

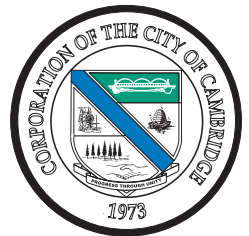
City of Cambridge

ZONING BY-LAW

SCHEDULE A ATTACHED TO AND FORMING PART OF BY-LAW NO. 150-85 AS AMENDED BY THE ONTARIO MUNICIPAL BOARD ON MAY 25, 1987 AND BY THE BY-LAWS LISTED IN APPENDIX 6.

CONSOLIDATION: JANUARY 2012

This consolidation is provided as a convenient reference. To ensure greater accuracy, the original zoning by-law and amendments thereto should be consulted.



By-law No. 150-85
of the
CORPORATION OF THE CITY OF CAMBRIDGE

A by-law to adopt a new comprehensive *City of Cambridge Zoning By-law* pursuant to section 34 of the *Planning Act, 1983* and provide penalties for its contravention to section 66 of the *Planning Act, 1983*.

WHEREAS the City of Cambridge deems it expedient to repeal all restricted area and zoning by-laws currently in force and to replace them with a single new comprehensive *City of Cambridge Zoning By-law*;

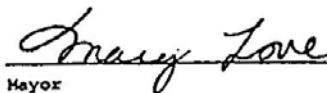
AND WHEREAS the *City of Cambridge Official Plan* as amended provides for the lands affected by this by-law to be used in accordance with the provisions of this by-law;

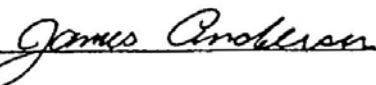
NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF CAMBRIDGE enacts as follows:

1. THAT the zoning regulations, maps and other provisions of Schedule A attached to and forming part of this by-law be and the same are hereby adopted pursuant to section 34 of the *Planning Act, 1983* and may be cited as the *City of Cambridge Zoning By-law*.
2. THAT,
 - (1) Any person who contravenes any provision of the aforesaid Schedule A hereto attached is guilty of an offence pursuant to section 67 of the *Planning Act, R.S.O. 1990, chapter p. 13, as amended* and on conviction is liable,
 - (a) on a first conviction to a fine of not more than \$25,000;
 - (b) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has been continued after the day on which he was first convicted.
 - (2) Where a corporation is convicted under subsection (1), the maximum penalty that may be imposed is,
 - (a) on a first conviction a fine of not more than \$50,000; and
 - (b) on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has been continued after the day on which the corporation was first convicted,and not as provided in subsection (1).
 - (3) Where a conviction has been entered under subsection (1), in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.
3. THAT the following restricted area and zoning by-laws and all amendments thereto, insofar as they affect lands within the City of Cambridge save and except Lot 3, Registrar's Compiled Plan No. 1378, be and the same are hereby repealed:
 - (1) By-law 5319 of the former City of Galt continued as a by-law of the City of Cambridge;
 - (2) By-law 2469 of the former Town of Preston continued as a by-law of the City of Cambridge;
 - (3) By-law 878A of the former Township of Waterloo continued as a by-law of the City of Cambridge;
 - (4) By-laws 34, 97, 207, 223, 224, 273, 287, 316, 317, 319, 323, 329, 336, 338, 339, 354, 381, 437, 464, 477, 504, 505, 568, 620, 978, 985, 998, 1000, 1009, 1026, 1033, 1034, 1059, 1102, 1103, 1117, 1167, 1174, 1193, 1246, 1262, 1268, 1317, 1530, 1624, 91-84 and 113-84 of the City of Cambridge.
4. THAT subject to the provisions of section 34(19) of the *Planning Act, 1983*, this by-law shall come into force as of the day it is passed.

READ A FIRST AND SECOND TIME this twenty-second day of July, A.D. 1985.

READ A THIRD TIME, ENACTED AND PASSED this twenty-seventh day of October, A.D. 1986.


Nancy Love
Mayor


James Anderson
Clerk

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By-law No. 290-87

of the

CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law of the Corporation of the City of Cambridge to amend By-law No. 150-85 pursuant to section 34 of the *Planning Act, 1983* in respect of Lot 3, Registrar's Compiled Plan No. 1378.

WHEREAS the City of Cambridge deems it expedient to repeal Restricted Area (Zoning) By-law No. 5319 of the former City of Galt, now a by-law of the City of Cambridge, in its entirety;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF CAMBRIDGE enacts as follows:

1. THAT section 3 of By-law No. 150-85, being a by-law to adopt a new comprehensive City of Cambridge Zoning By-law pursuant to section 34 of the *Planning Act, 1983*, be and the same is hereby amended by deleting therefrom the words "save and except Lot 3, Registrar's Compiled Plan No. 1378".
2. THAT subject to the provisions of section 34(19) of the *Planning Act, 1983*, this by-law shall come into force as of the day it is passed.

READ A FIRST, SECOND AND THIRD TIME, ENACTED AND PASSED this twenty-eighth day of September, A.D. 1987.


MAYOR


CLERK

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Section **1** Interpretation and Administration

1 Interpretation and Administration

1.1 Interpretation

1.1.1 Definitions*

In this by-law,

access driveway means the area between the traveled portion of a *roadway* and a *parking lot* used by motor vehicles for access to and from the *parking lot*, but does not include an *aisle* (see Figure 8);

accessory building or structure means a building or structure which is incidental, subordinate and exclusively devoted to the principal use of the land, building or structure, is located on the same lot as such principal use, building or structure and is not attached to such principal building or structure in any way, but does not include an *amenity area* or *private amenity area*;

accessory use means a use which is incidental, subordinate and exclusively devoted to the principal uses of the land upon which, or of the building or structure within which the *accessory use* is located but does not include an *amenity area* or *private amenity area*;

adult entertainment establishment means any premises or part thereof in which is provided a strip club and/or a sex novelty store;

aisle means the area used by motor vehicles for access to and from all off-street parking spaces, but does not include an *access driveway* (see Figure 8);

amenity area means the area situated within the boundaries of a residential development site intended for recreational purposes, and may include landscaped areas, patios, *private amenity areas*, balconies, communal lounges, *swimming pools*, play areas and similar uses, but does not include any area occupied at *grade* by a building's service areas, *parking lots*, *aisles* or *access driveways*;

amenity area, common means an *amenity area* which is provided for all occupants of a residential development and is intended for recreational purposes and may include communal lounges, *swimming pools*, tennis courts, play structures and similar uses, but does not include landscaped areas and *private amenity areas*;

amenity area, private means an *amenity area* which is provided for the exclusive use of the occupants of an adjacent *dwelling unit* for which it is required and may include balconies and decks attached to such *dwelling unit*;

* Wherever throughout this by-law a word, phrase or expression is shown in italics, that word, phrase or expression is defined in section 1.1.1 of the by-law.

amusement arcade means a place where three or more coin or token operated machines, devices, contrivances or games are provided for public amusement, but does not include:

1. any machine that provides exclusively musical entertainment, rides, food or drink;
2. premises licenced under the *Liquor Licence Act* or the *Tourism Act*;
3. the premises of a non-profit organization, association, institution or club which is operated for social, recreational, educational, religious or fraternal purposes;
4. a seasonal agricultural fair or traveling exhibition or carnival;
5. an *amusement park*;

amusement park means a commercial-recreational establishment where permanent buildings or structure have been erected for the purposes of a circus or carnival or similar exhibition or midway show or sideshow and where one or more of the following classes of amusement or recreation are also provided:

1. mechanically or electrically operated rides;
2. a place of amusement (see section 3.3.2.4);
3. a *food services establishment*;

automobile service shop, drive thru means a *motor vehicle repair shop* where a motor vehicle may be serviced while the customer waits in the motor vehicle or on site for the minor repair or replacement of parts in a motor vehicle and, without limiting the generality of the foregoing, may include exhaust systems, shocks, heating or cooling systems, ignition systems, music systems, telephones and lubrications, but does not include an *auto body repair shop* or the retail sale of automotive fuel;

auto service mall means a development consisting of *motor vehicle repair shops* and/or an establishment for the retail sale of motor vehicle related parts containing at least three individual business establishments, within one building, conceived and designed as a single, comprehensively planned development having shared *parking facilities* and held in single ownership or by participants in a *condominium* corporation or cooperative but does not include an *auto body repair shop*, automobile sales, or the retail sale of automotive fuel;

automobile service station or gas bar means a building or place where fuel, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles may be stored or kept for sale, or where motor vehicles may be oiled or greased, batteries charged, or a *motor vehicle repair shop* but does not include a *car wash*, or *auto body repair shop*;

banqueting hall means a service commercial establishment used for the purposes of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served on the premises, but does not include a *caterer's establishment*;

basement (see *cellar*);

batching plant, asphalt or concrete means an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products;

bay window means a window or a combination of windows which protrudes from the wall of a building and is not supported by a foundation wall;

bed-and-breakfast hostel means a *dwelling* occupied by a family and used incidentally to provide accommodation and meals to transient travelers and includes a tourist home but does not include a *boarding house, rooming house, domiciliary hostel, group home, hotel or motel*;

boarders, lodgers or roomers means persons who rent accommodations without kitchen facilities for a term of not less than one week;

boarding, lodging or rooming house means a building which provides rooms to three or more persons that do not have both a separate bathroom and kitchen facilities for the exclusive use of individual occupants;

builder's yard means the *yard* of a building contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the wholesale or retail sale of building supplies or *home improvement supplies*;

Building Code means regulations made under the *Building Code Act* as they may from time to time be amended or replaced;

Building Code Act means chapter 51 of the *Revised Statutes of Ontario, 1980* as it may from time to time be amended or replaced;

building height means:

1. in the case of the *principal building* or structure on a *lot*
 - (a) the vertical distance between the average finished *grade* and the highest point of

- (i) the roof surface of a flat roof; or
 - (ii) the deckline of a mansard roof; or
 - (iii) the mean level between the eaves and the ridge of a gable, hip, gambrel or cottage roof;
- (b) 60% of the vertical distance between the average finished *grade* and the highest point of a building or structure where the transition between wall and roof is undefined, such as in a quonset hut or inflatable structure;
2. in the case of an *accessory building or structure*, the vertical distance between the average finished *grade* and highest point of the building or structure;
3. in the case of a deck or porch which encroaches into a minimum required *yard*, the highest vertical distance between the finished *grade* and the highest point of the surface of a deck or porch floor of an open or covered unenclosed deck or porch;

building line, established means a line drawn parallel to the *front lot line* of a *lot* at a distance therefrom equal to the shortest distance between the front wall of the *existing* building on the *lot* and the *front lot line* (see Figure 5);

building line, regulatory means a line drawn parallel to the *front lot line* of a *lot* at a distance therefrom equal to the minimum *front yard* required by this by-law for the zone in which the *lot* is located (see Figure 5);

building materials yard means a land and premises where lumber and building materials are kept, processed, sorted and stored and sold to the public as building materials and may include facilities for the administration and management of the business and for the storage and maintenance of equipment used in the business, but does not include an *asphalt or concrete batching plant*;

building, principal means the building or structure in which the principal use is conducted, e.g. in a residential zone, the *dwelling* is the *principal building*;

call centre means an establishment using sophisticated telecommunications infrastructure to provide inbound, outbound, business to business, or business to customer service;

canopy, weather means a permanent unenclosed roof structure erected for the purpose of sheltering persons from the weather when using facilities which includes, but not limited to, automated teller machines, fuel pumps, etc.;

car wash, conveyor means a service commercial establishment for washing cars where the vehicle is pulled through the car wash equipment by a conveyor;

car wash, manual means a service commercial establishment for washing cars where the vehicle is washed by means of a hand held device;

car wash, rollover means a service commercial establishment for washing cars where the vehicle remains in a stationary position throughout the cleaning process;

cart means a vehicle, other than a motor vehicle, in which food and/or beverages are sold to the public and is capable of being moved from place to place;

catalogue store means a retail commercial establishment in which orders are accepted for the purchase of goods listed in a catalogue provided by the establishment and in which some or all of the goods so listed may also be available within the establishment for sale at retail;

caterer's establishment means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out, but does not include a *food services establishment*;

cellar means that portion of a building or structure which has 50% or more of its height from finished floor to finished ceiling below adjacent finished *grade* (see also *first storey*);

centreline, as used in this by-law with reference to a *street* or *highway*, means a line drawn parallel to and equidistant from the limits of a road allowance as originally laid out prior to any subsequent road widening;

chief building official means any person appointed as such pursuant to the *Building Code*;

Children's Mental Health Services Act means chapter 69 of the *Revised Statutes of Ontario, 1980* as it may from time to time be amended or replaced;

City of Cambridge Dyking and Channelization Scheme means the scheme for channel improvements and flood control on the Grand River in the Cambridge city centre described in a functional study report prepared in December 1979 for the Grand River Conservation Authority by Philips Planning & Engineering Limited;

coin-activated game machine means any money-, coin- or token-activated machine or contrivance which provides pleasure or entertainment, requires any degree of skill in its operation or operates completely by chance, or any game of skill or chance or part skill and part chance, operated or activated in whole or in part by or with mechanical or electrical means;

commercial college or school means a service commercial establishment which provides instruction in any subject for profit or gain; and without limiting the generality of the foregoing, includes, a secretarial college or school, a dance school or studio, a school of music, a modeling school, a charm school, a ceramics school or studio, etc., but does not include a public school, or separate school as defined in the *Education Act*;

community institution, non-profit means facilities provided by the municipality or by any other group or organization without profit or gain for such special purposes as a scout house, community meeting rooms, a community centre, a drop-in centre, an archaeological or fine arts museum, a public library, etc., but does not include school facilities provided by the Waterloo County Board of Education or Waterloo County Separate School Board, public or private parks, playgrounds, arenas, stadiums, hippodromes, *swimming pools*, skating rinks, commercial-recreational establishments or any class of *group home*;

condominium means a building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act;

Condominium Act means chapter 84 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

conservation area means an area of land owned by the Grand River Conservation Authority and any other *environmentally significant area* designated by this by-law as an OS1 zone;

Conservation Authorities Act means chapter 85 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

contractor's yard means the yard of a construction company or contractor used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used by the business, but does not include the wholesale or retail sale of construction materials or supplies or *home improvement supplies*, or lands used by a plumbing, heating, air conditioning or electrical contractor;

cooperative housing project means a multiple unit residential building, the owners of which jointly administer and maintain all *dwelling units* and building services, facilities and amenities;

craftsperson means a person who practices a handicraft or is skilled at manufacturing custom made goods and, without limiting the generality of the foregoing may include an artisan, an artist or a person creating goods made from textiles, wood, or other products;

crisis intervention home means a *special care facility* providing counselling, assistance and temporary emergency shelter for the homeless and or for the victims of a domestic conflict or physical assault/abuse of any kind. It includes such facilities as a *family crisis shelter*;

day care centre (see *day nursery*);

day care, private home (see *private home day care*);

day nursery means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, when the children are:

- under eighteen years of age in the case of a *day nursery* for children with a developmental handicap, and
- under ten years of age in all other cases,

but does not include,

- part of a public school, separate school, private school or a school for trainable retarded children under the *Education Act*,
- a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 10 of the *Ministry of Culture and Recreation Act*, or
- a children's mental health centre under the *Children's Mental Health Services Act*;

Day Nurseries Act means chapter 111 of the *Revised Statutes of Ontario, 1980* as it may from time to time be amended or replaced;

density, gross residential means the ratio between the number of *dwelling units* located or proposed to be located on a *lot* and the area of the *lot* where the area to be measured includes all lands within the *lot* used or proposed to be used for roads or any other purpose other than an industrial use, and may be determined by dividing the *lot area* by the number of *dwelling units*;

density, net residential means the ratio between the number of *dwelling units* located or proposed to be located on a *lot* and the area of the *lot* where the area to be measured includes only those parts of the *lot* which are classified by this by-law as a residential use class zone;

derelict motor vehicle means an inoperative motor vehicle which is not currently licenced;

domiciliary hostel means a *dwelling* where, for a fee, room, board, and personal care, supervision and assistance with daily living activities are provided to persons who are otherwise unable to care fully for themselves by reason of age or a mental or physical disability, and, without limiting the generality of the foregoing, includes such facilities as an unlicenced nursing home or rest home, an unlicenced *retirement lodge* or *retirement home*, or an unlicenced establishment providing nursing care for chronic invalids or the elderly, but does not include:

1. any residential facility licenced, approved or supervised under the *Nursing Homes Act*, the *Homes for the Aged and Rest Homes Act*, the *Homes for Retarded Persons Act*, the *Homes for Special Care Act*, *Private Hospitals Act*, or any other Act or authority;

2. a *rooming house* or a *boarding house*;
3. a *class 1, class 2, class 3* or *class 4 group home*;
4. an *apartment house*;

drive-through facility means the use of land, buildings or structures, or parts thereof including stacking lanes, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles. A *drive-through facility* may be in combination with other uses such as a bank, dry cleaning establishment, food services establishment, retail establishment or *motor vehicle repair shop* but does not include a car wash;

dwelling means a residential building designed for occupancy by one or more *families or households*;

dwelling unit means that part of a *dwelling* designed for occupancy by one *family or household* only, which has a separate entrance from the outside of the *dwelling*, from an attached garage or from a common area inside the *dwelling* and contains a bathroom and kitchen;

dwelling, converted means:

1. a *detached* or *semi-detached one-family dwelling* converted to provide one or more additional self-contained *dwelling units*, but does not include a *detached, semi-detached* or *attached duplex dwelling*, a *detached triplex dwelling*, or an *apartment house*; or
2. a *detached* or *semi-detached one-family dwelling* converted for use as a business or professional office or other commercial purpose and in which one or more self-contained *dwelling units* may also be provided;

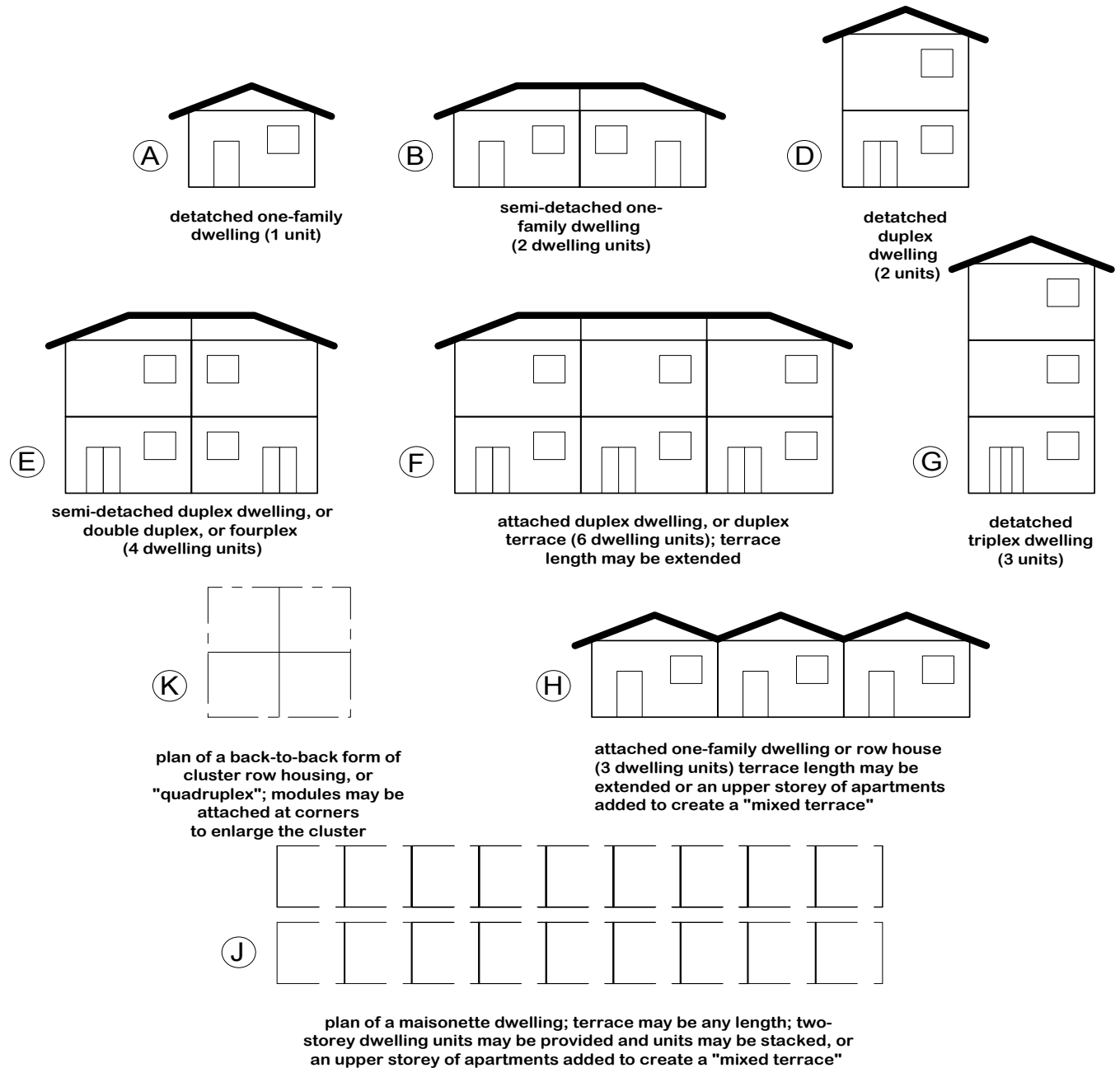
• one-family dwelling types include:

1. *detached one-family dwelling* means a *dwelling* which is designed for occupancy by one *family or household* only and is not attached by any means to any other *dwelling* (see Figure 1A);
2. *semi-detached one-family dwelling* means a *dwelling* divided vertically to provide two *dwelling units* separated by a common wall (see Figure 1B);
3. *attached one-family dwelling* or *row house* means a *dwelling* divided vertically to provide three or more *dwelling units* separated by common walls (see Figure 1H);
4. *cluster row house dwelling* means a group of three or more *attached one-family dwelling units* all of which are held in single ownership or by the participants in a *condominium* corporation or

housing *cooperative* and so located on a *lot* that each *dwelling unit* may not have *frontage* on a public *street* or *highway* (see Figure 1H);

5. *linear row house dwelling* means a group of three or more *attached one-family dwelling units* each of which has legal *frontage* on a public street (see Figure 1H);
- *duplex dwelling* types include:
 1. *duplex dwelling* means a *dwelling* divided to provide for two *dwelling* units but does not include a *semi-detached one family dwelling*;
 2. *detached duplex dwelling* means a *duplex dwelling* situated on a separate *lot* and not attached by any means to any other *dwelling* (see Figure 1D);
 3. *semi-detached duplex dwelling* means a *dwelling* divided vertically into two *duplex dwellings* separated by a common wall, and is sometimes called a *fourplex* (see Figure 1E);
 4. *cluster semi-detached duplex dwelling* means two *attached duplex dwellings* which are held in single ownership or by the participants in a *condominium* corporation or housing *cooperative* and so located on a *lot* that each *dwelling* may not have *frontage* on a public *street* or *highway* (see Figure 1E);
 5. *linear semi-detached duplex dwelling* means two *attached duplex dwellings* each of which has legal *frontage* on a public *street* or *highway* (see Figure 1E);
 6. *attached duplex dwelling* means a *dwelling* divided vertically into three or more *duplex dwellings* separated by common walls (see Figure 1F);
 7. *cluster duplex terrace* means a terrace of three or more *attached duplex dwellings* all of which are held in single ownership or by the participants in a *condominium* corporation or housing *cooperative* and so located on a *lot* that each *dwelling* may not have *frontage* on a public *street* or *highway* (see Figure 1F);
 8. *linear duplex terrace* means a terrace of three or more *attached duplex dwellings* each of which has legal *frontage* on a public *street* or *highway* (see Figure 1F);
 - *multiple unit dwelling* types include:
 1. *triplex dwelling* means a *dwelling* divided horizontally to provide three *dwelling units*;
 2. *detached triplex dwelling* means a *triplex dwelling* situated on a separate *lot* and not attached by any means to any other *dwelling* (see Figure 1G);

Figure 1 - Typical Dwelling Types



3. *maisonette dwelling* means a *dwelling* divided vertically into four or more *dwelling units* each of which has an entrance from a common hallway and a separate private entrance from the outside (see Figure 1J);
4. *mixed terrace dwelling* means a residential building containing three or more *dwelling units* not otherwise defined in this by-law;
5. *apartment house* means a residential building containing four or more *dwelling units* to each of which access is obtained through a common entrance or entrances from the outside and through a corridor or hallway from the inside, but does not include a *row house*, *maisonette*, *mixed terrace* or *semi-detached duplex*;

dwelling, rural non-farm-related means any *dwelling* in an A1 or RR1 zone which is not occupied and used by an active and operating farmer as his primary residence or by a full time employee of an active *farm* upon which the *dwelling* is located;

Education Act means chapter 129 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

environmentally significant area means lands designated by this by-law as an OS1 zone which comprise a remnant area of the landscape, such as a woodlot, bog, swamp, marsh, lake, river or stream valley or bottom lands, which has not been converted to an urban or agricultural use, and those forests which are ecologically significant or provide corridors for the movement of wildlife over a considerable distance, and, without limiting the generality of the foregoing, includes *hazard lands*;

Environmental Protection Act means chapter 141 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

existing means in existence on the day this by-law is passed;

family or household means one person living alone, or two or more persons living together as a single non-profit housekeeping unit, with or without one or more full time servants, and may include not more than two *roomers* or *boarders* who may be charged a fee for room and board but does not include a *group home* or *domiciliary hostel*;

family crisis shelter means a non-profit institutional *special care facility* providing counseling, assistance and temporary emergency shelter for the victims of a domestic or marital conflict or physical assault;

farm means a parcel of land on which the predominant activity is *farming*;

farming means the production of plants and animals useful to man, including the breeding, raising or maintaining of livestock, fur farming, fruit growing, the keeping of bees, fish farming, greenhouse farming, hydroponics farming, vegetable growing, tree growing and sod farming;

Fire Code means regulations made under the *Fire Marshals Act* as they may from time to time be amended;

Fire Marshals Act means chapter 166 of the *Revised Statutes of Ontario, 1980* as it may from time to time be amended or replaced;

first storey means that *storey* of a building or structure closest to *grade* and having its ceiling more than 1.83 metres above average finished *grade* (see also *cellar*);

floor area, gross means the total floor area of a building measured from the centreline of partition walls and the exterior faces of the outside walls, but does not include any floor area in a *cellar*, attic or garage, any porch or verandah, any *amenity area* or *private amenity area*, any floor area which does not have a clear floor to ceiling height of 2.286 metres or any floor area used for parking;

floor area, gross leasable means the total area of a building for which tenants pay rent and have exclusive occupancy, measured from the centreline of partition walls and the exterior face of outside walls, and includes all such floor area on a main floor, mezzanine and upper *storey* and in a *cellar*, but does not include any floor area used in common by the tenants of the building such as a mall, aisle or hallway, elevator shaft or lobby, stairwell, any washroom, boiler room, maintenance room, mechanical or electrical or utility room, and any automobile *parking facilities* provided within the building;

floor area, gross leasable commercial means the total floor area of a building for which tenants pay rent and have exclusive occupancy, measured from the centreline of partition walls and the exterior face of outside walls, and includes all such floor area on a main floor, mezzanine and upper *storey* and in a *cellar* and used for any retail, service, office or recreational-commercial purpose, but does not include any floor area used in common by the tenants of the building such as a mall, aisle or hallway, elevator shaft or lobby, stairwell, loading or unloading area, permanent storage area, any washroom, boiler room, maintenance room, mechanical or electrical or utility room, or any automobile *parking facilities* or residential floor area provided within the building;

floor area, gross leasable retail commercial (GLRCFA) means that area in which tenants pay rent for what are commonly referred to as stalls, and which is exclusive to tenant occupancy, including basement, mezzanines, upper floors, measured from the centre line of joint partitions and from outside wall faces. It includes department stores, service retail stores, restaurants, cocktail bars, banks and other financial establishments, barbers, beauty salons, cleaners, art studios, liquor and beer stores and travel agencies and other uses not specifically excluded below. It excludes service stations, auto centres, business and professional offices, banquet halls, *hotels*, *motels*, entertainment areas, theaters, residential, outside garden centre displays, shoe repair stores, medical and dental clinics, billiard parlours, bowling alleys, libraries, car washes, any public assembly area, parking area, malls, sidewalks, landscaped areas, private and public washrooms, truck and service facilities, loading and unloading areas, halls, boiler rooms, mechanical and electrical rooms, maintenance rooms, tenant storage areas, and employee rest rooms;

floor area, gross residential means the total floor area of a building providing residential accommodation measured from the exterior face of the outside walls and includes the corridors and hallways providing access to *dwelling units* within the building, but does not include, any floor space used in common by tenants of the building such as an entry lobby, foyer, delivery room, mail room, laundry room or recreation room, any elevator shaft, elevator lobby or stairwell, any mechanical or electrical or utility room, any automobile parking area within the building, any unenclosed balcony provided for a *dwelling unit* or any floor area used for a commercial purpose;

floor area, service means that part of the floor area of a *motor vehicle repair shop*, an *auto body repair shop* or *automobile service station* or *gas bar* which is used to service or repair or otherwise perform actual work on a motor vehicle, but does not include any floor area used for administrative or sales purposes, or as a customer waiting room or sales room or stock room, or for the storage of equipment, supplies or products, or for the parking or storage of motor vehicles awaiting service, delivery or sale;

food services establishment means a service commercial establishment in which food and/or beverages are served to the public and, without limiting the generality of the foregoing, includes such establishments the principal business of which is the operation of a *restaurant*, dining room, cafe, cafeteria, lunch counter, snack bar, dining lounge, cocktail lounge, tavern, beverage room, public house, doughnut shop or ice cream parlour, but does not include an *adult entertainment establishment*, a *grocery store*, *variety store* or *caterer's establishment*;

fourplex (see *dwelling*, *duplex*, *semi-detached*);

garden suite means a portable detached residential *dwelling unit* containing a bathroom and kitchen facility that is ancillary to an existing *detached one-family dwelling unit* for the sole occupancy of one or two *family* members;

gas bar (see *automobile service station*);

grade means:

1. when used with reference to a building or structure, the average elevation of the finished surface of the ground where it meets the exterior face of such building or structure, exclusive of any artificial embankment;
2. when used with reference to a *street*, *highway* or *roadway*, the elevation of the *street*, *highway* or *roadway* established by the City of Cambridge or other designated authority;

grocery store means a retail food store and, without limiting the generality of the foregoing, includes a baker's shop, fruit and vegetable store and delicatessen;

grocceteria (see *grocery store*);

gross retail commercial floor area means the total area of a building or structure, or part thereof, measured from the centre line of joint partition walls and from the exterior faces of outside walls and includes all such floor area on a main floor, mezzanine, upper storey and basement, occupied or intended to be occupied by the following uses: retail commercial establishments, *food services establishments*, banks and other financial establishments. The following uses are excluded from the calculation of gross retail commercial floor area: service commercial establishments (other than *food services establishments* and banks and other financial establishments), commercial-recreational establishments, places of amusement, a recreation centre, *automobile service stations*, *gas bars*, outside garden centre displays, and areas devoted to parking and loading which are not fully enclosed, all as may be defined in Zoning By-law 150-85, as amended from time to time;

group home means residential special care accommodation for up to ten people (exclusive of staff) with special needs

group home, class 1 means:

1. accommodation services for the physically and/or mentally handicapped;
2. a satellite residence to accommodate aging individuals who are no longer able to be cared for at home without supervision or assistance;

group home, class 2 means a children's residence to accommodate children usually under the age of 16 who, because of their special needs, cannot live with their parents or other relatives but would benefit from an alternative living arrangement;

group home, class 3 means:

1. a home for patients of provincial psychiatric hospitals who can benefit from a household-oriented living arrangement in the community;
2. a community resource centre for criminally sentenced individuals who can benefit more from rehabilitation in a community residential program than in a correctional institution;
3. a halfway house for ex-offenders (people on probation or parole from a provincial correctional institution or Federal penitentiary); and
4. a *group home* for other special purpose needs not described in *class 1*, *class 2* and *class 3 group home* in this by-law, such as victims of accidents who require long term rehabilitation;

group home, class 4 means an institution used for any of the same purposes as a *class 1*, *class 2* or *class 3 group home* but providing accommodation for more than ten residents exclusive of supervisory staff or the receiving family;

habitable room means any room in a *dwelling unit* having clear height to the ceiling of at least 2.2 m and used or intended for human habitation, but does not include any bathroom, hallway, stairwell, laundry or storage room;

hairdressing establishment means a service commercial establishment providing a personal service to men, women or children by shampooing, cutting, styling, tinting or treatment of hair, by giving manicures, pedicures or facial treatments or by the use of cosmetic products, and, without limiting the generality of the foregoing, includes a barber shop and beauty salon;

hazard lands means lands which are or may be inappropriate for urban development by reason of having inherent or natural environmental hazards such as susceptibility to flood or erosion, poor drainage, organic soils, steep slopes or any physical condition or limitation and which, if developed, may lead to the deterioration or degradation of the environment or cause property damage or loss of life;

home improvement sales and service means the sale, service and/or installation of wall and ceiling coverings, flooring, doors, windows, bathroom and kitchen fixtures and wood and glass products for the home, which may include a showroom for the display of such products;

home improvement supplies means such merchandise as wall paneling, wood products, sheet glass products, windows and mirrors, floor, wall and ceiling tiles, paint and wallpaper, bathroom and kitchen cupboards and fixtures, landscaping materials and similar goods when offered for sale in a retail commercial establishment;

home occupation means an occupation conducted within a private *dwelling unit* by the resident or residents of the *dwelling unit*;

Homes for Retarded Persons Act means chapter 201 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

Homes for Special Care Act means chapter 202 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

Homes for the Aged and Rest Homes Act means chapter 203 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

hotel or motel means one or more buildings, connected or detached, in which sleeping accommodation is provided and ancillary retail and other services catering primarily to the traveling public may also be provided as *accessory uses*, but does not include a *rooming house*;

household (see *family*);

impounding yard means a place to which disabled motor vehicles, and motor vehicles or other mobile equipment impounded for a breach of the law, may be taken or towed and stored

temporarily until reclaimed, but does not include an *automobile service station*, *gas bar*, *motor vehicle repair shop*, *auto body repair shop*, *junk yard*, *salvage yard* or *wrecker's yard*;

industrial mall means a building or group of buildings held in single ownership or by participants in a *condominium* corporation or *cooperative* and divided into units for separate occupancy by different industrial uses for which common loading and *parking facilities* and other common services may be but not necessarily are provided;

junk yard means the storage yard of a dealer in discarded materials and includes facilities for the administration or management of the business and for the storage and maintenance of equipment used in the business;

kennel means a service commercial establishment for the keeping, breeding, boarding or training of more than three dogs of any age in excess of three months;

landscaped open space means the open unobstructed space at *grade* on a *lot* which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping and includes any surfaced walk, patio, *swimming pool*, or similar area but does not include any *access driveway* or ramp, *parking lot* or any open space beneath or within any building or structure (see also *amenity area*, *amenity area common*, and *amenity area, private*);

Liquor Licence Act means chapter 244 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

lot means a parcel of land or lot or block within a registered plan of subdivision or created with the consent of the Committee of Adjustment, or any land that may be legally conveyed under the exemption provided in section 49(3)(b) or section 49(5)(a) of the Planning Act, 1983;

lot area means the total horizontal area within the lot lines of a *lot*;

lot, corner means:

1. a *lot* located at the intersection of, and abutting upon, two *streets* where the angle of the intersection does not exceed 135 degrees, as illustrated in Figure 2A; or
2. a *lot* located on the curve of a *street* where the angle of intersection of the projection of the tangents of the *street line* does not exceed 135 degrees and for which the corner of the *lot* shall be deemed to be the centre point of that part of the arc of the *street line* upon which the *lot* abuts, as illustrated in Figure 2B;

lot coverage means the total horizontal area of a *lot* covered by the *first storey* of all buildings and structures on the *lot* including the *principal building* or structure, and all buildings or structures attached to the *principal building* or structure but does not include open, unenclosed decks and porches not exceeding three meters in building height and not covered by a support roof structure;

lot depth means the distance measured from the midpoint of the *front lot line* to the midpoint of the *rear lot line* or, in the case of a triangular *lot*, between the midpoint of the *front lot line* to the apex of the triangle formed by the intersection of the *side lot lines*, as illustrated in Figure 3;

lot flankage means the *exterior side lot line* of a *corner lot* or the *side lot line* adjoining the *street*, as illustrated in Figure 5;

lot frontage means:

1. in the case of a *lot* abutting a straight *street line*, the distance between the *side lot lines* measured along a line drawn parallel to the *street line* at the distance specified in this by-law for the minimum *front yard*, as illustrated in Figures 4A, 4B and 4C;
2. in the case of a corner or interior *lot* abutting a curved *street line* other than a corner eyebrow or cul-de-sac, the distance between the *side lot line* measured along a line drawn parallel to the tangent of the *front lot line* at the distance specified in this by-law for the minimum *front yard*, as illustrated in Figure 4D;
3. in the case of a *lot* abutting a corner eyebrow or cul-de-sac, the distance between the *side lot lines* measured along a line drawn perpendicular to the mean bearing of the *side lot lines* the radial distance of which line, at its closest point to the *street line*, is not less than the distance specified in this by-law for the minimum *front yard*, as illustrated in Figure 4E;

lot line, front means the lot line that divides the *lot* from the *street*, provided that in the case of a *corner lot*, the shorter lot line that abuts a *street* shall be deemed to be the *front lot line* and the longer lot line that abuts a *street* shall be deemed to be an *exterior side lot line*, as illustrated in Figure 5;

lot line, rear means the lot line opposite the *front lot line*, as illustrated in Figure 5;

lot line, side means a lot line other than a *front* or *rear lot line*;

lot line, side, exterior means a *side lot line* that abuts a public street, as illustrated in Figure 5;

lot line, side, interior means a *side lot line* other than a *side lot line* that immediately adjoins a public street, as illustrated in Figure 5;

Figure 2 - Corner Lot

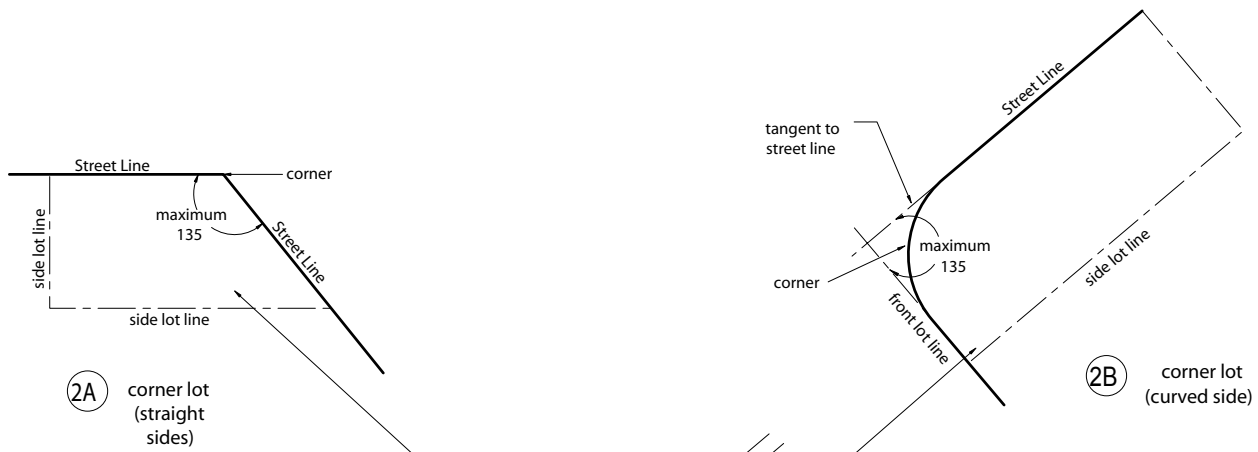


Figure 3 - Lot Depth

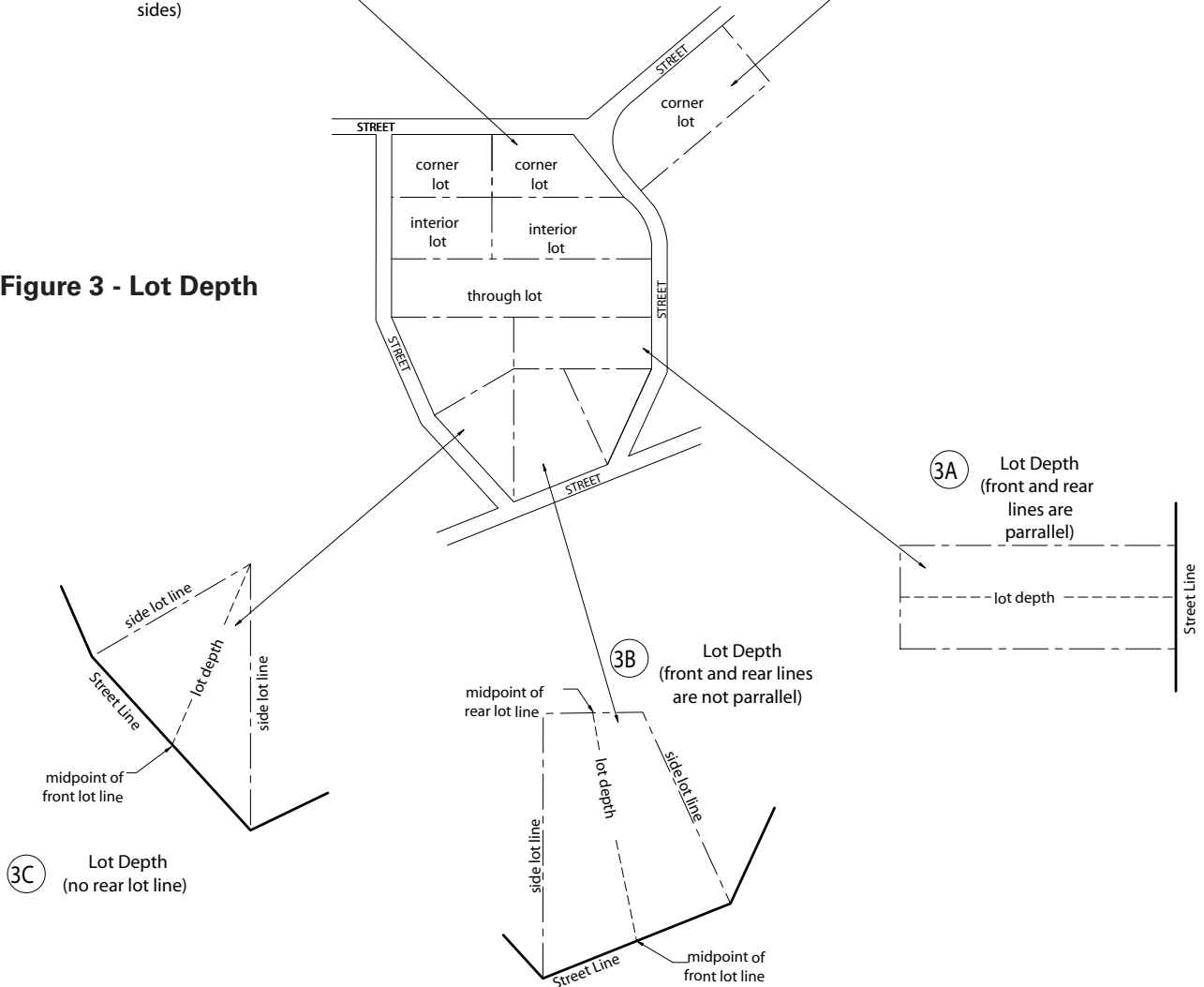
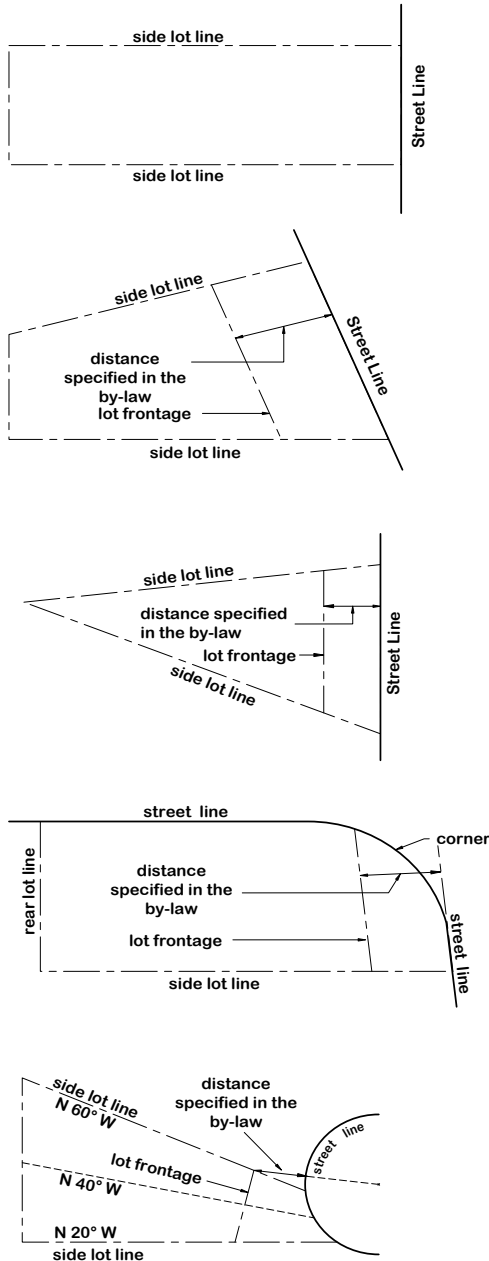


Figure 4 - Lot Frontage



A

SIDE LOT LINES ARE PARALLEL; STREET IS STRAIGHT

the lot frontage is measured along the street line between the side lot lines

B

FRONT AND REAR LOT LINES ARE NOT PARALLEL

the lot frontage is measured along a line drawn between the side lot lines parallel to the front lot line at the distance specified in the by-law for the minimum front yard

C

NO REAR LOT LINE

the lot frontage is measured along a line drawn between the side lot lines parallel to the front lot line at the distance specified in the by-law for the minimum front yard

D

CORNER OR INTERIOR LOT ON A CURVE

the lot frontage is measured along a line drawn parallel to the tangent of the front lot line at the distance specified in the by-law for the minimum front yard

E

LOT ON A CUL-DE-SAC OR EYEBROW

the lot frontage is measured along a line drawn perpendicular to the mean bearing of the side lot lines the radial distance of which line, at its closest point to the street line, is not less than the distance specified in the by-law for the minimum front yard.

lumber yard means land and premises where dressed and/or undressed lumber and such processed building materials as sheet plywood, particle board, Masonite, insulation, etc. are kept or stored and sold to the public as building materials but does not include an *asphalt* or *concrete batching plant*;

miniature golf course means an area of land or a building, structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range;

Ministry of Culture and Recreation Act means chapter 276 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

Ministry of Health Act means chapter 280 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

minor expansions or alterations means construction that is less than 50% of the foundation area of the *existing* structure or work;

mixed commercial-residential development means a development project containing both commercial and residential floor space conceived and designed as a single environment in which both commercial and residential amenities are provided;

mixed terrace (see *mixed terrace dwelling*);

mobile home means any *dwelling* that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel *trailer* or tent *trailer* or *trailer* otherwise designed or a *recreational vehicle*;

motel (see *hotel*);

Municipal Act means chapter 302 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

neighbourhood grocery store means any *grocery store* where the *gross leasable commercial floor area* of the store does not exceed 300 m²;

neighbourhood parking station means a place, building or depot used for the temporary storage of motor vehicles between trips and designed primarily to accommodate those vehicles which may not conveniently or legally be parked or stored elsewhere;

neighbourhood variety store means any *variety store* where the *gross leasable commercial floor area* of the store does not exceed 300 m²;

noise barrier wall means a barrier, constructed in accordance with *Ontario Building Code* design standards, designed and used to mitigate acoustical sound from adjacent land uses. This barrier, which is intended to block sound produced by acoustical generator from the receptor, consists of an earth berm, masonry fence, wood fence or any combination thereof, having a minimum surface mass density of 20 kg/m², or a building wall;

non-conforming means that which does not conform, comply or agree with the permitted uses and/or site development specifications and other regulations of this by-law;

Nursing Homes Act means chapter 320 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

obnoxious use means an offensive trade within the meaning of the *Public Health Act* or any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, liquid, vibration or refuse matter;

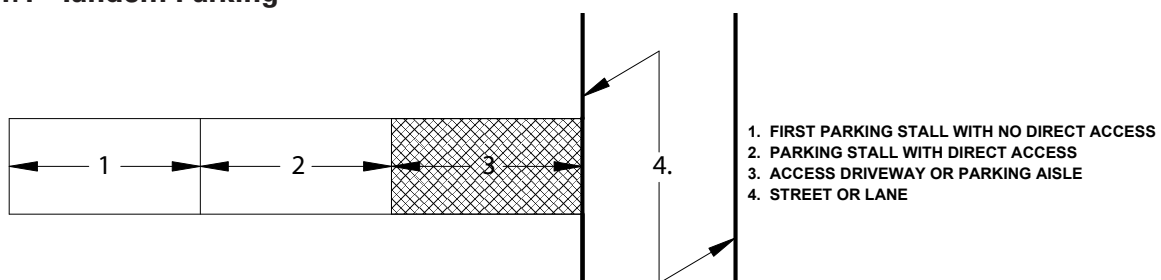
Ontario Heritage Act means chapter 337 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

parking facilities means an area or areas of land or a building or part thereof which may include a parking stall, *aisle*, *access driveway* and loading spaces (see Figure 8);

parking lot means any area other than a *street* or lane used for the temporary parking or storage of motor vehicles in the open air;

parking, tandem means a maximum of two parking stalls, one of which does not have direct access to a *street*, lane, *access driveway*, or parking *aisle* and the other of which has direct access to a *street*, lane or parking *aisle* and is located directly behind the first parking stall (see Figure 4.1);

Figure 4.1 - Tandem Parking



pit means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit;

Pits and Quarries Control Act means chapter 378 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

place of assembly means any public or private building or structure which is designed for the assembly or collection of persons at any one time;

Planning Act (R.S.O. 1990, c.P. 13) means chapter 1 of the Statutes of Ontario, 1983 as it may from time to time be amended or replaced;

Private home day care means the temporary care for reward or compensation of five or less persons where such care is provided in a private residence, for a continuous period not exceeding fourteen hours;

Private Hospitals Act means chapter 389 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

propane transfer facility means a facility at a fixed location having not more than one storage container and such container shall not have an aggregate propane storage capacity in excess of 50,000 litres and from which no retail sale of propane fuel to the public is or may be effected;

propane transfer facility, private means a facility which is *accessory* to a *propane transfer facility* or *tank farm* and is used to refuel the vehicles, appliances or other equipment of the business or establishment to which the *propane transfer facility* or *tank farm* belongs but from which no retail sale of propane fuel to the public is or may be effected;

Public Health Act means chapter 409 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

Public Lands Act means chapter 413 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

public storage unit means a building used for the temporary storage of *household* items and seasonal, *recreational* or commercial vehicles, boats, *trailers*, etc., and designed primarily to accommodate those vehicles, boats, *trailers*, etc. which may not conveniently or legally be parked or stored elsewhere;

quarry means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a *wayside quarry* or open *pit* metal mine;

recreational vehicle means a vehicle which provides sleeping and other facilities for short periods of time, while traveling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel *trailers*, camper *trailers*, pick-up coaches, 'slide-in' truck campers, motorized campers, motorized homes or other similar vehicles;

regional power centre at the southeast intersection of Highway 401 and Hespeler Road means a group of commercial establishments, the defining characteristic of which is the presence of

one or more large retail commercial establishments, often referred to as big boxes. The regional power centre must have one or more retail commercial establishments with a minimum *gross retail commercial floor area* of 3,716 m² (40,000 sq. ft.) and must not be developed as an enclosed shopping mall. The regional power centre lands may be held in more than one ownership. At full build-out, a minimum of sixty percent of the permitted *gross retail commercial floor area* occupied by retail commercial establishments must be in large retail commercial establishments and a maximum of forty percent of the permitted *gross retail commercial floor area* occupied by retail commercial establishments may be in medium and smaller establishments, as further set out in sections 3.3.3.4(a), (b) and (c);

regional road means a public *highway* under the jurisdiction of the Regional Municipality of Waterloo;

regulatory flood line means a set of lines on either side of a river or stream showing the highest water level which may be reached in the event of a regional storm as defined and calculated by the Grand River Conservation Authority; or, in the case of the special policy area referred to in section 2.1.8.1 of this by-law, means the level of flooding which has been calculated by the Grand River Conservation Authority and used as the basis for the design of the City of Cambridge Dyking and Channelization Scheme and describes the flood level in a storm where flood waters would flow at a rate of 2364 cubic metres per second as measured through the special policy area;

rental establishment means where residential, industrial and commercial equipment is kept for rental to the general public or contractors and includes such things as lawn and garden tools, floor cleaning equipment, masonry tools, painting and decorating equipment, moving tools, plumbing tools and power tools;

repair shop, auto body means a general industrial establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and, without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include a *motor vehicle repair shop*, an *impounding yard*, or the retail sale of automotive fuel;

repair shop, motor vehicle means a *drive thru automobile service shop* or a service commercial or general industrial establishment for the modification of a motor vehicle and/or the repair or replacement of parts in a motor vehicle and, without limiting the generality of the foregoing, includes the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, electrical systems, music systems, telephones, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement, but does not include an *auto body repair shop*, an *impounding yard*, or the retail sale of automotive fuel;

restaurant (see *food services establishment*);

retirement lodge or *retirement home* means a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided (see *domiciliary hostel*);

roadway means the part of the *highway* that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a *highway* includes two or more separate *roadways*, the term “*roadway*” refers to any one *roadway* separately and not to all of the *roadways* collectively;

roomers or boarders means persons who rent living accommodation, without separate cooking facilities, for a term of not less than one week, within the *dwelling unit* of a *family*;

rooming house means a *dwelling* in which the proprietor supplies for a fee sleeping accommodation without board for at least three persons and not more than ten persons exclusive of the proprietor, members of the proprietor’s family and servants of the establishment but does not include a *domiciliary hostel*;

row house, cluster (see *cluster row house dwelling*);

row house, linear (see *linear row house dwelling*);

salvage yard means the storage yard of a dealer in salvaged materials and may include facilities for the administration and management of the business and for the storage and maintenance of equipment used in the business;

shopping centre means a commercial development, containing at least three individual business establishments, conceived and designed as a single, comprehensively planned development project with appropriate relationships between the *shopping centre’s* buildings, activities, open spaces, parking areas, loading areas, driveways, other shared facilities, public areas and adjoining *streets*, and held in single ownership or by participants in a *condominium* corporation or commercial *cooperative*;

shopping centre, regional means a *shopping centre* containing 36,000 m² of *gross leasable retail commercial floor area* or more;

shopping centre, subregional means a *shopping centre* containing at least 36,000 m² of *gross leasable commercial floor area* but less than 36,000 m² of *gross leasable retail commercial floor area*;

shopping centre, community means a *shopping centre* containing at least 13,500 m² but less than 36,000 m² of *gross leasable commercial floor area*;

shopping centre, neighbourhood means a *shopping centre* containing at least 5,000 m² but less than 13,500 m² of *gross leasable commercial floor area*;

shopping centre, local means a *shopping centre* containing at least 500 m² but less than 5,000 m² of *gross leasable commercial floor area* divided into at least three, separate, leasable units for occupancy by different tenants;

shopping mall, enclosed means a *shopping centre* in which access by the general public to each individual store, premises or commercial establishment is obtained from the outside through a common entrance or entrances and from the inside through a covered common mall or aisle;

special care facility means a building or part thereof occupied by three or more persons (exclusive of staff) with special needs and shall include, but not limited to, a *group home*, a *family crisis shelter*, a *crisis intervention home*, but does not include a *day care*, a *domiciliary hostel*, a nursing home, a *boarding, lodging or rooming house* or a foster care home;

special care facility, residential means a *dwelling unit* or part thereof occupied by up to ten persons (exclusive of staff) with special needs. A residential special care facility shall include, but not limited to, a *class 1 group home*, a *family crisis shelter*, a *crisis intervention home*, but does not include a *day care*, a *domiciliary hostel*, a nursing home, a *boarding, lodging or rooming house* or a foster care home, a *class 2* or a *class 3 group home*;

storey means the portion of a building other than a *cellar*, between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, that portion between the surface of such floor and the ceiling above it;

street or *highway* means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and having, for the purposes of this by-law, a minimum road allowance of 12 metres;

street line means the limit of the *street* or *highway* allowance and is the dividing line between a *lot* and a *street*;

strip commercial area means an area of existing linear commercial development along a public *street* or *highway*;

supermarket (see *grocery store*);

swimming pool/hot tub means a tank or body of water which is designed for the bathing and/or swimming of people and which has a possible maximum depth greater than 76.2 cm, but does not include an existing natural body of water or stream;

tank farm means a facility having two or more storage containers for the transfer of inorganic liquids or gases and from which no retail sale of fuel to the public is or may be effected;

Tourism Act means chapter 507 of the Revised Statutes of Ontario, 1980 as it may from time to time be amended or replaced;

trailer means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and may be capable of being used for living, sleeping or eating accommodation of persons notwithstanding that such vehicle is jacked up or that its running gear is removed;

trailer, transport means any vehicle so constructed that it is suitable for being attached to a motor vehicle and capable of being used for transporting goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed;

transport terminal means a building or structure used for a cross-dock facility in which there is no storage or warehousing of products, goods and materials;

transportation depot means an establishment where commercial motor vehicles shall be parked or stored and/or dispatched and may include facilities for the maintenance of such vehicles and the administration or management of the business;

triplex (see *triplex dwelling*);

variety store means a retail commercial establishment in which goods or materials such as tobacco products and smokers' supplies, confections, soft drinks, stationery supplies, reading materials, patent medicines and first aid supplies, housewares and notions, souvenirs and similar goods are offered for sale to the general public, and may include groceries and dairy products as a secondary line (see also *neighbourhood variety store*);

wayside pit or *wayside quarry* means a temporary *pit* or *quarry* opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way;

wrecker's yard means the storage yard of a dealer in *derelict motor vehicles* and salvaged motor vehicle parts and includes facilities for the administration or management of the business and for the storage and maintenance of equipment used in the business;

yard means any open, uncovered space appurtenant to a building and, without limiting the generality of the foregoing, includes any such land used for such purposes as landscaping, parking, access, etc.;

yard, front means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest part of any building or structure on the *lot*, as illustrated in Figure 5;

yard, rear means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest part of any building or structure but does not include an open unenclosed deck not exceeding 3 m in *building height* on the *lot*, as illustrated in Figure 5;

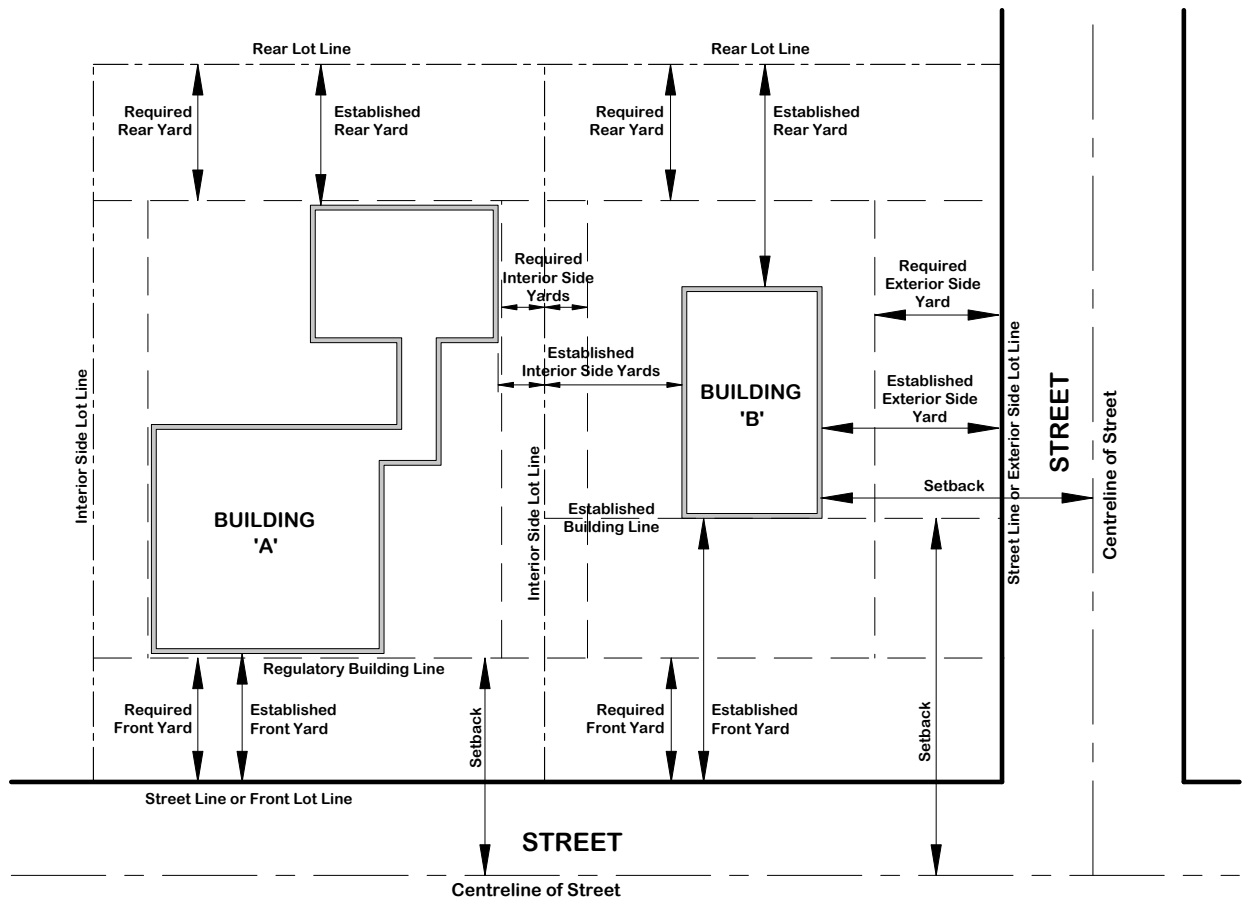
yard, side means a *yard* extending from the *front yard* to the *rear yard* between the *side lot line* and the nearest part of any building or structure on the *lot*, as illustrated in Figure 5;

yard, side, exterior means a *side yard* that immediately adjoins a public street, as illustrated in Figure 5;

yard, side, interior means a *side yard* other than a *side yard* that immediately adjoins a public street, as illustrated in Figure 5;

zero lot line development means a residential subdivision in which building *lots* may be provided for the erection of *detached one-family dwellings* having no *side yard* (i.e. zero setback from a *side lot line*) on one side of a *dwelling* if the side wall of the *dwelling* with zero setback contains no windows, doors or other openings.

Figure 5 - Yards & Setbacks



Building 'A' meets the minimum requirements for front yard, side yards, rear yard and setback.

Building 'B' has voluntarily increased all yards and setbacks beyond the required minimum.

1.1.2 Classification of Zones

The following use classes, zone classes and zone symbols are hereby established and shall apply to the lands for which the corresponding zone symbols are shown on the zoning maps attached to and forming part of this by-law:

1. Use Classes, Zone Classes and Zone Symbols

Zone Class	Zone Symbol	Primary (but not necessarily only) Purpose for Which the Zone is Established
(a) RESIDENTIAL USE CLASS		
R		To accommodate <i>detached one-family dwellings</i> :
	R1	at low density in areas where public water supply and sanitary sewage disposal facilities are not generally available;
	R2 R3 R4 R5 R6	at varying urban densities in areas where full public services are generally available
RR		To accommodate <i>rural non-farm-related dwellings</i> :
	RR1	in rural areas outside settlements
	RR2	in rural settlement areas
RS	RS1	To accommodate <i>semi-detached one-family dwellings</i>
RD	RD3 RD4 RD5	To accommodate <i>detached one-family and duplex dwellings</i>
RM		To accommodate <i>apartment house</i> and other multiple unit residential buildings:
	RM1	in the city centre
	RM2	in the Preston community's central area and central Hespeler
	RM3	outside the core areas
	RM4	multiple unit residential buildings (<u>except</u> <i>apartment houses</i>)
(b) INSTITUTIONAL USE CLASS		
N		To accommodate:
	N1	educational, government and <i>non-profit community institutions</i>, public hospitals, non-profit <i>family crisis shelters</i>, places of worship, children's care facilities and non-profit service or social clubs or fraternal societies
	N2	public and private hospitals and licenced nursing care facilities

Zone Class	Zone Symbol	Primary (but not necessarily only) Purpose for Which the Zone is Established
	N3	• <i>class 4 group homes and unlicensed domiciliary hostels</i>
(c) COMMERCIAL USE CLASS		
C		To accommodate:
	C1	• commercial uses in the city centre, the Preston community's central area and central Hespeler
	C2	• commercial uses in the Blair centre and strip commercial areas
	C3	• <i>neighbourhood grocery stores and variety stores</i> in residential areas outside the cores
	C4	• commercial uses in the Hespeler Road commercial development area
	C5	• <i>automobile services stations and gas bars</i>
	C6	• a <i>regional power centre</i>
CS	CS1	• a <i>regional shopping centre</i>
	CS2	• a <i>subregional shopping centre</i>
	CS3	• a <i>community shopping centre</i>
	CS4	• a <i>neighbourhood shopping centre</i>
	CS5	• a <i>local shopping centre</i>
(d) INDUSTRIAL USE CLASS		
M		To accommodate:
	M1	• general industrial uses with no outdoor storage or outdoor operations
	M2	• general industrial uses with no outdoor storage or outdoor operations
	M3	• general industrial uses
	M4	• heavy industrial uses
	M5	• transport uses
	M6	• <i>asphalt and concrete batching plants</i>
	M7	• <i>junk, salvage or wreckers' yards</i>
(e) OPEN SPACE USE CLASS		
OS		To accommodate:
	OS1	• uses in <i>environmentally significant and conservation areas</i>
	OS2	• major recreational uses
	OS3	• cemeteries
	OS4	• public neighbourhood and community playgrounds and playing fields outside OS1 zones

Zone Class	Zone Symbol	Primary (but not necessarily only) Purpose for Which the Zone is Established
(f) AGRICULTURAL USE CLASS		
A	A1	To accommodate <i>farms</i>
(g) UNIVERSITIES AND COLLEGES USE CLASS		
UC	UC	To accommodate universities and colleges

2. Composite Zones

(a) Compound Zones

Where two or more of the zoning symbols referred to in section 1.1.2.1 are shown on the zoning maps attached to and forming part of this by-law as applying to the same lands, the lands thereby affected may be used for any purpose specified in section 3 of this by-law as a use permitted in each such zone, or for any combination of such uses, subject to the regulations prescribed in section 2.1.3 of this by-law.

(b) Zone Prefixes

Where any zone symbol shown on the zoning maps attached to and forming part of this by-law:

- (i) has the prefix “(H)”, the prefix denotes a holding zone in which the lands affected may be used only for a purpose specified in section 2.1.4 of this by-law until the prefix has been removed from the zone symbol by an amendment to this by-law;
- (ii) has the prefix “(E)”, the prefix denotes a mineral aggregates resource area in which the lands affected may be used only in accordance with the regulations prescribed in section 2.1.5 of this by-law;
- (iii) has the prefix “(F)”, the prefix denotes that the lands thereby affected lie at an elevation lower than the *regulatory flood line* and may be used only in accordance with the regulations prescribed in section 2.1.8.1 of this by-law and regulations made by the Grand River Conservation Authority pursuant to the Conservation Authorities Act;

and, without limiting the generality of the foregoing, any such prefix may be used in conjunction with any simple or compound zone symbol.

(c) Zone Suffixes

Where any zone symbol shown on the zoning maps attached to and forming part of this by-law:

- (i) has the suffix “(O)”, the suffix denotes that the lands affected may not be used for any commercial purpose other than business or professional offices unless the suffix has been removed from the zone symbol by an amendment to this by-law (see section 2.1.6);
- (ii) has the suffix “(CO)”, the suffix denotes that a *detached* or *semi-detached one-family dwelling unit* located in an R-class or RS-class zone affected by such suffix may be converted and used for the purpose of a business or professional office in accordance with the regulations prescribed in section 2.1.7;

and, without limiting the generality of the foregoing, any such suffix may be used in conjunction with any simple or compound zone symbol.

1.1.3 Zone Boundaries

Where a boundary between zones is shown on the zoning maps attached to and forming part of this by-law:

1. as following a *street*, lane, railway right-of-way, transmission line or watercourse, the *centreline* of such *street*, lane, railway right-of-way, transmission line or watercourse is the boundary, notwithstanding the zone boundary as illustrated on the zoning maps;
2. as following the lot line of a *lot* in a registered plan of subdivision or of a *lot* created by severance for which consent has been given pursuant to section 53 of the *Planning Act, 1990*, as amended, such lot line is the boundary unless it abuts a *street*, lane, railway right-of-way, transmission line or watercourse;
3. as running substantially parallel to a *street line* where the distance from the *street line* is not indicated and the circumstances described in section 1.1.3.1 and 1.1.3.2 do not obtain, the boundary is parallel to the *street line* and the distance therefrom shall be determined according to the scale shown on the zoning map;
4. as following the *regulatory flood line*, the boundary shall be the flood line as determined by the Grand River Conservation Authority;
5. as the boundary of an OS1 Zone or of any zone to which an (E) prefix applies and no measurement is shown, the boundary shall be determined according to the scale shown on the zoning map except where the zone boundary coincides with the boundary of a licenced *pit* or *quarry* in which case the site plan of the licence issued pursuant to the *Pits and Quarries Control Act* shall be used to determine the boundary.

1.1.4 Compliance with the By-law

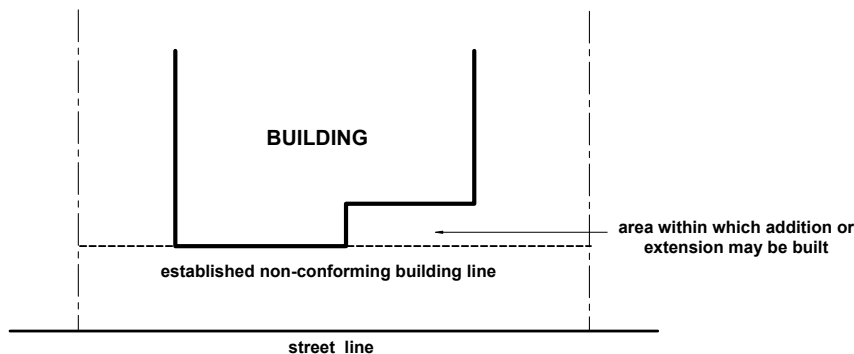
1. The purpose for which any land or building is used shall not be changed, no new building or addition to any *existing* building shall be erected and no land shall be severed from an *existing* building *lot*, if the effect of such change, erection or consent is to create or produce a situation in which any requirement of this by-law in respect of each individual remaining building, *accessory building* or building *lot*, is contravened;
2. The provisions of this by-law shall be held to be minimum requirements except where a contrary intention appears;
3. If any provision of this by-law, including anything shown on the zoning maps attached to and forming part of this by-law, is for any reason held by a court of law to be invalid, all other provisions of the by-law shall remain in full force and effect until repealed.

1.1.5 Non-Conforming Uses

1. The provisions of this by-law shall not apply:
 - (a) to prevent the use of any land, building or structure for any purpose prohibited by this by-law that was used for such purpose prior to the day of the passing of this by-law, and has continued to be used for that purpose;
 - (b) to prevent the site development specifications of any *lot*, building or structure prohibited by this by-law, that existed prior to the 27th day of October 1986 and has continued to exist in the same manner;
 - (c) to prevent the erection or use for a purpose prohibited by this by-law of any building or structure for which a permit has been issued under section 5 of the Building Code Act prior to the day of the passing of this by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under section 6 of the Building Code Act;
 - (d) to prevent the use of land or the erection of a *building* or structure *accessory* to a *principal* residential *use* of such land even though such *principal* residential *use* is not a use permitted by this by-law, provided that such *accessory* use, *building* or structure complies with the regulations prescribed in sections 2.1.11.1 and 2.1.11.2;
 - (e) to prevent the erection of a wheel chair ramp or open unenclosed porch or deck for a residential use even though such principal residential use is not a use permitted by this by-law, provided that the structure complies with the regulations prescribed in sections 2.1.15 and 3.1.2;

- (f) to prevent the erection of an addition or extension on an *existing* building or structure which is located closer to the *street line* than required by this by-law, as illustrated in Figure 6 below, provided, however, that the *existing non-conforming front yard* or *exterior side yard* is not further reduced by such addition or extension;
- (g) to prevent the strengthening or restoration to a safe condition or the reconstruction of an *existing* unenclosed porch on a *dwelling*, provided that such reconstruction takes place within one year of the total or partial demolition of the porch, and provided further that the site development specifications prescribed in this by-law for the zone in which the *dwelling* is located are not further reduced by the strengthening, restoration or reconstruction of its porch;
- (h) to prevent *minor expansions or alterations* to an *existing detached or semi-detached one family dwelling* located on lands within the area shown outlined by a heavy black line on Special Area Zoning Maps Z4, Z5 and Z6 attached to and forming part of this by-law; provided, however, that such *minor expansions or alterations* comply to Section 2.1.8 of this by-law;

Figure 6 - Extension to Non-Conforming Setback



2. Nothing in this by-law shall prevent the strengthening or restoration to a safe condition of any building or structure, or part of any building or structure, provided the strengthening or restoration will not increase the height, size or volume, or change the use of, the building or structure;
3. If any building or structure which does not conform to this by-law is damaged to the extent of seventy-five percent or more of its value exclusive of the value of its foundations, such building or structure shall not be restored, rebuilt or reconstructed except in conformity with this by-law;
4. Nothing in this by-law shall apply to prevent the use of a vacant lot for a purpose permitted by this by-law in the zone in which such vacant lot is located even though such lot, as of the date this by-law was passed, does not have the minimum *lot frontage* and/or minimum *lot area*

required by this by-law for such use or zone, provided, however, that such use of the *lot* shall comply with all of the other regulations prescribed in this by-law for such use and zone;

5. Nothing in this by-law shall apply to prevent the construction of an addition or extension to an *existing* building used for a purpose permitted by this by-law even though the minimum *front yard*, *side yards* or *rear yard* required by this by-law have not been provided for such building, provided, however, that, subject to section 1.1.5.1(d) of this by-law, the minimum *front yard*, *side yards* and *rear yard* required by this by-law shall be provided for such addition or extension;
6. Nothing in this by-law shall apply to prevent an addition or extension to an *existing* building or structure used for a purpose permitted by this by-law in the zone in which such building or structure is located even though the *lot* upon which such building or structure is situated does not, as of the date of this by-law, have the minimum *lot frontage* and/or minimum *lot area* required by this by-law for such use or zone, provided, however, that such addition or extension shall comply with all of the other regulations prescribed by this by-law for such use or zone;
7. Subject to the other provisions of section 1.1.5 of this by-law, where a use, building or structure was legally located or erected prior to 27 October 1986 in a zone in which this by-law does not otherwise permit the location or erection of such use, building or structure, the regulations prescribed in this by-law for the zone listed in Column B below shall apply to the extension or enlargement of or addition to a legal *non-conforming* use, building or structure as listed in Column A below:

Column A			Column B
(a)	(i)	a <i>detached one-family dwelling</i>	R5
	(ii)	a <i>semi-detached one-family dwelling</i>	RS1
	(iii)	a multiple unit residential building other than an <i>apartment house</i>	RM4
	(iv)	an <i>apartment house</i>	RM3
(b)	(i)	an <i>automobile service station</i> or <i>gas bar</i>	C5
	(ii)	a <i>neighbourhood grocery</i> or <i>variety store</i>	C3
	(iii)	any other commercial use, building or structure	C2
(c)		an industrial use, building or structure	M2
(d)		an institutional use, building or structure	N1

8. Notwithstanding Section 3.1.2.1 of this by-law a twin *dwelling* (link home) for which a permit has been issued under the *Building Code Act* prior to July 9, 1990 shall be deemed to comply as if it was a detached one family *dwelling* and the site development specifications

prescribed in R6 zone shall apply to the extension or enlargement or addition to such *dwelling*.

1.1.6 Deemed Streets

Notwithstanding the definition of a *street* or *highway* provided in section 1.1.1 of this by-law, the following shall also be deemed to be a public *street* or *highway* for the purposes of this by-law:

Adam Street	Langdon Drive
Barrie Street	Laurel Street
Blair Lane	Limerick Road
Bleiler Street	Lutz Street
Chopin Drive	Melville Street
Cornell Street	Norman Lane
Cumming Avenue	North Street
Dolph St. N. & S.	Petty Place
Dover St. N. & S.	Prospect Place
Eagle Hill	Russ Street
Flynn Avenue	Shamrock Street
Harvey Lane	State Street
Imperial Lane	Tannery Street
Keffer Street	Warnock Street

1.1.7 Site-Specific Exceptions

Where a zone symbol on a zoning map attached to and forming part of this by-law is followed by a reference in parentheses to a particular section of this by-law, the use to which the lands thereby affected may be put shall be as prescribed in the section of this by-law to which such parenthetical reference is made.

1.1.8 Application of Other By-laws

Nothing in this by-law shall apply to diminish the requirements of any other by-law of the City of Cambridge or the Regional Municipality of Waterloo or of any statute of the provincial or federal government or regulations made thereunder; but, where the requirements of this by-law are greater than those of such other by-laws, statutes or regulations, the provisions of this by-law shall prevail.

1.1.9 Phasing of Development

Where a project has been draft approved as a *condominium* in accordance with the *Condominium Act*, and amendments thereto, and has received Site Plan Control approval pursuant to the *Planning Act*, and amendments thereto, individual parcels of land created for the purpose of phasing the registration of the *condominium* shall be exempt from Site Development Specifications and the total number of visitor parking spaces required by this by-law, provided however, that:

1. the required visitor parking spaces for the phase being developed are installed within the project and abutting the phase that requires such visitor parking spaces at the time of occupancy of the building in the phase being developed;
2. the whole of the project is capable of full compliance with all the provisions of this by-law;
3. the *private amenity area* required pursuant to Section 3 of the by-law shall be maintained on the phase that require such *private amenity area*.

1.1.10 Land Acquisition

Where, as a result of acquiring land by the City of Cambridge, the Regional Municipality of Waterloo, the Province of Ontario, the Government of Canada or any department, board, commission or agency thereof including Ontario Hydro and the Hydro-Electric Commission of Cambridge and North Dumfries any land, building or structure becomes *non-conforming* to sections 2.2, 2.3, 2.4 and 3 of this by-law:

1. with respect to *lot frontage* and *lot area*, the remaining *lot frontage* and/or *lot area* shall be deemed to be legal *non-conforming*;
2. with respect to sections 2.2, 2.3 and 2.4, *front yard*, *interior side yard*, *exterior side yard*, *rear yard*, *lot coverage*, *landscaped open space* or *amenity area*, such condition(s) shall be deemed to be legal *non-conforming* to this by-law, for the *existing* parking, loading, planting strips and fencing and the *existing* building or structure as they existed on the day the land was acquired;
3. and notwithstanding clause 1.1.10.2, no new building, structure or addition to an *existing* building or structure shall be erected or located except in accordance with all the provisions of this by-law, including section 1.1.10.1.

1.1.11 Consolidated Multiple Lot Development

Where two or more adjoining *lots* under one identical ownership, the minimum *yard* requirements of section 3 shall apply only to the perimeter lot lines of the property, provided the entire development is within the same zone.

Section **2** General Regulations Applicable in All Zones

2 General Regulations Applicable In All Zones

2.1 Land Use

2.1.1 Uses Permitted in All Zones

Notwithstanding the provisions of section 3 of this by-law, nothing in this by-law shall apply to prevent the use of land or the erection, location or use of any building or structure, in any zone,

1. for any purpose of the City, the Regional Municipality of Waterloo, Government of Ontario or Government of Canada or any department, agency, board of commission thereof including Ontario Hydro and the Hydro-Electric Commission of Cambridge and North Dumfries, or, any privately owned or other public service utility, pipeline company or broadcasting company or for any facility, other than administrative offices, sales outlets, studios, garages, depots or yards of a privately owned company; provided, however, that
 - (a) the requirements of section 3 of this by-law for maximum *lot coverage*, minimum setbacks and minimum *yards* for the zone in which such lands are located are not contravened;
 - (b) the minimum parking, loading and landscaping requirements of sections 2.2, 2.3 and 2.4 of this by-law are complied with;
2. [deleted]
3. for the purpose of providing *private home day care* in any *dwelling unit* which is also used for residential occupancy;
4. for the purpose of providing living accommodation of a bachelor or one bedroom *dwelling unit* only for a watchman or caretaker in a building used or intended to be used for a non-residential purpose in an N-class or M-class zone, provided such *dwelling unit* is not located on the ground floor of a building in a commercial use class zone;
5. for the purpose of making or operating a *wayside pit* or *wayside quarry* pursuant to the *Pits and Quarries Control Act* and regulations made thereunder;
6. [deleted]
7. for the purpose of providing a *crisis intervention home*.

2.1.2 Uses Prohibited in All Zones

No land shall be used and no building or structure shall be erected, located or used in any zone for any of the following:

1. any use which constitutes an offensive trade within the meaning of the *Public Health Act*; and any use which does not comply with the provisions of the *Environmental Assessment Act*;
2. the use of tents, *trailers*, *transport trailers*, trucks, buses and coach or streetcar bodies as living accommodation;
3. a stockyard or establishment for the sale or shipping of livestock;
4. any use that does not comply with Section 3.2.1 of the City of Cambridge Official Plan for the provisions of municipal services (By-law 177-97);
5. the incineration or disposal otherwise of biomedical wastes, organic or inorganic chemical wastes, or radioactive wastes; provided, however, that a mobile processing unit may be used to decontaminate polychlorinated biphenyls (PCBs) at sites for which the Ministry of the Environment has issued a Certificate of Approval, and:
 - (a) there is no destruction of PCBs by incineration or other thermochemical process;
 - (b) no land, building or structure is used to establish a permanent PCB decontamination facility;
 - (c) no land, building or structure is used for the storage or disposal by any means of any contaminated liquid effluents or solid residues resulting from the decontamination process;
6. any use, building or structure on lands to which regulations made by the Grand River Conservation Authority pursuant to the *Conservation Authorities Act* apply, where the Authority has not approved the location of such use, building or structure on such lands.

2.1.3 Compound Zones

Notwithstanding any other provision of this by-law, where two or more zoning symbols are shown on the zoning maps attached to and forming part of this by-law as applying to the same lands, the lands thereby affected may be used exclusively for the purposes permitted in any one of the zones included in the compound zone symbol, or for any purpose permitted in one of the zones included in the compound zone symbol in combination with any use permitted in any other zone included in the compound zone symbol, subject to the following regulations:

1. where a C5 zone symbol is used in combination with any other zone symbol, the regulations prescribed in sections 3.3.3.2(b), 3.3.3.2(c)(ii) and (iii) and 3.3.3.2(f)(ii) and (iii) for the C5 zone shall apply to those lands used for the purposes of an *automobile service station* or *gas bar*;
2. in a mixed-use development consisting of commercial and residential uses, the regulations prescribed in section 3.1.2 of this by-law shall apply to the residential component of the building if the *gross residential floor area* exceeds two-thirds of the total *gross floor area* of the building; but, if the *gross residential floor area* does not exceed two-thirds of the total *gross floor area*, the regulations prescribed in section 3.3.3.2 or 3.3.3.3, as the case may be, shall apply;
3. the parking and loading required by this by-law for each of the uses included in the development of the lands, whether for a single use or a combination of uses, shall be provided;
4. the regulations prescribed in section 2.1.7 of this by-law shall apply to a *dwelling unit* converted to provide office floor space;
5. where an RM-class zone is used in combination with an N2 or N3 zone, the lands thereby affected shall not be used for the purposes of any residential use permitted in an RM-class zone except in conjunction with the development of a nursing home or *domiciliary hostel* on the same site.

2.1.4 (H) Prefix Zones (Holding Zones)

Notwithstanding any other provision of this by-law, where a zoning symbol shown on the zoning maps attached to and forming part of this by-law has the prefix (H), no land thereby affected shall be used and no building or structure shall be erected, located or used thereon except for the following purposes until the prefix “(H)” has been removed from the zone symbol by a by-law passed pursuant to sections 34 and 35(4) of the Planning Act, 1983:

1. *farming* where no intensive animal operation, fur farming or fish farming is involved;
2. market gardening;
3. landscape gardening;
4. a use permitted in all zones in accordance with section 2.1.1.

2.1.5 (E) Prefix Zones (Mineral Aggregate Resource Areas)

1. Notwithstanding the provisions of sections 2.1.1 and 3 of this by-law, no land for which the zone symbol shown on the zoning maps attached to and forming part of this by-law has the prefix (E) shall be used except for one or more of the following purposes unless the prefix (E) has been removed from the zone symbol by an amendment to this by-law:
 - (a) *farming*;
 - (b) *forestry*;
 - (c) public or private non-commercial open space or recreational facilities where no permanent buildings or structures are provided therefor on such lands;
 - (d) a use permitted by section 2.1.1 or section 3 of this by-law for the zone in which such lands are located where no permanent buildings or structures are provided therefor;
 - (e) an *existing* use;
 - (f) subject to section 2.1.5.2, a *pit* or *quarry* which has been licenced by the Minister of Natural Resources pursuant to the *Pits and Quarries Control Act* and regulations made thereunder.
2. Notwithstanding section 2.1.5.1(f), no land shall be used and no building or structure shall be erected, located or used for the purpose of a *pit* or *quarry*:
 - (a) unless the zone symbol affecting such land as shown on the zoning maps attached to and forming part of this by-law has the prefix (E); and
 - (b) except in accordance with the regulations prescribed in section 3 of this by-law for the zone in which the *pit* or *quarry* is located or proposed to be located and the following regulations:
 - (i) no building, structure, plant or product stockpile shall be located:
 - (1) within 15 metres of a public *street* or *highway*;
 - (2) within 30 metres of any other boundary of the *pit* or *quarry* site;
 - (3) within 90 metres of any land classified by this by-law as a residential use class zone;
 - (4) within 30 metres of any land classified by this by-law as an OS1 zone;

- (ii) no *pit* or *quarry* excavation shall be located:
 - (1) within 30 metres of any public *street* or *highway*;
 - (2) within 15 metres of any other boundary of the *pit* or *quarry* site;
 - (3) within 90 metres of any land classified by this by-law as a residential use class zone;
 - (4) within 90 metres of any land classified by this by-law as an OS1 zone;
- (iii) the provisions of section 2.4 of this by-law for planting strips and fencing shall not apply to land licenced as a *pit* or *quarry* by the Minister of Natural Resources, and the regulations made therefor under the *Pits and Quarries Control Act* shall apply in their stead;
- (iv) where any regulation of this by-law is more or less restrictive than a regulation made under the *Pits and Quarries Control Act*, the more restrictive regulation shall prevail.

2.1.6 (O) Suffix Zones (Use Limited to Offices)

Notwithstanding the provisions of section 2.1.1 and 3.3 of this by-law, where a commercial use class zone symbol shown on the zoning maps attached to and forming part of this by-law has the suffix (O), the lands thereby affected may not be used for any commercial purpose except business and professional offices.

2.1.7 (CO) Suffix Zones (Dwellings Converted to Office Uses)

Where a zone symbol shown on the zoning maps attached to and forming part of this by-law consists of an R-class or RS-class zone symbol with the suffix (CO), a *detached* or *semi-detached one-family dwelling* on the lands thereby affected may be converted and used for the purposes of a business or professional office, and not more than three *dwelling units* may also be provided therein, subject to the following regulations:

1. each *dwelling unit* shall be self-contained with separate private access from the outside or through a common hallway and shall have a separate private bathroom and kitchen;
2. not less than 40 m² of residential floor area shall be provided in each *dwelling unit*;
3. not less than 40 m² of floor area shall be provided for a business and professional office;

4. off-street parking shall be provided for the office use in accordance with section 2.2.1.2(b)(ii) (1) of this by-law and for the residential use at a rate of one parking space per *dwelling unit*;
5. planting strips and fencing shall be provided in accordance with section 2.4;
6. the other site development specifications of this by-law for the R-class or RS-class zone in which the *dwelling unit* is located shall apply;

provided, however, that nothing in this subsection shall apply to prevent the use of the building exclusively as a *detached* or *semi-detached one-family dwelling unit* as the case may be or the conversion of all floor space in the building to business or professional office use.

2.1.8 Special Regulations for *Hazard Lands**

1. Lands in the Floodplain Management Special Policy Area

Within the special policy area shown on Special Area zoning Map Z3, no land for which the zone symbol shown on the general area zoning maps attached to and forming part of this by-law has the prefix “(F)” shall be used and no building or structure shall be erected, located or used thereon except in accordance with the other regulations of this by-law applicable thereto and the following special regulations:

- (a) no new *habitable room* shall be provided at an elevation lower than the *regulatory flood line*;
- (b) no hospital, home for the aged, *group home* or *domiciliary hostel* shall be located on lands which lie at an elevation more than one metre lower than the *regulatory flood line*;
- (c) no access to a hospital, home for the aged, *group home* or *domiciliary hostel* shall be provided at an elevation lower than the *regulatory flood line*;
- (d) no bulk storage of dangerous, flammable, explosive, toxic, corrosive or buoyant materials shall be provided at an elevation lower than the *regulatory flood line*.

* Anyone who proposes to undertake the development or redevelopment of lands which lie at an elevation lower than the *regulatory flood line* is reminded that the approval of the Grand River Conservation Authority pursuant to regulations made under the the *Conservation Authorities Act* is required in addition to any requirements of this by-law.

2. Lands Outside the Special Policy Area

Notwithstanding sections 2.1.1 and 3 of this by-law, no lands in an OS1 zone, and no other lands in any zone which are located outside the special policy area shown on Special Area Zoning Map Z3 and which lie at an elevation lower than the *regulatory flood line*, shall be used and no building or structure shall be erected, located or used thereon except in accordance with the regulations prescribed in this by-law for the zone in which such lands are located and the regulations prescribed in clauses (a), (b), (c) and (d) of section 2.1.8.1.

2.1.9 *Building Height* in the Core Areas

1. Minimum *Building Height* in the Core Areas

Within the shaded area shown on Special Area Zoning Maps Z4, Z5 and Z6, attached to and forming part of this by-law, the minimum *building height* of any new building or structure erected after the day that this by-law is passed shall be 6 metres.

2. Maximum *Building Height* in the Galt City Centre Core Area

The maximum height above finished *grade* of any new building or structure erected in Galt City Centre Core Area, exclusive of any mechanical, electrical or elevator equipment on the roof or any chimney stack, shall be in accordance with Map Z7 and the following:

- (a) On the lands marked Area “A” on Zoning Map Z7, the maximum permitted height shall be 15 metres;
- (b) On the lands marked Area “B” on Zoning Map Z7, the maximum permitted height shall be 21 metres;
- (c) On the lands marked Area “C” on Zoning Map Z7, the maximum permitted height shall be 28 metres;
- (d) On the lands marked Area (D) on Zoning Map Z7, the maximum permitted height shall be 34 metres. (By-law 161-07)

2.1.10 Height Restrictions in the Vicinity of Waterloo Regional Airport

Notwithstanding any other provisions of this by-law, no building or structure shall be erected, located or used:

1. on the lands marked “Area A” on Special Area Zoning Map Z1 attached to and forming part of this by-law where the highest point of such building or structure exceeds 326 metres Canadian Geodetic Datum;
2. on the lands marked “Area B” on Special Area Zoning Map Z1 attached to and forming part of this by-law where the highest point of such building or structure exceeds 341.5 metres Canadian Geodetic Datum;
3. on the lands marked “Area C” on Special Area Zoning Map Z1 attached to and forming part of this by-law where the highest point of such building or structure exceeds 352 metres Canadian Geodetic Datum;
4. on the lands marked “Area D” on Special Area Zoning Map Z1 attached to and forming part of this by-law where the highest point of such building or structure exceeds 360 metres Canadian Geodetic Datum.

2.1.11 Accessory Uses, Buildings and Structures

1. General Regulations

Subject to the following regulations, nothing in this by-law shall apply to prevent the use of land or the erection, location or use of a building or structure *accessory* to a use permitted in a residential use class zone:

- (a) no *accessory* building or structure shall be attached to the *principal building* nor located within one metre of the *principal building*;
- (b) no free standing *accessory use*, building or structure shall be erected or located:
 - (i) between the *regulatory building line* and *street line*;
 - (ii) in an *exterior side yard*, closer to any *street line* than the minimum distance required by this by-law for the *exterior side yard*;
 - (iii) in an *interior side yard* or *front yard*, closer than 1.2 metres to the *interior side lot line*;
 - (iv) in a *rear yard* which abuts a *street*, closer to the *street line* than the minimum distance required by this by-law for an *exterior side yard*;
 - (v) in a *rear yard*, closer than 0.6 m to an *interior side lot line* or *rear lot line*;

- (c) notwithstanding the provisions of section 2.1.11.1(b)(iii), a free-standing semi-detached private garage *accessory* to a neighbouring residential use may be centred on the mutual *interior side lot line* to the rear of the *regulatory building line*;
- (d) *accessory* uses, buildings and structures shall not occupy a total area greater than 10% of the *area of the lot* upon which such uses, buildings or structures are located;
- (e) the *height* of any *accessory building* or *structure* shall not exceed 4.5 metres and such *accessory building* or *structure* shall not contain more than one *storey*;
- (f) no *accessory building* or *structure* shall be used for human habitation or for the purposes of a *home occupation* specified in section 2.1.17;
- (g) no building or structure, including a garage or carport, shall be considered as an *accessory building* or *structure* if it is attached in any way to the *principal building*.

2. Outdoor Swimming Pools/Hot Tubs

Subject to the provisions of section 2.1.11.1 and the following regulations, nothing in this by-law shall apply to prevent the use of land or the erection, location or use of a building or structure for the purposes of an outdoor *swimming pool/hot tub* as a *use accessory* to a *dwelling* on the same *lot*:

- (a) no outdoor *swimming pool/hot tub* or *accessory building* or structure related thereto shall be erected or located:
 - (i) between the *regulatory building line* and the *street line*;
 - (ii) closer to the *exterior side lot line* than the minimum distance prescribed in this by-law for the *exterior side yard*;
 - (iii) closer to the *interior side lot line* than 1.0 metre;
 - (iv) closer to the *rear lot line* than 1.0 metre;
- (b) notwithstanding sections 2.1.11.1(a), (b) and 2.1.11.1 (a) (ii) of this by-law:
 - (i) the deck-surround structure of an above ground *swimming pool/hot tub* may be attached to the *principal building* on the *lot* and shall not be erected or located closer to the *exterior side lot line* than 3.5m, whether or not such structure is attached to the *principal building* on the *lot*;

- (ii) the provisions of section 2.1.11.1(d) shall not apply to any outdoor *swimming pool/hot tub* but shall apply to any other *accessory building* or structure related thereto;
- (c) notwithstanding section 2.1.11.2(a)(ii), an inground *swimming pool* only may be located in the *exterior side yard*, subject to the following additional regulations:
 - (i) the minimum *exterior side yard* setback shall be 1.0 m and;
 - (ii) the deck of such *swimming pool* shall be at an elevation not greater than 0.6 m above the *existing* elevation at the *exterior side yard* setback of 1.0 m;
- (d) every outdoor *swimming pool/hot tub* shall be enclosed by a fence erected in accordance with the regulations prescribed therefore in the City of Cambridge Fence By-Law.

3. Accessory Uses in a C5 Zone

Subject to the regulations of section 3.3.3.2 of this by-law for the C5 zone, nothing in this by-law shall apply to prevent the use of an *automobile service station* site in a C5 zone for the following *accessory* purposes:

- (a) the keeping of licenced *trailers* for hire or lease;
- (b) the sale of used motor vehicles;

provided, however, that not more than 50% of the parking spaces required by section 2.2.1.2(b)(i)(10) of this by-law shall be used to store or park such *trailers* or motor vehicles.

4. Satellite Dish Antennas and Other Electronic Receiving and Transmission Equipment

Nothing in this by-law shall apply to prevent the use of land or the erection, location or use of a building or structure for the purposes of a television dish antenna or other electrical receiving or transmitting antenna or equipment as a *use accessory* to the principal use, building or structure on the same *lot*, subject to the following regulations:

- (a) the equipment may be attached to the *principal building* or structure;
- (b) the equipment may be mounted on a mobile platform or structure;
- (c) no equipment shall be located in the required or established *front yard* or *exterior side yard* whichever is less in any zone;

- (d) no satellite dish antenna shall be located in the *required* or established *front yard*, or *exterior side yard*, whichever is less or *interior side yard* of a residential building;
- (e) no equipment shall be closer than 0.5 m to an *interior side lot line* or *rear lot line* in any zone;
- (f) a satellite dish antenna shall not exceed 4.5 m in height if located on a *lot* used for residential purposes;
- (g) notwithstanding Section 2.1.11.4(f) of this by-law a satellite dish antenna may be located on the roof of a building used for residential purposes provided that such satellite dish antenna shall not exceed 0.6 m in diameter.

2.1.12 Temporary Buildings or Structures

A temporary construction shed, *trailer*, site office or sales office for the sale of lots and *dwellings* may be provided on a construction site or in a plan of subdivision, for the period during which the construction of new buildings is taking place; provided, however, that such temporary building or structure is placed in accordance with the provision of section 3 of the by-law for the zone in which such temporary building or structure is provided (see also section 2.2.2.13).

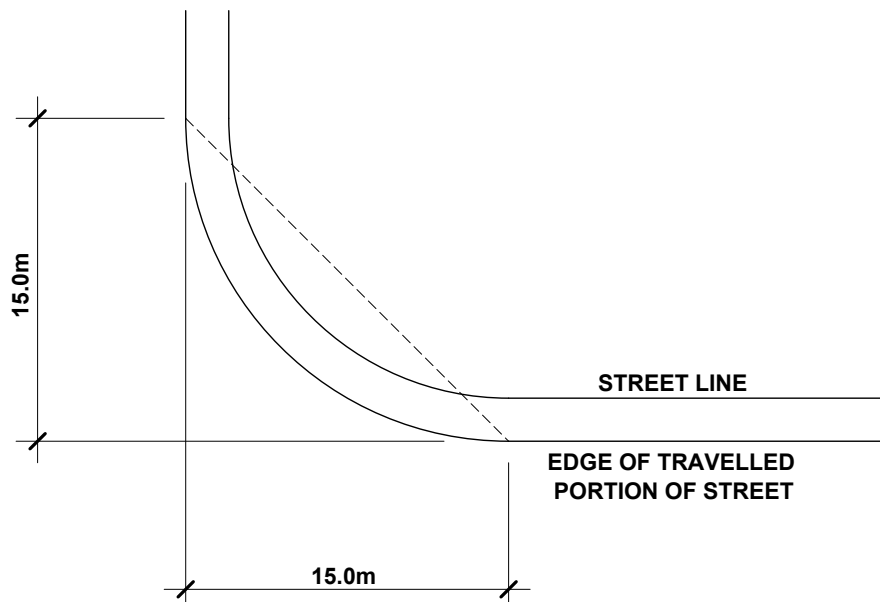
2.1.13 Lots to Have *Street Frontage*

1. No land shall be used and no building or structure shall be erected, located or used unless the *lot* upon which such building or structure is located or proposed to be located has the *lot frontage* required by section 3 of this by-law on an opened public *street* or *highway* or a *street* deemed to be a public *street* or *highway* in accordance with section 1.1.6 of this by-law; provided, however, that this requirement shall not be construed to apply so as to prevent the erection, location or use of more than one building or structure on a *lot* in an RM-class, commercial use class or industrial use class zone if such *lot* is held and maintained in single ownership or by the participants in a registered *condominium* corporation or *cooperative* and has the *lot frontage* required by section 3 of this by-law on an opened public *street* or *highway* or a *street* deemed to be a public *street* or *highway* in accordance with section 1.1.6 of this by-law.
2. Where a one-foot reserve held by the City of Cambridge or Regional Municipality of Waterloo separates a *lot* from the *street line* upon which such *lot* would otherwise abut, such one-foot reserve shall be disregarded in determining the *frontage* of the *lot* unless the *lot* abuts directly on another *street* where no one-foot reserve intervenes.

2.1.14 Corner Lot Sightlines

At the intersection of two *streets* and within the triangle formed by joining the point on the edge of the travelled portion of each *street* distant 15 metres from the point of intersection of the edges of the travelled portions of the two *streets*, as shown in Figure 7, no shrub, foliage, wall or structure shall be provided or maintained in such a location or manner so as to obstruct the view of the driver of a vehicle approaching the intersection and, in no case, shall such shrub, foliage, wall or structure be provided or maintained at a height of more than 0.75 metres. The provisions of section 2.1.14 shall not apply to any *lot* located within the shaded areas shown on Special Area Zoning Maps Z4, Z5, and Z6 attached to and forming part of this by-law.

Figure 7 - Corner Lot Sight Lines



2.1.15 Permitted Encroachments on Required Yards

Subject to section 3.1.1.2, the minimum front yard, side yards and rear yard specified by this by-law for a building or structure erected, located or used in any zone shall be free of encroachment and open and unobstructed from the ground to the sky except as provided in the following schedule:

Structure		Yards in Which Projection is Permitted	Maximum Projection Permitted into Minimum Required Yards
1.	steps above or below grade, sills, cornices, eaves, gutters, chimneys or pilasters	all	0.5 m

Structure		Yards in Which Projection is Permitted	Maximum Projection Permitted into Minimum Required Yards
2.	fire escapes and exterior staircases	rear only	1.6 m
3.	bay windows	front, exterior side yard & rear only	1 m including eaves and cornices over a maximum width of 3 m
4.	balconies on detached or semi-detached one-family dwellings and duplex dwellings	front, exterior side yard & rear only	0.6 m
5.	balconies on apartment buildings	all	0.6 m
6.	opened or covered unenclosed patios, decks or porches not exceeding 3m in building height	front, exterior side yard & rear only	2.5 m including eaves and cornices
7.	uncovered paved patios	all	2.5 m front yard other yards unlimited
8.	open unenclosed decks not exceeding 3m in building height	interior side yard only	0.2 m
9.	wheelchair ramps	front, exterior side yard & rear yard only	5.0 m
10.	garages, accessory buildings or structures	In accordance with section 2.1.11	

2.1.16 Garbage and Refuse Storage

No garbage or refuse shall be stored on any lot in any zone except within the principal building or an accessory building or structure on such lot or in a container in the side yard or rear yard of such lot and, in an M1 or M2 zone or any commercial use class zone, such container shall be screened from view.

2.1.17 Home Occupations

No dwelling unit located in any zone may be used for a home occupation except in accordance with the permitted uses and regulations of Section 2.1.17.1 and 2.1.17.2 of this by-law:

1. Permitted Uses:

- (a) the workshop of a craftsperson;

- (b) the classroom of an instructor;
- (c) a business office;
- (d) a *private home day care*;
- (e) personal services including a *hairdressing establishment*;
- (f) computer services;
- (g) the repair of small goods and wares or business machines;
- (h) *caterer's establishment*;

2. Regulations:

- (a) the *home occupation* shall be conducted by a person or persons permanently resident in a *dwelling unit* and not more than one non-resident employee shall be engaged in such occupation;
- (b) the *home occupation* shall be conducted wholly within the *dwelling unit*;
- (c) the *home occupation* shall be an *accessory use* only in the *dwelling unit* in which such occupation is located;
- (d) no outside storage of goods or materials shall be permitted;
- (e) no exterior alteration to the *dwelling unit* shall be made to indicate that it is to be used for any purpose other than as a *dwelling unit*;
- (f) the sale of goods or materials are not permitted unless such goods or materials are made on the premises;
- (g) no shipping or receiving of goods or materials by commercial vehicles shall be permitted;
- (h) not more than two clients, students or customers are permitted to be serviced at a time, or more than five children at a time for a *private home day care*;
- (i) no *parking lot* other than the parking required under Sections 2.1.17.2(j) and Section 2.2.1.1 shall be provided for any use specified in Section 2.1.17.1.;
- (j) Notwithstanding Section 2.2.2.3(c) one off street parking space for a non-resident employee shall be provided on the *lot* of such *home occupation* and *tandem parking* may be provided.

2.1.18 Day Care

1. Nothing in this by-law shall apply to prevent the use of a *dwelling unit* in any zone for the purpose of providing *private home day care* provided that such *dwelling unit* continues to be occupied and used for residential purposes.
2. Nothing in this by-law shall apply to prevent the use of land or the erection, location or use of a building or structure in any commercial zone except the C5 zone, in any industrial use class zone or in any N1 or OS2 zone, for the purposes of a *day nursery* or *day care centre* within the meaning of the *Day Nurseries Act*.

2.1.19 Minimum Setbacks from Specified Roads

1. Notwithstanding the provisions of section 3 of this by-law, no building or structure shall be erected or located closer to the original *centreline* of any *street* listed in the following Table of Designated Road Allowances than the minimum distance required by this by-law for a *front yard*, *exterior side yard* or *rear yard*, as the case may be, plus one-half of the designated road allowance shown in the table.

Table of Designated Road Allowances			
Road (• denotes a Regional Road whose No. is shown in brackets)	From	To	Designated Road Allowance (metres)
Adam St.	Queen St. W.	Franklin Blvd.	18.000
• Ainslie St. (24N)	Walnut St. (24)	Water St. N. (24)	20.117
Allendale Rd.	Riverbank Dr.	Fountain St. (17)	30.480
Avenue Rd.	Hespeler Rd. (24)	Townline Rd. (33)	20.000
Beaverdale Rd.	Kossuth Rd. (31)	Highway 24 (24)	30.480
Beverly St.	Wellington St.	Dundas St. (8)	20.117
• Beverly St. (27)	Dundas St. (8)	Samuelson St. (27)	20.117
• Bishop St. N. (41)	King St. (8)	Hespeler Rd. (24)	26.213
• Bishop St.(41)	Hespeler Rd (24)	Franklin Blvd.(36)	30.480
Black Bridge Rd.	Guelph Ave.	Townline Rd.	26.000

Table of Designated Road Allowances

Road (• denotes a Regional Road whose No. is shown in brackets)	From	To	Designated Road Allowance (metres)
• Blair Rd. (42)	Fountain St. (28)	Langdon Dr.	20.117
• Blair Rd. (42)	Langdon Dr.	S. City limits	30.480
Blenheim Rd.	W. City limits	C.P.R. tracks	30.480
Blenheim Rd.	C.P.R. tracks	Blair Rd. (46)	20.117
• Branchton Rd. (43)	Dundas St. (8)	S. City limits	30.480
Briardean Rd. (e/w leg)	Speedsville Rd.	Briardean Rd. (n/s leg)	26.000
Bruce St.	Water St. S. (24)	Main St.	20.000
• Cedar St. (97)	Southwood Dr.	S. City limits	30.480
• Cedar St. (97)	St. Andrew's St. (75)	Southwood Dr.	26.213
• Cedar St. (97)	Richardson St.	St. Andrew's St. (75)	20.117
Chilligo Rd.	Kossuth Rd. (31)	Fisher Mills Rd.	30.000
• Clyde Rd. (27)	Beverly St. (27)	C.P.R. tracks	26.213
• Clyde Rd. (27)	C.P.R. tracks	E. City limits	30.480
• Concession St. (97)	Richardson St.	Main St.	26.213
Cooper St.	Queen St. E.	Ramsay Ave.	18.000
• Coronation Blvd. (8)	Concession Rd.	Hespeler Rd. (24)	36.576
• Dickie Settlement Rd. (71)	Fountain St. (28)	S. City limits	30.480
Dundas St. (Hwy. 8)	S. City limits	Branchton Rd. (43)	30.000
• Dundas St. (8)	Branchton Rd. (43)	Main St. E. (97)	30.480
• Dundas St. (8)	Main St. E. (97)	Hespeler Rd. (24)	26.213
• Eagle St. (39)	King St. E. (8)	Concession Rd.	20.117
• Eagle St. (39)	Concession Rd.	Hespeler Rd. (24)	30.480

Table of Designated Road Allowances			
Road (• denotes a Regional Road whose No. is shown in brackets)	From	To	Designated Road Allowance (metres)
Ellis Rd. W.	New Hope Cemetery	Townline Rd. (33)	26.000
Fisher Mills Rd.	Beaverdale Rd.	Chilligo Rd.	20.000
• Fountain St. (28)	W. City limits	Preston Pkwy.	30.480
• Fountain St. (28)	Preston Pkwy.	Shantz Hill (8)	20.117
• Fountain St (8)	King St (8)	Shantz Hill (8)	26.213
• Fountain St. (17)	King St. W. (8)	Highway 401	20.117
• Fountain St. (17)	Highway 401	N. City limits	30.480
• Franklin Blvd. (36)	Myers Rd. (43)	Moffatt Creek	30.480
• Franklin Blvd. (36)	Moffatt Creek	Dundas St. (8)	36.576
• Franklin Blvd. (36)	Dundas St. (8)	Main St. (97)	32.614
• Franklin Blvd. (36)	Main St. (97)	Clyde Rd. (27)	30.480
• Franklin Blvd. (36)	Clyde Rd. (27)	Mill Creek	36.576
• Franklin Blvd. (36)	Mill Creek	Avenue Rd.	30.480
• Franklin Blvd. (36)	Avenue Rd.	Highway 401	36.576
Franklin Blvd.	Adam St.	Edward St.	20.000
• Grand Ave. (76)	Cedar St. (97)	St. Andrews St. (75)	20.117
Grand Ave.	St. Andrews St. (75)	Parkhill Rd. (77)	20.117
Guelph Ave.	Black Bridge Rd.	Milton Ave.	26.213
Guelph Ave.	Milton Ave.	Queen St. W.	20.117
• King St. (8)	Eagle St. (39)	Concession Rd.	20.117
• King St. (8)	Eagle St. (39)	Fountain St. (8)	26.213
• Kossuth Rd. (31)	Fountain St. (17)	E. City limits	30.480

Table of Designated Road Allowances			
Road (• denotes a Regional Road whose No. is shown in brackets)	From	To	Designated Road Allowance (metres)
Langdon Dr.	Blair Rd. (42)	S. City limits	20.000
Main St.	Wellington St.	Water St. (24)	20.117
• Main St. (27)	Water St. (24)	Queens Square	20.117
• Main St. E. (97)	Main St.	Franklin Blvd. (36)	26.213
• Main St. E. (97)	Franklin Blvd. (36)	E. City limits	30.480
• Maple Grove Rd. (38)	Regional Rd. (24)	W. City Limits	35.000
Middle Block Rd.	Riverbank Dr.	Speedsville Rd.	30.000
Mohawk Rd.	Speedsville Rd.	Beaverdale Rd.	30.000
• Myers Rd. (43)	Water St. S. (24)	Branchton Rd. (43)	30.480
• North Square	Grand Ave.	George St. (42)	20.117
• Parkhill Rd. (77)	George St. (42)	Ainslie St. N. (24)	20.117
• Pinebush Rd. (39)	Hespeler Rd. (24)	Townline Rd. (33)	30.480
Queen St. W.	Regional Rd. (24)	Guelph Ave.	20.117
Queen St. E.	Guelph Ave.	Cooper St.	18.000
Queen St. E.	Cooper St.	River Rd.	20.000
• Regional Road (24)	N. City limits	200m north of Pinebush Rd. (39)	70.841 to 122.968
River Rd.	Queen St. E.	Townline Rd.	20.000
Riverbank Dr.	W. City limits	Allendale Rd.	20.117
Riverbank Dr.	Allendale Rd.	Fountain St. (17)	20.000
Royal Oak Rd.	Cherry Blossom Rd.	Speedsville Rd.	26.000
Samuelson St.	Water St. N. (24)	Beverly St. (27)	20.000
• Samuelson St. (27)	Beverly St. (27)	Mill Creek Rd.	26.213

Table of Designated Road Allowances			
Road (• denotes a Regional Road whose No. is shown in brackets)	From	To	Designated Road Allowance (metres)
• Shantz Hill (8)	Fountain St. (8)	N. City limits	26.213
• South Square	Grand Ave.	George St. (42)	20.117
Speedsville Rd.	Eagle St. (39)	C.P.R. tracks	26.000
Speedsville Rd.	C.P.R. tracks	Kossuth Rd. (31)	30.000
State St.	Bruce St.	Concession St. (97)	20.000
• Townline Rd. (33)	Avenue Rd.	Wellington Co. Rd. 34	30.480
Townline Rd.	Wellington Co. Rd. 34	Black Bridge Rd.	30.000
Water St. S. (Hwy. 24)	S. City limits	Myers Rd. (43)	20.000
• Walnut St. (24)	Water St. S. (24)	Ainslie St. S. (24)	20.117
• Water St. (24)	Myers Rd. (43)	Future Ainslie St. extension	26.213
• Water St. (24)	Future Ainslie St. extension	Augusta St.	20.117
Wellington St.	Beverly St.	Main St.	20.117

2. In addition to the requirements of section 2.1.19.1, no building or structure shall be erected or located closer to the original *centreline* of any road listed in Column A below than the minimum distance required by this by-law for a *front yard*, *exterior side yard* or *rear yard*, as the case may be, plus the distance shown in Column B below:

Column A			Column B
Road	From	To	(metres)
Adam St. (east side only)	Queen St. W.	Tannery St.	5.47
Adam St. (west side only)	Queen St. W.	Franklin Blvd.	2.47
Cooper St. (east side only)	Lot 4, R.P. 149	Ellis Rd. W.	7.90
Cooper St. (west side only)	Lot 25, R.P. 801	Ellis Rd. W.	12.10

2.1.20 *Bed-and-Breakfast Hostels**

Notwithstanding the provisions of section 3 of this by-law, a *detached one-family dwelling* which is occupied and continues to be occupied as the principal residence of the proprietor, may be used for the purpose of a *bed-and-breakfast hostel* in accordance with the following regulations:

1. the *dwelling* is located in a C1, M3 or A1 zone, or if located in a residential use class zone, specific provision is made in section 4.2.9 of this by-law for the *dwelling* to be used for the purpose of a *bed-and-breakfast hostel*;
2. all of the site development specifications for a *detached one-family dwelling* in this by-law for the zone in which the hostel is located, shall apply;
3. not more than three bedrooms shall be used to accommodate transient travellers;
4. no sleeping accommodation shall be provided in a *cellar*;
5. no parking for transient travellers shall be provided between the front wall of the *dwelling* and the *street line*;
6. on-site parking shall be provided in a ratio of one space for the proprietor plus one space for each bedroom provided for the accommodation of transient travellers to a total maximum of four parking spaces;
7. the regulations for planting strips and fencing prescribed in section 2.4.2 shall apply in respect of the *parking lot* provided for the hostel.

2.1.21 Separation Distances from Agricultural Uses

No new building or structure shall be erected, located or used adjacent to a livestock barn or manure storage facility, unless such building or structure and/or manure storage facility conforms to the Minimum Distance Separation Formula of the Ministry of Agriculture, Food and Rural Affairs.

* Any person proposing to establish a *bed-and-breakfast hostel* is advised first to have the *dwelling* inspected by the Property Standards Officer of the City of Cambridge Planning Department for compliance with the Minimum Standards of Maintenance & Occupancy By-law, by the Fire Prevention Bureau of the City of Cambridge Fire Department for compliance with the regulations of the Ontario Fire Code, and by the Regional Health Unit of the Regional Municipality of Waterloo Health Services Department for compliance with health regulations.

2.1.22 Private Wells

1. Notwithstanding the provisions of this by-law, a private well shall not be permitted as primary or *accessory structure* on any lands within the limits of the City of Cambridge where a municipal water distribution system is available within the road right-of-way abutting the property except as follows:
 - (a) well which legally existed on the date of the adoption of this by-law;
 - (b) well which is installed for the purposes of environmental site remediation, water monitoring or site-de-watering;
 - (c) property used for non-residential purposes which, prior to the adoption of this by-law, relies upon a legally, *existing* private well for purposes other than human consumption such as irrigation, cooling, heating or manufacturing purposes;
 - (d) property located in an area that is permitted under the Cambridge Official Plan or Zoning By-law to be on private water service;
2. Any well which is not being used shall be decommissioned in accordance with Regulation 903 of the Ontario Water Resources Act, and any amendments thereto.

2.2 Off-Street Parking

2.2.1 Required *Parking Facilities*

No land shall be used and no building or structure shall be erected, located or used for any purpose specified in Column A below unless off-street *parking facilities* are provided at *grade*, underground or in a parking structure in the amount prescribed in Column B below and in accordance with the other regulations prescribed in section 2.2 of this by-law:

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
1. Residential	
(a) a <i>detached</i> or <i>semi-detached one-family dwelling</i> or <i>linear row house</i>	1 space for the first 4 bedrooms in the <i>dwelling unit</i> plus 1 space for each additional 2 bedrooms
(b) <i>cluster row housing</i>	1 space for the first 4 bedrooms per <i>dwelling unit</i> ; <u>plus</u> 1 space for each additional 2 bedrooms; <u>plus</u> 1 space for each 2 <i>dwelling units</i> for visitors only Visitor parking does not have to be provided if located within the areas shown outlined by heavy black line on Special Area Zoning Maps Z4, Z5 and Z6 attached to forming part of this by-law
(c) a <i>detached</i> or <i>semi-detached duplex</i> or <i>linear attached duplex</i> or <i>detached triplex</i>	1 space for the first 4 bedrooms in the <i>dwelling unit</i> plus 1 space for each additional 2 bedrooms
(d) an <i>apartment house, maisonette, mixed terrace</i> or <i>cluster attached duplexes</i>	1 space per <i>dwelling unit</i> ; <u>plus</u> 1 space for each 4 <i>dwelling units</i> for visitors only Visitor parking does not have to be provided if located within the areas shown outlined by heavy black line on Special Area Zoning Maps Z4, Z5 and Z6 attached to forming part of this by-law
(e) a <i>converted dwelling</i>	1 space per <i>dwelling unit</i> (<i>tandem parking</i> may be provided)
(f) a class 1 <i>boarding, lodging or rooming house</i> or or tourist home	1 space; <u>plus</u> 1 space for every <i>boarder, lodger or roomer</i>
(g) a class 2 <i>boarding, lodging or rooming house</i>	1 space; <u>plus</u> 1 space for every two <i>boarders, lodgers or roomers</i> (<i>tandem parking</i> may be provided)

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
(h) a <i>residential special care facility</i>	2 spaces for the first 6 residents; <u>plus</u> 1 space for each additional two residents (<i>tandem parking</i> may be provided)

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
2. Commercial	
(a) <i>Shopping Centres</i>	
(i) a <i>regional, subregional, community, neighbourhood</i> or <i>local shopping centre</i> in any commercial use class zone (see s. 2.2.2.11)	5 spaces per 100 m ² of <i>gross leasable commercial floor area</i> <u>other than</u> floor space in a cinema
(ii) cinemas which are part of a <i>regional, subregional</i> or <i>community shopping centre</i> in a CS1, CS2, CS3 or C1 zone in which the total <i>gross leasable commercial floor area</i> of the <i>shopping centre</i> is 18,600 m ² or more	nil parking is required for the first 750 seats; 3 spaces are required for every 100 seats above 750
(iii) cinemas which are part of a <i>community</i> or <i>neighbourhood shopping centre</i> in a CS3, CS4, C1 or C4 zone in which the total <i>gross leasable commercial floor area</i> of the <i>shopping centre</i> is more than 9,300 m ² but less than 18,600 m ²	nil parking is required for the first 450 seats; 3 seats are required for every 100 seats above 450
(iv) cinemas which are part of a <i>neighbourhood</i> or <i>local shopping centre</i> in a CS4, CS5, C1 or C4 zone in which the total <i>gross leasable commercial floor area</i> of the <i>shopping centre</i> is 9,300 m ² or less	3 spaces per 100 seats
(b) Commercial Uses Not in <i>Shopping Centres</i>	
(i) <i>Retail Commercial Establishments</i>	
(1) a <i>grocery store</i> in which more than 300 m ² of <i>gross leasable commercial floor area</i> are provided	5 spaces per 100 m ² of <i>gross leasable commercial floor area</i>

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
(2) a <i>neighbourhood grocery store</i> or <i>neighbourhood variety store</i> in which not more than 300 m ² of <i>gross leasable commercial floor area</i> are provided	2.5 spaces per 100 m ² of <i>gross leasable commercial floor area</i>
(3) all other retail commercial establishments	2.5 spaces per 100 m ² of <i>gross leasable commercial floor area</i>
(ii) <u>Service Commercial Establishments</u> (1) business and professional offices, including (A) the office or clinic of a doctor, dentist, chiropractor, osteopath, chiroprapist or optometrist	6 spaces for the first practitioner; <u>plus</u> 4 spaces for each additional practitioner; <u>plus</u> parking required by section 2.2.1.2(b) (i), (ii) & (iii) for any retail or other service commercial establishments or commercial-recreational establishment provided on the same <i>lot</i> as the clinic or office
(B) all other business and professional offices	2.5 spaces per 100 m ² of <i>gross leasable commercial floor area</i>
(2) a <i>food services establishment</i>	12 spaces per 100 m ² of <i>gross floor area</i>
(3) a <i>banqueting hall</i>	12 spaces per 100 m ² of <i>gross floor area</i>
(4) a <i>hotel or motel</i>	1 space per guest room or suite; <u>plus</u> the parking required by sections 2.2.1.2(b)(i), (ii) and (iii) for any retail or other service commercial establishment or commercial-recreational establishment provided in the <i>hotel or motel</i>
(5) a funeral home	20 spaces, or 4 spaces per 100 m ² of <i>gross floor area</i> , whichever is more
(6) an auction hall	1 space per 3 chairs or fixed seats or 2.0 m of bench space, or 1 space for every 5 persons of building capacity as determined by Table 3.1.16.A of the <u>Building Code</u> , whichever is more
(7) an establishment for the lease or rental of licenced motor vehicles or <i>trailers</i>	2.5 spaces per 100 m ² of <i>gross floor area</i> used for offices, <u>in addition to</u> any area used to park or store the equipment offered for lease or rental
(8) a <i>conveyor car wash</i>	2 spaces; <u>plus</u> 20 spaces in line

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
(9) a <i>manual car wash</i>	2 spaces; <u>plus</u> 2 spaces for each bay and all spaces shall be in line
(10) a <i>rollover car wash</i>	12 spaces in line
(11) a <i>motor vehicle repair shop</i>	1 space per 10 m ² of <i>service floor area</i>
(12) an <i>automobile service station</i> or <i>gas bar</i>	1 space for a cashiers kiosk; <u>plus</u> 1 space per 10 m ² of <i>service floor area</i>
(13) a <i>drive-thru automobile service shop</i>	5 spaces; <u>plus</u> provision for off-street storage of at least 2 motor vehicles in line per service bay
(14) an <i>auto service mall</i>	3 spaces per 100 m ² of <i>gross leasable commercial floor area</i>
(15) all other service commercial establishments	2.5 spaces per 100 m ² of <i>gross leasable commercial floor area</i>

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
(iii) <u>Commercial-Recreational Establishments</u>	
(1) a bowling alley	4 spaces per bowling lane, or 1 space for every 5 persons of building capacity as determined by Table 3.1.16.A of the <i>Building Code</i> , whichever is more
(2) a pool hall or billiards hall	1 space per pool or billiard table, or 1 space for every 5 persons of building capacity as determined by Table 3.1.16.A of the <i>Building Code</i> , whichever is more
(3) a dance hall	1 space for every 5 persons of building capacity as determined by Table 3.1.16.A of the <i>Building Code</i>
(4) a theatre or cinema	1 space per 3 seats
(5) an <i>amusement arcade</i>	1 space per <i>coin-activated game machine</i>
(6) racquet courts	3 spaces per 2-player court; and 6 spaces per 4-player court
(7) a <i>miniature golf course</i>	2.5 spaces per hole
(8) a golf ball driving range	1 space per tee

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
(9) a curling rink	12 spaces per curling sheet
(10) a bingo hall; a roller skating rink; a commercial arena; a stadium; a hippodrome; a commercial physical fitness establishment; a gymnasium; a <i>swimming pool</i> ; a commercial auditorium; a meeting room; an assembly hall; any other commercial <i>place of assembly</i> not elsewhere specified	1 space per 3 chairs or fixed seats or 2.0 m of bench space, or 1 space for every 5 persons of building capacity as determined by Table 3.1.16.A of the <i>Building Code</i> , whichever is more
(11) all other commercial-recreational establishments	1 space for every 5 persons of building capacity as determined by Table 3.1.16.A of the <i>Building Code</i>

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
3. Institutional and Non-Commercial Recreational Establishment or Place of Assembly	
(a) a church or other place of worship	1 space per 3 chairs or fixed seats or 2.0 m of pew length provided in the sanctuary, or 1 space for every 5 persons of building capacity as determined by Table 3.1.16.A of the <i>Building Code</i> , whichever is more
(b) a hospital	1.5 spaces per bed
(c) a licenced or unlicenced nursing home; a domiciliary hostel; a rest home; a convalescent home; an establishment providing nursing care for the chronically ill or elderly persons	4 spaces; <u>plus</u> 0.25 spaces per bed
(d) a <i>retirement lodge</i> ; a <i>retirement home</i>	4 spaces; <u>plus</u> 1 space per bedroom
(e) a <i>special care facility</i>	4 spaces; <u>plus</u> 1 space for every 10 residents
(f) a <i>day nursery</i> or <i>day care centre</i>	2 spaces; <u>plus</u> 1 for each staff member
(g) an elementary school	1 space per classroom
(h) a secondary school, college or university	4 spaces per classroom; <u>plus</u> the parking prescribed by section 2.2.1.3(1) for such <i>places of assembly</i>

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
(i) racquet courts	3 spaces per 2-player court; and 6 spaces per 4-player court
(j) an arena; a stadium; a hippodrome; a physical fitness establishment; a gymnasium; a <i>swimming pool</i> ; an auditorium; a meeting room; an assembly hall; any other <i>place of assembly</i> not elsewhere specified	1 space per 3 chairs or fixed seats or 2.0 m of bench space, or 1 space for every 5 persons of building capacity as determined by Table 3.1.16.A of the <i>Building Code</i> , whichever is more

Column A	Column B
Type of Building or Use	Required Number of Parking Spaces
4. Industrial Establishments	
(a) an <i>industrial mall</i>	2.5 spaces per 100 m ² of <i>gross leasable commercial floor area</i> , <u>in addition to</u> any parking spaces or <i>parking lot</i> used or reserved for the purposes of storing heavy vehicles, equipment, machinery, stock or the fleet vehicles of a courier or delivery service
(b) a factory sales outlet or showroom	2.5 spaces per 100 m ² of <i>gross floor area</i> in the factory sales outlet or showroom
(c) <i>motor vehicle repair shop</i> or <i>auto body repair shop</i>	1 space per 10 m ² of <i>service floor area</i>
(d) public storage units	5 spaces
(e) a <i>drive-thru automobile service shop</i>	5 spaces <u>plus</u> provision for off-street storage of at least 2 motor vehicles in line per service bay
(f) an <i>auto service mall</i>	3 space per 100 m ² of <i>gross leasable commercial floor area</i>
(g) all other industrial uses	an area equivalent to 20% of the <i>lot area</i> shall be provided as a <i>parking lot</i> and shall be provided <u>in addition to</u> any parking spaces or <i>parking lot</i> used or reserved for the purpose of storing heavy vehicles, equipment, machinery, stock or the fleet vehicles of a courier or delivery service

2.2.2 Supplementary Parking Regulations

1. Parking Required for Multiple Uses

Where more than one use specified in Column A of section 2.2.1 of this by-law is provided on the same *lot* or in the same building or structure as any other use therein specified, the required parking prescribed in Column B of section 2.2.1 shall be provided in respect of each such use; provided, however, that

- (a) only that parking prescribed in section 2.2.1.4(a) need be provided for all uses located in an *industrial mall*;
- (b) where offices are provided for an industrial use in the manner and for a purpose specified in section 3.4.1.2 of this by-law, only the required parking prescribed in sections 2.2.1.4(b), (c), (d) or (e), as the case may be, need be provided;
- (c) the parking required by section 2.2.1.2(a) shall be provided for all non-residential uses in a *shopping centre* except a *hotel* or *motel* and *automobile service station* or *gas bar*, for which uses the parking required by sections 2.2.1.2(b)(ii)(4) and (12) shall be provided in addition to the parking required by section 2.2.1.2(a);
- (d) the parking required by section 2.2.1.2(b)(ii)(14) shall be provided for all uses in an *auto service mall* except a *car wash*, which use the parking required by sections 2.2.1.2(b)(ii)(8) (9) & (10) shall be provided in addition to the parking required by sections 2.2.1.2(b)(ii) (14).

2. Deferral of Required Parking

For the purposes of sections 2.2.1.4 and 2.2.2.1 of this by-law, the required parking prescribed therein shall be shown in a site plan to be submitted for approval pursuant to section 40 of the Planning Act, 1983 and, where the lands affected are in an industrial use class zone, may be developed in stages as required by the industry in accordance with the approved site plan; provided, however, that:

- (a) in the case of a *lot* which is located in an industrial use class zone and has an area of less than four hectares, at least 20% of the required parking prescribed in section 2.2.1.4 shall be provided initially;
- (b) in the case of a *lot* which is not located in an industrial use class zone, all of the required parking prescribed in section 2.2.1 shall be provided initially irrespective of the area of the *lot*.

3. Location of *Parking Facilities*

- (a) All required off-street *parking facilities* shall be located on the same *lot* and in the same zone as the use, building or structure for which such parking is required;
- (b) Notwithstanding section 2.2.2.3(a), an *access driveway* may be located on a *lot* other than on the same *lot* as the use provided, however, that:
 - (i) such *access driveway* is located on a perpetual, legal right-of-way;
 - (ii) the *access driveway* is in the same zone as the use, building or structure;
 - (iii) all other requirements of section 2.2 of this by-law are not contravened;
- (c) No *parking lot*, stall or *aisle* for a *detached* or *semi-detached one-family dwelling* or *linear row housing* unit in a residential zone shall be located in front of the *regulatory building line* or the *established building line*, whichever is less. In all other zones and for any residential use other than a *detached* or *semi-detached one-family dwelling* or *linear row housing* unit, no *parking facilities* other than an *access driveway* shall be located closer than 3 metres to the *street line*. *Parking facilities* are not required to provide a setback from the *street lines* if such *parking facilities* are located within the areas shown outlined by heavy black lines on Special Area Zoning Maps Z4, Z5 and Z6 attached to and forming part of this by-law. Such *parking facilities* may not be located within the corner lot sight lines as described in section 2.1.14 of this by-law;
- (d) Notwithstanding section 2.2.2.3(c), *tandem parking* may be provided for a *detached* or *semi-detached one family dwelling unit* to facilitate a supplementary parking stall to the parking required by this by-law, in an *access driveway* and such *access driveway* shall not exceed 7 m in width and 10.5 m for a three-car garage; provided, however, that no other part of the *front yard* or *exterior side yard* of such *dwelling unit* shall be used for a parking stall;
- (e) Where the *side lot line* or *rear lot line* of a *lot* in an M1 or M2 zone abuts Highway 401, the Highway 24 Hespeler By-Pass or the east-west arterial road, the *parking lot* required by this by-law may be located either:
 - (i) in the *rear yard*, if a grassed or landscaped earth berm not less than 1.5 metres in height is provided to screen the *parking lot* from such *street*; or;
 - (ii) in the *side yard* or *front yard* of the *lot* and not in the *rear yard*, provided that a landscaped strip of land not less than 3 metres in width is provided and maintained across the entire *frontage* of the *lot* except where crossed by an *access driveway*;

- (f) No *access driveway*, *aisle*, parking stall or *parking lot* in an RM-class zone shall be located within 6 m of a window of a *habitable room* of a *dwelling unit* as measured perpendicular to the wall containing such window, where the surface of the floor in such *habitable room* is less than 1.0 m above the finished *grade*.

4. Surface Treatment of *Parking Lots*

- (a) A *parking lot* or *access driveway* provided in any of the following *yards* shall be paved with asphalt or concrete or other all-weather durable surface:
 - (i) in any *yard* of an *apartment house*;
 - (ii) in any *yard* of a non-residential use adjacent to a residential use class zone;
 - (iii) in the *front yard* or *exterior side yard* of a non-residential use which is not adjacent to a residential use class zone;
- (b) A *parking lot* or *access driveway* provided in the *interior side yard* or *rear yard* of a non-residential use which is not adjacent to a residential use class zone shall be constructed with gravel or other stable surface and treated so as to prevent the raising of dust and/or loose particles.

5. Landscaping Requirements for *Parking Lots*

Any *parking lot* or *access driveway* provided for a non-residential use within or adjacent to a residential use class zone shall be landscaped and fenced in accordance with the regulations prescribed in section 2.4 of this by-law.

6. Visitors' Parking

Where off-street parking spaces are required by section 2.2.1.1 of this by-law to be provided for the use of visitors to a residential building, such parking spaces shall be clearly defined and identified as being reserved for the exclusive use of such visitors.

7. Lighting of *Parking Facilities*

No lighting fixture or fixtures shall be erected, installed or used in any *parking lot* or on any *access driveway* where the illumination thereby provided may be confused with traffic signals, cause glare or create any other hazardous driving condition or nuisance.

8. *Non-Conforming Parking Facilities*

The regulations prescribed in section 2.2.1 of this by-law shall not apply to prevent the addition, extension or enlargement of any use, building or structure for which parking has legally not been provided in accordance with such section on the day of the passing of this by-law, provided, however, that such addition, extension or enlargement does not reduce the *existing* number of parking spaces, and provided further that additional parking is provided for such addition, extension or enlargement in accordance with the regulations prescribed in section 2.2.1.

9. *Areas Not Required to Provide Off-Street Parking*

Notwithstanding the provisions of section 2.2.1 and 2.3.1 of this by-law, no private off-street parking or loading facilities shall be required for a use located on any lands in any zone class within the shaded areas shown on Special Area Zoning Maps Z4, Z5 and Z6 attached to and forming part of this by-law.

10. *Areas Within Which Non-Residential Parking May be Reduced*

The off-street parking required by sections 2.2.1.2, 2.2.1.3 and 2.2.1.4 of this by-law may be reduced by 25% for a non-residential use therein specified which is located within the areas shown outlined by heavy black lines on Special Area Zoning Maps Z4, Z5 and Z6 attached to and forming part of this by-law.

11. *Parking Regulations for Offices in Shopping Centres*

Notwithstanding the provisions of section 2.2.1.2(a)(i) where office, other than the office of medical practitioners and dentists are located above the first *storey* of the building, the required parking shall be calculated at a ratio of 2.5 spaces per 100 m² of *gross leasable commercial floor area*.

12. *Tandem Parking*

- (a) Notwithstanding section 2.2.1.1(b) and 2.2.4, every four *tandem parking* spaces located in a *cluster row housing* development in RM-class zone shall be deemed to equal one visitor parking space required by this by-law, provided that there must be a minimum of 1 visitor parking space for each 4 *dwelling units* and such spaces shall be identified as being reserved for the exclusive use of such visitors;

- (b) *Tandem parking* spaces may be provided for off-street parking required by section 2.2.1 of this by-law on lands located with the areas shown outlined by heavy black lines on Special Area Zoning Maps Z4, Z5 and Z6 attached to and forming part of this by-law.

13. Temporary Seasonal Structures

Notwithstanding Section 2.2.1 of this by-law temporary structures may be installed on required *parking facilities* for the purpose of retailing seasonal products; provided however, that:

- (a) such structures are not installed for a period greater than four months in a calendar year;
- (b) such structures shall not occupy more than 10 percent of the total required parking.

14. Bus Parking

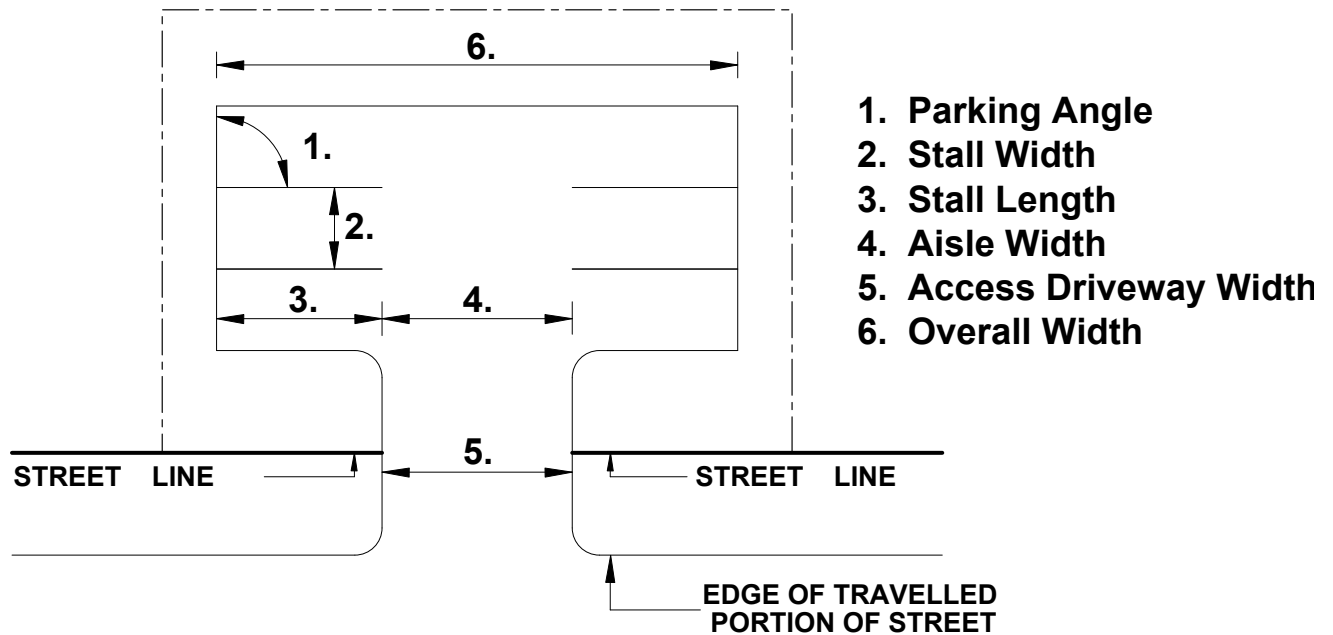
Notwithstanding sections 2.2.1, 2.2.3.2 and 2.2.3.3 of this by-law, a parking stall for the purposes of a bus shall be deemed to equal 6 off-street parking spaces required by this by-law and a bus parking stall shall not measure less than 3 m x 10 m with clear, unobstructed access.

2.2.3 Specifications for Parking Stalls and Structures

Each off-street parking space and *parking lot* shall be provided in accordance with the following minimum specifications:

1.	Parking Angle	90°	75°	60°	45°	Parallel
2.	Stall Width	2.9 m	2.9 m	2.9 m	2.9 m	2.9 m
3.	Stall Length	5.5 m	5.5 m	5.5 m	5.5 m	6.5 m
4.	<i>Aisle</i> Width	6.0 m	6.0 m	5.0 m	4.0 m	5.0 m
5.	<i>Access Driveway</i> Width	6.0 m	6.0 m	6.0 m	6.0 m	6.0 m
6.	Overall Width	17.0 m	17.0 m	16.0 m	15.0 m	10.8 m

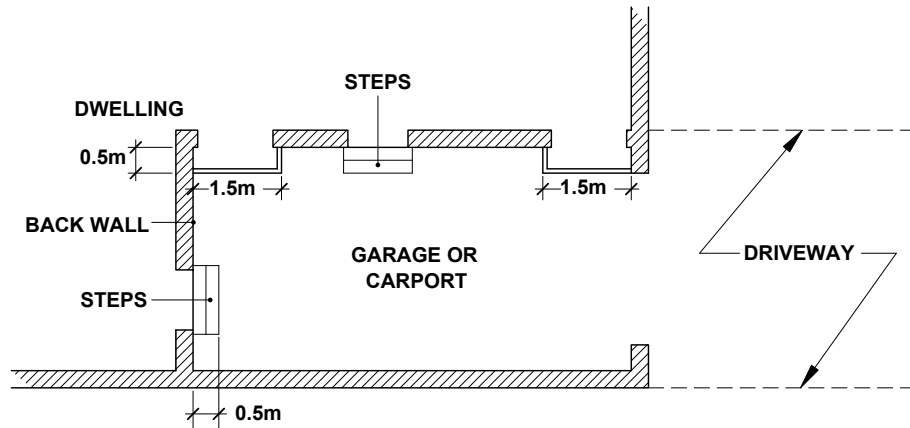
Figure 8 - Parking Lot and Access Driveways



7. Notwithstanding section 2.2.3.2, a parking stall other than being located in a garage or carport in an R6, RS1 and RM4 zone shall be a minimum width of 3.5 m;
8. Subject to the following regulations, nothing in this by-law shall apply to prevent the erection, location or use of a building or structure that is less than one *storey* in height or completely below *grade* for the purpose of parking motor vehicles in an RM-class, N-class, C-class, CS-class or M-class zone:
 - (a) a parking structure may be attached to the *principal building* and shall not be erected or located:
 - (i) closer than 3 m to any *front lot line* and/or any *exterior side lot line*;
 - (ii) in a *rear yard*, *interior side yard*, *exterior side* or *front yard*, closer than 1.2 m to the *interior side lot line* and/or *rear lot line*;
9. Every open parking space in an R-class, RS-class and RM-class zone shall have a minimum width of 2.9m and a minimum length of 5.5m; provided however, that steps may project 0.5m into the required size of the open parking space;
10. Every parking space in an R-class, RS-class and RM-class zone inside a garage or carport shall have a minimum width of 2.9m and a minimum length of 5.5m; provided, however, that:
 - (a) steps without handrails may project 0.5m into the required size of the parking space;

- (b) a wall may project 0.5m into one side of the required size of the parking space, having a maximum length of 1.5m from the back or front wall only of the garage or carport (see Figure 8A).

Figure 8A - Parking Spaces in a Garage or Carport



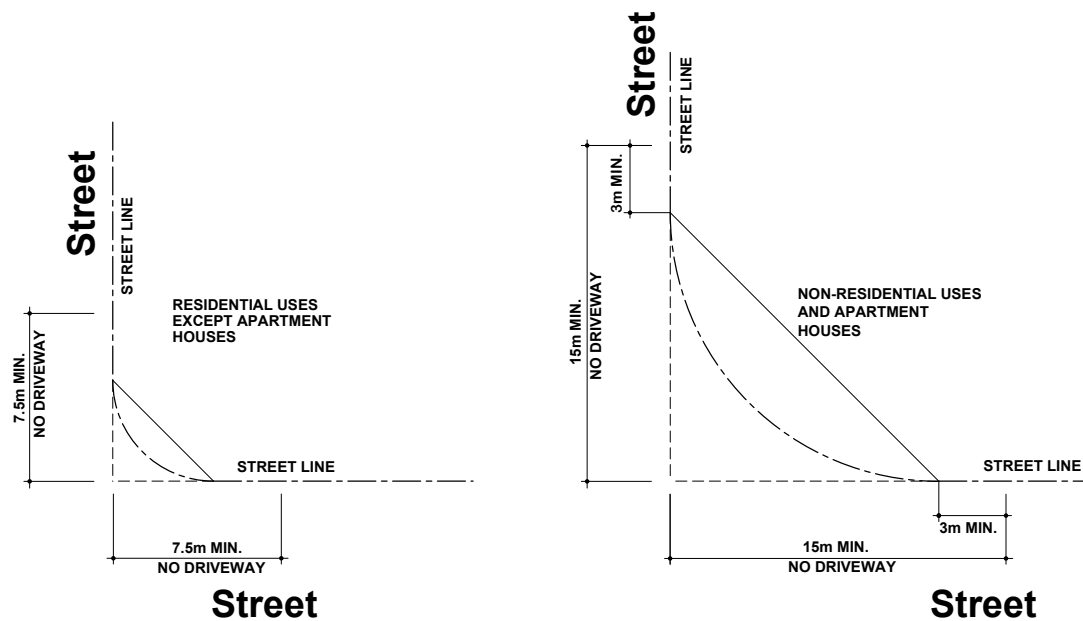
2.2.4 Access Driveways

1. Every parking space shall be accessible through an *access driveway* and *aisle* provided in accordance with the specifications of sections 2.2.3.4 and 2.2.3.5, and no *access driveway* shall be narrower than 6 metres; provided, however, that, notwithstanding section 2.2.3.5, the width of an *access driveway* may be reduced to a minimum of 4 metres if:
 - (a) not more than ten motor vehicles are required by this by-law to be provided in the *parking lot* to be served by the *access driveway*; and/or;
 - (b) the *access driveway* is used for one-way vehicular movement only;
2. Where a barrier is proposed to be constructed to divide the ingress and egress lanes of an *access driveway*, such median shall not be constructed closer than four metres to the *street line* unless such barrier is required by the City of Cambridge, the Regional Municipality of Waterloo or the Province of Ontario;
3. No *access driveway* in an institutional, commercial or industrial use class zone shall intersect the travelled portion of a *street* at a point closer than 3.75 m to the projection of the *interior side lot line* or *rear lot line*, as the case may be, across the travelled portion of the *street*; provided, however, that:
 - (a) for the purpose of this subsection, a corner radius provided for the *access driveway* at its intersection with the travelled portion of the *street* may be disregarded in calculating the

distance between the *access driveway* and the projection of the *interior side lot line* or *rear lot line*, subject to the regulation prescribed in section 2.2.4.6 of this by-law;

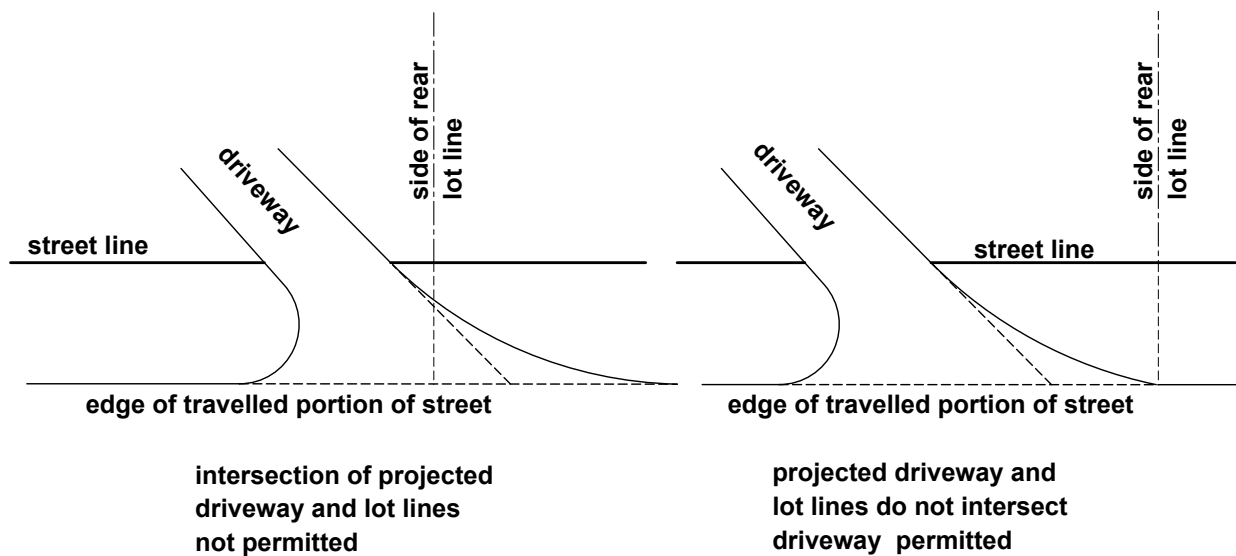
- (b) a mutual driveway at least 7.5 m in width may be provided along the mutual *lot line* of two adjoining *lots* if vehicles using the mutual driveway are restricted to a single ingress lane and a single egress lane and no other *access driveway* is located within 7.5 m of the mutual driveway;
 - (c) the regulations for planting strips and fencing prescribed in section 2.4 of this by-law are complied with where applicable;
 - (d) subject to clause (c) of this subsection, in a C1 zone an *access driveway* may be located adjacent to an *interior side lot line* or *rear lot line* and its projection across the edge of the travelled portion of the *street*;
4. No *access driveway* shall be located closer than 7.5 metres in the case of residential *parking facilities* other than *apartment houses*, or 15 metres in the case of non-residential *parking facilities* and *apartment houses*, to the intersection of any two *street lines* as measured along the *street line* from their point of intersection, nor in any event be located closer than 3.0 m to the point of tangent of a corner radius to any *street line* or to a corner daylighting triangle in the case of non-residential uses and *apartment houses*, as illustrated in Figure 9 below.

Figure 9 - Corner Lot Access Driveways



5. Notwithstanding the provisions of sections 2.2.2.3 and 2.2.4.1, any *access driveway* provided for a *detached* or *semi-detached one-family dwelling* or *linear row housing unit* shall have a minimum width of 2.75 m and maximum width of 7 m; and the maximum width of any *access driveway* for a three car garage of a *detached one family dwelling*, *detached duplex dwelling*, *detached triplex dwelling* and *converted dwelling* shall be 10.5 m provided, however, that the regulations prescribed in section 3.1.1.4(b) of this by-law shall apply;
6. In the case of an *access driveway* to non-residential *parking facilities*, the lines projecting the edges of the *access driveway* and the *side* or *rear lot line* to the edge of the travelled portion of the *street* shall not intersect, as illustrated in Figure 10 below:

Figure 10 - Access Driveways Near an Interior Side or Rear Lot Line.



2.2.5 Access Driveways onto Regional Roads

In accordance with section 1.1.8 of this by-law, the provisions of sections 2.2.3.5 and 2.2.4 shall not apply in the case of an *access driveway* to a *regional road*, and the regulations prescribed in By-Law No. 51-84 of the Regional Municipality of Waterloo and the statement of Policies and Procedures for Access onto Regional Roads referred to therein shall apply thereto in their stead; provided, however, that the regulations prescribed in sections 2.2.3.5 and 2.2.4 of this by-law shall prevail where they are greater than those prescribed by the Regional Municipality of Waterloo.

2.3 Off-Street Loading

2.3.1 Required Loading Facilities

No non-residential building or structure, and no *apartment house* containing 25 *dwelling units* or more, shall be erected, located or used unless off-street loading facilities are provided therefor or, if not provided, it is possible to provide off-street loading facilities therefore in accordance with the regulations prescribed in section 2.3.2 and the following schedule, provided, however, that no off-street loading facilities shall be required for a use located on any lands in a C1 zone within the shaded areas shown on Special Area Zoning Maps Z4, Z5 and Z6 attached to and forming part of this by-law:

Size of Building	Minimum Number of Off-Street Loading Spaces Required
1. <u>Non-Residential Buildings</u> (a) less than 500 m ² <i>gross floor area</i> (b) 500 m ² to 2,000 m ² <i>gross floor area</i> (c) 2,000 m ² or more <i>gross floor area</i>	nil 1 space 1 space for each 2,000 m ² of <i>gross floor area</i> or part thereof
2. <u>Apartment Buildings Containing 25 Dwelling Units or More</u>	1 space

2.3.2 Specifications and Location

- Each off-street loading space required by section 2.3.1 shall measure not less than 3 m by 10 m and shall have clear unobstructed access to a loading door or loading dock in the wall of the building for which the loading space is provided. All loading spaces must be within 3 m of a loading door or loading dock in the wall of the building for which the loading space is required;
- No loading door, loading dock or loading space shall be provided between the *regulatory building line* and *street line* or within a required *exterior side yard*;
- For the purposes of sections 2.3.2.1 and 2.3.2.2, where the *side lot line* or *rear lot line* of a *lot* in an M1 or M2 zone abuts Highway 401, the Highway 24 Hespeler By-Pass or the east-west arterial road, any loading door, loading dock or loading space shall be located in or facing the *yard* in which the *parking lot* required by this by-law is provided in accordance with section 2.2.2.3(e)(i) or (ii);
- No loading door or loading space required by section 2.3.1.2 shall be located within 3.0 m of the common entrance to such apartment building and shall not be located in a fire route.

2.3.3 Exception for Commercial and *Industrial Malls*

Notwithstanding the provisions of section 2.3.1.1, no loading facilities shall be required to be provided in a commercial or *industrial mall* where any individual establishment is less than 500 m² provided, however, that if such facilities should be provided, they shall be provided in accordance with the regulations provided in section 2.3.2.

2.4 Planting Strips and Fencing

2.4.1 Location

No land shall be used and no building or structure shall be erected, located or used for any of the following purposes unless planting strips and fencing are provided in accordance with the regulations prescribed in section 2.4.2*:

1. for the purposes of *attached one-family dwellings (row housing)*, *attached duplexes*, *maisonettes*, *mixed terraces*, an *apartment house* or an institutional use where such lands are adjacent to lands in an R-class or RS-class zone;
2. for the purposes of any commercial or industrial use where such lands are adjacent to any residential, institutional or open space zone or to any public park, pedestrian walkway or school.

2.4.2 Specifications

Any planting strip or fencing required by section 2.4.1 shall

1. be provided along the *rear* and *interior side lot lines* of the *lot* upon which it is required and shall be maintained in healthy condition and good repair by the owner of such *lot*;
2. be separated from any use on the *lot* other than another *landscaped* or grassed *area* by a continuous concrete barrier curb or continuous brick or wooden barrier; provided, however, that no barrier curb or brick or wooden barrier shall be required where the earth berm option provided in section 2.4.2.3(b) is implemented;
3. consist of one of the following:
 - (a) a planting strip not less than 3 metres in width throughout, which planting strip shall contain plant materials forming a visual screen not less than 1.5 metres in height and a 1.5 metre high chain link or wrought iron fence along the *lot line*, as illustrated in Figure 11 below; or
 - (b) a planting strip not less than 3 metres in width throughout, which planting strip shall contain an earth berm having a maximum slope of 3:1 forming a visual screen not less than 1.5 metres in height and a 1.5 metre high chain link or wrought iron fence along the *lot line*, as illustrated in Figure 11 below; or
 - (c) a combination of (a) and (b) above; or

* Plant materials and planting specifications recommended for use in required planting strips are listed in Appendix 4.

(d) a sodded or planting strip not less than 1.5 metres in width throughout with a 1.5 metre high solid fence or wall provided along the *lot line*, as illustrated in Figure 12 below;

4. Notwithstanding Section 2.4.2.3, an institutional use where such lands are adjacent to lands in an R-class or RS-class zone shall provide and maintain a 1.5m high chain link fence along the *lot line*; provided, however, that where *parking facilities* are adjacent to lands in an R-class or RS-class zone, planting strips and fencing shall be provided in accordance with Section 2.4.2.3.

2.4.3 Landscaping Adjacent to *Street Line*

In addition to the planting strip and fencing requirements of sections 2.4.1 and 2.4.2, and except where crossed by an *access driveway*, a landscaped strip of land not less than 3 m in width shall also be provided and maintained along the *front lot line* and *exterior side lot line* of a *lot* used for commercial or industrial purposes in a C2, C3, C4 or C5 zone, or any CS-class or M-class zone where such *lot line* is adjacent to the developed portion of the *lot*.

2.4.4 Fence Height Adjacent to *Street Line*

Notwithstanding sections 2.4.2.3 and 2.4.2.4, the maximum height of a fence shall be reduced to 0.9 m within 3.0 m of the *street line*.

2.4.5 Exceptions from Planting Strips and Fencing

Notwithstanding section 2.4.1 of this by-law, the following locations may be exempt from planting strips and fencing:

1. Parts 4, 6, 7, 13-20, 26-28, 73 and 89-93, Plan 58R-13036, Fleming Drive and Thompson Drive;
2. Parts 1, Plan 58R-14194, Thompson Drive and Lingard Road exempt from planting strips only. Fencing is required.

2.4.6 Exceptions from Planting Strips

Notwithstanding section 2.4.2.3 of this by-law, the following locations may be exempt from providing planting strips:

1. Parts 7, 16, 18, 21, 22, 23, 25, 27, 28, 32, 35, 36 and 37, Plan 58R-13471, Vondrau Drive and Boxwood Drive;

Figure 11 - 3m Planting Strip and Fencing

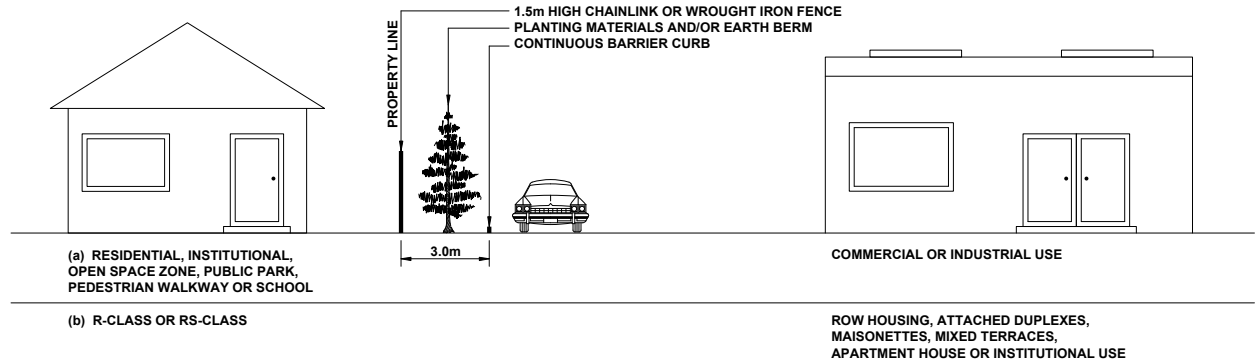
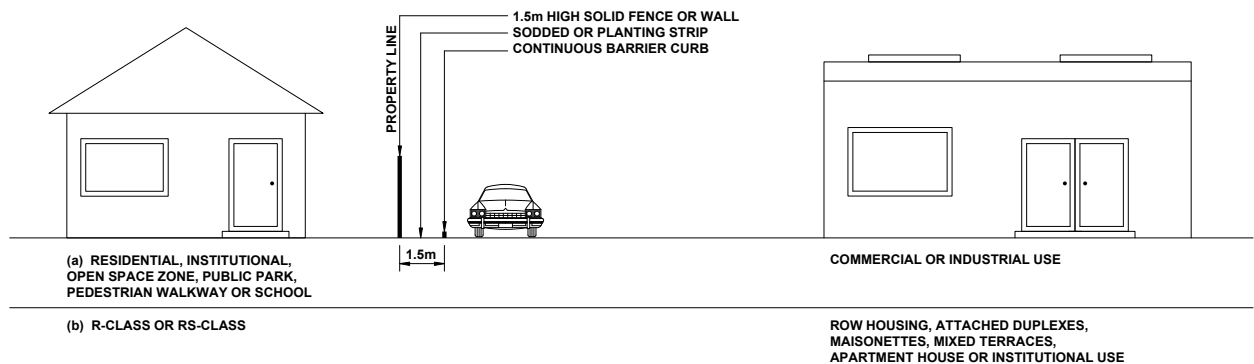


Figure 12 - 1.5 m Planting Strip and Fencing



2.5 Special Regulations for Propane Facilities

2.5.1 Specifications and Location

No land shall be used and no building or structure shall be erected, located or used in any zone for the purpose of handling, storing, transferring or dispensing of propane fuel except in accordance with the provisions of section 3 of this by-law for the zone in which such propane facilities are provided and the following regulations* :

1. In the case of a *corner lot*, no part of a propane dispenser island shall be located within the triangle formed by joining the point on the edge of the travelled portion of each *street* distant 15 metres from the point of intersection of the two *streets*;
2. No facilities for the storage, handling or transfer of propane fuel including dispensing equipment, shall be located within 30 metres of the limit of a residential zone;
3. Except as provided in sections 3.3.3.2(c)(ii) and (f)(ii) of this by-law, no *propane transfer facility*, *private propane transfer facility*, *tank farm* or propane storage tank shall be located in any *front yard*, *exterior side yard* or *interior side yard* required by this by-law;
4. No *propane transfer facility*, *private propane transfer facility*, *tank farm* or propane storage tank shall be located within 5 m of any *existing* hydro-electric power transmission line.

* Any person proposing to install propane facilities is reminded that the installation must conform to the Ontario Propane Storage, Handling and Utilization Code and be licenced by the Fuel Safety Branch of the Ontario Ministry of Consumer and Commercial Relations.

Section **3** Zone Regulations

3 Zone Regulations

3.1 Residential Use Class Zones

3.1.1 Regulations Applicable in All Residential Use Class Zones

1. Buildings on Separate *Lots*

- (a) not more than one residential building, exclusive of *accessory buildings* and structures, shall be erected on a *lot* in any R-class, RR-class or RS-class zone;
- (b) not more than one *detached one-family dwelling* shall be erected on any *lot* in any zone; and every *detached one-family dwelling* shall be erected on a separate *lot*;
- (c) subject to clauses (b) of this subsection and the regulations prescribed in sections 3.1.2.4, 3.1.2.5, and 3.1.2.6 of this by-law, more than one residential building may be erected on a *lot* in an RM-class zone if all buildings on the *lot* are held and maintained in single ownership or by the participants in a *condominium* corporation or *housing cooperative*.

2. *Corner Lots*

The requirements of this by-law for a minimum *interior side yard* and minimum *rear yard* for a residential building in a residential use class zone may be interchanged where such building is located on a *corner lot*.

3. *Residential Special Care Facility*

In addition to the regulations of the zone provision in which it is located, a *residential special care facility* shall be provided in a *detached one family dwelling*, a *semi-detached one family dwelling* or a *detached duplex dwelling* only in accordance with the following regulations:

- (a) a *residential special care facility* shall have a maximum of 10 residents, exclusive of staff;
- (b) a minimum *lot frontage* of 12 m and a minimum *lot area* of 360 m²;
- (c) the minimum separation distance between all *residential special care facilities* shall be 200 m;

- (d) a *residential special care facility* shall be registered with the registrar of *group homes* designated from time to time by the Council and such registration shall be annually renewed;
- (e) all *residential special care facilities* shall provide parking in accordance with section 2.2.1 of this by-law.

4. Landscaped Areas

- (a) Not less than 30% of the total area of every *lot* in a residential use class zone shall be landscaped and such *landscaped area* may include any part of the *lot* which is sodded or gardened or used as a pedestrian walk, play area, *swimming pool* or uncovered patio or deck but shall not include any part of the *lot* used for parking or *access driveways* or for *accessory buildings*;
- (b) Notwithstanding the provisions of clause (a) of this subsection, not less than 45% of the area of the required or established *front yard*, whichever is less, in a residential use class zone shall be maintained as *landscaped open space* and kept free of *accessory buildings*, *parking lots* and *access driveways* and shall be provided in the established *front yard*.

5. Reduction of the *Interior Side Yard* in Residential Use Class Zones

Notwithstanding any requirement of this by-law for the provision of minimum *side yards* for buildings or structures erected, located or used in a residential use class zone, no *interior side yard* shall be required in the following instances for an open unenclosed deck not exceeding 3 m in *building height* or if no doors, windows or other openings are provided on that side of a building where the *side yard* is not provided:

- (a) on one side of a *detached one-family dwelling* in an R6, RS1 and RM4 zone, provided, however, that no *side yard* used for parking shall be less than 3.5 m;
- (b) on the common interior side of a pair of *semi-detached one-family dwelling units* in an RS1 zone;
- (c) on the common interior side of an *attached one-family dwelling unit (linear row house)* in an RM class zone;
- (d) on the common interior side of a *linear attached duplex dwelling* in an RM4 zone;
- (e) on the common interior side of a pair of *semi-detached duplex dwellings (fourplex)* in an RM4 zone.

6. Play Areas in RM-Class Zones

Where one or more children's play areas is provided for an *apartment house* in any RM-class zone, such play area shall be suitably landscaped and equipped with at least three of the following pieces of equipment, and must be so located on the site as to be visible from as many *dwelling units* in the building as possible:

- (a) a swing set;
- (b) a sand box;
- (c) spring toys;
- (d) a teeter-totter;
- (e) a wading pool;
- (f) a spray pool;
- (g) monkey bars;
- (h) a climber;
- (i) a slide;
- (j) a creative play structure, each separate play component of which shall count as a separate piece of equipment;
- (k) other similar equipment.

7. Special Regulations for *Boarding, Lodging or Rooming Houses*

- (a) A class 1 *boarding, lodging or rooming house* shall:
 - (i) not have a dwelling height greater than three *storeys*;
 - (ii) not have more than ten *boarders, lodgers or roomers*.
- (b) A class 2 *boarding, lodging or rooming house* shall:
 - (i) provide 20 m² of amenity area for the first 10 *boarders, lodgers or roomers*, plus 1 m² for each additional *boarder, lodger or roomer*;
 - (ii) provide planting strips and fencing in accordance with section 2.4;

- (iii) not be required to provide a *front yard*, *rear yard*, *interior side yard* and *exterior side yard* setback.

8. Commercial and *Recreational Vehicles* & Equipment (see also section 3.4.3.1(i))

- (a) no bus or commercial motor vehicle exceeding 3800 kg Gross Vehicle Weight, and no commercial *trailer* or *transport trailer*, agricultural implement or commercial and industrial equipment shall be parked or stored in any residential use class zone except in a *neighbourhood parking station* for which specific provision has been made in section 4 of this by-law; provided, however, that the resident of a *dwelling* on a *lot* in a residential use class zone may use a wholly enclosed private garage located on such *lot* to park or store not more than one bus or commercial motor vehicle having a Gross Vehicle Weight not exceeding 5600 kg or commercial *trailer* or *transport trailer*, agricultural implement or commercial and industrial equipment if such resident is also the owner and or operator of such bus, commercial motor vehicle, commercial *trailer* or *transport trailer* or agricultural implement or commercial and industrial equipment;
- (b) no *recreational vehicle*, *trailer* or boat shall be parked or stored on any *lot* in a residential use class zone except:
 - (i) by the owner of such *recreational vehicle*, *trailer* or boat who resides in a *dwelling* on the same *lot*;
 - (ii) in the *rear yard* of such *lot*;
 - (iii) in a *side yard* of such *lot*, but not closer than 1.2 m to the *side lot line*;
 - (iv) on a driveway located in the *front yard* of such *lot* between the *established building line* and the *street line*, for the period from 1 April to 31 October of each year only, provided that no part of such driveway within 3 m of the principal entrance to the *dwelling* shall be used for such purposes;
 - (v) in a garage or carport on the *lot*;
 - (vi) in a *neighbourhood parking station*.

9. Minimum *Lot Area* in an RR1 Zone

Notwithstanding the provisions of section 3.1.2.2(b) of this by-law, where the *lot area* of an *existing lot* in an RR1 zone exceeds 4000 m² as of the date of passing of this by-law, the

minimum *lot area* required by this by-law for such *lot* shall be the *existing lot area* and not the minimum *lot area* prescribed in section 3.1.2.2(b).

10. Special Regulations for Attached Garages and Carports

- (a) the width of an attached garage or carport for a *detached one-family dwelling*, a *semi-detached one-family dwelling* or a *detached duplex dwelling* may not exceed 50% of the width of the *lot* measured at the front building wall and parallel to the *front lot line* in R4, R5, R6, RD4, RD5, RS1 and RM4 zones and the inside of an attached garage or carport shall have a minimum size of 2.9 m by 5.5 m;
- (b) the width of the driveway approach for a *lot* of 11 m, or less in the R6 and RM4 zones measured at the curb may not exceed 55% of the width of the *lot* measured along the *front lot line*, including flairs and radius, subject to the regulation prescribed in section 2.2.4.5 and 3.1.1(b) of this by-law.

3.1.2 Regulations Applicable in Residential Use Class Zones

In a residential use class zone, no land shall be used and no building or structure shall be erected, located or used except in accordance with the provisions of sections 1, 2 and 3.1.1 of this by-law and the following regulations:

1. Permitted Uses

Use Permitted		In Zone															
		RR1	RR2	R1	R2	R3	R4	R5	R6	RS1	RD3	RD4	RD5	RM1	RM2	RM3	RM4
(a)	a <i>detached one-family dwelling</i>	•	•	•	•	•	•	•	•	•	•	•	•				•
(b)	a <i>semi-detached one-family dwellings</i>									•							•
(c)	a <i>residential special care facility</i> (subject to section 3.1.1.3(b))	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

Use Permitted		In Zone															
		RR1	RR2	R1	R2	R3	R4	R5	R6	RS1	RD3	RD4	RD5	RM1	RM2	RM3	RM4
(d)	<i>attached one-family dwellings (linear row houses)</i>													•	•	•	•
(e)	<i>attached one-family dwellings (cluster row house)</i>													•	•	•	•
(f)	<i>a detached duplex dwelling</i>										•	•	•	•	•	•	•
(g)	<i>semi-detached duplex dwellings (fourplexes)</i>													•	•	•	•
(h)	<i>attached duplex dwellings (linear)</i>													•	•	•	•
(i)	<i>attached duplex dwellings (cluster)</i>													•	•	•	•
(j)	<i>a detached triplex dwelling</i>													•	•	•	•
(k)	<i>maisonettes</i>													•	•	•	•
(l)	<i>a mixed terrace</i>													•	•	•	•
(m)	<i>an apartment house containing 4 or more dwelling units</i>													•	•	•	
(n)	<i>a class 1 boarding, lodging or rooming house in a detached one-family dwelling only (subject to section 3.1.1.7)</i>																•
(o)	<i>a class 2 boarding, lodging or rooming house</i>													•	•		

Use Permitted		In Zone															
		RR1	RR2	R1	R2	R3	R4	R5	R6	RS1	RD3	RD4	RD5	RM1	RM2	RM3	RM4
(p)	<i>farming</i> , where no intensive animal operation, fur farming or fish farming is involved	•	•														
(q)	a use permitted in any zone in accordance with section 2.1.1	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
(r)	an <i>accessory use</i> , building or structure in accordance with section 2.1.11	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

2. Site Development Specifications for *Detached One-Family and Duplex Dwellings* in RR-, R-, RD and RS-Class Zones

		Zone											
		RR1	RR2	R1	R2	R3	R4	R5	R6	RS1	RD3	RD4	RD5
(a)	(i) minimum lot frontage (m)	30	30	30	25	20	15	12	9	9	20	15	12
	(ii) corner lot frontage (m)	30	30	30	25	20	18	17	15	15	20	18	17
(b)	(i) minimum lot area (m ²), subject to s. 3.1.1.9	4000	3000	3000	750	600	450	360	270	270	600	450	360
	(ii) corner lot area (m ²)	4000	3000	3000	750	600	540	510	450	450	600	540	510
(c)	maximum lot area (m ²)	4500											
(d)	minimum front yard (m)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
(e)	minimum interior side yards, subject to s. 3.1.1.5 (m)	3.0	3.0	3.0	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2
(f)	minimum exterior side yard (m)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
(g)	minimum rear yard (m)	7.5	7.5	7.5	7.5	7.5	7.5	7.5	7.5	7.5	7.5	7.5	7.5
(h)	minimum gross floor area (m ²) (see s. 3.1.2.2(i))	90	90	120	120	120	90	75	75	75	120	90	75
(i)	minimum gross floor area for second dwelling unit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	as prescribed by the <i>Building Code</i> as amended from time to time		

		Zone											
		RR1	RR2	R1	R2	R3	R4	R5	R6	RS1	RD3	RD4	RD5
(j)	maximum <i>lot coverage</i> (% of <i>lot area</i>)	40	40	40	40	40	40	40	40	40	40	40	40
(k)	minimum <i>landscaped open space</i> , subject to s. 3.1.1.4 (% of <i>lot area</i>)	30	30	30	30	30	30	30	30	30	30	30	30

3. Site Development Specifications for *Semi-Detached One-Family Dwellings* in RM4 and RS-Class Zones

		One Attached Dwelling Unit	Two Attached Dwelling Units
(a)	minimum <i>lot frontage</i> for each <i>dwelling unit</i> (m)	9	18
(b)	corner <i>lot frontage</i> (m)	13	22
(c)	minimum <i>lot area</i> for each <i>dwelling unit</i> (m ²)	270	540
(d)	corner <i>lot area</i> (m ²)	390	660
(e)	minimum <i>front yard</i> (m)	6	6
(f)	minimum <i>interior side yard</i> , subject to section 3.1.1.5 (m)	1.2	1.2
(g)	minimum <i>exterior side yard</i> (m)	6	6
(h)	minimum <i>rear yard</i> (m)	7.5	7.5
(i)	minimum <i>gross floor area</i> for each <i>dwelling unit</i> (m ²)	75	75
(j)	maximum <i>lot coverage</i> (% of <i>lot area</i>)	40	40
(k)	minimum <i>landscaped open space</i> , subject to section 3.1.1.4 (% of <i>lot area</i>)	30	30

4. Site Development Specifications for *Apartment Houses* Containing Four or More *Dwelling Units* in RM-Class Zones

		Zone		
		RM1	RM2	RM3
(a)	minimum <i>lot frontage</i> (m)	30	30	30
(b)	maximum density (<i>dwelling units</i> per net residential hectare)	250	150	75
(c)	minimum <i>front yard</i> (m)	4.5	4.5	6
(d)	minimum <i>exterior side yard</i> (m)	4.5	4.5	6
(e)	minimum <i>interior side yard</i> (m)	3 m for the first 2 <i>storeys</i> , <u>plus</u> 1.5 m for each additional <i>storey</i> , to a total required <i>interior side yard</i> of 12 m		
(f)	minimum <i>rear yard</i> (m)	3 m for the first 2 <i>storeys</i> , <u>plus</u> 1.5 m for each additional <i>storey</i> , to a total required <i>rear yard</i> of 12 m		
(g)	minimum <i>gross floor area</i> (m ² per <i>dwelling unit</i>)			
	(i) per bachelor or studio unit	as prescribed by the <i>Building Code</i> as amended from time to time		
	(ii) per one-bedroom unit	50	50	50
	(ii) per unit with two or more bedrooms	60	60	60
(h)	minimum <i>amenity area</i> (m ² per <i>dwelling unit</i>)			
	(i) per bachelor or one bedroom unit	20	20	20
	(ii) per unit with two or more bedrooms	30	30	30
(i)	maximum <i>building height</i> (m)	see section 2.1.9 and Appendix 5		
(j)	minimum <i>landscaped open space</i> , subject to section 3.1.1.4 (% of <i>lot area</i>)	30	30	30
(k)	planting strips and fencing	in accordance with section 2.4		

5. Site Development Specifications for Linear Development of Residential Uses
Other than *Apartment Houses* in RM-Class Zones

		Detached One Family Dwelling	Attached One Family Dwellings (row house) in the RM3 and RM4 zones only	Detached Duplex Dwelling	Semi- Detached Duplex Dwellings (fourplex)
(a)	(i) minimum <i>lot frontage</i>	9 m	5.5 m per <i>dwelling unit</i>	15 m	10 m per <i>duplex dwelling</i>
	(ii) minimum <i>corner lot frontage</i>	15 m	N/A	N/A	N/A
(b)	(i) minimum <i>lot area</i>	270 m ²	165 m ² per <i>dwelling unit</i>	450 m ²	150 m ² per <i>dwelling unit</i>
	(ii) minimum <i>corner lot area</i>	450 m ²	N/A	N/A	N/A
(c)	minimum <i>front yard</i>	6 m	6 m	6 m	6 m
(d)	minimum <i>rear yard</i>	7.5 m	7.5 m	7.5 m	7.5 m
(e)	minimum <i>interior side yards</i> (subject to section 3.1.1.5)	1.2 m	1.5 m & 3 m if such <i>interior side yard</i> abuts an R-class or RS-class zone	1.5 m	1.5 m
(f)	minimum <i>exterior side yard</i>	6 m	6 m	6 m	6 m
(g)	minimum <i>gross floor area</i> per <i>dwelling unit</i>	75 m ²	70 m ²	70 m ²	70 m ²
	(i) in a bachelor or studio unit	N/A	N/A	N/A	N/A
	(ii) in a one-bedroom unit	N/A	N/A	N/A	N/A
	(iii) in a 2 or more bedroom unit	N/A	N/A	N/A	N/A
(h)	maximum <i>lot coverage</i> (% of <i>lot area</i>)	40%	40%	40%	40%
(i)	minimum <i>private amenity area</i> per <i>dwelling unit</i>	N/A	N/A	N/A	N/A

		Detached One Family Dwelling	Attached One Family Dwellings (row house) in the RM3 and RM4 zones only	Detached Duplex Dwelling	Semi-Detached Duplex Dwellings (fourplex)
(j)	maximum number of attached <i>dwelling units</i> (see section 4.2.56)	N/A	6	N/A	N/A
(k)	minimum <i>landscaped open space</i> , subject to section 3.1.1.4 (% of <i>lot area</i>)	30%	30%	30%	30%
(l)	planting strips and fencing	in accordance with section 2.4			

		Attached Duplex Dwellings	Detached Triplex Dwelling	Maisonette	Mixed Terrace
(a)	(i) minimum <i>lot frontage</i>	10 m per <i>duplex dwelling</i>	15 m	30 m	30 m
	(ii) minimum <i>corner lot frontage</i>	N/A	N/A	N/A	N/A
(b)	(i) minimum <i>lot area</i>	150 m ² per <i>dwelling unit</i>	550 m ²	165 m ² per <i>dwelling unit</i>	165 m ² per <i>dwelling unit</i>
	(ii) minimum <i>corner lot area</i>	N/A	N/A	N/A	N/A
(c)	minimum <i>front yard</i>	6 m	6 m	6 m	6 m
(d)	minimum <i>rear yard</i>	7.5 m	7.5 m	3 m	3 m
(e)	minimum <i>interior side yards</i> (subject to section 3.1.1.5)	3 m	1.5 m	3 m	3 m
(f)	minimum <i>exterior side yard</i>	6 m	6 m	6 m	6 m
(g)	minimum <i>gross floor area per dwelling unit</i>	70 m ²	70 m ²	60 m ²	
	(i) in a bachelor or studio unit	N/A	N/A	N/A	40 m ²

		Attached Duplex Dwellings	Detached Triplex Dwelling	Maisonette	Mixed Terrace
	(ii) in a one-bedroom unit	N/A	N/A	N/A	50 m ²
	(iii) in a 2 or more bedroom unit	N/A	N/A	N/A	60 m ²
(h)	maximum <i>lot coverage</i> (% of <i>lot area</i>)	40%	40%	40%	40%
(i)	minimum <i>private amenity area</i> per <i>dwelling unit</i>	N/A	N/A	30 m ²	N/A
(j)	maximum number of attached <i>dwelling units</i> (see section 4.2.56)	N/A	N/A	N/A	N/A
(k)	minimum <i>landscaped open space</i> , subject to section 3.1.1.4 (% of <i>lot area</i>)	30%	30%	30%	30%
(l)	planting strips and fencing	in accordance with section 2.4			

6. Site Development Specifications for Cluster Development of Multiple Unit Residential Buildings other than *Apartment House* in RM-Class Zones

Cluster development consisting of *attached one-family dwellings* (row houses) in an RM3 or RM4 zone, *detached*, *semi-detached* and *attached duplex dwellings*, *detached triplex dwellings*, *maisonettes* or *mixed terraces* may be provided in an RM-class zone in accordance with section 3.1.1.1(c) and the other regulations prescribed in this by-law and the following regulations:

		RM1	RM2	RM3 & RM4
(a)	minimum <i>lot frontage</i>	10 m		20 m
(b)	maximum density (<i>dwelling units</i> per net residential hectare)	250	150	40
(c)	minimum <i>front yard</i>	4.5 m		6 m
(d)	minimum <i>exterior side yard</i>	4.5 m		6 m
(e)	minimum <i>interior side yard</i> and <i>rear yard</i>	5.5 m		7.5 m, provided, however, that the <i>yard</i> may be reduced to 3.0 m if the wall of a unit faces a zone other than an R-class or RS-class zone and subject to section 3.1.2.6(h)

		RM1	RM2	RM3 & RM4
(f)	maximum <i>lot coverage</i> (% of <i>lot area</i>)	60%		40%
(g)	minimum <i>gross floor area</i> (m ² per <i>dwelling unit</i>)			
	(i) bachelor or studio unit	as prescribed by the <i>Building Code</i> as amended from time to time		
	(ii) one bedroom unit	50		
	(iii) two or more bedrooms	60		
(h)	minimum <i>private amenity area</i> per <i>dwelling unit</i>	N/A		<i>attached one-family dwellings (row housing)</i> shall provide 40 m ² located adjacent to the rear or side wall of the unit, provided, however, that such <i>private amenity area</i> may be reduced to a minimum of 30 m ² if a <i>common amenity area</i> is provided at a ratio of 3 m ² per <i>dwelling unit</i> , but the <i>common amenity area</i> shall not be less than 75 m ² total
(i)	minimum <i>common amenity area</i> per <i>dwelling unit</i>	30 m ²		multiple residential buildings other than <i>attached one-family dwellings (row housing)</i> shall provide 30 m ² per <i>dwelling unit</i>
(j)	maximum number of <i>attached one-family dwelling units</i> (see section 4.2.56)	6		
(k)	minimum <i>landscaped open space</i> , subject to section 3.1.1.4 (% of <i>lot area</i>)	25%		30%
(l)	planting strips and fencing	in accordance with section 2.4		
(m)	minimum distance between buildings on the same <i>lot</i> :			
	(i) between side walls	3 m		
	(ii) between (1) a front wall and rear wall; (2) a front wall and another front wall; and (3) a rear wall and another rear wall	10 m		
	(iii) between front or rear and side walls	8 m		

7. Site Development Specifications for *Attached One-Family Dwellings (Row Houses)* in RM1 and RM2 Zones

Linear and/or cluster attached one-family dwellings (row houses) may be provided in an RM1 and RM2 zone in accordance with the following regulations:

(a)	minimum <i>lot frontage</i> (per <i>dwelling unit</i>)	5.5 m where it fronts onto a public <i>street</i> or onto a common private access lane
(b)	maximum density (dwelling units per net residential hectare)	75
(c)	minimum <i>front yard</i> where it abuts a public <i>street</i> or common private access lane:	
	(i) building facade	4.5 m
	(ii) steps	2 m
(d)	minimum <i>rear yard</i>	5.5 m from the rear wall of the <i>dwelling</i>
(e)	minimum <i>interior side yard</i> (subject to section 3.1.1.5)	1.5 m
(f)	minimum <i>exterior side yard</i>	4.5 m
(g)	minimum distance between buildings on the same <i>lot</i> :	
	(i) between side walls	3.0 m
	(ii) between (1) a front wall and rear wall; (2) a front wall and another front wall; and (3) a rear wall and another rear wall	10.0 m
	(iii) between front or rear and side walls	8.0 m
(h)	minimum <i>gross floor area</i> per <i>dwelling unit</i>	50 m ²
(i)	maximum <i>lot coverage</i> (% of lot area)	60%
(j)	minimum <i>private amenity area</i> per <i>dwelling unit</i>	20 m ² located adjacent to the unit, provided, however, that such <i>private amenity area</i> may be reduced to a minimum of 10 m ² per <i>dwelling unit</i> if a <i>common amenity area</i> is provided at a ratio of 3 m ² per <i>dwelling unit</i> , but the <i>common amenity area</i> shall not be less than 75 m ² total
(k)	maximum number of <i>attached one-family dwelling units</i>	6

(l)	minimum <i>landscaped open space</i> (% of <i>lot area</i>)	25%
(m)	planting strips and fencing	in accordance with section 2.4
(n)	<i>access driveways</i>	notwithstanding section 2.2.2.3(a) and (f), an <i>access driveway</i> may be located on adjacent parcels of land and no <i>access driveway</i> shall be located within 4 m of a window of a <i>habitable room</i> of a <i>dwelling unit</i> as measured perpendicular to the wall containing such window where the surface of the floor in such <i>habitable room</i> is less than 1 m above the finished <i>grade</i>

3.2 Institutional Use Class Zones

3.2.1 Regulations Applicable in N-Class Zones

In an N-class zone, no lands shall be used and no building or structure shall be erected, located or used except in accordance with the provisions of sections 1 and 2 of this by-law and the following regulations:

1. Permitted Uses

Uses Permitted		In Zone		
		N1	N2	N3
(a)	a university, college or private school <u>other than a commercial college or school</u>	•		
(b)	an elementary or secondary school of the Waterloo County Board of Education or Waterloo Region Roman Catholic Separate School Board	•		
(c)	a correctional institution, court house, police station, fire hall or government office building	•		
(d)	[repealed]			
(e)	a place of worship; a <i>day nursery</i> or <i>day care centre</i> ; a non-profit service club, social club or fraternal society; a <i>non-profit community institution</i>	•		
(f)	a municipal home for the aged or a municipal rest home within the meaning of the <i>Homes for Aged and Rest Homes Act</i>	•	•	
(g)	a public hospital	•	•	
(h)	a private hospital within the meaning of the <i>Private Hospitals Act</i>		•	
(i)	a licensed nursing home;		•	
(j)	a <i>domiciliary hostel</i> ; a <i>retirement lodge</i> ; a <i>retirement home</i>		•	•
(k)	<i>special care facility</i> and a <i>class 4 group home</i>			•
(l)	a use permitted in any zone in accordance with section 2.1.1	•	•	•

Uses Permitted		In Zone		
		N1	N2	N3
(m)	an <i>accessory use</i> , building and structure	•	•	•

2. Site Development Specifications Applicable in All N-Class Zones

(a)	minimum <i>lot frontage</i>	15 m
(b)	minimum <i>lot area</i>	450 m ²
(c)	minimum <i>front yard</i>	6.0 m
(d)	minimum <i>rear yard</i>	7.5 m
(e)	minimum <i>interior side yard</i>	3.0 m
(f)	minimum <i>exterior side yard</i>	6.0 m
(g)	minimum <i>yard</i> abutting any R-class or RS-class zone	7.5 m
(h)	maximum <i>lot coverage</i>	40% <i>lot area</i>
(i)	minimum <i>landscaped open space</i>	30% <i>lot area</i>
(j)	planting strips and fencing	in accordance with section 2.4

3.3 Commercial Use Class Zones

3.3.1 Regulations Applicable in All Commercial Use Class Zones

1. Outside Display

Except in the case of an outdoor garden centre, fruit and vegetable stand, motor vehicle or *trailer* sales establishment or a use allowed pursuant to the City of Cambridge by-law for the licensing, regulating and governing of outdoor vendors, no goods, materials or equipment shall be displayed or stored outside any building or structure in a commercial use class zone unless such outdoor display or storage area is located adjacent to and within 3 m of the front wall of the *principal building* and is used exclusively as a retail sales area.

2. Yards Required for *Hotels and Motels*

A minimum *side* or *rear yard* of 7.5 m shall be provided for any *hotel* or *motel* erected, located or used in a commercial use class zone where:

- (a) the principal entrance to such *hotel* or *motel* is obtained through such *interior side yard* or *rear yard*;
- (b) a wall of such *hotel* or *motel* contains a window to a *habitable room* facing such *interior side yard* or *rear yard*.

3. Residential Uses in Commercial Use Class Zones

Dwelling units may be provided in a commercial building in a commercial use class zone in the following circumstances only:

- (a) living quarters for the watchman or caretaker of a *shopping centre* may be provided in any CS-class zone;
- (b) subject to the provisions of section 2.1.7, *dwelling units* may be provided in a residential building converted for business or professional office use;
- (c) subject to the provisions of section 2.1.3.2, *dwelling units* may be provided in a commercial building in a C1, C2, C3 and CS5 zone if:
 - (i) no *dwelling unit* is provided on the ground floor of the building;

- (ii) each *dwelling unit* so provided has a separate private entrance from the outside or a common hallway;
- (iii) the *gross residential floor area* of the commercial building does not constitute more than two-thirds of the total *gross floor area* of the building;
- (iv) minimum off-street *parking facilities* are provided for the exclusive use of residential tenants in a ratio of one parking space for each *dwelling unit*.

4. Special Regulations for *Local* and *Neighbourhood Shopping Centres* in C1, C4 and CS5 Zones

- (a) Notwithstanding the provisions of section 3.3.3.1(d)(vi), not more than 50% of the *gross leasable commercial floor area* provided in a *local shopping centre* in a CS5 zone shall be used for the purposes of business and professional offices;
- (b) Notwithstanding the provisions of section 3.3.3.1(d)(vi) of this by-law, no land shall be used and no building or structure shall be erected, located or used for the purposes of a *local shopping centre* in a CS5 or C4 zone unless at least three separate leasable units are provided therein for occupancy by different tenants;
- (c) Notwithstanding the provisions of sections 3.3.3.1(d)(v) and (vi) of this by-law, no land in a C1 or C4 zone shall be used and no building or structure shall be erected or used in a C1 or C4 zone for the purposes of a *neighbourhood shopping centre* or *local shopping centre* except in accordance with the parking regulations prescribed therefor in section 2.2.1.2(a) of this by-law, and the regulations prescribed in section 3.3.3.3 for the CS4 zone in the case of a *neighbourhood shopping centre* or for the CS5 zone in the case of a *local shopping centre*; provided, however, that where the *shopping centre* is to be erected in a C4 zone, a minimum *lot frontage* of 60 m and a minimum *front yard* and *exterior side yard* of 15 m shall be provided.

5. Riding Stables and *Kennels* in A1 and C2 Zones

No riding stable or *kennel* shall be established except in an A1 zone or, where specific provision has been made therefor in section 4 of this by-law, in a C2 zone; provided, however, no *lot* in a C2 zone may be used for the purposes of a riding stable or *kennel* if such *lot* abuts any residential use class zone.

6. Special Regulations for *Motor Vehicle Repair Shops*

Notwithstanding sections 3.3.2.2(t) and 3.3.3.1(b)(viii) of this by-law, no land shall be used and no building or structure shall be erected, located or used for the purposes of a *motor vehicle*

repair shop except in accordance with the regulations prescribed in section 3.3.3.2 of this by-law for the zone in which such *motor vehicle repair shop* is located, and the following regulations:

- (a) no *derelect motor vehicle* shall be parked or stored on the *lot* unless screened from view by a solid fence or wall not less than 2 m in height;
- (b) deleted;
- (c) used motor vehicles may be sold at a *motor vehicle repair shop* or *auto body repair shop* provided:
 - (i) not more than two vehicles per service bay shall be sold from the site;
 - (ii) the sale of used motor vehicles is an *accessory use* to such *motor vehicle repair shop* or *auto body repair shop*.

7. Shopping Centres in CS-Class Zones

Notwithstanding section 3.3.3.1 of this by-law, no land shall be used and no building or structure shall be erected, located or used in a CS-class zone except for the purposes of a *shopping centre* as defined in section 1.1.1 of this by-law and in accordance with the following regulations:

- (a) *gross leasable commercial floor area* shall be provided within the limits prescribed in sections 3.3.3.3(a), (b), (c) and (d) of this by-law, as the case may be, for the CS-class zone in which such land is situate;
- (b) the floor area referred to in clause (a) of this subsection may be used only for the uses permitted in the CS-class zone in which such land is situate as prescribed in section 3.3.3.1 of this by-law;
- (c) notwithstanding clause (a) of this subsection, the floor area provided in a *hotel, motel, automobile service station* or *gas bar* erected or located on lands in a CS1, CS2, CS3, CS4 or CS5C5 zone shall be excluded from the calculation of minimum and maximum *gross leasable commercial floor area* prescribed in sections 3.3.3.3(a), (b), (c) and (d) of this by-law;
- (d) (deleted);
- (e) the use of land, buildings and structures in any CS-class zone for the purposes of a *shopping centre* shall comply with all of the other regulations prescribed in this by-law relevant thereto.

8. Special Regulations for *Carts*

Notwithstanding Section 2.1.2.2 of this by-law, *carts* are permitted pursuant to Section 3.3.3.1(b)(iii) of this by-law.

9. Special Regulations for *Drive-Through Facilities*

A *drive-through facility* must be a minimum distance of 30 m from the boundary of an abutting residential or institutional zone, minus the minimum distance required for an *interior side yard* or *rear yard* of such abutting R-class zone or an N-class zone, except where there is a *noise barrier wall* having a minimum height of 1.8 m or a building wall located between the *drive-through facility* and a *dwelling* or institutional use, the minimum distance shall be 15 m from the boundary of an abutting residential or institutional zone, minus the minimum distance required for an *interior side yard* or *rear yard* of such abutting R-class zone or an N-class zone.

3.3.2 Commercial Uses

For the purposes of section 3.3.3 and the other provisions of this by-law:

1. Retail Commercial Establishments

Include any establishment or premises in which goods, produce or merchandise are held and offered for sale directly to the consumer or user at retail as the principal activity of the establishment.

2. Service Commercial Establishments

Include any establishment which provides a service to the general public, business or industry and, without limiting the generality of the foregoing, include:

- (a) a business and professional office, including:
 - (i) the office, dispensary, surgery or clinic of a doctor, dentist, chiropractor, osteopath, chiropodist, optometrist, etc.;
 - (ii) a veterinary office, clinic or hospital, including facilities for the accommodation of small animals while undergoing treatment but not including facilities for breeding, boarding or training animals;
 - (iii) a bank or trust company office;

- (iv) a taxi dispatching office;
- (v) a telegraph agency;
- (vi) a ticket agency;
- (vii) a travel agency;
- (viii) any other business or professional office;
- (b) a dispensing pharmacy but not including a retail drug store or departmental drug store;
- (c) a *food services establishment*;
- (d) a *caterer's establishment*;
- (e) a *banqueting hall*;
- (f) a *hairdressing establishment*;
- (g) an establishment for training and grooming small household pets;
- (h) a funeral home (not permitted in the CS-class zones: see section 3.3.3.1(b)(vi));
- (i) a shoe repair shop;
- (j) a shop for the repair of small goods and wares or business machines;
- (k) a depot or station for the pick-up and delivery of laundry or dry-cleaning but not including a dry-cleaning plant;
- (l) a laundry or coin-operated laundromat but not including a dry-cleaning plant;
- (m) an upholsterer's establishment;
- (n) a printer's or bookbinder's establishment or establishment providing reprographic services;
- (o) a *commercial school*, a private school or studio;
- (p) a commercial establishment providing instruction in the arts or crafts;
- (q) an establishment for the lease or rental of licensed motor vehicles, *trailers, transport trailers* or household tools;

- (r) a *hotel* or *motel* (not permitted in the CS5 zone: see section 3.3.3.1(b)(v));
- (s) a *car wash*;
- (t) a *motor vehicle repair shop* but not including an *auto body repair shop*;
- (u) a commercial *parking lot* or parking garage;
- (v) a drive-thru automobile service shop;
- (w) a pet daycare centre, being the temporary care of such pets for a continuous period not exceeding fourteen hours, within a twenty-four hour period, which is not closer than 60m to a R or RS class zone.

3. Commercial-Recreational Establishments

Include any establishment operated for profit or gain by providing facilities for public recreation or amusement and, without limiting the generality of the foregoing, includes the following classes of amusement:

- (a) a place of amusement, as described in section 3.3.2.4;
- (b) a recreation centre, as described in section 3.3.2.5;
- (c) an *amusement park*;
- (d) a marina;
- (e) a golf ball driving range;
- (f) a riding stable with or without facilities for boarding or training horses;
- (g) a race track for horses or vehicles, including a steeplechase course;
- (h) an arena, stadium or hippodrome;

4. Places of Amusement

Include:

- (a) an *amusement arcade*;
- (b) a bowling alley;

- (c) a pool hall or billiards hall;
- (d) a bingo hall;
- (e) a dance hall;
- (f) a *miniature golf course*;
- (g) a theatre or cinema.

5. Recreation Centre

Includes one or more of the following in any of which a *food services establishment* or *banqueting hall* may also be provided as a service accessory to the principal use of the commercial-recreational establishment but does not include places of amusement as described in section 3.3.2.4:

- (a) a social and/or athletic or recreation club or physical fitness establishment with or without a *swimming pool*, gymnasium, roller skating rink, ice skating rink, curling rink, racquet courts or jogging track;
- (b) public meeting rooms.

3.3.3 Regulations Applicable in Commercial Use Class Zones

In a C-class or CS-class zone, no land shall be used and no building or structure shall be erected, located or used except in accordance with sections 1, 2 and 3.3.1 of this by-law and the following regulations:

1. Permitted Uses

		In Zone										
		C1	C2	C3	C4	C5	C6	CS1	CS2	CS3	CS4	CS5
(a)	<u>Retail Commercial Establishments</u>											
(i)	a <i>neighbourhood grocery store</i> in which not more than 300 m ² of <i>gross leasable commercial floor area</i> is provided	•		•	•			•	•	•	•	•
(ii)	a <i>neighbourhood variety store</i> in which not more than 300 m ² of <i>gross leasable commercial floor area</i> is provided	•		•	•			•	•	•	•	•
(iii)	any retail commercial establishment in which not more than 300 m ² of <i>gross leasable commercial floor area</i> is provided	•	•		•			•	•	•	•	•
(iv)	any other retail commercial establishment described in section 3.3.2.1	•			•		•	•	•	•	•	•
(b)	<u>Service Commercial Establishments</u>											
(i)	a <i>hairdressing establishment</i>	•	•		•			•	•	•	•	•

		In Zone										
		C1	C2	C3	C4	C5	C6	CS1	CS2	CS3	CS4	CS5
(ii)	any business and professional office described in section 3.3.2.2 [subject to section 3.3.1.4]	•	•		•		•	•	•	•	•	•
(iii)	a <i>food services establishment</i> including a <i>cart</i> (see section 3.3.1.8)	•	•		•		•	•	•	•	•	•
(iv)	a laundry or dry cleaner's establishment <u>but not</u> a dry cleaning plant	•	•		•			•	•	•	•	•
(v)	a <i>hotel</i> or <i>motel</i>	•	•		•		•	•	•	•	•	
(vi)	a funeral home	•	•		•		•					
(vii)	an <i>automobile service station</i> or <i>gas bar</i>					•	•	•	•	•	•	
(viii)	any other service commercial establishment described in section 3.3.2.2	•	•		•		•	•	•	•	•	•
(ix)	an <i>adult entertainment establishment</i>				•							
(c)	<u>Commercial Recreational Establishments</u>											
(i)	a place of amusement as described in section 3.3.2.4 <u>except</u> an <i>amusement arcade</i>	•	•		•		•	•	•	•	•	•

		In Zone										
		C1	C2	C3	C4	C5	C6	CS1	CS2	CS3	CS4	CS5
(ii)	an <i>amusement arcade</i> if located in an <i>enclosed shopping mall</i> which is not closer than 500 m to a public or separate elementary or secondary school	•			•		•	•	•	•	•	•
(iii)	a recreation centre as described in section 3.3.2.5	•	•		•		•	•	•	•	•	•
(iv)	any other commercial-recreational establishment as described in section 3.3.2.3	•			•		•					
(d)	<u>Other Uses</u>											
(i)	a <i>regional shopping centre</i>							•				
(ii)	a <i>regional power centre</i>						•					
(iii)	a <i>subregional shopping centre</i>	•							•			
(iv)	a <i>community shopping centre</i>	•								•		
(v)	a <i>neighbourhood shopping centre</i> (subject to section 3.3.1.4)	•			•						•	
(vi)	a <i>local shopping centre</i> (subject to section 3.3.1.4)	•			•							•
(vii)	an <i>auto service mall</i>	•	•		•							•

		In Zone										
		C1	C2	C3	C4	C5	C6	CS1	CS2	CS3	CS4	CS5
(viii)	a wholesale showroom and order office <u>but not</u> a warehouse or distribution centre	•										
(ix)	a wholesale showroom and warehouse				•							
(x)	an establishment for the fabrication and sale of cemetery monuments	•	•		•							
(xi)	a general industrial use as described in section 3.4.2.2 <u>except</u> an <i>auto body repair shop</i> , bonded customs warehouse or courier or delivery service, where no outdoor storage is provided and all industrial operations are conducted within wholly enclosed buildings				•							
(xii)	a use permitted in an N1, N2, N3 or OS4 zone	•										
(xiii)	a <i>day nursery</i> or <i>day care centre</i>	•	•	•	•		•	•	•	•	•	•
(xiv)	a use permitted in all zones in accordance with section 2.1.1	•	•	•	•	•	•	•	•	•	•	•

		In Zone										
		C1	C2	C3	C4	C5	C6	CS1	CS2	CS3	CS4	CS5
(xv)	a use, building or structure accessory to a permitted use	•	•	•	•	•	•	•	•	•	•	•
(xvi)	a detached, or semi-detached one family dwelling; provided, however, the dwelling unit was constructed for such purpose prior to October 27, 1986.	•										

2. Site Development Specifications Applicable in C-Class Zones

		Zone				
		C1	C2	C3	C4	C5
(a)	minimum <i>lot frontage</i> (metres)	nil	15	15	60	30
(b)	minimum <i>lot area</i> (square metres)	nil	450	450	nil	900
(c)	minimum <i>front yard</i> (metres):					
	(i) buildings (see sec. 2.1.14)	nil	6	6	15	15
	(ii) fuel pump, dispenser island and kiosk located on the dispenser island being not greater than 10 m ²					6
	(iii) <i>weather canopy</i>		3		3	3
	(iv) automated teller machine being not greater than 10 m ²		6		6	
(d)	minimum <i>rear yard</i> (metres) (see section 2.4) (subject to section 3.3.1.2)	nil	3	3	3	3
(e)	minimum <i>interior side yard</i> (metres) (subject to section 3.3.1.2)	nil	3	3	3	3
(f)	minimum <i>exterior side yard</i> (metres):					

		Zone				
		C1	C2	C3	C4	C5
	(i) buildings (see sec. 2.1.14)	nil	6	6	15	15
	(ii) fuel pump, dispenser island and kiosk located on the dispenser island being not greater than 10 m ²					6
	(iii) <i>weather canopy</i>		3		3	3
	(iv) automated teller machine being not greater than 10 m ²		6		6	
(g)	minimum <i>interior side yard</i> or <i>rear yard</i> abutting a residential zone (metres) (see section 2.4)	nil	7.5	7.5	7.5	7.5
(h)	maximum <i>lot coverage</i> (% of <i>lot area</i> excluding pump island and <i>weather canopy</i>)	nil	40	40	60	25
(i)	minimum <i>building height</i>	see section 2.1.9				
(j)	planting strips and fencing	in accordance with section 2.4				
(k)	propane storage, transfer or dispensing facilities	in accordance with section 2.5				

3. Site Development Specifications Applicable in CS-Class Zones

		Zone				
		CS1	CS2	CS3	CS4	CS5
(a)	minimum <i>gross leasable retail commercial floor area</i> (m ²)	36000	N/A	N/A	N/A	N/A
(b)	maximum <i>gross leasable retail commercial floor area</i> (m ²)	46450	36000	N/A	N/A	N/A
(c)	minimum <i>gross leasable commercial floor area</i> (m ²)	N/A	36000	13500	5000	500
(d)	maximum <i>gross leasable commercial floor area</i> (m ²)	nil	N/A	36000	13500	5000
(e)	minimum <i>front yard</i> or <i>exterior side yard</i> (m)	6.0	6.0	6.0	6.0	6.0

		Zone				
		CS1	CS2	CS3	CS4	CS5
(f)	minimum <i>side yard</i> (m) (see section 2.4)	3.0	3.0	3.0	3.0	3.0
(g)	minimum <i>rear yard</i> (m) (see section 2.4)	3.0	3.0	3.0	3.0	3.0
(h)	minimum <i>exterior side yard</i> (m)	6.0	6.0	6.0	6.0	6.0
(i)	minimum <i>interior side yard</i> or <i>rear yard</i> abutting a residential zone (m) (see section 2.4)	7.5	7.5	7.5	7.5	7.5
(j)	maximum <i>lot coverage</i> (% of <i>lot area</i>)	30	30	30	30	30
(k)	minimum <i>building height</i>	see section 2.1.9				
(l)	planting strips and fencing	in accordance with section 2.4				

4. Site Development Specifications Applicable in the C6 Zone

(a) maximum *gross retail commercial floor area*:

		Maximum <i>GRCFA</i>
(i)	Total	65,985 m ² (710,280 sq. ft.)
(ii)	Site A	62,429 m ² (672,000 sq. ft.)
(iii)	Site B	3,556 m ² (38,280 sq. ft.)
(iv)	Site C	0 m ² (0 sq. ft.)

(b) Site A

The minimum *gross retail commercial floor area* for each retail commercial establishment permitted under section 3.3.3.1(a)(iv) shall be as follows:

	Minimum <i>GRCFA</i>	% of <i>GRCFA</i> for retail commercial establishments only
(i)	1,858 m ² (20,000 sq. ft.)	Minimum of 60%
(ii)	627 m ² (6,750 sq. ft.) subject to section 3.3.3.4(b)(iii) below	Maximum of 40%

(iii) of the *gross retail commercial floor area* permitted in section 3.3.3.4(b)(ii) above, a maximum of ten retail commercial establishments may have a minimum *gross retail commercial floor area* of 488 m² (5,250 sq. ft.);

(iv) the requirements in (i) and (ii) above shall apply only at full build out of Site A. At any point prior to full build out of Site A, the maximum *gross retail commercial floor area* permitted in (ii) shall be calculated by using the following formula: 0.4 multiplied by (total permitted *gross retail commercial floor area* minus total *gross retail commercial floor area* devoted to *food services establishments*, banks and other financial establishments).

(c) Site B

The maximum permitted *gross retail commercial floor area* on Site B shall be contained in only one establishment.

(d) the minimum *front yard* or *exterior side yard* shall be as follows:

Location	Minimum <i>Front Yard</i> or <i>Exterior Side Yard</i>
Frontage on Pinebush Road for Site A	4.5 m
Any other location	7.5 m

(e) minimum *side* or *rear yard* (metres): 3

(f) minimum *interior side yard* or *rear yard* abutting a residential zone (metres) (see Section 2.4): 7.5

(g) maximum *lot coverage* (% of *lot area*): 30

(h) planting strips and fencing in accordance with section 2.4.

3.4 Industrial Use Class Zones

3.4.1 Regulations Applicable in All Industrial Use Class Zones

1. Factory Sales Outlets

Notwithstanding the provisions of section 3.4.3 of this by-law, any manufacturing industry established in any industrial use class zone may sell to the general public at retail the products manufactured or assembled by the establishment on the premises from a factory sales outlet located within the building in which such products are manufactured if the *gross leasable floor area* of such factory sales outlet does not exceed 20% of the total floor area of the building.

2. Offices in Industrial Zones

The office floor area required by an industrial use specified in section 3.4.2 for its own executive and administrative purposes or to accommodate in-house technical and professional services may be located:

- (a) in the same building as the industrial use;
- (b) in a separate building on the same *lot* as the building occupied by such industrial use provided that all buildings on the same *lot* are held in single ownership or by participants in a *condominium* corporation or cooperative;
- (c) in an *industrial mall*;
- (d) in an office building permitted in an M1 zone;
- (e) in a *trailer* located on the same *lot* and situated on such *lot* in accordance with the regulations prescribed in section 3.4.3.2 of this by-law; provided, however, that any *trailer* used for the purposes of providing office accommodation for an industrial use shall be considered as an expedient and temporary use pending the completion of construction of permanent office accommodation within a building on the *lot*.

3. Special Regulations for *Motor Vehicle Repair Shops* and *Auto Body Repair Shops*

Notwithstanding section 3.4.3.1(c) of this by-law, in an industrial use class zone no land shall be used and no building or structure shall be erected, located or used for the purposes of a *motor vehicle repair shop* or *auto body repair shop* except in accordance with the regulations prescribed in sections 2 and 3.4.1.4 and 3.4.3.2 of this by-law and the following regulations:

- (a) no *derelect motor vehicle* shall be parked or stored on the *lot* unless screened from view by a solid fence or wall not less than 2.0 m in height;
- (b) no fuel shall be sold at retail from a *motor vehicle repair shop* or *auto body repair shop*;
- (c) used motor vehicles may be sold at a *motor vehicle repair shop* or *auto body repair shop* provided:
 - (i) not more than two vehicles per service bay shall be sold from the site;
 - (ii) the sale of used motor vehicles is an *accessory use* to such *motor vehicle repair shop* or *auto body repair shop*.

4. Location and Screening of Outdoor Storage Areas

- (a) subject to clause (b), no outdoor storage of equipment, goods and materials shall be provided in any M-class zone:
 - (i) between the *street line* and *regulatory building line* and, if provided between the *regulatory building line* and *established building line*, shall be screened from view along the *regulatory building line*;
 - (ii) within the minimum *exterior side yard* required by this by-law and, if provided in any part of an *exterior side yard* which is greater than the minimum required by this by-law, shall be screened from view along the line of the *exterior side yard* required by this by-law;
- (b) any outdoor storage of equipment, goods or materials in an M7 zone shall be screened from view by one or any combination of a solid fence or wall or earth berm not less than 2.5 m in height erected around the entire perimeter of the outside storage area.

5. Use of Vacant Industrial Lands for Non-Industrial Purposes

Notwithstanding the provisions of section 3.4.3.1 of this by-law, vacant lands in any industrial use class zone may be used for one or more of the following purposes provided that no building or structure is erected, located or used in conjunction therewith:

- (a) *farming* where no intensive animal operation, fur farming or fish farming is involved;
- (b) market gardening;
- (c) landscape gardening;

- (d) non-commercial recreational use.

6. Core Areas Industrial Development

The commercial site development specifications prescribed for the C1 zone in section 3.3.3.2 of this by-law may be substituted for the site development specifications prescribed in section 3.4.3.2 for M-class zones where an industrial use is located in an M2, M3 or M4 zone within the area shown outlined by a heavy black line on Special Area Zoning Maps Z4, Z5 and Z6 attached to and forming part of this by-law; provided, however, that all of the other provisions of this by-law applicable to development in an M2, M3 or M4 zone shall continue to apply.

7. *Front Yard* and *Exterior Side Yard* Requirements in Industrial Use Class Zones

Subject to section 3.4.1.6, a *front yard* and *exterior side yard* of at least 6.0 m shall be provided in any industrial use class zone except in the following locations where a minimum *front yard* and *exterior side yard* of 12.0 m are required:

- (a) in an M1 zone;
- (b) within the area north of Highway 401 and west of Speedsville Road;
- (c) within the area bounded by Highway 401, Hespeler Road, Eagle Street and the CN railway tracks;
- (d) within the area bounded by Highway 401, the easterly city limits, the proposed east-west arterial road and Hespeler Road, save and except the area abutting the east side of Hespeler Road between the proposed east-west arterial road and Dunbar Road;
- (e) within the area bounded by Dundas Street, Elgin Street North, Samuelson Street, Clyde Road, the easterly city limits and Moffatt Creek;
- (f) within the area bounded by the north side of Maple Grove Road on the east side of Fountain Street and south and west of Middle Creek.

8. *Yards* Required for *Hotels*

A minimum *side* or *rear yard* of 7.5 m shall be provided for any *hotel* erected, located or used in an M1 zone where:

- (a) the principal entrance to such *hotel* is obtained through such *side yard* or *rear yard*;

- (b) a wall of such *hotel* contains a window to a *habitable room* facing such *side yard* or *rear yard*.

9. Auto Service Malls in Industrial Zones

- (a) subject to clause (b) of this subsection, *auto service malls* may be established in the following locations:
 - (b) (i) the site is located in an M3, M4, M5, M6 or M7 zone;
 - (ii) the regulations prescribed in section 3.4.3.2 shall apply to an *auto service mall* located in an industrial zone;
 - (iii) notwithstanding section 3.4.1.9(b)(ii), the *gross leasable commercial floor area* for such *auto service mall* shall not be less than 500 m² or greater than 5000 m²;
 - (iv) no single establishment in an *auto service mall* shall have a *gross leasable commercial floor area* less than 75 m²;
 - (v) off-street parking shall be provided in accordance with sections 2.2.1;
 - (vi) planting strips and fencing shall be provided in accordance with section 2.4.

10. Special Regulations for Drive-Through Facilities

A *drive-through facility* must be a minimum distance of 30 m from the boundary of an abutting residential or institutional zone, minus the minimum distance required for an *interior side yard* or *rear yard* of such abutting R-class zone or an N-class zone, except where there is a *noise barrier wall* having a minimum height of 1.8 m or a building wall located between the *drive-through facility* and a *dwelling* or institutional use, the minimum distance shall be 15 m from the boundary of an abutting residential or institutional zone, minus the minimum distance required for an *interior side yard* or *rear yard* of such abutting R-class zone or an N-class zone.

11. Special Regulations for Places of Worship

Notwithstanding the provisions of Section 3.4.3 of this by-law, lands within the regeneration and transition areas shown on Map Z9 may also be used for a place of worship in accordance with the regulations of Section 3.2. (By-law 160-10)

3.4.2 Industrial Uses

For the purposes of section 3.4.3 and the other provisions of this by-law,

1. Industrial Business Park Uses

Include:

- (a) a general industrial use as described in section 3.4.2.2 where no outdoor storage is provided and all operations are conducted within wholly enclosed buildings but do not include a *motor vehicle repair shop*, or *auto body repair shop*, an *auto service mall*, an establishment for display, sales and service of motor vehicles and motorized equipment, a bonded customs warehouse or a courier or delivery service;
- (b) an office building in which at least 1,860 m² of *gross floor area* are provided for occupancy by one or more of the following uses:
 - (i) printing, publishing or broadcasting facilities;
 - (ii) a data services establishment;
 - (iii) a branch bank or trust company;
 - (iv) a *food services establishment* which occupies not more than 500 m² of the *gross floor area* of the building and which is not freestanding on the site;
 - (v) the offices of a professional business consultant, architectural, engineering, town planning, land surveying, market research, management, industrial design, legal services or health care services;
 - (vi) the executive and/or administrative or business offices of one or more of the following:
 - (1) an industrial enterprise whose industrial activities may be conducted off-site elsewhere but not necessarily within the City of Cambridge;
 - (2) a financial, insurance or real estate establishment;
 - (3) a religious or non-profit institution;
 - (4) a retail/wholesale business in which no sales are offered on site; and
 - (5) a service industry specifically limited to construction, transportation, communication and utilities uses;

- (c) a *hotel* in which at least 50 guest rooms are provided.

2. General Industrial Uses

Include:

- (a) the manufacture, processing, production, fabrication, packaging, assembly, sub-assembly, stamping, treating, finishing, refining, distilling, testing, warehousing including a bonded customs warehouse, storage and stockpiling of products, goods, materials, patterns, tools and dies, but do not include a heavy industrial use as described below, an *impounding yard*, *transport terminal* uses as described below, an *asphalt* or *concrete batching plant*, a *builder's* or *building contractor's yard*, a *wrecker's* or *salvage yard* or a *junk yard*;
- (b) a computer programming, data processing or other data services establishment;
- (c) an establishment for the development of and/or instruction in, computer assisted design and computer assisted manufacturing;
- (d) an establishment for the development, application and use of cybernetics, telecommunications or other advanced technological equipment, processes or programs, or in providing advanced technological services to other industry;
- (e) an establishment for industrial research and development;
- (f) a laboratory for quality control or product development;
- (g) a printing and/or publishing establishment;
- (h) a dry cleaning plant in which a depot for the receipt and delivery of dry cleaned articles may also be provided;
- (i) a *motor vehicle repair shop* or *auto body repair shop* (not permitted in an M1 or M2 zone: see section 3.4.3.1(b));
- (j) a *caterer's establishment*;
- (k) a *lumber yard in conjunction with which* an establishment for the storage and sale of *home improvement supplies* may also be provided as an *accessory use*;
- (l) a contractor's establishment, which may include a plumbing, heating, air conditioning, electrical or other related general contractor's but does not include a *contractor's yard* or a retail sales office;

- (m) a courier or delivery service (not permitted in an M1 or M2 zone: see section 3.4.3.1(b));
- (n) a *propane transfer facility* or *private propane transfer facility* (see section 2.5.1);
- (o) training and recreation facilities for the employees of the industry located on the same site;
- (p) one or more of the following uses if located in an *industrial mall*; provided, however, that not more than 2500 m² of *gross leasable commercial floor area* shall be used by any single establishment in the *industrial mall* for such purposes:
 - (i) the executive and administrative offices of any industrial use located off-site elsewhere but not necessarily in the City of Cambridge, including the floor space required to accommodate the in-house technical and professional services of such industry;
 - (ii) the offices of a professional business consultant such as architectural, engineering, town planning, land surveying, market research, management and industrial design;
 - (iii) the offices of a place of worship or a non-profit institution;
 - (iv) a *food services establishment*, travel agency, fitness club (including the instruction of dance, martial arts and wrestling), bank, trust company, credit union, legal services or health care service and sports training and development but not including a commercial recreational establishment or place of amusement which all above uses may not occupy more than 25% of the *gross leasable commercial floor area* of the entire building, and must be an integral part of a building containing other permitted uses;
- (q) a trade union hall;
- (r) an establishment for the display, sales and services of industrial and commercial motor vehicles and motorized equipment having a Gross Vehicle Weight of at least 5600 kg and, as an *accessory use* to the principal use, for the retail sale of replacement parts for such vehicles and equipment, but not including the display, sales or service of, or sale of replacement parts for, a passenger vehicle, *recreational vehicle*, bus, pickup truck, panel truck, van, or other motor vehicle or motorized equipment having a Gross Vehicle Weight of less than 5600 kg (not permitted in an M1 or M2 zone; see section 3.4.3.1(b));
- (s) training facilities for industrial trades, including employee rehabilitation facilities;
- (t) an *auto service mall*, but does not include an *auto body repair shop*, automobile sales, *automobile service station* or *gas bar*, in accordance with section 3.4.1.9;

- (u) an establishment for the storage and recycling of tires which is not closer than 500 m to a residential zone and approved by the City of Cambridge Fire Department for compliance with the regulations of the Ontario *Fire Code*;
- (v) an establishment for the sales, rental, leasing and service of small equipment and business machines;
- (w) a landscaping and gardening centre sales and service;
- (x) a veterinary clinic, boarding, training and grooming of household pets;
- (y) an establishment for the instruction in arts and crafts and a *craftsperson* shop;
- (z) a *rental establishment*;
- (aa) a security or janitorial service;
- (bb) a public beverage making establishment;
- (cc) an establishment for lease or rental of motor vehicles but does not include the lease or rental of trailers and transport trailers (not permitted in the M1 or M2 zone);
- (dd) an establishment for the sale of automotive parts and equipment parts;
- (ee) a photocopying service establishment;
- (ff) a recording studio;
- (gg) a *call centre*.

3. Heavy Industrial Uses

Include:

- (a) an abattoir;
- (b) an establishment for the slaughter and dressing of poultry;
- (c) a meat packing establishment, or establishment for the production or processing of sausages, smoked meat or fish;
- (d) a tannery;
- (e) a sugar refinery;

- (f) an establishment for the rendering of fat or tallow;
- (g) an establishment for curing tobacco;
- (h) an establishment for the cultivation of yeast;
- (i) an establishment for nitrating cotton or other materials;
- (j) an establishment for the storage or distribution of inorganic liquids or gases in a battery or *tank farm* at low or atmospheric pressure;
- (k) an establishment for curing rubber;
- (l) an establishment for the production or pulverizing of charcoal;
- (m) a coke oven;
- (n) an establishment for the extraction, refining or smelting of metals;
- (o) an establishment for the production of metal ingots, billets or bars;
- (p) an establishment for the extrusion or rolling of metals;
- (q) a blooming operation;
- (r) an establishment for refining, distilling, separating or cracking petroleum, tar or petrochemicals;
- (s) an establishment for the production of hydrocarbon gases;
- (t) an establishment for mixing or blending tar or petroleum products in the production of paving, roofing or water proofing materials, or for the incorporation of tar or petroleum products in roofing or water proofing materials, or for the storage of petroleum, tar or other petrochemicals in a battery or *tank farm* at low or atmospheric pressure;
- (u) an establishment for the bulk storage of fuels or fuel oils, other than an *automobile service station* or *gas bar*;
- (v) an establishment for the manufacture or processing of gypsum, lime, Plaster of Paris or calcimine;
- (w) an establishment for the manufacture of:
 - (i) beet sugar;

- (ii) bleaching compound;
- (iii) bricks, tiles or clay products where no *asphalt or concrete batching plant* is used on the site of the manufacturing operation;
- (iv) calcium carbide as part of an operation for the production of acetylene gas;
- (v) casein;
- (vi) caustic soda or sodium hydroxide;
- (vii) coal tar distillates or products;
- (viii) coal or wood distillates;
- (ix) creosote;
- (x) explosives, fireworks, ammunition, matches, acetylene, ammonia, chlorine or hydrogen; of hydrochloric, nitric, picric or sulphuric acid or their derivatives, with the prior approval of council;
- (xi) glue or glue size;
- (xii) graphite;
- (xiii) lampblack;
- (xiv) organic fertilizers;
- (xv) paint, varnish, shellac or turpentine;
- (xvi) paper or paper board;
- (xvii) potash;
- (xviii) synthetic resins;
- (x) transport uses as described in section 3.4.2.4.

4. Transport Uses

Include:

- (a) a *transport terminal*;

- (b) a cartage company;
- (c) a *builder's yard* or *contractor's yard*;
- (d) an establishment for the lease or rental of motor vehicles and/or *trailers* and *transport trailers*;
- (e) a transport driver training school;
- (f) a *transportation depot*;
- (g) sales and service of *transport trailers*.

3.4.3 Regulations Applicable in M-Class Zones

In an M-class zone, no land shall be used and no building or structure shall be erected, located or used except in accordance with the provisions of sections 1, 2 and 3.4.1 of this by-law and the following regulations:

1. Permitted Uses

Uses Permitted		In Zone						
		M1	M2	M3	M4	M5	M6	M7
(a)	industrial business park uses	•						
(b)	general industrial uses (<u>other than</u> a <i>motor vehicle repair shop</i> , or <i>auto body repair shop</i> , an <i>auto service mall</i> , an establishment for the display, sales and service of motor vehicles and motorized equipment, a bonded customs warehouse or a courier or delivery service) where no outdoor storage is provided and all operations are entirely conducted within wholly enclosed buildings	•	•					
(c)	general industrial uses			•	•	•	•	•
(d)	heavy industrial uses				•			

Uses Permitted		In Zone						
		M1	M2	M3	M4	M5	M6	M7
(e)	transport uses, including				•	•		
	(i) a <i>transport terminal</i> ;							
	(ii) a cartage company;							
	(iii) a <i>builder's yard</i> or <i>contractor's yard</i> ;							
	(iv) an establishment for the lease or rental of motor vehicles and/or <i>trailers</i> and <i>transport trailers</i> ;							
	(v) a transport driver training school;							
	(vi) a <i>transportation depot</i>							
	(vii) sales and service of <i>transport trailers</i>							
(f)	an <i>asphalt</i> or <i>concrete batching plant</i>						•	
(g)	a <i>junk yard</i> , <i>salvage yard</i> or <i>wrecker's yard</i>							•
(h)	an <i>impounding yard</i>				•	•	•	•
(i)	a <i>public storage unit</i>			•	•	•	•	•
(j)	a factory sales outlet in accordance with section 3.4.1.1	•	•	•	•	•	•	•
(k)	offices in accordance with section 3.4.1.2	•	•	•	•	•	•	•
(l)	a <i>day nursery</i> or <i>day care centre</i>	•	•	•	•	•	•	•
(m)	a use permitted in all industrial zones in accordance with section 2.1.1	•	•	•	•	•	•	•
(n)	an <i>accessory use</i> , <i>building</i> or <i>structure</i>	•	•	•	•	•	•	•

2. Site Development Specifications

		Zone		
		M1	M2 & M3	All Other M-Class Zones
(a)	minimum <i>lot frontage</i> (metres)	50	15	15
(b)	minimum <i>lot area</i> (square metres)	5000	450	450
(c)	minimum <i>front yard</i>	in accordance with section 3.4.1.7		
(d)	minimum <i>interior side yard</i> (metres)	5	3.5	3.5
(e)	minimum <i>exterior side yard</i>	in accordance with section 3.4.1.7		
(f)	minimum <i>side yard</i> abutting a residential use class zone (metres) (see section 2.4)	7.5	7.5	14
(g)	minimum <i>rear yard</i> (metres)	7.5	3.5	3.5
(h)	minimum <i>rear yard</i> abutting a residential use class zone (metres) (see section 2.4)	7.5	7.5	14
(i)	minimum <i>side or rear yard</i> abutting Highway 401 (metres)	14	14	14
(j)	minimum <i>side or rear yard</i> abutting a railway line or spur (metres)	nil	nil	nil
(k)	planting strips and fencing	in accordance with section 2.4		
(l)	propane storage, transfer or dispensing facilities	in accordance with section 2.5		

3.5 Open Space Zones

3.5.1 Regulations Applicable in OS-Class Zones

In an OS-class zone, no land shall be used and no building or structure shall be erected or used except in accordance with the provisions of sections 1 and 2 of this by-law and the following regulations:

1. Permitted Uses

Uses Permitted (see also section 2.1.8)		In Zone			
		OS1	OS2	OS3	OS4
(a)	a <i>conservation area</i> of the Grand River Conservation Authority	•			
(b)	an environmentally sensitive policy area designated by the Regional Municipality of Waterloo	•			
(c)	an <i>environmentally significant area</i>	•			
(d)	a woodlot or reforestation site	•			
(e)	a wildlife sanctuary	•			
(f)	flood control or storm water management facilities approved by the Grand River Conservation Authority	•			
(g)	<i>farming</i>	•			
(h)	a major public or private non-commercial multi-purpose sports or recreation facility		•		
(i)	zoological or botanical gardens		•		
(j)	a golf course, <u>but not</u> a <i>miniature commercial golf course</i> or commercial golf ball driving range		•		
(k)	a <i>day nursery</i> or <i>day care centre</i>		•		
(l)	a fairgrounds		•		
(m)	a cemetery			•	
(n)	a mausoleum or necropolis			•	
(o)	a crematorium			•	
(p)	a place of worship or meditation			•	
(q)	an arboretum	•	•	•	

Uses Permitted (see also section 2.1.8)		In Zone			
		OS1	OS2	OS3	OS4
(r)	a public neighbourhood or community playground, playing field or recreational facility		•		•
(s)	a use permitted in any zone in accordance with section 2.1.1	•	•	•	•
(t)	an <i>accessory use, building or structure</i>	•	•	•	•

2. Site Development Specifications

The site development specifications prescribed in section 3.2.1.2 of this by-law for development in N-class zones shall apply also to development in any open space zone.

3. Golf Course Clubhouses

For the purpose of section 3.5.1.1(j) of this by-law, a clubhouse, with or without public meeting rooms, a curling rink or other athletic or physical fitness facilities, may also be erected or located on lands in an OS2 zone as a *use accessory* to a golf course, and one *food services establishment* and/or one outfitter's establishment for the retail sale of golfing and other non-motorized athletic equipment, with the exception of motorized golf carts, may be provided within such clubhouse for the convenience of users of the golf course.

3.6 Agricultural Use Class Zones

3.6.1 Regulations Applicable in A-Class Zones

In an A1 zone, no lands shall be used and no building or structure shall be erected, located or used except in accordance with the provisions of sections 1 and 2 of this by-law and the following regulations:

1. Permitted Uses

- (a) *farming*, provided, however, that no lands shall be used for the purpose of sod farming unless specific provision is made therefor in section 4.1.51 of this by-law;
- (b) facilities for the sorting, grading, packaging, wholesale distribution and sale of *farm* products grown or raised on the property, including a roadside stand, but does not include the sale at wholesale or retail of products which are not grown or raised on the property;
- (c) a *detached one-family farm-related dwelling*;
- (d) a *day nursery* or *day care centre*;
- (e) a *class 2 group home* which is not located within 200 m of an existing *class 1, class 2, class 3 or class 4 group home*;
- (f) a riding stable with or without facilities for boarding or training horses (see section 3.3.1.5);
- (g) a *kennel* (see section 3.3.1.5);
- (h) a use permitted in all zones in accordance with section 2.1.1;
- (i) an *accessory use, building or structure*.

2. Site Development Specifications

(a)	minimum <i>lot frontage</i> :	150 m
(b)	minimum <i>lot area</i> :	40 ha
(c)	minimum <i>front yard</i> :	6 m
(d)	minimum <i>rear yard</i> :	3 m
(e)	minimum <i>interior side yard</i> :	3 m
(f)	minimum <i>exterior side yard</i> :	6 m
(g)	maximum <i>building height</i> :	in accordance with s. 2.1.10

3.6.2 Explanation of Minimum *Lot Area* of a *Farm*

In determining the minimum *lot area* of a *farm* for the purposes of section 3.6.1.2(b), the area of all lands zoned or proposed to be zoned as an A1 zone, together with the area of any lands zoned as an OS1 zone adjacent to such lands and held in the same ownership, shall be included.

3.6.3 Commercial Motor Vehicles

No bus or commercial motor vehicle exceeding 5600 kg gross vehicle weight, and no commercial *trailer* or *transport trailer*, shall be parked or stored in any agricultural use class zone except where specific provision has been made in Section 4 of this by-law; provided, however, that the resident of a *dwelling* on a *lot* in a agricultural use class zone may use a wholly enclosed private garage located on such *lot* to park or store not more than one bus or commercial motor vehicle having a gross vehicle weight exceeding 5600 kg or commercial *trailer* or *transport trailer* if such resident is also the operator of such bus, commercial motor vehicle, commercial *trailer* or *transport trailer*.

3.7 Universities and Colleges Use Class Zone

3.7.1 Regulations Applicable in UC-Class Zones

In a UC zone, no lands shall be used and no building or structure shall be erected, located, or used except in accordance with the provisions of sections 1 and 2 of this by-law and the following regulations:

1. Permitted Uses

- (a) University or College;
- (b) *Accessory uses* may include:
 - (i) offices associated with a permitted use;
 - (ii) place of worship;
 - (iii) *day nursery*;
 - (iv) health clinic and pharmacy;
 - (v) library;
 - (vi) recreational building;
 - (vii) stadium;
 - (viii) supervised residences;
 - (ix) eat-in restaurant or cafeteria;
 - (x) financial institution;
 - (xi) retail store;
 - (xii) personal service establishment;
 - (xiii) research laboratory;
 - (xiv) any use related to the operation of a university or college.

2. Site Development Specifications

(a)	maximum <i>lot coverage</i>	50% of lot area
(b)	maximum <i>building height</i>	40 m
(c)	minimum <i>front yard</i> and <i>exterior side yard</i>	6 m
(d)	minimum <i>interior side yard</i> and <i>rear yard</i>	6 m or half of <i>building height</i> ; whichever is greater
(e)	minimum <i>yard</i> from Highway 401	14 m
(f)	minimum <i>landscaped open space</i>	25% of <i>lot area</i>
(g)	minimum required off-street parking spaces	1 parking space per 5 students, notwithstanding section 2.2.1.3(h)
(h)	minimum required off-street loading spaces	1 loading space per building over 14,000 m ² gross floor area, notwithstanding section 2.3
(i)	planting strips and fencing	in accordance with section 2.4

(By-law 157-09)

Section **4** Site-Specific Exceptions

4 Site-Specific Exceptions

4.1 General Exceptions

4.1.1 Devan Properties Limited

1. In addition to the provisions of section 3.3.3.3(b) of this by-law, the lands in that CS1 zone to which parenthetical reference to “(s. 4.1.1)” is made on Zoning Map G10 and G11 attached to and forming part of this by-law may be used for a food store containing a maximum of 7,432 m² *gross leasable retail commercial floor area*.
2. The lands in that CS1 zone, to which parenthetical reference to “(s. 4.1.1)” is made on Zoning Maps G10 and G11 attached to and forming part of this by-law and to be used for a food store, may be held in separate ownership subject to the following regulations:
 - (a) the maximum permitted *gross leasable retail commercial floor area* for the food store use shall be 7,432 m²;
 - (b) the food store shall be exempt from the provisions of section 3.3.3.3(a) of this by-law; and
 - (c) each separate parcel shall comply with all the other relevant requirements of the by-law except (a) above.
3. Notwithstanding the provisions of sections 2.2.3.2 and 2.2.3.6 of this by-law, the lands in the CS1 zone to which parenthetical reference to “(s. 4.1.1)” is made on Zoning Maps G10 and G11 attached to and forming part of this by-law, and the following regulation shall apply in its stead:
 - (a) stall width: 2.7 m.

(By-law 151-97).

4.1.2 Toyota Motor Corporation

1. Notwithstanding the provisions of sections 2.2.1.4(e), 3.4.2.2(a), 3.4.2.2(o) and 3.4.3.1(c) of this by-law:
 - (a) an area equivalent to at least 5% of the lands in that M3 zone to which parenthetical reference to “(s. 4.1.2.1)” is made on Zoning Maps C6, C7, D6 and D7 attached to and forming part of this by-law shall be reserved as a *parking lot* and shall be provided

in addition to any lands or *parking lot* used or reserved for the purpose of storing heavy vehicles, equipment, machinery or stock;

- (b) employee training and recreation facilities and sleeping and cooking facilities for occasional use by employees may be provided on the lands referred to in clause (a) of this subsection.

2. Notwithstanding the provisions of sections 2.2.2.3(a), 3.4.2.2(a), 3.4.2.2(o) and 3.4.3.1(c) of this by-law:

- (a) all or any part of the parking required by section 2.2.1.4(e) for those lands in that M3 zone to which parenthetical reference to “(s. 4.1.2.2)” is made on Zoning Maps D6, D7, E6 and E7 attached to and forming part of this by-law may be provided on the lands referred to in section 4.1.2.1(a) where a *grade-separated* pedestrian access has been provided between such lands and the lands herein described;

- (b) employee training and recreation facilities and sleeping and cooking facilities for occasional use by employees may be provided on the lands referred to in clause (a) of this subsection.

3. Notwithstanding the provisions of section 3.4.3.2 of this by-law, no building or structure shall be erected, located or used closer than 30 m:

- (a) to the southerly limit of the lands in that M3 zone to which parenthetical reference to “(s. 4.1.2.1)” is made on Zoning Map D7 attached to and forming part of this by-law where such lands lie to the east of the projection northerly of the easterly limit of the lands referred to in clause (b) of this subsection;

- (b) to the easterly limit of the lands in that M3 zone to which parenthetical reference to “(s. 4.1.2.2)” is made on Zoning Maps D7 and E7 attached to and forming part of this by-law.

4.1.3 Propane Sale in C4 Zones

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in those C4 zones to which parenthetical reference to “(s. 4.1.3)” is made on Zoning Maps F10 and G10 attached to and forming part of this by-law, may also continue to be used for the retail sale of propane fuel.

4.1.4 Highland Business Park Inc., Hespeler Road

Notwithstanding the provisions of sections 2.2.1.2(b)(iii)(7) and (10) of this by-law, the minimum off-street parking required to be provided for a roller skating rink and *miniature golf course* located

on the lands in the C4 zone to which parenthetical reference is made to “(s. 4.1.4)” on Zoning Map F10 attached to and forming part of this by-law shall be as follows:

1. For a roller skating rink, 1 parking space shall be provided for every 6 chairs or fixed seats or 4.0 m of bench space, or 1 space for every 10 persons of building capacity as determined by Table 3.1.14.A of the *Building Code*, whichever is greater;
2. For a *miniature golf course*, 1 parking space shall be provided per hole.

4.1.5 Simon Poladian, Eagle Street

Notwithstanding the provisions of sections 3.3.3.1(ix) and 3.4.2.2(a) of this by-law, the lands in that C4C5 zone to which parenthetical reference to “(s. 4.1.5)” is made on Zoning Map F10 attached to and forming part of this by-law may also be used for the purposes of an *impounding yard*.

4.1.6 Hay Crescent

Notwithstanding the provisions of section 3.1.2.2(g) of this by-law, the minimum *rear yard* setback between the exterior wall of any *habitable room* in a *dwelling* and the road allowance of Myers Road in that R5 and R6 zones to which parenthetical reference to “(s. 4.1.6)” is made on Zoning Map M12 attached to and forming part of this by-law shall be 11.0 m. (By-law 64-01)

4.1.7 Courtesy Delivery Cambridge Ltd., Industrial Road

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M5 zone to which parenthetical reference to “(s. 4.1.7)” is made on Zoning Map G10 attached to and forming part of this by-law may also be used for the purposes of renting or leasing transport vehicles and equipment and builders’ or contractors’ vehicles and equipment.

4.1.8 Industrial Road

Notwithstanding the provisions of section 3.4.3.1 of this by-law, none of the lands in that M2 zone comprising part of Block A, Registered Plan 1338 to which parenthetical reference to “(s. 4.1.8)” is made on Zoning Map G10 attached to and forming part of this by-law shall be used for the purposes of a trade shop, an *auto body repair shop* or a *motor vehicle repair shop*; provided, however, that the northerly 41.76 m of the southerly 87.48 m of the aforesaid area may be used for the purposes of a machine shop.

4.1.9 Northwest Corner of Queenston Road and Dolph Street

Notwithstanding the provisions of sections 2.2.1.1(d), 2.2.2.3(b), 3.1.1.4 and 3.1.2.4(b), (c), (d), (e) and (j) of this by-law, the following regulations shall apply to the lands in that RM2 zone to which parenthetical reference to “(s. 4.1.9)” is made on Zoning Maps F7 and G7 attached to and forming part of this by-law:

1. Minimum number of parking spaces: 22;
2. Minimum setback of parking stalls appurtenant to Dolph Street *exterior side yard*: 2.5 m;
3. Minimum *landscaped open space*: 483 m²;
4. Maximum number of residential units: 22;
5. Minimum setback appurtenant to Queenston Road: 0.8 m;
6. Minimum setback appurtenant to Dolph Street: nil;
7. Minimum *interior side yard*: 4.45 m. (By-law 16-88).

4.1.10 Bishop Gate Developments Ltd., 425 Hespeler Road

Notwithstanding the provisions of section 3.3.3.2(f)(i) of this by-law, the lands in that C4 zone to which parenthetical reference to “(s. 4.1.10)” is made on Zoning Map G10 attached to and forming part of this by-law, the *exterior side yard* setback of 1.55 m for the building thereto, which existed on February 13, 1997, shall be deemed to comply and the site development specifications prescribed in the C4 zone shall apply to the extension, enlargement or addition to such building. (By-law 89-97).

4.1.11 [Deleted through By-law 6-11]

4.1.12 Purolator Courier Ltd., Pinebush Road

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M1 zone to which parenthetical reference to “(s. 4.1.12)” is made on Zoning Maps E12 and F12 attached to and forming part of this by-law may also continue to be used for the purposes of a courier or delivery service.

4.1.13 Schiedel Construction Inc., Queen Street West

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.13)” is made on Zoning Map D11 attached to and forming part of this by-law may also continue to be used for the purposes of business and professional offices.

4.1.14 Vincent Farm Equipment Ltd., Main Street East

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M2 zone to which parenthetical reference to “(s. 4.1.14)” is made on Zoning Maps K12 and L12 attached to and forming part of this by-law may also continue to be used for the purposes of farm and garden equipment sales and service.

4.1.15 Cambridge Auto Parts & Wreckers Ltd. et al, Main Street East

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M7 zone to which parenthetical reference to “(s. 4.1.15)” is made on Zoning Map L15 attached to and forming part of this by-law may be used for the purposes of a *junk yard* and/or *salvage yard* and/or *wrecker's yard*.

4.1.16 Grand River Cable T.V., Speedsville Road

Notwithstanding the provisions of sections 3.4.3.1 and 3.4.3.2 of this by-law, the lands in the M6 zone to which parenthetical reference to “(s. 4.1.16)” is made on Zoning Map D8 attached to and forming part of this by-law may also continue to be used for the purposes of a television communications tower and antennae and *accessory* buildings or structures to house service equipment, subject to the following regulations:

1. Maximum height of tower and antennae: 27.5 m;
2. Minimum setback from Ontario Hydro right-of-way: 30.5 m;
3. Minimum setback from any *street line*: 18.0 m.

4.1.17 Arriscraft Corporation, Speedsville Road

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that (E)M6 zone to which parenthetical reference to “(s. 4.1.17)” is made on Zoning Maps D8, D9, E8 and E9 attached to and forming part of this by-law may also continue to be used for the manufacture

of bricks, tiles or clay products, for the manufacture, sawing and finishing of stone and stone products and for the sawing and finishing of quarry stone and quarry stone products.

4.1.18 Pine and Oak Shop, 434 Beaverdale Road

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.18)” is made on Zoning Map E10 attached to and forming part of this by-law may also be used for the retail sale of furniture. (By-law 212-99)

4.1.19 Shaver Poultry Breeding Farms Ltd., Franklin Boulevard

Notwithstanding the provisions of sections 2.1.2.3 and 3.4.3.1 of this by-law, the lands in that M4 zone to which parenthetical reference to “(s. 4.1.19)” is made on Zoning Maps J12 and K12 attached to and forming part of this by-law may also continue to be used for the hatching, sale and shipping of chicks.

4.1.20 Chrisview Custom Homes Ltd., Myers Road @ Water Street South

1. Notwithstanding the provisions of section 3.3.1.3, 3.3.3.3(d), 2.2.1.3(a) and 3.2.1.1(e) of this by-law, the following regulations shall apply to the lands in the CS5 zone to which parenthetical reference to “(s. 4.1.20.1)” is made on Zoning Maps M9 and M10 attached to and forming part of this by-law:
 - (a) No *dwelling units* shall be permitted;
 - (b) Maximum *gross leasable commercial floor area* is 2,250 m²;
 - (c) The minimum required number of parking spaces for a place of worship shall be calculated at a ratio of 1 space per 3 chairs or fixed seats or 2.0 m of pew length provided in the sanctuary;
 - (d) A day nursery or daycare centre will only be permitted if the following are submitted and approved by the Region of Waterloo:
 - (i) A road traffic noise study; and,
 - (ii) An odour impact study. (By-law 152-08)
2. Notwithstanding the provisions of section 3.3.3.3(d) of this by-law, the following regulation shall apply to the lands in the CS5 zone to which parenthetical reference to “(s. 4.1.20.2)” is made on Zoning Maps M9 and M10 attached to and forming part of this by-law:

- (a) Maximum *gross leasable commercial floor area* is 250 m².
3. Notwithstanding the provisions of section 3.1.2.2(g) of this by-law, the minimum *rear yard* of the lands in those R5 and R6 zones to which parenthetical reference to “(s. 4.1.20.3)” is made on Zoning Map M9 attached to and forming part of this by-law shall be 17 metres.
4. Notwithstanding the provisions of section 3.1.2.2(g) of this by-law, the minimum *rear yard* of the lands in R6 zone to which parenthetical reference to “(s. 4.1.20.4)” is made on Zoning Map M9 attached to and forming part of this by-law shall be 9 metres.
5. Notwithstanding the provisions of section 3.1.2.1(a) of this by-law, the lands in that RS1 zone to which parenthetical reference to “(s. 4.1.20.5)” is made on Zoning Map M9 attached to and forming part of this by-law may only be used for *semi-detached one-family dwellings*.
6. Notwithstanding the provisions of section 3.1.2.1(a) of this by-law, the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.20.6)” is made on Zoning Map M9 attached to and forming part of this by-law may only be used for *attached one-family dwellings (linear row houses)*. (By-law 113-08)

4.1.21 Bingo Hall, 255 Elgin Street North

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the following uses may be in that M3 zone to which parenthetical reference to “(s. 4.1.21)” is made on Zoning Map J11 attached to and forming part of this by-law:

- restaurant;
- a “Rent-All” establishment;
- places of amusement;
- beauty salon/barber shop;
- home brewing;
- electronic repair & service;
- laundromat & dry-cleaning;
- business & professional offices;
- office equipment sales & service;
- custom signs;
- courier or delivery service;
- fitness club/health centre;
- security or janitorial service;
- mini golf pro supplier;
- funeral home;
- bank, trust companies or credit unions;
- a commercial school or studio;
- picture framing sales & service;

- home improvement sales & service;
- a photocopying establishment;
- printing and/or publishing establishment;
- small equipment ware & business machines, sales & services;
- establishment providing instructions in the arts or crafts/craftsperson's shop;
- veterinary offices and grooming and boarding of household pets;
- sales and warehousing of automotive parts and equipment parts;
- landscaping and garden centre sales & service;
- establishments for the instruction, development, application or use of computer-based technologies and related services;
- automotive sound systems service and installation;
- retail store in which not more than 300 m² of gross leasable commercial floor area is provided. (By-law 218-97)
- an office supply establishment;
- electrical/plumbing sales & service;
- pool supply sales, service & installation;

4.1.22 [Deleted] (By-law 17-09)

4.1.23 CJOY, Kossuth Road

Notwithstanding the provisions of section 3.6.3.1 of this by-law, the lands in that A1 zone to which parenthetical reference to “(s. 4.1.23)” is made on Zoning Map A14 attached to and forming part of this by-law may also continue to be used for the purposes of radio broadcast transmission facilities.

4.1.24 Commercial Uses in *Existing* Industrial Buildings

1. Notwithstanding the provisions of sections 2.2.1 and 3.4.3 of this by-law, a maximum of 1580 m² *gross leasable commercial floor area* in the *existing* buildings on those lands described as Part 9, Plan 67R-2198 and located in that M3 zone to which parenthetical reference to “(s. 4.1.24.1)” is made on Zoning Maps D11 and D12 attached to and forming part of this by-law may be used for the retail sale of products not manufactured on the premises, and the

provisions of section 2.2.1 shall not apply to such lands provided that a minimum of 54 off-street parking spaces are provided thereon. (Waterloo Textiles, 215 Queen Street West);

2. (Repealed by By-law 163-88).

4.1.25 Gil-Paul Leasing Ltd., Fountain Street

Notwithstanding the provisions of section 3.4 of this by-law, the lands in that M5 zone to which parenthetical reference to “(s. 4.1.25)” is made on Zoning Map B6 attached to and forming part of this by-law may be used only for the purpose of truck leasing or a similar truck transport use.

4.1.26 Coronation Boulevard

Notwithstanding the provisions of section 3.1.2.2(d) of this by-law, the minimum *front yard* of a *dwelling* located on a *lot* in that R3 zone to which parenthetical reference to “(s. 4.1.26)” is made on Zoning Map H9 attached to and forming part of this by-law and more particularly shown on Special Area Zoning Map Z-2 shall be as follows:

Lot 1 23 m

Lot 2 20 m

Lot 3 17 m

Lot 4 14 m

Lot 5 10 m

4.1.27 Performance Cycle, Beaverdale Road

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.27)” is made on Zoning Map B10 attached to and forming part of this by-law may also continue to be used for the sale and servicing of motorcycles.

4.1.28 Casselman's Welding, 1000 Speedsville Road

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in that R1 zone to which parenthetical reference to “(s. 4.1.28)” is made on Zoning Map D8 attached to and forming part of this by-law may also continue to be used for the following purposes subject to the regulations prescribed in sections 2.2, 2.4 and 3.4.1.4 of this by-law as they apply to the

provisions of *parking facilities*, planting strips and fencing, and the location and screening of outdoor storage areas, in an industrial zone:

1. A welding and metal fabrication business occupying a maximum *gross floor area* of 225 m²;
2. The welding repair of agricultural and industrial machinery;
3. The storage and operation of a mobile welding motor vehicle;
4. The preparation and painting of parts, assemblies and equipment associated with the welding, metal fabrication and repair operation.

4.1.29 Private Non-Profit Educational, Correctional, Religious, Social or Fraternal Clubs or Institutions

1. Soccer Club, Fountain Street

Notwithstanding the provisions of section 3.6.1 of this by-law, the lands in that A1 zone to which parenthetical reference to “(s. 4.1.29.1)” is made on Zoning Maps B6 and B7 attached to and forming part of this by-law may also be used for the purposes of a non-profit educational, social or fraternal institution and related recreational facilities, subject to the following regulations:

- (a) minimum *lot frontage*: 9 m;
- (b) minimum *lot area*: 10 ha;
- (c) minimum *front yard*: 18 m;
- (d) minimum *side yards*: 7.5 m;
- (e) minimum *rear yard*: 7.5 m;
- (f) maximum *coverage*: 15% of *lot area*;
- (g) maximum *building height*: in accordance with s. 2.1.10;

2. Knights of Columbus, Speedsville Road

Notwithstanding the provisions of section 3.5.1 of this by-law, the lands in that OS1 zone to which parenthetical reference to “(s. 4.1.29.2)” is made on Zoning Maps E8 and E9 attached to and forming part of this by-law may also continue to be used for the purpose of a non-profit educational, religious, social or fraternal institution and related recreational uses;

3. National Association of Kinsmen's Clubs Headquarters, Riverside Park

Notwithstanding the provisions of section 3.5.1 of this by-law, the lands in that OS1 zone to which parenthetical reference to “(s. 4.1.29.3)” is made on Zoning Map E7 attached to and forming part of this by-law may also continue to be used for the purpose of a non-profit educational, social or fraternal institution and related recreational uses;

4. Aurora Lodge Sons of Italy, Townline Road

Notwithstanding the provisions of section 3.5.1 of this by-law, the lands in that OS1 zone to which parenthetical reference to “(s. 4.1.29.4)” is made on Zoning Maps G14 and G15 attached to and forming part of this by-law may also be used for the purposes of a non-profit educational, social or fraternal institution and related recreational uses; provided, however, that no addition or extension to the *existing* buildings, structures or facilities on such lands shall be made except in accordance with sections 2 and 3.2.1.2 of this by-law, and permission therefor has been given by the Grand River Conservation Authority pursuant to the Conservation Authorities Act and regulations made thereunder;

5. Portuguese Paradise, Townline Road

Notwithstanding the provisions of section 3.5.1 of this by-law, the lands in that OS1 zone to which parenthetical reference to “(s. 4.1.29.5)” is made on Zoning Maps G14 and G15 attached to and forming part of this by-law may also be used for the purposes of a non-profit educational, social or fraternal institution and related recreational uses; provided, however, that no addition or extension to the *existing* buildings, structures or facilities on such lands shall be made except in accordance with sections 2 and 3.2.1.2 of this by-law, and permission therefor has been given by the Grand River Conservation Authority pursuant to the Conservation Authorities Act and regulations made thereunder.

4.1.30 Industrial Uses in CS5 Zones

Notwithstanding the provisions of section 3.3.3.1, uses permitted by this by-law in an M2 zone may also be provided in a *local shopping centre* in the following locations:

1. In that CS5C5 zone to which parenthetical reference to “(s. 4.1.30.1)” is made on Zoning Map L12 attached to and forming part of this by-law (southeast corner of Franklin Boulevard and Dundas Street);
2. In that CS5C5 zone to which parenthetical reference to “(s. 4.1.30.2)” is made on Zoning Maps H12 and J12 attached to and forming part of this by-law (southwest corner of Franklin Boulevard and Avenue Road).

4.1.31 Deli Welding & Steam Fitting, Beaverdale Road

Notwithstanding the provisions of section 3.1 of this by-law, the lands in that RR2 zone to which parenthetical reference to “(s. 4.1.31)” is made on Zoning Map A11 attached to and forming part of this by-law may also continue to be used for the purposes of a welding shop and light metal fabrication.

4.1.32 Blair Machine & Welding, Old Mill Road

Notwithstanding the provisions of section 3.3.3.1 of this by-law, the lands in that C2 zone to which parenthetical reference to “(s. 4.1.32)” is made on Zoning Map G4 attached to and forming part of this by-law may also be used for the purposes of a machine and welding shop.

4.1.33 95 Shade Street

The provisions of section 3.1.2.5 of this by-law shall not apply to a *cluster row house* development on those lands to which parenthetical reference to “(s. 4.1.33)” is made on Zoning Map K11 attached to and forming part of this by-law, and the following site development specifications shall apply thereto in their stead:

Minimum *lot frontage*: 15.0 m;

Minimum *lot area*: 371.5 m² (123.8 m²/*dwelling unit*);

Minimum *front yard*: 6.0 m;

Minimum *side yards*: 1.2 m, plus 0.5 m for each *storey* above one;

Minimum *rear yard*: 9.0 m;

Maximum *lot coverage*: 40%;

Minimum floor area/*dwelling unit*: 55.5 m²;

Minimum *private amenity area/dwelling unit*: nil;

Minimum *landscaped open space*: nil;

Minimum planting strip next to 1- and 2-family zones: 3.0 m.

4.1.34 Southwest Corner of Shepherd Avenue and Bechtel Street

Notwithstanding the provisions of section 3.3.3.1 of this by-law, the lands in that C3 zone to which parenthetical reference to “(s. 4.1.34)” is made on Zoning Maps D11 and E11 attached to and forming part of this by-law may also continue to be used for business and professional offices.

4.1.35 E. D. Wright Construction, Main Street East

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M2 zone to which parenthetical reference to “(s. 4.1.35)” is made on Zoning Maps K12 and L12 attached to and forming part of this by-law may also be used for the purposes of a *builder's* or *contractor's yard*.

4.1.36 47-49 Cedar Street

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands to which parenthetical reference to “(s. 4.1.36)” is made on Zoning Map K9 attached to and forming part of this by-law may also continue to be used for uses permitted by this by-law in an M2 zone.

4.1.37 201 Hespeler Road

Notwithstanding the provisions of section 3.3.3.2(a) of this by-law, the minimum *lot frontage* of that parcel of land to which parenthetical reference to “(s. 4.1.37)” is made on Zoning Map H10 attached to and forming part of this by-law shall be 35.1 m.

4.1.38 Racine Lands on Blenheim Road

Notwithstanding the provisions of section 3.1.2.2(a) of this by-law, the minimum *frontage* required for that *lot* in the R2 zone to which parenthetical reference to “(s. 4.1.38)” is made on Zoning Maps J8 and K8 attached to and forming part of this by-law shall be 7.21 m.

4.1.39 Preston Parkway Hotel

Notwithstanding the provisions of section 3.3.3 of this by-law, the lands in that C2 zone to which parenthetical reference to “(s. 4.1.39)” is made on Zoning Maps E5 and F5 attached to and forming part of this by-law may be used only for the purposes of a *hotel*.

4.1.40 Cedar Street - Tiger Brand Knitting Company Ltd.

Notwithstanding the provisions of sections 2.2.2.3(c), 2.4.2 and 3.1.2.1 of this by-law, the following regulations shall also apply to the site located on the south side of Cedar Street between Richardson Street and Grand Avenue South, legally described as Part Lots 1 and 2, east of Richardson Street, Part of Lot 2, east side of Richardson Street and Part of Lots 1, 2 and 3, west of Grand Avenue:

1. the site may also be used for a *parking lot* for the use located at the northwest corner of Cedar Street and Grand Avenue South;
2. a minimum 1.8 m high solid fence shall be installed along the south property line and along Richardson Street in accordance with the Fence By-law;
3. a 1.5 m width planting strip shall be provided along the south property line and along Richardson Street;
4. the minimum setback of *parking facilities* from Richardson Street may be reduced to 1.5 m;
5. transport trucks and commercial vehicles are prohibited.

(By-law 45-98)

4.1.41 Culp Investments, Shepherd Avenue

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.41)” is made on Zoning Maps D11 and E11 attached to and forming part of this by-law may also be used for the purposes of a *car wash*.

4.1.42 Dundas Auto Body Shop, Dundas Street

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in that R4 zone to which parenthetical reference to “(s. 4.1.42)” is made on Zoning Map L12 attached to and forming part of this by-law may also continue to be used for the purpose of an *auto body repair shop*.

4.1.43 E. M. Coleman Ltd., Dundas Street

Notwithstanding the provisions of section 3.3.3.1 of this by-law, the lands in that C2 zone to which parenthetical reference to “(s. 4.1.43)” is made on Zoning Map L12 attached to and

forming part of this by-law may also continue to be used for the purposes of a milk transport depot.

4.1.44 Ontario Land Corporation - Fountain Street North and Royal Oak Road

Notwithstanding the provisions of section 3.4.1.4 of this by-law, the following regulations shall apply to the lands in that M3 zone to which parenthetical reference to “(s. 4.1.44)” is made on Zoning Map E6 attached to and forming part of this by-law:

1. All outside storage areas must be located behind the front building and be screened from view from Royal Oak Road. (By-law 141-97)

4.1.45 Society of St. Vincent de Paul, 740 William Street

Notwithstanding the provisions of section 3.2.1 of this by-law, the lands in that N1 zone to which parenthetical reference to “(s. 4.1.45)” is made on Zoning Map F7 attached to and forming part of this by-law may be used for the purpose of a charitable sales outlet for used clothing and household goods. (By-law 58-97)

4.1.46 395855 Ontario Limited (Dan Nudyk)

Notwithstanding the provisions of sections 2.2.2.3(a), 3.5.1.1 and 3.6.1.1 of this by-law, the following uses shall be permitted and the following regulations shall apply in that A1 and OS1 zone to which parenthetical reference to “(s. 4.1.46)” is made on Zoning Maps C3, C4, D4 and D5 attached to and forming part of this by-law:

1. A golf driving range, a *miniature golf course*, an executive golf course, a 9 hole golf course and associated uses shall be permitted in the A1 zone;
2. The *access driveway* shall be from King Street in the City of Kitchener in a different zone than the uses proposed;
3. No *lot frontage* shall be required provided a 9.14 m access is provided on King Street in the City of Kitchener;
4. Notwithstanding section 4.1.46.1 golf tee off areas shall be permitted in the OS1 zone of the storm water management facility at or above the 301.1 m elevation only.

(By-law 149-97)

4.1.47 Henning's Drive-In Restaurant, 230 Clyde Road

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in that RM3 zone to which parenthetical reference to “(s. 4.1.47)” is made on Zoning Map J12 attached to and forming part of this by-law may also continue to be used for the purposes of a *food services establishment*.

4.1.48 19 Lowrey Avenue North (Lot 6, Block E, Plan 488)

Notwithstanding the provisions of sections 3.1.2.2(a) and (b) of this by-law, the minimum *lot frontage* and minimum *lot area* of a *lot* in that R4 zone to which parenthetical reference to “(s. 4.1.48)” is made on Zoning Map K11 attached to and forming part of this by-law shall be as follows:

Minimum *lot frontage*: 9.14 m;

Minimum *lot area*: 300 m².

4.1.49 139 Queen Street West

Notwithstanding sections 2.4.2.3(d) and 2.4.2.2, a 1.5 m high solid wood fence shall separate the *parking facilities* from the landscaped strip along the westerly *interior side lot line* and no continuous concrete, brick or wooden barrier or curb shall be required along the westerly *interior side lot line*. (By-law 13-93)

4.1.50 Northwest Corner of East Street and Close Avenue

Notwithstanding the provisions of section 3.1.2.5(e), the minimum *interior side yard* of a building located in that RM4 zone to which parenthetical reference to “(s. 4.1.50)” is made on Zoning Map L11 attached to and forming part of this by-law shall be 1.8 m.

4.1.51 Sod Farms

Notwithstanding the provisions of section 3.6.1.1(a) of this by-law, no land in an A1 or (E) A1 zone may be used for the purpose of sod farming except those lands to which parenthetical reference to “(s. 4.1.51)” is made on the general area zoning maps attached to and forming part of this by-law. (By-law 271-87)

4.1.52 Dunbar Road Special District (International Village)

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M2 zone to which parenthetical reference to “(s. 4.1.52)” is made on Zoning Maps G10 and G11 attached to and forming part of this by-law may also be used for the following purposes:

1. Buildings and facilities for the use of non-profit social, recreational, cultural or fraternal groups and organizations or institutions;
2. Public *parking facilities* for which a fee may be charged;
3. Privately operated or communal *parking facilities* for which a fee may be charged;
4. Stations and facilities for the provision of public and private transportation services;

And, notwithstanding the provisions of section 2.2.1 of this by-law, any off-street parking required for any use permitted by this by-law on the aforesaid lands may be located off-site but within 300 m of the building for which it is required, and a fee may be charged for the use of such *parking facilities*.

4.1.53 Lot 4, Plan 1385, Townline Road

Notwithstanding section 2.1.13.1 of this by-law, no *frontage* on a *public street* or *highway* shall be required for a *detached one-family dwelling* located on the lands in that OS1 zone to which parenthetical reference to “(s. 4.1.53)” is made on Zoning Maps G14 and G15 attached to and forming part of this by-law; provided, however, that:

1. Not more than one *detached one-family dwelling* shall be located, erected or used on such lands; and
2. A private *roadway* to Townline Road shall be provided to such lands and shall have a minimum width of 6 metres and continuous overhead clearance of 5 m, be designed to support the weight of fire fighting equipment and be surfaced with concrete, asphalt or other material capable of permitting the *roadway* to be used in all weather.

4.1.54 134 Concession Street (Lots 26 & 27, Plan 472)

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the ground floor of a *dwelling* located in that R4 zone to which parenthetical reference to “(s. 4.1.54)” is made on Zoning Map K11 attached to and forming part of this by-law may also continue to be used for the purpose of a professional office.

4.1.55 11-15 Bond Street (Lots 184 & 185, Plan 447)

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in that R4(CO) zone to which parenthetical reference to “(s. 4.1.55)” is made on Zoning Maps J10 and K10 attached to and forming part of this by-law may also be used for a purpose permitted in an RS1 zone or RM3 zone in accordance with the regulations prescribed therefor in sections 3.1.2.3, 3.1.2.4 and 3.1.2.5 of this by-law.

4.1.56 238 Main Street (Corner of Cathay Street)

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in that R4(CO) zone to which parenthetical reference to “(s. 4.1.56)” is made on Zoning Map K11 attached to and forming part of this by-law may also be used for a purpose permitted in an RS1 zone or RM3 zone in accordance with the regulations prescribed therefor in sections 3.1.2.3, 3.1.2.4 and 3.1.2.5 of this by-law.

4.1.57 17-19 Queen Street East

Notwithstanding the provisions of this by-law to the contrary, the commercial building located on part Lot 38, R.P. 544, and part Lot 4, R.P. 802, and in that C1RM2 zone to which parenthetical reference to “(s. 4.1.57)” is made on Zoning Map D13 attached to and forming part of this by-law may also be used for the purposes of a *rooming house* in which guest rooms may be provided in the upper *storeys*, at the rear only of the ground floor, and in the *cellar*; provided, however, that a total of not more than six guest rooms shall be provided on the ground floor and in the *cellar*, and that the front portion of the ground floor of the building shall be used only for a commercial purpose specified in sections 3.3.3.1(a), (b) and (c) of this by-law for the C1 zone.

4.1.58 69-85 Grand Avenue South

The regulations prescribed in sections 2.2.2.3(b) and (e), and 3.1.2.4(f), shall not apply in respect of an *apartment house* located in that (F)C1RM1 zone to which parenthetical reference to “(s. 4.1.58)” is made on Zoning Map K9 attached to and forming part of this by-law, and the following regulations shall apply in their stead:

1. No *parking lot* shall be provided closer than 2.4 m to the *street line*;
2. No *rear yard* shall be required.

4.1.59 680 Fountain Street North

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.59)” is made on Zoning Map E6 attached to and forming part of this by-law may also continue to be used for the purpose of a retail health food store, provided, however, that not more than 112 m² of *gross leasable commercial floor area* is used for such purpose.

4.1.60 1225 King Street East

Notwithstanding the definition of a *local shopping centre* provided in section 1.1.1 of this by-law and the regulations prescribed in sections 2.2.1.2(a), 3.3.1.3(c), 3.3.1.4, 3.3.3.1 and 3.3.3.3(c), (e) and (f), the lands in that CS5 zone to which parenthetical reference to “(s. 4.1.60)” is made on Zoning Map G8 attached to and forming part of this by-law may be used for the purposes of a *local shopping centre* subject to the following regulations:

1. At least two separate leasable commercial units shall be provided on the ground floor of the building and may be used for business and professional offices and/or a *hairdressing establishment*;
2. Not more than 150 m² of *gross leasable commercial floor area* shall be provided on the ground floor of the building;
3. A minimum *front yard* of 4 m may be provided;
4. A minimum westerly *side yard* of 6 m shall be provided;
5. A minimum easterly *side yard* of 4.5 m shall be provided;
6. A minimum of 25% of the *lot area* shall be provided and maintained as *landscaped open space*;
7. At least 12 off-street parking spaces shall be provided on-site;
8. No residential floor space shall be provided on the ground floor or in the *cellar* of the building;
9. All of the other provisions of this by-law applicable to the CS5 zone shall apply to the site. (By-law 142-97)

4.1.61 1324-1328 King Street East

Notwithstanding the definition of a *local shopping centre* provided in section 1.1.1 of this by-law and the regulations prescribed in sections 2.1.15.5, 2.2.1.2(a), 3.3.1.3(c), 3.3.1.4, 3.3.3.1 and 3.3.3.3(e) and (f), the lands in that CS5 zone to which parenthetical reference to “(s. 4.1.61)” is made on Zoning Map G8 attached to and forming part of this by-law may be used for the purposes of a *local shopping centre* subject to the following regulations:

1. At least two separate leasable commercial units shall be provided on the ground floor of the building and may be used for the purposes specified in sections 3.3.3.1(a) and (b) of this by-law for the CS5 zone;
2. A minimum *front yard* of 6 m shall be provided;
3. A minimum westerly *side yard* of 3 m shall be provided;
4. A minimum of 24% of the *lot area* shall be provided and maintained as *landscaped open space*;
5. At least 30 off-street parking spaces shall be provided on-site;
6. No residential floor space shall be provided on the ground floor or in the *cellar* of the building;
7. A minimum floor area of 44 m² shall be provided for each one- bedroom apartment unit;
8. The balcony of an apartment unit may encroach on the *front yard* by a maximum of 1.6 m;
9. All of the other provisions of this by-law applicable to the CS5 zone shall apply to the site.

4.1.62 Riverbend Place, Coronation Boulevard

Notwithstanding the provisions of sections 2.2.1, 2.2.2.3(b) and (e), 3.1.2.4(b), (c), (f) and (i) and 3.2.1.2(c), (d) and (h), the lands in that N2RM3 zone to which parenthetical reference to “(s. 4.1.62)” is made on Zoning Map H9 attached to and forming part of this by-law may be used for the purposes of a licensed nursing home, *domiciliary hostel* and *apartment house* in accordance with the following regulations:

1. Maximum number of nursing home beds: 113;
2. Maximum number of *domiciliary hostel* beds: 42;
3. Maximum number of apartment units: 55;
4. Minimum *front yard*: 5.6 m;

5. Minimum *rear yard*: nil;
6. Maximum *lot coverage*: 32% of *lot area*;
7. Maximum *building height*: 25 m;
8. At least 130 off-street parking spaces shall be provided on-site of which 104 spaces shall be provided initially, 13 additional spaces provided at such time as more than 53 beds are provided in the nursing home, and 13 more spaces when more than 87 beds are provided in the nursing home;
9. No *parking facilities* other than an *aisle* or *access driveway* shall be located closer than 1.0 m to the *street line* of Islandview Avenue nor 2.4 m to the *street line* of Coronation Boulevard;
10. No *access driveway*, *aisle*, parking stall or *parking lot* shall be located within 3.6 m of a window of a *habitable room* as measured perpendicular to the wall containing such window, where such *habitable room* is at *grade* or below *grade*;
11. Nothing in this by-law shall apply to prevent the construction of a passageway connecting buildings or structures on the aforesaid lands with buildings or structures on the adjoining lands of Cambridge Memorial Hospital;
12. All of the other provisions of this by-law as they affect the N2RM3 zone shall apply to the aforesaid lands.

4.1.63 Odin Melvaer, Old Mill Road (Part Lot 7, Beasley's Old Survey)

Notwithstanding sections 3.6.1.1(c) and 3.6.1.2(b) of this by-law, the minimum *lot area* of a *farm* located on the lands in that A1 zone to which parenthetical reference to "(s. 4.1.63)" is made on Zoning Map G2 attached to and forming part of this by-law shall be 3.35 ha, and no *dwelling unit* shall be erected, located or used thereon.

4.1.64 354 Dundas Street

Notwithstanding the provisions of sections 3.3.1.3 and 3.3.3.1 of this by-law, the lands in that C2 zone to which parenthetical reference to "(s. 4.1.64)" is made on Zoning Map J11 attached to and forming part of this by-law may be used for a purpose permitted by this by-law in a C2 zone only if the *dwelling existing* on the said lands on the day this by-law is passed continues to be occupied and used for residential purposes.

4.1.65 Country Club Estates (Cambridge) Ltd., Crawford Crescent and Whittaker Crescent

Notwithstanding the provisions of sections 3.1.2.3(a), (b) and (c) of this by-law, the following regulations shall apply to the lands in that RS1 zone to which parenthetical reference to “(s. 4.1.65)” is made on Zoning Maps G12 and G13 attached to and forming part of this by-law:

	One Attached Unit	Two Attached Units
• Minimum <i>Lot Frontage</i>		
Interior <i>Lot</i>	7.5 m	15 m
Corner <i>Lot</i>	12.5 m	20 m
• Minimum <i>Lot Area</i>	250 m ²	500 m ²

(By-law 79-97)

4.1.66 2500 Kossuth Road

Notwithstanding the provisions of sections 3.2.1.2(b), 3.5.1.1, 3.6.1.1 and 3.6.1.2(b) of this by-law, the following regulations and uses shall apply to the lands in that A1 and OS1 zone to which parenthetical reference to “(s. 4.1.66)” is made on Zoning Maps A7, A8, B7 and B8 attached to and forming part of this by-law:

1. The site may be used for a natural museum focusing on butterflies;
2. A tropical garden/rain forest conservatory, aviary and botanical gardens;
3. Related accessory uses including a restaurant, gift shop and lecture hall;
4. Maximum lot area: 13.26 ha; (By-law 89-98)
5. [Deleted]. (By-law 46-07) (By-law 85-11)

4.1.67 Country Club Estates (Cambridge) Ltd., Crawford Crescent, Whittaker Crescent, Hawkins Drive and Green Bank Drive

Notwithstanding the provisions of section 3.1.2.2(g) of this by-law, the minimum setback between the exterior wall of any *habitable room* in a *dwelling* and the road allowance of the Can-Amara Parkway in that R5 and R6 zone to which parenthetical reference to “(s. 4.1.67)” is made on Zoning Maps G12 and G13 attached to and forming part of this by-law shall be 20.9 m. (By-law 48-99)

4.1.68 837-855 King Street East and 852-858 Duke Street (Lots 5, 6 and 66, R.P. 521)

The following regulations of this by-law shall not apply to the lands in that C1RM2 zone to which parenthetical reference to “(s. 4.1.68)” is made on Zoning Map F7 attached to and forming part of this by-law:

1. Section 2.1.3.2, requiring residential setbacks for the residential component of a mixed use residential-commercial building;
2. Section 2.4.1.2, requiring a planting strip and fencing along the *lot line* of a residential-commercial use where it abuts an institutional use;
3. Sections 3.1.1.4 and 3.1.2.4(j) requiring the provision of *landscaped open space*;
4. Section 3.1.2.4(h) requiring the provision of an *amenity area* for residential units in the building. (By-law 144-87)

4.1.69 Paisley Heights Special District

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in the RM3 zone to which parenthetical reference to “(s. 4.1.69)” is made on Zoning Map H10 attached to and forming part of this by-law may also be used for any of the following additional purposes provided, however, that there shall be no vehicular access to Hespeler Road from the aforesaid lands:

1. A *detached one-family dwelling* in accordance with the regulations prescribed in section 3.1.2.2 of this by-law for a *detached one-family dwelling* in an R5 zone;
2. One only establishment for the fabrication, sale and repair of ornamental iron products, located on a site not exceeding 835 m² in area at the northwest corner of Jaffray Street and Hespeler Road, in accordance with the regulations prescribed in sections 2.2, 2.4 and 3.4 of this by-law for a general industrial use in an M2 zone;
3. A retail store in which not more than 300 m² of *gross leasable commercial floor area* are provided, a *hairstylist's establishment*, a bank and business and professional offices, in accordance with the regulations prescribed in section 3.3 of this by-law for a commercial use in a C2 zone;
4. *Dwelling units* in a commercial building in accordance with the regulations prescribed in section 3.3.1.3(c) of this by-law. (By-law 37-87)

4.1.70 Loblaw Property

Notwithstanding the provisions of sections 2.4.3, 3.4.1.7 and 3.4.3.1 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.70)” is made on Zoning Map C6 attached to and forming part of this by-law may not be used for the uses allowed in section 3.4.2.2(a) and (c) of the Zoning By-law except for warehousing and storage, and the following regulations shall apply:

1. Minimum *exterior side yard* landscaped area along Fountain Street North: 30 m with a 5 m high earthen berm;
2. Minimum *exterior side yard* setback: 40 m. (By-law 102-00)

4.1.71 Lots 1, 2 and 3, Registrar’s Compiled Plan 1365

Notwithstanding the provisions of sections 2.2.2.3(b), 2.2.3.2, 3.3.3.1(b)(v) and 3.3.3.2(e) of this by-law, no *motel* or *hotel* shall be erected on the lands in the C4C5 zone to which parenthetical reference to “(s. 4.1.71)” is made on Zoning Map F10 attached to and forming part of this by-law and the following regulations shall also apply:

1. All parking areas shall be set back a minimum of 3.0 m from the nearest *street line*;
2. All non-rectangular parking stalls shall have a minimum width of 2.7 m;
3. A minimum 1.0 m *side yard* set back from the northerly property line. (By-law 238-87)

4.1.72 Regional Power Centre

1. The provisions in sections 2.2.3.2, 2.3.1.1 and 3.3.3.1(b)(ii) of this by-law shall not apply to the aforesaid lands in the C6, (H)C6 and (H1)C6 zone and the following shall apply instead:
 - (a) minimum parking stall width at a 90° parking angle: 2.7 m;
 - (b) minimum number of off-street loading spaces: 2 spaces for every 10,000 m² of *gross leasable commercial floor area* or part thereof;
 - (c) no offices shall be erected, located or used on the aforesaid lands except as described in section 3.4.2.1(b) of this by-law.
2. The aforesaid lands in the C6, (H)C6 and (H1)C6 zone may be held in one or more separate ownerships provided that the total *gross retail commercial floor area* does not exceed

the amount permitted in section 3.3.3.4(a) and each of the parcels in separate ownership conforms to the following regulations for each parcel of land:

- (a) minimum frontage on an opened public *street* or *highway*: 60 m;
 - (b) minimum *lot area*: 2.0 ha;
 - (c) minimum setback of any building or structure from any lot line delineating the parcel of land in separate ownership: 7.5 m;
 - (d) parking shall be provided in accordance with sections 2.2 and 4.1.72.1(a) and (b) of this by-law; and
 - (e) planting strips and fencing shall be provided in accordance with section 2.4 of this by-law.
3. Until such time as the Holding provision (H1)C6 is removed, a maximum of 50,683 m² (545,460 sq. ft.) *gross retail commercial floor area (GRCFA)* shall be permitted on the lands to which the (H1)C6 zone applies. Upon application to Council, the (H1) provision shall be removed if the following requirements have been met:
- (a) the conveyance of land along the north side of Pinebush Road to the Regional Municipality of Waterloo (the “Region”) free and clear of all encumbrances and all at no expense to the Region as may be required: (i) to extend the existing westbound to northbound right-turn lane on Pinebush Road at Hespeler Road to the Site A driveway/ Home Depot driveway intersection, (ii) to construct the dual eastbound to northbound left turn lanes on Pinebush Road at said intersection, and (iii) to accommodate any intersection improvements at both entrances to Site A associated with the road improvements described in (i) of this subsection and 3(c)b below;
 - (b) the Region has received written confirmation from the Ministry of Transportation (“MTO”) that:
 - 1. the owner of Site A has entered into an agreement with the MTO which provides for the following:
 - a. securing the road improvements to the Highway 401 eastbound ramp/Hespeler Road intersection which are set out below or such other road improvements that are agreed to by the MTO and the Region (the “interchange improvements”):
 - i. widening the eastbound off-ramp from Highway 401 from two to three lanes, to provide dual eastbound to northbound left-turn lanes and one through lane for eastbound through traffic;

- ii. adding a northbound through lane on Hespeler Road, starting from the 401 Northbound to Eastbound ramp, to the Hespeler Road bridge at Highway 401, to provide three northbound through lanes;
 - iii. providing signage on the Highway 401 eastbound off-ramp to direct Bridgecam traffic;
 - iv. adding a westbound channelized right-turn lane from the Bridgecam Centre site, to create a dual westbound to northbound right-turn lanes; and
 - v. making necessary traffic signal equipment modifications to the satisfaction of the Region;
- b. financial security to the MTO for such interchange improvements;
 - c. that the construction of the interchange improvements will be at no cost to the Region; and
 - d. that construction of such interchange improvements will be completed no later than December 31, 2010.
2. financial security has been provided to the MTO to enable the MTO to proceed with the interchange improvements; and
3. construction of the interchange improvements will be completed no later than December 31, 2010.
- (c) site plan approval has been granted by the Commissioner of Planning Services of the City of Cambridge and a site plan agreement has been entered into with the City of Cambridge and the Region which agreement(s) shall, among other matters, require that the following works and improvements be undertaken to the satisfaction of the Region's Commissioner of Planning, Housing and Community Services, all at the owner's expense and be secured with a letter of credit provided to the Region or to the City, as the case may be, equal to 100% of their value:
- a. transportation demand management improvements, such as stop signs, directional signs, bus pads and shelters, sidewalks and walkways, posted speed signs and pavement markings at pedestrian crossings; and
 - b. the following road improvements or such other road improvements that are agreed to by the Region and the City:

- i. converting the existing southbound shared through-right-turn lane on Site A to a southbound through lane and the addition of an exclusive southbound to westbound right-turn lane at the most westerly site access along Pinebush Road;
- ii. adding a second eastbound to northbound left-turn lane at the most westerly site access on Pinebush Road to provide dual eastbound left-turn lanes into Site A, and related intersection improvements;
- iii. converting the existing southbound shared through-right-turn lane on Site A to a through lane and the addition of an exclusive southbound to westbound right-turn lane at the Site A access from Conestoga Boulevard;
- iv. extending the existing northbound to westbound left-turn lane on Conestoga Boulevard to sixty-five metres of storage length; and
- v. making the necessary traffic signal equipment modifications.

(By-law 277-05)

4.1.73 S/D Lots 1 & 2, WGR, and Part Lot 6, Plan D-1, George Street Extension

The provisions of section 1.1.1 pertaining to *grade* and *lot coverage* and sections 2.1.15.6, 2.2.1.1, 2.2.2.6, 3.1.2.5 and 3.5.1.1 shall not apply to the lands in those RM4 and OS1 zones to which parenthetical reference to “(s. 4.1.73)” is made on Zoning Maps H9 and J9 attached to and forming part of this by-law, and the following regulations shall apply in their stead:

1. A maximum of 108 *dwelling units* shall be permitted on the lands zoned RM4 including a maximum of 11 *one-storey dwellings* and 16 *two-storey dwellings*;
2. A maximum of 4 *dwelling units* shall be permitted in each *dwelling*;
3. Each *dwelling unit* shall have a minimum *gross floor area* of 70.0 m²;
4. The *one-storey dwellings* shall have a maximum height of 6.5 m above the finished surface of the ground where it meets the exterior front face of the *dwelling*;
5. The *two-storey dwellings* shall have a maximum height of 11.0 m above the finished surface of the ground where it meets the exterior front face of the *dwelling*;
6. No portion of any *dwelling* shall be located closer than 10.5 m from the nearest portion of any other *dwelling*;

7. No portion of any *dwelling* shall be closer than 10.0 m from the road allowance of George Street extended or 4.0 m from the boundary line of the lands zoned RM4;
8. The maximum *lot coverage* shall be 18%, defined as the total horizontal area of the lands zoned RM4 covered by the first *storey* of all buildings and structures on the lands zoned RM4, including the *principal buildings* or structures, all *accessory buildings or structures* and all buildings or structures attached to the “*principal buildings*” or structures;
9. The minimum total landscaped area of the lands zoned RM4 shall be 60%;
10. The minimum *private amenity area* per *dwelling unit* shall be 30.0 m²;
11. A minimum of one parking space shall be provided for each *dwelling unit* and an additional parking space shall be provided for every four *dwelling units* for the exclusive use of visitors;
12. Any internal *lot lines* created by the registration of a *condominium* or *condominiums* in phases shall not be construed to be *lot lines* for the purposes of these zoning regulations;
13. A private non-commercial recreation centre shall be permitted on the lands zoned OS1 as a use accessory to the residential *dwelling units*. (By-law 237-87)

4.1.74 Langdon Hall Special District

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in the RR1 and OS1 zones to which parenthetical reference to “(s. 4.1.74)” is made on Zoning Map G5 attached to and forming part of this by-law may also be used for the following purposes:

1. a *hotel* in which rooms may be provided for the accommodation of guests, and food and beverage services, meeting rooms and indoor recreational facilities may also be provided;
2. Outdoor games courts, *swimming pools*, skating rinks, sitting-out areas, gardens and garden structures primarily for the use of residents of the *hotel*;
3. The growing of fruits and vegetables for the use of the *hotel*;
4. A use specified in sections 2.1.1.1, 2.1.1.4 and 2.1.1.6 of this by-law;

provided, however, that no new use, building or structure shall be provided in that part of the aforesaid lands classified as an OS1 zone. (By-law 311-87)

4.1.75 Northwest Corner of Industrial Road and Grand Valley Drive

Notwithstanding the provisions of section 3.4.3.1 of this by-law,

1. Outdoor storage may also be provided for a use permitted by section 3.4.3.1(b) of this by-law on the lands in that M2 zone to which parenthetical reference to “(s. 4.1.75.1)” is made on Zoning Maps G9 and G10 attached to and forming part of this by-law;
2. A *contractor's yard* with outdoor storage may be provided in addition to the uses permitted by section 3.4.3.1(b) of this by-law on the lands in that M2 zone to which parenthetical reference to “(s. 4.1.75.2)” is made on Zoning Maps G9 and G10 attached to and forming part of this by-law. (By-law 211-87)

4.1.76 St. Andrew's Hespeler Presbyterian Church

Notwithstanding the provisions of sections 2.2.1.3(a) and 3.2.1.2(f) of this by-law, the following regulations shall apply to the lands in that N1 zone to which parenthetical reference to “(s. 4.1.76)” is made on Zoning Map D13 attached to and forming part of this by-law:

1. Minimum number of off-street parking spaces: 11;
2. Minimum *exterior side yard* appurtenant to Spring Street: 1.31 m.

(By-law 142-87)

4.1.77 22 Tannery Street East

Notwithstanding the provisions of sections 2.4.1.2 and 3.1.2.1 of this by-law, the following regulations shall apply to the land to which parenthetical reference to “(s. 4.1.77)” is made on Zoning Map D13 attached to and forming part of this by-law:

1. The existing two *storey* building located at the front of the property may be used for the purposes of a two-unit *converted dwelling*;
2. The existing two *storey* building located at the rear of the property may be used for the purposes of a *detached one-family dwelling*;
3. No planting strip is required in conjunction with a chain link fence along the *side lot line* adjacent to Forbes Park. (By-law 89-07)

4.1.78 692 Franklin Boulevard

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.78)” is made on Zoning Map J12 attached to and forming part of this by-law may also be used for the sale of new and used motor vehicles.
(By-law 276-87)

4.1.79 Salvation Army, St. Andrew’s Street

Notwithstanding the provisions of section 2.1.3.5 of this by-law, the lands in that N2RM3 zone to which parenthetical reference to “(s. 4.1.79)” is made on Zoning Map L8 attached to and forming part of this by-law may also be used for *attached one-family dwellings* (row housing) without being developed in conjunction with a nursing home or *domiciliary hostel* on the same site. (By-law 182-90)

4.1.80 799 Laurel Street

The provisions of sections 2.2.2.3(b), 2.2.3.3(e), 3.1.2.5(b), 3.1.2.5(c) and 3.1.2.5(f) of this by-law shall not apply to the lands in the RM3 zone to which parenthetical reference to “(s. 4.1.80)” is made on Zoning Map F7 attached to and forming part of this by-law and the following regulations shall apply in their stead:

1. Minimum setback from Duke Street for parking for the *existing* building: 2 m;
2. Minimum setback from Dolph Street: 4.5 m;
3. Minimum setback from Laurel Street: 1.8 m;
4. Minimum distance between a parking stall and window to a *habitable room*: 4.3 m;
5. Minimum distance between a parking *aisle* or *access driveway* and a window to a *habitable room*: 4.3 m;
6. Minimum *lot area* for each *attached one-family dwelling (row house)*: 148 m².

(By-law 192-87)

4.1.81 Dedi-Care Group Inc., Franklin Boulevard

1. The regulations prescribed in sections 2.2.2.3(b), 2.3.1.2 and 3.1.2.4(e) of this by-law shall not apply to the lands in that RM3 zone to which parenthetical reference to “(s. 4.1.81.1)”

is made on Zoning Map L12 attached to and forming part of this by-law, and the following regulations shall apply in their stead:

- (a) no *parking lot*, stall or *aisle* shall be provided closer than 3.0 m to the *exterior side lot line*;
- (b) no loading spaces shall be required;
- (c) no setback from the *interior side lot line* shall be required for a parking structure.

2. Notwithstanding the provisions of section 2.1.3.5 of this by-law, the lands in the N3RM3 zone to which parenthetical reference to “(s. 4.1.81.2)” is made on Zoning Map L12 attached to and forming part of this by-law may also be used for *attached one-family dwellings* (row housing) without being developed in conjunction with a nursing home or *domiciliary hostel* on the same site. (By-law 182-90)

4.1.82 South Cambridge Shopping Centre

Notwithstanding the provisions of section 3.3.3.3(d) of this by-law, not more than 16,725 m² of *gross leasable commercial floor area* shall be provided on the lands in that CS3 zone to which parenthetical reference to “(s. 4.1.82)” is made on Zoning Maps K12 and L12 attached to and forming part of this by-law. (By-law 230-89)

4.1.83 Scott Winders – northeast corner of Highway 401 and Franklin Boulevard

Notwithstanding the provisions of section 3.3.3.1 of this by-law, a motor vehicle repair shop and business and professional offices shall be permitted and the permitted uses prescribed in section 3.3.3.1 of this by-law shall not apply to the lands in that C2(O) zone to which parenthetical reference to “(s. 4.1.83)” is made on Zoning Map E12 attached to and forming part of this by-law. (By-law 239-99)

4.1.84 Hallman Brierdale Limited - Mill Creek Road

Notwithstanding the provisions of section 3.1.2.4(b) of this by-law, not more than 114 *dwelling units* shall be provided on the lands in that RM3 zone to which parenthetical reference to section 4.1.84 is made on Zoning Maps J11 and J12 attached to and forming part of this by-law. (By-law 317-87)

4.1.85 1460 King Street East

Notwithstanding the provisions of section 2.2.4.4 of this by-law, no *access driveway* to the lands in that C2C5 zone to which parenthetical reference to “(s. 4.1.85)” is made on Zoning Map G8 attached to and forming part of this by-law shall be located closer than 10.5 m to the intersection of King Street East and Bishop Street. (By-law 289-88)

4.1.86 J. Grimm, 105 Hespeler Road

Notwithstanding the provisions of sections 2.4.3, 2.2.2.3(b) and 2.2.4.4, the following regulations shall apply to the lands in the CS5C5 zone to which parenthetical reference to “(s. 4.1.86)” is made on Zoning Map H10 attached to and forming part of this by-law:

1. A minimum 2.2 m landscaping strip is required along the northern property line;
2. A minimum 2.2 m landscaping strip is required along the northerly 30 m of the western property line;
3. No planting strip is required between the proposed entrances along the western property line;
4. A minimum 2.2 m setback for parking is required from the western property line;
5. A minimum 8.0 m setback is required for entrances from the intersection of Hespeler Road and Brooklyne Avenue. (By-law 308-87)

4.1.87 South Side of Shamrock Street, East of Harvey Street

Notwithstanding the provisions of sections 3.1.2(d) and 3.1.2(e) of this by-law, the following regulations shall apply to the lands in that RS1 zone to which parenthetical reference to “(s. 4.1.87)” is made on Zoning Map D12 attached to and forming part of this by-law:

1. Minimum *front yard*: 4.1 m;
2. Minimum *rear yard*: 4.57 m.

(By-law 360-87)

4.1.88 120 Beverly Street, Part of Lot 7, Plan 449

The provisions of section 3.1.2.5(a), section 2.2.2.3(b) and section 2.2.2.3(e) of this by-law shall not apply to the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.88)” is made

on Zoning Map K11 attached to and forming part of this by-law and the following regulations shall apply instead:

1. Minimum *lot frontage*: 21.8 m;
2. Minimum setback of the *parking lot* from Beverly Street: 2.4 m;
3. Minimum setback of a parking stall or *access driveway* from a wall containing a window to a *habitable room*: 3.5 m.

(By-law 95-88)

4.1.89 West Side of Elgin Street North Between Munch Avenue and Sekura Street

Notwithstanding the provisions of section 3.1.2.2(a) of this by-law, the minimum *lot frontage* of a *lot* in that R5 zone to which parenthetical reference to “(s. 4.1.89)” is made on Zoning Map H11 attached to and forming part of this by-law shall be 10.9 m. (By-law 71-88)

4.1.90 Property Bounded by King, Lowther, Duke and Laurel Streets

Notwithstanding the provisions of sections 2.2.2.3(b), 2.2.4.4 and 2.4.2.3 of this by-law, the following regulations shall apply to the lands in that C1RM2 zone to which parenthetical reference to “(s. 4.1.90)” is made on Zoning Map F7 attached to and forming part of this by-law:

1. Minimum setback of parking stalls appurtenant to Lowther Street: 3.35 m;
2. Minimum setback of parking stalls appurtenant to Duke Street: nil;
3. Minimum setback of parking stalls appurtenant to King Street: 4.7 m;
4. Minimum distance of *access driveway* on Lowther Street from the intersecting *street lines* of Duke and Lowther Streets: 9.0 m;
5. Minimum width of planting strip abutting solid fencing along an adjacent residential zone: nil.

(By-law 33-88)

4.1.91 204 and 206 Edward Street

Notwithstanding the provisions of section 3.1.2.2(d) the lands in that RS1 zone to which parenthetical reference to “(s. 4.1.91)” is made on Zoning Map D12 attached to and forming part of this by-law, the minimum *front yard* setback shall be 4 m. (By-law 32-88)

4.1.92 189 and 211 Pinebush Road

Notwithstanding the provisions of section 3.3.3.1 of this by-law, the lands in that C2 zone to which parenthetical reference to “(s. 4.1.92)” is made on Zoning Map F12 attached to and forming part of this by-law may also continue to be used for the purposes of an *auto body repair shop*. (By-law 95-90)

4.1.93 148 Queen Street West

The regulations prescribed in sections 2.2.2.3(e), 3.1.2.5(a), 3.1.2.5(b) and 3.1.2.5(c) shall not apply in respect of a detached duplex located on lands in that RM4 zone to which parenthetical reference to “(s. 4.1.93)” is made on Zoning Map D12 attached to and forming part of this by-law, and the following regulations shall apply in their stead:

1. The minimum setback of a parking stall from a window of a *habitable room* shall be 3.6 m;
2. The minimum *lot frontage* shall be 13.2 m;
3. The minimum *lot area* shall be 350 m²;
4. The minimum *front yard* shall be 3.5 m.

(By-law 270-88)

4.1.94 Part 1, Reference Plan 67R-2686

Notwithstanding the provisions of section 3.1.2.2 of this by-law, the lands in the R2 zone to which parenthetical reference to “(s. 4.1.94)” is made on Zoning Map B14 attached to and forming part of this by-law, a minimum setback of 45 m shall be maintained from the Speed River for any *dwelling unit*, septic system or other *accessory use, building or structure* constructed on the lands. (By-law 179-88)

4.1.95 Lot 8 and Lot 9, Registered Plan 1446

Notwithstanding the provisions of sections 3.1.2.1 and 3.3.1.5 of this by-law, the lands in that R1 zone to which parenthetical reference to “(s. 4.1.95)” is made on Zoning Map D10 attached to and forming part of this by-law may also continue to be used for the purposes of a *kennel* for a maximum of seven dogs. (By-law 113-88)

4.1.96 Brookfield Country Club

No land shall be used and no building or structure shall be erected, located or used in that OS2 zone to which parenthetical reference to “(s. 4.1.96)” is made on Zoning Map A12 attached to and forming part of this by-law except in accordance with the regulations prescribed in sections 2 and 3.5.1 of this by-law and the following regulations:

1. No golf course green, tee or fairway and no building or structure shall be located closer than 225 m to an existing poultry barn located east of Chilligo Road in Lot 91, German Company Tract;
2. No golf course green, tee or fairway and no building or structure, other than a bridge or stream crossing, shall be located on any lands affected by Ontario Regulation 154/86 made by the Grand River Conservation Authority pursuant to the *Conservation Authorities Act* or within 7.65 m of a stream or pond in such regulated area;
3. No bridge or other stream crossing shall be provided except:
 - (a) with the approval of the City of Cambridge in accordance with By-Law 3-86 passed pursuant to section 40 of the *Planning Act, 1983*; and
 - (b) with the approval of the Ministry of Natural Resources in accordance with the requirements of the Lakes and Rivers Improvement Act; and
 - (c) in accordance with a permit issued therefor by the Grand River Conservation Authority pursuant to Ontario Regulation 154/86;
4. No lands within the area affected by Ontario Regulation 154/86 shall be graded except in accordance with a permit issued therefor by the Grand River Conservation Authority; and all lands so graded shall be staked with a snowfence and strawbales or a sediment curtain to intercept any exposed or eroded materials that could be introduced into the stream or pond;
5. No fertilizer or chemicals shall be used or applied on lands within 7.65 m of a stream or pond. (By-law 221-90)

4.1.97 A. Camara (Cambridge Landscaping Inc.) Dundas Street South

Notwithstanding the provisions of Section 2.1.4 of this by-law, the lands in that (H)R4 zone to which parenthetical reference to “(s. 4.1.97)” is made on Zoning Maps M15 attached to and forming part of this by-law may also be used for a landscape/garden centre and all of the Site Development Specifications applicable to a C2 zone as set out in section 3.3.3.2 of this by-law will apply with the exception of the minimum *front yard* setback from Dundas Street which shall be 16.8 m. (By-law 100-96)

4.1.98 Cambridge Research Station

Notwithstanding the provisions of sections 3.5.1.1 and 3.6.1 of this by-law, the lands in those OS1 and A1 zones to which parenthetical reference to “(s. 4.1.98)” is made on Zoning Maps B9, B10, C9 and C10 attached to and forming part of this by-law may also be used for research and development in agriculture, horticulture and silviculture. (By-law 74-97)

4.1.99 611 Dunbar Road (Lots 131, 132, 133, 134 and 135, and Part of Lots 121, 122, and 123, Registered Plan 821)

Notwithstanding the provisions of section 3.2.1.1 of this by-law, the lands in that N3 zone to which parenthetical reference to “(s. 4.1.99)” is made on Zoning Map G9 attached to and forming part of this by-law may be used only for the purposes of a *domiciliary hostel*. (By-law 205-89)

4.1.100 Northwest Corner of Duke and Bishop Streets

Notwithstanding the provisions of section 3.3.3.1(d)(v) of this by-law, the lands in that CS5 zone to which parenthetical reference to “(s. 4.1.100)” is made on Zoning Map G8 attached to and forming part of this by-law shall not be used for the purpose of a *local shopping centre* except as part of a mixed use commercial-residential project in which at least seven *dwelling units* are also provided in accordance with the regulations prescribed in section 3.3.1.3(c) of this by-law. (By-law 253-88)

4.1.101 Groupwell Estates

Notwithstanding the provisions of section 3.1.2.2 of this by-law, no building or structure shall be erected or located within 15 m of the *rear lot line* of the *lots* in those R4 and R5 zones to which parenthetical reference to “(s. 4.1.101)” is made on Zoning Map M10 attached to and forming part of this by-law. (By-law 271-88)

4.1.102 127-137 Hespeler Road

Notwithstanding the provisions of section 3.2.1.2(l) of this by-law, the following regulations shall apply to the lands in that N1 zone to which parenthetical reference to “(s. 4.1.102)” is made on Zoning Map H10 attached to and forming part of this by-law:

- minimum *landscaped open space*: 15% of the *lot area*.
(By-law 82-96)

4.1.103 21 Parkhill Road West

Notwithstanding the provisions of sections 1.1.2.2(c)(ii), 2.3.1, 2.4.2.3, 3.1.2.1, 3.1.1.4(a) and 3.1.2.2 of this by-law, the following regulations shall apply to the lands in the R5(CO) zone to which parenthetical reference to “(s. 4.1.103)” is made on Zoning Map K10 attached to and forming part of this by-law:

1. A dance studio may be located on the site;
2. No planting strip shall be required along the easterly *interior side lot line*, provided that a 1.5 m high solid fence is provided;
3. Minimum *landscaped open space* (percent of *lot area*): 20;
4. Off-street loading facilities are not required.

(By-law 60-89)

4.1.104 C & T Construction, Fisher Mills Road

Notwithstanding the provisions of section 3.1.2.4 of this by-law, not more than 138 *dwelling units* shall be provided on the lands in the RM3 zone to which parenthetical reference to “(s. 4.1.104)” is made on Zoning Map C11 attached to and forming part of this by-law, and no structure thereon shall exceed three *storeys* in height. (By-law 36-89)

4.1.105 1195 King Street East

The regulations prescribed in sections 3.1.2.4(b), 3.1.2.4(c), 3.1.2.4(d), 3.1.2.4(j) and 2.2.2.3(e) shall not apply to the lands in that RM3 zone to which parenthetical reference to “(s. 4.1.105)” is made on Zoning Maps F7, F8, G7 and G8, attached to and forming part of this by-law, and the following regulations shall apply in their stead:

1. Maximum number of apartment units: 85;

2. Minimum *landscaped open space* (percent of *lot area*): 29;
3. Minimum *front yard*: 0 m;
4. Maximum *exterior side yard*: 0 m;
5. No *access driveways*, *aisle*, parking stall or *parking lot* shall be located within 0.914 m (3.0 ft.) of a window of a *habitable room* as measured perpendicular to the wall containing such window, where such *habitable room* is at *grade* or below *grade*. (By-law 59-89)

4.1.106 Paramount Construction, Concession Road

The regulations prescribed in sections 3.1.2.1 and 3.1.2.6(b) shall not apply to the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.106)” is made on Zoning Map F8 attached to and forming part of this by-law, and the following regulations shall apply in their stead:

1. No use shall be made of the site and no building or structure erected thereon except for the purposes of not more than 13 *attached one-family dwellings (row houses)* in a minimum of two clusters;
2. A minimum *interior side yard* of 15 m shall be provided adjacent to the Canadian National Railways right-of-way. (By-law 128-89)

4.1.107 Part of Lot 3, Concession 12, Coronation Boulevard

The regulation prescribed in section 3.1.2.2(d) of this by-law shall not apply to the lands in that R3 zone to which parenthetical reference to “(s. 4.1.107)” is made on Zoning Map H9 attached to and forming part of this by-law, and the following regulation shall apply in its stead:

1. Minimum *front yard*: 16.0 m. (By-law 129-89)

4.1.108 125 & 129 Waterloo Street South

Notwithstanding the regulation prescribed in section 2.2.4.1 of this by-law, the width of an *access driveway* located on the lands in that C1RM2 zone to which parenthetical reference to “(s. 4.1.108)” is made on Zoning Map F7 attached to and forming part of this by-law may be reduced from 4.0 m to 3.0 m. (By-law 161-89)

4.1.109 2211 Eagle Street North

The regulations prescribed in section 3.3.3.1 and 3.3.3.2(a) of this by-law shall not apply to the lands in that C4 zone to which parenthetical reference to “(s. 4.1.109)” is made on Zoning Map F9 attached to and forming part of this by-law and the following regulations shall apply in their stead:

1. The lands shall be used for motor vehicle sales and service only;
2. A minimum *lot frontage* of 55.0 m shall be provided. (By-law 183-89)

4.1.110 20 Hobson Street

The regulations prescribed in sections 2.2.2.3 and 2.4.1 of this by-law shall not apply to the lands in that (F)C1 zone to which parenthetical reference to “(s. 4.1.110)” is made on Zoning Maps J10 and K10 attached to and forming part of this by-law, and the following regulations shall apply in their stead:

1. Minimum setback of *parking facilities* from the *street line* other than an *aisle* and *access driveway*: 1.5 m;
2. No planting strip or fencing shall be required. (By-law 216-89)

4.1.111 140-146 St. Andrew's Street

The regulations prescribed in sections 2.2.2.3(b), 2.2.3.3, 2.2.3.4 and 3.3.3.3(e), (f) and (g) of this by-law, shall not apply to the lands in that CS5C5 zone to which parenthetical reference to “(s. 4.1.111)” is made on Zoning Map K9 attached to and forming part of this by-law, and the following regulations shall apply in their stead:

1. Minimum setback of parking stalls from St. Andrew's Street may be reduced from 3.0 m to 2.5 m;
2. The minimum setback of buildings from Cedar Street and the westerly *interior side lot line* may be reduced from 7.5 m to 3.0 m;
3. The minimum setback for parking stalls from Cedar Street may be reduced from 3.0 m to 0.0 m;
4. The minimum planting strip along the daylighting triangle may be reduced from 3.0 m to 0.0 m;

5. The minimum setback of parking stalls abutting the daylighting triangle may be reduced from 3.0 m to 0.0 m;
6. The minimum width of planting strip abutting St. Andrew's Street may be reduced from 3.0 m to 2.5 m;
7. The minimum width of the planting strip along the south and west property lines may be reduced from 1.5 m to 1 m;
8. Outwithstanding clause 7 above, the minimum width of a planting strip along the south property line shall be 3.66 m from the front property line to the rear face of the building on the abutting property to the south;
9. Coniferous trees with a minimum height of 2.5 m shall be planted within the 3.66 m planting strip;
10. The minimum height for a solid wood board on board fence along the entire south property line, except the front yard setback, shall be 2.1 m and shall be stained red in colour and this fence shall be maintained in good condition by the owner of the Shopping Centre.
(By-law 79-99)

4.1.112 Mixed Commercial/Multiple Residential - Block 585, Saginaw Parkway and Townline Road - Mattamy (Cambridge) Inc. 30T-87008

Notwithstanding the provisions of sections 2.2.1.1(b) and 3.3.3.3 of this by-law, the following regulations shall apply to the lands in the CS5RM4 zone to which parenthetical reference to "(s. 4.1.112)" is made on Zoning Map H15 attached to and forming part of this by-law:

1. Maximum *gross leasable commercial floor area* for a *local shopping centre*: 1,100 m²;
2. Minimum number of parking spaces for cluster rowhousing: one space per *dwelling unit* (provided the project on the site contains a *local shopping centre*);
3. Maximum *building height*: two *storeys*.

(By-law 239-92)

4.1.113 190 Hespeler Road

Notwithstanding the provision of section 3.1.2.4(b) of this by-law, a maximum of 112 *dwelling units* may be provided on the lands in that RM3 zone to which parenthetical reference to

“(s. 4.1.113)” is made on Zoning Map H10 attached to and forming part of this by-law.
(By-law 73-90)

4.1.114 336 Eagle Street North

Notwithstanding the provisions of sections 2.1.8(a), 2.2.1.2, 2.2.2.3(a), 2.3.2 and 3.3.3.1 of this by-law, the following regulations shall apply to the lands in that C1M2 zone to which parenthetical reference to “(s. 4.1.114)” is made on Zoning Map F7 attached to and forming part of this by-law:

1. New *habitable rooms*, new windows, doors and other openings to a building may be provided at an elevation lower than the *regulatory floodline* where approved by the Grand River Conservation Authority;
2. A minimum of 115 parking spaces shall be provided, at least 90 of which shall be provided on-site and the remainder off-site on adjacent lands;
3. The *access driveway* may be located on an abutting property in a different zone as the use and building for which the driveway is required;
4. One required loading space may measure not less than 3 m x 5.5 m;
5. A maximum of 2,035 m² *leasable gross floor area* may be used for commercial uses in accordance with the regulations prescribed in this by-law for the C1 zone. (By-law 14-92)

4.1.115 Saltro Realty Investments Inc. - 887 Langs Drive

Notwithstanding the provisions of section 3.3.1.4(a) of this by-law, a maximum of 90% (ninety percent) of the *gross leasable commercial floor area* may be used for the purpose of business and professional offices for the lands in that CS5 zone to which parenthetical reference to “(s. 4.1.115)” is made on Zoning Map F9 attached to and forming part of this by-law. (By-law 21-96)

4.1.116 North Pattern Works, Water Street South

1. Notwithstanding the provisions of sections 1.1.1, 2.1.8.1(a), 2.2.3.4, 2.4, 3.3.3.2(e), 3.3.3.2(j), 3.3.2, 2.2.2.3(b) and 2.1.19 of this by-law, the following regulations shall apply to the lands in that (F)C1 zone to which parenthetical reference to “(s. 4.1.116.1)” is made on Zoning Maps K10 and L10 attached to and forming part of this by-law:
 - (a) windows, doors or other openings shall be permitted to be at an elevation lower than the *regulatory flood line* where approved by the Grand River Conservation Authority;

- (b) no planting strip or fencing shall be required along the southerly, westerly or northerly property lines;
 - (c) no building or structure shall be erected or located within 60 m of the northerly property line;
 - (d) no building or structure shall be used except for a purpose listed in sections 3.3.2.1 or 3.3.2.2 of this by-law, but shall not in any event be used for a purpose listed in sections 3.3.2.2(c), (d), (e), (h), (q), (r), (s), (t) or (u) of this by-law or for any service commercial use for which section 2.2 of this by-law requires more than 2.5 parking spaces be provided for each 100 m² of *gross floor area* or *gross leasable commercial floor area*;
 - (e) retail commercial establishments are not to exceed the lesser of 743 m² (8,000 sq. ft.) or 50% of the *gross leasable commercial floor area* and are to be located only on the main floor ground level of the building;
 - (f) the *parking aisle* width at the north end of the *parking lot* behind the northerly three parking spaces shall be permitted to narrow from 6.0 m to not less than 4.0 m;
 - (g) the *front yard* setback shall be 0.0 m from the *street line* and the *rear yard* setback shall be 0.0 m from the *rear lot line*.
2. Notwithstanding the provisions of sections 3.5.1 and 3.5.2 of this by-law, a cantilevered enclosed walkway shall be permitted to overhang or extend by a maximum of 4.0 m over the lands in that OS1 zone to which parenthetical reference to “(s. 4.1.116.2)” is made on Zoning Maps K10 and L10 attached to and forming part of this by-law. (By-law 323-90)

4.1.117 1009 Queenston Road/950 King Street

Notwithstanding the provisions of sections 2.4.2 and 2.2.2.3(b) of this by-law, the following regulations shall apply to the lands in that C1RM2 zone to which parenthetical reference to “(s. 4.1.117)” is made on Zoning Map F7 attached to and forming part of this by-law:

- 1. No planting strip or fencing shall be required along the easterly *interior side lot line*;
- 2. Minimum *front yard* setback for parking: 0.5 m. (By-law 215-90)

4.1.118 180 ½ Hespeler Road

Notwithstanding the provisions of sections 3.1.2.3(f) and (g), 3.1.2.4(e) and (f), 3.1.2.5(d) and (e), 3.1.2.6(d) and (e) and 3.2.1.2(d) and (e) of this by-law, no habitable buildings shall be erected within 65.4 m of the abutting CN Railway right of way on the lands in N1RM3 and RM4 zone

to which parenthetical reference to “(s. 4.1.118)” is made on Zoning Maps H9 and H10 attached to and forming part of this by-law. (By-law 238-98)

4.1.119 Part Lots 195 and 196, Plan 211 - Whitley Street at Eagle Street North

Notwithstanding the provisions of sections 2.2.4.4, 3.1.2.3(b)(d)(e) & (g) of this by-law, the following regulations shall apply to the lands in that RS1 zone to which parenthetical reference to “(s. 4.1.119)” is made on Zoning Map F8 attached to and forming part of this by-law:

1. The minimum corner *lot frontage* for two attached units: 21.5 m;
2. The minimum corner *lot frontage* for one attached unit: 12 m;
3. The minimum corner *lot area* for two attached units: 645 m²;
4. The minimum corner *lot area* for one attached unit: 340 m²;
5. The minimum *front yard* setback: 5.4 m;
6. The minimum *exterior side yard* setback: 3.5 m;
7. the minimum setback of a driveway from a daylighting triangle: 2.74 m.

(By-law 121-95)

4.1.120 471 Dundas Street

1. In addition to the provisions of section 3.3 applicable to *local shopping centres*, the following special regulations shall apply to the lands in the M4CS5 zone to which parenthetical reference to “(s. 4.1.120)” is made on Zoning Map J10 attached to and forming part of this by-law:
 - (a) the maximum total *gross leasable commercial floor area* of all retail and service commercial uses shall be 1,580 m²;
 - (b) the minimum *gross leasable commercial floor area* of any individual retail or service commercial use shall be 371 m² with the exception of:
 - (i) a dispensing pharmacy;
 - (ii) an establishment for grooming small household pets;

- (iii) a shop for the repair of small goods and wares or business machines;
 - (iv) a laundry or coin-operated laundromat;
 - (v) an upholster's establishment;
 - (vi) a printer's or bookbinder's establishment or establishment providing reprographic services;
 - (vii) a commercial establishment providing instruction in the arts and crafts;
 - (viii) a *motor vehicle repair shop*.
- (c) in addition to the *floor area* permitted under clause (a) an additional *floor area* of 324.5 m² may be used for professional offices.
2. Notwithstanding the provisions of section 2.2.1.2(a) of this by-law, business and professional offices located at a level other than the main floor, and industrial uses, shall not be considered part of the *local shopping centre* for the purpose of calculating required parking which shall be calculated separately for each individual tenancy in a building located on the lands in that M4CS5 zone to which parenthetical reference to "(s. 4.1.120)" is made on Zoning Map J10 attached to and forming part of this by-law. (By-law 261-92)

4.1.121 190 St. Andrew's Street

1. Prohibited Uses

Notwithstanding the provisions of section 3.3.3.1 of this by-law, no lands shall be used and no building or structure shall be located, erected or used on the lands in that CS5 zone to which parenthetical reference to "(s. 4.1.121)" is made on Zoning Maps L8 and L9 attached to and forming part of this by-law for any of the following uses:

- (a) a *neighbourhood variety store* irrespective of the amount of floor area provided therein;
- (b) a *food services establishment* licensed by the Liquor Licence Board of Ontario;
- (c) any commercial recreational establishment described in section 3.3.3.1(c) of this by-law.

2. Site Development Specifications

The regulations prescribed in sections 2.2.1.2, 2.2.2.3(b), 2.2.3, 2.3.2.1, 2.4, 3.3.1.4(a) and 3.3.3.3(e), (f) and (g) of this by-law shall not apply to the lands in that CS5 zone to which

parenthetical reference to “(s. 4.1.121)” is made on Zoning Maps L8 and L9 attached to and forming part of this by-law and the following regulations shall apply in their stead:

- (a) not more than 60% of the *gross leasable commercial floor area* shall be used for retail commercial purposes;
- (b) the maximum *gross leasable commercial floor area* used for business and professional offices may be increased from 50% to 90%;
- (c) the minimum planting strip width along Osborne Street may be reduced from 3.0 m to 2.0 m;
- (d) the minimum planting strip width along Victoria Street may be reduced from 3.0 m to 1.0 m;
- (e) the minimum setback of an *aisle* provided for parking spaces may be reduced from 3.0 m to 0.0 m;
- (f) the minimum setback of parking stalls and *aisles* from Victoria Street may be reduced from 6.0 m to 1.0 m;
- (g) the minimum dimension of off-street loading spaces may be reduced from 3.0 m by 10.0 m to 3.0 m by 5.5 m;
- (h) the minimum number of parking spaces required may be reduced from five spaces per 100 m² of *gross leasable commercial floor area* to 4.5 spaces per 100 m² of *gross leasable commercial floor area*;
- (i) the minimum width of each parking stall shall be reduced from 2.9 m to 2.7 m;
- (j) the minimum setback of parking stalls from Osborne Street and St. Andrew's Street may be reduced from 6.0 m to 2.0 m;
- (k) the minimum setback of buildings from St. Andrew's Street may be reduced from 7.5 m to 3.0 m;
- (l) the minimum setback of buildings from Osborne Street may be reduced from 7.5 m to 2.0 m;
- (m) the minimum setback of buildings from Victoria Street and the east *lot line* may be reduced from 7.5 m to 1.0 m. (By-law 102-91)

4.1.122 Moffat Plazas Limited - Part 2, Plan 67R-2101, Avenue Road

The regulations prescribed in sections 3.3.3.3(f), (g) and (h) of this by-law shall not apply to the lands in that CS5 zone to which parenthetical reference to “(s. 4.1.122)” is made on Zoning Maps H12 and J12 attached to and forming part of this by-law, and the following regulations shall apply instead:

1. Minimum *side yard*: 3.0 m;
2. Minimum *rear yard*: 3.0 m;
3. Maximum *lot coverage*: 30.3%. (By-law 196-90)

4.1.123 Cambridge Shoppers Mall & IPCF Properties Inc., Holiday Inn Drive

1. Notwithstanding the provisions of section 3.3.3.3(d) of this by-law, the lands in that CS3 zone to which parenthetical reference to “(s. 4.1.123.1)” is made on Zoning Map E11 attached to and forming part of this by-law shall not have a maximum *gross leasable commercial floor area* greater than 23 760 m² and the provisions of the definition requiring single ownership of a *shopping centre* as defined, shall not apply.
2. Notwithstanding the provisions of sections 3.3.3.3(d) and 3.3.3.3(d) of this by-law, the lands in that CS3 zone to which parenthetical reference to “(s. 4.1.123.2)” is made on Zoning Map E11 attached to and forming part of this by-law, shall have a minimum *gross leasable commercial floor area* of 7,500 m² and a maximum *gross leasable commercial floor area* no greater than 12,240 m² and the provisions requiring single ownership of a *shopping centre*, as defined, shall not apply. (By-law 170-92)

4.1.124 32 Hopeton Street

Notwithstanding the provisions of sections 2.1.11.1(b), 2.2.1.1(a), 2.2.2.3(c), 3.1.1.4(a) & (b), & 3.1.2.3(a) of this by-law, the following regulations shall apply to the lands in that RS1 zone to which parenthetical reference to “(s. 4.1.124)” is made on Zoning Map J10 attached to and forming part of this by-law:

1. Garages must not be attached to the *principal building*;
2. Garages must be located in the *rear yard*;
3. Garages must be a minimum of 9 m from the *principal building*;
4. Garages must not be closer than 1.2 m to the *interior side lot line*;

5. The minimum *rear yard* setback of all buildings shall be 12.5 m;
6. The minimum number of parking spaces shall be two for each side of a semi-detached *dwelling*;
7. Parking spaces must be located in the *rear yard*;
8. A 3.0 m landscaped strip must be provided along the rear building face;
9. The minimum landscape area shall be 50%;
10. The minimum *front yard* landscaped area shall be 65%;
11. The minimum *lot frontage* for 2 *attached dwelling units* shall be 17.7 m;
12. The minimum *lot frontage* for 1 *attached dwelling unit* shall be 8.8 m;
13. The maximum building envelope shall be 175 m². (By-law 45-95)

4.1.125 250 King Street West

1. Notwithstanding the provision of section 3.1.2.4(b), a maximum of 313 *dwelling units* may be constructed on those lands described as Parts 1 to 12 and 14, Registered Reference Plan 67R-3131 and located in that C1RM2 and RM3 zone to which parenthetical reference to “(s. 4.1.125)” is made on Zoning Maps E6 and F6 attached to and forming part of this by-law, and any internal *lot lines* created by the registration of a *condominium* or *condominiums* on the aforesaid lands shall not be construed to be *lot lines* for the purposes of the parking, planting strip, fencing and zoning regulations prescribed in sections 2.2.2.3(a), 2.4.1.2 and 3.1.2.4 of this by-law provided that the development of the entire site continues to comply with all the regulations prescribed therein;
2. Notwithstanding any provision of the by-law the maximum setback of any building from King Street shall be 4.5 m and the maximum height of any building located within 30 m depth from King Street shall not exceed an elevation of 295.7 m above mean sea level or five *storeys*, as measured at the south-west corner, on lands in the C1RM2 zone for which parenthetical reference to “(s. 4.1.125)” is made on Zoning Maps E6 and F6 attached to and forming part of this by-law;
3. Notwithstanding the provisions of section 2.2.2.3(c) of this by-law parking spaces located inside a parking structure or garage may be located with 0m setback on lands in the C1RM2 zone for which parenthetical reference to “(s. 4.1.125)” is made on Zoning Maps E6 and F6 attached to and forming part of this by-law;

4. Notwithstanding the provisions of section 2.3.1.1 of this by-law only three loading spaces shall be required for a non-residential building containing a maximum of 17,280 m² on lands in the C1RM2 zone to which parenthetical reference to “(s. 4.1.125)” is made on Zoning Maps E6 and F6 attached to and forming part of this by-law.” (By-law 162-94)

4.1.126 *Cluster Row Housing Developments*

1. Block 45 R.P. 1482, Beasley Crescent

Notwithstanding the provisions of section 3.1.2.6(e) of this by-law, the following regulations shall apply to the lands in the RM4 zone to which parenthetical reference to “(s. 4.1.126.1)” is made on Zoning Maps H12 & J12 attached to and forming part of this by-law:

- (a) minimum *interior* easterly *side yard*: 5.4 m.

2. Parts 2, 3, 4, 5, & 6, Plan 67R-2523, Franklin Blvd.

Notwithstanding the provisions of sections 3.1.2.6(e) and (j) of this by-law, the following regulations shall apply to the lands in the RM4 zone to which parenthetical reference to “(s. 4.1.126.2)” is made on Zoning Map E12 attached to and forming part of this by-law:

- (a) minimum *interior* northerly *side yard*: 4.5 m;
- (b) minimum *interior* westerly *side yard*: 3.3 m;
- (c) minimum *private amenity area* per *dwelling unit*: 30 m².

3. Block 105, R.P. 1470, Champlain Blvd.

Notwithstanding the provisions of sections 3.1.2.6(e) & (j) of this by-law, the following regulations shall apply to the lands in the RM4 zone to which parenthetical reference to “(s. 4.1.126.3)” is made on Zoning Map L13 attached to and forming part of this by-law:

- (a) minimum *interior* westerly *side yard*: 5.0 m;
- (b) minimum *private amenity area* per *dwelling unit*: 30 m².

4.1.127 *Lots Fronting on West River Road - Brigadoon (Cross) Holdings Inc. (30T-89038)*

Notwithstanding the provisions of section 3.1.2.2(d) of this by-law, the following regulation shall apply to the lands in that R4 zone to which parenthetical reference to “(s. 4.1.127)” is made on Zoning Map M8 attached to and forming part of this by-law:

1. Minimum *front yard* setback: 12 m. (By-law 129-95)

4.1.128 Local Shopping Centre, Block 70 - Elgin Street North and Franklin Boulevard - Northview Developments Inc.

Notwithstanding the provisions of section 3.3.3.3(f) of this by-law, the following regulation shall apply to the lands in the CS5 zone to which parenthetical reference to “(s. 4.1.128)” is made on Zoning Maps G12 and H12 attached to and forming part of this by-law:

1. Minimum *interior side yard* where it abuts the existing underground water reservoir: 1.5 m. (By-law 20-93)

4.1.129 Part of Block 52, Registered Plan 1519

Notwithstanding the provisions of sections 2.2.1.1(b) and 3.1.1.1(d)(ii) of this by-law, the following regulations shall apply to the lands in that RM3 zone to which parenthetical reference to “(s. 4.1.129)” is made on Zoning Map H12 attached to and forming part of this by-law:

1. Minimum required visitor parking spaces may be reduced by seven spaces provided that an equal number of residential units with double garages are provided on site;
2. Minimum distance separation provided between walls of buildings any of which has a window or windows to a *habitable room* shall be 4.3 m, except where the windows are at 90° angles to each other the minimum distance separation provided shall be 6.0 m. (By-law 38-93)

4.1.130 33 Forbes Street

Notwithstanding the provisions of sections 2.4.1.2 and 2.4.2.3 of this by-law, the following regulations shall apply to the lands in the R4(CO) zone to which parenthetical reference to “(s. 4.1.130)” is made on Zoning Map D13 attached to and forming part of this by-law:

1. No fencing shall be required where the site abuts an open space zone;
2. A 1.2 m high chain link fence and 1.2 m high hedge may be provided along the east side *lot line*, between the *rear lot line* and the rear building face of the *dwelling* to the east, instead of the 1.5 m high solid wood fence normally required (By-law 25-93)

4.1.131 Stonecairn Drive, Burnett Avenue

Notwithstanding the provisions of sections 3.1.2.3 (a), (b), (c), (d), (f) and (g) and section 2.2.4.4. of this by-law, the following regulations shall apply to the lands in that RS1 zone to which parenthetical reference to “(s. 4.1.131)” is made on Zoning Maps G13 and H13 and attached to and forming part of this by-law:

	<i>One Attached Dwelling Unit</i>	<i>Two Attached Dwelling Units</i>
• minimum <i>lot frontage</i> per <i>dwelling unit</i> :	6.3 m	13.7 m
• corner <i>lot frontage</i> :	11.65 m	18.5 m
• minimum <i>lot area</i> per <i>dwelling unit</i> :	221.0 m ²	479.5 m ²
• corner <i>lot area</i> :	400.25 m ²	640.0 m ²
• minimum <i>interior side yard</i> on one side of the <i>dwelling</i> :	0.6 m	
• minimum <i>exterior side yard</i> :	5.6 m	5.6 m
• no separation is required between an <i>access driveway</i> and the point of tangent of a corner radius to any <i>street line</i>		

(By-law 53-95)

4.1.132 127 Jacob Street

Notwithstanding the provisions of section 2.1.20 of this by-law parking required for a bed and breakfast hostel may be located between the front wall of the existing *dwelling* and Jacob Street, on the lands municipally known as 127 Jacob Street to which parenthetical reference to “(s. 4.1.132)” is made on Zoning Map E6 attached to and forming part of this by-law. (By-law 103-93)

4.1.133 Avenue Road - Parts 1 to 4, Reference Plan 67R-2881

Notwithstanding the provisions of section 3.1.1.5(a) of this by-law, the lands in that R6 zone to which parenthetical reference to “(s. 4.1.133)” is made on Zoning Map H10 attached to and forming part of this by-law, a minimum *interior side yard* of 1.2m must be provided on both sides of a *dwelling*. (By-law 144-93)

4.1.134 Parts of Lots 33, 34, 35, 36 and 40, Registered Plan 540

Notwithstanding the provisions of sections 2.2.1.1.(b), 2.2.2.12 and 3.1.2.6.(d), (e), and (j) of this by-law, the following regulations shall apply to the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.134)” is made on Zoning Map D12 attached to and forming part of this by-law:

1. Minimum number of visitor parking spaces: 2;
2. Minimum *rear yard*: 6.0 m;
3. Minimum *interior side yards*: 3.0 m;
4. Minimum *private amenity area per dwelling unit*: 30 m². (By-law 155-93).

4.1.135 Addition to *Local Shopping Centre* - Pinebush Road & Franklin Boulevard at Wayne Avenue

Notwithstanding any general provisions of the zoning by-law or the specific provisions of sections 3.3.3.1 and 3.3.3.3(d) of this by-law, the following regulations shall apply to the lands in that CS5 zone to which parenthetical reference to “(s. 4.1.135)” is made on Zoning Map F12, attached to and forming part of this by-law:

1. The maximum *gross leasable commercial floor area* is not to exceed 390.18 m² (4,200 sq. ft.);
2. No garbage facilities are to be located abutting the existing residential property on the east side of Wayne Avenue along the northerly property line; and
3. That the permitted uses do not include a *neighbourhood grocery store* or a *neighbourhood variety store*. (By-law 168-93)

4.1.136 West River Road

Notwithstanding the provisions of sections 3.1.2.2(d) and (f) of this by-law, the minimum *exterior* or *front yard* setback of buildings from West River Road for the lands in the R2 zone to which parenthetical reference is made on Zoning Map M8 shall be 12.0 m. (By-law 158-97)

4.1.137 88 Queen Street West

Notwithstanding the provisions of sections 3.1.1.1(b) and 3.1.2.5(d) of this by-law, the following regulations shall apply to the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.137)” is made on Zoning Map D12 attached to and forming part of this by-law:

1. More than one *dwelling* may be located on the same site;
2. The minimum *rear yard* setback may be reduced from 7.5 m to 3.8 m.
(By-law 166-94)

4.1.138 [Reserved]

4.1.139 304 West River Road

Notwithstanding the provisions of section 3.5.1.1 of this by-law, the lands in the OS1 zone to which parenthetical reference to “(s. 4.1.139)” is made on Zoning Map M8 attached to and forming part of this by-law, a gazebo, outdoor barbecue, and patio, accessory to the residence, shall be permitted, to allow the continued use, repair or reconstruction of existing facilities generally in the same location, on lands zoned OS1 on the property known municipally as 304 West River Road, Subdivision Lot 3, Concession 9, W.G.R., Part Lot 10, 11, Plan 314.
(By-law 26-94)

4.1.140 Golf Ball Driving Range and Miniature Golf Course - International Village Drive

Notwithstanding the provisions of sections 3.5.1.1(j) and 2.2.2.3(b)(i) and (ii) of this by-law, the following regulations shall apply to the lands in that OS2 zone to which parenthetical reference to “(s. 4.1.140)” is made on Zoning Maps G10, G11, H10 and H11 attached to and forming part of this by-law:

1. A miniature commercial golf course and/or commercial golf ball driving range are permitted uses;
2. The requirements of section 2.2.2.3(b)(i) and (ii) are exempted as long as the existing driveway from Hespeler Road is used as the access to the site. (By-law 67-94)

4.1.141 Transport Uses, Lovell Industrial Park

Notwithstanding the permitted uses identified in sections 3.4.3.1(c) and 3.4.3.1(e) of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.141)” is made on Zoning Maps F13 and G13 attached to and forming part of this by-law, transport uses pursuant to section 3.4.3.1(e) shall also be permitted, excluding section 3.4.3.1(e)(iii), on the lands so indicated; and notwithstanding the provisions of sections 2.2.2.3(c), 2.2.2.4(a)(iii) and 2.4.1.2 of this by-law, the following regulations shall also apply to the lands in the M3 zone as parenthetically referenced above:

1. Truck *transport trailer* parking and storage, including related facilities, shall be located a minimum of 16 m from the *front lot line*, and no closer to the *front lot line* than the *established building line* and such areas or facilities shall be screened from view from the *street* and existing industrial properties in accordance with the following:
 - (a) A planting strip not less than 3.0 m in width throughout, which planting strip shall contain plant materials forming a visual screen not less than 3.6 m in height; or
 - (b) A planting strip not less than 3.0 m in width throughout, which planting strip shall contain an earth berm not less than 1.5 m in height and having a maximum slope of 3:1 and plant materials forming a visual screen not less than another 1.8 m in height; and such planting strips shall be provided across the front of truck transport parking or storage facilities and along the *interior side lot line* common with any industrial use that existed prior to January 1, 1994, from the *front lot line* back a distance of 50 m;
2. All parking areas and *access driveways* in any *yard* of a transport use shall be paved with asphalt, concrete or other all-weather hard durable surface; (By-law 84-94).
3. Any *access driveway* located in the southeast corner of Part 1, Plan 58R-11312 shall be exempt from sections 2.2.4.3 and 2.2.4.6 of this by-law. (By-law 237-98)

4.1.142 Kent Street Southgate Homes Limited - Lots 15 to 19, Plan 30T-91016

Notwithstanding the provisions of sections 2.4.1 and 2.4.2 of this by-law, a 3.0 m wide landscaped planting strip forming a visual screen not less than 1.8 m in height shall be provided along the most northerly property line (*rear lot line*) of those *lots* described as Lots 15 to 19 on Draft Plan of Subdivision 30T-91016 and backing onto Lots 24 to 28, Registered Plan 1239 (Kent Street and Hillsboro Drive). If fencing is provided along the *rear lot lines*, it shall be restricted to chain-link type fencing only. (By-law 105-95)

4.1.143 46-50 Grand Avenue North

Notwithstanding the provisions of sections 2.3.1 and 2.4.1 of this by-law, the following regulations shall apply to the lands in that C1RM1 zone to which parenthetical reference to “(s. 4.1.143)” is made on Zoning Map K10 attached to and forming part of this by-law:

1. No loading space shall be provided for a medical office consisting of doctors' offices, a medical lab, clinic and/or dispensary;
2. A 1.5 m high solid wood fence shall be required along the south property line and right-of-way. (By-law 209-94).

4.1.144 Saginaw Parkway - Apartment Block 292 - Plan 30T-88008 (Deercrest)

Notwithstanding the provisions of section 3.1.2.4 of this by-law, the maximum number of *dwelling units* which may be provided on lands in that RM3 zone to which parenthetical reference to “(s. 4.1.144)” is made on Zoning Map H14 and attached to and forming part of this by-law may be increased from 158 to 180, and no structure thereon shall exceed seven *storeys* in height. (By-law 109-95)

4.1.145 Street “B”, Lots 34 to 36, 59 to 77 & 79 to 92 - Plan 30T-88008 (Deercrest)

Notwithstanding the provisions of sections 3.1.2.2(a)(i) and 3.1.2.2(b)(i) of this by-law, the following regulations shall apply instead to the lands in that R5 zone to which parenthetical reference to “(s. 4.1.145)” is made on Zoning Map H14 and attached to and forming part of this by-law:

- Minimum *lot frontage*: 11.5 m;
- Minimum *lot area*: 345 m². (By-law 109-95)

4.1.146 30-60 Light Drive, Seniors’ Complex

1. Notwithstanding the provisions of sections 2.2.1.1 (d) and 3.1.2.4(b) and (f) of this by-law, the following regulations shall apply to the lands in that RM3 zone to which parenthetical reference to “(s.4.1.146.1)” is made on Zoning Map H14 attached to and forming part of this by-law:
 - (a.) The minimum required number of parking spaces for an apartment use may be calculated at the rate of 0.79 spaces per unit plus a minimum of 10 spaces are required for visitor parking.
 - (b.) The maximum number of *dwelling units* shall be 64.
 - (c.) There shall be no required building setback from the OS1 zoning.
2. Notwithstanding the provisions of sections 3.1.2.4(b) and (f) of this by-law, the following regulations shall apply to the lands in that N2RM3 zone to which parenthetical reference to “(s.4.1.146.2)” is made on Zoning Map H14 attached to and forming part of this by-law:
 - (a.) The maximum number of *dwelling units* shall be 79.
 - (b.) There shall be no required building setback from the OS1 zoning. (By-law 116-11)

4.1.147 Saginaw Parkway - Townhouse Block 287 - Plan 30T-88008 (Deercrest)

Notwithstanding the provisions of section 3.1.2.6(b) of this by-law, the following regulations shall apply instead to the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.147)” is made on Zoning Map H14 and attached to and forming part of this by-law:

- minimum *lot area* (per *dwelling unit*): 250 m² to a maximum of 90 *dwelling units*.

(By-law 109-95)

4.1.148 Tony's Bakery - 641 Bishop Street

Notwithstanding section 3.4.3.1(c), an *auto body repair shop*, a stamping operation and a dry cleaning establishment shall not be permitted and the permitted uses prescribed in section 3.3.3.1 of this by-law, shall not apply to the lands in that M3CS5 zone to which parenthetical reference to “(s. 4.1.148)” is made on Zoning Map G9 attached to and forming part of this by-law, and the following uses shall be permitted in their stead:

1. Small equipment ware & business machines, sales & service;
2. Establishment providing instructions in the arts or crafts/*craftsperson's* shop;
3. Fitness club/health centre;
4. Office equipment sales & service;
5. Landscaping & garden centre sales & service;
6. Picture framing sales & service;
7. *Home improvement sales & service*;
8. Veterinary offices;
9. Sales and warehousing of automotive parts and equipment parts;
10. A “Rent-All” establishment;
11. An office supply establishment;
12. A photocopying service establishment;
13. Security or janitorial service;

14. Laundromat. (By-law 137-95)

4.1.149 21 McKay Street

Notwithstanding the provisions of sections 2.2.1.2, 2.2.3.4, 2.4.2, 3.3.3.1. and 3.3.3.2(g) of this by-law, the following regulations shall apply to the lands in that C3 zone to which parenthetical reference to “(s. 4.1.149)” is made on Zoning Map L10 attached to and forming part of this by-law:

1. The site may also be used for a laundromat and a take-out pizza restaurant where no seating is permitted;
2. Minimum number of parking spaces for a take-out pizza restaurant where no seating is permitted, a *variety store*, deli, and laundromat: 9;
3. The maximum *gross floor area* shall be 276 m²;
4. Minimum width of *aisles* to parking spaces: 4.5 m;
5. Planting strips are not required along the north *interior side yard* abutting the residential use;
6. Fencing along the north *interior side yard* shall only be required along the length of the *rear yard* for the residential use;
7. Minimum *interior side yard* abutting a residential zone: 4.5 m. (By-law 197-95) (By-law 171-05)

4.1.150 19 McKay Street

Notwithstanding the provisions of sections 3.1.2.2.(a)(i) and (b)(i) of this by-law, the following regulations shall apply to the lands in that R5 zone to which parenthetical reference to “(s. 4.1.150)” is made on Zoning Maps L10 attached to and forming part of this by-law:

1. Minimum *lot frontage*: 8.1 m;
2. Minimum *lot area*: 240 m². (By-law 214-95)

4.1.151 134 & 140 Hespeler Road

The provisions of sections 2.2.2.3(c), 2.2.4.4, 2.3.1, 2.4.3, 3.3.1.3(c)(i), 3.3.3.1 and 3.3.3.2(g) of this by-law shall not apply to the lands in the C2 zone to which parenthetical reference to “(s.

4.1.151)” is made on Zoning Map H10 attached to and forming part of this by-law, and the following regulations shall apply in their stead:

1. Parking stall setback from Spiers Crescent and Wilmot Avenue *street line*: 0;
2. Parking stall setback from the *street line* of the site triangle of Hespeler Road and Wilmot Avenue: 1.0 m;
3. The *access driveway* shall not be located closer than 8.2 m from the intersection of Hespeler Road and Wilmot Avenue;
4. No off-street loading space is required;
5. No planting strip shall be required along the north and south *front lot line*;
6. A maximum of 3 *dwelling units* may be located in the *basement*;
7. In addition to the C2 uses, one *semi-detached one-family dwelling* shall also be permitted;
8. The minimum distance between the building and the west property line: 5.8 m; (By-law 204-95).
9. Notwithstanding section 2.1.15 and subsection 4.1.151.8, the minimum distance between the uncovered deck and the west property line: 0.67 m. (By-law 21-00).

4.1.152 Main Street and Dundas Street

Notwithstanding the provisions of sections 2.4.3, 3.3.3.2(c), (i) & (d) of this by-law, the following regulations shall apply to the lands in that C2C5 zone to which parenthetical reference to “(s. 4.1.152)” is made on Zoning Maps K12 and L12 attached to and forming part of this by-law:

1. Minimum *front yard* setback for buildings: 7.5 m;
 2. Minimum *rear yard* setback for buildings: 1.5 m;
 3. Minimum landscaping strip along Dundas Street: 1.5 m.
- (By-law 83-96)

4.1.153 Northeast Corner of King Street East and Eagle Street

Notwithstanding the provisions of sections 2.1.8.1(a), 2.4.1.2, 3.1.2.4(b) and 3.3.1.4(c) the following provisions shall apply to the lands in those C1, RM2 and C1RM2 zones to which parenthetical reference to “(s. 4.1.153)” is made on Zoning Map F7 attached to and forming part of this by-law:

1. A maximum density of 110 *dwelling units* per net residential hectare shall be permitted on the lands zoned RM2 and C1RM2 and shall be calculated on the basis of the actual area used for residential purposes;
2. No planting strip and fencing is required on the lands zoned C1 where they abut lands zoned RM2;
3. New *habitable rooms*, new windows, doors and other openings to a building may be provided at an elevation lower than the *regulatory flood line* subject to approval by the Grand River Conservation Authority;
4. No *interior side yard* shall be required adjacent to the lands zoned RM2, for the lands zoned C1. (By-law 20-96)

4.1.154 Russ Street - Apartment Building

Notwithstanding the provisions of the zoning by-law, the maximum height of any buildings on the site shall be three *storeys*, measured from the existing *grade* along the southerly property line. (By-law 30-96)

4.1.155 Lang's Drive - Part of Lot 13, Registered Plan 1375

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the land in that M2 zone to which parenthetical reference to “(s. 4.1.155)” is made on Zoning Map F9 and attached to and forming part of this by-law may only be used for the following purposes:

1. Commercial recreation establishments consisting of one or more of the following: a bingo hall, a bowling alley, a dance hall, a banquet hall, a theatre or cinema, or a commercial teaching facility;
2. Printing, publishing or broadcasting facilities, a data services establishment and the offices of a professional consultant providing management, architectural, engineering, town planning, land surveying, market research, industrial design or interior design services, an industrial enterprise whose industrial activities may be conducted off-site elsewhere but not necessarily within the City of Cambridge, a financial, insurance or real estate establishment;

3. General industrial uses consisting of: warehousing, storage and stockpiling of products, an industrial or construction equipment supplier, a contractor's establishment, a catering service, a computer programming, data processing or other data services establishment, all conducted wholly within enclosed buildings.

(By-law 41-96)

4.1.156 44-46 Wright Avenue

Notwithstanding the provisions of sections 2.1.15, 2.4.1.1, 3.1.2.5(a) & (b) of this by-law, the following regulations shall apply to the lands in that RM4 zone to which parenthetical reference to "(s. 4.1.156)" is made on Zoning Maps J10 attached to and forming part of this by-law:

1. The minimum setback for an unenclosed deck located in the northerly *side yard* exceeding one *storey* in height: 1.2 m;
2. Fencing shall not be required along the *side lot lines* for the lands below the regulatory floodline;
3. Minimum *lot frontage*: 24.7 m;
4. Minimum *lot area*: 690 m²;
5. A 1.5 m high solid or privacy lattice fence must be provided on the top of the deck along the north property line. (By-law 132-96)

4.1.157 F. Rocha - 55 Glamis Road

Notwithstanding the provisions of section 3.4.3.1(c) of this by-law, an autobody repair shop, a stamping operation and a dry cleaning establishment shall not be permitted and the permitted uses prescribed in section 3.3.3.1 of this by-law shall not apply to the lands in that M3CS5 zone to which parenthetical reference to "(s. 4.1.157)" is made on Zoning Map H10 attached to and forming part of this by-law, and the following uses shall be permitted in their stead:

1. Office equipment and business machine sales and service;
2. Establishment providing instructions in the arts and crafts/craftperson's shop;
3. Fitness centre/dance studio;
4. Picture framing sales and service;

5. *Home improvement sales and service;*
6. Electrical/plumbing/heating/air conditioning, sales and service;
7. Pool supply sales, service and installation;
8. Veterinary/grooming office;
9. Sales and warehousing of automotive parts and equipment;
10. A “Rent-All” establishment;
11. Print/photocopy establishment;
12. Security/sound system/vacuum system, service installation;
13. Custom signs;
14. Home brew/winemaking establishment;
15. Mini golf establishment. (By-law 150-96)

4.1.158 219, 221 and 223 Water Street North

1. Prohibited Uses

Notwithstanding the permitted uses included in section 3.3.3.1 of this by-law, no lands shall be used and no building or structure shall be located, erected or used on the lands in that C2 zone to which parenthetical reference to “(s. 4.1.158)” is made on Zoning Map J10 attached to and forming part of this by-law, for any of the following purposes:

- (a) a *neighbourhood variety store* or *grocery store* irrespective of the amount of floor area provided therein;
- (b) a video store;
- (c) any commercial-recreational establishment described in section 3.3.3.1(c) of this by-law.

2. Site Development Specifications

Notwithstanding the provisions of section 2.4.2.3 of this by-law, the following regulations shall apply to the lands in that C2 zone to which parenthetical reference to “(s. 4.1.158)” is made on Zoning Map J10 attached to and forming part of this by-law:

- The planting strip along the northerly property line of 223 Water Street North along the length of the existing house structure may be reduced to not less than 0.8 m in width as long as the existing structure remains. (By-law 170-96)

4.1.159 121 Hespeler Road

Notwithstanding the provisions of sections 2.4.1.2, 3.3.1.3(c)(i), 3.3.3.1 and 3.3.3.2(g) of this by-law, the following regulations shall apply to the lands in that C2RM4 zone to which parenthetical reference to “(s. 4.1.159)” is made on Zoning Map H10 attached to and forming part of this by-law:

1. The site may be used for the retail sale of doors and windows;
2. Minimum south *side yard* setback: 3 m;
3. Minimum north *side yard* setback: 1.2 m;
4. No planting strip or fencing is required along the south *lot line*;
5. No fencing is required along the *rear lot line*;
6. A 1.5 m high solid wood fence must be provided along the south property line along the length of the *rear yard* only;
7. One *dwelling unit* may be located on the ground floor.

(By-law 184-96)

4.1.160 Freitas, 875 Main Street East

Notwithstanding the provisions of sections 2.1.4 and 3.1.1.8 of this by-law, the lands in that (H) R4 zone to which parenthetical reference to “(s. 4.1.160)” is made on Zoning Maps K13 and L13 attached to and forming part of this by-law may also be used for the parking or storage of not more than 3 commercial motor vehicles (trucks/tractors or tractor-*trailer* combinations); and a 9.15 m by 24.4 m building for the storage of such commercial motor vehicles may be erected subject to the following additional regulations:

1. The maximum *building height* shall be 4.88 m;
2. Minimum *interior side yards* shall be 4.0 m;
3. Minimum *rear yard*: 7.5 m;

4. Service and repair of vehicles shall not be permitted.

Planting strips and fencing shall be required in accordance with section 2.4.2 of this by-law, with the exception of the eastern boundary of the site within 36.5 m of Main Street East where no planting strip will be required. (By-law 191-96)

4.1.161 Robert McKie, Riverbank Drive

Notwithstanding the provisions of section 3.6.1.2(b) of this by-law, the following regulations shall apply to the lands in that A1 and OS1 zone to which parenthetical reference to “(s. 4.1.161)” is made on Zoning Map B4 attached to and forming part of this by-law:

A *farm* related *dwelling* may be erected on that portion of the site (3.5 ha/8.65 ac.) zoned A1, subject to the *dwelling* being located a minimum of 170 m from existing manure storage located on the lands at the southeast corner of Middle Block Road and Riverbank Drive as shown on Schedule A hereto attached (see By-law 5-97).

Any building or structure used to house livestock and the location of manure storage must comply with the Minimum Distance Separation requirements of the Ontario Ministry of Agriculture, Food and Rural Affairs (March 1995) or successors thereof. (By-law 5-97)

4.1.162 40 Kerr Street, Lot 1, Plan D-7

Notwithstanding the provisions of sections 2.4 and 3.3.1.3 of this by-law, the following regulations shall apply to the lands in that C1M5 zone to which parenthetical reference to “(s. 4.1.162)” is made on Zoning Maps K10 and K11 attached to and forming part of this by-law:

1. The 1.8 m (6 ft.) high chain link fence along the easterly *side yards* must be maintained or replaced with a 1.5 m (5 ft.) high black vinyl chain link fence;
2. A 1.5 m (5 ft.) high black vinyl chain link fence must be installed along the unfenced portion of the easterly *side yard*;
3. The existing fencing along the westerly *side yard* located to the north of the existing rear building must be maintained or replaced with a minimum 1.5 m (5 ft.) high solid wood fence;
4. The existing 1.2 m (4 ft.) high wood and chain link fence be replaced with a 1.5 m (5 ft.) solid wood fence (between the building face of the front building and the building face of the rear building);
5. *Dwelling units* are not permitted. (By-law 37-97)

4.1.163 675 Coronation Boulevard

Notwithstanding the provisions of sections 2.1.6, 2.2.2.3 (c), 2.2.4.4 & 2.4.3. of this by-law, the following regulations shall apply to the lands in that C2(0) zone to which parenthetical reference to “(s. 4.1.163)” is made on Zoning Map H9 attached to and forming part of this by-law:

1. Only a maximum of two medical practitioners may be permitted on the site;
2. The minimum setback of parking facilities from an exterior side yard shall be 1.0 m;
3. The minimum setback of one parking space from a daylighting triangle shall be 2 m;
4. The minimum setback for an access driveway from a daylighting triangle shall be 0 m;
5. The minimum width of a planting strip along the exterior side yard shall be 1 m.
(By-law 57-97)

4.1.164 1260 Bishop Street

Notwithstanding the provisions of section 3.4.3 of this by-law, the following uses are permitted on the lands in that M2 zone to which parenthetical reference to “(s. 4.1.164)” is made on Zoning Map G10 attached to and forming part of this by-law:

1. Fitness/health club;
2. *Home improvement sales and service;*
3. Sale and warehousing of automotive parts;
4. Laundromat and dry-cleaning;
5. Electronic repair and service;
6. Photocopying services;
7. Building and facilities for the use of non-profit social, recreational, cultural or fraternal groups and organizations or institutions;
8. Office supply establishment serving industrial and office clients;
9. Sales and service of business machines;
10. Picture framing sales and service;

11. Veterinary offices and grooming and boarding of household pets;
12. Business and professional offices;
13. A rent-all establishment;
14. Security or janitorial service;
15. Small equipment sales and service;
16. A *commercial school* or studio;
17. A *crafts/craftsperson's* shop. (By-law 68-97)

4.1.165 44 Portland Street

Notwithstanding the provisions of sections 2.2.1.3(a) and 3.2.1.2(e) of this by-law, the following regulations shall apply to the lands in that N1 zone to which parenthetical reference to “(s. 4.1.165)” is made on Zoning Map J10 attached to and forming part of this by-law:

1. 7 parking spaces shall be required;
2. 5 parking spaces may be in tandem;
3. Minimum westerly *interior side yard* setback: 1.5 m;
4. Minimum *lot frontage*: 13.7 m;
5. Maximum *lot coverage*: 40%;
6. No planting strip or fencing is required along the westerly property line.

(By-law 73-97)

4.1.166 Street 'A' - Lots 40 to 43 and 48 to 51, Plan 30T-95003 (Activa Holdings Inc.)

Notwithstanding the provisions of section 3.1.2.2(b)(i) of this by-law, Lots 40 to 43 and 48 to 51 inclusive of draft plan 30T-95003, shown shaded, being eight *lots* for lands in that R6 zone to which parenthetical reference to “(s. 4.1.166)” is made on Zoning Maps L11 and M11 attached to and forming part of this by-law, shall have a minimum *lot area* of 246.6 m². (By-law 143-97)

4.1.167 Centrecorp Management Services Ltd., Hespeler Road at Dundas Street

Notwithstanding the provisions of sections 3.3.3.1, 3.3.3.3 and 2.2.3.2 of this by-law, the following regulations shall apply to the lands in that CS4 zone to which parenthetical reference to “(s. 4.1.167)” is made on Zoning Map J10 attached to and forming part of this by-law:

- For the purpose of this by-law, Department Store Type Merchandise (DSTM) shall include:

Apparel/Accessories	
Men's/Boys' Wear	Lingerie
Ladies' Wear	Hosiery
Children's Wear	Maternity
Family Wear	Millinery
Unisex Wear	Furrier
Men's Shoes	Fabric
Ladies' Shoes	Wood
Children's Shoes	Bridal
Family Shoes	Accessories/Other Apparel (e.g. ties, ladies' accessories)

Durables/Semi-Durables	Household Furnishings
Book/Stationary	Furniture
Cards	Appliance
Florist	Furniture/Appliance
Jewelry	TV/Radio/Stereo
Sporting Goods (including Sports Shoes and Sports Apparel)	Furniture Refinishing/Upholstery
Bicycle	Appliance/TV/Stereo Repair
Gift/Novelty/Souvenir	Computers
Camera/Photo Supply	China/Glassware/Kitchenware
Hardware/Electrical Supply	Floor Coverings
Paint/Glass /Wallpaper	Drapery/Blinds
Record/Tape/CD's	Linen/Bath

Durables/Semi-Durables	Household Furnishings
Toy/Hobby	Antiques
Musical Instruments	Lamps & Lighting Fixtures
Lawn & Garden Center	Sewing Machines
Luggage/Leather Goods	Vacuums
Optician	Fireplace Accessories
Pet & Pet Supply	Other Household Furnishings
Art Gallery & Artists' Supply	<u>Drugs/Cosmetics</u>
Picture Frames	Drug Stores
Coin/Stamp	Cosmetics
Tobacco/News/Magazine	
Key/Locksmith	
Catalogue (e.g. Consumers Distributing)	
Other Durables/Semi-Durables	

2. Maximum gross leasable commercial floor area for all DSTM uses shall be 5,574 m² (60,000 sq. ft.);
3. Minimum parking stall width shall be 2.7 m (8.858 ft.);
4. Notwithstanding the (H) Prefix Zone (Holding Zone) provisions as outlined in section 2.1.4, the lands in that (H1)(H2)CS4 zone to which parenthetical reference to “(s. 4.1.167)” is made on Zoning Map J10 attached to and forming part of this by-law:
 - (a) shall not be developed until the Ontario Ministry of Environment and Energy have provided a written acknowledgment of the receipt of a “Record of Site Condition” under the Guidelines for Use at Contaminated Sites, 1996, as amended; and the (H1) prefix has been removed; and
 - (b) subject to clause (a) above, the lands may be developed with any of the permitted uses including a food store have a maximum *gross leasable commercial floor area* of 1,400 m² (15,070 sq. ft.) without removal of the (H2) prefix, however, any *gross leasable commercial floor area* for a food store in excess of 1,400 m² will require removal of the (H2) prefix in compliance with the requirements of the Official Plan.

(By-law 205-97)

4.1.168 Mattamy (Galt) Ltd. 30T-88052 – Townline Road

- Notwithstanding the provisions of sections 3.1.2.2, 3.1.2.3, 3.1.2.5, 2.1.14, 2.1.15(3) and (6) and 2.2.4.4 of this by-law, the following regulations shall apply to the lands in that R5, R6 and RM4 zone classifications to which the parenthetical reference (s. 4.1.168) is made on Maps F14, F15, G13, G14 and G15:

Zone Provisions		R5 Single	R6 Single
Minimum <i>Lot Frontage</i>	m	13.1	10.4
Minimum Corner <i>Lot Frontage</i>	m	14.3	11.6
Minimum <i>Lot Area</i>	m ²	320	255
Minimum Corner <i>Lot Area</i>	m ²	350	285
Minimum <i>Front Yard</i> to Garage	m	5.8	5.8
Minimum <i>Front Yard</i> to House	m	3	3
Minimum <i>Interior Side Yard</i> ¹	m	1.2	1.2
Minimum <i>Exterior Side Yard</i>	m	2.4	2.4
Minimum <i>Rear Yard</i>	m	7.5	7.5
Minimum <i>Gross Floor Area</i>	m ²	75	75
Maximum <i>Lot Coverage</i> ²	% of <i>lot area</i>	52	52
Minimum Landscaped Area	% of <i>lot area</i>	30	30

¹ Minimum *interior side yard* may be reduced on one side of a detached dwelling in an R5 zone to 0.9 m and an R6 or RM4 zone to 0.6 m where no doors, windows or other openings are provided on that side of the building where the *yard* is reduced.

² Assumes porch included in coverage.

Zone Provisions		RM4			
		Single	Semi		Linear Townhouse
			One Attached	Two Attached	
Minimum <i>Lot Frontage</i>	m	10.4	8.7	17.4	7
Minimum Corner <i>Lot Frontage</i>	m	11.6	9.9	18.6	-
Minimum <i>Lot Area</i>	m ²	255	210	430	170
Minimum Corner <i>Lot Area</i>	m ²	285	240	460	0
Minimum <i>Front Yard</i> to Garage	m	5.8	5.8	5.8	5.8
Minimum <i>Front Yard</i> to House	m	3	3	3	3
Minimum <i>Interior Side Yard</i> ¹ (subject to section 3.1.1.5)	m	1.2	1.2	1.2	1.2
Minimum <i>Exterior Side Yard</i>	m	2.4	2.4	2.4	3
Minimum <i>Rear Yard</i>	m	7.5	7.5	7.5	7.5
Minimum <i>Gross Floor Area</i>	m ²	75	75	75	75
Maximum <i>Lot Coverage</i> ²	% of <i>lot area</i>	52	52	52	58
Minimum Landscaped Area	% of <i>lot area</i>	30	30	30	30
Maximum Number of Attached Units		-	-	-	8
Maximum Number of Detached Units on One Block/ Lot		9	-	-	-

Corner Sightlines	10 m offset
Permitted Encroachments – Bay Window	1 m for a 4 m wide window up to 2 <i>storeys</i> with or without a foundation
Permitted Encroachments – open or covered unenclosed porches, patios, decks not exceeding 3 m in height	1 m into the minimum required <i>front yard</i> on an interior lot and 1.5 m into the minimum required <i>front</i> and <i>exterior side yards</i> on a <i>corner lot</i> 2.5 m into the minimum <i>rear yard</i> including eaves and cornices
Setback of <i>Access Driveway</i> from the Intersection of any Two <i>Street Lines</i>	6 m

(By-law 203-02)

2. Notwithstanding the provisions of sections 3.1.2.6(e), (j) and (l) of this by-law, the following regulations shall apply to the lands on Block 89 in that RM3 zone to which parenthetical reference to “(s. 4.1.168.2)” is made on Zoning Maps F14, F15, G13, G14 and G15 of this by-law:
 - (a) minimum *interior side yard*: 1.2 m;
 - (b) minimum *private amenity area*: 7 m² for each back-to back unit in the form of a terrace/ balcony; and
 - (c) maximum number of row house *dwelling units* attached: 12 back-to-back units. (By-law 3-07)

4.1.169 85 Dundas Street North

Notwithstanding the provisions of sections 3.3.1.3, 3.3.3.1 and 3.3.3.2(d) and (e) of this by-law, the following regulations shall apply to the lands in that C2 zone to which parenthetical reference to “(s. 4.1.169)” is made on Zoning Map K12 attached to and forming part of this by-law:

1. Minimum *rear yard* setback: 1 m;
2. Minimum *interior side yard* setback: 2 m;
3. Residential units are not permitted;
4. An automobile service mall, *motor vehicle repair shop* or *drive-thru automobile service shop* is not permitted.

(By-law 44-98)

4.1.170 155 Hespeler Road

The regulations prescribed in sections 2.2.2.3(c), 2.4.2.3(d), 2.4.3, 3.3.3.2(f) and (g) shall not apply to the lands in that C2 zone to which parenthetical reference to “(s. 4.1.170)” is made on Zoning Map H10 attached to and forming part of this by-law and the following regulations shall apply in their stead:

1. Minimum width of landscape strip along Abbotsford (east of driveway access): 1.5 m;
2. Minimum parking setback along Abbostford: 1.5 m;
3. Minimum planting strip for northerly *interior side yard*: 0.5 m;

4. Minimum *exterior side yard* setback: 5 m;
5. Minimum *interior side yard* setback: 3 m;
6. Fence will not be required along the northerly *lot* line. (By-law 15-99)

4.1.171 155 Robinson Road

Notwithstanding the provisions of sections 2.4.2.3 and 3.3.3.1 and 3.3.3.2 of this by-law, the following regulations shall apply to the lands in that R1C2(O) zone to which parenthetical reference to “(s. 4.1.171)” is made on Zoning Map L15 attached to and forming part of this by-law:

1. Minimum planting strip width along the south property line: 1 m;
2. A 1.5 m high chain link fence and 2 m high cedar hedge may be permitted instead of a 1.5 m high solid wood fence;
3. No office, dispensary, surgery or clinic of a doctor, or any other medical practitioner, is permitted;
4. Maximum *gross floor area* for any commercial use: 150 m². (By-law 87-00)

4.1.172 Cambridge Station, Myers Road @ Water Street

Notwithstanding the provisions of sections 3.3.1.3, 3.3.3.1 and 3.3.3.3(d), (e) and (h), 2.2.1.2(b) (ii)(8) and 2.4.3 of this by-law, the following regulations shall apply to the lands in the CS5 zone of which parenthetical reference to “(s. 4.1.172)” is made on Zoning Map M9 attached to and forming part of this by-law:

1. Dwelling units are not permitted;
2. The maximum gross leasable commercial floor area shall be 2,500 m²;
3. The minimum front yard setback for any train cars placed on the site shall be 2.0 m from Water Street;
4. The minimum *front yard* setback for a building from Myers Road shall be 1.5 m;
5. The minimum parking requirement for a *conveyor car wash* shall be 2 spaces, plus 15 spaces in line;

6. A landscaped strip not less than 2.0 m in width shall be provided and maintained along the northerly half of the Water Street frontage of the site;

All other provisions of the by-law shall continue to apply. (By-law 163-99)

4.1.173 Royal Contractors Limited – 292 Elgin Street North

Notwithstanding the provisions of sections 3.4.3.1 and 3.4.3.2(h) of this by-law, a *banqueting hall* may be permitted and the *rear yard* setback for a building will be a minimum of 3.7 m in that M5 zone to which parenthetical reference to “(s. 4.1.173)” is made on Zoning Map J11 attached to and forming part of this by-law. (By-law 222-99)

4.1.174 Transfreight Inc. – Parts 1, 2, 5 & 6, Reference Plan 58R-13543, Barnes Road

Notwithstanding the provisions of section 3.4.3.1(c) of this by-law, a *transport terminal* may be located in that M3 zone to which parenthetical reference to “(s. 4.1.174)” is made on Zoning Maps D5 and D6, attached to and forming part of this by-law; and notwithstanding the provisions of sections 2.2.2.3(c), 2.2.2.4(a)(iii), 2.4.1.2 and 2.4.3 of this by-law, the following regulations shall also apply:

1. Truck *transport terminal* parking and storage, including related facilities, shall be located a minimum of 12 m from the *front lot line*, and no closer to the *front lot line* than the *established building line* and such areas or facilities shall be screened from view from the *street* and existing industrial properties in accordance with the following:
 - (a) a planting strip not less than 1.5 m in width along all *interior side lot lines*, which planting strip shall contain plant materials forming a visual screen not less than 3.6 m in height. Such planting strips shall provide enhanced planting and landscaping along the *interior side lot line* common with any industrial use, from the *front lot line* back a distance of 50 m. The remainder of the 1.5 m planting strip shall consist of a minimum requirement of placing trees every 24 m;
 - (b) the minimum landscape buffer along the Barnes Road frontage shall be 12 m and along the Maple Grove Road frontage shall be 20 m. Both landscaped buffers shall consist of a 1.5 m high berm and 1.8 m high screen planting;

Where any fencing of the property is required, such fencing is to be located interior to the landscape buffers and/or landscaping strips and shall be subject to the City of Cambridge Fence By-law.

2. All parking areas and *access driveways* in any yard of a *transport terminal* shall be paved with asphalt, concrete or other all weather hard durable surface. (By-law 139-02)

4.1.175 Arriscraft International, Briardean Road

Notwithstanding the provisions of sections 2.1.5.2 (b)(ii)(3) and (4) of this by-law, the following regulations shall apply to the lands in that (E)A1 zone to which parenthetical reference to “(s. 4.1.175)” is made on Zoning Maps C9, D8, D9, and D10 attached to and forming part of this by-law:

No pit of quarry excavation shall be located:

1. Within 30 m of any public *street* or *highway*;
2. Within 90 m of any lands classified by the by-law as a residential use class zone, and located east of Briardean Road, and within 40 m of any lands classified by the by-law as a residential use class zone, and located west of Speedsville Road;
3. Within 1m of lands zoned OS1 by this by-law. (By-law 16-00).

4.1.176 Hogg Fuel & Supply – Lot 9, Registered Plan 1427

Notwithstanding the provisions of section 3.4.3.1(b) of this by-law, an outdoor display area only, having an area not greater than 1,200 m², of new industrial and commercial motorized equipment and vehicles may be permitted a minimum of 55 m from the northerly portion of the property and the display, rental, lease, sales and service of industrial and commercial motorized equipment and vehicles shall be permitted to the south of the site for the lands in that M1 zone to which parenthetical reference to “(s. 4.1.176)” is made on Zoning Maps E9 and E10 attached to and forming part of this by-law. (By-law 106-00)

4.1.177 D. Murphy GMC Dealership – N/W Corner of Industrial Road & Eagle Street

Notwithstanding the provisions of sections 2.4.1, 3.3.3.1 and 3.3.3.2(e) of this by-law, the following regulations shall apply to the lands in that C4 zone to which parenthetical reference to “(s. 4.1.177)” is made on Zoning Maps E10 and F10 attached to and forming part of this by-law:

1. A 1.83 m high chain link fence shall be required along the interior lot line;
2. The lands shall be used for motor vehicle sales and *accessory uses* of a collision centre and a service/repair shop only;
3. A minimum *interior side yard* of 15 m shall be provided adjacent to the Canadian National Railway. (By-law 142-00)

4.1.178 Wellington Place, Wellington, Harris, Main and Bruce Streets

Notwithstanding the provisions of sections 2.1.15.1, 2.2.1.1(b), 2.2.2.3(a), 2.2.2.3(f), 2.4.4, 3.1.2.5, 3.1.2.6 and Figure 5 of this by-law, the following regulations shall apply to the lands in that C1RM1 zone to which parenthetical reference to 4.1.178 is made on Zoning Map K10 attached to and forming part of this by-law:

1. Minimum *lot frontage* – 5.5 m per unit;
2. Minimum *lot frontage* – 3.0 m for any block used for the purpose of common amenity space;
3. Minimum *lot area* – 130 m² per *dwelling unit*;
4. Minimum *front yard* – 4.5 m to be measured from the building façade, with steps being permitted to project into the minimum *front yard* setback by 2.5 m and open arbor or trellis structures being permitted to extend to the *front lot line*;
5. Minimum *rear yard* – 5.5 m to be measured from the rear wall of the *dwelling*;
6. Minimum *interior side yard* – 1.5 m;
7. Minimum *exterior side yard* – 4.5 m;
8. Maximum *lot coverage* – 60% of the *lot area*;
9. Minimum *landscaped open space* – 25% of the *lot area*;
10. 1.5 m high fences or walls may be provided between the building façade and the *street line* of Wellington and Bruce Streets;
11. Minimum number of parking spaces – 1 space per *dwelling unit*;
12. An *access driveway* may be provided on adjacent parcels of land;
13. No *access driveway* shall be located within 4 m of a window of a *habitable room* of a *dwelling unit* as measured perpendicular to the wall containing such window.

Notwithstanding the provisions of section 1.1.1 of this by-law, the following definitions shall apply to the lands in that C1RM1 zone to which parenthetical reference to 4.1.178 is made on Zoning Map K10 attached to and forming part of this by-law:

1. *Lot frontage* – means the width of a *lot* where it fronts onto a *public street* or onto a common private access lane;

2. *Lot line, front* – means the lot line that is adjacent to the façade of the building, and generally divides the *lot* from a *street* or private common access;
3. *Yard, front* – means a yard extending across the full width of a *lot* and adjacent to the building façade;
4. *Yard, rear* – means a yard extending across the full width of a *lot* and adjacent to the rear wall of the dwelling. (By-law 164-00)

4.1.179 Cambridge Country Manor, 3680 Speedsville Road

Notwithstanding section 3.2.1 of this by-law, not more than 143 beds shall be permitted in that N2 zone to which parenthetical reference to “(s. 4.1.179)” is made on Zoning Maps A8 and A9 attached to and forming part of this by-law. (By-law 190-00)

4.1.180 Heritage Baptist College – Holiday Inn Drive

Notwithstanding the provisions of subsection 3.2.1.2 of this by-law, the minimum *rear yard* for any buildings erected or used for the purposes of providing student residences or dormitories shall be 70 m (see section 4.2.49). (By-law 190-00)

4.1.181 Blackbridge Mill Inn, 4860 Townline Road

1. Notwithstanding the provisions of sections 2.1.4, 3.1.2.1 and 3.5.1.1 of this by-law, and subject to the provisions of sections 4.1.181.2, 4.1.181.3, 4.1.181.4 and 4.1.181.5 hereafter, the lands in the (H)R2 and (H)OS1 zones to which parenthetical reference to “(s. 4.1.181)” is made on Zoning Maps B14, C14 and C15 attached to and forming part of this by-law may also be used for the following purposes:
 - (a) a country inn/hotel (retreat) in which a maximum of 10 rooms are provided for the accommodation of guests and where meeting rooms, dining, banquet and conference facilities having a maximum capacity of 75 persons, indoor recreational facilities and a *food services establishment* may also be provided as *accessory uses* to the inn/hotel. A tavern or public house is specifically prohibited;
 - (b) outdoor games courts, *swimming pools*, skating rinks, sitting areas, gardens and garden structures and a canoe launch or dock, primarily for the use of guests of the inn/hotel;
 - (c) the growing of fruits and vegetables for the use of the inn/hotel;

2. The uses referred to in section 4.1.181.1(a), and any buildings or structures and access and parking areas for such use shall be located on lands zoned (H)R2 and located above the *regulatory flood line* as determined by the Grand River Conservation Authority;
3. That the uses referred to in section 4.1.181.1(b) and (c) and the creation of access and parking areas may also be provided on the lands zoned (H)OS1, only in accordance with the provisions of section 6.1.5 of the Official Plan where the recommendations of an approved Environmental Impact Statement are also incorporated into the development;
4. Until municipal sanitary sewers are available and the “H” holding symbol has been removed from the zoning classification applied to the site, the development and use of buildings and lands shall be restricted to a country inn/hotel having no more than three bedrooms (*bed-and-breakfast establishment* including proprietor and guest rooms) and shall not include any of the other uses set out in section 4.1.181.1(a) of this by-law;
5. Notwithstanding the provisions of section 4.1.181.4 of this by-law, Council may pass by-laws for the uses referred to under section 4.1.181.1(a) in accordance with the site specific policies of the Official Plan and Section 36 of the *Planning Act*, R.S.O. 1990, as amended;
6. The site development specifications of section 3.3.3.2 of this by-law for a C2 zone shall apply to any new buildings or structures or additions to the *existing* buildings that may be built within that (H)R2 zone to which parenthetical reference to “(s. 4.1.181)” is made, except that no *rear yard* setback is required from the limit of the open space zone for any buildings and structures located in the (H)R2 zone. (By-law 40-02)

4.1.182 182 Pinebush Road

1. Notwithstanding the provisions of section 3.4.2.1(b) of this by-law, the following additional uses shall be permitted on that site to which parenthetical reference to “(s. 4.1.182)” is made on Zoning Maps E12 and F12:

A Wellness Centre including:

- fitness centre;
- sports medicine;
- dermatology;
- daycare centre;
- esthetics;

- physiotherapy;
 - sports training;
 - personal training;
 - diet and nutrition centre;
 - massage therapy.
2. Notwithstanding the provisions of section 1.1.5.1(a), the residential use cease on this site 90 days from the coming into force of this by-law and the entire site be used for permitted uses only. (By-law 219-01)

4.1.183 Part of Lots 161 and 171 and a lane (closed by by-law), Registered Plan 265

Notwithstanding the provisions of section 3.1.2.2(a)(ii) of this by-law, the following regulations shall apply to the lands in the R5 zone to which parenthetical reference to “(s. 4.1.183)” is made on Zoning Map J11 attached to and forming part of this by-law:

1. Corner *lot frontage*: 15 m. (By-law 234-01)

4.1.184 Conestoga Boulevard Special District

1. Notwithstanding the provisions of sections 3.1.2.1(a) and (b), 3.1.2.2(d) and 3.1.2.5(c), (d) and (h) of this by-law, the following regulations shall apply to lands in those R6 and RM4 zones to which parenthetical reference to “(s. 4.1.184)” is made on Zoning Map G11 attached to and forming part of this by-law:
 - (a) permitted uses in an RM4 zone shall not include *detached* and *semi-detached dwellings*;
 - (b) minimum *front yard* in an R6 or RM4 zone: 4 m;
 - (c) minimum *rear yard* in an RM4 zone: 6 m;
 - (d) maximum *lot coverage* in an RM4 zone: 55% of *lot area*;
2. In addition to the requirements of sections 3.1.2.2, 3.1.2.4, 3.1.2.5 and 3.1.2.6 of this by-law, the maximum number of bedrooms to be provided in any *dwelling unit* to be constructed and used on the lands in those R6, RM2, RM4 and RM3 zones to which parenthetical reference to “(s. 4.1.184)” is made on Zoning Map G11 attached to and forming part of this by-law shall be two. (By-law 97-04)

3. Notwithstanding the provisions of sections 3.1.2.6(b), (c), (d), (e), and (m), 2.2.2.3(f) and 2.4.2.3(a) of this by-law, the following regulations shall apply to that RM3 zone with parenthetical reference to “(s.4.1.183)”:
 - (a) The maximum density shall be 66 units per hectare;
 - (b) The minimum *front yard* shall be 5.2 m;
 - (c) The minimum *exterior side yard* adjacent to Conestoga Boulevard shall be 3.7 m;
 - (d) The minimum *rear yard* adjacent to Can-Amara Parkway shall be 5.6 m;
 - (e) Parking stalls shall be located a minimum of 3.3 m from a window of a habitable room of a dwelling unit as measured perpendicular to the wall containing such a window where the surface floor in such habitable room is less than 1.0 m above the finished grade; and,
 - (f) The planting strip adjacent to the adjacent residential dwelling may be reduced to 1.5 m in width with a wrought iron fence. (By-law 101-10)

4.1.185 1278 King Street East

Notwithstanding the provisions of sections 2.2.1, 2.2.2.3(c), 2.4.1, 2.4.3 and 3.3.3.1 of this by-law, in addition to the residential use, a commercial use having a maximum *gross leasable retail commercial floor area* of 300 m², but excluding a *food services establishment*, shall be permitted on the lands in that C2RM3 zone to which parenthetical reference to “(s.4.1.185)” is made on Zoning Map G8 attached to and forming part of this by-law, subject to the following additional regulations:

1. A minimum of five off-street parking spaces shall be provided;
2. No parking stall shall be located closer than 1 m to the *street line* of Montrose Street;
3. No planting strip will be required along the *rear yard*;
4. A minimum 1 m landscaped strip shall be provided along the *exterior side yard*. (By-law 32-02)

4.1.186 Maple Crown Developments 30T-98103

Notwithstanding the provisions of section 3.1.2.5 (h) of this by-law, the maximum *lot coverage* for *attached one-family dwellings* in the RM4 zone to which parenthetical reference “(s. 4.1.186)” is made on Zoning Maps L12 and L13 attached to and forming part of this by-law shall be 47%. (By-law 29-02)

4.1.187 Hoflinger Holdings Inc. – Lot 8, Registrar’s Compiled Plan 1765 and Part of Lots 15 and 22, Registered Plan 590

Notwithstanding the provisions of section 3.1.2.5(a) of the by-law, the *lot frontage* for *attached one-family dwellings* shall be a minimum 7.5 m for the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.187)” be made on Zoning Map C14 attached to and forming part of this by-law. (By-law 31-02)

4.1.188 Lot 41, Plan 1126 – Clyde Road

Notwithstanding the provisions of sections 3.1.2.5(c) and (e) of this by-law, the following regulations shall apply to the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.188)” is made on Zoning Maps J12 and J13 attached to and forming part of this by-law:

1. Minimum easterly *side yard*: 1.5 m
2. Minimum *front yard* setback from the easterly side wall of the *dwelling*: 2 m. (By-law 95-02)

4.1.189 National Car Rentals – 2235 Eagle Street North

The permitted uses prescribed in section 3.3.3.1 of this by-law shall not apply to the lands in that C4 zone to which parenthetical reference to “(s. 4.1.189)” is made on Zoning Map F10, attached to and forming part of this by-law, and the following uses shall apply instead:

1. The rental and sale of motor vehicles and/or automotive-related retail only. (By-law 114-02)

4.1.190 Primus Properties Inc., Highland Plaza – 75 Dundas Street North @ Main Street

1. For the purpose of sections 1.1.1, 3.3.1.7(a) and (b), 3.3.3.1(d)(v) and 3.3.3.3(c) and (d) of this by-law, the lands in that CS4 zone to which parenthetical reference to “(s. 4.1.190)” is made on Zoning Map K12 attached to and forming part of this by-law, shall be deemed to form part of the Highland Plaza at 75 Dundas Street North and the calculation of all or any of the aforementioned requirements shall be based on the whole *shopping centre*.
2. The provisions of section 1.1.1 of this by-law requiring single ownership of a *shopping centre* as defined shall not apply to the aforementioned site.
3. Notwithstanding the provisions of sections 2.2.2.3(a) and 3.3.3.3(g) and (j) of this by-law, the following requirements will apply to the lands in that CS4 zone to which parenthetical reference to “(s. 4.1.190)” is made on zoning Map K12 attached to and forming part of this by-law:

- (a) required off-street *parking facilities* may be provided on the same *lot* or on an abutting *lot*, in the same zone as the use, building or structure for which such parking is required, where a registered agreement with the owner of such abutting *lot* provides for such *parking facilities* and the required number of parking spaces for the combination of both sites is compiled with;
- (b) the minimum *rear yard* for the building existing on the day of passing of this by-law shall be 0.0 m;
- (c) maximum *lot coverage* shall be 58% of the *lot area*. (By-law 134-02)

4.1.191 Canadian Tire, Highland Plaza – 75 Dundas Street North @ Main Street

- 1. For the purpose of sections 1.1.1, 3.3.1.7(a) and (b), 3.3.3.1(d)(v) and 3.3.3.3(c) and (d) of this by-law, the lands in that CS4 zone to which parenthetical reference to “(s. 4.1.191)” is made on Zoning Map K12 attached to and forming part of this by-law, shall be deemed to form part of the Highland Plaza at 75 Dundas Street North and the calculation of all or any of the aforementioned requirements shall be based on the whole *shopping centre*.
- 2. The provisions of section 1.1.1 of this by-law requiring single ownership of a *shopping centre* as defined shall not apply to the aforementioned site.

(By-law 135-02)

4.1.192 Northview Developments, Elgin Street North at Franklin Boulevard

- 1. Notwithstanding the provisions of section 3.1.2 of this by-law, the lands in that RM3 zone to which parenthetical reference to “(s. 4.1.192)” is made on Zoning Map G12 may also be used for the purpose of a *neighbourhood shopping center* and the uses set out in section 3.3.3.1(d) (v) of this by-law but not a *neighbourhood grocery store*, where a minimum of 50 residential *dwelling units* are also provided on the site to a maximum residential density of 75 units/ha;
- 2. The *neighbourhood shopping center* and apartments constructed as part of a mixed-use project shall comply with the CS4 regulations of section 3.3.3.3 and sections 3.3.1.3(c)(i), (ii) and (iv) of this by-law;
- 3. Residential uses that are not constructed as part of a mixed-use commercial/residential project shall comply with all of the applicable regulations of sections 3.1.2.4, 3.1.2.5 and 3.1.2.6 of this by-law. (By-law 2-04)

4.1.193 Tetracon Group Inc. 30T-87008 and 30T-89027 – Burnett Avenue

1. Notwithstanding the provisions of section 3.1.2.2(d) of this by-law, the minimum *front yard* setback for lands in the R5 zone to which parenthetical reference to “(s. 4.1.193)” is made on Zoning Map G14 shall be 3.0 m.
2. Notwithstanding the provisions of section 2.1.11.1(b)(v) , 2.1.11.2(a)(iv) and 2.1.15.2, 3, 4, 6, 7 and 9 of this by-law, no buildings, or structures including *accessory buildings, swimming pools, decks and porches* shall be constructed within the minimum *rear yard* of lands in that R5 zone to which the parenthetical reference to “(s. 4.1.193)” is made on Map G14. (By-law 147-02)

4.1.194 G. Singh (ABC Auto Sales) – 112 Pinebush Road

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the following uses shall be permitted on the lands in that M1 zone to which parenthetical reference to “(s. 4.1.194)” is made on Zoning Map F11 attached to and forming part of this by-law:

1. An automobile sales and display establishment but does not include a *motor vehicle repair shop, an auto body repair shop, a vehicle painting facility or the bulk storage of oil, gasoline or petroleum products*;
2. An office building having a *gross floor area* of less than 1,860 m²;
3. A free-standing bank or trust company;
4. A wholesale showroom;
5. Fabrication and sale of cemetery monuments;
6. A car wash. (By-law 144-02)

4.1.195 J. Lammer Developments Ltd. - Queen Street West

Notwithstanding the provisions of sections 3.1.2.6(a) and (e) of this by-law, the following regulations shall apply to the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.195)” is made on Zoning Map D11 attached to and forming part of this by-law:

1. Minimum *lot frontage*: 13.8 m;
2. Minimum *interior side yard*: 2 m. (By-law 78-04)

4.1.196 Doon Valley Golf Course

1. Golf Course

- (a) Notwithstanding the provisions of section 3.5.1.1 of the by-law, the lands in that (H) OS1 zone to which parenthetical reference to “(s. 4.1.196.1)” is made on Zoning Maps F3 and F4 attached to and forming part of this by-law may also be used for the purposes of a golf course, but not a commercial *miniature golf course* or commercial golf ball driving range;
- (b) Notwithstanding the provisions of section 2.1.4 of the by-law and section 4.1.196.1(a) above, the lands in that (H)OS1 zone to which parenthetical reference to “(s. 4.1.196.1)” is made on Zoning Maps F3 and F4 may not be used for the purposes of a golf course without the removal of the (H) prefix in compliance with the requirements of the Official Plan relating to:
 - (i) the registration of a conservation easement over the lands described as Part of Lots 9, 10 and 11, Beasley’s Old Survey to the satisfaction of the Region’s Commissioner of Planning, Housing and Community Services;
 - (ii) the dedication of a 30 m wide easement or license in favour of the City of Cambridge over the land for which a public recreational trail is to be provided and that such easement or license be in a form and configuration satisfactory to the City of Cambridge Commissioner of Community Services; and
 - (iii) the dedication of a road widening across the Fountain Street frontage of the site to the Regional Municipality of Waterloo free and clear of all encumbrances and at no expense to the Region, all to the satisfaction of the Region’s Commissioner of Planning, Housing and Community Services;
- (c) Notwithstanding the provisions of sections 2.2.1.2(b) and 2.4 of the by-law and section 4.1.196.1(a) above, the following additional requirements shall apply to the lands in that OS1 zone to which parenthetical reference to “(s. 4.1.196.1)” is made on Zoning Maps F3 and F4:
 - (i) the perimeter of the site shall be fenced where the site abuts a residential use class zone and Fountain Street; and
 - (ii) vehicular access and parking shall not be provided within the City of Cambridge;

2. Playover or Bridges

- (a) Notwithstanding the provisions of section 3.5.1.1 of the by-law, the lands in that (H) OS1 zone to which parenthetical reference to “(s. 4.1.196.2)” is made on Zoning Map

F4 attached to and forming part of this by-law may be used for the purposes of playover or bridges for golf course access but no other golf course uses;

- (b) Notwithstanding the provisions of section 2.1.4 of the by-law and section 4.1.196.2(a) above, the lands in that (H)OS1 zone to which parenthetical reference to “(s. 4.1.196.2)” is made on Zoning Map F4 may not be used for the purposes of playover or bridges for golf course access without the removal of the (H) prefix in compliance with the requirements of the Official Plan relating to the submission of an environmental impact statement demonstrating that such use will have no serious adverse impact upon the environmentally significant features and functions of the subject lands and registration of a conservation easement over the subject lands, all to the satisfaction of the Region’s Commissioner of Planning, Housing and Community Services. (OMB Approval October 6, 2003)

4.1.197 Camrock Developments - S/W Corner of Maple Grove Road and Fountain Street

Notwithstanding the provisions of sections 2.2.4.3, 2.2.4.6, 2.4 and 3.3.3.3(d) of this by-law, the following regulations shall apply to the lands in that CS5 zone to which parenthetical reference to “(s. 4.1.197)” is made on Zoning Maps C6 and D6 attached to and forming part of this by-law:

1. the *access driveway* onto Fountain Street may intersect the traveled portion of the *street* at a point closer than 3.75 m to the *interior lot line*;
2. the lines projecting the edges of the *access driveway* and the *side lot line* to the edge of the traveled portion of Fountain Street may intersect;
3. no landscaped strip shall be required along the southerly property line abutting the Open Space zone along the edge of the *access driveway* to Fountain Street;
4. the maximum *gross leasable retail commercial floor* area shall be 2,500 m². (By-law 187-03)

4.1.198 79-89 Spruce Street, 93 Spruce Street

Notwithstanding the provisions of sections 2.2.2.12, 2.2.3.2, 2.2.3.5, 2.2.4.1, 2.4.1.1, 2.4.2(d), 3.1.2.4(c), (e), (f), (h) and (k) of this by-law, the following regulations shall apply to the lands in that RM3 zone to which parenthetical reference to “(s. 4.1.198)” is made on Zoning Map K11 attached to and forming part of this by-law:

1. Minimum *front yard* setback: 0.0 m;
2. Minimum *interior side yards*: 0.0 m on the south side of the building; 0.6 m on the north side of the building;

3. Minimum *rear yard* setback: 1.0 m;
4. Minimum *amenity area*: 280 m², consisting of 200 m² of exterior *private amenity* space and 80 m² of *common amenity area* to be provided within the building;
5. Planting strips and fencing shall not be required where the property abuts an R-class zone;
6. Minimum *access driveway* width: 3.04 m;
7. Parking stalls shall have a minimum width of 2.46 m;
8. Required parking may include *tandem parking* spaces;
9. Required planting strip abutting 95 Spruce Street shall be a minimum of 0.6 m in width. (By-laws 79-04 and 48-05)

4.1.199 Challenger Motor Freight - 300 Maple Grove Road

Notwithstanding the provisions of section 3.4.3.1(c) of this by-law, a *transport terminal* and short-term, temporary accommodation for employees only may be located in that M3 zone to which parenthetical reference to “(s. 4.1.199)” is made on Zoning Maps C5, D5 and D6, attached to and forming part of this by-law and, notwithstanding the provisions of sections 2.2.2.3(c), 2.2.2.4(a)(iii), 2.4.1.2 and 2.4.3 of this by-law, the following regulations shall also apply:

1. Truck *transport terminal* parking and storage, including related facilities, shall be located a minimum of 16 m from the *front lot line* and no closer to the *front lot line* than the *established building line* and such areas or facilities shall be screened from view from the *street* and *existing* industrial properties in accordance with the following:
 - (a) a planting strip not less than 3.0 m in width along all *interior side* and *rear lot lines* and located within the M3 zone, which planting strip shall contain plant materials forming a visual screen not less than 3.6 m in height. Such planting strips shall provide enhanced planting and landscaping along the *interior side lot line* common with any industrial use from the lot line back a distance of 50 m. The remainder of the 3.0 m planting strip shall consist of a minimum requirement of placing trees every 24 m;
 - (b) the minimum landscape buffer along the Maple Grove Road frontage shall be 12 m and shall consist of a 1.5 m high berm and 1.8 m high screen planting;
 - (c) where any fencing of the property is required, the landscape buffer and/or landscape strip shall be between such fencing and the property line and the fencing shall be subject to the City of Cambridge Fence By-law;

2. All parking areas and *access driveways* in any *yard* of a *transport terminal* shall be paved with asphalt, concrete or other all weather hard durable surface. (By-law 100-04)

4.1.200 1740 Blair Road

Notwithstanding the provisions listed in section 3.1.2.1 for the R1 zone of this by-law, a Bereavement Support Counseling Service may be permitted in addition to the *detached one-family dwelling* within the lands in that R1 zone to which parenthetical reference to “(s. 4.1.200)” is made on Zoning Map G4 attached to and forming part of this by-law. (By-law 113-04)

4.1.201 Queen Street West @ Bechtel Street

1. Notwithstanding the provisions of section 3.1.2.5(j) of this by-law, the lands comprising Lots 1 and 4, Plan 659 and Lot 62, Plan 832, located at the corner of Queen Street West and Bechtel Street may only be developed for a maximum of five *attached one-family dwellings (row houses)* on the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.201)” is made on Zoning Map D11 attached to and forming part of this by-law;
2. That the proposed development be developed using the required building components as is noted in the Environmental Noise Assessment completed by MTE Consultants, dated July 2004. (By-law 216-04)

4.1.202 Lot 6, Part of Lots 7 & 8, Robert Road, Registered Plan 260

Notwithstanding the (H) Prefix Zone (Holding Zone) provisions as outlined in section 2.1.4, the lands in that (H)C2(O) zone to which parenthetical reference to “(s. 4.1.202)” is made on Zoning Map H10 attached to and forming part of this by-law, no new building or structure shall be developed until the applicant has provided the Record of Site Condition acknowledged by the Ontario Ministry of the Environment under the Guidelines for Use at Contaminated Sites, 1996, as amended; and the (H) prefix has been removed by a by-law. The *existing* building may be used as a business or professional office including associated parking but no new building or additions shall be allowed until removal of the “H” (Holding) prefix. (By-law 2-05)

4.1.203 Jamieson Commercial Development - S/W Corner of Jamieson Parkway and Townline Road

Notwithstanding the provisions of sections 3.3.1.4(a), 3.3.3.1(a), 3.3.3.1(b)(iii), 3.3.3.3(b) and (d) of this by-law, the following regulations shall apply to the lands in that C5CS5 zone to which parenthetical reference to “(s. 4.1.203)” is made on Zoning Maps E14 and E15 attached to and forming part of this by-law:

1. the restriction of 50% of the *gross leasable commercial floor area* that may be used for the purpose of business and professional offices shall not apply to this site;
2. no food/*grocery store* shall be permitted on this site;
3. there shall be no greater than one “drive-through” type restaurant and/or service use provided on this site, exclusive of a *car wash* facility;
4. the maximum *gross leasable retail commercial floor area* shall be 2,787 m². (By-law 236-04)

4.1.204 Empire Communities (Myers) Ltd., 30T-89035

Notwithstanding the provisions of sections 2.1.14, 2.1.15.3, 2.1.15.6, 2.2.4.4, 3.1.2.1(a) and (b), 3.1.2.2(a)(ii), 3.1.1.5, 3.1.2.2(b), (d), (f), (h) and (j), 3.1.2.5(a), (b), (c), (e), (f), (g), (h) and (j) of this by-law, the following regulations shall apply to the lands in that R5, R6 and RM4 zone classifications to which the parenthetical reference to “(s. 4.1.204)” is made on Zoning Maps M11 and M12:

Zone Provisions	R5 Single	R6 Single
Minimum Corner <i>Lot Frontage</i>	14.5 m	11.8 m
Minimum <i>Lot Area</i>	320 m ²	255 m ²
Minimum Corner <i>Lot Area</i>	350 m ²	285 m ²
Minimum <i>Front Yard</i> to Garage	5.8 m	5.8 m
Minimum <i>Front Yard</i> to House	3 m	3 m
Minimum <i>Interior Side Yard</i> ⁽¹⁾	1.2 m	1.2 m
Minimum <i>Exterior Side Yard</i>	2.4 m	2.4 m
Minimum <i>Gross Floor Area</i>	75 m ²	75 m ²
Maximum <i>Lot Coverage</i> ⁽²⁾	52% of lot area	52% of lot area

Zone Provisions - Linear Rowhouse Units	RM4
Minimum <i>Lot Frontage</i>	6 m
Minimum <i>Lot Area</i>	170 m ²
Minimum <i>Front Yard</i> to Garage	5.8 m
Minimum <i>Front Yard</i> to House	3 m
Minimum <i>Interior Side Yard</i> ⁽¹⁾ (subject to section 3.1.1.5)	1.2 m
Minimum <i>Exterior Side Yard</i>	3 m
Minimum <i>Gross Floor Area</i>	75 m ²
Maximum <i>Lot Coverage</i> ⁽²⁾	58% of <i>lot area</i>
Maximum # of Attached Units	8
Permitted Uses in an RM4 zone shall not include <i>detached</i> and <i>semi-detached dwellings</i> .	

¹ Minimum *interior side yard* may be reduced on one side of a detached dwelling in an R5 zone to 0.9 m and an R6 zone to 0.6 m where no doors, windows or other openings are provided on that side of the building where the *yard* is reduced.

² Porch included in coverage.

Corner Sightlines	10.0 m offset
Permitted Encroachments in <i>front, exterior side yard</i> and <i>rear yard</i> - Bay Window	1 m for a 4 m wide window up to 2 <i>storeys</i> with or without a foundation
Permitted Encroachments - open or covered unenclosed porches, patios, decks not exceeding 3 m in height	1.0 m into the minimum required <i>front yard</i> on an interior lot and 1.5 m into the minimum required <i>front</i> and <i>exterior side yards</i> on a <i>corner lot</i> 2.5 m into the minimum <i>rear yard</i> including eaves and cornices
Setback of <i>Access Driveway</i> from the intersection of any two <i>street lines</i>	6.0 m

(By-law 3-05)

4.1.205 Amre Supply Ltd. - 890 Lang's Drive

Notwithstanding the provisions of section 3.4.3(c) of this by-law, a maximum of 204 m² of floor area may be devoted to accessory retail sales to the warehousing and wholesale sales of electrical, plumbing, janitorial and small appliance supply products for the lands in that M3 zone to which parenthetical reference to "(s. 4.1.205)" is made on Zoning Map F9 attached to and forming part of this by-law. (By-law 34-05)

4.1.206 Blair Developments Inc., 30T-88026

1. Notwithstanding the provisions of sections 2.2.2.3(a), 3.6.1.2(a) and (b) of this by-law, the following regulations shall apply to the lands in that A1 zone to which parenthetical reference to "(s. 4.1.206)" is made on Zoning Maps G4 and G5 attached to and forming part of this by-law:
 - (a) an *access driveway* for a use, building or structure in the A1 zone may be provided for the lands zoned OS1;
 - (b) minimum *lot frontage*: 86 m;
 - (c) minimum *lot area*: 20 ha;
2. In addition to the requirements of sections 2.1.11.1 and 3.1.2.2 of this by-law, the following regulations shall apply to the lands in that R1 zone to which parenthetical reference is made "(s. 4.1.206)" on Zoning Maps G4 and G5 attached to and forming part of this by-law:
 - (a) maximum *principal building height*: 2 storeys;
 - (b) attached and detached garages shall be set back farther from the *street line* than the *principal building* - OR - the garage doors shall be oriented to not face the *street*.
(By-law 50-05)

4.1.207 1 Mitten Court (1 Natura Way)

Notwithstanding the provisions of section 2.1.16 and 3.4.3.1 of this By-law on the lands in the M1 zone to which parenthetical reference to 4.1.207 is made on zoning maps E12 and E13 attached hereto and forming part of this By-law:

1. Industrial stamping uses of any kind, including accessory uses, are permitted on the site subject to a holding ("H") provision, the removal of which, in part or whole related to the application, shall be by by-law passed pursuant to S. 36 of the *Planning Act*, as amended and upon receipt and compliance with the following additional regulations:

- (a) a certificate of approval for the uses permitted by this paragraph, such certificate to be effective on or before the day of the lifting of the holding (“H”) provision and issued by the Ministry of the Environment pursuant to the *Environmental Protection Act*.
 - (b) a report satisfactory to the City and prepared by a qualified professional engineer that details the process flows and measures proposed to implement, isolate and contain all noise and vibrations from the uses permitted by this paragraph, within the limit of the lands to which this subsection applies.
 - (c) site plan approval subject to the provisions of section 41 of the *Planning Act*.
 - (d) a letter satisfactory to the City that details a community liaison process and complaint procedure in respect of site operations committed to by the owner or applicant.
 - (e) the lifting of the (H) shall be only in respect of the application supported by the foregoing.
- 2. No equipment, goods, materials, dumping, marshallng or storage of scrap metal, garbage or refuse shall be permitted on the lands except within wholly enclosed buildings.
 - 3. Daycare centre and day nursery shall be prohibited on the lands.
 - 4. No speakers or other amplification equipment shall be permitted on the lands except within wholly enclosed buildings. (By-law 212-06)

4.1.208 Greengate Village

Notwithstanding the provisions of sections 3.1.2.2(d), 3.1.2.4(a) and 3.1.2.5(h) of this by-law, the following regulations shall apply to lands in those R5, R6, RM3 and RM4 zones to which parenthetical reference to “(s. 4.1.208)” is made on Zoning Map L13 attached to and forming part of this by-law:

- 1. Maximum *lot coverage* in an RM4 zone - 47 percent of *lot area*;
- 2. Minimum *lot frontage* in an RM3 zone shall be 18 m;
- 3. Minimum *front yard* setback in an R5 and R6 zone shall be 3 m to the *dwelling* and 6 m to an attached or detached garage. (By-law 158-05)

4.1.209 Maple Crown Development

Notwithstanding the provisions of sections 3.1.2.1(a) and (b) and 3.1.2.5(h) of this by-law, the following regulations shall apply to lands in those RM4 zones to which parenthetical reference to “(s. 4.1.209)” is made on Zoning Maps L12 and L13 attached to and forming part of this by-law:

1. Permitted uses in an RM4 zone shall not include *detached* and *semi-detached one-family dwellings*;
2. Maximum *lot coverage* in an RM4 zone shall be 47 percent of *lot area*. (By-law 159-05)

4.1.210 ABC Metal Recycling, 454 Dobbie Drive

Notwithstanding the provisions of subsections 3.4.3.1(c), (d) and (e) of this by-law, the lands in that M4 zone to which parenthetical reference to “(s. 4.1.210)” is made on Zoning Maps J13 and K13 attached to and forming part of this by-law may also be developed and used for the purpose of a salvage yard where:

1. a planting strip of coniferous trees planted 4 m apart and having a minimum height at planting of 2 m is provided along the northerly property line and the requirements of section 3.4.1.4(b) of this by-law are also complied with; and
2. the storage of cans, drums, oil drums, machinery parts or other materials that may contain oil or oil residue is located within an enclosed building or on a concrete pad, if stored outside; and
3. the sorting area is located on a concrete pad. (By-law 163-05)

4.1.211 1111 Franklin Boulevard

Notwithstanding the provisions of sections 2.3, 3.4.2.2(p)(iv) and 3.4.3.1(c) of this by-law, the following regulations shall apply to the lands in the M3 zone to which parenthetical reference to “(s. 4.1.211)” is made on Zoning Map G12, attached to and forming part of this by-law:

1. In addition to M3 uses, this site may also be used for:
 - (a) Business and Professional Offices;
 - (b) a dispensing pharmacy accessory to a medical centre/facility only.

2. The uses allowed in section 3.4.2.2(p)(iv) and section 4.1.211.1 of this by-law, being business and professional offices and dispensing pharmacy, shall be restricted to 61% of the *gross leasable commercial floor area* of all buildings on the *lot*.
3. No loading spaces will be required for the uses allowed in section 4.1.211.1 of this by-law.
4. Any internal lot lines created by a severance of division of lands on the aforesaid lands shall not be construed to be lot lines for the purposes of parking, planting strips, fencing and zoning regulations prescribed in section 2.2.2.3(a) of this by-law provided that development of the entire site continues to comply with all the other regulations prescribed therein. (By-law 216-05)

4.1.212 Sri Guru Singh Sabha, 1070 Townline Road

In addition to the provisions of section 3.2.1.1(e) of this by-law, the permitted uses for the lands in that (H)N1 zone to which parenthetical reference to “(s. 4.1.212)” is made on Zoning Map G15 attached to and forming part of this by-law shall include a *detached one family dwelling* as an *accessory use* to a place of worship in accordance with the site development specifications for the N1 zone as specified in this by-law. (By-law 268-05)

4.1.213 Pet Valu, 201 Shearson Crescent

Notwithstanding the provisions of section 2.2.2.3(e) of this by-law, a 1.5 m high grassed or landscaped berm is not required where a *parking lot* is located in the *rear yard* abutting the Can-Amara Parkway (east-west arterial road) in that M2 zone to which parenthetical reference to “(s. 4.1.213)” is made on Zoning Maps G12 and G13 attached to and forming part of this by-law. (By-law 58-06)

4.1.214 McLaren Avenue

Notwithstanding the provisions of section 3.4.2.2 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s. 4.1.214)” is made on Zoning Map K12 attached to and forming part of this by-law, may not be used for the following purposes:

- Lagoons, landfills;
- Manufacturing of unfinished fabricated metal products and parts;
- Metal finishing operations (i.e. electroplating, electro coating, galvanizing, painting, application of baked enamel);

- Manufacturing of cable, wire and wire products;
- Jewelry and silverware manufacturing;
- Assembly of aircraft and aircraft parts, motor vehicles, trucks, bus bodies, *trailers*, rail cars, mobile homes, ships and boats;
- Manufacturing of engines, engine parts, steering and suspension parts, wheels and brakes;
- Manufacturing of agricultural, commercial and industrial machinery;
- Manufacturing of pharmaceuticals and medicines;
- Manufacturing of electronic components such as semi-conductors, printed circuit boards and cathode ray tubes;
- Manufacturing of wet electrical industrial equipment and wet batteries;
- Commercial or industrial dry cleaning of textiles and textile products;
- Wood and wood product preservation and treatment;
- Warehousing of cleaning products, pesticides, herbicides, fungicides and chemicals;
- Warehousing or bulk storage of oil, gasoline or petroleum products;
- Bulk road salt storage;
- Snow storage and disposal facilities;
- Manufacturing of electrical appliances, equipment, motors, lighting fixtures and lamps;
- Manufacturing of electric light bulbs and tubes;
- Manufacturing of dry batteries;
- Manufacturing of soaps and toiletry preparations;
- Finishing and dyeing of textiles;
- Manufacturing of plastic and foam parts and products;
- Furniture, casket, cabinet and other wood products manufacturing and assembly;

- Manufacturing of coated glass;
- Photographic developing facilities;
- Printing of newspaper, packaging and books;
- Repair of industrial machinery;
- Repair of motor vehicles, aircraft, watercraft, rail vehicles, trucks, buses and machinery;
- Airports, train and public transit terminals;
- Medical, health and other laboratories;
- Contractors' establishments and yards.

(By-law 103-06)

4.1.215 41 Hopeton Street

Notwithstanding the provisions of sections 2.2.2.3(c), 3.3.1.1 and 3.3.3.1 of this by-law, for the lands in that C2 zone to which parenthetical reference to “(s. 4.1.215)” is made on Zoning Map J10 attached to and forming part of this by-law, the following regulations shall apply:

1. *Parking facilities* may have a 0 m setback from the Hopeton Street *street line* and may be located in front of the *regulatory building line* and the *established building line*;
 2. The outside display of cemetery monuments may be permitted subject to the display area being screened from view from the Hopeton Street frontage with a 1.5 m solid fence;
 3. The lands may only be used for one of the following: a *detached one-family dwelling*, the sale and display of cemetery monuments, business and professional offices or a retail store in which not more than 91 m² of *gross leasable commercial floor area* is provided.
- (By-law 98-06)

4.1.216 Nairn, 400 Avenue Road

Notwithstanding the provisions of section 3.1.2.2(g) and section 2.1.11.1(b)(v) of this by-law, the permitted uses for the lands in that RS1 zone to which parenthetical reference to “(s. 4.1.216)” is made on Zoning Map H13, the following regulations shall apply:

1. No *principal building* and no accessory building or structure shall be permitted within 15 m of the *rear lot line*. (By-law 124-06)

4.1.217 410 Queen Street West

Notwithstanding the definition of *shopping centre* in section 1.1.1 of this By-law, for the lands in that CS4 zone to which parenthetical reference to “(s.4.1.217)” is made on Zoning Maps D11 and E11 attached to and forming part of this By-law, the requirement for a minimum of three individual business establishments shall not apply. (By-law 131-06)

4.1.218 Penske Truck Leasing, 115 Saltsman Drive

1. Notwithstanding the provisions of section 3.4.3.1(c) of this by-law, an establishment for the lease or rental of transport trucks and *transport trailers* and associated servicing facility as an *accessory use* may be located in that M3 zone to which parenthetical reference to “(s. 4.1.218)” is made on Zoning Map D6, attached to and forming part of this by-law; and
2. Notwithstanding the provisions of sections 2.2.2.3(c), 2.2.2.4(a)(iii), 2.4.1.2 and 2.4.3 of this by-law, the following regulations shall apply:
 - (a) Truck leasing and rental facilities, including all truck and *transport trailers* and related facilities, shall be located a minimum of 12 m from the *front lot line*, and no closer to the *front lot line* than the *established building line* and such areas or facilities shall be screened from view from the *street* and existing industrial properties in accordance with the following:
 - (i) a planting strip not less than 1.5 m in width along the *interior side* and *rear lot lines* shall be provided and such planting strip shall contain plant materials forming a visual screen not less than 3.6 m in height. The planting strips shall provide enhanced planting and landscaping along the *interior side lot line* common with any industrial use, from the *front lot line* back a distance of 50 m. The remainder of the 1.5 m planting strip shall consist of a minimum requirement of placing trees every 24 m;
 - (ii) a landscape strip shall be provided along Saltsman Drive frontage and shall not be less than 12 m in width. Within such landscaped strip, a 1.8 m high screen planting on top of a 1.5 m high berm shall be provided;
 - (iii) a minimum 1.5 m high chain link fence shall be required along the *interior side* and *rear lot lines*. Where any fencing of the property is provided, such fencing shall be located interior to the landscaping strips and shall be subject to the City of Cambridge Fence By-law;

- (iv) notwithstanding section 4.1.218.2(a)(ii), any underground storage tank(s) for fueling facilities will not be permitted within 85 m of the east property line;
 - (v) notwithstanding section 4.1.218.2(a)(ii), a minimum landscape strip of 8.5 m and a berm height of 1 m along Saltsman Drive directly in front of the main facilities shall be required;
 - (vi) notwithstanding section 4.1.218.2(a), the parking lot directly in front of the main facility can be reduced to a setback of 8.5 m from the property line provided that the parking lot is used for customer parking and not *transport trailers* and/or *transport terminal* related facilities;
- (b) All parking areas and access driveways shall be paved with asphalt, concrete or other all weather hard durable surface. (By-law 159-06)

4.1.219 Timeless Materials Company, North Side of Clyde Road, Southeast of CPR Line

1. Notwithstanding the provisions of section 3.4.3.1(c) of this by-law, only the following uses shall be permitted in that M3 zone to which parenthetical reference to “(s. 4.1.219)” is made on Zoning Map J14, attached to and forming part of this by-law:
 - (a) *building materials yard*;
 - (b) courier or delivery service;
 - (c) *lumber yard*;
 - (d) *rental establishment*;
 - (e) *public storage units*;
 - (f) an establishment for the sales, rental, leasing and service of small equipment and business machines;
 - (g) a security service;
 - (h) a recording studio;
 - (i) warehousing, assembly, storage and stockpiling of products, goods and materials, but does not include the warehousing, storage and stockpiling of chemicals, oil, gasoline or petroleum products, cleaning products, pesticides, herbicides, fungicides, chemicals and road salt;

2. Notwithstanding the provisions of section 4.1.219.1(i), the assembly of aircraft parts, motor vehicles, truck, bus bodies, trailers, rail cars, mobile homes, ships and boats, furniture, casket, cabinet and other wood products will not be permitted;
3. Notwithstanding the provisions of sections 2.4.1 and 3.4.3.2(d) of this by-law, the following regulations shall apply:
 - (a) a landscaped buffer not less than 10 m in width throughout, which landscaped buffer shall contain plant materials forming a visual screen not less than 3.6 m in height, shall be provided along the westerly *side lot line* except for a distance of 28 m from the *front lot line*;
 - (b) the westerly *side yard* building setback shall be a minimum of 14 m and the easterly *side yard* setback shall be a minimum of 6.0 m;
 - (c) a landscaped buffer not less than 5 m in width throughout, which landscaped buffer shall contain plant materials forming a visual screen not less than 1.5 m in height shall be provided along the easterly *side lot line*;
 - (d) a landscaped strip not less than 11.7 m in width throughout, which landscaped strip shall contain plant materials forming a visual screen not less than 3.6 m in height, shall be provided along the Clyde Road frontage;
 - (e) a 1.8 m high black chain link fence shall be provided along the *rear lot line* for the lands in the M3 zone;
 - (f) a tree protection triangle, as shown on Special Area Zoning Map Z7 attached to and forming part of this by-law, approximately located at the southeast corner of the site, shall be maintained as an existing landscaped area. (By-law 208-06)

4.1.220 1405 King Street East

Notwithstanding the provisions of sections 3.3.3.2(a), (b), (c) and (g) of this by-law, the following regulations shall apply to the lands in that (H)C2(O) zone to which parenthetical reference to “(s. 4.1.220)” is made on Zoning Map G8 attached to and forming part of this by-law:

1. Notwithstanding the (H) holding provision, any use permitted in the C2(O) zone is only allowed within the *existing* building as it existed on the day this by-law is enacted;
2. The removal of the (H) holding provision is conditional upon the applicant providing a Record of Site Condition for the site;
3. Minimum *lot frontage*: 10 m;

4. Minimum *lot area*: 363 m²;
5. Setback from *street line* from proposed road widening: 0 m for the *existing* building only; and
6. *Interior side yard* (southeast side): 0 m for the *existing* building only. (By-law 54-07)

4.1.221 Cambridge Hyundai - 1962 Eagle Street North

Notwithstanding the provisions of section 3.3.3.1 of this by-law, the lands in that C4 zone to which parenthetical reference to “(s. 4.1.221)” is made on Zoning Maps E9 and F5 attached to and forming part of this by-law, the lands may only be used for the purpose of motor vehicle sales and *accessory uses* of an *auto body repair* and *motor vehicle repair shop*. (By-law 32-07)

4.1.222 [Reserved]

4.1.223 [Reserved]

4.1.224 [Reserved]

4.1.225 Haastown Holdings (Cambridge) Inc. - 130-170 Water Street North

Notwithstanding the provisions of Section 2.1.9 as amended and the height restrictions shown on Map Z7 - Area B, the northerly portion of the lands subject of Application SP60/06 located at 130/170 Water Street North, being legally described as Lots 10, 12 and 13 and Part of Lots 11 and 14, Plan D-0 and delineated on Map Z7 shall be exempt from the maximum height restrictions in the by-law. (By-law 161-07)

4.1.226 Empire Communities (Myers) Ltd., Phase II, 30T-06106

Notwithstanding the provisions of sections 2.1.14, 2.1.15.3, 2.1.15.6, 2.2.4.4, 3.1.1.2(a) and (b), 3.1.2.2(a)(ii), 3.1.1.5, 3.1.2.2(b), (d), (f), (g), (h) and (j), 3.1.2.5(a), (b), (c), (d), (e), (f), (g), (h) and (j) of this by-law, the following regulations shall apply to the lands in R5, R6 and RM4 zone classifications to which parenthetical reference to “(s. 4.1.226)” is made on Zoning Maps M11 and M12 attached to and forming part of this by-law:

Zone Provisions	R5 Single	R6 Single
Minimum Corner <i>Lot Frontage</i>	14.5 m	11.8 m
Minimum <i>Lot Area</i>	320 m ²	248 m ²

Minimum Corner <i>Lot Area</i>	350 m ²	285 m ²
Minimum <i>Front Yard</i> to Garage	5.8 m	5.8 m
Minimum <i>Front Yard</i> to House	3 m	3 m
Minimum <i>Interior Side Yard</i> ⁽¹⁾	1.2 m	1.2 m
Minimum <i>Exterior Side Yard</i>	2.4 m	2.4 m
Minimum <i>Rear Yard</i> ⁽³⁾⁽⁴⁾	7 m	7 m
Minimum <i>Gross Floor Area</i>	75 m ²	75 m ²
Maximum <i>Lot Coverage</i>	55% of <i>lot area</i>	55% of <i>lot area</i>

- ¹ Minimum *interior side yard* may be reduced on one side of a detached dwelling in an R5 zone to 0.9 m and in an R6 zone to 0.6 m where no doors, windows or other openings are provided on that side of the building where the *yard* is reduced.

Zone Provisions - Linear Rowhouse Units	RM4
Minimum <i>Lot Frontage</i>	6 m
Minimum <i>Lot Area</i>	170 m ²
Minimum <i>Front Yard</i> to Garage	5.8 m
Minimum <i>Front Yard</i> to House	3 m
Minimum <i>Rear Yard</i> ⁽³⁾	7.5 m
Minimum <i>Interior Side Yard</i> ⁽¹⁾ (subject to section 3.1.1.5)	1.2 m
Minimum <i>Exterior Side Yard</i>	3 m
Minimum <i>Gross Floor Area</i>	75 m ²
Maximum <i>Lot Coverage</i> ⁽²⁾	58% of <i>lot area</i>
Maximum # of Attached Units	8
Permitted uses in an RM4 zone shall not include <i>detached</i> and <i>semi-detached dwellings</i> .	

- ¹ Minimum *interior side yard* may be reduced on one side of a detached dwelling in an RM4 zone to 0.6 m where no doors, windows or other openings are provided on that side of the building where the *yard* is reduced.
- ² Assumes porch included in coverage.
- ³ The minimum *rear yard* setback shall be 11.3 metres for the lands in those RM4 and R6 zones to which parenthetical reference to “(s. 4.1.226)” is made on Zoning Map M12 and being described as Lots 82 through 92 inclusive and Blocks 93 and 94 on Plan 30T-06106 last revised February 22, 2008, being those lots and blocks that back onto the Franklin Boulevard extension between Bloomington Drive and Carpenter Drive.
- ⁴ The minimum *rear yard* setback shall be 8.8 metres for the lands in those R5, (H)R6 and R6 zones to which parenthetical reference to “(s. 4.1.226)” is made on Zoning Map M12 and being described as Lots 7 through 31 inclusive and Block 99 on Plan 30T-06106 last revised February 22, 2008, being those residential lots and blocks that back onto the Franklin Boulevard extension south of Carpenter Drive and north of the municipal boundary. (By-law 70-08)

General Provisions	
Corner Sightlines	10 m offset
Permitted encroachments in <i>front, exterior side yard</i> and <i>rear yard</i> - Bay Window	1 m for a 4 m wide window up to 2 storeys with or without a foundation
Permitted encroachments - open or covered unenclosed porches, patios, decks not exceeding 3 m in height	1 m into the minimum required <i>front yard</i> on an interior <i>lot</i> and 1.5 m into the minimum required <i>front</i> and <i>exterior side yards</i> on a <i>corner lot</i> 2.5 m into the minimum <i>rear yard</i> including eaves and cornices
Setback of <i>access driveway</i> from the intersection of any two <i>street lines</i>	6 m

(By-law 120-07)

4.1.227 Mattamy (Hespeler) - Guelph Avenue/Blackbridge Road

- Notwithstanding the provisions of sections 2.1.14, 2.1.15.3, 2.1.15.6, 2.2.2.3(f), 2.2.4.4, 3.1.2.2, 3.1.2.5 and 3.2.1.6 of this by-law, the following regulations shall apply to the lands in that R4, R5, R6, RM3, RM4, N1R6, (H)RM3, (H)RM4 and (H)R6 zone classifications to which parenthetical reference to “(s. 4.1.227)” is made on Zoning Maps B13, B14, C13 and C14 attached to and forming part of this by-law:

Zone Provisions	Single Detached Dwellings		
	R4	R5	R6
Minimum <i>Lot Frontage</i>	15 m	13.1 m	10.4 m
Minimum Corner <i>Lot Frontage</i>	16.2 m	14.3 m	11.6 m
Minimum <i>Lot Area</i>	370 m ²	320 m ²	255 m ²
Minimum Corner <i>Lot Area</i>	400 m ²	350 m ²	285 m ²
Minimum <i>Front Yard</i> to Garage	5.8 m	5.8 m	5.8 m
Minimum <i>Front Yard</i> to House	3 m	3 m	3 m
Minimum <i>Interior Side Yard</i> ⁽¹⁾	1.2 m	1.2 m	1.2 m
Minimum <i>Exterior Side Yard</i>	2.4 m	2.4 m	2.4 m
Minimum <i>Rear Yard</i>	7.5 m	7.5 m	7.5 m
Minimum <i>Gross Floor Area</i>	75 m ²	75 m ²	75 m ²
Maximum <i>Lot Coverage</i> ⁽²⁾	52% of <i>lot area</i>	52% of <i>lot area</i>	52% of <i>lot area</i>
Minimum Landscaped Area	30% of <i>lot area</i>	30% of <i>lot area</i>	30% of <i>lot area</i>

¹ Minimum *interior side yard* may be reduced on one side of a detached dwelling in an R4 zone to 0.9 m and in an R5 or R6 zone to 0.6 m where no doors, windows or other openings are provided on that side of the building where the *yard* is reduced.

² Assumes porch included in lot coverage.

Zone Provisions	RM4	
	Single-Detached Dwelling	Linear Row Houses
Minimum <i>Lot Frontage</i>	10.4 m	7 m
Minimum <i>Corner Lot Frontage</i>	11.6 m	-
Minimum <i>Lot Area</i>	255 m ²	165 m ²
Minimum <i>Corner Lot Area</i>	285 m ²	-
Minimum <i>Front Yard</i> to Garage	5.8 m	5.8 m
Minimum <i>Front Yard</i> to House	3 m	3 m
Minimum <i>Interior Side Yard</i> ⁽¹⁾ (subject to s. 3.1.1.5)	1.2 m	1.5 m
Minimum <i>Exterior Side Yard</i>	2.4 m	3 m
Minimum <i>Rear Yard</i>	7.5 m	7.5 m
Minimum <i>Gross Floor Area</i>	75 m ²	70 m ²
Maximum <i>Lot Coverage</i> ⁽²⁾	52% of <i>lot area</i>	58% of <i>lot area</i>
Minimum <i>Landscaped Area</i>	30 % of <i>lot area</i>	30% of <i>lot area</i>
Maximum # of Attached Units	-	8
Planting Strips and Fencing	In accordance with section 2.4	
Minimum separation between a parking aisle and a <i>habitable room</i> window	3 m	3 m

¹ Minimum *interior side yard* may be reduced on one side of a detached dwelling in an RM4 zone to 0.6 m where no doors, windows or other openings are provided on that side of the building where the *yard* is reduced.

² Assumes porch included in lot coverage.

Zone Provisions	RM3 and RM4 - Cluster Row Houses
Minimum <i>Lot Frontage</i>	20 m
Minimum <i>Lot Area</i>	250 m ² (per dwelling unit)
Minimum <i>Front Yard</i> to Garage	5.5 m
Minimum <i>Front Yard</i> to House	3 m
Minimum <i>Interior Side Yard</i>	7.5 m
Minimum <i>Exterior Side Yard</i>	6 m
Minimum <i>Rear Yard</i>	7.5 m
Minimum Distance Between Buildings (side walls)*	3 m

Minimum Distance Between Buildings (front wall and rear wall)	10 m
Minimum Distance Between Buildings (front wall)	10 m
Minimum Distance Between Buildings (rear wall)	10 m
Minimum Distance Between Buildings (front wall or rear wall and side wall)	8 m
Minimum <i>Gross Floor Area</i> per dwelling unit	70 m ²
Maximum <i>Lot Coverage</i>	40% of <i>lot area</i>
Minimum Private Amenity Area per dwelling unit	7 m ² Back to Back Rowhouse Units - 7 m ² (in the form of a terrace/balcony) Rear Access Rowhouse Unit - 30 m ² (in the form of a terrace/balcony over garage) All Other Rowhouse Units - 35 m ²
Minimum Common Amenity Area (per dwelling unit)	N/A
Minimum Landscaped Area	30% of lot area
Maximum # of Attached Units	Back-to-Back Rowhouse Units - 16 All Other Rowhouse Units - 8
Minimum separation between a parking aisle and a <i>habitable room</i> window	3 m

* Minimum distance between buildings (*interior side yard*) may be reduced on one side of a detached dwelling in an RM4 zone to 0.6 m where no doors, windows or other openings are provided on that side of the building where the *yard* is reduced.

General Provisions	
Corner Sightlines	10 m offset
Permitted encroachments - Bay Window	1 m for a 4 m wide window up to 2 <i>storeys</i> with or without a foundation
Permitted encroachments - open or covered unenclosed porches, patios, decks not exceeding 3 m in height	1.5 m into the minimum required <i>front yard</i> on an interior <i>lot</i> and 1.5 m into the minimum required <i>front</i> and <i>exterior side yards</i> on a <i>corner lot</i> 2.5 m into the minimum <i>rear yard</i> including eaves and cornices
Setback of <i>access driveway</i> from the intersection of any two <i>street lines</i>	6 m

2. Notwithstanding the provisions of sections 3.1.1.1(b) and 3.1.2.1(a) of this by-law, the following regulations shall apply instead to the lands in that RM4 zone to which parenthetical reference to “(s. 4.1.227)” is made on Zoning Map C13 and described as Block 73 on Plan 30T-06103, being at the southeast corner of Baldwin Drive and Guelph Avenue: Only detached one-family dwellings shall be provided along the south boundary of this block where it abuts the rear lot lines of properties located on the north side of Milton Avenue, as part of a common element condominium development, subject to the standards outlined above.
3. Notwithstanding creation of lot lines by registration of a common element condominium, the zoning regulations for cluster development in the RM3 and RM4 zones, as set out herein, shall be applied to the entirety of the lands zoned RM3 or RM4, not the individual lots created through condominium registration.

(By-law 134-07)

4.1.228 157 Hespeler Road

Notwithstanding the provisions of sections 2.2.4.3 and 3.3.3.2(c) of this by-law, the following regulations shall apply to the lands in that C2(O) zone to which parenthetical reference to “(s. 4.1.228)” is made on Zoning Map H10 attached to and forming part of this by-law:

1. *Front yard* setback from *street line* (from proposed road widening): 0 m for the existing building only;
2. An *access driveway* may intersect the traveled portion of Hespeler Road at a point closer than 3.75 m to the projection of the *interior side lot line* across the traveled portion of the *street* where 157 Hespeler Road abuts 163 Hespeler Road. (By-law 154-07)

4.1.229 633 Margaret Street

1. Notwithstanding the provisions of section 3.1.2.4(b) of this by-law, the maximum number of *dwelling units* shall be 200 in the (H)RM3 zone to which parenthetical reference to “(s. 4.1.229)” is made on Zoning Map F7 attached to and forming part of this by-law; and
2. Notwithstanding the provisions of section 3.5.1 of this by-law, an emergency *access driveway* is a permitted use in the OS1 and OS4 zones to which parenthetical reference to “(s. 4.1.229)” is made on Zoning Map F7 attached to and forming part of this by-law. (By-law 7-08)

4.1.230 1328 Dunbar Road

Notwithstanding the provisions of section 3.1.2(d) of this by-law, the minimum *front yard* setback for all garages shall be 12.0 m in that R5 zone to which parenthetical reference to “(s. 4.1.230)” is made on Zoning Map G10, attached to and forming part of this by-law. (O.M.B. Decision 2178)

4.1.231 685 Myers Road

Notwithstanding the provisions of sections 2.2.2.3(b)(ii), 2.2.2.3(f), 2.2.2.5, 2.4.1.2, 2.4.2.3, 3.1.2.6(c), 3.1.2.6(l) and 3.3.3.2(g) of this by-law, the following regulations shall apply to the properties in those C2 and RM4 zones to which parenthetical reference “(s. 4.1.231)” is made on Map M13 and located at 685 Myers Road being Part 1, Plan 58R-9028 and Block 96, Plan 58R-70:

1. Minimum setback for an *access driveway*, *aisle*, or *parking lot* in an RM-class zone shall be no less than 4.1 m from a window of a *habitable room* of a *dwelling unit* as measured perpendicular to the wall containing such window, where the surface of the floor in such *habitable room* is less than 1.0 m above the finished *grade*.
2. Minimum setback for a parking stall in an RM-class zone shall be no less than 2.5 metres from a window of a *habitable room* of a *dwelling unit* as measured perpendicular to the wall containing such window, where the surface of the floor in such *habitable room* is less than 1.0 m above the finished *grade*.
3. Planting Strips and Fencing
 - (a) Planting strips and fencing shall not be required on commercial lands zoned C2 adjacent to residential zones in locations where *access driveways* and pedestrian walkways cross the mutual property line;
 - (b) A modified planting strip incorporating fencing of wrought iron or a material of similar quality will be required where lands zoned C2 are adjacent to residential zones, with the exception to areas covered by 3(a).
4. An *access driveway* may be located in a different zone from the use, building or structure it serves.
5. Minimum *rear yard* setback for a building in a C2 zone shall be no less than 2.5 m where it abuts a residential zone.
6. Minimum *side yard* setback for a building in a C2 zone shall be no less than 3.0 m where it abuts a residential zone.

7. Maximum number of row house dwelling units attached in an RM4 zone shall be 7.
8. *Front yard* in an RM4 zone shall be no less than 8.0 m. (By-law 38-08)

4.1.232 Cerniuk Construction Ltd. - 386 River Road/Alderson Drive

Notwithstanding the provisions of section 1.1.1 of this by-law, the lands in that R4 and R6 zone classifications to which parenthetical reference to “(s. 4.1.232)” is made on Zoning Map C14 attached to and forming part of this by-law is a vacant land condominium and the following definitions shall apply:

1. lot frontage means the width of a *lot* where it fronts on a public *street* or onto a common private *access driveway* as part of a condominium development;
2. lot line, front means the *lot* line that divides the *lot* from the *street* or a common private access as part of a condominium development;
3. “Vacant Land Condominium” means a vacant land condominium corporation as defined in the Condominium Act, 1998 or successor thereto;

And no provision of this by-law shall be deemed to be contravened by reason of the conveyance of a parcel of land upon which a *dwelling unit* is erected, provided that all of the standards of this by-law are met for the lands as a whole, as set out in the Site Plan Agreement and provided the vacant land condominium and the parcels of tied land are contiguous. (By-law 32-08)

4.1.233 HOOPP Realty Inc. - Northeast Corner of Pinebush Road and Franklin Boulevard

Notwithstanding the provisions of sections 2.2.1.4(a) and 2.2.2.3(e) of this by-law, the following regulations shall apply to the lands in that M1 zone to which parenthetical reference to “(s. 4.1.233)” is made on Zoning Maps F12 and E12 attached to and forming part of this by-law:

1. the minimum required number of parking spaces for an *industrial mall* shall be 2.0 spaces per 100 m² of *gross leasable commercial floor area*, in addition to any parking spaces or *parking lot* used or reserved for the purposes of storing heavy vehicles, equipment, machinery, stock or the fleet vehicles of a courier or delivery service; and
2. the *parking lot* required by this by-law may be located:
 - (a) in the *yard* abutting Highway 401 provided a grassed or landscaped earth berm not less than 1.5 m in height is provided to screen the *parking lot* from such *highway*; and

- (b) in the *yards* abutting Franklin Boulevard and Pinebush Road, provided that a landscaped strip of land not less than 3 m in width is provided and maintained across the *lot frontage* and *lot flankage* except where crossed by an *access driveway*. (By-law 92-08)

4.1.234 Galt Tile - 210 Sheldon Drive

Notwithstanding the provisions of section 3.4.3.1(c) of this by-law, the following regulations shall apply to the lands in that M3 zone to which parenthetical reference to “(s. 4.1.234)” is made on Zoning Map F12 attached to and forming part of this by-law:

- 1. *Home improvement sales and service* is permitted in conjunction with a contractor’s establishment. (By-law 106-08)

4.1.235 188 Main Street East

Notwithstanding the provisions of sections 3.1.2.1, 2.4.2.1 and 2.4.2.3 of this by-law, the lands in that R4 zone to which parenthetical reference to “(s. 4.1.235)” is made on Zoning Map K10 attached to and forming part of this by-law may also be used for the purposes of:

- 1. a business or professional office excluding physician and medical offices and subject to the following restrictions:
 - (a) limited to the first floor with a maximum of 79 m² of *gross leasable commercial floor area*;
 - (b) the upper floor is maintained as a residential unit;
 - (c) limit to one commercial sign with the following restrictions:
 - (i) Free Standing Sign:
 - (1) *front yard* setback: 3.0 m
 - (2) exterior yard setback: 3.0 m
 - (3) maximum sign area: 0.8 m²
 - (4) maximum sign height: 1.5 m
 - (ii) Fascia Sign: maximum sign area: 0.8 m²
 - (iii) Projecting Sign:

- (1) maximum sign area: 0.8 m²
- (2) projection from building face: 1.0 m
- (3) maximum height above *grade*: 2.5 m
- (iv) No illumination of signage.
- (v) Identifying the business and containing no other message or advertising.
- (d) no exterior lighting except sensor activated security lighting;
- (e) limit of four parking spaces on the property;
- (f) no exterior alteration to the building shall be made to indicate that it is to be used for any purpose other than as residential;
- (g) no retail sale of goods, materials or other products is permitted;
- (h) the number of on-site employees is limited to three persons;
- (i) the use of the basement is limited to storage only; and,
- (j) the access from Main Street is to be for the purpose of inbound access only. Signs indicating that outbound traffic is to exit onto Oak Street shall be posted on the property and maintained in good order;
2. no planting strip and fencing is required along the north property line; and,
3. a planting strip not less than 1.0 m in width directly along the east property line and a 1.5 m high solid fence setback 1.0 m along the property line. (By-law 190-08)

4.1.236 553 Concession Road

Notwithstanding the provisions of sections 2.1.1.4 and 3.3.3.1(d)(xiii) of this by-law, the following regulations shall apply to the lands in that CS5 zone to which parenthetical reference to “(s. 4.1.236)” is made on Zoning Map F8 attached to and forming part of this by-law:

1. That the following uses are not permitted on the subject site unless a Record of Site Condition is submitted to and acknowledged by the Ministry of the Environment:
 - (a) day nursery or day care centre;

- (b) schools;
- (c) dwelling units and living quarters for a watchman or caretaker of a shopping centre. (By-law 18-09)

4.1.237 470 Dobbie Drive

Notwithstanding the provisions of sections 3.4.2.2, 3.4.1.4(a) and 3.4.3.1(e) of this by-law, the following regulations shall apply to the lands in that M3 zone to which parenthetical reference to “(s. 4.1.237)” is made on Zoning Map J13 attached to and forming part of this by-law:

1. That a transportation depot for the purpose of storing trucks, trailers and empty containers is permitted;
2. No outdoor storage of equipment, goods and materials including trucks and trailers shall be permitted within a 6 m setback of the front and exterior side lot lines; and
3. That the following uses are not permitted on the subject site:
 - (a) The storage of hazardous material;
 - (b) The storage of chlorinated solutions;
 - (c) The below-ground storage of petroleum; and
 - (d) Dry cleaning plants. (By-law 23-09)

4.1.238 Dr. Dennis Kim - 1844 Coronation Boulevard

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in the R3 zone to which parenthetical reference to “(s. 4.1.238)” is made on Zoning Map G8 attached to and forming part of this by-law may also be used for the purposes of one physician’s business and professional office that is subject to the following restrictions:

1. A maximum of one medical practitioner having one full-time and one part-time employee is permitted. (By-law 26-09)

4.1.239 83 Langdon Drive

Notwithstanding the provisions of section 3.6.1.2(b) of this by-law, the minimum lot area of the lands in that A1 zone to which parenthetical reference to “(s. 4.1.239)” is made on Zoning Map G5 attached to and forming part of this by-law shall be 9.34 ha. (By-law 75-09)

4.1.240 2283 Eagle Street North

1. Notwithstanding the provisions of sections 2.1.4 and 3.3.3.1 of this by-law, the permitted uses of the lands in that (H) C4 zone to which parenthetical reference to “(s.4.1.240)” is made on Zoning Map F10 attached to and forming part of this by-law shall be limited to the retail sales of motor vehicles. In addition, the service of motor vehicles is permitted only when the (H) provision is removed.
2. The removal of the (H) holding provision is conditional upon the applicant providing a Stationary Noise Study to the satisfaction of the Regional Municipality of Waterloo OR the removal of the sensitive land use located at 2259 Eagle Street North.
3. Notwithstanding the provisions of 3.3.3.2 (a) of this by-law the minimum *lot frontage* of the lands in that (H) C4 zone to which parenthetical reference to “(s.4.1.240)” is made on Zoning Map F10 attached to and forming part of this by-law shall be 53 metres. (By-law 52-10)

4.1.241 [Reserved]

4.1.242 [Reserved]

4.1.243 149 Marmel Court

Notwithstanding the provisions of section 3.1.2.2(e) of this by-law, a minimum western *interior side yard* of 1.5 m is required in that R6 zone to which parenthetical reference to “(s. 4.1.243)” is made on Zoning Map E6 attached to and forming part of this by-law. (By-law 113-09)

4.1.244 18 Harvey Street

Notwithstanding the provisions of section 3.1.2.2(d) and (e) of this by-law, the following regulations shall apply to the existing building in that R4 zone to which parenthetical reference to “(s. 4.1.244)” is made on Zoning Map D12 attached to and forming part of this by-law:

1. Minimum *front yard* from Harvey Street: 1.8 m;
2. Minimum southerly *interior side yard*: 0.73 m. (By-law 158-09)

4.1.245 2 Munch Avenue

1. Notwithstanding the provisions of section 3.3.3.1 of this by-law, the permitted uses of the land in that C2 zone to which parenthetical reference to “(s. 4.1.245)” is made on Zoning Map H10 attached to and forming part of this by-law shall be limited to the following uses:
 - (a) a clothing alteration/repair establishment;
 - (b) a hairdressing establishment;
 - (c) a shoe repair shop;
 - (d) a pet grooming establishment;
 - (e) a small goods repair shop; and,
 - (f) an upholsterer’s establishment.
2. Notwithstanding the provisions of section 3.3.3.2 of this by-law, the following regulations shall apply in that C2 zone:
 - (a) the minimum *lot frontage* shall be 13 m;
 - (b) the minimum *interior side yard* shall be 1.2 m;
 - (c) the minimum *exterior side yard* shall be 4 m; and
 - (d) the *minimum front yard* shall be 4 m.
3. Notwithstanding the provisions of section 2.4.3 of this by-law, the planting strip along the northerly property line of 2 Munch Avenue may be reduced to not less than 1 m in width. (By-law 163-09)

4.1.246 Manor Wood Homes, Haskell Road (30T-09101)

Notwithstanding the provisions of section 2.1.15, 3.1.2.2(d) and 3.1.2.2(g) of this by-law, the following regulations shall apply to the lands in that R6 zone to which parenthetical reference to “(s. 4.1.246)” is made on Zoning Map M13 attached to and forming part of this by-law:

Zone Provisions	R6(4.1.246)
Minimum <i>Front Yard</i> to House	3 m
Minimum <i>Front Yard</i> to Garage	5.8 m
Minimum <i>Rear Yard</i>	10 m
Permitted encroachments - open or covered unenclosed porches, patios, decks not exceeding 3 metres in <i>height</i>	1.5 m into the minimum required front yard

(By-law 47-10)

4.1.247 Conestoga College - Highway 401/Fountain Street

Notwithstanding the provisions of section 3.7 of this by-law, the following regulations shall apply to the lands in that UC zone classification to which parenthetical reference to “(s. 4.1.247)” is made on Zoning Maps F3, F4 and G3 attached to and forming part of this by-law:

1. Minimum *front yard* of 10 m required abutting Fountain Street;
2. Minimum *front yard* of 20 m required abutting Morningside Drive. (By-law 157-09)

4.1.248 1847 Riverbank Lofts (Former American Standard) 19 Guelph Avenue

1. The provisions of sections 2.2.2.3(f), 2.3.2.1, 2.3.2.2, 2.3.2.4, 3.1.1.4, 3.1.2.4(a), (c), (d), (e), (f), (j) and (k), 3.1.2.6(a), (c), (d), (e), (f), (h), (j), (k), (l) and (m), and 3.1.2.7(a), (b), (c), (d), (e), (f), (g), (i), (k), (l), (m) and (n) of this by-law shall not apply to the redevelopment and re-use of existing buildings including additions to the existing buildings in the C1RM2 zone to which parenthetical reference to “(s. 4.1.248)” is made on Zoning Maps D12 and D13 attached to and forming part of this by-law;
2. Any new, freestanding residential buildings shall comply with all of the requirements of section 3 of this by-law.
3. Notwithstanding the provisions of sections 2.2.3.5 and 2.2.4.1 of this by-law, the minimum width of an *access driveway* in that C1RM2 zone to which parenthetical reference to “(s. 4.1.248)” is made on Zoning Maps D12 and D13 of this by-law shall be 5.0 m for parking spaces located within a parking structure.
4. The provisions of section 2.1.8.2 of this by-law shall apply to the lands identified by section 4.1.248. (By-law 8-10)

4.1.249 10 Cheese Factory Road

Notwithstanding the provisions of sections 3.1.2.6(b), (i) and (j), and 2.2.2.3(f) of this by-law, the following regulations shall apply to the lands to the RM4 lands to which parenthetical reference to “(s. 4.1.249)” is made on Zoning Map M11 attached to and forming part of this by-law:

1. The maximum density is 61 *dwelling units* per net residential hectare;
2. The minimum *common amenity area* per dwelling unit in a multiple residential building other than *attached one-family dwellings* (row housing) shall be 25 m² per unit;
3. The maximum number of *attached one-family dwelling* units is 8; and,
4. No parking shall be located within 4m of a habitable room of a dwelling unit as measured perpendicular to the wall containing such window. (By-law 38-10)

4.1.250 4 Park Hill Road West

Notwithstanding the provisions of sections 2.2.2.3(a), 2.4 and 3.3.1.3(c) of this by-law, the following regulations shall apply to the (F)C1 lands to which parenthetical reference to “(s. 4.1.250)” is made on Zoning Map K10 attached to and forming part of this by-law:

1. required off-street parking may be located on a different lot and in a different zone than the use, building or structure for which such parking is required;
2. the provisions of section 2.4, Planting Strips and Fencing, shall not apply;
3. *dwelling units* are not permitted. (By-law 11-10)

4.1.251 1454 and 1466 Queenston Road

Notwithstanding the provisions of section 3.1.2.5(a)(b)(c)(d)(e)(f)(h) and 2.4.1.1 of this by-law, the following regulations shall apply to the RM3 zone to which parenthetical reference to “(s.4.1.251)” is made on Zoning Map G8 attached to and forming part of this by-law:

(c.) Minimum *lot frontage* of 4.9 m per unit.

(d.) Minimum *lot area* of 105m² per unit

(e.) Minimum *front yard* setback of 5.5m.

- (f.) Minimum *rear yard* setback of 6.6m.
- (g.) *Side yard* setback of 1.5m for northerly side yard.
- (h.) Maximum *lot coverage* of 47%.
- (i) Not less than 20% of the area of the required front yard shall be maintained as *landscape open space*.
- (j.) No planting strip required for side yard abutting R class zone. (By-law 127-11)

4.1.252 20 and 22 Haddington Street

Notwithstanding the provisions of sections 1.1.2.2(c)(ii), 2.1.1.7, 3.1.1.3 and 3.1.2.1 of this by-law, the following additional regulations shall apply to the lands in that R5(CO) zone to which parenthetical reference to “(s. 4.1.252)” is made on Zoning Map J10 attached to and forming part of this by-law:

1. Permitted uses shall include a Private Addiction Care Facility for the medical and therapeutic treatment of people with alcohol or drug addictions, with accommodations for up to 10 persons (exclusive of staff). The Private Addiction Care Facility may include a resident medical doctor, nurse practitioner and associated counselors;
2. For the purposes of calculating the required parking facilities for a Private Addiction Care Facility, the provisions of section 2.2.1.3(e) of this by-law shall apply;
3. The following uses are prohibited:
 - (a) *crisis intervention home*;
 - (b) *family crisis centre*;
 - (c) walk-in treatment clinic having more than 3 medical practitioners;
 - (d) a home for provincial psychiatric patients;
 - (e) a community resource centre for criminally sentenced individuals who can benefit from a residential program;
 - (f) a halfway house for ex-offenders; and,
 - (g) a methadone clinic. (By-law 49-10)

4.1.253 91 and 93 Churchill Drive

1. Notwithstanding the provisions of sections 3.1.2.3(e), 2.1.15.1, 2.1.15.6, and 2.2.1.1(a) of this by-law, the following regulations shall apply to all units in that RS1 zone to which parenthetical reference to “(s. 4.1.253)” is made on Zoning Map K8 attached to and forming part of this by-law:
 - (a) The minimum *front yard* shall be 2.0 m;
 - (b) The maximum encroachment for porches and stairs shall be 1.0 m into the minimum front yard; and,
 - (c) The required number of parking spaces shall be 2 spaces per unit.
2. Notwithstanding the provisions of sections 3.1.2.3(h) and 2.1.15.6 of this by-law, the following regulations shall apply to the eastern unit in that RS1 zone to which parenthetical reference to “(s. 4.1.253)” is made on Zoning Map K8 attached to and forming part of this by-law:
 - (a) The minimum *rear yard* shall be 2.39 m with no encroachments permitted for a covered unenclosed patio, or an open or covered unenclosed deck or porch.
3. Notwithstanding the provisions of sections 3.1.2.3(f) and (h) and 2.1.15.8 of this by-law, the following regulations shall apply to the western unit that RS1 zone to which parenthetical reference to “(s. 4.1.253)” is made on Zoning Map K8 attached to and forming part of this by-law:
 - (a) The minimum *interior side yard* shall be 5.71 m and the maximum projection permitted into the side yard shall be 4.71 m;
 - (b) The minimum *rear yard* shall be 4.68 m. (By-law 61-10)

4.1.254 210 Royal Oak Road

Notwithstanding the provisions of sections 3.4.2.2(a) and 3.4.3.1(b) of this by-law, the following regulations shall apply to the lands in that (H)M2 zone to which parenthetical reference to “(s. 4.1.254)” is made on Zoning Map D8 attached to and forming part of this by-law:

1. Stamping plant operations are not permitted. (By-law 117-10)

4.1.255 Boxwood Drive Business Park

Notwithstanding the provisions of section 3.4.3.1(b) of this by-law, the following regulations shall apply to the lands in that M2 and (H)M2 zone to which parenthetical reference to “(s. 4.1.255)” is made on Zoning Maps D7, D8, E7 and E8 attached to and forming part of this by-law:

1. No stamping plant operations may be located on these lands. (By-law 114-10)

4.1.256 208 Hespeler Road

Notwithstanding the provisions of sections 2.2.2.3(d), 2.3.2.1, 3.1.2.1(m) and 3.1.2.4(c) of this by-law, the following regulations shall apply to the lands in that (H)RM3 zone to which parenthetical reference to “(s. 4.1.256)” is made on Zoning Map H10 attached to and forming part of this by-law:

- (a) A *retirement lodge/domiciliary hostel* shall be permitted on this site with the following criteria:
 - (i) A minimum of 61 parking spaces or a ratio of 0.45 parking spaces per unit shall apply, whichever is greater;
 - (ii) The distance between the loading space and loading door may be a maximum of 41 m;
 - (iii) The minimum *front yard* shall be 4.5 m;
 - (iv) All suites with windows and/or doors abutting Hespeler Road will require upgraded glazing construction and central air conditioning systems as an alternative means of ventilation, as outlined in the “Road Noise Feasibility Study” completed by HGC Engineering, dated January 18, 2010, with a written addendum memo dated May 20, 2010, or per any subsequent updates. (By-law 116-10)

4.1.257 [Reserved]

4.1.258 750 Lawrence Street

1. Notwithstanding the provisions of sections 2.2.2.3(f), and 3.1.2.6(j) of this by-law, the following regulations shall apply to the lands in that (H)RM4 zone to which parenthetical reference to “(s. 4.1.258)” is made on Zoning Map F8 attached to and forming part of this by-law:

- (a) A minimum separation of 3.5 m from an internal drive aisle to a wall containing a window within 1.0 m of the finished grade in up to two locations on the subject lands;
 - (b) One of the cluster *attached one-family dwelling* buildings may have a maximum of 7 attached one-family *dwelling units*;
2. Notwithstanding the creation of lot lines by the registration of a common element condominium, the zoning regulations for cluster development in a RM4 zone, as set out in Section 3.1 of this by-law, shall be applied to the entirety of the lands zoned RM4, not the individual *lots* created through the common elements condominium. (By-law 127-10)

4.1.259 [Reserved]

4.1.260 [Reserved]

4.1.261 [Reserved]

4.1.262 Cook Homes Limited, Bismark Drive 30T-07104

Notwithstanding the provisions of section 3.1.2.2 (a) ii of this by-law, the following regulations shall apply to the lands in that R4 and R5 zone classifications to which parenthetical reference to “(s.4.1.262)” is made on Zoning Map J8 attached to and forming part of this by-law:

Zone Provisions	Single Detached Dwellings	
	R4	R5
Corner Lot Frontage (metres)	15.9	16.4

(By-law 129-11)

4.1.263 111 Grand Ridge Drive

Notwithstanding the provisions of section 2.1.11(d), 2.1.15, 3.1.2.2(a), (d), (e), (g) and (k), and 3.5.1 of this by-law, the following regulations shall apply to the R4 (Part 6, 58R-17022) and OS1 (Parts 1-5, 7 and 8, Plan 58R-17022) zones to which parenthetical reference to “(s.4.1.263)” is made on Zoning Map M8 attached to and forming part of this by-law:

1. The minimum *lot frontage* for the R4 zone shall not apply.
2. The minimum yards for the R4 zone shall be measured from the limits of the R4 zone with the *front yard* being the northerly zone limit.

3. The required minimum *landscaped open space* area in the R4 zone may be provided in the OS1 zone area.
4. *Accessory uses, buildings and structures* shall not occupy a total area greater than 10% of the area of the R4 zone.
5. Permitted uses in the OS1 zone shall be limited to a woodlot provided that an *access driveway* to the R4 zone with a maximum width of 7m and service utilities may pass through the OS1 zone as detailed on 58R-17022, attached as Schedule B to By-law 12-11.
6. No *accessory use, building or structure* including fencing of any kind is permitted in the OS1 zone. (By-law 12-11)

4.1.264 25 Isherwood Avenue

1. Notwithstanding the provisions of sections 3.1.2.1, 3.1.2.4(e) and (f), 3.1.2.5(d) and (e), and 3.1.2.6(e) of this by-law, the following regulations shall apply to the lands in that RM3 zone to which parenthetical reference to “(s.4.1.264)” is made on Zoning Map H10 attached to and forming part of this by-law:
 - (a) A long term care facility or *retirement home* shall be permitted on this site as an additional use;
 - (b) The maximum *building height* shall be 2 *storeys* and 8 m within 30 m of the front lot line at Isherwood Avenue;
 - (c) The maximum *building height* shall be 5 *storeys* and 16 m between between 30 to 50 m of the front lot line at Isherwood Avenue;
 - (d) The maximum *building height* shall be 8 *storeys* and 30 m beyond 50 m of the front lot line at Isherwood Avenue;
 - (e) A zero metre *rear yard* setback within the RM3 zone shall be permitted. No encroachments are permitted into the OS1 zone;
 - (f) A minimum 5 m west *interior side yard* shall be provided;
 - (g) No private rear yards shall abut Isherwood Avenue;
 - (h) That site plans be subject to urban design control.
2. Notwithstanding the creation of lot lines by the registration of a common element condominium, the zoning regulations for cluster development in a RM3 zone, as set out in

section 3.1 of this by-law shall be applied to the entirety of the lands zoned RM3, not the individual lots created through the common element condominium. (By-law 23-11)

4.1.265 600 Boxwood Drive

Notwithstanding the provisions of sections 3.4.2.2(p) and 3.4.3.1 of this by-law, the lands in that M3 zone to which parenthetical reference to “(s.4.1.265)” is made on Zoning Map C7 attached to and forming part of this by-law may also be used for a freestanding sports facility and/or fitness club including a pro-shop accessory to the sports facility and/or fitness club with a maximum floor area of 25 m² (269 ft²). (By-law 37-11)

4.1.266 1150 Franklin Boulevard

Notwithstanding the provisions of section 3.4.2.2(p)(iv) of this by-law, the lands in that M3 zone to which parenthetical reference to “(s.4.1.266)” is made on Zoning Map G12 attached to and forming part of this by-law may also have 100 percent of the total *gross leasable commercial floor area* used for health care services and that the provision requiring said health care services to be located in an industrial mall shall not apply. (By-law 71-11)

4.1.267 156 Argyle Street North

Notwithstanding the provisions of sections 2.2.1.2(b)(ii)(1)(B), 2.2.2.3(a), and 2.2.2.12 of this by-law, the provision of one tandem parking space and five parking spaces encroaching onto the Duke Street right-of-way may be provided for the existing building, for the lands in that C2(O) zone to which parenthetical reference to “(s.4.1.267)” is made on Zoning Map F7 attached to and forming part of this by-law. (By-law 86-11)

4.1.268 144 Royal Oak Road

Notwithstanding the provisions of sections 3.1.2.1 of this by-law, the lands in that R1 zone to which parenthetical reference to “(s.4.1.268)” is made on Zoning Map E7 attached to and forming part of this by-law may be used for the purpose of a *detached one-family dwelling* where no bedroom windows are provided in the south elevation of the building and the dwelling has been fitted with a forced-air ducted heating system suitably sized and designed to permit the future installation of a central air conditioning system. (By-law 81-11)

4.1.269 69 Wellington Street

Notwithstanding the provisions of sections 2.1.11.1(b)(v), 2.2.4.1, 2.4.1.1 and 3.1.2.4(c) of this by-law, the lands in that RM3 zone to which parenthetical reference to “(s.4.1.269)” is made on Zoning Map K10 attached to and forming part of this by-law the following regulations shall apply:

1. Not more than 5 *dwelling units* in total may be developed on the site;
2. No planting strip or fencing is required along the east and south property lines abutting the R5 and N1R5 zones, respectively;
3. Minimum *front yard* setback for the existing principal building of 5.2 m;
4. Minimum *access driveway* width of 4 m; and,
5. Minimum *rear yard* setback for the existing accessory building of 0 m. (By-law 83-11)

4.1.270 2450 Kossuth Road

Notwithstanding any provisions to the contrary, the *lot* in that A1 zone to which parenthetical reference to “(s.4.1.270)” is made on Zoning Map A8 attached to and forming part of this by-law, is deemed legal and conforming. (By-law 85-11)

4.2 Exceptions Not Shown on the General Area Zoning Maps

4.2.1 Dry Cleaning Plants in Non-Industrial Zones

Notwithstanding any provisions of this by-law to the contrary, a dry- cleaning plant shall be permitted in any of the following locations if a dry-cleaning pickup and delivery depot is also provided on the same premises:

1. Stopp's Cleaners & Laundromat at 30 Glamis Road (Block A, R.P. 1325);
2. Preston Cleaners at 134 Westminster Drive North;
3. Mandel's Cleaners & Tailors at 16 Ainslie Street South;
4. Hubbard Brothers Dry Cleaning & Tailors at 62 Ainslie Street South.

4.2.2 *Day Nurseries* in Residential Zones

Nothing in this by-law shall apply to prevent the use of lands or buildings in residential use class zones in the following locations for the purposes of a *day nursery*; provided, however, that all of the regulations prescribed by this by-law for the zone in which such *day nursery* may be located shall apply thereto:

1. Preston Mennonite Nursery School, 791 Concession Street;
2. Kinsmen Day Care Centre, 130 Schlueter Street.

4.2.3 *Group Homes*

1. Notwithstanding the definition of *group homes* provided in section 1.1.1 of this by-law, not more than five residents, exclusive of supervisory staff, shall be accommodated in the *class 1 group home* established in the R4 zone at 707 Pine Street.

4.2.4 *Amusement Arcades*

Notwithstanding the provisions of section 3.3.3.1(c)(ii) of this by-law, the sites listed in Column A below may also be used for the purpose of an *amusement arcade* in which not more than the number of *coin-activated game machines* listed in Column B below shall be provided:

	Column A	Column B
1.	14 Queen's Square	3
2.	18 Queen's Square	3
3.	132 Grand Avenue South	3
4.	31 Water Street South	8
5.	38 Water Street South	7
6.	61 Ainslie Street South	3
7.	10 Parkhill Road East	3
8.	39 Shade Street	5
9.	105 Hespeler Road	4
10.	25 Dundas Street	3, provided, however, that all such <i>coin-activated game machines</i> are located in a single store or establishment within the <i>shopping centre</i> on the site
11.	1001 Lang's Drive	no maximum
12.	6B Queen Street East	4
13.	368 Queen Street West	5
14.	1194 King Street East	4
15.	371 Laurel Street	3

4.2.5 Semi-Detached Dwellings With Reduced Lot Frontage

Notwithstanding the provisions of section 3.1.2.3(a) of this by-law, the *lot frontage* provided for a *semi-detached one-family dwelling* located on the following *lots* may be reduced to a minimum of 8.8 m per *dwelling unit*:

1. Lots 14 to 21 and 52 to 63, R.P. 1343, Ferguson Avenue;
2. The block between Lots 74 and 75, R.P. 1359, The Greenway;

3. Lots 9 to 14, 18 to 22, 26, 31, 32, 34, 36, 37, 43 to 45 and 47 to 49, R.P. 1371, Carter Crescent;
4. Lots 87 and 88, R.P. 1371, Bradbury Crescent;
5. Lots 129 to 142 and 167 to 179, R.P. 1371, Frobisher Court;
6. Lots 180 to 207, R.P. 1371, Northview Heights Drive;
7. Lot 233, R.P. 1371, MacAtee Place;
8. Lots 18 to 21, 37 to 71 and 83 to 85, R.P. 1325, Elgin Street North.

4.2.6 Part of Lot 24, Beasley's Broken Front Concession, Part 2, Plan 58R-13323

The regulations prescribed in section 3.1.2.3(a) of this by-law shall not apply to the lands municipally known as 322 Kitchener Road and the following regulations shall apply instead:

1. Minimum *lot frontage* for two attached *dwelling units*: 16.76 m;
2. Minimum *lot frontage* for one attached *dwelling unit*: 8.3 m. (By-law 117-03)

4.2.7 Cumming Avenue

Notwithstanding the provisions of section 3.1.2.1 of this by-law for the R5 zone, the lands municipally known as 26 Cumming Avenue may also be used for the purposes of a *duplex dwelling*.

4.2.8 *Detached and Semi-Detached One-Family Dwellings Converted to Provide One or More Additional Self-Contained Dwelling Units**

1. A *detached* or *semi-detached one-family dwelling* located on a site specified in Column A of section 4.2.8.2 below may be converted in accordance with the following regulations to provide the total number of *dwelling units* specified in Column B of section 4.2.8.2 below:
 - (a) each *dwelling unit* in the *converted dwelling* shall be completely self-contained and provided with a separate, private entrance, kitchen and bathroom;
 - (b) (deleted)

* Any person who proposes to convert a *dwelling* is reminded that a building permit is required and that the conversion must be undertaken in accordance with the regulations of the Ontario Building Code and the Ontario Fire Code.

(c)

(i) the minimum *gross floor area* of one of the *dwelling units* in the *converted dwelling* shall be as follows:

(1) in an RR1, RR2 or R4 zone: 90 m²;

(2) in an R1, R2 or R3 zone: 120 m²;

(3) in an R5, R6 or RS1 zone: 75 m²;

(4) in an RM-class zone: 75 m²;

and

(ii) the minimum *gross floor area* of each additional *dwelling unit* in the *converted dwelling* shall be 40 m²;

(d) not less than one parking space shall be provided for each *dwelling unit* in a *converted dwelling* in accordance with the regulations prescribed in section 2.2 of this by-law;

(e) except as provided in section 2.1.15 of this by-law, no encroachment into an *existing yard* shall be made to create or use for the purpose of converting the *dwelling* any *yard* smaller than the minimum required for such *yard* as prescribed in sections 3.1.2.2, 3.1.2.3 and 3.1.2.5 for the zone in which the building is located.

2.

Column A		Column B
(a)	563 Grimm's Drive	4
(b)	134 Concession Street	3
(c)	586 Coronation Boulevard	4
(d)	2 Marion Way	3
(e)	601 William Street	3
(f)	232 Main Street	3
(g)	248 Main Street	3
(h)	5-7 Lincoln Avenue	3
(i)	42 Glenmorris Street	3
(j)	42 Kribs Street	3

Column A		Column B
(k)	819 Duke Street	3
(l)	81 Avenue Road (see also section 4.2.64) (By-law 159-08)	5
(m)	5 Spiers Crescent (see also section 4.2.14)	2
(n)	138 Beverly Street	3
(o)	10 Paisley Heights	2
(p)	13 Elgin Street South	2
(q)	706 Queenston Road (By-law 217-89)	7
(r)	102 Cedar Street	3
(s)	51 Mill Creek Road (By-law 184-90)	2
(t)	1203 Hamilton Street (By-law 213-90)	3
(u)	84-84½ Francis Street (By-law 213-89)	3
(v)	77 McNaughton Street (By-law 3-90)	3
(w)	(Reserved)	
(x)	10-10½ Crombie Street (see also section 4.2.22) (By-law 315-90)	3
(y)	221 Water Street North (By-law 235-90)	2
(z)	163 Alison Avenue (see also section 4.2.31) (By-law 27-91)	2
(aa)	167 Alison Avenue (By-law 27-91)	2
(bb)	11 Oxford Street (see also section 4.2.32) (By-law 31-91)	2
(cc)	204 Myers Road (By-law 83-91)	3
(dd)	40 James Street (By-law 217-90)	2
(ee)	766 Queenston Road (By-law 86-92)	3
(ff)	578 Coronation Boulevard (By-law 219-93)	2
(gg)	734 Sherring Street (By-law 109-94)	3
(hh)	47-49 Cedar Street (By-law 97-94)	4
(ii)	10 Kay Street (By-law 98-94)	3
(jj)	71 Chalmers Street South (By-law 13-01)	2
(kk)		
(ll)	125 St. Andrew's Street (By-law 111-04)	2

Column A		Column B
(mm)	69 Birch Street (By-law 171-05)	2
(nn)	66 Queen Street West (see also section 4.2.62) (By-law 232-05)	4
(oo)	15 Pretoria Road	3
(pp)	64 Elgin Street South	2
(qq)	37 Mercer Road (By-law 160-08)	2
(rr)	135 Green Bank Drive (By-law 121-09)	2

3. An *attached, detached or semi-detached one family dwelling* located on a site specified in section 4.2.8.3 below may be used for two residential *dwelling units* subject to the provisions of apartments in houses of the Residents Rights Act (Bill 120) proclaimed on July 14, 1994. (By-law 87-96)

(a)	123 First Avenue	(b)	7 Manchester Street
(c)	55 Avenue Road	(d)	269 Fearnwood Street
(e)	20 Rich Avenue	(f)	325 Laurel Street
(g)	82 Azores Crescent (By-law 89-97)	(h)	30 Blair Road
(i)	247 Church Street	(j)	518 Coronation Boulevard
(k)	1139 Duke Street	(l)	118 Elmwood Avenue
(m)	1767 Franklin Boulevard	(n)	950 Hamilton Street
(o)	79 Henry Street	(p)	250 Lowther Street North
(q)	328 Lowther Street North	(r)	207 Main Street
(s)	619 Queenston Road	(t)	930 Queenston Road
(u)	1104 Queenston Road	(v)	32 Wright Avenue
(w)	91 Albert Street (By-law 227-98)	(x)	131 Beverly Street
(y)	63 Dudhope Avenue	(z)	134 Dyer Court
(aa)	94 Hammet Street	(bb)	64 Lansdowne Avenue South
(cc)	98 Oak Street	(dd)	107 Spruce Street
(ee)	1 State Street (101 Wellington Street)	(ff)	155 Westminster Drive South
(gg)	1328 Concession Road (By-law 29-00)	(ii)	68 Francis Street

(jj) 83 Glenmorris Street	(kk) 1476 Mary Avenue
(ll) 47 Spruce Street	(mm) 263 West River Road (By-law 244-01)
(nn) 79 Attwood Drive	(oo) 272 Bakersfield Drive
(pp) 43 Beverly Street	(qq) 98 Beverly Street
(rr) 47 Lansdowne Road North	(ss) 186 Limpert Avenue
(tt) 6 Portland Street	(uu) 163 St. Andrews Street (By-law 206-03)
(vv) 52 Attwood Drive	(ww) 5 Lowrey Avenue South
(xx) 236 Main Street	(yy) 50 Queen Street
(zz) 74 Samuelson Street	(aaa) 35 Shade Street
(bbb) 617 Vine Street	(ccc) 8 Close Avenue
(ddd) 290 Elliott Street	(eee) 35 Haddington Street
(fff) 87 Linnwood Avenue	(ggg) 100 Queen Street West

4.2.9 *Bed-and-Breakfast Hostels* in Residential Use Class Zones

Notwithstanding the provisions of section 3 of this by-law, *detached one-family dwellings* in the following locations may be used for the purpose of a *bed-and-breakfast hostel* in accordance with the regulations prescribed in section 2.1.20 of this by-law:

1. 70 Blair Road; (By-law 119-98)
2. 754 Queenston Road; (see also s. 4.2.16)
3. 127 Jacob Street. (see also s. 4.1.132) (By-law 103-93)

4.2.10 Block 185, Tamarack Court

Notwithstanding the provisions of section 3.1.2.2(a) of this by-law, the minimum *frontage* of Block 185, Tamarack Court shall be 9.49 m. (By-law 101-87)

4.2.11 92-98 Jarvis Street

Notwithstanding the regulations prescribed in sections 2.1.15.6 and 3.1.2.5(c) of this by-law, the following regulations shall apply to the *existing linear attached one-family dwelling units* municipally known as 92-98 Jarvis Street:

1. Unenclosed porches may encroach upon the minimum *exterior side yard* required by this by-law to a maximum of 0.921 m;
2. The minimum setback of any building or structure from Glen Road shall be 5.913 m. (By-law 369-87)

4.2.12 North Side Bishop Street, Pineview - Concession (Lot 40, R.P. 715 & Block B, R.P. 1312)

1. Notwithstanding section 3.1.2.3(b) of this by-law, *semi-detached one-family dwelling units* may be erected on lands located in the RS1 zone at the northeast corner of Bishop Street and Pineview Avenue, and at the northwest corner of Bishop Street and Concession Road, with a minimum *lot area* of 204 m².
2. Notwithstanding sections 3.1.2.3(c) and (e) of this by-law, a *semi-detached one-family dwelling* may be erected in the RS1 zone at the northwest corner of Bishop Street and Concession Road with a minimum setback of 3.0 m from the corner daylighting triangle.
3. Notwithstanding sections 3.1.2.5(b) and (e) of this by-law, *attached one-family dwellings* may be erected in the RM4 zone on the north side of Bishop Street between Pineview Avenue and Concession Road with a maximum *lot area* of 130 m² per *dwelling unit* and a minimum *interior side yard* of 1.5 m. (By-law 319-86)

4.2.13 120 Montrose Street - 1262 King Street East

Notwithstanding sections 2.2.2.3(a), 2.2.3, 2.2.4 and 3.1.2.1 of this by-law, that part of the RS1 zone consisting of Part 2, Reference Plan 67R-2878, may be used for the purpose of providing an *access driveway* to the lands in that C2RM3 zone consisting of Part 3, Reference Plan 67R-2878. (By-law 72-88)

4.2.14 5 Spiers Crescent (Lot 60, Registered Plan 257)

Notwithstanding the provisions of sections 2.2.3.2, 4.2.8.1(c)(i)(3) and 4.2.8.1(d) of this by-law, a minimum *gross floor area* of 69 m² may be provided in an accessory apartment unit in a *converted dwelling* at 5 Spiers Crescent, and a minimum width of 2.75 m may be provided for a parking stall provided therefor. (By-law 389-87)

4.2.15 Taxi Dispatching Offices in Industrial Zones

Notwithstanding the provisions of section 3.4.3.1 of this by-law, the following lands may also be used for the purposes of a taxi dispatching office and fleet maintenance facilities:

1. Parts 1, 2 and 3, Reference Plan 67R-2073, municipally known as 367 Westminster Drive. (By-law 302-88)

4.2.16 754 Queenston Road

Notwithstanding the provisions of sections 2.1.20.7 and 2.4.2 of this by-law, no planting strip shall be required along the northwest limit of lands municipally known as 754 Queenston Road used for the purposes of a *bed-and-breakfast hostel*. (By-law 206-88)

4.2.17 Industrial and Commercial Motor Vehicle Sales in M1 and M2 Zones

Notwithstanding the provisions of section 3.4.3.1(b) of this by-law, lands in an M1 or M2 zone in the following locations only may also be used for the sale, service, rental and storage of trucks, *transport trailers* and parts:

1. Lot 17, Registered Plan 1427, McGovern Drive. (By-law 294-89)

4.2.18 118-120 and 124-126 Maple Street

Notwithstanding section 3.1.2.3(a) the minimum *lot frontage* shall be 17.5 m and the minimum *lot frontage* shall be 8.75 m for each half of a *semi-detached dwelling*. (By-law 99-94)

4.2.19 91-93 Grand Avenue South

Notwithstanding the provisions of section 3.3.3.1 of this by-law, the lands comprising Part of Lots 62 & 63, Plan 456, municipally known as 91-93 Grand Avenue South, may not be used for the purpose of motor vehicle repair, drive-thru automobile service shops, hotel, motel, day nursery, day care center and institutional uses. (By-law 165-03)

4.2.20 192-196½ Main Street East

Notwithstanding the provisions of section 3.1.2.1 of this by-law, land in the R4 zone at 192-196½ Main Street East may be used for three accessory apartments and a maximum of 70 m² of *gross leasable commercial floor area* may be used for the following commercial uses;

1. A *hairdressing establishment*
2. A photographers studio;
3. A travel agency;

4. A shop for the repair of small electrical/electronic goods and wares or business machines;
5. An establishment for grooming small household pets, excluding facilities for overnight accommodation;
6. A shoe repair shop;
7. A business and professional office excluding:
 - (a) the office or clinic of a doctor, dentist, chiropractor, osteopath, chiroprapist, or optometrist; and
 - (b) a veterinary office, clinic or hospital. (By-law 190-92)

4.2.21 19 Bruce Street

Notwithstanding the provisions of section 3.1.2.5(a) of this by-law, a minimum *lot frontage* of 11.177 m may be provided for a *detached duplex dwelling* at 19 Bruce Street, being Part of Lot 2, south of Bruce Street, Plan 615. (By-law 197-89)

4.2.22 10-10½ Crombie Street (Part Lot 76, Plan 462)

Notwithstanding the provisions of section 2.2.4.5 of this by-law, the maximum width of an *access driveway* to 10-10½ Crombie Street may be increased to 9.0 m. (By-law 315-90)

4.2.23 25 Linnwood Avenue

Notwithstanding the provisions of section 3.2.1.1 of this by-law, Lot 32, Registered Plan 1258, and Lots 56, 57, 58 and 59, and any building or structure erected or located thereon, may be used only for the purposes of a *domiciliary hostel (retirement lodge)*. (By-law 313-89)

4.2.24 366 Rose Street

Notwithstanding the provisions of sections 3.1.2.2(a) and 3.1.2.2(b) of this by-law, a minimum *lot frontage* of 8.9 m and a minimum *lot area* of 402 m² may be provided for that Part of Lot 38, Plan 730, municipally known as 366 Rose Street. (By-law 35-90)

4.2.25 Lot 50, Registered Plan 462, John Street

Notwithstanding the provisions of section 2.1.13.1 of this by-law, one *detached one-family dwelling* may be erected on Lot 50, Registered Plan 462. (By-law 80-90)

4.2.26 Lot 21 and Part Lot 18, Registrar's Compiled Plan 1375

Notwithstanding the provisions of sections 3.3.3.1, 3.3.3.2(a), 3.3.3.2(g), and 2.4.1.2 of this by-law, shall not apply to the lands in that C4 zone described as Lot 21, and Part of Lot 18, Registrar's Compiled Plan 1375, and the following regulations shall apply in their stead:

1. The lands shall be used for the retail sale of carpet and floor coverings only;
2. Minimum *interior side yard* (easterly *yard*): 3.7 m;
3. No planting strip shall be required along the easterly *interior side lot line*, provided:
 - (a) a 1.5 m high solid wood fence is provided from the *rear lot line* to a point opposite the front wall of the building located at 2225 Eagle Street North; and
 - (b) a 1.5 m high chain link fence is provided from a point 6.0 m back from the *front lot line* to a point opposite the front wall of the building located at 2225 Eagle Street North and abuts the 1.5 m high solid wood fence. (By-law 10-96)
4. A minimum *lot frontage* of 21 m shall be provided.

(By-law 75-94)

4.2.27 Block 106, Plan 1470 - Dundas Street at Champlain Boulevard

Notwithstanding the provisions of section 2.2.2.3(a) of this by-law, a single common driveway may be provided for vehicular access to those row housing units erected on Block 106, Registered Plan 1470 which have frontage on Champlain Boulevard. (By-law 183-90)

4.2.28 Parts 1, 2 & 3, Plan 67R-3008 - Bluerock Crescent

The provisions of sections 2.2.4.4, 3.1.2.5(a) and (b) of this by-law shall not apply to the development of row housing on Parts 1, 2 and 3, Plan 67R-3008 and the following regulations shall apply in their stead:

1. The minimum setback between the *access driveway* and the corner daylighting triangles may be reduced to 1.2 m;

2. The minimum *lot frontage* for one unit may be reduced to 5.3 m;
3. The minimum *lot area* for four units may be reduced to 137 m² per *dwelling unit*. (By-law 197-90)

4.2.29 Lot 3, Plan 28, Queen Street West

The regulations prescribed in sections 3.1.2.3(a), (b) and (d) of this by-law shall not apply to Lot 3, Plan 28 on Queen Street West and the following regulations shall apply thereto instead:

1. The minimum *lot frontage* may be reduced from 15 m to 13.25 m;
2. The minimum *lot area* may be reduced from 450 m² to 351.5 m². (By-law 126-90)

4.2.30 407 Witmer Street

The regulations prescribed in sections 3.3.3.1 and 3.3.3.2(a) of this by-law shall not apply to Lot 27, Plan 1364, municipally known as 407 Witmer Street, and the following regulations shall apply in their stead:

1. The lands shall be used for motor vehicles sales and service or a use prescribed in section 3.3.2.2(b) to (u) of this by-law;
2. A minimum *lot frontage* of 57.0 m shall be provided. (By-law 271-90)

4.2.31 163 Alison Avenue

Notwithstanding the provisions of section 4.2.8.1(c)(i)(3) of this by-law, the minimum required *gross floor area* of one of the *dwelling units* in the *converted dwelling* on Part of Block A, Registered Plan 860, known municipally as 163 Alison Avenue, shall be 72 m² (775 sq. ft.). (By-law 27-91)

4.2.32 11 Oxford Street

The regulations prescribed in sections 2.2.2.3(b), 2.2.3.2 and 4.2.8.1(c)(i) of this by-law, shall not apply to the existing *detached one family dwelling* on Part of Lots 206 and 207, Registered Plan 447, municipally known as 11 Oxford Street, and the following regulations shall apply thereto instead:

1. The minimum *gross floor area* of each *dwelling unit* in the *converted dwelling* shall be 65 m²;
2. The minimum width of one parking stall may be reduced to 2.59 m;

3. The parking stalls may be located in front of the *regulatory building line* and the *established building line*. (By-law 31-91)

4.2.33 540 Queenston Road

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the existing *dwelling* located in the R4 zone on Lot 106, Registered Plan 541, municipally known as 540 Queenston Road, may also be used for the purposes of a *domiciliary hostel* in which a maximum of nine bedrooms may be provided; and the regulations prescribed in sections 2.2.1.3(d) and 2.4 of this by-law shall not apply thereto but the following regulations shall apply instead:

1. No planting strip or fencing shall be required along the northwesterly *interior side lot line* except where parking spaces have been located;
2. A minimum of ten on-site parking spaces shall be provided. (By-law 38-91)

4.2.34 379 Laurel Street

Notwithstanding the provisions of section 3.1.2.1 of this by-law, the existing *dwelling* located in the R4 zone on Lot 11, Registered Plan 528, known municipally as 379 Laurel Street, may also be used for the purposes of offices of a religious non-profit organization and temporary living accommodation for members of the non-profit organization and the regulations in section 2.4 of this by-law shall not apply to require a planting strip along the south *side lot line* where it abuts a driveway. (By-law 60-91)

4.2.35 Lot 34, Registered Plan 1440, Peachtree Crescent

Notwithstanding the provisions of section 3.1.2.2 of this by-law, as amended by By-Law 182-90, the minimum frontage of Lot 34, Registered Plan 1440, shall be deemed to be 14.0 m. (By-law 49-91)

4.2.36 88 Adam Street, Part of Lot 13, Plan 540

Notwithstanding the provisions of section 3.1.2.3(a) of this by-law, the minimum *lot frontage* for a *semi-detached one-family dwelling* located on Part of Lot 13, Plan 540, known municipally as 88 Adam Street, may be reduced from 18.0 m to 15.3 m. (By-law 97-91)

4.2.37 Car Washes in Industrial Zones

Notwithstanding sections 3.4.2 and 3.4.3.1 of this by-law, lands in an industrial use class zone in the following locations only may also be used for the purposes of a *car wash*:

1. Part 1, Reference Plan 67R-3305, McLaren Avenue; (By-law 138-91)
2. Part of Lot 29, Compiled Plan 1135, Parts 3, 4, 5 and 6 Plan 58R-8917, 375 Franklin Blvd. (By-law No. 77-96)

4.2.38 Block 55, Plan 30T-87048

Notwithstanding the provisions of section 3.1.2.6(b) of this by-law, not more than 12 *dwelling units* of not more than two *storeys* in height shall be built on lands in the RM4 zone shown as Block 55 on draft approved plan of subdivision, Region File No. 30T-87048. (By-law 272-89)

4.2.39 Marmel Court

Notwithstanding the provisions of section 3.1.2.3(a) of this by-law, a minimum *lot frontage* of 7.8 m may be provided for each *dwelling unit* erected on the lands in that RS1 zone comprised of Part of Lot 24, Beasley's Broken Front Concession and Block B, Plan 1411, Marmel Court. (By-law 218-90)

4.2.40 2 Tannery Street, Lot 27, Plan 544, Parts 1, 2 and 6, Registered Reference Plan 67R-2567

The regulations prescribed in section 2.2.1.2(b)(ii)(1)(A) of this by-law shall not apply to the lands in that R4(CO) zone municipally known as 2 Tannery Street and the following regulation shall apply instead:

1. Required number of parking spaces (for up to two doctors): 5. (By-law 59-04)

4.2.41 218-224 and 232-238 Chestnut Street South

Notwithstanding the provisions of section 3.1.2.6(b), not more than eight *dwelling units* shall be provided on the lands in that RM4 zone comprised of Part of Lots 4, 5 and 6, Plan 521, municipally known as 218-224 and 232-238 Chestnut Street South. (By-law 187-91)

4.2.42 Lot 44 and Part Lots 47, 48 and 49, Registrar's Compiled Plan 1364 on Hespeler Road and Eagle Street

Notwithstanding the provisions of section 3.3.3.2(a) of this by-law, the minimum *frontage* of a *lot* in that C4 zone consisting of Lot 44 and Part Lots 47, 48 and 49, Registrar's Compiled Plan No. 1364, shall be 30.0 m on Eagle Street and 50.0 m on Hespeler Road. (By-law 195-91)

4.2.43 1123 Queenston Road

The regulations prescribed in sections 3.1.2.4(b) and (j) shall not apply to an *apartment house* located on Lot 103 and Part of Lot 102, Plan 716, municipally known as 1123 Queenston Road, and the following regulations shall apply instead:

1. The maximum number of *dwelling units* to be located on the site may be increased from 13 to 19 units;
2. The minimum landscaped area to be provided on the site may be decreased from 30% to 17%;
3. The minimum number of parking spaces per unit may be reduced from 1.25 to 1.21. (By-law 217-91)

4.2.44 Three *Lots* Fronting Onto Nickolas Crescent, Being Part of Lots 11 and 12, Concession 2 and Block E, Registered Plan 1412

Notwithstanding the provisions of section 3.1.2.3(b) of this by-law, the three *lots* fronting onto Nickolas Crescent, being part of lands being Part of Lots 11 and 12, Concession 2 and Block E, Registered Plan 1412, shall have the following minimum frontages:

- Lot 20 - 15 m;
- Lot 21 - 15 m;
- Lot 30 - 20 m. (By-law 27-92)

4.2.45 Lot 475 and Part Lot 474, Plan 225, 18 Moscrip Road

Notwithstanding the provisions of section 2.4.1 of this by-law, a *semi-detached one-family dwelling* located on Lot 475 and Part Lot 474, Plan 225, must provide either a 1.5 m high solid wood fence, or planting materials forming a visual barrier at least 1.5 m in height, along the north property line, between the *established building line* and the rear face of the *dwelling* to the north. (By-law 63-92)

4.2.46 85-87 Elgin Street North and 6 Linnwood Drive

1. Notwithstanding section 2.1.15.8 of this by-law, the open porch of the *detached one-family dwelling* in the R4 zone consisting of Part of Lot 7, Registered Plan 800, and municipally known as 6 Linnwood Drive, may encroach 0.94m into the *interior side yard*;
2. Notwithstanding the provisions of sections 3.1.1.4 and 3.1.2.4(a), (b) and (d) of this by-law, the following regulations shall apply to the lands in that RM3 zone consisting of Part 1 of Reference Plan 58R-8544 and municipally known as 85 Elgin Street North;
 - (a) minimum total landscaped area shall be 22%;
 - (b) minimum *lot frontage* shall be 18.28 m;
 - (c) maximum permitted density shall be 87.09 units per ha;
 - (d) minimum *exterior side yard* setback shall be 2.82 m.
3. Notwithstanding sections 2.2.1.1(d), 2.2.3.2, 3.1.2.4(a), (b), (c) and (e) of this by-law the following regulations shall apply to that part of the RM3 zone consisting of Part 3 of Reference Plan 58R-8544 and municipally known as 87 Elgin Street North:
 - (a) minimum number of off-street parking spaces shall be seven;
 - (b) minimum parking space width shall be 2.4 m;
 - (c) minimum *lot frontage* shall be 25.6 m;
 - (d) maximum density shall be 80.3 units per ha;
 - (e) minimum *front yard* setback shall be 5.67 m;
 - (f) minimum *interior side yard* setback shall be 1.73 m. (By-law 80-93)

4.2.47 Cambridge Mall, 150 Main Street East

Notwithstanding the provisions of Section 2.4 of this by-law, the lands in that C1RM1 zone located at 150 Main Street, a planting strip and fencing is not required where a commercial use abuts an open space zone along the westerly property line abutting the Mill Creek Channel. (By-law 19-95)

4.2.48 299 St. Andrews Street

Notwithstanding the provisions of section 3.1.2.6(e) of this by-law, the following regulations shall apply:

1. Minimum interior south-westerly *side yard*: 3.0 m (By-law 124-93)

4.2.49 Heritage Baptist College, 175 Holiday Inn Drive

Notwithstanding the provisions of section 3.2.1.2(e) of this by-law, the minimum *interior side yard* for those lands described as Part of Lot 6, 7 and 9, Plan 907, 175 Holiday Inn Drive shall be 65m measured from the most northerly *lot line* to any future buildings or additions to the footprint of the existing building. (By-law 21-95)

4.2.50 Corner Lots, Draft Plan of Subdivision 30T-89035 - Ninth Concession Investments Ltd., Myers Road

Notwithstanding the provisions of section 3.1.2.3(b), the minimum *lot frontage* for *corner lots* 165 and 174 for semi-detached one family residential units in the RS1 zone shall be 21 m. (By-law 26-96)

4.2.51 Part of Lot 107, Plan 716 - Hamilton Street and Dolph Street

Notwithstanding the provisions of sections 3.1.2.2(a)(ii), (b)(ii) and (f) of this by-law, the following regulations shall apply to the lands in that R6 zone located at the northwest corner of Hamilton Street and Dolph Street, being Part of Lot 107, Plan 716:

1. Minimum *corner lot frontage*: 10.5 m
2. Minimum *corner lot area*: 327 m²
3. Minimum *exterior side yard*: 3 m

4. The building shall be less than 2 *storeys* in height. (By-law 97-97)

4.2.52 30 Birch Street, Lot 40, Plan 157

Notwithstanding the provisions of sections 3.1.2.3(b), (d) & (g) of this by-law, the following regulations shall apply to the lands in that RS1 on Zoning Map L10 attached to and forming part of this by-law:

1. The minimum total *lot frontage* for a *corner lot* of a *semi-detached dwelling* may be reduced from 22 m to 20 m;
2. The minimum *lot frontage* for the corner unit of a *semi-detached dwelling* may be reduced from 13 m to 10.8 m;
3. The minimum total *lot area* for a *corner lot* of a *semi-detached dwelling* may be reduced from 660 m² to 607 m²;
4. The minimum total *lot area* for the corner unit of a *semi-detached dwelling* may be reduced from 390 m² to 326 m²;
5. The minimum *exterior side yard* setback may be reduced from 6 m to 4.7 m.

(By-law 212-94)

4.2.53 32 Adam Street

The provisions of sections 2.1.7, 2.2.1.2(b), 2.2.2.3(c), 2.2.4.1 and 2.4.2 of this by-law, shall not apply and the following regulations shall apply instead:

1. The office component shall be limited to the office, dispensary, surgery, or clinic for a maximum of two doctors, dentists, chiropractors, osteopaths, chiropodists, or optometrists;
2. The minimum number of required parking spaces may be reduced from 10 to 9;
3. The minimum setback of *parking facilities* from Tannery Street may be reduced from 3.0 m to 0 m;
4. The minimum width of the planting strip between the westerly property line and the *parking facilities* may be reduced from 1.5 m to 0.4 m;
5. One parking space does not need to be accessed by an *aisle*. (By-law 28-94)

4.2.54 9 Summit Avenue

Notwithstanding the provisions of sections 3.1.2.3(a) and 3.1.2.3(c) of this by-law, the following regulations shall apply to the lands in that RS1 zone located at 9 Summit Avenue:

1. Minimum *lot frontage* per *dwelling unit*: 7.1 m;
2. Minimum *lot area* per *dwelling unit*: 269 m². (By-law 55-94)

4.2.55 Lot 21, Werstine Terrace, Draft Plan of Subdivision 30T-89026 (Lot 15, Registered Plan 58M-73)

Notwithstanding the provisions of section 3.1.2(a)(i) of this by-law, the minimum *lot frontage* for a *detached one-family dwelling* in the R5 zone for Lot 21, draft plan of subdivision 30T-89026 (Lot 15, Registered Plan 58M-73), revised as of October 17, 1996, shall be 10.5 m. (By-law 43-97)

4.2.56 Maximum Number of Attached One Family Dwellings (Row House)

The following locations shall be exempt from sections 3.1.2.5(j) and 3.1.2.6(l) of this by-law:

1. Bismark Drive, Block 16 & 17, Plan 1473;
2. Shade & Kerr Street, Block A, Lots 2 & 3, Part Lot 4, R.P.615, Lot 60, Plan D-7;
3. Langlaw Drive, Block 51, Plan 58M-120;
4. King William Court, Block 130 & 131, Plan 58M-103;
5. Blocks 148, 149, 151 and 152, Plan 30T-98102 (draft approved May 20, 1999);
6. Blocks 6, 7, 13, 14 and 16, Plan 30T-98103 (draft approved May 1999, as revised on December 8, 1999);
7. Plan 30T-92005 (draft approved Nov. 7, 1996);
8. Plan 30T-87002 (draft approved Aug. 26, 1993). (By-law 29-00)

4.2.57 Part of Lot 7, Concession 12, Habitat for Humanity, Mill Creek Road

The regulations prescribed in section 3.1.2.2 of this by-law shall not apply and the following regulations shall apply instead:

1. Minimum *lot frontage*: 17.0 m;
2. Minimum *lot area*: 204 m²;
3. Minimum *front yard*: 5.0 m;
4. Minimum *interior side yard*: 0.0 m;
5. Minimum *rear yard*: 0.0 m;
6. Maximum *lot coverage*: 59.0%;
7. Minimum *landscaped open space*: 19.0%. (By-law 168-03)

4.2.58 Lot 1, South of King Street and East of Prince Street, Plans 521 and 523, 1202 King Street East

The regulations prescribed in section 3.1.2.5(a)(ii) of this by-law shall not apply to the lands in that RM3 zone municipally known as 1202 King Street and the following regulations shall apply instead:

1. Minimum *lot frontage*: 11.5 m. (By-law 173-03)

4.2.59 125 St. Andrew's Street

The regulations prescribed in sections 3.1.2.2(d) and 3.1.1.4(b) of this by-law shall not apply to the existing *detached one-family dwelling* on Part Lot 24, Plan 4, municipally known as 125 St. Andrew's Street and the following regulations shall apply thereto instead:

1. Minimum *front yard*: 0.9 m;
2. The 45% minimum requirement for established *front yard* (23.6 m²) will be reduced to 40% (17.8 m²). (By-law 111-04)

4.2.60 28 Roseview Avenue - Part Lot 1, Plan 475

The regulations prescribed in sections 2.1.11.1(a) and 3.1.2.2(b)(ii), (d), (e) and (g) of this by-law shall not apply to the existing detached structure on Part Lot 1, Plan 475, municipally known as 28 Roseview Avenue, and the following regulations shall apply for a *detached one-family dwelling* thereto instead:

1. Minimum distance between *accessory structure* and principal structure: 0.3 m;

2. *Corner lot area*: 327.7 m²;
3. Minimum *front yard*: 0.3 m;
4. Minimum *interior side yard*: 0.33 m;
5. Minimum *rear yard*: 1.64 m. (By-law 150-04)

4.2.61 83 Lowell Street North

Notwithstanding the provisions of section 3.3.3.1(a)(ii) of this by-law, the lands comprising Part of Lots 132 and 133, Registered Plan 443, municipally known as 83 Lowell Street North, may only be used for the purposes of a *neighbourhood variety store* with a maximum *gross leasable commercial floor area* of 300 sq. ft. (By-law 237-04)

4.2.62 66 Queen Street West (Lot 4 and Part of Lot 3, Registered Plan 540A)

1. Notwithstanding the provisions of sections 2.2.3.2 and 2.2.3.4 of this by-law, the maximum width of the parking stalls may be 2.7 m and the maximum width of an *aisle* may be 3.0 m;
2. Notwithstanding the provisions of sections 4.2.8.1(c)(i) and 4.2.8.1(c)(ii) of this by-law, the maximum floor area of one unit may be reduced to 68 m² and two units may be reduced to 35 m² and 31 m² respectively. (By-law 232-05)

4.2.63 Maximum Number of Residents in Residential Special Care Facility

Notwithstanding the provisions of section 3.1.1.3(a) of this by-law, the sites listed in Column A below may be used for a *residential special care facility* in which not more than the number of residents, exclusive of staff, and required parking spaces listed in Column B below shall be provided:

Column A	Column B
1. 740 William Street	10 with the number of parking spaces as existed on October 30, 2006
2. 115 Wellington Street	15 with the number of parking spaces as existed on October 30, 2006

4.2.64 81 Avenue Road

Notwithstanding the provisions of section 2.2.2.3(c) of this by-law, the following regulations shall apply:

1. Minimum *front yard* setback for parking: 4.3 m. (By-law 159-08)

4.3 Temporary Uses

4.3.1 Flag Raiders Inc. – Kossuth Road

1. Notwithstanding the provisions of sections 3.5.1.1 and 3.6.1.1 of this by-law, the lands shown outlined with a heavy black line on Schedule A attached to By-law 01-06, may also be used for the purposes of a commercial recreational establishment (paintball games) as a temporary use pursuant to the *Planning Act*.
2. The development and use of this site for a commercial recreational establishment is subject to site plan approval and approval of the Grand River Conservation Authority. The south and easterly limit of the lands to be used for such purposes shall be defined by the surveyed limit of play area as shown on the sketch prepared by Guenther Rueb Surveying Limited dated November 25, 2005 as Job No. 73-54(8) Plan 2042.
3. No buildings or structure related to the commercial recreational establishment shall be erected within an OS1 zone.
4. That this by-law shall be in effect until August 31, 2008. (OMB file # PL080074)

4.3.2 R. Moffat – 2000 Middle Block Road

1. That for the purposes of this by-law, a “granny flat” shall be defined as follows:

“Granny flat” means a portable, *detached* residential *dwelling unit*, containing bathroom and kitchen facilities that are ancillary to an existing *detached one-family residential dwelling unit* for the sole occupancy of one or two *family* members. The maximum floor area of the granny flat shall not exceed 75 m² (807.32 sq. ft.).
2. That notwithstanding section 3.1.1.1(b) of By-law No. 150-85, on the lands shown outlined by a heavy black line on Schedule A hereto attached (see By-law 154-96), one granny flat shall be permitted in addition to the uses otherwise permitted in that A1 zone as a temporary use pursuant to section 39 of the *Planning Act* (R.S.O. 1990, c.P. 13).
3. That this by-law shall be in effect for a period of ten years from the day of its passing. (By-law 154-96) (in effect until August 12, 2006)

4.3.3 [Reserved]

4.3.4 71 Shade Street

1. Notwithstanding the provisions of section 3.1.2.1 of this by-law, the lands in the R5 zone located at 71 Shade Street may be used for parking for the abutting industrial use to the north and that the main *aisle* width may be reduced to 5.5 m and no planting strip shall be required along the south property line;
2. This by-law shall be in effect for a period of three years from the date of its passing. (By-law 133-02) (in effect until July 15, 2005)

4.3.5 2420 Townline Road

1. That notwithstanding the provisions of section 2.1.4 of this by-law, the lands outlined with a heavy black line on Schedule A hereto attached, the existing *detached one-family dwelling* may also be used as a temporary use for a real estate information office, pursuant to section 39 of the Planning Act (R.S.O. 1990, c.P13 as amended);
2. That this by-law shall be in effect for a period of three years from the day of its passing. (By-law 41-02) (in effect until March 25, 2005)

4.3.6 400 Clyde Road – Grand River Conservation Authority

1. Notwithstanding the provisions of section 3.5.1.1 of this by-law, the lands in that OS1 zone for a 0.405 ha site, being Part of Lots 2 to 5, Concession 12, Part Lots 1 to 9, Plan 609 and Part Lot 49, Plan 1126 may also be used for business and professional offices;
2. This by-law shall be in effect for a period of three years from the date of its passing. (By-law 139-98) (in effect until July 13, 2001)

4.3.7 Royal Oak Road

1. Notwithstanding the provisions of section 2.1.5, 2.2.2.3 and 3.6.1.1 of this by-law, the lands in that (E)A1 zone as shown on Schedule 'A' hereto attached may also be used for a *parking lot* in conjunction with the adjacent industrial facility at 250 Royal Oak Road;
2. This by-law shall be in effect for a period of three years from the date of its passing. (By-law 215-05) (in effect until October 11, 2008)

4.3.8 156 Royal Oak Road

1. Notwithstanding the provisions of section 3.1.1.1(b) of this by-law, the lands shown outlined with a heavy black line on Schedule A attached, one *garden suite*, may be permitted in addition to the existing *detached one-family dwelling* and *accessory buildings*, as a temporary use pursuant to the *Planning Act*;
2. That this by-law shall be in effect for a period of ten years from the date of its passing. (By-law 191-98) (in effect until October 13, 2008)

4.3.9 1780 Chilligo Road

1. Notwithstanding the provisions of section 3.1.1.1(b) of this by-law, the lands shown outlined with a heavy black line on Schedule A attached, one *garden suite*, may be permitted in addition to the existing *detached one-family dwelling* and *accessory buildings*, as a temporary use pursuant to the *Planning Act*;
2. That this by-law shall be in effect for a period of ten years from the date of its passing. (By-law 153-99) (in effect until July 12, 2009)

4.3.10 400-410 Pinebush Road

1. Notwithstanding the provisions of section 2.1.4 of this by-law, the lands shown outlined with a heavy black line on Schedule A of By-law 50-10, may also be used for the parking and storage of transport trucks and trailers as a temporary use pursuant to the *Planning Act*;
2. Notwithstanding the (H)M1 zoning designation, section 2.2.2.3(e) shall apply;
3. That this by-law shall be in effect for a period of three years from the date of its passing. (By-law 50-10) (in effect until March 29, 2013)

4.3.11 1645 Chilligo Road

1. Notwithstanding the provisions of section 3.1.1.1(b) of this by-law, the lands shown outlined with a heavy black line on Schedule A hereto attached, one *garden suite*, may be permitted in addition to the existing *detached one-family dwelling* and *accessory buildings*, as a temporary use pursuant to Section 39 of the *Planning Act* (R.S.O. 1990, c.P13 as amended);
2. That this by-law shall be in effect for a period of ten years from the day of its passing. (By-law 145-02) (in effect until July 15, 2012)

