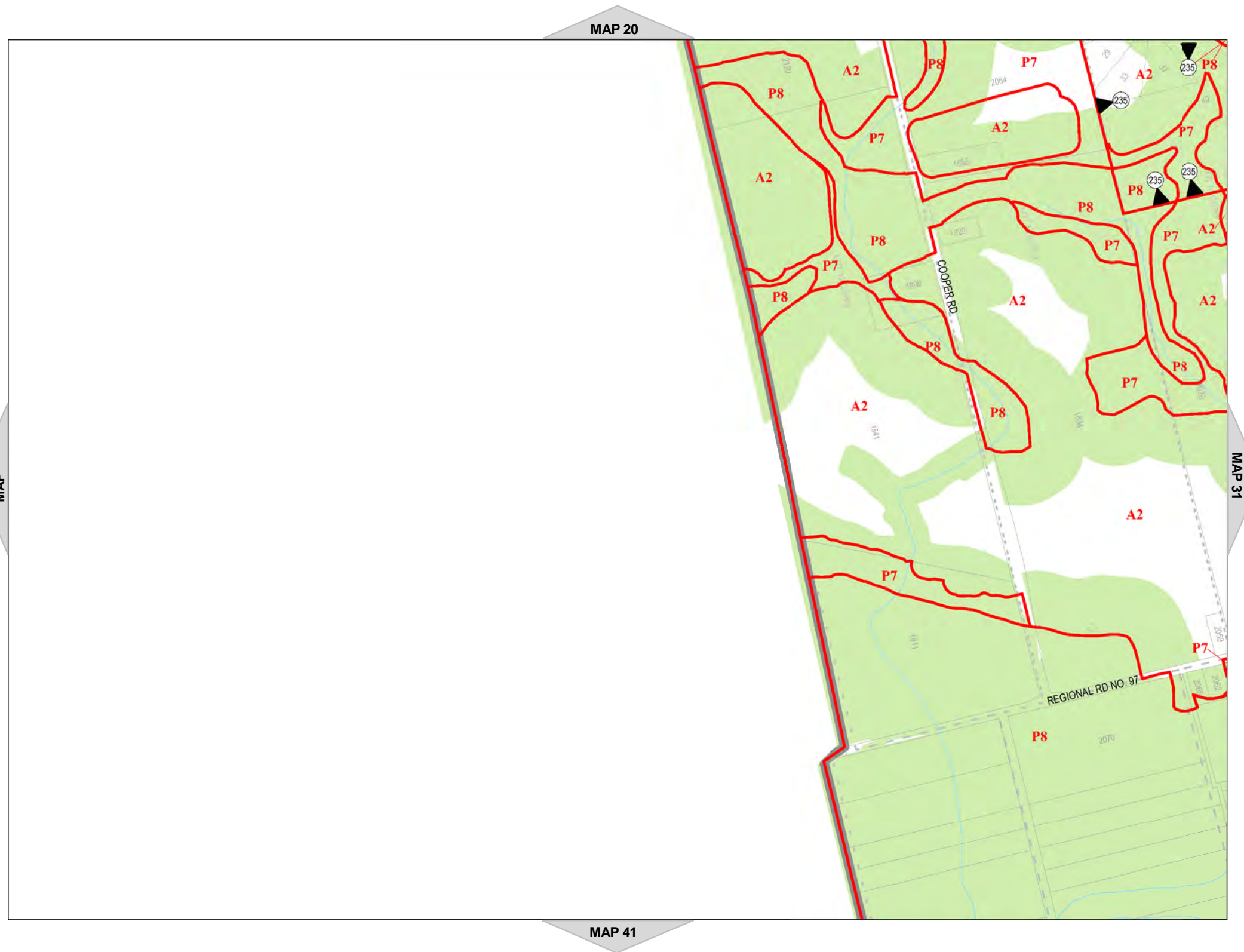
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 30 of Schedule 'A'



MAP 20

MAP

MAP 31

MAP 41





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

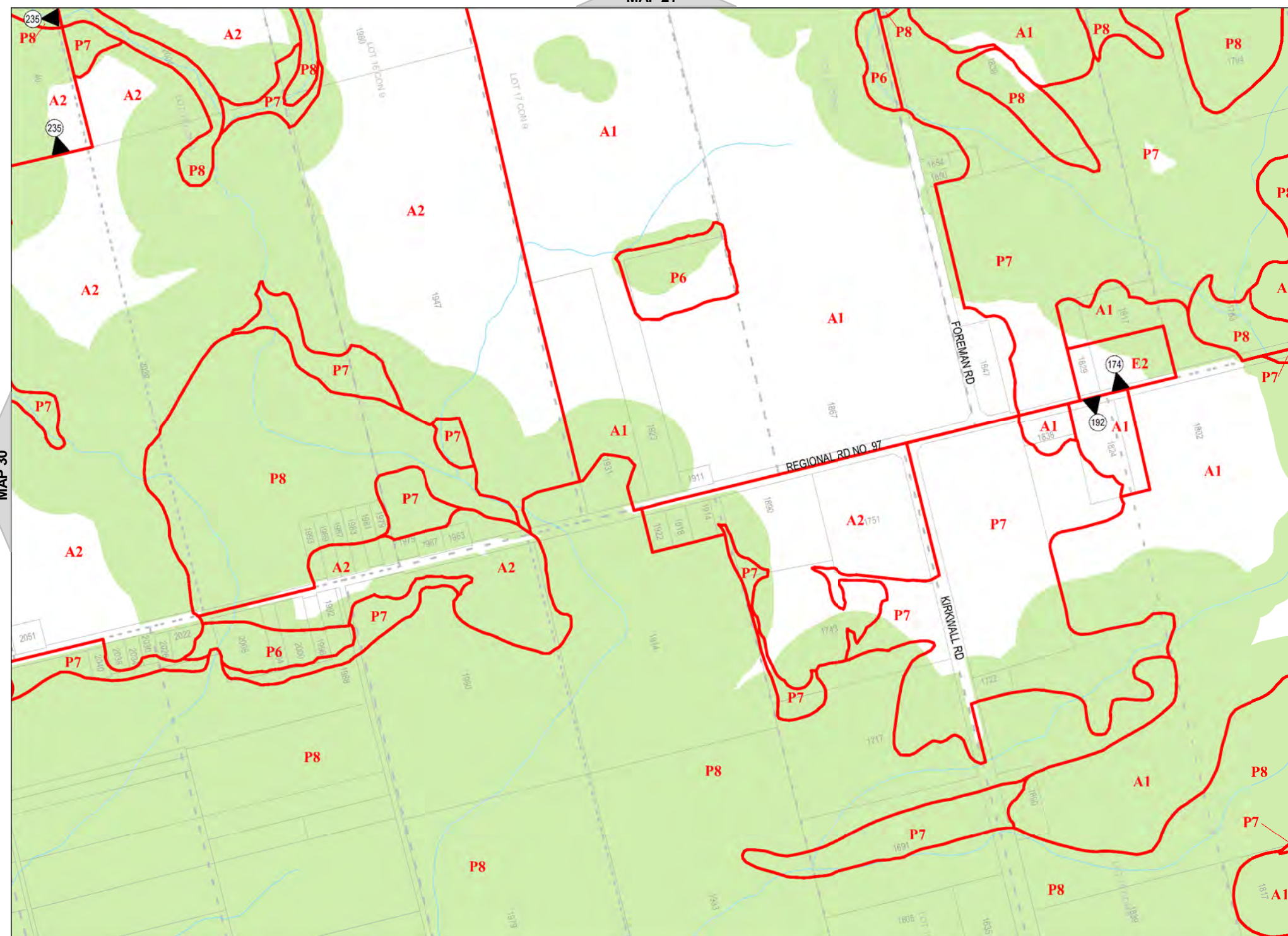
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 31 of Schedule 'A'



MAP 21

MAP 42

MAP 30

MAP 32

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 32 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

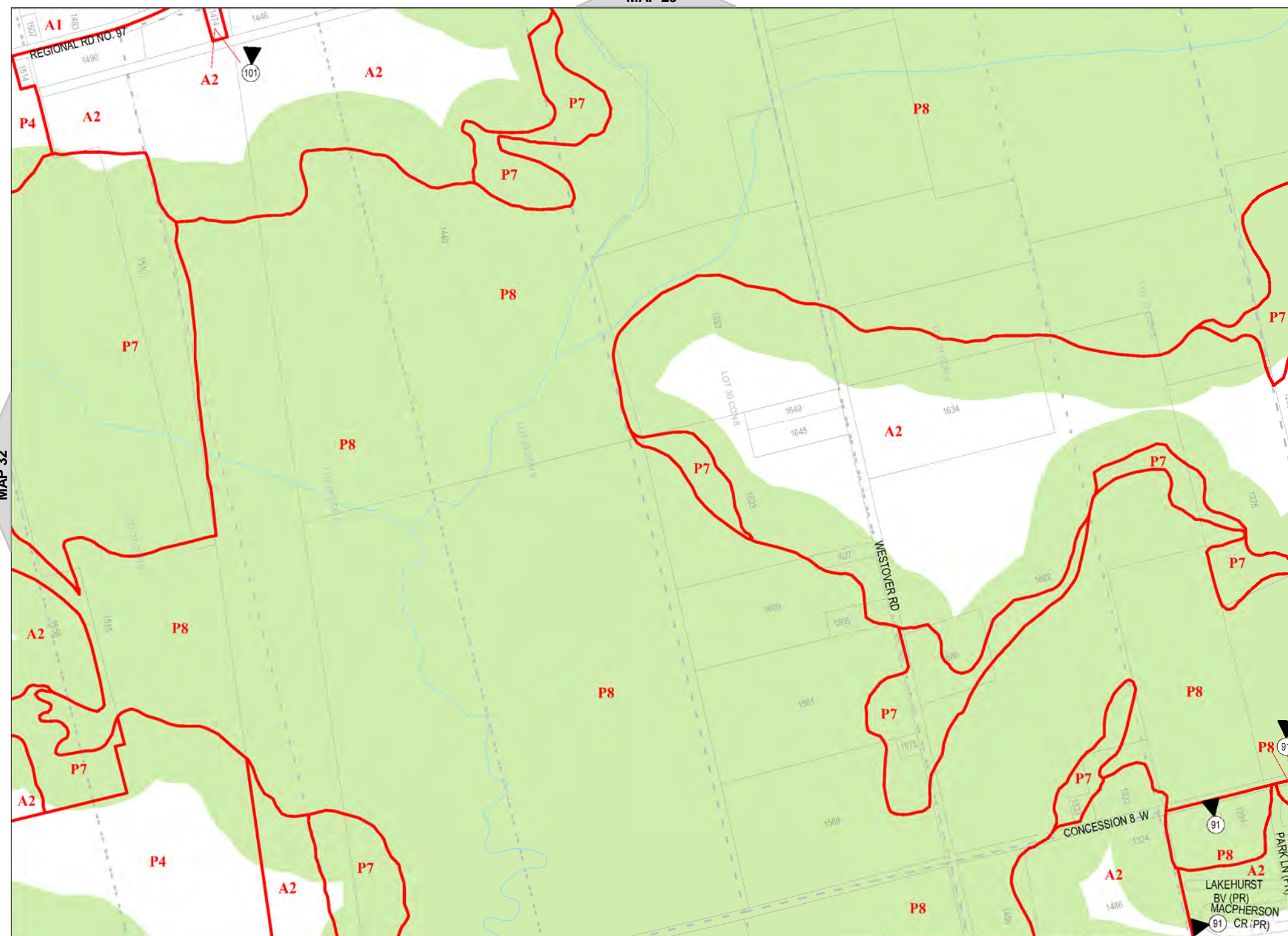
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 33 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

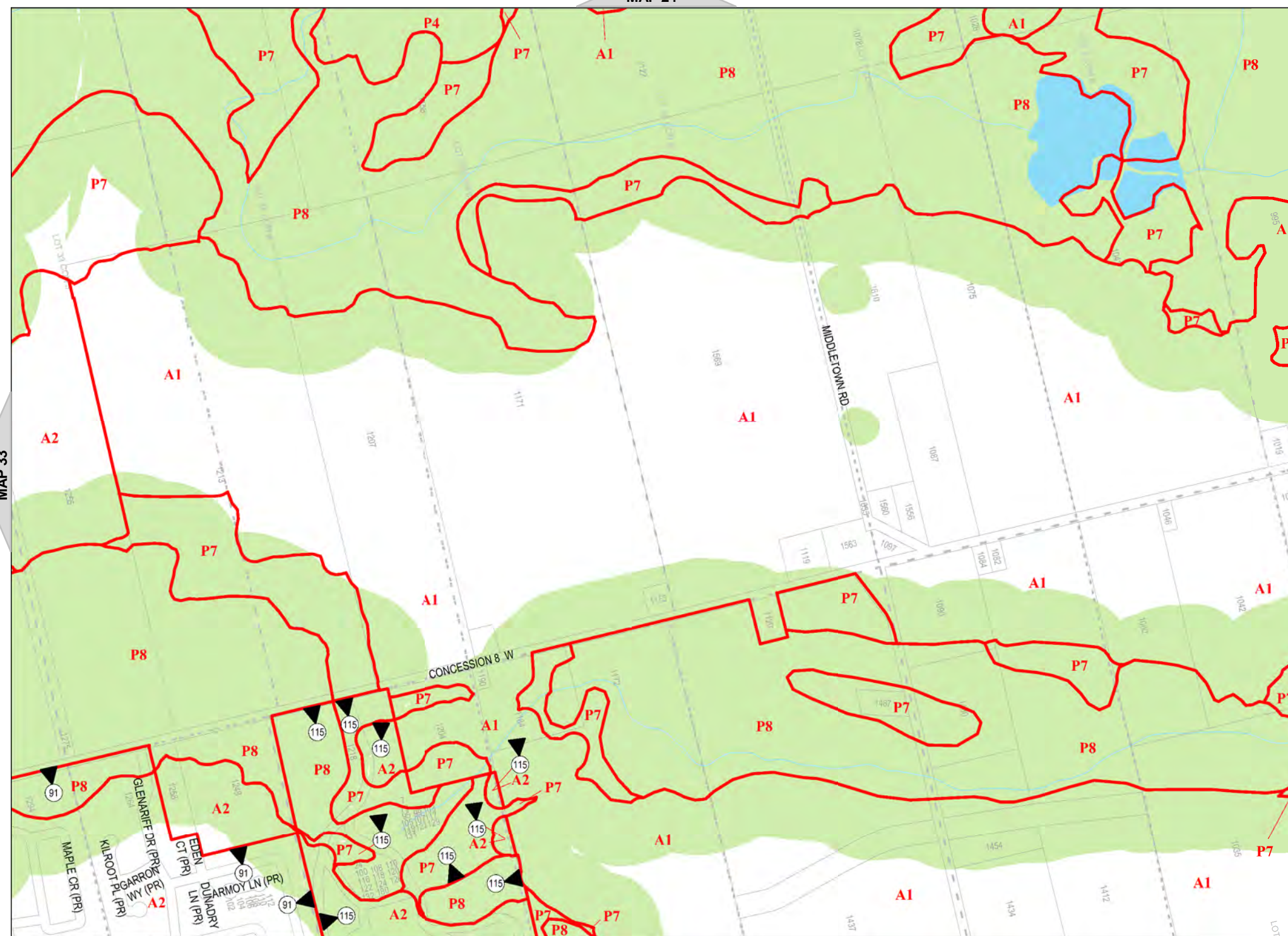
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000


MAP 34 of Schedule 'A'



















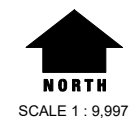
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

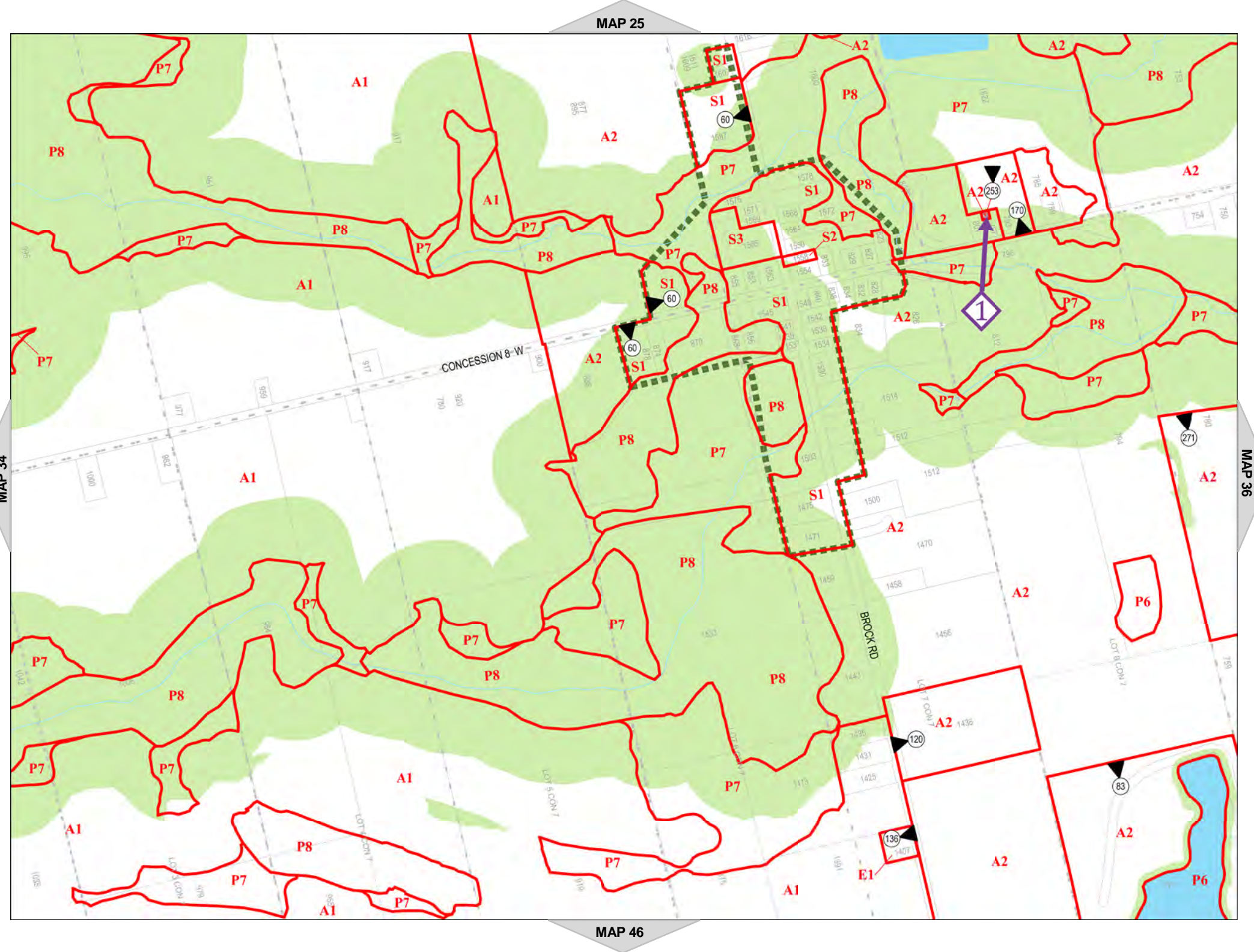
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream




**MAP 35 of Schedule 'A'**



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

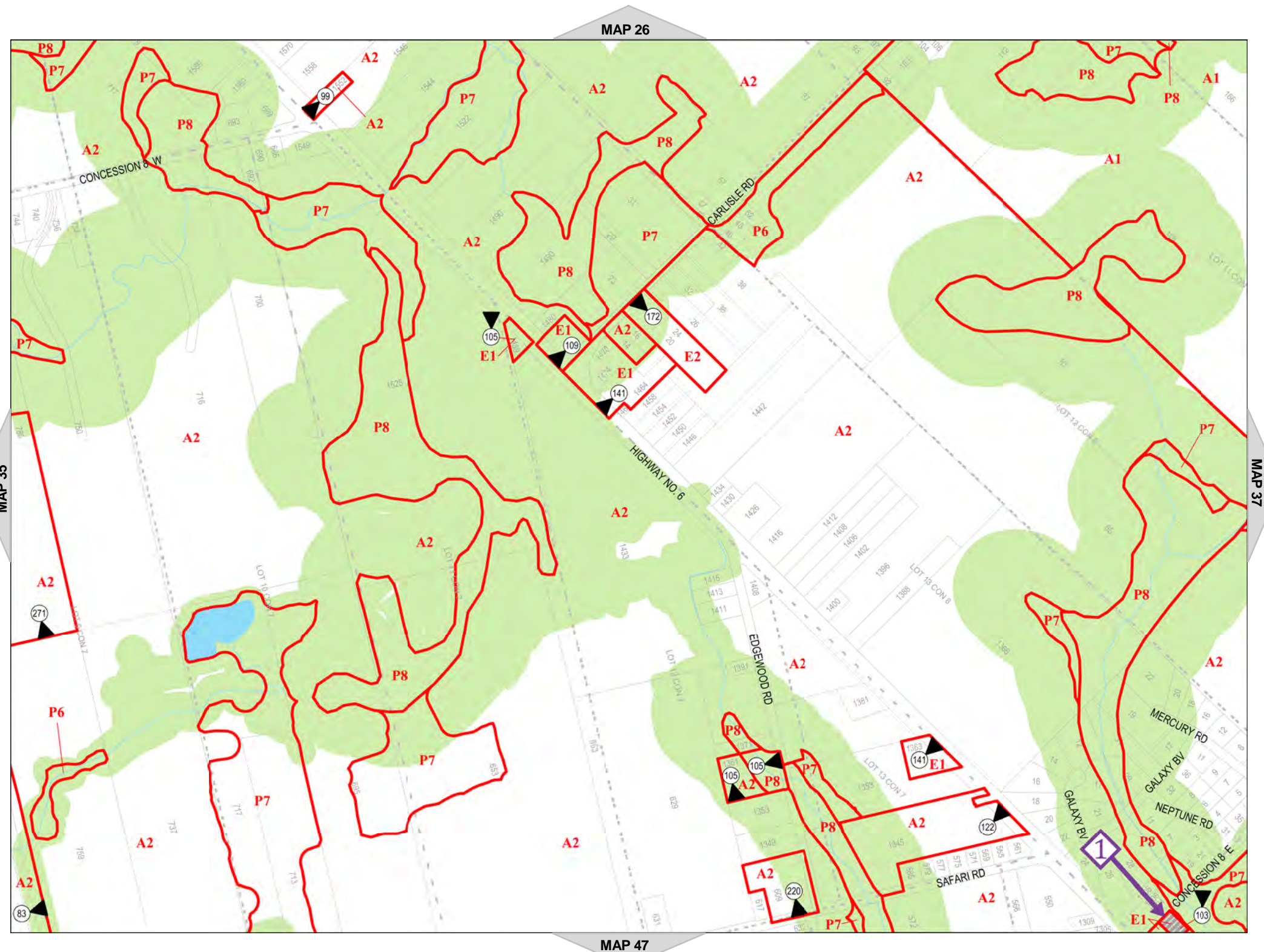
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 36 of Schedule 'A'**



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 37 of Schedule 'A'



MAP 27

MAP 36

MAP 38

MAP 48

Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016

Date: July 10, 2015





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

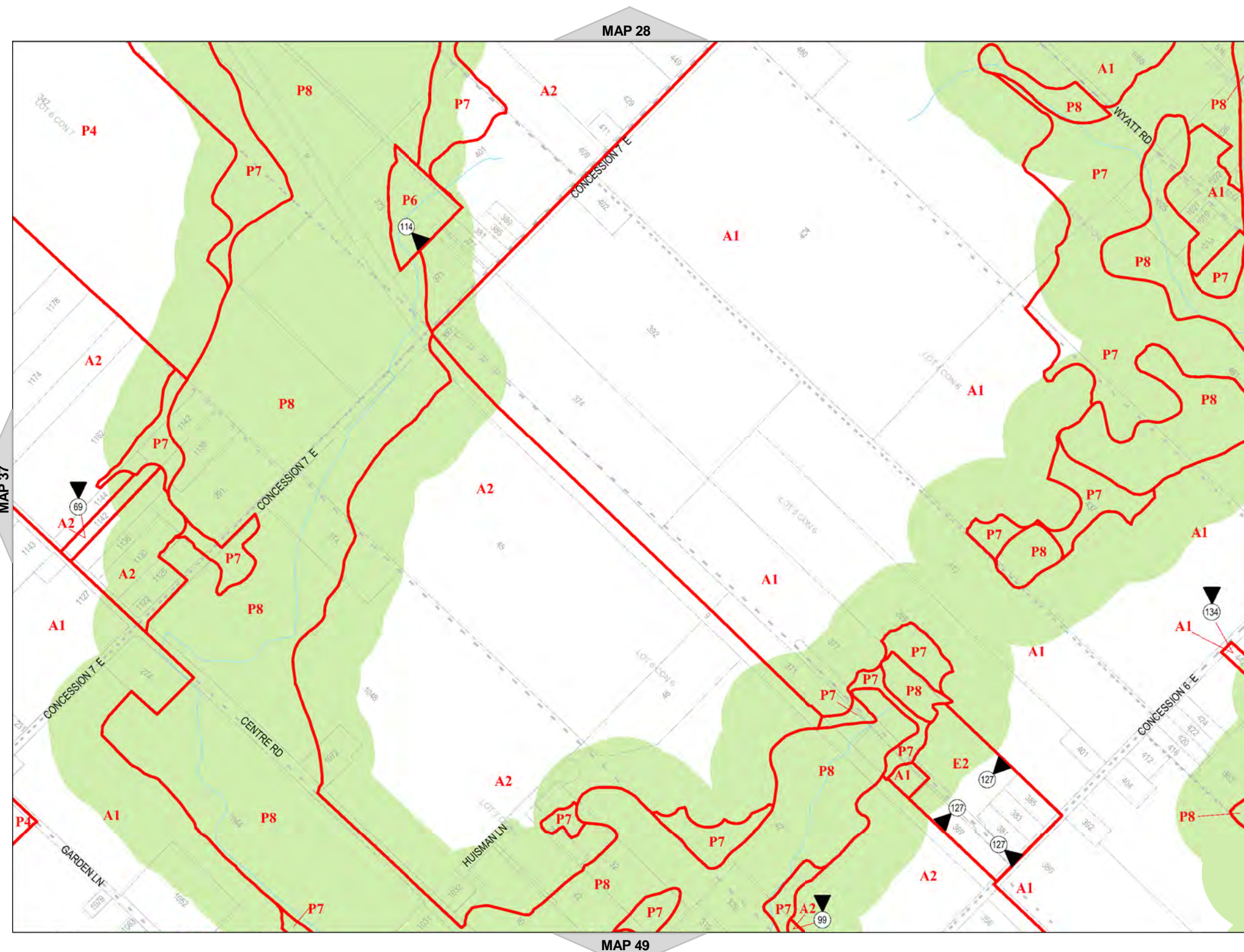
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000


MAP 38 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

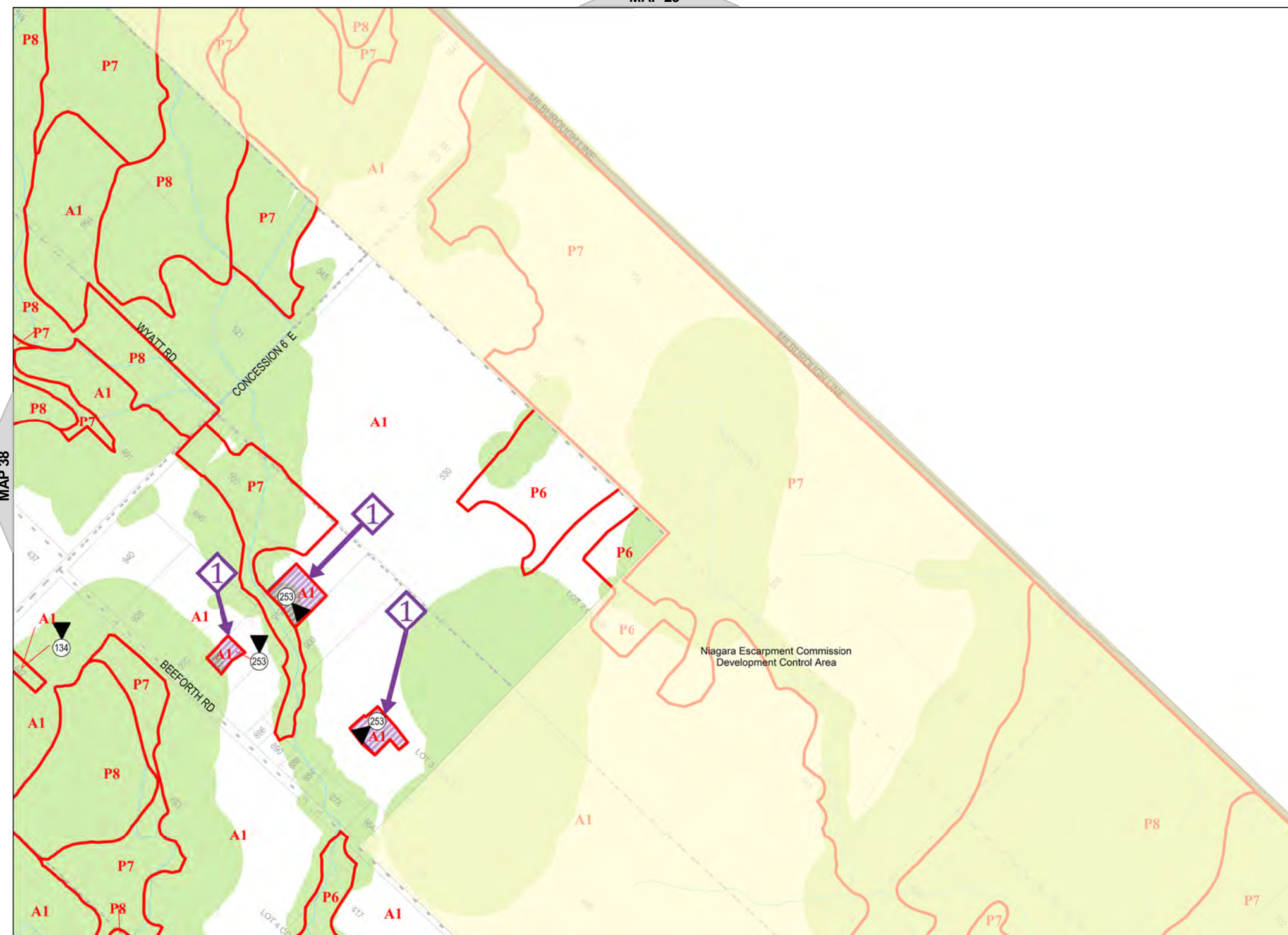
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 39 of Schedule 'A'**

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

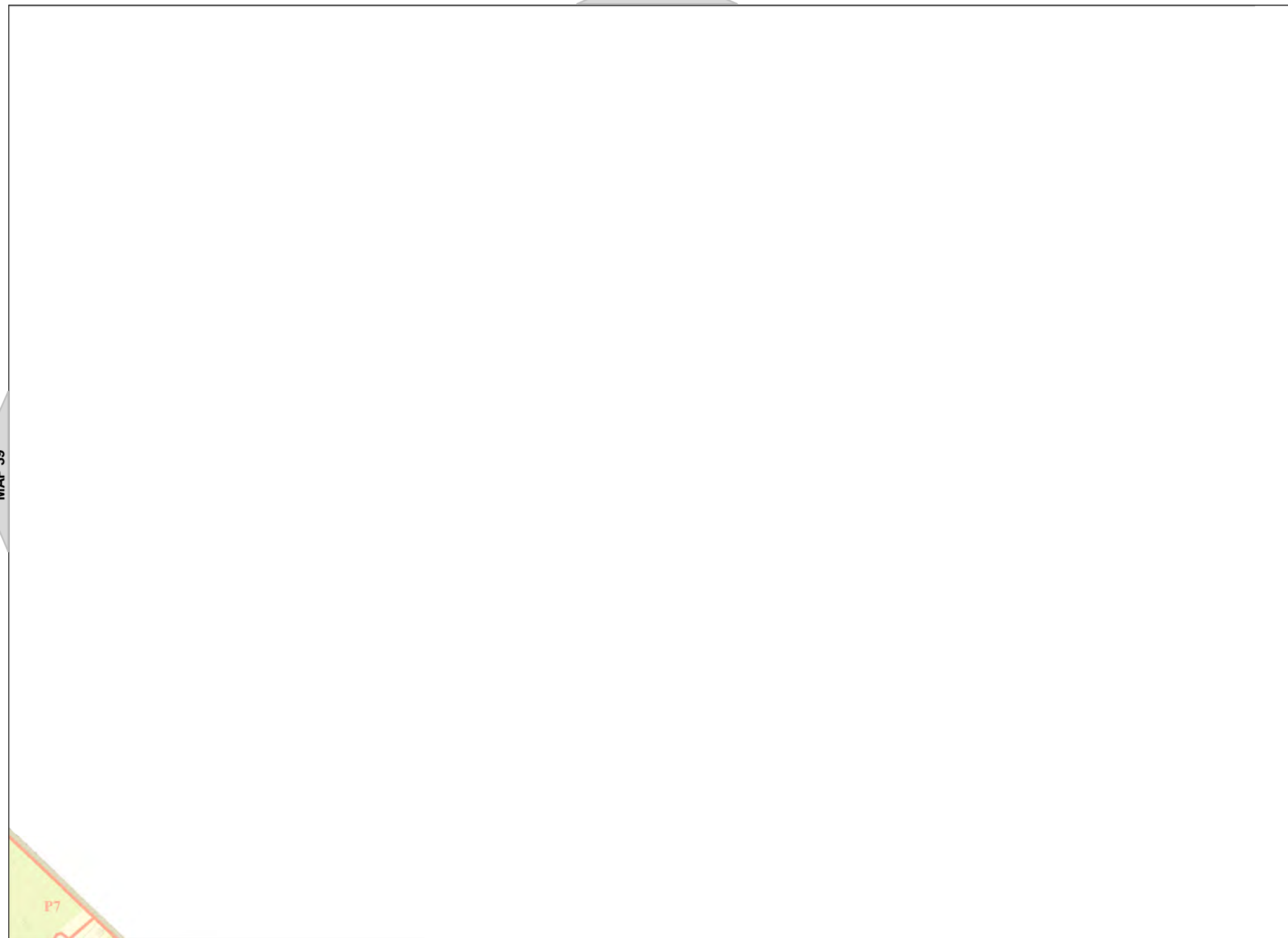
MAP 40 of Schedule 'A'

MAP

MAP 39

MAP

MAP 51

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

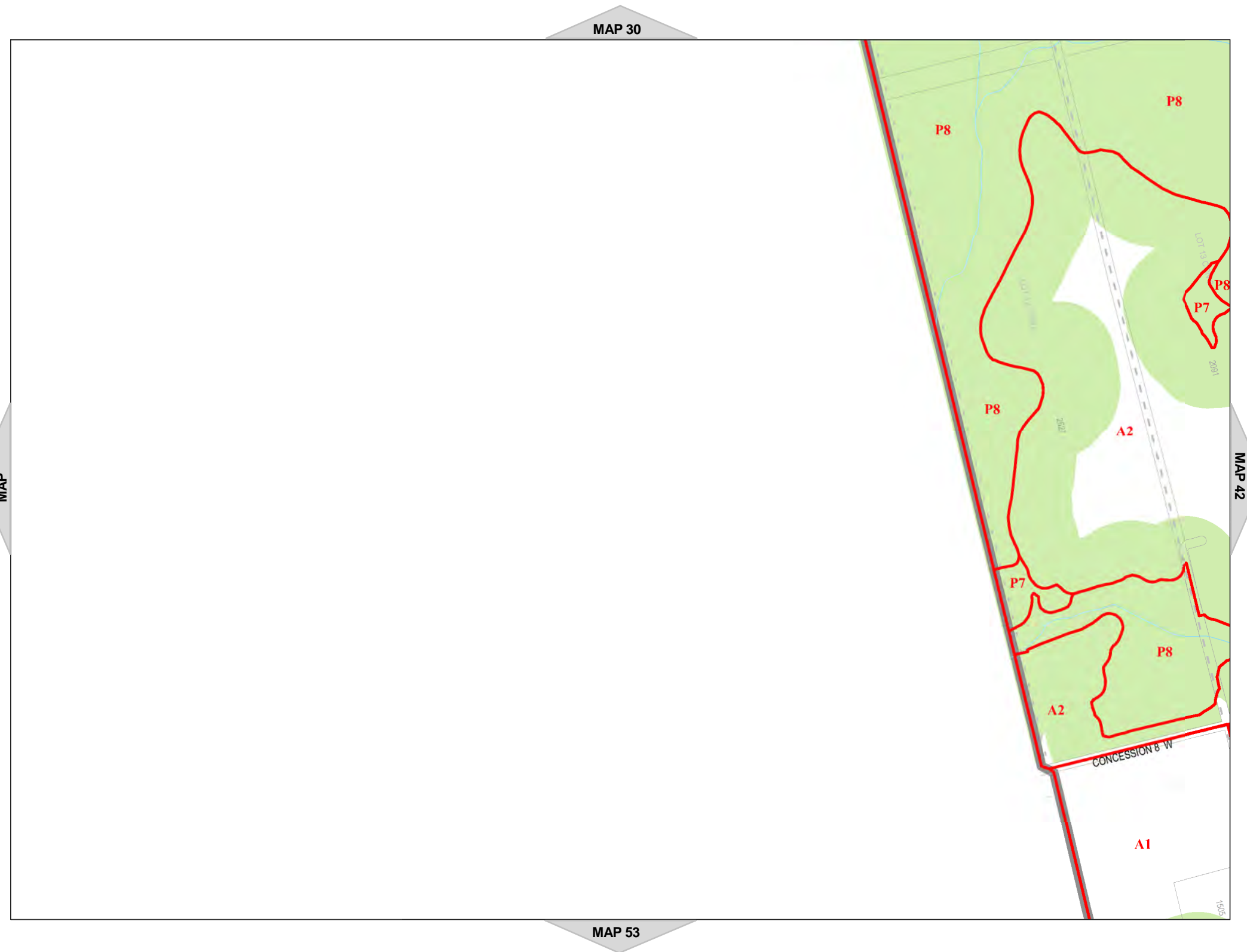
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 41 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

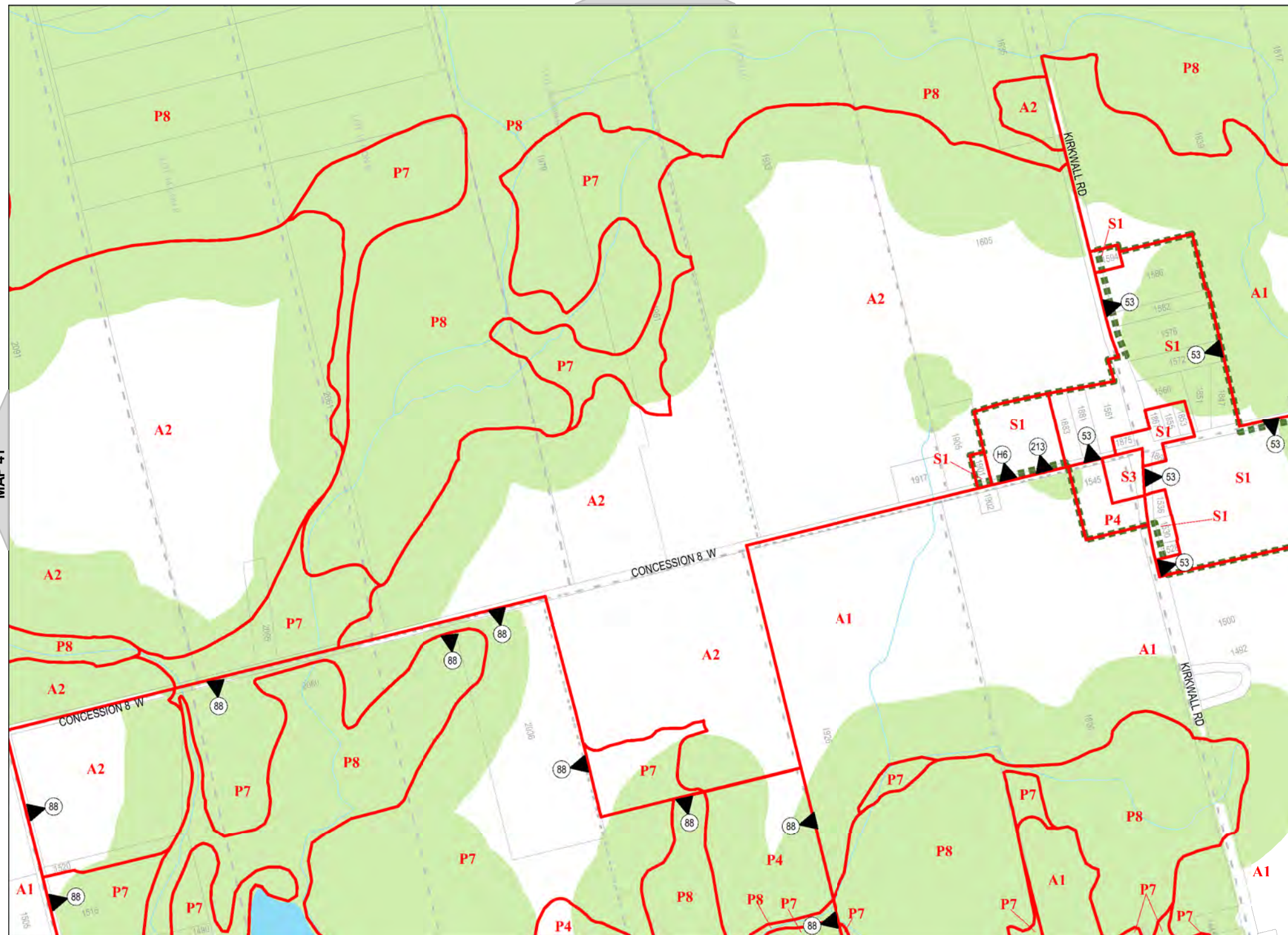
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 42 of Schedule 'A'



MAP 31

MAP 41

MAP 43

MAP 54

Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016

Date: July 10, 2015
















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

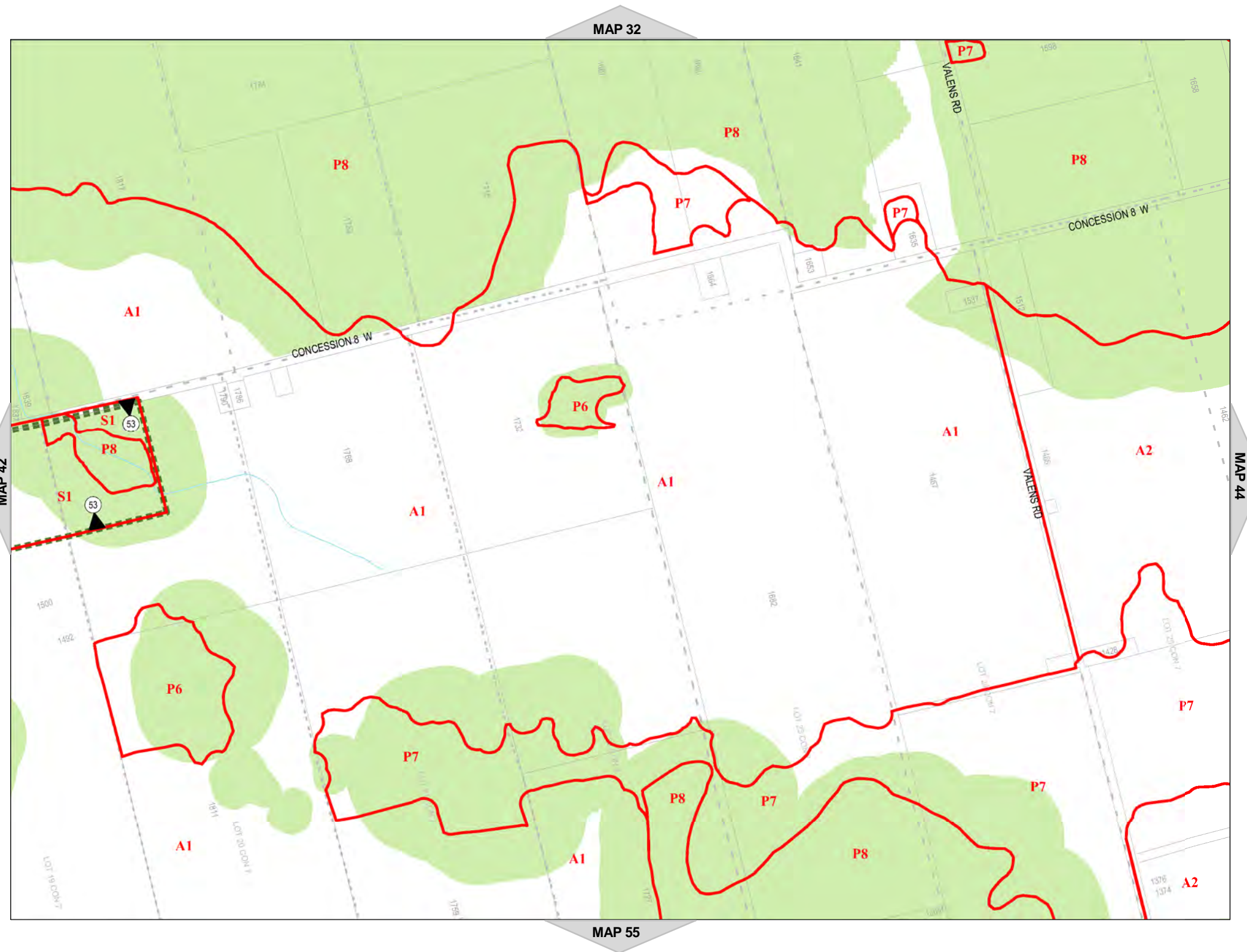
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 43 of Schedule 'A'





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

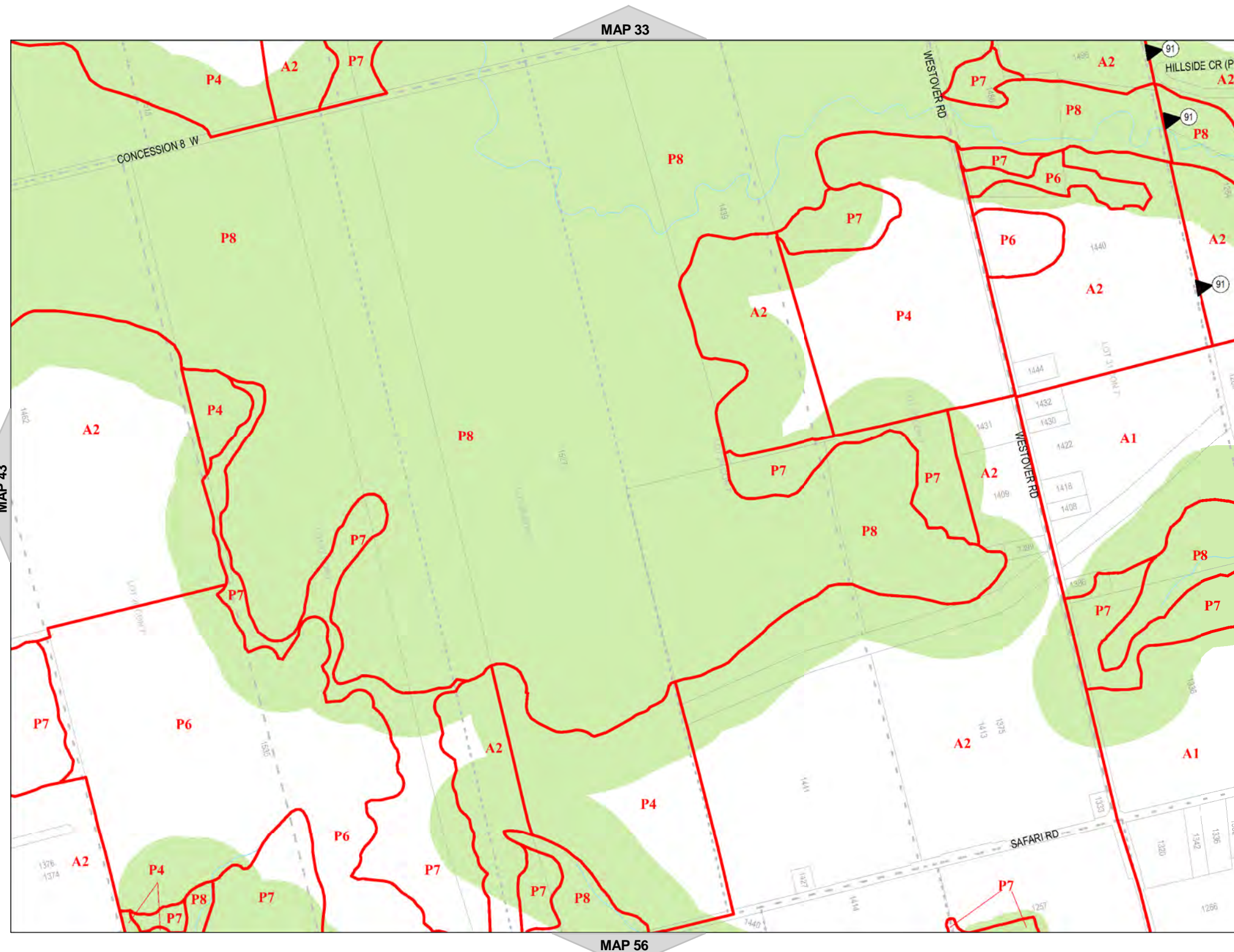
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 44 of Schedule 'A'



MAP 33

MAP 43

MAP 45

MAP 56





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

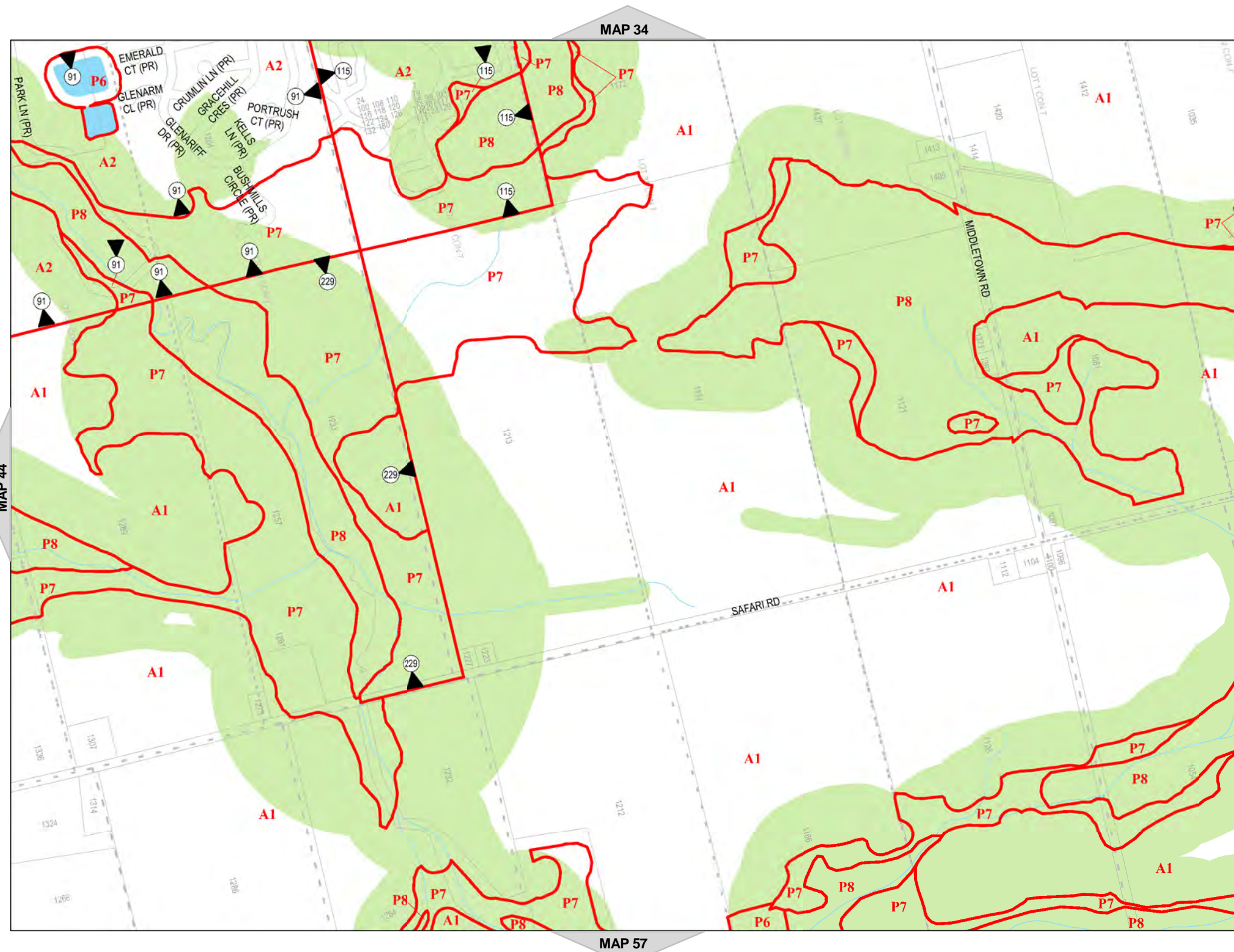
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 45 of Schedule 'A'



MAP 34

MAP 44


MAP 46

MAP 57

















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

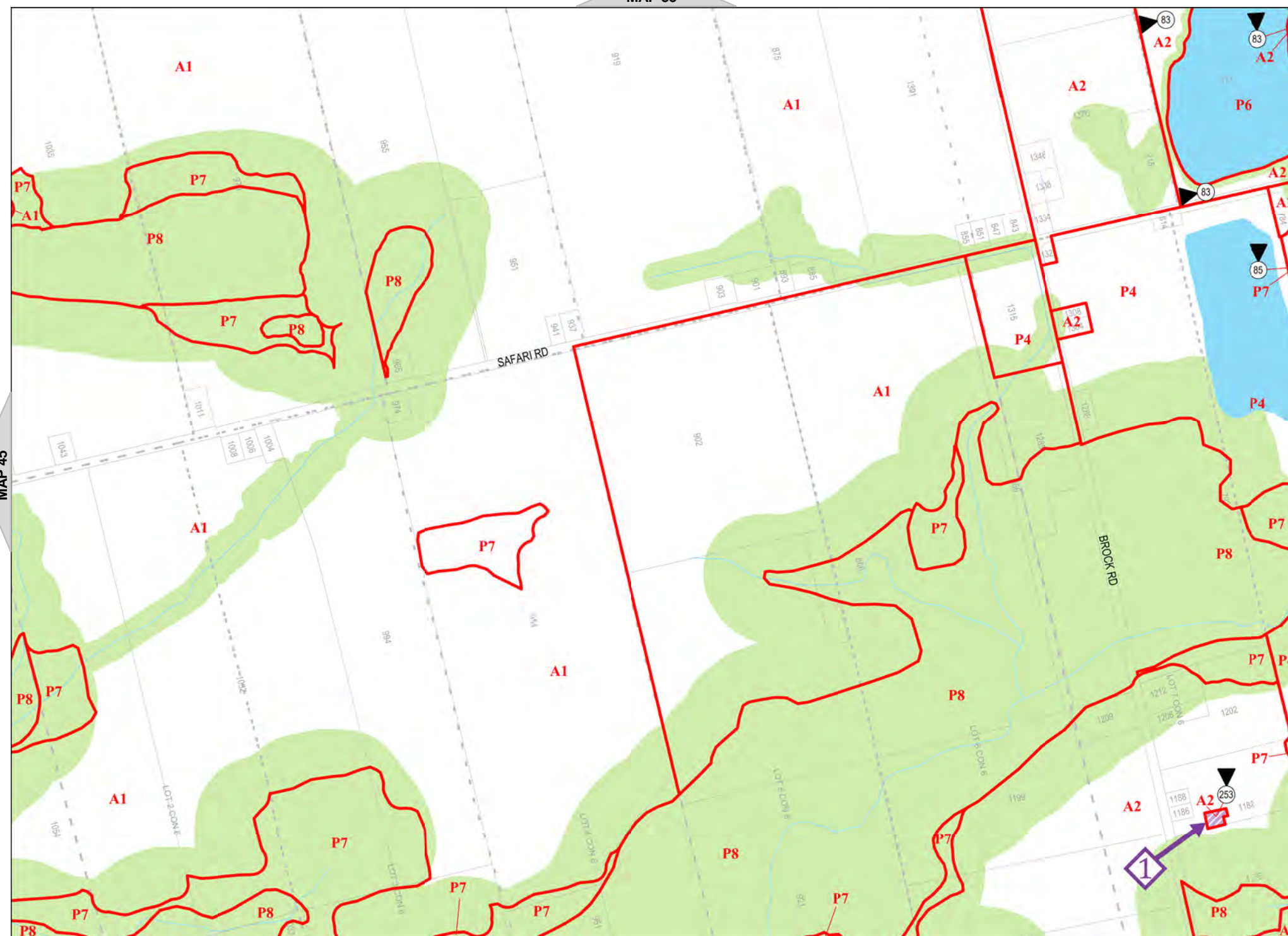
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 46 of Schedule 'A'**



MAP 35

MAP 45


MAP 47

MAP 58

















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

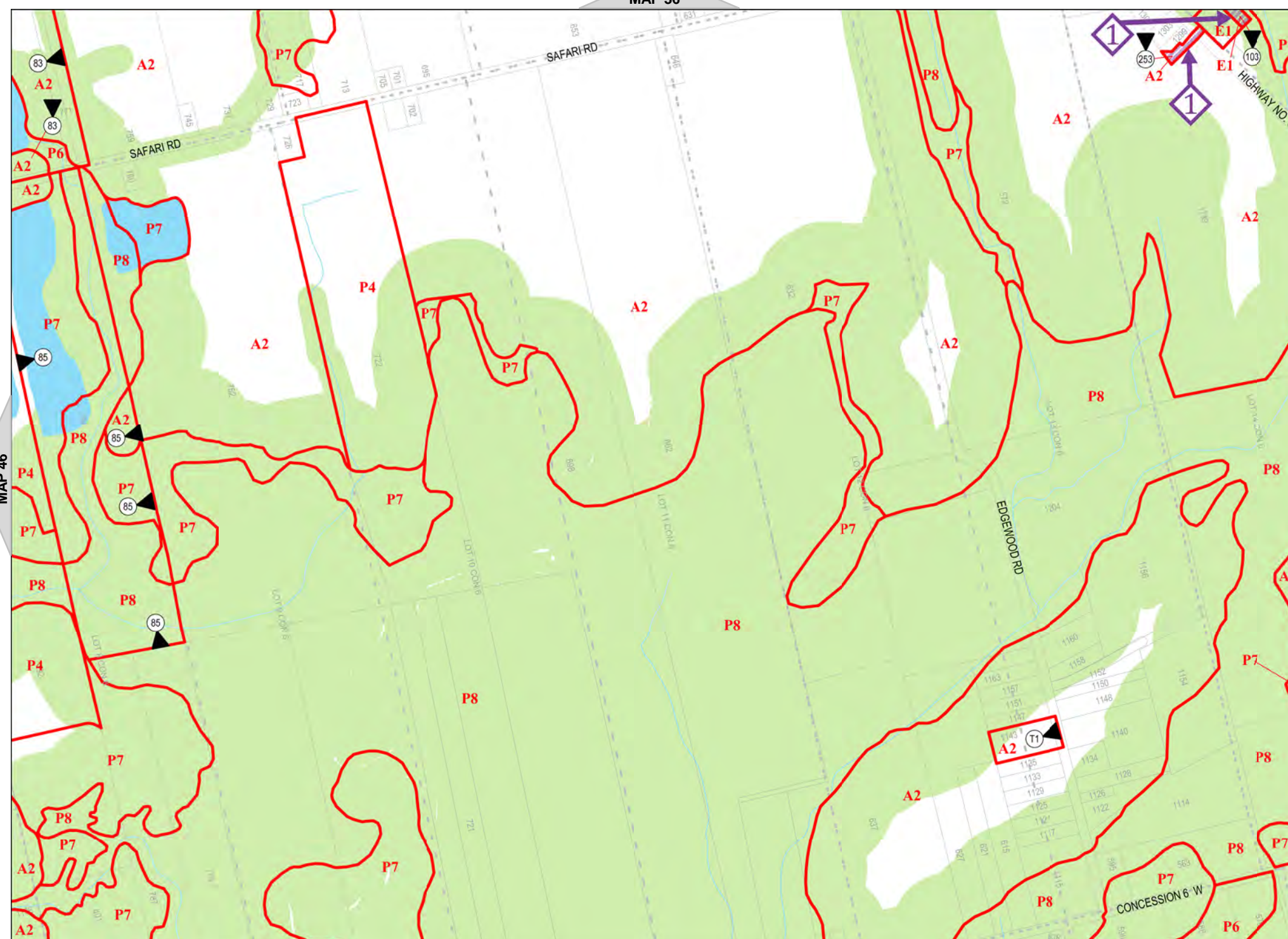
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 47 of Schedule 'A'**







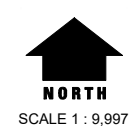
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

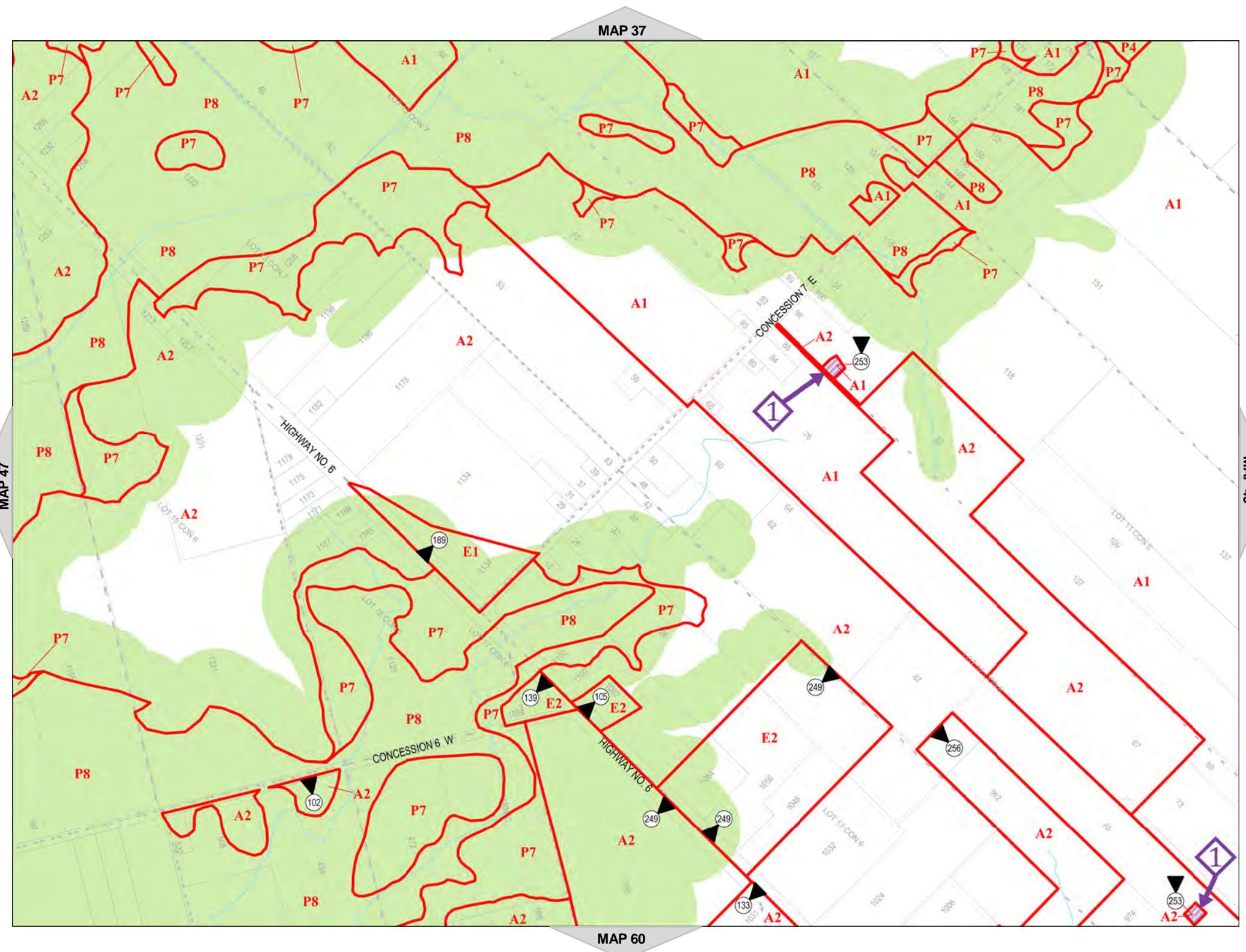
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream




**MAP 48 of Schedule 'A'**



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

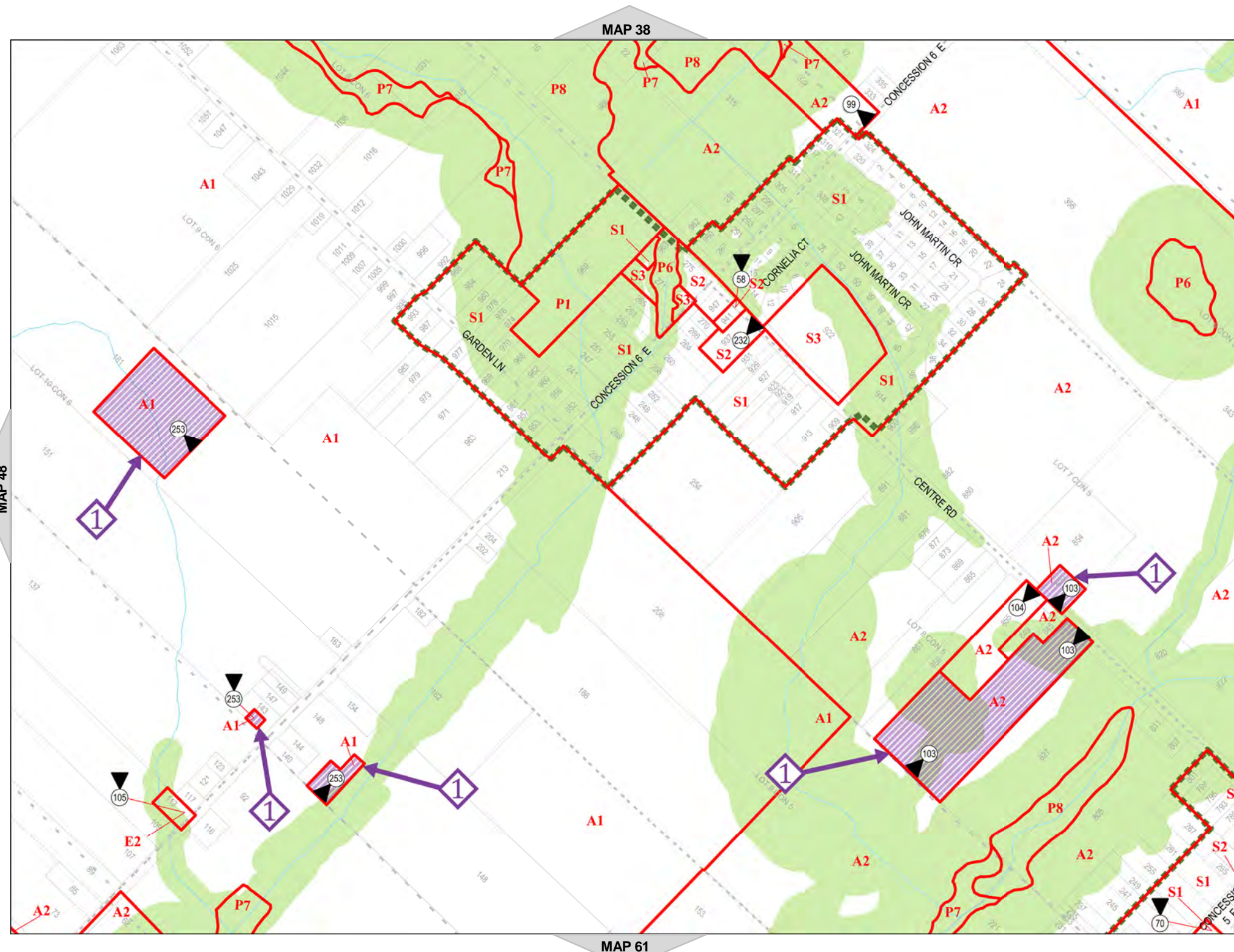
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 49 of Schedule 'A'**







**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

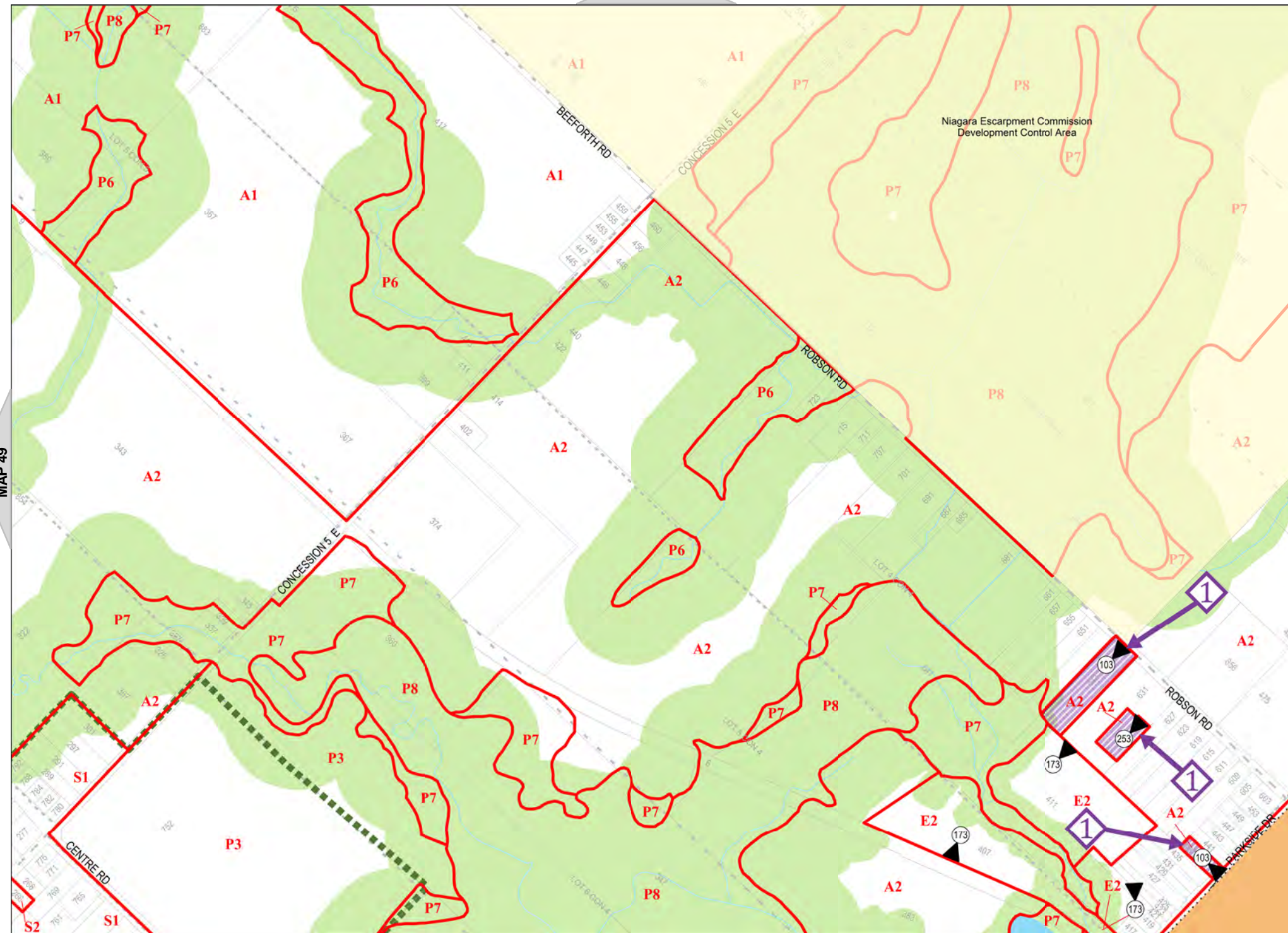
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**MAP 50 of Schedule 'A'**



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 51 of Schedule 'A'



MAP 40

MAP 50

MAP

MAP 63















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

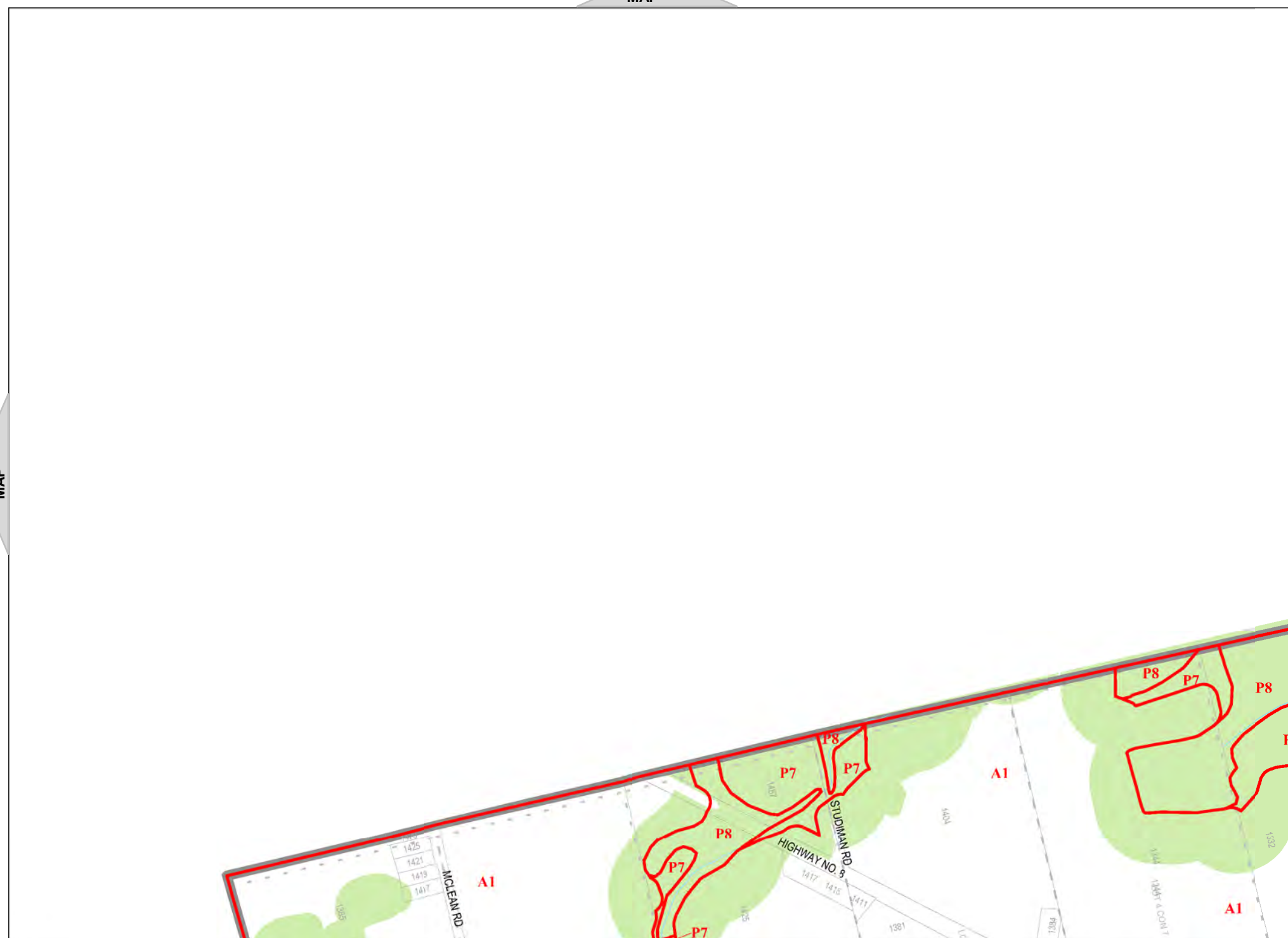
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 52 of Schedule 'A'



MAP

MAP

MAP 53

MAP 64















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

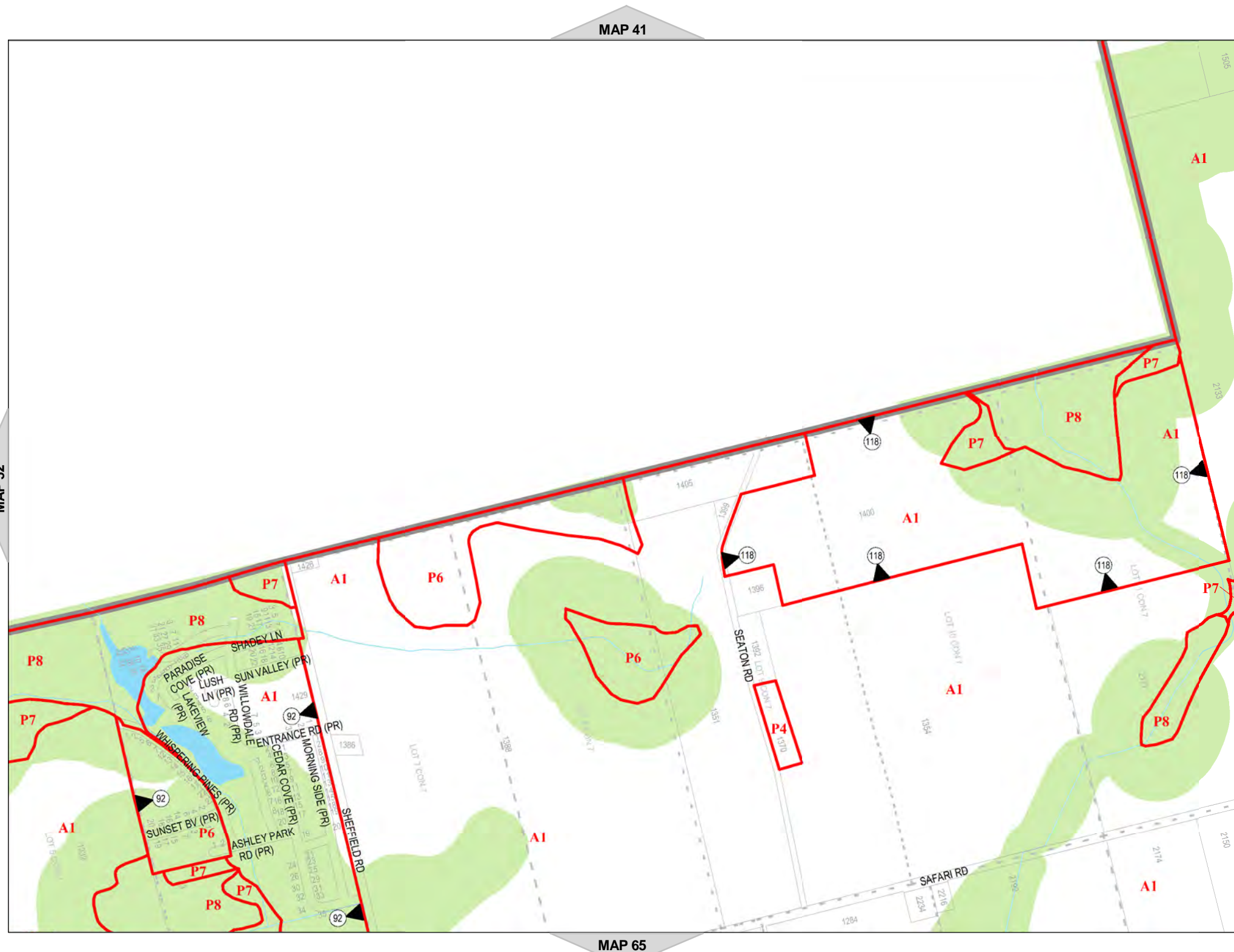
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 53 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

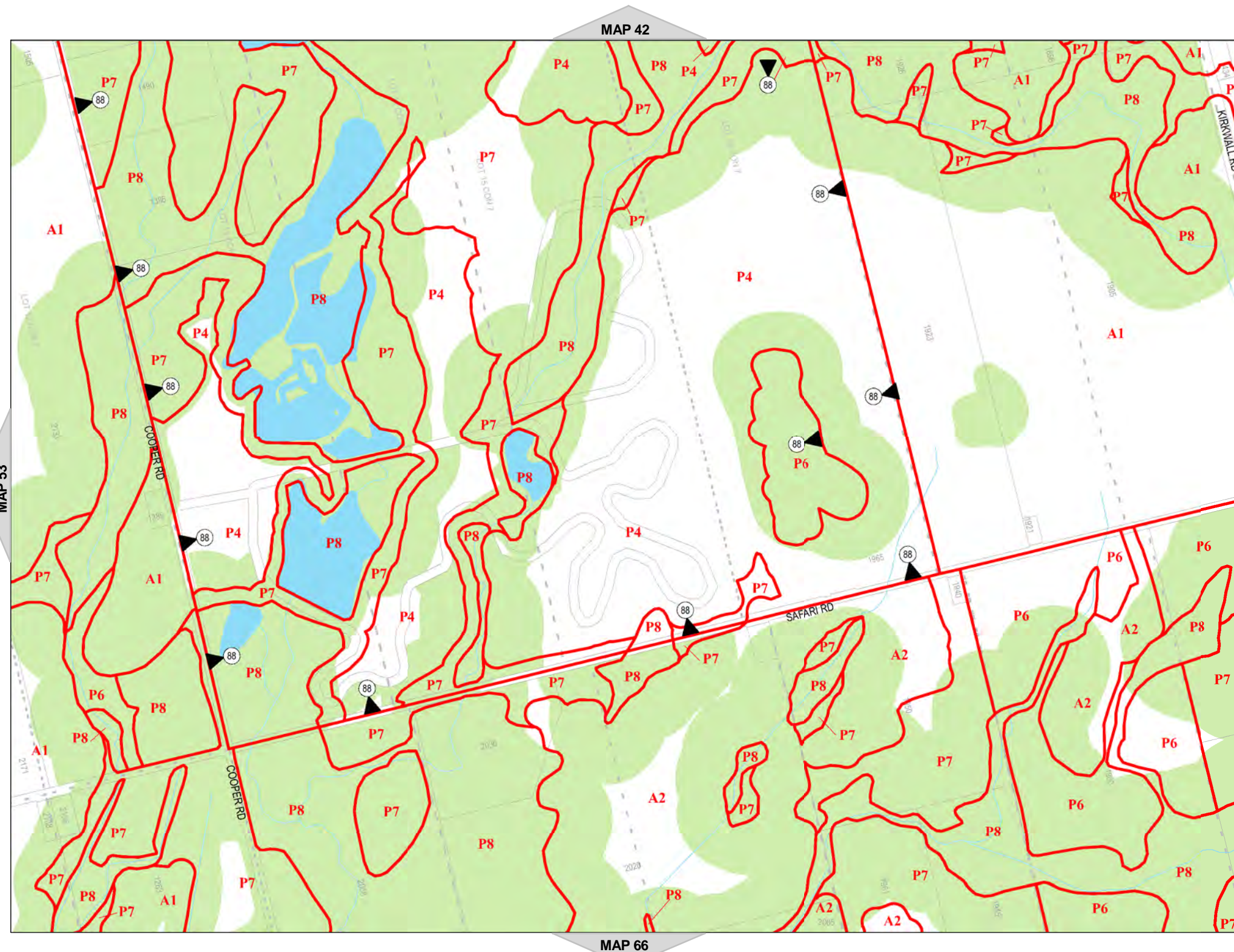
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000


MAP 54 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

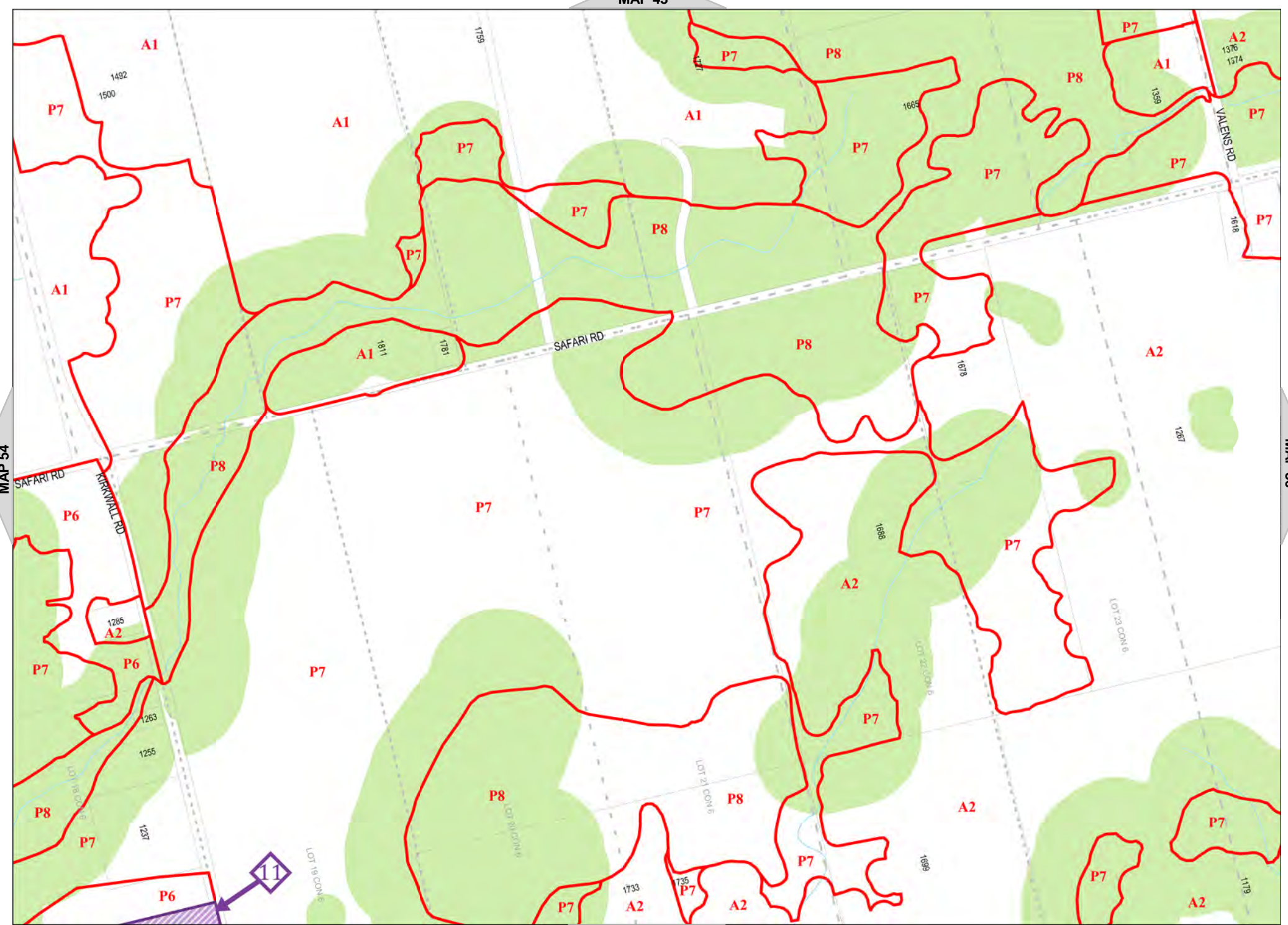
ID	Appellant
11	Oliver Klass

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 55 of Schedule 'A'**



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

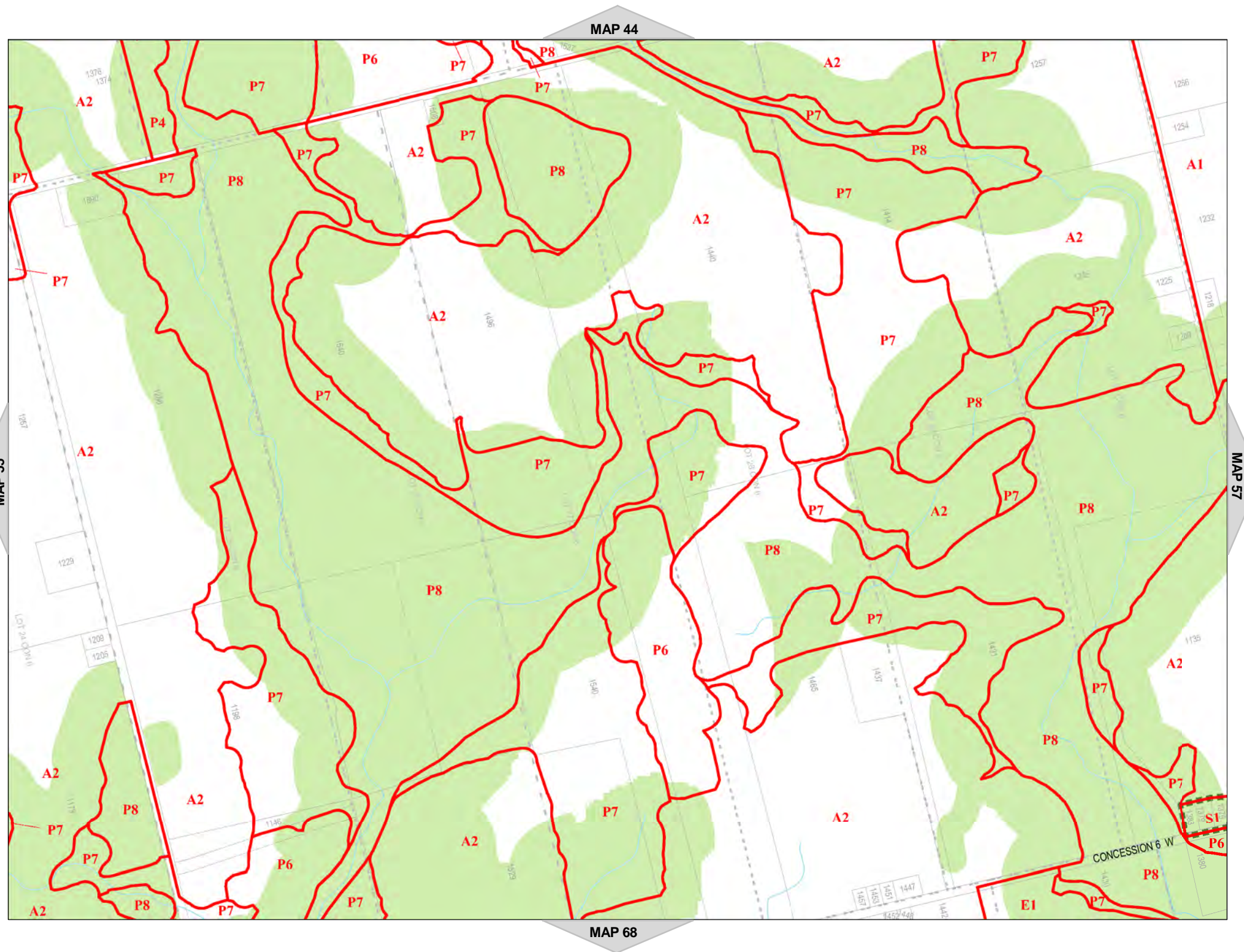
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 56 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

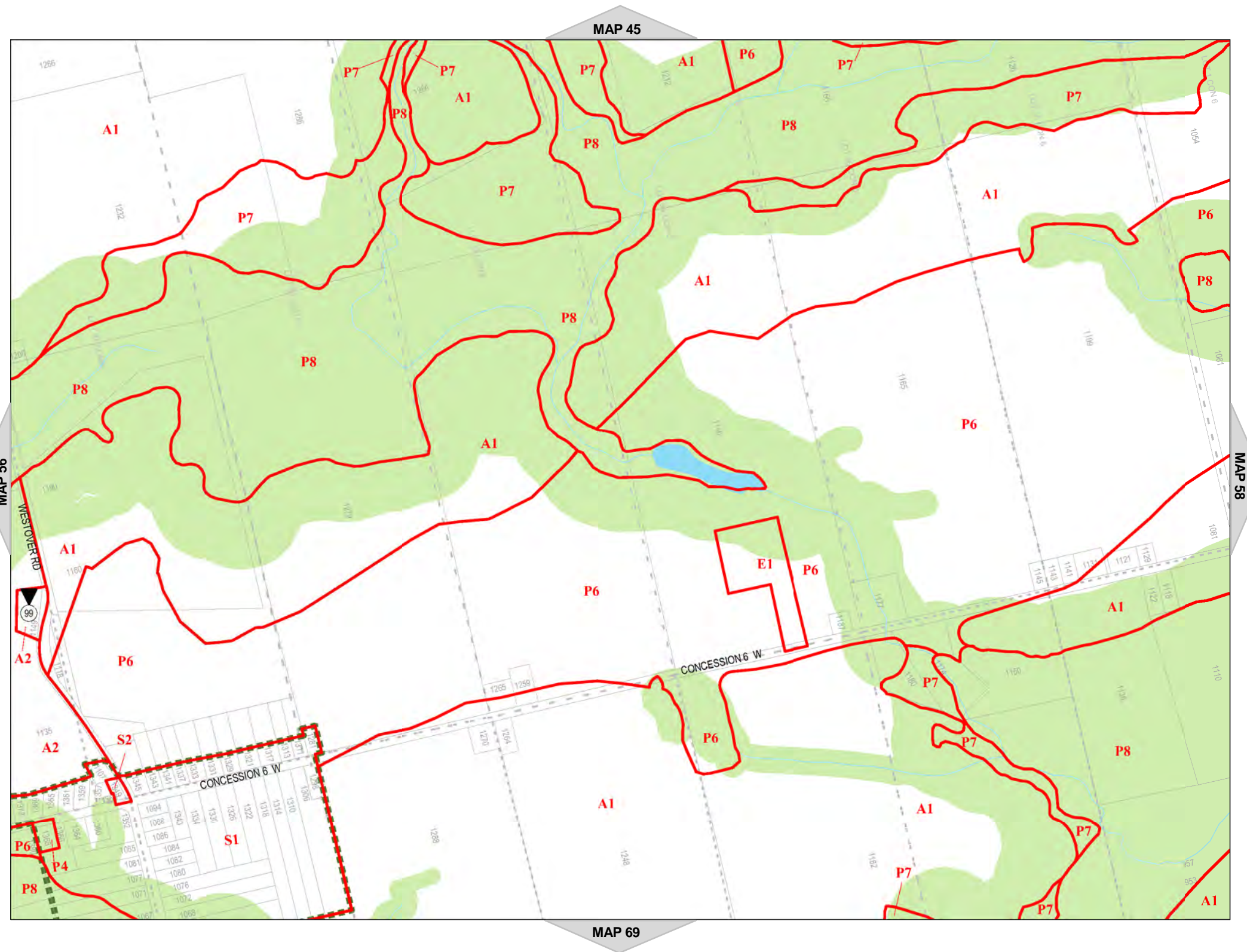
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000


MAP 57 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

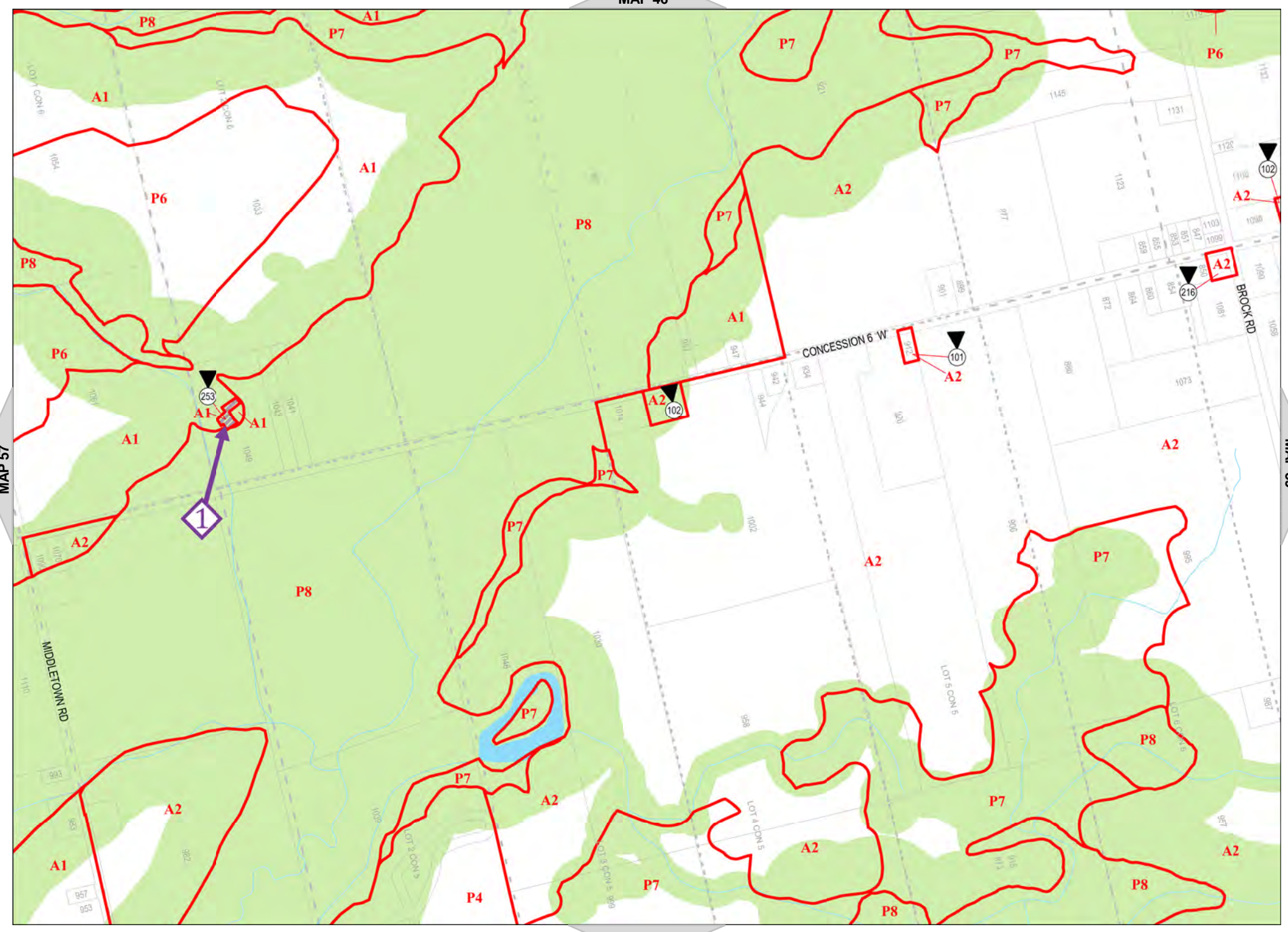
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 58 of Schedule 'A'**



MAP 46

MAP 70

MAP 57

MAP 59





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

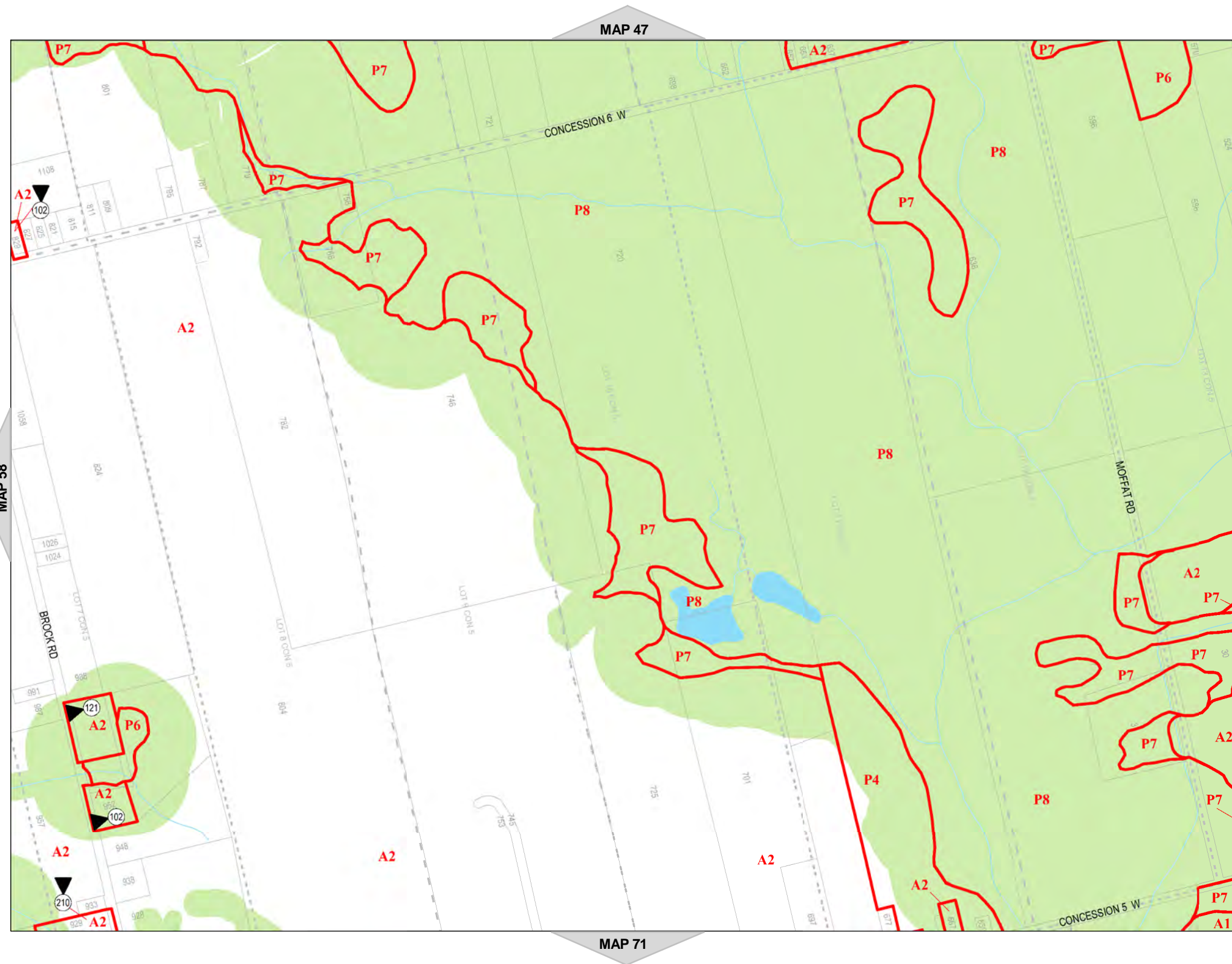
- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH

SCALE 1 : 10,000

MAP 59 of Schedule 'A'







**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

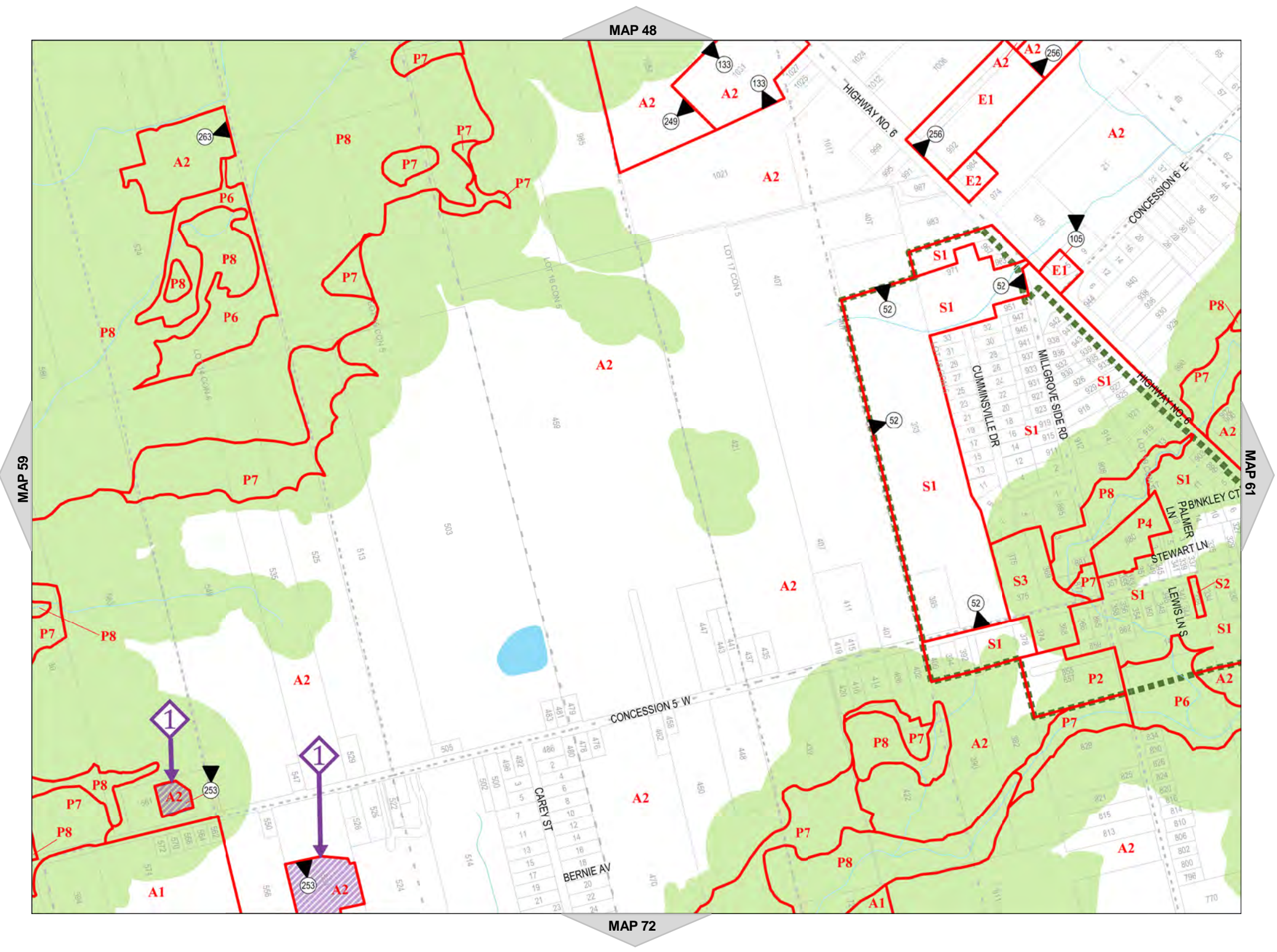
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream




**MAP 60 of Schedule 'A'**



















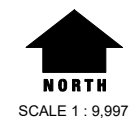
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

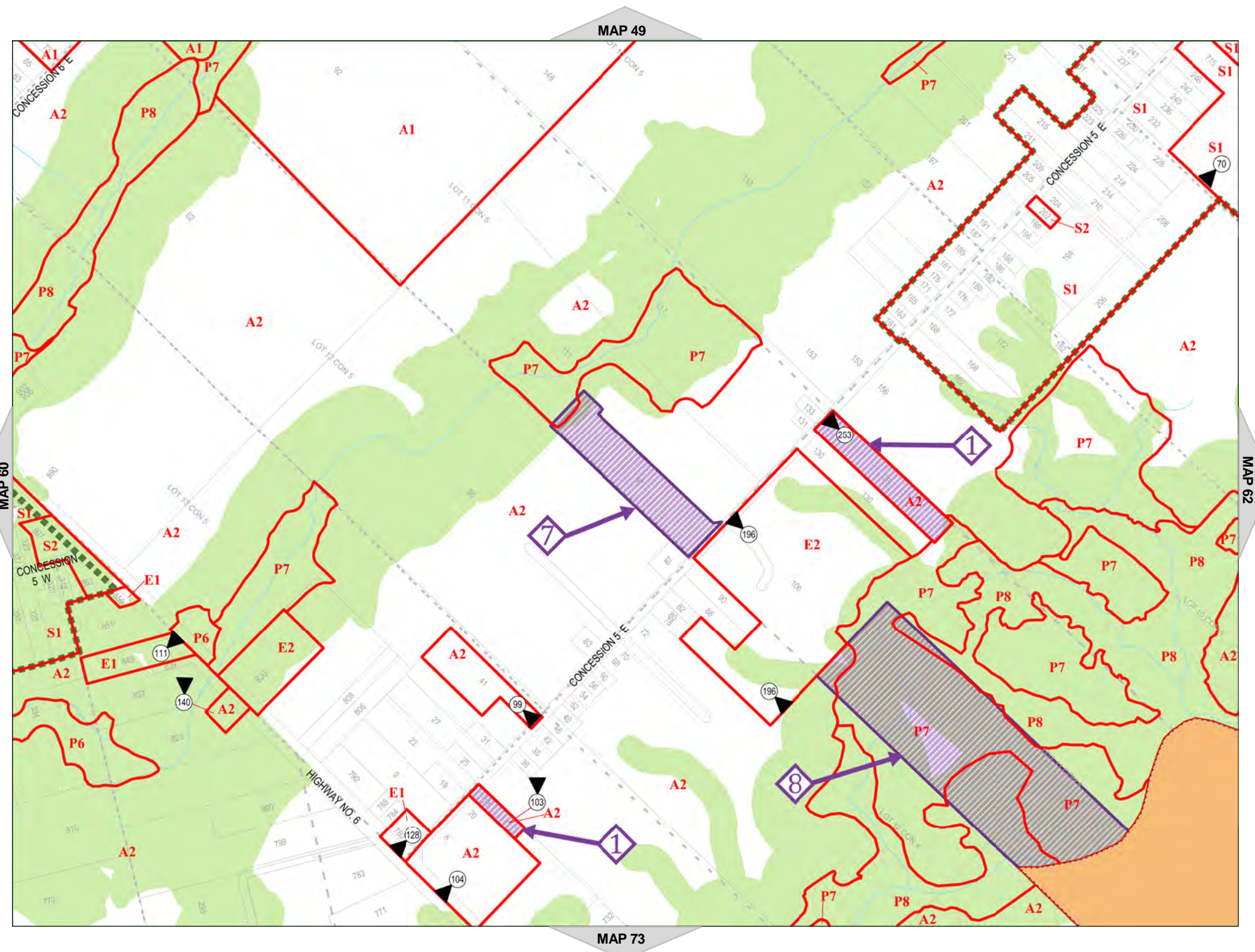
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection
7	Pharm Meds Limited
8	Silverwood Homes Inc.

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 61 of Schedule 'A'**







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

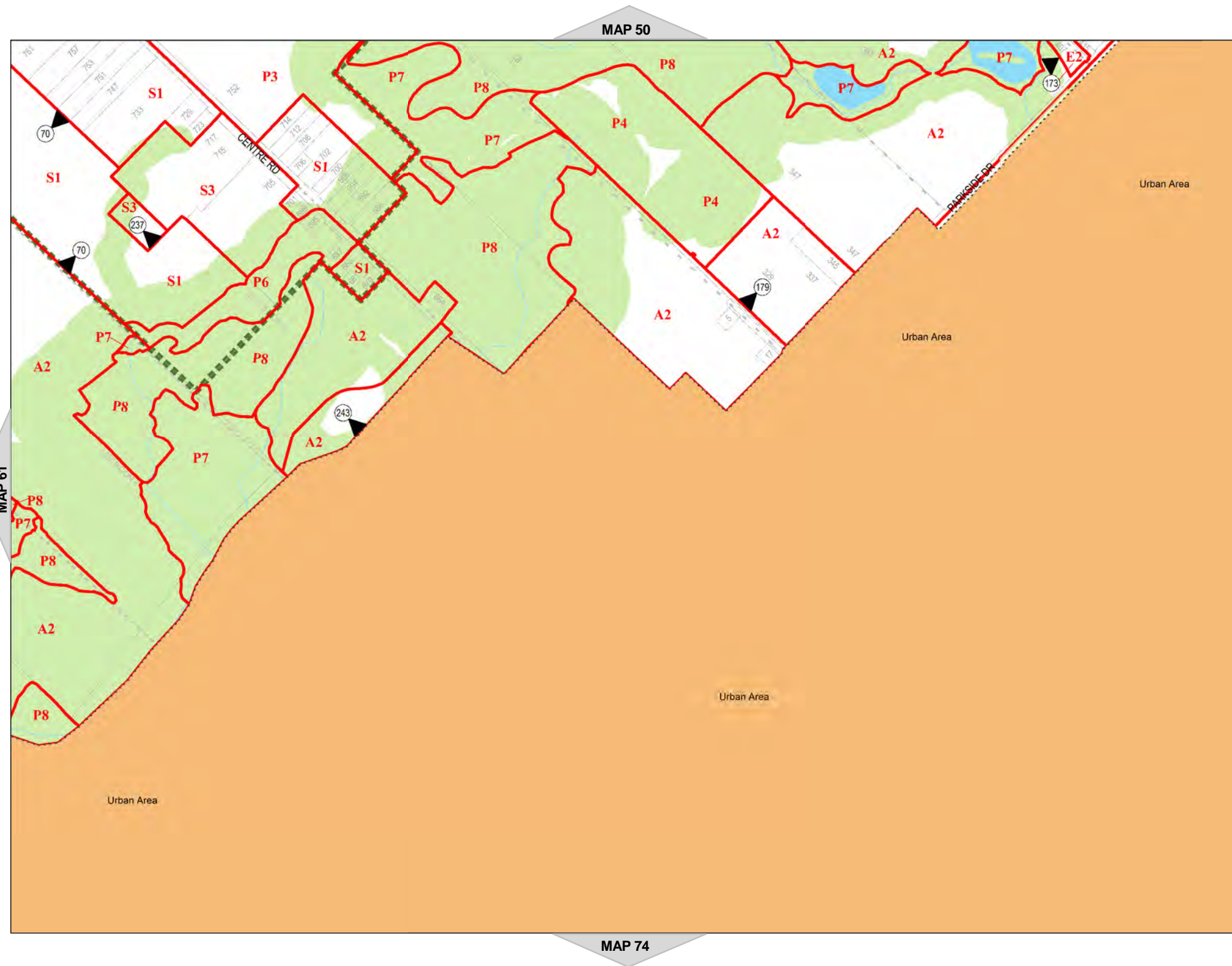
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 62 of Schedule 'A'

















**Hamilton**  
**City of Hamilton**  
**Zoning By-Law 05-200**

Map Reference Number	By-Law Number	Effective Date of By-Law

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
 SCALE 1 : 10,000



**MAP 63 of Schedule 'A'**















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

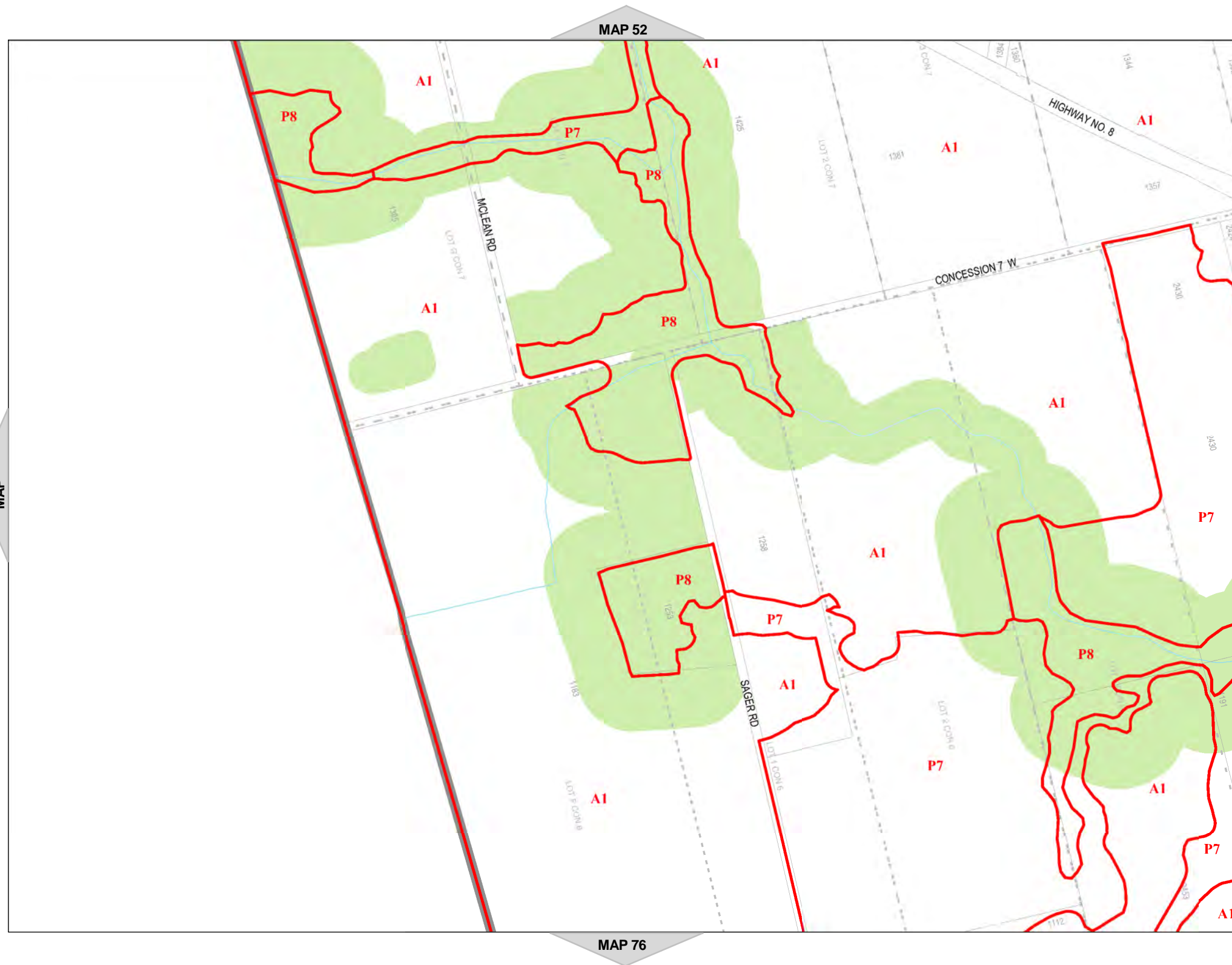
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 64 of Schedule 'A'



















Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

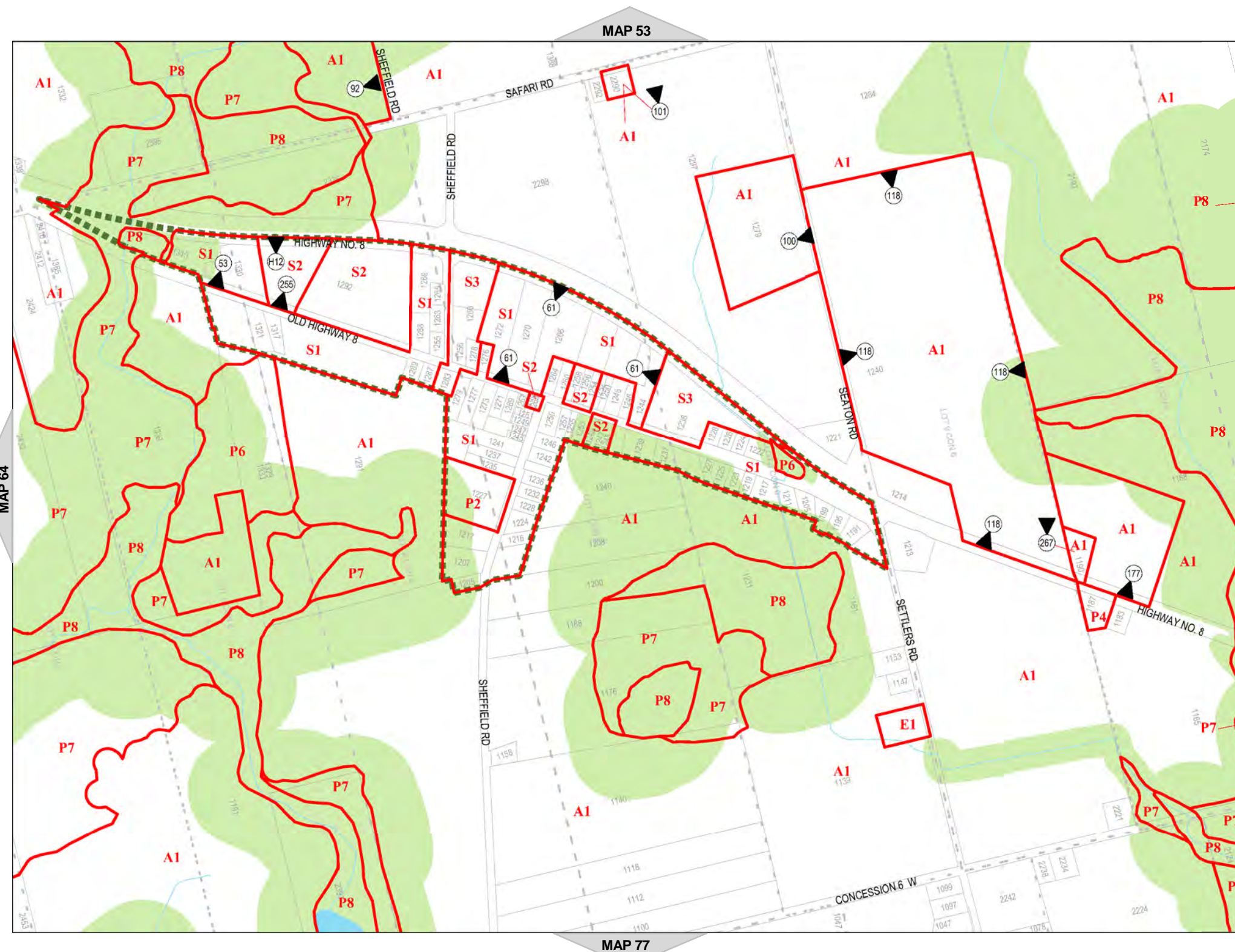
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 65 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

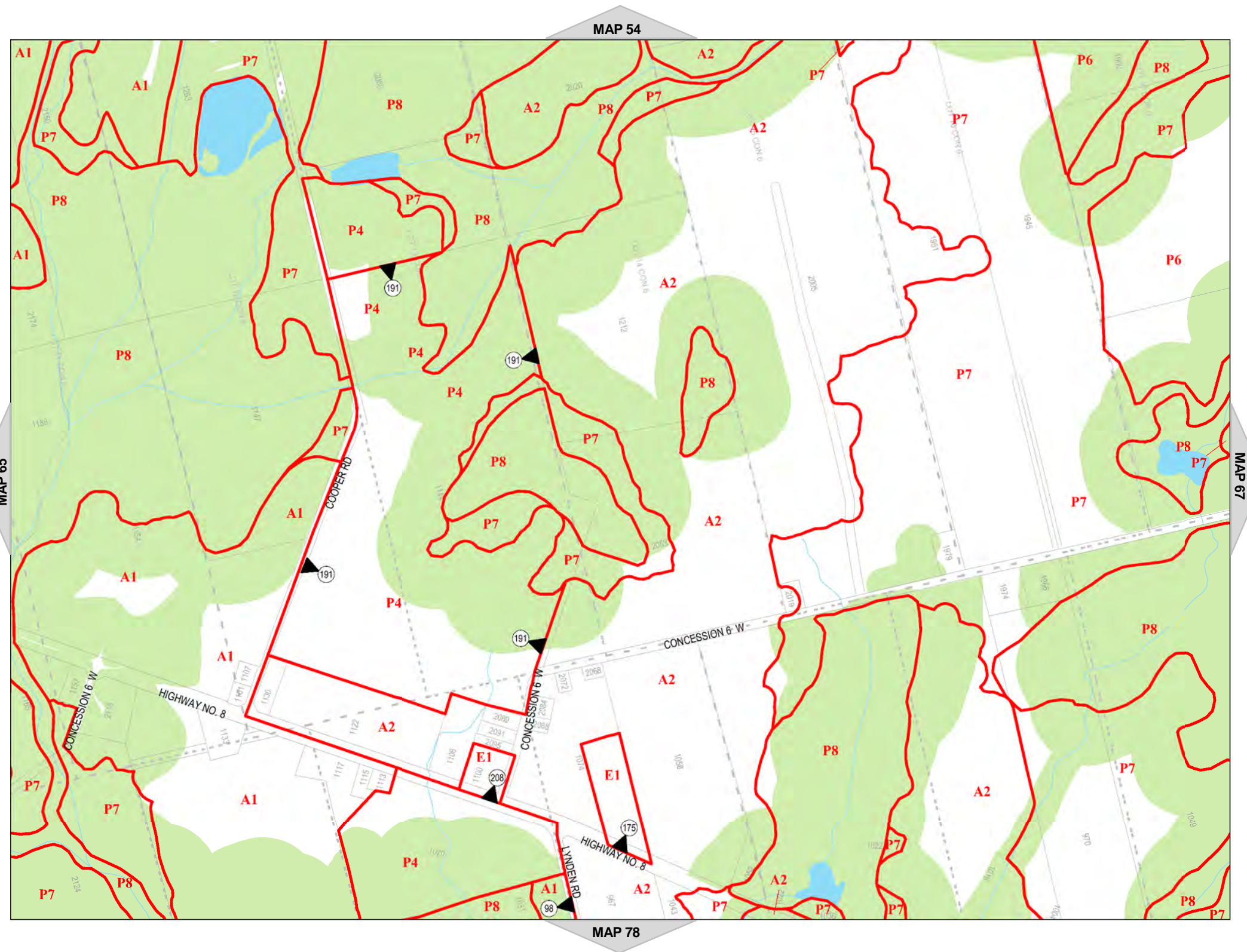
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000


MAP 66 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
11	Oliver Klass

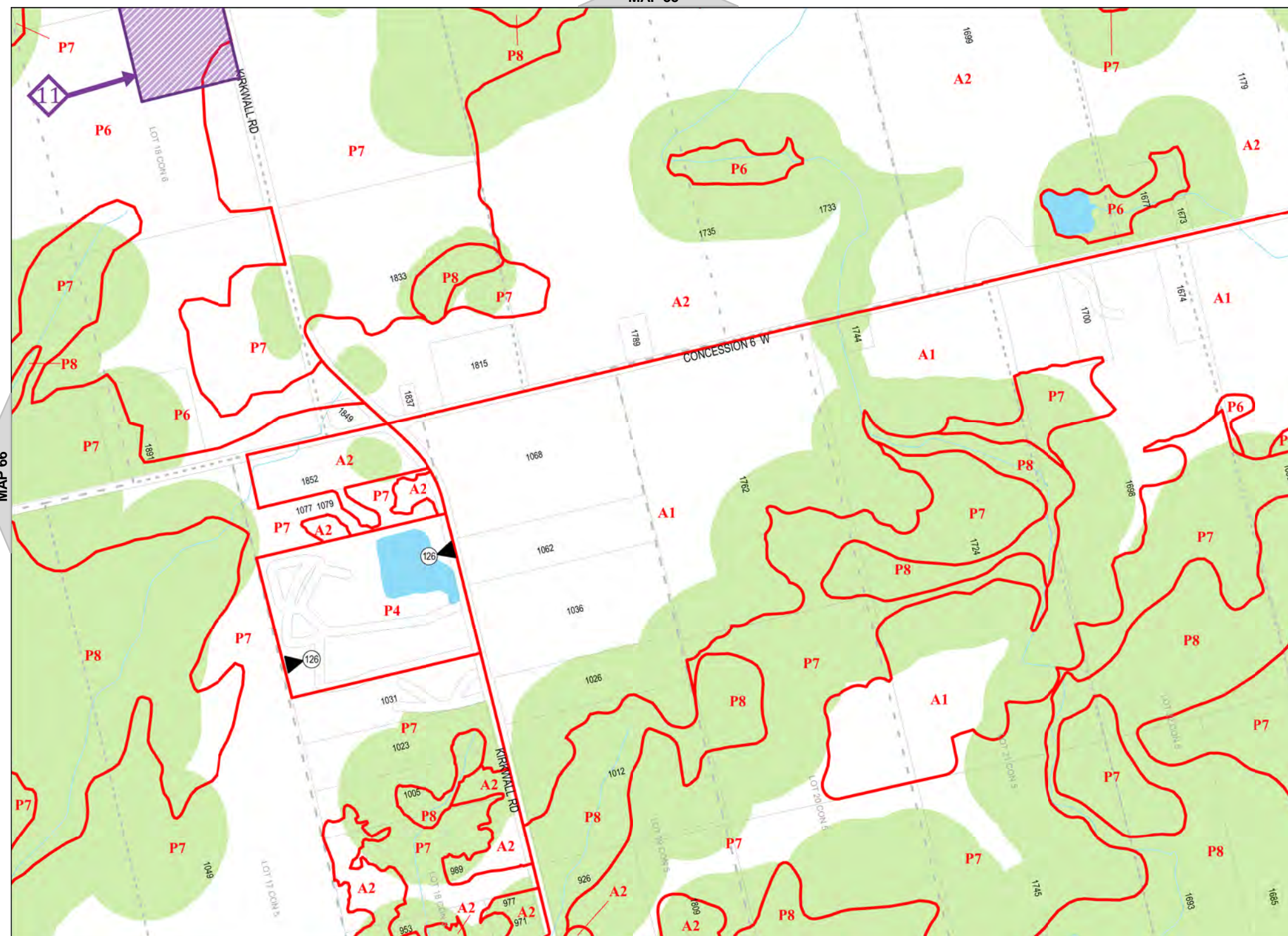
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



SCALE 1 : 9,997

**MAP 67 of Schedule 'A'**



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

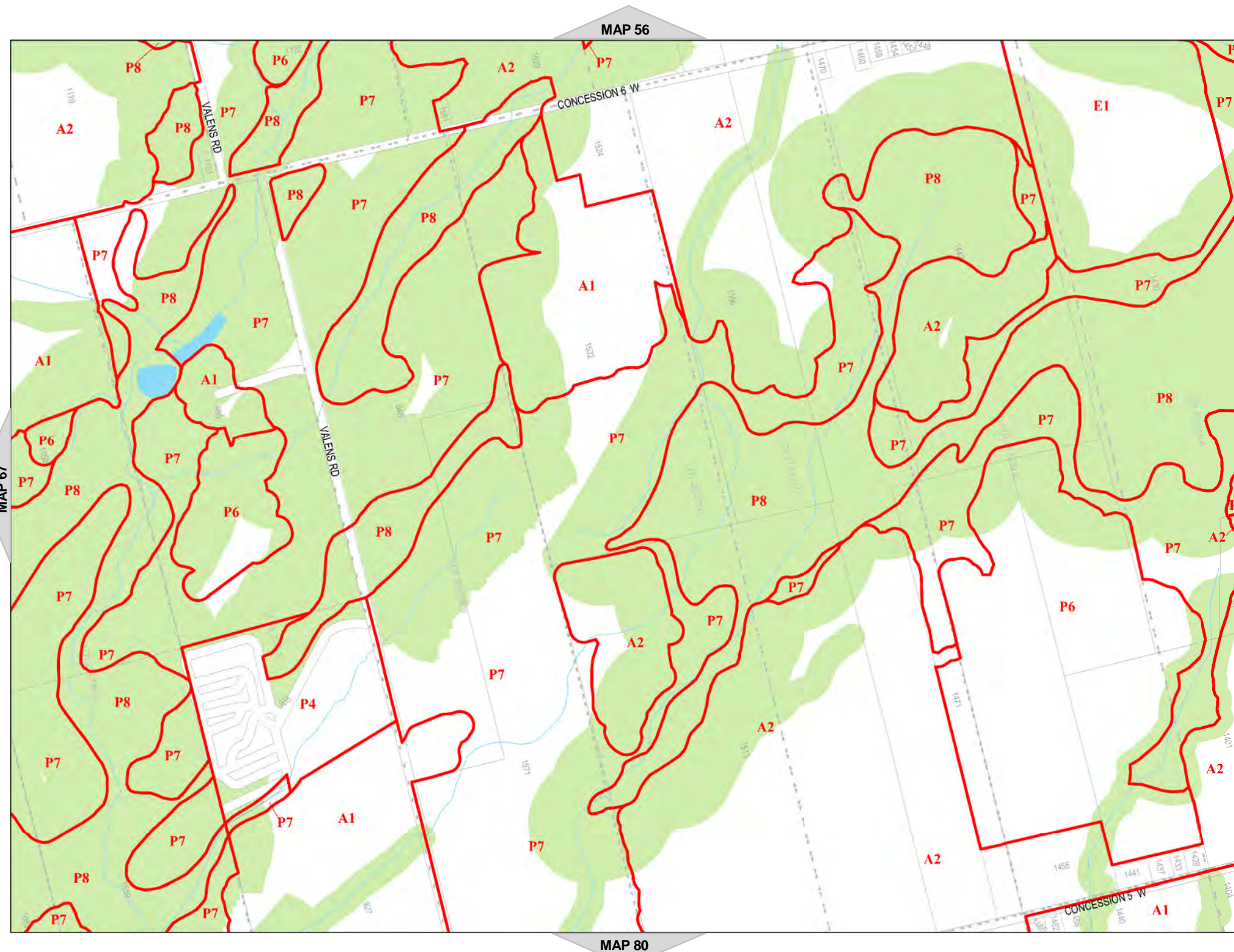
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 68 of Schedule 'A'







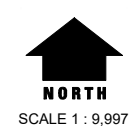
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

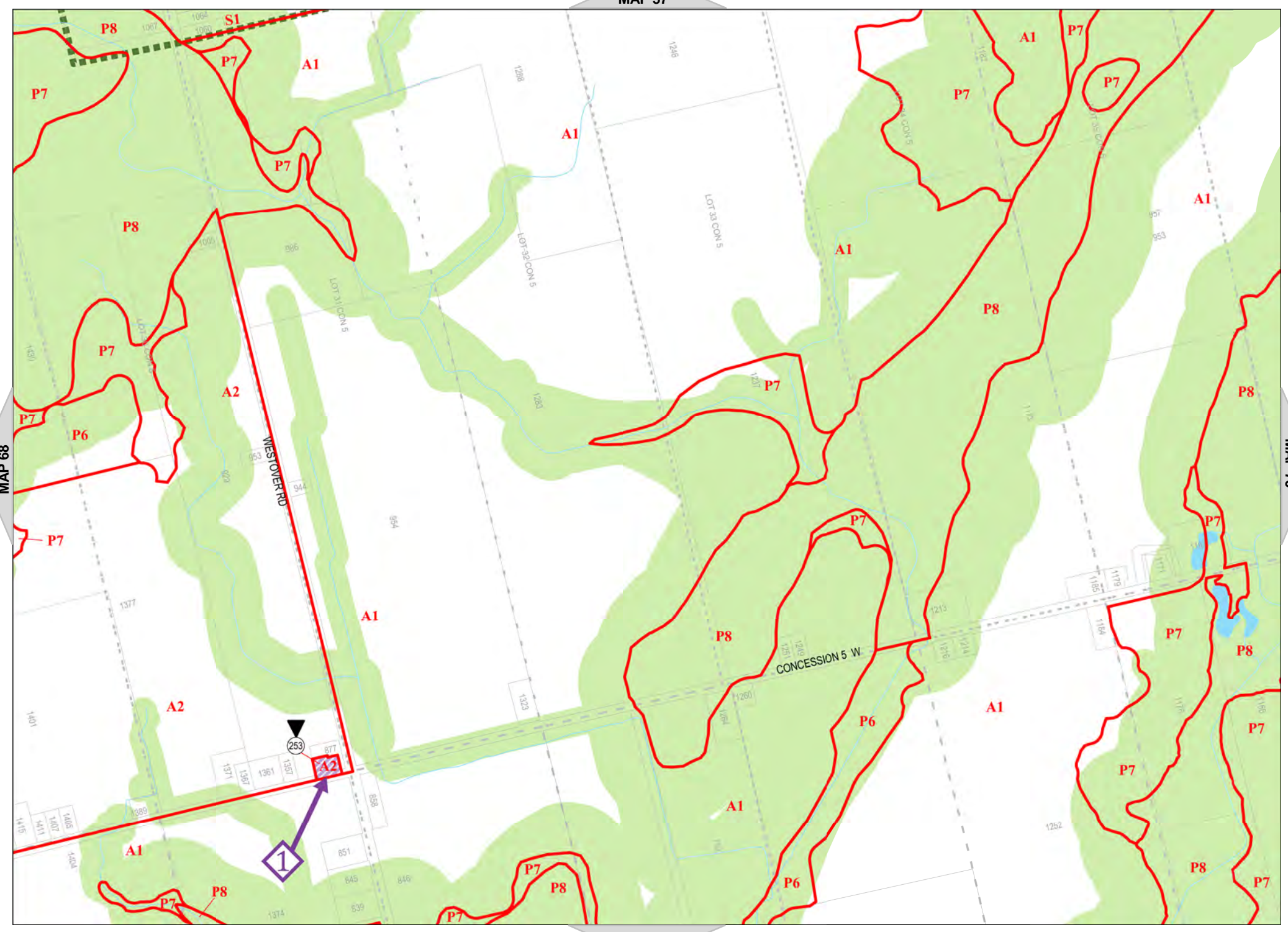
ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**MAP 69 of Schedule 'A'**







**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

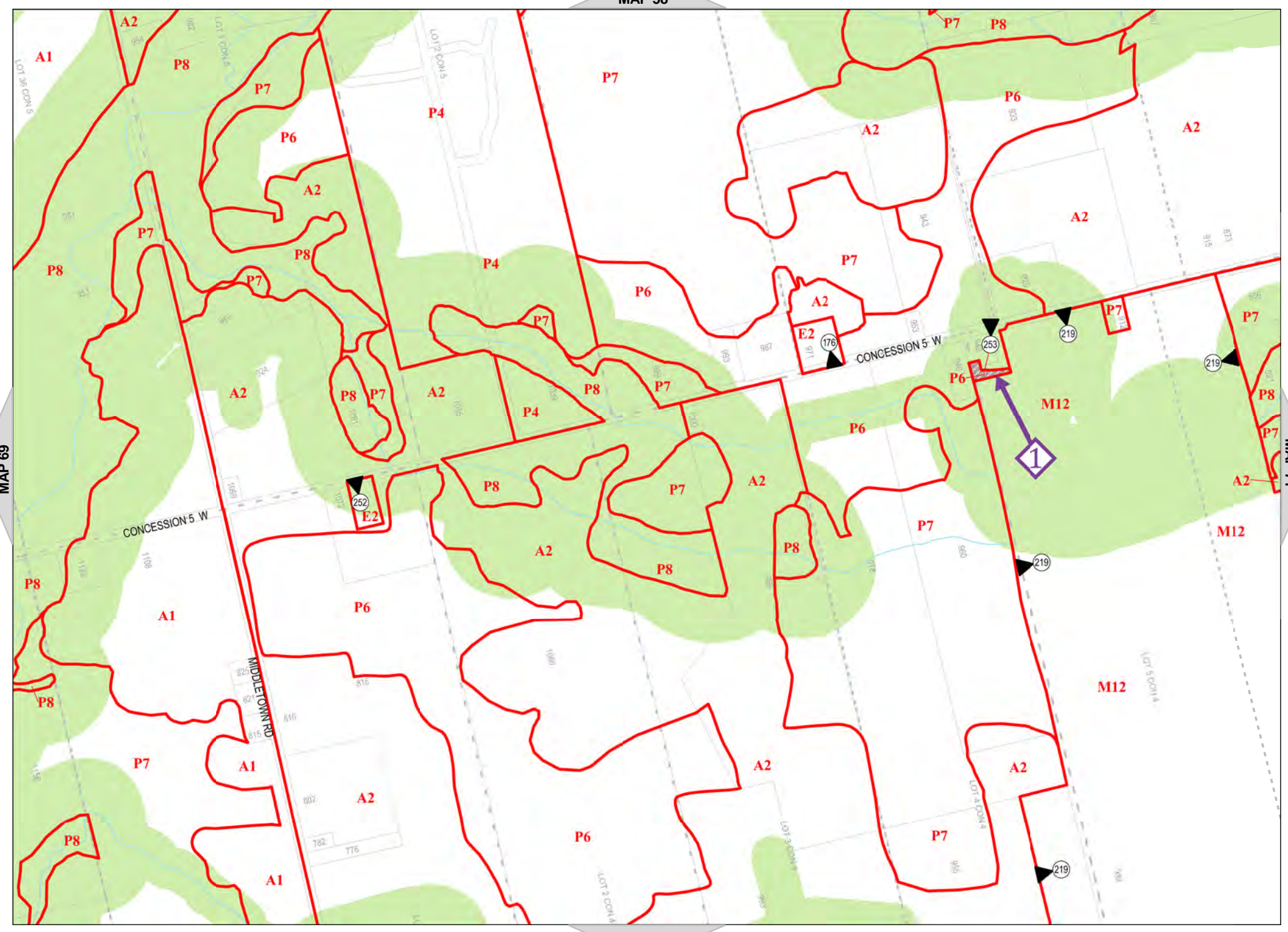
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream




**MAP 70 of Schedule 'A'**



















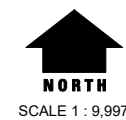
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

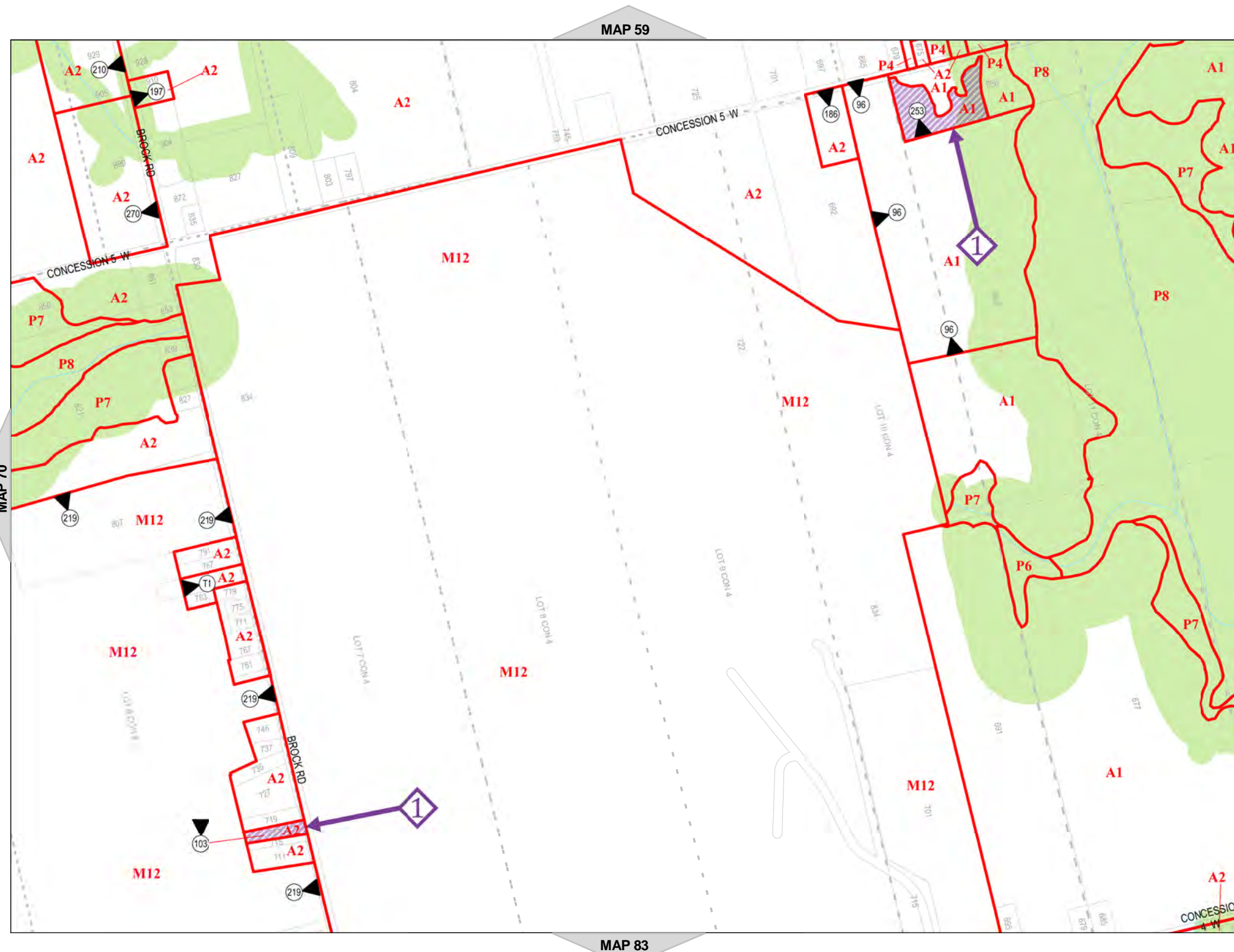
ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream




**MAP 71 of Schedule 'A'**

















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

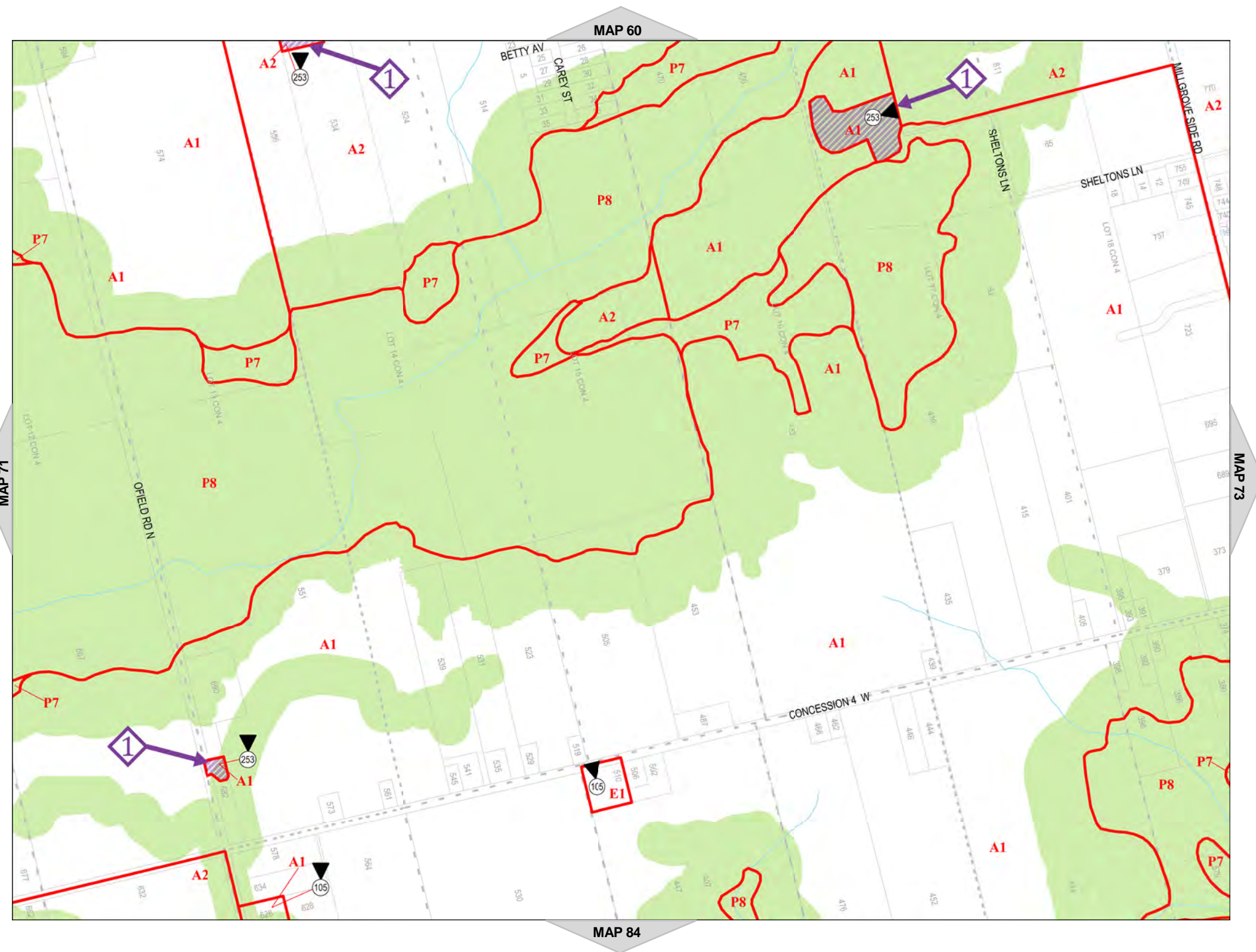
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream




**MAP 72 of Schedule 'A'**



















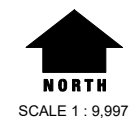
**Hamilton**  
**City of Hamilton**  
**Zoning By-Law 05-200**

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

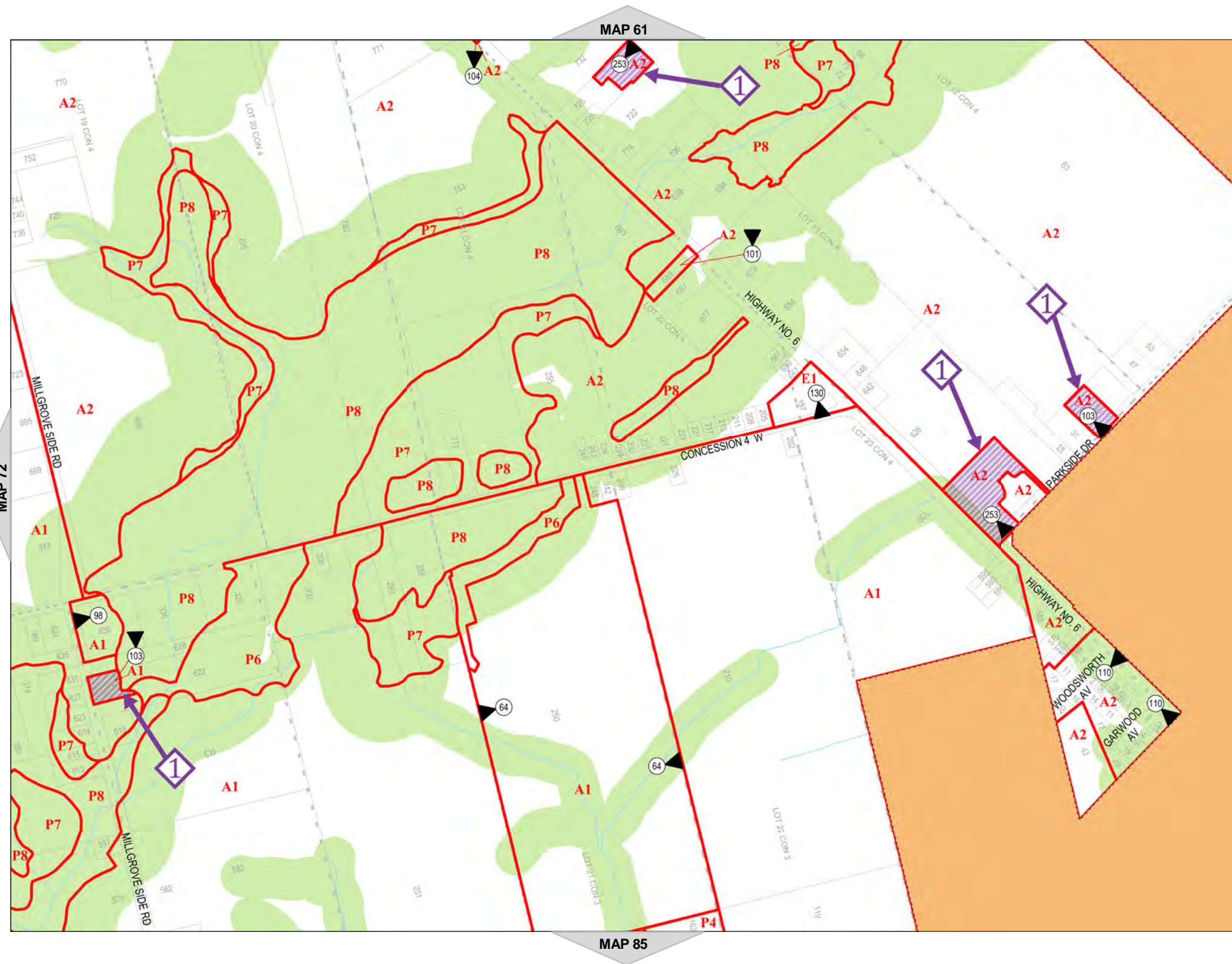
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 73 of Schedule 'A'**

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

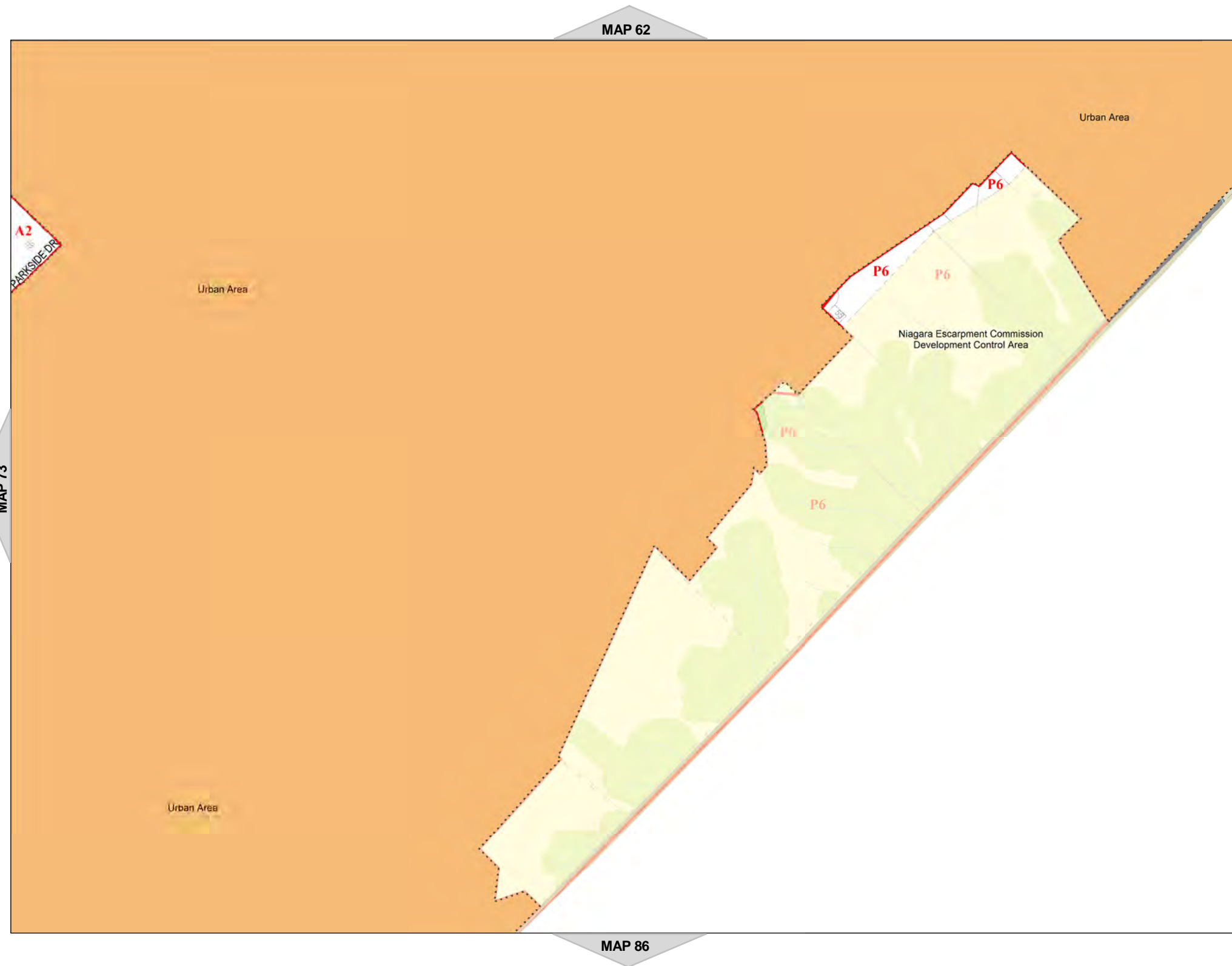
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 74 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

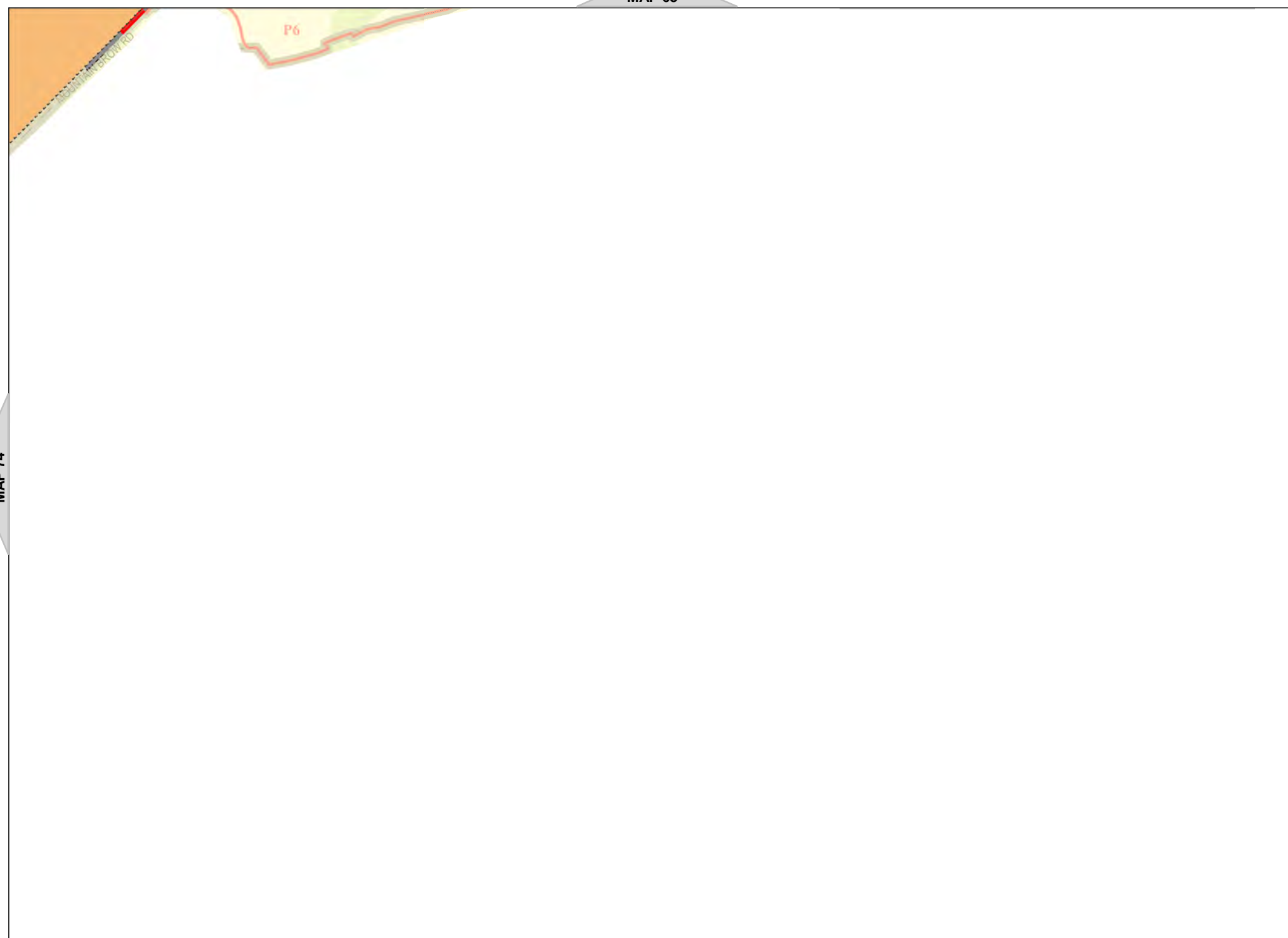
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 75 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

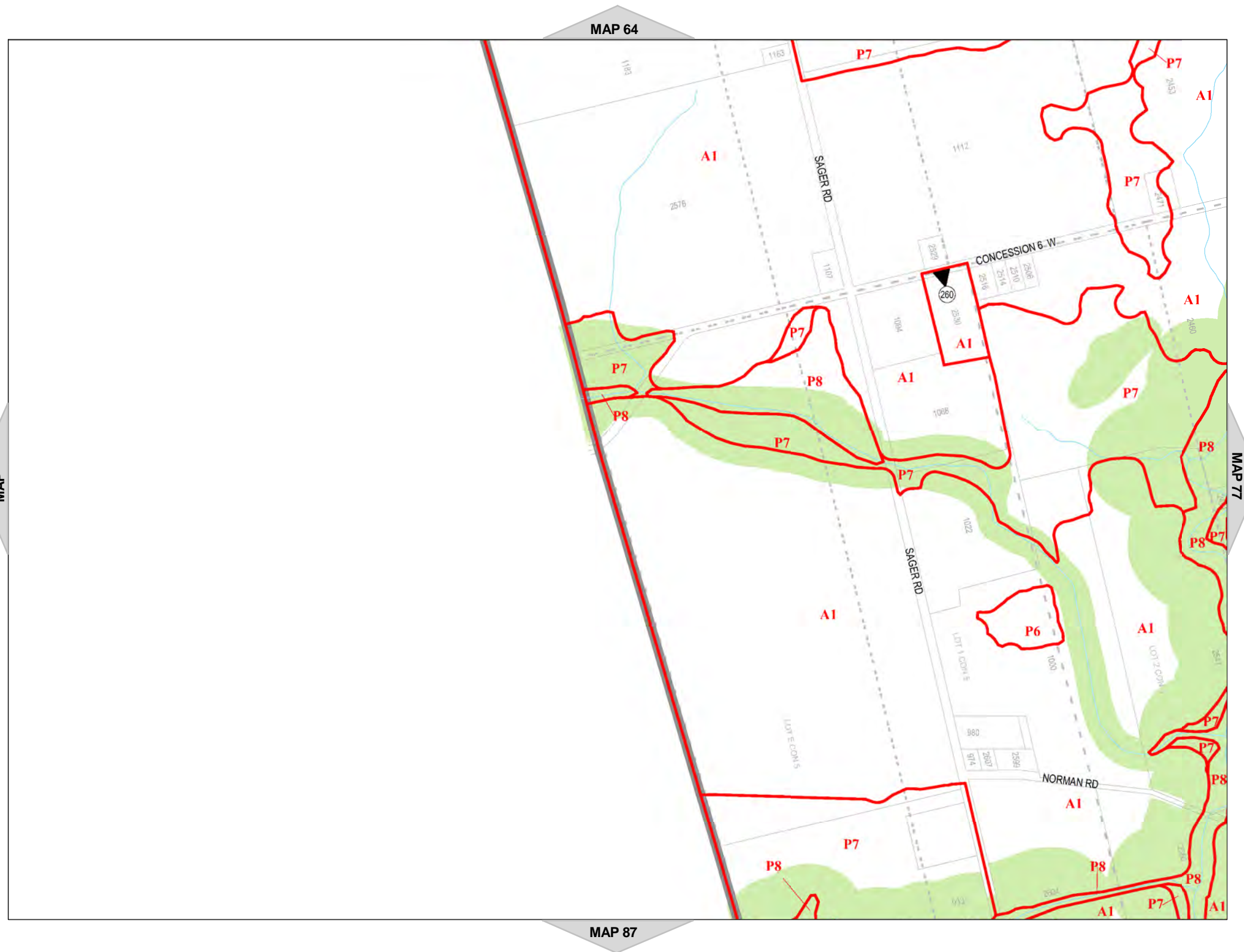
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 76 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

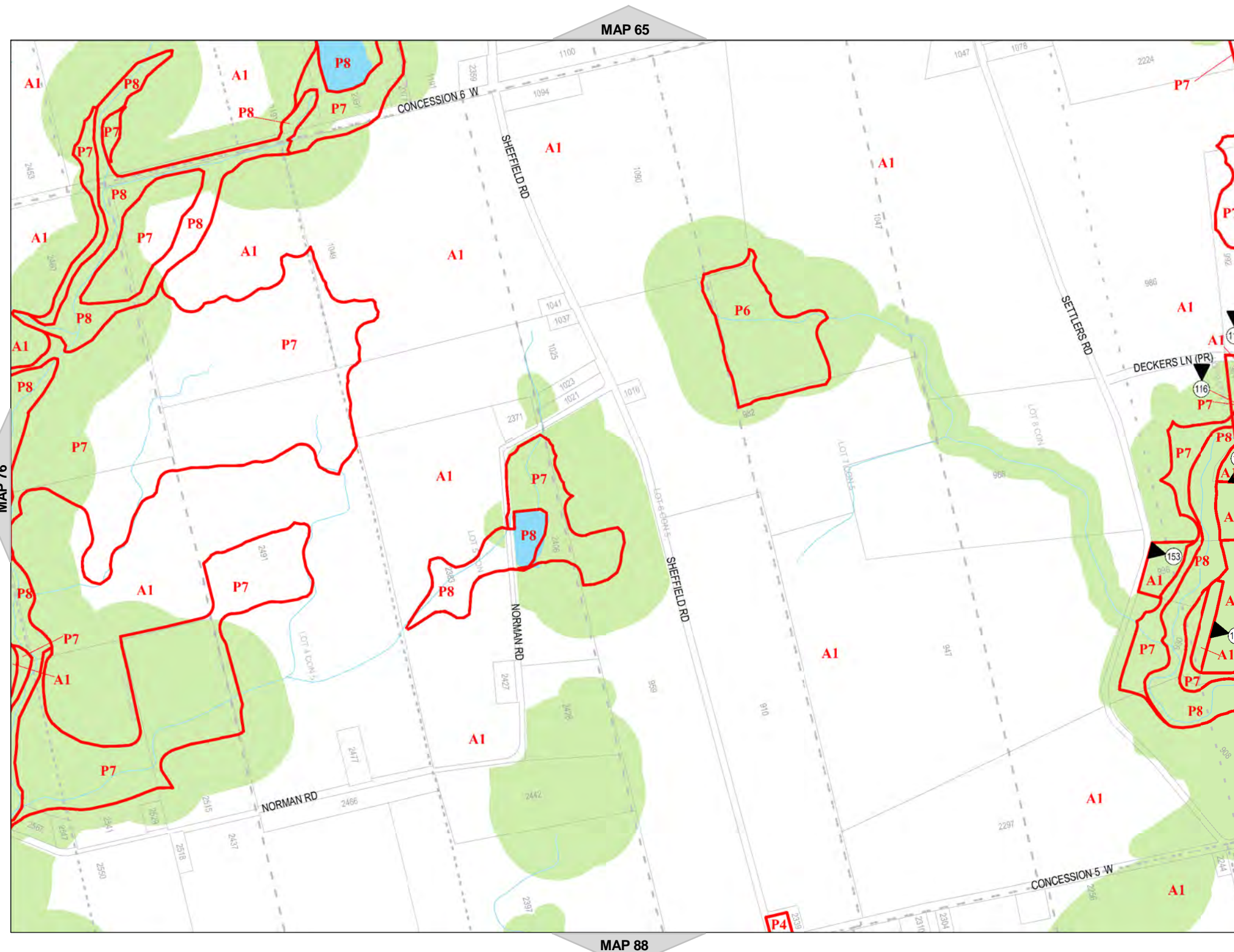
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 77 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

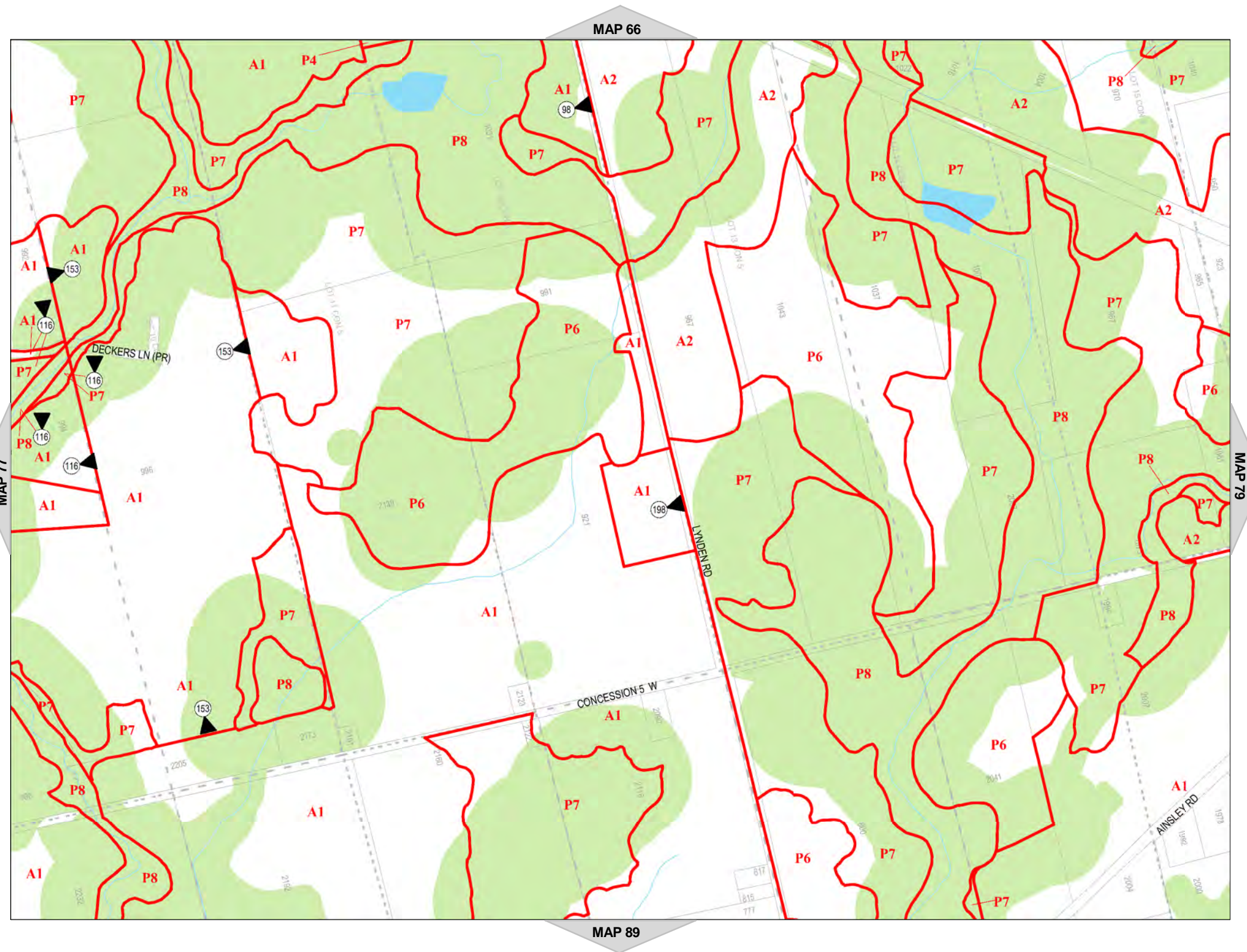
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 78 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

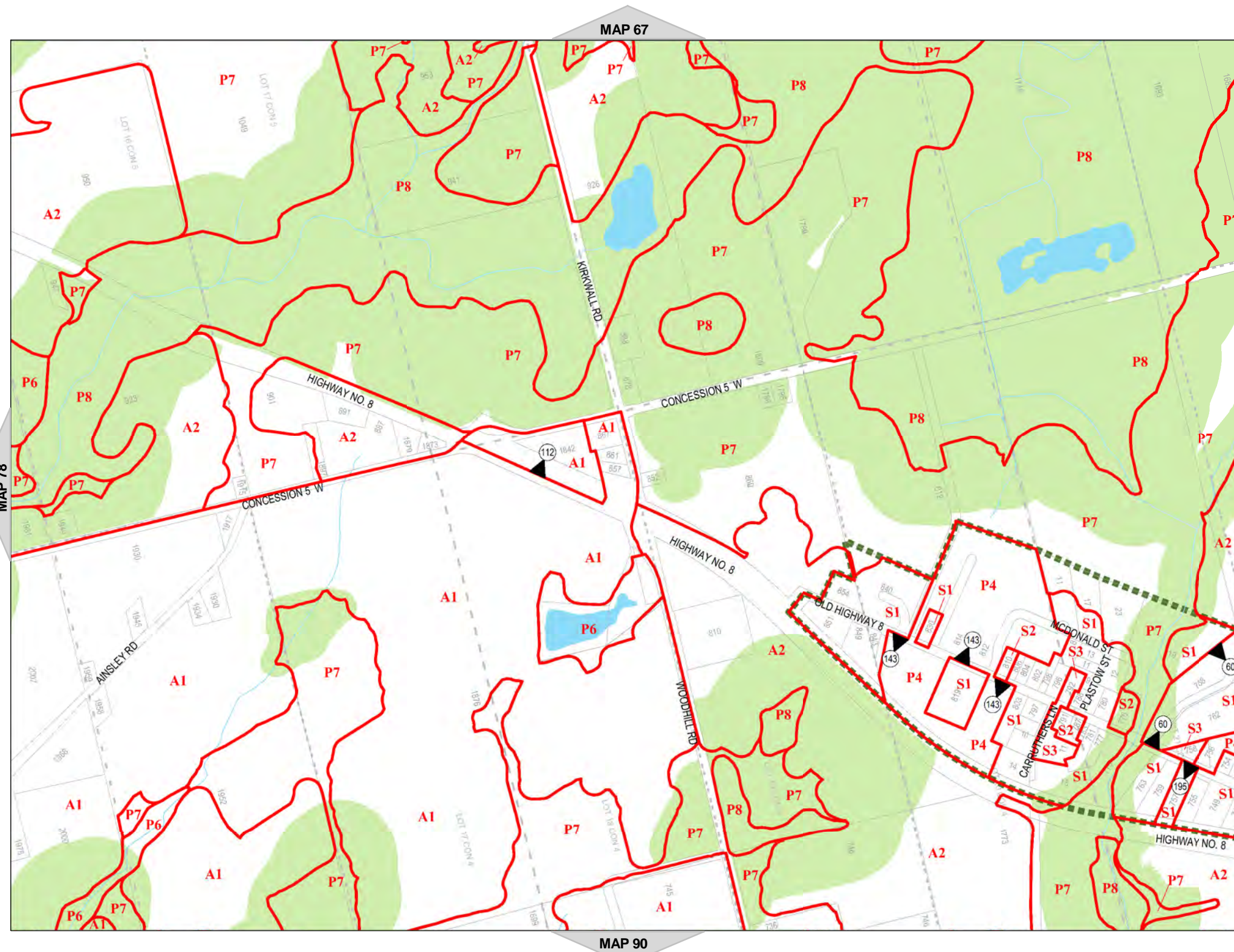
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 79 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

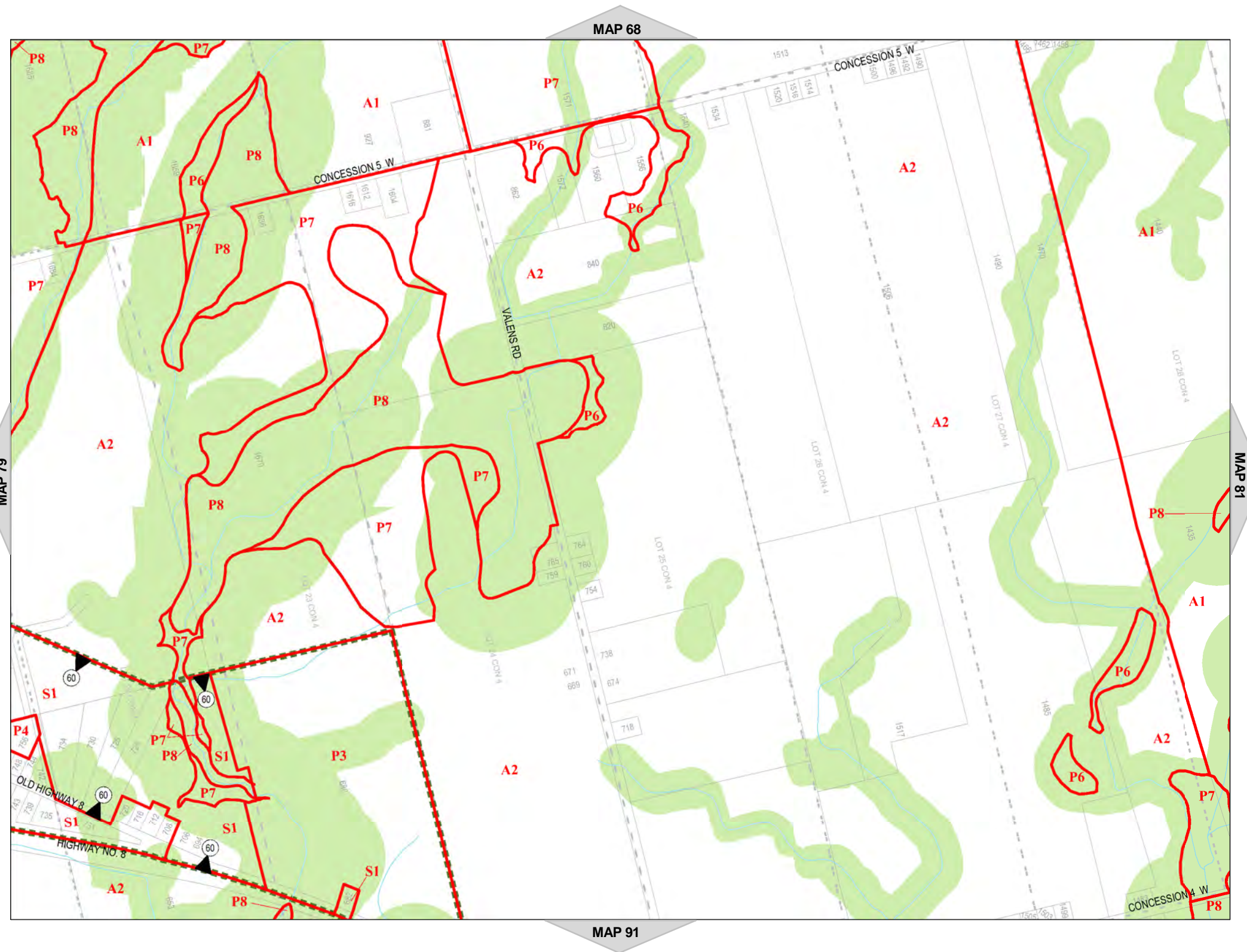
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 80 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

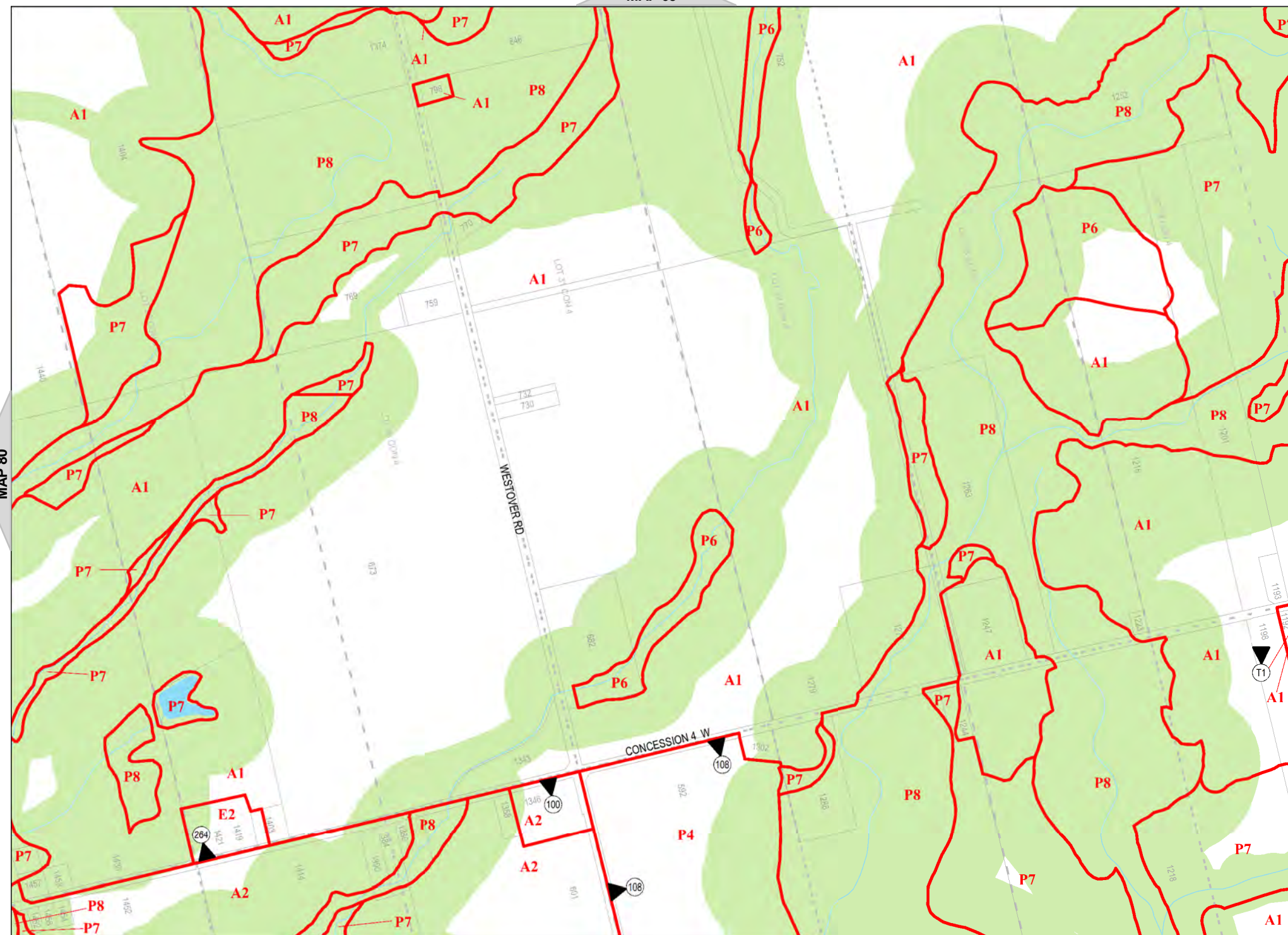
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 81 of Schedule 'A'







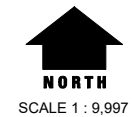
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

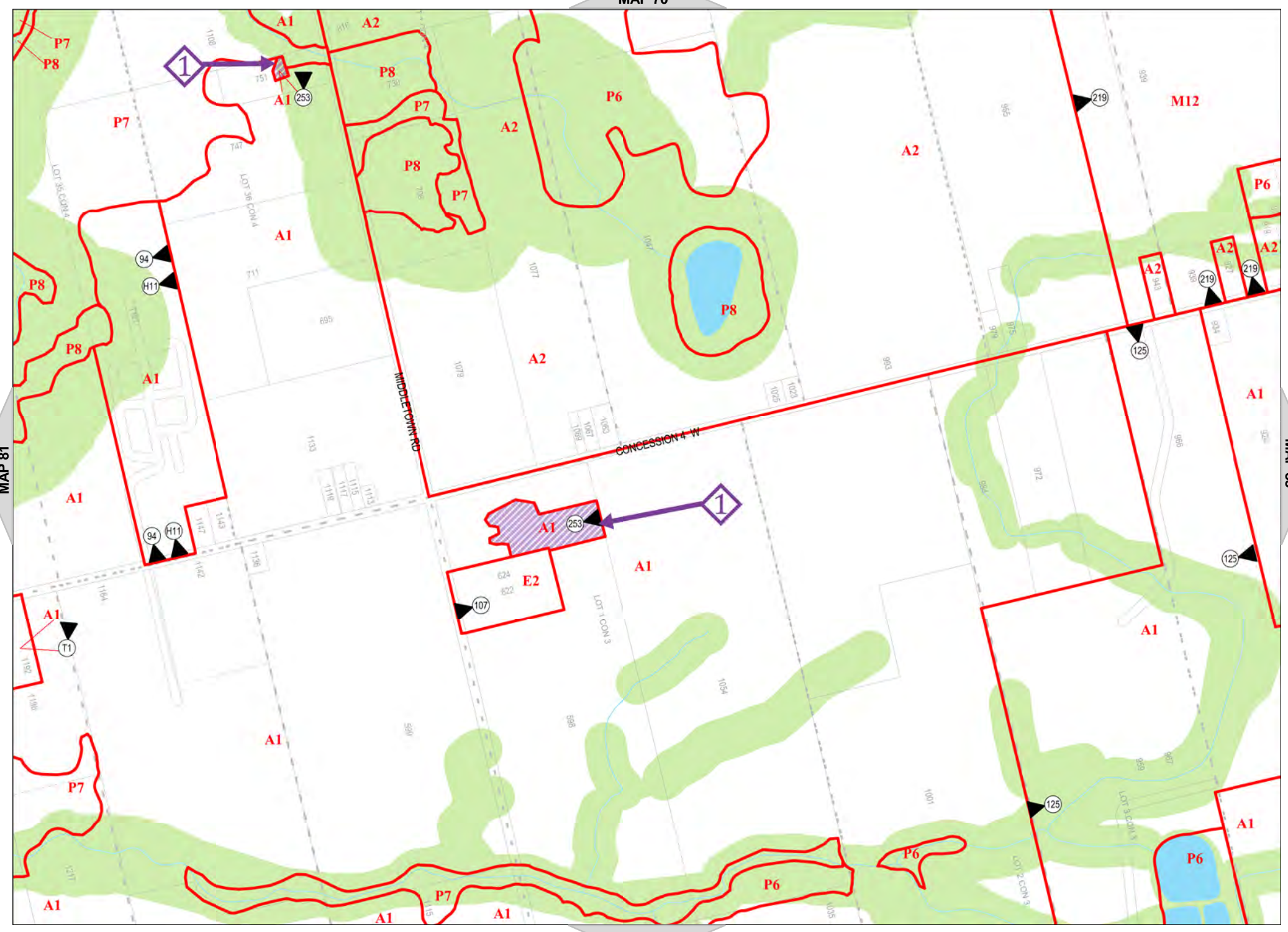
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**MAP 82 of Schedule 'A'**





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

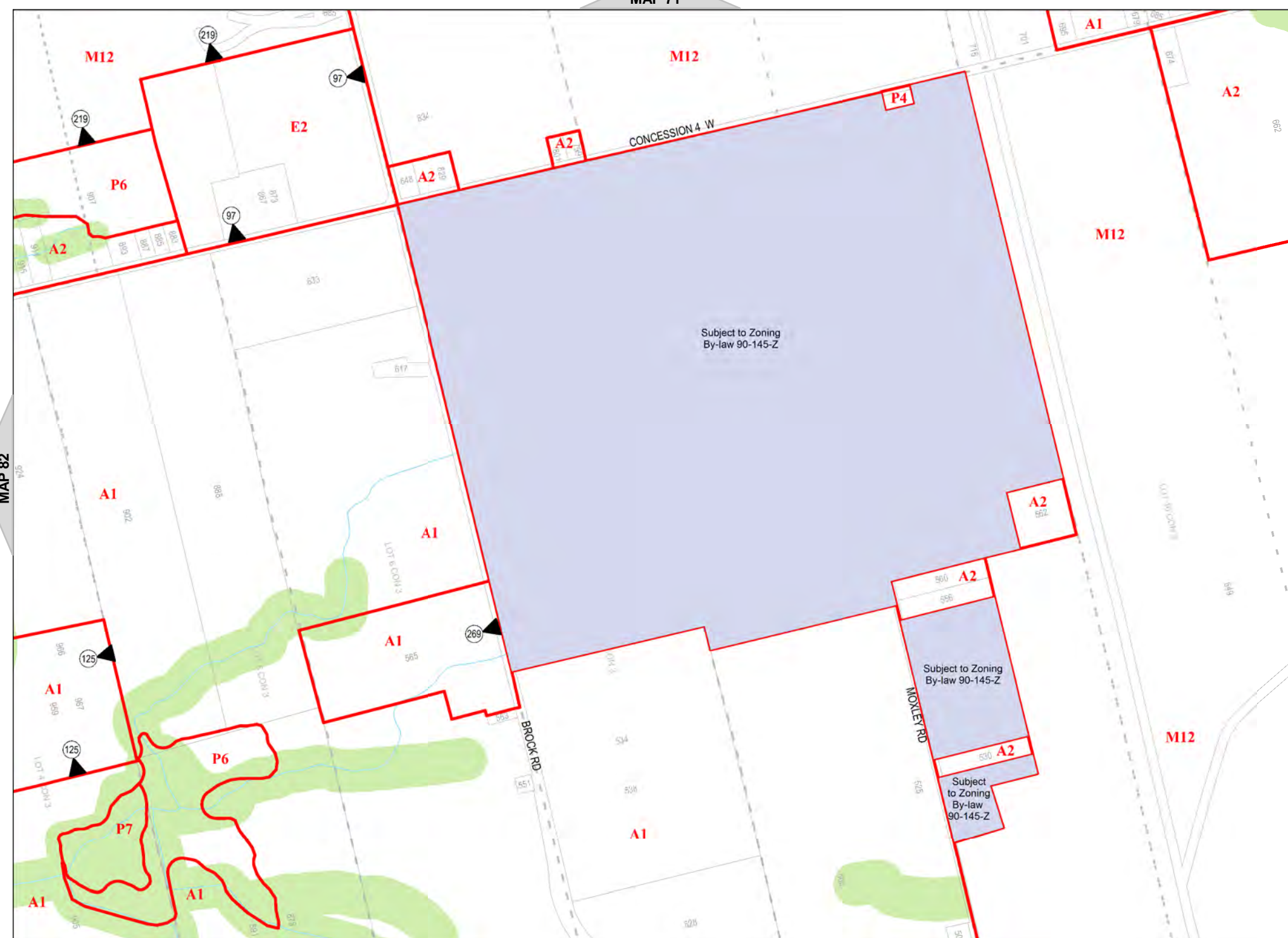
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000


MAP 83 of Schedule 'A'



















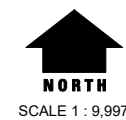
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

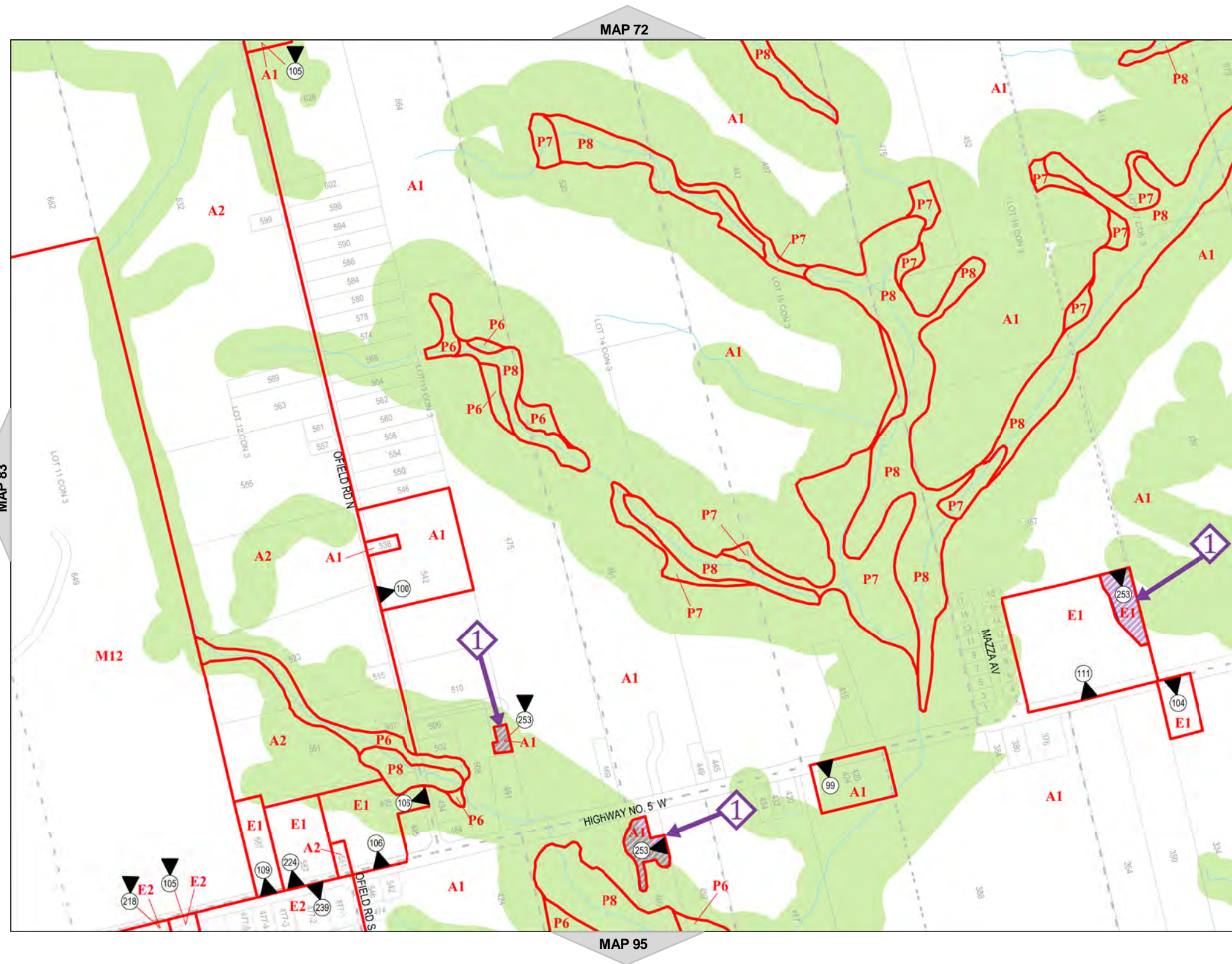
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 84 of Schedule 'A'**







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

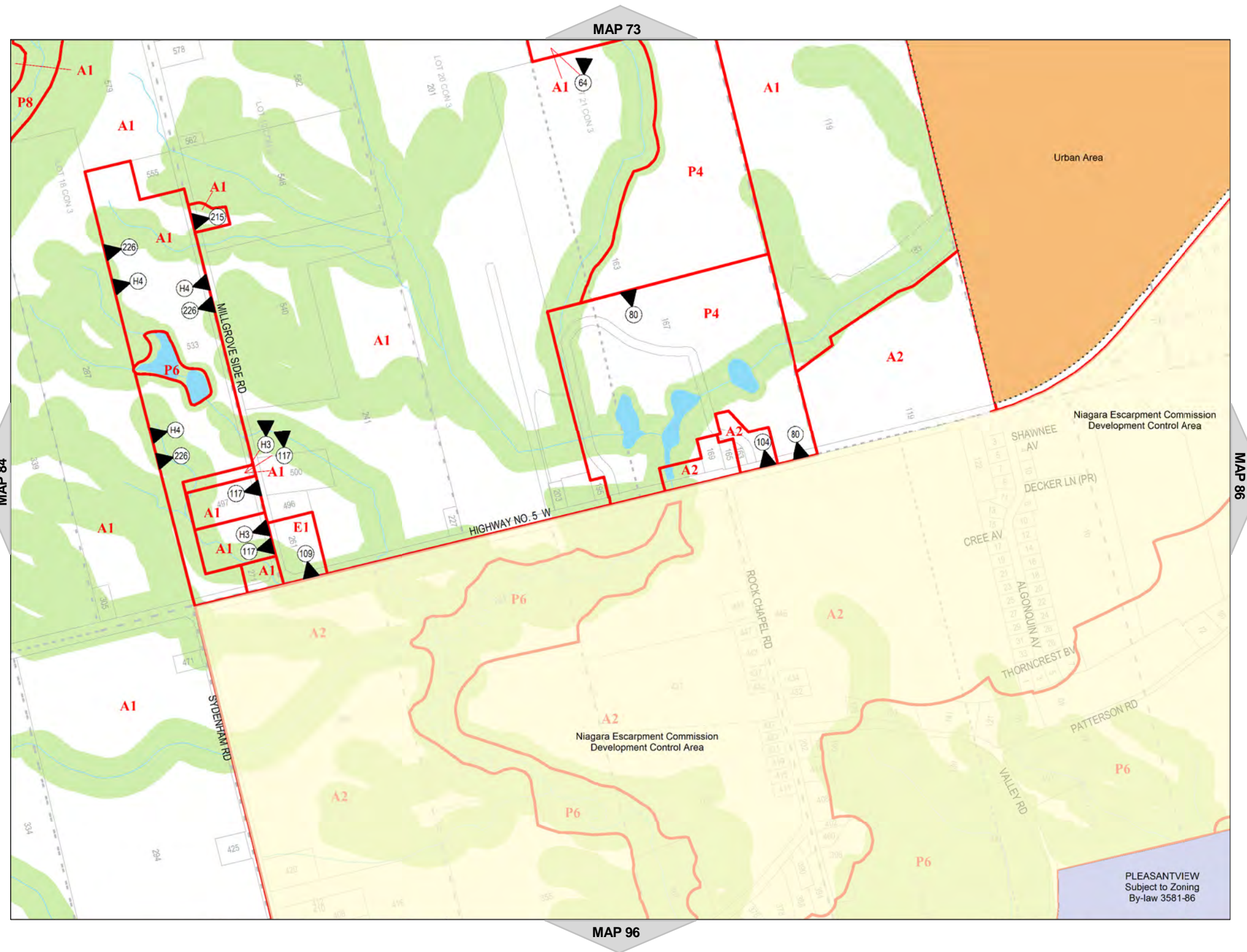
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 85 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

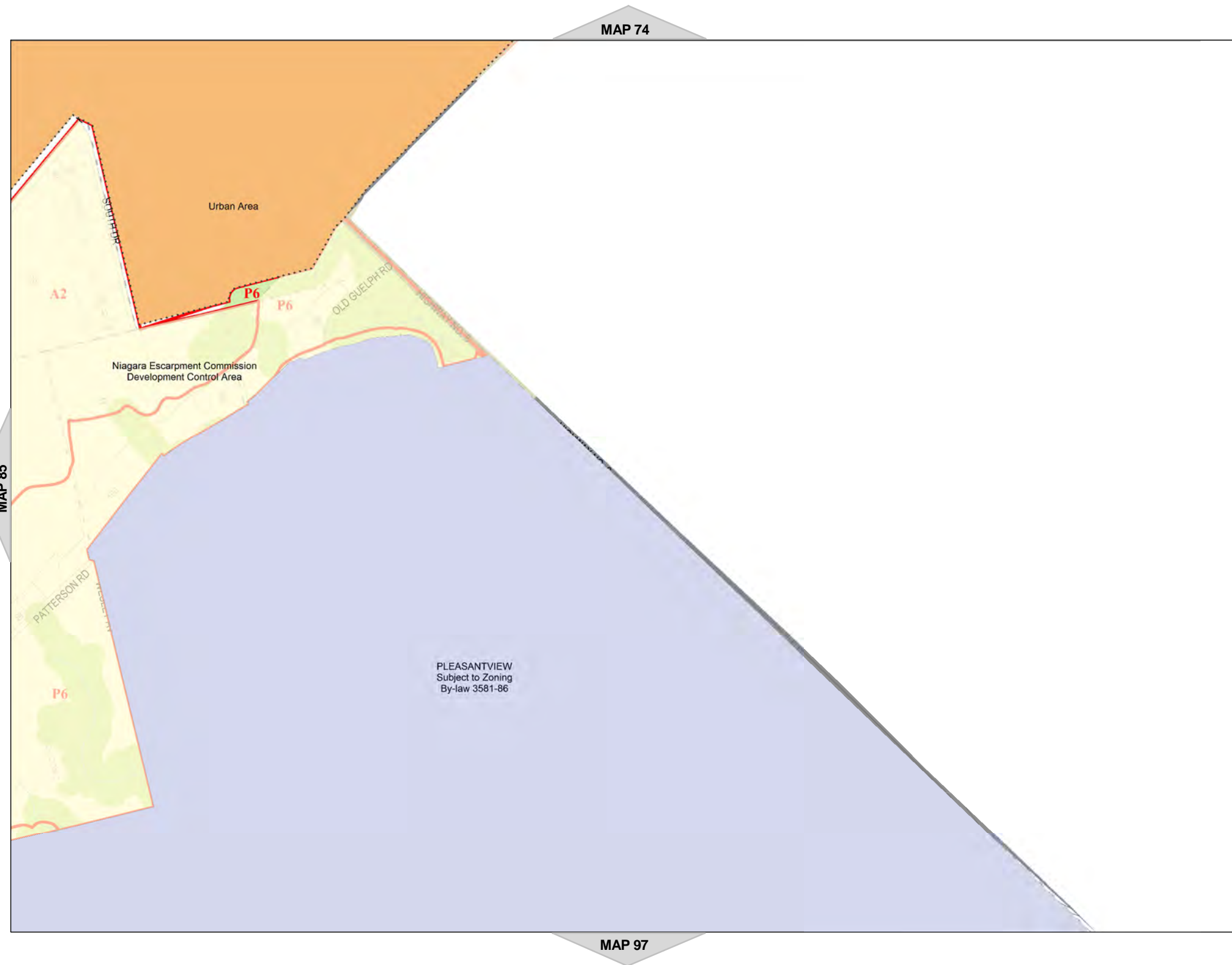
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 86 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 87 of Schedule 'A'



MAP 76

MAP 99

MAP

MAP 88

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 88 of Schedule 'A'



MAP 77

MAP 87

MAP 89

MAP 100

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

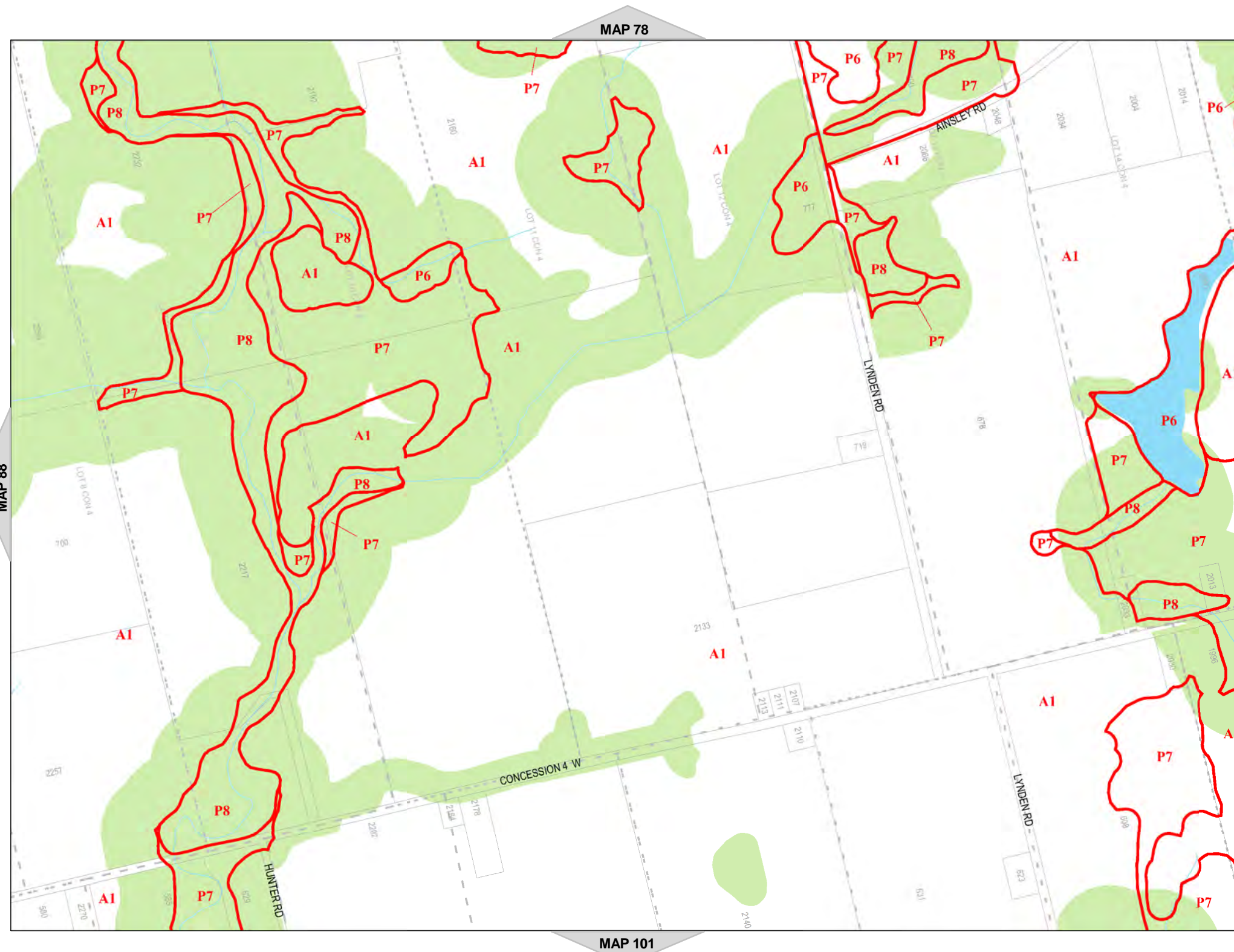
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 89 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

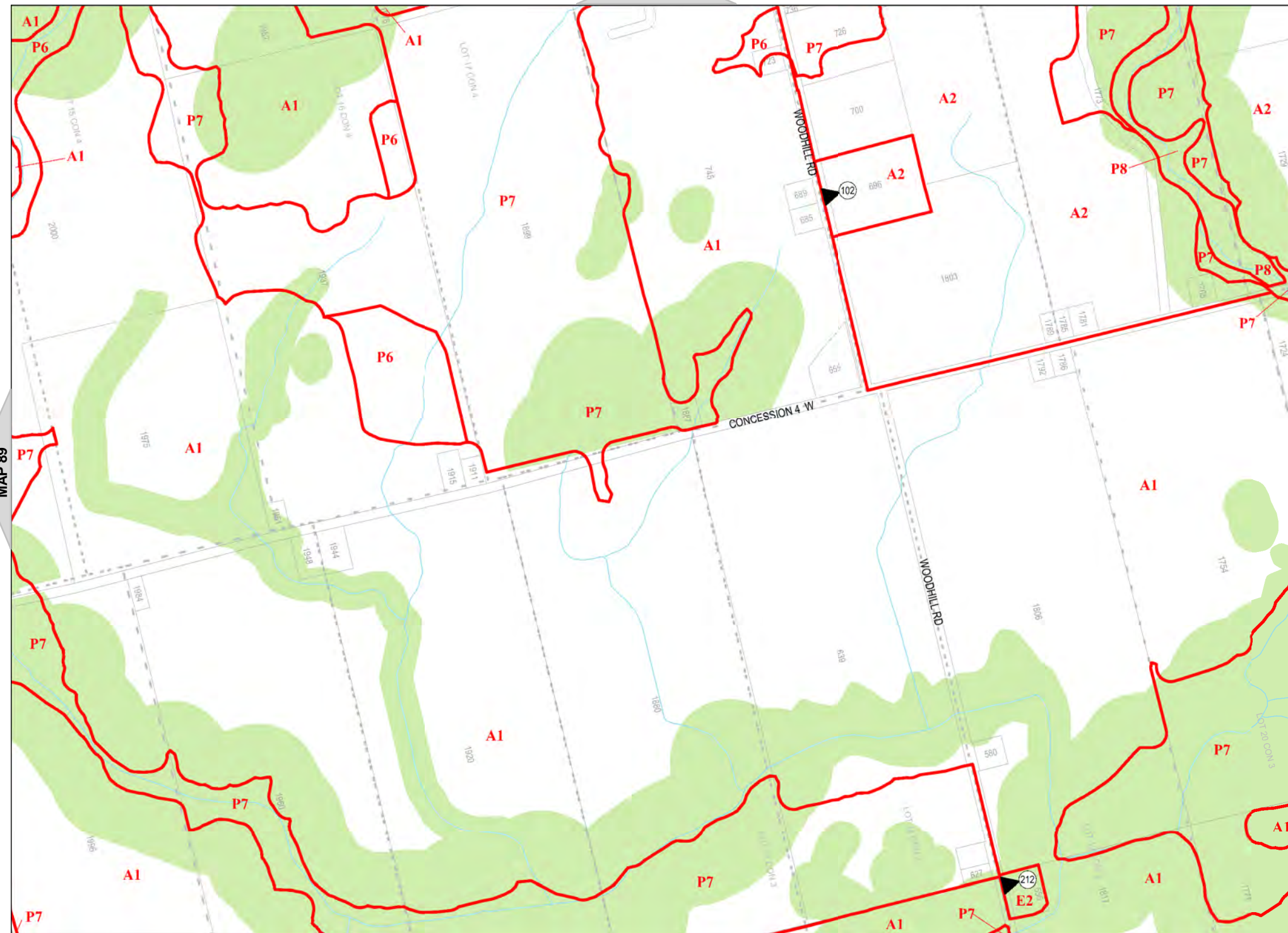
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 90 of Schedule 'A'



MAP 79

MAP 89

MAP 91

MAP 102

Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016

Date: July 10, 2015





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

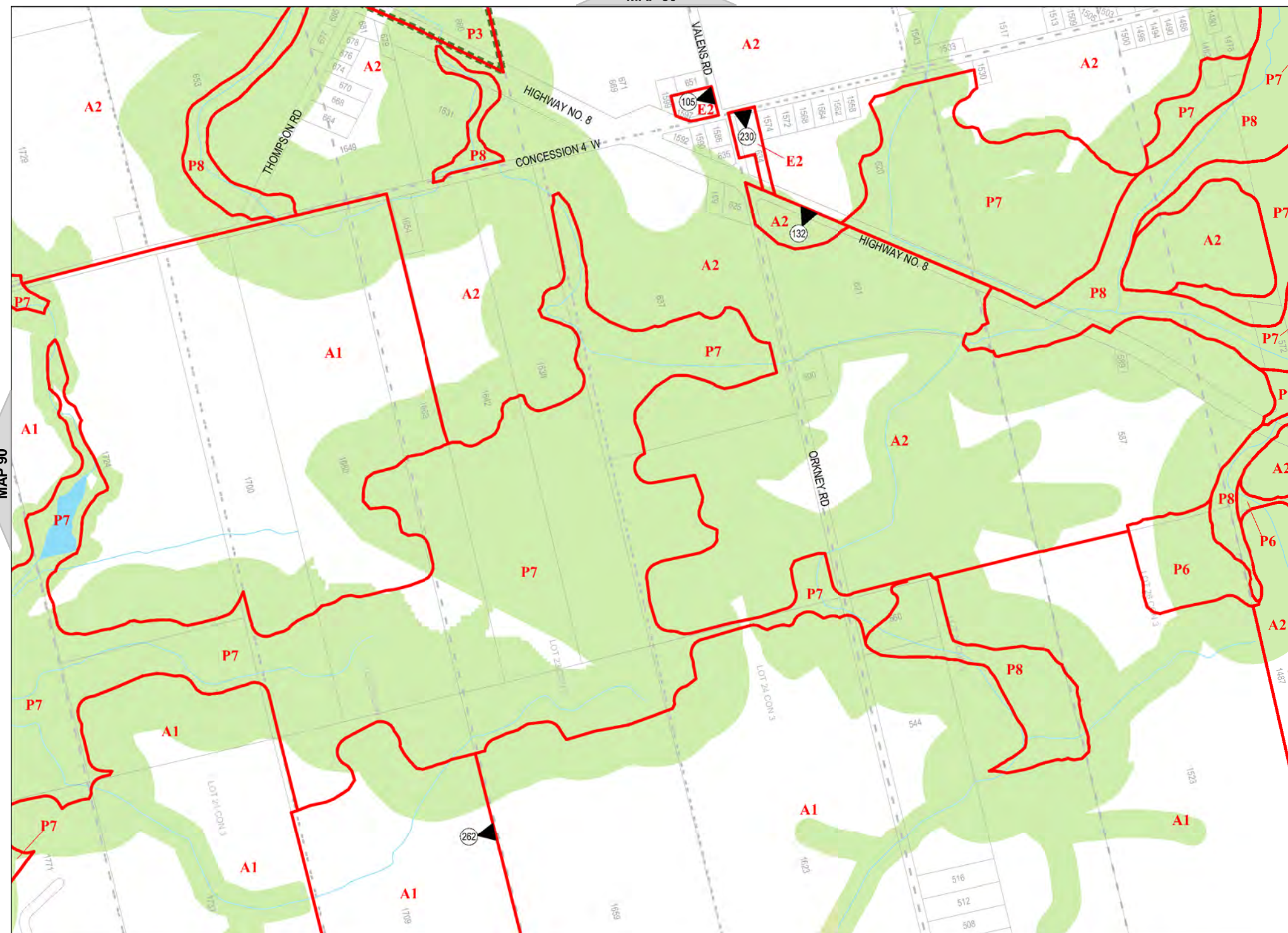
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 91 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

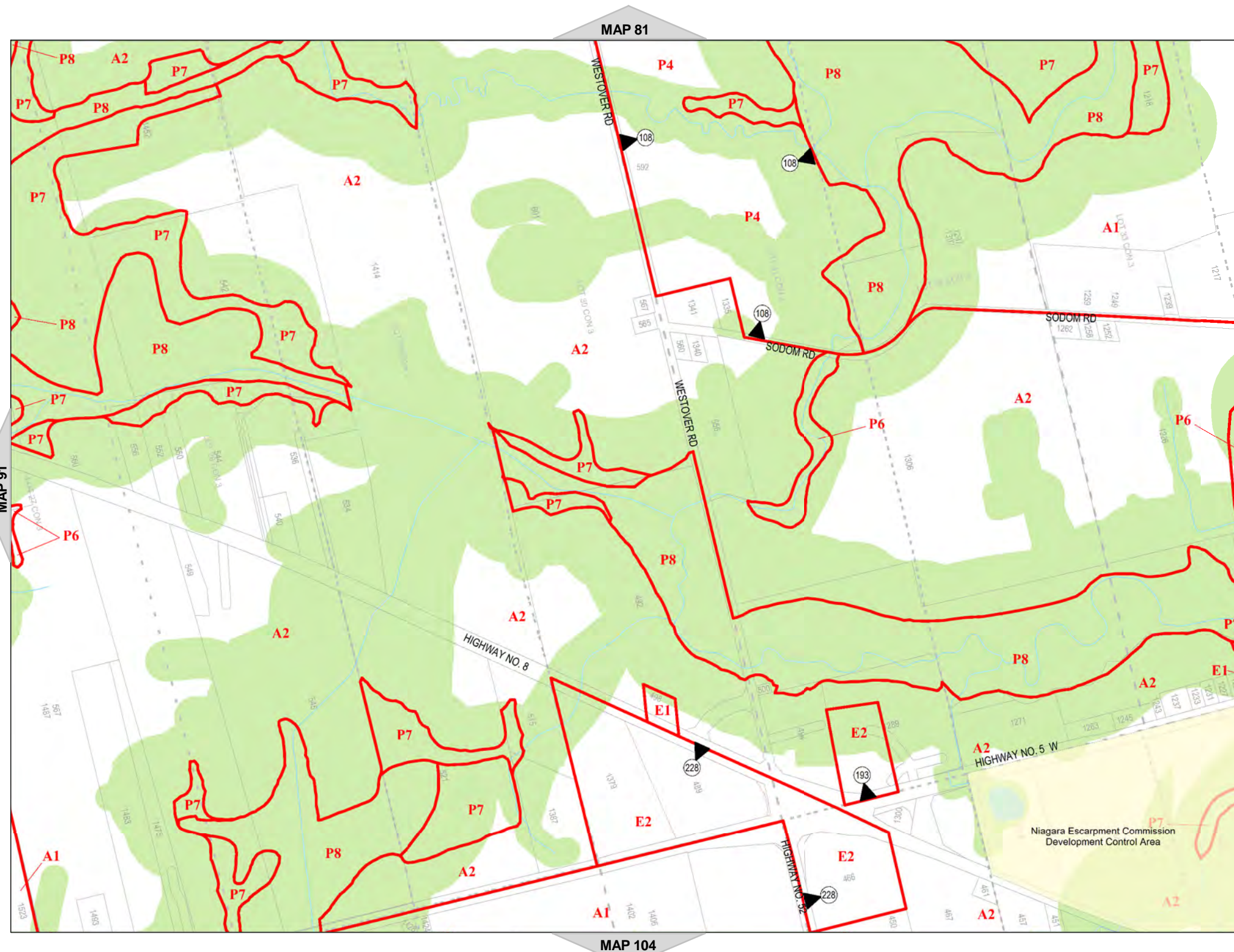
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 92 of Schedule 'A'



















Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

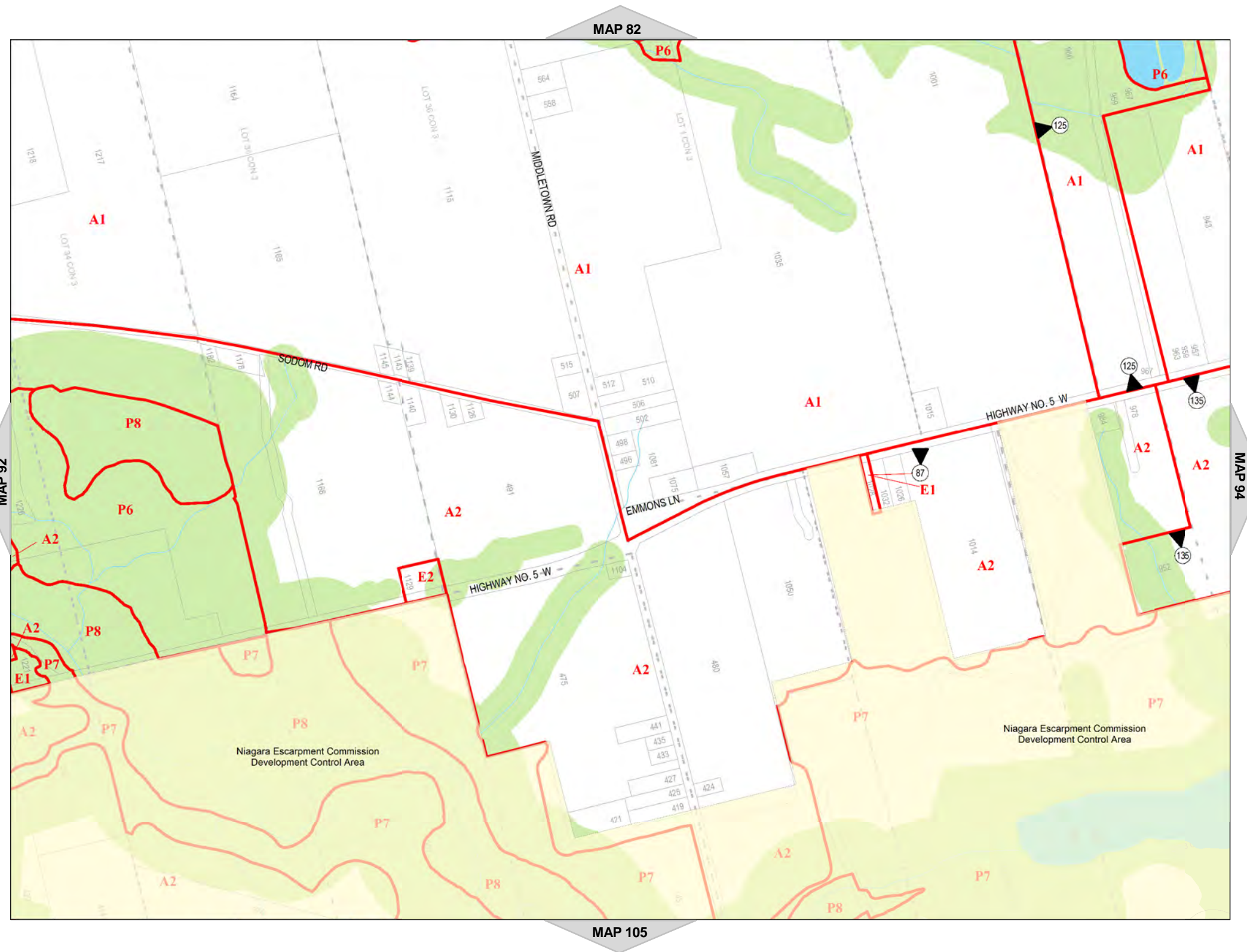
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 93 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

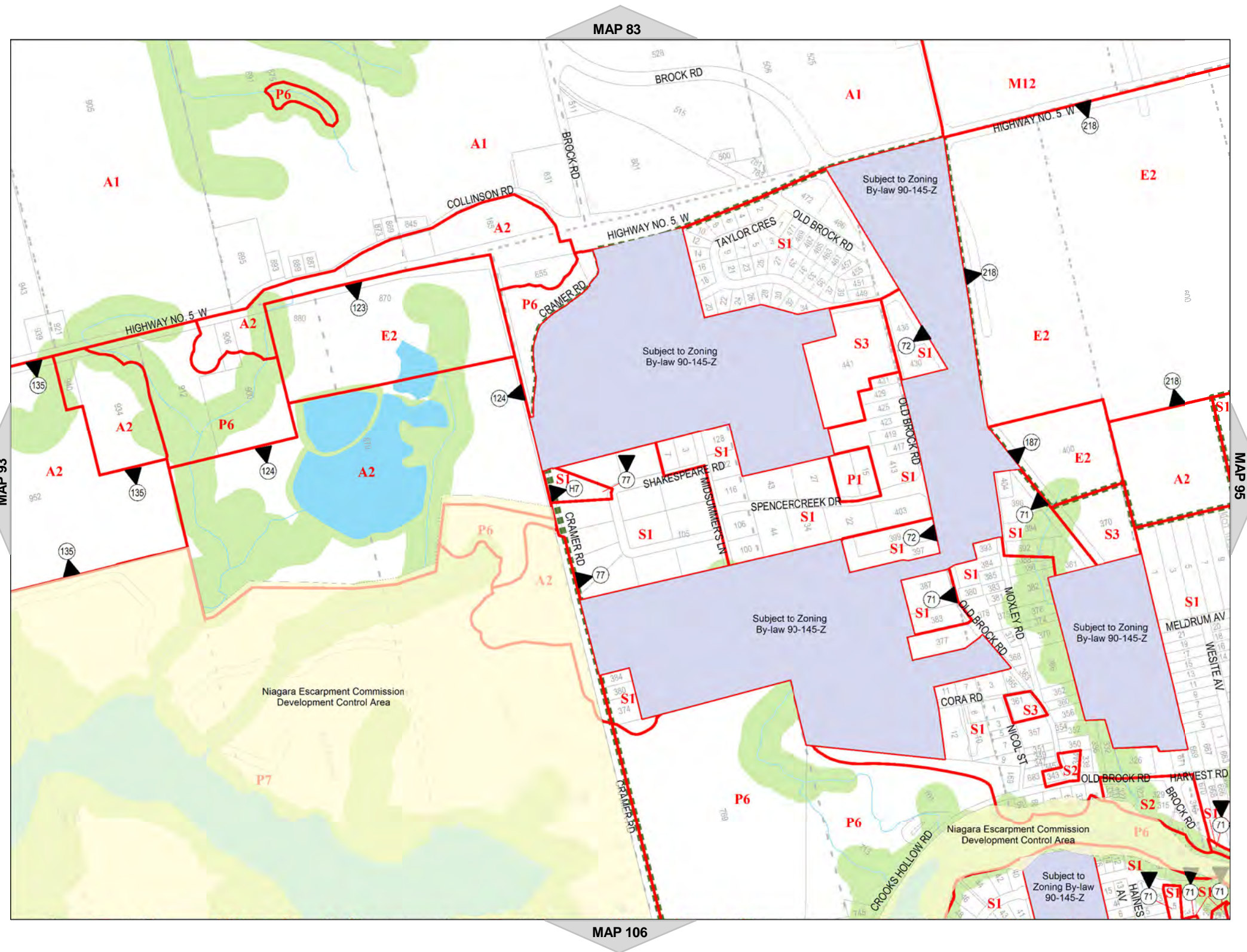
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 94 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

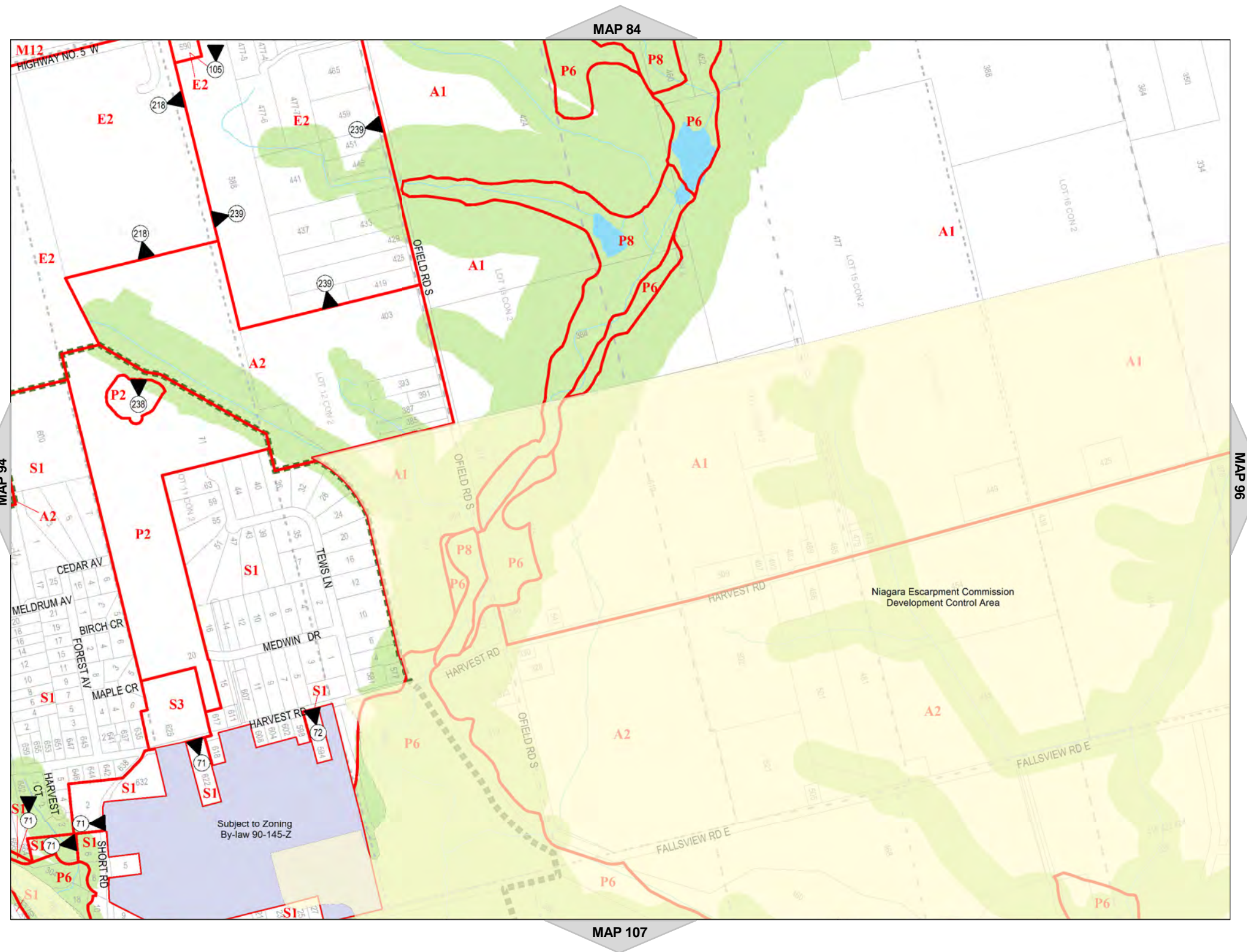
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 95 of Schedule 'A'
















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

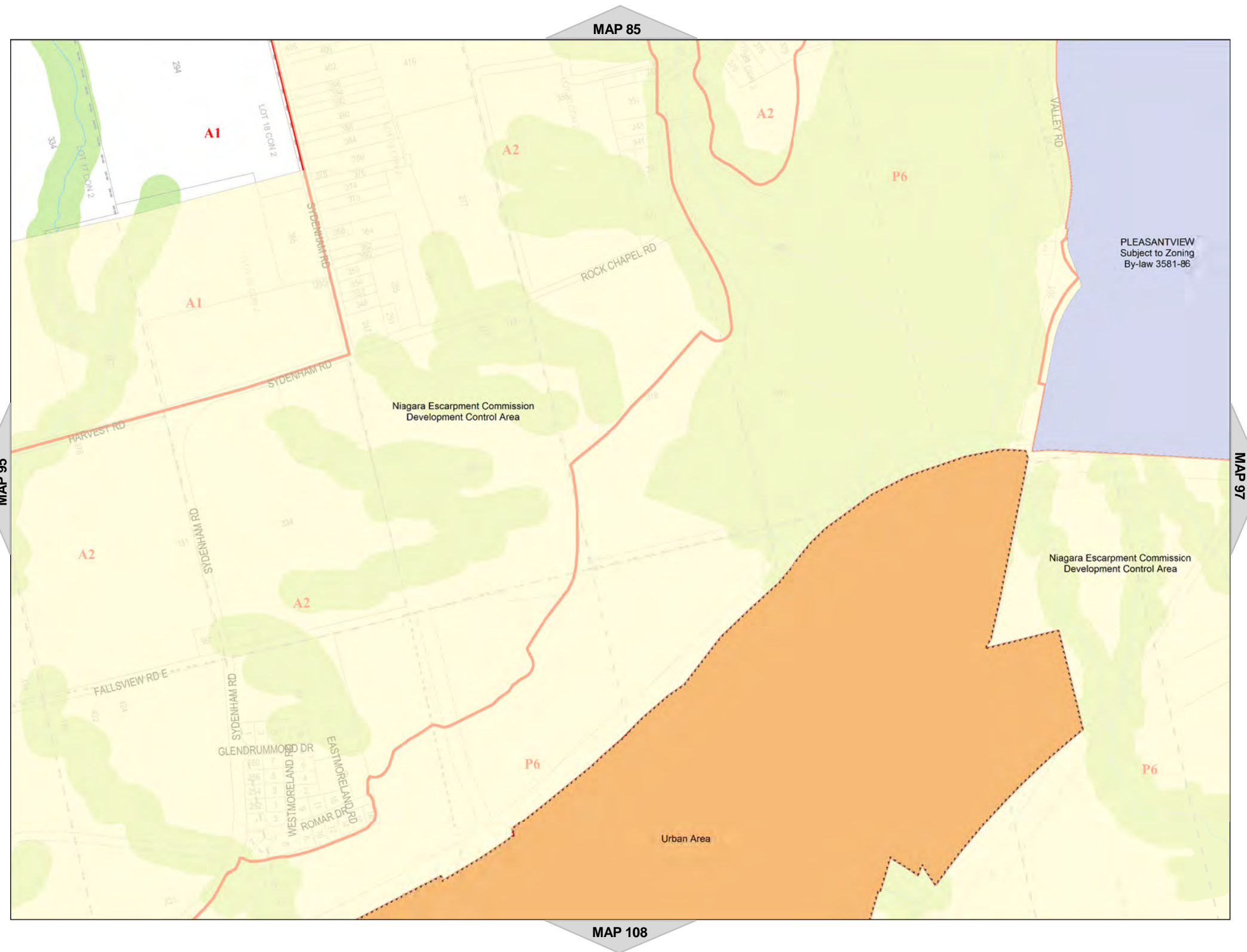
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000



MAP 85

MAP 95

MAP 97

MAP 108

MAP 96 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

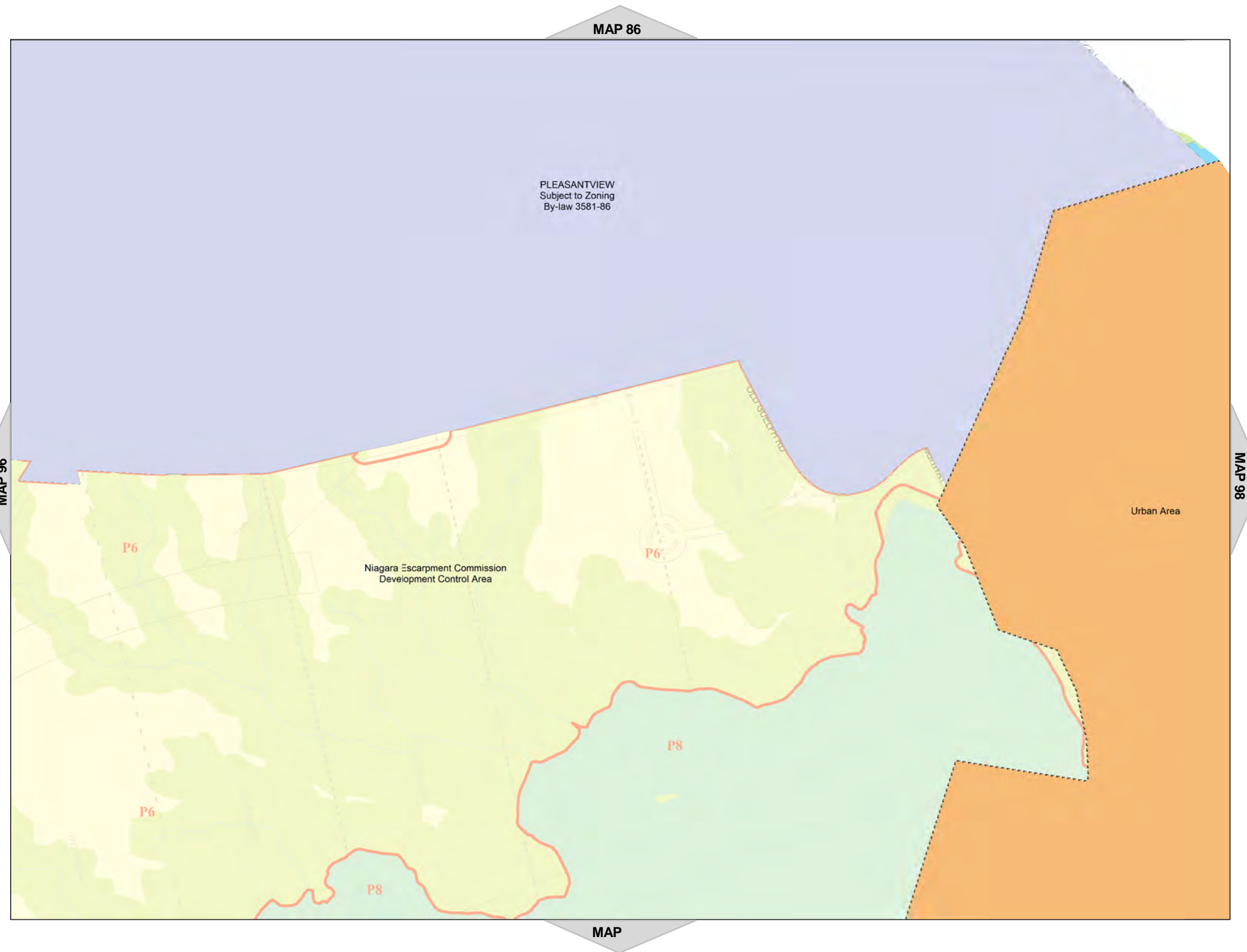
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 97 of Schedule 'A'
















Hamilton

City of Hamilton  
Zoning By-Law 05-200

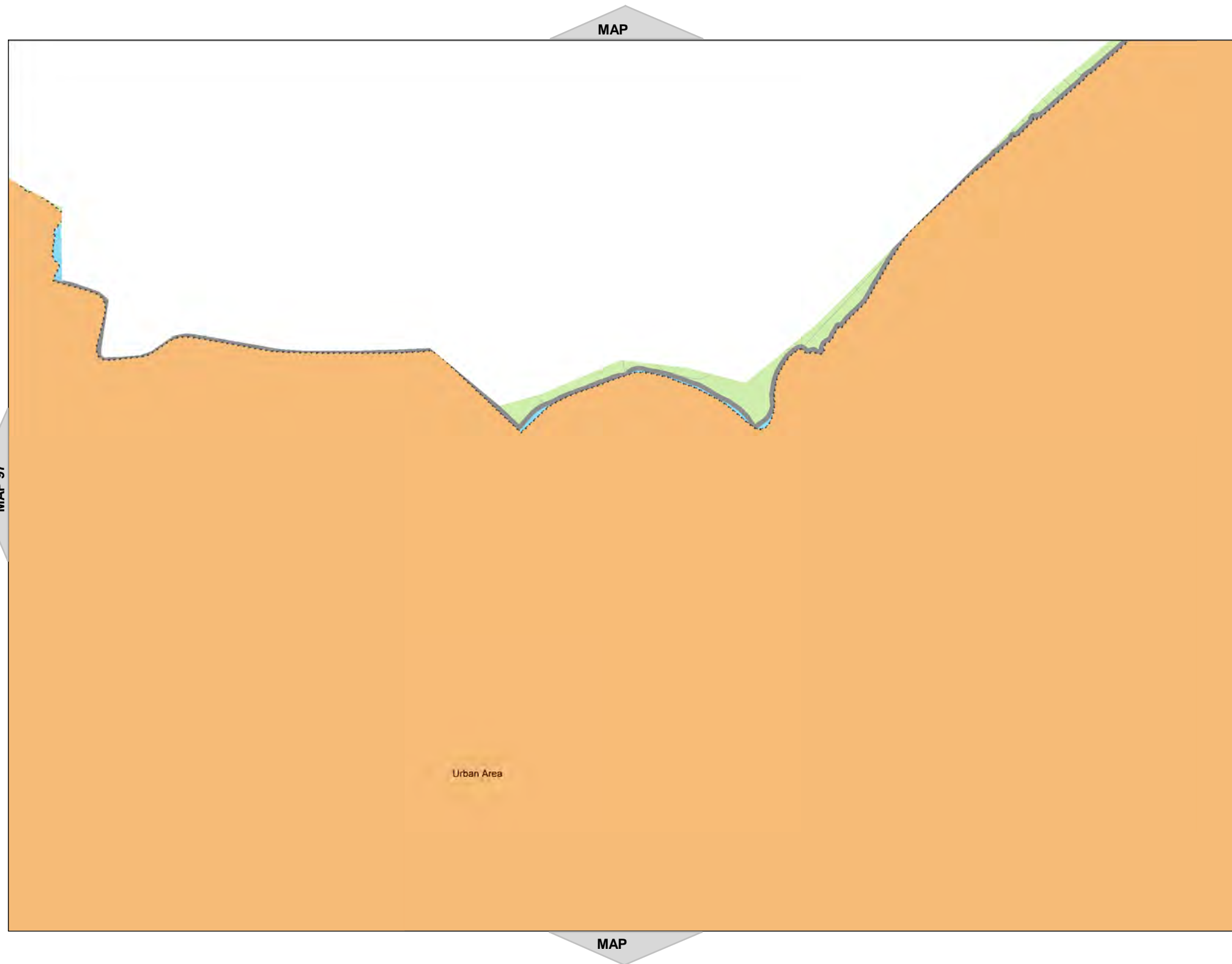
Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000



MAP 98 of Schedule 'A'















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

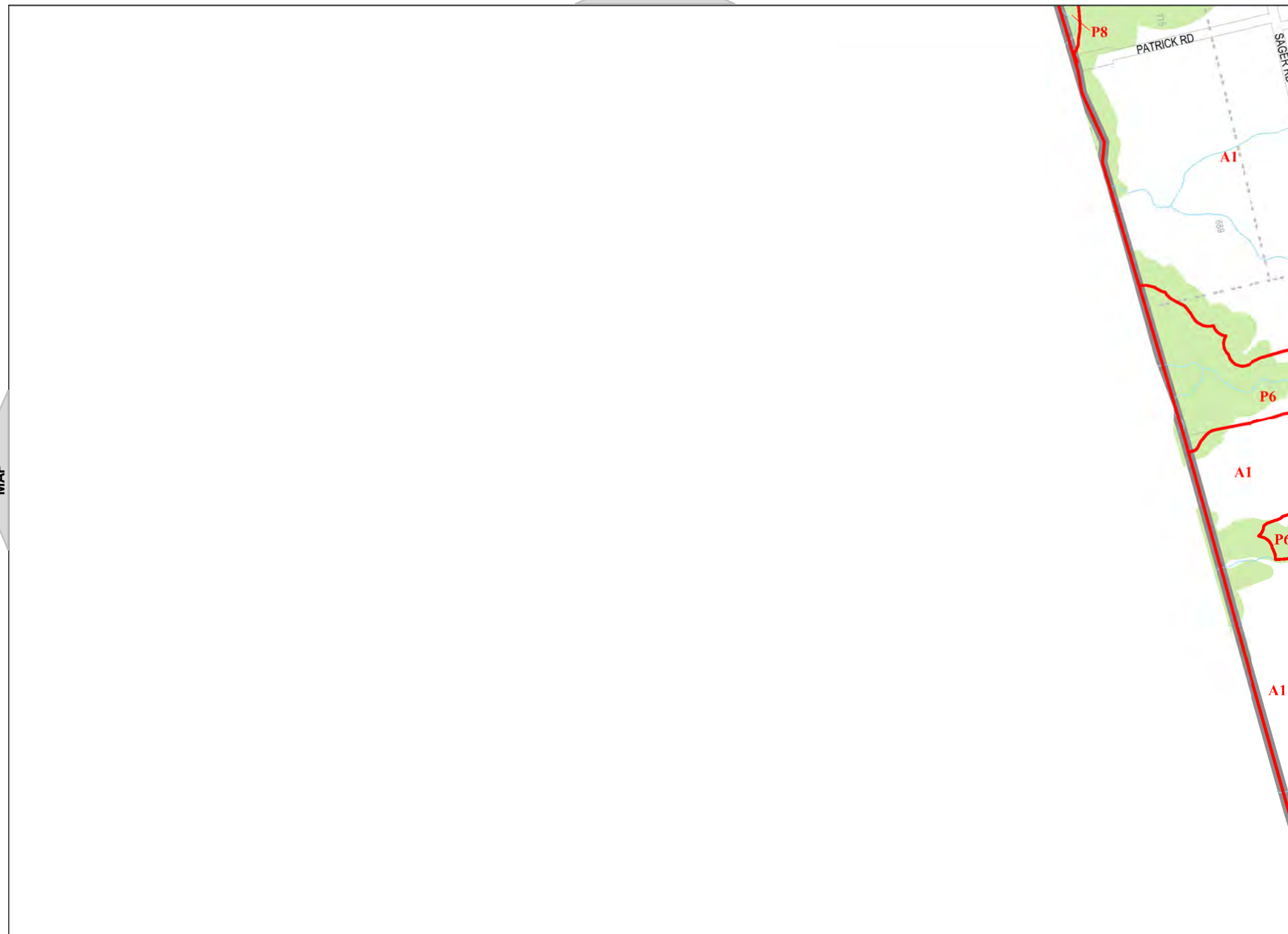
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 99 of Schedule 'A'



MAP 87

MAP

MAP 100













MAP



Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

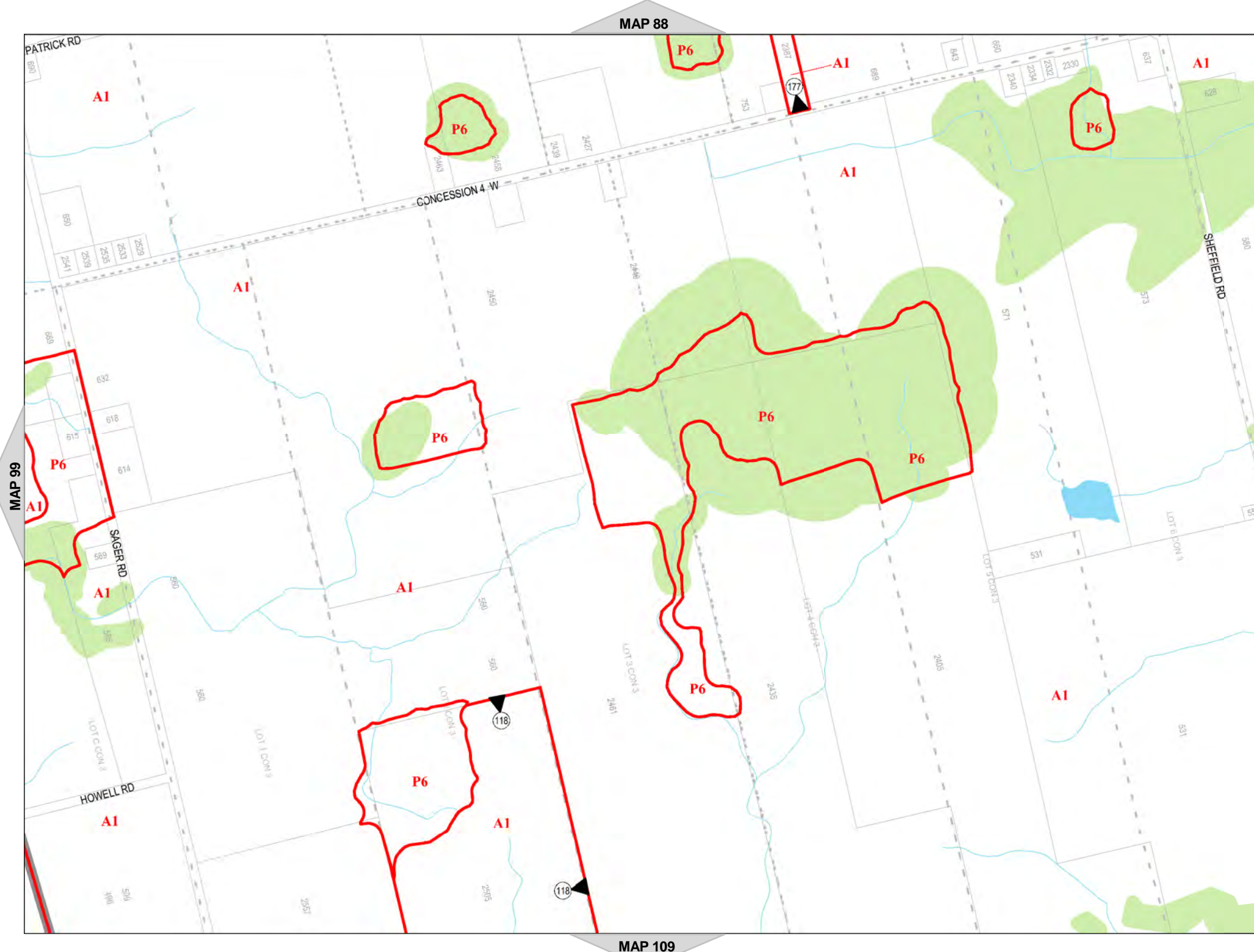
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 100 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

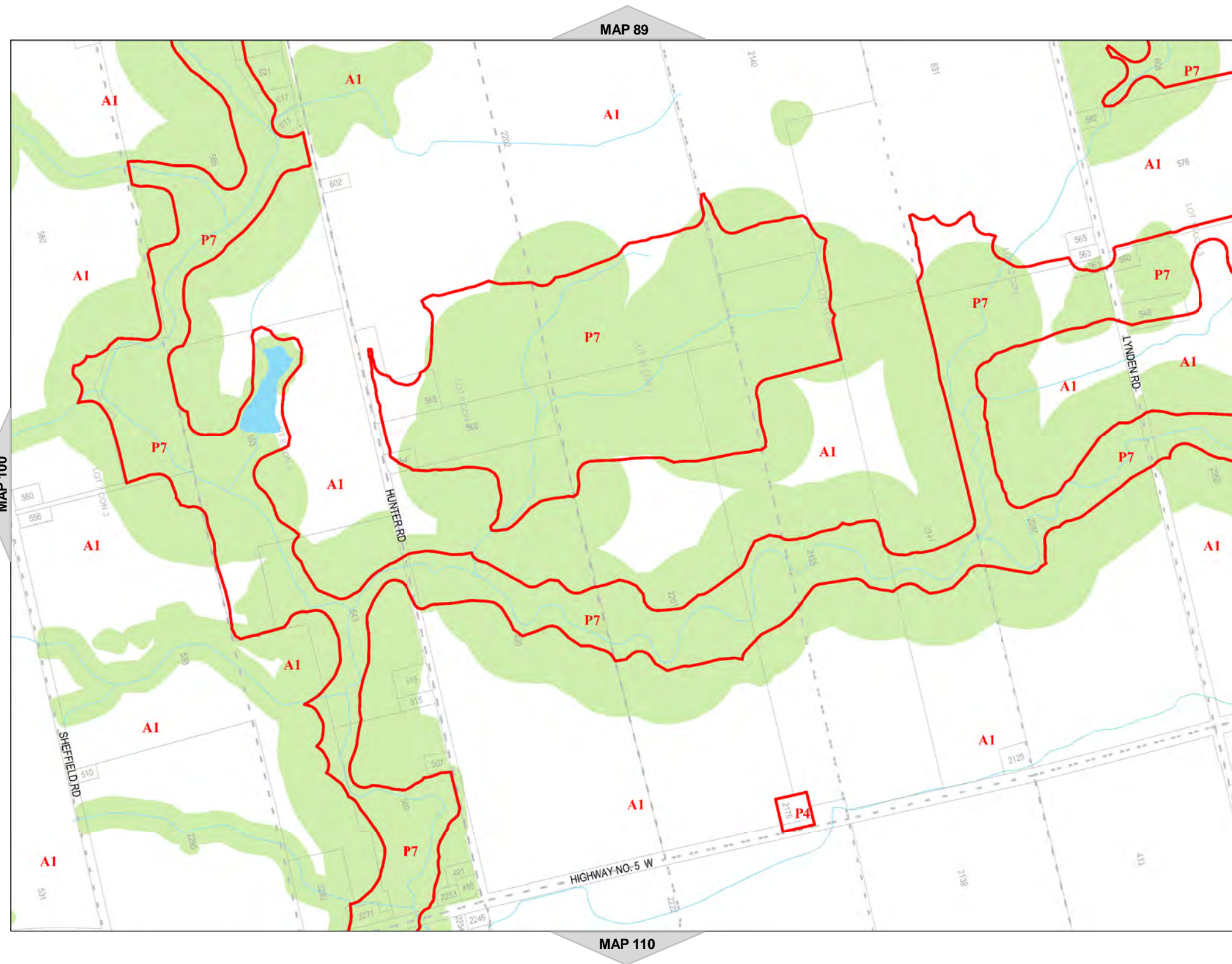
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 101 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

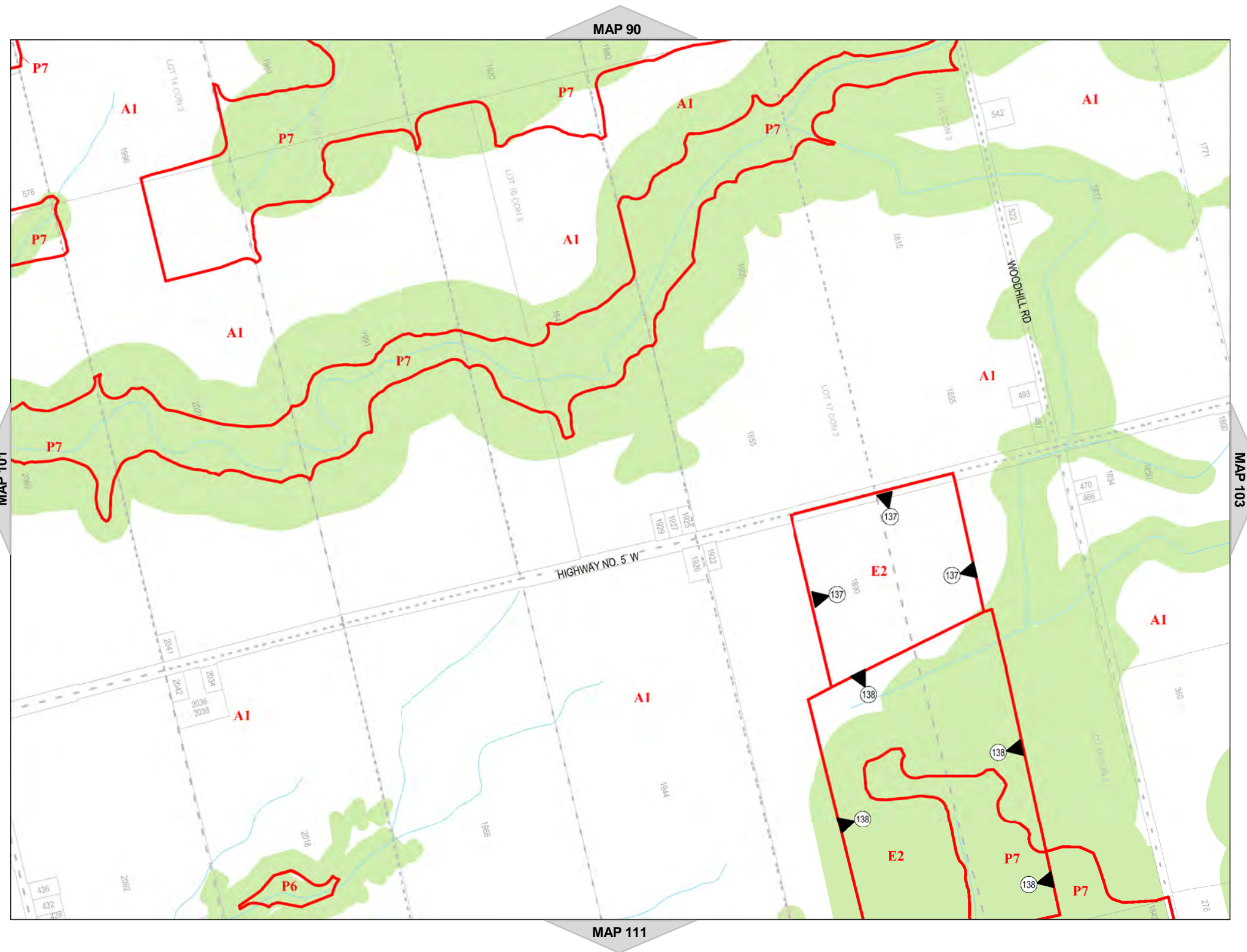
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



SCALE 1 : 10,000

MAP 102 of Schedule 'A'





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

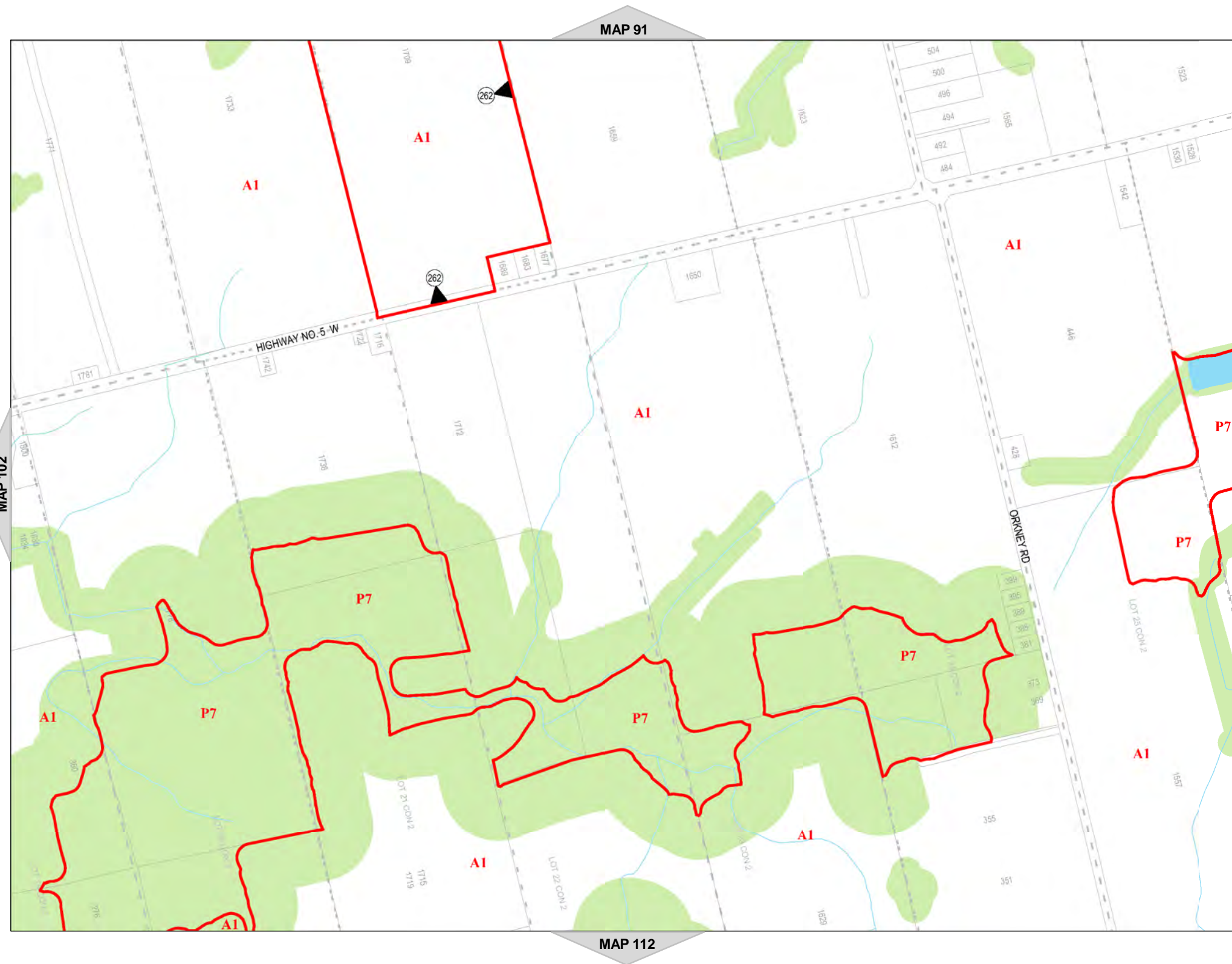
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000


MAP 103 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

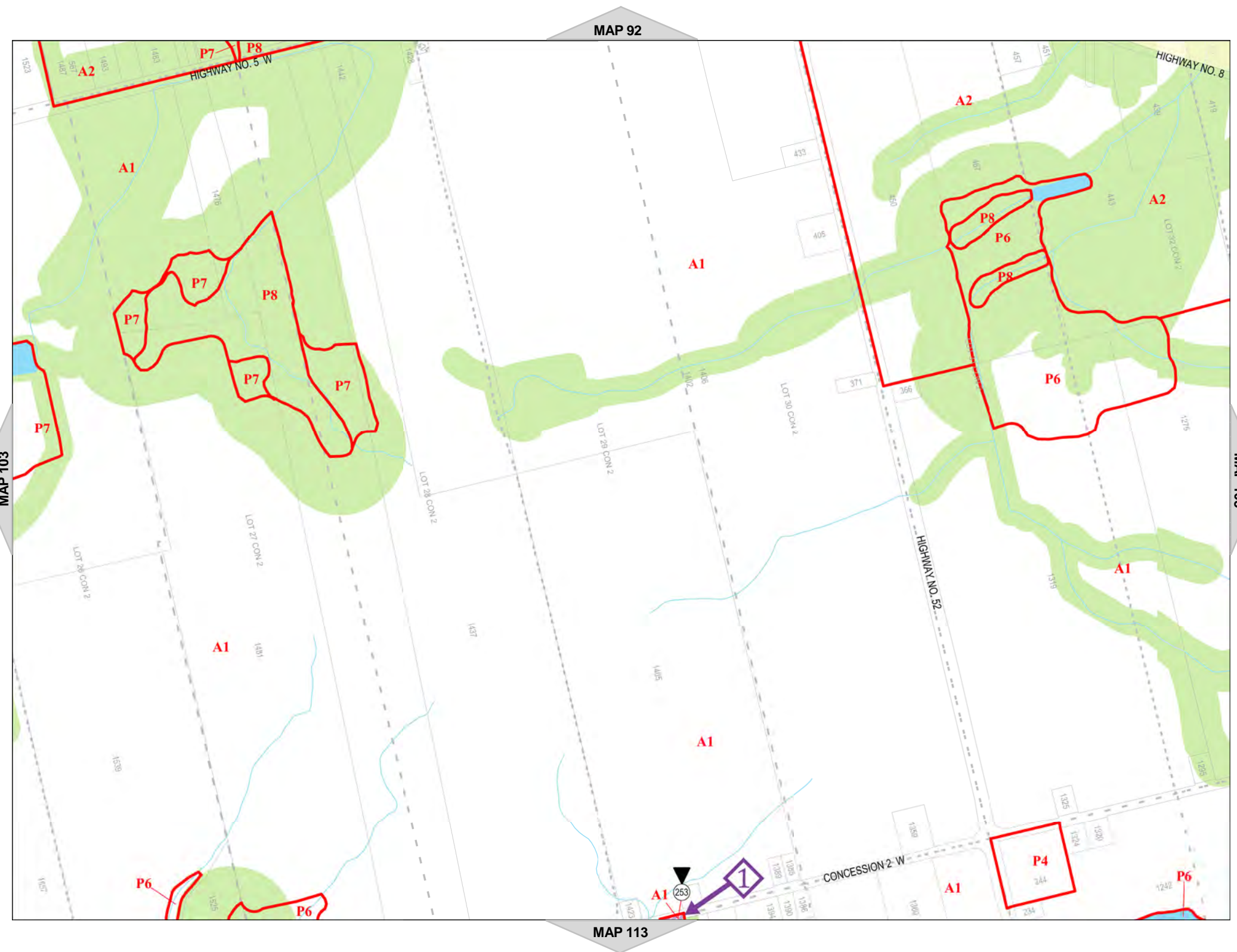
ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 104 of Schedule 'A'**



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

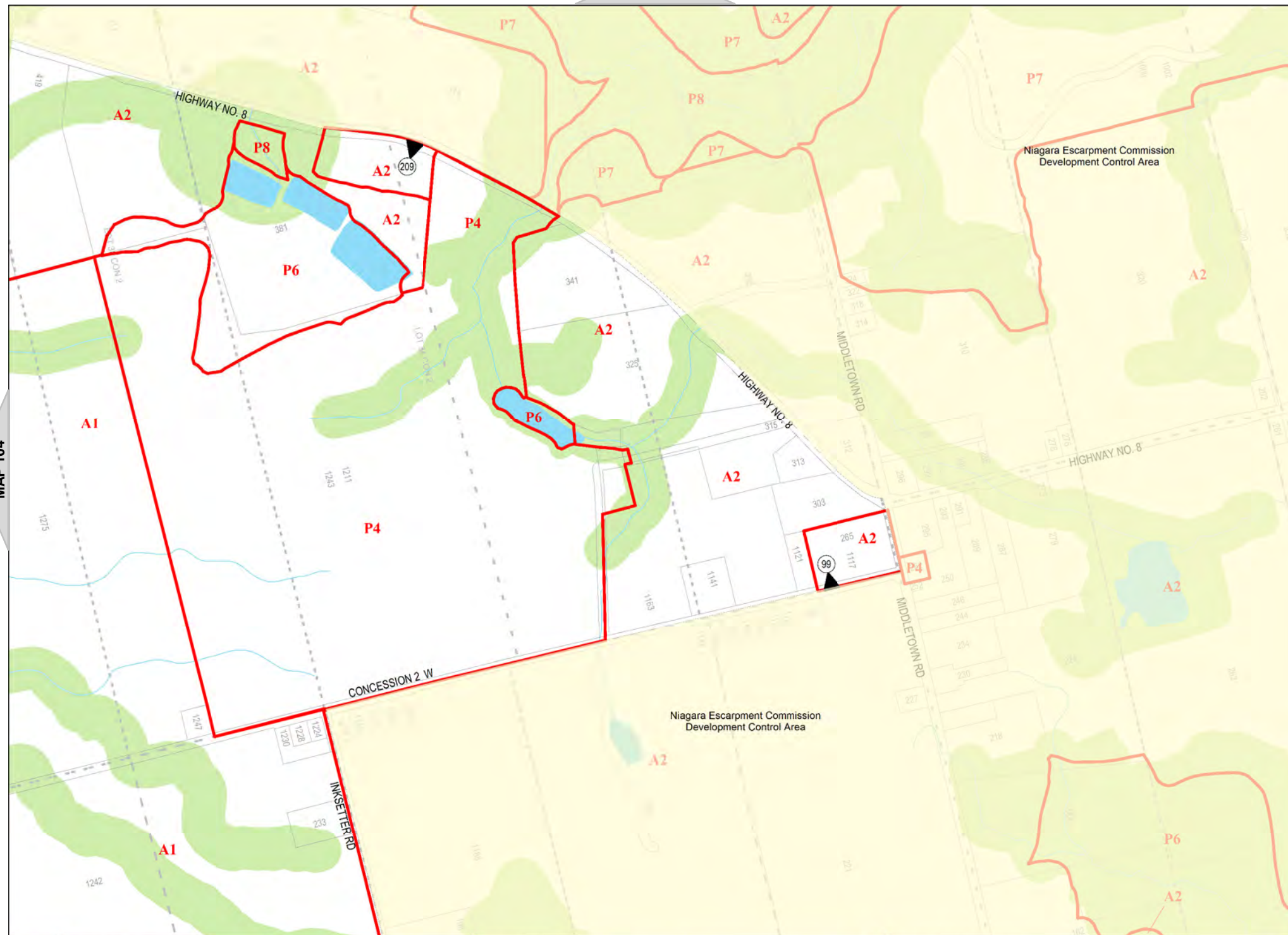
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 105 of Schedule 'A'



MAP 93

MAP 114

MAP 104

MAP 106





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

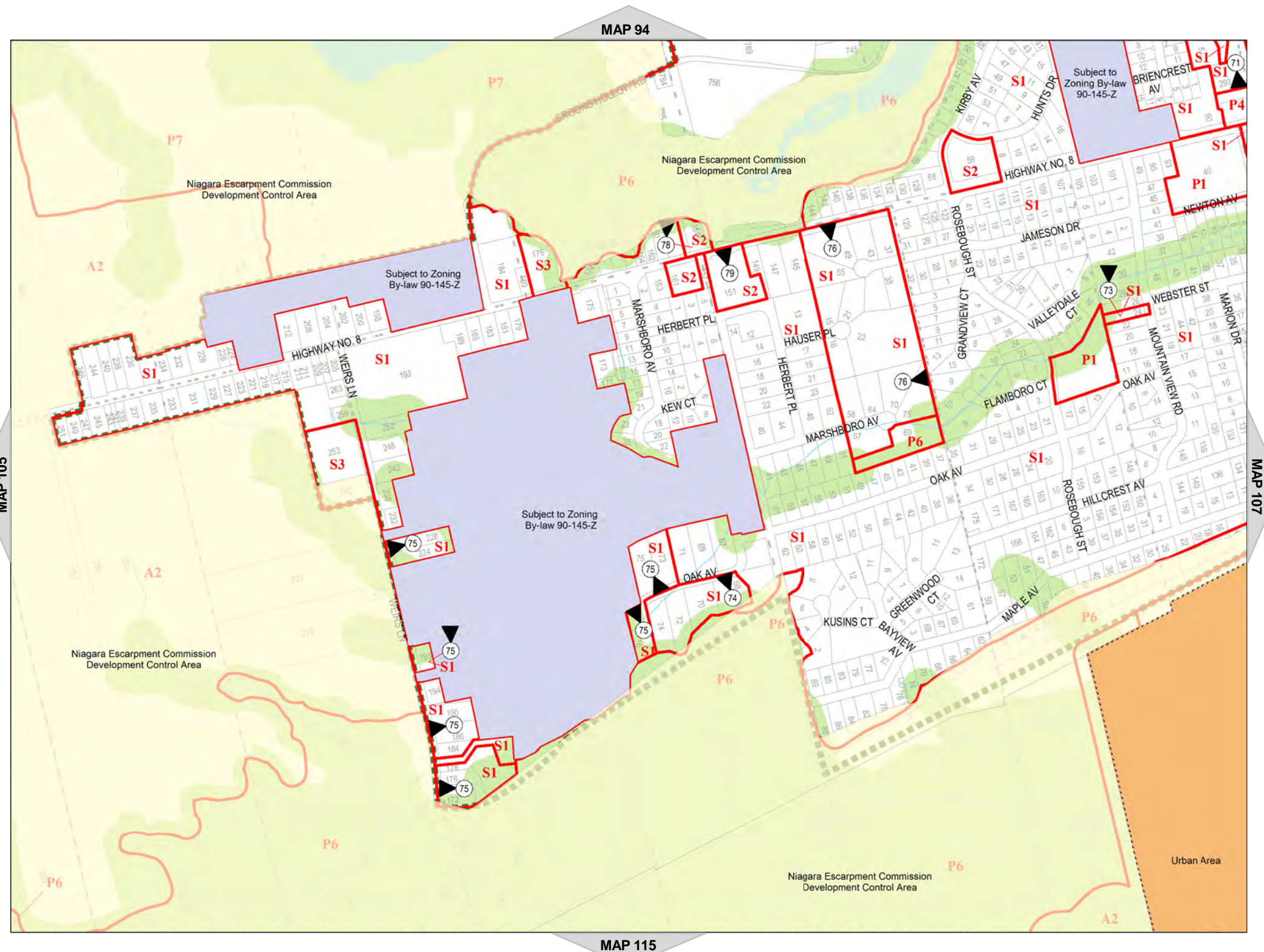
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 106 of Schedule 'A'





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

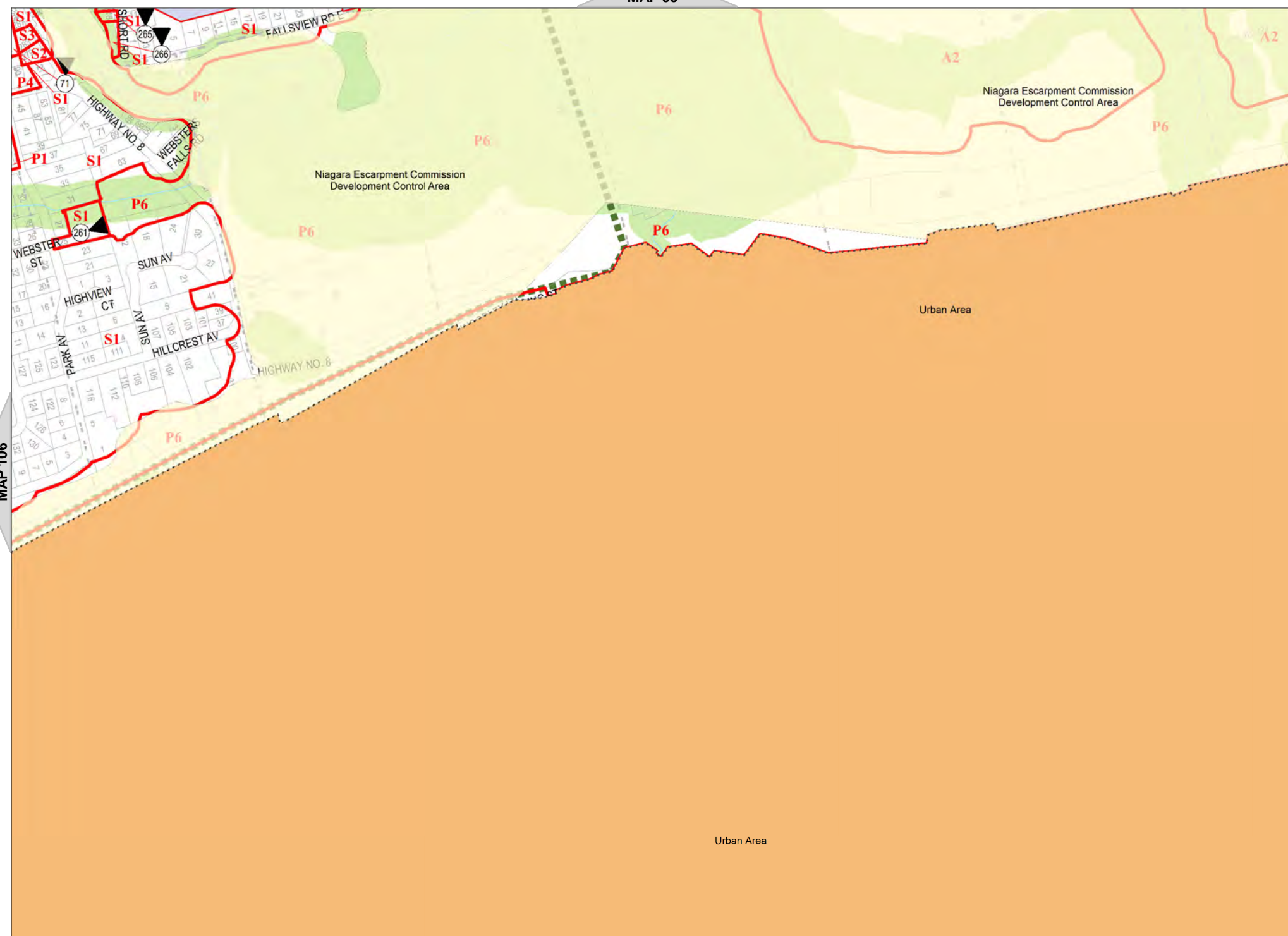
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 107 of Schedule 'A'



MAP 95

MAP 106

MAP 108

MAP 116





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

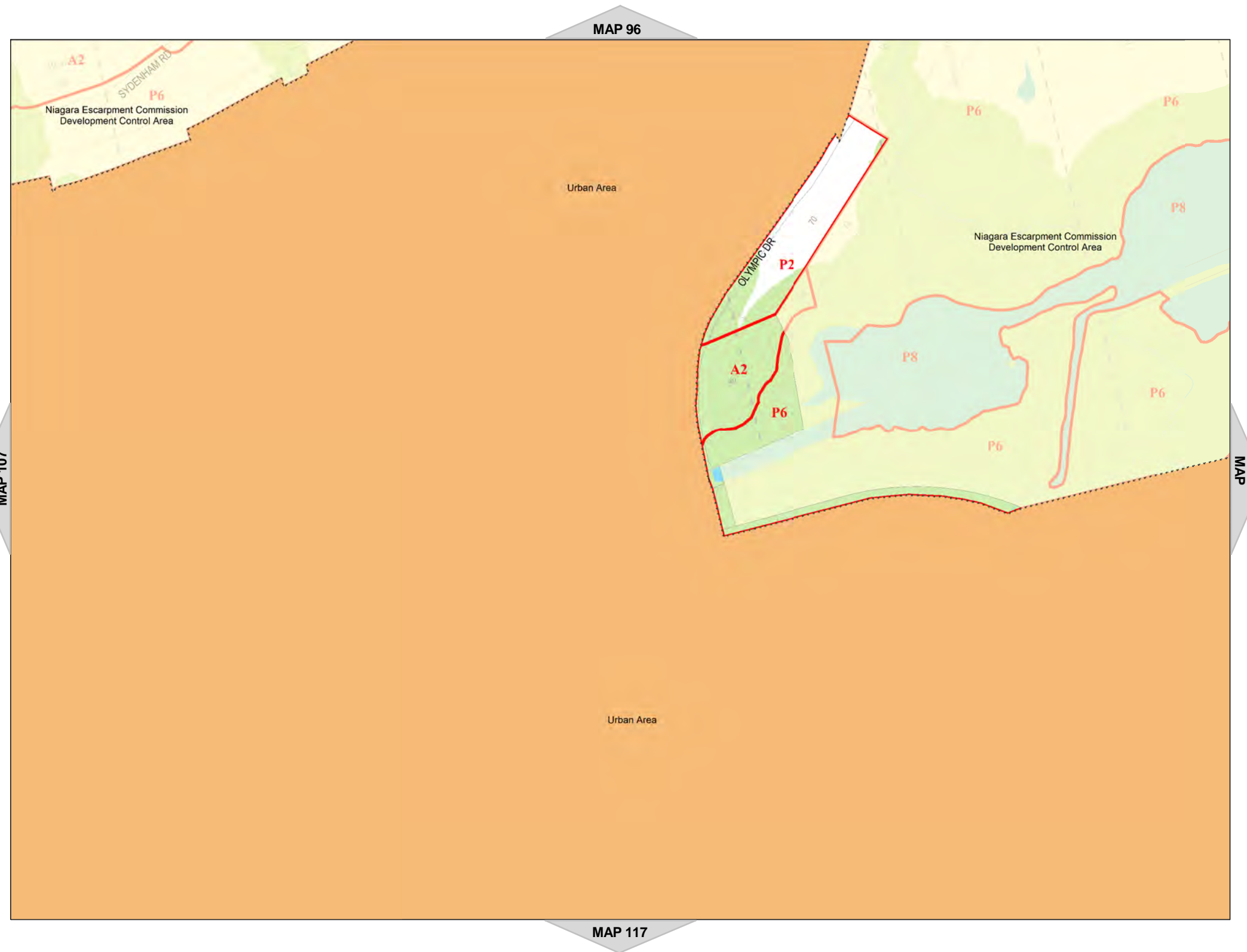
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 108 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

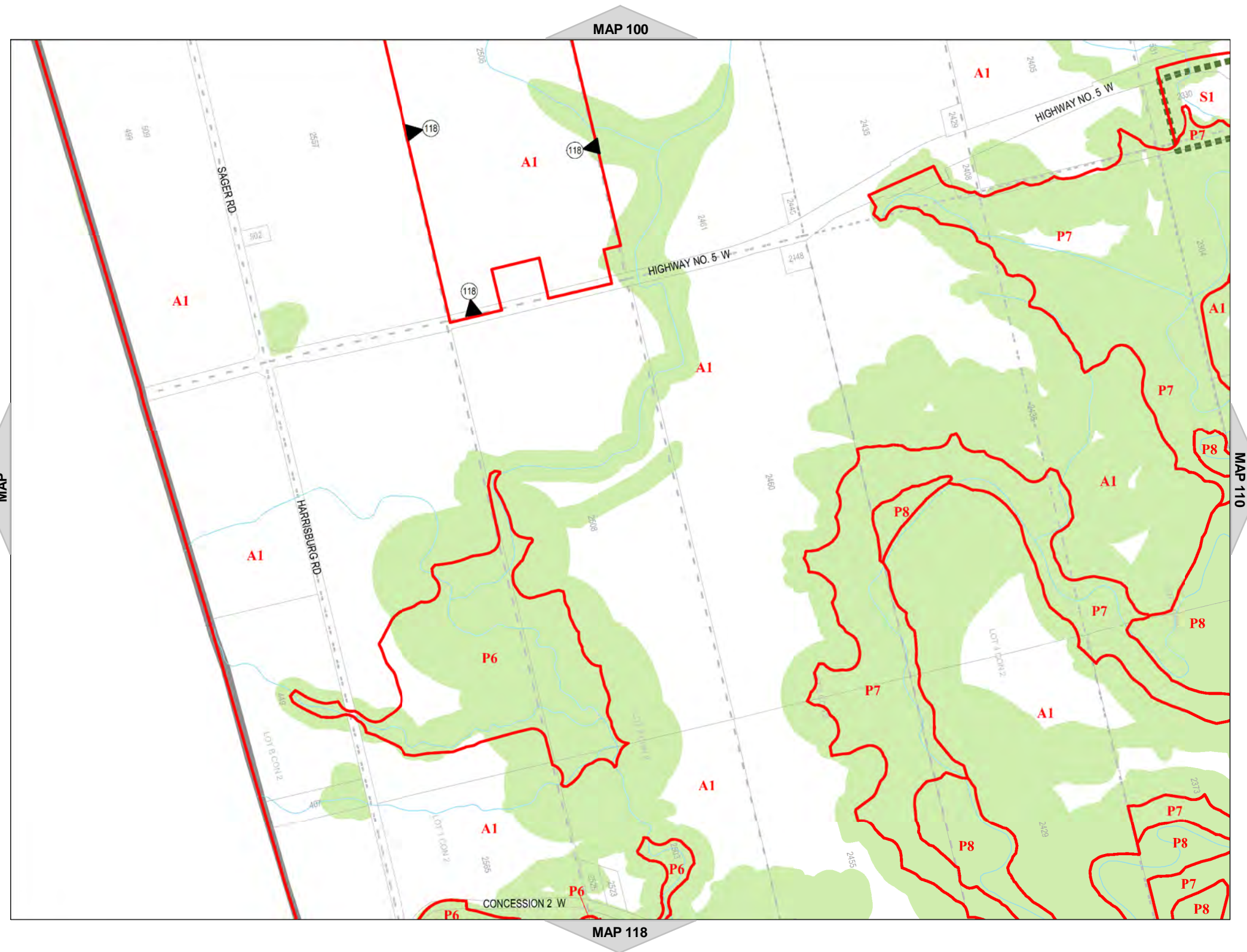
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 109 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

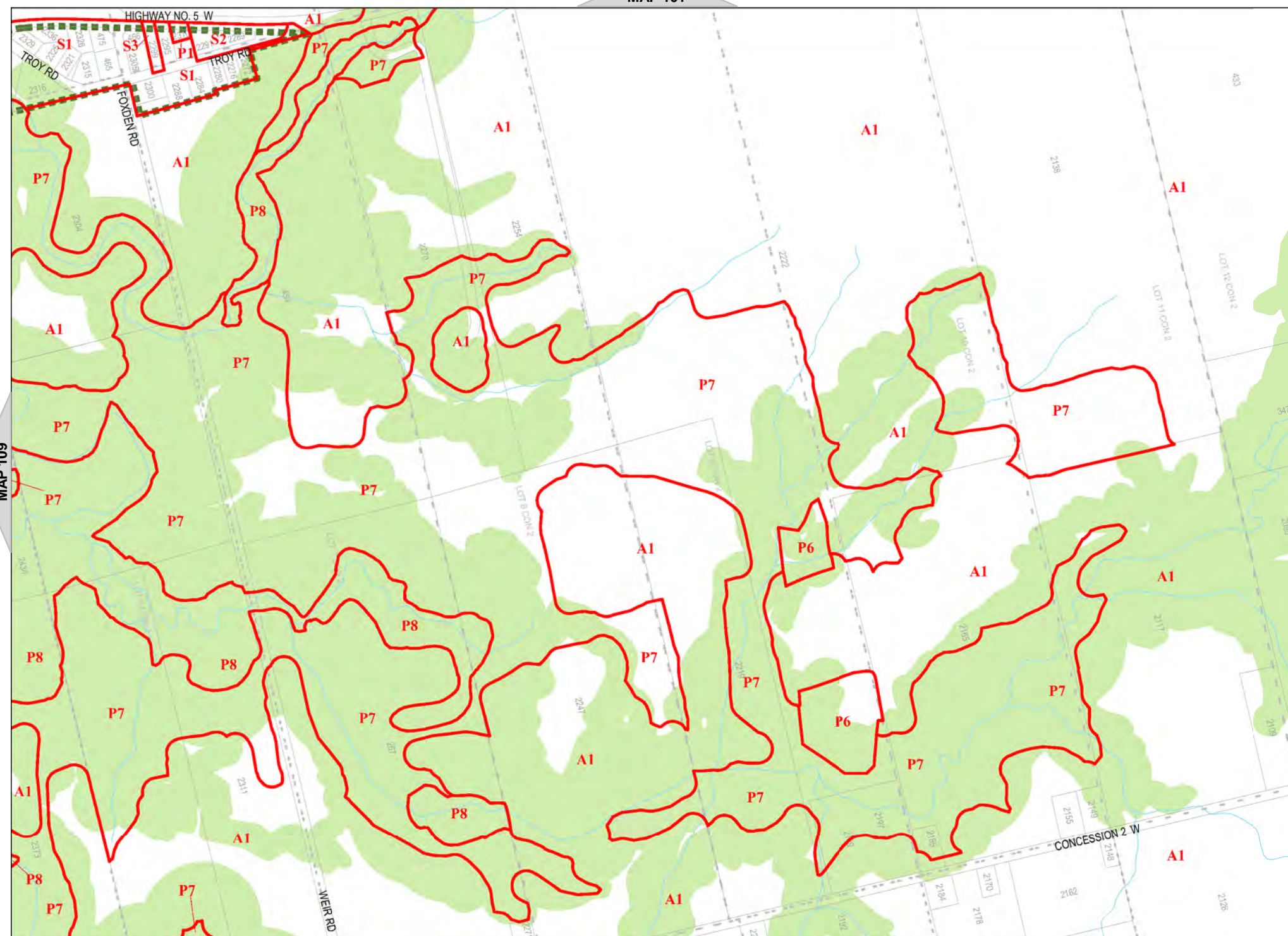
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 110 of Schedule 'A'



MAP 101

MAP 109

MAP 111

MAP 119





**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

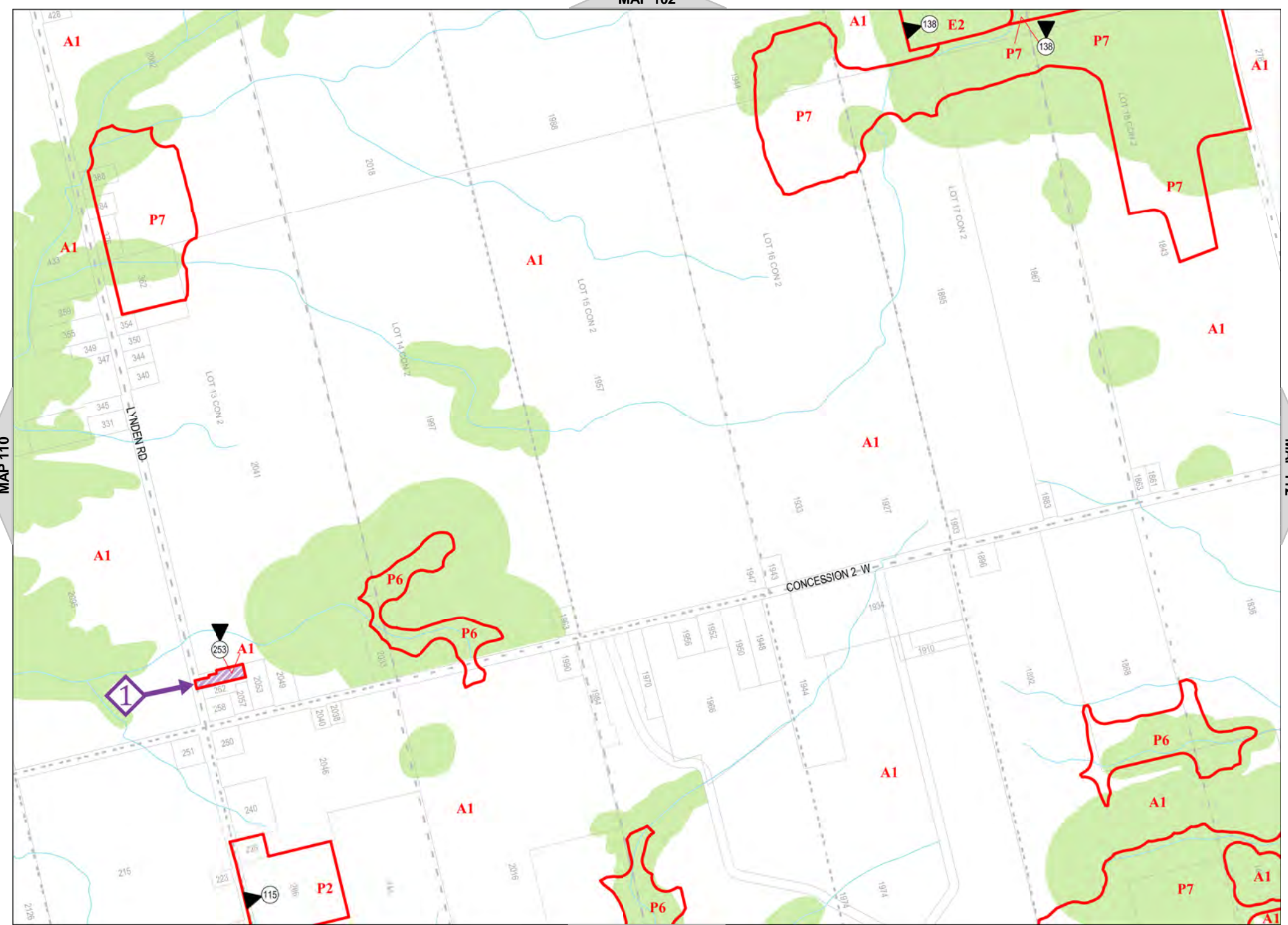
ID 1 Appellant Coalition for Rural Ontario Environmental Protection

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**MAP 111 of Schedule 'A'**







**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

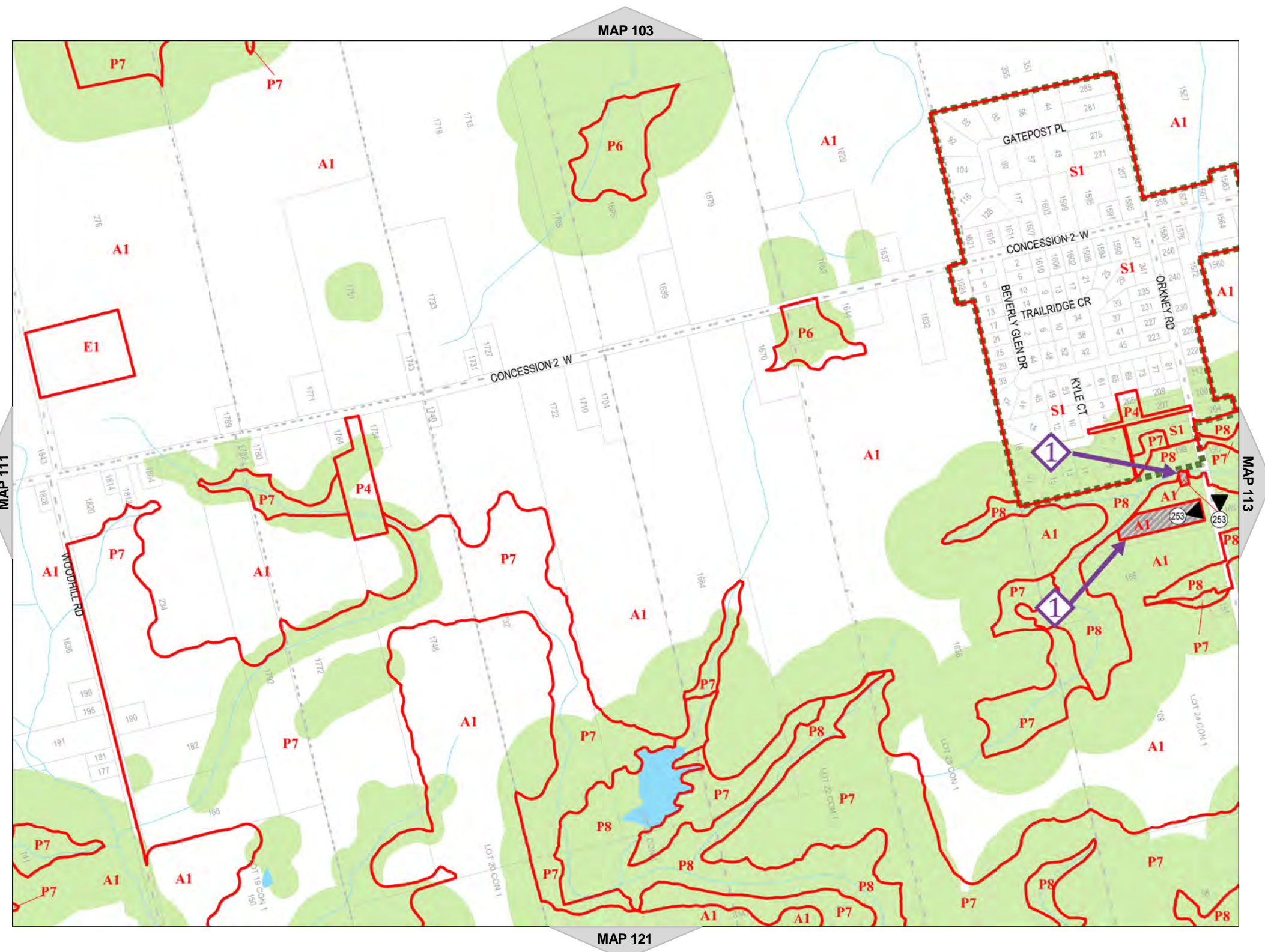
ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream




**MAP 112 of Schedule 'A'**



















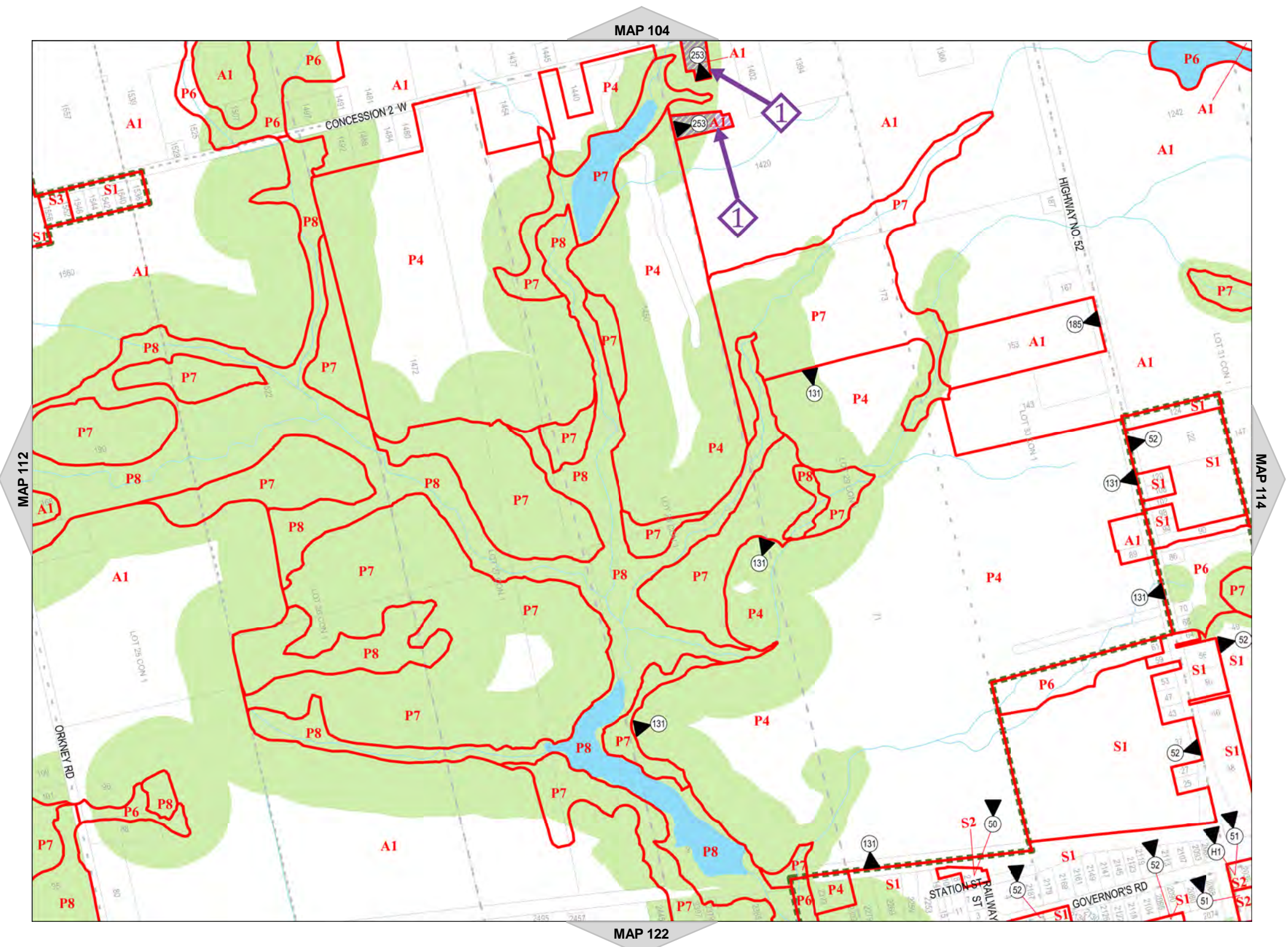
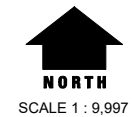
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 113 of Schedule 'A'**





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

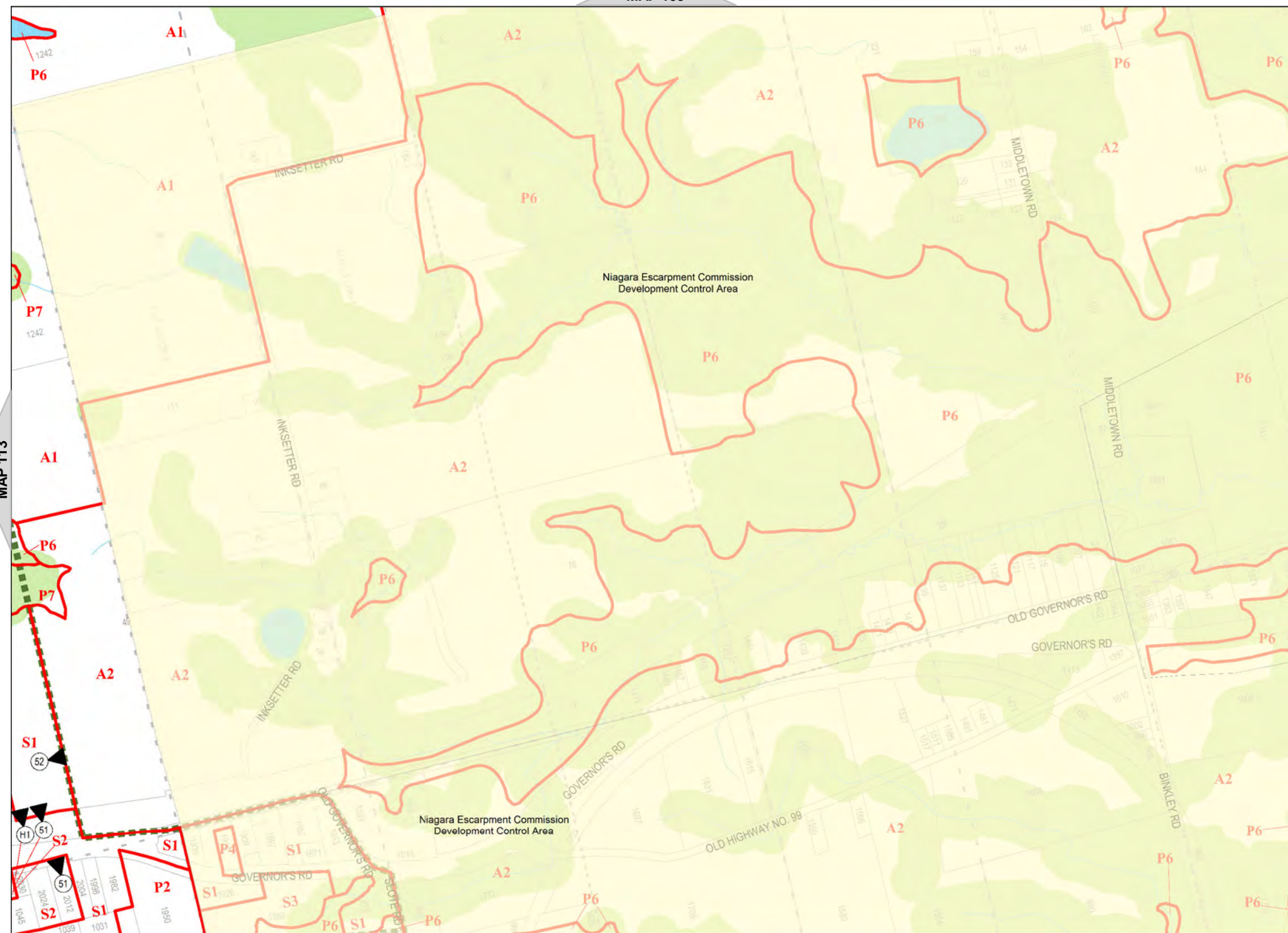
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 114 of Schedule 'A'



MAP 105

MAP 113

MAP 115

MAP 123















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

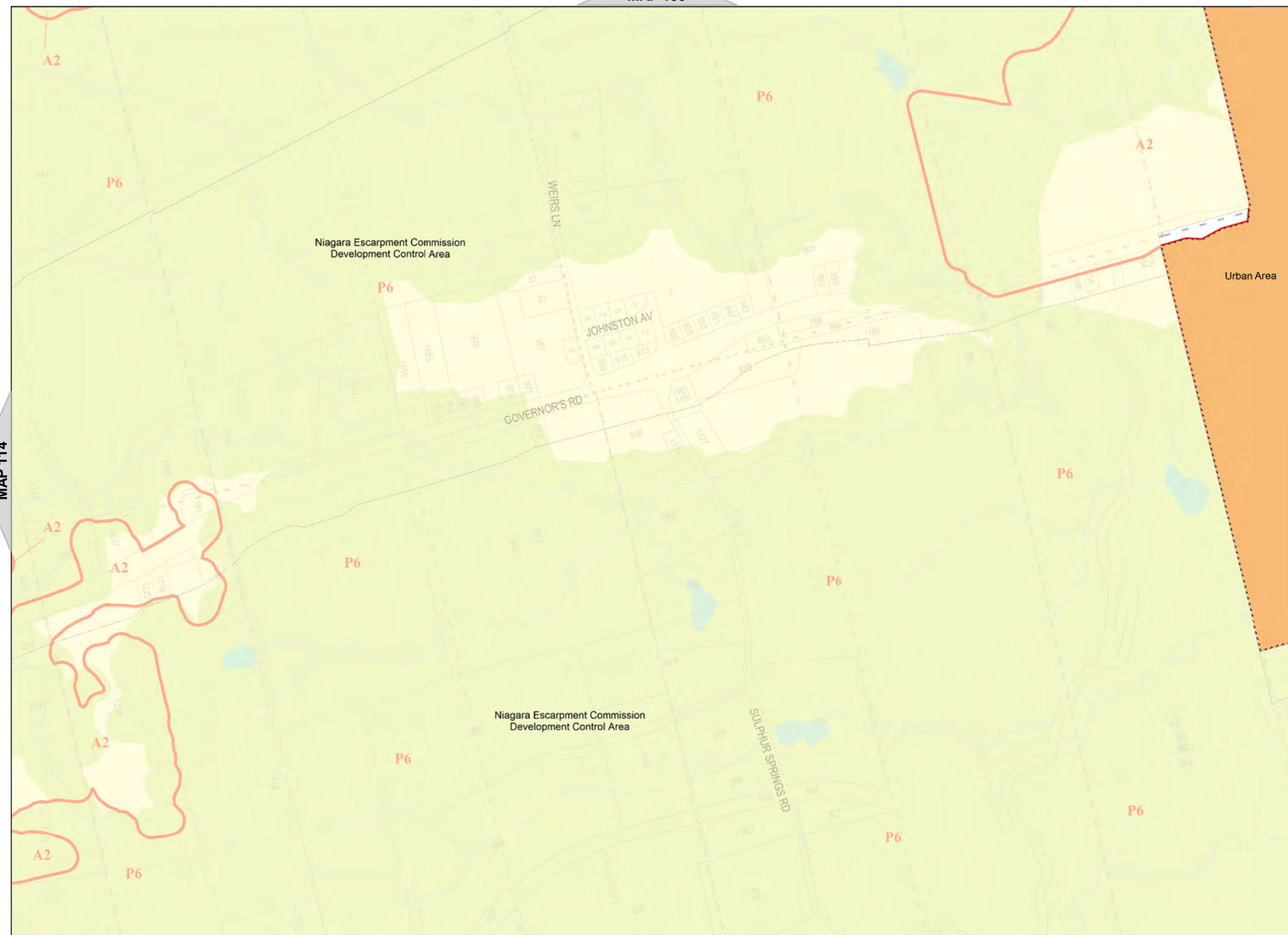
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 115 of Schedule 'A'



MAP 106

MAP 114

MAP 116

MAP 124





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

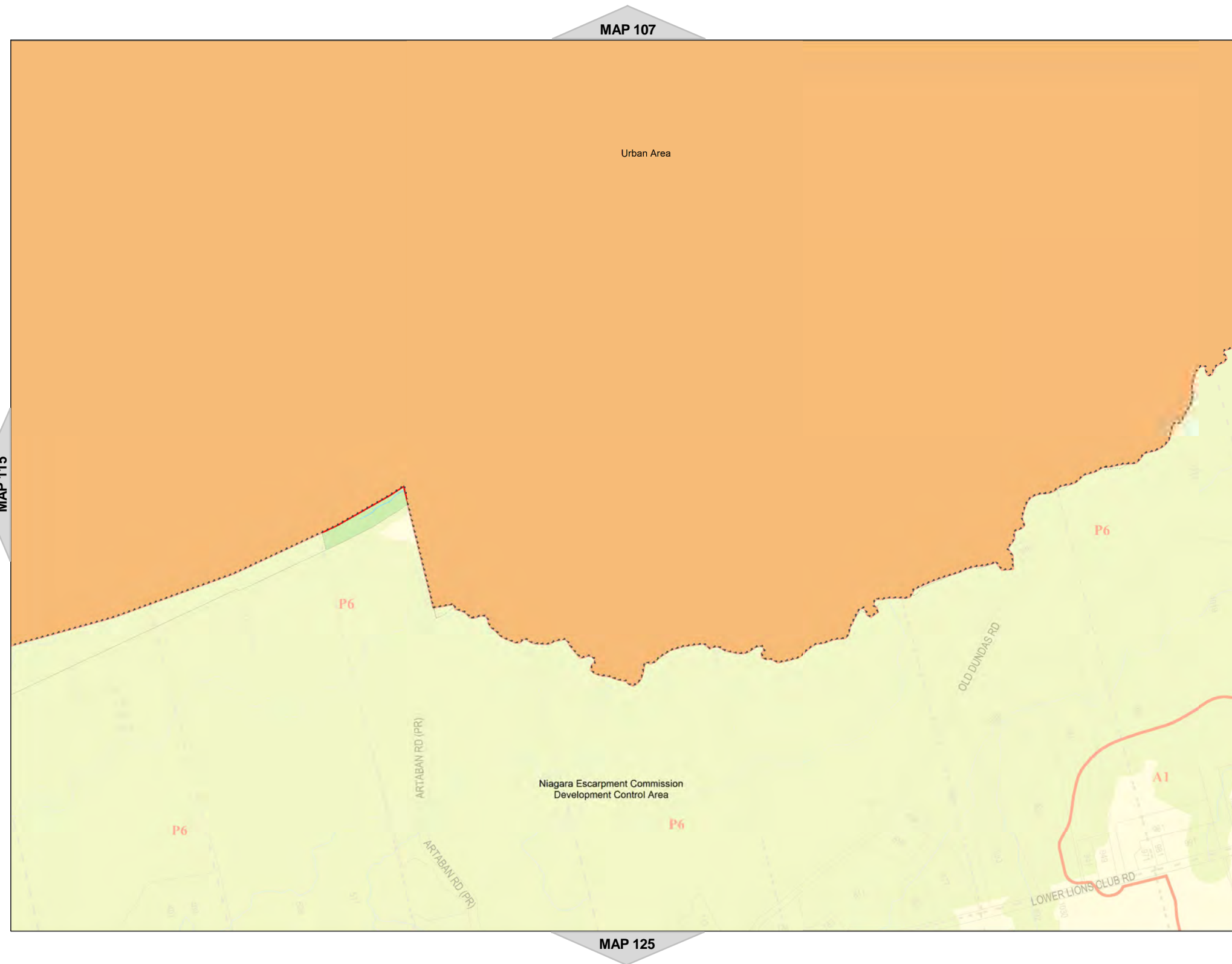
- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH

SCALE 1 : 10,000

MAP 116 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

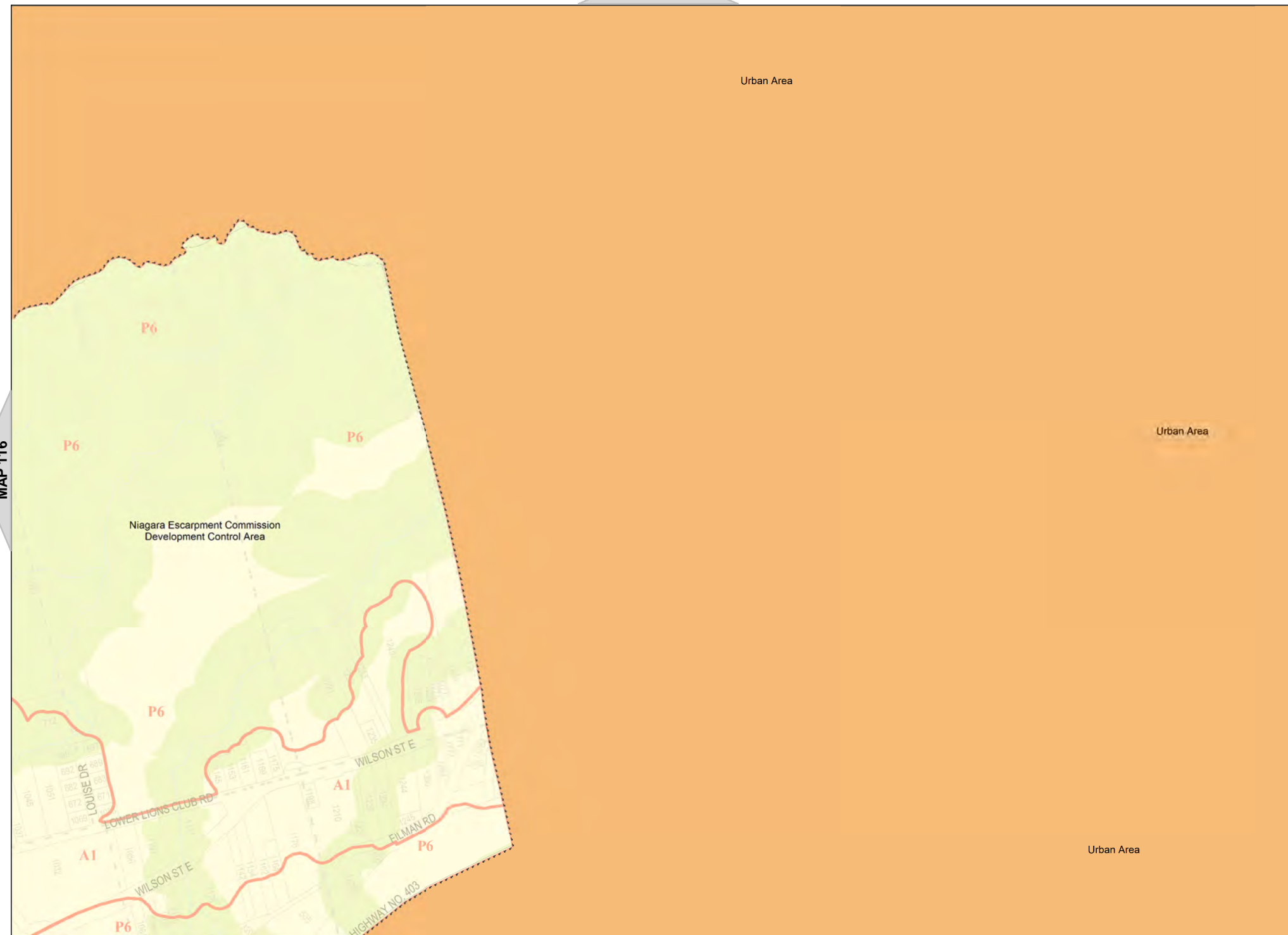
MAP 117 of Schedule 'A'

MAP 108

MAP 116

MAP

MAP 126

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

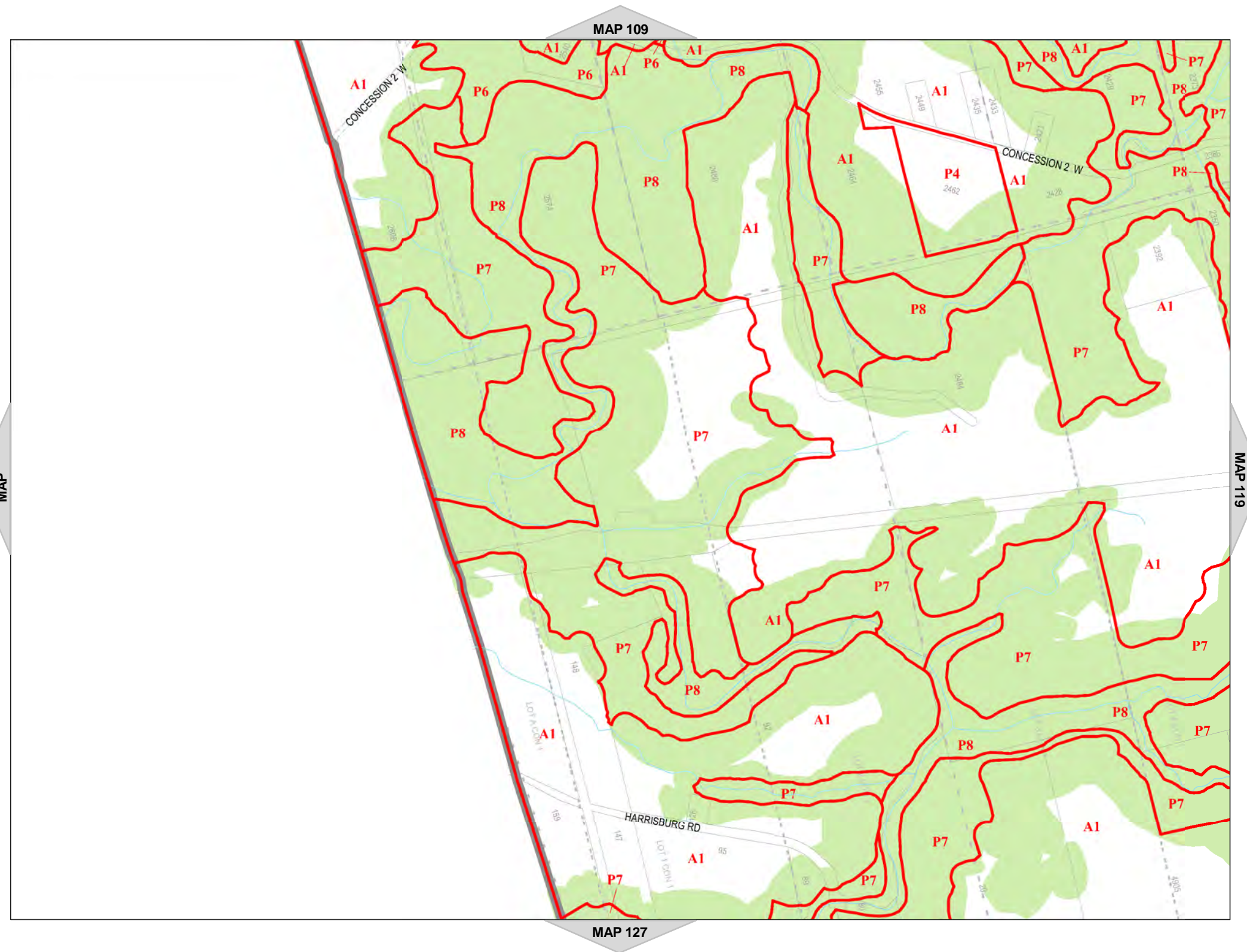
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 118 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

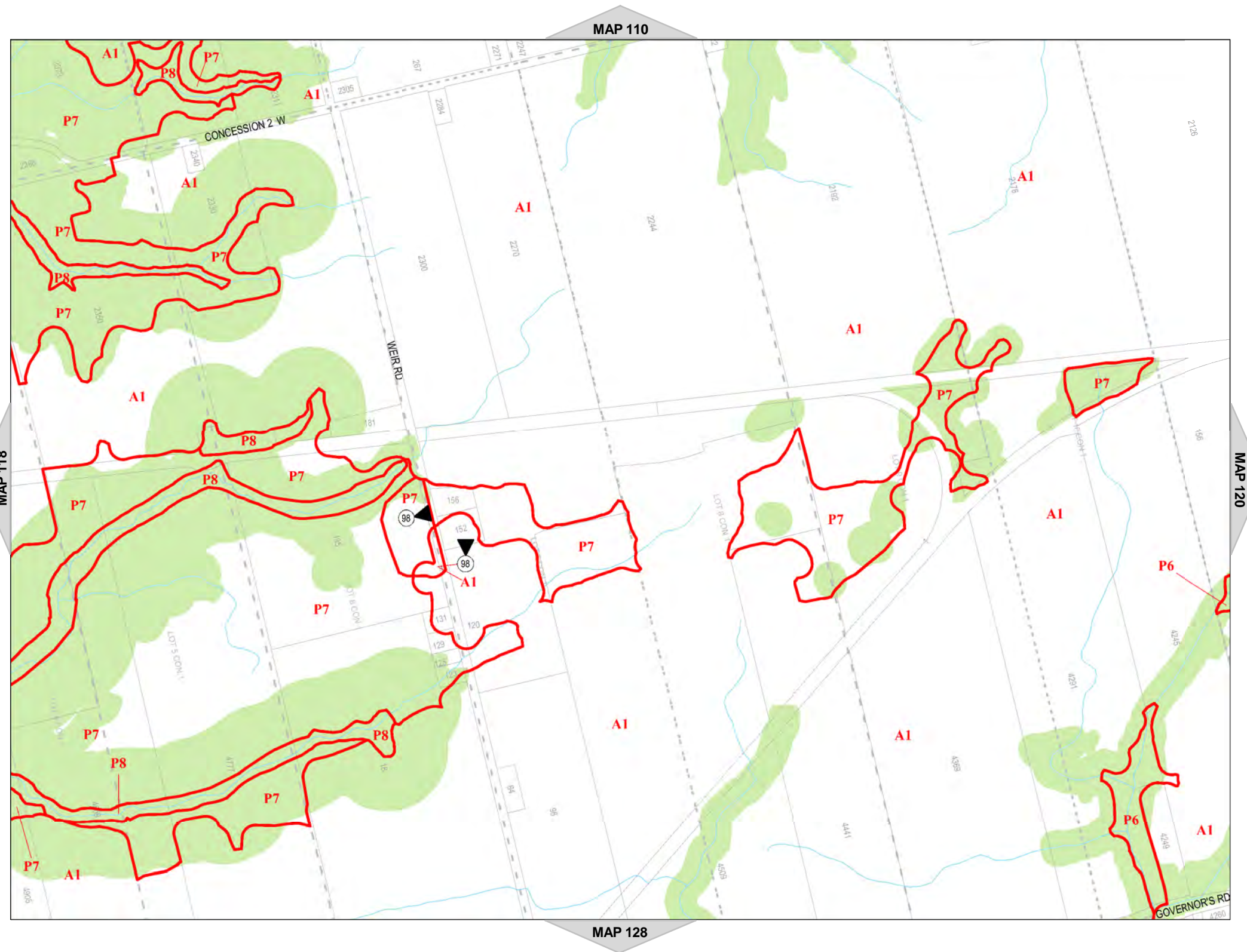
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 119 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

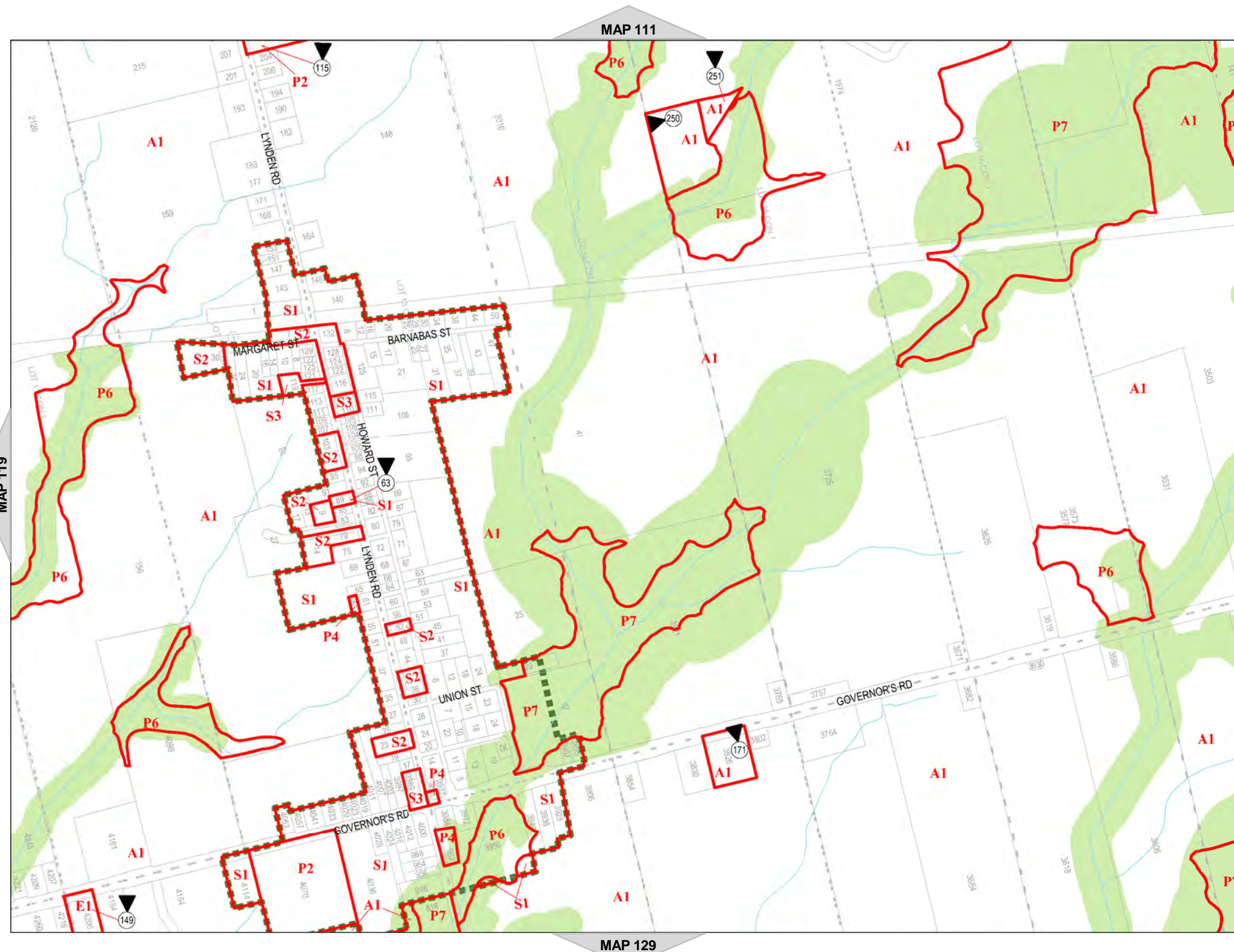
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 120 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

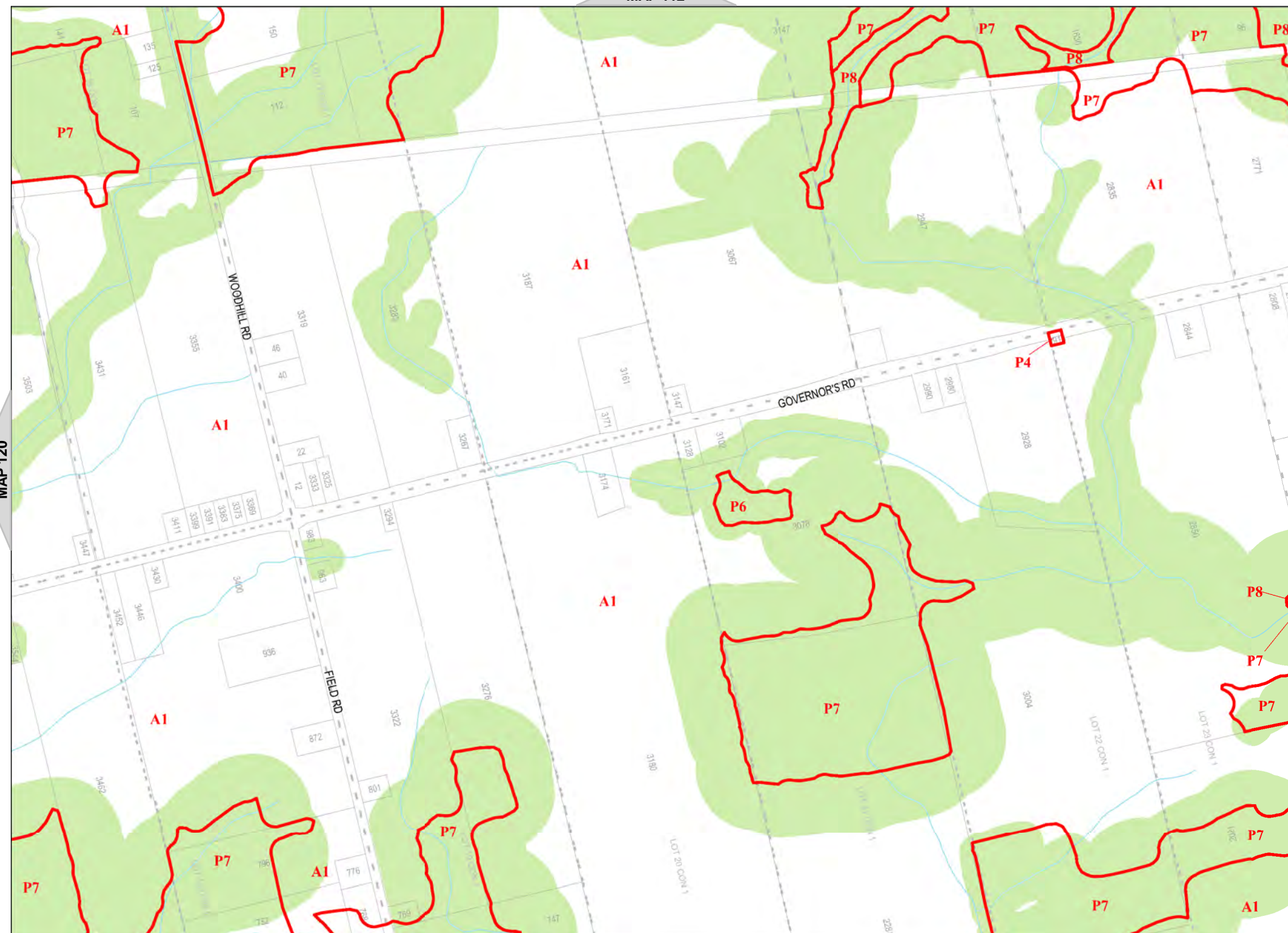
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 121 of Schedule 'A'



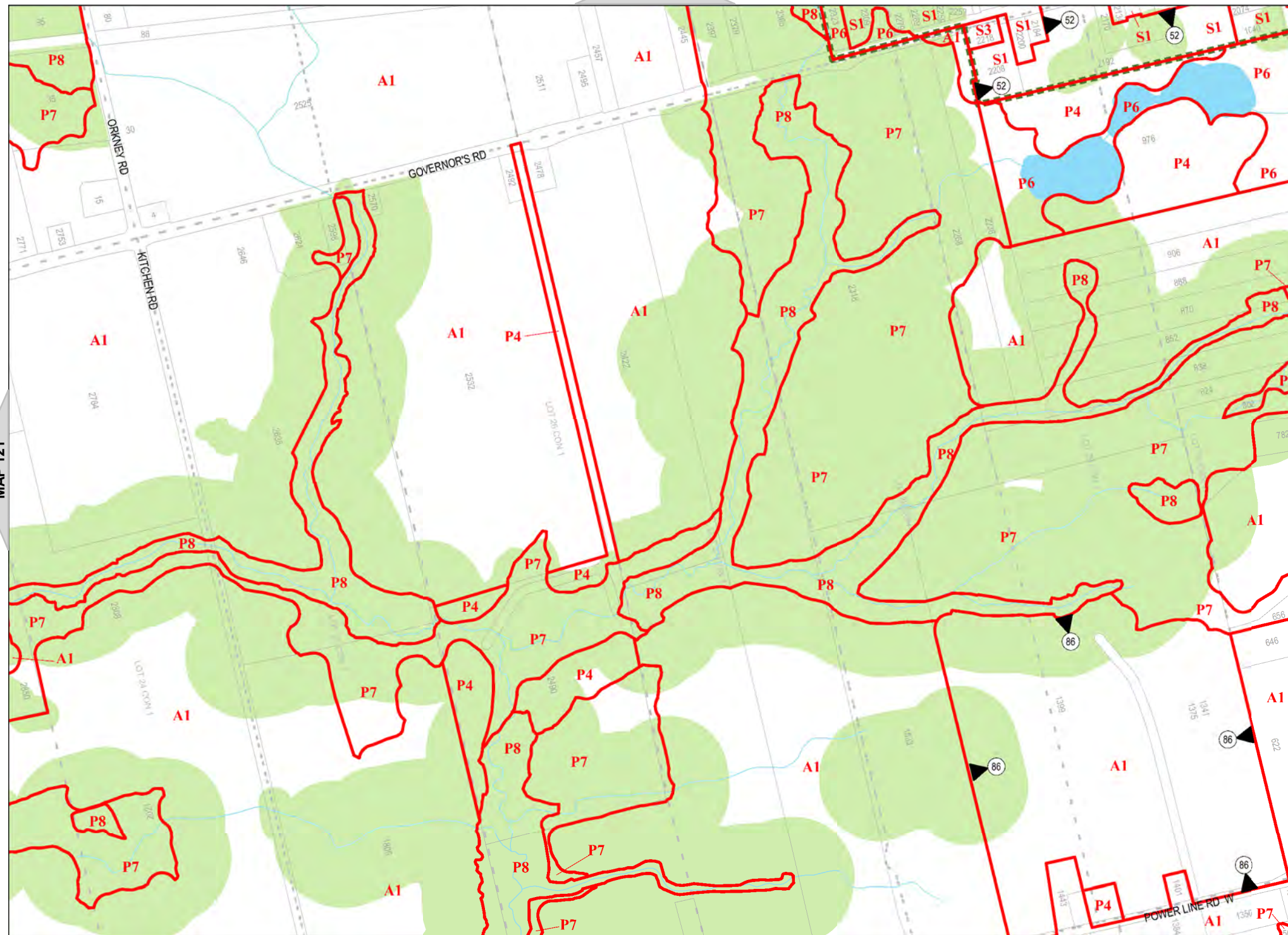
MAP 130





Hamilton

City of Hamilton  
Zoning By-Law 05-200



Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



MAP 122 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

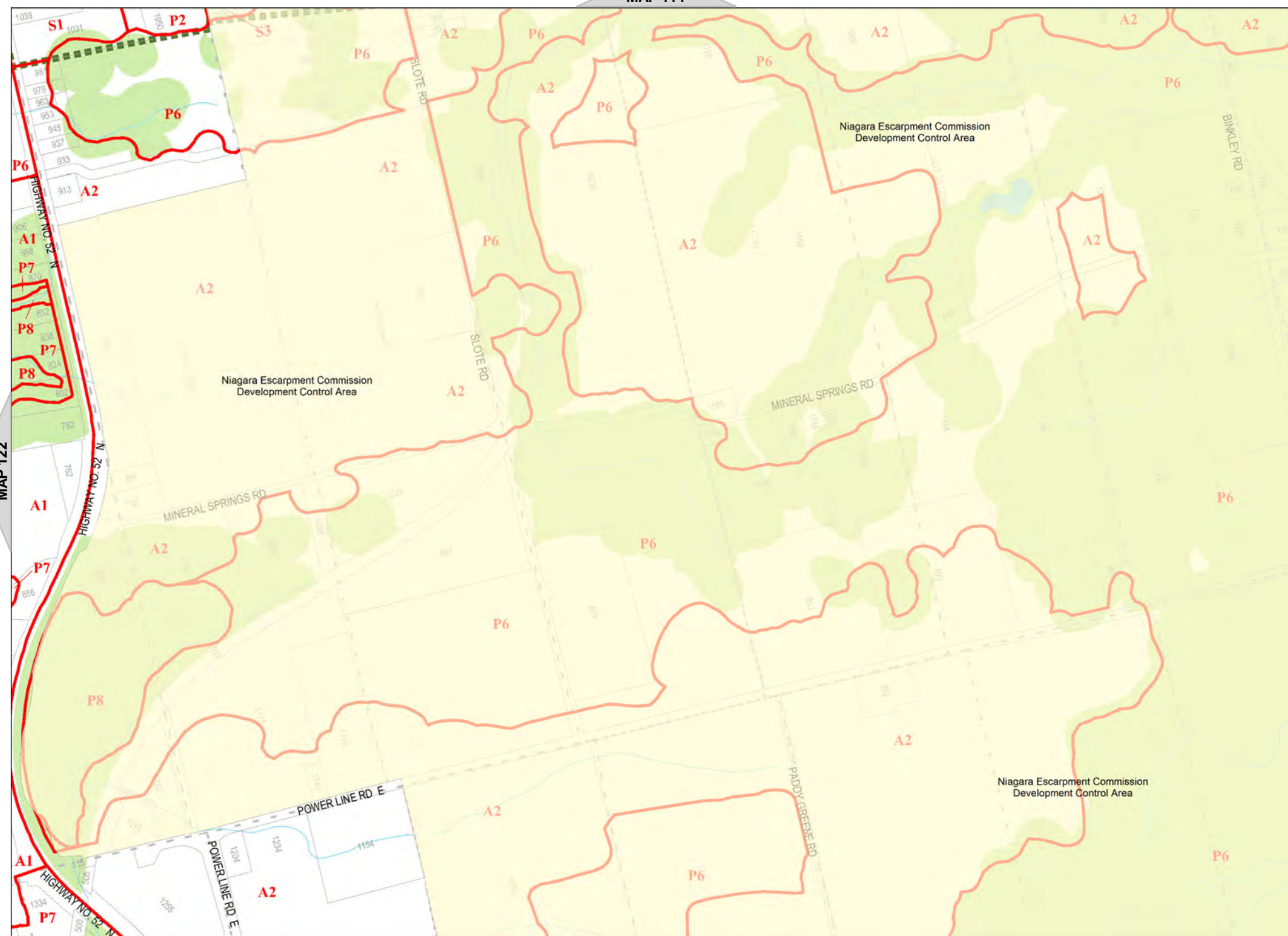
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 123 of Schedule 'A'





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

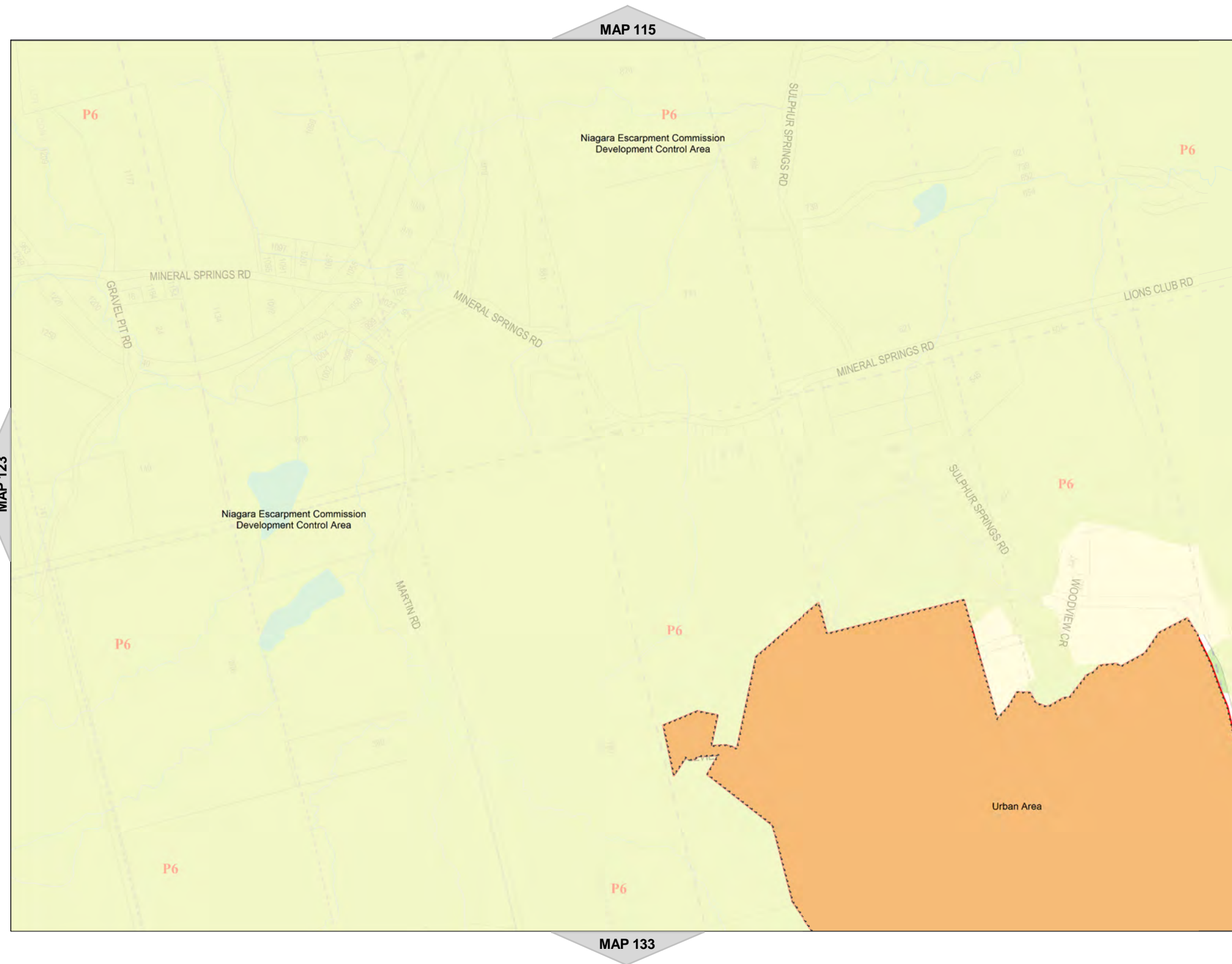
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 124 of Schedule 'A'



MAP 115

MAP 123

MAP 125

MAP 133

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

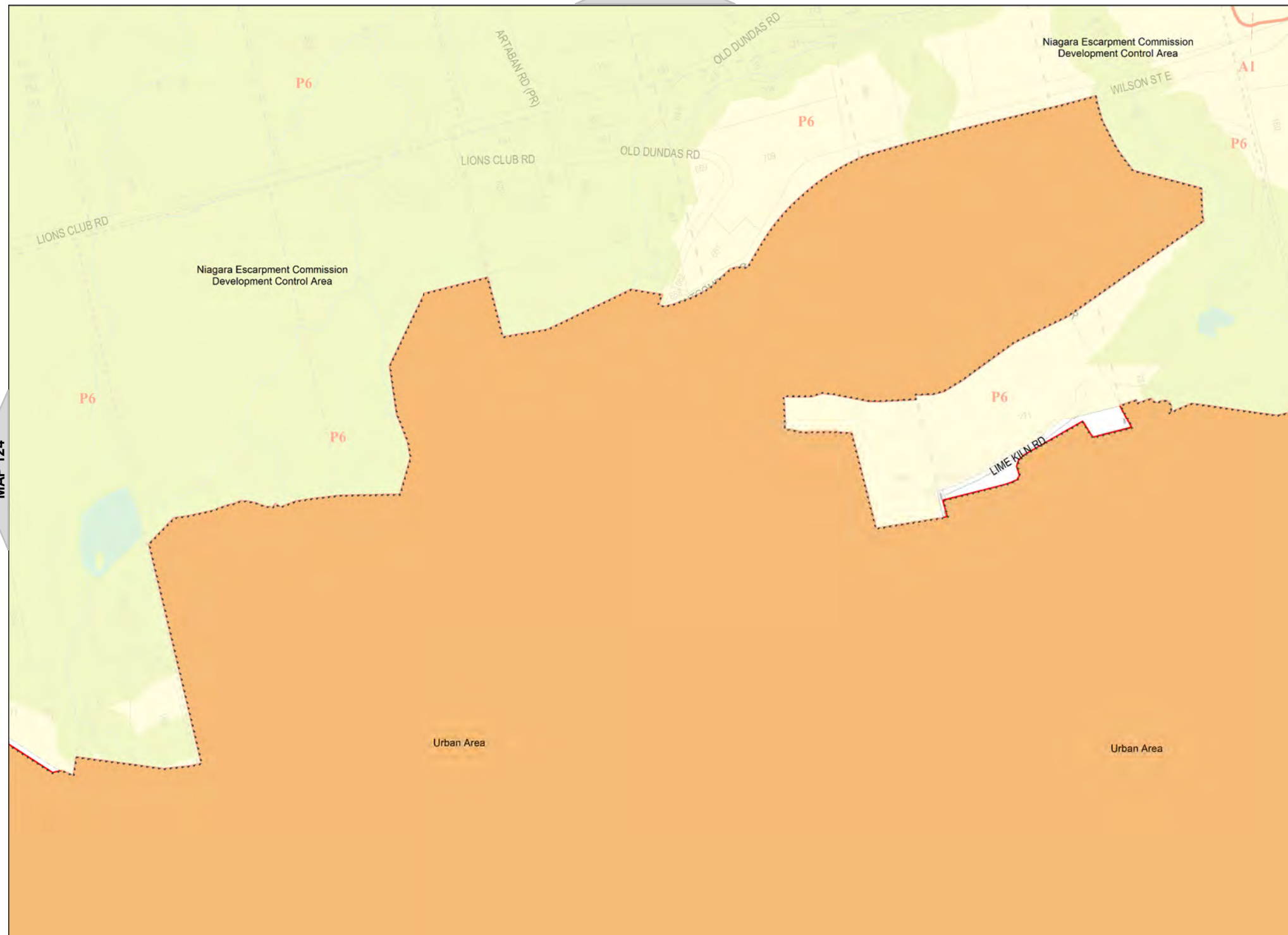
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 125 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

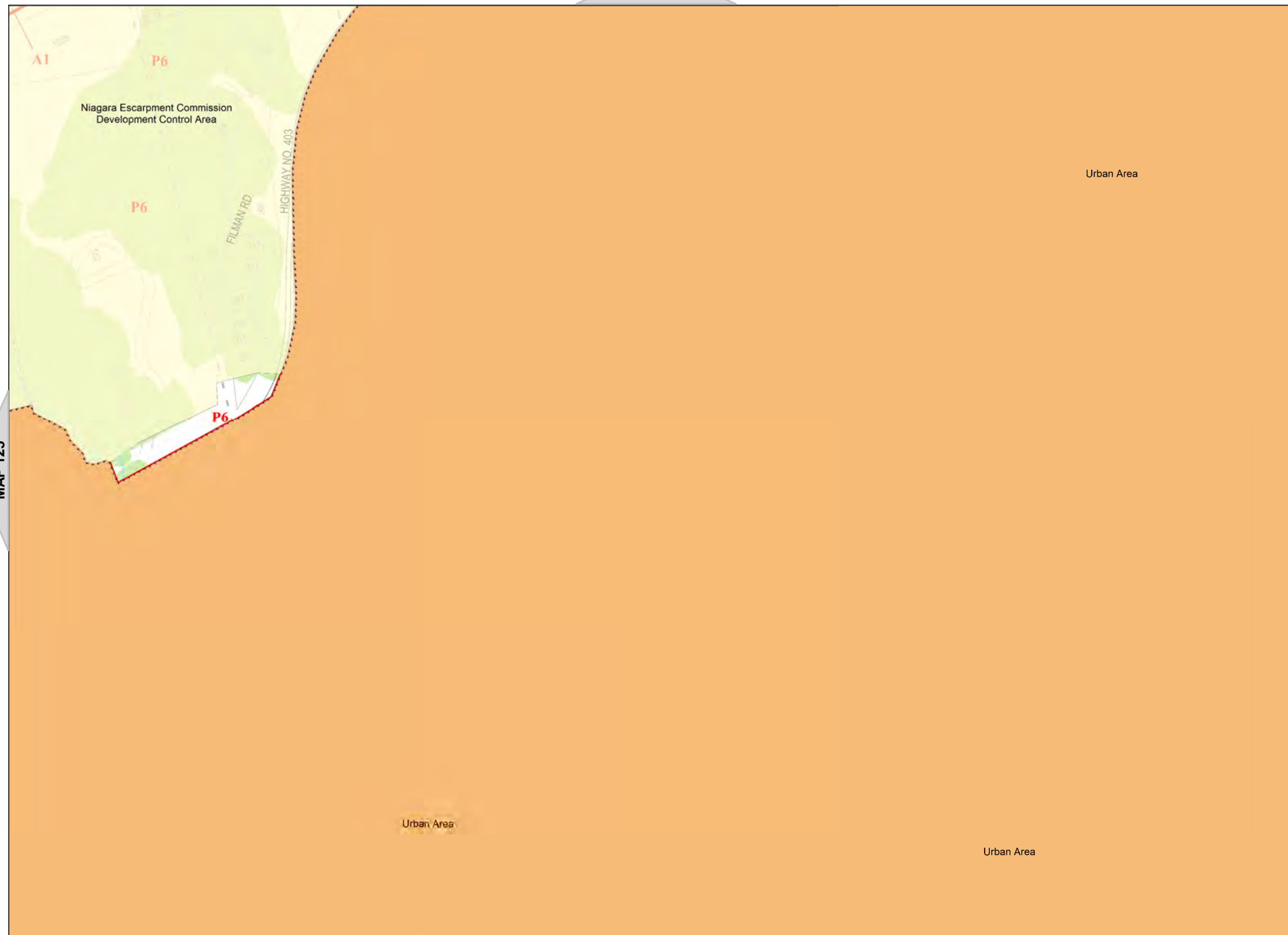
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 126 of Schedule 'A'



MAP 117

MAP 125

MAP 126

MAP 135















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

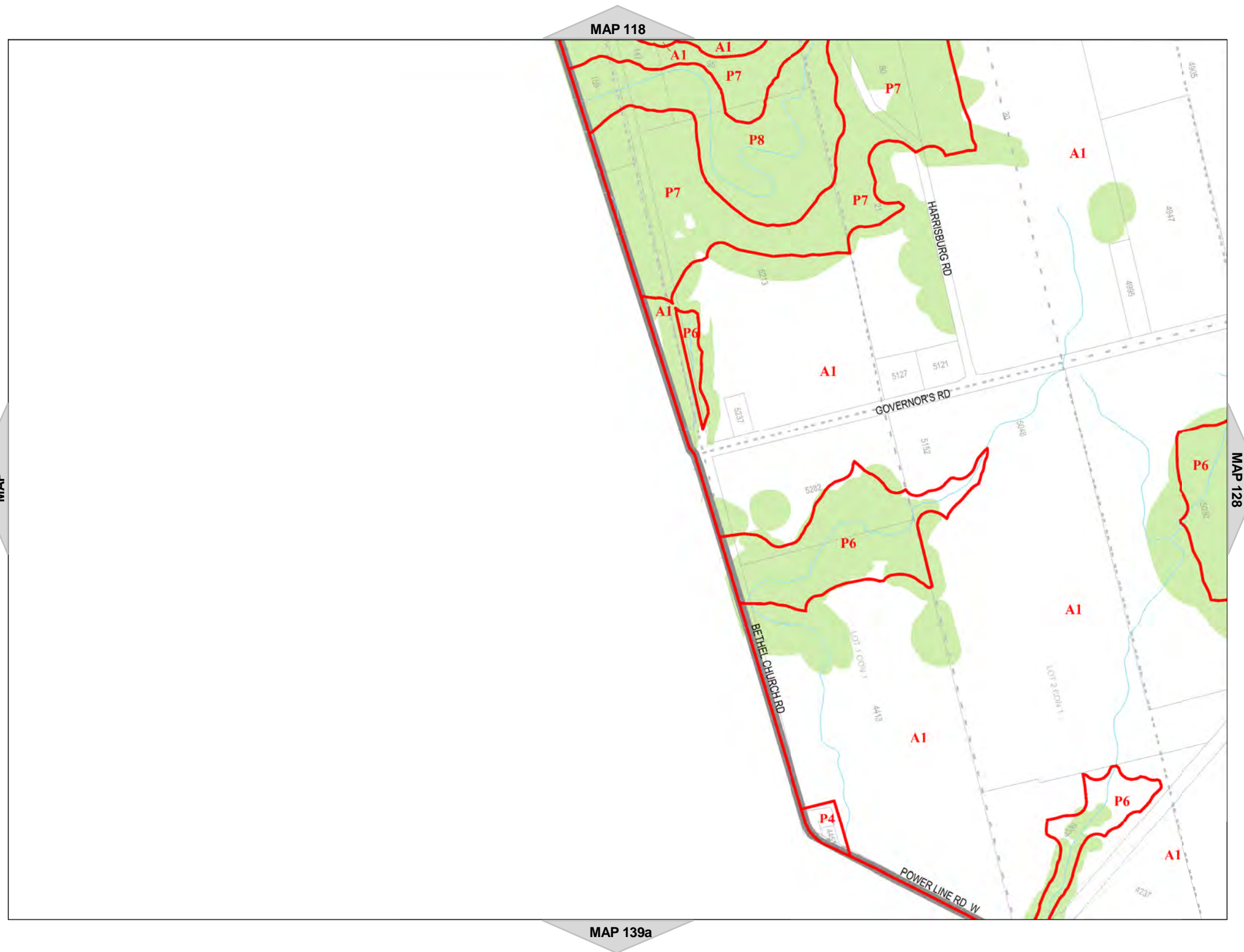
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 127 of Schedule 'A'



MAP

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

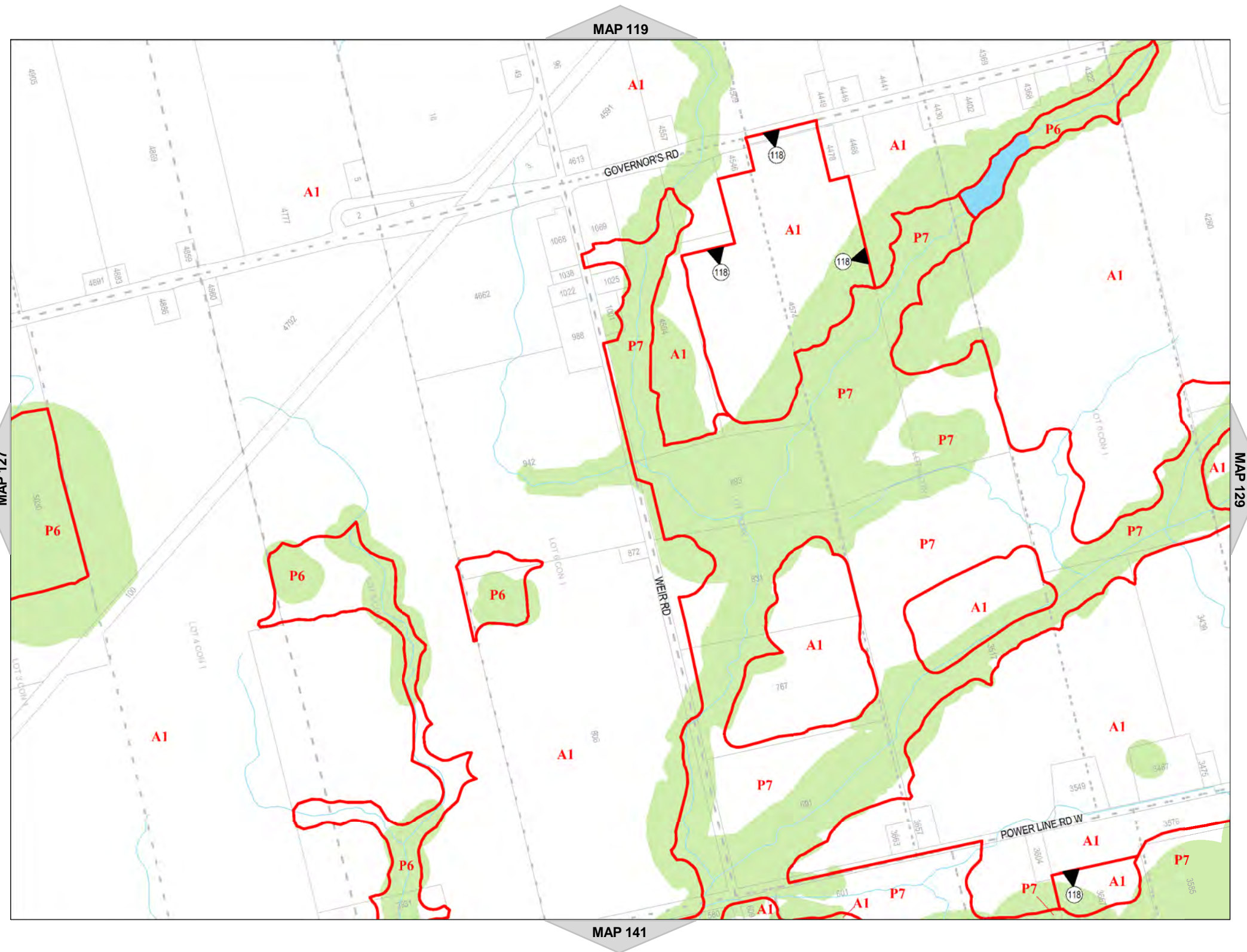
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 128 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

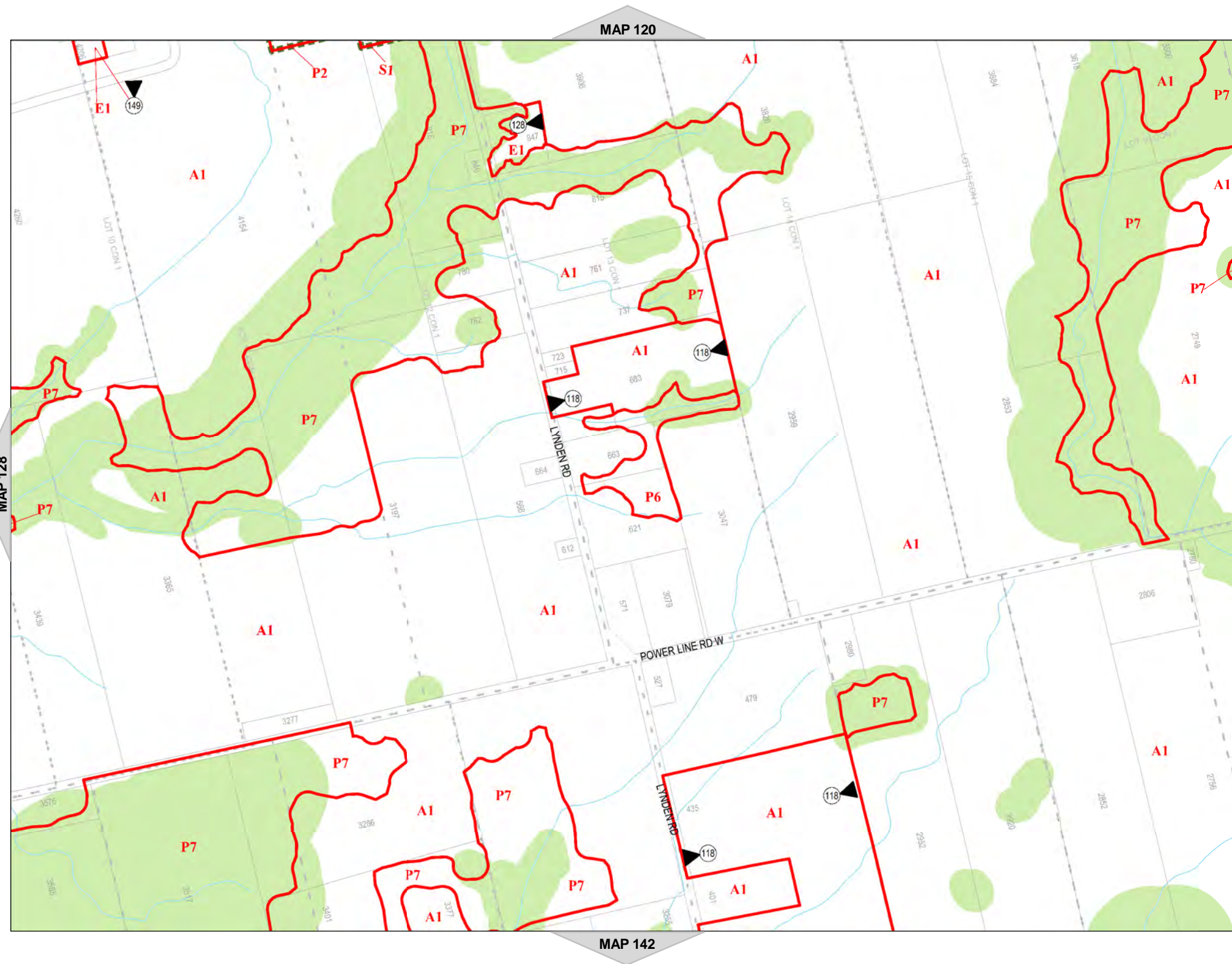
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 129 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

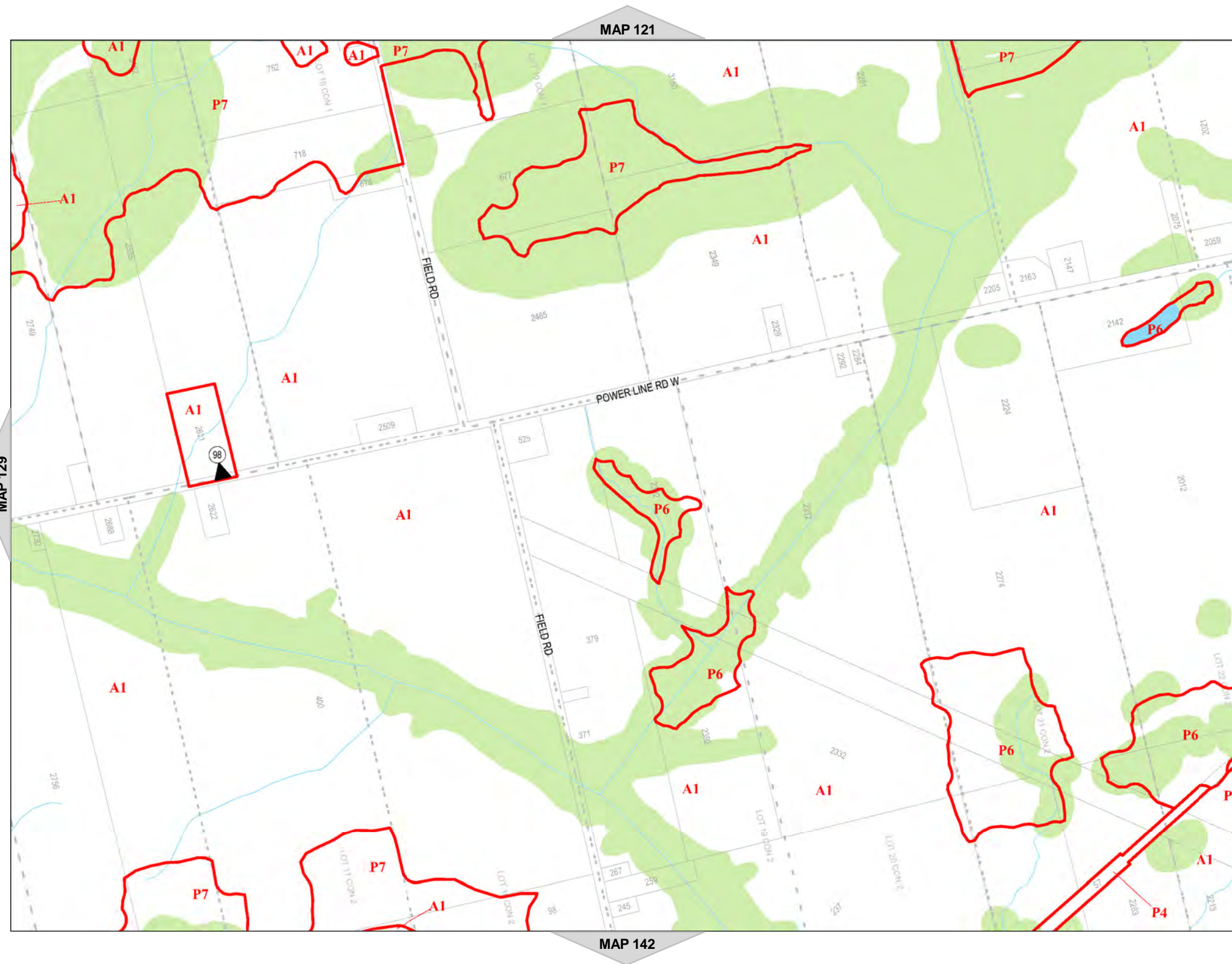
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000


MAP 130 of Schedule 'A'



















**Hamilton**  
**City of Hamilton**  
**Zoning By-Law 05-200**

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

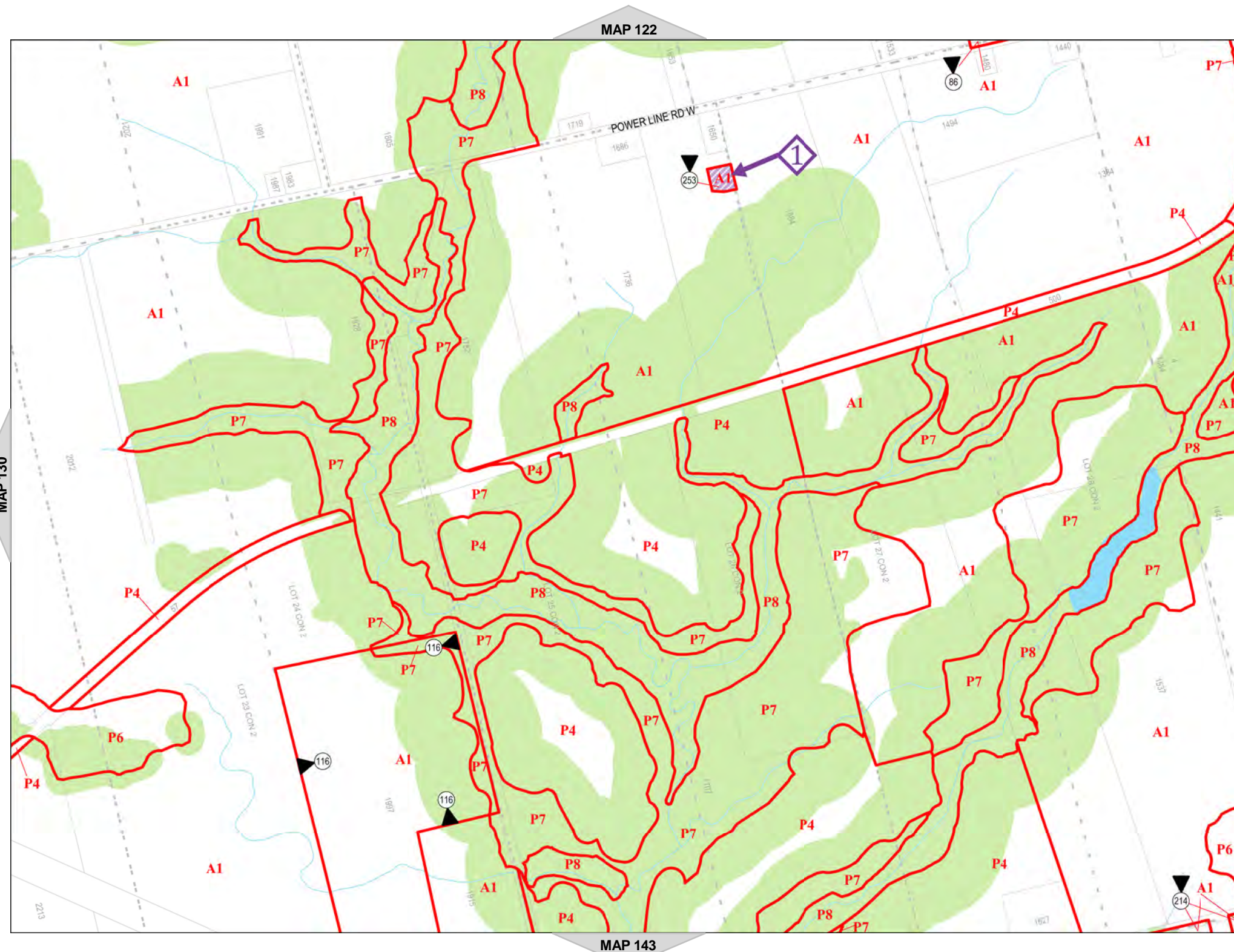
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
 SCALE 1 : 9,997


**MAP 131 of Schedule 'A'**



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

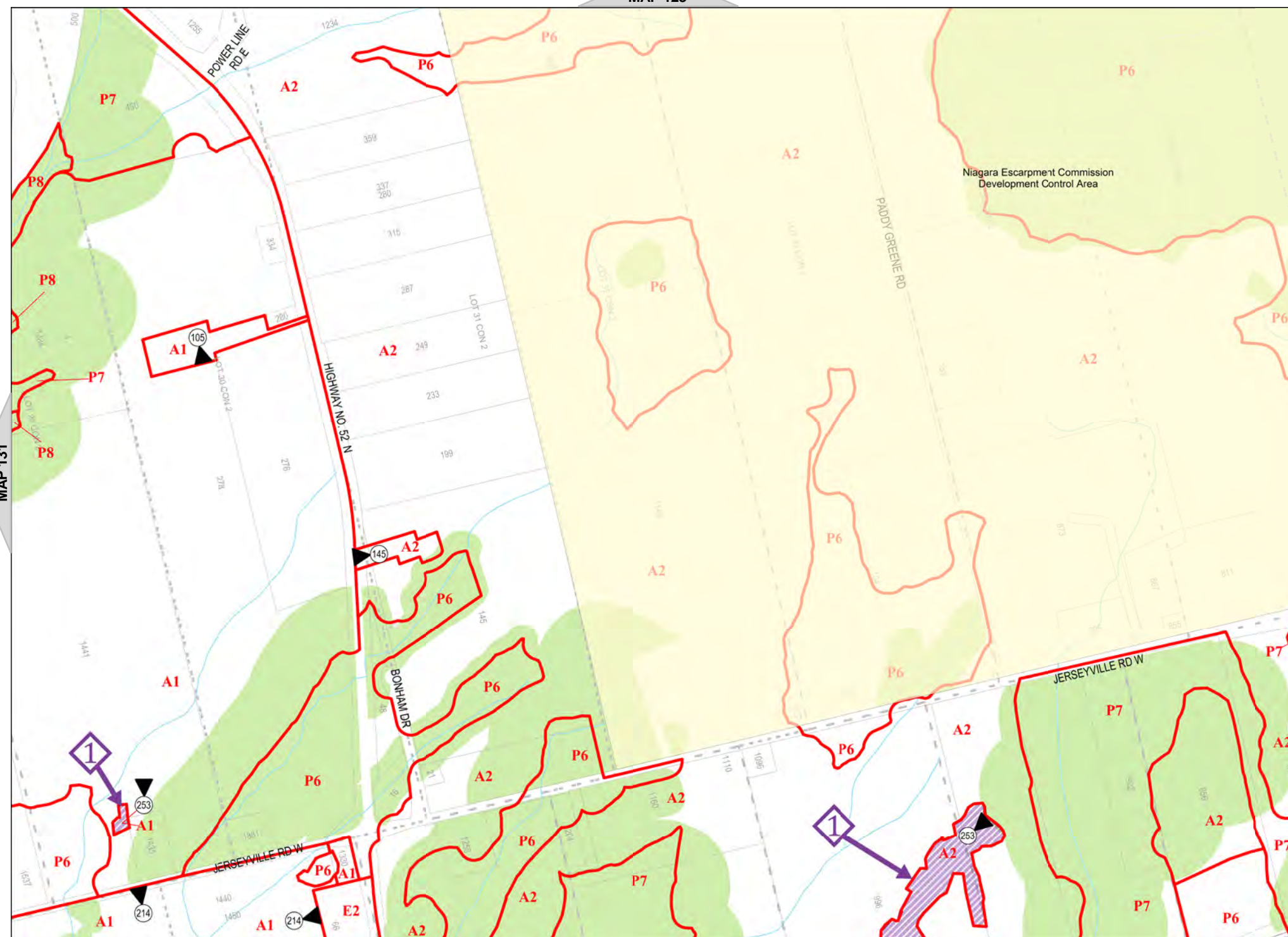
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 132 of Schedule 'A'**



MAP 123

MAP 145

MAP 131

MAP 133





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

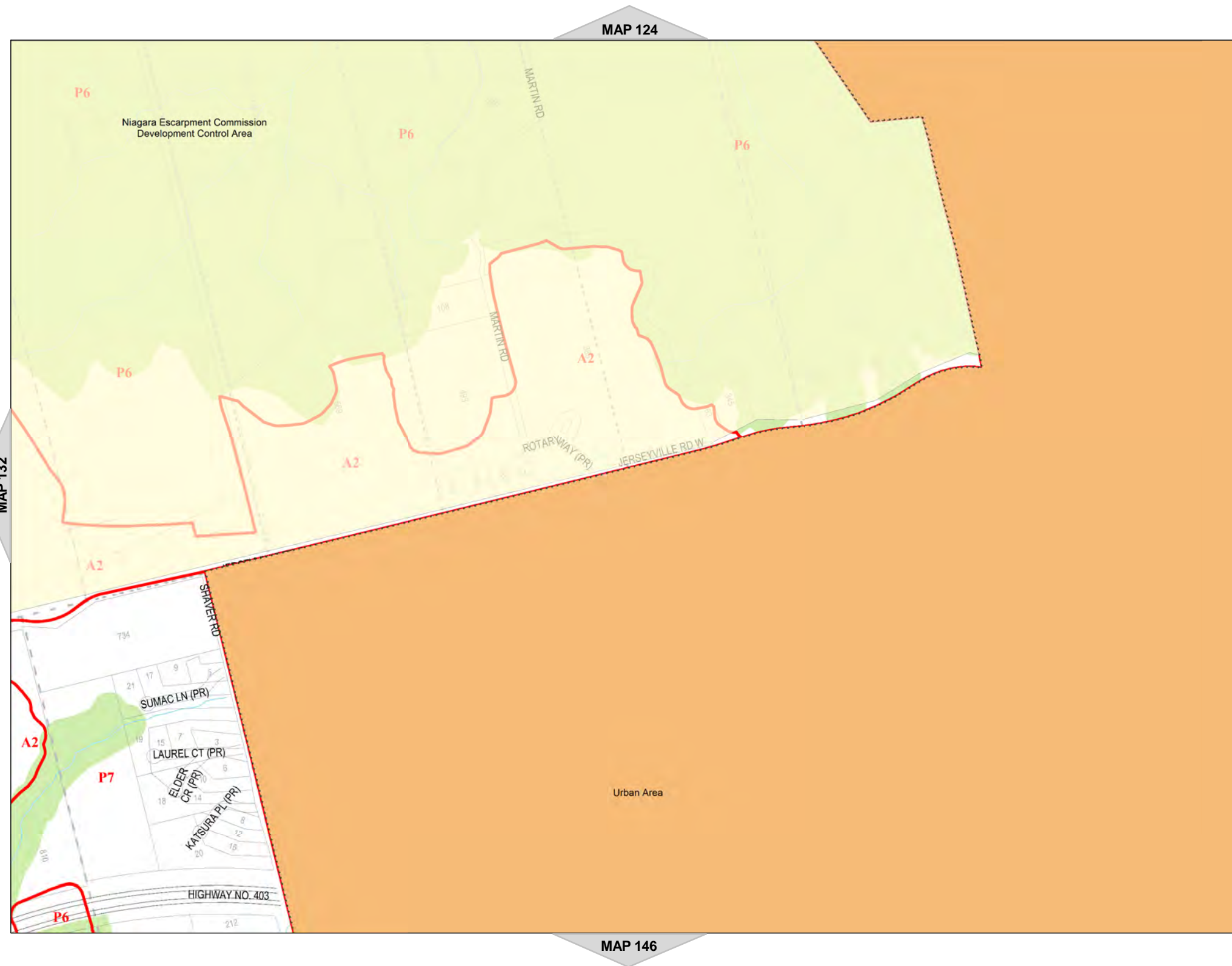
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 133 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

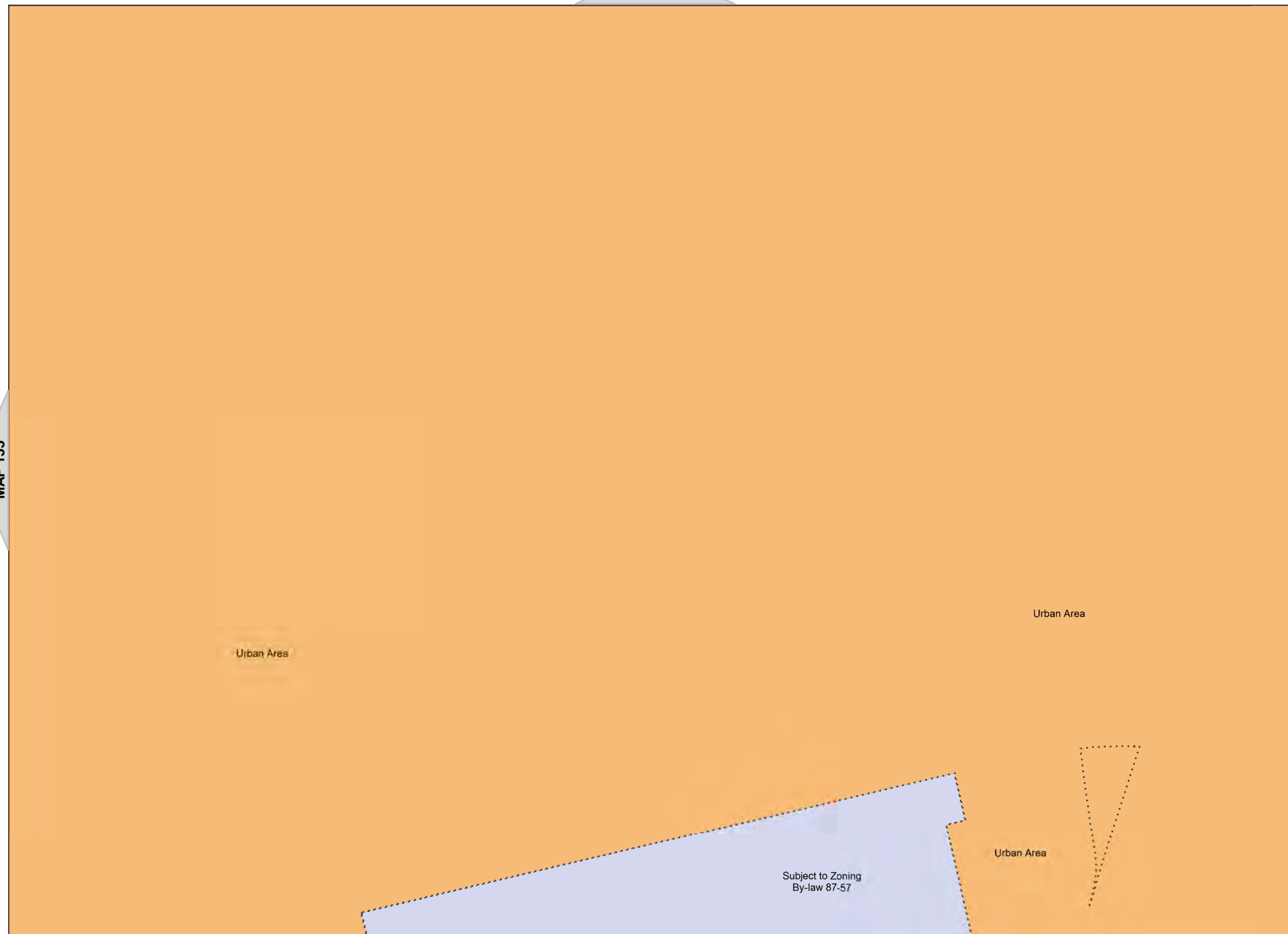
SCALE 1 : 10,000

MAP 134 of Schedule 'A'

MAP 126

MAP 133

MAP



MAP 147



Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

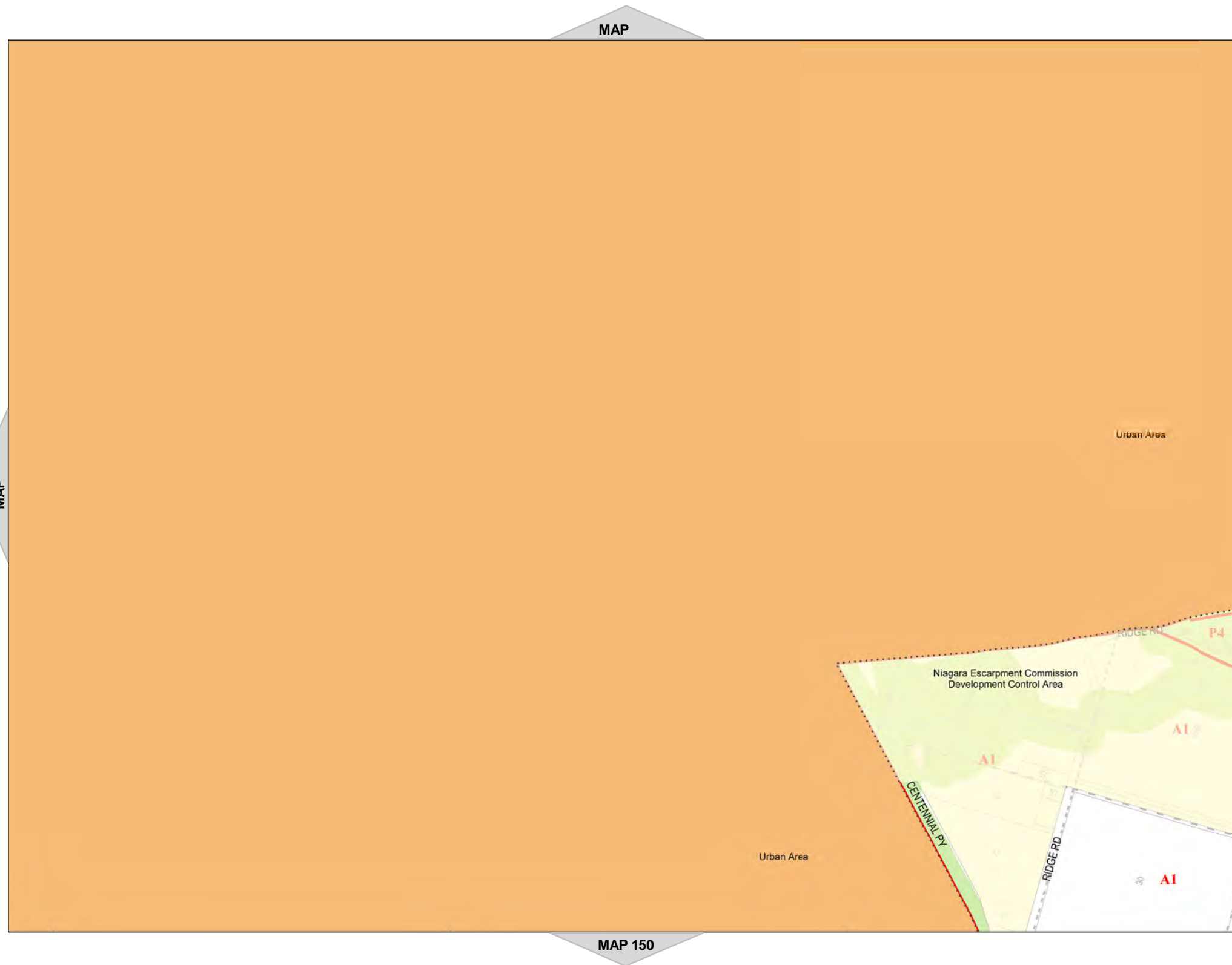
- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH

SCALE 1 : 10,000

MAP 135 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

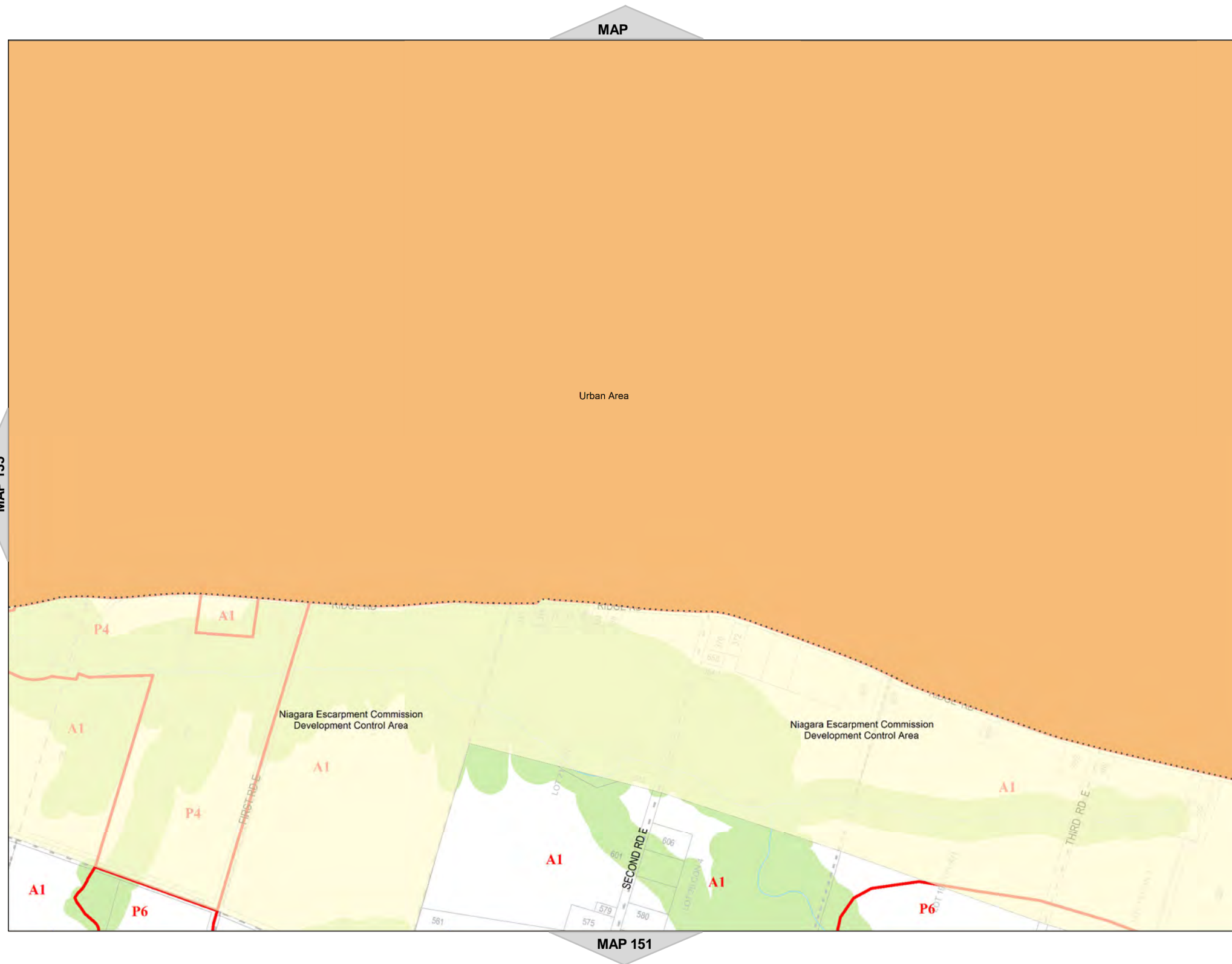
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 136 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

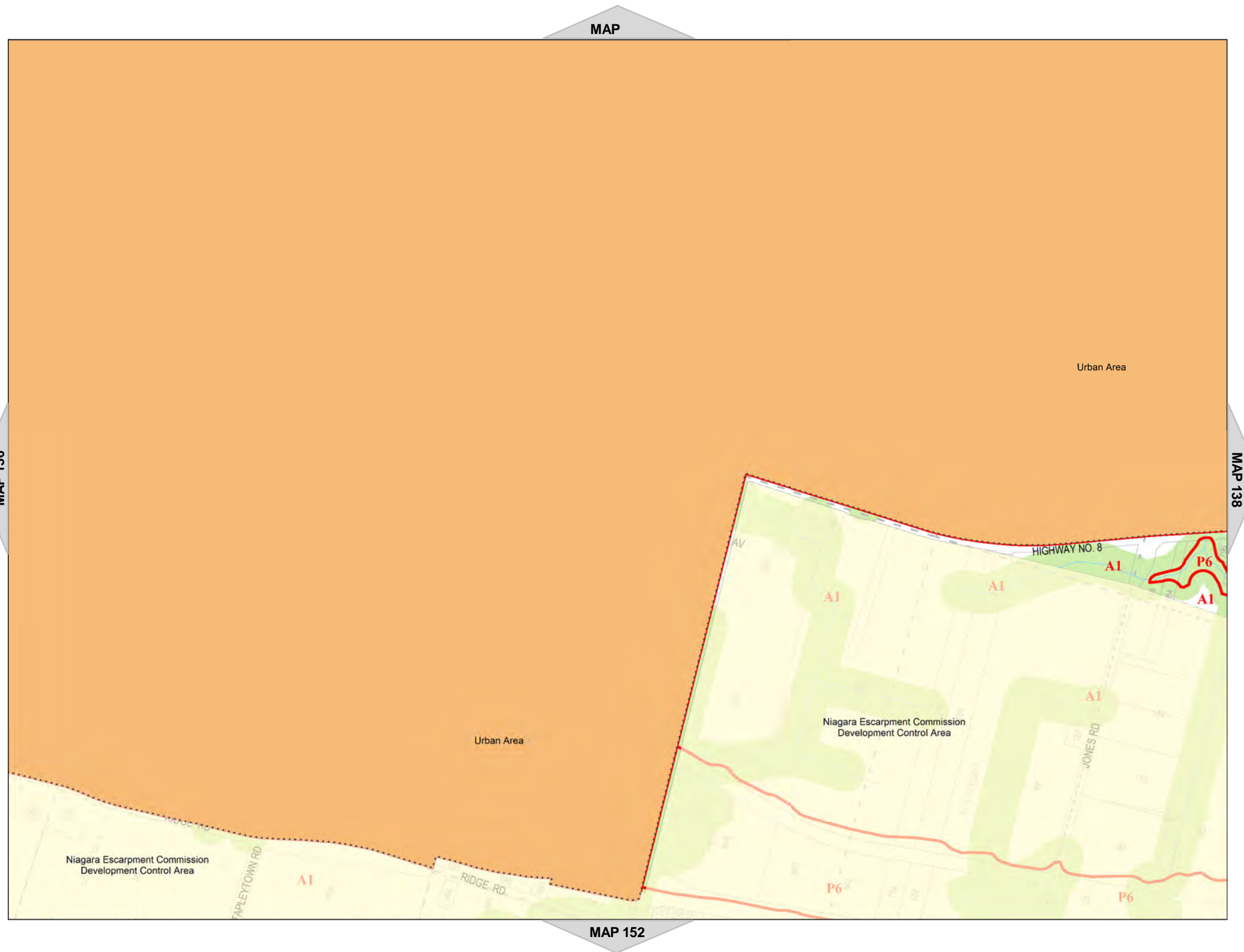
- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH

SCALE 1 : 10,000

MAP 137 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

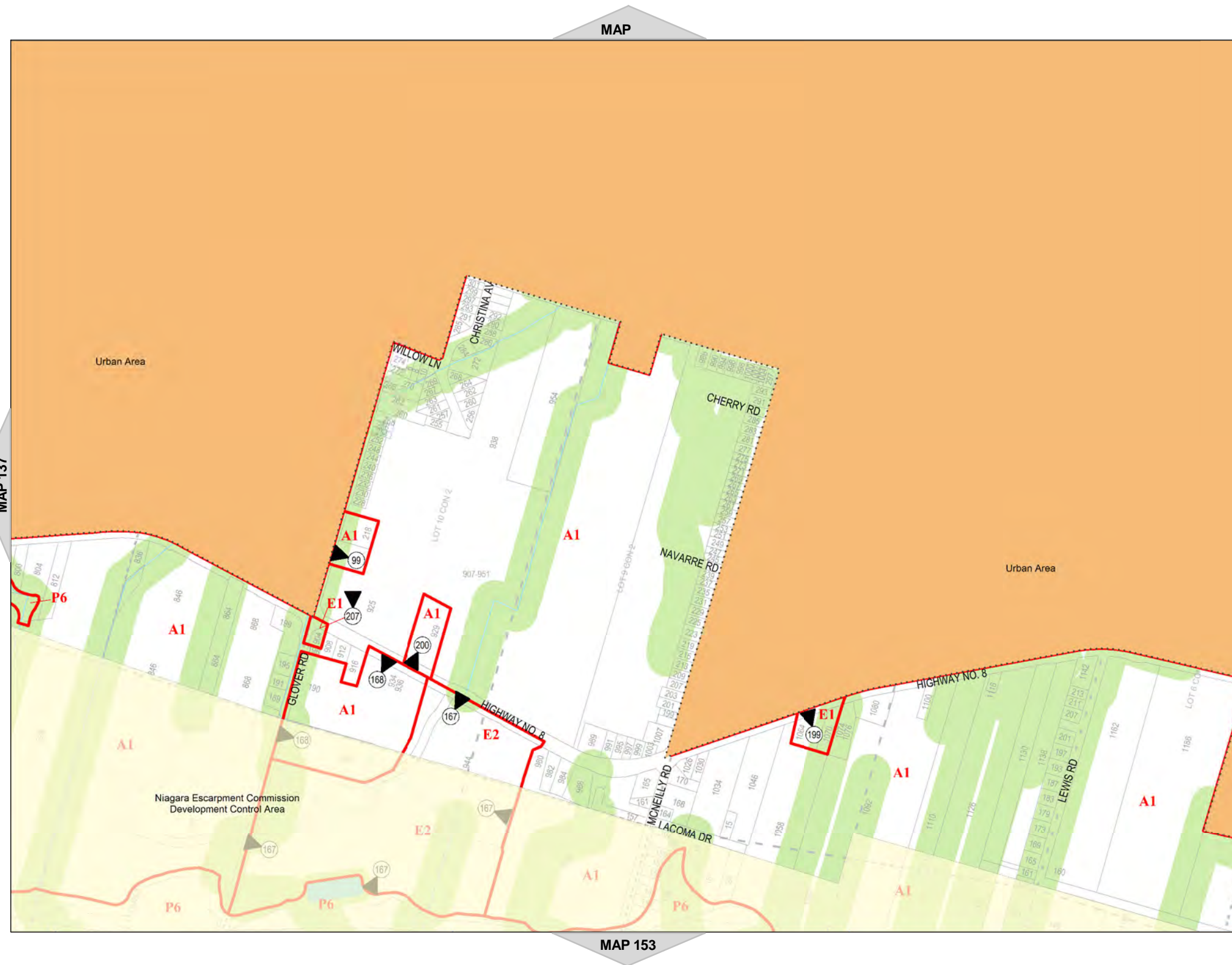
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 138 of Schedule 'A'





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

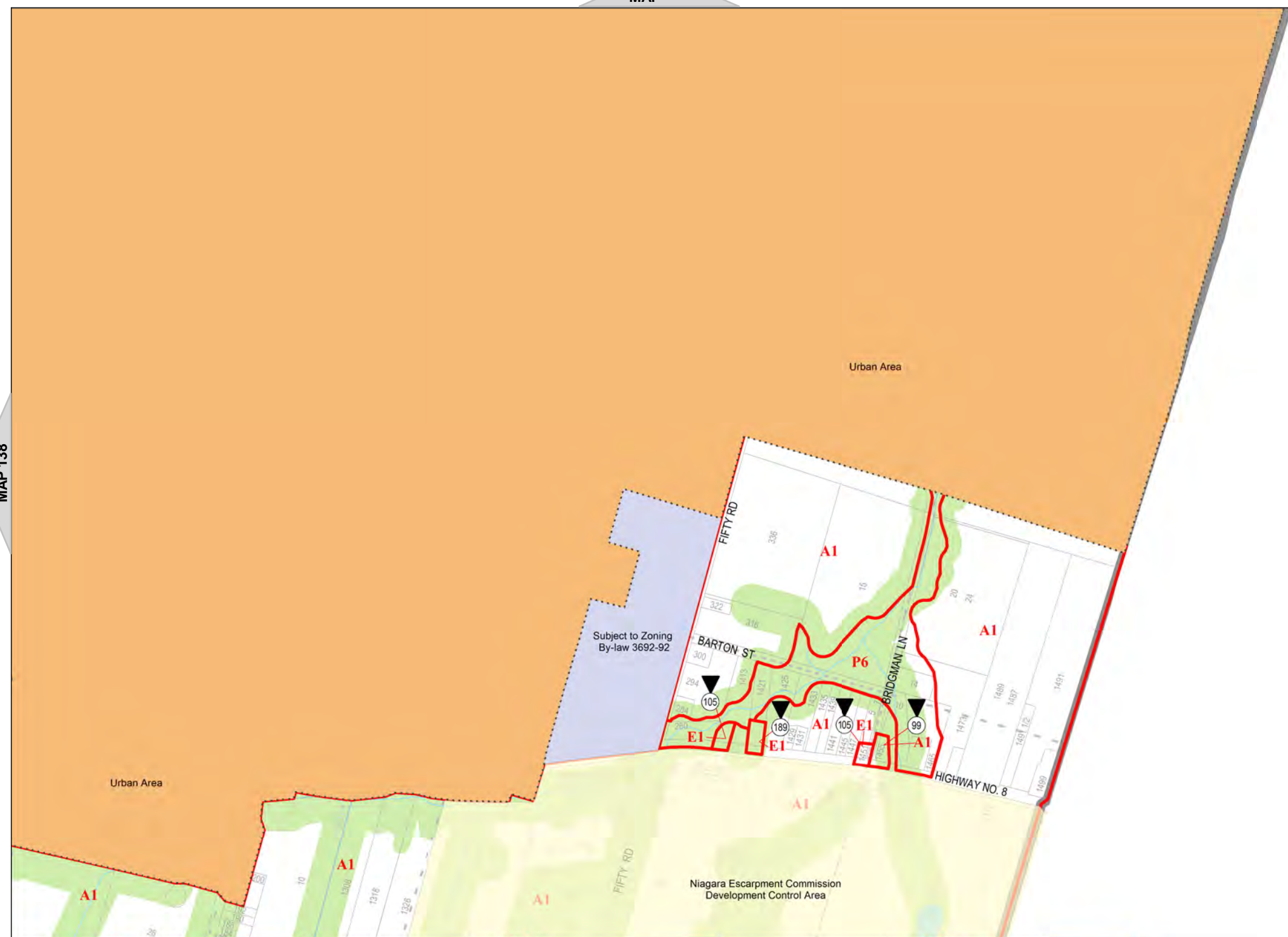
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 139 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

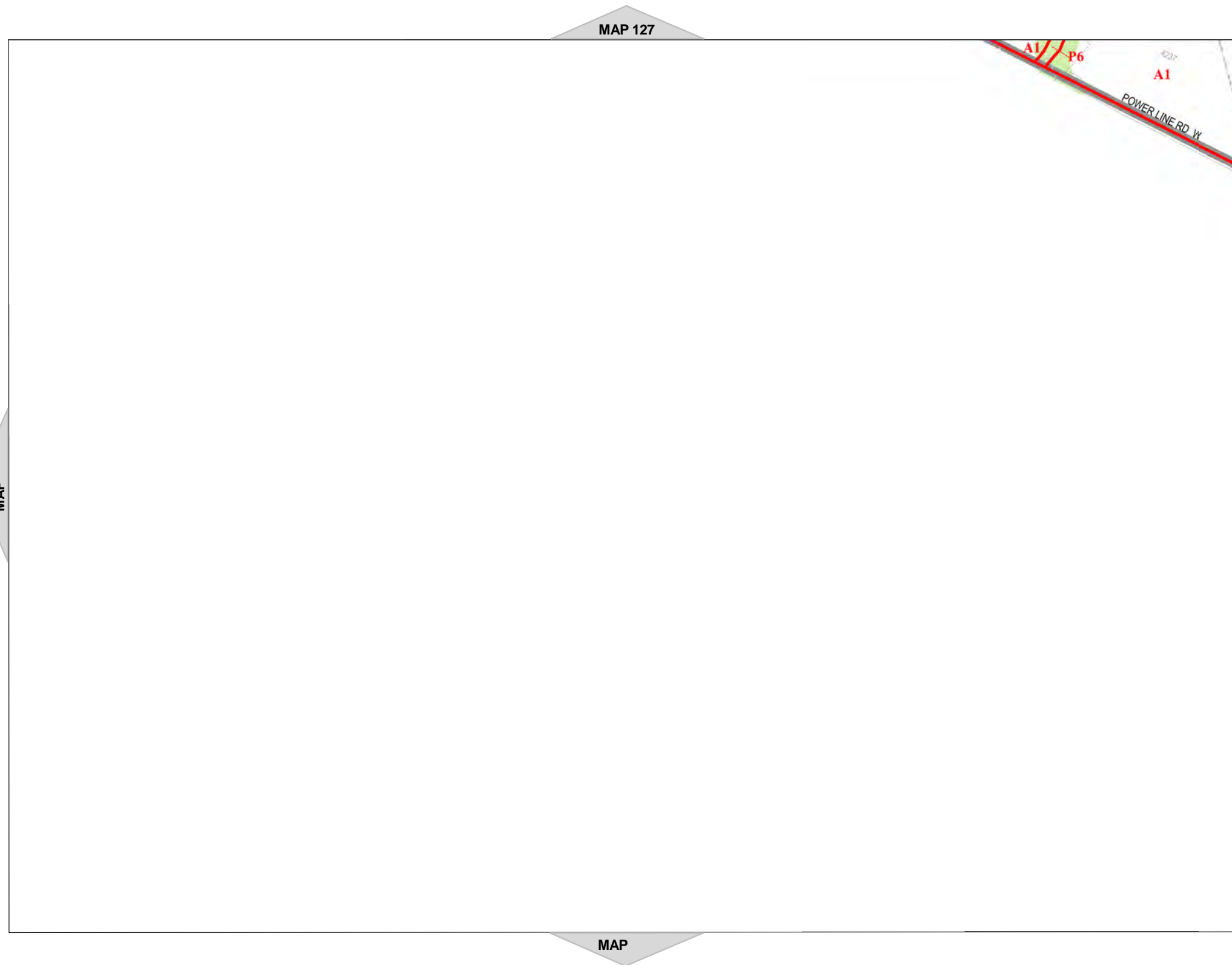
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 139a of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

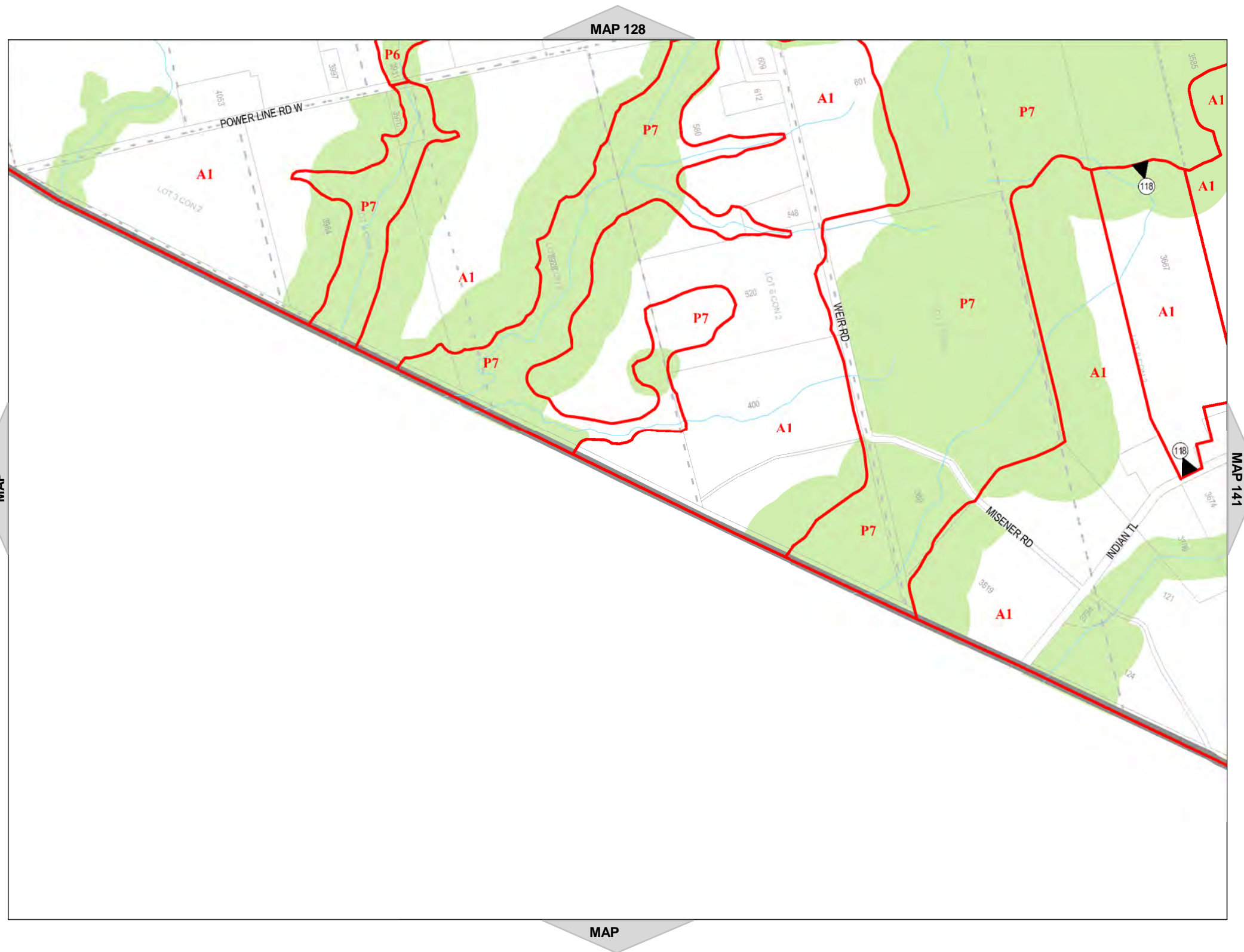
- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH


SCALE 1 : 10,000

MAP 140 of Schedule 'A'

















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

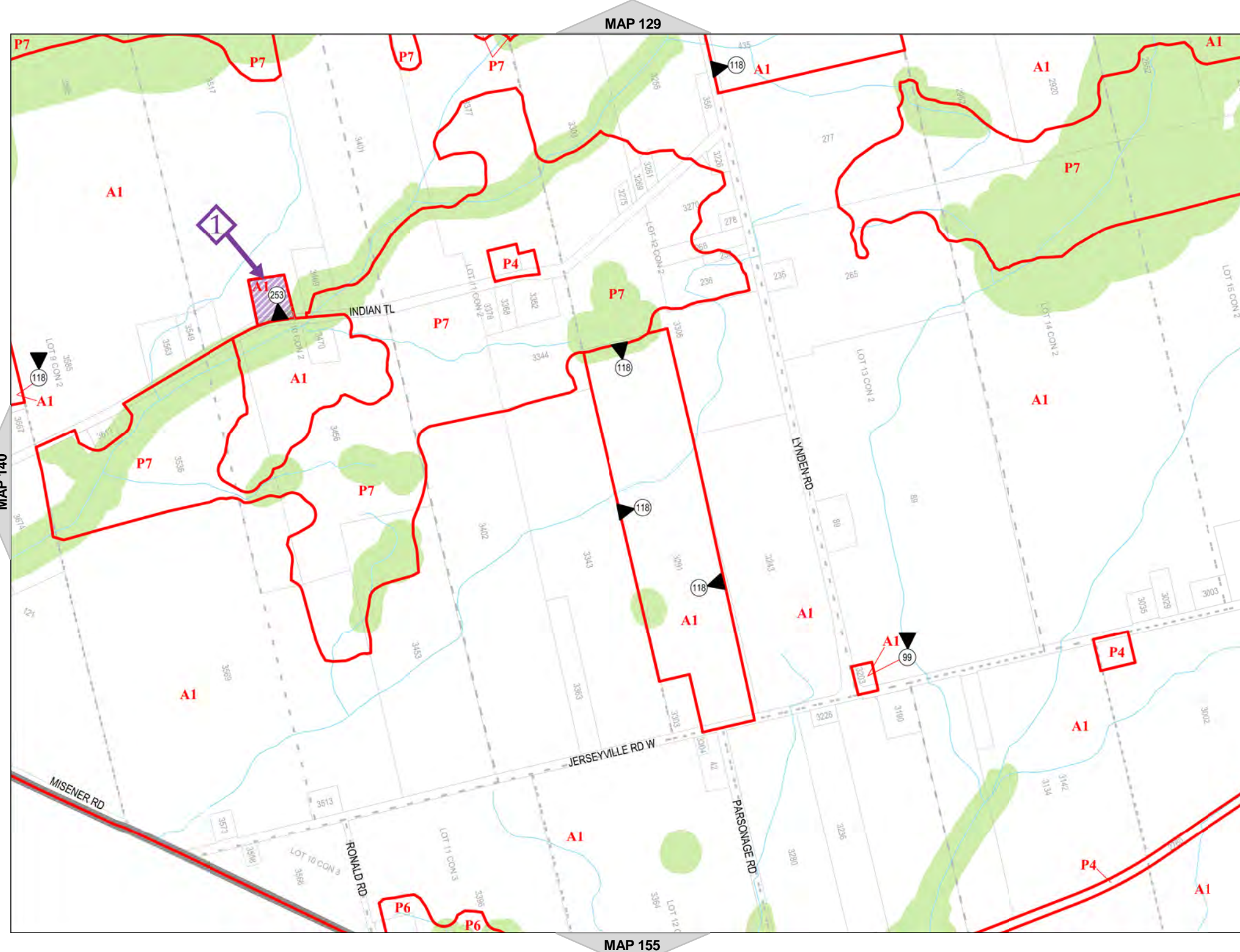
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 141 of Schedule 'A'**







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

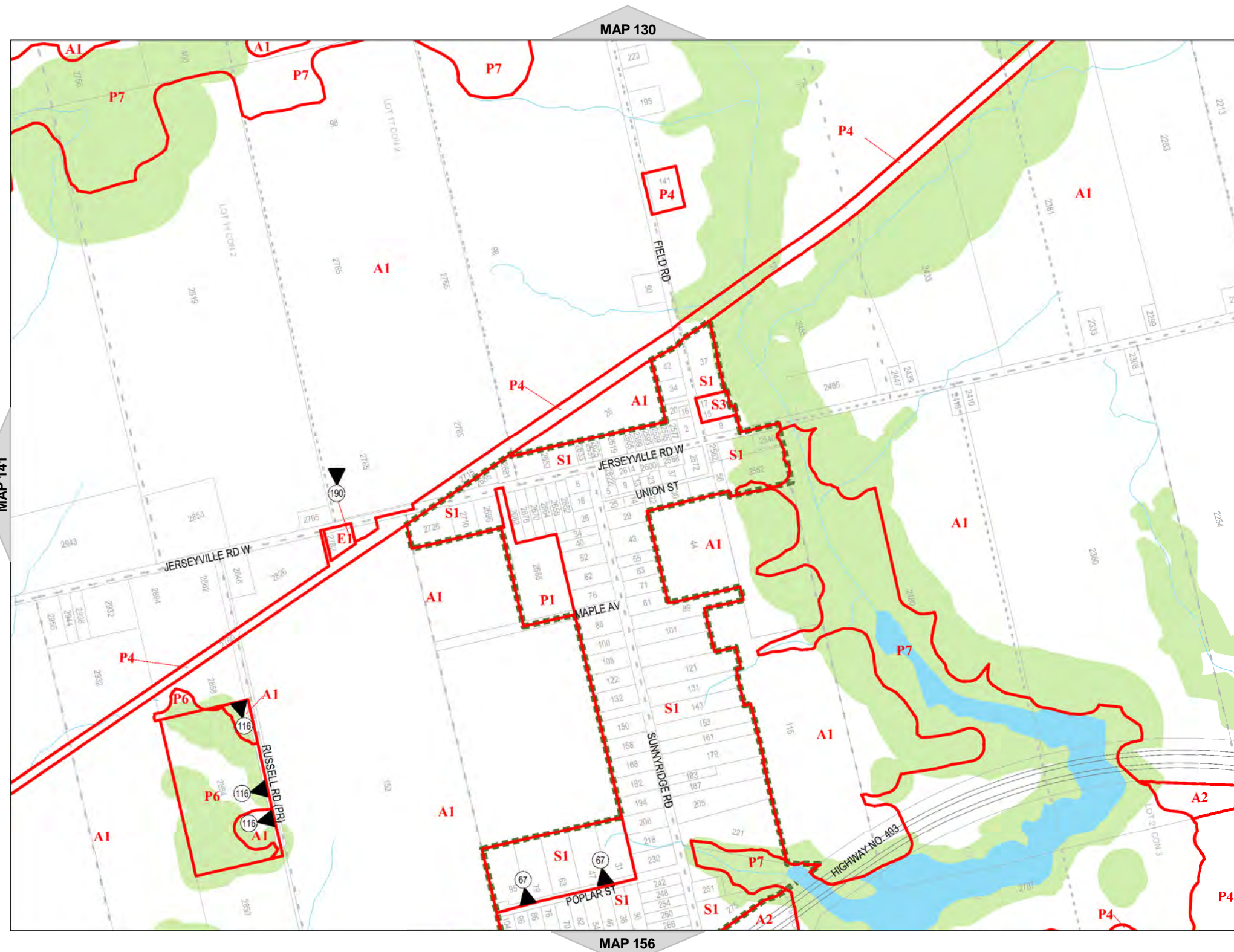
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 142 of Schedule 'A'



MAP 130

MAP 141

MAP 143

MAP 156

Annotated Council passed version  
of Zoning By-law 15-173, dated March 29, 2016

Date: July 10, 2015

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

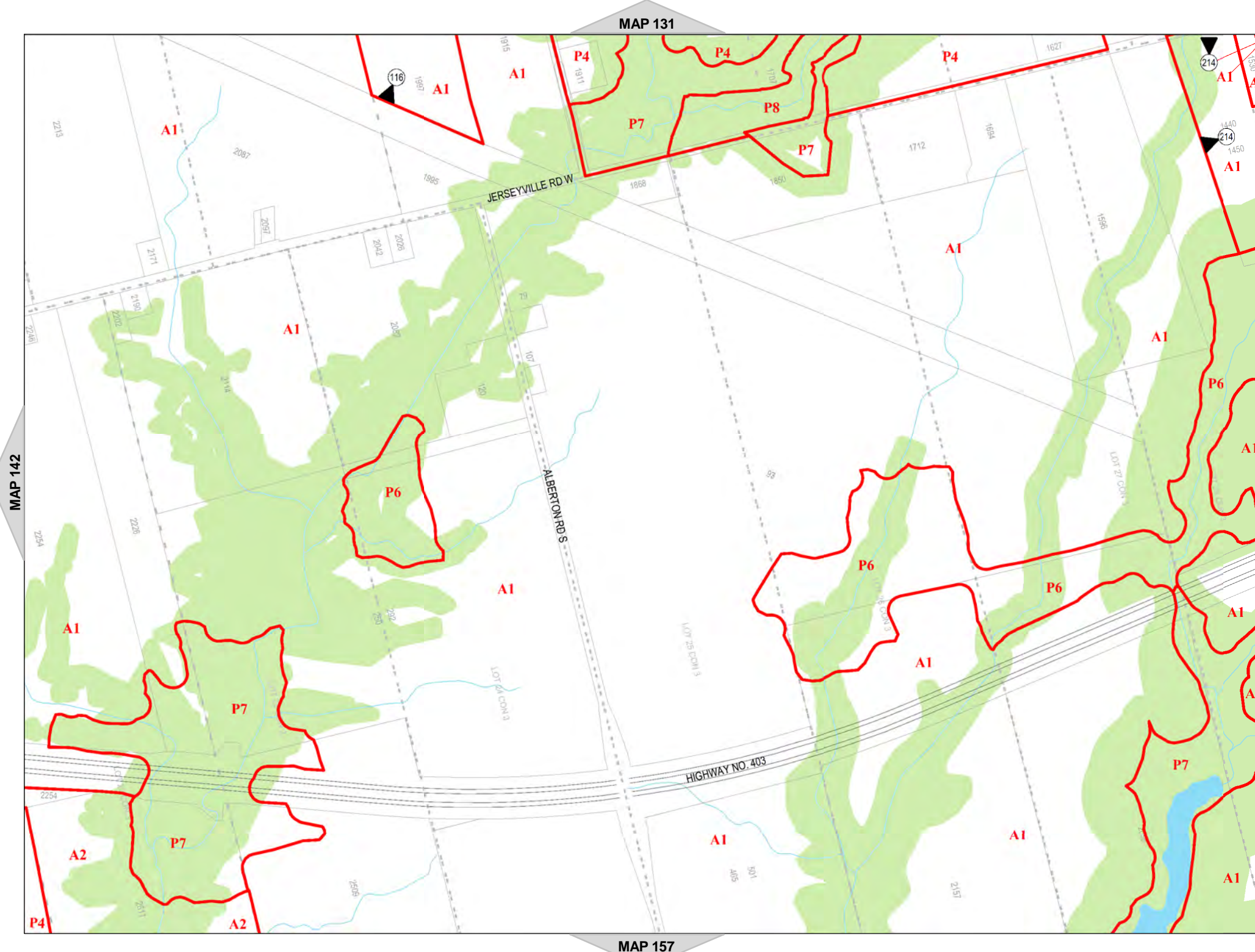
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000


MAP 143 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

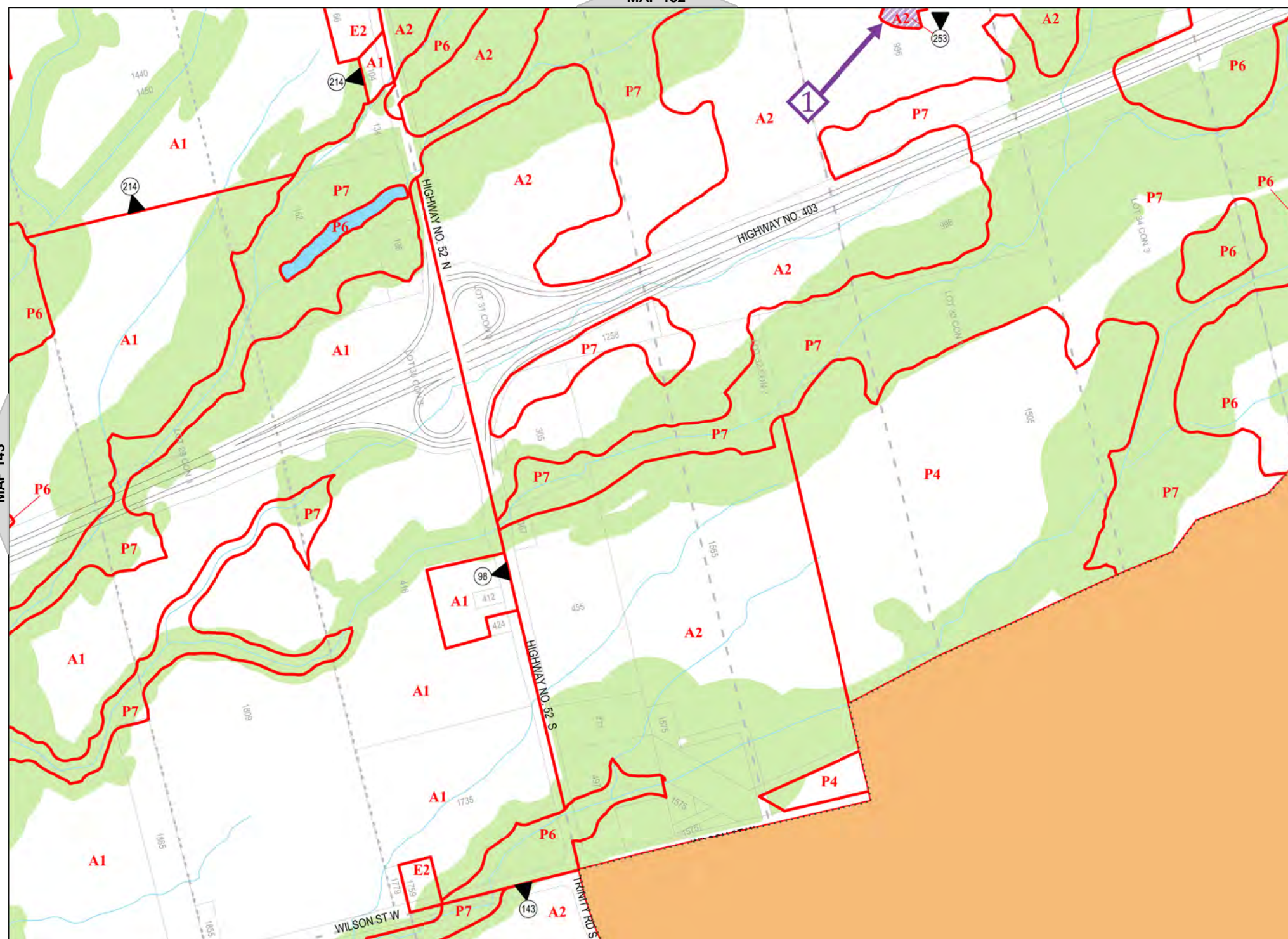
ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 144 of Schedule 'A'**

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

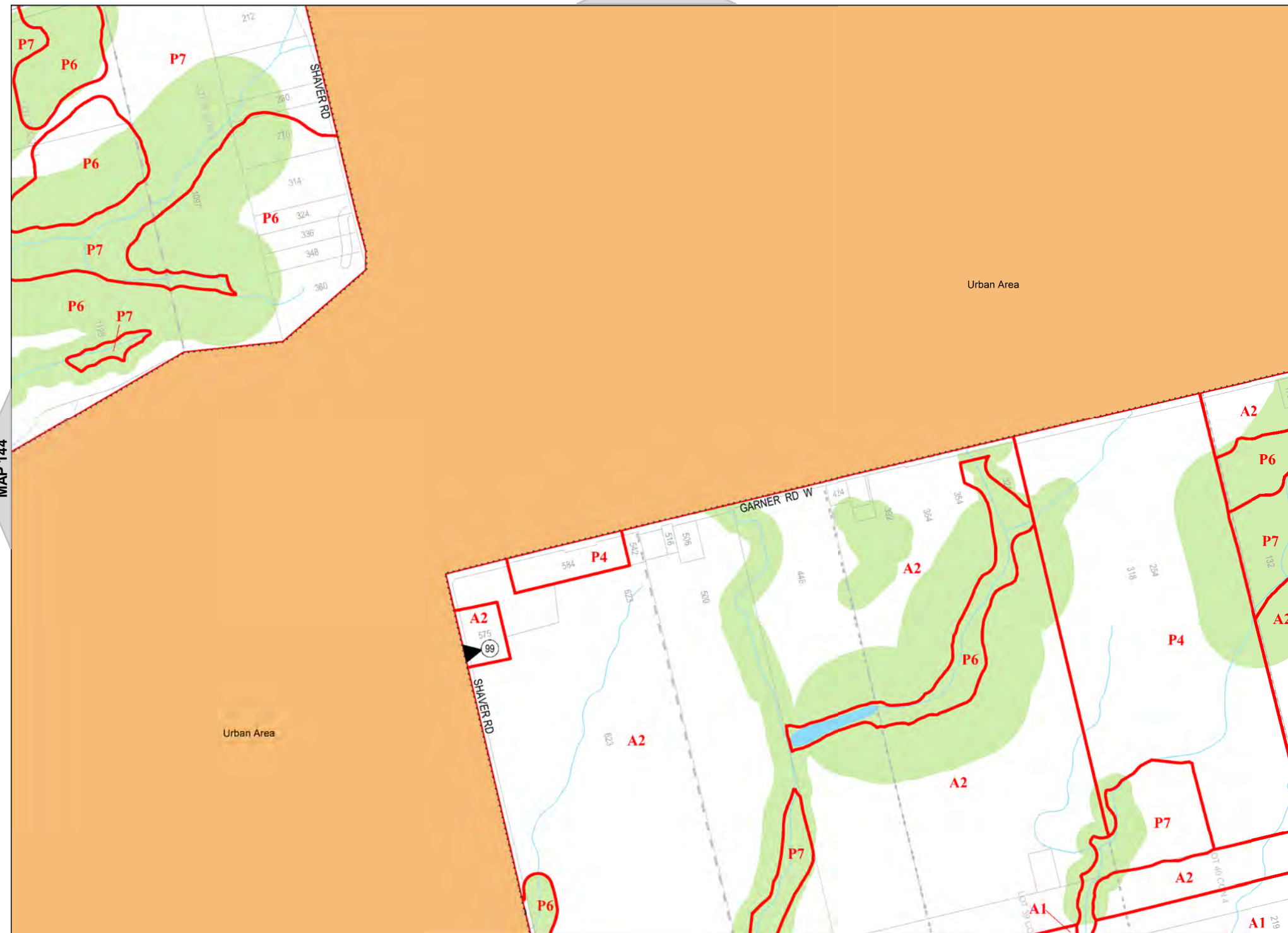
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 145 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 146 of Schedule 'A'



MAP

MAP 145

MAP 147

MAP 160



Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 147 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

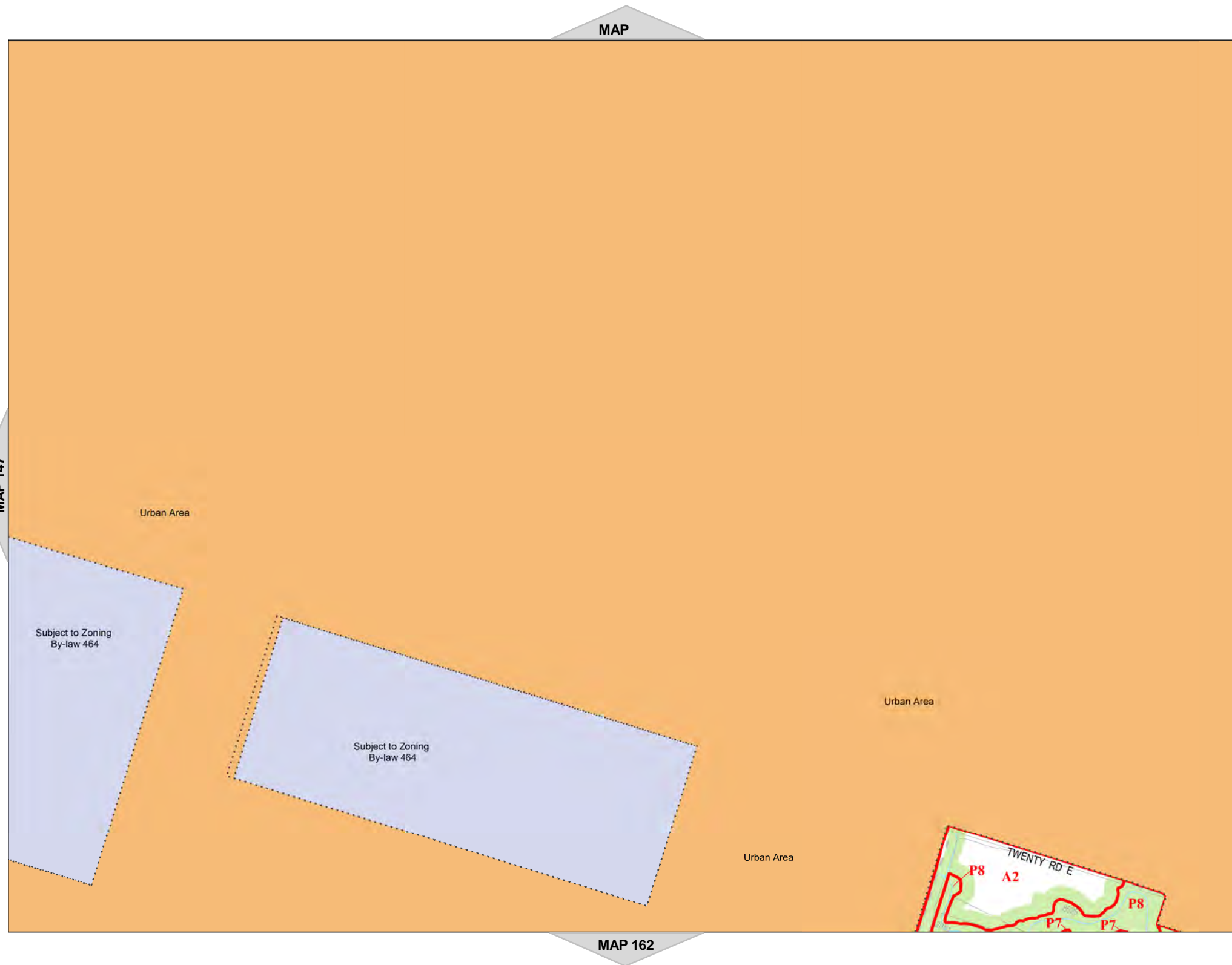
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 148 of Schedule 'A'





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

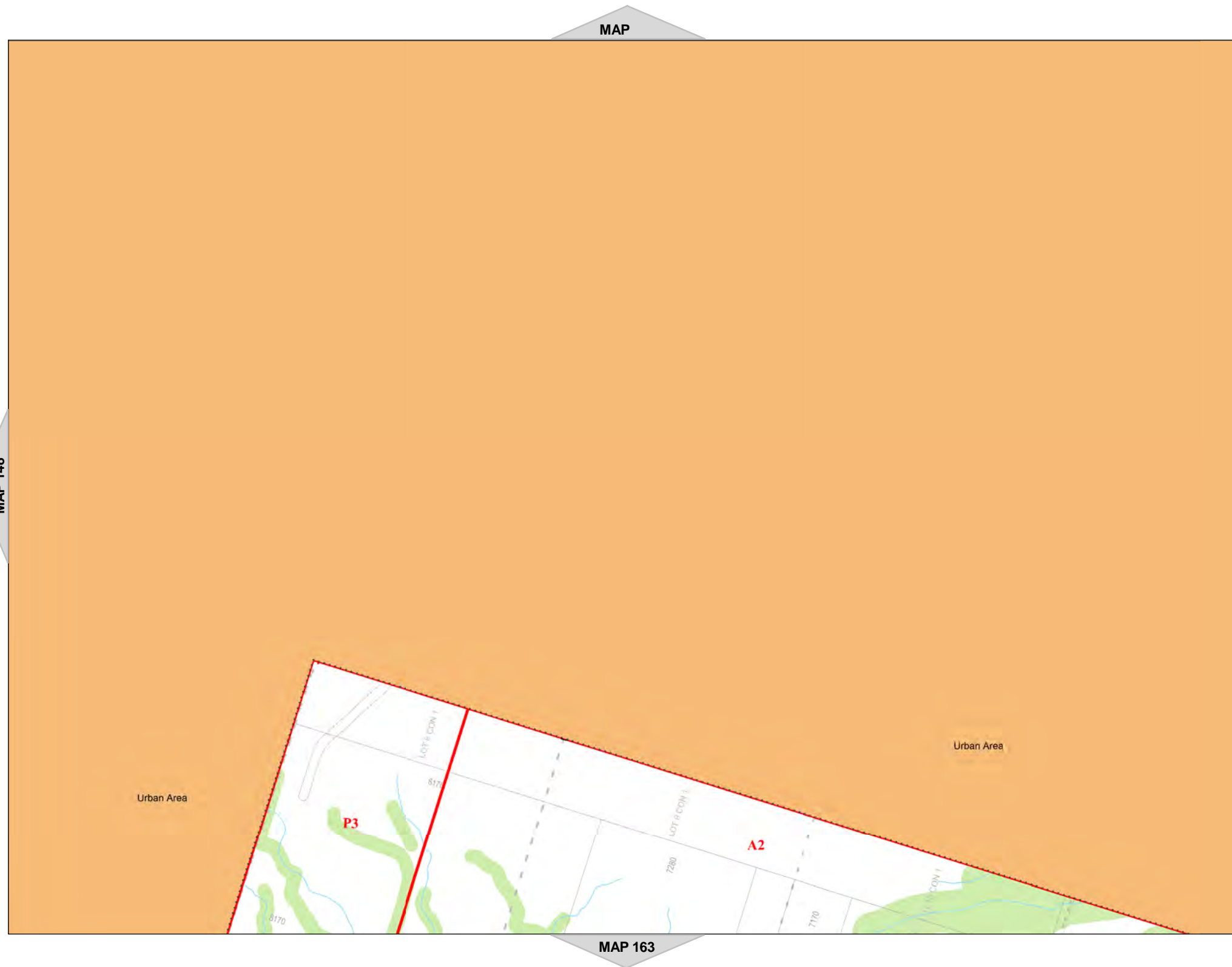
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 149 of Schedule 'A'





**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
2	Multi-Area Developments Inc

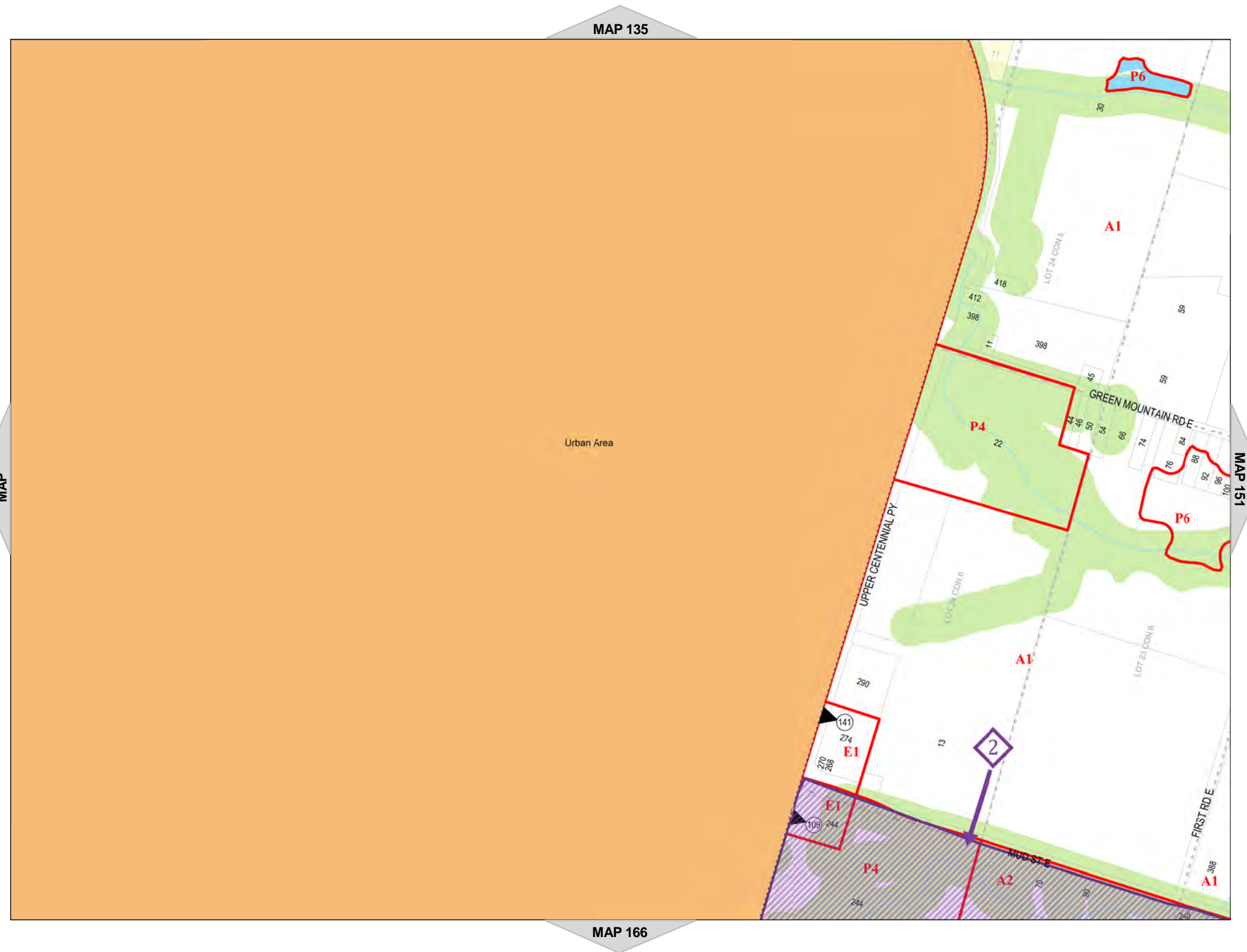
**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 150 of Schedule 'A'**



MAP 135

MAP 166

MAP

MAP 151

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

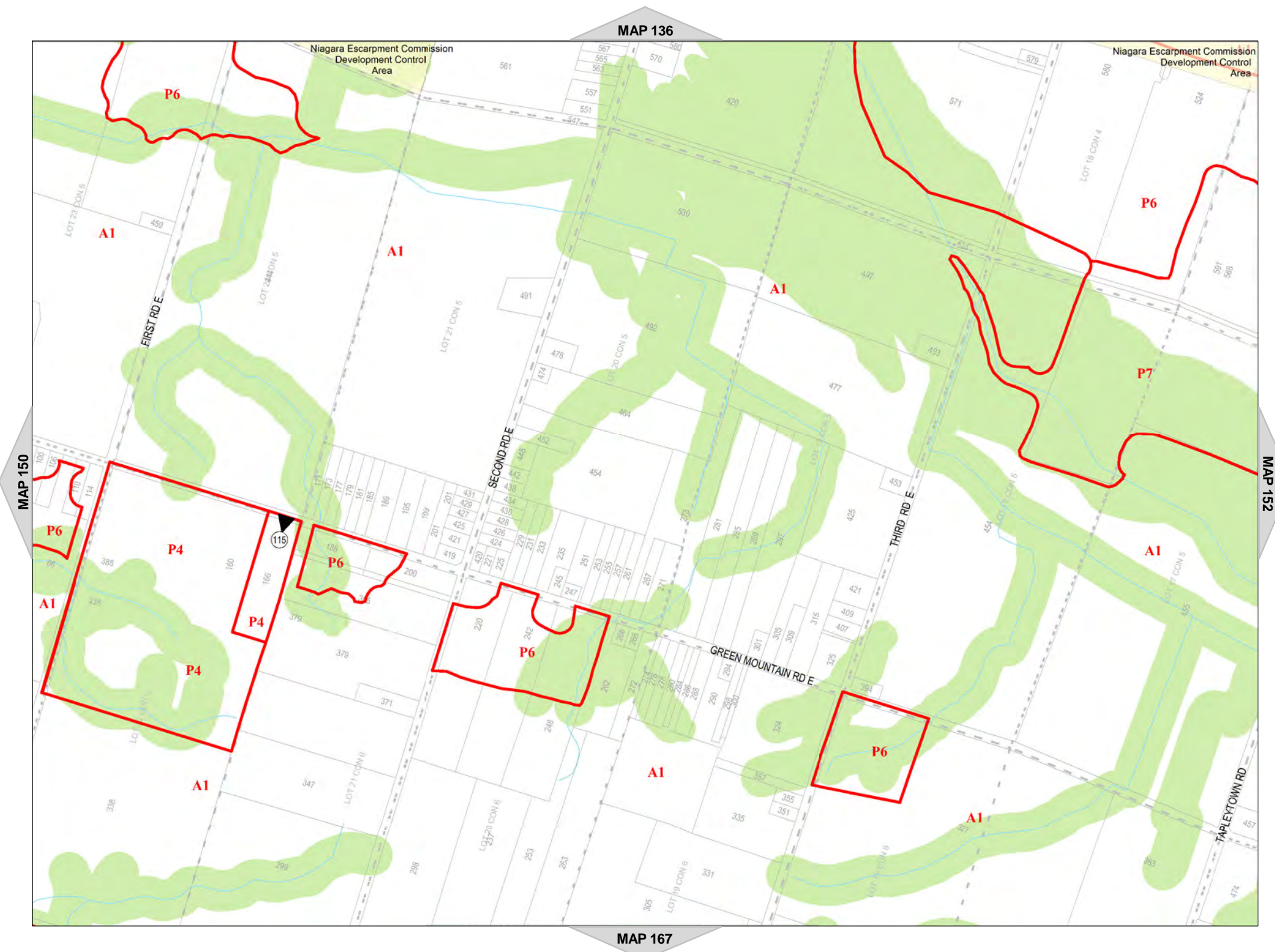
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 151 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 152 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

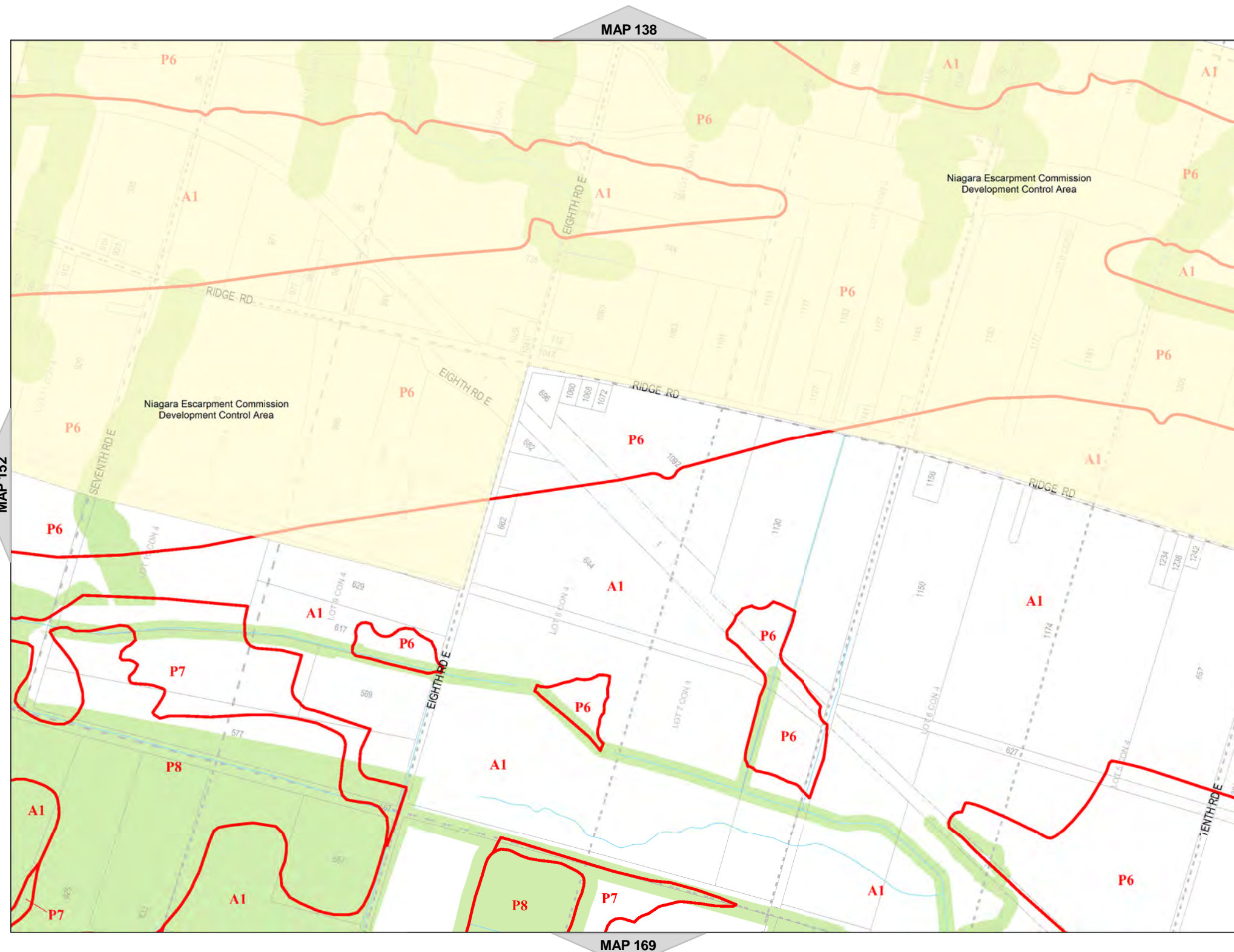
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 153 of Schedule 'A'



MAP 138

MAP 169

MAP 152

MAP 154



Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

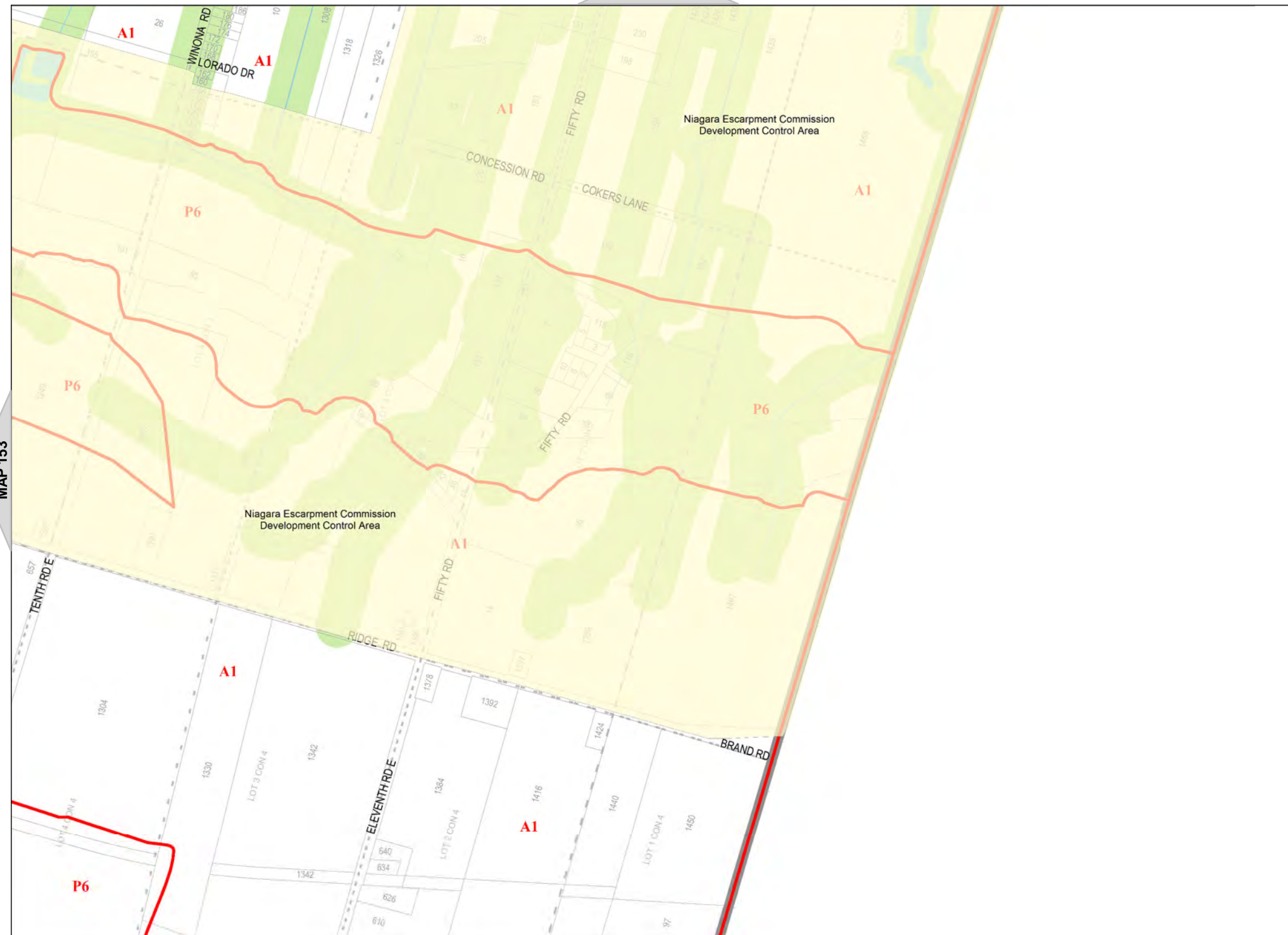
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 154 of Schedule 'A'



MAP 139

MAP 170

MAP 153

MAP















Hamilton

City of Hamilton  
Zoning By-Law 05-200

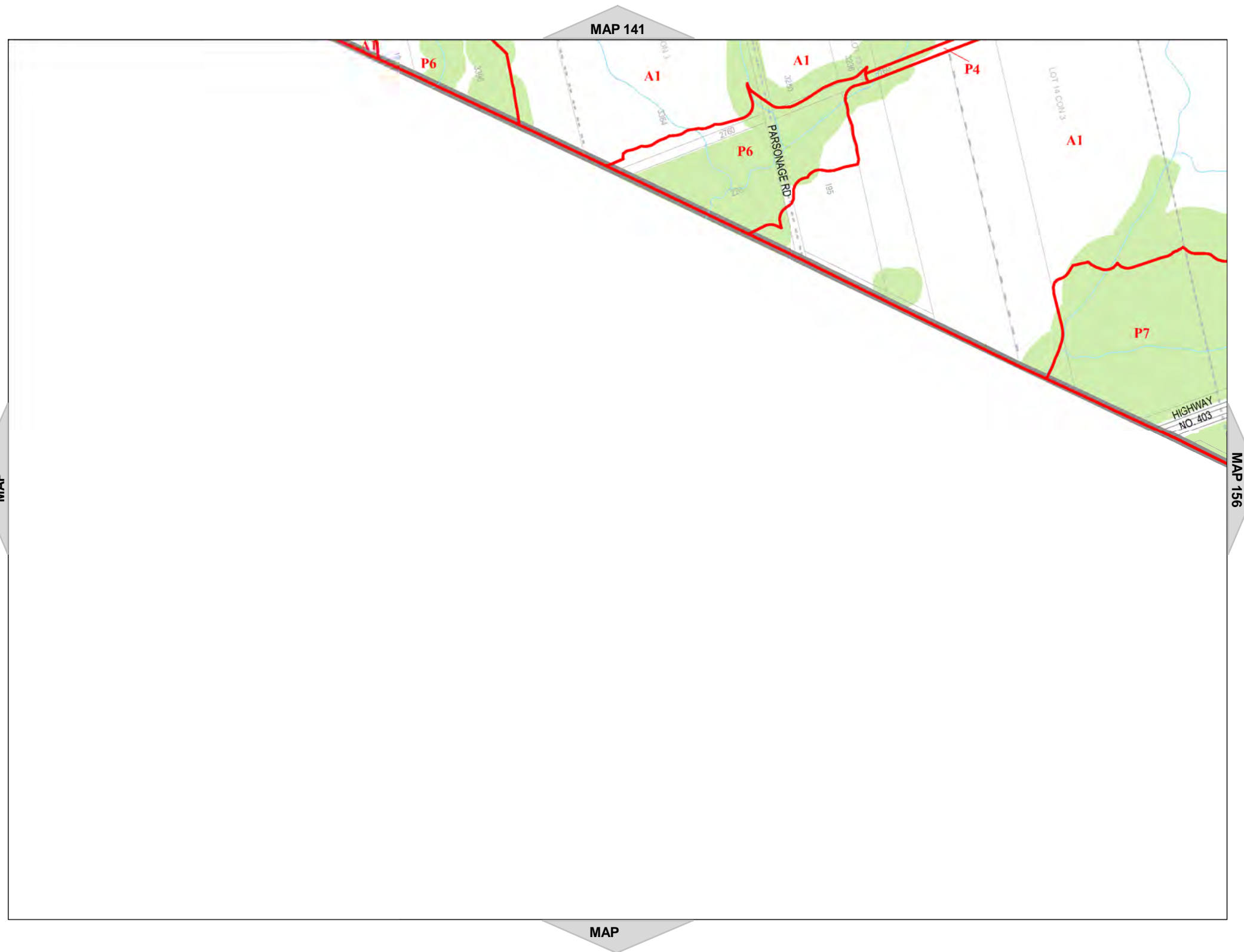
Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000




MAP 155 of Schedule 'A'

















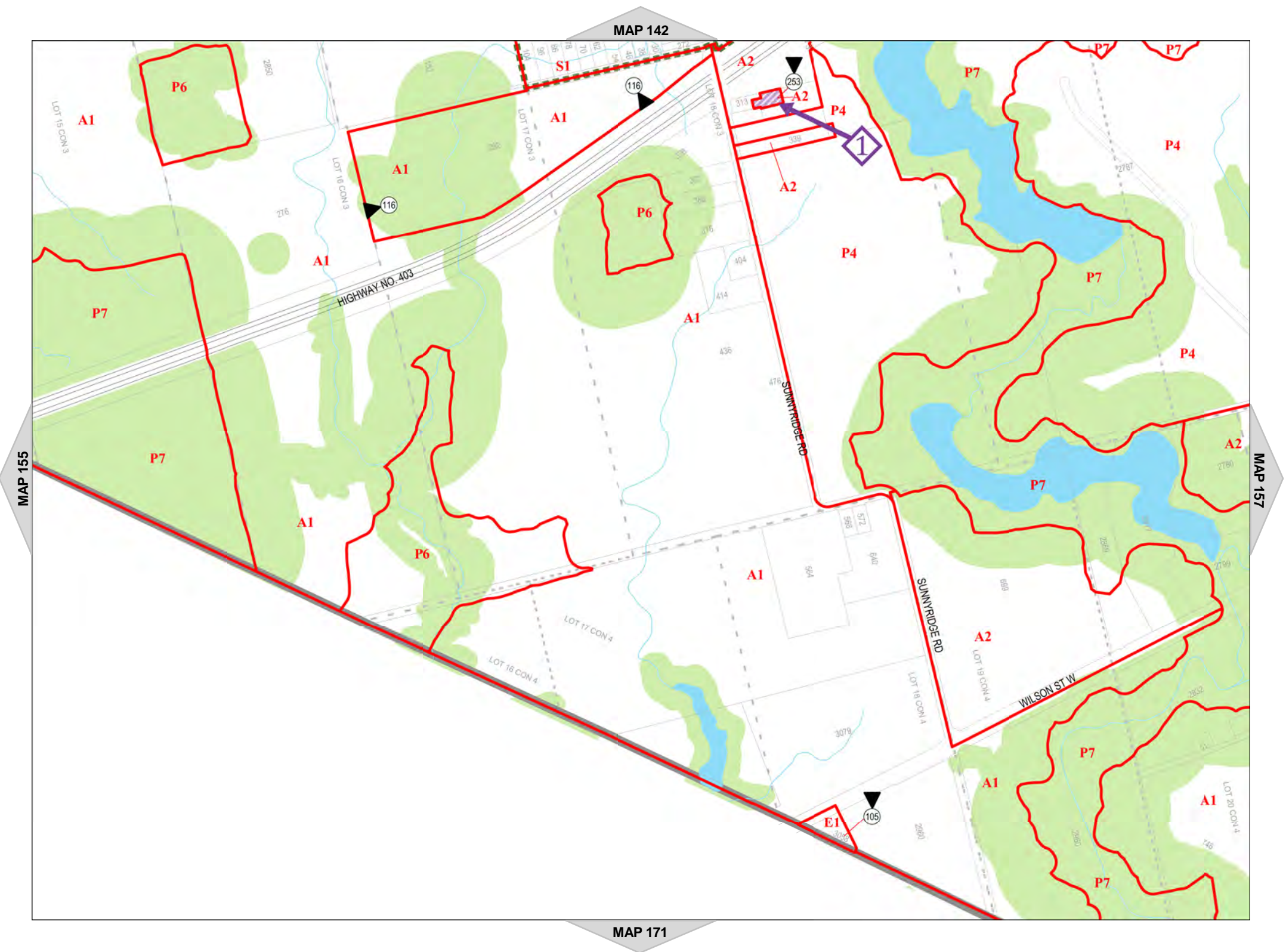
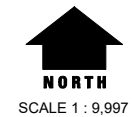
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
1	Coalition for Rural Ontario Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 156 of Schedule 'A'**

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

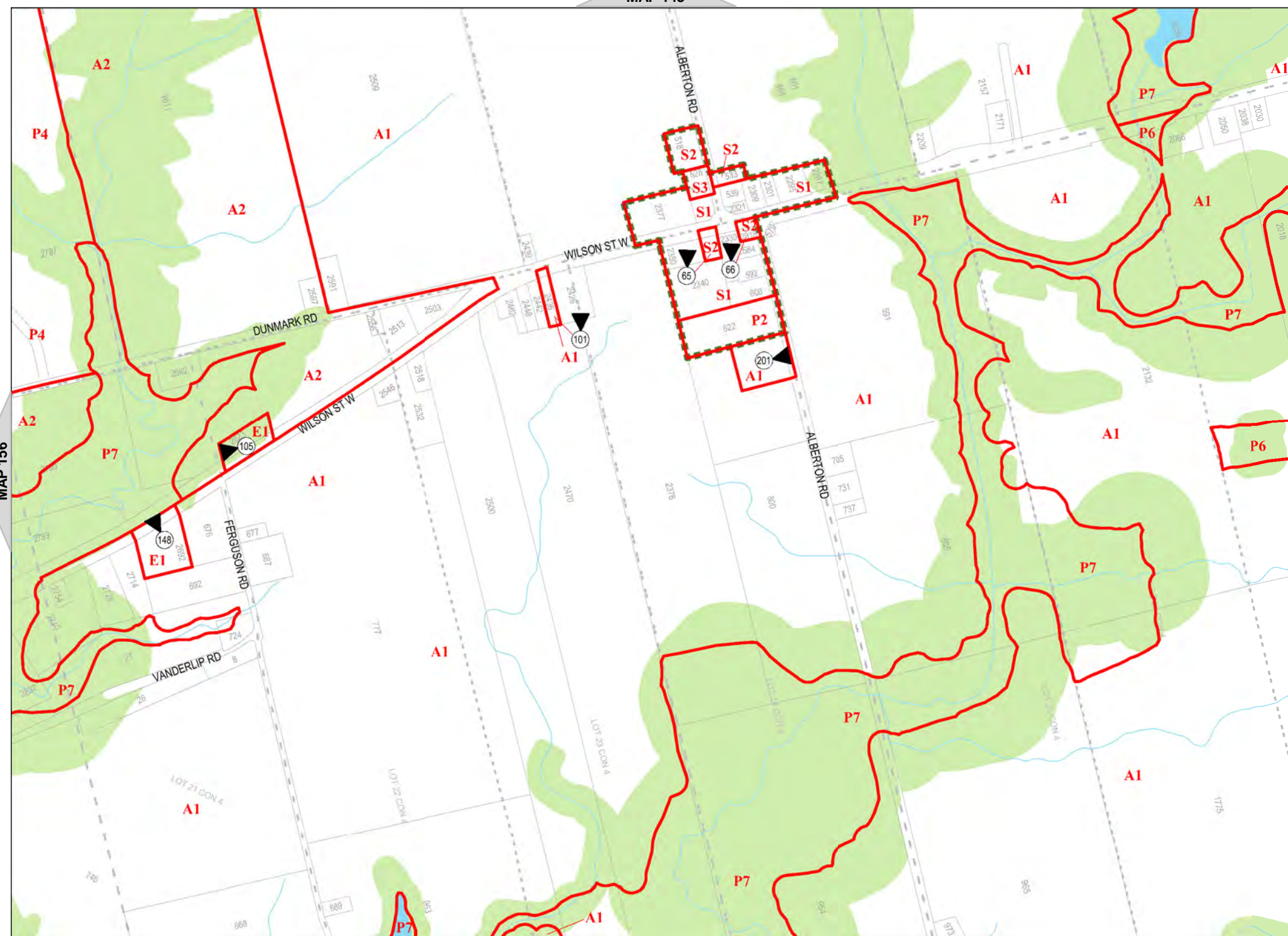
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 157 of Schedule 'A'



MAP 143

MAP 156

MAP 158

MAP 172















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

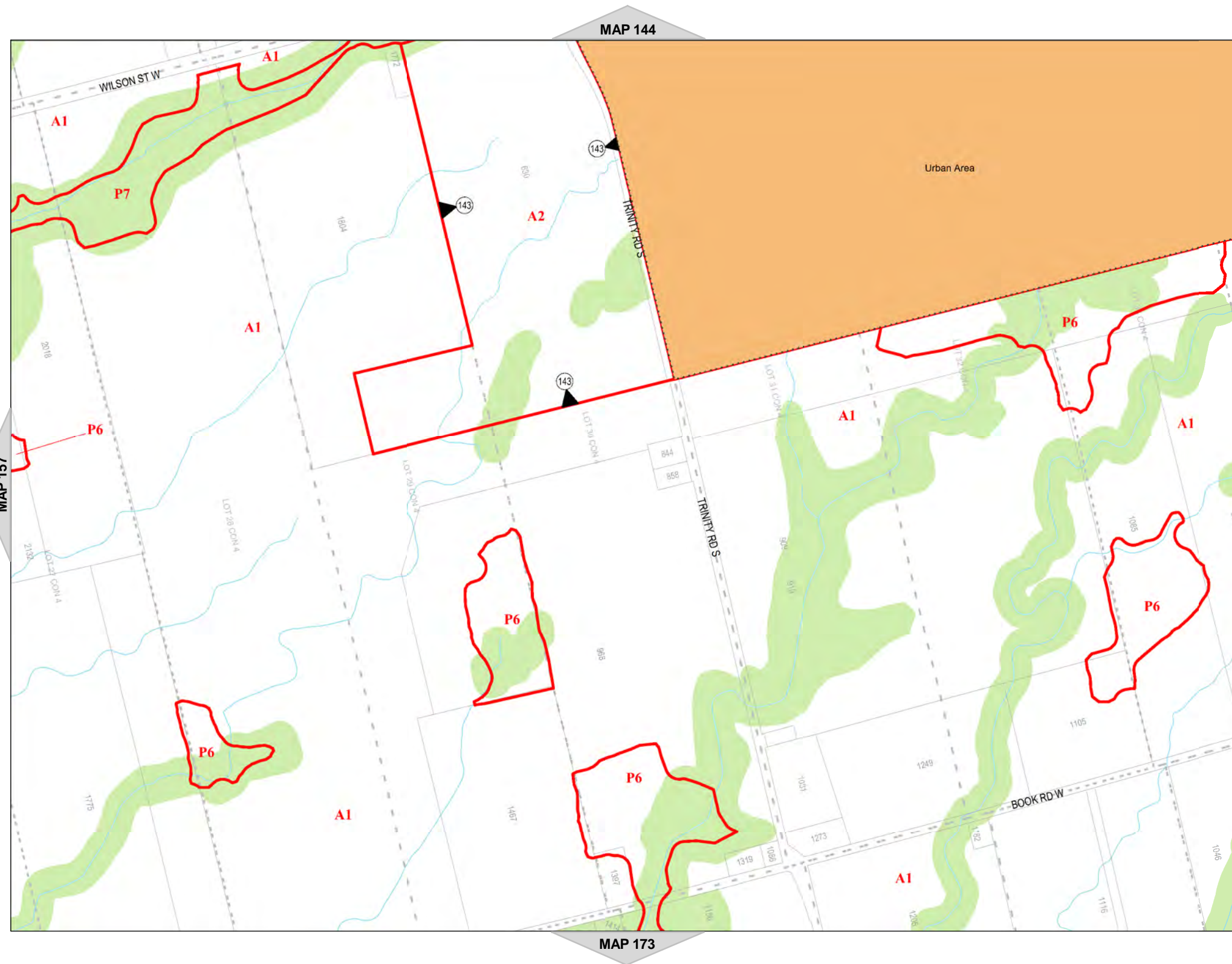
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 158 of Schedule 'A'























Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

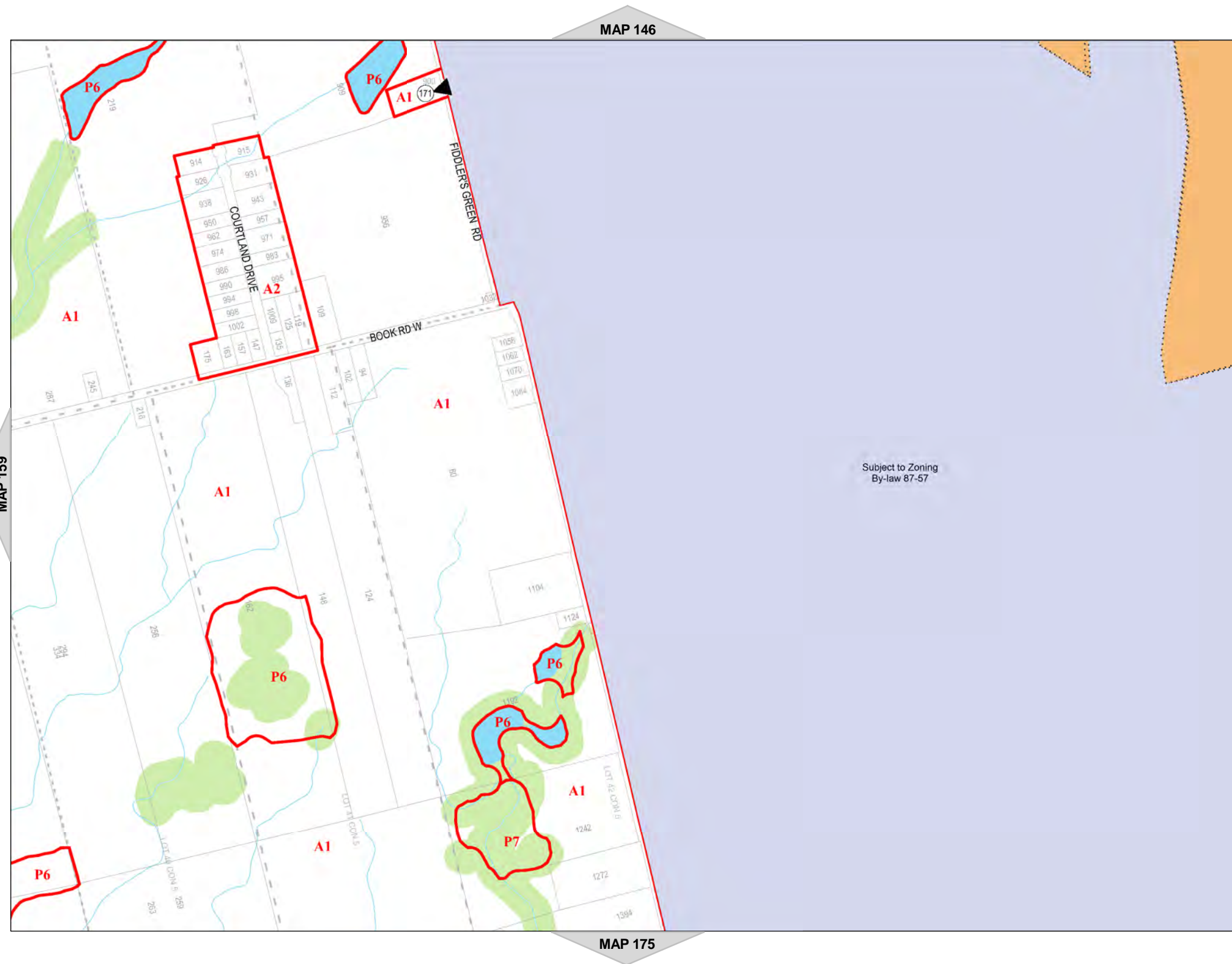
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 160 of Schedule 'A'





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

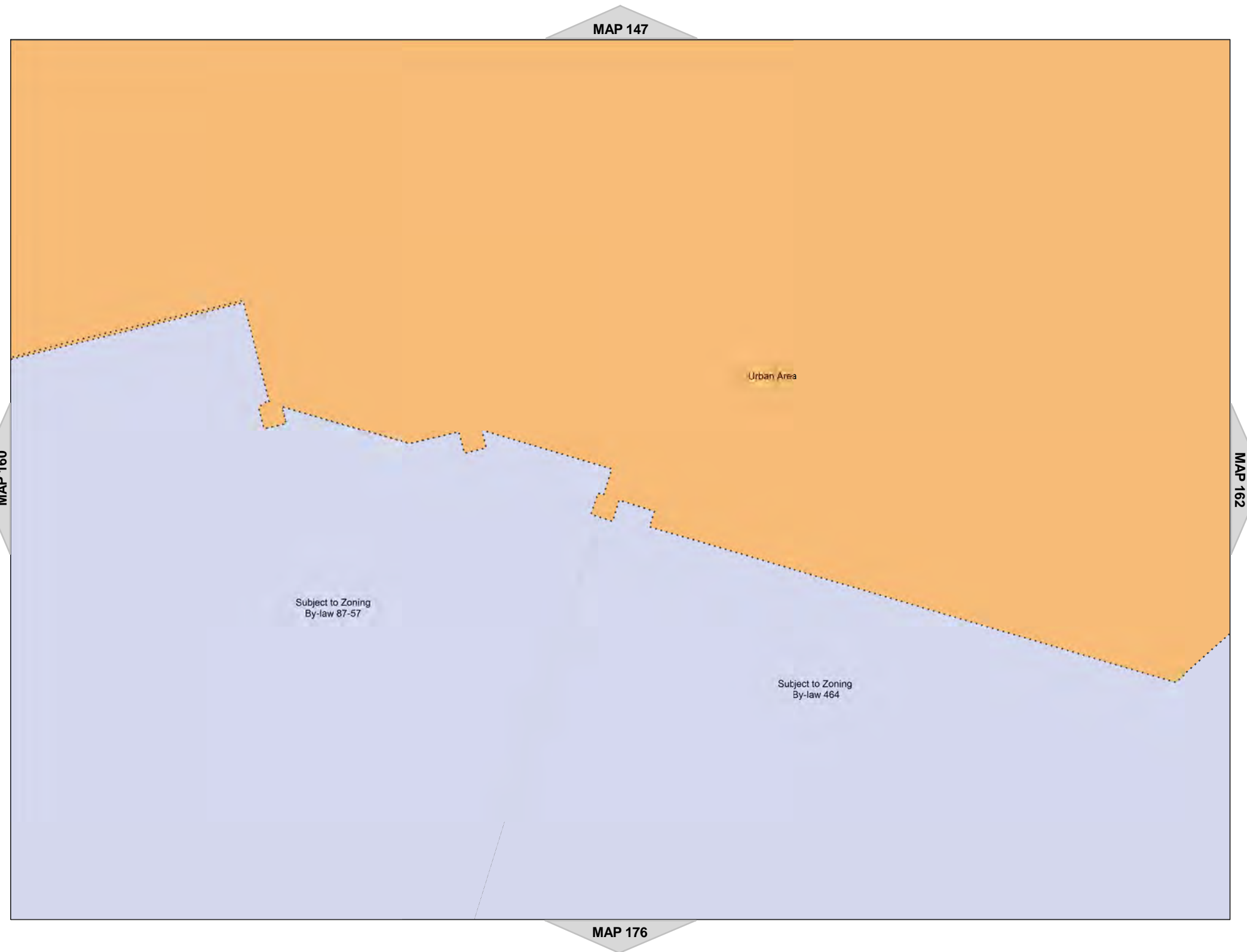
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream




NORTH  
SCALE 1 : 10,000

MAP 161 of Schedule 'A'

















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
5	Weizer Investments Limited

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 9,997

**MAP 162 of Schedule 'A'**



MAP 148

MAP 161


MAP 163

MAP 177

















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
3	Twenty Road (Glanbrook) Developments Limited
5	Weizer Investments Limited

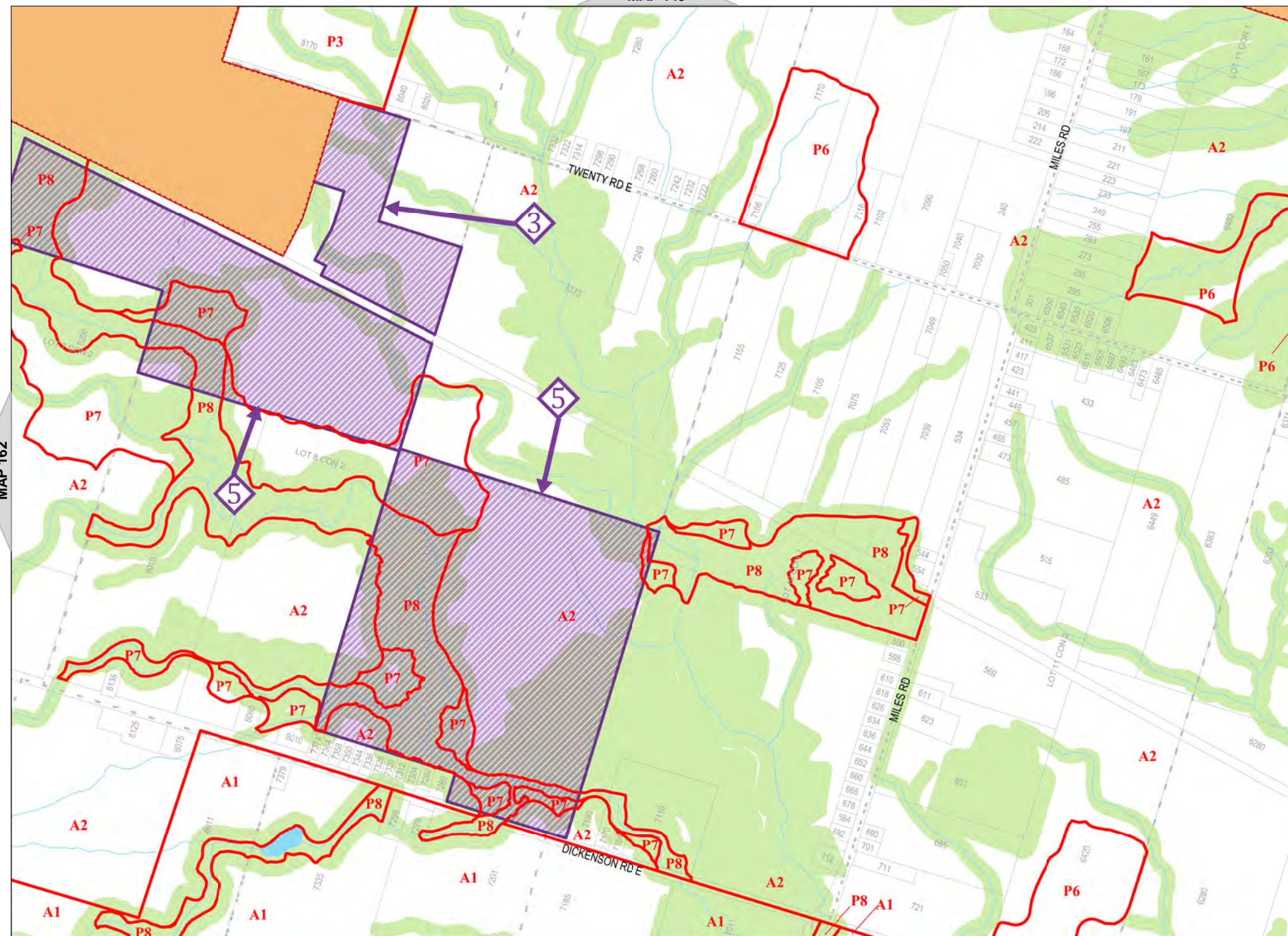
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 9,997

**MAP 163 of Schedule 'A'**



MAP 149

MAP 178

MAP 162

MAP 164





**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

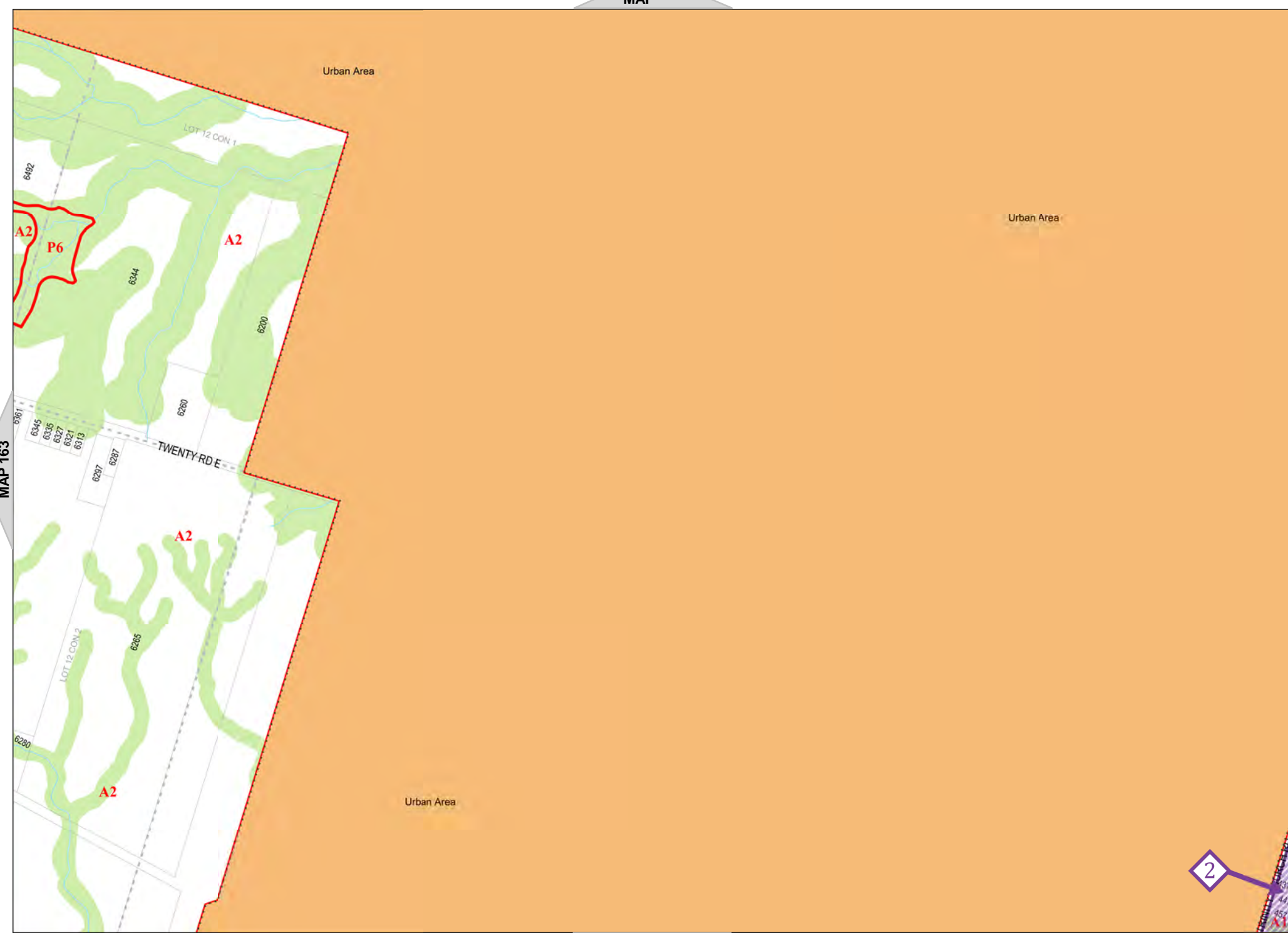
ID	Appellant
2	Multi-Area Developments Inc

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream




**MAP 164 of Schedule 'A'**

















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
2	Multi-Area Development Inc

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 165 of Schedule 'A'**

MAP



MAP 180





**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

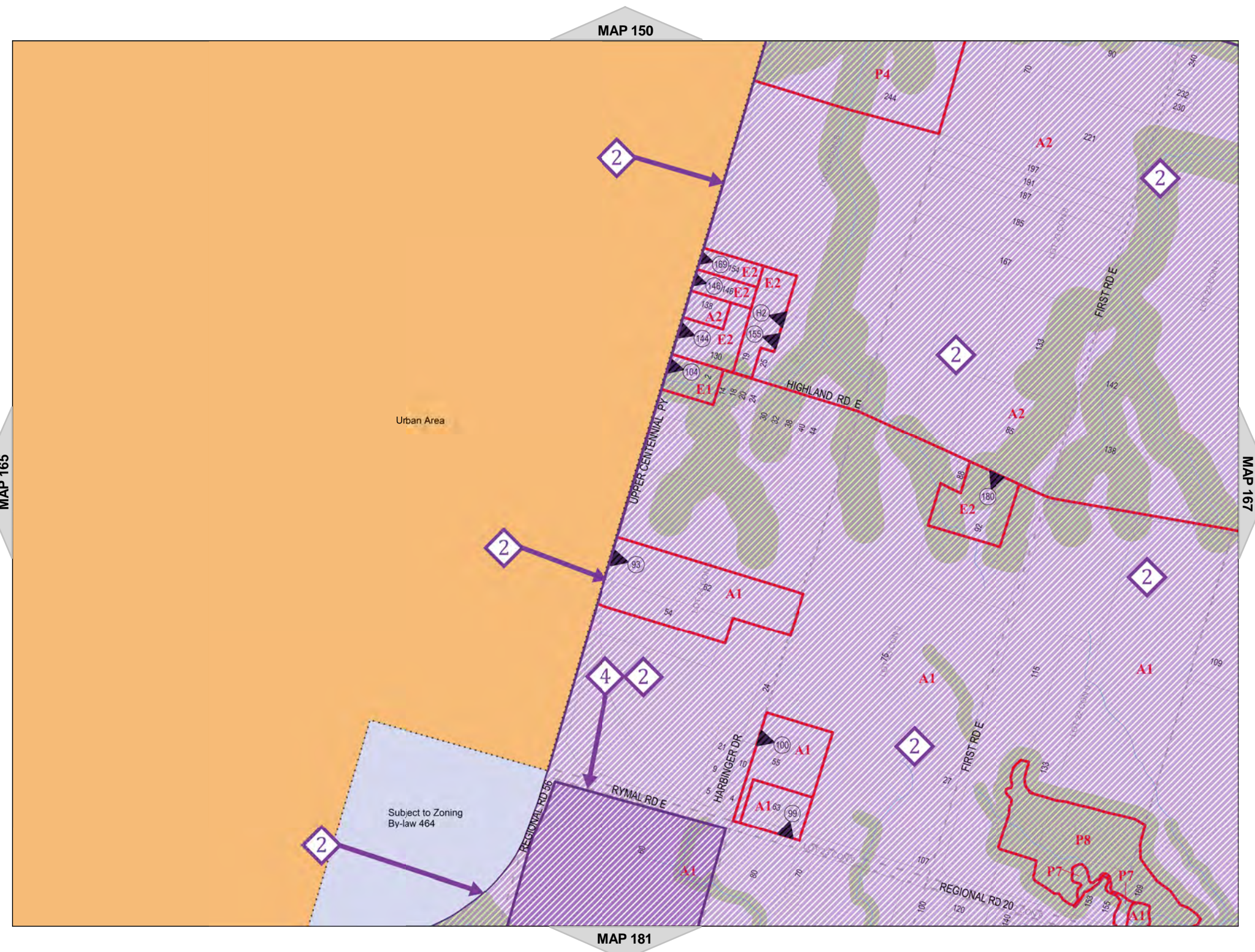
ID	Appellant
2	Multi-Area Developments Inc
4	Artstone Holdings LTD

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**MAP 166 of Schedule 'A'**







**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
2	Multi-Area Developments Inc

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**MAP 167 of Schedule 'A'**



















Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

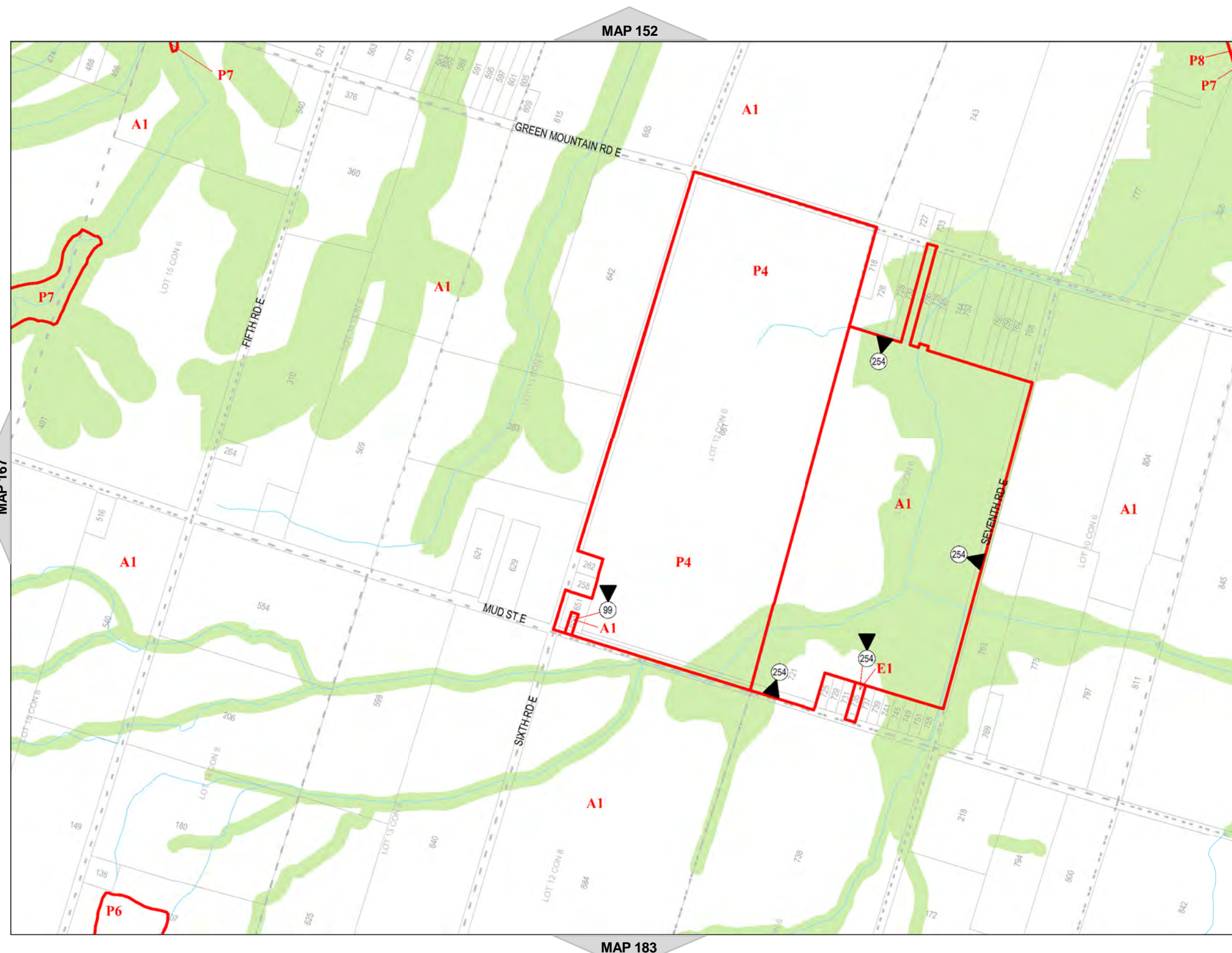
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 168 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

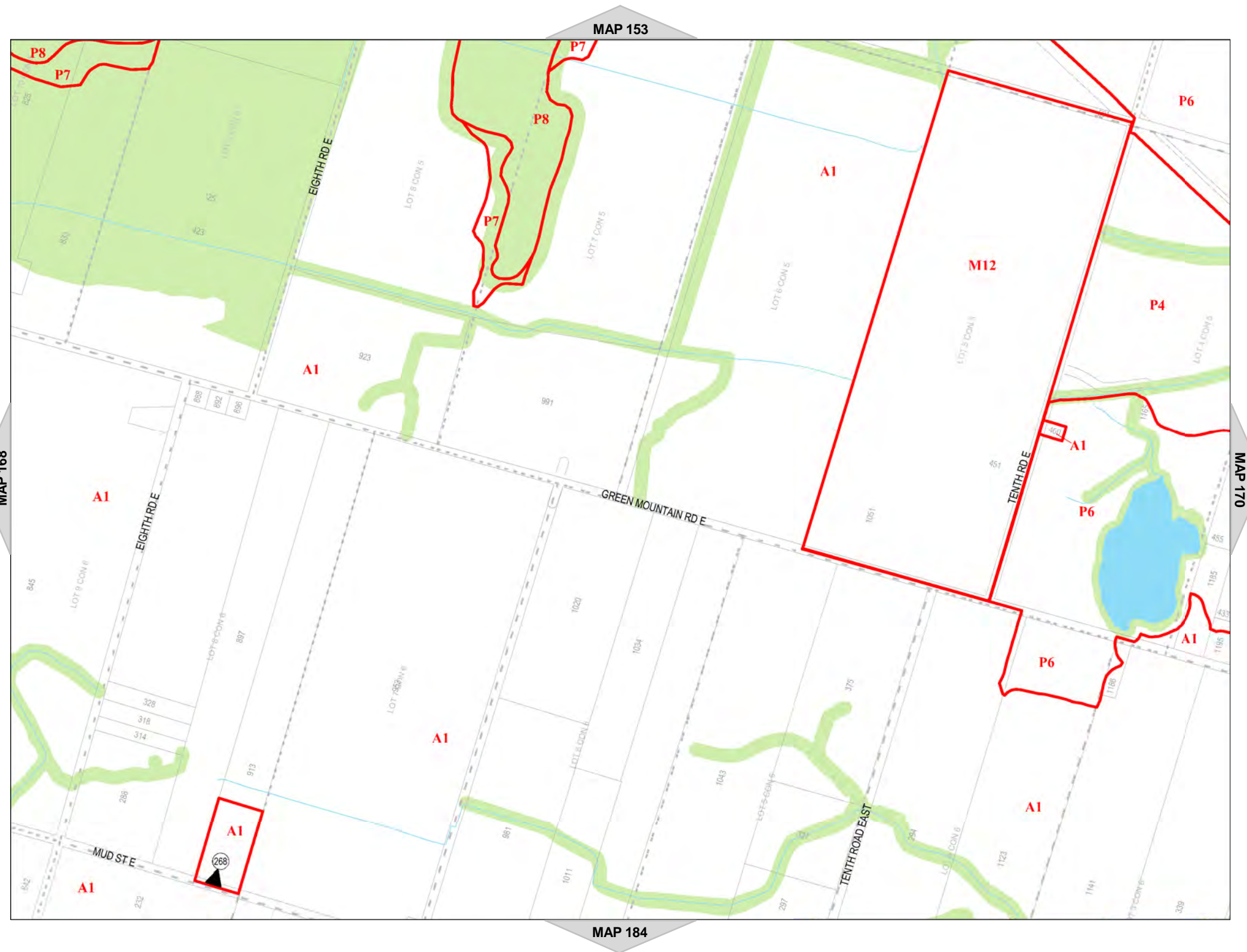
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 169 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 170 of Schedule 'A'















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 171 of Schedule 'A'

MAP 156



MAP

MAP 172

MAP



Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

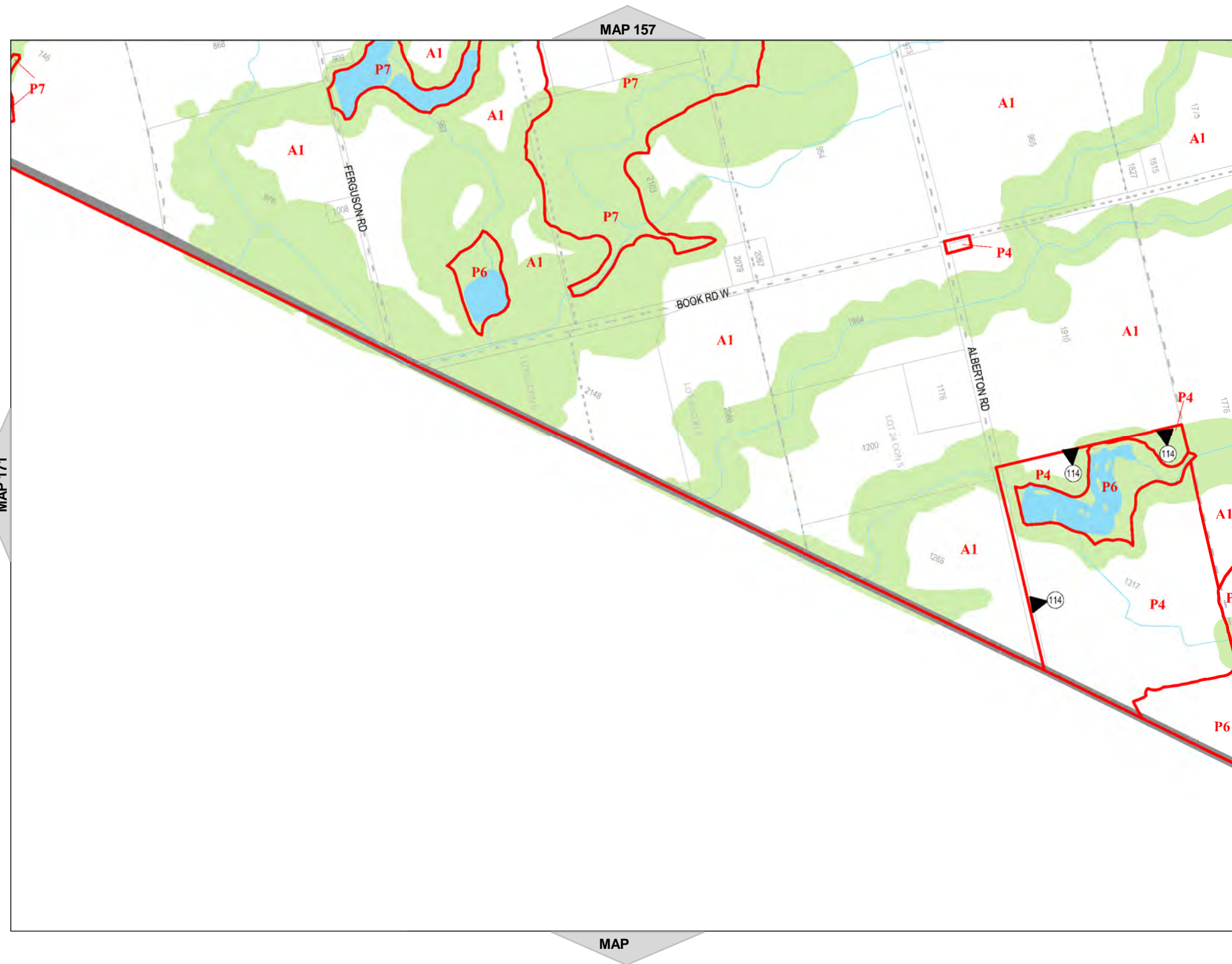
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000


MAP 172 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

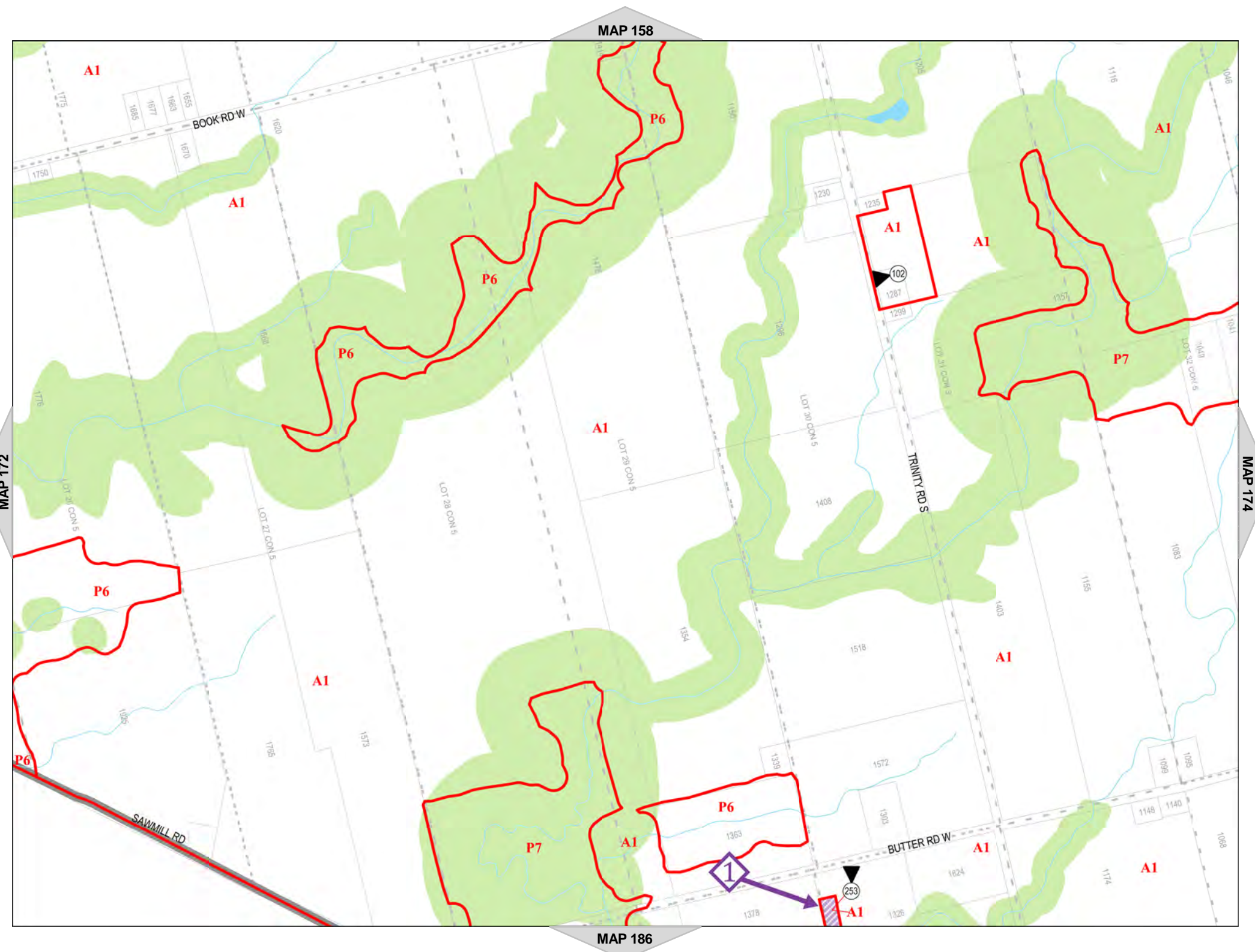
ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 173 of Schedule 'A'**

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

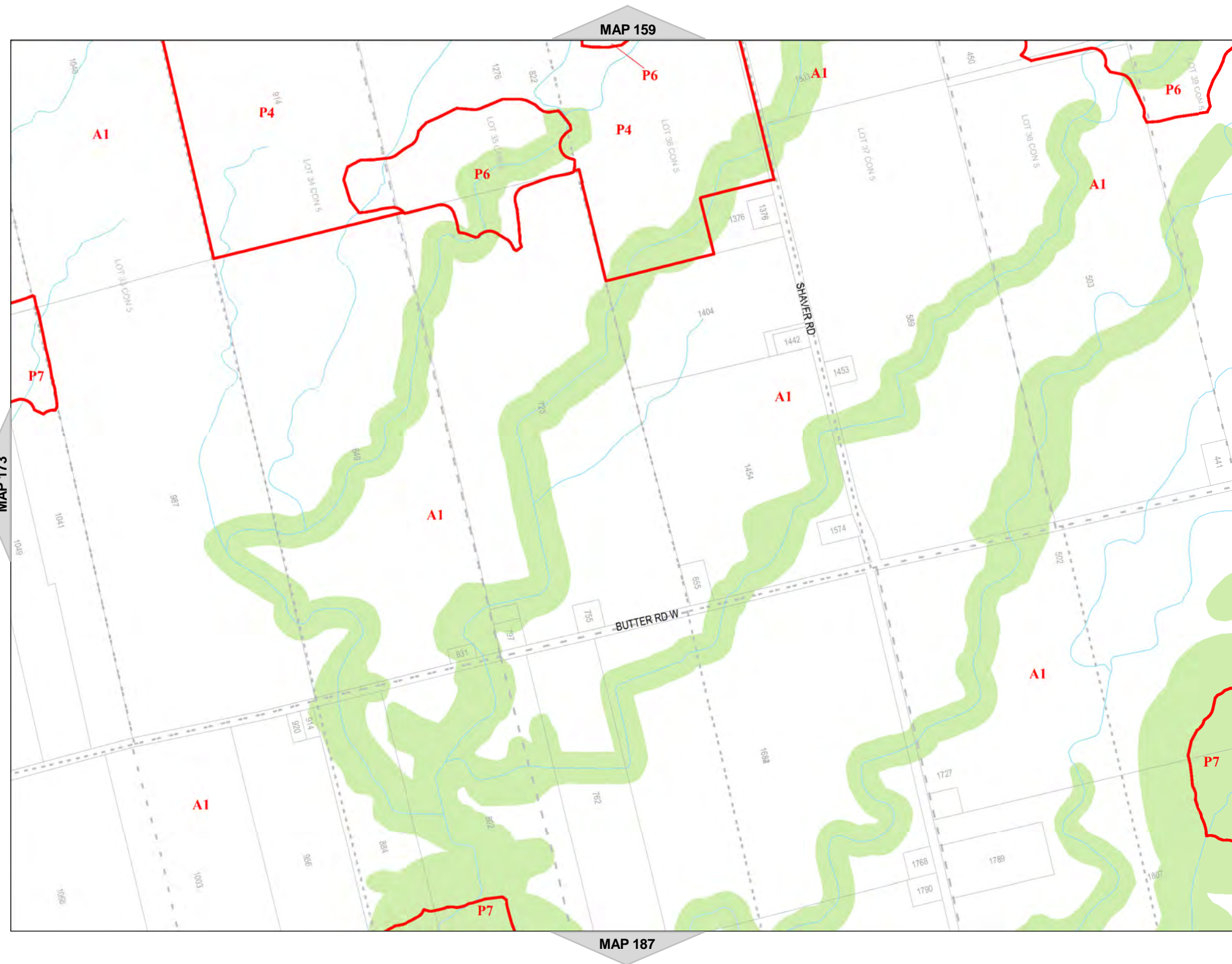
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 174 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

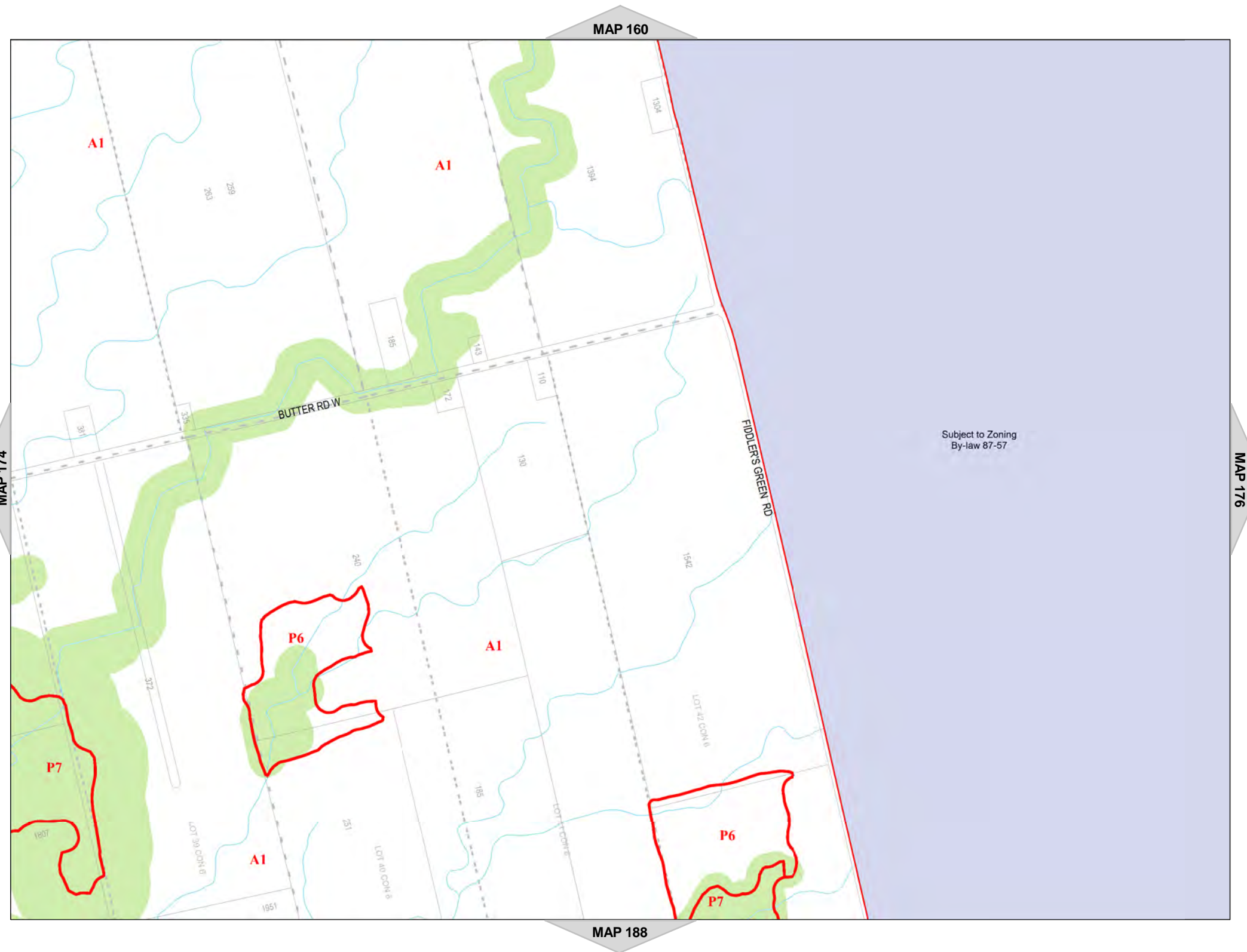
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 175 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

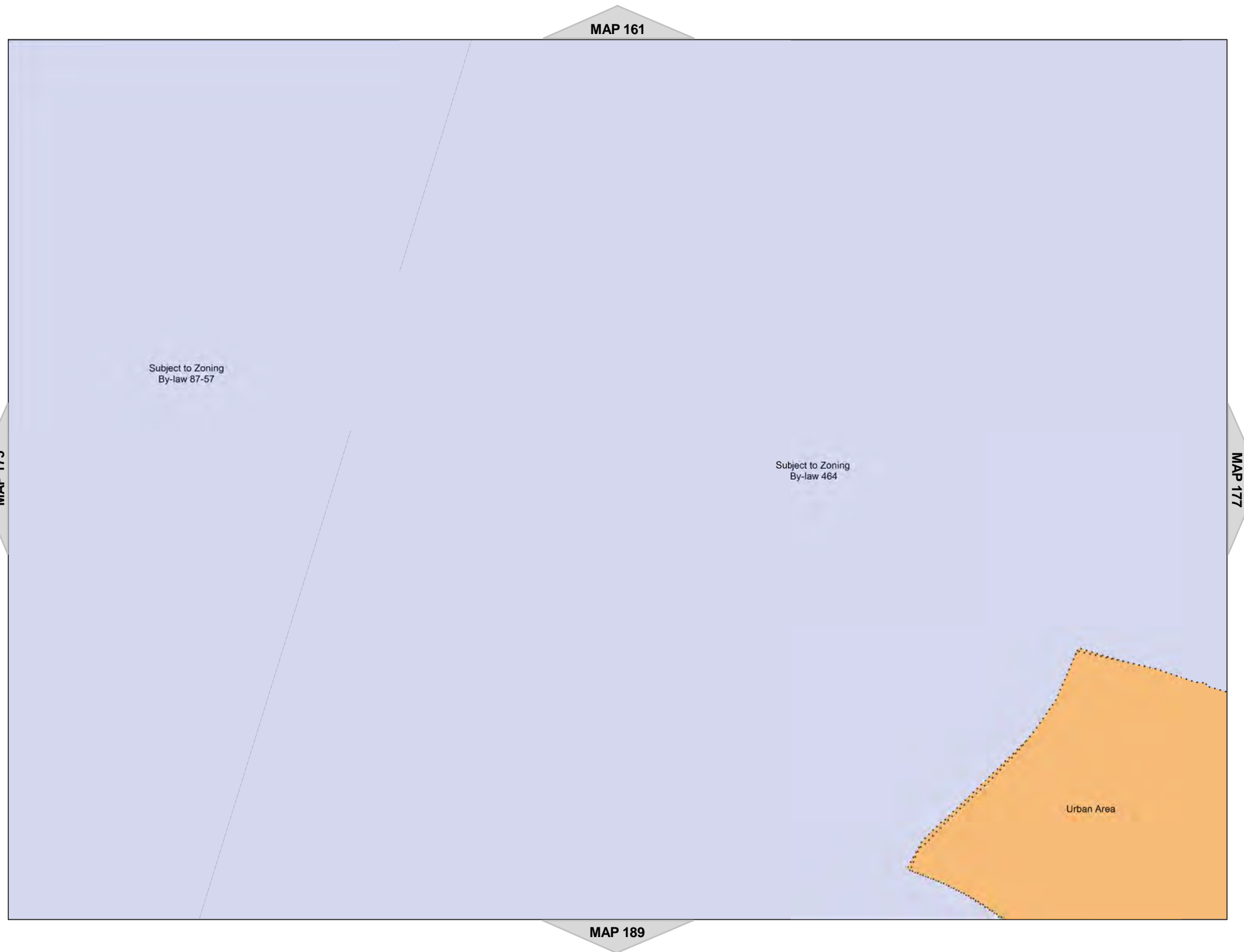
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 176 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

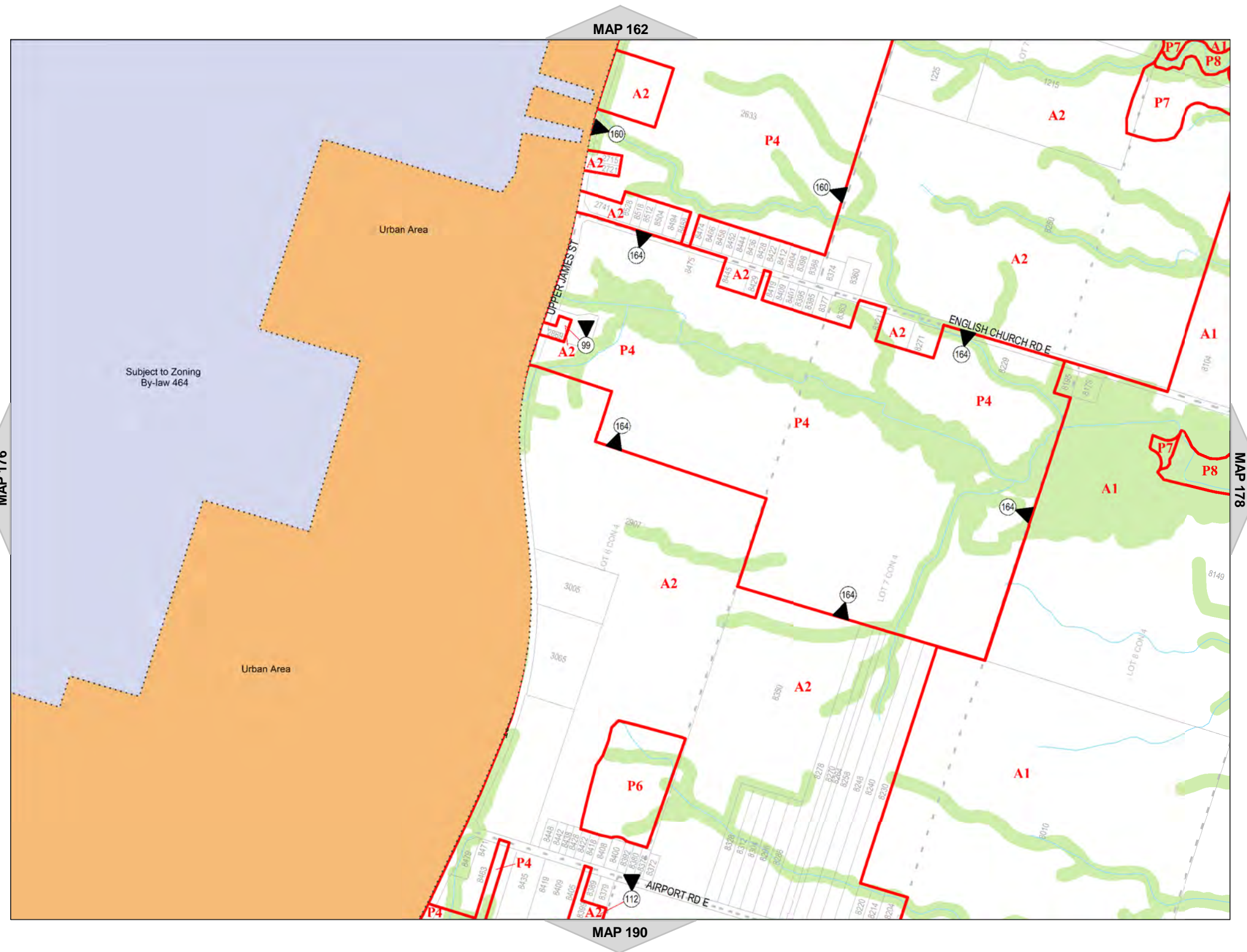
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 177 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

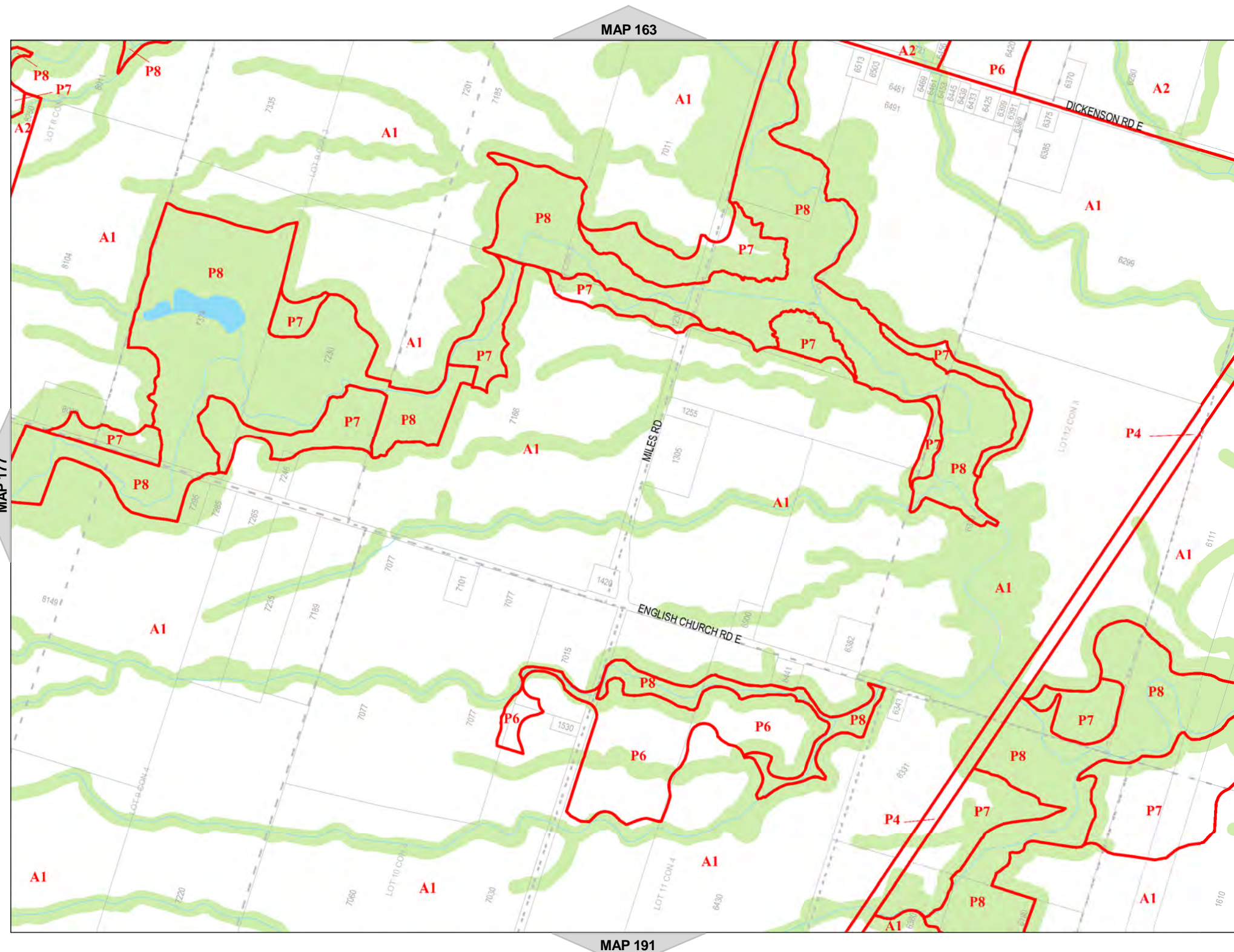
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 178 of Schedule 'A'



MAP 163

MAP 177

MAP 179

MAP 191





**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

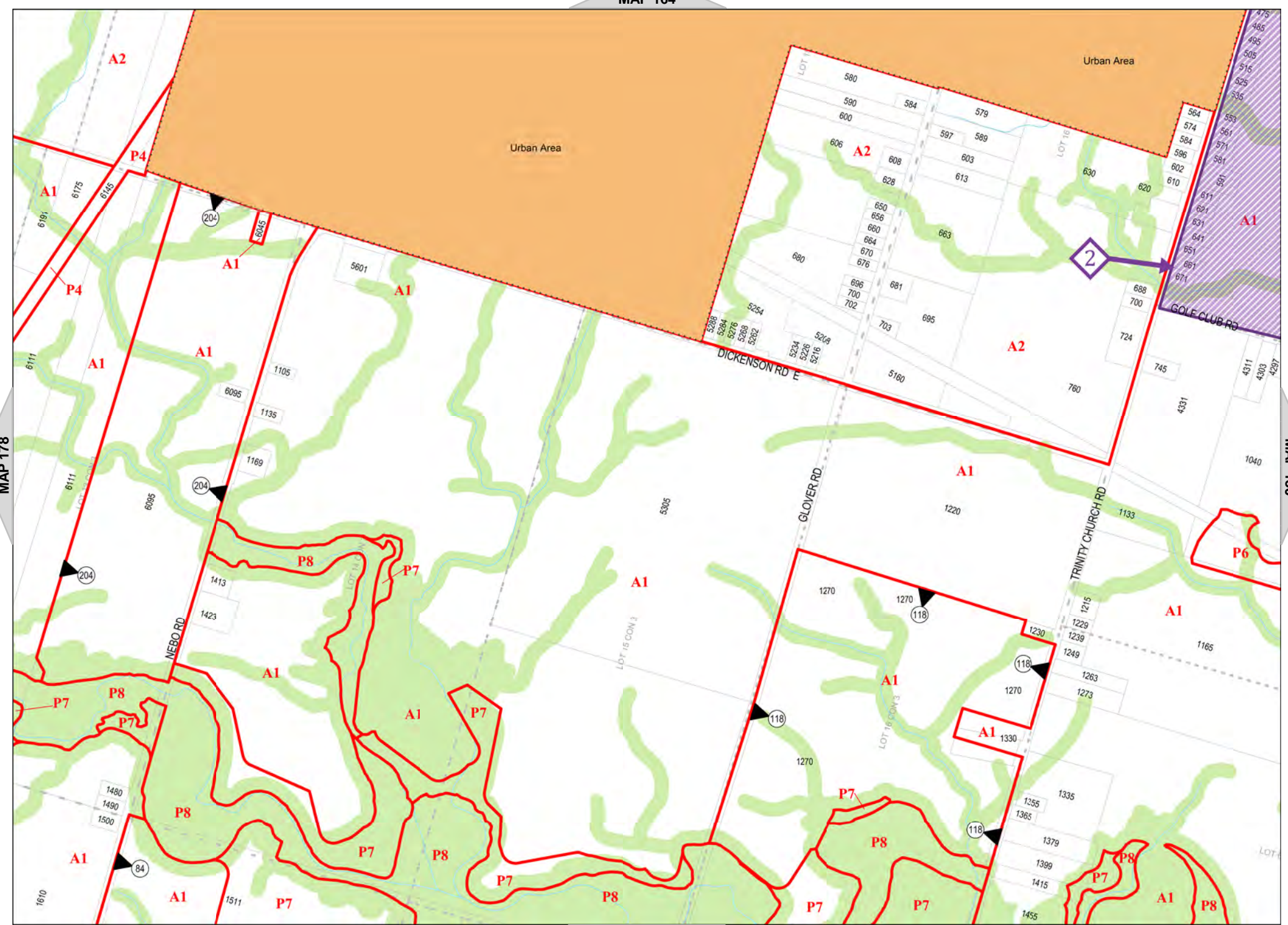
ID	Appellant
2	Multi-Area Developments Inc

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**MAP 179 of Schedule 'A'**



MAP 164

MAP 192

MAP 178

MAP 180





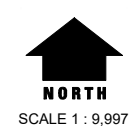
**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

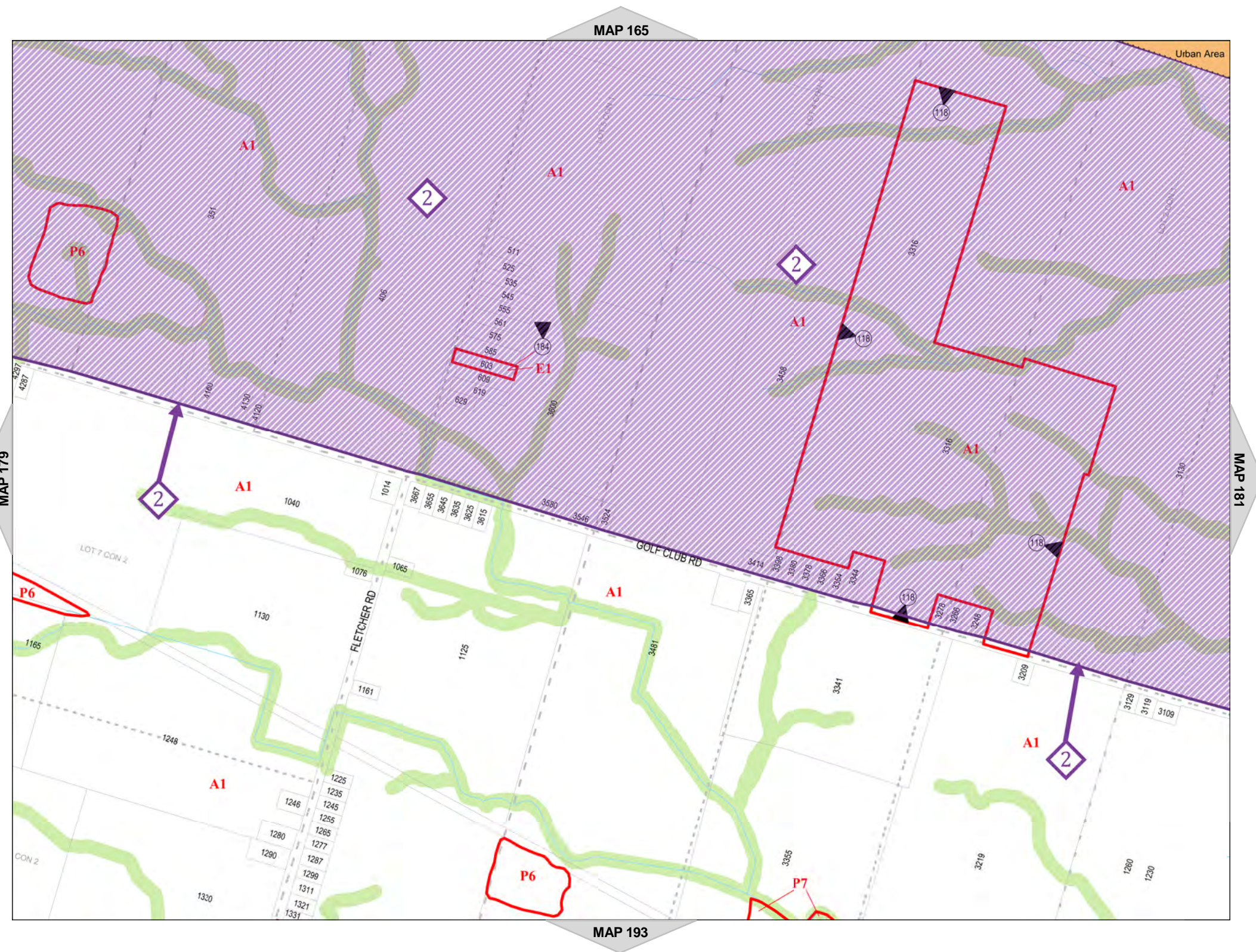
ID	Appellant
2	Multi-Area Developments Inc

**Legend**

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



**MAP 180 of Schedule 'A'**







Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID	Appellant
2	Multi-Area Developments Inc
4	Artstone Holdings LTD
6	Corpveil Holdings LTD

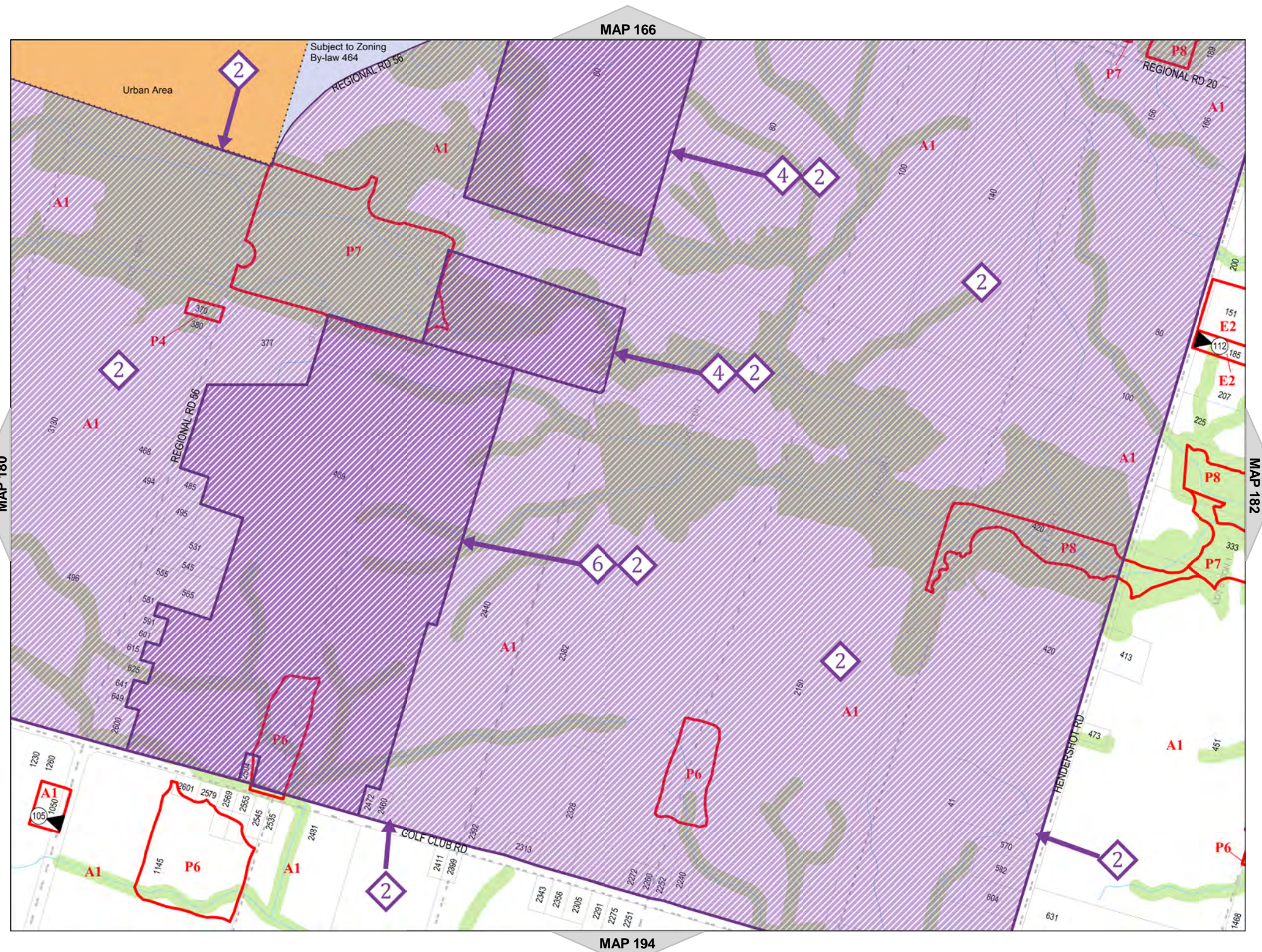
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 9,997


MAP 181 of Schedule 'A'



















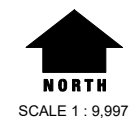
Hamilton  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

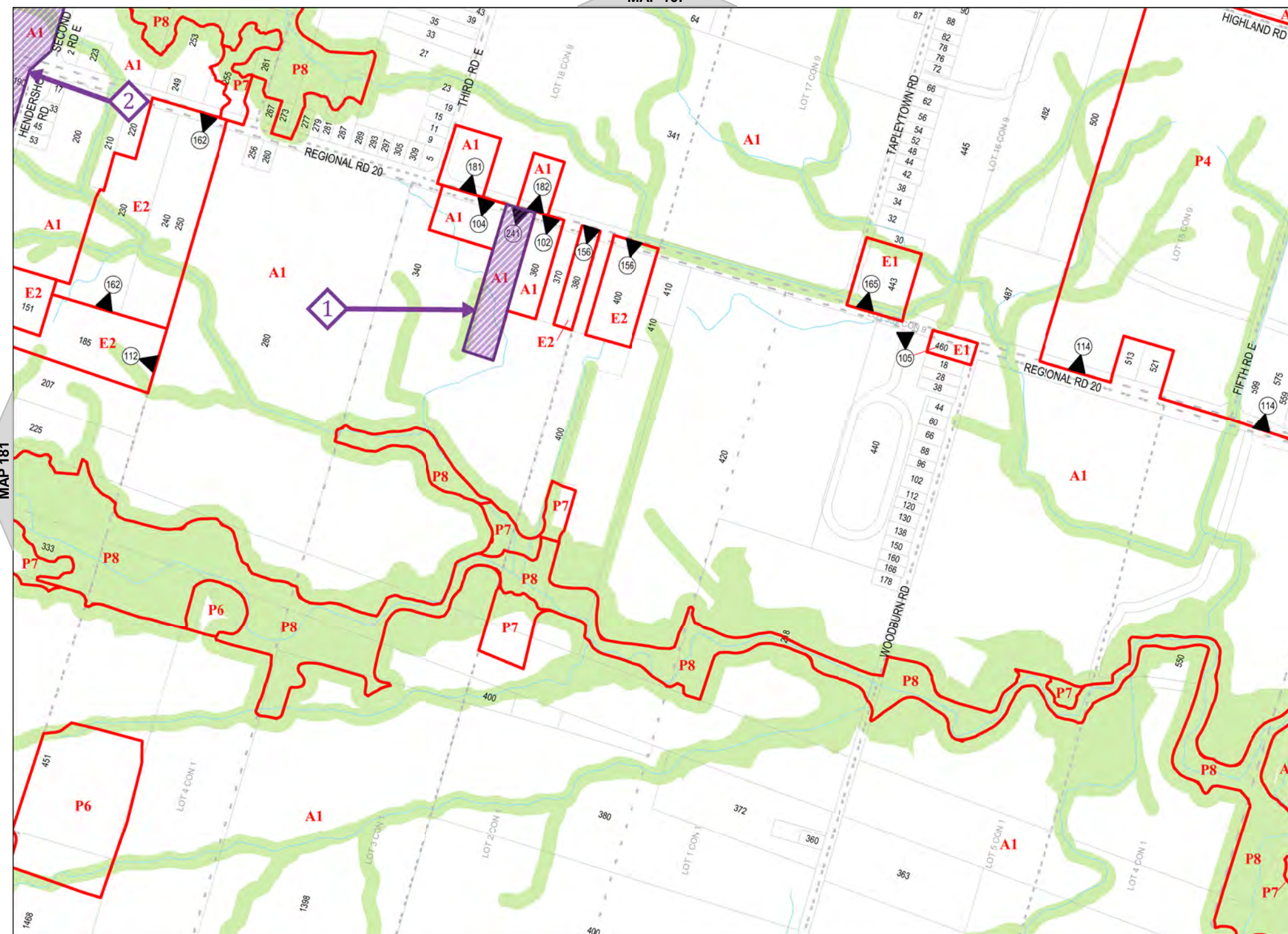
ID	Appellant
1	Coalition for Rural Ontario Environmental Protection
2	Multi-Area Developments Inc

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



MAP 182 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

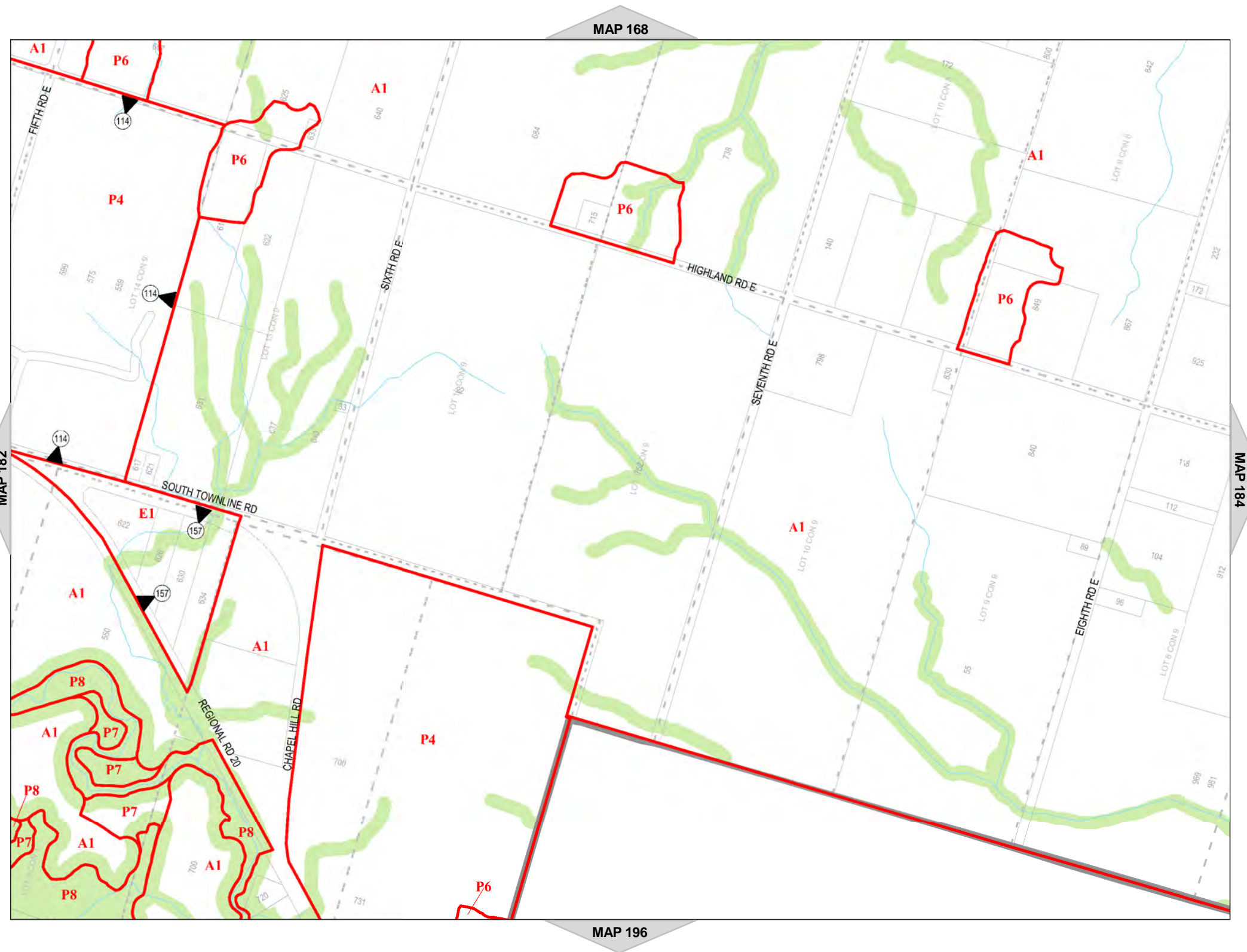
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 183 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

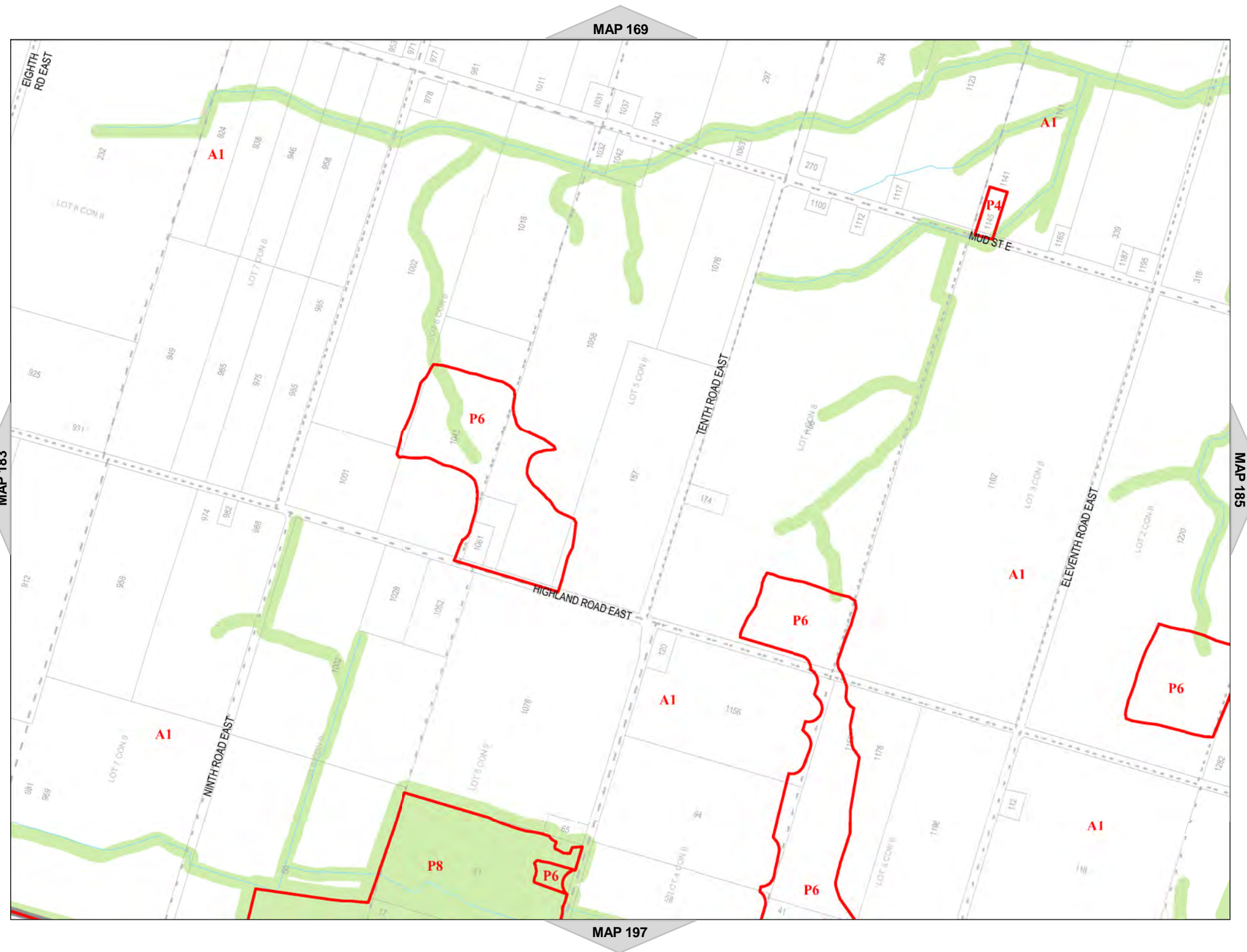
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 184 of Schedule 'A'



MAP 169

MAP 183

MAP 185

MAP 197

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 185 of Schedule 'A'



MAP 170


MAP 184

MAP

MAP 198















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID 1 Appellant  
Coalition for Rural Ontario  
Environmental Protection

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 186 of Schedule 'A'**



MAP

MAP 187

MAP















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

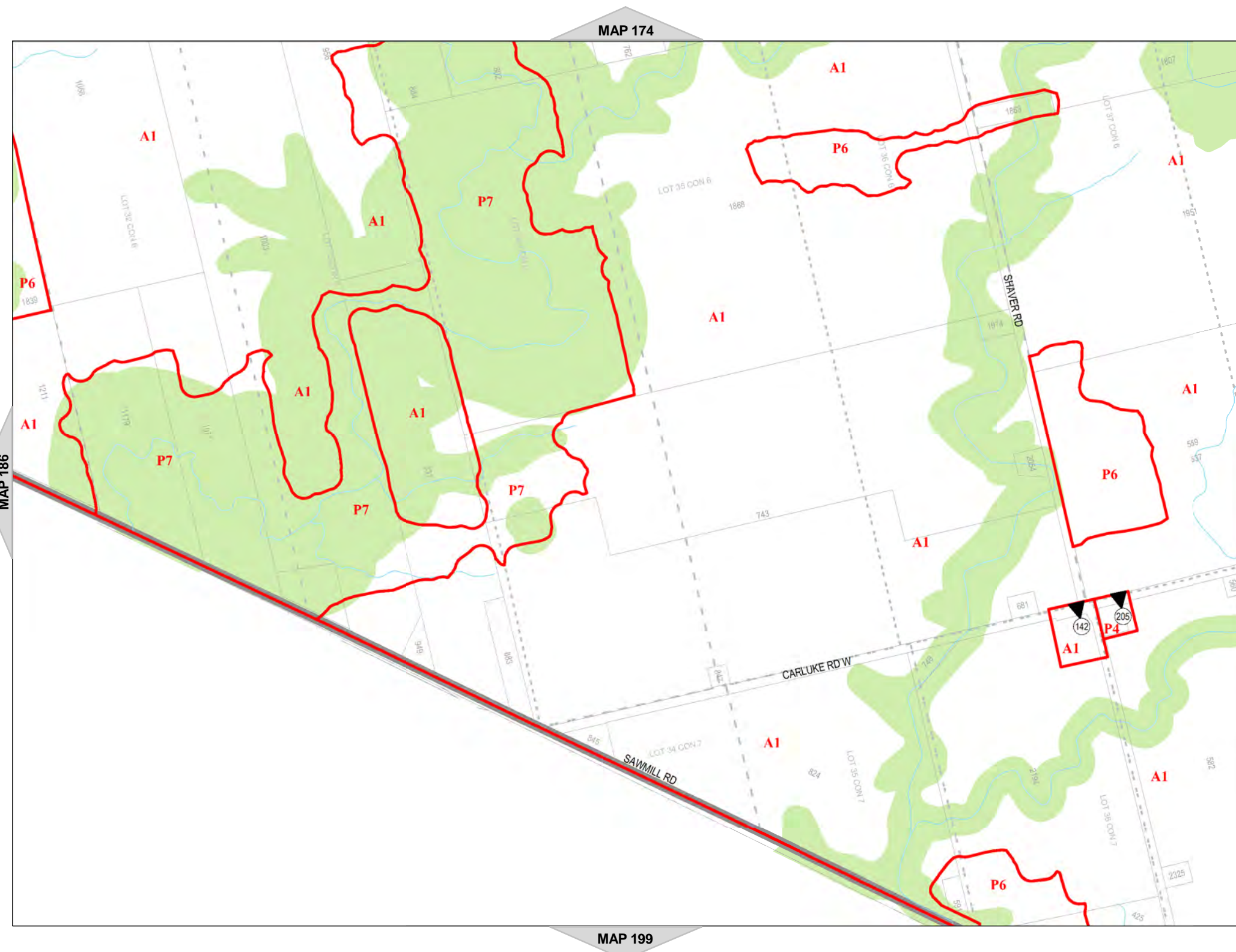
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 187 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

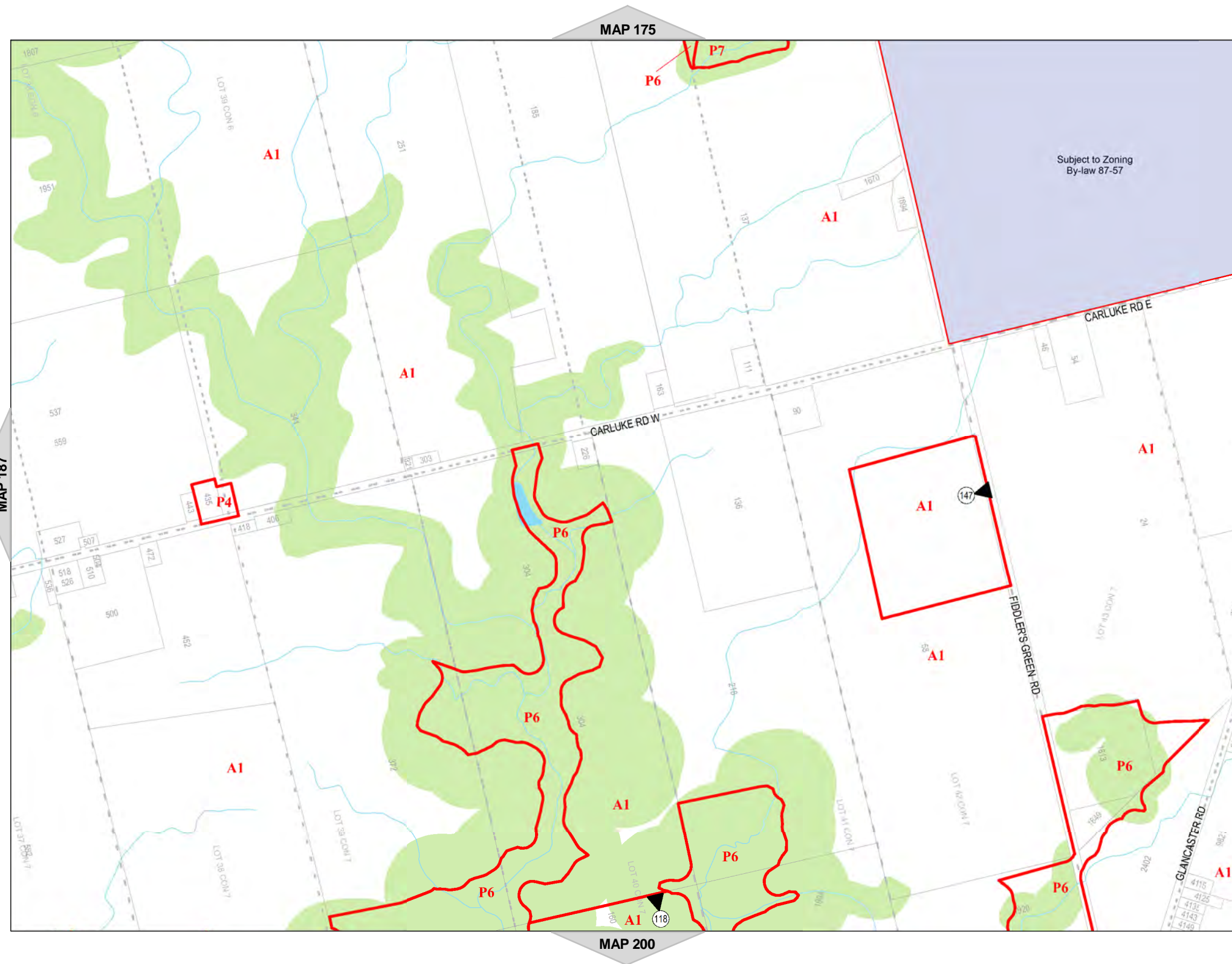
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 188 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

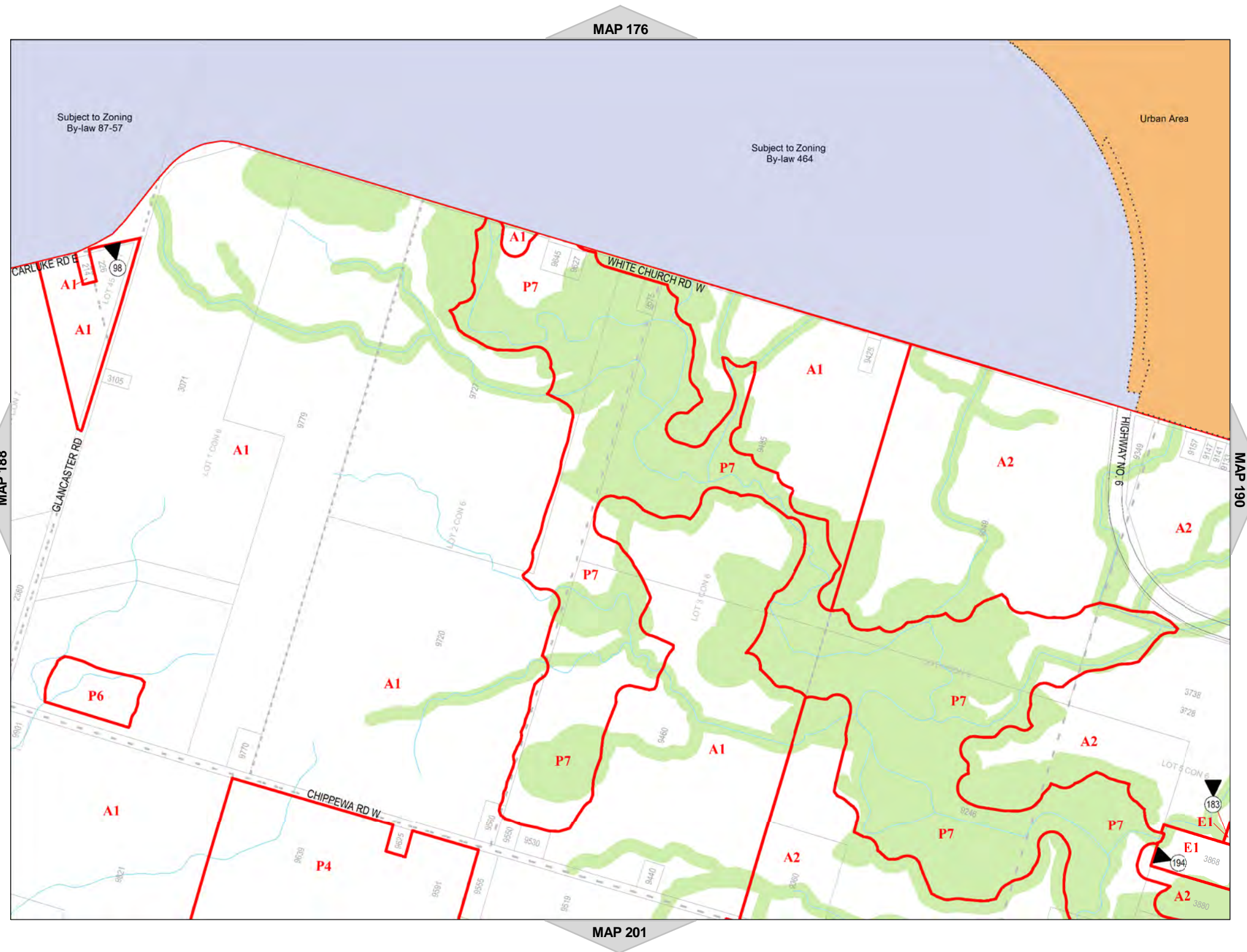
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000


MAP 189 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

ID 14 Appellant  
3727 Highway Six Inc.

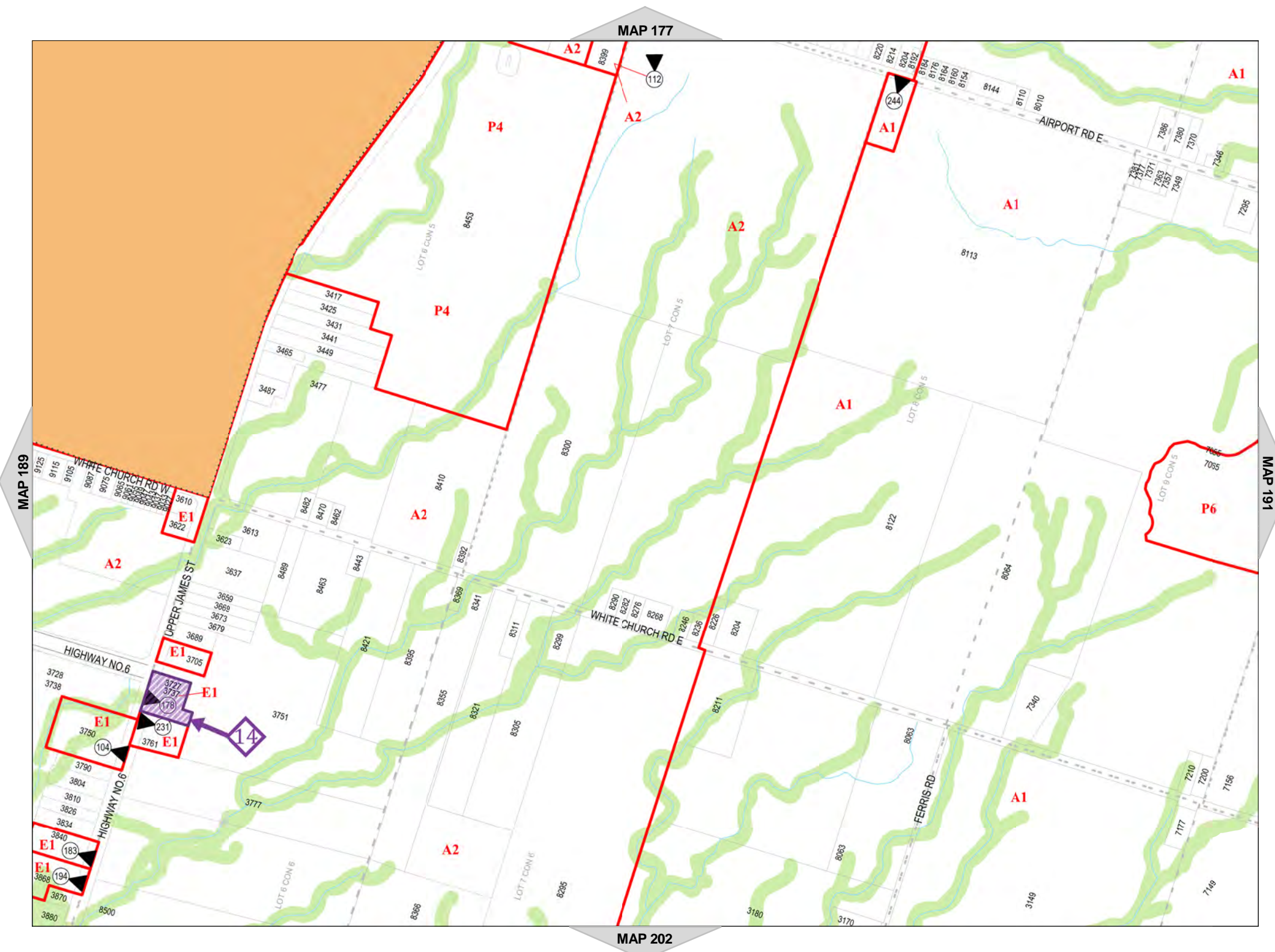
**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**NORTH**  
SCALE 1 : 9,997

**MAP 190 of Schedule 'A'**


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

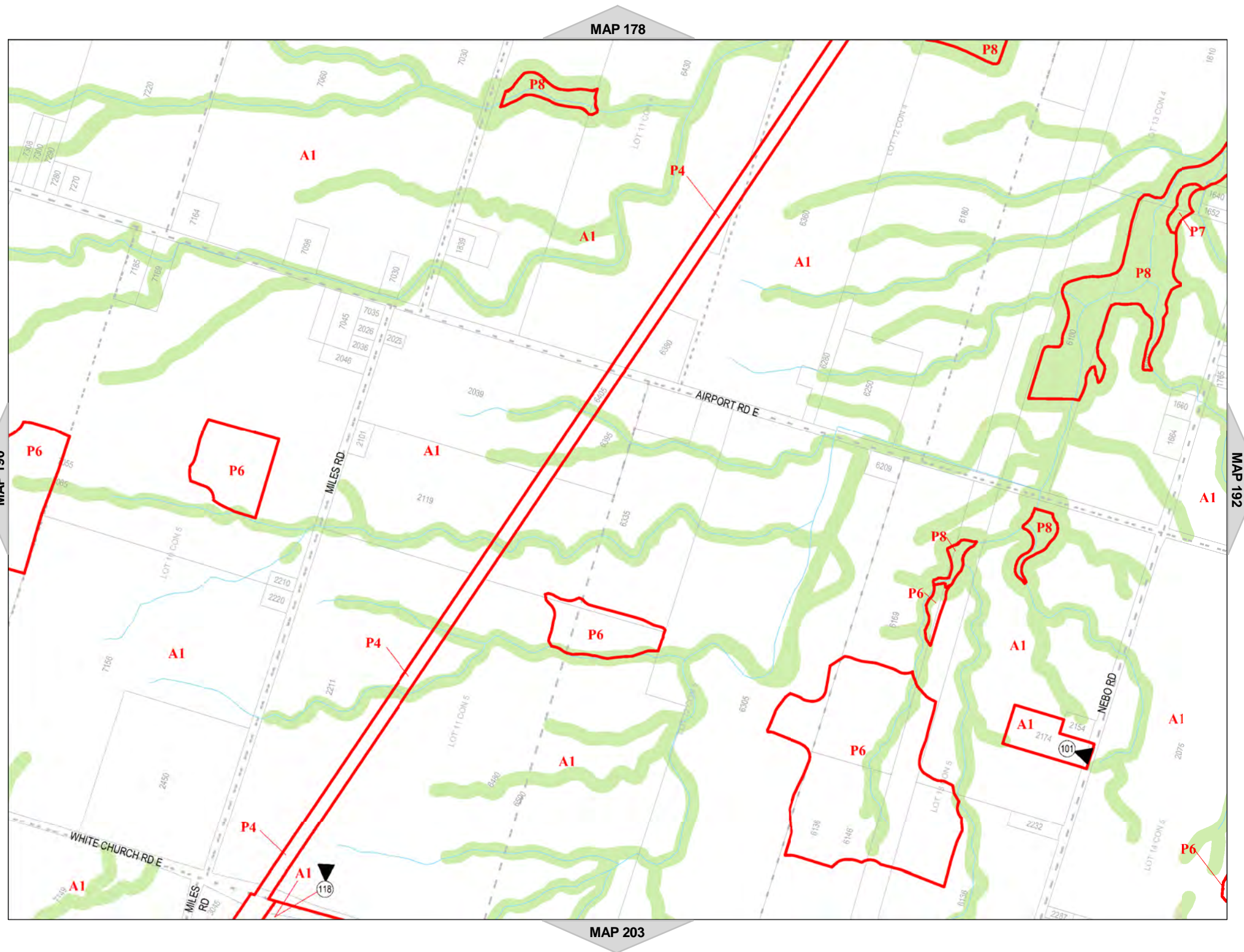
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 191 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

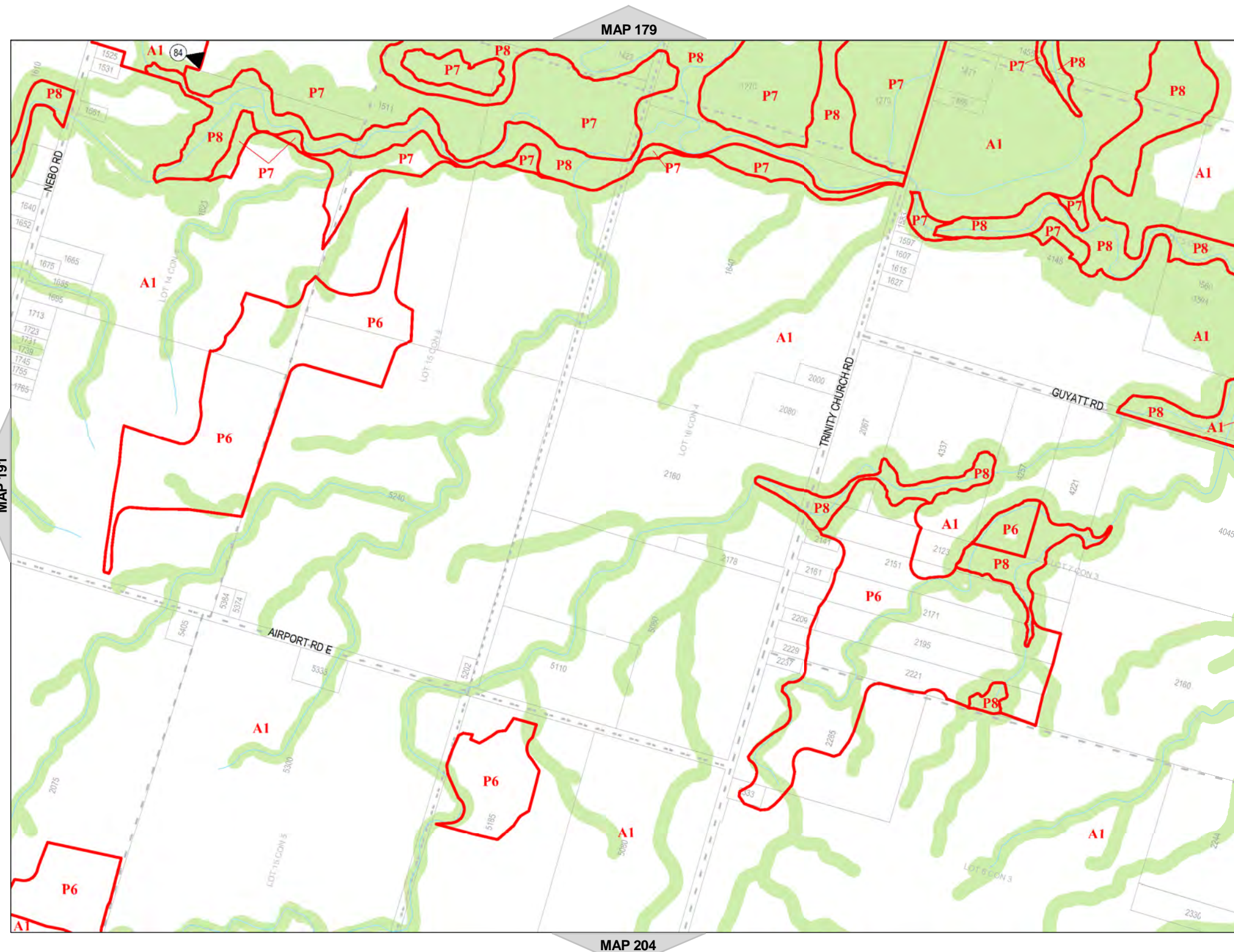
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 192 of Schedule 'A'



MAP 204

MAP 179

MAP 191

MAP 193

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

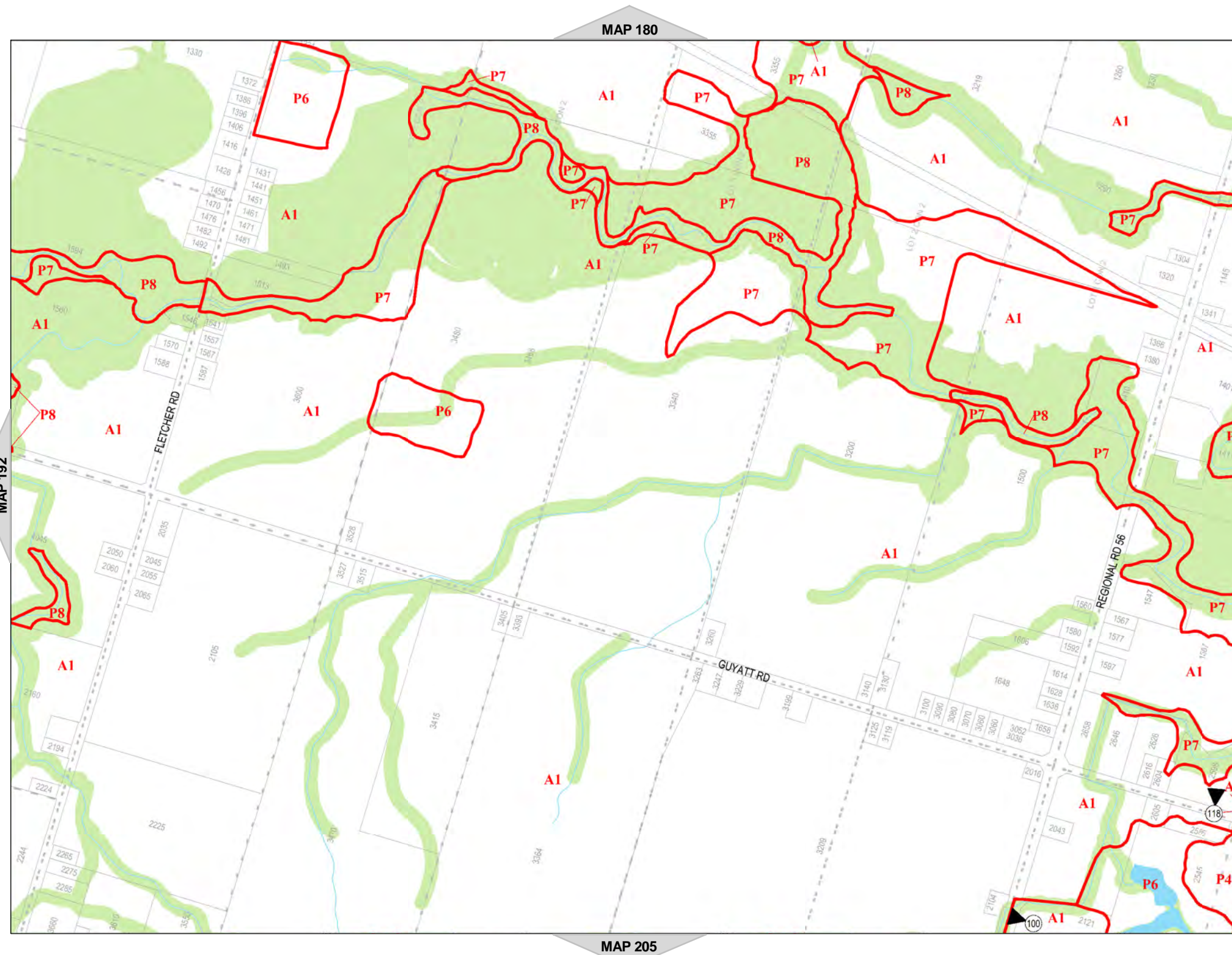
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000


MAP 193 of Schedule 'A'



















**Hamilton**  
City of Hamilton  
Zoning By-Law 05-200

 Lands subject to appeals under By-law 15-173. (By-law 15-173 is not in force on these lands.)

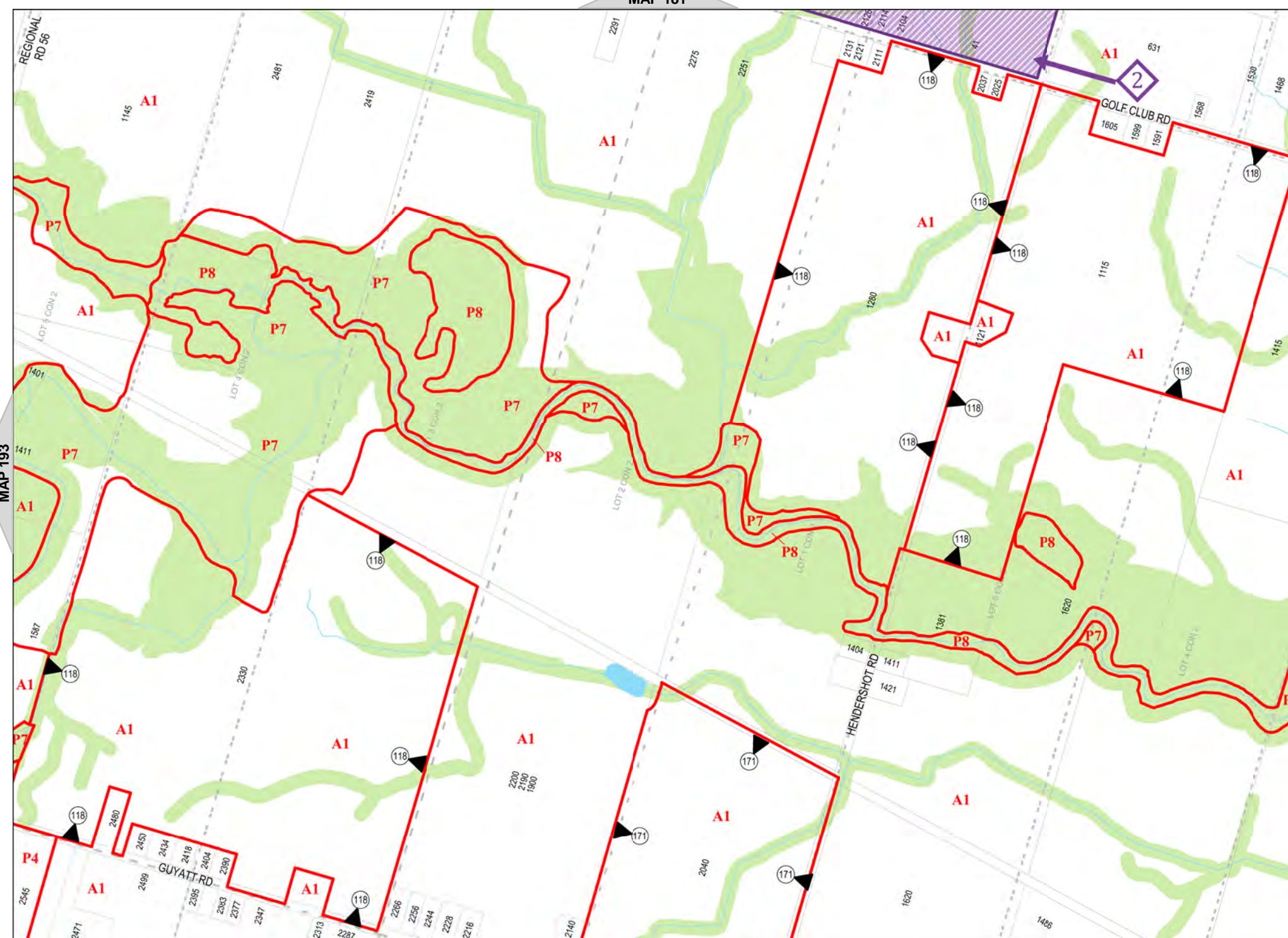
ID	Appellant
2	Multi-Area Developments Inc

**Legend**

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



**MAP 194 of Schedule 'A'**







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

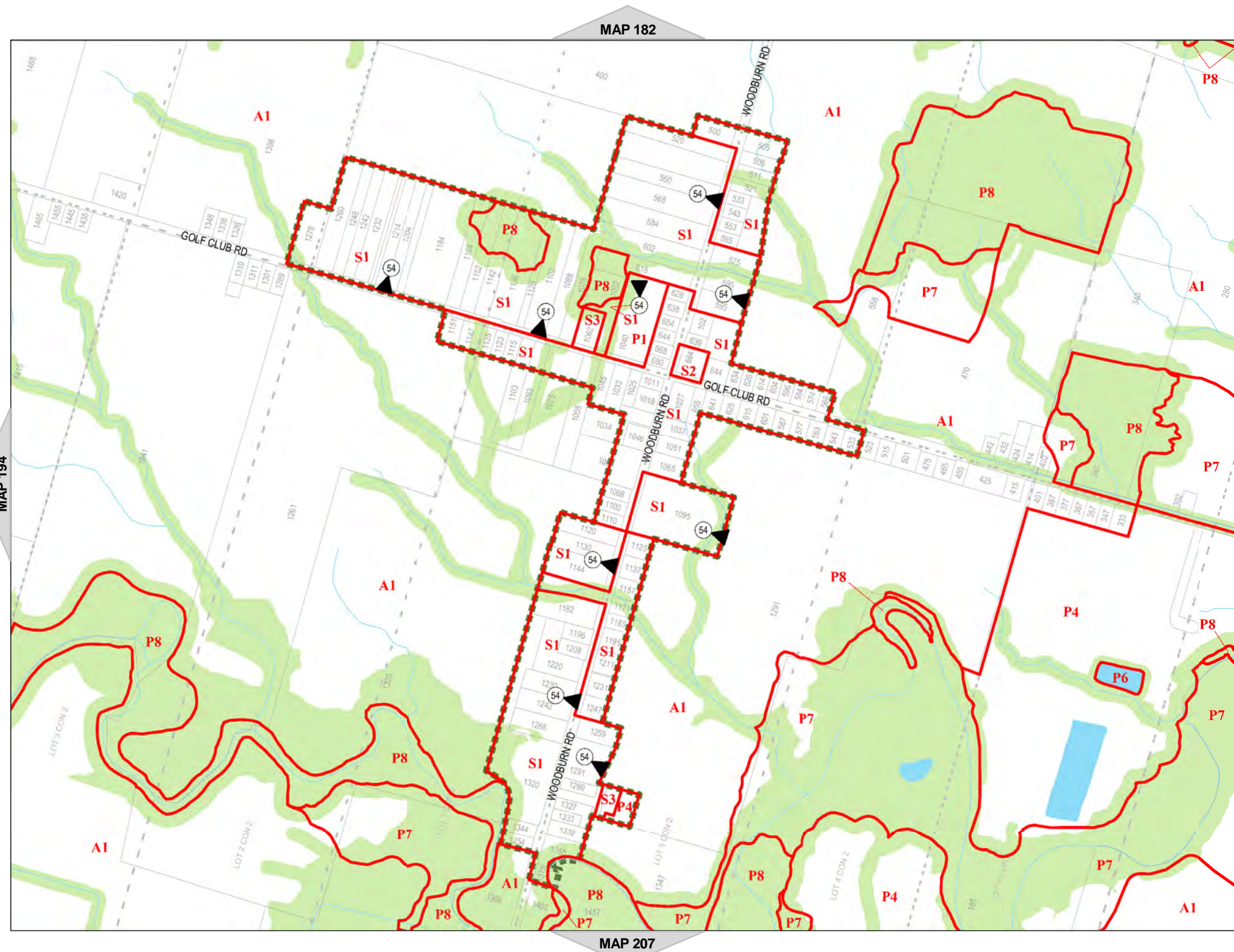
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 195 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

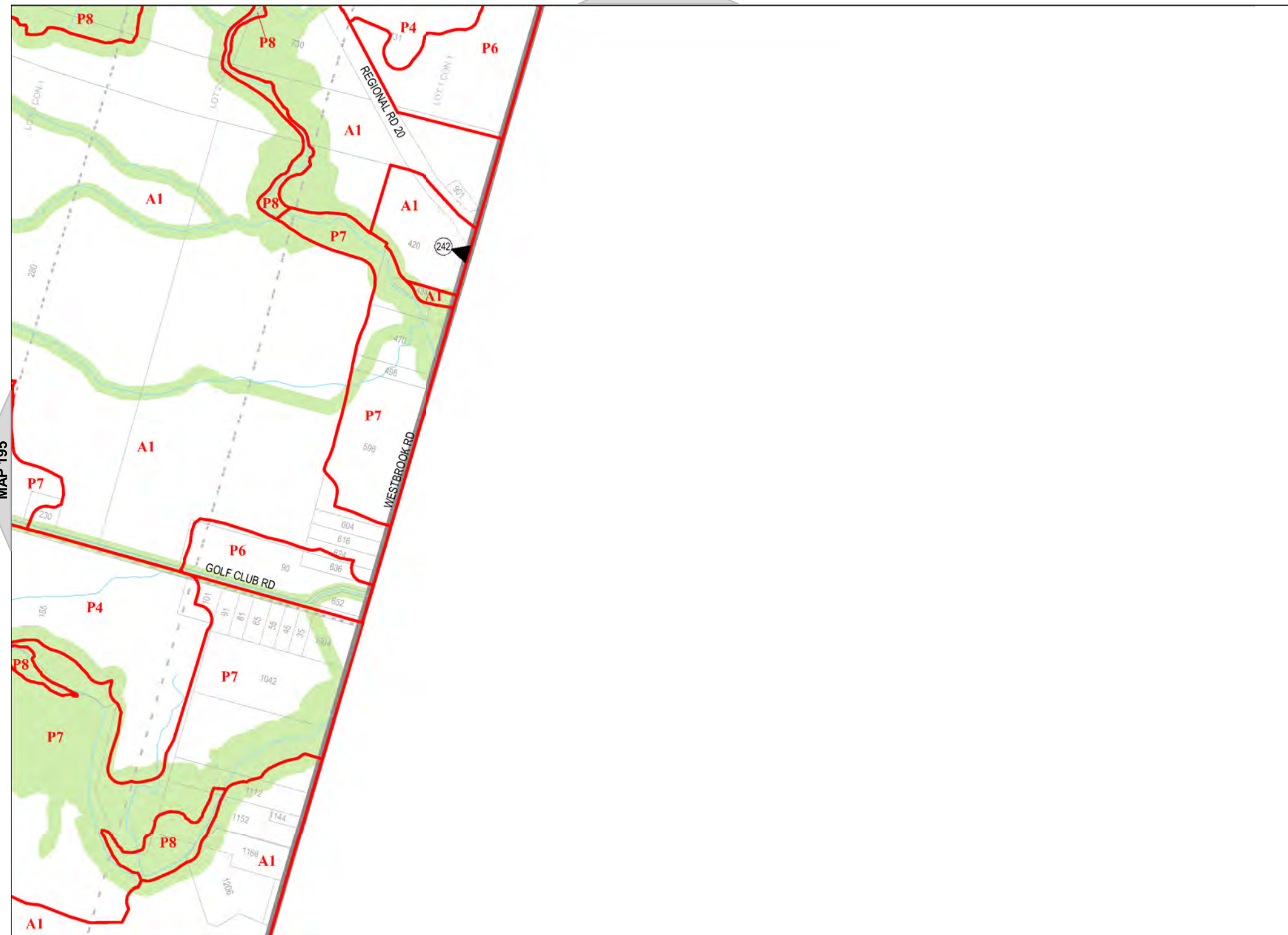
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 196 of Schedule 'A'



MAP 183

MAP 208

MAP 195

MAP 197
















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

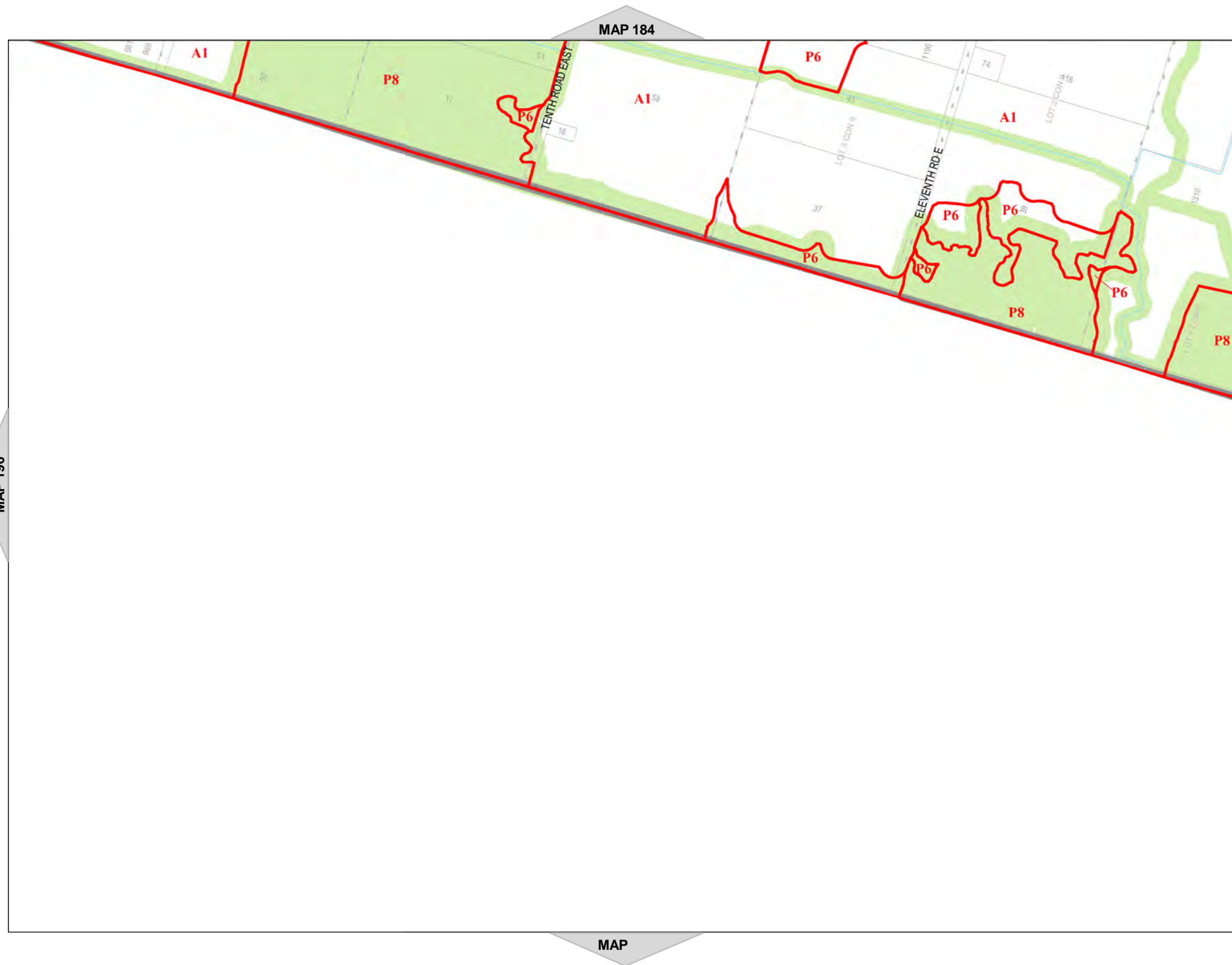
-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH

SCALE 1 : 10,000

MAP 197 of Schedule 'A'
















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

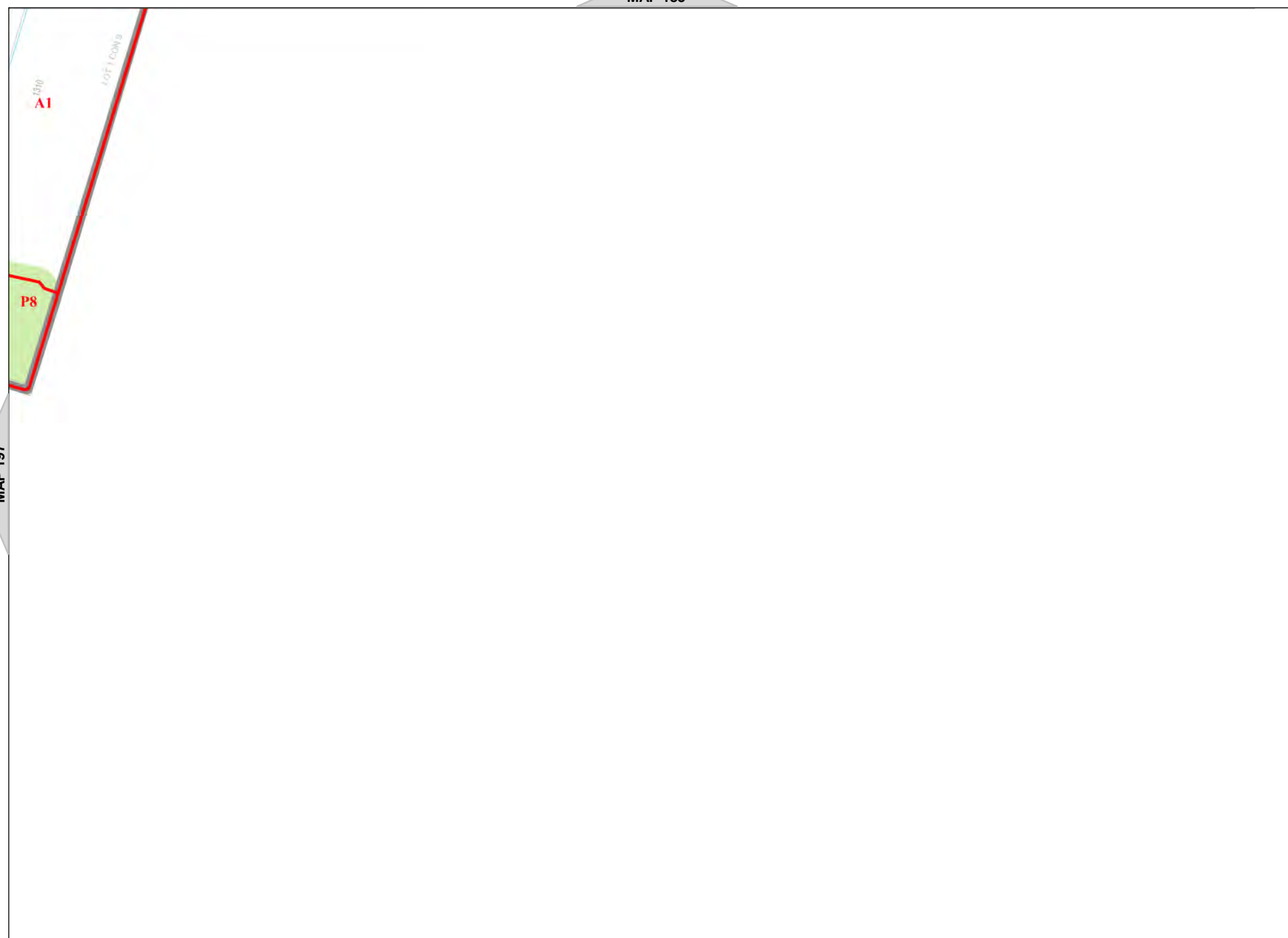
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 198 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

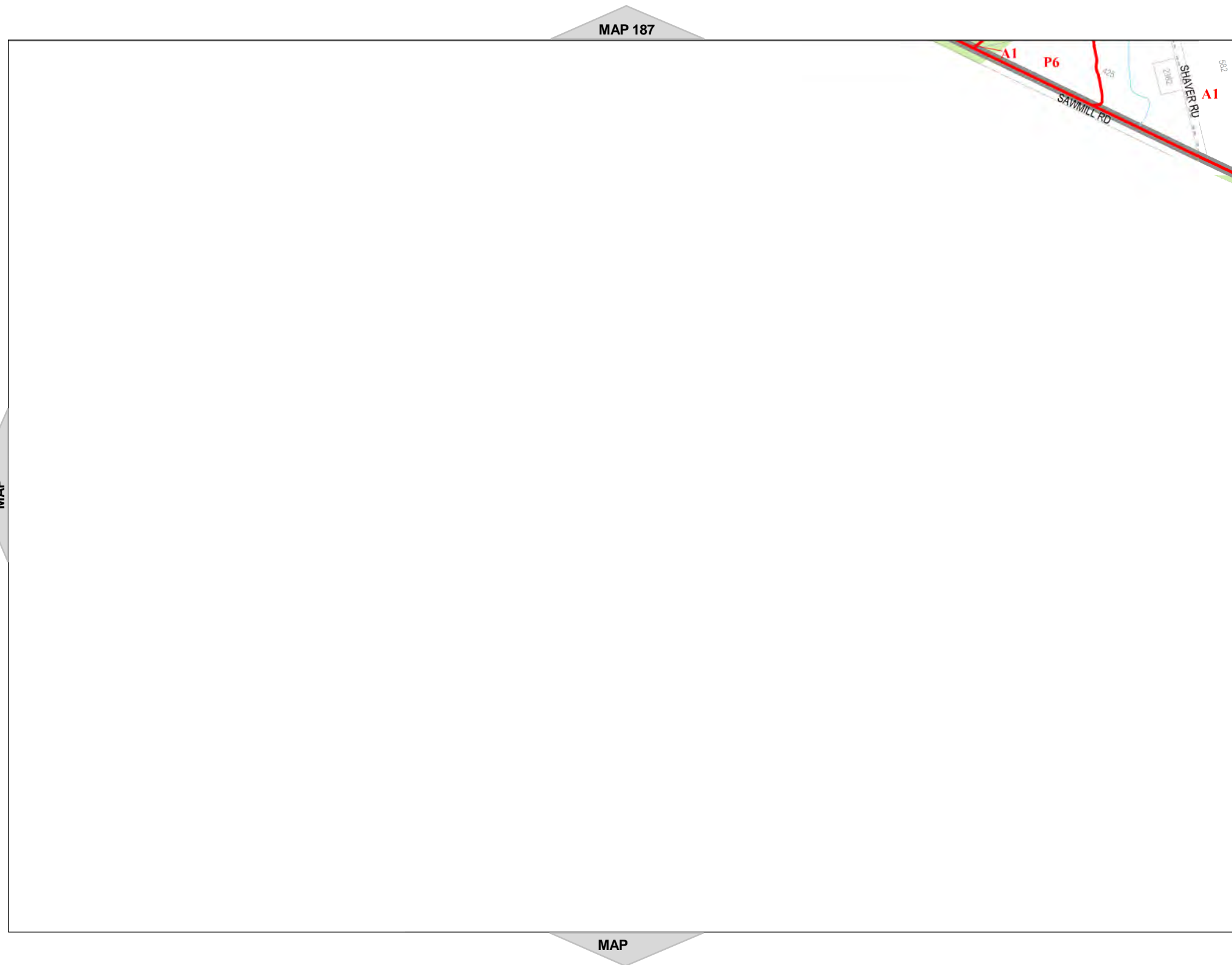
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 199 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

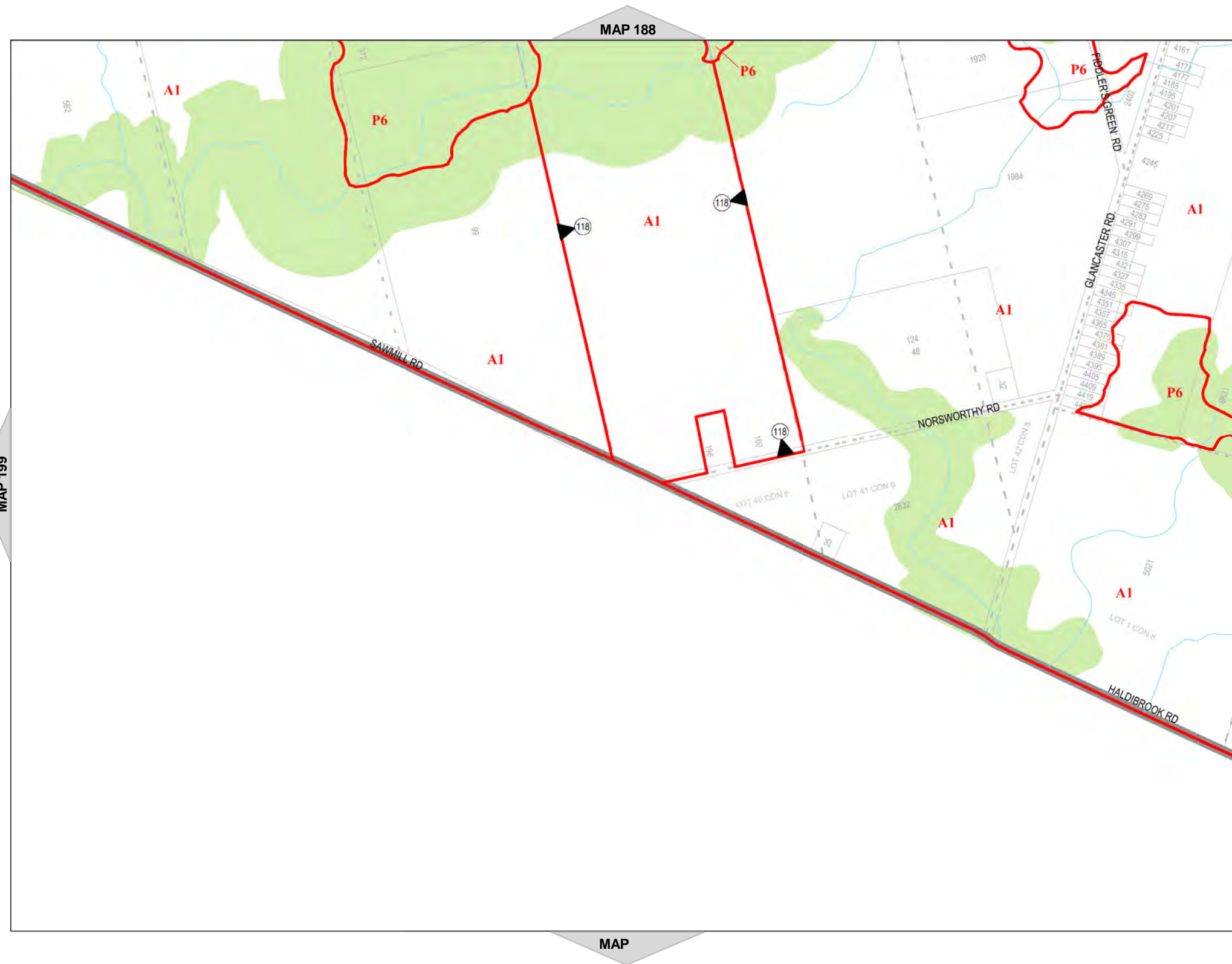
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 200 of Schedule 'A'





Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

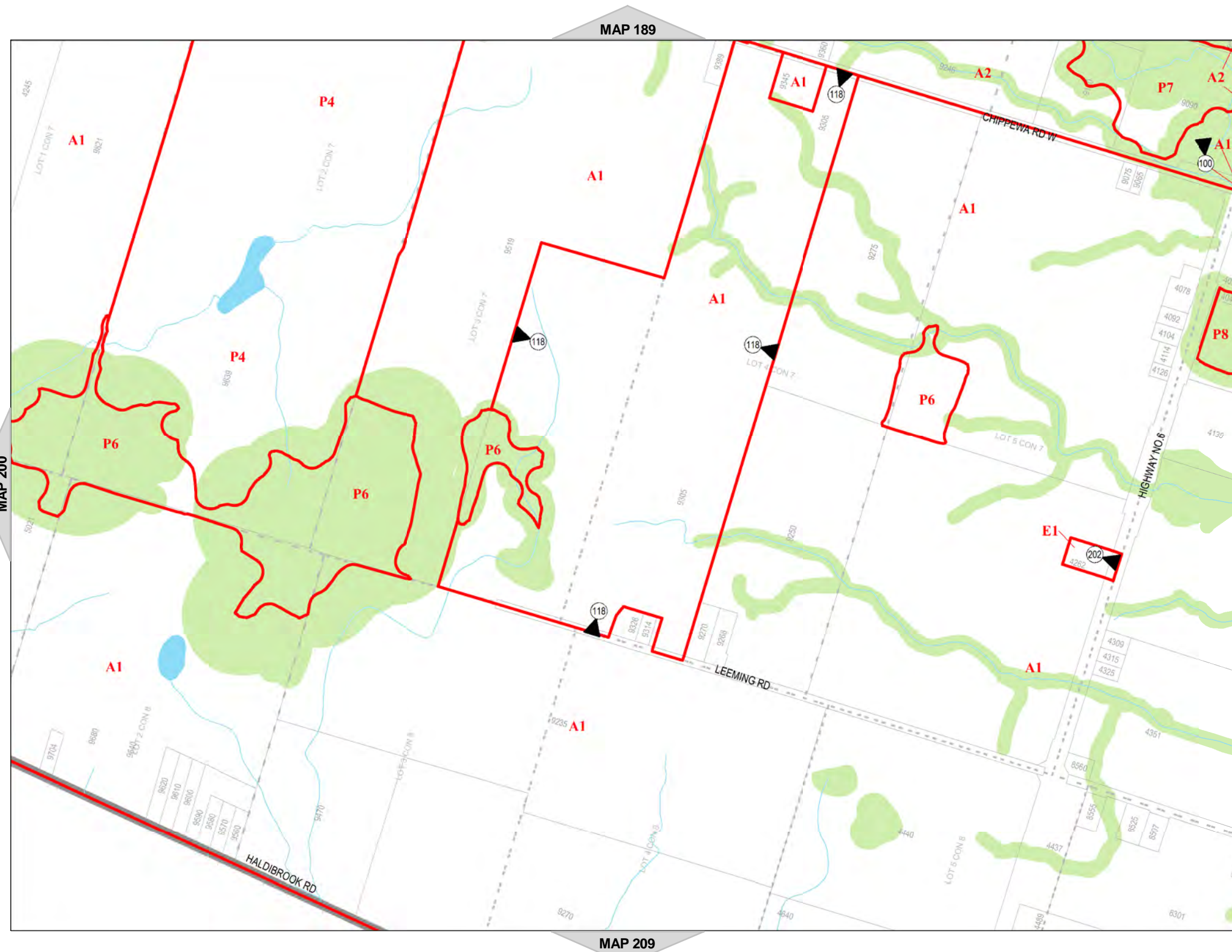
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 201 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

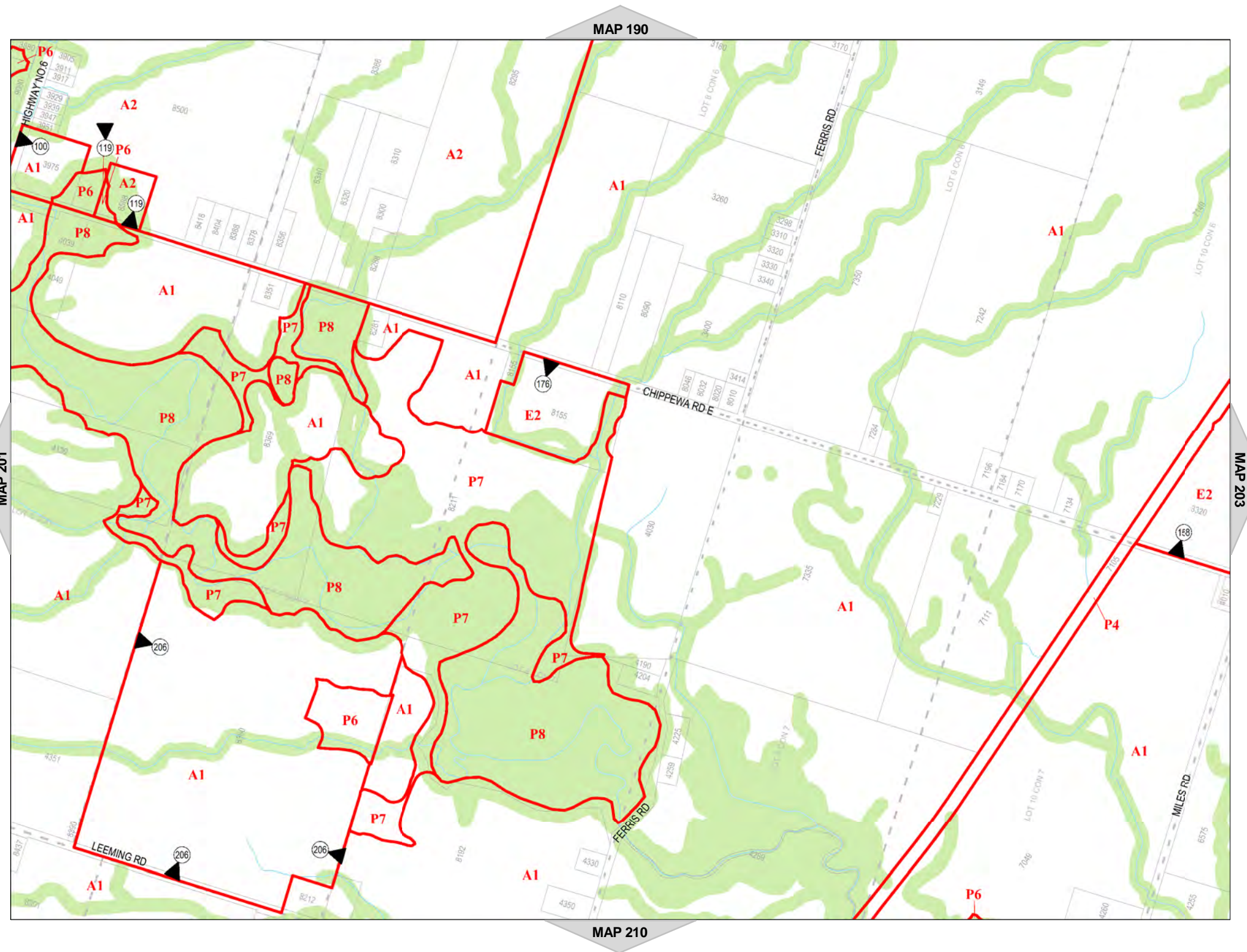
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 202 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

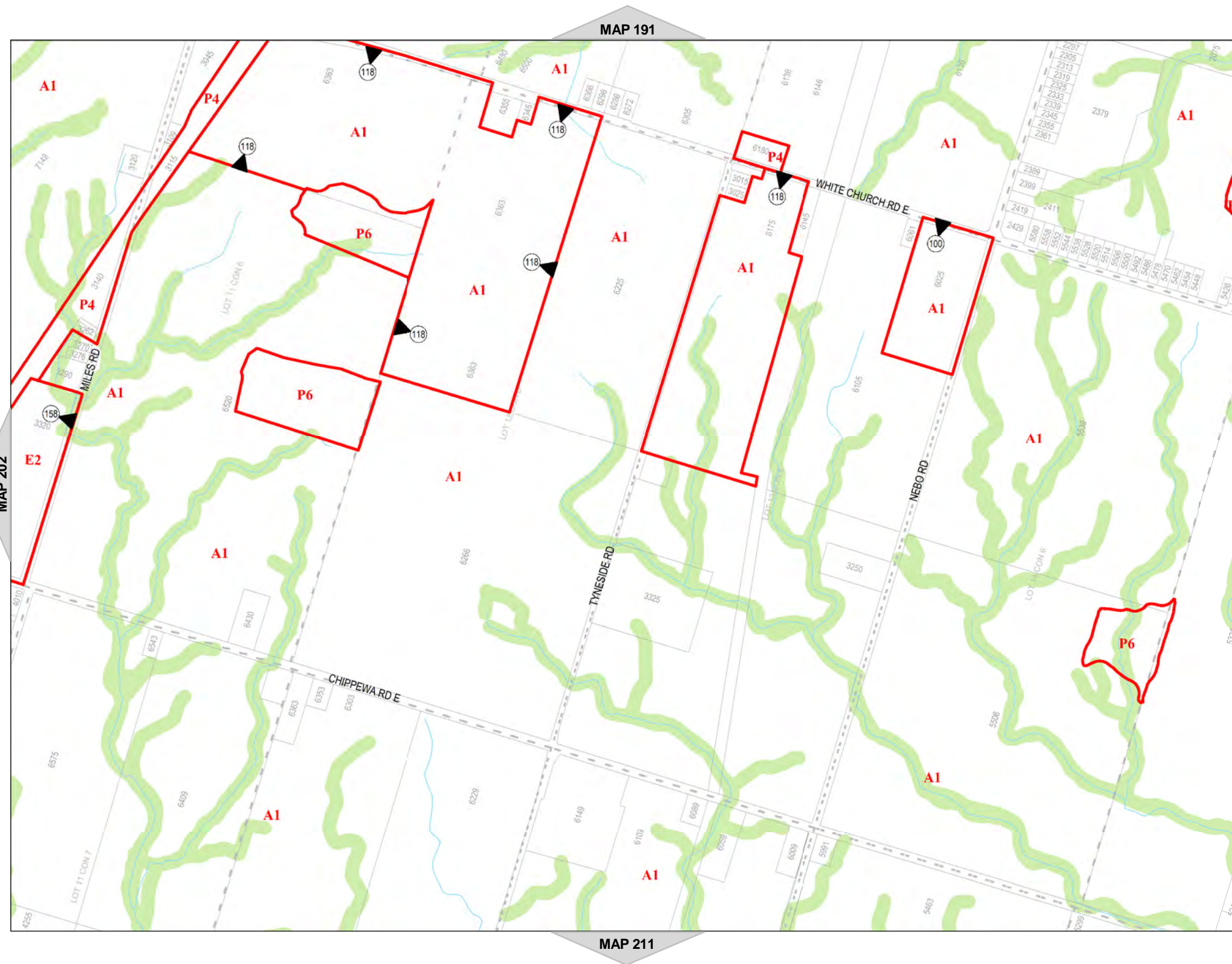
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 203 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

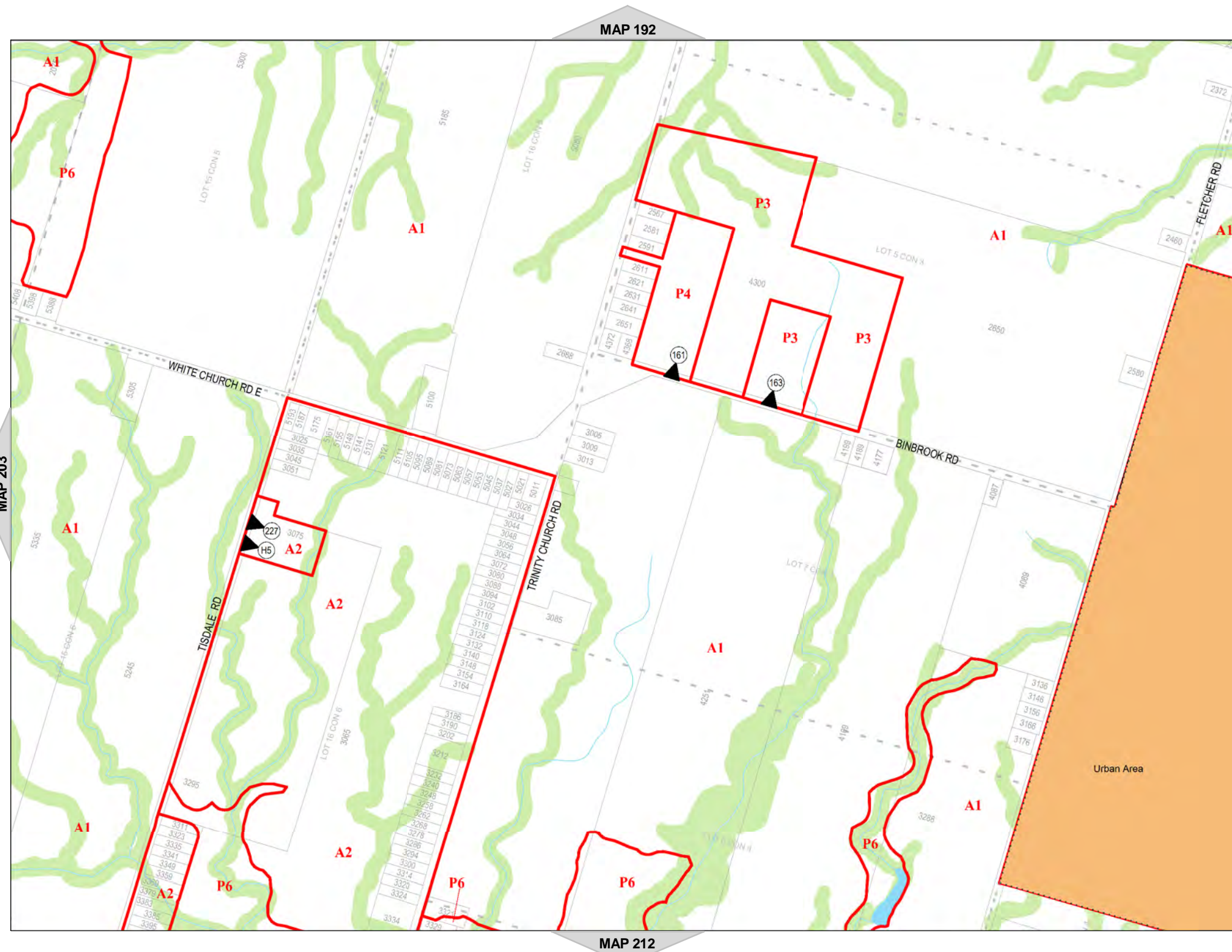
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 204 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

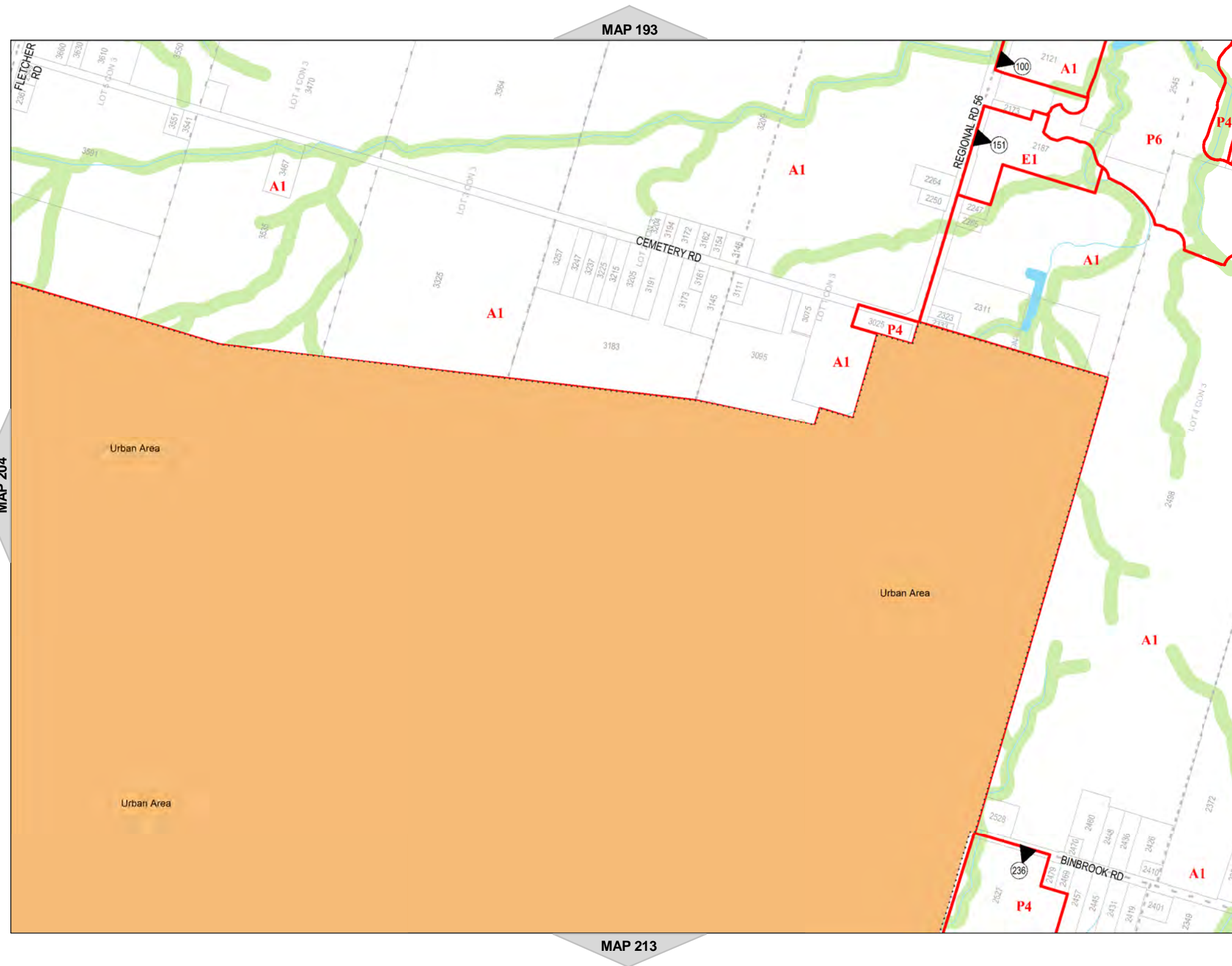
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 205 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

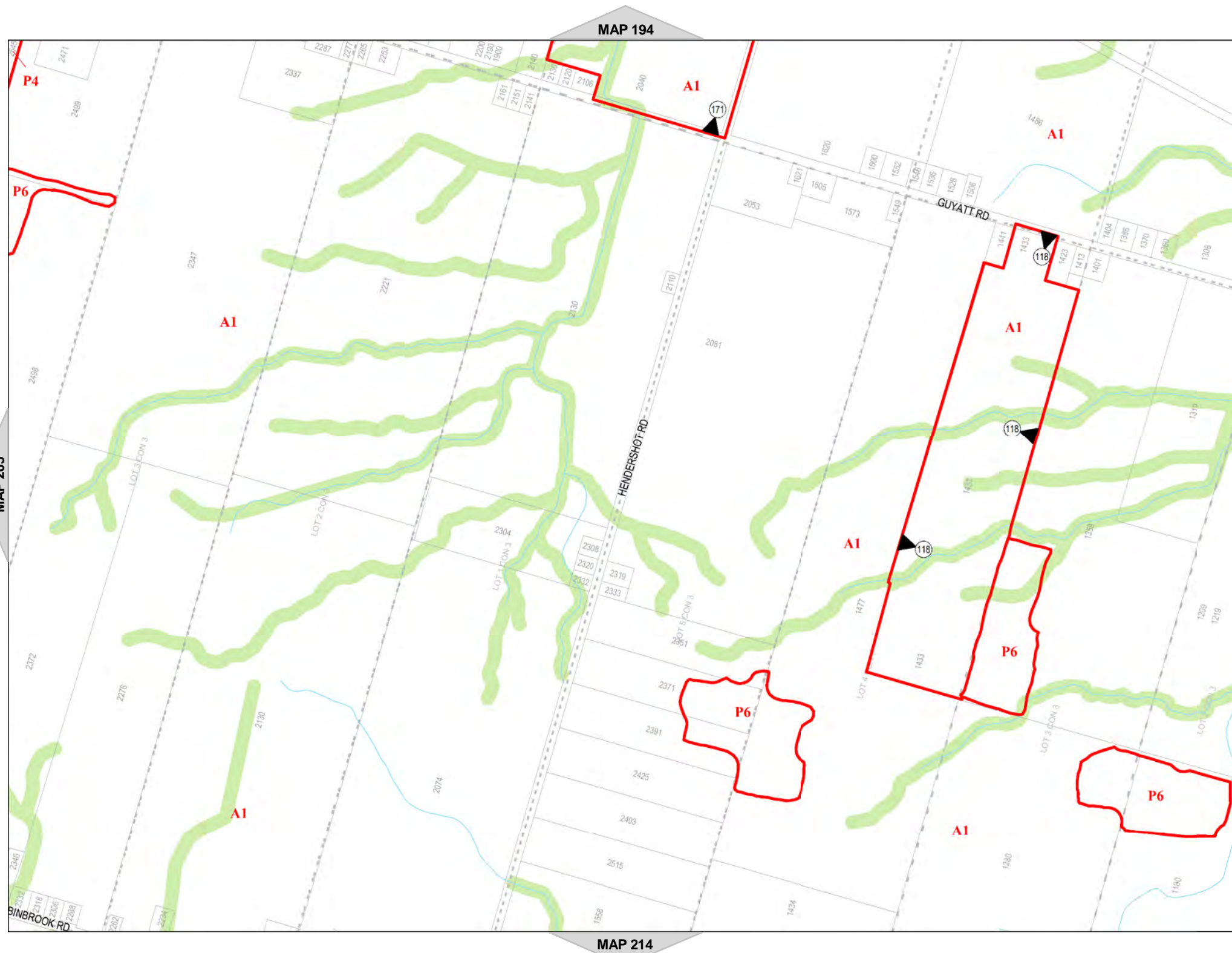
- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH

SCALE 1 : 10,000

MAP 206 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

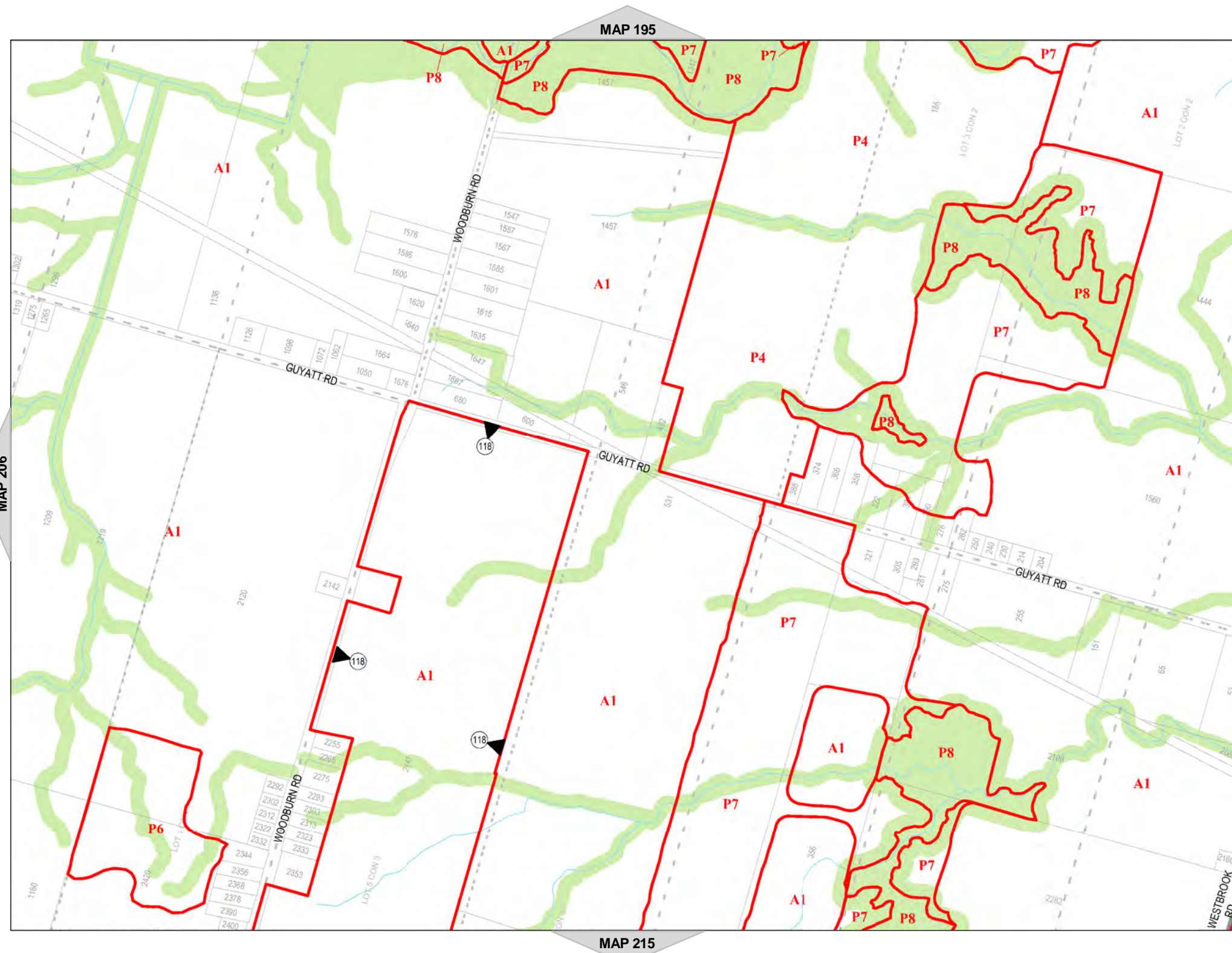
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 207 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 208 of Schedule 'A'



MAP 196

MAP 207

MAP

MAP

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 209 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

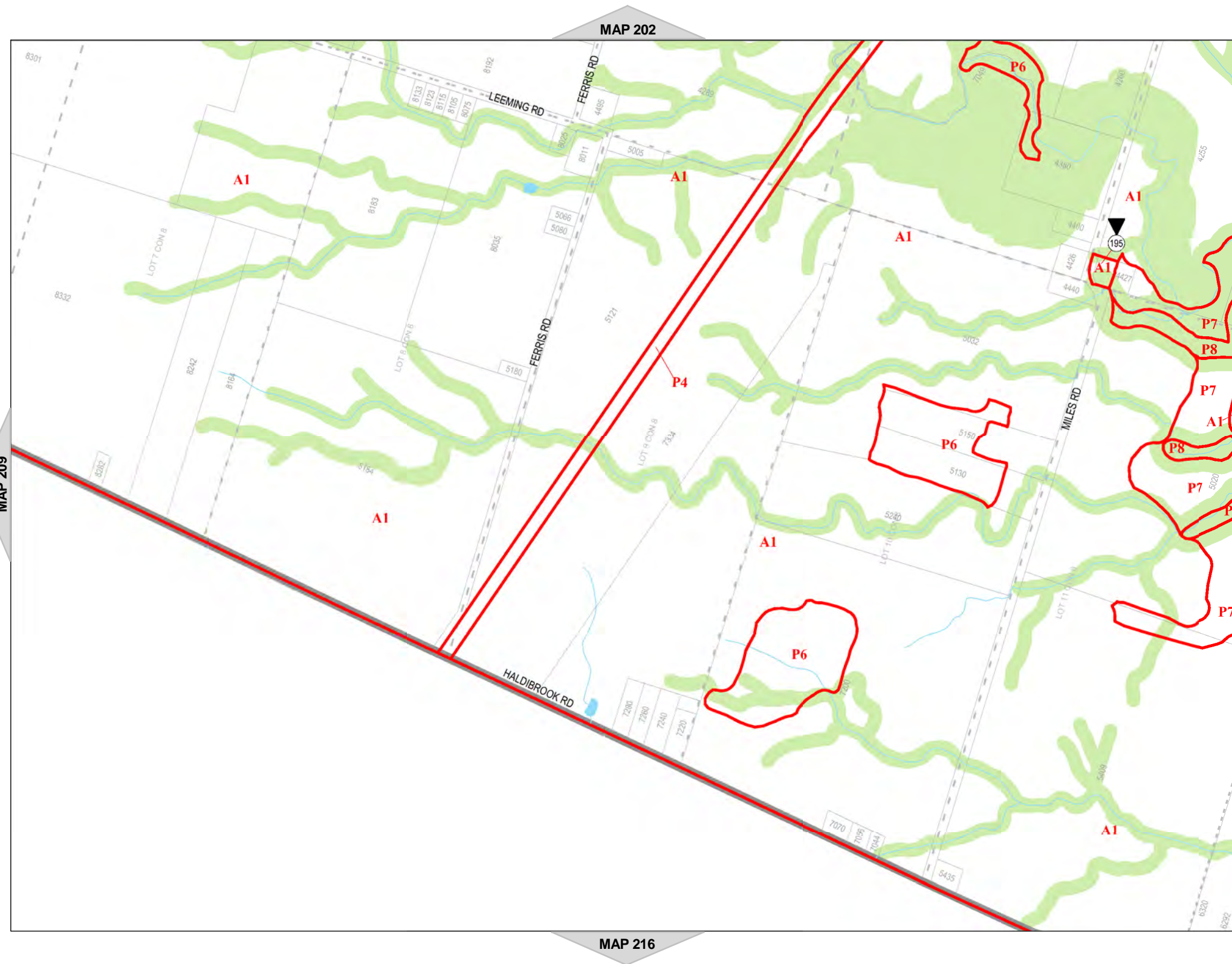
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 210 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

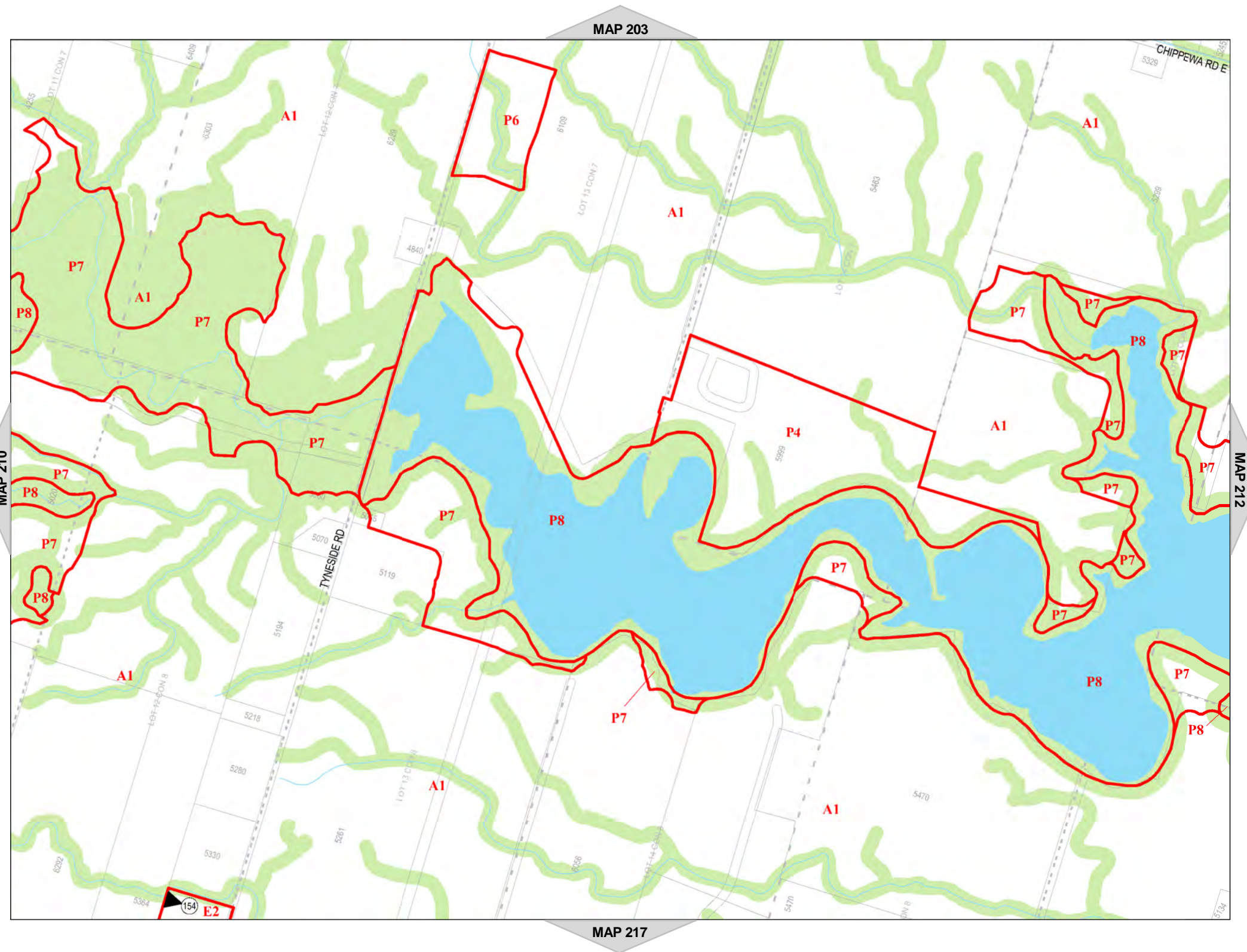
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 211 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

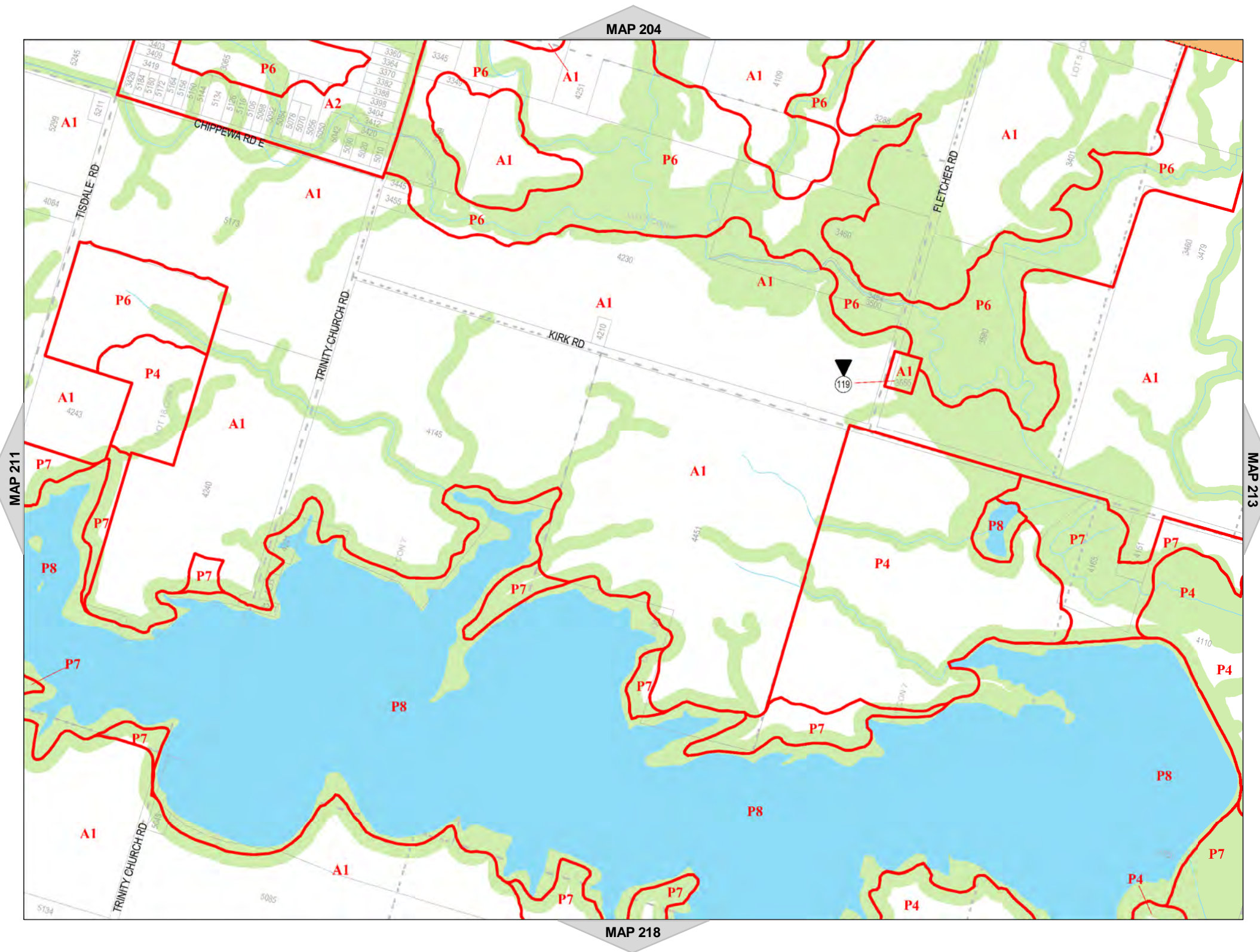
Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000



MAP 212 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

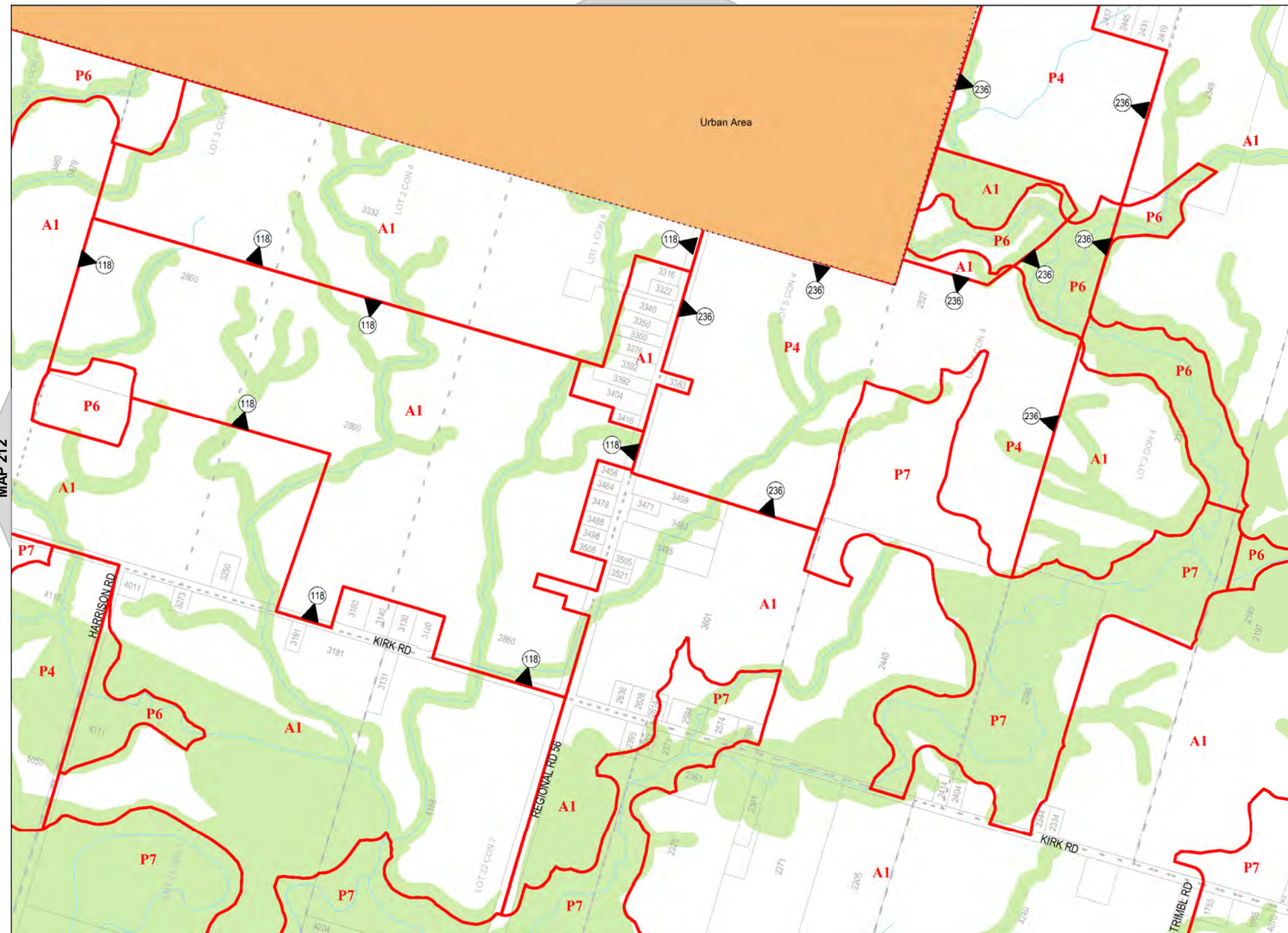
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 213 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

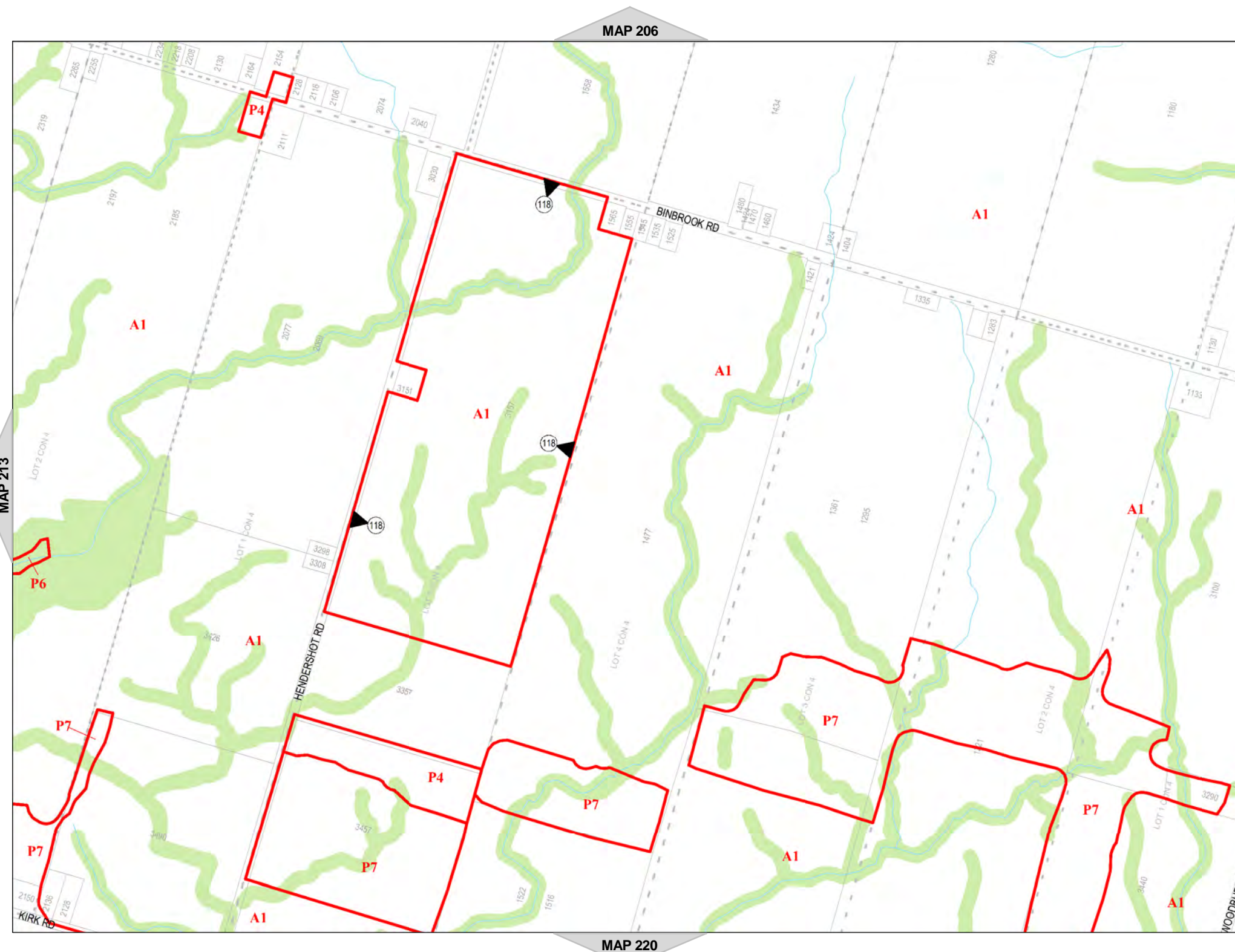
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 214 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

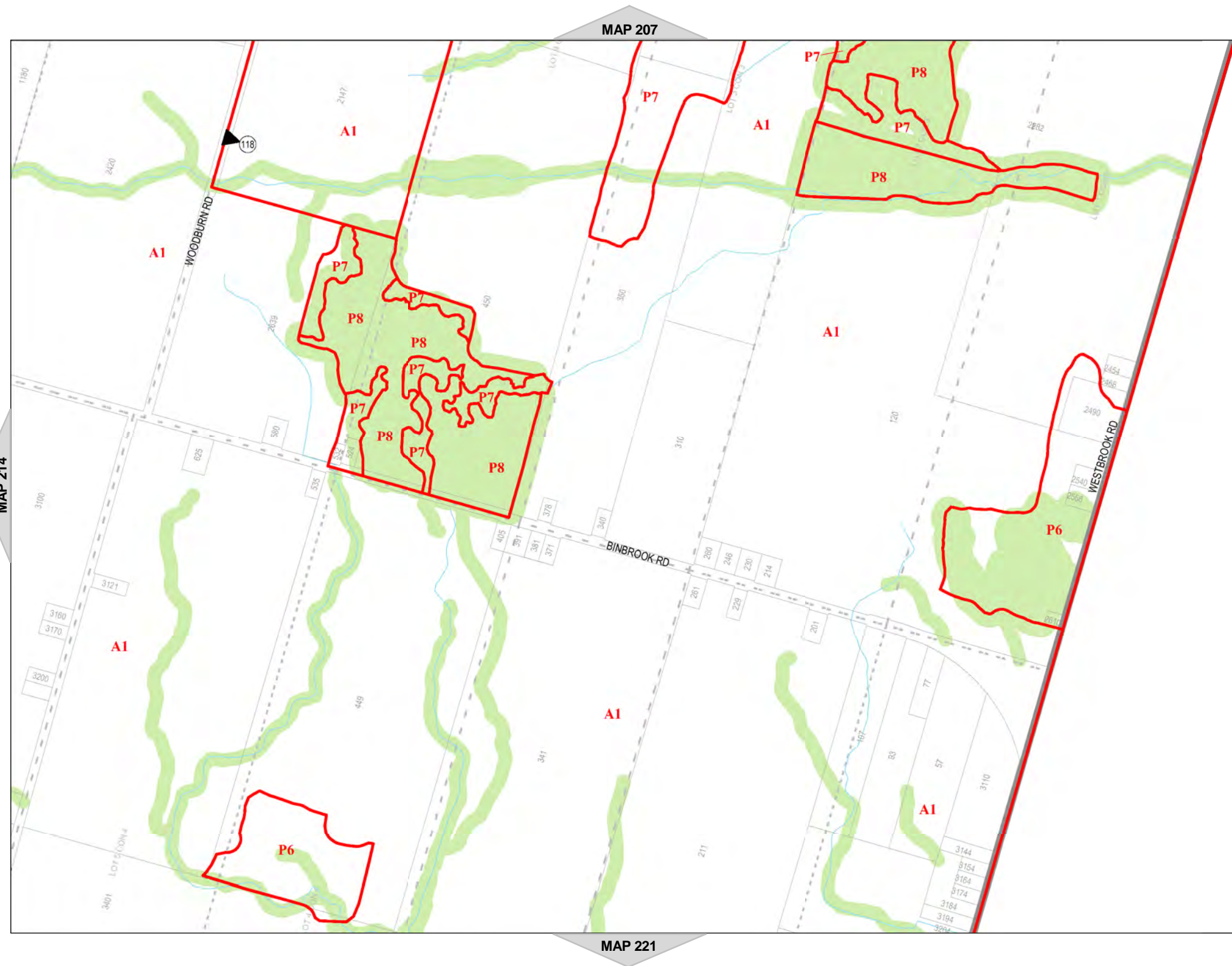
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 215 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

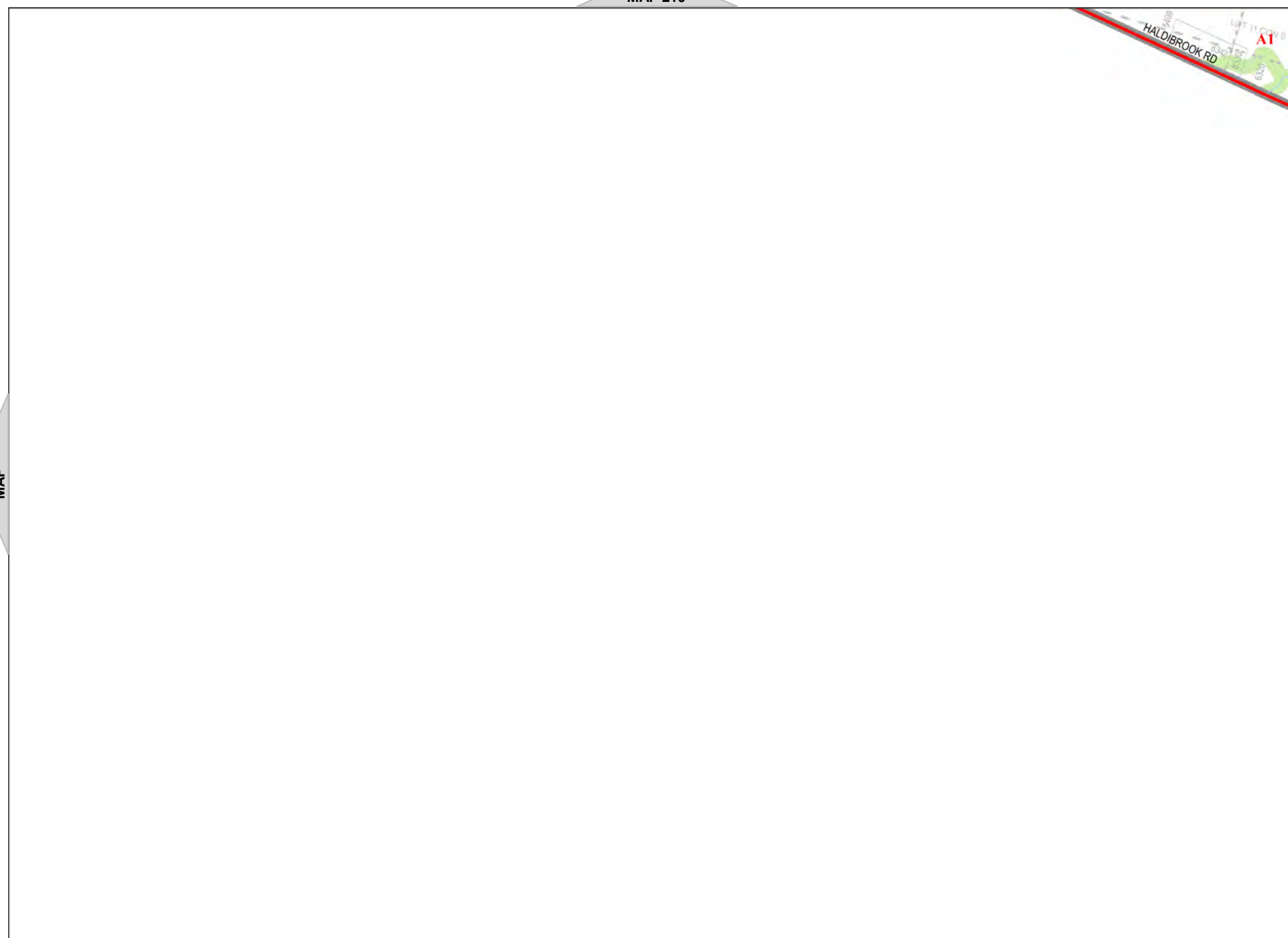
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 216 of Schedule 'A'



MAP 210

MAP

MAP 217

MAP















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

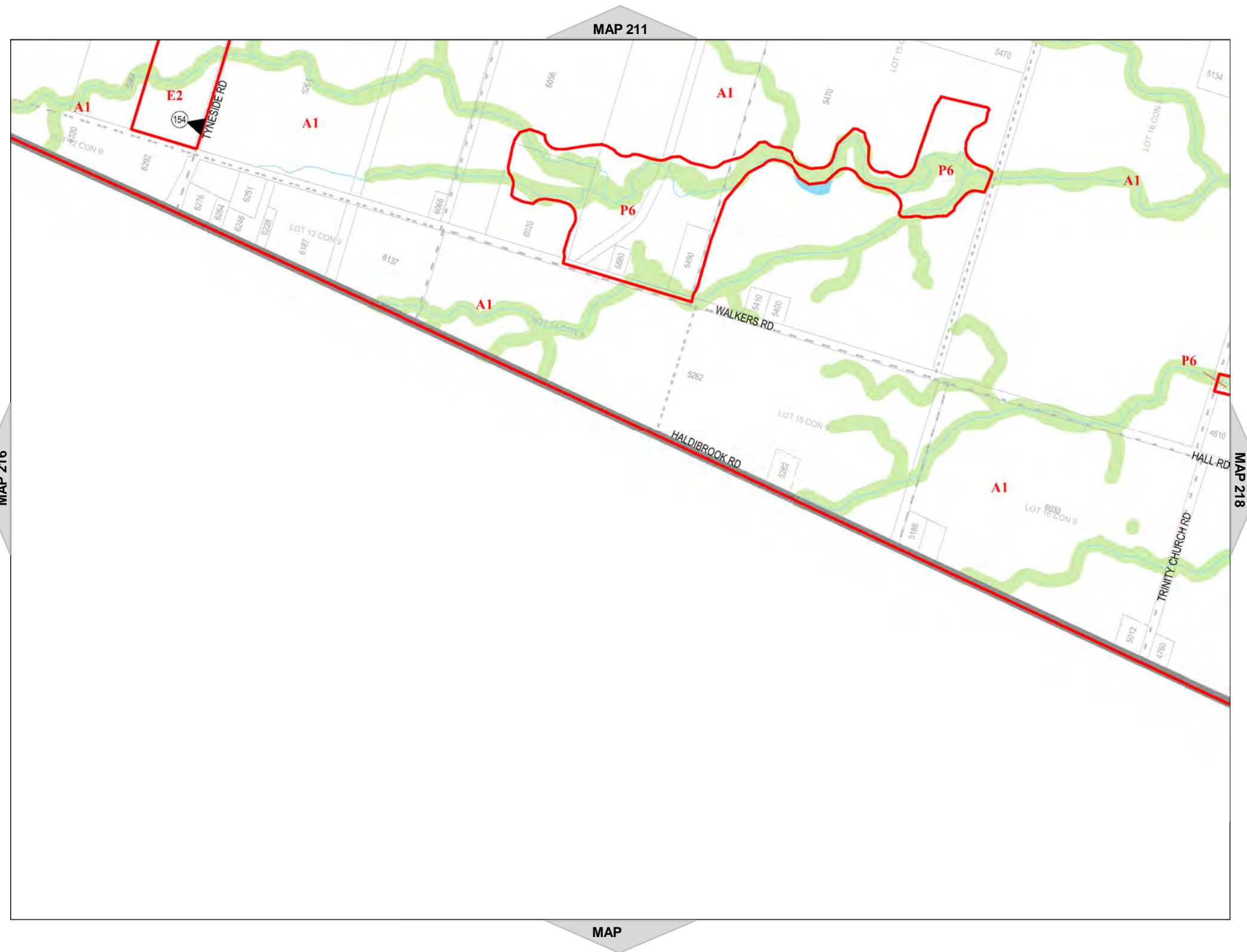
Legend

-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
-  NEC Development Control
-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
-  Stream



NORTH  
SCALE 1 : 10,000

MAP 217 of Schedule 'A'






















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

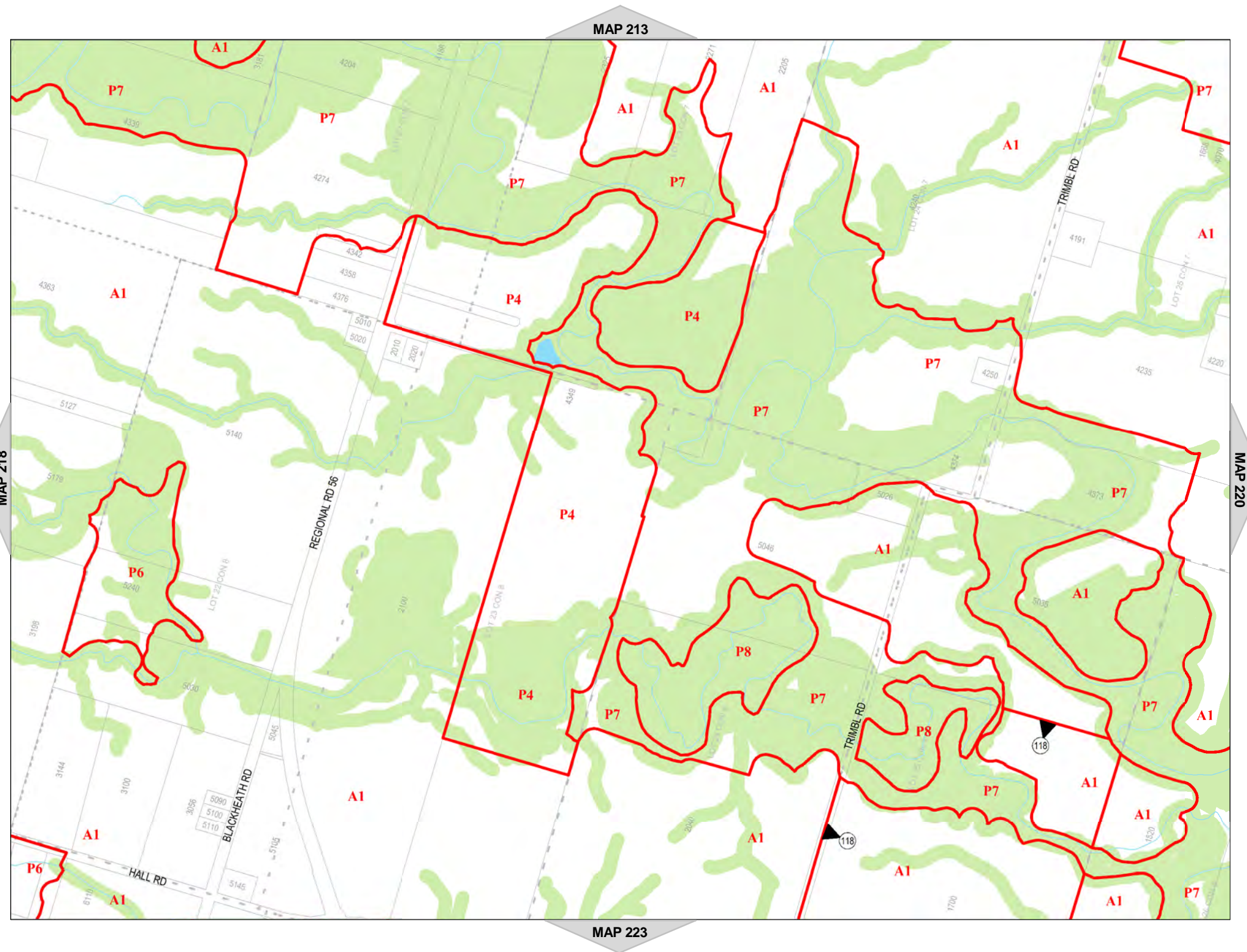
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-  Urban Boundary
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NORTH  
SCALE 1 : 10,000

MAP 219 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

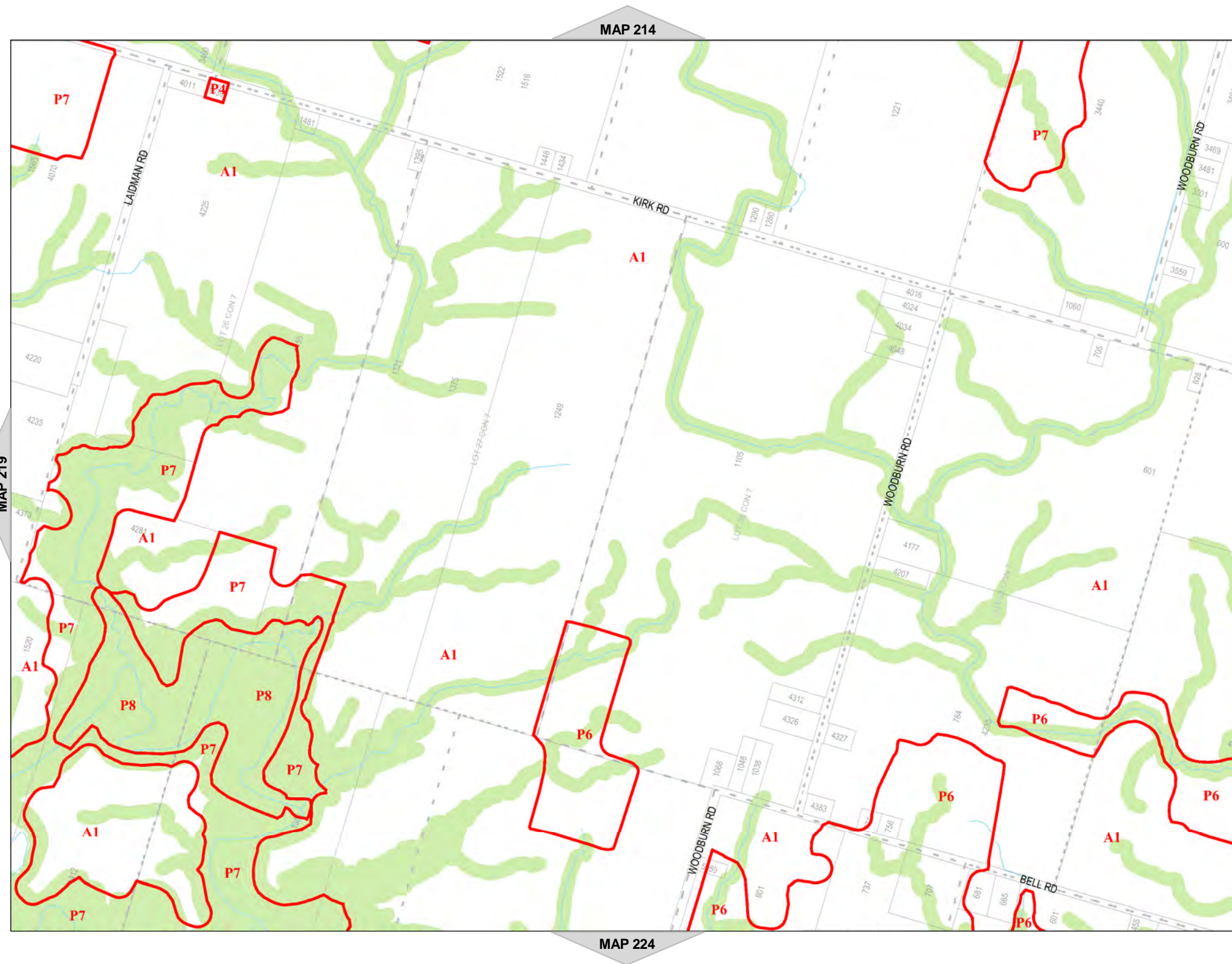
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-  Lots and Concessions
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NORTH  
SCALE 1 : 10,000

MAP 220 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

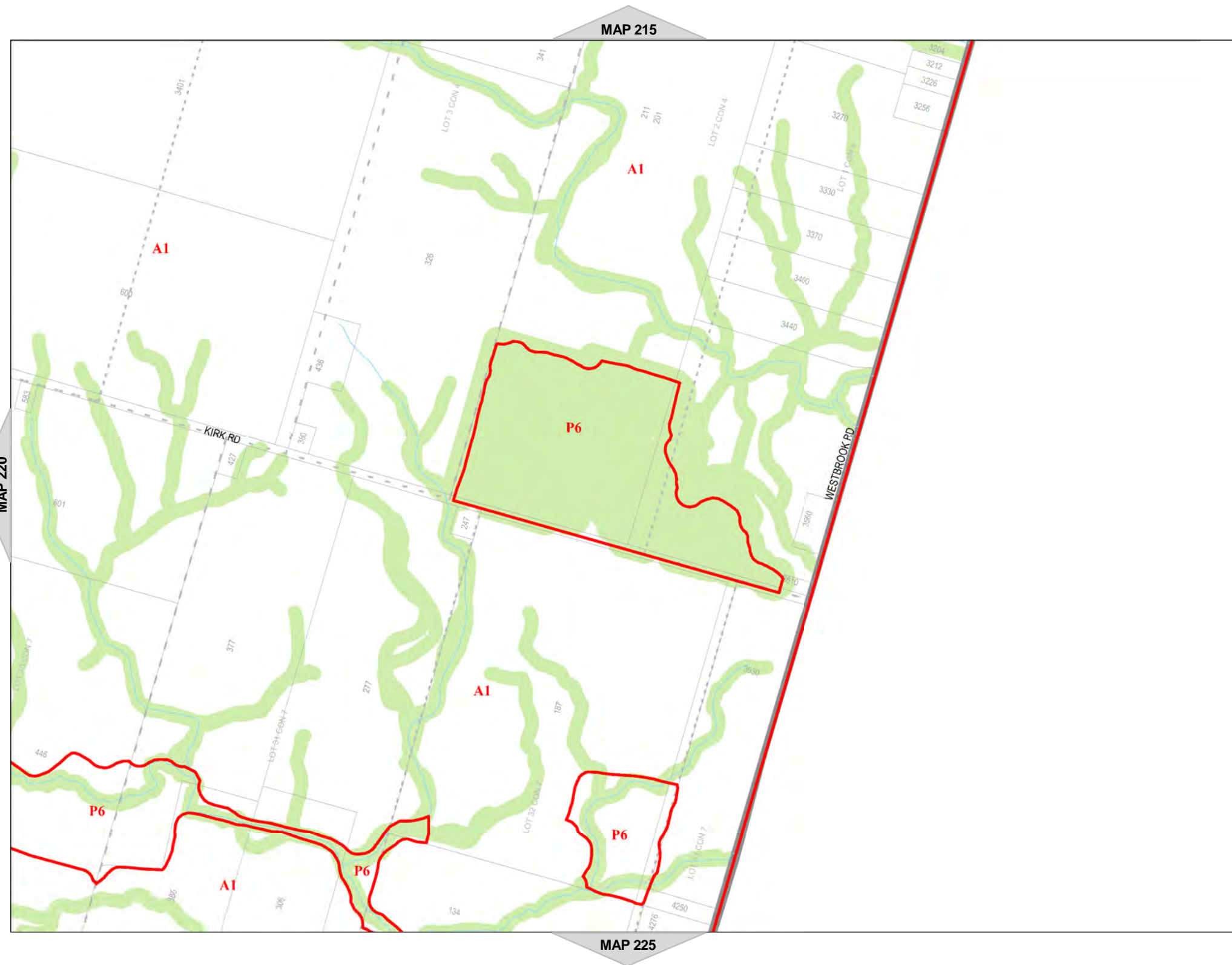
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-  Lots and Concessions
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-  City Boundary
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-  Special Exception
-  Holding Provision
-  Temporary Use
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-  C.A. Regulated Area
-  Area Subject to Different Zoning By-Law
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NORTH  
SCALE 1 : 10,000

MAP 221 of Schedule 'A'

















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

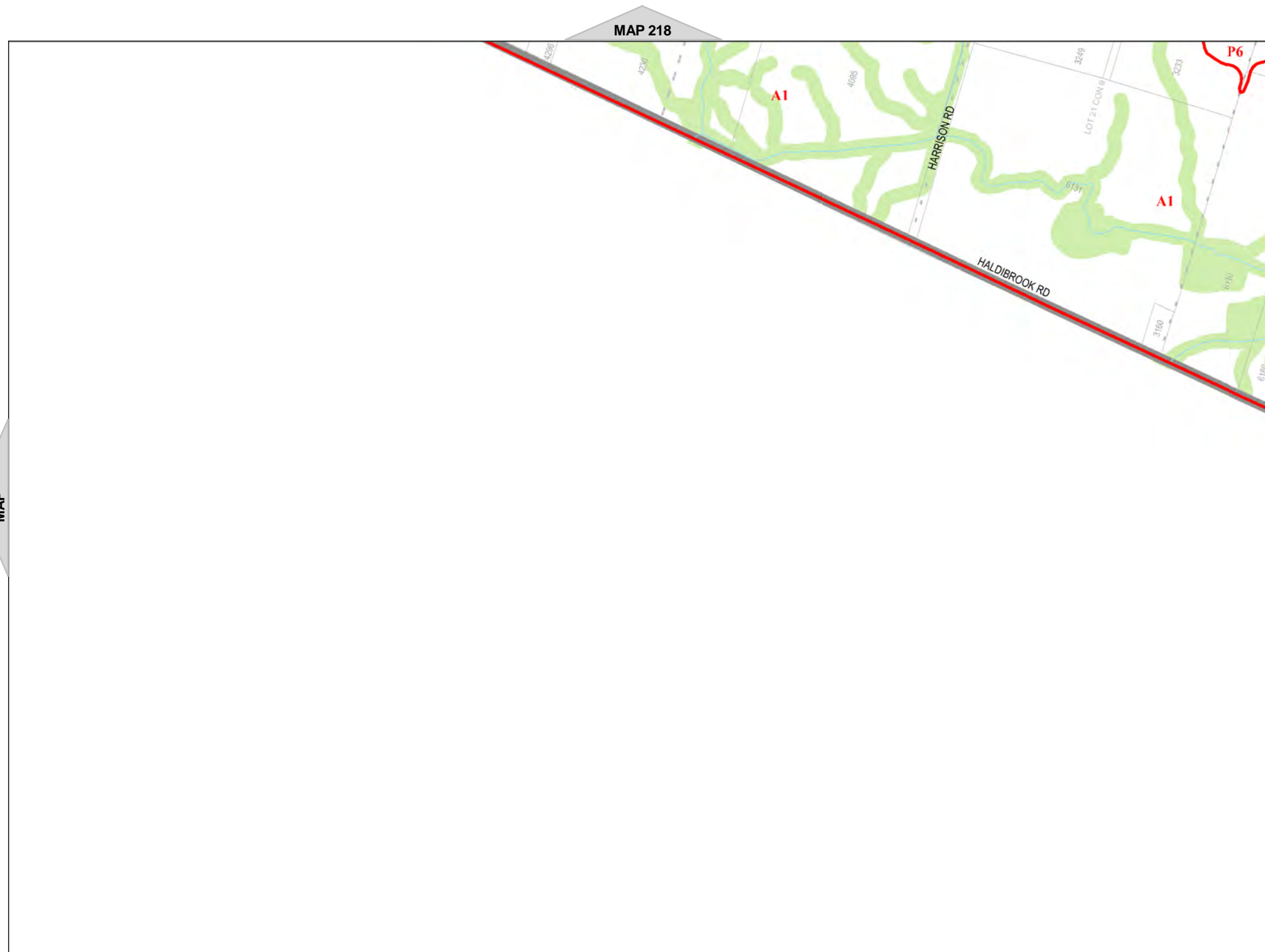
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-  Lots and Concessions
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-  City Boundary
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-  NEC Development Control
-  C.A. Regulated Area
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NORTH  
SCALE 1 : 10,000

MAP 222 of Schedule 'A'


















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

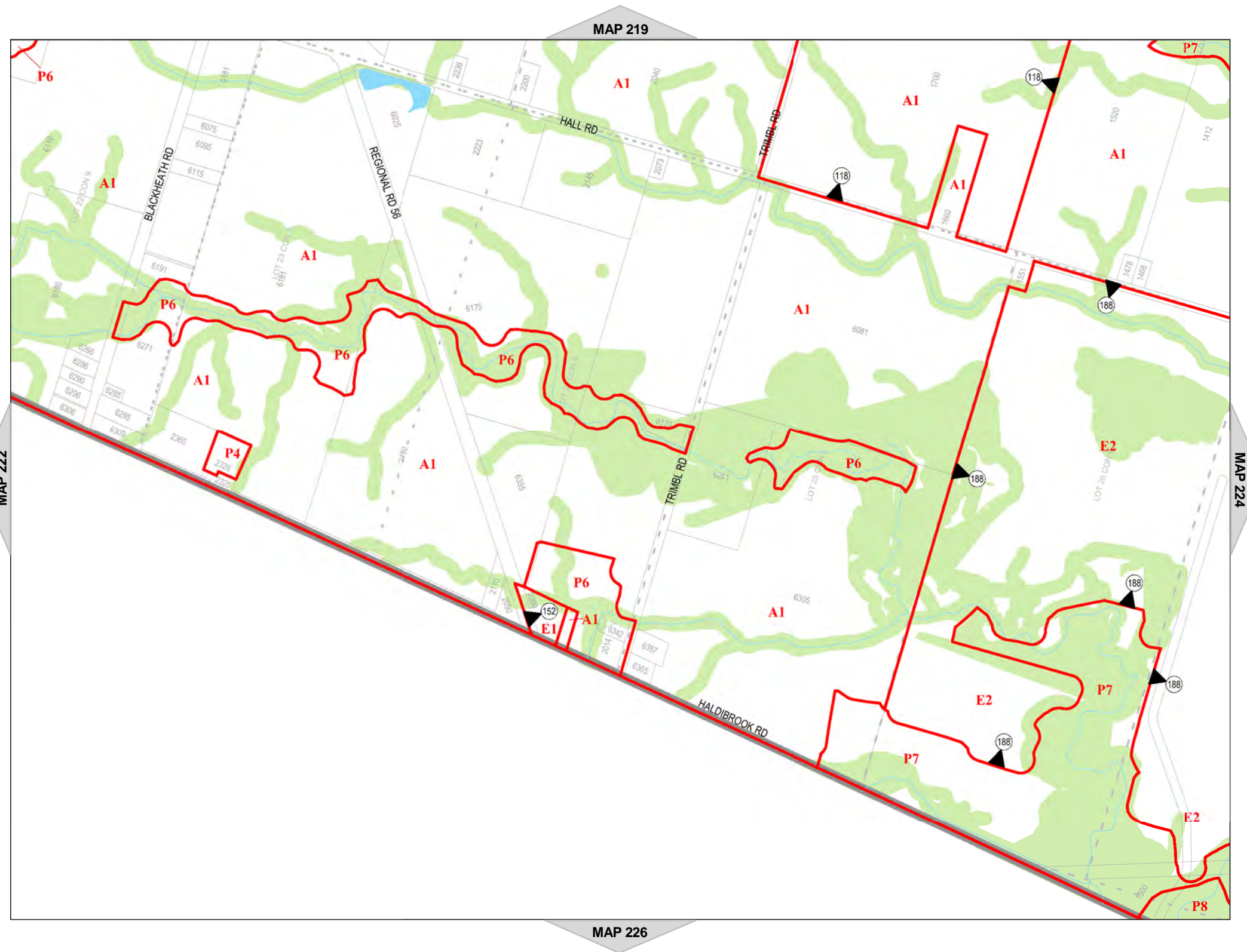
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-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
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-  NEC Development Control
-  C.A. Regulated Area
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-  Stream



NORTH  
SCALE 1 : 10,000

MAP 223 of Schedule 'A'



















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

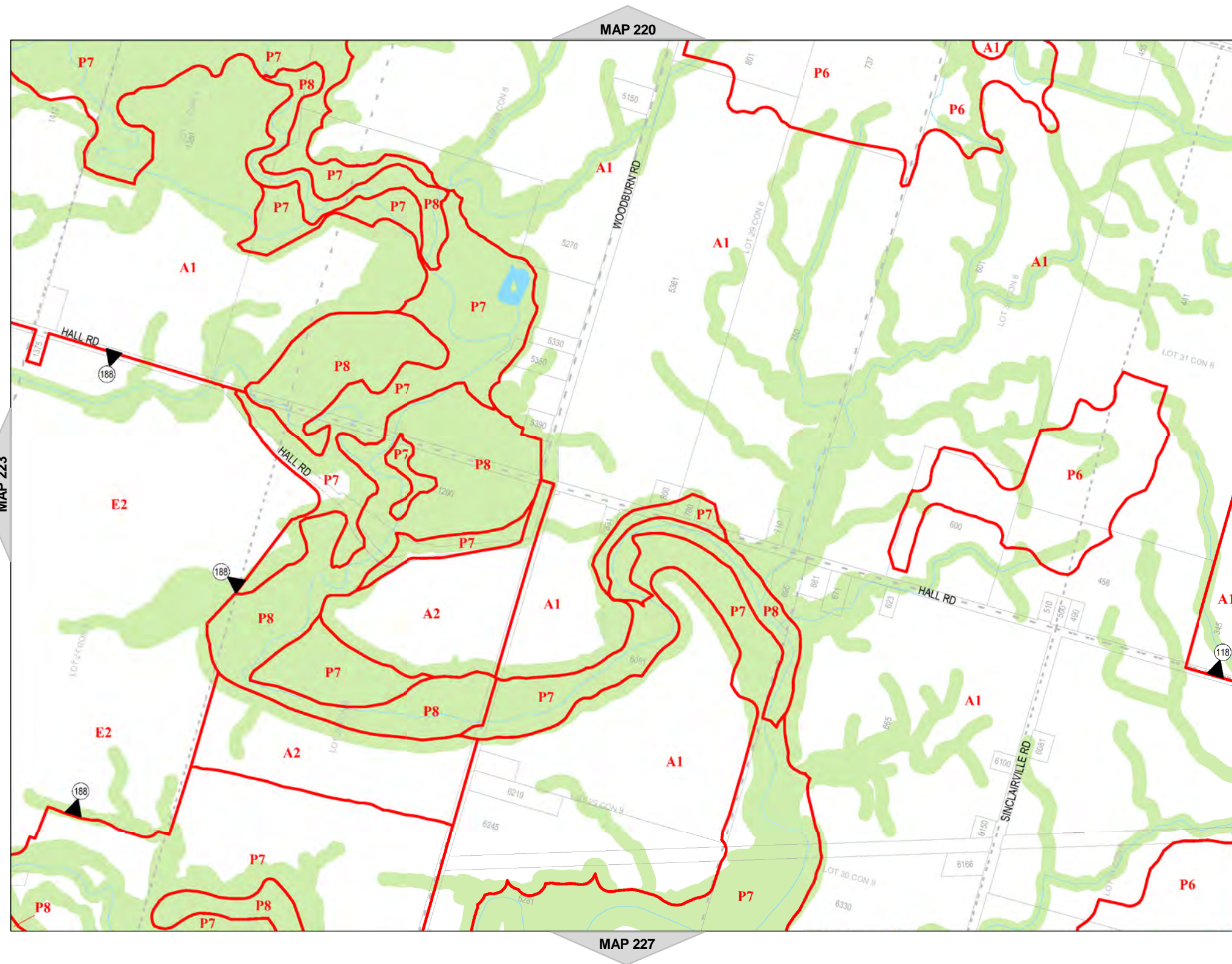
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-  Urban Boundary
-  Lots and Concessions
-  Zoning Boundary
-  City Boundary
-  RSA Boundary
-  Special Exception
-  Holding Provision
-  Temporary Use
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-  C.A. Regulated Area
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-  Stream



NORTH  
SCALE 1 : 10,000

MAP 224 of Schedule 'A'





















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

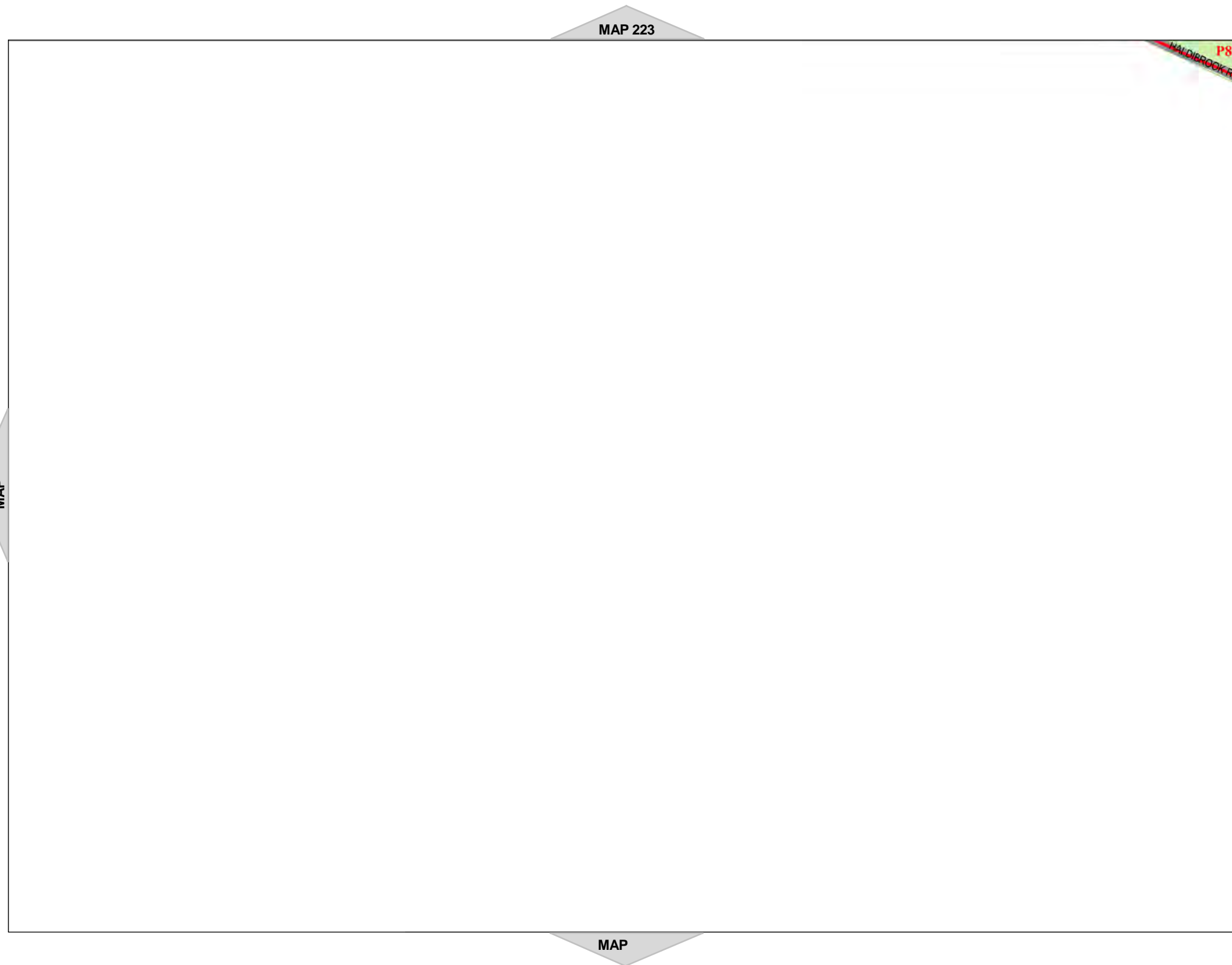
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NORTH  
SCALE 1 : 10,000

MAP 226 of Schedule 'A'







Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

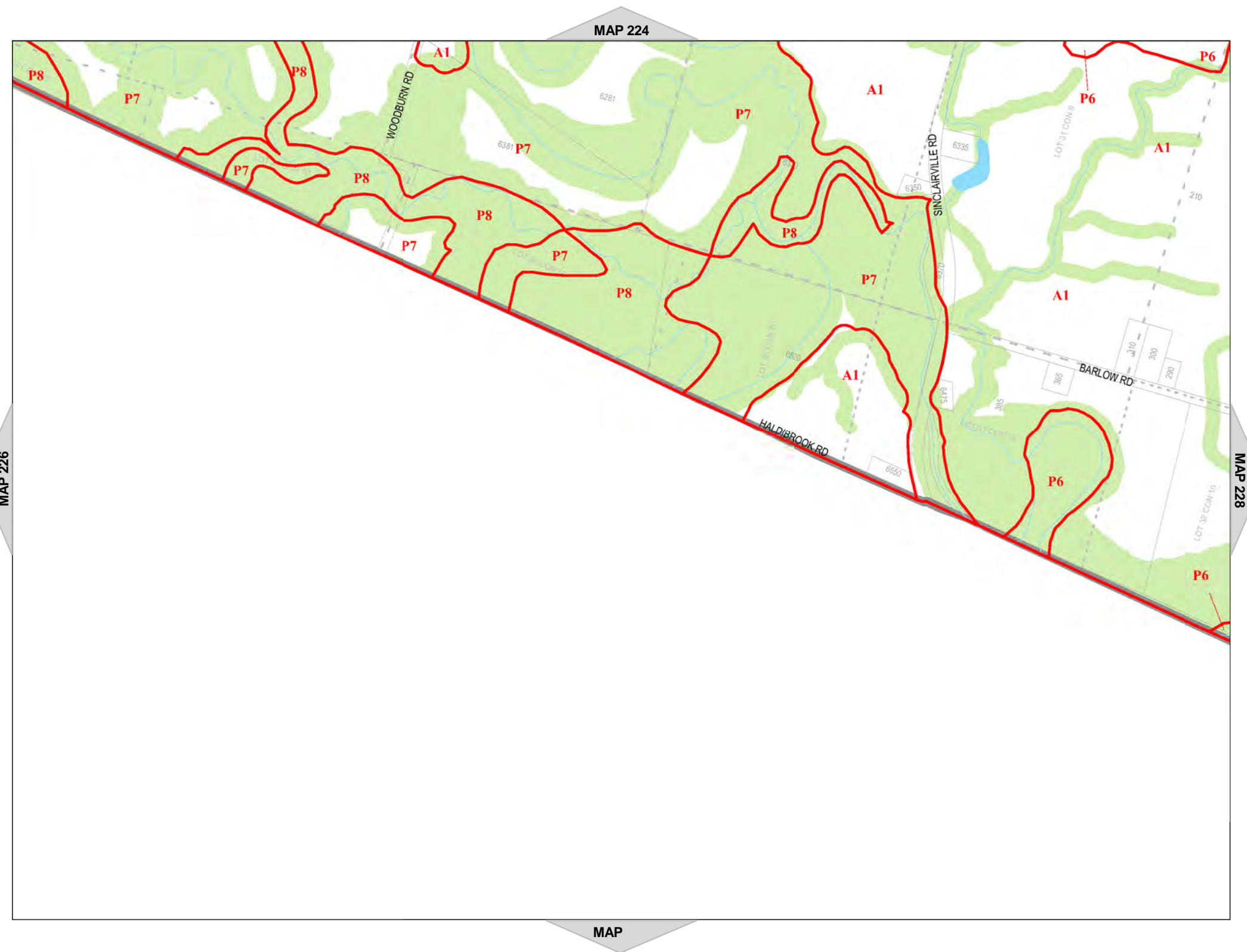
Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
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- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream



NORTH  
SCALE 1 : 10,000

MAP 227 of Schedule 'A'



MAP 224

MAP 226

MAP 228

MAP















Hamilton

City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

-  Urban Boundary
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NORTH  
SCALE 1 : 10,000

MAP 228 of Schedule 'A'




MAP 225

MAP 227

MAP

MAP

This is Exhibit "E" referred to in  
the affidavit of Joanne Hickey-Evans  
sworn before me, this 30<sup>th</sup> day of March, 2016

  
\_\_\_\_\_  
A Commissioner of Oaths

**Jillian Claire Manser, a Commissioner, etc.,  
Province of Ontario, for the City of Hamilton.  
Expires April 13, 2018.**



## Exhibit "E"

Fernbrook Resorts - No. 57 Concession 12 Road East, east of Highway 6  
(Flamborough)

### Existing Wording of Holding provision H-9 in By-law 15-173:

Bold and highlighted text is the wording in to be amended

- "9. Notwithstanding Section 12.2 and Special Exception No. 248 of this By-law, on those lands zoned Rural (A2) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 57 12th Concession Road East, the development of up to 50 permanent mobile home sites (units) as well as the following uses:

Clubhouse, accessory to the Manufactured and Mobile Home Park, which may include as ancillary uses to the park, administrative offices, a convenience store, a hotel consisting of 20 suites, a restaurant and tavern, a dining area, games room, fitness and leisure facilities including a pool, hot tub, sauna, showers, and fitness room;

One Manager's suite and two staff apartments, adjacent to the existing clubhouse;

Maintenance, utility and storage buildings; and,

Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.

**Shall not be permitted until such time as:**

...

### Proposed Wording of Holding provision H-9 in By-law 15-173

- "9. Notwithstanding Section 12.2 and Special Exception No. 248 of this By-law, on those lands zoned Rural (A2) Zone, identified on Map 16 of Schedule "A" – Zoning Maps and described as part of 57 12th Concession Road East, the development of up to 50 permanent mobile home sites (units) as well as the following uses:

Clubhouse, accessory to the Manufactured and Mobile Home Park, which may include as ancillary uses to the park, administrative offices, a convenience store, a hotel consisting of 20 suites, a restaurant and tavern, a dining area, games room, fitness and leisure facilities including a pool, hot tub, sauna, showers, and fitness room;

One Manager's suite and two staff apartments, adjacent to the existing clubhouse;

Maintenance, utility and storage buildings; and,

Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.

**The Holding provision shall remain in effect until such time as the completion of the following conditions:**

...

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** May 3, 2016

**CASE NO(S):** PL150805

**PROCEEDING COMMENCED UNDER** subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Coalition For Rural Ontario Environmental Protection
Appellant:	Pharm Meds Limited
Appellant:	St. Mary's Cement Inc. (Canada)
Subject:	Proposed Official Plan Amendment No. 9
Municipality:	City of Hamilton
OMB Case No.:	PL150805
OMB File No.:	PL150805
OMB Case Name:	Coalition For Rural Ontario Environmental Protection v. Hamilton (City)

**PROCEEDING COMMENCED UNDER** subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	3727 Highway Six Inc.
Appellant:	Artstone Holdings Limited
Appellant:	Jawad Chaudhry
Appellant:	Coalition For Rural Ontario Environmental Protection; and others
Subject:	By-law No. 15-173
Municipality:	City of Hamilton
OMB Case No.:	PL150805
OMB File No.:	PL150806

**Heard:** April 7, 2016 in Hamilton, Ontario

**APPEARANCES:**

**Parties**

City of Hamilton

**Counsel**

J. Wice



Coalition for Rural Ontario Environmental Protection (CROP)	M. Connell
Multi-area Developments Inc.	J. Hoffman
20 Road (Glanbrook) Developments Limited Artsone Holdings Limited Weizer Investments Limited Corpveil Holdings Limited Pharm Meds Limited	A. Toumanians
Silverwood Homes Limited. Fern Brook Resorts Inc.	D. Baker
Oliver Klass and Jessica Myers	Self-represented
3727 Highway Six Inc.	R. Wellenreiter

**MEMORANDUM OF ORAL DECISION DELIVERED BY M. C. DENHEZ ON  
APRIL 7, 2016 AND ORDER OF THE BOARD**

---

**INTRODUCTION**

[1] This is the second part of a two-part decision. The first part was essentially procedural. This current part deals with the standing of one appellant to bring forward a zoning appeal, in the absence of any previous participation in that rezoning process.

[2] This debate occurred at a pre-hearing conference ("PHC") concerning the Rural Hamilton Official Plan Amendment No. 9 ("RHOPA") of the City of Hamilton ("the City"), and, more specifically, the corresponding Zoning By-law No. 15-173 ("ZB"). Both the OPA and the ZB focused on the Rural area of the City.

[3] The ZB addresses a sprawling area, covering most of the land in the entire City. The ZB was intended to harmonize various provisions across the City's former municipalities.

[4] The ZB was appealed, by various interests, to the Ontario Municipal Board ("the Board"). In the case of one appeal, by 3727 Highway Six Inc. ("the Appellant"), the City challenged the standing of that appellant to bring its appeal under the *Planning Act* ("the Act"), because it had made no previous oral or written submissions to a public meeting or Council. This Appellant brought a motion, calling on the Board to recognize its standing to pursue its appeal. It added that the City's public notice of the ZB had been defective. The City disagreed on both counts.

[5] The Board has carefully considered the motion materials of both sides, including all the evidence attached thereto, as well as the able submissions of counsel.

[6] Although counsel for the Appellant argued eloquently that this Appellant should not be disqualified, the Board is compelled to agree with the City. The terms of the statute are clear. The Act does not authorize this Appellant's appeal to proceed. The details and reasons are outlined below.

## **THE STATUTE**

[7] The statutory provision at the centre of this dispute is s. 34(19) of the Act. It was adopted by the Legislature and came into force a decade ago:

...Any of the following may appeal to the Municipal Board by filing with the clerk of the municipality a notice of appeal...:

1. The applicant
2. A person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
3. The Minister

[8] It was undisputed that this Appellant was not in any of the above categories, notably because it had made no oral or written submissions.

[14] The City's published notice had included text and a map (portraying the entire Rural area of the City). In the Board's exhibit, the map was the size of a postage stamp. It was much smaller than an accompanying decorative picture of a cow. Counsel for the Appellant observed pointedly that there was less detail on the map than on the cow. Although the map certainly conveyed the sweeping scale of the rezoning, it was essentially useless for getting one's bearings.

[15] The text was entitled: "Notice of Public Meeting – Amendments to the Rural Hamilton Official Plan and Hamilton Zoning By-law 05-200". Near the top, in bold, was the title "Rural Hamilton Official Plan Amendment". Immediately underneath were bullet points, listing the objectives throughout the Rural area:

- To correct land use designations;
- to expand and clarify uses in the agriculture and rural designations;
- to update/change the rural settlement area designations (maps) and text to reflect up to date hazard/conservation lands (natural open space) and land use designations;

**City of Hamilton Zoning By-law No. 05-200**

- to add 11 new zones (text) that will apply to the rural area...

[16] Subject to comments later, the notice repeated that the rezoning would apply to the entirety of the Rural area of the City (it used the phrase "all the lands with the rural area", presumably meaning "all the lands *within* the rural area"):

- to zone all the lands with the rural area (see the map below)

[17] The "map below" may have been small, but it did unequivocally illustrate the entire Rural area of the City.

[18] The published notice then went on to describe exceptions, which the Board will call "exempted areas". These areas were exempted from the rezoning. The controversial exempted area was the following:



Lands generally bounded by Garner Road East, Highway 6 South, Glancaster Road, White Church Road, Carluke Road and Fiddlers Green Road.

[19] The Board thanks counsel, who provided the undersigned Member with a geography lesson on the southern edge of Hamilton, and did so with patience. To identify what lands are “bounded” by the references in the notice:

- Garner Road East and Glancaster Road are north of John C. Munro International Airport, essentially at the urban boundary
- Fiddlers Green Road is west of the airport
- White Church Road and Carluke Road are south and southwest of the airport
- The new route for Provincial “Highway 6 South” is south and west of the airport. For decades, however, Highway 6 continued northward along Upper James Street, east of the airport; it now officially veers westward, ultimately to connect with Highway 403

[20] In short, the exempted area here could be interpreted as the vicinity of the airport.

[21] Finally, the notice contained the usual contact information for readers with questions.

[22] The Appellant is a firm with property fronting on Highway 6, in the Rural area of the City south of the airport, a few hundred meters south of White Church Road. The Appellant’s property faces the exact location where the old Highway 6 converges with the new one.

[23] Counsel for the Appellant argued that the published notice was subject to misinterpretation. A reader might infer that properties *along* Highway 6 South were in the exempted area, and hence were outside the rezoning. Because of this ambiguity, he said, "I can't imagine any scenario where that map is adequate". He concluded that the notice was "not clear enough for someone to lose their right of appeal", adding that "the Board has some discretion to alleviate that."

## ANALYSIS

[24] Counsel for the Appellant said he relied on two Board decisions: *Sheldrake v. Springwater (Township)*, issued on July 24, 2015 ("*Sheldrake*"), and *Murphy v. Casselman (Village) Zoning By-law 91-498*, 1994 CarswellOnt 5037 ("*Murphy*").

[25] In *Sheldrake, supra*, a lower-tier municipality (Township) was considering a new Secondary Plan. The statutory public meeting for it took place in 2008. Township Council adopted it in October, 2011; but the following month, the upper-tier municipality (County) decided to put the designation of selected properties in abeyance (a "non-decision"); they were exempted. One was a car dealership. Three years later, in 2014, the County adopted substantively different site-specific provisions for that dealership's lands.

[26] Neighbours disagreed with that new arrangement. They appealed, but the dealership objected, saying they were disqualified, because they had not made oral or written submissions earlier.

[27] The Board disagreed:

In this situation, there has never been public notice of designations or policies being contemplated for the Subject Property... Since the Appellants had no prior notice of what designations or policies were being considered for the subject property, it appears unfair to deny them any meaningful ability to meet the statutory requirements... and then deny them the right of appeal. It is unreasonable to expect that, without either of these pieces of information – notice of a pending decision or

what the proposed decision was to be – that they could have fulfilled the statutory requirement...

[28] In *Murphy, supra*, the municipality had published notice of a rezoning. It described the property as "Part II, Registered Plan 50R-421", and the map was essentially illegible. The Board concluded that the public notice was deficient:

The Board is not satisfied that the Council of the Village of Casselman has effectively ensured that sufficient information was made available to enable the public to generally understand the zoning proposal that was being considered...

[29] The Board does not take these matters lightly. The citizenry's right of appeal, concerning Ontario land-use controls, is long-established; encroachments on that right should be approached with circumspection. In the current instance, however, the Board finds the above two cases distinguishable, for the reasons below.

[30] The test for the sufficiency of notice is laid out at s. 34(12)(a)(i) of the Act: "The Council shall ensure that sufficient information and material is made available to enable the public to understand generally the zoning proposal that is being considered."

[31] The public notice in *Sheldrake and Murphy, supra*, did not pass that test. There was a near-total absence of that information. However, the Board does not find the current situation comparable, for two reasons.

[32] The first is the ZB's published notice itself. It did contain information that could be expected to put all rural landowners on alert. This was not a situation like *Sheldrake*, where unannounced provisions were adopted without any mechanism for the public to learn their substantive contents. Nor was it like *Murphy*, where readers had little way of discerning that the rezoning might affect them. In the current instance, the ZB notice was overt: it would affect *all* Rural properties, unless they were specifically exempted.



[33] Granted, the wording for the exempted areas could have been improved. For example, when this exempted area was said to be "bounded" by "Highway 6 South", that must have meant the old route of Highway 6 (Upper James Street), not the new route south of the airport – because otherwise, the exempted area lacked an eastern boundary. The Board has no hesitation in finding that this geographic description of this exempted area was awkward. There were other typographical or grammatical problems with the notice; there were issues with the size of the map; the Board offers no comment about the cow.

[34] The Board disagrees, however, that the notice was so inept that it failed the test of s. 34(12)(a)(i). Any readers who were landowners in the Rural area should have known immediately that there were potential implications for their own properties – and even if not (exceptionally) for their own, then at least for their neighbours' properties. This would not normally be ignored by any landowners in the Rural area.

[35] Furthermore, the "confusion" argument should not be exaggerated. In normal parlance, when one says that a specific area is "bounded" by a street, that does not usually mean every property on both sides of that street is inside that area – particularly when the street extends for many kilometers. For that matter, a local reader who gave some thought to that exempt area could have realized that all the roads listed in the notice were part of the perimeter of the airport and vicinity. Finally, the notice listed White Church Road as a boundary – and when compared with the other reference points listed, the appellant's property was beyond that boundary. Though the geographic description of this exempt area in the notice was clumsy, the Board does not accept the notion that the Appellant was unable to discern, from this notice, that there was a fair chance that its property would be affected, directly or indirectly.

[36] Finally, although the Board acknowledges that readers might still have been confused, as to whether their land was one of those rare exceptions to the general rule (about rezoning the Rural area in its entirety), the Board agrees with the City that the

normal course of action would then have been to follow the advice in the notice, and contact the City.

[37] In short, despite imperfections, the Board did not find the notice so intrinsically flawed that it provided the appellant with an excuse to sidestep the statutory requirements.

[38] The Appellant's motion also fails for a second reason. The supposed inadequacies of the notice's contents were not the cause of the Appellant's non-compliance anyway. The Appellant acknowledged that the real reason was that its principal was unaware of the rezoning at all; he had not been following it, and he missed the newspaper notices.

[39] In short, there was no causal link between the contents of the notice, and the failure to make oral or written submissions. The Board does not find therein a ground to sidestep the legislation.

[40] There have been many learned commentaries on why the Province adopted that legislation. One view, expressed in *Hilchey v. Mulmur (Township)*, (2014) 81 O.M.B.R. 340, was that the Province intended "to ensure that appeals do not come forward to the Board based upon issues that have not been given due consideration by Council." A related hypothesis was that the Province wanted to encourage interested parties to engage in relevant debate before Council's decision, not after. In the words of Aaron Sorkin, "democracy belongs to those who show up."

## **CONCLUSION AND ORDER**

[41] The Board disposes of this matter as follows:

1. The motion to confirm this Appellant's standing is dismissed.
2. The appeal of 3727 Highway Six Inc. is dismissed.

3. The first part of this decision, pertaining to procedure, addresses a number of existing Appellants and appeals; those Appellants and appeals will not be deemed to include this Appellant and its appeal.

*"M.C. Denhez"*

M.C. DENHEZ  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Ontario Municipal Board**

A constituent tribunal of Environment and Land Tribunals Ontario  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248