

INDEX OF BY-LAWS AMENDING BY-LAW 8600

<u>BY-LAW NUMBER</u>	<u>PASSED BY COUNCIL</u>	<u>O.M.B. APPROVAL/ CLERK'S DECLARATION</u>
183-2002	July 8, 2002	OMB Decision/Order No. 0054, Issued Jan. 14, 2003 OMB Case No. PL020719
220-2002	August 12, 2002	February 24, 2003
249-2002	August 26, 2002	September 24, 2002
271-2002	September 11, 2002	October 10, 2002
281-2002	September 11, 2002	October 20, 2002
305-2002	October 7, 2002	November 5, 2002
313-2002	October 7, 2002	November 5, 2002
316-2002	October 21, 2002	November 22, 2002
317-2002	October 21, 2002	November 22, 2002
328-2002	October 21, 2002	November 22, 2002
342-2002	November 4, 2002	December 4, 2002
346-2002	November 18, 2002	December 13, 2002
348-2002	November 18, 2002	December 12, 2002
379-2002	December 16, 2002	January 17, 2003
395-2002	December 16, 2002	January 17, 2003
36-2003	February 3, 2003	March 4, 2003
126-2003	May 5, 2003	May 30, 2003
157-2003	June 2, 2003	July 3, 2003
167-2003	June 2, 2003	June 27, 2003
176-2003	June 16, 2003	July 14, 2003
181-1003	June 16, 2003	July 14, 2003
240-2003	July 7, 2003	August 12, 2003
241-2003	July 7, 2003	August 12, 2003
269-2003	August 11, 2003	September 15, 2003
300-2003	September 8, 2003	October 7, 2003
304-2003	September 22, 2003	October 21, 2003
305-2003	September 22, 2003	October 21, 2003
331-2003	October 6, 2003	July 21, 2004
367-2003	November 3, 2003	December 4, 2003
10-2004	January 12, 2004	January 12, 2005 OMB Order PL040143 File No. R040023 Decision/Order No. 0055
18-2004	January 19, 2004	February 11, 2004
23-2004	January 26, 2004	February 19, 2004
27-2004	January 26, 2004	February 19, 2004
39-2004	February 9, 2004	March 4, 2004
61-2004	February 23, 2004	March 17, 2004
63-2004	March 1, 2004	May 25, 2004
67-2004	March 1, 2004	March 30, 2004
68-2004	March 1, 2004	March 31, 2004
75-2004	March 8, 2004	April 1, 2004
106-2004	April 13, 2004	May 7, 2004
107-2004	April 13, 2004	May 7, 2004
110-2004	April 19, 2004	May 12, 2004
144-2004	May 17, 2004	June 11, 2004
160-2004	May 31, 2004	June 25, 2004
162-2004	May 31, 2004	June 25, 2004
167-2004	June 7, 2004	July 2, 2004
176-2004	June 7, 2004	July 6, 2004

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183-2004	June 14, 2004	July 8, 2004
206-2004	June 29, 2004	July 23, 2004
213-2004	July 12, 2004	August 12, 2004
235-2004	July 26, 2004	August 24, 2004
246-2004	July 26, 2004	August 24, 2004
256-2004	August 9, 2004	September 8, 2004
287-2004	August 30, 2004	September 29, 2004
305-2004	September 13, 2004	October 7, 2004
333-2004	October 12, 2004	November 9, 2004
335-2004	October 12, 2004	November 9, 2004
347-2004	October 25, 2004	November 18, 2004
375-2004	November 22, 2004	December 21, 2004
399-2004	December 13, 2004	January 7, 2005
401-2004	December 13, 2004	January 7, 2005
1-2005	January 4, 2005	January 28, 2005
14-2005	January 24, 2005	February 18, 2005
24-2005	February 14, 2005	March 9, 2005
46-2005	February 21, 2005	March 23, 2005
121-2005	May 16, 2005	June 14, 2005
123-2005	May 16, 2005	OMB Case No. PL050578 OMB File No. R050119 OMB Decision/Order No. 2619 Issued October 4, 2005
135-2005	May 30, 2005	June 28, 2005
150-2005	June 6, 2005	July 12, 2005
193-2005	July 25, 2005	August 24, 2005
212-2005	August 22, 2005	September 22, 2005
248-2005	October 11, 2005	October 11, 2005
249-2005	October 11, 2005	November 8, 2005
261-2005	November 1, 2005	November 30, 2005
266-2005	November 7, 2005	December 8, 2005
57-2006	March 27, 2006	April 20, 2006
87-2006	May 8, 2006	June 6, 2006
101-2006	May 23, 2006	June 15, 2006
111-2006	June 12, 2006	July 11, 2006
324-2004	Sept. 27, 2004	June 13, 2006 OMB Decision/Order 1695
327-2004	Oct. 4, 2004	June 13, 2006 OMB Decision/Order 1695
141-2006	July 24, 2006	August 24, 2006
142-2006	July 24, 2006	August 24, 2006
170-2005	July 11, 2005	August 23, 2006 by OMB Decision/Order 2383
156-2006	August 21, 2006	September 19, 2006
178-2006	September 25, 2006	October 19, 2006
184-2006	October 2, 2006	November 1, 2006
204-2006	October 30, 2006	November 30, 2006
217-2006	November 6, 2006	November 30, 2006
223-2006	November 20 2006	December 28, 2006
232-2006	December 18, 2006	January 18, 2007

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30-2007	February 12, 2007	March 8, 2007
37-2007	February 26, 2007	March 27, 2007
56-2007	April 10, 2007	May 8, 2007
57-2007	April 10, 2007	May 8, 2007
69-2007	April 30, 2007	May 29, 2007
86-2007	May 7, 2007	May 31, 2007
96-2007	May 22, 2007	June 19, 2007
99-2007	May 28, 2007	May 28, 2007
129-2007	July 3, 2007	August 2, 2007
130-2007	July 3, 2007	August 2, 2007
135-2007	July 16, 2007	August 9, 2007
166-2007	September 4, 2007	October 5, 2007
167-2007	September 4, 2007	October 2, 2007
182-2007	October 1, 2007	November 1, 2007
183-2007	October 1, 2007	November 1, 2007
221-2007	November 13, 2007	December 6, 2007
160-2007	August 27, 2007	OMB Order PL070810, Dismissed Appeal – Dec. 19/07
45-2008	March 25, 2008	April 24, 2008
61-2008	April 14, 2008	May 15, 2008
156-2008	August 26, 2008	OMB Order PL080534 – Issued Aug. 26, 2008
154-2008	September 2, 2008	September 30, 2008
180-2008		OMB Order PL050845 – Issued July 10, 2008
181-2008	October 6, 2008	October 30, 2008
182-2008	October 6, 2008	October 30, 2008
190-2008	October 27, 2008	November 20, 2008
205-2008	November 17, 2008	December 11, 2008
63-2008	April 14, 2008	December 12, 2008
17-2009	January 26, 2009	March 3, 2009
19-2009	January 26, 2009	March 3, 2009
55-2009	March 20, 2009 (Pursuant to OMB Order PL060595)	OMB Order PL060595 Issued May 27, 2008.
52-2009	March 23, 2009	July 29, 2009
64-2009	April 6, 2009	August 10, 2009
65-2009	April 6, 2009	August 10, 2009
88-2009	May 25, 2009	July 27, 2009
90-2009	May 25, 2009	July 27, 2009
97-2009	June 15, 2009	July 27, 2009
104-2009	June 22, 2009	July 27, 2009
113-2009	July 13, 2009	August 11, 2009
117-2009	July 27, 2009	August 24, 2009
119-2009	July 27, 2009	August 26, 2009
130-2009	August 24, 2009	September 24, 2009
49-2009	March 23, 2009	OMB Order PL090386 Issued November 5, 2009
162-2009	October 26, 2009	November 25, 2009
169-2009	November 9, 2009	December 4, 2009

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110-2009	June 29, 2009	OMB Order PL090722 Issued Nov. 20, 2009 (As Amended) by OMB Order PL090722 Issued Dec. 4, 2009
181-2009	December 7, 2009	December 30, 2009
8-2010	January 11, 2010	February 5, 2010
9-2010	January 11, 2010	February 5, 2010
10-2010	January 11, 2010	February 5, 2010
11-2010	January 11, 2010	February 5, 2010
24-2010	February 1, 2010	March 2, 2010
28-2010	February 22, 2010	March 23, 2010
30-2010	February 22, 2010	March 23, 2010
31-2010	February 22, 2010	March 23, 2010
39-2010	March 1, 2010	March 26, 2010
43-2010	March 8, 2010	OMB Order PL00385 Issued March 29, 2011
51-2010	March 22, 2010	April 14, 2010
71-2010	May 3, 2010	June 1, 2010
80-2010	May 10, 2010	June 3, 2010
85-2010	April 28, 2010	OMB Order PL091089 Issued April 28, 2010
98-2010	June 14, 2010	June 14, 2010
116-2010	July 26, 2010	August 25, 2010
126-2010	August 9, 2010	September 15, 2010
127-2010	August 9, 2010	September 15, 2010
132-2010	August 23, 2010	September 22, 2010
133-2010	August 23, 2010	September 22, 2010
134-2010	August 23, 2010	September 22, 2010
137-2010	August 23, 2010	September 22, 2010
166-2010	October 18, 2010	October 18, 2010
153-2010	September 27, 2010	October 28, 2010
164-2010	October 18, 2010	November 17, 2010
18-2011	January 31, 2011	March 1, 2011
27-2011	February 7, 2011	March 4, 2011
24-2011	February 7, 2011	March 4, 2011
28-2011	February 7, 2011	March 9, 2011
80-2011	May 3, 2011	May 26, 2011
125-2011	June 20, 2011	July 21, 2011
126-2011	June 20, 2011	July 21, 2011
69-2010	May 3, 2010	OMB Order PL100599 Issued July 21, 2011
132-2011	July 4, 2011	August 5, 2011
157-2011	September 6, 2011	October 4, 2011
165-2011	September 19, 2011	October 20, 2011
174-2011	October 3, 2011	October 26, 2011
190-2011	November 7, 2011	November 7, 2011
118-2011	June 20, 2011	December 13, 2011
208-2011	November 21, 2011	December 20, 2011
16-2012	January 23, 2012	February 22, 2012
27-2012	March 5, 2012	March 30, 2012

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30-2012	March 5, 2012	OMB Order PL120367 issued July 4/2012 & Amending Order PL120367 issued July 18/2012
37-2012	April 2, 2012	April 2, 2012
53-2012	May 8, 2012	June 1, 2012
88-2012	July 9, 2012	August 8, 2012
115-2012	August 7, 2012	August 7, 2012
110-2012	August 7, 2012	September 5, 2012
122-2012	August 27, 2012	September 25, 2012
126-2012	August 27, 2012	September 25, 2012
129-2012	September 4, 2012	October 2, 2012
24-2009	January 26, 2009	OMB Order PL090206 Issued October 19, 2012
30-2009	January 26, 2009	OMB Order PL090206 Issued October 19, 2012
151-2012	October 15, 2012	November 7, 2012
163-2012	November 5, 2012	November 29, 2012
177-2012	December 3, 2012	December 28, 2012
178-2012	December 3, 2012	December 28, 2012
179-2012	December 3, 2012	December 28, 2012
31-2013	March 4, 2013	March 28, 2013
41-2013	March 8, 2013	April 2, 2013
56-2013	April 22, 2013	May 16, 2013
79-2013	May 27, 2013	June 19, 2013
154-2013	Oct. 7, 2013	Nov. 13, 2013
158-2013	Oct. 7, 2013	Nov. 13, 2013
198-2013	Assigned for Record Keeping Purposes	OMB Order PL120984 Issued November 26, 2013 & Order PL120984 Issued March 6, 2013
1-2014	January 6, 2014	February 4, 2014
6-2014	January 20, 2014	February 13, 2014
45-2014	March 17, 2014	April 15, 2014
48-2014	March 17, 2014	April 15, 2014
76-2014	April 28, 2014	May 27, 2014
77-2014	April 28, 2014	May 27, 2014
102-2014	June 9, 2014	July 9, 2014
103-2014	June 9, 2014	July 9, 2014
114-2014	June 30, 2014	July 31, 2014
128-2014	July 21, 2014	August 19, 2014
154-2014	August 25, 2014	Sept. 19, 2014
175-2014	October 6, 2014	October 31, 2014
172-2014	October 6, 2014	November 5, 2014
9-2015	February 2, 2015	March 3, 2015
13-2015	February 2, 2015	March 3, 2015
18-2015	February 2, 2015	March 4, 2015
53-2015	May 4, 2015	June 2, 2015
55-2015	May 4, 2015	June 2, 2015
59-2015	May 4, 2015	June 2, 2015
176-2014	October 6, 2014	OMB Order PL140156 Issued June 11, 2015 and OMB Order PL140156 Issued Sept. 12, 2014

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77-2015	June 1, 2015	June 23, 2015
79-2015	June 1, 2015	June 24, 2015
74-2015	June 1, 2015	June 30, 2015
76-2015	June 1, 2015	June 30, 2015
105-2015	August 4, 2015	August 27, 2015
121-2015	September 8, 2015	October 6, 2015
131-2015	September 21, 2015	October 16, 2015
144-2015	October 5, 2015	November 6, 2015
172-2015	December 7, 2015	January 5, 2016
179-2015	December 7, 2015	January 6, 2016
1-2016	January 4, 2016	January 28, 2016
21-2016	February 1, 2016	February 25, 2016
36-2016	March 29, 2016	April 26, 2016
50-2016	April 18, 2016	May 18, 2016
51-2016	April 18, 2016	May 18, 2016
78-2016	June 7, 2016	July 5, 2016
99-2016	July 4, 2016	August 15, 2016
114-2016	July 18, 2016	September 19, 2016
120-2016	August 2, 2016	September 19, 2016
129-2016	August 22, 2016	September 19, 2016
161-2016	November 7, 2016	December 7, 2016
176-2016	November 21, 2016	December 22, 2016
177-2016	November 21, 2016	December 28, 2016
2-2017	January 9, 2017	February 7, 2017
22-2017	February 6, 2017	March 7, 2017
23-2017	February 6, 2017	March 7, 2017
24-2017	February 6, 2017	March 7, 2017
33-2017	February 21, 2017	March 22, 2017
40-2017	March 6, 2017	April 11, 2017
47-2017	March 27, 2017	April 21, 2017
66-2017	May 8, 2017	July 4, 2017
68-2017	May 8, 2017	July 4, 2017
69-2017	May 8, 2017	July 4, 2017
91-2017	June 19, 2017	July 13, 2017
108-2017	July 17, 2017	August 18, 2017
109-2017	July 17, 2017	August 18, 2017
111-2017	July 17, 2017	August 18, 2017
112-2017	July 17, 2017	August 18, 2017
130-2017	August 28, 2017	Sept. 28, 2017
135-2017	Sept. 5, 2017	Oct. 5, 2017
147-2017	Oct. 2, 2017	Nov. 7, 2017
162-2017	Nov. 6, 2017	Dec. 7, 2017
163-2017	Nov. 6, 2017	Dec. 7, 2017
164-2017	Nov. 6, 2017	Dec. 7, 2017
173-2017	Dec. 4, 2017	Jan. 4, 2018
174-2017	Dec. 4, 2017	Jan. 4, 2018
1-2018	Jan. 8, 2018	Feb. 6, 2018
7-2018	Jan. 29, 2018	Feb. 23, 2018
65-2018	May 7, 2018	June 6, 2018

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76-2018	June 4, 2018	July 5, 2018
87-2018	June 18, 2018	July 17, 2018
89-2018	June 18, 2018	July 17, 2018
95-2018	July 23, 2018	August 21, 2018
96-2018	July 23, 2018	August 16, 2018
97-2018	July 23, 2018	August 16, 2018
130-2018	September 17, 2018	October 16, 2018
149-2018	October 15, 2018	November 21, 2018
154-2018	November 5, 2018	November 28, 2018
169-2018	November 19, 2018	December 19, 2018
170-2018	November 19, 2018	December 19, 2018
179-2018	December 17, 2018	January 10, 2019
11-2019	January 21, 2019	February 19, 2019
32-2019	March 4, 2019	April 5, 2019
39-2019	March 25, 2019	April 18, 2019
40-2019	March 25, 2019	April 18, 2019
48-2019	April 15, 2019	May 16, 2019
63-2019	May 6, 2019	May 30, 2019
64-2019	May 6, 2019	May 30, 2019
65-2019	May 6, 2019	May 31, 2019
66-2019	May 6, 2019	May 31, 2019
72-2019	May 27, 2019	June 20, 2019
76-2019	May 27, 2019	June 20, 2019

Metric Conversion Chart

(Deleted by B/L 114-2016, September 19, 2016)

B I L L

NO.104

1986

BY-LAW NO. 8600

A BY-LAW TO ZONE CERTAIN LANDS WITHIN THE LIMITS OF THE CORPORATION OF THE CITY OF WINDSOR

Passed the 31st day of March, 1986

WHEREAS Section 34 of the Planning Act, 1983 provides that councils of local municipalities may pass zoning by-laws for the following purposes:

For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway;

For prohibiting the erection of any class or classes of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy or unstable;

For regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy;

For regulating the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected or located within the municipality or within any defined area or areas of the municipality; and

For requiring the owners or occupants of buildings or other structures to be erected or used for a purpose named in the by-law to provide and maintain loading or parking facilities on land that is not part of a highway;

AND WHEREAS Section 35 of The Planning Act, 1983 provides that councils of local municipalities may incorporate holding provisions in a zoning by-law passed under Section 34 of The Planning Act, 1983;

AND WHEREAS Section 36 of The Planning Act, 1983 provides that councils of local municipalities may authorize increases in the height and density of development in return for the provision of certain facilities, services or matters as set out in a zoning by-law passed under Section 34 of The Planning Act, 1983;

AND WHEREAS Section 38 of The Planning Act, 1983 provides that councils of local municipalities may authorize the temporary use of land, buildings or structures in a zoning by-law passed under Section 34 of The Planning Act, 1983;

AND WHEREAS Section 66 of The Planning Act, 1983 provides that every person or corporation who contravenes the provisions of this by-law is guilty of an offence and on conviction is liable to the payment of fines;

AND WHEREAS it is deemed expedient to enact a new zoning by-law under the provisions of The Planning Act, 1983;

NOW THEREFORE the Municipal Council of The Corporation of the City of Windsor enacts as follows:

ZONING BY-LAW 8600

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SECTION 1 – ADMINISTRATION

(AMENDED by B/L 327-2004, approved by OMB Decision/Order 1695, issued June 13, 2006; DELETED & REPLACED by B/L 31-2013, March 28, 2013)

1.1 TITLE

- .1 This By-law may be cited as “The City of Windsor Zoning By-law” or “Zoning By-law 8600”.

1.5 PURPOSE AND INTENT

- .1 This By-law regulates the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking, loading and other associated matters in the City of Windsor.

1.10 ADMINISTRATION

- .1 This By-law shall be administered by the City Planner or their designate.
- .5 A revision may be made to this by-law without a zoning by-law amendment as follows:
 - .1 Correction of numbering, cross-referencing, grammar, punctuation or a typographical error, or revision to format in a manner that does not change the intent of a provision;
 - .2 Adding or revising technical information on a map or a schedule that does not affect the zoning classification, zoning district or specific zoning exception of a *lot* including, but not limited to, colors, keys, legends, notes, scale or title blocks, or the updating and correcting of infrastructure information; and
 - .3 Revision to an item that does not form a part of this by-law and is editorially inserted for clarification, convenience or reference purpose only.” (ADDED by B/L 114-2016, Sept. 19, 2016)

1.20 INTERPRETATION

- .1 **SEQUENCE** - This by-law shall be read in its entirety. The chapters, sections, regulation, provisions and tables in this by-law intentionally do not follow in consecutive numerical sequence in order to reserve space for the placement of future enactments. Reference should be made to the Table of Contents to determine the intended numerical sequence of the provisions of this by-law. [ZNG/4628]
(AMENDED by B/L 114-2016, Sept. 19, 2016)
- .2 **GENERAL, SUPPLEMENTARY, PARKING SPACE AND PARKING AREA PROVISIONS** – All general, supplementary, parking space or parking area provisions apply to all zoning districts, site specific provisions, temporary use provisions and heritage conservation districts. [ZNG/4628] (AMENDED by B/L 114-2016, Sept. 19, 2016)
- .3 **SCHEDULES** – The following schedules together with all notations, references and other information shown thereon form part of this by-law:
 - .1 Schedule ‘A’ - Zoning District Maps

.16 Schedule 'P' – Off-Street Parking Overlay
(ADDED by B/L 130-2017, Sept. 28/2017)

.4 **NOT FORMING PART OF THIS BY-LAW** – The following items and any associated text are for the purpose of clarification, convenience or reference and do not form part of this by-law: Appendix, Example, Footer, Footnote, Header, Heading, Historical or Reference Information, Illustration, Index, Marginal Note, page numbering and Table of Contents. [ZNG/4628] (AMENDED by B/L 114-2016, Sept. 19, 2016)

.5 **METRIC** - All regulations are interpreted solely on the basis of metric figures.

.10 **ZONING CLASSIFICATION** – Any reference made to a zoning classification may be identified by the zoning symbol consisting of letters and a number as listed below:

Zoning Classification	Zoning Symbol	Section
Development Reserve Districts	DRD1.	8
Green Districts 1.	GD1.	9
Residential Districts 1.	RD1.	10
Residential District 2.	RD2.	11
Residential Districts 3.	RD3.	12
Institutional Districts 1.	ID1.	13
Commercial Districts 1.	CD1.	14
Commercial Districts 2.	CD2.	15
Commercial Districts 3.	CD3.	16
Commercial Districts 4.	CD4.	17
Manufacturing Districts 1.	MD1.	18
Manufacturing Districts 2.	MD2.	19

.15 **ZONING DISTRICT** – A zoning classification may be subdivided into one or more zoning districts. The zoning district shall be designated by the zoning symbol of the zoning classification together with a number. For example RD1.1.

.20 **LOT DIVIDED INTO MORE THAN ONE ZONING DISTRICT** – If a lot is divided into more than one zoning district, the regulations for each zoning district apply only to the portion of the lot within that zoning district.

.25 **ZONING DISTRICT MAP** – The extent and boundaries of the zoning districts are shown on zoning district maps attached as Schedule 'A'.

.30 **ZONING DISTRICT BOUNDARY** – In determining the location of the boundary of a zoning district the following apply:

- .1 Where a zoning district boundary follows a highway, such boundary is deemed to follow the centre line of the highway.
- .2 Where a zoning district boundary follows a railway right-of-way, Such boundary is deemed to follow the centre line of the railway Right-of-way, unless specifically otherwise indicated on the zoning district map.
- .3 Where a zoning district boundary follows a closed alley and the closed ally has been acquired by an abutting property owner, such boundary is deemed to follow the lot line of the parcel acquired by the abutting property owner.

- .4 Where a zoning district boundary follows the shoreline of the Detroit River, such boundary is deemed to follow the boundary of the Province of Ontario on the Detroit River.
- .5 Where a zoning district boundary is shown as approximately following a lot line, such boundary is deemed to follow the lot line.
- .6 Where a zoning district boundary is without dimensions and does not follow the boundary of a lot, such boundary is determined by use of the scale indicated on the zoning district map.

.35 **SPECIFIC ZONING EXCEPTION** - In addition to the zoning district, an area on the Schedules identified in Section 1.20.3 may be further delineated and identified by a specific zoning exception symbol – S.20 a subsection – (1), (2), (3), or (4), and a paragraph of subsection (1), (2), (3), or (4).

For example S.20(1)275 identifies that the area is subject to the provisions of paragraph 275 of subsection (1) of Section 20.

An area so identified shall be subject to the provisions of the zoning district, the specific zoning exception as identified by the paragraph of subsection (1), (2), (3) or (4) of Section 20 and all other applicable provisions of this by-law.

Where an additional use is permitted under Section 20, any use accessory, excluding an outdoor storage yard except where permitted within the zoning district or specific zoning exception, shall also be permitted subject to the provisions of the zoning district, specific zoning exceptions and any other provisions of this by-law applicable to such accessory use.”

(AMENDED by B/L 130-2017, Sept. 28, 2017)

1.30 OFFENCES

- .1 No person shall, within the limits of The Corporation of the City of Windsor, as shown on Schedule ‘A’, use any land or erect, locate or use any building or other structure except for such purposes or uses as are set out in this by-law and in accordance with the regulations of this by-law.

1.40 PENALTIES

- .1 Every person who contravenes any provision of this by-law and, if the person is a corporation, every director or officer of the Corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable,
 - .1 on a first conviction to a fine of not more than \$25,000.00; and,
 - .2 on a subsequent conviction, to a fine of not more than \$10,000.00 for each day, or part thereof, upon which the contravention has continued after the day on which the person was first convicted.
- .2 Where a corporation is convicted under this Section, the maximum penalty that may be imposed is,
 - .1 on a first conviction a fine of not more than \$50,000; and,
 - .2 on a subsequent conviction, a fine of not more than \$25,000 for each day, or part thereof, upon which the contravention has continued after the day on which the corporation was first convicted.

And not as provided in Section 1.40.1.

SECTION 2 - ZONING DISTRICTS

(AMENDED by B/L 8988, May 19/97; B/L 9100, Aug. 17/87; B/L 11875 OMB Order R940355, Oct. 3/95; B/L 11876 OMB Order R940356, Sept. 11/95; B/L 13079, Oct.3/97; B/L 13079, Oct.3/97; B/L 12602, June 17/96; B/L 9017, June 8/87; AND DELETED & REPLACED by B/L 31-2013, March 28, 2013).

SECTION 3 – DEFINITIONS

(AMENDED by B/L 227-2002 OMB Decision/Order No. 1013, July 24/2003; OMB Decision/Order No. 1011, July 24, 2003 and OMB Decision/Order No. 1067, August 1, 2003 OMB File No. R020192, Case No. PL020829; B/L 31-2013, March 28, 2013; DELETED by B/L 117-2016, Dec. 28, 2016)

[ZNG/5364]

(ADDED B/L 177-2016, Dec 28/2016; AMENDED B/L 135/2017 Oct 5/ 2017; B/L 169/2018 Nov 19/2018)

3.1 GENERAL PROVISIONS

- 3.1.1 For any word, phrase or term not defined in this by-law, the ordinary meaning shall apply.
- 3.1.10 Terms used in the singular may also mean the plural and vice versa, except "one" or "1" always means the singular.
- 3.1.20 Any reference to a *building, lot, premises, or structure* includes the whole, or part of the, *building, lot, premises, or structure*.
- 3.1.25 Any reference in this by-law to all or any part of any act, by-law, regulation, or statute shall, unless otherwise specifically stated, be a reference to that act, by-law, regulation, or statute or the relevant part thereof, as amended, substituted, replaced, or re-enacted from time to time.
- 3.1.50 Abbreviations:
- | | |
|----------------|----------------------------------|
| % | percent |
| B/L | City of Windsor By-law |
| BIA or B.I.A. | <i>business improvement area</i> |
| cm | centimetre |
| GFA or G.F.A. | <i>gross floor area</i> |
| ha | hectare |
| kg | kilogram |
| m | metre |
| m ² | square metre |
| mm | millimetre |
| N/A | see <i>N/A</i> in Section 3.10 |
| R.S.C. | Revised Statutes of Canada |
| R.S.O. | Revised Statutes of Ontario |
| S.C. | Statutes of Canada |
| S.O. | Statutes of Ontario |
| sq. m. | square metre |

3.5 DEFINITION INDEX

A

Access Area
 Adult Entertainment Parlour
 Aggregate
 Airport Operating Area
 Ambulance Service
 Amenity Area
 Architectural Feature
 Automatic Car Wash
 Automobile Collision Shop
 Automobile Detailing Service
 Automobile Repair Garage
 Automobile Sales Lot
 Average

B

Bake Shop
 Bakery
 Basement
 Building
 Accessory Building
 Combined Use Building
 Main Building
 Building Height
 Building Materials Recycling Store
 Building Setback
 Bulk Storage Facility
 Business Improvement Area
 Business Office

C

Car Wash Automatic
 Car Wash Coin-operated
 Carnival
 Carport
 Cellar
 Cemetery
 Central Business District
 Chief Building Official
 Child Care Centre
 Church
 Church Hall
 City of Windsor
 Club
 Coin-operated Car Wash
 Collision Shop
 Commercial Centre Major
 Commercial Centre Minor
 Commercial School
 Community Garden
 Confectionary
 Conservation Authority
 Detroit River Shoreline Floodprone Area
 East of Little River Inland Floodplain
 Development Control Area
 Floodplain
 Floodway
 Freeboard
 Inland Floodplain Development Control
 Area
 Lake St. Clair Shoreline Floodprone Area
 Limit of Regulated Area (LORA)
 Regulatory Erosion Standard
 Regulatory Flood Standard
 Top of Bank
 Watercourse
 West of Little River Inland Floodplain
 Development Control Area
 Construction
 Contractor's Office
 Convenience Store
 Correctional Facility
 Correctional Institution
 Crematorium

D

Day Nursery
 Deck
 Density
 Drive-through Food Outlet
 Drive-through Restaurant
 Dwelling
 Caretaker's Residence
 Convent or Monastery
 Double Duplex Dwelling
 Duplex Dwelling
 Fraternity or Sorority House
 Group Home
 Lodging House
 Mobile Home Dwelling
 Multiple Dwelling
 Religious Residence
 Residential Care Facility
 Semi-detached Dwelling
 Shelter
 Single Unit Dwelling
 Stacked Dwelling
 Student Residence
 Townhome Dwelling
 Dwelling Unit
 Semi-detached Dwelling Unit
 Townhome Dwelling Unit

E

Entertainment Lounge
 Entertainment Lounge Area
 Equipment Rental Shop
 Erect
 Existing

F

Farmers' Market
 Financial Office
 Floor Area
 Gross Floor Area
 Gross Floor Area Ratio
 Net Floor Area
 Food Catering Service
 Food Convenience Store
 Food Outlet – Drive-through
 Food Outlet – Take-out
 Funeral Establishment

G

Gaming Facility
 Garage
 Garden Centre
 Gas Bar
 General Salvage Operation
 Golf Course
 Grade
 Greenhouse
 Grocery Store
 Ground

H

Habitable Room Window
 Heavy Repair Shop
 Highway
 Alley
 Street
 Home Occupation
 Hospital
 Hotel

L

Landscaped Open Space
 Light Repair Shop
 Loading Space
 Lot
 Corner Lot
 Interior Lot
 Through Lot
 Lot Area
 Lot Coverage
 Lot Depth
 Lot Frontage
 Lot Line
 Exterior Lot Line
 Front Lot Line
 Interior Lot Line
 Rear Lot Line
 Side Lot Line
 Lot Width

M

Main Wall
 Major Commercial Centre
 Marina
 Market Garden
 Mausoleum
 Maximum
 May
 Medical Appliance Facility
 Medical Office
 Micro-Brewery
 Minimum
 Minor Commercial Centre
 Motel
 Motor Vehicle
 Automobile
 Recreational Vehicle
 Transport Trailer
 Transport Truck
 Motor Vehicle Dealership
 Motor Vehicle Salvage Operation

N

N/A
 Natural Heritage Area
 No Limit
 Noise Barrier Wall
 Nursery

O

Office
 Outdoor Market

P

Parking Area
 Collector Aisle
 Manoeuvring Aisle
 Parking Aisle
 Parking Garage
 Access Ramp
 Parking Space
 Pawnshop
 Person
 Personal Service Shop
 Pharmacy
 Pit
 Place of Entertainment and Recreation
 Art Gallery
 Billiard Hall
 Bingo Hall
 Bowling Alley
 Club
 Cultural Facility
 Exhibition Hall
 Games Arcade
 Health Studio
 Museum
 Private Park
 Sports Facility
 Theatre
 Place of Worship
 Porch
 Premises
 Print Shop
 Private Home Day Care
 Professional Studio
 Public Authority
 Public Hall
 Public Library
 Public Park
 Public Parking Area
 Public Utility

Q

Quarry
 Quonset Hut

R

Railway
 Refuse Bin
 Repair Shop - Heavy
 Repair Shop - Light
 Required
 Research and Development Facility
 Restaurant
 Restaurant with Drive-Through
 Retail Store
 Retail Store – Equipment & Supplies

S

Salvage Operation
 Scenery Loft
 School
 College
 Elementary School
 Secondary School
 University
 Screening Fence
 Self-Storage Facility
 Service Station
 Shall
 Shipping Container
 Stacking Space
 Storey
 Storm Water Management Facility
 Structure
 Sunroom
 Swimming Pool

T

Take-out Food Outlet
 Temporary Outdoor Vendor's Site
 Tourist Home
 Towing Facility
 Towing Service

U

Use

Accessory Use
 Agricultural Use
 Ancillary Use
 Forestry Use
 Industrial Use
 Aggregate Storage Facility
 Animal Processing Facility
 Batching Plant
 Distillation Plant
 Food Packaging Facility
 Food Processing Facility
 Laundry Plant
 Loading Compound
 Manufacturing Facility
 Manufacturing Heavy
 Material Transfer Centre
 Milling Facility
 Motor Vehicle Assembly Plant
 Power Generation Facility
 Transport Terminal
 Transport Storage Area
 Water Transportation Facility
 Welding Shop
 Main Use

V

Veterinary Clinic
 Veterinary Office

W

Warehouse
 Wholesale Store
 Workshop

Y

Yard

Exterior Side Yard
 Front Yard
 Landscaped Open Space Yard
 Outdoor Storage Yard
 Rear Yard
 Required Yard
 Side Yard

Z

Zoning District

Commercial District
 Development Reserve District
 Green District
 Industrial District
 Institutional District
 Residential District

3.10 DEFINITIONS

A

ACCESS AREA means a driveway that connects any one or more of the following to a *highway; building; outdoor storage yard; parking area; structure.*

ADULT ENTERTAINMENT PARLOUR means a *building* in which is *provided* in pursuance of a trade, calling, business or occupation, *services appealing to or services designed to appeal to erotic or sexual appetites or inclinations.*

For the purposes of this subsection, the following shall apply:

PROVIDED means furnished, performed, solicited or given such services;

SERVICES means activities, performances, exhibitions, viewings and encounters;

SERVICES APPEALING TO OR SERVICES DESIGNED TO APPEAL TO EROTIC OR SEXUAL APPETITES OR INCLINATIONS means the following:

1. Services of which a principal feature or characteristic is the nudity or *partial nudity* of any person. For the purposes of this provision, **PARTIAL NUILITY** shall mean less than completely and opaquely covered:
 - .1 Human genitals or human pubic region;
 - .2 Human buttocks; or
 - .3 The human breast below a point immediately above the top of the areola.
2. Services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any word of any picture, symbol or representation having like meaning or implication is used in any advertisement.

AGGREGATE means aggregate as defined by the Aggregate Resources Act, R.S.O. 1990, c. A.8.

AIRPORT OPERATING AREA means all lands subject to Windsor Airport Zoning Regulations pursuant to Section 5.4 of the Aeronautics Act, R.S.C. 1985, c. A-2.

AMBULANCE SERVICE means *premises* used for the dispatch, maintenance, or storage of motor vehicles and equipment used to provide medical care and to transport patients, and may include as an *accessory use*, a *retail store* for the lease, rental or sale of medical equipment and supplies, and an *outdoor storage yard*. A *medical office* is not an *ambulance service*.

AMENITY AREA means a *landscaped open space yard* or a recreational facility as an *accessory use* to a *dwelling* or a *dwelling unit* located on the same *lot*.

ARCHITECTURAL FEATURE means the projection of belt courses, chimneys, cornices, eaves, ledges, window sills and similar architectural features and replacement residential exterior cladding.

AUTOMATIC CAR WASH means a *car wash automatic*.

AUTOMOBILE COLLISION SHOP means a *building* used for any one or more of the following *automobile* service and repair activities: body restoration and structural reconstruction; painting and the application of body rust inhibitors; or general refurbishing and reconditioning. It may include an *automobile detailing service*.

AUTOMOBILE DETAILING SERVICE means a *building* where one or more of the following *automobile* services are provided: manual exterior dressing, polishing, washing or waxing; fabric protection; interior cleaning, conditioning, shampooing or vacuuming; minor cosmetic repairs, such as paint touch up or paintless dent removal; paint protection; rust proofing; window tinting. A *car wash automatic* or *car wash coin-operated* is not an *automobile detailing service*.

AUTOMOBILE REPAIR GARAGE means a *building* used for the adjustment, maintenance or repair of an *automobile* and may include any of the following uses: *retail store* for the sale of any automotive accessories, components, fluids, lubricants or parts; *automobile detailing service*; *car wash automatic*; *car wash coin-operated*. It does not include a *automobile collision shop*.

AUTOMOBILE SALES LOT means a *premises* used for the lease, rental or sale of an *automobile*. It does not include an *automobile collision shop*, *automobile detailing service* or *automobile repair garage*.

AVERAGE means the arithmetic mean.

B

BAKE SHOP means a *building* used for the sale of bakery products and may include as an *accessory use* a *bakery* provided that all products made in the *bakery* are sold exclusively in the bake shop.

BAKERY means a *building* used for the production of any one or more of the following: biscuits; breads; cakes; crackers; pastries; any other bakery products of which flour or meal is the main ingredient.

BASEMENT means any part of a *building*, which is partially below *grade*, where the vertical distance from the *grade* to the floor is equal to or less than the vertical distance from the *grade* to the ceiling next above.

BUILDING means a *structure*, consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, but does not include the following: access area, collector aisle, driveway, parking aisle or parking space not in a parking garage; fence; patio; sign as defined by the Windsor Sign By-law.

ACCESSORY BUILDING means a completely detached *building* used for an *accessory use* of the *lot*, for one *dwelling unit* where permitted by Section 5.99.80, or for any combination thereof.

COMBINED USE BUILDING means a *building* having, as *main uses*, at least one *dwelling unit* and at least one non-residential *use*.

MAIN BUILDING means a *building* used for the *main use* of the *lot* and may also include in combination therewith an *accessory use* subject to any applicable provisions for an *accessory use*.

BUILDING HEIGHT means:

1. For any *building* with a flat roof, a roof having a slope of less than 20.0 degrees, or a roof with at least two contiguous slopes, where the lowest slope is greater than the uppermost slope, the vertical distance in metres between the *grade* and the highest point of the roof.

Where a *building height* provision is expressed in storeys, the *building height* in metres shall be the number of storeys permitted multiplied by 4.0 m.

Example: If the minimum building height is 2 storeys and the maximum building height is 3 storeys, multiplying 2 storeys by 4.0 m results in a minimum building height of 8.0 m and multiplying 3 storeys by 4.0 m results in a maximum building height of 12.0 m.

2. For a *main building* with a roof other than that described in clause 1 of this subsection, the vertical distance in metres between the *grade* and the mid-point between the lowest eaves and the highest point of the roof.

Where *building height* is expressed in storeys, the minimum *building height* in metres shall be the number of storeys required multiplied by 4.0 m, and the maximum *building height* in metres shall be the number of storeys permitted multiplied by 4.0 m plus an additional 2.0 m for the roof.

Example: If the maximum building height is 2 storeys, multiplying 2 storeys by 4.0 m plus 2.0 m for the roof, results in a maximum building height of 10.0 m.

Example: If the minimum building height is 2 storeys and the maximum building height is 3 storeys, multiplying 2 storeys by 4.0 m results in a minimum building height of 8.0 m and multiplying 3 storeys by 4.0 m plus 2.0 m for the roof results in a maximum building height of 14.0 m.

3. For an *accessory building* with a roof other than that described in clause 1 of this subsection, the vertical distance in metres between the *grade* and the highest point of the roof.

BUILDING MATERIALS RECYCLING STORE means *premises* used for the collection, reconditioning, repackaging and sorting of salvaged buildings products entirely within a building and a store for the sale of such products. Products are stored entirely within a *building*, or where permitted by this by-law, in an *outdoor storage yard*. A building materials recycling centre is a *building materials recycling store*.

BUILDING SETBACK means the horizontal distance measured at right angles from a *lot line* to the closest wall of any *building* or *structure* on the same *lot*.

BUSINESS IMPROVEMENT AREA means a geographically delineated area designated by *City of Windsor* by-law as an improvement area for the purposes of area beautification, maintenance and promotion under the direction of a board of management.

BUSINESS OFFICE means an *office* of any one or more of the following: commercial business; financial services including a bank, credit union, payday lender, savings and loan office and trust company; government; industrial business; non-profit or charitable organization; professional person. A financial office is a *business office*. A *medical office* or *veterinary office* is not a *business office*.

C

CAR WASH AUTOMATIC means *premises* where a *motor vehicle* is washed in whole or in part automatically by programmed mechanical equipment. An automatic car wash is a *car wash automatic*.

CAR WASH COIN-OPERATED means *premises* where a *motor vehicle* is washed manually with the aid of a high-pressure water hose controlled by a metered, coin-operated water dispensing system. A coin-operated car wash is a *car wash coin-operated*.

CARNIVAL means a *lot* temporarily used for the operation of mechanical rides and games of skill or chance as a *main use*, and may also include as an accessory use: refreshment and food stands; entertainment facilities.

CARPORT means an *accessory building* or part of a *main building* that covers a *parking space* and that is completely open on at least two sides.

CELLAR means any part of a *building* where the vertical distance from the *grade* to the floor is greater than the vertical distance from the *grade* to the ceiling next above.

CEMETERY means a cemetery as defined by the Funeral, Burial and Cremation Services Act, S.O. 2002, Ch 33.

CENTRAL BUSINESS DISTRICT means the area defined in Section 24.5.1.

CHIEF BUILDING OFFICIAL means the Chief Building Official appointed under the Building Code Act, 1992, S.O. 1992, c. 23.

CHILD CARE CENTRE means a child care centre as defined in the Child Care and Early Years Act, 2014, S.O. 2014, c.11 Sched.1. A day nursery or day care is a *child care centre*.

CHURCH means a *place of worship*.

CHURCH HALL means a *place of worship*.

CITY OF WINDSOR means The Corporation of the City of Windsor.

COIN-OPERATED CAR WASH means a *car wash coin-operated*.

COLLISION SHOP means an *automobile collision shop*.

COMMERCIAL CENTRE MAJOR means a *lot*, outside of the *central business district*, on which is located a *building* or a group of *buildings* which:

1. has a *minimum gross floor area* of 1,000.0 m²;
2. is intended for a mix of commercial uses;
3. is occupied, as *main uses*, by a *minimum* of four individual self-contained commercial establishments; and
4. all commercial establishments share a common *parking area*.

Unless otherwise stated, a *commercial centre major* may be occupied by any combination of *uses* which are permitted in the *zoning district* or a specific zoning exception.

COMMERCIAL CENTRE MINOR means a *lot*, outside of the *central business district*, on which is located a *building* or group of *buildings* which:

1. has a *gross floor area* of less than 1,000.0 m²;
2. is intended for a mix of commercial *uses*;
3. is occupied, as *main uses*, by a minimum of three individual self-contained commercial establishments; and
4. all commercial establishments share a common *parking area*.

Unless otherwise stated, a *commercial centre major* may be occupied by any combination of *uses* which are permitted in the *zoning district* or a specific zoning exception.

COMMERCIAL SCHOOL means a *building* where instruction is given for hire and includes a private career college as defined by the Private Careers Colleges Act, S.O. 2005, Ch. 28.

COMMUNITY GARDEN means a single or common plot of land or land subdivided into individual plots for the growing of fruits, vegetables or flowers collectively by a group of people primarily for non-commercial purposes.

CONFECTIONARY means a *building* used for the production of confections. It may include a *retail store* for the sale of confections produced in the confectionary. A confectionary store is a *confectionary*.

CONSERVATION AUTHORITY means the Essex Region Conservation Authority, an authority as defined in the *Conservation Authorities Act*, R.S.O. 1990, c.C.27, as amended, and regulates under Ontario Regulation 158/06 under the *Conservation Authorities Act*.

DETROIT RIVER SHORELINE FLOODPRONE AREA means the area impacted by the 1:100 year flood level, the 1:100 year wave run-up level, wind setup and wind generated waves plus a 0.3 m increase in elevation for freeboard. In addition, and within this area there are allowances for erosion limits and effects of such things as ice and other coastal issues. The *Conservation Authority* has jurisdiction for natural hazards covered in the *Conservation Authorities Act*, R.S.O. 1990 c.C.27, for any proposed development in this area.

EAST OF LITTLE RIVER INLAND FLOODPLAIN DEVELOPMENT CONTROL AREA means the lands identified as Floodplain Development Control Area which are subject to the engineered regulatory flood standard level of protection due to the flood control measures in place that are associated with the Little River watercourse. This area contains both the flood fringe and the floodway and is subject to the *Conservation Authorities Act*, R.S.O. 1990, c.C.27, permitting requirements in advance of development proceeding.

FLOODPLAIN means the area below the 1:100 storm level or maximum observed flood condition for the Essex Region watersheds as established by the *Conservation Authority*. The flood fringe is a less hazardous part of the flood plain and development and site alteration may be permitted in this area subject to satisfying specific conditions.

FLOODWAY means the area adjacent to a watercourse, other than the Lake St. Clair, the Detroit River or a municipal drain, where flood depths and velocities are generally greater than those experienced in the flood fringe. The floodway represents the area required for the safe passage of flood flow and/or the area where flood depths and/or velocities are considered to pose a threat to life and/or property damage. The floodway comprises all lands within a setback area measured inland from the top of channel bank; such setback shall be determined by the *Conservation Authority*.

FREEBOARD means the 0.3 m increase in elevation added to the applicable regulatory flood standard as a measure of safety to address increased flood risk due to vehicle/boat generated waves, ice jamming, etc.

INLAND FLOODPLAIN DEVELOPMENT CONTROL AREA means the lands identified as Floodplain Development Control Area which are subject to the regulatory flood standard level of protection (1:100 year or maximum observed) and are adjacent to a watercourse. This area contains both the flood fringe and the *floodway* and is subject to the Conservation Authorities Act, R.S.O. 1990, c.C.27, permitting requirements in advance of development proceeding. The inland floodplain development control area is also known as the general area within ERCA's Limit of Regulated Area.

LAKE ST. CLAIR SHORELINE FLOODPRONE AREA means the area impacted by the 1:100 year flood level, the 1:100 year wave run-up level, wind setup and wind generated waves plus a 0.3 m increase in elevation for *freeboard*. In addition, and within this area there are allowances for erosion limits and effects of such things as ice and other coastal issues. The *Conservation Authority* has jurisdiction for natural hazards covered in the Conservation Authorities Act, R.S.O. 1990 c.C.27 for any proposed development in this area.

LIMIT OF REGULATED AREA (LORA) means the area in which the *Conservation Authority* has jurisdiction for hazard issues covered in Section 28 of the Conservation Authorities Act, R.S.O. 1990, c.C.27.

REGULATORY EROSION STANDARD means the average annual rate of recession extended over a one hundred year time frame. Where a stable slope evaluation is necessary, three times the height of the slope/bluff may also be applicable.

REGULATORY FLOOD STANDARD means the 1:100 year flood level plus the appropriate added *freeboard* elevation, or the maximum observed flood elevation plus the appropriate freeboard elevation, and/or engineered flood standards.

TOP OF BANK means, when used with reference to a watercourse or municipal drain, the highest elevation of land which ordinarily confines the waters of such watercourse or municipal drain. In the case of a valley land feature, the top of bank is identified as the break in slope point between the valley side slope and the table land.

WATERCOURSE means an identifiable depression in the ground in which a flow of water regularly or continuously occurs. This may include rivers, streams, creeks, ditches, and municipal drains. Watercourses may be natural or they may be human-made as the case with municipal drains.

WEST OF LITTLE RIVER INLAND FLOODPLAIN DEVELOPMENT CONTROL

AREA means the lands identified as Floodplain Development Control Area which are subject to the engineered regulatory flood standard level of protection due to the flood control measures in place that are associated with the Little River watercourse. This area contains both the flood fringe and the floodway and is subject to the Conservation Authorities Act, R.S.O. 1990, c.C.27, permitting requirements in advance of development proceeding.

CONSTRUCTION means production by means of any or more of the following activities: designing, fabricating, assembly, testing or packaging, but not including stamping, forging, casting moulding, smelting, refining or extruding of any metal or metal product.

CONTRACTOR'S OFFICE means a combination *business office* and *warehouse* used by a general building contractor or any of the following trade contractors: air conditioning; cladding; deck; decorating; door; drywall; electrical; fencing; flooring; glass; glazing; heating; insulation; landscaping; masonry; ornamental metal; painting; plastering; plumbing; roofing; siding; swimming pool; ventilation; window.

CONVENIENCE STORE means a *building* where a variety of both household and grocery items are offered for sale primarily to serve the day-to-day, non comparison shopping needs of residents of the surrounding neighbourhoods and that may include *accessory uses* such as an automated banking machine or a postal or parcel service.

CORRECTIONAL FACILITY means a *correctional institution*.

CORRECTIONAL INSTITUTION means a correctional institution established or continued under the Ministry of Correctional Services Act, R.S.O. 1990, c. M.22. A correctional centre, correctional complex, correctional facility, detention centre, jail, place of correction, or place of detention is a *correctional institution*.

CREMATORIUM means a crematorium as defined by the Funeral, Burial and Cremation Services Act, S.O. 2002, Ch. 33.

D

DAY NURSERY means a *child care centre*.

DECK means a *structure* having a floor, open to the sky, and a supporting structure below. It may include perimeter guardrails, fixed seating and vertical visual screening. A patio or terrace is a *deck*.

DENSITY means a ratio expressed as the number of *dwelling units* per hectare and indicates the number of *dwelling units* that may be erected or maintained per hectare on a *lot*.

DRIVE-THROUGH FOOD OUTLET means a *food outlet – drive-through*.

DRIVE-THROUGH RESTAURANT means a *restaurant with a drive-through*.

DWELLING means a *building* or *structure* that is occupied for the purpose of human habitation. A *correctional institution, hotel, motor home, recreational vehicle, tent, tent trailer, or travel trailer* is not a *dwelling*.

CARETAKER'S RESIDENCE means one *dwelling unit* which is an *accessory use* to a non-residential *main use* and is used for the accommodation of one person for the care and protection of the *premises*.

CONVENT OR MONASTERY means a *religious residence*.

DOUBLE DUPLEX DWELLING means one *dwelling* divided into four *dwelling units* by vertically attaching two *duplex dwellings* with no direct internal connection between the *dwelling units*. A *multiple dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling* is not a *double duplex dwelling*.

DUPLEX DWELLING means one *dwelling* divided horizontally into two *dwelling units* with no direct internal connection between the *dwelling units*. A *single unit dwelling* with *two dwelling units* is not a *duplex dwelling*.

FRATERNITY OR SORORITY HOUSE means a *dwelling* used exclusively for the accommodation of students of a college or university who are also members of a chartered fraternity or sorority.

GROUP HOME means a *dwelling* that is:

1. For the accommodation of six to ten persons, exclusive of staff;
2. For persons living under supervision in a single housekeeping unit and who require a group living arrangement for their well-being; and
3. Licensed or funded by the federal, provincial or municipal government.

A correctional institution, fraternity or sorority house, hospital, hotel, lodging house, private home day care, religious residence or residential care facility is not a *group home*.

LODGING HOUSE means a *dwelling* in which a *minimum* of four persons, not including staff, are provided with lodging for hire, with or without meals.

A correctional institution, fraternity or sorority house, group home, hospital, hotel, private home day care, religious residence or residential care facility is not a *lodging house*.

MOBILE HOME DWELLING means one mobile home as defined by Section 46 of the Planning Act, R.S.O. 1990, c. P.13.

MULTIPLE DWELLING means one *dwelling* containing a *minimum* of three *dwelling units*. A *double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling* is not a *multiple dwelling*.

RELIGIOUS RESIDENCE means a *dwelling* used for the accommodation, without profit or gain, of members of a religious community or religious association and may include as an accessory use a *place of worship*. A convent or monastery is a *religious residence*.

RESIDENTIAL CARE FACILITY means a *dwelling* that is:

1. For the accommodation of eleven or more persons, exclusive of staff;
2. For persons requiring supervised or assisted living arrangements; and
3. Licensed or funded by the federal, provincial or municipal government.

A correctional institution, group home, hospital, hotel, lodging house, multiple dwelling or religious residence is not a residential care facility.

SEMI-DETACHED DWELLING means one *dwelling* divided vertically into two *dwelling units* by a common interior wall having a *minimum* area above *grade* of 10.0 sq. m., and may include, where permitted by Section 5.99.80, up to two additional *dwelling units*.

SHELTER means a *lodging house* used exclusively for the provision of temporary accommodation to individuals who are in need of ancillary health care, counselling and social support services.

SINGLE UNIT DWELLING means one *dwelling* having one *dwelling unit* or, where permitted by Section 5.99.80, one *dwelling* having two *dwelling units*. A single family dwelling is a *single unit dwelling*. A *duplex dwelling, mobile home dwelling, semi-detached dwelling unit, or townhome dwelling unit*, is not a *single unit dwelling*.

STACKED DWELLING means a *dwelling* consisting of a row of three or more *dwelling units* having one or more *dwelling units* located above them, with all *dwelling units* having individual exterior entrances. A *double-duplex dwelling, semi-detached dwelling, or townhome dwelling* is not a *stacked dwelling*.

STUDENT RESIDENCE means a *dwelling* operated and maintained by a *college* or a *university* and may include a common area, cooking facility or dining facility. A college student residence or university student residence is a *student residence*.

TOWNHOME DWELLING means one *dwelling* vertically divided into a row of three or more *dwelling units* attached by common interior walls, each wall having a *minimum* area above *grade* of 10.0 sq. m., and may include, where permitted by Section 5.99.80, additional *dwelling units*. A *semi-detached dwelling* is not a *townhome dwelling*.

DWELLING UNIT means a unit that consists of a self-contained set of rooms located in a *building* or *structure*, that is used or intended for use as residential premises, and that contains kitchen and bathroom facilities that are intended for the use of the unit only.

SEMI-DETACHED DWELLING UNIT means one *dwelling unit* in a *semi-detached dwelling*, and may include, if permitted by Section 5.99.80, one additional *dwelling unit*.

TOWNHOME DWELLING UNIT means one *dwelling unit* in a *townhome dwelling*, and may include, if permitted by Section 5.99.80, one additional *dwelling unit*.

E

ENTERTAINMENT LOUNGE means a *building* where patrons are provided with entertainment, in the form of live and/or pre-recorded music, a dance floor, and may include, in combination therewith, the sale of alcoholic beverages to its patrons for consumption therein or within a physically defined open air sit down area located on the same *lot* therewith. A *restaurant*, *restaurant with drive-through* or *public hall* is not an *entertainment lounge*.

ENTERTAINMENT LOUNGE AREA means all lands within the area bounded by a heavy black line on Schedule ‘A’ to By-law Number 212-2005.

EQUIPMENT RENTAL SHOP means *premises* used for the lease, rental, or sale of construction, commercial, industrial and residential equipment, machinery or tools to the general public and includes, in combination with, the maintenance, repair and service of said equipment, machinery or tools. It does not include the sale, lease or rental of an *automobile*. A machinery, tool or equipment rental agency is an *equipment rental shop*. An *automobile sales lot*, *motor vehicle dealership* or *repair shop - heavy* is not an *equipment rental shop*.

ERECT means to build, construct, reconstruct or relocate any *building* or *structure* and also includes any one or more of the following activities:

1. excavating, filling, draining and any other necessary preliminary physical operation; and
2. altering any existing *building* or *structure* by addition, enlargement or extension.

EXISTING means a *building*, *lot*, *premises*, *structure*, or *use* lawfully existing on July 22, 2002, unless otherwise provided by this by-law.

F

FARMERS' MARKET means a location at which a group of persons who operate stalls or other food premises meet to sell or offer for sale to consumers products that include, without being restricted to, farm products, baked goods and preserved foods, and at which the majority of the persons operating the stalls or other food premises are producers of farm products who are primarily selling or offering for sale their own products.

FINANCIAL OFFICE means a *business office*.

FLOOR AREA means the area of a floor in a *building*.

GROSS FLOOR AREA means the total combined floor area in square metres of all *buildings* on a *lot*, excluding the *cellar* of any *building*, measured from the outside face of the exterior walls of each *building*.

GROSS FLOOR AREA RATIO means the ratio of the *gross floor area* to the *lot area*.

NET FLOOR AREA means the total floor area measured from the inside face of the exterior walls of a *building*, but does not include any one or more of the following: *cellar* within a *dwelling*; cloakroom; corridor; elevator shaft; hallway; indoor amenity area; kitchen; loading area; lobby; mechanical room; *parking garage*; stairwell; storeroom to a *maximum* of 20.0 percent of the total net floor area; washroom.

FOOD CATERING SERVICE means a *building* used for the preparing of food and/or beverage for human consumption off the premises and that is not served to customers to consume on the premises or to take out. A *food outlet – take-out*, *food outlet – drive-through*, or *micro-brewery* is not a *food catering service*.

FOOD CONVENIENCE STORE means a *building* having a *maximum gross floor area* of 250.0 m² in which the *main use* is the retail sale of food and dairy products, beverages and bakery products.

FOOD OUTLET - DRIVE-THROUGH means a *building* for the sale of prepared food to persons remaining in a *motor vehicle* and may also include the preparation of food sold at retail. A drive-through food outlet is a *food outlet – drive-through*.

FOOD OUTLET - TAKE-OUT means a *building* used for the sale of prepared food for consumption off the premises exclusively to walk-in customers and may also include the preparation of food sold at retail. A take-out food outlet or a take-out restaurant is a *food outlet – take-out*. A *food catering service* or *micro-brewery* is not a *food outlet – take-out*.

FUNERAL ESTABLISHMENT means a funeral establishment as defined by the Funeral, Burial and Cremation Services Act, S.O. 2002, Ch. 33 and may include, in combination with, a casket retailing business or *crematorium*. A funeral home is a *funeral establishment*.

G

GAMING FACILITY means a casino or slot machine facility established or regulated under any Provincial Act. A *billiard hall, bingo hall, games arcade, place of entertainment or recreation, teletheatre, or building* used for the sale of lottery tickets is not a *gaming facility*.

GARAGE means an *accessory building* or part of a *main building* designed for the parking of a *maximum* of four *automobiles* and may include one or more of the following: the incidental storage of household goods; a hobby workshop.

GARDEN CENTRE means a *premises* used for the sale of ornamental plants and other products for lawn and garden maintenance and ornamentation in combination with an *outdoor storage yard* and/or greenhouse for the storage, display and sale of such products. It may also include an accessory sales kiosk.

GAS BAR means a *lot* used for the retail sale and dispensing of motor vehicle fuels.

GENERAL SALVAGE OPERATION means a *salvage operation*.

GOLF COURSE means *premises* used for the purposes of playing or practicing golf, and may include in addition to, a club house, driving range, or miniature golf course.

GRADE

1. For the purpose of Section 5.10.9, means the average elevation of the finished surface of the ground adjacent to the *accessory building*.
2. For the remainder of the By-law, means the average elevation of the crown of that part of the *street* abutting the *front lot line*. Where the elevation of a point on a *building* located on the *lot* is equal to the *grade* elevation, that point is deemed to be "at grade".

GREENHOUSE means a *building* or *structure* constructed of, or a *lot* covered by, glass or plastic and used exclusively for the growing or storage of flowers, fruit, plants, shrubs or vegetables, and may include the subsequent transplanting, replanting, or sale of same.

GROCERY STORE means a *building* having a minimum *gross floor area* of 250.0 m² in which the main use is the retail sale of food and foodstuffs. It may also include a *bake shop* and a *pharmacy*.

GROUND means the average elevation of the ground within 3.0 m of the *main building* on the *lot*.

H

HABITABLE ROOM WINDOW means a window in any room or area designed for living, sleeping, eating or food preparation within a *dwelling, dwelling unit* or *mobile home dwelling*. It does not include a window in any room or area designed for personal care and grooming, maintaining or storing wardrobe items and household goods, operation of mechanical or utility systems, or parking of a motor vehicle.

HEAVY REPAIR SHOP means a *repair shop – heavy*.

HIGHWAY means all allowances for roads made by the Crown surveyors, all highways laid out or established under the authority of any statute, all roads on which public money has been expended for opening them or on which statute labour has been usually performed, all roads dedicated by the owner of the lands to public use, and all alterations and deviations of and all bridges over such allowances

ALLEY means a *highway* having a *maximum* right-of-way width of less than 7.0 m.

STREET means a *highway* having a *minimum* right-of-way width of 7.0 m.

HOME OCCUPATION means an occupation for profit or gain conducted entirely within a *dwelling unit*, which occupation is incidental and secondary to the *use* of the *dwelling unit* for residential purposes and does not change the character thereof.

HOSPITAL means a hospital designated as a public hospital under the Municipal Act, 2001, S.O. 2001, c. 25 or the Public Hospitals Act, R.S.O. 1990, c. P.40.

HOTEL means a *building* used primarily for the sleeping accommodation of the travelling public. It may also include as an *accessory use*, any of the following: fitness centre; gift shop; *health studio*; meeting room; newsstand; one *dwelling unit*; *personal service shop*; *restaurant*. A motel is a *hotel*.

L

LANDSCAPED OPEN SPACE means an area open to the sky and maintained with one or more of the following ground covers: bark; flowers; grass; mulch; ornamental stone, block or brick, excluding construction grade aggregate; shrubs; trees; water feature; wood chips; and may include outdoor recreational facilities accessory to a *dwelling* or *dwelling unit*.

LIGHT REPAIR SHOP means a *repair shop – light*.

LOADING SPACE means an area used for the temporary parking of a *motor vehicle* while goods are loaded thereon or unloaded therefrom.

LOT means a contiguous parcel of land under one ownership, the boundaries of which are on record in the Land Registry Office of the County of Essex (No. 12) in the Registry or Land Titles Division.

CORNER LOT means a *lot* situated at the intersection of and abutting upon two or more *streets*, provided that the angle of intersection of at least two of the intersecting *streets* is not more than 135.0 degrees.

INTERIOR LOT means a *lot* other than a *corner lot*.

THROUGH LOT means an *interior lot* or a *corner lot* having both a *front lot line* and an exterior *rear lot line*.

LOT AREA means the total land area in square metres, as measured along a horizontal plane, within the *lot lines* of a *lot*, excluding any part of a *lot* permanently covered by water.

LOT COVERAGE means:

1. the percentage of *lot area* covered by all *buildings* at *grade*, combined with
2. the percentage of *lot area* covered by the vertical downward projection of all roofs, cantilevered building walls and other projecting features exclusive of the following: balconies; chimney breasts; cornices; decks; eaves; fire escapes; steps and ramps; a swimming pool open to the sky; the first 15.0 m² of a *sunroom*.

Lot coverage may also be indicated in square metres.

LOT DEPTH means the average horizontal distance in metres between the *front lot line* and the *rear lot line*. Where a *lot* has an irregular shape, *lot depth* is calculated by dividing the *lot area* by the *lot frontage*.

LOT FRONTAGE means the distance in metres measured on a horizontal plane between the *side lot lines*, such distance being measured at a right angle to the line joining the middle of the *front lot line* with either the middle of the *rear lot line* or the apex of the triangle formed by the *side lot lines*, and at a point thereon 6.0 m distance from the *front lot line*.

LOT LINE means the boundary of a *lot*.

EXTERIOR LOT LINE means a *lot line* which parallels and abuts a *street*.

FRONT LOT LINE means the shortest *exterior lot line*. On a *corner lot*, where the *front lot line* curves to meet an exterior *side lot line*, for the purpose of the determination of length in metres, the *front lot line* shall be determined to extend to the mid-point on the curve where the *front lot line* and *side lot line* meet.

INTERIOR LOT LINE means a *lot line* which does not parallel and abut a *street*.

REAR LOT LINE means the *exterior lot line* or *interior lot line* which is farthest from the *front lot line*. On a *corner lot*, where the *rear lot line* curves to meet an exterior *side lot line*, for the purpose of the determination of length in metres, the *rear lot line* shall be determined to extend to the mid-point on the curve where the *rear lot line* and *side lot line* meet.

SIDE LOT LINE means any *exterior lot line* or *interior lot line* other than a *front lot line* or a *rear lot line*.

LOT WIDTH means the perpendicular distance in metres between the *side lot lines*. Where the *side lot lines* are not parallel, the *lot width* shall be the average distance in metres between the *side lot lines*.

M

MAIN WALL means the *building* wall that is closest to the *front lot line*.

MAJOR COMMERCIAL CENTRE means a *commercial centre major*.

MARINA means *premises* used for the docking and anchoring of pleasure boats and may also include in combination therewith any one or more of the following: fuelling, leasing, maintaining, renting, repairing, selling, or storing of pleasure boats and their accessories; *restaurant*.

MARKET GARDEN means *premises* used for the retail sale of raw agricultural products, and may include as an *accessory use*, the sale of pre-packaged food products, including baked goods, that normally do not require refrigeration. An *outdoor market* is not a *market garden*.

MAUSOLEUM means a mausoleum as defined by the Funeral, Burial and Cremation Services Act, S.O. 2002, Ch 33.

MAXIMUM means not more than.

MAY means permissive.

MEDICAL APPLIANCE FACILITY means a *building* used for the manufacturing or assembly of medical, dental or ophthalmic appliances. A medical, optical or dental laboratory is a *medical appliance facility*.

MEDICAL OFFICE means a *building* used by a physical health or mental health professional and their staff for the purpose of consultation, counselling, diagnosis and treatment of a patient and may also include as an *accessory use* a *pharmacy*. An *ambulance service*, *medical appliance facility*, *personal service shop* or *veterinary office* is not a *medical office*.

MICRO-BREWERY means a *building* or *structure*, not exceeding 500.0 m² in *gross floor area*, used for the manufacture of alcoholic beverages. It may also include a *retail store* where said alcoholic beverages are sold directly to the public, and/or the sale of individual servings of said alcoholic beverages for consumption on-site. It does not include a *restaurant*.

[ZNG/4968; ZNG/5061; ZNG/5271]

MINIMUM means not less than.

MINOR COMMERCIAL CENTRE means *commercial centre minor*.

MOTEL means a *hotel*.

MOTOR VEHICLE means vehicle propelled, driven or pulled by other than muscular power. It does not include a power-assisted bicycle as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8. or a train.

AUTOMOBILE means a *motor vehicle* having a maximum gross weight of 3,000.0 kg. It does not include a bus, combination truck or vehicle of the tractor trailer or semi-trailer type, construction equipment, or farm tractor, or any other motorized farm implement.

RECREATIONAL VEHICLE means a *motor vehicle* having a gross vehicle weight greater than 3,000.0 kg and sleeping accommodation for one or more persons. It may also have cooking and sanitary facilities.

TRANSPORT TRAILER means a trailer or a semi-trailer as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8. A tractor trailer or truck trailer is a *transport trailer*. A cabin trailer, camping trailer, house trailer, mobile home, recreational vehicle, tent trailer or travel trailer is not a *transport trailer*.

TRANSPORT TRUCK means a *motor vehicle* used to pull a *transport trailer* and includes the tractor unit of a tractor-trailer combination or a semi-trailer truck or semi-tractor unit of semi-trailer combination. A truck tractor is a *transport truck*.

MOTOR VEHICLE DEALERSHIP means a *lot* and *building* used for any one or more of the following: the sale, lease or rental of a *motor vehicle*, and may also include as an *accessory use*, any one or more of the following: *outdoor storage yard* exclusively for the storage of *motor vehicles*; *repair shop – heavy* exclusively for the maintenance and repair of *motor vehicles*; washing of a *motor vehicle*.

MOTOR VEHICLE SALVAGE OPERATION means *premises* used for the salvaging of *motor vehicles* and *motor vehicle* parts. Salvaging activities involve exclusively any two or more of the following activities: disassembly; packaging; reconditioning; reselling; temporary storage.

N

N/A means for the purpose of Section 5.35 that a minimum separation is not required. For the remainder of the By-law it means not applicable.

NATURAL HERITAGE AREA means an area designated as a Candidate Natural Heritage Site, Environmental Policy Area, Greenway System, Natural Heritage or Waterway Corridors in the City of Windsor Official Plan, any provincially or federally designated area of natural and scientific interest or significant wetland, or any other area reserved for the protection and conservation of environmentally significant and/or sensitive natural features, functions or processes.

NO LIMIT means that an encroachment is permitted into the specified *yard* subject to the *minimum* separation provisions in Table 22.50.10 and any other applicable provisions for that encroachment.

NOISE BARRIER WALL means for the purpose of Section 24.50.20.4, 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 the acoustical generator from the receptor, consists of material, or any combination thereof, having a *minimum* surface density of 20 kg/m, or a *building* wall.

NURSERY means *premises* where flowers, fruit, plants, shrubs, trees or vegetables are grown or stored for the purpose of transplanting or grafting or for the purpose of sale and includes the sale of fertilizers, landscaping material, planting material, soil and similar materials. A tree farm is a *nursery*.

O

OFFICE means a *building* where any one or more of the following services are provided: business is transacted; administrative, clerical or professional services are performed.

OUTDOOR MARKET means a *lot*, occupied for a temporary period by a collection of booths, stalls, tents or other physically defined areas, in an outdoor setting, for the retail sale of goods and/or foodstuffs by two or more individual vendors and operated solely with the approval and consent of a *business improvement area* board of management. A *market garden* is not an *outdoor market*.

P

PARKING AREA means an area used for *parking spaces*, bicycle parking spaces and *loading spaces* and includes all *collector aisles* and *parking aisles*. A *loading compound*, *outdoor storage yard*, or *transport storage area* is not a *parking area*.

COLLECTOR AISLE means an unobstructed part of a *parking area* that provides direct access to a *parking aisle*.

MANOEUVRING AISLE means a *parking aisle*.

PARKING AISLE means an unobstructed part of a *parking area* that provides direct access to a *parking space*. A manoeuvring aisle is a *parking aisle*.

PARKING GARAGE means a *building* occupied by a *parking area* which is used or capable of being used for the provision of a minimum of five *parking spaces*.

ACCESS RAMP means that part of a *collector aisle* that has a slope of greater than 12.0 degrees from the horizontal plane and that provides *motor vehicle* ingress to and egress from a *parking garage*.

PARKING SPACE means an area used for the parking of an operable *motor vehicle*. It includes a visitor parking space and an accessible parking space. A bicycle parking space, a *loading space* or a *stacking space* is not a *parking space*.

PAWNSHOP means a *building* used by a pawnbroker as defined by the Pawnbrokers Act, R.S.O. 1990, c. P.6.

PERSON means any individual, association, partnership, company, corporation, firm, agent, trustee and the heirs, executors, or other legal representatives of any of the foregoing.

PERSONAL SERVICE SHOP means a *building* used for the personal care treatment or grooming, including body modification, of person or a pet, the maintenance or repair of a wardrobe item, including a dry cleaning operation having a maximum GFA of 275.0 m² and a dry cleaning depot, and the following services: duplication, film processing, optician, and picture framing. A *medical office* is not a *personal service shop*.

PHARMACY means a *building* in which the *main use* is the retail sale of drugs, pharmaceutical products, medicines and drug sundries.

PIT means a pit as defined by the Aggregate Resources Act, R.S.O. 1990, c. A.8.

PLACE OF ENTERTAINMENT AND RECREATION means a *premises* used as one or more of the following: *billiard hall; bingo hall; bowling alley; club; cultural facility; exhibition hall; games arcade; health studio; private park; sports facility; theatre*. It does not include a *carnival* or *golf course*.

ART GALLERY means a *cultural facility*.

BILLIARD HALL means any *building* where a *minimum* of two of the following are provided and maintained for public use: *billiard table; pool table; bagatelle table; any combination thereof*.

BINGO HALL means a *building* used as a *main use* for the operation of a bingo lottery. A *games arcade, gaming facility* or *private park* is not a *bingo hall*.

BOWLING ALLEY means a *building* where a *minimum* of two bowling lanes are provided and maintained for public use, and may include as an *accessory use*, a *games arcade* and the rental, repair or sale of bowling goods and services. It does not include lawn bowling, bocce or any bowling-type game played outdoors.

CLUB means a *building* used exclusively by a chartered non-profit organization for a social, cultural, recreational, philanthropic or patriotic purpose.

CULTURAL FACILITY means a *premises* used for the acquiring, assembling, conserving, displaying, exhibiting, interpreting, and studying of works of art, works or artefacts of historical significance, scientific material and specimens, and other objects, and may include in combination with, an *exhibition hall* or *theatre*. An art gallery, museum, or science centre is a *cultural facility*. An *adult entertainment parlour, carnival, club, entertainment lounge, professional studio, or public hall* is not a *cultural facility*.

EXHIBITION HALL means a *building* used for exhibiting, showing or presenting any one or more of the following: the work or product of an artist, a crafts person, a farmer or a manufacturer; the skills of a performer; objects of general interest.

GAMES ARCADE means a *building* where a *minimum* of four electronic or mechanical games of skill or chance may be played. A *billiard hall, bingo hall, gaming facility* or *sports facility* is not a *games arcade*.

HEALTH STUDIO means a *building* used for athletic or fitness instruction in combination with facilities for exercise or athletic training. It may include as an *accessory use*, one *retail store* for the sale of athletic equipment provided that the *gross floor area* of the *retail store* does not exceed 25.0 percent of the *gross floor area* of the *health studio*.

MUSEUM means a *cultural facility*.

PRIVATE PARK means a *sports facility*.

SPORTS FACILITY means *premises* that is not maintained by the *City of Windsor* or a *public authority* and that is used for athletic, fitness, recreation, sport or similar purposes and may include in combination with a *health studio*. A *private park* is a *sports facility*. A *golf course* is not a *sports facility*.

THEATRE means a *building* used for the exhibit of a film as defined by the Film Classification Act, 2005, S.O. 2005, c. 17 or the presentation of the performing arts. A *cinema* or a *playhouse* is a *theatre*. An *adult entertainment parlour* is not a *theatre*.

PLACE OF WORSHIP means a *building*, including but not limited to a chapel, church, gurdwara, longhouse, mandir, mosque, synagogue and temple, used for religious worship and related religious, social and charitable activities, and may include as an accessory use within the place of worship, a hall, auditorium, *office* of a faith leader, or a *dwelling unit* for a faith leader. A church or church hall is a *place of worship*.

PORCH means a *structure*, with a floor and a fixed roof directly above, primarily intended to provide sheltered access to a *building*. It may include perimeter guardrails, a door, seasonal screens or windows.

PREMISES means a *lot, building, structure* or any combination thereof where a *use* is carried on.

PRINT SHOP means a *building* used to provide binding, collating, duplicating, engraving, graphic design, or printing services to the general public. It may also include the following as an *accessory use*: faxing, mailbox, packing, scanning, shipping, or shredding services, and the sale of office supplies and packaging materials.

PRIVATE HOME DAY CARE means unlicensed child care, five children or less, as described in the Child Care and Early Years Act, 2014, S.O. 2014, c.11 Sched.1.

PROFESSIONAL STUDIO means a *building* used for any one or more of the following: instruction in dance, film, movie, music, or video production, fine arts, photography, or other artistic endeavour; design studio; interior decorator's studio; film, movie, or video studio; photography studio; portrait studio; recording studio. It may include a *business office* in combination with any of the preceding uses. A *cultural facility, health studio, personal service shop, or retail store* is not a *professional studio*.

PUBLIC AUTHORITY means a district school board, public library board, board of health, police services board or any other board, commission, committee or authority established or exercising any power or authority under any general or special statute of Ontario with respect to the affairs or purposes of the *City of Windsor*.

PUBLIC HALL means a *building* used as a *main use* on a temporary basis for scheduled activities, events, functions or gatherings. It may include the consumption of food and beverages and the provision of entertainment. An assembly hall, banquet hall or private hall is a *public hall*. An *entertainment lounge, exhibition hall, place of entertainment and recreation, place of worship, professional studio, restaurant, restaurant with drive-through, or theatre* is not a *public hall*.

PUBLIC LIBRARY means a *building* used to circulate a collection of materials on a temporary basis to the public for the purposes of education, recreation, reference, and study, and may include a classroom, learning, innovation and creating station, meeting room, self-publishing service, study area, or training facility. A library that is part of a private establishment or a *school* is not a *public library*.

PUBLIC PARK means a *lot*, with or without *buildings*, used for public recreation and/or special events and maintained by the *City of Windsor* or a *public authority*.

PUBLIC PARKING AREA means one or more of the following:

1. a *parking area* which is a *main use* and is not accessory to any other permitted *use*;
2. a *parking area* which is accessory to a permitted *use*, but is not located on the same *lot* as the use it is intended to serve;

PUBLIC UTILITY means Hydro One or any corporation that distributes or provides any one or more of the following services or commodities to the public: cable television, electricity, internet, natural gas, telegraph, telephone, water, wireless telephone (cell phone).

Q

QUARRY means a quarry as defined by the Aggregate Resources Act, R.S.O. 1990, c. A.8.

QUONSET HUT means a prefabricated *structure* having a semicircular cross section (“full arch” design) or a curved roof with straight walls cross section (“mailbox” design), and occupying an area greater than 10.0 m².

R

RAILWAY means a railway as defined in the Canada Transportation Act, S.C. 1996, c. 10.

REFUSE BIN means a refuse receptacle designed so as to be emptied mechanically by a commercial refuse collection vehicle.

REGULATION means a provision in this by-law.

REPAIR SHOP - HEAVY means a *building* used for any maintenance, repair, or servicing activity, including an *automobile collision shop*, *automobile detailing service*, or *automobile repair garage*, and, as an *accessory use*, the fabrication of parts necessary for the maintenance, repair, or servicing activity offered. All activities must be conducted entirely within an enclosed *building*. A heavy repair shop is a *repair shop - heavy*.

REPAIR SHOP - LIGHT means a *building* used for the maintaining or repairing of a good for household and personal use such as an appliance, assistive device, bicycle including power-assisted bicycle, clock, furniture, jewellery, lawn and garden equipment, luggage, musical instrument, sporting good, or watch. It does not include the maintaining or repairing of a *motor vehicle*. A light repair shop is a *repair shop - light*. An *automobile collision shop*, *automobile detailing service*, *automobile repair garage*, *contractor’s office*, *personal service shop* or *service station* is not a *repair shop - light*.

REQUIRED means mandated by this by-law.

RESEARCH AND DEVELOPMENT FACILITY means *premises* used for the development, experimentation, investigation, research, or testing of products, services or technology and includes industrial research or an industrial training facility. It does not include the manufacture or sale of products except as incidental to the facility. A scientific laboratory or a research facility is a *research and development facility*.

RESTAURANT means a *building* used for the preparing and serving of food and/or beverage to customers for immediate consumption within the *building* or within a physically defined open air sit down eating area located on the same *lot*. It may include as an *accessory use*, the preparing and selling of food or beverage for consumption off the premises, and entertainment exclusive of a dance floor. It does not include a *food outlet – drive-through*.

RESTAURANT WITH DRIVE-THROUGH means a *restaurant* having a *food outlet - drive-through* in combination therewith.

RETAIL STORE means premises used for the lease, rental or retail sale of goods and may also include a *bake shop*, *convenience store*, *food convenience store*, *grocery store*, *pawnshop*, *pet shop*, or *pharmacy*. It does not include the processing, manufacture or assembly of a good or the sale of a bus, construction equipment, farm tractor, equipment or implement, motor vehicle, truck or vehicle of the tractor trailer or semi-trailer type, or other heavy equipment. An *automobile sales lot* or *motor vehicle dealership* is not a *retail store*.

RETAIL STORE – EQUIPMENT & SUPPLIES means a *building* or *structure* used for the sale of any of the following: building materials and supplies; home and garden maintenance and repair equipment; home furnishings and appliances; machinery and machine parts; motor vehicle parts; nursery products; recreational products; tools.

S

SALVAGE OPERATION means *premises* used for the crushing, dealing, processing, receiving, recovering, recycling, reusing, salvaging, or storing of scrap or salvage material. It may include a *motor vehicle salvage operation* and, as an *accessory use* the resale or remanufacture of salvage material. A general salvage operation or a salvage yard is a *salvage operation*. A *material transfer centre* is not a *salvage operation*.

SCENERY LOFT means an *amenity area* which occupies a fully enclosed room or group of rooms, is located above the uppermost *storey* of a *main building*, is fully and readily accessible to all residential occupants of the *building*, and is not used in whole or in part as a *dwelling unit*.

SCHOOL means a *premises* for teaching and learning established and maintained by a district school board, school authority or as defined by the Education Act, R.S.O. 1990, Chapter E.2, *college*, *university* or a private institution. It does not include a *commercial school*.

COLLEGE means a college of applied arts and technology established under any Provincial Act and may include any organization federated or affiliated with a college of applied arts and technology. It does not include a private career college as defined by the Private Careers Colleges Act, S.O. 2005, Ch. 28.

ELEMENTARY SCHOOL means an elementary school as defined by the Education Act, R.S.O. 1990, Chapter E.2.

SECONDARY SCHOOL means a secondary school as defined by the Education Act, R.S.O. 1990, Chapter E.2.

UNIVERSITY means any university established under any Provincial Act or a Royal Charter and may include any organization federated or affiliated with a university.

SCREENING FENCE means a fence designed and used to visually separate different property uses and to block off views and which is continuous or effectively continuous throughout its entire length in accordance with the provisions of the Fence By-law.

SELF-STORAGE FACILITY means a *building* divided into individual self-contained storage units, which are available to the general public exclusively for the storage of their goods and chattels. A *warehouse* is not a *self-storage facility*.

SERVICE STATION means *premises* used for the retail sale of automotive fuels and products and may also include one or more of the following: *automobile detailing service*; *automobile repair garage*; *car wash automatic*; *car wash coin-operated*.

SHALL means mandatory.

SHIPPING CONTAINER means an industrial, standardized reusable vessel that was:

1. originally or formerly specifically designed for or used in the packing, shipping, movement or transport of freight, articles, goods or commodities; and/or
2. designed for, or capable of being mounted on moved on, a rail car; and/or
3. designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

A cargo container and an intermodal container is a *shipping container*.

STACKING SPACE means an area for the temporary accommodation of a *motor vehicle*.

STOREY means that part of a *building* between any floor and the floor, ceiling or roof next above. Any part of a *storey* exceeding 4.0 m in height is deemed to be an additional *storey* for each 4.0 m, or fraction thereof, of such excess. A *cellar* and that part of a *building* located entirely within a sloping roof and having a ceiling height greater than 2.0 m over a *floor area* less than 50.0 percent of the area of the floor next below, is not a storey.

STORM WATER MANAGEMENT FACILITY means an area designed to handle run-off, including surface water and other drainage, from a period of precipitation. It does not include the handling of sanitary wastewater.

STRUCTURE means anything, including any component part, that is erected, built or constructed and affixed to or supported by the ground.

SUNROOM means an unheated three season room extending into the *rear yard* from the exterior wall of the *dwelling unit* to which it is attached.

SWIMMING POOL means a *structure*, filled or capable of being filled with water, that has a *minimum* depth of water at any point of 610.0 mm and with more than 2.0 m² in potential liquid surface area and that is, or capable of being, used for swimming, diving and/or other recreational purposes. It may include a vessel designed or intended for therapeutic or bathing purposes commonly referred to as a hot tub, whirlpool, hydro massage pool, jetted tub or spa, a pond with a depth of 0.150 metres, any equipment that circulates, heats, or treats the water in a *swimming pool*, hot tub or pond.

It does not include a body of water, pond or a reservoir designed for storm water retention, utilized for agricultural purposes, or as part of a golf course; a privately or publicly owned storm water management facility; a swimming pool regulated by the Ontario Building Code; or an existing natural body of water or stream.

T

TAKE-OUT FOOD OUTLET means a *food outlet – take-out*.

TEMPORARY OUTDOOR VENDOR’S SITE means a *lot* used as an *outdoor storage yard* for the temporary display and retail sale of goods by a vendor licensed as a Hawker/Pedlar Class 1 or Class 2 under City of Windsor Licensing By-law 395-2004. It may include, in combination therewith, a temporary greenhouse, tent or other structure erected and maintained solely for the duration of the licence period, in accordance with the provisions of the licence.

TOURIST HOME means an *ancillary use* that:

1. is located in a *single unit dwelling* that is the principal residence of the tourist home operator;
2. provides sleeping accommodation to the travelling public; and
3. may include the provision of meals.

A bed and breakfast or a guest house is a *tourist home*. A *correctional institution, group home, hotel, private home day care, residential care facility* or a *lodging house* is not a *tourist home*.

TOWING FACILITY means a *premises* used to provide services related to the towing, hauling or recovery of a motor vehicle, trailer, or goods contained within said motor vehicle or a trailer and an *outdoor storage yard* for the storage of a motor vehicle, trailer or goods contained within said motor vehicle or trailer towed or hauled to the premises. A *contractor’s office, loading compound, material transfer centre, salvage operation, transport storage area, or transport terminal* is not a *towing facility*.

TOWING SERVICE means *premises* used to provide services related to the towing, hauling or recovery of a motor vehicle, trailer, or goods contained within said motor vehicle or a trailer. The outdoor storage of a motor vehicle, trailer or goods contained within said motor vehicle or trailer towed or hauled to the premises is prohibited.

U

USE

1. when used as a noun means the purpose for which a *building, lot, premises* or *structure* is designed, maintained or occupied.
2. when used as a verb means anything done by any person or permitted, either directly or indirectly by any person, for the purpose of making use of a *building, lot, premises* or *structure*.

ACCESSORY USE means a *use* which is customarily incidental, subordinate and exclusively devoted to the *main use* and is carried on with such *main use* on the same *lot*.

AGRICULTURAL USE means the cultivation of land, the production of crops and the selling of such product on the *premises*, and the breeding and care of livestock and the selling of such livestock or the product of such livestock raised on the *premises*, including aviaries, apiaries, fish farming, worm farming, animal husbandry, and the raising and harvesting of field, bush, tree or vine crops, market gardening, nurseries, and a *greenhouse*. It does not include a mushroom farm or a facility for the permanent or temporary housing of persons employed on the *lot*.

ANCILLARY USE means a *use*, other than an *accessory use*, which complements or otherwise provides a service to the *main use* of the *zoning district* in which it is located.

FORESTRY USE means the raising and harvesting of wood, including the raising and cutting of fuel wood, pulp wood, lumber, and other forest products.

INDUSTRIAL USE means, unless specifically prohibited, one or any combination of the following:

1. One or more *main use* identified as an industrial activity in Section 3.10
2. One or more of the following *main uses*:

<i>Automobile Collision Shop</i>	<i>Medical Appliance Facility</i>
<i>Automobile Detailing Service</i>	<i>Repair Shop – Heavy</i>
<i>Automobile Repair Garage</i>	<i>Research and Development Facility</i>
<i>Bakery</i>	<i>Warehouse</i>
<i>Confectionary</i>	<i>Welding Shop</i>
<i>Contractor’s Office</i>	<i>Wholesale Store</i>
3. One or more of the following activities as a *main use*:
 - Assembling
 - Constructing
 - Manufacturing
 - Packaging
 - Processing
 - Producing
 - Shipping

AGGREGATE STORAGE FACILITY is an industrial activity and means *premises* used for the storage or distribution of *aggregate*, concrete products or pre-mixed concrete.

ANIMAL PROCESSING FACILITY is an industrial activity and means *premises* used for any one or more of the following:

1. Keeping of livestock for feeding, selling, shipping, slaughter, or sorting in a confined area but not including land used for grazing;
2. Slaughtering of livestock and the preliminary processing of animal carcasses including cleaning and eviscerating; or
3. Processing of animal by-product materials for the production of bone meal, fat, grease, lard, meat, oil, tallow, or similar products.

An abattoir, feeding pen, rendering plant, slaughterhouse, or stockyard is an *animal processing facility*.

BATCHING PLANT is an industrial activity and means a *building* or *structure* used for the production of asphalt, asphalt products, concrete, or concrete products. It includes the storage of materials used in the production process or of finished products manufactured on the premises, and the storage and maintenance of required equipment. It does not include the retail sale of asphalt or concrete products. A hot mix plant or ready mix plant is a *batching plant*.

BULK STORAGE FACILITY is an industrial activity and means a *premises* used for the storing and distribution of a liquid or gas. A bulk fuel depot, fuel storage tank farm, storage tank, or tank farm is a *bulk storage facility*.

DISTILLATION PLANT is an industrial activity and means a *premises* used for the distillation of bones, coal, petroleum, tar, or any of their products.

FOOD PACKAGING FACILITY is an industrial activity and means a *building* used for the packaging of food or beverage into a receptacle in which the food or beverage is held or carried, and may include the incidental processing, such as cutting, freezing, or mixing of raw ingredients, food, or beverage for the sole purpose of packaging. The food or beverage is not consumed on the premises.

FOOD PROCESSING FACILITY is an industrial activity and means a *building* used for the processing of raw ingredients, food or beverage into a form for further processing or packaging or into a form ready for consumption or cooking, or for the packaging of food or beverage into a receptacle in which the food or beverage is held or carried, and includes a *bakery* or *confectionary*. The food or beverage is not consumed on the premises. The following uses are not a *food processing facility*: *animal processing facility, distillation plant, food catering service, food outlet – take-out, food outlet – drive-through, milling facility, restaurant, or restaurant with drive-through*.

LAUNDRY PLANT is an industrial activity and means a *building* used for the cleaning, dyeing, drying, ironing and finishing of articles or goods of fabric. A laundromat, dry cleaning depot, or a dry cleaning operation having a maximum GFA of 275.0 m² is not a *laundry plant*.

LOADING COMPOUND is an industrial activity and means a *lot* used for the marshalling, sorting, loading and unloading of automobiles, trucks, and other vehicles for shipment to other destinations, within a defined or enclosed area, and which may contain fixed ramps or other such devices for the purpose of loading or unloading automobiles, trucks and other vehicles. An *outdoor storage yard, parking area, or transport storage area* is not a *loading compound*.

MANUFACTURING FACILITY is an industrial activity and means *premises* used to:

Assemble, construct or repair advertising structures, billboards, electrical products, industrial equipment, professional equipment, scientific equipment, or signs;

Manufacture from any of the following materials: cannabis, fur, glass, leather, paper, plastic, rubber and rubberized product, textile, tobacco, wood, or yarn;

Manufacture or repair of ceramics, cosmetics, cutlery, dies, drugs, fixtures, jewellery, jigs, machine tools, moulds, musical instruments, parts, patterns, pharmaceutical products, metal products, toiletries, or toys;

Manufacture or application of protective coatings;

Bind, blueprint, duplicate, engrave, print, publish, stereotype, or typeset products, and may also include the developing and processing of film, and the printing of photographs.

A batching plant, distillation plant, food packaging facility, food processing facility, laundry plant, manufacturing heavy, milling facility, motor vehicle assembly plant, or primary metals plant is not a manufacturing facility.

MANUFACTURING HEAVY is an industrial activity and means *premises* used to manufacture any of, or product from, the following: abrasives, acid, alkali, ammunition, cement, clay, cleaning compound, coal, concrete, explosives, feed, fertilizer, gypsum, lime, mineral wool, plaster, plywood, pulp, railroad rolling stock, resin, or veneer, and includes a boiler works, brick refractory, coke oven, metal plateworks, petroleum refinery, sawmill, or tannery.

MATERIAL TRANSFER CENTRE is an industrial activity and means *premises* used for the packaging, recovering, recycling, reselling, salvaging, and/or transferring of materials from commercial, consumer, and industrial products. It does not include liquids, *motor vehicle*, *motor vehicle* parts, or waste as defined by Section 25 in the Environmental Protection Act, R.S.O. 1990, c. E. 19. All activities take place entirely within a *building*. Products and materials are stored entirely within a *building* or, where permitted by this by-law, in an *outdoor storage yard*. A *salvage operation*, *motor vehicle salvage operation*, or waste disposal site is not a *material transfer centre*.

MILLING FACILITY is an industrial activity and means *premises* used to dehull, dehusk, or grind grains or rice, or to crush or bruise oil-bearing seeds or other oil-rich vegetable material, and includes the polishing of grains and the mixing of grains, oils, rice, seeds, or vegetable material. A flour mill, oil mill, or rice mill is a *milling facility*.

MOTOR VEHICLE ASSEMBLY PLANT is an industrial activity and means *premises* used to manufacture and assemble automobiles, trucks and other vehicles, and related parts and accessories. It does not include a *loading compound*.

POWER GENERATION FACILITY is an industrial activity and means *premises* used to generate electricity and may include a power distribution station or a transformer station.

PRIMARY METALS PLANT is an industrial activity and means *premises* used for the production of primary iron or steel, including billet rolling, casting, iron making, product rolling, or steel making. A blast furnace, foundry, integrated steel mill, smelter, or steel mill is a *primary metals plant*.

TRANSPORT TERMINAL is an industrial activity and means *premises* used to dispatch, park, repair, service, or store freight-carrying trucks and trailers including a *transport truck* and a *transport trailer*, and may include as an *accessory use*, the loading or unloading of goods or freight to or from, or transferring of goods or freight between, said trucks and trailers. A truck transportation facility or truck terminal is a *transport terminal*. A *loading compound*, *motor vehicle dealership*, *outdoor storage yard*, *parking area*, or *towing facility* is not a *transport terminal*.

TRANSPORT STORAGE AREA means that portion of a *transport terminal* located outdoors used to load, manoeuvre, park, repair, service, store, or unload a *transport truck* or *transport trailer*. A *loading compound*, *loading space*, *motor vehicle dealership*, *outdoor storage yard*, *parking area*, or *towing facility* is not a *transport storage area*.

WATER TRANSPORTATION FACILITY is an industrial activity and means *premises* used to fuel, load, maintain, repair, service, or unload a boat, ship, or floating vessel, and may include a *structure* for the mooring of a boat, ship, or floating vessel, attached to or forming part of the mainland or used in conjunction with a use on the mainland. A private or public dock is a *water transportation facility*. A *marina* is not a *water transportation facility*.

WELDING SHOP is an industrial activity and means a *building* or *structure* used for the welding of pieces of metal, and may include as an *accessory use* the lease, renting, sale, or service of welding related accessories, equipment, or materials.

MAIN USE means the principal *use* or *uses* of a *building*, *lot*, *premises* or *structure*.

V

VETERINARY CLINIC means a *veterinary office*.

VETERINARY OFFICE means the *office* of a veterinarian or veterinary surgeon and may include the boarding of animals and pets for medical treatment. It does not include a kennel or the boarding of animals and pets for non-medical purposes. A veterinary clinic is a *veterinary office*.

W

WAREHOUSE means a *building* used for the storage of parts, materials, equipment or other goods and products and may include their loading, unloading, packaging, repacking, or unpacking. A *self-storage facility* or *transport terminal* is not a *warehouse*.

WHOLESALE STORE means a *building* used for the sale of goods exclusively for resale, manufacture or construction, but does not include the processing, manufacturing, or assembling of those goods.

WORKSHOP means part of a *building* where goods are crafted, assembled and packaged exclusively for sale in a *retail store* or a *wholesale store* located in the same *building*.

Y

YARD means an open space, which is located on the same *lot* as a *building* or other *structure*, and is unoccupied and unobstructed from ground to sky except for any encroachments not prohibited by this by-law.

EXTERIOR SIDE YARD means the *side yard* of a *corner lot* between an exterior *side lot line* and the nearest wall of a *main building* on such *lot*.

FRONT YARD means a *yard* extending across the full width of a *lot* between the *front lot line* and the nearest wall of a *main building* on such *lot*.

LANDSCAPED OPEN SPACE YARD means a *yard* used for *landscaped open space*, patios, terraces, decks and pedestrian walkways.

OUTDOOR STORAGE YARD means a *yard* which has a *minimum* area of 10.0 m² and is used for storage. A *loading compound*, *parking area*, *transport storage area*, or *transport terminal* is not an *outdoor storage yard*.

REAR YARD means a *yard* extending across the full width of a *lot* between the *rear lot line* or the intersection of the *side lot lines*, and the nearest wall of a *main building* on such *lot*.

REQUIRED YARD means for the purpose of Section 5.35 any of *required front yard*, *required rear yard*, *required side yard*, or *required landscaped open space yard*.

SIDE YARD means a *yard* extending from the *front yard* to the *rear yard* between the *side lot line* and the nearest wall of the *main building* on such *lot*.

Z

ZONING DISTRICT means any zoning district established by this by-law.

COMMERCIAL DISTRICT means any *zoning district* in Section 14, 15, 16 or 17.

DEVELOPMENT RESERVE DISTRICT means any *zoning district* in Section 8.

GREEN DISTRICT means any *zoning district* in Section 9.

INDUSTRIAL DISTRICT means any *zoning district* in Section 18 or 19.

INSTITUTIONAL DISTRICT means any *zoning district* in Section 13.

RESIDENTIAL DISTRICT means any *zoning district* in Section 10, 11 or 12.

SECTION 4 - OFFENCES

(DELETED & REPLACED by B/L 31-2013, March 28, 2013)

SECTION 5 – GENERAL PROVISIONS

(AMENDED by B/L 274-1998, Oct. 2, 1998; B/L 31-2013, March 28/2013; DELETED By B/L 117-2016, Dec. 28, 2016; ADDED by B/L 177-2016, Dec. 28, 2016)

5.1 APPLICATION

- 5.1.1 The provisions in this Section apply to all lands, buildings and structures subject to this by-law, unless otherwise stated in this by-law.
- 5.1.5 “Supplementary Use Regulations”, “Supplementary Building Regulations”, “Supplementary Lot Regulations” and “Supplementary Lot Provisions” shall mean the “General Provisions” in Section 5.

5.2 PROHIBITIONS

- 5.2.10 The erection of a *building* or *structure* on a *lot* is prohibited except where all of the following are available: a *street* paved to the satisfaction of the City Engineer; municipal storm water outlet; municipal sanitary sewer; municipal electrical service; and municipal water service.
- Notwithstanding the foregoing, a building permit may be issued for a *building* or *structure* provided that the *lot* upon which the *building* or *structure* is proposed to be located is within a registered plan of subdivision in which the *street* has not been assumed by the *City of Windsor* but in which the *street* is to be assumed under the terms of a registered subdivision agreement or a servicing agreement.
- 5.2.20 The following are prohibited in any *zoning district*:
- .1 A *dwelling unit* having a *gross floor area* of less than 40.0 square metres;
 - .2 A *hotel*, motor home, recreational vehicle, tent trailer or travel trailer as a *dwelling unit*;
 - .3 A rifle, pistol, skeet or trap shooting range;
 - .4 A *motor vehicle* racetrack;
 - .10 In any *yard*, except within a permitted *outdoor storage yard*, the outdoor storage of building materials or construction equipment unless said materials and equipment are necessary for the construction or renovation on the *lot* of any *building* or *structure* for which a building permit has been issued.
 - .20 In any *required yard*, a refuse bin unless incidental to the erection, renovation or demolition of structures or the removal of waste on the same *lot*.
- 5.2.30 The following are prohibited in any *development reserve district* or *residential district*:
- .1 A communications antenna in any *front yard*. [ZNG/4968]
(AMENDED by B/L 170-2018, December 19, 2018)
 - .5 A *quonset hut*, save and except for a *quonset hut* lawfully existing on a *lot* prior to October 20, 2011.
 - .6 An addition to, or the expansion or replacement of, an existing *quonset hut*.
 - .10 A *shipping container* used as a *main building* or as an *accessory building* on a *lot*, save and except for the temporary placement of a *shipping container* in connection with, and during, the erection, renovation or demolition of *structures* on said *lot*.
 - .20 The parking of a *motor vehicle* used for a commercial purpose on a *lot* for a period of time longer than is necessary for the loading or unloading of such motor vehicle or for a period of time longer than such vehicle is required in connection with the performance of a service on the same *lot*.
 - .30 In a *required front yard*, the parking or storing of a boat, a travel, boat or other trailer, a bus or a recreational vehicle, or a vehicle intended for competitive uses unless such object was parked in the *required front yard* on or before July 1, 2004 and for a boat, travel, boat or other trailer, has a valid licence plate or for a bus or recreational vehicle has a valid licence plate with a valid licence plate sticker.
- 5.2.40 In any *commercial district* or *manufacturing district*, the conversion of a *dwelling* in whole or in part to a non-residential use by any addition to the front or side of the *dwelling* is prohibited.

5.4 HOLDING ZONE PROVISIONS

5.4.1 The purpose of the holding zone is to defer development or redevelopment until such time as specified conditions have been satisfied. A holding zone may supplement, alter, add or remove any of the By-law provisions affecting the use of the land.

5.4.10 Where the H symbol precedes any *zoning district* symbol or a specific zoning exception, a *use, building or structure* is prohibited except:

- .1 For any *use, building or structure* erected, operated or maintained by the *City of Windsor, a public authority or a public utility*;
- .2 For an *existing use, building or structure* that is permitted by the applicable *zoning district* or a specific zoning exception that the H symbol precedes, additions or alterations to *existing buildings* are permitted and/or structures and accessory buildings may be erected, provided such additions, alterations, structures, or accessory buildings are in accordance with the provisions of the *zoning district, specific zoning exception* and all other provisions of this by-law.

5.4.15 It is the responsibility of the property owner or their designate to satisfy the conditions of the holding zone and to make application to remove the H symbol.

5.4.20 Where the H symbol precedes a *zoning district* symbol or a specific zoning exception, the H symbol may be removed when the following conditions are satisfied:

- .1 The property is on a registered plan of subdivision or condominium, subject to a part lot control exemption by-law or subject to an approved consent to sever by the Committee of Adjustment;
- .2 A street paved to the satisfaction of the City Engineer, municipal storm water outlet, municipal sanitary sewer, municipal electrical service and municipal water service are available or an agreement to provide the aforementioned items is registered on title to the property;
- .3 Where required by legislation, full compliance with remediation/mitigation recommendations in a required study, report or plan to the satisfaction of the appropriate approval authority, or an agreement registered on title to the property to comply with the remediation/mitigation recommendations;
- .4 Where required, a site plan control agreement is registered on title to the property; and
- .5 Other holding zone conditions contained within an approved amending zoning By-law.

5.6 CONVEYANCE OR EXPROPRIATION

5.6.1 If a conveyance required by a Federal, Provincial or Municipal government, or an expropriation by an expropriating authority:

- .1 causes an *existing lot, existing building, or existing structure* to contravene any provisions of this By-law, that *existing lot, existing building or existing structure* shall be deemed to comply with the provisions of this By-law despite such land conveyance;
- .2 causes *required parking spaces* on a *lot* to be removed; the *required parking spaces* that remain are deemed to satisfy the parking space requirements of this By-law for the *existing building or existing structure* and permitted *uses* that were on the *lot* on the day before the land conveyance or expropriation occurred.

5.6.5 Where Section 5.6.1.1 applies and a new *building or structure* or an expansion to an existing *building or structure* is proposed all zoning provisions shall be calculated using the original lands in existence immediately prior to the conveyance or expropriation.

5.8 CITY OF WINDSOR, PUBLIC AUTHORITY & PUBLIC UTILITY – PERMITTED USES

5.8.1 CITY OF WINDSOR AND PUBLIC AUTHORITY

A *lot* may be used for any *use* of the *City of Windsor* or a *Public Authority* provided that all *buildings* and *structures* shall comply with the least restrictive provisions of the *Zoning District* in which they are located in, save and except that an *Elementary School* shall comply with Section 13.1.5 and a *Secondary School* shall comply with the provisions of Section 13.2.5.

[ZNG/5271]

(AMENDED by B/L 7-2018, Feb. 23, 2018)

5.8.5 PUBLIC UTILITY

A *lot* may be used for any use of a *public utility* provided that:

1. All *buildings* comply with the least restrictive provisions of the *zoning district* in which they are located;
3. Any *structure*, not including a *building*, may be erected for the purposes of the distribution of a service or commodity provided by a *public utility*, without restriction as to height, except in any *residential district* where the *maximum* height of the *structure* shall be 20.0 m; and
5. In any *development reserve district* or *residential district*, an *outdoor storage yard* is prohibited. In all other *zoning districts*, an *outdoor storage yard* is permitted.

5.10 ACCESSORY BUILDING

5.10.1 On a *through lot*, an *accessory building* shall have a minimum setback from the *rear lot line* equal to the minimum *front yard* depth required for a *main building* on the *lot*.

5.10.3 The minimum separation between the closest wall of an *accessory building* and the closest wall of a *dwelling* located on the same *lot* shall be 2.50 m. Permitted encroachments are excluded in calculating the minimum separation.

5.10.5 For a *carport* located within a *parking area*, the provisions of Section 25.20 shall apply.

5.10.7 In any *development reserve district*, *residential district* or *institutional district*, an *accessory building* including a detached *garage* or a detached *carport* shall be permitted in a *rear yard* or a *side yard* and shall have a minimum separation of 0.60 metres from a *rear lot line* or *side lot line*. Any eaves or gutters on the *accessory building* shall have a minimum separation of 0.30 metres from a *rear lot line* or *side lot line*.

5.10.9 In any *development reserve district* or *residential district*:

- .1 For an *accessory building* with a flat roof, a roof having a slope of less than 20.0 degrees, or a roof with at least two contiguous slopes where the lowest slope is greater than the uppermost slope, the maximum *building height* shall be 3.0 metres from *grade*. [ZNG/4968]
(AMENDED by by-law 170-2018, Dec. 19/2018)
- .2 For an *accessory building* with a roof other than described in Section 5.10.9.1, the maximum *building height* shall be 5.50 metres from *grade*. [ZNG/4968]
(AMENDED by by-law 170-2018, Dec. 19/2018)

.10 The maximum *lot coverage* for all *accessory buildings* shall be 10% of the *lot area*.

In any DRD1., RD1. or RD2. *zoning district*, the percent coverage of all *accessory buildings* is included in the total *lot coverage* permitted on a *lot*.

In any RD3. *zoning district*, the percent coverage of all *accessory buildings* is in addition to the maximum *lot coverage* or maximum *main building lot coverage* permitted on a *lot*.

.15 Notwithstanding 5.10.9.10, on a *lot* having a *lot area* of less than 370.0 square metres, the maximum *lot coverage* for all *accessory buildings* on such *lot* shall equal 37.0

square metres. For the purpose of calculating the percentage of *lot coverage* available for a *main building*, the percentage of *lot coverage* for *accessory buildings* is either the percent of actual *lot area* covered by *accessory buildings*, or 10%, whichever is lesser.

5.10.11 In any *Institutional District*:

.1 The maximum *building height* of an *accessory building* shall be 4.50 metres from *grade*;

.5 The maximum *lot coverage* for all *accessory buildings* shall be 10% of the *lot area* and the percent coverage of all *accessory buildings* is in addition to the maximum *lot coverage* or maximum *main building lot coverage* permitted on a *lot*. [ZNG/5270]

(ADDED by B/L 164-2017, Dec. 7, 2017)

5.11 CARPORT / GARAGE

5.11.1 Where vehicular entry to a *carport* faces an *exterior lot line*, or a wall of a *garage* faces an *exterior lot line*, vehicular entry to the *carport* or along said wall of the *garage* shall be setback a minimum of 6.0 metres from such *exterior lot line*.

5.11.5 In any *residential district*, for a *single unit dwelling*, *semi-detached dwelling*, *duplex dwelling* or *townhome dwelling*, the maximum width of a *carport* or *garage* forming part of the *main building* shall not exceed 60.0 percent of the maximum permitted width of the *main building* on the *lot*.

5.15 CORNER LOT

5.15.1 On a *corner lot*, for an *accessory structure* that is setback less than 6.0 metres from the *rear lot line*, where an *exterior side lot line* of a *corner lot* meets the *front lot line* of an abutting *lot*, the *minimum* setback for an *accessory structure* from the *exterior side lot line* shall equal the *minimum front yard depth required* on the abutting *lot*.

5.15.5 On a *corner lot*, any part of any *building* or *structure* shall have a minimum separation of 6.0 metres from the point of intersection of any two streets unless:

- .1 that part of the *building* or *structure* is elevated a *minimum* of 2.20 metres above *grade*;
- .2 that part of the *building* or *structure* consists exclusively of not more than one structural support column having a *maximum* outside diameter of 1.0 metre and a *minimum* height of 2.20 metres above *grade*.

5.20 DWELLING - ADDITION TO EXISTING SINGLE UNIT DWELLING

5.20.1 In any *residential district*, for an *existing single unit dwelling* where the:

- .1 *minimum side yard width* that is less than required by this by-law, any addition shall be setback:
 - .1 a *minimum* of 1.0 metres from an *interior side lot line*; and
 - .2 a *minimum* distance equal to the *existing side yard width* from an *exterior side lot line*.
- .5 *minimum lot frontage* or *minimum lot area* is less than required by this by-law, an addition to such *dwelling* may be erected provided that the *minimum lot area* is 275.0 square metres and that the addition is in compliance with all other provisions in this by-law.

5.22 DWELLING – SEMI-DETACHED – ADDITIONAL PROVISIONS

(DELETED by B/L 95-2018, August 21, 2018)

5.23 DWELLING – SEMI-DETACHED & TOWNHOME – ADDITIONAL PROVISIONS [ZNG/5389]

- 5.23.1 For a *dwelling unit* in a *semi-detached dwelling* or in a *townhome dwelling*, a door that opens to the *rear yard* shall be located a minimum of 1.20 m from the centreline of the common wall between the *dwelling units*.
- 5.23.5 When a *lot* on which a *semi-detached dwelling* or *townhome dwelling* has been erected and is subsequently severed by a common *interior lot line* that separates the *dwelling units*, for each *dwelling unit* the following additional provisions shall apply:
- .1 Lot Width – minimum – equal to the width of the *dwelling unit* plus any *exterior side yard* as existing at the time of the lot severance
 - .2 Lot Area – minimum – as existing at the time of the lot severance
 - .3 Lot Coverage – Total – maximum – 50% of *lot area*
 - .7 An *interior side yard* shall not be required along the common *interior lot line* for that part of the *dwelling unit* lawfully *existing* at the time of the lot severance”

(ADDED by B/L 95-2018, Aug. 21, 2018)

5.24 DWELLING - TOWNHOME – ADDITIONAL PROVISIONS (DELETED by B/L 95-2018, August 21, 2018)

5.30 ENCROACHMENT INTO A YARD

- 5.30.1 Unless otherwise specified in Table 5.30.10, an encroachment is permitted into any *yard* not *required* by this By-law subject to the minimum separation provisions in Table 5.30.10 and any other applicable provisions in this By-law for that encroachment.

Example: A homeowner wants to build a *deck* with a height of 1.30 metres in their *rear yard*. The *dwelling* is zoned RD1.1, which requires a minimum *rear yard* depth of 7.50 metres. Therefore, the *required rear yard* is 7.50 metres measured from the *rear lot line*.

The nearest wall of the *dwelling* is located 11.0 metres from the *rear lot line*. A *deck* is permitted within this 3.50 metre deep *rear yard* area subject to the minimum separation provisions for that encroachment and any applicable provisions such as *lot coverage*.

Per Table 5.30.10.37, that *deck* may extend a further 2.50 metres into the *required rear yard* subject to the minimum separation provisions and any other applicable provisions, creating a *deck* with a maximum depth of 6.0 metres in the *rear yard*.

- 5.30.5 Notwithstanding the provisions of Section 5.30:
- .1 An encroachment, except for a *building* projection located a minimum of 3.0 metres above the *ground*, is prohibited into a *access area*, *driveway*, *parking area* or *parking space*.
 - .3 If a *required yard* is not specified in Table 5.30.10, the encroachment is prohibited within that unspecified *required yard*.
 - .5 If a *lot line* is not specified in Table 5.30.10, no separation is required from that unspecified *lot line*.
 - .7 If an existing *yard* depth or existing *yard* width is less than that required by this by-law, the maximum encroachment into that *yard* shall be measured from the closest wall of the *main building* facing that *yard*. [ZNG/5389]
(ADDED by B/L 95-2018, Aug. 21/2018)
 - .9 For a *dwelling unit* in a *townhome dwelling* where an encroachment identified in clauses .25, .36 and .90 in Table 5.30.10 is located within a *rear yard* or a *side yard*, a minimum separation from an *interior side lot line* is not required. [ZNG/5389]
(ADDED by B/L 95-2018, Aug. 21/2018)

- 5.30.10 The permitted encroachments are listed in Table 5.30.10:

TABLE 5.30.10 – ENCROACHMENT INTO A YARD				
Type of Encroachment	Maximum Encroachment Into		Minimum Separation From	
	Yard	Metres	Lot Line	Metres
.1 <i>Architectural Feature</i> into a <i>required yard</i> of less than 1.20 metres in width or depth	Any <i>required yard</i>	0.30 m	n/a	n/a
.2 <i>Architectural Feature</i> into a <i>required yard</i> of 1.20 metres or more in width or depth	Any <i>required yard</i>	0.60 m	n/a	n/a
.10 Balcony	<i>Required front yard</i> or <i>required rear yard</i>	1.50 m	n/a	n/a
	<i>Required side yard</i>	25% of the <i>required side yard width</i>		
.15 Bay Window	<i>Required front yard</i> or <i>Required rear yard</i>	1.00 m	<i>Side lot line</i>	1.20 m
	<i>Required side yard</i>	0.30 m		
.20 Below Grade Entrance Pad and Steps Leading Thereto	<i>Required front yard</i> or <i>Required rear yard</i>	2.50 m	<i>Side lot line</i>	1.20 m
	<i>Required side yard</i>	No Limit		
.25 Central Air Conditioning Unit including the components of a heating, ventilation or air conditioning (HVAC) system	<i>Required rear yard</i> or <i>Required side yard</i>	No Limit	<i>Side lot line</i>	0.60 m
.35 Deck – part of a <i>deck</i> having a floor height of 0.30 metres or less above the <i>ground</i>	Any <i>required yard</i>	No Limit	n/a	n/a
.36 Deck – part of a <i>deck</i> having a floor height of greater than 0.30 metres and less than 1.20 metres above the <i>ground</i>	<i>Required front yard</i>	2.50 m	Any <i>lot line</i>	1.20 m
	<i>Required rear yard</i> or <i>Required side yard</i>	No Limit		
.37 Deck – part of a <i>deck</i> having a floor height of 1.20 metres or more above the <i>ground</i>	Any <i>front yard</i> or <i>Required rear yard</i>	2.50 m	<i>Front lot line</i> <i>Rear lot line</i>	1.20 m
			<i>Side lot line</i>	Minimum <i>side yard width</i> required by the <i>zoning district</i>
.40 Fire Escape	<i>Required rear yard</i>	2.50 m	<i>Side Lot Line</i>	1.20 m
.60 Porch	Any <i>front yard</i> or <i>Required rear yard</i>	2.50 m	<i>Front lot line</i> <i>Rear lot line</i>	1.20 m
			<i>Side lot line</i>	Minimum <i>side yard width</i> required by the <i>zoning district</i>
A <i>porch</i> , that is lawfully in existence on the effective date of this provision and which is located in whole or in part in a <i>front yard</i> , may be repaired or replaced by a new <i>porch</i> with the same dimensions or less into the <i>front yard</i> subject to above the <i>minimum</i> separation requirements.				
.70 Solar Panel and Supporting Structure – <i>residential district</i>	<i>Required rear yard</i>	No Limit	<i>Side lot line</i>	1.20 m
.71 Solar Panel and Supporting Structure - Other <i>zoning district</i>	Any <i>required yard</i>	No Limit	n/a	n/a
.75 Steps – Having a maximum height of 0.30 metres above the <i>ground</i>	Any <i>required yard</i>	No Limit	n/a	n/a
.76 Steps – Having a height of greater than 0.30 metres above the <i>ground</i>	Any <i>required yard</i>	No Limit	Any <i>Lot Line</i>	1.20 m
	Maximum total tread area of 5.0 square metres within a <i>required yard</i> .			
.80 Sunroom	<i>Required rear yard</i>	3.75 m	<i>Side Lot Line</i>	Minimum <i>side yard width</i> required by the <i>zoning district</i>
	Maximum <i>floor area</i> of 15.0 sq. m within the <i>required rear yard</i>			
.90 Wheelchair Ramp or Lift	Any <i>required yard</i>	No Limit	Any <i>Lot Line</i>	1.20 m

5.35 EXCEPTIONS TO MAXIMUM BUILDING HEIGHT PROVISIONS

- 5.35.1 **FIXTURES OR STRUCTURES** - The features or structures listed in Table 5.35.1 may extend above the permitted maximum *building height*, provided that such fixtures or structures are erected only to such height as is necessary to accomplish their purpose:

Antenna	HVAC Equipment	Skylight
Belfry	Mechanical Penthouse	Smokestack
Chimney	Protective Fencing	Solar Panel
Cupola	Satellite Dish	Spire
Fire Wall	Screening Fencing	Water Tank

- 5.35.5 **SCENERY LOFT** - A *scenery loft* shall be an additional permitted facility on a *multiple dwelling* or a *combined use building* provided that the *multiple dwelling* or *combined use building* has a minimum *building height* of 30.0 metres and the *scenery loft* shall have a maximum height of 4.0 metres and a maximum *gross floor area* of 100.0 square metres.

5.37 EXTERIOR FINISHING

- 5.37.1 In any *green district*, *development reserve district* or *residential district*:
- .1 for any *dwelling* with four *dwelling units* or less or any *townhome dwelling*, an exposed flat concrete block wall or an untextured concrete wall may be permitted to a maximum height of 1.0 metre above *grade*.
 - .5 for any other *main building* or a *parking garage*, an exposed flat concrete block exterior wall or an untextured concrete exterior wall, whether painted or unpainted, is prohibited.
- 5.37.5 In any *institutional district*, *commercial district* or *manufacturing district*, for any *building* wall or part thereof that is located less than 100.0 metres and visible from a street or from a lot in a *development reserve district* or a *residential district*, an exposed flat concrete block wall or an untextured concrete wall, whether painted or unpainted, is prohibited.

5.40 FLOOD PROTECTION & NATURAL HAZARDS PROVISIONS

- 5.40.1 The location of any of the areas or lands identified below may be shown on Schedules that form part of the Zoning By-law or on maps maintained by the *Conservation Authority*. These areas or lands are subject to change.

5.40.3 INLAND FLOODPLAIN DEVELOPMENT CONTROL AREA (GENERIC LORA AREA)

.1 FLOODWAY

The construction or reconstruction of any *building* or *structure* within the *floodway* is prohibited.

.3 INLAND FLOODPLAIN DEVELOPMENT CONTROL AREA

Lands that are within the *Inland Floodplain Development Control Area* but outside of the *floodway*, may be used in accordance with the provisions of the underlying *zoning district* in which the lot is located. However, all habitable spaces of *buildings* shall be flood-proofed in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06, to ensure that *building* openings are located above the regulatory flood standard at the *building* location.

.5 WEST LITTLE RIVER INLAND FLOODPLAIN DEVELOPMENT CONTROL AREA

Lands within the *West Little River Inland Floodplain Development Control Area* but outside of the *floodway* may be used in accordance with the provisions of the underlying *zoning district* in which the lot is located. However, all habitable spaces of *buildings* shall be flood-proofed in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06, to ensure that building openings are located above the engineered regulatory flood standard at the building location.

.7 EAST LITTLE RIVER INLAND FLOODPLAIN DEVELOPMENT CONTROL AREA

Lands within the *East Little River Inland Floodplain Development Control Area* but outside of the *floodway* may be used in accordance with the provisions of the underlying zone in which the lot is located. However, all habitable spaces of *buildings* shall be flood-proofed in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06, to ensure that building openings are located above the engineered regulatory flood standard at the building location.

Additionally, no part of any *building* or *structure*, including a private outdoor swimming pool, shall be erected on lands within 15.0 metres from the Little River Flood Control channel breakwall, except a *building* or *structure* associated with drainage works, or for the protection against flooding or erosion.

.9 SETBACKS FROM INLAND WATERCOURSES AND MUNICIPAL DRAINS

No part of any *building* or *structure*, shall be constructed closer to an inland watercourse or municipal drain than the minimum setback distance established by the *Conservation Authority*, measured inland from the *top of bank*; which is typically a distance of 8.0 metres plus the depth from the watercourse, for all *Conservation Authority* regulated watercourses and Municipal drains.

.11 SETBACKS FROM THE GRAND MARAIS DRAIN

No part of any *building* or *structure* shall be constructed closer to the Grand Marais Drain than the minimum setback distance established by the *Conservation Authority*, which is measured inland from the *top of bank*; and typically a distance of 15 metres.

5.40.5 DETROIT RIVER SHORELINE FLOODPRONE AREA

Notwithstanding any other provision of this By-law to the contrary, no part of any building or structure shall be erected on lands located within the Detroit River Shoreline Floodprone Area unless:

- .1 The lowest opening of any such *building* or *structure* has a minimum building elevation prescribed in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06;
- .2 The setback of the nearest wall of any such *building* or *structure* from the shoreline protection, or hardened edge is as prescribed in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06;
- .3 No person shall construct an *accessory building* or *structure* within the prescribed setback limits, except a patio, deck, boat lift, boat well, dock, steps and/or shoreline protective works, provided that the said facilities are constructed as prescribed in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06.

5.40.7 LAKE ST. CLAIR SHORELINE FLOODPRONE AREA

Notwithstanding any other provision of this By-law to the contrary, no part of any *building* or *structure* shall be erected on lands located within the Lake St. Clair Shoreline Floodprone Area unless:

- .1 The lowest opening of any such *building* or *structure* has a minimum building elevation prescribed in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06;
- .2 The setback of the nearest wall of any such *building* or *structure* from the shoreline protection or hardened edge is as prescribed, in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06.
- .3 No person shall construct an *accessory building* or *structure* within the prescribed setback limits, except a patio, deck, boat lift, boat well, dock, steps and/or shoreline protective works, provided that the said facilities are constructed as prescribed in a manner satisfactory to the *Conservation Authority* in accordance with Ontario Regulation No. 158/06.

5.60 RAILWAY RIGHT OF WAY PROVISIONS

5.60.1 On a *lot* abutting one of the following railway rights of way (as shown on the Zoning District Maps) located:

on the south side of the Detroit River Tunnel Partnership (formerly the Canadian National Railway Caso) Line between Walker Road and Sixth Concession Road;

on the north side of the CN Railway Chatham Line between the Little River and the City of Windsor/Town of Tecumseh municipal boundary;

on the west side of the Detroit River Tunnel Partnership (formerly the Canadian National Railway Caso) Line between Cabana Road West and Howard Avenue; or

on the south side of the CN Railway Chatham Line between Lauzon Road and the east limit of the CN Railway Jefferson Yard,

- .1 An earth berm having a minimum height of 2.50 meters and slopes of 2.5 to 1 or greater shall be constructed continuously adjacent to the common boundary line between the lot and the railway right of way and maintained in good practice.
- .2 A minimum separation of 30.0 meters shall be maintained between the railway right-of-way and a residential, commercial, institutional or recreational *use*. In the absence of an earth berm, for an *existing building* only, any addition to the *building* shall have a minimum separation of 60.0 meters from the railway right-of-way.
- .3 A minimum separation of 15.0 meters shall be maintained between the railway right-of-way and an industrial *use*. In the absence of an earth berm, for an *existing building* only, any addition to the building shall have a minimum separation of 60.0 meters from the railway right-of-way.

5.60.5 Where a *lot* abuts a railway right-of-way, at the time of erection of a *main building* or an addition to an *existing main building*, a security fence having a minimum height of 1.830 meters shall be erected continuously along the common boundary line between the lot and the railway right-of-way.

5.60.10 On a *lot* situated at the intersection of and abutting upon the intersection of a *street* and a railway right-of-way that does not have a railway control gate at said intersection, a *building*, *structure*, or part thereof, is prohibited within 6.0 metres of the point of that intersection.

5.60.20 Notwithstanding any other provisions of this by-law in conflict herewith, on a *lot* which abuts a railway right-of-way, for an *existing dwelling* or a new *dwelling* that replaces an *existing dwelling*, the minimum separation from the railway right-of-way shall be the greater of the existing separation or the minimum setback required for a dwelling in the *zoning district* in which it is located.

5.65 REDUCTION IN REQUIRED FRONT YARD DEPTH

5.65.1 In any RD1. or RD2. *zoning district*, the *required front yard* depth may be reduced:

- .1 where a vacant *interior lot* abuts *lots* on which *dwellings* have setbacks from the *front lot line* of a lesser depth than that *required* by this by-law, the minimum setback from the *front lot line* for any *dwelling* to be erected on the said vacant *interior lot* is equal to the average of the setbacks from the *front lot line* of the *dwellings* on the abutting *lots*.
- .2 where a vacant *corner lot* abuts a *lot* on which a *dwelling* has setbacks from the *front lot line* of a lesser depth than that required by this by-law, the minimum setback from the *front lot line* for any *dwelling* to be erected on the *corner lot* is equal to the setback from the *front lot line* of the *dwelling* on the abutting *lot*.

5.67 REQUIRED YARD IN MANUFACTURING DISTRICTS

- 5.67.1 In any MD1. or MD2. *zoning district*, a *required yard* shall be maintained exclusively as a *landscaped open space yard*, save and except that an *access area* may cross a *required yard*.
- 5.67.3 Within a *required yard*, a refuse container, a loading space, an *outdoor storage yard*, or the display, loading, parking, repairing, servicing, storing or unloading of a commodity, equipment, material, *motor vehicle*, *transport truck*, or *transport trailer* is prohibited.

ZNG/5364”

(ADDED by B/L 169-2018, Dec. 19/2018)

5.70 SETBACK FROM CERTAIN STREETS

- 5.70.1 For any *building* or *structure*, excluding a sign permitted by the City of Windsor Sign By-law, the minimum setback from the *street* shall be:

- .1 15.0 metres from the east side of Walker Road between the south limit of Tecumseh Road East and the north limit of Grand Marais Road East;

5.75 SWIMMING POOL

- 5.75.1 On a *lot* within a *residential district*, or a *lot* in any other *zoning district* on which is located a *dwelling* with a maximum of four *dwelling units*, a *swimming pool* shall have a:

1. Minimum separation from the *front lot line* equal to the *required minimum front yard depth*, or where there is no *required front yard*, a minimum separation from the *front lot line* of 7.50 metres;
2. Minimum separation from the *side lot line* of 1.20 metres; and,
3. Minimum separation from the *rear lot line* of 1.20 metres.

- 5.75.5 On a *lot* not described in Section 5.75.1, a *swimming pool* shall have a minimum separation of 7.50 metres from any *lot line*.

- 5.75.10 Sections 5.75.1 and 5.75.5 shall not apply to a *swimming pool* within a *building* having a height of greater than 2.0 metres.

5.80 TEMPORARY BUILDING OR STRUCTURE

- 5.80.1 A temporary *building* or *structure*, customarily required and incidental to the erection of permanent *buildings* or other permanent *structures* on a lot or part thereof, shall be permitted, provided that such temporary *buildings* or *structures* are removed when the permanent *building* or *structure* is erected and capable of occupancy or *use*.

5.99 ADDITIONAL USE PROVISIONS**5.99.4 ADULT ENTERTAINMENT PARLOUR**

- .1 An *adult entertainment parlour* shall be an additional permitted use at the following locations:
 - .1 Part of Lot 28, Registered Plan 40, situated on the southeast corner of Sandwich and Chappelle Streets.
- .5 An *adult entertainment parlour* shall be subject to the following additional provisions:
 - .1 All external openings shall be covered with opaque materials to prevent any person from viewing adult entertainment activities from the exterior of the *building*.

5.99.7 AUTOMOBILE SALES, LEASE OR RENTAL – ACCESSORY USE

- .1 The sale, lease or rental of an *automobile* an *accessory use* is prohibited, save and except the sale, lease or rental of an *automobile* as an accessory use to an *Automobile Repair Garage, Automobile Collision Shop, or Service Station* or the lease or rental of an *automobile* as an accessory use to any *Retail Store* is permitted subject to the following provisions:
 - .1 The storage or display of five or more *automobiles* for sale, lease or rental purposes on a *lot* is prohibited.
 - .2 The storage or display of an *automobile* for sale, lease or rental purposes having a width of greater than 2.50 m or a length greater than 6.10 m is prohibited.
 - .3 The storage or display of an *automobile* for sale, lease or rental purposes in a *required parking space, required accessible parking space or landscaped open space yard* is prohibited.
 - .4 The area where an *automobile* for sale, lease or rental purposes is stored or displayed shall be subject to the provisions in Section 5.99.60.1.1 to 5.99.60.1.3.

[ZNG/5271]

(AMENDED by B/L 7-2018, Feb. 23/2018)

5.99.10 CARETAKER'S RESIDENCE

- .1 Unless specifically permitted in a zoning district or in specific zoning exception, a caretaker's residence is prohibited.
- .2 The maximum gross floor area of caretaker's residence is 50.0 square metres.

5.99.12 CARNIVAL

- .1 A *carnival* may be a permitted use in a Green District 1.1, Green District 1.2, Institutional District 1.1, Institutional District 1.2, Commercial District 2.1, Commercial District 2.2 and Commercial District 3.1 subject to the following provisions:
 - .1 A minimum separation of 90.0 metres from the boundary of a *residential district*;
 - .2 A minimum of 20.0 percent of the area used for the *carnival* shall be used for a temporary *parking area*. The provisions of Section 24 do not apply to the temporary *parking area*; and
 - .3 The *carnival* shall operate for a maximum of 21 consecutive days within any 12 month period.
- .5 A *carnival* in any other *zoning district* is prohibited.

5.99.15 **COMMUNITY GARDEN**

- .1 A *community garden* is a permitted use in any zoning district.
- .2 An *accessory building* with a maximum *gross floor area* of 50.0 square metres is permitted and shall have a minimum separation of 0.60 metres from a *side lot line* and a *rear lot line* and 6.0 meters from the *front lot line* and a maximum *building height* of 5.50 metres. Any eaves and gutters shall have a minimum separation of 0.30 metres from any *side lot line* and *rear lot line*.

5.99.20 **ENTERTAINMENT LOUNGE**

- .1 An *entertainment lounge* shall be an additional permitted use in that part of the Downtown Windsor Business Improvement Area identified as the *entertainment lounge area*.
- .2 An *entertainment lounge* shall have a maximum permitted occupancy of 250 persons, not including staff.
- .3 A maximum of one *entertainment lounge* shall be permitted per lot.
- .4 Notwithstanding Sections 5.99.20.1 to 5.99.20.3 inclusive:
 - .1 Within the *entertainment lounge area*, an existing *entertainment lounge* having a licensed capacity above 250 persons, under the provisions of the Liquor Licence Act, R.S.O. 1999, c. L.19, shall be a permitted use, provided that the maximum permitted occupancy of the *entertainment lounge* shall be as licensed under the provisions of the Liquor Licence Act of Ontario, on September 22, 2005.
 - .2 Outside of the *entertainment lounge area*, an existing *entertainment lounge* shall be a permitted use, provided that the maximum permitted occupancy of the *entertainment lounge* shall be as licensed under the provisions of the Liquor Licence Act, R.S.O. 1999, c. L.19, on September 22, 2005.

5.99.30 **GROUP HOME**

- .1 In any *residential district* or *institutional district*, a *group home* may be a permitted use provided that any *building* used as a *group home* shall occupy the whole building and shall comply with the provisions for a *single unit dwelling* in Section 10.1.5. [ZNG/5271; ZNG/5389]
(AMENDED by B/L 7-2018, Feb. 23/2018; AMENDED by B/L 95-2018, Aug. 18/2018)

5.99.40 **HOME OCCUPATION**

- .1 A *home occupation* within an *accessory building*, *garage* or *carport* is prohibited.
- .5 One *home occupation* wholly within a *dwelling unit* is a permitted use subject to the following provisions:
 - .1 The *home occupation* shall be carried out by a resident of the *dwelling unit*.
 - .2 The maximum *gross floor area* of the *home occupation* shall be 25.0 percent of the *dwelling unit*.
 - .3 Any visible indication from the exterior of the *dwelling unit* that a *home occupation* is being carried on is prohibited except for a sign permitted by The Windsor Sign By-law.
 - .4 The retail sale or wholesale of goods from the *dwelling unit* is prohibited except those goods produced by the *home occupation*.
 - .5 External storage of materials, goods or equipment is prohibited except those items customarily used for housekeeping or personal recreational purposes.
 - .6 Any *home occupation* which generates noise, odour, fumes, vibration, dust, traffic or parking which is evident outside the *dwelling unit* is prohibited.

5.99.50 **MULTIPLE DWELLING – ADDITIONAL USES**

- .1 In any *multiple dwelling* having 100 or more *dwelling units*, one each of the following uses may be permitted: *convenience store; day nursery; medical office; personal service shop*; provided that:
 - .1 the use of an exterior window for the display of goods, services or advertising is prohibited;
 - .2 each *use* is accessible only from the interior of the *building*. Direct access from the exterior is prohibited; and
 - .3 the maximum *gross floor area* of each *use* or combination thereof shall be 100.0 square metres.

5.99.60 **OUTDOOR STORAGE YARD**

- .1 An *outdoor storage yard* is prohibited in any *development reserve district, residential district* or *institutional district*, or on any other *lot* on which a *dwelling* or *dwelling unit*, not including a *caretaker's residence*, is located.
- .2 Unless specifically prohibited, an *outdoor storage yard* is permitted as an *accessory use* in a *green district, commercial district* or *manufacturing district*.
- .3 For an *outdoor storage yard* devoted exclusively to a *temporary outdoor vendor's site* having an area of 10.0 square metres or less, no separation is required from an *exterior lot line*.
- .4 For an *outdoor storage yard* devoted exclusively to a *temporary outdoor vendor's site* having an area of more than 10.0 square metres or an *outdoor market*, the *outdoor storage yard* shall be a minimum of 3.0 metres from an *exterior lot line*.
- .5 For any other *outdoor storage yard*, the *outdoor storage yard* shall be a minimum of 3.0 metres from an *exterior lot line* and the area between the *outdoor storage yard* and the *exterior lot line* shall be maintained as a *landscaped open space yard*.
- .6 For any *outdoor storage yard* located in a Commercial Districts 2., Commercial Districts 3. or Commercial Districts 4. zoning district used exclusively for the display of operable *motor vehicles*, or that is accessory to an *automobile sales lot* or *motor vehicle dealership*, the entire surface of the *outdoor storage yard* shall be:
 - .1 graded and drained into a municipal sewer system to prevent the runoff of surface water onto a street, alley or abutting properties;
 - .2 paved with a hard surface consisting of concrete, asphalt, paving brick or block, and be maintained in good condition; and
 - .3 bounded by a continuous poured in place concrete curb having a minimum width and height of 15.0 centimetres.
- .7 For that part of an *outdoor storage yard* located less than 100.0 metres from a *street* or a *residential district*, a *screening fence* having a minimum height of 1.80 metres shall be provided except for that part of an *outdoor storage yard* which is used exclusively:
 - .1 for the display of operable *motor vehicles*, or that is accessory to an *automobile sales lot* or *motor vehicle dealership*; or
 - .2 for the display of goods as an *accessory use* to a *retail store* or *wholesale store*, a *garden centre*, an *outdoor market* or a *temporary outdoor vendor's site*, where such *outdoor storage yard* is permitted by this by-law.
- .8 The projection of equipment, materials or other goods, not including construction equipment, operable vehicles or trailers, above the height of the *screening fence* is prohibited except if the *outdoor storage yard* is located in a Manufacturing Districts 2. (MD2.) zoning district.

5.99.70 PRIVATE HOME DAY CARE

- .1 In any *residential district*, a *private home day care* is permitted in any *dwelling* or *dwelling unit*.
- .2 A *private home day care* in a *dwelling unit* located above the second *storey* is prohibited.

“5.99.80 SECOND UNIT (AMENDED BY B/L 149/2018, Nov. 21, 2018)

- .1 For any zoning district that permits a *single unit dwelling*, *semi-detached dwelling*, or *townhome dwelling*, the following additional provisions shall apply:
 - .1 ADDITIONAL PERMITTED USES
 - a) Two *dwelling units* in a *single unit dwelling*, *semi-detached dwelling unit*, or *townhome dwelling unit*.
 - b) One *dwelling unit* in a *single unit dwelling*, *semi-detached dwelling unit*, or *townhome dwelling unit*, and one *dwelling unit* in an *accessory building*.
 - .3 PROHIBITIONS
 - a) In any *development reserve district* or *industrial district*, or where a *single unit dwelling*, *semi-detached dwelling*, or *townhome dwelling* is not a permitted use in a *zoning district*, the uses in Section 5.99.80.1.1 are prohibited.
 - b) Where a *dwelling* is located in a *floodplain*, a second *dwelling unit* within a *basement* or *cellar* is prohibited.
 - c) Where two *dwelling units* are located in a *main building*, or where one *dwelling unit* is located in a *main building* and one *dwelling unit* is located in an *accessory building*, an additional *dwelling unit* in any *building* is prohibited.
 - .5 PROVISIONS
 - a) For a second *dwelling unit* located within a *basement* or *cellar* in a *dwelling* not located in a *floodplain*,
 1. Downspouts shall be disconnected from the municipal sewer system;
 2. A sump pump shall be installed; and
 3. Where possible, a sanitary backflow valve shall be installed in the *dwelling unit* located within the *basement* or *cellar* all to the satisfaction of the City Engineer or Chief Building Official.
 - b) For a *dwelling unit* located within an *accessory building*:
 1. There shall be direct pedestrian access between said *dwelling unit* and a *highway*; and
 2. Municipal sanitary sewer, municipal electrical service and municipal water service shall be provided to said *dwelling unit*.
 - c) Notwithstanding Section 5.2.20.1, for any second *dwelling unit*, the minimum *gross floor area* shall be 40.0 m² and the maximum *gross floor area* shall be the lesser of 100.0 m² or 40% of the *gross floor area* of the *main building* of the *single unit dwelling*, *semi-detached dwelling unit*, or *townhome dwelling unit*.

For the purpose of this provision, the *gross floor area* of the second *dwelling unit* includes any portion of the second *dwelling unit* located within a *cellar*.
 - d) Notwithstanding Section 24.20.5, the required number of *parking spaces* shall be as follows:
 1. One *parking space* for the first *dwelling unit*; and
 2. One *parking space* for the second *dwelling unit* except for a second *dwelling unit* on a *lot* located south of the Detroit River, west of Cadillac Street or Henry Ford Centre Drive, including any *lot*

abutting the east side of Cadillac Street or Henry Ford Centre Drive, north of Tecumseh Road, and east of Prince Road.

5.99.90 **TEMPORARY SALES OFFICE**

- .1 A temporary sales office may be an additional permitted use, provided that the temporary sales office is located on a lot where a building is under construction or proposed to be constructed and is used exclusively for the promotion or sale of said building.

5.99.93 **TOURIST HOME**

- .1 A *Tourist Home* shall have a maximum occupancy of 10 persons not including the receiving family or staff.

[ZNG/5271]

(AMENDED by B/L 7-2018, Feb. 23/2018)

“5.99.97 **TRANSPORT TERMINAL**

For a *transport terminal*, the following additional provisions shall apply:

- .1 A *transport storage area* shall be:
- a) Setback from an *exterior lot line* a minimum of 11.30 m, said setback shall consist of a berm with a minimum width of 11.30 m and a minimum height of 1.80 m, and shall be maintained exclusively as a *landscaped open space yard*;
 - b) Setback from an *interior lot line* a minimum of 0.90 m, and the setback shall be maintained exclusively as a *landscaped open space yard*;
 - c) Graded and drained into a municipal sewer system to prevent the runoff of surface water onto a *street, alley, or abutting property*; and
 - d) Paved with asphalt, concrete or any combination thereof, for that portion of the *transport storage area* used to load, manoeuvre, repair, service or unload a *motor vehicle, transport truck or transport trailer*. The remainder of the *transport storage area* shall be paved with asphalt or concrete, or covered in gravel or similar aggregate, or any combination thereof; and
 - e) Maintained in good condition.
- .3 The parking, repairing, servicing, or storing of a *motor vehicle, transport truck or transport trailer* within a *required yard or a landscaped open space yard* is prohibited.
- .5 A curb shall bound the perimeter of the paved portion of the *transport storage area*. Any curb shall be constructed of poured in place concrete, shall be continuous and shall have a minimum width and height of 15.0 cm. Precast concrete, rubber, plastic or other curbing or a parking stop that is not continuous is prohibited. A curb cut or ramp for pedestrian or vehicular access, a curb cut for drainage, or a curb with a height of less than 15.0 cm as a transition between the paved and unpaved portions of a *transport storage area*, is permitted.
- .10 Vehicular access shall be to/from a *street* by way of an *access area*. Sections 25.5.30.2, 25.5.30.3, 25.5.30.5 and 25.5.30.6 shall apply to such *access area* and any reference to a *loading space or building* shall include a *transport storage area*.
- .15 A *parking area* may be located within a *transport storage area* and the provisions of Section 25.5 shall apply, with necessary modifications for the safe and efficient operation of the *transport storage area* and *parking area*.

- .20 A *refuse bin* may be located within a *transport storage area* and shall be fully screened by a *screening fence* having a minimum height of 1.80 m.
- .25 Where an abutting *lot* is zoned *Development Reserve District, Green District, Residential District* or *Institutional District*, or occupied by a *dwelling* or *dwelling unit* a *screening fence* with a minimum height of 1.80 m shall be provided along that part of the *lot line* for the *lot* on which the *transport terminal* is located.
- .30 Any lighting used to illuminate the *transport terminal* shall be full cut-off lighting.

[ZNG/5364]

(ADDED by B/L 169-2018, Dec. 19/2018)

SECTION 6 - ADMINISTRATION

(AMENDED by B/L 327-2004, approved by OMB Decision/Order 1695, issued June 13, 2006 AND DELETED & REPLACED by B/L 31-2013, March 28, 2013)

SECTION 7 - DEFINITIONS

DELETED by B/L 177-2016, Dec. 28, 2016

List of Amending By-laws to Section 7 – Definitions

B/L 8614, June 23/1986
B/L 8719, Oct. 15/1986
B/L 8943, April 13, 1987
B/L 8991, May 19, 1987
B/L 9057, July 7/1987
B/L 9411, June 6, 1988
B/L 9828, June 12, 1989
B/L 9882, July 31, 1989
B/L 10358, July 16, 1990, however, B/L 10358 was REPEALED by B/L 10473, Nov. 5, 1990 AND DELETED by B/L 204-2006, November 30, 2006

B/L 10473, Nov. 5, 1990
B/L 10993, May 4/1992
B/L 11093, July 20/1992
B/L 11157, Nov. 9/1992
B/L 11217, Nov. 16, 1992
B/L 11614, Nov. 1/1993
B/L 11315, Feb. 1/1993
B/L 11655, Jan. 5/1994
B/L 11742, Feb. 21/1994
B/L 11780, April 26, 1994
B/L 11828, May 30, 1994
B/L 11922, Sept. 23/1994
B/L 12587, July 4, 1996
B/L 12829, Mar.17/1997
B/L 30-1998, Mar.2/1998
B/L 40-1999, Mar.16/1999
B/L 324-1999, Dec. 1/1999
B/L 219-2000, July 31, 2000
B/L 33-2001, October 23, 2001 , OMB Decision/Order No. 1716 , OMB Case No. PL01023
B/L 370-2001, Nov. 15th, 2001
B/L 168-2002, July 18th, 2002
B/L 363-2002, Dec. 31, 2002
B/L 167-2003, June 27, 2003
B/L 269-2003, Sept. 15/2003
B/L 68-2004, March 31, 2004
B/L 176-2004, July 6, 2004
B/L 246-2004, Aug. 24/2004
B/L 375-2004, Dec. 21, 2004
B/L 46-2005, March 23, 2005
B/L 212-2005, Sept. 22, 2005
B/L 266-2005, Dec. 8, 2005
B/L 142-2006, August 24, 2006
B/L 324-2004 as Amended by the Minutes of Settlement as per, OMB Decision/Order No. 1695, issued June 13, 2006;
B/L 204-2006, Nov. 30, 2006
B/L 110-2009, OMB Order PL090722, Nov. 20/2009 AS AMENDED by Order PL090722 Issued Dec. 4/2009
B/L 164-2010, Nov. 17, 2010
B/L 27-2011, March 4, 2011
B/L 118-2011, Dec. 13, 2011
B/L 126-2011, July 21, 2011
B/L 165-2011, Oct. 20/2011
B/L 24-2009, OMB Order PL090206 Issued Oct. 19, 2012
B/L 129-2012, Oct. 2, 2012
B/L 31-2013, March 28, 2013
B/L 158-2013, Nov. 13/2013
B/L 48-2014, April 15/2014
B/L 18-2015 March 4, 2015
B/L 59-2015, June 2, 2015
B/L 144-2015, Nov. 6/2015
B/L 179-2015, Jan. 6, 2016
B/L 114-2016, Sept. 19, 2016

SECTION 8 - DEVELOPMENT RESERVE DISTRICTS. 1 (DRD1.)

(ADDED by B/L 370-2001, Nov. 15/2001; AMENDED by B/L 168-2002, July 18/2002; B/L 164-2010, Nov. 17/2010; AMENDED by B/L 164-2017, Dec. 7/2017 [ZNG/5270])

8.1 DEVELOPMENT RESERVE DISTRICT 1.1 (DRD1.1)

8.1.1 PERMITTED USES

Existing Dwelling

Any use accessory to an *Existing Dwelling*

8.1.5 PROVISIONS

.1	Lot Width – minimum	As Existing
.2	Lot Area – minimum	As Existing
.3	Lot Coverage – Total – minimum	45.0%
.4	Main Building Height – minimum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

8.2 DEVELOPMENT RESERVE DISTRICT 1.2 (DRD1.2)

8.2.1 PERMITTED USES

Agricultural Use

Forestry Use

Greenhouse

Market Garden

Nursery

Single Unit Dwelling

Any use legally existing on the date this zoning district came into force

Any use accessory to the preceding uses

8.2.3 PROHIBITIONS

.1 A *building* or *structure* is prohibited except for the following purposes:

1. *Buildings* and *structures* for the permitted uses.
2. Existing *Single Unit Dwelling*.
3. One *Single Unit Dwelling* accessory to an *Agricultural Use*.
4. One *Single Unit Dwelling* for the property owner or resident staff as supplementary housing to an *Agricultural Use*, in addition to an existing *dwelling* on a farm lot, such farm lot being a lot of record legally created and registered in a registry office for the County of Essex and in existence on or before February 3, 1969 and having a minimum *lot area* of 19.0 ha.
5. One *Single Unit Dwelling* on a lot of record legally created and registered in the registry office for the County of Essex and in existence on or before February 3, 1969 or on a lot created after February 3, 1969.

8.2.5 PROVISIONS

.1 On a lot legally created after May 21, 1985 and on Lots of Record with a total *lot area* not exceeding 0.50 ha, one *Single Unit Dwelling*:

.1	Lot Frontage – minimum	30.0 m
.2	Lot Area – minimum / maximum	1,860.0 m ² / 5,000.0 m ²
.3	Lot Coverage – Total – minimum	35.0%
.4	Main Building Height – minimum	10.0 m
.5	Front Yard Depth – minimum	15.0 m
.6	Rear Yard Depth – minimum	15.0 m
.7	Side Yard Width – minimum	3.0 m

.5 For any other use:

.1	Lot Frontage – minimum	150.0 m
.2	Lot Area – minimum	19.00 ha
.3	Lot Coverage – Total – minimum	30.0%
.4	Main Building Height – minimum	10.0 m
.5	Front Yard Depth – minimum	15.0 m
.6	Rear Yard Depth – minimum	0.0 m
.7	Side Yard Width – minimum	1.50 m

SECTION 9 - GREEN DISTRICTS 1 (GD1.)

(B/L 8988, May 19/1987; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716, OMB Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 181-2003 Jul 14/2003); B/L 164-2017, Dec. 7/2017 [ZNG/5270]

9.1 GREEN DISTRICT 1.1 (GD1.1)

9.1.1 PERMITTED USES

Child Care Centre

Public Park

Any use accessory to the preceding uses

9.1.5 PROVISIONS

.3	Lot Coverage – maximum	25.0%
.4	Building Height – maximum	
	<i>Lot having a lot area of less than 0.50 ha</i>	9.0 m
	<i>Lot having a lot area of 0.50 ha or more</i>	14.0 m

9.2 GREEN DISTRICT 1.2 (GD1.2)

9.2.1 PERMITTED USES

Child Care Centre

Club

Private Park

Public Park

Any use accessory to the preceding uses

9.2.5 PROVISIONS

.2	Lot Area – minimum	1,850.0 m ²
.3	Lot Coverage – maximum	25.0%
.4	Building Height – maximum	
	<i>Lot having a lot area of less than 0.5 ha</i>	9.0 m
	<i>Lot having a lot area of 0.5 ha or more</i>	14.0 m

9.3 GREEN DISTRICT 1.3 (GD1.3)

9.3.1 PERMITTED USES

Cemetery

Crematorium

Mausoleum

Any use accessory to the preceding uses

9.3.5 PROVISIONS

.2	Lot Area – minimum	10,000.0 m ²
.3	Lot Coverage – maximum	25.0%
.4	Building Height – maximum	9.0 m

9.4 GREEN DISTRICT 1.4 (GD1.4)

9.4.1 PERMITTED USES

Natural Heritage Area

Any use accessory to the *Natural Heritage Area*

9.4.3 PROHIBITIONS

.1 *Buildings or structures* not accessory to the *Natural Heritage Area* are prohibited

9.4.5 PROVISIONS

.4 Building Height – maximum 8.0 m, except for an observation platform, deck or tower

9.5 GREEN DISTRICT 1.5 (GD1.5)

9.5.1 PERMITTED USES

Stormwater Management Facility

Any use accessory to the *Stormwater Management Facility*

9.5.5 PROVISIONS

.50 A *Stormwater Management Facility* shall be built in accordance with the terms of an agreement entered into with the Corporation of the City of Windsor

SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]

10.1 RESIDENTIAL DISTRICT 1.1 (RD1.1)

10.1.1 PERMITTED USES

Existing Duplex Dwelling

Existing Semi-Detached Dwelling

One Single Unit Dwelling

Any use accessory to the preceding uses

10.1.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	15.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	450.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.50 m

10.2 RESIDENTIAL DISTRICT 1.2 (RD1.2)

10.2.1 PERMITTED USES

Existing Duplex Dwelling

Existing Semi-Detached Dwelling

One Single Unit Dwelling

Any use accessory to the preceding uses

10.2.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	12.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	360.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m

10.3 RESIDENTIAL DISTRICT 1.3 (RD1.3)

10.3.1 PERMITTED USES

Existing Duplex Dwelling

Existing Semi-Detached Dwelling

One Single Unit Dwelling

Any use accessory to the preceding uses

10.3.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	9.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	270.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m

10.4 RESIDENTIAL DISTRICT 1.4 (RD1.4)

10.4.1 PERMITTED USES

Existing Duplex Dwelling

Existing Semi-Detached Dwelling

One Single Unit Dwelling

Any use accessory to the preceding uses

10.4.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	18.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	540.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.80 m

10.5 RESIDENTIAL DISTRICT 1.5 (RD1.5)

10.5.1 PERMITTED USES

One *Single Unit Dwelling*
Any use accessory to a *Single Unit Dwelling*

10.5.5 PROVISIONS

.1	Lot Width – minimum	5.50 m
.2	Lot Area – minimum	185.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	3.0 m
.6	Rear Yard Depth – minimum	6.0 m
.7	Side Yard Width – minimum	2.50 m one side 0.0 m other side

10.6 RESIDENTIAL DISTRICT 1.6 (RD1.6)

10.6.1 PERMITTED USES

One *Single Unit Dwelling*
Any use accessory to a *Single Unit Dwelling*

10.6.5 PROVISIONS

.1	Lot Width – minimum	15.0 m
.2	Lot Area – minimum	450.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	9.0 m or the average <i>front yard</i> depth of the <i>main building</i> located on the abutting <i>lots</i> , whichever is greater. For a <i>corner lot</i> , the average <i>front yard</i> depth is the average of 9.0 m and the <i>front yard</i> depth of the <i>main building</i> on the abutting <i>lot</i> .
.6	Rear Yard Depth – minimum	n) Lot located north of Riverside Drive East The setback limit expressed in Section 5.40.5.2 or 5.40.7.2, or the average <i>rear yard</i> depth on the abutting <i>lots</i> , whichever is greater. If an abutting <i>lot</i> is a vacant <i>lot</i> , the <i>rear yard</i> depth of the next nearest <i>lot</i> with a <i>dwelling</i> shall be used. Where there is no conflict with the above provision, the rear wall of a <i>main building</i> may extend northward from Riverside Drive East, a distance equal to the average setback of the rear walls of the <i>main buildings</i> located on the two abutting <i>lots</i> . If an abutting <i>lot</i> is a vacant <i>lot</i> , the setback of the rear walls of the <i>main building</i> on the next nearest <i>lot</i> with a <i>dwelling</i> shall be used. See Section 5.40.5.3 and 5.40.7.3 for additional provisions regarding accessory <i>buildings</i> or <i>structures</i> in a required <i>rear yard</i> within the prescribed setback limit
	s) Lot located south of Riverside Drive East	7.50 m
.7	Side Yard Width – minimum	1.50 m

10.7 RESIDENTIAL DISTRICT 1.7 (RD1.7)

10.7.1 PERMITTED USES

Existing *Semi-Detached Dwelling*

One *Single Unit Dwelling*

Any use accessory to the preceding uses

10.7.5 PROVISIONS

	Semi-Detached Dwelling Unit	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	12.0 m
.2 Lot Area – minimum	300.0 m ²	420.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m
.5 Front Yard Depth – minimum	4.50 m	4.50 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m
.7 Side Yard Width – minimum		
a) From an <i>interior lot line</i>	1.20 m	1.20 m
b) From an <i>exterior lot line</i>	3.50 m	3.50 m

SECTION 11 - RESIDENTIAL DISTRICTS 2. (RD2.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 12651 Approved by OMB Order R960323, Feb 25/1997
 B/L 169-2001 Jun 1/2001; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233
 B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 142-2006 Aug 24/2006; B/L 114-2016 Sep 19/2016)
 B/L 164-2017 Dec 7/2017) [ZNG/5270]

11.1 RESIDENTIAL DISTRICT 2.1 (RD2.1)

11.1.1 PERMITTED USES

- One Duplex Dwelling*
- One Semi-Detached Dwelling*
- One Single Unit Dwelling*
- Any use accessory to the preceding uses

11.1.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	12.0 m	15.0 m	9.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	270.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m

11.2 RESIDENTIAL DISTRICT 2.2 (RD2.2)

11.2.1 PERMITTED USES

One *Double Duplex Dwelling*

One *Duplex Dwelling*

One *Multiple Dwelling* containing a maximum of four *dwelling units*

One *Semi-Detached Dwelling*

One *Single Unit Dwelling*

Townhome Dwelling

Any use accessory to any of the preceding uses

11.2.5 PROVISIONS

.1 Duplex Dwelling

.1	Lot Width – minimum	12.0 m
.2	Lot Area – minimum	360.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

.2 Semi-Detached Dwelling

.1	Lot Width – minimum	15.0 m
.2	Lot Area – minimum	450.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

.3 Single Unit Dwelling

.1	Lot Width – minimum	9.0 m
.2	Lot Area – minimum	270.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

.4 Double Duplex Dwelling or Multiple Dwelling

.1	Lot Width – minimum	18.0 m
.2	Lot Area – minimum	540.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.80 m

.5 Townhome Dwelling

.1	Lot Width – minimum	20.0 m
.2	Lot Area – per <i>dwelling unit</i> – minimum	200.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.50 m

11.3 RESIDENTIAL DISTRICT 2.3 (RD2.3)**11.3.1 PERMITTED USES***One Semi-Detached Dwelling**One Single Unit Dwelling**Townhome Dwelling*

Any use accessory to the preceding uses

11.3.5 PROVISIONS

	Semi-Detached Dwelling	Single Unit Dwelling	Townhome Dwelling
.1 Lot Width – minimum	15.0 m	12.0 m	20.0 m
.2 Lot Area – minimum	450.0 m ²	360.0 m ²	200.0 m ² per unit
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.50 m

11.4 RESIDENTIAL DISTRICT 2.4 (RD2.4)**11.4.1 PERMITTED USES***One Semi-Detached Dwelling**One Single Unit Dwelling*Any use accessory to a *Semi-Detached Dwelling* or *Single Unit Dwelling***11.4.5 PROVISIONS**

	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	15.0 m	12.0 m
.2 Lot Area – minimum	450.0 m ²	360.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m

11.5 RESIDENTIAL DISTRICT 2.5 (RD2.5)

11.5.1 PERMITTED USES

Double Duplex Dwelling

Duplex Dwelling

Multiple Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Townhome Dwelling

Any use accessory to the above uses

11.5.5 PROVISIONS

.1 Double Duplex Dwelling

.1	Lot Width – minimum / maximum	18.0 m / 24.0 m
.2	Lot Area – minimum / maximum	540.0 m ² / 840.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – minimum / maximum	7.0 m / 14.0 m
.5	Front Yard Depth – minimum / maximum	6.0 m / 7.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

.2 Duplex Dwelling

.1	Lot Width – minimum / maximum	12.0 m / 15.0 m
.2	Lot Area – minimum / maximum	360.0 m ² / 525.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – minimum / maximum	7.0 m / 14.0 m
.5	Front Yard Depth – minimum / maximum	
	<i>Detached garage or carport in rear yard</i>	3.0 m / 4.0 m
	<i>No detached garage/carport in rear yard</i>	6.0 m / 7.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

.3 Semi-Detached Dwelling

.1	Lot Width – minimum / maximum	15.0 m / 18.0 m
.2	Lot Area – minimum / maximum	450.0 m ² / 630.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – minimum / maximum	7.0 m / 14.0 m
.5	Front Yard Depth – minimum / maximum	
	<i>Detached garage or carport in rear yard</i>	3.0 m / 4.0 m
	<i>No detached garage/carport in rear yard</i>	6.0 m / 7.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

.4 Single Unit Dwelling

.1	Lot Width – minimum / maximum	9.0 m / 12.0 m
.2	Lot Area – minimum / maximum	270.0 m ² / 420.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – minimum / maximum	7.0 m / 14.0 m
.5	Front Yard Depth – minimum / maximum	
	<i>Detached garage or carport in rear yard</i>	3.0 m / 4.0 m
	<i>No detached garage/carport in rear yard</i>	6.0 m / 7.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

RD2.5 provisions continue on next page

11.5 RESIDENTIAL DISTRICT 2.5 (RD2.5) - Continued

11.5.5 PROVISIONS (Continued)

- .5 Multiple Dwelling with four *dwelling units* or less
- | | | |
|----|--|---|
| .1 | Lot Width – minimum / maximum | 18.0 m / 24.0 m |
| .2 | Lot Area – minimum / maximum | 540.0 m ² / 840.0 m ² |
| .3 | Lot Coverage – maximum | 50.0% |
| .4 | Main Building Height – minimum / maximum | 7.0 m / 14.0 m |
| .5 | Front Yard Depth – minimum / maximum | 6.0 m / 7.0 m |
| .6 | Rear Yard Depth – minimum | 7.50 m |
| .7 | Side Yard Width – minimum | 1.20 m |
- .6 Multiple Dwelling with 5 or more *dwelling units*
- | | | |
|----|---|----------------------|
| .1 | Lot Width – minimum | 20.0 m |
| .2 | Lot Area – per <i>dwelling unit</i> – minimum | 166.0 m ² |
| .3 | Lot Coverage – maximum | 50.0% |
| .4 | Main Building Height – minimum / maximum | 7.0 m / 18.0 m |
| .5 | Front Yard Depth – minimum / maximum | 6.0 m / 7.0 m |
| .6 | Rear Yard Depth – minimum | 7.50 m |
| .7 | Side Yard Width – minimum | 2.50 m |
- .7 Townhome Dwelling
- | | | |
|----|---|----------------------|
| .1 | Lot Width – minimum | 20.0 m |
| .2 | Lot Area – per <i>dwelling unit</i> – minimum | 190.0 m ² |
| .3 | Lot Coverage – maximum | 50.0% |
| .4 | Main Building Height – maximum | 14.0 m |
| .5 | Front Yard Depth – minimum / maximum | 6.0 m / 7.0 m |
| .6 | Rear Yard Depth – minimum | 7.50 m |
| .7 | Side Yard Width – minimum | 2.50 m |
- .50 Notwithstanding Section 24, for a *townhome dwelling* unit that fronts a *street*, the required number of *parking spaces* shall be one *parking space* for each *dwelling unit*.
- .50 For all *dwelling*s, except a *Multiple Dwelling* with five or more *dwelling units*, the exterior walls shall be entirely finished in brick.
- .60 Where a *garage* forms part of the *main building*, no exterior wall enclosing the *garage* shall project more than 1.0 m beyond the front wall or side wall of the *dwelling*.

11.6 RESIDENTIAL DISTRICT 2.6 (RD2.6)

11.6.1 PERMITTED USES

Semi-Detached Dwelling

Any use accessory to the *Semi-Detached Dwelling*

11.6.5 PROVISIONS

- | | | |
|----|--------------------------------|----------------------|
| .1 | Lot Frontage – minimum | 13.40 m |
| .2 | Lot Area – minimum | 420.0 m ² |
| .3 | Lot Coverage – maximum | 45.0% |
| .4 | Main Building Height – maximum | 10.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .6 | Rear Yard Depth – minimum | 7.50 m |
| .7 | Side Yard Width – minimum | 1.20 m |

SECTION 12 - RESIDENTIAL DISTRICTS 3. (RD3.)

(B/L 9057, Jul 7/1987; B/L 9100, Aug 17/1987; B/L 9545, OMB. Order R880673, Apr 20/1990 Amended Jan 8/1991; B/L 11093, Jul 20/1992; OMB Order R940355 Oct 3/1995; B/L 11876, OMB Order R940356 Sep 11/1995; B/L 13079, Oct 3/1997; B/L 162-1998, Jun 24/1998; B/L 211-1999, Aug 31/1999; B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 443-2001, Jan 2/2002; B/L 363-2002, Dec 31/2002; B/L 23-2004, Feb 19/2004; B/L 401-2004, Jan 7/2005; B/L 90-2009, Jul 27/2009; B/L 113-2009, Aug 11/2009; B/L 129-2012, Oct 2/2012; B/L 31-2013, Mar 28/2013) [ZNG/2930; ZNG/5270] B/L 164-2017, Dec. 7/2017

12.1 RESIDENTIAL DISTRICT 3.1 (RD3.1)

12.1.1 PERMITTED USES

<i>Double Duplex Dwelling</i>	<i>Residential Care Facility</i>
<i>Duplex Dwelling</i>	<i>Semi-Detached Dwelling</i>
<i>Lodging House</i>	<i>Single Unit Dwelling (Existing)</i>
<i>Multiple Dwelling</i>	<i>Townhome Dwelling</i>
<i>Religious Residence</i>	
Any use accessory to any of the preceding uses	

12.1.5 PROVISIONS

- | | | |
|-----|--|------------------------------|
| .1 | Lot Frontage – minimum | 18.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>corner lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> : | |
| | a) For the first 5 <i>dwelling units</i> | 540.0 m ² |
| | b) For each additional <i>dwelling unit</i> | 67.0 m ² per unit |
| | For any other <i>lot</i> : | |
| | c) For the first 4 <i>dwelling units</i> | 540.0 m ² |
| | d) For each additional <i>dwelling unit</i> | 85.0 m ² per unit |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | |
| | <i>Corner Lot</i> | 14.0 m |
| | <i>Interior Lot</i> | 10.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .6 | Rear Yard Depth – minimum | 7.50 m |
| .7 | Side Yard Width – minimum | |
| | a) Where a <i>habitable room window</i> of any <i>dwelling unit</i> faces a <i>side lot line</i> | 6.0 m |
| | b) Any other side yard | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of <i>lot area</i> |
| .50 | A <i>Lodging House</i> for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the provisions of Section 10.1.5 and further, the whole of the <i>building</i> shall be used for a <i>Lodging House</i> , including any <i>accessory use</i> . | |
| .55 | A <i>Double Duplex Dwelling</i> , <i>Duplex Dwelling</i> , <i>Multiple Dwelling</i> having a maximum of 4 <i>dwelling units</i> , <i>Semi-Detached Dwelling</i> or <i>Townhome Dwelling</i> , or an addition to an <i>existing Single Unit Dwelling</i> , and any use accessory thereto, shall comply with the provisions of Section 11.2.5. | |

12.2 RESIDENTIAL DISTRICT 3.2 (RD3.2)

12.2.1 PERMITTED USES

Lodging House

Multiple Dwelling

Religious Residence

Residential Care Facility

Any of the following *existing* dwellings:

Double Duplex Dwelling

Duplex Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Any use accessory to any of the preceding uses

12.2.5 PROVISIONS

- | | | |
|-----|--|------------------------------|
| .1 | Lot Frontage – minimum | 30.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>corner lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> : | |
| | a) For the first 5 <i>dwelling units</i> | 540.0 m ² |
| | b) For the next 19 <i>dwelling units</i> | 67.0 m ² per unit |
| | c) For each additional <i>dwelling unit</i> | 44.0 m ² per unit |
| | For any other <i>lot</i> : | |
| | d) For the first 4 <i>dwelling units</i> | 540.0 m ² |
| | e) For the next 15 <i>dwelling units</i> | 85.0 m ² per unit |
| | f) For each additional <i>dwelling unit</i> | 55.0 m ² per unit |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | |
| | <i>Corner Lot</i> | 24.0 m |
| | <i>Interior Lot</i> | 18.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of <i>lot area</i> |
| .13 | Dwelling Unit Density – <i>dwelling units</i> per hectare – maximum | |
| | For a <i>corner lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> | 188 units per ha |
| | For any other <i>lot</i> | 150 units per ha |
| .50 | A <i>Lodging House</i> for the accommodation of a 10 persons or less, and any use accessory thereto, shall comply with the provisions of Section 10.1.5 and further the whole of the <i>building</i> shall be used for a <i>Lodging House</i> including any use accessory thereto. | |
| .55 | A addition to an <i>existing Double Duplex Dwelling, existing Duplex Dwelling, existing Semi-Detached Dwelling</i> or an <i>existing Single Unit Dwelling</i> and any use accessory to the preceding uses, shall comply with the provisions of Section 11.2.5. | |

12.3 RESIDENTIAL DISTRICT 3.3 (RD3.3)

12.3.1 PERMITTED USES

Lodging House

Multiple Dwelling

Religious Residence

Residential Care Facility

Any of the following *existing* dwellings:

Double Duplex Dwelling

Duplex Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Any use accessory to any of the preceding uses

12.3.5 PROVISIONS

- | | | |
|-----|--|------------------------------|
| .1 | Lot Frontage – minimum | 45.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>corner lot</i> having a minimum <i>lot frontage</i> of 45.0 m on each of the <i>exterior lot lines</i> : | |
| | a) For the first 23 <i>dwelling units</i> | 1,825.0 m ² |
| | b) For each additional <i>dwelling unit</i> | 37.0 m ² per unit |
| | For any other <i>lot</i> : | |
| | c) For the first 19 <i>dwelling units</i> | 1,825.0 m ² |
| | d) For each additional <i>dwelling unit</i> | 45.0 m ² per unit |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | |
| | <i>Corner Lot</i> | 30.0 m |
| | <i>Interior Lot</i> | 24.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of <i>lot area</i> |
| .13 | Dwelling Unit Density – <i>dwelling units</i> per hectare – maximum | |
| | For a <i>corner lot</i> having a minimum <i>lot frontage</i> of 45.0 m on each of the <i>exterior lot lines</i> | 225 units per ha |
| | For any other <i>lot</i> | 180 units per ha |
| .50 | A <i>Lodging House</i> for the accommodation of a maximum of 10 persons and any use accessory thereto, shall comply with the provisions of Section 10.1.5 and further the whole of the <i>building</i> shall be used for a <i>Lodging House</i> including any use accessory thereto. | |
| .55 | An addition to an existing <i>Double Duplex Dwelling</i> , existing <i>Duplex Dwelling</i> , existing <i>Semi-Detached Dwelling</i> or an existing <i>Single Unit Dwelling</i> and any use accessory to the foregoing uses, shall comply with the provisions of Section 11.2.5. | |

12.4 RESIDENTIAL DISTRICT 3.4 (RD3.4)

12.4.1 PERMITTED USES

Lodging House
Multiple Dwelling
Religious Residence
Residential Care Facility
Townhome Dwelling
 Any use accessory to the preceding uses

12.4.5 PROVISIONS

.1	Lot Frontage – minimum	As Existing
.3	Lot Coverage – maximum	As Existing
.4	Main Building Height – maximum	As Existing
.5	Front Yard Depth – minimum	As Existing
.6	Rear Yard Depth – minimum	As Existing
.7	Side Yard Width – minimum	As Existing
.8	Landscaped Open Space Yard – minimum	As Existing
.14	Dwelling Units – maximum	As Existing

12.7 RESIDENTIAL DISTRICT 3.7 (RD3.7)

12.7.1 PERMITTED USES

Multiple Dwelling
 Any use accessory to a *Multiple Dwelling*

12.7.5 PROVISIONS

.1	Lot Width – minimum	53.0 m
.2	Lot Area – minimum	7,500.0 m ² with not less than 85.0 m ² for each <i>dwelling unit</i>
.4	Main Building Height – maximum	62.0 m
.11	Gross Floor Area Ratio – maximum	1.90

For the purpose of Section 12.7.5.11, gross floor area shall mean the total floor area of all *buildings* exclusive of any part of the *buildings* located below *grade*.

12.9 RESIDENTIAL DISTRICT 3.9 (RD3.9)

12.9.1 PERMITTED USES

Multiple Dwelling
 Any use accessory to a *Multiple Dwelling*

12.9.5 PROVISIONS

.4	Main Building Height – maximum	62.0 m
.11	Gross Floor Area Ratio – maximum	4:1

For the purpose of Section 12.9.5.11, gross floor area shall mean the total floor area of all *buildings* exclusive of any part of the *buildings* located below *grade*.

12.10 RESIDENTIAL DISTRICT 3.10 (RD3.10)

12.10.1 PERMITTED USES

Multiple Dwelling

Any use accessory to a *Multiple Dwelling*

12.10.5 PROVISIONS

.4 Main Building Height – maximum 22.0 m

.11 Gross Floor Area Ratio – maximum 2.5:1

For the purpose of Section 12.10.5.11, gross floor area shall mean the total floor area of all *buildings* exclusive of any part of the *buildings* located below *grade*.

12.14 RESIDENTIAL DISTRICT 3.14 (RD3.14)

12.14.1 PERMITTED USES

Assisted Living Units

Long Term Care Facility

Multiple Dwelling

Any use accessory to the preceding uses

12.14.5 PROVISIONS

.3 Lot Coverage – maximum 40.0%

.4 Main Building Height – maximum 34.0 m

.5 Front Yard Depth – minimum 12.0 m

.6 Rear Yard Depth – minimum 9.0 m

.7 Side Yard Width – minimum 9.0 m

.8 Landscaped Area – minimum 30.0% of *lot area*

.11 Gross Floor Area Ratio – maximum 1.80

12.15 RESIDENTIAL DISTRICT 3.15 (RD3.15)

12.15.1 PERMITTED USES

Lodging House

Multiple Dwelling

Residential Care Facility

Any use accessory to the preceding uses

12.15.5 PROVISIONS

.1 Lot Frontage – minimum 18.0 m

.4 Main Building Height – maximum 30.0 m

.5 Front Yard Depth – minimum 4.50 m

.6 Rear Yard Depth – minimum 4.0 m

.7 Side Yard Width – minimum 2.00 m on one side,
3.00 m on the other side

.8 Landscaped Open Space Yard – minimum 35.0% of *lot area*

.14 Dwelling Units – maximum 95

.50 Notwithstanding the provisions of Section 24.20.5.1, for a *Multiple Dwelling* with a maximum of 95 *dwelling units*, a *Residential Care Facility* or a *Lodging House*, a minimum of 26 *parking spaces* shall be provided.

12.16 RESIDENTIAL DISTRICT 3.16 (RD3.16)

12.16.1 PERMITTED USES*Multiple Dwelling*Any use accessory to a *Multiple Dwelling***12.16.5 PROVISIONS**

- | | | |
|-----|---|------------------------------|
| .1 | Lot Frontage – minimum | 45.0 m |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | 24.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of the <i>lot area</i> |
| .20 | Building Setback – minimum | |
| | From Crawford Avenue | 6.0 m |
| .90 | Direct vehicular access to or from Wyandotte Street West is prohibited. | |

[ZNG/5627]

(ADDED by B/L 32-2019, April 5, 2019)

SECTION 13 - INSTITUTIONAL DISTRICTS 1. (ID1.)

(B/L 9465 OMB Order R890032 Sep 28/1989; B/L 209-1998 Aug 11/1998;
 B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 363-2002 Dec 31/2002;
 B/L 110-2009 OMB Order PL090722, Nov 20/2009 amended by Order PL090722, Dec 4/2009; B/L 126-2011 Jul 21/2011;
 B/L 114-2016 Sep 19/2016; B/L 129-2016 Sep 19/2016) [ZNG/4628; ZNG5270] B/L 164-2017, Dec. 7, 2017

13.1 INSTITUTIONAL DISTRICT 1.1 (ID1.1)

13.1.1 PERMITTED USES

Business Office of a non-profit or charitable organization

Child Care Centre

Place of Worship

School

Any one or more of the following uses within an existing *building* which is owned and maintained by a *Public Authority: Business Office; Professional Studio*

Any use accessory to the above uses

13.1.5 PROVISIONS

.1	Lot Frontage – minimum	20.0 m
.2	Lot Area – minimum	700.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – maximum	14.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	3.00 m
.8	Landscaped Open Space Yard – minimum	20.0% of <i>lot area</i>

13.2 INSTITUTIONAL DISTRICT 1.2 (ID1.2)

13.2.1 PERMITTED USES

Business Office of a non-profit or charitable organization

Child Care Centre

Hospital

Place of Worship

Residential Care Facility

School

Any use accessory to the preceding uses

13.2.5 PROVISIONS

.1	Lot Frontage – minimum	30.0 m
.2	Lot Area – minimum	900.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – maximum	
	<i>Lot area</i> less than one hectare	14.0 m
	<i>Lot area</i> of one hectare or more	24.0 m
.5	Front Yard Depth – minimum	7.50 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	
	a) Interior <i>Side Yard</i>	3.00 m
	a) Exterior <i>Side Yard</i>	7.50 m
.8	Landscaped Open Space Yard – minimum	20.0% of <i>lot area</i>

13.3 INSTITUTIONAL DISTRICT 1.3 (ID1.3)

13.3.1 PERMITTED USES

Group A:

Business Office of a non-profit or charitable organization
Child Care Centre
Double Duplex Dwelling (Existing)
Duplex Dwelling (Existing)
Fraternity or Sorority House
Parking Garage
Place of Worship
Public Parking Area
Religious Residence
School
Semi-Detached Dwelling (Existing)
Single Unit Dwelling

Group B:

College
University
Any use related to the operation of a *college* or *university*, including a *Student Residence*
Seminary

Group B uses are prohibited in the area bounded on the north by Riverside Drive West, on the east by California Avenue, on the south by University Avenue West and on the west by Vista Place, save and except the following lands:

Lots 89 to 91, Registered Plan 881, situated at the northwest corner of University Avenue West and Sunset Avenue;

Lots 96 to 98 and part of closed Alley, Registered Plan 611, situated on the southwest corner of Riverside Drive West and Sunset Avenue;

Lots 99 to 106 and part of closed Alley, Registered Plan 611 and Lot 107 and part of closed Alley, Registered Plan 881, situated at the southeast corner of Riverside Drive West and Patricia Road.

Lots 108 to 110 and part of closed Alley, Registered Plan 881, situated at the northeast corner of University Avenue West and Patricia Road;

Lots 187 to 190, Registered Plan 881 and Lots 191 and 192, Registered Plan 611, situated at the northwest corner of University Avenue West and Patricia Road;

Lots 194 to 196, Registered Plan 611, situated at the southwest corner of Riverside Drive West and Patricia Road;

Part of Lots 7 and 8, Registered Plan 1141, situated at the southeast corner of Riverside Drive West and Vista Place.

Any use accessory to the above Group A and Group B uses.

Institutional District 1.3 (ID1.3) continued on next page

13.3 INSTITUTIONAL DISTRICT 1.3 (ID1.3) - continued**13.3.5 PROVISIONS**

- | | | |
|-----|---|--------|
| .3 | Lot Coverage – maximum | 50.0% |
| .4 | Main Building Height – maximum | 27.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .6 | Rear Yard Depth – minimum | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | a) From an <i>exterior lot line</i> or a <i>lot line</i> of a <i>lot</i> on which is located a <i>dwelling</i> | 6.0 m |
| | b) From any other <i>lot line</i> | 0.0 m |
| .51 | A <i>Fraternity or Sorority House</i> shall comply with the provisions of Section 10.1.5 | |
| .53 | A <i>Single Unit Dwelling</i> and any use accessory thereto shall comply with the provisions of Section 10.2.5 | |
| .55 | Any additions to a <i>Double Duplex Dwelling</i> , <i>Duplex Dwelling</i> , or <i>Semi-Detached Dwelling</i> and any use accessory to the preceding uses shall comply with the appropriate provisions of Section 11.2.5 | |
| .57 | A <i>Child Care Centre</i> or a <i>Place of Worship</i> and any use accessory shall comply with the provisions of Section 13.2.5 | |
| .60 | For Lots 89 to 91, Registered Plan 881, situated at the northwest corner of University Avenue West and Sunset Avenue: | |
| | a) Minimum building setback from University Avenue shall be 5.0 m | |
| | b) Vehicular access to Sunset Avenue is prohibited. | |
| .63 | For Lot 91, Registered Plan 881, the maximum main <i>building height</i> shall be 10.70 m. | |
| .65 | For Lots 96 to 98 and part of Closed Alley, Registered Plan 611, situated on the southwest corner of Riverside Drive West and Sunset Avenue, the maximum main <i>building height</i> shall be 10.70 m | |
| .67 | For Lots 108 to 110, Registered Plan 881, situated at the northeast corner of University Avenue West and Patricia Road, the maximum building setback from University Avenue shall be 5.0 m | |

13.4 INSTITUTIONAL DISTRICT 1.4 (ID1.4)**13.4.1 PERMITTED USES***Place of Entertainment and Recreation*

Any one or more of the following uses in combination with a *Place of Entertainment and Recreation*:

Business Office

Child Care Centre

Commercial School

Facility of a non-profit or charitable organization

Professional Studio

Public Parking Area

Restaurant

Retail Store

School

Any use accessory to any of the above uses

13.4.5 PROVISIONS

- | | | |
|-----|--|--------------------------|
| .4 | Main Building Height – maximum | 14.0 m |
| .8 | Landscaped Open Space Yard – minimum | 20.0% of <i>lot area</i> |
| .10 | A <i>Business Office, Child Care Centre, Retail Store</i> , or any combination thereof, shall have a maximum <i>gross floor area</i> equal to 25.0% of the <i>gross floor area</i> of the <i>main building</i> and shall be located within that <i>main building</i> . | |

13.5 INSTITUTIONAL DISTRICT 1.5 (ID1.5)**13.5.1 PERMITTED USES**

Business Office, within an existing *building* which is owned and operated by a provincial or municipal government

Correctional Institution

Any use accessory to the preceding uses

13.5.3 PROHIBITIONS

- .1 A *building* or *structure* with a height of more than 14.0 m is prohibited

13.5.5 PROVISIONS

- | | | |
|-----|---|--------------------------|
| .1 | Lot Frontage – minimum | 250.0 m |
| .2 | Lot Area – minimum | 12.00 ha |
| .3 | Lot Coverage – maximum | 40.0% |
| .5 | Front Yard Depth – minimum | 152.50 m |
| .6 | Rear Yard Depth – minimum | 91.50 m |
| .7 | Side Yard Width – Main Building – minimum | 30.50 m |
| .8 | Landscaped Open Space Yard – minimum | 50.0% of <i>lot area</i> |
| .20 | Notwithstanding the General Provisions, an <i>accessory building</i> shall be setback a minimum of 10.0 m from a <i>side lot line</i> and from a <i>rear lot line</i> . | |

13.6 INSTITUTIONAL DISTRICT 1.6 (ID1.6)**13.6.1 PERMITTED USES**

Business Office and other facilities of a non-profit or charitable organization

Child Care Centre

Place of Worship

School

Shelter

Any use accessory to the preceding uses, including a *Caretaker's Residence* or pastoral residence within the *main use*

13.6.3 PROHIBITIONS

- .1 A *building* or *structure* within 30.0 m or less of the limit of a railway right-of-way is prohibited

13.6.5 PROVISIONS

- | | | |
|-----|--------------------------------------|--------------------------|
| .1 | Lot Frontage – minimum | 150.0 m |
| .2 | Lot Area – minimum | 19.00 ha |
| .3 | Lot Coverage – maximum | 20.0% |
| .4 | Main Building Height – maximum | 14.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .6 | Rear Yard Depth – minimum | 15.0 m |
| .7 | Side Yard Width – minimum | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 20.0% of <i>lot area</i> |
| .50 | Section 5.2.10 shall not apply. | |

13.7 INSTITUTIONAL DISTRICT 1.7 (ID1.7)**13.7.1 PERMITTED USES**

Business Office and other facilities of a non-profit or charitable organization

Club

Health Studio

Place of Worship

Private Park

Public Hall

Any use accessory to the preceding uses

13.6.3 PROHIBITIONS

- .1 A *Caretaker's Residence*, pastoral residence or any other residential use as a *main use* or as an *accessory use* is prohibited.
- .5 A *building* or *structure* within 75.0 m or less of the limit of a railway right-of-way is prohibited.

13.7.5 PROVISIONS

- | | | |
|-----|--|--------------------------|
| .1 | Lot Frontage on Walker Road – minimum | 100.0 m |
| .2 | Lot Area – minimum | 2.40 ha |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | 14.0 m |
| .7 | Side Yard Width – minimum | 3.00 m |
| .10 | Landscaped Open Space Yard – minimum | 20.0% of <i>lot area</i> |
| .20 | Building Setback from municipal right-of-way | 6.0 |

SECTION 14 - COMMERCIAL DISTRICTS 1. (CD1.)

(B/L 11922 Sep 23/1994; B/L 33-2001 Oct 23/2001 OMB Decision/Order No. 1716 Case No. PL010233; B/L 363-2002 Dec 31/2002; B/L 375-2004 Dec 21/2004; B/L 180-2008 OMB ORDER PL050845 Jul 10/2008; B/L 358-1998 Dec 22/1998; B/L 31-2013 Mar 28/2013; B/L 7-2018, Feb. 23, 2018)
[ZNG/3590; ZNG/5271]

14.1 COMMERCIAL DISTRICT 1.1 (CD1.1)

14.1.1 PERMITTED USES

Business Office
Child Care Centre
Food Outlet - Take-out
Medical Office
Personal Service Shop
Professional Studio
Repair Shop - Light
Restaurant
Retail Store

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

14.1.5 PROVISIONS

.4	Building Height – maximum	7.50 m
.10	Gross Floor Area – maximum	
	For each <i>Business Office, Food Outlet - Take-out, Medical Office, Personal Service Shop, Professional Studio, Repair Shop - Light, Restaurant or Retail Store:</i>	250.0 m ²

14.2 COMMERCIAL DISTRICT 1.2 (CD1.2)

14.2.1 PERMITTED USES

Business Office
Child Care Centre
Food Outlet - Take-out
Medical Office
Personal Service Shop
Professional Studio
Repair Shop – Light
Restaurant
Retail Store

Dwelling Units in a *Combined Use Building* with any one or more of the above uses

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

14.2.5 PROVISIONS

.4	Building Height – maximum	7.50 m
.9	Amenity Area – Per Dwelling Unit – minimum	12.0 m ² per unit
.10	Gross Floor Area – maximum	
	For each <i>Business Office, Food Outlet - Take-out, Medical Office, Personal Service Shop, Professional Studio, Repair Shop - Light, Restaurant or Retail Store:</i>	250.0 m ²

14.3 COMMERCIAL DISTRICT 1.3 (CD1.3)

14.3.1 PERMITTED USES

Business Office

Child Care Centre

Commercial School

Food Outlet - Take-out

Medical Office

Personal Service Shop

Professional Studio

Repair Shop - Light

Restaurant

Retail Store

Dwelling Units in a Combined Use Building with any one or more of the above uses

Double Duplex Dwelling

Duplex Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Tourist Home

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

14.3.5 PROVISIONS

- | | | |
|-----|--|--------------------------|
| .4 | Building Height – maximum | 7.50 m |
| .8 | Landscaped Open Space Yard – minimum | 15.0% of <i>lot area</i> |
| .10 | Gross Floor Area – maximum | |
| | <i>For each Business Office, Food Outlet - Take-out, Medical Office, Personal Service Shop, Professional Studio, Repair Shop - Light, Restaurant or Retail Store:</i> | 250.0 m ² |
| .50 | For a <i>Combined Use Building</i> or a <i>Tourist Home</i> and any use accessory thereto, the following additional provisions shall apply: | |
| | a) Lot Coverage – maximum | 45.0 % |
| | b) Main Building Height – maximum | 10.0 m |
| | c) Front Yard Depth – minimum | 6.0 m |
| | d) Rear Yard Depth – minimum | 7.50 m |
| | e) Side Yard Width – minimum | 1.20 m |
| .55 | For a <i>Combined Use Building</i> , a <i>parking space</i> in a <i>rear yard</i> shall be located a minimum of 4.50 m from the rear wall of the <i>Combined Use Building</i> , save and except for a <i>parking space</i> situated entirely within a <i>main building</i> or an <i>accessory building</i> . | |
| .60 | A <i>Double Duplex Dwelling, Duplex Dwelling, Semi-Detached Dwelling, or Single Unit Dwelling</i> , and any use accessory to the preceding uses, shall comply with the appropriate provisions of Section 11.2.5. | |
| .90 | A <i>parking space</i> in a <i>front yard</i> is prohibited. | |

14.4 COMMERCIAL DISTRICT 1.4 (CD1.4)**14.4.1 PERMITTED USES***Business Office**Medical Office**Professional Studio**Veterinary Office**Existing Dwelling Unit*

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

14.4.5 PROVISIONS

.1	Lot Frontage – minimum	20.0 m
.2	Lot Area – minimum	650.0 m ²
.4	Building Height – maximum	7.50 m
.8	Landscaped Open Space Yard – minimum	15.0% of <i>lot area</i>

14.5 COMMERCIAL DISTRICT 1.5 (CD1.5)**14.5.1 PERMITTED USES***Club*

Any use accessory to a *Club*. An *Outdoor Storage Yard* is prohibited.

14.5.5 PROVISIONS

.1	Lot Frontage – minimum	20.0 m
.2	Lot Area – minimum	650.0 m ²
.4	Building Height – maximum	7.50 m
.8	Landscaped Open Space Yard – minimum	15.0% of <i>lot area</i>

14.6 COMMERCIAL DISTRICT 1.6 (CD1.6)**14.6.1 PERMITTED USES***Restaurant**Restaurant with Drive-Through* existing before November 1, 2004

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

14.6.5 PROVISIONS

.1	Lot Frontage – minimum	20.0 m
.2	Lot Area – minimum	650.0 m ²
.4	Building Height – maximum	7.50 m
.8	Landscaped Open Space Yard – minimum	15.0% of <i>lot area</i>

14.7 COMMERCIAL DISTRICT 1.7 (CD1.7)**14.7.1 PERMITTED USES***Parking Area**Public Parking Area*

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

14.7.5 PROVISIONS

See Section 24 Parking Space Provisions and Section 25 Parking Area Provisions

14.12 COMMERCIAL DISTRICT 1.12 (CD1.12)**14.12.1 PERMITTED USES***Business Office**Child Care Centre**Food Outlet - Take-Out**Medical Office**Personal Service Shop**Professional Studio**Repair Shop - Light**Restaurant**Retail Store*

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

14.12.5 PROVISIONS

- | | | |
|-----|--|----------------------|
| .4 | Building Height – maximum | 7.50 m |
| .10 | Gross Floor Area – maximum | |
| | a) For each <i>Business Office, Food Outlet - Take-Out, Medical Office, Personal Service Shop, Professional Studio, Repair Shop – Light, Restaurant or Retail Store</i> : | 250.0 m ² |
| | b) Total <i>gross floor area</i> of all <i>Restaurant and Food Outlet - Take-Out</i> uses: | 500.0 m ² |
| .50 | A minimum setback of 6.0 m from the northern limit of the parcel adjacent to Lots 194, 195 and 196, Plan 12M-355 (fronting on Sixth Concession Road). Said setback shall be maintained exclusively as a <i>landscaped open space yard</i> . Notwithstanding any other provisions, any <i>building, parking area</i> or <i>access area</i> is prohibited within this setback. | |
| .60 | Vehicular access is permitted to North Talbot Road. Vehicular access to any other <i>highway</i> is prohibited. | |

14.13 COMMERCIAL DISTRICT 1.13 (CD 1.13)

[ZNG/5149]

14.13.1 PERMITTED USES*Parking Area**Public Parking Area***14.13.5 PROVISIONS**

- .50 The provisions of Section 20(4)5.5(c), Section 24 and Section 25 and the following additional provisions shall apply:
- a) Each *parking space, parking aisle, collector aisle, access area, loading space* or *stacking space* shall have no greater than the minimum length and minimum width required in Section 24 and Section 25.
 - b) Parking area separation shall be provided as follows:
 1. Where the *lot width* is less than or equal to 18.0 m, a parking area separation of 0.90 m shall be provided between a *parking area* and an *interior lot line*.
 2. Where the *lot width* is greater than 18.0 m, a parking area separation between a *parking area* and an *interior lot line* shall be greater than 0.90 m and shall include any area excess of Section 14.13.5.50a)
 3. Parking area separation is not required between a *parking area* and an *alley*.

SECTION 15 - COMMERCIAL DISTRICTS 2. (CD2.)

(B/L 8614 Jun 23/1986; B/L 11358 Mar 1/1993; B/L 11614 Nov1/1993; B/L 11922 Sep 23/1994; B/L 12602 Jun 17/1996; B/L 39-1998 Mar 10/1998; B/L 162-1998 Jun 24/1998; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 375-2004 Dec 21/2004; B/L 46-2005 Mar 23/2005; B/L 232-2006 Jan 18/2007; B/L 164-2010 Nov 17/2010; B/L 7-2018 Feb. 23/2018)
[ZNG/5271]

15.1 COMMERCIAL DISTRICT 2.1 (CD2.1)

15.1.1 PERMITTED USES

Bakery
Business Office
Child Care Centre
Commercial School
Confectionery
Food Outlet - Drive-Through
Food Outlet - Take-Out
Funeral Establishment
Garden Centre
Gas Bar
Medical Office
Micro-Brewery
Parking Garage
Personal Service Shop
Place of Entertainment and Recreation
Place of Worship
Professional Studio
Public Hall
Public Parking Area
Repair Shop – Light
Restaurant
Restaurant with Drive-Through
Retail Store
Temporary Outdoor Vendor's Site
Tourist Home
Veterinary Office
Wholesale Store
Existing Automobile Repair Garage
Existing Service Station

Any use accessory to any of the preceding uses. An *Outdoor Storage Yard* is prohibited, save and except, in combination with the following main uses:
Garden Centre, Temporary Outdoor Vendor's Site, Existing Automobile Repair Garage.

15.1.5 PROVISIONS

- | | | |
|-----|--|----------------------|
| .4 | Building Height – maximum | 14.0 m |
| .10 | Gross Floor Area – maximum | |
| | <i>Bakery or Confectionary</i> | 550.0 m ² |
| .26 | A <i>Temporary Outdoor Vendor's Site</i> is prohibited in a <i>Business Improvement Area</i> . | |

15.2 COMMERCIAL DISTRICT 2.2 (CD2.2)

15.2.1 PERMITTED USES

<i>Bakery</i>	<i>Place of Entertainment and Recreation</i>
<i>Business Office</i>	<i>Place of Worship</i>
<i>Child Care Centre</i>	<i>Professional Studio</i>
<i>Commercial School</i>	<i>Public Hall</i>
<i>Confectionery</i>	<i>Repair Shop – Light</i>
<i>Food Outlet - Take-Out</i>	<i>Restaurant</i>
<i>Funeral Establishment</i>	<i>Retail Store</i>
<i>Medical Office</i>	<i>Veterinary Office</i>
<i>Micro-Brewery</i>	<i>Wholesale Store</i>
<i>Personal Service Shop</i>	

Dwelling Units in a Combined Use Building with any one or more of the above uses

Gas Bar

Outdoor Market

Parking Garage

Public Parking Area

Tourist Home

Existing Automobile Repair Garage

Existing Service Station

Any use accessory to any of the preceding uses. An *Outdoor Storage Yard* is prohibited, save and except, in combination with the following main uses:

Outdoor Market, Existing Automobile Repair Garage.

15.2.3 PROHIBITED USES

A *Gas Bar* and a *Service Station* is prohibited on any lot located within 63.50 m of the east or west limits of Sandwich Street between Detroit Street and Brock Street or within 30.0 m of the south limit of Mill Street between Russell Street and Sandwich Street.

15.2.5 PROVISIONS

- | | | |
|-----|--|------------------------------|
| .4 | Building Height – maximum | 14.0 m |
| .9 | Amenity Area – Per Dwelling Unit – minimum | 12.0 m ² per unit |
| .10 | Gross Floor Area – maximum | |
| | <i>Bakery or Confectionary</i> | 550.0 m ² |
| .15 | For a <i>Combined Use Building</i> , all <i>dwelling units</i> , not including entrances thereto, shall be located above the non-residential uses. | |
| .24 | An <i>Outdoor Market</i> is permitted within a <i>Business Improvement Area</i> . An <i>Outdoor Market</i> is prohibited elsewhere. | |

15.3 COMMERCIAL DISTRICT 2.3 (CD2.3)**15.3.1 PERMITTED USES***Food Convenience Store**Gas Bar**Service Station*

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

15.3.5 PROVISIONS

.1	Lot Frontage – minimum	45.0 m
.2	Lot Area – minimum	1,850.0 m ²
.4	Building Height – maximum	4.50 m
.20	Building Setback – minimum	
	a) Main Building – from exterior lot line	15.0 m
	b) Pump island – from exterior lot line	4.50 m

15.4 COMMERCIAL DISTRICT 2.4 (CD2.4)**15.4.1 PERMITTED USES***Marina*

Any use accessory to a *Marina* including a *Caretaker's Residence*.

15.4.5 PROVISIONS

.3	Lot Coverage – maximum	30.0%
.4	Building Height – maximum	9.0 m
.8	Landscaped Open Space Yard – minimum	15.0% of <i>lot area</i>
.50	Municipal watermain, storm and sanitary sewer shall be available to service any permitted use, buildings or structures	

15.6 COMMERCIAL DISTRICT 2.6 (CD2.6)**15.6.1 PERMITTED USES***Automobile Sales Lot**Business Office*

Any use accessory to the preceding uses.

15.6.5 PROVISIONS

.4	Building Height – maximum	9.0 m
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15.7 COMMERCIAL DISTRICT 2.7 (CD2.7)**15.7.1 PERMITTED USES***Bake Shop**Business Office**Child Care Centre**Commercial School**Food Outlet – Take-Out**Medical Office**Micro-Brewery**Personal Service Shop**Place of Entertainment and Recreation**Place of Worship**Professional Studio**Repair Shop – Light**Restaurant**Retail Store**School**Veterinary Office**Dwelling Units in a Combined Use Building with any one or more of the above uses.**Multiple Dwelling on Block 8 and 12 as shown on Schedule ‘A’ to By-law 172-1998.*

Any use accessory to any of the preceding uses.

15.7.3 PROHIBITED USES

Drive-through facility or service

Retail Store for the following:

concrete blocks, lumber, precast concrete products, roofing materials, sand aggregate or any similar building supplies;

fuels, rags, scrap metal, used vehicle parts;

automobiles, buses, combination trucks or vehicles of the tractor trailer and semi-trailer type, construction vehicles and equipment, farm implements, farm tractors, mobile home dwellings, motor vehicles, motorcycles;

machinery, machine tools and equipment for industrial use.

15.7.5 PROVISIONS

.4 Building Height – maximum 14.0 m

.10 Gross Floor Area – *Bake Shop* – maximum 500.0 m².50 Any *building* erected shall have one building wall located on the *exterior lot line* abutting Banwell Road..90 A vehicle *access area* to Banwell Road is prohibited.

SECTION 16 - COMMERCIAL DISTRICTS 3. (CD3.)

(B/L 8614 Jun 23/1986; B/L 9057 Jul 7/1987; B/L11780 Mar 28/1994; B/L 11828 May 30/1994; B/L 162-1998 Jun 24/1998
 B/L 177-2001 Jun 12/2001; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233
 B/L 370-2001 Nov 15/2001; B/L 168-2002 Jul 18/2002; B/L 363-2002 Dec 31/2002; B/L 375-2004 Dec 21/2004
 B/L 232-2006 Jan 18/2007; B/L 154-2008 Sep 30/2008; B/L 64-2009 Aug 10/2009; B/L 164-2010 Nov 17/2010
 B/L 31-2013 Mar 28/2013; B/L 48-2014 Apr 15/2014; B/L 7-2018, Feb. 23/2018)
 [ZNG/3590; ZNG/5271]

16.1 COMMERCIAL DISTRICT 3.1 (CD3.1)

16.1.1 PERMITTED USES

<i>Business Office</i>	<i>Personal Service Shop</i>
<i>Child Care Centre</i>	<i>Place of Entertainment and Recreation</i>
<i>Commercial School</i>	<i>Place Of Worship</i>
<i>Food Outlet - Take-Out</i>	<i>Professional Studio</i>
<i>Hotel</i>	<i>Repair Shop - Light</i>
<i>Medical Office</i>	<i>Restaurant</i>
<i>Micro-Brewery</i>	<i>Retail Store</i>
<i>Dwelling Units in a Combined Use Building with any one or more of the above uses</i>	
<i>Ambulance Service</i>	
<i>Marina</i>	
<i>Parking Garage</i>	
<i>Public Hall</i>	
<i>Public Parking Area</i>	

Any use accessory to any of the preceding uses. An *Outdoor Storage Yard* is prohibited, save and except, in combination with the following main uses:
Ambulance Service, Marina.

16.1.5 PROVISIONS

- | | | |
|-----|---|---|
| .4 | Building Height – maximum | Equal to the length of the longest <i>exterior lot line</i> . |
| .9 | Amenity Area – Per Dwelling Unit – minimum | |
| | a) For the first 8 <i>dwelling units</i> : | 0.0 m ² per unit |
| | b) For each additional <i>dwelling unit</i> : | 12.0 m ² per unit |
| .15 | For a <i>Combined Use Building</i> , all <i>dwelling units</i> , not including entrances thereto, are located above the non-residential uses. | |
| .17 | Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited. | |

16.2 COMMERCIAL DISTRICT 3.2 (CD3.2)

16.2.1 PERMITTED USES

- | | |
|---|--|
| <i>Business Office</i> | <i>Personal Service Shop</i> |
| <i>Child Care Centre</i> | <i>Place of Entertainment and Recreation</i> |
| <i>Commercial School</i> | <i>Place of Worship</i> |
| <i>Food Outlet - Take-Out</i> | <i>Professional Studio</i> |
| <i>Hotel</i> | <i>Public Hall</i> |
| <i>Medical Office</i> | <i>Repair Shop - Light</i> |
| <i>Medical Appliance Facility</i> | <i>Restaurant</i> |
| <i>Micro-Brewery</i> | <i>Retail Store</i> |
| <i>Dwelling Units in a Combined Use Building with any one or more of the above uses</i> | |
| <i>Double Duplex Dwelling</i> | <i>Residential Care Facility</i> |
| <i>Duplex Dwelling</i> | <i>Semi-Detached Dwelling</i> |
| <i>Lodging House</i> | <i>Townhome Dwelling</i> |
| <i>Multiple Dwelling</i> | |
| <i>Existing Funeral Establishment</i> | |
| <i>Existing Gas Bar</i> | |
| <i>Existing Service Station</i> | |

Any use accessory to any of the above, including a *Caretaker's Residence*. An *Outdoor Storage Yard* is prohibited.

16.2.5 PROVISIONS

- | | | |
|-----|--|---|
| .1 | Lot Frontage – minimum | 15.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>building</i> containing only non-residential uses: | 400.0 m ² |
| .4 | Building Height – maximum | |
| | a) For the block bounded by Ouellette Avenue, Erie Street, Goyeau Street and Elliott Street: | 55.0 m |
| | b) For any other area: | Equal to the length of the longest <i>exterior lot line</i> |
| .8 | Landscaped Open Space Yard – minimum | 30.0% of <i>lot area</i> |
| .10 | Gross Floor Area – Total – maximum | |
| | Within the same <i>building</i> , for a <i>Retail Store</i> , <i>Personal Service Shop</i> , <i>Repair Shop – Light</i> , or any combination thereof | 250.0 m ² |
| .11 | Gross Floor Area Ratio – maximum | 4.5 |
| .15 | For a <i>Combined Use Building</i> , all <i>dwelling units</i> , not including entrances thereto and a <i>Caretaker's Residence</i> , shall be located above the non-residential uses. | |
| .17 | Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited. | |

Commercial District 3.2 (CD3.2) continued on next page

16.2 COMMERCIAL DISTRICT 3.2 (CD3.2) – continued**16.2.5 PROVISIONS (continued)**

- .20 Building Setback – minimum –
- a) From an *exterior lot line*: 6.0 m
 - b) From an *exterior lot line* abutting Pelissier Street or Dufferin Place for that part of the building having a *building height* of more than 12.0 m: 18.0 m
 - c) From an *interior lot line* where a habitable room window faces the *interior lot line* for that part of the *building* having a *building height* of 12.0 m or less: 6.0 m
 - d) From an *interior lot line* where a habitable room window faces the *interior lot line* for that part of the *building* having a *building height* of more than 12.0 m: 11.0 m
 - e) From an *interior lot line* where a habitable room window does not face the *interior lot line* for that part of the *building* having a *building height* of 12.0 m or less: 3.0 m
 - f) From an *interior lot line* where a habitable room window does not face the *interior lot line* for that part of the *building* having a *building height* of more than 12.0 m: 25.0% of building height
- .50 Any new *building* or *structure* shall be erected on a *through lot*, except that where a *lot* is not a *through lot*, one *accessory building* or one *accessory structure* having a maximum *gross floor area* of 40.0 m² may be erected on such lot.
- .60 Dwelling Unit Density - maximum *dwelling units* per hectare:
- a) *Lot Frontage* of less than 30.0 m: 100
 - b) *Lot Frontage* of 30.0 m or more but less than 45.0 m: 230
 - c) *Lot Frontage* of 45.0 m or more but less than 60.0 m: 280
 - d) *Lot Frontage* of 60.0 m or more: 330
 - e) Where both the *landscaped open space yard* is greater than 40% of the *lot area* and the *lot frontage* is more than 30.0 metres, the maximum *dwelling units* per hectare may be increased by 15%.
- .70 Notwithstanding Sections 16.2.5.1 to 16.2.5.60, a *Double Duplex Dwelling*, *Duplex Dwelling*, *Semi-Detached Dwelling* or *Townhome Dwelling* shall comply with the appropriate provisions of Section 11.2.5.

16.3 COMMERCIAL DISTRICT 3.3 (CD3.3)

16.3.1 PERMITTED USES

<i>Ambulance Service</i>	<i>Personal Service Shop</i>
<i>Automobile Repair Garage</i>	<i>Place of Entertainment and Recreation</i>
<i>Bakery</i>	<i>Place Of Worship</i>
<i>Business Office</i>	<i>Print Shop</i>
<i>Child Care Centre</i>	<i>Professional Studio</i>
<i>Commercial School</i>	<i>Public Hall</i>
<i>Confectionery</i>	<i>Public Parking Area</i>
<i>Food Outlet - Drive-Through</i>	<i>Repair Shop - Light</i>
<i>Food Outlet - Take-Out</i>	<i>Restaurant</i>
<i>Funeral Home</i>	<i>Restaurant with Drive-Through</i>
<i>Garden Centre</i>	<i>Retail Store</i>
<i>Gas Bar</i>	<i>Service Station</i>
<i>Hotel</i>	<i>Temporary Outdoor Vendor's Site</i>
<i>Medical Appliance Facility</i>	<i>Veterinary Office</i>
<i>Medical Office</i>	<i>Warehouse</i>
<i>Micro-Brewery</i>	<i>Wholesale Store</i>
<i>Parking Garage</i>	<i>Workshop</i>
<i>Existing Automobile Collision Shop</i>	
<i>Existing Industrial Use</i>	
<i>Existing Motor Vehicle Dealership</i>	

Any use accessory to any of the above uses. An *Outdoor Storage Yard* is prohibited, save and except with the following main uses: *Ambulance Service, Garden Centre, Temporary Outdoor Vendor's Site, Existing Automobile Collision Shop, Existing Industrial Use, Existing Motor Vehicle Dealership.*

16.3.5 PROVISIONS

.4	Building Height – maximum	20.0 m
.10	Gross Floor Area – maximum	
	a) <i>Bakery or Confectionary</i>	500.0 m ²
	b) <i>Workshop</i> – Percent of the <i>gross floor area</i> of the <i>Retail Store</i> or <i>Wholesale Store</i>	200.0%
.26	A <i>Temporary Outdoor Vendor's Site</i> is prohibited in a <i>Business Improvement Area</i> .	

16.4 COMMERCIAL DISTRICT 3.4 (CD3.4)

16.4.1 PERMITTED USES

<i>Business Office</i>	<i>Personal Service Shop</i>
<i>Food Convenience Store</i>	<i>Pharmacy</i>
<i>Food Outlet - Take-Out</i>	<i>Professional Studio</i>
<i>Health Studio</i>	<i>Restaurant</i>
<i>Medical Office</i>	<i>Retail Store</i>
<i>Medical Appliance Facility</i>	

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

16.4.5 PROVISIONS

.4	Building Height – maximum:	14.0 m
.8	Landscaped Open Space Yard – minimum:	20.0% of <i>lot area</i>
.17	Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited.	

16.5 COMMERCIAL DISTRICT 3.5 (CD3.5)

16.5.1 PERMITTED USES

- | | |
|-----------------------------------|--|
| <i>Business Office</i> | <i>Personal Service Shop</i> |
| <i>Child Care Centre</i> | <i>Place of Entertainment and Recreation</i> |
| <i>Commercial School</i> | <i>Place of Worship</i> |
| <i>Food Outlet - Take-Out</i> | <i>Professional Studio</i> |
| <i>Hotel</i> | <i>Public Hall</i> |
| <i>Medical Office</i> | <i>Repair Shop - Light</i> |
| <i>Medical Appliance Facility</i> | <i>Restaurant</i> |
| <i>Micro-Brewery</i> | <i>Retail Store</i> |
- Dwelling Units in a Combined Use Building with any of the above uses*
- Double Duplex Dwelling*
- Duplex Dwelling*
- Lodging House*
- Multiple Dwelling*
- Residential Care Facility*
- Semi-Detached Dwelling*
- Townhome Dwelling*
- Existing Funeral Establishment*
- Existing Gas Bar*
- Existing Service Station*
- Restaurant with Drive-through existing before November 1, 2004*
- Any use accessory to any of the above uses, including a *Caretaker's Residence*. An *Outdoor Storage Yard* is prohibited.

16.5.5 PROVISIONS

- | | | |
|-----|--|---|
| .1 | Lot Frontage – minimum | 15.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>building</i> containing only non-residential uses | 400.0 m ² |
| .4 | Building Height – maximum | Equal to the length of the longest <i>exterior lot line</i> |
| .8 | Landscaped Open Space Yard – minimum | 30.0% of <i>lot area</i> |
| .10 | Gross Floor Area | |
| | Within the same <i>building</i> , for a <i>Retail Store</i> , <i>Personal Service Shop</i> , <i>Repair Shop – Light</i> , or any combination thereof | 250.0 m ² |
| .11 | Gross Floor Area Ratio – maximum | 3.0 |
| .15 | For a <i>Combined Use Building</i> , all <i>dwelling units</i> , not including entrances thereto, shall be located above the non-residential uses | |
| .17 | Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited. | |

Commercial District 3.5 (CD3.5) continued on next page

16.5 COMMERCIAL DISTRICT 3.5 (CD3.5) – continued**16.5.5 PROVISIONS (continued)****.20 Building Setback – minimum**

- | | |
|--|--------------------------|
| a) From an <i>exterior lot line</i> : | 6.0 m |
| b) From an <i>exterior lot line</i> abutting Pelissier Street or Dufferin Place for that part of the building having a <i>building height</i> of more than 12.0 m: | 18.0 m |
| c) From an <i>interior lot line</i> where a habitable room window faces the <i>interior lot line</i> for that part of the <i>building</i> having a <i>building height</i> of 12.0 m or less: | 6.0 m |
| d) From an <i>interior lot line</i> where a habitable room window faces the <i>interior lot line</i> for that part of the <i>building</i> having a <i>building height</i> of more than 12.0 m: | 11.0 m |
| e) From an <i>interior lot line</i> where a habitable room window does not face the <i>interior lot line</i> for that part of the <i>building</i> having a <i>building height</i> of 12.0 m or less: | 3.0 m |
| f) From an <i>interior lot line</i> where a habitable room window does not face the <i>interior lot line</i> for that part of the <i>building</i> having a <i>building height</i> of more than 12.0 m: | 25.0% of building height |

.50 Any new *building* or *structure* shall be erected on a *through lot*, except that where a lot is not a *through lot*, one *accessory building* or one accessory structure having a maximum *gross floor area* of 40.0 m² may be erected on such lot.

.60 Dwelling Unit Density – maximum *dwelling units* per hectare

- | | |
|---|-----|
| a) Lot Frontage less than 30.0 m: | 100 |
| b) Lot Frontage 30.0 m or more: | 230 |
| c) Where both the <i>landscaped open space yard</i> is greater than 40% of the <i>lot area</i> and the <i>lot frontage</i> is more than 30.0 metres, the maximum <i>dwelling units</i> per hectare may be increased by 15%. | |

.70 Notwithstanding Sections 16.5.5.1 to 16.5.5.60, a *Double Duplex Dwelling*, *Duplex Dwelling*, *Semi-Detached Dwelling* or *Townhome Dwelling* shall comply with the provisions of Section 11.2.5.

16.6 COMMERCIAL DISTRICT 3.6 (CD3.6)

16.6.1 PERMITTED USES

- | | |
|------------------------------------|--------------------------------------|
| <i>Bakery</i> | <i>Print Shop</i> |
| <i>Business Office</i> | <i>Professional Studio</i> |
| <i>Child Care Centre</i> | <i>Repair Shop – Light</i> |
| <i>Commercial School</i> | <i>Restaurant</i> |
| <i>Confectionery</i> | <i>Restaurant with Drive-Through</i> |
| <i>Food Outlet - Drive-Through</i> | <i>Retail Store</i> |
| <i>Food Outlet - Take-Out</i> | <i>Veterinary Office</i> |
| <i>Medical Office</i> | <i>Wholesale Store</i> |
| <i>Medical Appliance Facility</i> | <i>Workshop</i> |
| <i>Personal Service Shop</i> | |

Dwelling Units in a Combined Use Building with any one or more of the above uses

- Funeral Establishment*
- Garden Centre*
- Hotel*
- Lodging House*
- Micro-Brewery*
- Outdoor Market within a Business Improvement Area*
- Parking Garage*
- Place of Entertainment and Recreation*
- Place of Worship*
- Public Hall*
- Public Parking Area*
- Residential Care Facility*
- Temporary Outdoor Vendor’s Site*
- Existing Automobile Repair Garage*
- Existing Gas Bar*
- Existing Service Station*

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited, save and except with the following main uses: *Garden Centre, Outdoor Market, Temporary Outdoor Vendor’s Site, Existing Automobile Repair Garage.*

16.6.5 PROVISIONS

- .4 Building Height – maximum 20.0 m
- .9 Amenity Area – Per Dwelling Unit – minimum 12.0 m²
- .10 Gross Floor Area – maximum
 - a) *Bakery, Confectionery or Restaurant* 500.0 m²
 - b) *Workshop - Percent of the gross floor area of the Retail Store or Wholesale Store* 200.0%
- .26 A *Temporary Outdoor Vendor’s Site* is prohibited in a *Business Improvement Area*.

16.7 COMMERCIAL DISTRICT 3.7 (CD3.7)**16.7.1 PERMITTED USES**

Business Office

Food Outlet – Take-Out

Gaming Facility

Hotel

Micro-Brewery

Outdoor Market

Parking Garage

Personal Service Shop

Place of Entertainment and Recreation

Professional Studio

Public Hall

Repair Shop - Light

Restaurant

Retail Store

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited, save and except with the following main uses: *Gaming Facility, Outdoor Market.*

16.7.5 PROVISIONS

- .4 Building Height – maximum Equal to the length of the longest exterior lot line
- .17 Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited

16.8 COMMERCIAL DISTRICT 3.8 (CD3.8)**16.8.1 PERMITTED USES**

Surface *Parking Area* on Parts 1, 3, 4, 6 and 7, Plan 12R-23542;

Municipal storm water management facility and related infrastructure on Parts 2 and 5, Plan 12R-23542;

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

16.8.5 PROVISIONS

- .90 Trees are prohibited and all landscaping shall be in accordance with an approved Landscape Plan and/or Site Plan Agreement.
- .95 Permanent or temporary *building* or *structure* is prohibited, save and except in accordance with an approved site plan and/or Site Plan Agreement.

16.9 COMMERCIAL DISTRICT 3.9 (CD3.9)

16.9.1 PERMITTED USES

Business Office

Child Care Centre

Medical Office

Personal Service Shop

Professional Studio

Retail Store for the sale of clothing

Veterinary Office

Existing Single Unit Dwelling

Any use accessory to the preceding uses. A drive-through facility and an *Outdoor Storage Yard* are prohibited.

16.9.5 PROVISIONS

.1 Lot Frontage

a) The *lot line* abutting Dougall Avenue shall be deemed the *front lot line*

b) Interior Lot – minimum / maximum 30.0 m / 90.0 m

c) Corner Lot – minimum / maximum 36.0 m / 90.0 m

.4 Building Height – maximum 7.50 m

.6 Rear Yard Depth – maximum 2.0 m

.7 Side Yard Width – minimum 1.50 m

.8 Landscaped Open Space Yard – minimum 15.0% of *lot area*

.50 Parking area setback from a *rear lot line* 10.0 m

.60 Any addition to an *existing Single Unit Dwelling* shall be subject to the following provisions:

a) Lot Width – minimum 18.0 m

b) Lot Area – minimum 540.0 m²

c) Lot Coverage – maximum 45.0%

d) Main Building Height – maximum 10.0 m

e) Front Yard Depth – minimum 6.0 m

f) Rear Yard Depth – minimum 7.50 m

e) Side Yard Width – minimum 1.80 m

SECTION 17 - COMMERCIAL DISTRICTS 4. (CD4.)

(B/L 9017 Jun 8/1987; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 256-2002 Sep 30/2002; B/L 363-2002 Dec 31/2002; B/L 167-2003 Jun 27/2003; B/L 375-2004 Dec 21/2004; B/L 142-2006 Aug 24/2006; B/L 232-2006 Jan 18/2007; B/L 164-2010 Nov 17/2010; B/L 129-2012 Oct 6/2012; B/L 31-2013 Mar 28/2013; B/L 158-2013 Nov 13/2013; B/L 7-2018, Feb. 23/2018) [ZNG/3590; ZNG/3930; ZNG/5271]

17.1 COMMERCIAL DISTRICT 4.1 (CD4.1)

17.1.1 PERMITTED USES

- | | |
|---|--|
| <i>Ambulance Service</i> | <i>Micro-Brewery</i> |
| <i>Automobile Collision Shop</i> | <i>Motor Vehicle Dealership</i> |
| <i>Automobile Detailing Service</i> | <i>Personal Service Shop</i> |
| <i>Automobile Repair Garage</i> | <i>Place of Entertainment and Recreation</i> |
| <i>Automobile Sales Lot</i> | <i>Print Shop</i> |
| <i>Building Materials Recycling Store</i> | <i>Professional Studio</i> |
| <i>Business Office</i> | <i>Public Hall</i> |
| <i>Car Wash Automatic</i> | <i>Public Parking Area</i> |
| <i>Car Wash Coin-Operated</i> | <i>Repair Shop – Light</i> |
| <i>Commercial School</i> | <i>Restaurant</i> |
| <i>Contractor's Office</i> | <i>Restaurant with Drive-Through</i> |
| <i>Equipment Rental Shop</i> | <i>Retail Store</i> |
| <i>Food Outlet - Drive-Through Food</i> | <i>Service Station</i> |
| <i>Food Outlet - Take-Out</i> | <i>Temporary Outdoor Vendor’s Site</i> |
| <i>Funeral Establishment</i> | <i>Towing Service</i> |
| <i>Gas Bar</i> | <i>Veterinary Office</i> |
| <i>Hotel</i> | <i>Warehouse</i> |
| <i>Medical Appliance Facility</i> | <i>Wholesale Store</i> |
| <i>Medical Office</i> | <i>Workshop</i> |

The following *existing* uses: Any use permitted in Section 18(1)(a)(i) to (v).
Any use accessory to the preceding uses.

17.1.5 PROVISIONS

- | | | |
|-----|---|------------------------|
| .1 | Lot Width – <i>Automobile Sales Lot</i> – minimum | 30.0 m |
| .4 | Main Building Height – maximum | 20.0 m |
| .10 | Gross Floor Area – <i>Workshop</i> – maximum | 1,100.0 m ² |

17.2 COMMERCIAL DISTRICT 4.2 (CD4.2)

17.2.1 PERMITTED USES

- Motor Vehicle Dealership*
- Any use accessory to a *Motor Vehicle Dealership*

17.2.5 PROVISIONS

- | | | |
|----|--------------------------------------|------------------------|
| .1 | Lot Frontage – minimum | 60.0 m |
| .2 | Lot Area – minimum | 5,000.0 m ² |
| .4 | Building Height – maximum | 9.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15.0% of lot area |

17.3 COMMERCIAL DISTRICT 4.3 (CD4.3)**17.3.1 PERMITTED USES***Hotel**Micro-Brewery**Restaurant*

Any use accessory to the preceding uses. An *Outdoor Storage Yard* is prohibited.

17.3.5 PROVISIONS

- | | | |
|----|--------------------------------------|--------------------------|
| .4 | Building Height – maximum | 20.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15.0% of <i>lot area</i> |

17.4 COMMERCIAL DISTRICT 4.4 (CD4.4)**17.4.1 PERMITTED USES**

Customs and Immigration Inspection Offices and Facilities

Motor Vehicle Bridge

Any one or more of the following uses in combination with a Motor Vehicle Bridge:

*Business Office, Retail Store, Warehouse.**Public Parking Area*

Any use accessory to the preceding uses

17.4.5 PROVISIONS

- | | | |
|-----|---|------------------------|
| .4 | Building Height – maximum | 23.0 m |
| .10 | Gross Floor Area – Total for all <i>Retail Stores</i> | 2,500.0 m ² |

17.5 COMMERCIAL DISTRICT 4.5 (CD4.5)**17.5.1 PERMITTED USES***Public Utility*

Pumping Station – Sewage

Treatment Plant – Sewage

Any use accessory to the preceding uses

17.5.5 PROVISIONS

- | | | |
|----|---------------------------|--------|
| .4 | Building Height – maximum | 20.0 m |
|----|---------------------------|--------|

SECTION 18 - MANUFACTURING DISTRICTS 1. (MD1.)

[ZNG/3590; ZNG/4046; ZNG/5364]

(B/L 8614, Jun 23/1986; B/L 9057, Jul 7/1987; B/L 10238 May 30/1990; B/L 33-2001, OMB Decision/Order No. 1716, Case No. PL010233, Oct 23/2001; B/L 370-2001 Nov 15/2001; B/L 363-2002, Dec 31/2002; B/L 375-2004, Dec 21/2004; OMB Decision/Order No. 0055, Case No. PL040243, Jan 12/2005; B/L 324-2004, OMB Decision/Order No. 1695, Jun 13/2006; B/L 141-2006, Aug 24/2006; B/L 142-2006, Aug 24/2006; B/L 17-2009, Mar 3/2009; B/L 31-2013, Mar 28/2013; B/L 48-2014, Apr 14/2014; B/L 169/2018 Nov 19/2018)

18.1 MANUFACTURING DISTRICT 1.1 (MD1.1)

18.1.1 PERMITTED USES

- | | |
|---|--------------------------------------|
| <i>Ambulance Service</i> | <i>Micro-Brewery</i> |
| <i>Building Materials Recycling Store</i> | <i>Public Parking Area</i> |
| <i>Bulk Storage Facility</i> | <i>Repair Shop - Heavy</i> |
| <i>Contractor's Office</i> | <i>Repair Shop - Light</i> |
| <i>Equipment Rental Shop</i> | <i>Self-Storage Facility</i> |
| <i>Food Catering Service</i> | <i>Towing Service</i> |
| <i>Food Processing Facility</i> | <i>Warehouse</i> |
| <i>Laundry Plant</i> | <i>Water Transportation Facility</i> |
| <i>Manufacturing Facility</i> | <i>Welding Shop</i> |
| <i>Medical Appliance Facility</i> | |

Any of the following *Ancillary Uses*:

- | | |
|-------------------------------|--|
| <i>Automobile Sales Lot</i> | <i>Gas Bar</i> |
| <i>Car Wash Automatic</i> | <i>Retail Store – Equipment & Supplies</i> |
| <i>Car Wash Coin Operated</i> | <i>Veterinary Office</i> |
| <i>Club (Existing)</i> | <i>Wholesale Store</i> |
| <i>Food Outlet - Take-Out</i> | |

Any use accessory to any of the above uses, including a *Caretaker's Residence* or *Transport Terminal*.

18.1.3 PROHIBITED USES

- Outdoor storage of aggregate*
- Transport Terminal as a main use*

18.1.5 PROVISIONS

- | | | |
|----|--|------------------------|
| .4 | Building Height – maximum | 14.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | a) From a <i>side lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located | 6.0 m |
| | b) From an <i>exterior lot line</i> | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15% of <i>lot area</i> |

18.2 MANUFACTURING DISTRICT 1.2 (MD1.2)

18.2.1 PERMITTED USES

- | | |
|--|--|
| <i>Ambulance Service</i> | <i>Medical Appliance Facility</i> |
| <i>Building Materials Recycling Store</i> | <i>Micro-Brewery</i> |
| <i>Bulk Storage Facility</i> | <i>Public Parking Area</i> |
| <i>Business Office</i> | <i>Repair Shop - Heavy</i> |
| <i>Contractor's Office</i> | <i>Repair Shop – Light</i> |
| <i>Equipment Rental Shop</i> | <i>Self-Storage Facility</i> |
| <i>Food Catering Service</i> | <i>Towing Service</i> |
| <i>Food Processing Facility</i> | <i>Warehouse</i> |
| <i>Laundry Plant</i> | <i>Water Transportation Facility</i> |
| <i>Manufacturing Facility</i> | <i>Welding Shop</i> |
|
 | |
| Any of the following <i>Ancillary Uses</i> : | |
| <i>Automobile Sales Lot</i> | <i>Health Studio</i> |
| <i>Car Wash Automatic</i> | <i>Restaurant</i> |
| <i>Car Wash Coin Operated</i> | <i>Restaurant with Drive-through</i> |
| <i>Club</i> | <i>Retail Store – Equipment & Supplies</i> |
| <i>Food Outlet - Drive-through</i> | <i>Veterinary Office</i> |
| <i>Food Outlet - Take-out</i> | <i>Wholesale Store</i> |
| <i>Gas Bar</i> | |

Any use accessory to any of the above uses, including a *Caretaker’s Residence*, *Retail Store*, or *Transport Terminal*

18.2.3 PROHIBITED USES

- Outdoor storage of *aggregate*
- Transport Terminal* as a *main use*

18.2.5 PROVISIONS

- | | | |
|-----|--|---|
| .4 | Building Height – maximum | 14.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | a) From a <i>side lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located | 6.0 m |
| | b) From an <i>exterior lot line</i> : | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15.0% of <i>lot area</i> |
| .10 | Gross Floor Area – <i>Retail Store</i> – maximum | 25.0% of the <i>GFA</i> of the <i>main building</i> |

18.3 MANUFACTURING DISTRICT 1.3 (MD1.3)

18.3.1 PERMITTED USES

Ambulance Service

Loading Compound

Micro-Brewery

Public Parking Area

Railway

Self-Storage Facility

Towing Facility

Transport Terminal

Warehouse

Water Transportation Facility

For any *lot* located in an area bound by Wyandotte Street West to the north, Janette Avenue to the east, Tecumseh Road West to the south and McKay Avenue to the west and zoned MD1.3, the following shall be additional permitted uses:

Building Materials Recycling Store

Bulk Storage Facility

Contractor's Office

Equipment Rental Shop

Food Catering Service

Food Processing Facility

Laundry Plant

Manufacturing Facility

Medical Appliance Facility

Repair Shop – Heavy

Repair Shop – Light

Retail Store – Equipment & Supplies

Welding Shop

Any use accessory to any of the above uses

18.3.5 PROVISIONS

.4 Building Height – maximum 14.0 m

18.4 MANUFACTURING DISTRICT 1.4 (MD1.4)

18.4.1 PERMITTED USES

- | | |
|--------------------------------|--|
| <i>Ambulance Service</i> | <i>Manufacturing Facility</i> |
| <i>Bakery</i> | <i>Medical Appliance Facility</i> |
| <i>Business Office</i> | <i>Medical Office</i> |
| <i>Commercial School</i> | <i>Micro-Brewery</i> |
| <i>Food Catering Service</i> | <i>Professional Studio</i> |
| <i>Food Packaging Facility</i> | <i>Research and Development Facility</i> |

Any of the following *Ancillary Uses*:

- | | |
|------------------------------------|--------------------------------------|
| <i>Child Care Centre</i> | <i>Health Studio</i> |
| <i>Club</i> | <i>Personal Service Shop</i> |
| <i>Convenience Store</i> | <i>Restaurant</i> |
| <i>Food Convenience Store</i> | <i>Restaurant with Drive-through</i> |
| <i>Food Outlet - Drive-through</i> | <i>Veterinary Office</i> |
| <i>Food Outlet - Take-out</i> | <i>Warehouse</i> |
| <i>Gas Bar</i> | <i>Wholesale Store</i> |

Any of the following *Existing Uses*:

- Motor Vehicle Dealership*
- Sports Facility*

Any use accessory to any of the above uses, including a *Retail Store*

18.4.3 PROHIBITED USES

- Outdoor Storage Yard*
- Transport Terminal as a main use*

18.4.5 PROVISIONS

- | | | |
|-----|---|--|
| .1 | Lot Width – minimum | 30.0 m |
| .4 | Building Height – maximum | 20.0 m |
| .5 | Front Yard Depth – minimum | 9.0 m |
| .6 | Rear Yard Depth – minimum | |
| | From a <i>rear lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | From a <i>side lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located or from a <i>side lot line</i> that abuts a <i>street</i> | 6.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15.0% of <i>lot area</i> |
| .10 | Gross Floor Area – <i>Retail Store</i> – maximum | 20.0% of the <i>GFA</i> of the <i>main use</i> |
| .50 | All activities or uses shall take place entirely within a fully enclosed <i>building</i> . This provision does not apply to the following activity or use: <i>child care centre, gas bar, loading space, outdoor eating area, parking area, parking space, sports facility, or refuelling area.</i> | |

18.5 MANUFACTURING DISTRICT 1.5 (MD1.5)

18.5.1 PERMITTED USES

<i>Ambulance Service</i>	<i>Manufacturing Facility</i>
<i>Bakery</i>	<i>Medical Appliance Facility</i>
<i>Business Office</i>	<i>Medical Office</i>
<i>Commercial School</i>	<i>Micro-Brewery</i>
<i>Food Catering Service</i>	<i>Professional Studio</i>
<i>Food Packaging Facility</i>	<i>Research and Development Facility</i>

Any of the following *Ancillary Uses*:

<i>Child Care Centre</i>	<i>Restaurant</i>
<i>Club</i>	<i>Warehouse</i>
<i>Food Outlet - Take-Out</i>	<i>Wholesale Store</i>
<i>Health Studio</i>	

Any of the following *Existing Uses*:

<i>Automobile Repair Garage</i>	<i>Sports Facility</i>
<i>Motor Vehicle Dealership</i>	

Any use accessory to any of the above uses, including a *Retail Store*

18.5.3 PROHIBITED USES

Outdoor Storage Yard
Transport Terminal as a main use

18.5.5 PROVISIONS

.2	Lot Area – minimum	4,000.0 m ²
.4	Building Height – maximum	20.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	
	From a <i>rear lot line</i> that abuts a <i>street</i>	6.0 m
.7	Side Yard Width – minimum	3.0 m
.8	Landscaped Open Space Yard – minimum	15.0% of <i>lot area</i>
.10	Gross Floor Area – <i>Retail Store</i> – maximum	20.0% of the <i>GFA</i> of the <i>main use</i>
.50	Where a <i>lot line</i> abuts the E. C. Row Expressway right-of-way, a <i>landscaped open space yard</i> having a minimum depth of 9.0 m from the E. C. Row Expressway right-of-way shall be provided.	

18.6 MANUFACTURING DISTRICT 1.6 (MD1.6)**18.6.1 PERMITTED USES***Railway*Any use accessory to a *Railway***18.6.5 PROVISIONS**

.4 Building Height – maximum 14.0 m

18.7 MANUFACTURING DISTRICT 1.7 (MD1.7)**18.7.1 PERMITTED USES***Ambulance Service**Manufacturing Facility**Micro-Brewery**Research and Development Facility**Retail Store – Equipment & Supplies**Self-storage Facility**Warehouse**Wholesale Store*Any use accessory to the above uses, including a *Retail Store*The following *Ancillary Uses*:*Automobile Sales Lot**Health Studio**Child Care Centre**Personal Service Shop**Convenience Store**Restaurant**Food Convenience Store**Veterinary Office**Food Outlet - Take-Out**Wholesale Store**Gas Bar*Any use accessory to an *Ancillary Use***18.7.5 PROVISIONS**

.1 Lot Width – minimum 30.0 m

.4 Building Height – maximum 20.0 m

.5 Front Yard Depth – minimum 9.0 m

.7 Side Yard Width – minimum

From a *side lot line* that abuts a *street* or abuts a *lot* on which a *dwelling* or *dwelling unit* is located 6.0 m.8 Landscaped Open Space Yard – minimum 5% of *lot area*.10 Gross Floor Area – *Retail Store* – maximum 20.0% of the *GFA* of the *main use*.50 For any *lot* abutting Pillette Road or Plymouth Road, a berm with a minimum width of 11.30 m and a minimum height of 1.80 m shall be provided along any Pillette Road or Plymouth Road frontage and such berm shall be maintained exclusively as a *landscaped open space yard*.

18.8 MANUFACTURING DISTRICT 1.8 (MD1.8)

18.8.1 PERMITTED USES

Loading Compound
Manufacturing Facility
Motor Vehicle Assembly Plant
Power Generation Facility
Public Parking Area
Railway
Research and Development Facility
Self-Storage Facility
Towing Facility
Transport Terminal
Warehouse

Any use accessory to the above uses, including a *Retail Store*.

18.8.5 PROVISIONS

- | | | |
|-----|--|--|
| .1 | Lot Width – minimum | 30.0 m |
| .4 | Building Height – maximum | 20.0 m |
| .5 | Front Yard Depth – minimum | 9.0 m |
| .7 | Side Yard Width – minimum | |
| | From a <i>side lot line</i> that abuts a <i>street</i> or abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located | 6.0 m |
| .8 | Landscaped Open Space Yard – minimum | 5% of <i>lot area</i> |
| .10 | Gross Floor Area – <i>Retail Store</i> – maximum | 20.0% of the <i>GFA</i> of the <i>main use</i> |
| .50 | For any <i>lot</i> abutting Pillette Road, a berm with a minimum width of 11.30 m and a minimum height of 1.80 m shall be provided along the Pillette Road frontage and such berm shall be maintained exclusively as a <i>landscaped open space yard</i> . | |

SECTION 19 - MANUFACTURING DISTRICTS 2. (MD2.)

[ZNG/3590; ZNG/4046; ZNG/5364]

(B/L 11096, Jul 20/1992; B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716, OMB Case No. PL010233; B/L 370-2001, Nov 15/2001; B/L 363-2002, Dec 31/2002; B/L 142-2006, Aug 24/2006; B/L 31-2013, Mar 28/2013; B/L 48-2014, Apr 15/2014; B/L 169/2018 Nov 19/2018)

19.1 MANUFACTURING DISTRICT 2.1 (MD2.1)

19.1.1 PERMITTED USES

Industrial Use

Ambulance Service

Building Materials Recycling Store

Food Catering Service

Micro-Brewery

Motor Vehicle Salvage Operation

Self-Storage Facility

Towing Facility

Any use accessory to any of the above uses, including a *Caretaker's Residence*.

19.1.3 PROHIBITED USES

Animal Processing Facility

Batching Plant

Distillation Plant

Manufacturing Heavy

Pit

Primary Metals Plant

Quarry

Salvage Operation

19.1.5 PROVISIONS

- | | | |
|----|--|------------------------|
| .5 | Front Yard Depth – minimum | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | a) From a <i>side lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located | 6.0 m |
| | b) From an <i>exterior lot line</i> | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15% of <i>lot area</i> |

19.2 MANUFACTURING DISTRICT 2.2 (MD2.2)

19.2.1 PERMITTED USES

Industrial Use

Ambulance Service

Building Materials Recycling Store

Food Catering Service

Micro-Brewery

Motor Vehicle Salvage Operation

Salvage Operation

Self-Storage Facility

Towing Facility

Any use accessory to the preceding uses, including a *Caretaker's Residence*.

19.2.5 PROVISIONS

.5	Front Yard Depth – minimum	6.0 m
.7	Side Yard Width – minimum	
	a) From a <i>side lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located	6.0 m
	b) From an <i>exterior lot line</i>	3.0 m
.8	Landscaped Open Space Yard – minimum	15% of lot area

19.3 MANUFACTURING DISTRICT 2.3 (MD2.3)

19.3.1 PERMITTED USES

Aggregate Storage Facility
Ambulance Service
Batching Plant
Business Office
Material Transfer Centre
Motor Vehicle Salvage Operation
Repair Shop – Heavy

Any use accessory to any of the above uses

19.3.5 PROVISIONS

- | | | |
|-----|---|------------------------|
| .4 | Building Height – maximum | |
| | a) For a <i>building</i> exclusively designed as an
<i>Aggregate Storage Facility</i> | 45.0 m |
| | b) For any other <i>building</i> | 10.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | a) From a <i>side lot line</i> that abuts a <i>lot</i> on which a
<i>dwelling</i> or <i>dwelling unit</i> is located | 6.0 m |
| | b) From an <i>exterior lot line</i> | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15% of <i>lot area</i> |
| .20 | Building Setback – minimum | |
| | For any <i>Aggregate Storage Facility</i> or <i>Batching Plant</i> , from a <i>street</i> , <i>commercial district</i> , or <i>green district</i> | 30.0 m |
| .90 | The outdoor storage of <i>aggregate</i> within 15.0 m of a <i>street</i> , <i>commercial district</i> , or <i>green district</i> is prohibited. | |

19.4 MANUFACTURING DISTRICT 2.4 (MD2.4)

19.4.1 PERMITTED USES

Industrial Use

Ambulance Service

Business Office

Food Catering Service

Medical Office

Micro-Brewery

Self-Storage Facility

Sports Facility

Wholesale Store

For the lands delineated by a broken black line and shown as Blocks A, B, D, and K in Schedule 'A' to B/L 10221, 20.1 the following shall be an additional permitted use: *Child Care Centre; Club; Exhibition Hall; Health Studio; Hotel.*

For the lands designated as Block 'B' on Schedule 'A' to B/L 12476, the following shall be an additional permitted use: *Motor Vehicle Dealership*

For the lands designated as Block 'C' on Schedule 'A' to B/L 12476, the following shall be an additional permitted use: *Bake Shop; Child Care Centre; Personal Service Shop; Restaurant; Retail Store; Service Station;*

Any use accessory to any permitted use, including the following uses in combination with any permitted *Industrial Use: Caretaker's Residence; Child Care Centre; Retail Store.*

19.4.3 PROHIBITED USES

Aggregate Storage Facility

Animal Processing Facility

Automobile Collision Shop

Automobile Detailing Service

Automobile Repair Garage

Batching Plant

Bulk Storage Facility

Distillation Plant

Food Processing Facility

Manufacturing Heavy

Milling Facility

Motor Vehicle Salvage Operation

Pit

Primary Metals Plant

Quarry

Repair Shop - Heavy

Salvage Operation

Outdoor processing or outdoor storage of the following: bone, bottles, non-metallic mineral, ore, rag, rubber, salvage material, scrap metal, or scrap paper

19.4.5 PROVISIONS

- | | | |
|-----|---|------------------------|
| .1 | Lot Width – minimum | 30.0 m |
| .2 | Lot Area – minimum | 3,000.0 m ² |
| .4 | Building Height – maximum | 22.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .6 | Rear Yard Depth – minimum | |
| | From a <i>rear lot line</i> that abuts a <i>street</i> | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | From a <i>side lot line</i> that abuts a <i>street</i> | 6.0 m |
| .10 | Gross Floor Area – maximum | |
| | a) For each <i>Bake Shop, Personal Service Shop, Restaurant, or Retail Store</i> as a <i>main use</i> | 250.0 m ² |
| | b) For a <i>Retail Store</i> that is an <i>accessory use</i> , the <i>gross floor area</i> of the <i>Retail Store</i> shall not exceed 20% of the <i>gross floor area</i> of the <i>main building</i> or 15% of the <i>lot area</i> , whichever is lesser | |
| .50 | Manufacturing, packaging, processing, repairing, or servicing activities undertaken for any permitted use shall occur entirely within a fully enclosed <i>building</i> . | |

19.5 MANUFACTURING DISTRICT 2.5 (MD2.5)

19.5.1 PERMITTED USES

Industrial Use

Ambulance Service

Motor Vehicle Salvage Operation

Any use accessory to the preceding uses

19.5.3 PROHIBITED USES

Animal Processing Facility

Distillation Plant

Manufacture of paper, plywood, pulp, or veneer including a sawmill

Salvage Operation

19.5.5 PROVISIONS

.2	Lot Area – minimum	4,000 m ²
.4	Building Height – maximum	20.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	
	From a <i>rear lot line</i> that abuts a <i>street</i>	6.0 m
.7	Side Yard Width – minimum	3.0 m
.8	Landscaped Open Space Yard – minimum	15% of <i>lot area</i>

19.7 MANUFACTURING DISTRICT 2.7 (MD2.7)

19.7.1 PERMITTED USES

Industrial Use

Ambulance Service

Motor Vehicle Salvage Operation

Any use accessory to the preceding uses

19.7.3 PROHIBITED USES

Animal Processing Facility

Batching Plant

Distillation Plant

Manufacturing Heavy

Pit

Primary Metals Plant

Quarry

Salvage Operation

19.7.5 PROVISIONS

.2	Lot Area – minimum	4,000.0 m ²
.4	Building Height – maximum	20.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	
	From a <i>rear lot line</i> that abuts a <i>street</i>	6.0 m
.7	Side Yard Width – minimum	3.0 m
.8	Landscaped Open Space Yard – minimum	15% of <i>lot area</i>

19.8 MANUFACTURING DISTRICT 2.8 (MD2.8)

19.8.1 PERMITTED USES

- Industrial Use*
- Ambulance Service*
- Any use accessory to a preceding use

19.8.3 PROHIBITED USES

- Animal Processing Facility*
- Batching Plant*
- Distillation Plant*
- Manufacturing Heavy*
- Motor Vehicle Salvage Operation*
- Pit*
- Primary Metals Plant*
- Quarry*
- Salvage Operation*

19.8.5 PROVISIONS

- .4 Building Height – maximum
 - For any *building* or *structure* located within 150.0 m of a *residential district* 14.50 m
- .8 Landscaped Open Space Yard
 - A landscaped open space yard* shall be provided along any *lot line* that abuts a *street* and shall have a minimum depth of 9.0 m
- .20 Building Setback – minimum
 - a) From the lot line abutting Lauzon Parkway 22.5 m
 - b) From the lot line abutting Quality Way 30.0 m
 - c) From any other *lot line* 9.0 m
- .90 *A loading space* or an *Outdoor Storage Yard* is prohibited in a *required yard* abutting Lauzon Parkway and within 9.0 m of any other *street*.

SECTION 20 - SPECIFIC ZONING EXCEPTIONS IN CERTAIN AREAS

(AMENDED by By-law 227-2002, Approved by OMB Decision/Order No. 1013, July 24, 2003; OMB Decision/Order No. 1011, July 24, 2003 and OMB Decision/Order No. 1067, August 1, 2003, OMB File No. R020192, Case No. PL020829)

(1) SITE SPECIFIC PROVISIONS

Certain parcels of land on the zoning district maps (ZDM) are delineated by a broken orange line and identified by a zoning district symbol and a paragraph(s) of this subsection. Any parcel so identified shall be considered as being within the zoning district symbol and shall be subject to the provisions of that zoning district, the identified paragraph(s) of this subsection and any other applicable provisions of this by-law. In the event of a conflict between the provisions of this Section and the provisions of the zoning district, the provisions of this Section shall apply. Where an additional main use is permitted under this subsection, any use accessory thereto, not including an outdoor storage yard except where permitted within the zoning district, shall also be permitted subject to the provisions of the zoning district and any other provisions of this by-law applicable to such accessory use.

1. For the lands comprising Part of Farm Lot 59, Concession 1, situated on the west side of Sandwich Street, north of Prospect drive, as more particularly described in Schedule "A" to By-law No. 9811, a restaurant, take-out restaurant and a gas bar shall be additional permitted uses. (ZDM 1)
2. For the lands bounded on the north by University Avenue West, on the south by Wyandotte Street West, on the east by Sunset Avenue and on the west by Huron Church Road, the maximum building height may be 45 metres and one (1) or more of the following additional uses may be permitted.

personal service shop; business, financial or medical office, professional studio, day nursery; provided, however, that the maximum floor area of each personal service shop, business, financial or medical office or professional studio shall not exceed 250 square metres, nor shall any combination thereof occupy more than 25% of the gross floor area of any building. (ZDM 3)

3. For all lands zoned GD1.1, on Zoning District Maps 3, 6 and 10 and situated on the north side of Riverside Drive East and West, no new building or parts thereof shall be permitted to extend above the crown of the pavement within Riverside Drive adjacent thereto. This provision shall not apply to observation decks, fountains, sculptures and other works of art. (ZDM 3, 6, 10; ZNG/2931).

(AMENDED by B/L 53-2012, June 1/2012)

4. For the lands comprising Lots 3, 4, 5 and Part Lots 1 and 2, Registered Plan 40 situated on the west side of Russell Street, south of Mill Street, as delineated by a heavy black line in Schedule "A" to By-law No. 9773, a multiple dwelling may be an additional permitted use provided, however, that the following regulations shall apply:

- | | | | |
|-------|----------------------------------|---|--|
| (i) | Minimum lot area | - | 1.8 hectares |
| (ii) | Maximum building height | - | 15 storeys |
| (iii) | Minimum front yard depth | - | equal to the building height or 15 metres, whichever is the greater. |
| (iv) | Maximum number of dwelling units | - | 250 |
- (ZDM 3)

5. For the lands situated on the south part of Lot 17 and the north part of Lot 18, Registered Plan 40, situated on the east side of Sandwich Street, south of South Street, as more particularly described in Schedule "A" to By-law Number 9421, a food convenience store and a gas bar shall be additional permitted uses, upon the permanent abandonment of any automobile repair garage uses on the site. (ZDM 4)

6. For the lands comprising Lot 1, Registered Plan 996, situated on the west side of Cross Street, south of Chippawa Street, the minimum lot area for a single unit dwelling shall be 273.5 square metres. (ZDM 4)
7. For the lands comprising Lots 68 to 79 inclusive, Registered Plan 548, situated on the northeast corner of Bloomfield Road and Chippawa Street, a business office and personal service shop shall be additional permitted uses in the existing building provided the maximum gross floor area for the business office or personal service shop does not exceed 100 square metres (ZDM 4)
8. For the lands comprising Lots 2 and 4, Block F, Registered Plan 211, situated at the southwest corner of Devonshire Road and Brant Street, an *existing Lodging House* shall be an additional permitted use and any addition to an *existing Lodging House* shall comply with the provisions of Section 12.1.5 [ZDM 6; ZNG/5270]
(REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003; AMENDED by B/L 327-2004, June 13, 2006 by OMB Decision/Order 1695; Amended by B/L 164-2017, Dec. 7/2017)
9. For the lands bounded on the south and east by the Essex Terminal Railway, on the west by Peter Street as extended southerly to Essex Terminal Railway and on the north by Hill Street as extended easterly to the Essex Terminal Railway, one (1) or more of the following existing uses shall be additional permitted uses: a stamping forging or casting plant. (ZDM 4)
10. For the land comprising Lot 9 and the south 7.9 metres from front to rear of Lot 7, Block G, Registered Plan 211, situated on the northeast corner of Devonshire Road and Wyandotte Street East, an *existing Lodging House* shall be an additional permitted use and any addition to an *existing Lodging House* shall comply with the provisions of Section 12.1.5. [ZDM 6; ZNG/5270]
(REPEALED by B/L 227-2002, Aug.12, 2002; AMENDED by B/L 340-2003, Oct.6, 2003; AMENDED by B/L 327-2004, June 13, 2006 by OMB Decision/Order 1695; AMENDED by B/L 164-2017, Dec. 7/2017)
11. For the lands comprising Part of Part Lot 7, south side of Prince Road, Registered Plan 40, Lots 30 and 34 and part of alley closed, Registered Plan 1210, as shown delineated by a heavy black line on Schedule "A" to By-law No. 10501, situated on the south side of Chappell Avenue, west of Connaught Street, a business or medical office, medical or dental laboratory, the sale, lease, rental, or repair of hospital equipment and supplies and any use accessory to the foregoing uses may be additional permitted uses within the existing buildings on the subject lands, provided further that the maximum building height and the minimum front yard depth shall be as existing on the date of the coming into force of this clause. (ZDM 4)
12. For the lands comprising Part of Block "Z", Registered Plan 927, situated on the east side of Ojibway Parkway, north of Sprucewood Avenue, shown as block "D" in Schedule "A", to By-law No. 12711, a motor vehicle dealership shall be an additional permitted use. (ZDM 2, 5)
13. For the lands comprising Part of Block "Z", Registered Plan 927, situated on the north side of Sprucewood Avenue, east of Ojibway Parkway, shown as Block "B", in Schedule "A" to By-law No. 12711, any permitted uses in Section 15.1.1 shall be an additional permitted use and the 'H' holding provision shall not apply to such additional permitted uses. [ZDM 5; ZNG/5271]
(AMENDED by B/L 7-2018, Feb. 23/2018)

14. For the lands comprising:

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Windsor, in the County of Essex and the Province of Ontario, on the south side of Riverside Drive West, west of Elm Street, which said parcels are more particularly described as follows:

FIRSTLY:

Lot Number One (1) on the south side of Sandwich Street, west of Elm Street, according to Registered Plan Number Three Hundred and Ninety-two (392);

SECONDLY:

Part of Farm Lot number Seventy-three (73) in the first concession of the said City of Windsor;

COMMENCING at a stake planted in the intersection of the easterly limit of Farm Lot Number Seventy-three (73) with the southerly limit of Sandwich Street;

THENCE WESTERLY, following the last-mentioned limit, one hundred and twenty feet and eight and one-half inches (120' 8½") more or less to a stake planted in a wire fence running southerly;

THENCE SOUTHERLY, following the last-mentioned fence and parallel with the Easterly limit of farm lot number seventy-three (73) four hundred and four feet (404');

THENCE EASTERLY, at right angles to the last-mentioned limit, one hundred and twenty feet and four inches (120' 4") more or less to an iron pin planted in the said easterly limit of farm lot number seventy-three (73);

THENCE NORTHERLY, following the last-mentioned limit, three hundred and ninety-six feet, nine inches (396' 9") to the place of beginning,

The following regulations shall apply:

- | | | | |
|-------|---|---|--|
| (i) | Minimum lot area | - | 4900 square metres with not less than 34.5 square metres for each dwelling unit. |
| (ii) | Maximum building height | - | 15 storeys |
| (iii) | Maximum lot coverage | - | 25% of the lot area (main building) |
| (iv) | Minimum landscaped open space | - | 30% of the lot area |
| (v) | A minimum of 50% of the parking spaces provided shall be located in a below grade parking garage. (ZDM 3) | | |
15. For the lands comprising Part of Lot 34, Lots 35 to 39, Part of Lot 42, Part of the North/South Alley, Registered Plan 71, Part of Block 'Z', Registered Plan 469, and Part of Lots 147 to 155 inclusive, Registered Plan 282 consisting of a parcel of approximately 11.48 metres wide by 125.58 metres deep, situated at the northeast corner of Wyandotte Street West and Crawford Avenue, the following additional provisions shall apply:
- (i) A garden centre shall be an additional permitted use.
 - (ii) Minimum lot area shall be 9900 square metres.
 - (iii) Minimum building setback from the Crawford Avenue right-of-way shall be 6 metres.
 - (iv) Required parking for a retail store shall be provided at a ratio of one parking space for 23.5 m² GFA.

- (v) Direct vehicular access to or from Wyandotte Street West in prohibited (ZDM3).

(AMENDED by B/L 96-2007, June 19, 2007)

16. For the lands comprising Part of Lot 1, Registered Plan 40, and Block “B”, Registered Plan 953, situated on the east side of King Street and the south side of Prince Road, a business office and a medical office or clinic shall be additional permitted uses. (ZDM 4)
17. For the lands comprising Part of Block “A” and Lot 176, Registered Plan 282 and Part of Block “Z”, Registered Plan 469, situated east of Crawford Avenue, south of University Avenue West, a self-storage facility and an accessory business office and caretaker’s dwelling unit are permitted additional uses and no front, side or rear yard provisions or lot coverage provisions apply such uses. (ZDM 3)
18. For the lands bounded on the north by University Avenue West, on the east by Crawford Avenue, on the south by the south limits of Lot 292, Registered Plan 392, and Lot 62, Registered Plan 71 and on the west by Oak Avenue, any use permitted in Section 13.2.1 shall be an additional permitted use and shall comply with the provisions of Section 13.2.5. (ZDM 3; ZNG/1062)
(AMENDED by B/L 132-2011, Aug. 5/2011; B/L 164-2017, Dec.7/2017)
19. For the lands comprising Lot 2 and part of Lot 1, Block “H”, Registered Plan 84; Lots 1 to 6, Lots 9 to 16, Lots A, B, C, D and E and all of Lane, Registered Plan 88; Lots 7, 9 and 10, Registered Plan 120; Lots 7 and 8, Lots G, H, I and J and all of private lane, Registered Plan 289 and part of Lot 80, Concession 1, comprising the block bounded by Riverside Drive West, Ferry Street, Ouellette Avenue and Pitt Street West and designated as Parts 1 to 26 on Plan 12R-16416, the following provisions shall not apply:
- a) Section 16.1.5.9 relating to *amenity area per dwelling unit*;
 - b) Sections 24.20.10, 24.22.10 and 24.24.10 relating to size of a *parking space*;
 - c) Section 24.40.1 relating to a required *loading space*;
 - d) Section 25.5.30.4 relating to an *access area*;
 - e) Section 25.5.50.5 relating to a *parking aisle*;
 - f) Section 5.15.3 relating to location of a building on a *corner lot*;

[ZDM 3; ZNG/4629; ZNG/5271]

(ADDED B/L 129-2012, Oct 2/2012; AMENDED B/L 18-2015, Mar 4/2015; AMENDED B/L 117-2016, Dec 28/2016; AMENDED by 7-2018, Feb. 23/2018)

20. For the lands comprising Lot 7 and Part of Lot 8, Block “M”, Registered Plan 85, situated on the northeast corner of University Avenue West and Pelissier Street and shown delineated by a broken black line on Schedule “A” to By-law No. 12771, for a *Combined Use Building* containing a maximum of 15 *dwelling units*, Sections 16.1.5.9, 24.20.5.1 and 24.22.1 of this By-law shall not apply.
[ZDM 3; ZNG/2930; ZNG/5271]
(AMENDED by B/L 129-2012, Oct. 2/2012; B/L 7-2018, Feb. 28/2018)
21. For the lands comprising the south 12.5 metres of Lot 5, Registered Plan 346, situated on the east side of McKay Avenue, south of Riverside Drive West, for a duplex dwelling the minimum lot area shall be 340.0 m².
[ZDM 3; ZNG/5389] (AMENDED by B/L 95-2018, Aug. 21, 2018)

22. For the lands comprising the westerly part of Lot 16 and westerly part of Lot 15, situated on the west side of Sandwich Street, Registered Plan 40, situated on the northeast corner of South Street and Wilkinson Lane as shown delineated by a heavy black line in Schedule “A” to Appendix “B”, of OMB Order No. 2178 (CN PL990691) a self-storage facility shall be an additional permitted use subject to the following regulations:

- (i) The required number of parking spaces shall be three (3); no loading spaces or bicycle parking spaces shall be required for a self-storage facility. (ZDM 4)
23. For the lands comprising Lots 37 to 46, that part of the adjacent north/south alley extending southerly from the south limit of Union Street to the north limit of the Essex Terminal Railway right-of-way, Registered Plan 693 and Lots 11 to 20 both inclusive of Block "C", Registered Plan 50, situated on the east side of Sunset Avenue and the west side of California Avenue between Union Street and the Essex Terminal Railway right-of-way, the following *existing uses* shall be additional permitted uses:

Double-Duplex Dwelling

Duplex Dwelling

Multiple Dwelling containing a maximum of 4 *dwelling units*

Semi-Detached Dwelling

Any use accessory to the preceding *existing uses*

and such additional permitted uses shall comply with the provisions of Section 11.2.5

[ZDM 3, 4; ZNG/5270]

(AMENDED by B/L 164-2017, Dec. 7/2017)

24. For the lands comprising Lots 5, 6, and 7, Registered Plan 148, situated on the southeast corner of Riverside Drive East and Langlois Avenue, the maximum building height shall be 40 metres and a minimum of 75% of the required parking spaces shall be located in a below ground parking garage. (ZDM 6)
25. For the lands bounded on the north by College Avenue, on the south by Tecumseh Road West, on the east by Crawford Avenue and on the west by the north/south alley next west of Crawford Avenue, an outdoor storage yard shall be prohibited. (ZDM 3, 4)
26. For the lands comprising Part of block 8, Registered Plan 58, situated on the east side of Campbell Avenue, the west side of McEwan Street, south of Wyandotte Street West, a multiple dwelling shall be an additional permitted use within the existing building. (ZDM 3)
27. For the lands comprising Lot 170, Registered Plan 579, situated on the west side of Moy Avenue, south of Wyandotte Street East, the existing building may be used for two dwelling units. (ZDM 6)
28. For the lands comprising Lots 116 to 130, Lots 143 to 155, all inclusive, Registered Plan 1074, situated on the east side of Daytona Avenue and the west side of Northway Avenue, south of Totten Street, a multiple dwelling may have more than four (4) dwelling units and the maximum building height for a multiple dwelling having a sloping roof shall be 12 metres, the minimum rear yard depth for a dwelling shall be 7.5 metres and a parking area shall be permitted in a required front yard. (ZDM 4)
29. For all lands generally bounded on the west and north by Malden Road, on the east by Huron Church Road and on the south by E. C. Row Expressway, the following additional provisions shall apply:
- a) The outdoor storage of refuse, equipment, materials, or commodities within a required *front yard* is prohibited;
 - b) For any *lot* zoned MD1.1 or MD2.1, the following uses shall be an additional permitted use:
 1. Existing *Transport Terminal* and/or existing inspection facility;
 2. Existing *Business Office*;
 - c) For any *lot* having a *lot line* which abuts Huron Church Road, a *Hotel* shall be an additional permitted use.

[ZDM 4, 5; ZNG/5271; ZNG/5364]

(AMENDED by B/L 7-2018, Feb. 23/2018; and B/L 169-2018, Dec. 19, 2018)

30. The minimum lot area for the following lands shall be as existing on January 1, 1982:
- (i) The lands bounded on the west by Huron Church Road, on the north by the south limit of Block 46 and Lots 24 to 29 inclusive, of Plan M-179, on the east by a line parallel with and centred in the north/south alley next west of Northway Avenue and the east limit of Lot 35, Plan 1290, between the south limit of Plan M-170 and the north limit of Grand Marais Road West, and on the south by the north limit of Grand Marais West.
 - (ii) Lots 7 to 26 inclusive, Plan 1311, situated on the south side of Grand Marais Road West between Huron Church Road and Daytona Avenue. (ZDM 5)
31. For the lands comprising Lots 1 to 8 inclusive, Registered Plan 1346, and lots 21 to 28 inclusive, Registered Plan 1346, situated on the north east corner of Huron Church Road and Pulford Avenue, the minimum lot area shall be 0.4 ha and the following uses shall not be permitted uses: bowling alley; theatre. (ZDM5)
32. For the lands comprising Lot 1, of Block 3, Registered Plan 282, situated at the southeast corner of Wyandotte Street West and Caron Avenue, a ground floor dwelling unit, which may have a professional studio in combination therewith, shall be a permitted use, provided further that no parking is required for such use. (ZDM 3)
33. For the lands comprising Part of Lot 94, Concession 1, situated on the south side of Riverside Drive East, the north side of Assumption Street and the west side of Chilver Road, the maximum building height shall be 20 metres. (ZDM 6)
34. For the lands comprising Part of Lot 37, Plan 138, as more particularly shown in Schedule "A" to By-law No. 9068, located on the southeast corner of Riverside Drive East and Louis Avenue, a duplex dwelling or a combined use building containing not more than one (1) dwelling unit and a business office, retail store and a personal service shop shall be additional permitted uses provided that such uses are located entirely within the building, and that the maximum lot coverage, maximum building height, minimum front and rear yard depths and minimum side yard widths shall be as existing on January 1, 1987. (ZDM 6)
35. For the lands comprising Lot 271, Registered Plan 937 and Part of Niagara Street (closed), Registered Plan 317, as more particularly described in Schedule "B" to By-law No. 12338, and Lot 270, Registered Plan 937, located on the southwest corner of Parent Avenue and Niagara Street, the following regulations shall apply for a church and any accessory use thereto:
- (i) A minimum of 22 parking spaces shall be provided;
 - (ii) The minimum south side yard width shall be 3 metres; and
 - (iii) Sections 24 and 25 of this by-law shall not apply. (ZDM 6, 7)
36. For the lands comprising Lots 1 to 8 inclusive, registered Plan 958 and Lots 1 to 7 inclusive, registered Plan 911, on the south side of Lamont Street between Fifth and Sixth Streets, the minimum lot width shall be 18 metres. (ZDM 5)
37. For the lands comprising Lot 4 and the east part of Lots 5 and 6, Registered Plan 348, situated on the west side of Ouellette Avenue, south of Montrose Street, the rental of automobiles shall be an additional permitted use. (ZDM 7)
38. For the lands comprising Lots 64 to 68 inclusive, registered Plan 386 and Lots 156 and 157, Registered Plan 124, situated on the east side of Mercer Street between Erie Street and Giles Boulevard East, the minimum lot width for a semi-detached dwelling shall be 13.4 metres. (ZDM 7)

39. For the lands comprising the south part of Lot 6 and the north part of Lot 7, Registered Plan 1444, situated on the west side of Jessica Way, north of Havens Drive, as shown delineated by a heavy broken line on Schedule 'A', attached to By-law 281-2002, the minimum lot width shall be 13.7 metres. (ZDM 9)
(AMENDED by B/L 281-2002, October 10, 2002)

40. For the lands bounded on the north by Chatham Street East, on the east by the north/south alleys east of Aylmer Avenue, on the south by Brant Street, and on the west by Glengarry Avenue, the following uses shall be additional permitted uses:

Duplex Dwelling
Semi-Detached Dwelling
Single Unit Dwelling
Townhome Dwelling
Any use accessory to the preceding uses

and such additional permitted uses shall comply with the provisions of Section 11.2.5.
[ZDM 6; ZNG/5270] (AMENDED by B/L 164-2017, Dec. 7/2017)

41. For the lands comprising Lot 108, Registered Plan 276, situated on the east side of Langlois Avenue, south of Erie Street East, a lodging house shall be an additional permitted use, subject to the following regulations:

- (i) The maximum number of persons not including staff in a lodging house on the northerly one-half of Lot 108, Registered Plan 276 shall be three (3); the maximum number of persons not including staff on the southerly one-half of lot 108, Registered Plan 276 shall be five (5);
- (ii) A lodging house shall only be permitted in a dwelling existing on the effective date of this clause and the maximum building height, minimum front and side yards shall be as they exist on the effective date of this clause;
- (iii) No person shall be lodged in a cellar. (ZDM 7)

42. For the lands bounded on the north by Riverside Drive East, on the south by Chatham Street East, on the west by Glengarry Avenue and on the east by Louis Avenue, the following uses shall be additional permitted uses:

Double Duplex Dwelling
Townhome Dwelling

and a *Double Duplex Dwelling, Multiple Dwelling* having less than 20 *dwelling units* or *Townhome Dwelling* shall comply with the provisions of Section 12.1.5.
[ZDM 6; ZNG/5270] (AMENDED by B/L 164-2017, Dec. 7/2017)

43. (i) For the lands comprising Lots 56 to 58 inclusive and part of alley (closed), Registered Plan 937, Lots 251 and 252 and part of alley (closed), Registered Plan 430, and Part of Block F and part of alley (closed), Registered Plan 148, situated between Parent and Langlois Avenues, north of Ottawa Street, as shown delineated by a heavy black line in Schedule "A", attached to By-law No. 13039, a club and uses accessory thereto shall be additional permitted uses. For Lots 251 and 252 and part of the alley (closed), Registered Plan 430, a multiple dwelling with a maximum of eight (8) dwelling units shall be an additional permitted use.
- (ii) For the lands comprising the south 24.4 metres of Lot F, Registered Plan 148, by a depth of 46.8 metres from front to rear of Lot F, situated on the west side of Langlois Avenue, north of Ottawa Street, which is zoned RD3.1 on Zoning District Map 7, one (1) club shall be an additional permitted use. (ZDM 7)

44. For the lands bounded on the north by Eaton Street, on the south by the north limit of Cleary Street extended to South Cameron Boulevard, on the west by Virginia Park Avenue, and on the east by South Cameron Boulevard, the following additional provisions shall apply:
- a) The manufacture and/or assembly of automobile parts and accessories shall be an additional permitted use.
 - b) Section 18.4.5.50 shall not apply.
- [ZDM 8; ZNG/1062; ZNG/5364] (AMENDED by B/L 327-2004, OMB Decision/Order 1695, Jun 13/2006; B/L 132-2011, Aug 5/2011; B/L 169-2018 Dec. 19/2018)
45. **DELETED by B/L 132-2011, August 5, 2011.**
46. For the lands comprising Lots 1 to 5 inclusive and Part of Lot 6, Block 8, Registered Plan 358 and Part of Ouellette Avenue, Registered Plan 271, situated on the west side of Ouellette Avenue, south of Giles Boulevard, as shown delineated by a heavy black line in Schedule "A" of By-law No. 90-1999, a pharmacy having a maximum gross floor area of 950 square metres shall be an additional permitted use, and there shall be a minimum building setback of 0.6 metres from Ouellette Avenue and 3 metres from Giles Boulevard and minimum landscaped open space equal to 15% of the lot area. A stairwell leading to a below grade parking garage shall be permitted in a landscaped open space yard. (ZDM 7)
47. For the lands comprising Lots 31 and 32 and that part of the north/south alley enclosed therein, Registered Plan 1417, situated on the south side of Ellis Street East, between Dufferin Place and Goyeau Street, a public parking area shall be an additional permitted use. (ZDM 7)
48. For the lands comprising Lot 115, Registered Plan 925 situated on the west side of Dougall Avenue, south of Tecumseh Road West, a service station, gas bar and the sale of fuels shall be prohibited. (ZDM 7)
49. For the lands comprising the east 26.0 metres of Lots 14 to 34 inclusive, Block IX, Registered Plan 358, situated on the west side of Dufferin Place between Shepherd Street East and Hanna Street East, the maximum building height shall be 9.0 metres and the maximum floor area ratio shall be 1.5. (ZDM 7)
50. For the blocks bounded on the north by Ellis Street, on the south by Hanna Street, on the east by McDougall Street and on the west by Windsor Avenue, the west side of McDougall Street from Ellis Street to the north limit of Lot 27, Registered Plan 110, as well as the lands on the east side of McDougall Street, immediately north of the former Essex Terminal Railway right-of-way, all zoned MD1.2 on Zoning District Map 7, the following uses shall not be permitted: club; health studio, restaurant. (ZDM 7).
51. For the lands comprising Part of Farm Lot 87, Concession 1, situated on the northeast corner of Tecumseh Road East and Howard Avenue and shown delineated by a heavy black line in Schedule "A" to By-law No. 12945, for the first 840 square metres of gross floor area used for a restaurant, the minimum required number of parking spaces shall be 1 space for each 7.85 square metres of gross floor area. (ZDM 7)
52. For any lands located on the west side of Windsor Avenue between Giles Boulevard East and Erie Street East, which are zoned CD1.5 on Zoning District Map 7, an *access area* to Windsor Avenue is prohibited.
- [ZDM 7; ZNG/5271] (AMENDED by B/L 7-2018, Feb. 23/2018)
53. For the lands on the west side of Walker Road between Cataraqui and Ontario Streets, an outdoor storage yard shall be prohibited. (ZDM 6)
54. For the lands comprising Part of Farm Lots 86 and 87, Concession 2, situated on the west side of Howard Avenue at Memorial Drive, more particularly described in Schedule "A" to By-law No. 147-2000, a contractor's office and a personal service shop shall be additional permitted uses. (ZDM 7)

55. For the lands comprising Lots 253 to 258, Registered Plan 1289, (known municipally as 885 Northwood Street), a School shall be an additional permitted use.
(AMENDED by B/L 122-2012, September 25, 2012)
56. For the lands comprising Part of Farm Lot 2, concession 4, situated on the south side of Cabana Road West, east of Borrelli Drive, shown delineated by a heavy black line in Schedule "A" of By-law Number 129-1999, the maximum number of dwelling units shall be 11, the minimum lot width shall be 26 metres and a loading space shall not be required. (ZDM 9)
57. For the lands comprising Part of Farm Lot 2, Concession 4, on the south side of Cabana Road West, west of Glenwood Avenue, designated as Parts 1 to 10, both inclusive, in Schedule "A" to By-law Number 96-1999, the following uses shall be additional permitted uses; a personal service shop; bake shop; a pharmacy ancillary to and in combination with a medical office. (ZDM 9)
58. For the lands comprising Part of Lot Farm 2, Concession 4, designated as Parts 5 to 13, Plan 12R-16225, situated south of Cabana Road West, east of Santo Drive, a *Townhome Dwelling* shall be an additional permitted use, and shall comply with the *Townhome Dwelling* provisions of Section 11.3.5, save and except that the minimum rear yard depth shall be 7.0 m, and provided further that:
- a) The minimum setback for a *Multiple Dwelling* shall be 10.50 m from the west and south limits of the RD3.2 Zoning District and the minimum setback of a garage door vehicular entrance that faces a street, shall be 5.0 m from a street;
 - b) For a *Multiple Dwelling*, the minimum lot area shall be 190.0 m² per *dwelling unit*;
 - c) For a *Multiple Dwelling*, the maximum building height shall be 30.0 m;
 - d) That Sections 12.2.5.3 and 12.2.5.8 shall not apply.
- [ZDM 9; ZNG/5270] (AMENDED by B/L 164-2017, Dec. 7/2017)
59. For the lands comprising Part of Lots 10 to 14 inclusive, Registered Plan 485, and Part of Lots 96 and 97, concession 1, situated on the west side of Montreuil between Riverside Drive East and the Canadian National Railway right-of-way as delineated on Schedule "A", attached to By-law No. 9827, a railway station may have one restaurant and one retail store for the sale of gifts, novelties and souvenirs, provided that the floor area devoted to the restaurant or retail store does not exceed 200 square metres. (ZDM 6)
60. (AMENDED by B/L 227-2002, Aug. 12, 2002; AMENDED by By-law 340-2003, Oct. 6, 2003. AND DELETED by B/L 327-2004, by OMB Decision/Order 1695 issued June 13, 2006)
61. For the lands comprising lots 46 and 47, Registered Plan 628, situated on the west side of Lincoln Road, south of Ottawa Street, a restaurant and a take-out restaurant are prohibited and provided further that for any permitted use, the minimum front and rear yard depths, side yard widths, maximum building height and maximum lot coverage shall be as existing. (ZDM 7)
62. For the lands on the east side of Howard Avenue between E. C. Row Expressway and Sydney Street, delineated by a broken black line in Schedule "A" of By-law Number 12653, the maximum building height may be 33 metres for any part of a building occupied by business or professional offices and/or multiple dwelling units and, for a business office, the minimum required parking shall be one (1) space for each 70 square metres of gross floor area. (ZDM 8)
63. (REPEALED by B/L 227-2002, August 12, 2002; AMENDED by By-law 340-2003, Oct. 6, 2003. AND DELETED by B/L 327-2004, by OMB Decision/Order 1695 issued June 13, 2006)

64. For the lands comprising Part of Farm Lot 3, Concession 5, described as Part 2, Plan 12R-8474, situated on the east side of Talbot Road, south of Cousineau Road, the minimum front yard depth shall be 4.5 metres. (ZDM 9)
65. For the lands comprising Part of Lot 138 and Part of Block “X”, Registered Plan 1478, situated on the southeast corner of McGregor Boulevard and Dougall Avenue, a games arcade or billiard hall shall not be permitted uses. (ZDM 9)
66. For the lands comprising Lots 2 to 9 inclusive, Plan 12M-386, situated on the south side of Cousineau Road, west of Country Club Drive, semi-detached dwellings shall be additional permitted uses and the following additional regulations shall apply:
- | | | | |
|-----|--|---|-------------------------|
| (a) | Minimum lot width | - | 20 metres; |
| (b) | Minimum side yard width | - | 2.5 metres (each side); |
| (c) | Maximum lot coverage | - | 45% |
| (d) | Minimum front yard depth for a single unit or semi-detached dwelling | - | 9 metres (ZDM 9) |
67. For the lands comprising Part of Farm Lots 124 and 126, Concession 2, situated at the northeast corner of Lauzon Parkway and Forest Glade Drive, a motor vehicle dealership shall be an additional permitted use. (ZDM 15)
68. For the lands comprising the closed part of Quebec Street between Daytona Avenue and the adjacent north/south alley, Lots 128 to 134, the closed north/south alley, Registered Plan 1074, and Lots 13 to 15, the closed north/south alley, Registered Plan 335, a *Semi-Detached Dwelling* and a *Dwelling* having 3 or 4 *dwelling units* shall comply with the provisions of Section 11.2.5, save and except that the minimum rear yard depth shall be 7.50 m and that a maximum of 4 *parking spaces* shall be permitted in a required *front yard*.
[ZDM 4; ZNG/5270] (AMENDED by B/L 164-2017, Dec. 7/2017)
69. For the lands comprising Parts 1 and 2, Plan 12R-20922, located on the south side of Riverside Drive East, east of Pillette Road:
- (i) A lodging house shall be an additional permitted use;
- (ii) For all uses the following regulations shall apply:
- | | |
|-----|---|
| (a) | the minimum lot area shall be 0.8 hectares; |
| (b) | The minimum setback of any part of a building located at or above grade shall be 45 metres from the south limit of Riverside Drive; and |
| (c) | An access area from Riverside Drive shall extend solely to a pedestrian drop-off area and a visitor parking area of not more than six parking spaces. |
- (iii) For a lodging house the following additional regulations shall apply:
- | | |
|-----|---|
| (a) | The minimum setback of any part of a building located at or above grade to a maximum of three storeys shall be 33 metres from the south limit of Riverside Drive; |
| (b) | The minimum setback of any part of a building with a height greater than three storeys shall be 45 metres from the south limit of Riverside Drive; |
| (c) | The maximum number of visitor parking spaces shall be 19. No more |

than 9 visitor parking spaces shall be located in front of the building with the remaining visitor parking spaces to be located in the side yard. (ZDM10)".

(AMENDED by B/L 86-2007, May 31, 2007; AMENDED by B/L 16-2012, Feb. 22, 2012; AMENDED by B/L 37-2012, April 2, 2012)

70. For the lands comprising Part of Farm Lot 111, Concession 1, situated on the north side of Wyandotte Street East, east of Pillette Road, which are zoned RD3.1 on Zoning District Map 10, the following regulations shall apply:
- (i) For that part of Farm Lot 111, Concession 1, delineated by a heavy black line on Schedule "A" to By-law Number 9307.
 - (a) The minimum lot area for each dwelling unit in a multiple dwelling shall be 90 square metres and the maximum building height shall be 24 metres and
 - (b) The maximum building height shall be 24 metres. (ZDM 10)
71. For the lands comprising Part of Lot 1, Registered Plan 61, situated on the south side of Riverside Drive East, west of George Avenue, the following regulations shall apply:
- (i) Minimum lot area - 5,200 square metres
 - (ii) Minimum lot frontage - 27 metres
 - (iii) Maximum building height - 10 storeys
 - (iv) Maximum lot coverage - 15% of the lot area (exclusive of balcony projections)
 - (v) Minimum building setback (exclusive of a below grade parking garage) - 24.0 metres from the north lot line
13.8 metres from the south lot line
1.8 metres from the east lot line;
1.8 metres from the west lot line.
 - (vi) No parking space, loading space or parking area shall be permitted in a front yard or side yard and a minimum of 75% of the required parking spaces shall be located in a below grade parking garage. [ZDM 6, 10; ZNG/4046]
(AMENDED by B/L 48-2014, April 15, 2014)
72. **(ADDED by B/L 327-2004, by OMB Decision/Order 1695, Issued June 13, 2006; DELETED by B/L 169-2018, Dec. 19/2018)**
73. For the lands comprising Part of Farm Lots 102 and 103, Concession 2, situated on the west side of Central Avenue and the south side of Somme Avenue, an existing stamping or forging plant shall be an additional permitted use and manufacturing shall not be limited to small motor vehicle parts or other small metal and electrical products. (ZDM 11)
- (AMENDED by By-law 227-2002, Approved by OMB Decision/Order No. 1013, July 24, 2003; OMB Decision/Order No. 1011, July 24, 2003 and OMB Decision/Order No. 1067, August 1, 2003, OMB File No. R020192, Case No. PL020829)**
74. For the lands comprising Part of Lot 111, Concession 1 and Part of Closed Alley, Registered Plan 1065; (Part 8 12R-2700), situated north of Empress Avenue, the following additional regulations shall apply:

Maximum Total Lot Coverage - 50%

For a townhome dwelling unit, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof cannot exceed:

Block 1 and 9	-	60%
Blocks 10 and 11	-	85%

[ZDM11; ZNG 5077]

(AMENDED by B/L 91-2017, July 13, 2017)

75. For the lands generally bounded by Highway 401 on the north and east, North Talbot Road to the south and Sixth Concession Road to the west and zoned RD2.3 and RD2.4 on Zoning District Map 13, the following additional provisions shall apply:

- a) For *any dwelling*, the minimum rear yard depth shall be 7.50 m;
- b) For a *Semi-Detached Dwelling* or *Townhome Dwelling*, the maximum lot coverage shall be 35%
- c) For the lands comprising Parts 8, 9, 22 and 23, Plan 12R-20677, located on the south side of Tumbleweed Crescent, east of North Talbot Park, a *Townhome Dwelling* shall be an additional permitted use and shall comply with the *Townhome Dwelling* provisions of Section 11.3.5

[ZDM 13; ZNG/5270]

(AMENDED by B/L 10-2004, OMB Order PL040143 File No. R040023, Decision/Order No. 0055, Issued Jan. 12/2005; AMENDED by B/L 164-2017, Dec. 7/2017)

76. For the lands situated on the east and west sides of Riberdy Road between Foster Avenue and Ledyard Avenue, the minimum lot area and minimum lot width shall be as existing on August 1, 2003. (ZDM 12; ZNG/1062)

(AMENDED by B/L 132-2011, August 5, 2011)

77. For the lands comprising Part of Farm Lot 92, Concession 3, situated on the north side of Division road, west of Woodward Boulevard, a funeral home shall be an additional permitted use. (ZDM 12)

78. For the lands designated as Part 2, Plan 12R-8022 and Part 2, Plan 12R-11887, situated on the south side of Rhodes Drive, west of Wheelton Drive, business and medical offices and a surgical centre shall be additional permitted uses and the required number of parking spaces for a surgical centre shall be calculated on the basis of one space for each 22 square metres of gross floor area. (ZDM 12; ZNB/1062)

(AMENDED by B/L 132-2011, August 5, 2011)

79. For the lands comprising Lots 712 and 713, Registered Plan 1126, situated on the northwest corner of Walker road and Calderwood Avenue, a print shop shall be an additional permitted use and a maximum of six (6) parking spaces shall be required for a print shop. (ZDM 12)

80. For the lands comprising Part of Farm Lots 14 and 15, Concession 6, situated on the east side of Provincial Road and the west side of Walker Road, north of Legacy Drive, a motor vehicle dealership shall be an additional permitted use. (ZDM 13)

81. For the lands comprising Parts 2 and 3, Plan 12R-14719, situated on the south side of Rhodes Drive, west of Pillette Road, a business, financial and professional offices and a personal service shop shall be additional permitted uses; provided, however, that for Part 2, the total gross floor area of these uses in combination shall not exceed 25% of the total gross floor area of all buildings on Part 2. (ZDM 12; ZNG/1062)

(AMENDED by B/L 132-2011, August 5, 2011)

82. For the lands comprising Part of Farm Lot 125, Concession 2, situated on the east side of Lauzon Parkway, south of Forest Glade Drive, the following uses shall be additional permitted uses: the office of a charitable or non-profit organization; a school and outdoor training facility. (ZDM 15)

83. For the lands comprising Part of Blocks E, F, and W, Registered Plan 1644, situated at the northwest corner of Lauzon Parkway and Cantelon Drive, the sale, lease or rental of motor vehicles shall be an additional permitted use. (ZDM 15)
84. For the lands comprising Part of Block “Z”, Registered Plan 1330, situated on the north side of North Talbot Road, east of Northwood Lakes Drive, as shown delineated by hatched black line in Schedule “A” to By-law 12240 a nursery and an ancillary retail store for the sale of nursery stock and garden supplies and may use accessory thereto may be additional permitted uses, provided further that:
- (i) The minimum lot area shall be 1.0 hectare;
 - (ii) The maximum building height shall be one storey;
 - (iii) No building shall be erected north of a line 92 metres north of and parallel to the north limit of North Talbot Road. (ZDM 13)
85. For any *lot* fronting on the south side of North Talbot Road between Southwood Lakes Boulevard and Highway 401, the minimum front yard depth shall be 9.0 m.
[ZDM 13; ZNG/5271] (AMENDED by B/L 7-2018, Feb. 23/2018)
86. For the lands comprising Part of Farm Lots 121 and 122, Concession1, on the north side of Wyandotte Street East, west of St. Rose Avenue and being more particularly described in Schedule “A” to By-law Number 8989, the following regulations shall apply:
- (i) There shall be no parking of a refrigerated trailer within 30.0 metres of the nearest boundary of any Residential District except to permit the loading or unloading of such vehicle;
 - (ii) In any rear yard or side yard, the loading or unloading of a trailer having gross vehicle weight of more than 3000 kilograms shall only be permitted within a loading space and the said loading space shall be entirely enclosed on three sides and above throughout its length. (ZDM 10)
87. (AMENDED by B/L 132-2011, August 5, 2011; DELETED by B/L 50-2016, May 18, 2016)
88. For the lands comprising Part of Lots 127 and 128, Concession 1, situated north of the intersection of Riverside Drive East and Lauzon Road and zoned RD3.1 on Zoning District Map 10, the following uses shall be additional permitted uses:
- (i) a combined use building having multiple dwelling units in combination with any one (1) or more of the following uses: a retail store; business, financial or medical office; professional studio, personal service shop, restaurant; take-out restaurant.
 - (ii) In any rear yard or side yard, the loading or unloading of a trailer having gross vehicle weight of more than 3000 kilograms shall only be permitted within a loading space and the said loading space shall be entirely enclosed on three sides and above throughout its length. (ZDM 10)
 - (iii) any non-residential use permitted in subclause (i), of this clause. (ZDM 10)
89. For the lands comprising Lots 1 to 6 inclusive, Registered Plan 1104, situated on the northwest corner of Lauzon Road and Cecile Street, the following additional regulations shall apply to a multiple dwelling:
- (i) Minimum lot area - 3700 square metres with not less than 56 square metres for each dwelling unit;

- (ii) Maximum building height on a corner lot - 7 storeys
 - (iii) Maximum lot coverage - 30% of the lot area for all buildings or parts thereof located above grade.
 - (iv) A minimum of 90% of the required parking spaces shall be located in a below grade parking garage. (ZDM 10)
90. **(DELETED by B/L 132-2011, August 5, 2011.)**
91. For the lands comprising Part of Farm Lot 138, Concession 1, situated on the north side of Riverside Drive East, west of Florence Avenue, delineated by a heavy black line in Schedule “A” to By-law No. 11343, the following uses shall be additional permitted uses within the existing building, subject to conformity to the following provisions:
- (i) Retail store; restaurant; personal service shop; business office; club.
 - (ii) Multiple dwelling units, in a combined use building, provided that all dwelling units, except entrances thereto, shall be located entirely above the ground floor; provided further that,
 - (a) No minimum separation between a parking area and a building wall having habitable room windows which face the parking area shall be required;
 - (b) No dwelling units shall be permitted until the adjacent aggregate transfer facility has permanently ceased operation; (ZDM 14)
92. For the lands comprising Part of Lots 124 and 125, Concession 1, situated on the west side of Lauzon Parkway between Tecumseh Road East and the Canadian National Railway right-of-way, designated as Parts 1 and 3, Plan 12R-132496, a lumber yard and an outdoor storage yard shall be additional permitted uses. (ZDM 10, 14, 15)
93. **(DELETED by B/L 132-2011, August 5, 2011.)**
94. For the lands comprising Part of Farm Lot 134, Concession 1, situated on the north side of Tecumseh Road East, east of Lauzon Road, as delineated in Schedule “A” to By-law Number 8251, the following uses shall be additional permitted uses:
- (i) a place of entertainment and recreation; a restaurant having a maximum floor area of 250 square metres, which may include an accessory outdoor patio area, whether covered or uncovered, having a maximum floor area of 85 square metres. (ZDM 15)
95. For the lands comprising Part of Farm Lots 147 and 148, Concession 1, situated south of Riverside Drive, north of King Street and east of Amalfi Street, being more particularly described in Schedules “A” and “B” to By-law Number 11369, the following additional regulations shall apply:
- (i) For a dwelling located on a lot which parallels and abuts the south limit of the former Windsor and Tecumseh Electric Railway Right-of-Way (Ganatchio Trail), the minimum building wall and fence setback from that limit shall be 6 metres, and, the front wall of the dwelling and the main pedestrian entrance to the dwelling shall face north. (ZDM 15)
96. For the lands comprising Part of Farm Lot 144, Concession 1, situated on the northwest corner of Banwell Road and Firgrove Drive, the maximum building height shall be 12 storeys and, the minimum lot area shall be 76 square metres for each dwelling unit. (ZDM 14)

97. For all lands generally bounded on the north by Enterprise Way, on the south by Quality Way, on the west by the Canadian National Railway right-of-way and on the east by Lauzon Parkway, being more specifically delineated on Zoning District Maps 11 and 15, the following regulations shall apply:

- (i) Minimum front yard depth - 9 metres; a required front yard shall be maintained exclusively as a landscaped open space yard;
- (ii) Minimum side yard depth - 6 metres; provided that, a minimum set back of 9 metres shall be required for any side yard abutting a street;
- (iii) Minimum rear yard depth - 6 metres;
- (iv) Maximum building height - 14.5 metres for any building or structure within 150 metres of a residential district, otherwise no height limit shall apply;
- (v) Minimum building set back - 70 metres from Lauzon Parkway
- (vi) An access area may cross a landscaped open space yard;
- (vii) No off-street loading or truck storage area shall be permitted in any yard abutting Lauzon Parkway. (ZDM 11, 15)

98. For the lands situated east of Radcliff Avenue, south of Norbert Street and north of McNorton Street, zoned RD2.3, on Zoning District Maps 14 and 15, the maximum lot coverage for a single unit dwelling with an attached garage shall be 50% of the lot area and for a semi-detached dwelling unit and a townhome dwelling unit, where each semi-detached dwelling unit and townhome dwelling unit has an attached garage, shall be 50% of the lot area. (ZDM 14, 15)

99. For the lands comprising Part 1, Plan 12R-4363, situated at the northeast corner of Lauzon Road and McHugh Street, Sections 12.3.5.3 and 12.3.5.8 shall not apply.
[ZDM 14; ZNG/5270] (AMENDED by B/L 164-2017, Dec. 7/2017)

100. For the lands comprising Lots 194 to 197 inclusive, Registered Plan 997, situated on the west side of Northway Avenue, south of Kenora Street, 12 dwelling units shall be permitted in a multiple dwelling. (ZDM 4)

101. For the lands on the east and west sides of Ouellette Avenue bounded on the north by the east/west alleys, south of the Canadian National Railway right-of-way, on the south by Eugenie Street, on the west by Pelissier Street and on the east by McDougall Street and Dufferin Street:

- a) Any permitted use in Section 16.3.1 shall be an additional permitted use.
- b) The maximum *main building height* shall be 28.0 m; and
- c) The provisions of Section 18.4.5 shall not apply

[ZDM 7, 8; ZNG/5271; ZNG/5364] (AMENDED B/L 7-2018, Feb 23/2018; B/L 169-2018, Dec. 19/2018)

102. For the lands comprising Lots 69 to 73, 74 to 79, 100 to 111, all inclusive, Parts of Kingston Drive (closed) and Parkhill Gate (unopened) and the east/west lanes east and west of Parkhill Gate, Registered Plan 1627, situated on the south side of Wyandotte Street, east of Watson Avenue, the following provisions shall apply:

- (i) The minimum lot area shall be 6000 square metres with no less than 140 square metres for each dwelling unit;
 - (ii) A minimum separation of 12 metres shall be maintained between a multiple dwelling and an RD1.1 District. (ZDM 14; ZNG/1062)
(AMENDED by B/L 132-2011, August 5, 2011)
103. For the lands comprising Part of Farm Lots 2 and 3, Concession 5, situated on the southeast corner of Cousineau Road and Talbot Road, designated as Part 1, on Plan 12R-10876, a semi-detached dwelling shall be an additional permitted use and the following regulations shall apply:
- (i) Minimum lot area - 540 square metres;
 - (ii) Minimum lot width - 28 metres;
 - (iii) No dwelling unit shall be located within 10.5 metres of Talbot Road/Highway Number 3. (ZDM 9)
104. For the lands comprising Parts 1 to 5, Plan 12R-15988, situated at the southwest corner of Ottawa Street and Walker Road, the following additional provisions shall apply:
- a) A *Service Station* shall be an additional permitted use;
 - b) Lot Frontage – minimum 6.0 m
 - c) Lot Area – minimum 3,600.0 m²
 - d) Building Height – Existing Building – maximum 25.0 m
 - e) *Dwelling Units* in an *existing building* shall be an additional permitted use and Section 15.2.5.15 shall not apply.
- [ZDM 7; ZNG/4203; ZNG/ 5271]
(AMENDED B/L 172-2014, Nov 5/2014; B/L 7-2018, Feb. 23/2018)
105. For a dwelling located on the east or west side of Dufferin Avenue, between Giles Boulevard East and Ellis Street East, one front yard parking space shall be permitted as existing. (ZDM 7)
106. For the lands comprising Lots 119 to 122, Registered Plan 998, situated on the northeast corner of Huron Church Road and Bethlehem Street, a business office shall be an additional permitted use. (ZDM 5)
107. for the lands comprising Lots 197 and 198, Registered Plan 622, situated on the west side of Marentette Avenue, north of the Essex Terminal Railway, a maximum of 45% of the gross floor area of the existing building may be devoted to a home occupation. (ZDM 7)
108. **(DELETED by B/L 169-2018, Dec. 19/2018)**
109. For the lands comprising Part of Lots D and E, Registered Plan 43, situated at the southwest corner of Mill and Baby Streets, a public parking area, constructed and maintained in accordance with the provisions of Section 25, of this by-law, shall be an additional permitted use. (ZDM 3)
110. For the lands comprising Lots 18 to 22 and the south one half (½) of Lot 17, Registered Plan 370, situated on the west side of Bridge Avenue, north of University Avenue, a lodging house shall be an additional permitted use. (ZDM 3)
111. For the lands comprising Part of Lots 24 and 34 to 39 both inclusive, Plan 12R-16773, situated on the southwest corner of Tecumseh Road West and Tecumseh Road North, a food convenience store, restaurant and a drive-through restaurant shall be additional permitted use. (ZDM 4)

112. For the lands comprising Part of Farm Lots 143 and 144, Concession 2, situated on the southwest corner of Banwell Road and McHugh Street, shown as Block 16, in Schedule "A" to By-law 3-1999, no building shall be situated within 30 metres of the north limit of the Canadian National Railway right-of-way and an athletic and/or sports facility shall be an additional permitted use. (ZDM 15)
113. For the lands comprising Part 1 on Plan 12R-17595, situated at the southeast corner of Banwell Road and McNorton Street, no building shall be situated within 30 metres of the north limit of the Canadian National Railway right-of-way and a church, church hall, day nursery and school shall be additional permitted use. (ZDM 15)
114. For the lands comprising Part of Farm Lots 143 and 144, Concession 1, designated as Block 27, in Schedule "A" to By-law Number 13121, a business office having a maximum gross floor area of 250 square metres, a residential care facility and a lodging house shall be additional permitted use. (ZDM 14)
115. For the lands comprising Lots 7 to 14 both inclusive, Part of Lots 1 to 6, Part of Block "A", Registered Plan 1275, Lots 7 to 10 both inclusive, Part of Lots 4, 5 and 6 and Part of Block "A", Registered Plan 1335, Part of Lots 1, 2, 3 and 4, Registered Plan 948 and the enclosed north/south alley, situated on the east side of Huron Church, south of Malden Road, the maximum building height of a hotel shall be 7 storeys and a restaurant shall be an additional permitted use. (ZDM 4)
116. For all lands on the east side of Devon Drive from the north limit of Lot 3, Registered Plan 1629, to the north limit of Kamloops Street as extended westward, an outdoor storage yard shall not be permitted. (ZDM 8)
117. For the lands comprising Part of Farm Lot 97, Concession 1, designated as Parts 1 and 2, Plan 12R-11729, situated on the west side of St. Luke Road, south of Edna Street, an outdoor storage yard, exclusively for the storage of motor vehicles, shall be an additional permitted use. Each motor vehicle shall be stored on this lot for a maximum of 100 days and no motor vehicle restoration or repair shall take place within the outdoor storage yard. (ZDM 6)
118. For the lands comprised of Part of Lot 13, Concession 6, City of Windsor, Parts 9 to 18, inclusive, 12R-20103, north of Holburn Street between Sixth Concession Road and Ducharme Street, the minimum front yard depth shall be 4.5 metres.
(ZDM 13; ZNG/4965; ZNG/5359)
(AMENDED by B/L 112-2017, August 18, 2017; AMENDED by B/L 97-2018, August 21, 2018)
119. For the lands comprising Lots 80 to 104, both inclusive, situated on the east side of Dandurand Avenue, south of Ojibway Street, as shown on Zoning District Map 8, the following provisions shall apply:
- | | | | |
|-------|--|---|--|
| (i) | Minimum rear yard depth | - | 17 metres; |
| (ii) | Maximum rear yard depth | - | 27 metres for Lots 97 to 104 both inclusive; |
| (iii) | Minimum building height | - | 11 metres; |
| (iv) | Maximum building height | - | 11.5 metres; |
| (v) | No dwelling or part thereof shall be located within 250 metres of the west limit of South Cameron Boulevard. (ZDM 8) | | |
120. For the lands generally bounded on the north by Little River Boulevard, on the south by Raintree Street, on the east by Blue Heron Drive and on the west by Banwell Road, zoned RD1.3 on Zoning District Map 14, the following provisions shall apply:
- (i) For a semi-detached dwelling unit with an attached garage, the minimum lot area and the maximum lot coverage shall be 225 square metres and 50% of the lot area respectively;

- (ii) For a townhome dwelling unit with an attached garage, the minimum lot area and maximum lot coverage shall be 190 square metres and 60% of the lot area respectively;
 - (iii) The exterior walls of a semi-detached or townhome dwelling shall be entirely finished with brick, stucco or stone cladding, where such walls face a street;
 - (iv) Except when a dwelling fronts on Blue Heron Drive, no exterior wall of an attached garage shall project greater than 3 metres beyond the front and side walls of the dwelling unit. (ZDM 14)
121. Deleted by OMB Order PL020719, Decision No. 0054, January 14, 2003. (ZDM 9)
122. For the lands comprising Lot 128, Registered Plan 841, located on the at side of Prado Place, south of Wyandotte Street East, a 2-unit dwelling shall be an additional permitted use within the building. The maximum lot coverage for a main building, maximum building height, and minimum front, side and rear yards shall be as they exist on August 12, 2002. (ZDM10; ZNG/1062).
(ADDED by B/L 249-2002, Sept. 24, 2002; AMENDED by B/L 132-2011, Aug. 5, 2011)
123. For the lands comprising Lots 1 to 3 inclusive, Registered Plan 925, located on the southwest corner of Tecumseh Road West and York Street, the sale and lease of automobiles shall be an additional permitted use (ZDM7).
(ADDED by B/L 271-2002, October 10th, 2002)
124. For the lands comprising Lots 16 and 18, Registered Plan 262, situated at the northwest corner of Chilver Road and Assumption Street, the following provisions shall apply:
- 1. a minimum of 6 on-site parking spaces shall be provided;
 - 2. a business office with a maximum gross floor area of 110 square metres in combination with a single unit or two unit dwelling shall be additional permitted uses within the building existing on the site on January 1, 2003;
 - 3. a business, financial or medical office, a personal service shop, a light repair shop or a professional studio shall be additional permitted uses. (ZDM 6; ZNG/1062)
(ADDED by B/L 316-2002, Nov. 22, 2002; AMENDED by B/L 132-2011, Aug. 5/2011)
125. For the lands comprising Lot 60 and the southerly 1.82 metres from front to rear of Lot 61, Registered Plan 913, situated on the east side of St. Luke Road, south of Ontario Street, a duplex dwelling shall be an additional permitted use. (ZDM 6)
(ADDED by B/L 313-2002 Nov. 5, 2002)
126. For the lands comprising Lot 5 and part of Lot 4, Registered Plan 564, located on the south side of Wyandotte Street East, west of Pierre Avenue, delineated by a heavy black line on Schedule 'A' of By-law 317-2002, a multiple dwelling with a maximum of five (5) dwelling units shall be an additional permitted use and that a minimum of four (4) parking spaces shall be provided. (ZDM 6)
(ADDED by B/L 317-2002, Nov.22, 2003; AMENDED by B/L 31-2013, March 28/2013)
127. For the lands comprising Lots 4 to 6 inclusive, and part of the alley, Registered Plan 1014, situated on the east side of Betts Avenue, south of Tecumseh Road West, the lower level shall be maintained as a cellar only. (ZDM 4).
(ADDED by B/L 328-2002, Nov. 22, 2002)
128. For the lands comprising Lots 72 to 78 inclusive, Registered Plan 658, situated on the northwest corner of Bloomfield Road and Chippewa Street, the lower level shall be maintained as a cellar only. (ZDM 3) (ADDED by B/L 342-2002, Dec. 4, 2002)
129. For the lands comprising Part of Lot 90, Concession 2, designated as Part 1, Plan 12R-14069 and Part 11, Plan 12R-12019, located at the southeast corner of Grand Marais Road East and Elsmere Avenue, any permitted use in Section 14.1.1 shall be an additional permitted use and the following additional provisions shall apply:

- a) Building Height – maximum 4.0 m
- b) Gross Floor Area – maximum
 For each *Business Office, Food Outlet - Take-Out, Medical Office, Personal Service Shop, Professional Studio, Repair Shop – Light, Restaurant or Retail Store:* 325.0 m²
- [ZDM 8; ZNG/ 5271]
 (ADDED B/L 348-2002, Dec 13/2002; AMENDED by B/L 7-2018, Feb. 23/2018)
130. (ADDED by B/L 346-2002, December 13, 2002; DELETED by B/L 71-2010, June 2/2010)
131. For the lands comprising Part of Lot 88, Concession 2, located on the south side of the North Service Road, west of Elsmere Avenue, and shown delineated by a heavy black line on Schedule ‘A’ of By-law 305-2002, an automobile towing service shall be an additional permitted use. (ZDM 8) (ADDED by B/L 305-2002, November 5, 2002)
132. For the lands comprising the easterly 54.8 metres of Lot 21, Registered Plan 868, located on the west side of Walker Road, north of the North Service Road, automotive repairs and sales shall be an additional permitted use. (ZDM 12)
 (ADDED by B/L 395-2002, Jan. 17, 2003)
134. (ADDED by B/L 379-2002, Jan. 17, 2003 AND DELETED by B/L 221-2007, Dec. 6, 2007)
135. (ADDED by B/L 36-2003, March 4, 2003 AND DELETED by B/L 132-2011, August 5, 2011)
136. For the lands comprising Part of Bloc 8, Plan 58, situated on the west side of McEwan Avenue, south of Wyandotte Street West and delineated by a heavy black line on Schedule ‘A’, attached to By-law 126-2003, a club shall be an additional permitted use and no on-site parking shall be required for a club. (ZDM 3)
 (ADDED by B/L 126-2003, May 20, 2003)
137. For the lands comprising Part of Lot 117, Concession 2, located on the east side of Jefferson Avenue, south of Queen Elizabeth Drive, and shown delineated by a heavy black line on Schedule ‘A’, attached to By-law 176-2003, an automobile repair garage, the sale and installation of audio accessories, and the sale and repair of electronic devices shall be additional permitted uses. (ZDM 11)
 (ADDED by B/L 176-2003, July 14, 2003)
138. For the lands comprising Part of Farm Lot 68, Concession 1, situated on the south side of Tecumseh Road West between Partington Avenue and Roxborough Boulevard, as described on Schedule ‘A’ of By-law 300-2003, a *Self-Storage Facility* shall be an additional permitted use provided further that a continuous screening fence or wall consisting of brick or decorative concrete block shall be required between a *Self-Storage Facility* and any residential use and the provisions of Section 10.1.5 shall not apply to a *Self-Storage Facility*. [ZDM 4; ZNG/5270]
 (ADDED by B/L 157-2003, July 3, 2003; AMENDED by B/L 300-2003, Oct. 7/2003; AMENDED by B/L 31-2013, Mar. 28/2013; B/L 164-2017, Dec. 7/2017)
139. (AMENDED by By-law 227-2002, Approved by OMB Decision/Order No. 1013, July 24, 2003; OMB Decision/Order No. 1011, July 24, 2003 and OMB Decision/Order No. 1067, August 1, 2003, OMB File No. R020192, Case No. PL020829; DELETED by B/L 169-2018, Dec. 19/2018)
140. (AMENDED by By-law 227-2002, Approved by OMB Decision/Order No. 1013, July 24, 2003; OMB Decision/Order No. 1011, July 24, 2003 and OMB Decision/Order No. 1067, August 1, 2003, OMB File No. R020192, Case No. PL020829; DELETED by B/L 169-2018, Dec. 19/2018)

141. For the lands comprising Lots 34 to 38 inclusive, Registered Plan 1054, situated on the south side of Tecumseh Road East between Chilver and Kildare Roads, an automatic carwash may be an additional permitted use. (ZDM 7).
(AMENDED by B/L 241-2003, Aug. 12, 2003)
142. For the lands comprising Lot 82, Lots 200 to 202, and part of the alley, Registered Plan 1083 (northwest corner of Tecumseh Road East and Chandler Road), a drive-through restaurant with a minimum of 12 stacking spaces and 23 on-site parking spaces shall be an additional permitted use. (ZDM 11).
(AMENDED by B/L 240-2003, Aug. 12, 2003)
143. For the lands comprising Part of Lot 136, Concession 1, located north of McHugh Avenue and east of the storm water management facility, designated as Blocks 5 and 6 on Schedule 'A' to By-law Number 304-2003, the minimum front yard depth shall be 4.57 metres and the minimum lot area for a townhouse shall be 520.0 square metres, plus 173.0 square metres for each additional dwelling unit, and further that Section 5.11.1 shall not apply. [ZDM 14; ZNG/4629]
(AMENDED by B/L 304-2003, Oct. 21, 2003; AMENDED by B/L 117-2016, Dec. 28/2016)
144. (ADDED by B/L 9827, June 12, 1989; REPEALED by B/L 227-2002, August 12, 2002; ADDED by B/L 305-2003, Oct. 21, 2003; AMENDED by By-law 340-2003, Oct. 6, 2003; DELETED by B/L 327-2004, by OMB Decision/Order 1695 Issued June 13, 2006)
145. (ADDED by B/L 367-2003, Dec. 4, 2003 AND DELETED by B/L 129-2012, Oct. 2, 2012)
146. For the lands comprising Lots 24 to 30 inclusive and part of Lot 31, Registered Plan 1173 (east side of Thompson Boulevard between Ontario Street and Raymond Avenue) identified as Parcels 9 to 16 inclusive on Schedule 'A' to By-law Number 331-2003, the minimum lot width for a single unit dwelling shall be 11.6 metres (ZDM 10).
(ADDED by B/L 331-2003, July 21, 2004)
147. For the lands comprising Lots 36 to 39 inclusive, Block C, Registered Plan 50, situated on the west side of California Avenue, south of College Avenue. For a townhome dwelling, the maximum number of dwelling units shall be 5, the maximum building height of the main building shall be 3 storeys, the maximum total lot coverage shall be 40% of the lot area, the minimum side yard width shall be 1.30 metres and that Section 25.5.10.1 and Section 25.5.30.1 shall not apply. (ZDM 4; ZNG/4249)
(ADDED by B/L 27-2004, Feb. 19th, 2004; AMENDED by B/L 18-2015, March 4, 2015)
148. For the lands comprising Lots 1 to 93, both inclusive, Registered Plan 490, on the west side of Walker Road, between Cataraqui and Ontario Streets, the following provisions shall apply:
- (i) the following uses shall not be permitted uses: gas bar; place of entertainment or recreation; public hall.
 - (ii) all permitted activities, not including parking, shall take place exclusively within a building.
 - (iii) no loading doors or loading bays shall be permitted along any building wall which faces the rear alley. (ZDM 6) (ADDED by B/L 39-2004, March 4, 2004)
149. For the lands comprising Lots 30, 32, 34, 36 and part of Lot 38, Registered Plan 490, on the southeast corner of Monmouth Road and Niagara Street, the following provisions shall apply:
- (i) the main pedestrian entrance for each dwelling shall face Monmouth Road.
 - (ii) each townhome dwelling shall have a maximum of 4 townhome dwelling units.
 - (iii) for a main building, each wall facing a street shall be entirely clad with brick veneer.
 - (iv) any accessory garage shall be detached from the main dwelling unit, located solely in the rear yard and any vehicular entrance thereto shall face the rear alley. (ZDM 6) (ADDED by B/L 39-2004, March 4, 2004)

150. For the lands comprising Lot 14, the southerly 3.35 metres of Lot 13 and the east half of the closed alley, all according to Registered Plan 1028 (west side of St. Luke Road, north of Alice Street), a two unit dwelling within the existing building on the site shall be an additional permitted use. The minimum front, side and rear yards and maximum building height shall be as they exist on the date of the passing of by-law 61-2004. (ZDM 7) **(ADDED by B/L 61-2004, March 17, 2004)**
151. For the lands comprising Lots 39 to 47, and part of the alley, Registered Plan 1005, and Lot 257, Registered Plan 360, situated at the northeast corner of Erie Street East and Louis Avenue, a *Public Hall*, with the provision of a minimum of 25 on-site *parking spaces*, and 26 off-site *parking spaces*, shall be an additional permitted use and notwithstanding the provisions of Section 13.1.5, the following additional provisions shall apply:
- | | | |
|-----|--------------------------------------|-------------------------|
| .5 | Front Yard Depth – minimum | 0.0 m |
| .7 | Side Yard Width - minimum | 0.0 m |
| .8 | Landscaped Open Space Yard – minimum | 5.0% of <i>lot area</i> |
| .50 | Loading spaces – minimum | None |
- [ZDM 7; ZNG/5270]
(ADDED by B/L 63-2004, May 25, 2004; AMENDED by B/L 164-2017, Dec. 7/2017.
152. For the lands comprising Lots 68 to 70, Registered Plan 581 situated at the northwest corner of Giles Boulevard West and Pelissier Street, a business office within the existing building shall be an additional permitted use, subject to the provision of six on-site parking spaces. Further, Section 25.5.10.3, Section 25.5.10.5, Section 25.5.30, Section 25.5.40 and Section 25.5.50 shall not apply. [ZDM 7; ZNG/4249] **(ADDED by B/L 67-2004, March 30, 2004; AMENDED by B/L 18-2015, March 4, 2015)**
153. For the lands comprising Lots 1, 2 and 3, Registered Plan 531, situated at the southeast corner of Wyandotte Street East and Ellrose Avenue, a maximum of three dwelling units on a ground floor in a combined use building shall be additional permitted uses and that the ground floor dwelling units be exempt from the parking space regulations (ZDM 10). **(ADDED by B/L 75-2004, April 1, 2004)**
154. For the lands comprising Lots 1 to 6, 33, 34, 313, 314 and Part of Lots 31, 32, 39, and 215, Registered Plan 1489, located on the east side of Dougall Avenue, south of Cabana Road, and delineated by a heavy broken line on Schedule ‘A’, attached to By-law 106-2004, an automatic carwash shall be an additional permitted use. (ZDM 9) **(ADDED by B/L 106-2004, May 7, 2004)**
155. For the lands comprising Lots 1 to 5 inclusive, Registered Plan 81, located on the northeast corner of University Avenue West and Victoria Avenue, multiple residential units shall be an additional permitted use on floors 4 to 8, and a minimum of 42 on-site parking spaces shall be provided. No amenity area shall be required. (ZDM 3) **(ADDED by B/L 107-2004, May 7, 2004 and AMENDED by B/L 287-2004, Sept. 29, 2004)**
156. For the lands comprising Lots 4, 6, 7, 9, 11, 13, 15 and 17, Block M, Registered Plan 211, situated on the west side of Monmouth Road between Wyandotte Street East and Tuscarora Street, the maximum main building height shall be 34 metres, the maximum lot coverage – main building, shall be 50% of the lot area and the minimum landscaped open space yard shall be 9% of the lot area. (ZDM 6) **(ADDED by B/L 110-2004, May 12, 2004)**
157. For the lands comprising Lots 45 to 50, both inclusive, Registered Plan 586, situated on the southeast corner of Wyandotte Street East and Montreuil Avenue, a coin-operated car wash shall be an additional permitted use. **(ADDED by B/L 213-2004, August 12, 2004).**
158. For the lands comprising Lots 106 to 111 inclusive, Registered Plan 1109 (west side of Meldrum Road, north of Grand Marais Road East) the sale and display of one truck and the outdoor storage of motor vehicles shall be permitted uses on the site. **(ADDED by B/L 162-2004, June 25, 2004)**

159. For the lands comprising the easterly 19.38 metres of Lot 6, Block A, Registered Plan 134 (southwest corner of Glengarry Avenue and Tuscarora Street), a business or medical office, not to exceed 65 square metres in gross floor area, shall be an additional permitted use within the building existing on the site on June 1, 2004.
(ADDED by B/L 160-2004, June 25/2004)
160. For the lands comprising Lots 50 to 59, Registered Plan 12M-211, located on the east side of Gundy Park Crescent, the minimum front yard depth shall be reduced from 6.0 metres to 3.0 metres, however, the requirement for the minimum 6.0 metre setback of the garage shall remain in effect as specified under Section 5.11.1. [ZNG/4629]
(ADDED by B/L 167-2004, July 2, 2004; AMENDED by B/L 117-2016, Dec. 28/2016)
161. For the lands comprising Lot 42 and Part of Lot 43, Registered Plan 346, situated on the west side of McKay Avenue, south of University Avenue West, shown delineated by a heavy black line on Schedule 'A' of By-law Number 183-2004, a multiple dwelling with a maximum of three dwelling units shall be an additional permitted use.
(ADDED by B/L 183-2004, July 8, 2004)
162. For the lands comprising Lots 282 to 284, 317 to 319 and Part of Lots 285, 316 and 281, all according to Registered Plan 1323 (west side of Walker Road, south of Seneca Street), a commercial school shall be an additional permitted use within the building existing on the site on June 18, 2004 (ZDM 7)
(ADDED by B/L 106-2004, July 23, 2004)
163. For the lands comprising lots 96 and 98, and the northerly 4.57 metres of Lot 100, Registered Plan 490 (east side of Argyle Road, south of Richmond Street), a tourist home shall be an additional permitted use within the existing building on the site on July 1, 2004. (ZDM 6)
(ADDED by B/L 235-2004, Aug. 24/2004)
164. For the lands comprising Lots 414 and 415, Registered Plan 1126 (east side of Walker Road, south of the E. C. Row Expressway) an automobile sales lot shall be an additional permitted use. (ZDM 12)
(ADDED by B/L 256-2004, Sept. 8/2004 And Amended by B/L 31-2013 March 28/2013)
165. For the lands comprising Lots 7 to 12, Lots 18 to 22, Part Lots 13 to 17 and the Closed Alleys, Registered Plan 1104; Part of Farm Lot 127, Concession 1 (west side of Lauzon Road, between Cecile Avenue and Clairview Avenue), shown delineated by a heavy black line on Schedule 'A' of By-law 305-2004, a minimum of 119 on-site parking spaces, front yard parking, minimum landscaped open space of 3.675 square metres, a reduction in the required 3 metre landscape setback along the Clairview Avenue and Cecile Street rights-of-way and the separation distance to a habitable window of 0 metres shall be permitted. (ADDED by B/L 305-2004, Oct. 7, 2004)
166. For the lands situated on the southwest corner of Riverside Drive East and Bellevue Avenue and zoned ID1.2 on Zoning District Map Page 6, the following uses shall be additional permitted uses:
- Lodging House*
Multiple Dwelling
- and the additional permitted uses shall comply with the provisions of Section 12.1.5.
- [ZDM 6; ZNG/5270]
- (REPEALED by B/L 227-2002, Aug. 12/2002; AMENDED by B/L 340-2003, Oct. 6/2003)
(AMENDED by B/L 327-2004 on June 13/2006, by OMB Decision/Order 1695; AMENDED by B/L 164-2017, Dec. 7/2017)
167. For the lands comprising Part of Lot 5, Registered Plan 428, situated on the south side of Riverside Drive East, east of Strabane Avenue and zoned RD3.3 on Zoning District Map Page 6, the following regulations shall apply:
- | | | |
|------------------------------|---|--------------------|
| (i) Minimum lot area | - | 4000 square metres |
| (ii) Maximum building height | - | 33 metres |

- (iii) Maximum number of dwelling - 83 units
 - (iv) Maximum lot coverage - 25%
 - (v) Minimum building setback - 19.2 metres from the south limit of Riverside Drive East (as widened);
 - 10.5 metres from the east lot line;
 - 5.5 metres from the west lot line;
 - (vi) Not more than one (1) access area shall be permitted to Riverside Drive East provided such access shall connect solely to a parking area containing not more than five (5) parking spaces and no vehicle access shall be afforded from the said access area, directly or indirectly to any other part of the lot.
(ZDM 6) (AMENDED by B/L 8955, April 21, 1987)
- (REPEALED by B/L 227-2002, August 12, 2002; AMENDED by By-law 340-2003, Oct. 6, 2003)
(AMENDED by B/L 327-2004 on June 13, 2006 by OMB Decision/Order 1695)**
168. For the lands comprising Part of Farm Lot 106 and 107, Concession 1, situated on the east and west sides of Rossini Boulevard, north of the Canadian National Railway right-of-way, a maximum of 2 group homes shall be additional permitted uses.
(ZDM 10)
**(REPEALED by B/L 227-2002, August 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)
(AMENDED by B/L 327-2004 on June 13, 2006 by OMB Decision/Order 1695)**
169. For the lands comprising Lots 10, 12 and 14, Registered Plan 262, situated on the west side of Chilver Road, north of Assumption Street, a business, financial or medical office, a personal service shop, a light repair shop and/or a professional studio shall be additional permitted uses. (ZDM 6; ZNG/1062)
- (REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)
(AMENDED by B/L 327-2004 on June 13, 2006 by OMB Decision/Order 1695)
(AMENDED by B/L 132-2011, August 5, 2011)**
170. For the lands comprising Lots 1 to 8 inclusive, Registered Plan 427, Lot 9 and 10, Registered Plan 458, Lots 113 to 140, Registered Plan 620, Lots 1 to 28, Registered Plan 619, Lots 1 to 13, Registered Plan 620, situated on the east and west sides of Drouillard Road between Trenton Street and Deming Street the following existing uses shall be additional permitted uses:
- an automobile repair garage; a collision shop; a laundry; a workshop; a woodworking shop. (ZDM 6)
- (REPEALED by B/L 227-2002, August 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)
(AMENDED by B/L 327-2004 on June 13, 2006 by OMB Decision/Order 1695)**
171. For the lands comprising Part of Lot 105, Concession 1, described as Parts 1 and 2, of Plan I2R-8164, situated on the southeast corner of Wyandotte Street East and George Avenue, a multiple dwelling exclusively for senior citizen dwelling units shall be an additional permitted use; provided, however, that the following regulations shall apply:
- (i) Minimum lot width - 60 metres
 - (ii) Minimum lot area - 0.56 hectares
 - (iii) Maximum building height - 13 storeys

(iv) Maximum number of dwelling units - 200 (ZDM 10)

(ADDED by B/L 8531, April 21, 1986)

(REPEALED by B/L 227-2002, August 12, 2002; AMENDED by By-law 340-2003, Oct. 6, 2003)

(AMENDED by B/L 327-2004 on June 13, 2006 by OMB Decision/Order 1695)

172. For the lands comprising the southerly one (1) metre of Lot 2 and Lots 3 to 7 inclusive, all according to Registered Plan 476, on the west side of Drouillard Road, north of Wyandotte Street east, the following shall be additional permitted uses:

(i) Retail stores in combination with restaurant provided that each store does not exceed 250 square metres in gross floor area; [ZNG/3590]
(AMENDED by B/L 164-2010, Nov. 17/2010; AMENDED by B/L 31-2013, March 28, 2013)

(ii) A brewery in combination with a restaurant provided that a brewery does not exceed 250 square metres in net floor area. [ZNG/3590]
(AMENDED by B/L 164-2010, Nov. 17/2010; AMENDED by B/L 31-2013, March 28, 2013)

A lodging house, provided, however, that the following additional regulations shall apply:

1. A lodging house may be erected in combination with a restaurant;
(AMENDED by B/L 164-2010, Nov. 17, 2010)

2. The maximum building height for a lodging house shall be 11 metres;

3. Required parking spaces may be located within a radius of 120 metres of the nearest lot line of the lands occupied by the lodging house they are intended to serve;

4. No doors, windows or other building openings, except emergency exits required by the Building Code Act, R.S.O. 1980 C. 51, as the same may be amended from time to time, shall be permitted in any west facing building wall. (ZDM 6)

(ADDED by B/L 9061, July 7, 1987; REPEALED by By-law 227-2002, August 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003; AMENDED by B/L 327-2004 on June 13, 2006 by OMB Decision/Order 1695)

173. For the lands comprising Part of Farm Lots 96 and 97, Concession 1, on the northeast corner of Walker Road and Edna Street, as shown delineated by a heavy black line on Schedule "A" of By-law 10115, the maximum total floor area devoted to retail stores shall be 1400 square metres. (ZDM 6)

(AMENDED by B/L 10115, Feb. 12, 1990; REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003; AMENDED by B/L 327-2004 on June 13, 2006 by OMB Decision/Order 1695; AMENDED by B/L 164-2010, Nov. 17, 2010)

174. For the lands comprising Lot 27, Registered Plan 679, situated on the west side of Pillette Road, north of Ontario Street, a duplex dwelling shall be an additional permitted use, provided further that the minimum front and rear yard depths, minimum side yard widths and maximum building height shall be as they exist on August 1, 1989. (ZDM 10)

(ADDED by B/L 9910, Aug. 28, 1989; REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003; AMENDED by B/L 327-2004 on June 13, 2006 by OMB Decision/Order 1695)

175. For the lands comprising Lots 190 to 193 inclusive, Lots 298 to 301 inclusive, and the northerly 1.52 metres of Lot 302, all according to Registered Plan 937 (south side of Ottawa Street between Parent and Elsmere Avenues) a minimum landscape area of 30% of the total lot area and a maximum building height of 5 storeys shall be permitted. (ZDM7) **(ADDED by B/L 333-2004, Nov. 9, 2004)**

176. For the lands comprising Lot 446 and part of the abutting north/south alley, Plan 1065, shown as Part 1, Plan 12R-18122, on the southwest corner of South National Street and Westminster Boulevard, a business office and a maintenance/storage garage shall be permitted ancillary uses to the multiple dwelling situated on Part of

Lot 3, Concession 1, designated as parts 1, 3, 4 and 5 on Plan 12R-2700, provided however that the maximum building height shall be one storey. (ZDM 10)

(ADDED by B/L 327-2004, by OMB Decision/Order 1695, issued June 13, 2006)

177. For the lands comprising Parts 1 to 8, Plan 12R-20484, located on the east and west side of Buckingham Drive, south of Raymond Avenue, the following additional provisions shall apply:

- .1 Minimum lot area shall be 1,600.0 square metres;
- .2 Habitable room windows are prohibited along the south wall of any dwelling;
- .3 Minimum building setback from the south lot line shall be 9.0 metres.
[ZDM 10; ZNG/4629]

(ADDED by B/L 327-2004, approved by OMB Decision/Order 1695, Issued June 13, 2006;
AMENDED by B/L 117-2016, Dec. 28, 2016)

178. For the lands comprising Part of Farm Lot 116, Concession 1, situated on the north side of Empress Street and the south side of Coronation Avenue, west of Jefferson Boulevard, as shown in Schedule "A" to By-law Number 18-2001, the following uses shall be additional permitted uses: a single-unit dwelling; a residential care facility; a lodging house; the offices and other facilities of a charitable or non-profit organization. (ZDM 11)

(ADDED by B/L 327-2004, by OMB Decision/Order 1695, Issued June 13, 2006)

179. For the lands comprising part of Lots 144 and 145, Concession 1, representing 230.58 metres of frontage on the west side of Banwell Road and 241.48 metres of frontage on the east side of Banwell Road, all being immediately south of Wyandotte Street East, the minimum required lot width shall be 14.44 metres (ZDM 14)

(ADDED by B/L 335-2004, Nov. 9, 2004)

180. For the lands comprising Part of Lot 76, Concession 2 (south of Tecumseh Road West, west of South Pacific Avenue) shown delineated by a heavy black line on Schedule 'A' of By-law 347-2004, a driving range, miniature golf, batting cages and any uses accessory thereto, shall be additional permitted uses. (ZDM 7)

(ADDED by B/L 347-2004, Nov. 18, 2004)

181. For the lands comprising Parts 3 to 12 inclusive, and Parts 20 and 21, Plan 12R-21671 (west side of Banwell Road, south of Tecumseh Road East), the following shall be additional permitted uses:

- hotel/motel
- funeral home
- medical, dental and optical laboratory
- health studio, club
- warehouse
- residential units located above the 1st storey

(ADDED by B/L 399-2004, Jan. 7, 2005; B/L 31-2013 March 28, 2013)

182. For the lands comprising part of Lots 136 to 138, Concession 1, and being part of Part 1, 12R-21566, designated as the eastern one-half of Block 4 and Block 8, fronting on the west side of the proposed Cypress Avenue/Street 'E'; the western one-half of Blocks 2 and 10, fronting on the east side of the proposed Clearwater Avenue/Street 'F'; the eastern one-half of Blocks 2 and 10, fronting on the east side of the proposed Barkley Avenue/Street 'G'; and shown on Schedule 'A' to By-law Number 1-2005, the minimum required front yard depth shall be reduced from 6.0 metres to 4.57 metres and that Section 5.11.1 shall not apply.

Furthermore, for the lands designated as the western one-half of Block 4 and Block 7, fronting on the east side of the proposed Aspenshore Avenue/Street 'D' and shown on Schedule 'A' to By-law Number 1-2005, the minimum required rear yard shall be reduced from 7.5 metres to 6.07 metres. [ZDM 14; ZNG/4629]

(ADDED by B/L 1-2005, Jan. 28th, 2005; AMENDED by B/L 117-2016, Dec. 28/2016)

183. For the lands comprising Lots 7 to 12 inclusive, Block ‘B; and part of the closed alley, Registered Plan 1090, and Part of Lot 86, Concession 2, on the north side of Grand Marais Road East, east of Howard Avenue, as described in Schedule ‘A’ of by-law 14-2005, a lodging house shall be an additional permitted use, provided that concurrent use of the building for a hotel and lodging house is prohibited.
(ADDED by B/L 14-2005, Feb. 18, 2005 ; AMENDED by B/L 248-2005, Oct. 11, 2005)
184. For the lands comprising Lots 13 and 14, Registered Plan 864, situated on the east side of St. Luke Road, north of Seminole Street, a maximum of four parking spaces shall be permitted in the required front yard (ZDM7).
(ADDED by B/L 24-2005, Mar. 9/2005)
185. For the lands comprising Lots 37 to 39 inclusive, Registered Plan 711 (northwest corner of Wyandotte Street East and Thompson Boulevard, a coin-operated car wash shall be an additional permitted use (ZDM 10).
(ADDED by B/L 170-2005, OMB Decision/Order 2383, Issued Aug. 23, 2006)
186. For the lands comprising Lots 6 and 7, and Part of Lot 5, Registered Plan 1058, situated on the southwest corner of Wyandotte Street East and Edward Avenue, a coin-operated car wash shall be an additional permitted use. (ZDM 10)
(ADDED by B/L 135-2005, June 28, 2005)
187. For the lands comprising Lot 31, Registered Plan 1563, on the southeast corner of Riverside Drive East and Pratt Place, a restaurant with a maximum gross floor area of 146 square metres and a minimum of seven (7) on-site parking spaces shall be an additional permitted use, provided that a 1.8 metre screening fence will be required along the southerly lot line.
(ADDED by B/L 123-2005, OMB Case No. PL05078, File No. R050119, Decision/Order No. 2619, Issued October 4, 2005)
188. (ADDED by B/L 121-2005, June 14, 2005 AND DELETED by B/L 132-2011, August 5, 2011)
189. For the lands comprising Part of Lot 140, Concession 1 (northeast corner of Tecumseh Road East and Clover Avenue) as shown delineated by a heavy black line on Schedule ‘A’ of By-law 150-2005, a retail store shall be an additional permitted use.
(ADDED by B/L 150- 2005, July 12, 2005)
190. For the lands comprising Part of Block J and K, Registered Plan 148, Part of Block M, Registered Plan 423, Part of Lot 92, Concession 3 (McNiff’s), Geographic Township of Sandwich South, now in the City of Windsor, extension of Kamloops Street, between Marentette and Calderwood the following regulations shall apply:
- | | | |
|---|--------------------------------|-------|
| Front yard depth | -Blocks 1 and 2 | - 3 m |
| | -Block 4 | - 3 m |
| Rear yard depth | -Blocks 1, 2, 4, 5, 6, 7, 8, 9 | - 6 m |
| Maximum lot coverage: | | |
| (Includes main and accessory buildings) | | |
| | -Blocks, 2, 4 and 8 | - 45% |
| | -Blocks 1, 5, 6, 7 and 9 | - 55% |
- (ADDED by B/L 193-2005, Aug. 24./2005 AND AMENDED by B/L 161-2016, Dec. 7, 2016)
191. For the lands comprising Blocks 6, 9, 13, 17, 21, 25, 32 and 34, Plan 12M-407, Blocks 3 and 4 and Parts of Blocks 2 and 5, Plan 12M-468 (east and west sides of Luxury Avenue from McHugh Street to Little River Road), a minimum rear yard depth of 6.8 metres shall be provided. (ADDED by B/L 18-2004, Feb. 11, 2004)
192. For the lands comprising Part of Lots 20 and 28, Lots 21 to 27, both inclusive and part of the abutting alley (closed), all according to Registered Plan 639, and Part of Farm Lots 106 and 107, Concession 1, all as designated as Parts 1, 2 and 3, Plan 12R-9042, situated on the west side of Jos. Janisse Avenue, north of the Canadian National

Railway, a row dwelling shall be an additional permitted use, provided, however, that the minimum lot frontage, the minimum lot area, the maximum number of dwelling units and the maximum building height shall be as they exist on the date of the coming into force of this clause. (ZDM 10)

(ADDED by B/L 10473, Nov. 15, 1990; REPEALED by B/L 227-2002, August 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)

193. For the lands comprising Part of Lot 2, Block E, Registered Plan 211 (west side of Kildare Road, north of Wyandotte Street East) as shown delineated by a heavy black line on Schedule 'A' of By-law 249-2005, a four-unit dwelling shall be an additional permitted use within the existing building on the site subject to the provisions of a 1.8 metre high screening fence 3 metres inside the southerly property line. (ZDM6)
(ADDED by B/L 249-2005, November 8, 2005)
194. For the lands comprising Lots 4 to 9 inclusive, Registered Plan 864 (east side of St. Luke Road, north of Seminole Street), a business office and a parking area shall be additional permitted uses. (ZDM7) **(ADDED by B/L 261-2005, Nov. 30, 2005)**
195. For the lands comprising Lot 14, Registered Plan 1063, situated on the east side of Pillette Road, north of Seminole Street, the existing building may be used for the purposes of a duplex dwelling, provided further that the maximum building height, minimum front and rear yard depths and minimum side yard widths shall be as existing on the date of the coming into force of this clause. (ZDM 10)
(ADDED by B/L 10509, Dec. 3, 1990; REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)
196. For the lands comprising part of Lot 5, and Lots 7 and 9, all of Block "F", Registered Plan 211, situated on the northeast corner of Kildare Road and Wyandotte Street East and shown delineated by a heavy black line on Schedule "B" to By-law 10686, the existing building may be used for the purposes of a combined use building provided further that the following additional regulations shall apply:
- (i) Not more than 22 dwelling units shall be permitted and all dwelling units shall be located entirely above the ground floor except entrances thereto;
 - (ii) A games arcade shall not be a permitted use;
 - (iii) The maximum building height and minimum rear yard depth shall be as they exist on the date of the coming into force of this clause (ZDM 6)
(ADDED by B/L 10686, May 27, 1991; REPEALED by B/L 227-2002, Aug.12, 2002; AMENDED by By-law 340-2003, Oct. 6, 2003)
197. For the lands comprising Lot 2, Part of Lot 1, Part Block D, Plan 1082, and Part of Lot 1, Part Block B, Plan 1342 (southwest corner of Tecumseh Road West and Campbell Avenue), an automobile sales lot shall be an additional permitted use.
(ADDED by B/L 57-2006, April 20, 2006; B/L 31-2013, March 28, 2013)
198. For the lands comprising Lots 34 to 47, Part of Lot 33 and part of Closed alley, Registered Plan 531, and Lots 61 to 74 and Part of Lot 60, Registered Plan 679, situated on the south side of Ontario Avenue between Arthur Road and Ellrose Avenue, the following additional provisions shall apply:
- a) A *Single Unit Dwelling* shall be an additional permitted use subject to the provisions of Section 10.2.5 and that a brick veneer is required in the construction of the exterior walls.
 - b) A *Multiple Dwelling* within the *existing building* shall be an additional permitted use and the following additional provisions shall apply:

.2	Lot Area - minimum	4,400.0 m ²
.4	Main Building Height – maximum	As existing
.5	Front Yard Depth – minimum	6.0 m

- | | | |
|----|--------------------------------------|------------------------|
| .6 | Rear Yard Depth -minimum | 7.50 m |
| .7 | Side Yard Width – minimum | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35% of <i>lot area</i> |

- c) A *Public Parking Area* shall be an additional permitted use.
- d) For a *School* or *Place of Worship*, the minimum lot area shall be 7,800.0 m²
- e) Any use accessory to a permitted use.

[ZDM 10; ZNG/5270] (ADDED by B/L 87-2006, June 6/2006 ; AMENDED by B/L 99-2007, May 28/2007; B/L 164-2017, Dec. 7/2017)

199. For the lands comprising Part of Lots 128, 129, 132 and 133, Concession 1 (east side of Lauzon Road, north of the CNR tracks) designated as Parts 2, 3, 4, 5, 6, 7, 8, 9 and 12 on Plan 12R-16993, business offices within the existing building shall be an additional permitted use. (ADDED by B/L 101-2006, June 15, 2006)
200. For the lands forming part of the Essex Terminal Railway right-of-way, situated on the south side of Prince Road, west of Carmichael Road, located within Zoning District MD1.2, the operation of a railway shall be an additional permitted use. (ADDED by B/L 324-2004, by OMB Decision/Order 1695, issued June 13, 2006)
201. For the lands comprising Part of Lot 121, Concession 1, situated on the north side of Wyandotte Street East between St. Mary's Boulevard and Janisse Drive, for one double duplex dwelling or one multiple dwelling containing a maximum of four dwelling units, the following regulations shall apply:
- | | | | |
|-------|-------------------------|---|---|
| (i) | Minimum lot width | - | 12 metres |
| (ii) | Minimum side yard width | - | 1.5 metres on one side and 3 meters on the other side |
| (iii) | Maximum building height | - | 3 storeys |
- (ADDED by B/L 111-2006, July 11, 2006)
202. For the lands comprising Part 1, Plan 12R-22123, situated on the east side of Bruce Avenue, south of Tecumseh Road West, a double duplex dwelling shall be an additional permitted use with a minimum front yard depth of 3 metres and minimum rear yard depth of 4.5 metres. (ZDM 7)
(ADDED by B/L 156-2006, Sept. 19, 2006; B/L 31-2013, March 28, 2013)
203. For the lands comprising Part of Lot 114, Concession 1 and Lots 1 to 11, and Lots 15 –39 inclusive, Registered Plan 1100, situated on the East and West sides of Prado Place (known as the Prado Heritage Conservation District).
- No Front Yard Parking Space shall be permitted, exclusive of any existing Front Yard Parking space. (ADDED by B/L 223-2006, Dec. 28th, 2006)
204. For the lands comprising Part of Lot 75, Concession 1, located on the west side of Crawford Avenue, south of Giles Boulevard West, the following shall be additional permitted uses:
- | | | | |
|------|---|--|--|
| (i) | An automobile sales lot subject to the provisions of Sections 25.5.10.7, 25.5.10.9 and 25.5.10.11; [ZNG/4249] | | |
| (ii) | The sale and display of natural stone slabs and architectural stone products, subject to the provision of a fence with a minimum height of 1.80 meters on the entire perimeter of the subject site. (ZDM 4) | | |

(ADDED by B/L 178-2006, Oct. 19, 2006; AMENDED by B/L 43-2010, OMB Order PL1000385 Issued March 29, 2011; AMENDED by B/L 18-2015, March 4, 2015)

205. For the lands comprising Lot 35 and Part of Lots 33 and 34, Block C, Registered Plan 50, situated at the southwest corner of College Avenue and California Avenue, the following provisions shall apply to a multiple dwelling with a maximum of three units:
- (i) Minimum lot width - 14.0 metres
 - (ii) Minimum lot area - 525.0 square metres
 - (i) Sections 25.5.10.7, 25.5.10.9 and 25.5.10.11 shall not apply to any parking area.
[ZDM 3; ZNG/4249]
(ADDED by B/L 184-2006, Nov. 1/2006; AMENDED by B/L 18-2015, March 4, 2015)
206. For the lands comprising Part 2, Plan 12R-7807 and Part 2, Plan 12R-13192, located at the southwest corner of Donnelly Street and Indian Road, the front lot line shall be the exterior lot line along Indian road (ZDM 3).
(ADDED by B/L 217-2006, Nov. 30, 2006)
207. For the lands comprising Lots 55 to 64 and Part closed alley, Registered Plan 983 and Lots 179 to 181, Registered Plan 967 (except Part 1 on Plan 12R-819) located at the northwest corner of Huron Church Road and Lambton Street, a motor vehicle dealership shall be an additional permitted use, a minimum 10 metre landscaped open space yard be provided along Huron Church Road, and that no vehicular access be permitted to Huron Church Road, Eighth Avenue or Kent Street (ZDM 5).
(ADDED by B/L 30-2007, March 8, 2007)
208. For the lands comprising Part of Lots 25 and 26, Registered Plan 50, situated on the north side of University Avenue West, east of Sunset Avenue, as shown delineated by a heavy black line on Schedule 'A' of By-law 37-2007, a restaurant shall be an additional permitted use subject to the provision of a minimum of seven on-site parking spaces. Further, Section 25.5.20.1, Section 25.5.30.1, Section 25.5.50.2 and Section 25.5.50.3 shall not apply.
[ZDM 3; ZNG/4249]
(ADDED by B/L 37-2007, March 27, 2007; AMENDED by B/L 18-2015, March 4, 2015)
209. For the lands comprising Parts 1 to 4 inclusive, Plan 12R-22845, Part of Lot 135, concession 3, located on the northeast corner of Anchor Drive and Twin Oaks Drive, a restaurant, not to exceed 185.8 m² in gross floor area, a retail store, bake shop, personal service shop, day nursery, club and health studio, shall be additional permitted uses (ZDM 15).
(ADDED by B/L 57-2007, May 8, 2007)
210. For the lands comprising Lot 450 and the southerly 10 feet of Lot 449, Registered Plan 453, located on the west side of Elm Avenue, north of Giles Boulevard West, as more particularly delineated by broken black line on Schedule "A" to By-law 10821, the existing building may be used for the purposes of a duplex dwelling. (ZDM 4)
(ADDED by B/L 10821, Oct. 21, 1991; Repealed by By-law 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)
211. For the lands comprising Part 1, Plan 12R-14745, Part 1, Plan 12R-13987 and Parts 5 to 9, Plan 12R-11613, between Legacy Park Drive and Provincial Road, the boarding of animals and pets shall be an additional permitted use (ZDM 13).
(ADDED by B/L 56-2007, May 8, 2007)
212. For the lands comprising Part 2, Plan 12R-22474, located on the west side of Enterprise Way, north of Hawthorne Drive, a church shall be an additional permitted use.
(ADDED by B/L 69-2007, May 29, 2007)
- For the lands comprising Lot 10, Part of Lot 11, and Part of the closed alley, Registered Plan 499 (north side of Wyandotte Street East, east of Pratt Place) as shown delineated by a heavy black line on Schedule 'A', attached to by-law 130-2007, the sale of automobiles shall be an additional permitted use.
(ADDED by B/L 130-2007, Aug. 2, 2007)
214. For the lands comprising Parts 3, 6, 9 and 12, Plan 12R-19365, located on the west side of Banwell Road, south of Tecumseh Road East, the rental of automobiles, a lube and service centre, and the retail sale of tires shall be additional permitted uses

subject to the provision of a minimum of two stacking spaces in advance of each bay or a lube centre. **(ADDED by B/L 129-2007, Aug. 2, 2007)**

215. For the land comprising Parts 1 and 2, Plan 12R-6105 and Part of Lot 171, Registered Plan 1303, situated on the east side of Goyeau Street, south of Erie Street East, a public parking area shall be an additional permitted use. (ZDM 7)
(ADDED by B/L 135-2007, Aug. 9, 2007)
216. For the lands comprising Lots 11, 12 and 13, and Parts of Lots 8, 9 and 10, Plan 1354, located on the east side of Howard Avenue between Hildegard and Charlotte Streets, and delineated by a heavy black line on Schedule 'A' of By-law 167-2007, an automatic car wash shall be an additional permitted use.
(ADDED by B/L 167-2007, Oct. 2/2007)
217. **(ADDED by B/L 160-2007, OMB Order PL070810, Dec. 19, 2007; DELETED by B/L 132-2011 August 5, 2011)**
218. For the lands comprising Part of Block 1, Plan 12M-425, save and except for all of Plans 12R-17805, 12R-178089 & 12R-18634 situated at the northwest corner of Banwell Road and Leathorne Street, a *Residential Care Facility* shall be an additional permitted use and that for a *Residential Care Facility* the following additional provisions shall apply:
- a) Section 15.7.5.50 shall not apply;
 - b) That a sidewalk from the main entrance of the *Residential Care Facility* to Banwell Road shall be provided; and
 - c) That said sidewalk shall not cross an *access area, collector aisle, parking aisle or parking area*.
- [ZDM 14; ZNG/5271]
(ADDED B/L 183-2007, Nov 1/2007; AMENDED by B/L 7-2018, Feb. 23/2018)
219. For the lands comprising Part of Block 'A' and Lots 50 to 54 inclusive, Registered Plan 91 and part of Block 'O', Registered Plan 85 situated at the southwest corner of University Avenue East and Goyeau Street, as shown delineated by a heavy block line on Schedule 'A' attached to By-law 182-2007, a drive-thru restaurant shall be an additional permitted use subject to the provision of a minimum of nine stacking spaces. Further:
- (i) Section 25.5.20.1.2 shall not apply;
 - (ii) Access from an alley to a parking area or egress from a parking area to an alley shall be permitted. [ZDM 6; ZNG/4249]
(ADDED by B/L 182-2007, Nov. 1, 2007; AMENDED by B/L 18-2015, March 4, 2015)
220. For the lands comprising Lot 2, Plan 12M-256, situated at the southwest corner of Temple Drive and Starway Avenue, a contractor's office shall be an additional permitted use. (ZDM12) **(ADDED by B/L 45-2008, April 24, 2008)**
221. For the lands comprising Lots 59 to 70, Registered Plan 369, situated on the northeast corner of Wyandotte Street West and Bridge Avenue, a fraternity or sorority house shall not be permitted (ZDM3). **(ADDED by B/L 61-2008, May 15, 2008)**
222. For the lands comprising Lots 19 to 21 inclusive, Registered Plan 65 (southwest corner of E. C. Row Avenue and Banwell Road), the following shall be additional permitted uses:
- Arena, swimming pool, baseball field and other public and private recreational sport facilities;
 - Commercial printing, publishing and photographic processing establishments;

- Commercial recreation and entertainment establishments and theatres;
 - Day nursery, church, church hall, private hall, commercial school;
 - Dental or optical laboratory;
 - Personal service shops, bakery, confectionery store;
 - Light industrial uses;
 - Food catering service, including the packaging and preparation of food or foodstuffs for distribution and sales elsewhere;
(ADDED by B/L 63-2008, Dec. 12, 2008; B/L 31-2013, March 28, 2013)
223. For the lands comprising part of Lot 15, Concession 5, described as PIN 01298-0080 LT and 01298-0081 LT, situated on the south side of Cabana Road East, east of Howard Avenue, that a medical office, business office, pharmacy, professional studio and health studio shall be additional permitted uses and that the following regulations shall apply:
- (i) All parking spaces shall be located in the front yard and side yard. Parking spaces are prohibited in the rear yard.
 - (ii) Maximum building height - one storey
 - (iii) Maximum net floor area - 474 square metres
 - (iv) Minimum rear yard setback - 3.0 metres
 - (v) Minimum west side yard width - 0.0 metres
 - (vi) Minimum east side yard width - 3.7 metres
- (ADDED by B/L 156-2008, OMB Order PL080534, Aug. 26, 2008; AMENDED by B/L 40-2017, April 11, 2017)
225. For the lands comprising Lots 753 7 754, Plan 1126; Part 1 RP 12R18584 & Part Closed Alley, located on the west side of Walker Road between Foster Avenue and Lappan Avenue, and delineated by a heavy black line on Schedule 'A' of By-law 181-2008, a dealership for the sale of motorcycles and associated products shall be an additional permitted use.
(ADDED by B/L 181-2008, Oct. 30, 2008)
226. Notwithstanding the definition of 'lot' in By-law 8600, the lands described as Part of Lots 105, 106 and 107, Concession 3 shown delineated by a heavy black line on Schedule 'A' of By-law 182-2008, and property known as 4025 Rhodes Drive, shall be considered one lot.
(ADDED by B/L 182-2008, Oct. 30, 2008)
227. For the lands comprised as Part of Lot 128, Concession 2; (PIN 013830510) situated on the northeast corner of Lauzon Road and Hawthorne Drive, a convenience store and a take-out food outlet shall be prohibited.(ZDM 15; ZNG/1062)
(ADDED by B/L 153-2010, Oct. 28, 2010; AMENDED by B/L 132-2011, Aug. 5, 2011)
228. For Lot 163, Registered Plan 620, save and except the easterly 4 feet in perpendicular width, located on the west side of Drouillard Road, south of Ontario Street (1227 Drouillard Road), a minimum of one (1) on-site parking space shall be provided.
(ADDED by B/L 190-2008, Nov. 20, 2008)
229. For Part of Lots 105 to 109 inclusive, designated as Parts 13, 14, 16, 17, 21, 29 and 30, Plan 12R-23772, located on the southwest corner of Pillette Road and Plymouth Road, the minimum required landscaped open space shall be 10% of the lot area.
(ADDED by B/L 17-2009, March 3, 2009; AMENDED by B/L 98-2010, June 14, 2010)
230. For Part of Lots 89 and 90, Concession 3, known as Parts 1, 2 and 3, Plan 12R-12373 and Parts 3 and 4, Plan 12R-19349, located on the east side of Marentette Avenue, north of Division Road, shown delineated by a heavy black line on Schedule 'A' of By-law 205-2008, an outdoor storage yard shall be an additional permitted use.
(ADDED by B/L 205-2008, Dec. 11, 2008)
231. (ADDED by B/L 17-2009, March 3, 2009; AMENDED by B/L 98-2010, June 14, 2010; DELETED by B/L 169-2018, Dec. 19/2018)

233. **(ADDED by B/L 17-2009, March 3, 2009; AMENDED by B/L 98-2010, June 14, 2010; DELETED by B/L 169-2018, Dec. 19/2018)**
234. For Lot 66, Plan 12M-262, located on the northwest corner of St. Clair Avenue and Youngstown Street, a two-unit dwelling shall be an additional permitted use.
(ADDED by B/L 19-2009, March 3, 2009)
236. For all residential uses in Target Area 3 of the Olde Sandwich Towne Community Improvement Area, shown delineated by a heavy black line on Schedule 'A' of By-law 30-2009, the following shall apply:
- (a) Regulations:
- (i) Where a vacant interior lot abuts lots with existing dwellings, the minimum required front yard shall be equal to the average of the setbacks from the front lot line of the dwellings on the abutting lots.
- (b) Prohibitions:
- (i) Building height in excess of 2 storeys shall be prohibited
- (ii) Notwithstanding any other provisions in this by-law, parking shall be prohibited in a required front yard
- (iii) No new structures, additions, or encroachments shall be constructed in an existing front yard
- (iv) Garages are prohibited unless located a minimum of 6 metres to the rear of the main wall.
(ADDED by B/L 30-2009, OMB Order PL090206, Issued October 19, 2012)
237. For the lands comprising Part Lots 257, 258 and 259, and Part of closed Alley, Registered Plan 1124, situated at the northeast corner of Dougall Avenue and Cabana Road West, a business, financial or medical office, professional studio and a personal service shop shall be additional permitted uses subject to the following additional regulations:
- | | | |
|---|---|-------------------|
| Minimum Front Yard Depth | - | 0.0 metres |
| Maximum Building Height | - | 7.5 metres |
| Maximum Net floor Area
Business, Financial or Medical
Office, Profession studio | - | 600 square metres |
| Personal Service Shop | - | 250 square metres |
- (ADDED by B/L 55-2009, OMB Order PL060495 issued May 27, 2008)**
238. For the lands comprising Lots 1 to 3, Part of closed alley and Part of closed right-of-way, Registered Plan 1085, and Lots 4 and 5, Registered Plan 939, situated on the south side of Wyandotte Street East between Homedale Boulevard and St. Mary's Boulevard, delineated by a heavy black line on Schedule 'A' attached to By-law 49-2009, notwithstanding Section 14.2.5.10, the maximum *gross floor area* for each use listed in Section 14.2.5.10 shall be 375.0 m².
[ZDM 10; ZNG/5271] **(ADDED by B/L 49-2009, OMB Order PL090386 issued Nov. 5, 2009; AMENDED by B/L 7-2018, Feb. 23/2018)**
239. For the lands comprising Lots 512 to 516 inclusive, the abutting part of Block K from the north limit of Lot 516 to the south limit of Lot 512, all of Registered Plan 1342, situated on the east side of Curry Avenue, south of Tecumseh Road West, a duplex dwelling shall be an additional permitted use provided that the minimum lot area and minimum lot width shall be 450 square metres and 15 metres respectively. A semi-detached dwelling shall also be an additional permitted use provided that the minimum lot area and lot width shall be 450 square metres and 15 metres respectively and the minimum side yard width shall be 1.2 metres for each dwelling unit.

(ZDM 4; ZNG/1062)

**(ADDED by B/L 11637, Nov. 15, 1993; AMENDED by B/L 11948, Sept. 6/94);
(REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003);
(AMENDED by B/L 132-2011, Aug. 5, 2011)**

240. For the most northerly 10.06 metres of Part 1, Plan 12R-792, located north of Cabana Road East, west of Howard Avenue, a parking area used exclusively in conjunction with the property abutting immediately to the south, shall be an additional permitted use. **(ADDED by B/L 52-2009, July 29, 2009; B/L 31-2013, March 28, 2013)**
241. For Lot 3, Registered Plan 479, located on the east side of Chilver Road, south of Wyandotte Street East, a restaurant with a gross floor area exceeding 93 square metres, shall be prohibited as a permitted uses. **(ADDED by B/L 65-2009, Aug.10/, 2009; AMENDED by B/L 164-2010, Nov. 17/10; B/L 31-2013, March 28, 2013)**
242. For Lots 2 to 10 inclusive, Lots 14 to 17 inclusive, Part of Lot 1, Part of Pleasant Grove (closed) and part of the alley (closed), all according to Registered Plan 980 (northeast corner of Edgar Avenue and St. Paul Avenue) as shown delineated by broken line on Schedule 'A' of By-law 88-2009, a funeral home shall be an additional permitted use provided vehicular access to St. Paul Avenue is prohibited.
(ADDED by B/L 88-2009, July 27, 2009)
243. For Part of Lots 199 and 200, Registered Plan 367 situated on the southeast corner of Walker Road and Edna Street the following shall be additional permitted uses:
Health Studio
Micro Brewery
and for a Health Studio, a minimum of 40 on-site *parking* spaces shall be provided.
[ZDM 6; ZNG/394; ZNG/5269]
(ADDED by B/L 97-2009, July 27, 2009, AMENDED by B/L 174-2017, Jan. 4/2018)
244. For Part of Lots 13 and 14, Concession 6, designated as Parts 2, 3, 5 and 6 on Plan 12R-19026 (south side of Provincial Road, west of Walker Road) a professional studio shall be an additional permitted use. **(ADDED by B/L 104-2009, July 27, 2009)**
245. For Lots 117, 120 and 121, Registered Plan 1303, located on the southwest corner of Wyandotte Street East and Goyeau Street, the maximum gross floor area shall be 520 square metres. **(ADDED by B/L 119-2009, Aug. 26, 2009)**
246. For the lands bounded on the north by Riverside Drive East, on the east by Aylmer Avenue, on the south by University Avenue East, and on the east by Glengarry Avenue, except 568 Chatham Street East, as delineated by a heavy black line on Schedule 'A' attached to By-law 117-2009, a public parking area shall be an additional permitted use and the following additional regulations shall apply:
- (i) Notwithstanding Section 25.5.20.1.2, the minimum parking area separation from Riverside Drive East and Glengarry Avenue is 0.0 metres.
 - (ii) Notwithstanding Section 25.5.20.1.2, the minimum parking area separation from Chatham Street East and University Avenue East is 1.0 metres. [ZDM 6; ZNG 4249]"
- (ADDED by B/L 117-2009, Aug. 24, 2009; AMENDED by B/L 31-2013, Mar.28/2013;
AMENDED by B/L 18-2015, Mar. 4, 2015)**
247. For the lands comprising of Parts 2, 3, and 4, Plan 12R-13987, situated on the west side of Walker Road, north of Legacy Park Drive, a gas bar shall be an additional permitted use (ZDM 13). **(ADDED by B/L 130-2009, Sept. 24, 2009)**
248. For the lands comprising of Part of Lots 42 to 44, Registered Plan 997 and Part of Lots 1 and 2, Registered Plan 1015 (PIN 015832407), Lots 46 to 49, Registered Plan 997 and part of Lot 74, Registered Plan 1015 (PIN 015830479) and Part of Closed Alley (PIN 015832404) situated on the north side of Northwood Street between Huron Church Road and Daytona Avenue, the following additional provisions shall apply:

1. direct vehicular access to Huron Church Road is prohibited;
2. an Automatic Cart Wash shall be an additional permitted use and that minimum of 8 stacking spaces in advance of and a minimum of 3 stacking spaces at the terminus of each wash line shall be provided;
3. a Take-Out restaurant and a Convenience Store shall be additional permitted uses and that a minimum of 15 parking spaces shall be provided.
(ZDM 4; Z-014/09; Z-019/10; ZNG/1062)

(ADDED by B/L 162-2009, Nov. 25, 2009; AMENDED by B/L 27-2011, March 4, 2011; AMENDED by B/L 132-2011, Aug. 5, 2011)

- *249. (i) For the lands comprising Lots 31 to 40, both inclusive, Lots 44 and 45, Registered Plan 625, Lots 57 to 84, both inclusive, registered Plan 619 and Lots 38 to 42, both inclusive, Registered Plan 637, on the east side of Henry Ford Centre Drive, between Trenton and Deming Streets, Lots 13 and 14, Registered Plan 637, on the west side of Henry Ford Centre Drive north of Deming Street, and part of Farm Lot 99, Concession 1, on the northeast corner of Henry Ford Centre Drive and Trenton Street, extending north a distance of 21.95 metres from front to rear along Henry Ford Centre Drive, the subject lands shall be used exclusively for a parking area and a landscaped open space yard.
- (ii) For the lands comprising Lots 1, 2 and 56, Registered Plan 619, designated as Part 3 and 5, Plan 12R-17928, on the south side of Trenton Street between Drouillard Road and Henry Ford Centre Drive, the subject lands shall be used exclusively for a landscaped open space yard. (ZDM 6)

(ADDED by B/L 11882, July 4/94; AMENDED by B/L 12167, April 3/95; AMENDED by B/L 12289, Sept. 12/95; AMENDED by B/L 12496, March 18/96; AMENDED by B/L 72-1998, April 7/98; AMENDED by B/L 130-1998, May 22, 1998; AMENDED by B/L 382-2001, Nov. 21/2001; REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)

250. For the lands comprising Lots 10 to 12, part of Lots 7 to 9 and part of Block 'A' all according to Registered Plan 135, PIN Number 011690470, situated on the southwest corner of Louis avenue and Chatham Street East, a lodging house, a business office and other facilities of a non-profit organization, and a combined use building shall be additional permitted uses, and the following regulations shall apply:

- | | | | |
|-------|-----------------------------------|---|--|
| (i) | Minimum front yard depth | - | 6 metres |
| (ii) | Minimum rear yard depth | - | 7.5 metres |
| (iii) | Minimum side yard width | - | 2.5 metres on each side |
| (iv) | Minimum lot area and lot width | - | as existing on the effective date of this clause |
| (v) | Minimum landscape open space yard | - | 20% of the lot area |
| (vi) | Maximum building height | - | 6 storeys |

(ADDED by B/L 169-2009, Dec. 4, 2009 AND AMENDED by B/L 27-2012, March 30, 2012)

251. For Lot 4 west side of Victoria Avenue, Plan 81, Windsor, Lot 5 west side Victoria Avenue, Plan 81, Windsor, Part Lot 3, west side Victoria Avenue, Plan 81, Windsor, as in R1403289; Windsor PIN 01194-0303 (LT) (274 Victoria Avenue) the following shall be additional permitted uses:

- (i) a school;
- (ii) any use related to the operation of a university or college; an academy, institute or association, which is affiliated or federated with a university or college; seminary; student residences.

(ADDED by B/L 181-2009, Dec. 30, 2009)

252. For the lands comprising of Lots 307 to 312 inclusive, and part of Lots 313 to 317 inclusive, Registered Plan 903, an accessory building to the single unit dwelling on 5458 Malden Road shall be an additional permitted use, and the following additional regulations shall apply:
- (i) Maximum building area - 121 square metres
 - (ii) Maximum setback of the rear wall of the Accessory building from the east limit of Lot 307, Registered Plan 903 - 15 metres
 - (iii) The requirements of Section 5.10.7 shall also apply to the GD1.4 zoning category. [ZNG/4629]
(ADDED by B/L 8-2010, February 5, 2010; AMENDED by B/L 166-2010, Oct. 18, 2010; AMENDED by B/L 117-2016, Dec. 28/2016)
253. For the lands comprising of Part of Block A, Plan 315 (PIN 011670295) and Lots 70 and 71, Plan 1005, that all required parking spaces, not including loading spaces, shall be located entirely on Lots 70 and 71, Plan 1005 (ZDM 6).
(ADDED by B/L 11-2010, February 5, 2010)
254. For the lands comprising of Lots 138 to 142, Part of closed alley, Plan 1074 and Part of Quebec Street (closed), designated as Part 1, Plan 12R-23950, a multiple dwelling containing a maximum of six dwelling units shall be an additional permitted use and that for a multiple dwelling containing more than four units, the following additional regulations shall apply:
- (a) Maximum lot coverage area - 35% of the lot
 - (b) Minimum landscaped open space yard area - 35% of the lot
 - (c) Maximum building height – Main Building - 3 storeys
(ZDM 4)
(ADDED by B/L 10-2010, February 5, 2010)
255. For the lands comprising Part Lots 85 to 91 and Part of Closed Alley, Registered Plan 995, situated on the south side of Tecumseh Road East between Clemenceau Boulevard and Lloyd George Boulevard, the sale and display of a maximum of five motor vehicles in combination with a retail store or a wholesale store shall be an additional permitted use. (ZDM 11) **(ADDED by B/L 9-2010, February 5, 2010)**
256. For the lands comprising Part of Lots 1, 3, 4 and 6 and Part of Block ‘N’, Registered Plan 211, situated at the northwest corner of Walker Road and Wyandotte Street East, as described on Schedule “A” to By-law 11952, the following regulations shall apply:
- (i) A minimum of 24 on-site parking spaces shall be provided;
 - (ii) The parking of a motor vehicle may be permitted within 3.0 metres from the intersection of Walker Road and Wyandotte Place;
 - (iii) The minimum width of a parking aisle adjacent to the two most westerly parking spaces along Wyandotte Street East may be 2.0 metres;
 - (iv) A minimum 0.60 metre setback shall be provided between a parking space and a collector aisle where a parking space is parallel to a collector aisle;
 - (v) Section 25.5.20.1.2 shall not apply to that part of a parking area abutting Wyandotte Place; and
 - (vi) A minimum 1.50 metre setback shall be provided between a parking area and a building wall in which is located the main pedestrian entrance facing the parking area. [ZDM 6; ZNG 4249]
(ADDED by B/L 11952, Sept. 6/94; REPEALED by By-law 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003; AMENDED by B/L 18-2015, Mar. 4/2015)

257. For the lands comprising Part Block D, Plan 1119 as in R215679; situated on the west side of Wellesley Avenue between Lens Avenue and Vimy Avenue, a commercial School, with a minimum of 20 on-site parking spaces for the existing structure shall be an additional permitted use. (ZDM7). **(ADDED by B/L 24-2010, March 2, 2010)**
258. For the lands comprising Part of Lot 537, Lots 538 to 540 inclusive, and Block 'A', Registered Plan 1342, located on the southeast corner of Tecumseh Road West and Curry Avenue, and shown delineated by a heavy black line on Schedule 'A' to By-law 12107, an automobile sales lot shall be an additional permitted use. (ZDM 4)
(ADDED by B/L 12107, Feb. 23/95)
259. For the lands comprising Lots 29 and 30, Registered Plan 360, situated on the northeast corner of Elsmere Avenue and Erie Street East, a *Lodging House* shall be an additional permitted use and the following additional provisions shall apply:
- a) Section 15.2.5.15 shall not apply; and
 - b) A *Dwelling* or *Dwelling Units* are prohibited on the ground floor within the first 9.0 m of the building on the Erie Street East frontage.
- [ZDM 7; ZNG/ 5271]
(ADDED by B/L 28-2010, March 23, 2010; AMENDED by B/L 7-2018, Feb. 23/2018)
260. **(ADDED by B/L 39-2010, March 26/2010; Repealed by By-law 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003; AMENDED by B/L 31-2013, March 28, 2013; DELETED by B/L 179, 2018, January 10, 2019)**
261. (a) For the lands described as Part of Lots 96 and 97, Concession 1 designated as Parts 2, 3, 4, 5 and 6, Plan 12R-21005 situated on the east side of Walker Road between Seminole Street and Seneca Street, a Public Hall, a Place of Entertainment and Recreation and a Motor Vehicle Dealership shall be additional permitted uses
- (b) For the lands described as Part of Lot 97, Concession 1 designated as Part 1, Plan 12R-21005 and Part of Lot 97, Concession 1 (being the former Chesapeake and Ohio Railway right of way) excluding the portion zoned RD1.3 and GD1.1 situated on the west side of St. Luke Road south of Seminole Street, a Motor Vehicle Dealership shall be an additional permitted use. (ZDM 7; ZNG/4606)
(ADDED by B/L 31-2010, March 26/2010; AMENDED by B/L 51-2016, May 18, 2016)
262. For the lands comprising of part of Lots 28, 29 and 30, Registered Plan 814, situated at the southeast corner of Tecumseh Road West and Bruce Avenue, a coin-operated car wash shall be an additional permitted use, subject to the following regulations:
- (i) Minimum Rear yard Depth - 0.0 metres
 - (ii) Minimum Front Yard Depth - 3.0 metres (ZDM 7)
- (ADDED by B/L 30-2010, March 23, 2010)**
263. For Lots 203 and 204, Part of Lots 223 and 216, Part of Block "C", Part of Homesite Avenue, and Part of the Alley, Registered Plan 1153, (3215 Jefferson) located on the west side of Jefferson Boulevard, north of the E. C. Row North Service Road, the following additional provisions shall apply:
- (i) The following shall be additional permitted uses:
 - An athletic or sports facility; club; health studio;
 - A place of entertainment and recreation; a private hall;
 - A garden centre with outdoor storage;
 - A micro-brewery;
 - A self-storage facility.
 - (ii) A minimum of 88 parking spaces shall be required. (ZDM 11)
(ADDED by B/L 51-2010, April 14, 2010)
264. For the lands comprising Part of Lot 128, Concession 1, situated on the east side of Lauzon Road and west side of Frank Avenue, more particularly described as Part 1 and Part 2 and the north part of Parts 7 and 8, Plan 12R-24162, a parking area shall be an additional permitted use, subject to the following:

- (i) All provisions in Section 25.1, Section 25.5 and Section 25.10;
- (ii) Minimum parking area separation from the northerly lot line shall be 4.0 metres;
- (iii) Minimum parking area separation from Lauzon Road shall be 8.0 metres;
- (iv) Provide a 1.50 metre high screening fence along the northerly lot line;
- (v) No direct vehicular access to Lauzon Road and Frank Avenue.
[ZDM 10; ZNG/4249]

(ADDED by B/L 85-2010, OMB Order PL091089 Issued April 28/ 2010; AMENDED by B/L 18-2015, March 4, 2015)

265. For the lands comprising Lot 24 and North Part Lot 25, Registered Plan 381, situated on the west side of Victoria Avenue between Wyandotte Street West and Elliott Street West, a lodging house shall be an additional permitted use. (ZDM 7; ZNG/416; ZNG/2931) **(ADDED by B/L 69-2010, OMB Order PL100599 Issued July 21/2011 and AMENDED by B/L 53-2012, June 1, 2012)**
266. For the lands comprising the north Part of Lot 57, the south Part Lot 59 and Lot 58, Registered Plan 831, situated on the east side of Aubin Road, north of Seminole Street, the following additional provisions shall apply:
- (i) Minimum building setback from the Aubin Road right-of-way shall be 3.0 metres;
 - (ii) Provision of a wood screening fence with a minimum height of 1.8 metres along the north property line between the carport at 1478 Aubin Road and the east property line of subject land;
 - (iii) The required exterior finish of the building duplicate the brick pattern and colour on the existing building at 3930 Seminole Street;
 - (iv) That Section 25.5.10.3 Section 25.5.10.5, Section 25.5.20.1 and Section 25.5.20.5 shall not apply to any parking space adjacent to a building wall. Painted lines shall be provided to indicate the westerly limit of the parking space. [ZDM 10; ZNG/420; ZNG/4249]
(ADDED by B/L 80-2010, June 3, 2010; AMENDED by B/L 18-2015, March 4, 2015)
267. For the lands bound by the Detroit River to the north; Walker road to the east; Ottawa Street to the south; and, Lincoln Road to the west (known as the Walkerville Heritage Area)
- No Front yard Parking Space shall be permitted, exclusive of any existing Front Yard Parking Space. **(ADDED by B/L 127-2010, September 15, 2010)**
268. For the lands comprising of Lot 164, Registered Plan 684, located on the north side of Ottawa Street, west of Argyle Road a medical office in the existing building be permitted and the following additional regulations shall apply:
- (i) That four (4) parking spaces be provided on-site;
 - (ii) That a minimum 4.5 metre rear yard landscape area be provided between four parking spaces and the existing north building wall.
 - (iii) Up to four parking spaces may be provided in a required rear yard.
- (ADDED by B/L 116-2010, Aug. 25, 2010; AMENDED by B/L 31-2013, March 28/2013)**
269. For the lands comprising Lots 16 and 17, Registered Plan 612, situated at the northwest corner of Janette Avenue and Pine Street, indoor storage of motor vehicles shall be an additional permitted use. (ZDM3) **(ADDED by B/L 126-2010, Sept. 15, 2010)**

270. For the northerly 59' of Lot 679 and Part of Lot 680 (easterly 15 feet 8 inches), Plan 648, (1284 – 1298 Ottawa Street) located on the northwest corner of the intersection of Ottawa Street and Hall Avenue, one dwelling unit on the ground floor of a combined use building shall be an additional permitted use. (ZDM7)
(ADDED by B/L 137-2010, Sept. 22, 2010)
271. For the lands comprising Lot 44 and part of Lots 43 and 45, Registered Plan 1248, situated on the west side of Dougall Avenue, south of Nottingham Street, a day nursery in an existing building shall be an additional permitted use subject to the following regulations:
- (i) The minimum lot frontage, minimum side yard width, maximum building height and maximum rear yard depth shall be as existing; and
 - (ii) the minimum separation of a parking space from a street shall be 3.0 metres and the area forming the parking space separation shall be maintained exclusively as a landscaped open space yard in which no parking of motor vehicles shall be permitted. (ZDM 8)
(ADDED by B/L 132-2010, Sept. 22, 2010 and AMENDED by B/L 190-2011, Nov. 7/2011)
272. For the lands comprising Part of Part 1, Plan 12R-11254, situated between Howard Avenue, Tuson Way and Howard place, the following additional provisions shall apply:
- (i) A veterinary office shall be an additional permitted use;
 - (ii) Provide continuous screening with a minimum height of 1.0 metres adjacent to any parking, loading or service area. It may include screening such as dense plantings, a berm, a decorative concrete fence or brick fence or combination thereof but shall not include a wood fence or a chain link fence;
 - (iii) A flat roof is prohibited; and
 - (iv) A chain link and/or wood fence refuse enclosure is prohibited (ZDM 9)
(ADDED by B/L 133-2010, Sept. 22, 2010)
273. For the lands comprising Lots 2, 4, 6, 8, 10 and 12, Block 'S', Registered Plan 211, situated on the west side of Walker Road, between Tuscarora Street and Cataragui Street, the permitted uses in Section 14.3.1 shall be permitted only within a *building* existing on March 23, 1998, provided further that the maximum *building height*, minimum *front yard depth*, minimum *rear yard depth*, and minimum *side yard width* shall be as existing on March 23, 1998.
[ZDM 6; ZNG/1062; ZNG/ 5271]
(ADDED by B/L 13160, March 23, 1998; AMENDED by B/L 132-2011, Aug. 5, 2011; REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003; AMENDED by B/L 7-2018, Feb. 23/2018)
274. (ADDED by B/L 28-2011, March 9, 2011; DELETED by B/L 132-2011, Aug. 5, 2011)
275. For the lands located on the north side of Tecumseh Road East, west of Banwell Road, described as Part of Lot 143 Concession 1, (PIN 01565-3606), an outdoor mini golf shall be permitted as an ancillary use. (ZDM15) (ADDED by B/L 18-2011, March 1, 2011)
276. For the lands consisting of Concession 2, Part Lot 136 & 137 (PIN 013830472), situated south of Tecumseh Road East, west of Forest Glade Drive, that a pawnshop is permitted as an additional use. (ZDM 15) (ADDED by B/L 24-2011, March 4, 2011)
277. For the lands comprising Part Farm Lot 75, Concession 1, further designated as PIN 01199-0352, (Roll No. situated on the west side of Crawford Avenue, north of Tecumseh Boulevard West, an outdoor storage yard for the storage of operable motor vehicles as an accessory use shall be an additional permitted use. (ZDM 4; Z-012/10)
(ADDED by B/L 80-2011, May 26, 2011)

278. For the lands situated on the east and west sides of Huron Church between the south limit of College Avenue and the north limit of Continental Avenue on the west side of Huron Church Road and the north limit of E C Row Expressway on the east side of Huron Church Road, a landscaped open space yard with a minimum depth of 10 metres along Huron Church Road shall be provided, save and except for Parts 4 and 5, Plan 12R-12366 and Part Lots 1346 to 1360, Part Lot 1829 and Part Block A, Registered Plan 1059 (situated on the west side of Huron Church Road, north of Tecumseh Road West) a minimum landscaped open space yard with a minimum depth of 3 metres along Huron Church Road shall be provided. Buildings and the parking and display of motor vehicles are prohibited within this landscaped open space yard. (ZDM 4 and 5; ZNG/1062; ZNG/2931)
(ADDED by B/L 132-2011 Aug. 5, 2011 and AMENDED by B/L 53-2012, June 1, 2012)
279. For the lands consisting of Part Lot 85, Concession 1; South Part Lot 14; North Part Lot 154, Plan 96 (PIN011800181), located on the west side of McDougall Street, south of Hanna Street East and east of Windsor Avenue a day nursery shall be prohibited.
(ADDED by B/L 157-2011, October 4, 2011)
280. For the lands located on the south side of Riverside Drive East, west of Lauzon Road, described as part lot 127 concession 1, and Part Lot 127 Concession 1, designated as Part 2 of Reference Plan 12R-9171 (PIN 01069-0218 LT, and PIN 01069-0224 LT), a parking area shall be additional permitted use for a commercial use on the lands next east; loading spaces and refuse facilities are prohibited. (ZDM10)
(ADDED by B/L 174-2011, Oct. 26, 2011)
281. For the lands comprising Lots 1, 2 and 3, and Part of Lot 4, Registered Plan 1365, situated at the northwest corner of College Avenue and Brock Street and for the lands comprising Lots 122 to 126 and Part of Lot 127, Registered Plan 1365, situated at the southwest corner of College Avenue and Brock Street, a business office, a medical office, and other facilities of a non-profit or charitable organization within an existing building are additional permitted uses subject to the provision of a minimum of 25 parking spaces on Lots 1, 2 and 3, and Part of Lot 4, Registered Plan 1365 (ZDM 4).
(ADDED by B/L 208-2011, Dec. 20, 2011)
282. For the lands comprising Part of Lot 2, Concession 4, and Part Block Y RP 1361, being Parts 1, 5, 6, 7, 8, 9, 10 and 11, Plan 12R-25171, (Geographic Township of Sandwich West) City of Windsor (1800 Talbot Road); near the intersection of Talbot Road and Cousineau Road: as shown on Schedule 'A', which forms part of By-law 30-2012, the following additional provisions shall apply:
1. The following shall be Additional Permitted Uses:
 - (i) a residential care facility;
 - (ii) a multiple dwelling;
 - (iii) any use accessory to the additional permitted uses
 2. The following regulations for the Additional Permitted Uses shall apply:
 - (i) Maximum Building Height - 36 m
 - (ii) A building with a maximum height of 36 m shall be permitted no closer than 44m to the western limit of Registered Plan 1361 and Registered Plan 1619
 - (iii) A building with a maximum height of 15.5m shall be permitted between 15m and 44m to the western limit of Registered Plan 1361 and Registered Plan 1619
 - (iv) Maximum Gross Floor Area Ratio - 1.5:1
 - (v) Minimum Side Yard Depth adjacent to Talbot Road - 3 m
 - (vi) Minimum Landscaped area - 25%

- | | | |
|---|---|-------|
| (vii) Required Loading Space | - | 2 |
| (viii) Required Parking Area Separation adjacent from Talbot Road | - | 1 m |
| (ix) Collector aisle width when greater than 50m in length | - | 6.1 m |

3. The following provisions for the Additional Permitted Uses shall not apply:

- (i) Section 5.2.10 [ZNG/4629] (AMENDED by B/L 117-2016, Dec. 28/2016)
- (ii) Section 25.5.20.1.2 [ZNG/4249]

4. The following provisions for the Additional Permitted Uses shall not apply when adjacent to another Institutional use:

- (i) Section 25.5.20.1.3 [ZNG/4249]

(ZDM 9)

(ADDED by B/L 30-2012 APPROVED by OMB ORDER PL120367 Issued July 4, 2012 AND AMENDING OMB ORDER PL120367 Issued July 18, 2012; AMENDED by B/L 115-2012, August 7, 2012; AMENDED by B/L 18-2015, March 4, 2015)

283. For the lands comprising Lots 125, 128, 129, Part of Lots 124 and 132, Registered Plan 1303, situated at 675 Goyeau Street, a lodging house, multiple dwelling and residential care facility are additional permitted uses. Ground floor dwelling units in a lodging house, multiple dwelling and/or residential care facility are permitted. A maximum of 175 beds are permitted in a lodging home.

For a lodging house, multiple dwelling and residential care facility, an outdoor recreation area, made up of a minimum landscaped open space of 250 m², shall be provided.

(ADDED by B/L 88-2012 August 8, 2012)

284. For the lands comprising Lots 103 to 105 and 306 to 308, Registered Plan 1109, Parts 3 and 4, Plan 12R-10164, save and except Part 1, Plan 12R-21693 situated on the north side of Grand Marais Road East between Meighen Road and Meldrum Road, an indoor firearm shooting range shall be an additional permitted use. (ZDM 11; ZNG/3457; ZNG/4323)”

(ADDED by B/L 110-2012, Sept. 5, 2012 and AMENDED by B/L 53-2015, June 2, 2015)

285. For the lands comprising Part of Lots 5 and 6, and Part of Block B, Plan 1575, (PIN 012611212 & PIN 012611213), situated on the south side Pool Avenue between Ambassador Drive and Huron Church Road, a *Motor Vehicle Dealership* shall be an additional permitted use.

For the lands comprising Part of Lots 5 and 6, and Part of Block B, Plan 1575, (PIN 012611212), situated at the southeast corner of Pool Avenue and Ambassador Drive, the following additional regulations shall apply:

- a) Exterior Side Yard Width – minimum – 4.30 m
- b) Notwithstanding Sections 25.5.40.5 or 25.5.40.6, the minimum separation between a *collector aisle* and a *parking space* or an accessible parking space shall be 0.0 m
- c) Section 5.67.1 shall not apply.

[ZDM 4; ZNG/3477, ZNG/5364]

(ADDED by B/L 126-2012, September 25, 2012; AMENDED by B/L 169-2018, Dec. 19/2018)

286. For the lands comprising N Part Lot 1 (WS Victoria), Lots 1 to 8 and N Part Lot 9 (ES Dougall), and Part closed Alley, Registered Plan 83; Parts 1, 2, 3 and 5, Plan 12R-5751; Parts 2 and 3, Plan 12R-7322, situated on the south side of Park Street West between Dougall Avenue and Victoria Avenue a public parking area shall be an additional permitted use. (ZDM 3; ZNG/3478) **(ADDED by B/L 163-2012, Nov. 29, 2012)**
287. For the lands comprising of Part Farm Lots 13 and 14, Concession 6 (Geographically formerly Sandwich East), being Parts 2, 3, 5 and 6, Plan 12R-19026, PIN 015601984, 015601985, 015601986 and 015601987, situated on the south side of Provincial Road, west of Walker Road, and municipally known as 2001 Provincial Road, a personal service shop and a retail store shall be additional permitted uses.
(ADDED by B/L 151-2012, November 7, 2012)
- 'H'-288. For the lands comprising of Lots 6, 7 and 8, and Part Lot 5, Block N, Registered Plan 85; Part of Block A, and Part closed alley Registered Plan 91, situated on the north side of University Avenue East, between University Avenue East and Chatham Street East, mid-block between Ouellette Avenue and Goyeau Street, university and college uses shall be additional permitted uses. (ZDM 6; ZNG/3540)
(ADDED by B/L 179-2012, Dec. 28, 2012)
- 'H'-289. For the lands comprising of Lots 16 to 22 (incl.), Part Lot 15, Registered Plan 333; situated on the southwest corner of the intersection of University Avenue East and Freedom Way, university and college uses shall be additional permitted uses, and the provisions of section 24.40.20.1 of the Zoning By-law 8600 shall not apply. (ZDM 6; ZNG/3541)
(ADDED by B/L 178-2012, Dec. 28, 2012)
290. For the lands comprising Part of Block J, Registered Plan 1532, designated Part 1 Plan 12R-9780 situated on the northwest corner of Crawford Avenue and Grove Avenue, a club shall be an additional permitted use within a building existing on the day this clause comes into force provided that the minimum front, rear and side yard widths and maximum building height shall be as they existed on the day this clause comes into force and a minimum of 20 parking spaces shall be provided.
(ADDED by B/L 12877, April 25/1997; REPEALED by B/L 227-2002, Aug.12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)
- 'H'-291. For the lands comprising of Lots 1 to 4 (incl.), Lots 14 & 15, Lots 5 & 16, Block B, Registered Plan 120; PIN No. 01194-0257(LT); situated on the west side of Ferry Street between Chatham Street West and Pitt Street West, university and college uses shall be additional permitted uses, and the provisions of section 24.40 of the Zoning By-law 8600 shall not apply. (ZDM 3; ZNG/3542)
(ADDED by B/L 177-2012, Dec. 28, 2012)
293. For the lands comprising of Lots 48 and 49, and south part of Lot 47, Block C, Registered Plan 50, PIN Number 012210314, located on the west side of California Avenue, south of College avenue, and municipally known as 951 California Avenue, a semi-detached dwelling shall be additional permitted use (ZDM 4; ZNG/3584)
(ADDED by B/L 56-2013, May 16, 2013)
294. For the lands comprising of Part Lots 14 and 15, Concession 6, being Part 1 on Registered Plan 12R-23177, located on the south side of Provincial Road, east of Sixth Concession Road, municipally known as 1701 Provincial Road, a retail store shall be an additional permitted use (ZDM 13; ZNG/3634)
(ADDED by B/L 79-2013, June 19, 2013)
295. For the lands comprising Part of Farm Lot 73, Concession 1, located on the north and south sides of Wyandotte Street West, between Cameron and Wellington Avenues, designated as Parcel 'F', on Schedule 'B' to By-law Number 13079, the maximum building height shall be 5 storeys and the maximum gross floor area of a restaurant shall be 450 square metres. (ZDM 3)
(ADDED by B/L 13079, Oct. 3, 1997; REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)
296. For the lands comprising of Lots 879-888, Part of Lot 878 and Part of Block E on Plan 991; Lots 16-21, Part of Lots 22, 14, 15, 23 and Part of Whittaker Avenue on Plan 1405; Part 1 on Plan 12R7544; PIN Number 012621529, located on the southeast corner of the intersection of Ambassador Drive and Industrial Drive, known

municipally as 2085 Industrial Drive, a Health Studio shall be additional permitted use (ZDM 4; ZNG/3972) **(ADDED by B/L 154-2013 Nov. 13, 2013)**

297. For the lands comprising Lots 108 and 109, Part of Blocks H and J, (Part of Closed Alley), Plan 1056, known municipally as 2990 Curry Avenue, a medical office, within an existing structure shall be an additional permitted use, and the following regulations shall apply:

1. the lot frontage, number of dwelling units, building height, front yard, rear yard and side yard widths shall be as existing.
2. the maximum number of parking spaces shall be 7.

(ADDED by 'Assigned B/L 198-2013' - OMB Order PL120984 Issued November 26, 2013 AND Order PL120984 Issued March 6, 2013)

298. For the lands comprising of Lots 32 and 31 on Plan 360, located on the north side of Erie Street East, between Parent Avenue and Elsmere Avenue, and municipally known as 866 and 870 Erie Street East, a Lodging House shall be an additional permitted use, subject to the following additional regulations:

- i. No person shall be provided with lodging on any part of the ground floor level of the building used for a Lodging House;
- ii. Parking shall be provided at the rear and vehicular access shall be provided through the rear alley; and
- iii. The requirements of Section 25.5.10.3, Section 25.5.10.5, Section 25.5.10.13, Section 25.5.10.15, Section 25.5.20 and Section 25.5.50.5 shall not apply. [ZDM 7; ZNG/3999; ZNG/4249]"

(ADDED by B/L 1-2014, February 4, 2014; AMENDED by B/L 18-2015, March 4, 2015)

299. For the lands comprising part 2, Plan 12R-5439, save and except for Part 4, Plan 12R-22975, situated on the north side of Tecumseh Road East, west of Roseville Garden Drive, a retail store shall be an additional permitted use. [ZDM 11; ZNG/4006]

(ADDED by B/L 6-2014, Feb. 13, 2014)

300. For the lands comprising Part of Lots 2 to 5, Plan 1021, located on the west side of Huron Church Road, south of Blackburn Court; a retail store, a business, financial, or medical office, a veterinary clinic, and a public parking area shall be additional permitted uses. (ZDM 4) [ZNG/4081] **(ADDED by B/L 76-2014, May 27, 2014)**

301. For the lands comprising of Lot 290 on Registered Plan 359, located on the north side of Wyandotte Street East, west of Gladstone Avenue, and municipally known as 1478 Wyandotte Street East, a pawnshop shall be an additional permitted use, subject to the following additional regulations:

- a. The Pawnshop use shall be carried out entirely within the building
- b. Outdoor storage shall not be permitted. [ZDM 6; ZNG/4014]

(ADDED by B/L 45-2014, April 15/2014)

302. For the lands comprising Part of Farm Lots 96 and 97, Concession 1, situated on the northeast corner of Walker Road and Edna Street and shown delineated by a heavy block line on Schedule 'A' of By-law 13108, a caretaker's residence having a maximum gross floor area of 75 square metres shall be an additional permitted use.

(ZDM 6)

(ADDED by B/L 13108, Oct. 20, 1997; REPEALED by B/L 227-2002, Aug. 12, 2002; AMENDED by By-law 340-2003, Oct. 6, 2003)

303. For the land identified as Area 'A' on Schedule "A" to this by-law, the following regulations shall apply for the six (6) existing dwelling units fronting on Forest Glade Drive:

- | | | |
|--------------------------|---|------------|
| (i) Minimum Lot Frontage | - | 6.5 metres |
|--------------------------|---|------------|

(ii)	Minimum Lot Area	-	140 square metres
(iii)	Maximum Lot Coverage	-	50% of the lot area
(iv)	Maximum Building Height	-	Main Building – 10 metres
(v)	Minimum Front Yard Depth	-	2.5 metres
(vi)	Minimum Rear Yard Depth	-	6 metres
(vii)	Minimum Side Yard Width	-	0.0 metres on one side and 3.0 metres on the other side, save and except, the most southerly dwelling lot, where the Minimum Side Yard Width shall be 3.0 metres on both sides. [ZDM15; ZNG/4064]

(ADDED by B/L 77-2014, May 27/2014)

304. For the land identified as Area ‘B’ on Schedule “A” to this by-law, the following regulation shall apply for the twenty-eight (28) existing dwelling units fronting on Forest Glade Court:

- (i) The Maximum Lot Frontage, Maximum Number of Dwelling Units, Maximum Building Height, Minimum Front Yard Depth, Minimum Rear Yard Depth, Minimum Side Yard Width and Minimum Landscaped Open Space Yard shall be as they existed on the day this provision comes into force. [ZDM15; ZNG/4064]

(ADDED by B/L 77-2014, May 27/2014)

305. For the lands comprising of Lots 29 to 33, Registered Plan 1209, situated on the south side of Continental Avenue, west of Ambassador Drive, a Material Transfer Centre shall include the salvage of materials and liquids from consumer, commercial, and industrial products. [ZDM 5; ZNG/4080] (ADDED by B/L 102-2014, July 9, 2014)

306. For the lands comprising Part of Farm Lot 99, Concession 1, and Part of Lots 1, 2 and 3, and Part of Block A, Registered Plan 487, situated on the south side of Riverside Drive East between Drouillard Road and Cadillac Street, the following additional provisions shall apply:

- a) The following are additional permitted uses:

Business Office

Food Catering Service

Food Packaging Facility

Hotel

Manufacturing Facility

Medical Appliance Facility

Medical Office

Micro-brewery

Place of Entertainment and Recreation

Professional Studio

Public Hall

Research and Development Facility

Restaurant

Retail Store

Self-storage Facility

Tourist Home

- b) For any *industrial use*, outdoor storage is prohibited.
- c) For a *Retail Store*, the maximum *gross floor area* shall be 20% of the existing building *gross floor area*.
- d) For an *existing building*, the required number of *parking spaces*, accessible

parking spaces, bicycle parking spaces and *loading spaces* shall be as existing.

[ZDM 6; ZNG/4090, ZNG/5364]

(ADDED by B/L 103-2014, July 9, 2014; AMENDED by B/L 169-2018, Dec. 19/2018)

307. For the lands comprising Part of Lots 6 to 10, Plan 1021 (at the northwest corner of the intersection of Huron Church Road and Malden Road); a retail store, a business, financial, or medical office, a veterinary clinic, and a public parking area shall be additional permitted uses and the following regulations shall apply:

One access to Huron Church Road shall be permitted. The access shall be located on Part of Lot 6, Plan 1021. (ZDM 4)

(ADDED by B/L 114-2014, July 31, 2014)

308. For the lands comprising of Lots 818 to 820, Pt. Lots 821 to 823, Part of Block “AC” & Pt. closed Alley on Plan 1126, designated as Parts 1, 2, 3, 4, 5 & 8, Plan 12R-10804 and Pt. closed Alley on Plan 1126, designated as Part 2 on Plan 12R-18422, located on the south of the E.C. Row Expressway, west side of Walker Road, and municipally known as 3101 and 3143 Walker Road, **“a motor vehicle dealership limited to the sale, lease or rental of motorcycles and similar vehicles, and the sale, lease or rental of up to two automobiles”** shall be an additional permitted use, subject to the following additional regulations:

- a. The display of motorcycles and similar vehicles shall occur entirely within a building; and
- b. Within a paved on-site parking lot, a maximum of two designated parking spaces shall be reserved for the display of up to two automobiles for sale, lease or rental. [ZDM 12; ZNG/4121]

(ADDED by B/L 128-2014, August 19, 2014)

309. For the lands comprising of Parts 6 to 9, Plan 12R-2428, situated on the north side of the North Service Road East, west of Clemenceau Boulevard, the following shall be additional permitted uses within an existing *building*:

Manufacturing Facility

Welding Shop

[ZDM 11; ZNG/4140; ZNG/5364]

(ADDED by B/L 154-2014, Sept. 19, 2014; AMENDED by B/L 169-2018, Dec. 19, 2018)

310. For the lands comprising of Part Lot 92, Concession 1; and Lot 6, Registered Plan 433, situated at the southwest corner of Riverside Drive East and Hall Avenue, the following shall be additional permitted uses:

Business Office

Business Office in a Combined Use Building with any of the uses permitted in Section 11./2.1, provided that all dwelling units, not including entrances thereto, are located entirely above the office use

and the additional permitted uses shall comply with the following additional provisions:

- | | | |
|----|-------------------------------------|------------------------|
| .3 | Lot Coverage - Total - maximum | 30.0% |
| .4 | Building Height – maximum | 14.0 m |
| .8 | Landscape Open Space Yard – minimum | 15% of <i>lot area</i> |

- .20 Building Setback – minimum – shall be as follows:

- a) From the *exterior lot line* along Hall Avenue – 1.20 m; and 3.20 m for any part of the *building* above 8.0 m in height;

- b) From the *exterior lot line* along Riverside Drive - 6.0 m; and 8.0 m for any part of the *building* above 8.0 m in height;
 - c) From an *interior lot line* – 15.0 m, for the area within 30.0 m from the Riverside Drive right-of-way; and 1.50 m for the remainder of the area;
 - d) From the *rear lot line* – 50.0 m;
- .50 *Parking spaces* shall be setback a minimum of 12.0 m from the south limit of Riverside Drive East right-of-way, and shall be screened from Riverside Drive East and adjacent dwellings.
- .55 The minimum parking area separation from the abutting north-south alley shall be 1.10 m.
- .90 A *parking space* is prohibited in any required *front yard*.
- .95 Vehicular access is prohibited along the Riverside Drive frontage and along the east-west alley abutting Hall Avenue situated at the most southerly limit of the subject lands.

[ZDM 6; ZNG/4153; ZNG/5270]

(ADDED by B/L 175-2014, Oct. 31/2014; AMENDED by B/L 164-2017, Dec. 7/2017)

311. For the lands located North Part Lot 80, Part Lot 81, Plan 829; Part of Lot 129 Concession 1 (known as 254 Watson Avenue), a double duplex dwelling shall be an additional permitted use, subject to the following regulations:

(i)	Minimum lot width	-	27 metres
(ii)	Minimum lot area	-	2400 m ²
(iii)	Maximum total lot coverage	-	
	One storey main building	-	20% of the lot area
	Two storey main building	-	20% of the lot area
	All accessory buildings	-	10% of lot area

For the purpose of this clause, lot coverage shall not include bonus rooms above a garage forming part of the main building.

(iv)	Minimum front yard depth	-	6 metres
(v)	Minimum rear yard depth	-	7.5 metres
(vi)	Minimum side yard width	-	2 metres on one side, 3 metres on the other side
(vii)	Maximum building height		
	Main Building	-	2 storeys

(ADDED by B/L 176-2014, OMB ORDER PL140156 Issued June 11, 2015 And OMB ORDER PL140156 Issued Sept. 12, 2014)

312. For Part of Lot 80, Concession 2, identified as parts 1 to 5, Plan 12R-18615, situated on the east side of Dougall Avenue, south of Jackson Street, an Automobile Sales Lot and a Motor Vehicle Dealership are additional permitted uses. [ZDM 7; ZNG/4269]
(ADDED by B/L 9-2015, March 3, 2015)

313. For the lands comprising of Lots 81 – 85 (incl.), Part of Lots 86-88 (incl.), Part of block 'A', RP 91, Pt Block 'O', RP 85, located on the northeast corner of the intersection of Park St. E. and Freedom Way, along with the lands described as Lots 48 & 49, RP 91, located on the west side of Goyeau St. midway between Park St. E. and University Ave. E., university and college uses shall be additional permitted uses, (ZDM 6; ZNG/4250).
(ADDED by B/L 13-2015, March 3, 2015)

314. For the lands comprising Part Lot 200 Registered Plan 367, Part Lots 96 and 97 Concession 1, Parts 1-10, 12R-13286 save and except Parts 1-4, 12R-15355, situated on the east side of Walker Road north or Richmond Street known municipally as 980-1030 Walker Road the following additional provisions shall apply:

1. The following shall be additional permitted uses:
 - (i) Farmers' Market; and
 - (ii) A Retail Store having a maximum gross floor area equal to 20% of the gross floor area of all buildings on the property.
(ADDED by B/L 59-2015, June 2, 2015)

315. For the lands comprising of Part of Lots 106 and 107, Concession 2, City of Windsor, west of Bernard Road, North of Plymouth Road, the Minimum Rear Yard Depth shall be 5.5 metres, the Maximum Lot coverage for a 2 storey Main Building on Lots 11 and 12 shall be 35% and the Maximum Lot Coverage for All accessory buildings shall be 15%. No exterior wall of an attached garage shall project greater than 1.2 metres beyond the front and side walls of the dwelling unit.
(ADDED by B/L 77-2015, June 23, 2015)

316. For the lands described as Pt. Lots 129 & 132, Concession 1, and designated as Part 1 on Reference Plan 12R-25931, located on the north side of Tecumseh Road East, south side of VIA Rail Corridor, west side of Little River, and east of Lauzon Road, and municipally known as 9082-9152 Tecumseh Road East, "**truck and trailer rental/leasing**" shall be an additional permitted use [ZDM 15; ZNG-4351]
(ADDED by B/L 55-2015, June 2, 2015)

317. For the lands consisting of Part of Parts 5, 6, 7 and 8, and Parts 9 to 12, 26 to 28, 33 and 34 on Plan 12R-23772, situated east of Central Avenue, south of Grand Marais Blvd/Plymouth Drive, as delineated by a heavy black line on Schedule 'A' of By-law 74-2015, the minimum landscaped open space shall be 5% of the lot area and the following shall be additional permitted uses: outdoor storage yard; public parking area; railway; self-storage facility; towing service; and use accessory to the uses permitted in MD2.2 and the additional permitted uses, including a retail store having a maximum gross floor area equal to 20% of the gross floor area of the main use. [ZDM 11; ZNG/4399]
(ADDED by B/L 74-2015, June 30, 2015)

318. For the lands comprising Part of Lots 139 and 140, Concession 3, (formerly Township of Sandwich South) City of Windsor, Parts 3 to 18 9inclusive), 12R-24604 the following additional regulations shall apply:

Outdoor storage of unfinished material shall be prohibited

For the lands zoned MD2.2 or (H)MD2.2 and lying north of Parts 5 and 12, 12R-24606, berms be constructed along the north and east limit of the lands. The berms to be constructed shall be at least 11.3 metres in width and at least 1.8 metres high. [ZDM/4401]
(ADDED by B/L 79-2015, June 24, 2015)

319. For the lands comprising Part of Lots 140 and 141, Concession 3, and Lots 14 to 18, and Part of Lots 12 & 13, Registered Plan 65, Concession 3, (formerly township of Sandwich South) City of Windsor as delineated by a heavy black line on Schedule A, the following shall be additional permitted uses:

Arena, swimming pool, baseball field and other public and private recreational sport facilities;

Commercial printing, publishing and photographic processing establishments;

Commercial recreation and entertainment establishments and theatres;

Day nursery, church, church hall, private hall, commercial school, hospital;

Dental or optical laboratory;

Personal service shops, bakery, confectionery store;

Light industrial uses;

Food catering service, including the packaging and preparation of food or foodstuffs for distribution and sales elsewhere. [ZDM 15, ZNG/4401]
(ADDED by B/L 79-2015, June 24, 2015)

320. For the lands Lots 14 to 18, and Part of Lots 12 & 13, Registered Plan 65, Concession 3, (formerly township of Sandwich South) City of Windsor, the following shall be additional permitted uses:

A multiple dwelling, residential care facility, lodging house, and the regulations of the **RD3.1 zone category shall apply to the additional permitted uses. [ZDM 15, ZNG/4401]**

(ADDED by B/L 79-2015, June 24, 2015)

321. For the lands comprising Concession No. 3, Part Lots 108 – 112 (north side of County Road 42, between Concessions 8 and 9) known municipally as 3200-4000 County Road 42 and 0 County Road 42, a retail store shall be permitted as an accessory use provided that the net floor area of the retail store does not exceed 5% of the gross floor area of the main building [ZDM 12 & 16; ZNG/4405]
(ADDED by B/L 76-2015, June 30, 2015)
322. For lands described as Part of Lots 95 and 96 Concession 1, located on the south side of Riverside Drive East, west of Albert Road and east of Lincoln Road, municipally known as 1950 – 2072 Riverside Dr. E., a **“Club”** shall be an additional permitted use, subject to the following additional regulations:
- (i) Minimum required motor vehicle parking spaces shall be as existing (49 motor vehicle parking spaces) within the lands delineated by heavy black lines on Schedule “A”; and
 - (ii) Maximum gross floor area for the “Club” use shall be as existing in the two existing buildings within the lands delineated by heavy black lines on Schedule “A” [ZDM 6; ZNG-4381]
(ADDED by B/L 121-2015, Oct. 6, 2015)
323. For the lands located at Part of Lot 65, Plan 1087; Part 1, 12R-24599; (Known municipally as 2105 Victoria Avenue), a dwelling unit within a combined use building shall be an additional permitted use. (ADDED by B/L 105-2015, Aug. 27/2015)
324. For the lands described as Lot 95 on Registered Plan 1354, located on the north side of Vanier Street, east of Howard Avenue, a “Public Parking Area” shall be an additional permitted use, subject to the following regulations:
- a) Direct vehicular access/ingress to the subject Parking Area is prohibited from Vanier Street frontage of the subject land;
 - b) The requirements of Section 24.26.5 and 24.28 of the zoning by-law 8600 shall not apply; and
 - c) Parking area separation from an interior lot line abutting a residential use shall be 3m. [ZDM 8; ZNG-4475]
(ADDED by B/L 131-2015, Oct. 16/2015)
325. For the lands comprising of the northerly Part of Lot 10, Registered Plan 40 (PIN 01253-0323), situated on the east side of Sandwich Street, south of Brock Street, one dwelling unit in an existing building ancillary to the main residential use in the main building is an additional permitted use. [ZDM 4; ZNG/4488]
(ADDED by B/L 1-2016, Jan. 28/2016)
326. For the lands comprising Lots 26 to 39; 67 to 81; 96 to 110; 139 to 153 & Part of Lots 66, 111 and 138, Part of Closed Hudson & Fifth Streets; Part Closed Alley, Plan 1154; Lots 19 to 22, Part of Closed Alley Plan 1209; (Parts 63, 65, 67, 69, 71, 77, 79, 81, 83, 85 and 87, 12R-4051 ; Parts 5 & 6, 12R-10153, City of Windsor, (Municipally known as 4505 Fourth Street) a Motor Vehicle Dealership shall be an additional permitted use.
(ADDED by B/L 172-2015, Jan. 5/2016)
327. For the lands comprising of Lots 55 to 86 (inclusive) and south half of Lot 87, Registered Plan 1211, City of Windsor, no exterior wall of an attached garage shall project greater than 1.2 metres beyond the front and side walls of the dwelling unit.
(ADDED by B/L 21-2016, Feb. 25/2016)
328. For the lands described as Lots 162 and 163, Plan 937 located at the northwest corner of the intersection of Parent Avenue and Shepherd Street East, a maximum of six dwelling units shall be permitted. [ZDM 7; ZNG-4574]
(ADDED by B/L 36-2016, Apr. 26/2016)
329. For the lands Part of Lot 31, Plan 868, (Part 2, Plan 12R-5650), City of Windsor, (Municipally known as 3021 Walker Road) a Retail Store shall be an additional

- permitted use within the existing main building. The minimum front, rear and side yard widths and maximum building height shall be as they existed on the day this clause comes into force. (ADDED by B/L 78-2016, July 5, 2016)
330. For the lands described as Plan 707, Pt. Block A, closed Victoria Street, located on the south side of Edinborough Street, west of Howard Avenue, **a Medical Office as a main use and a Pharmacy as an accessory use to the Medical Office** shall be additional permitted uses in an existing building on the subject land. [ZDM 8; ZNG-4647] (ADDED by B/L 99-2016, Aug. 15/2016)
331. For the lands described as Pt Lot 85, Concession 1, and Part 3 on Plan 12R 14001, located on the west side of McDougall Street, south side of Ellis Street East and north side of Shepherd Street East **‘a Haunted House’** shall be additional permitted use in an existing building on the subject lands. [ZDM 7; ZNG-4681] (ADDED by B/L 120-2016, Sept. 19/2016)
332. For the lands comprising Lots 322, 323, and 324, Registered Plan 404 situated on the southeast corner of Wyandotte Street West and Wellington Avenue, a dwelling unit shall be an additional permitted use provided that not more than two dwelling units shall be permitted and all dwelling units shall be located entirely above the ground floor, except entrances thereto. (ZDM 3) (ADDED by B/L 220-1999, Sept. 9, 1999; REPEALED by B/L 227-2002, Aug.12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003)
333. For the lands comprising of North Part of Lot 307, Concession North of Talbot Road; City of Windsor Part 1, 12R-26317, east of Howard Avenue, no exterior wall of an attached garage shall project greater than 1.2 metres beyond the front and side walls of the dwelling unit. (ADDED by B/L 66-2017, July 4, 2017)
334. For the lands comprising the north Part of Lot 619 and the south Part of Lot 620, Registered Plan 682 (PIN 012310347), situated on the east side of Randolph Ave between University Ave West and Fanchette Street, a dwelling with a maximum of two dwelling units shall be an additional permitted use. [ZDM 3; ZNG/4832] (ADDED by B/L 176-2016, December 22, 2016)
335. For the lands described as Part Lots 55 & 56, Plan 479 Walkerville, located on the southwest corner of the intersection of Wyandotte Street East and Chilver Road, an “Entertainment Lounge” shall be additional permitted use in the existing building on the subject land and outdoor speaker usage is prohibited. [ZDM 6; ZNG-4864] (ADDED by B/L 23-2017, March 7, 2017; AMENDED by B/L 111-2017, August 18, 2017)
336. For the lands comprising of Lot 387, Lot 388, and Pt closed alley, Plan 1126, situated on the west side of Riberdy Road, south of Sydney Avenue and municipally known as 3215 Riberdy Road the following additional regulations shall apply:
- a. Provision of a 6m minimum landscape setback from the south lot line;
 - b. Provision of a screening fence along the south lot line;
 - c. Provision of a screening fence along the east lot line (Riberdy Road); and
 - d. Vehicular access or egress directly from/to Riberdy Road is prohibited.
- [ZDM 12; ZNG-4944] (ADDED by B/L 24-2017, March 7, 2017)
337. For the lands comprising of Lots 600 to 609; & Part Closed Alley, Registered Plan 1126 (PIN 013510145 & PIN 013510113), situated on the east side of Walker Road, south of Moxlay Avenue and north of Division Road, a “Day Nursery” is an additional permitted use. [ZDM 12; ZNG/4897] (ADDED by B/L 22-2017, March 7, 2017)
338. For the lands comprising of Pt Lot 308, NTR, PT Lot 5, Concession 4, situated on the east side of Howard Avenue, south of North Talbot Road and municipally known as 4350 Howard Avenue the following additional regulations shall apply:
- a) Minimum building setback from the front lot line is equal to 15.34m or the setback from the front lot line of the dwelling on the abutting lot next south, whichever is less;
 - b) Minimum building setback from the rear lot line is equal to 20.4m;

- c) Maximum lot coverage is 30% of the lot area;
 - d) Minimum lot width is 18m;
 - e) Minimum side yard width is 1.8m on one side and 2.5m on the other side
 - f) Parking space, loading space, visitor parking space or accessible parking space is prohibited within 6m of the front lot line;
(ADDED by B/L 33-2017, March 22, 2017)
339. For the lands comprising of Lots 149 and 150, Plan 357, situated on the west side of Langlois Avenue, between Erie Street East and Giles Boulevard East and municipally known as 1119–1121 Langlois Avenue, the following additional regulations shall apply:
- a) For a single unit dwelling or duplex dwelling within the existing building, the minimum front yard depth and minimum north side yard width shall be as existing on the date this amendment comes into effect. [ZDM 7; ZNG-5010]
(ADDED by B/L 47-2017, April 21, 2017)
340. For the lands comprising Lots 84 to 87, Registered Plan 684, situated at the southeast corner of Devonshire Court and Kildare Road, a Single Unit Dwelling shall be subject to the following additional provisions:
1. Main Building Height – minimum - 7.00 m
 2. Front Yard Depth – minimum - 7.50 m
 3. An access area or driveway is prohibited in any front yard or exterior side yard. Access to a parking space shall be from an alley.
 4. Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of fifty per cent of the area of any exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof. [ZDM 7; ZNG/4715]
(ADDED by B/L 2-2017, Feb. 7, 2017)
341. For the lands comprising of Part Lot 48, Lots 49 to 55, and Part Closed Norfolk Street, Registered Plan 1248 (PIN 013070610, 013070361, 013070612, 013070613, 013070614 & 013070831) situated on the west side of Dougall Avenue, north of Norfolk Street, the following additional provisions shall apply:
- a) The maximum *lot frontage* shall be 94.50 m
 - b) The minimum separation of a *parking area*:
 - 1) From a *rear lot line* shall be 8.26 m
 - 2) From a *street* shall be 0.90 m
 - c) A *Restaurant and a Food Outlet – Take-out* shall be additional permitted uses subject to the following additional provisions:
 - 1) The total combined *gross floor area* of any *restaurant* and/or *food outlet – take-out* shall not exceed 15% of the gross floor area of the building.
 - 2) Notwithstanding the definition of *gross floor area*, any portion of a *restaurant or food outlet – take-out* located in a *cellar* shall be included in the gross floor area when calculating the required number of *parking spaces*.
- [ZDM 8; ZNG/5006] (AMENDED by B/L 96-2018, Aug. 21/2018)

342. For the lands comprising Part of Lots 156 to 159, Registered Plan 620 (PIN 010940980 and 010940981) situated at the southwest corner of Drouillard Road and Ontario Street, for a micro-brewery a minimum of four parking spaces shall be provided. [ZDM 6; ZNG/5061]
(ADDED by B/L 68-2017, July 4, 2017)
344. For the lands comprising Part of Block “A”, Registered Plan 1259 (550 & 555 Sandison Street, PINs 015613109 & 015613969) Townhome Dwellings and Multiple Dwellings shall be additional permitted uses, subject to the following site specific regulations:
- (i) Lot frontage, Lot Width and Lot Area shall be as existing;
 - (ii) Maximum building height 8m
 - (iii) Minimum rear yard width 6 m
 - (iv) Minimum side yard width 4.8 m
 - (v) Maximum Lot coverage 60%
 - (vi) Minimum Landscaped open space 29%
 - (v) Maximum number of Dwelling units 47
(ADDED by B/L 69-2017, July 4, 2017)
345. For the lands comprising Part of Lots 451 and 452, Registered Plan 682 (PIN 012240319) situated on the east side of Ranking Avenue between Wyandotte Street West and Union Street, a *duplex dwelling* or a *semi-detached dwelling* shall be additional permitted uses subject to the following additional provisions:
- .1 Lot Width - minimum - 13.70 m
 - .2 Lot Area - minimum - 440.0 m²
 - .7 Side Yard Width - minimum - 1.20 m
 - .50 Notwithstanding Section 5.11.5, the maximum width of a *carport* or *garage* forming part of the *main building* shall not exceed 65.0 percent of the maximum permitted width of the *main building* on the lot.
[ZDM 3; ZNG/5086] (ADDED by B/L 109-2017, August 18, 2017)
346. For the lands comprising Lots 42 and 43 and Part of Lots 41 and 44, Registered Plan 50 (PIN 012210251) situated on the west side of California Avenue, south of College Avenue, that a multiple dwelling containing a maximum of four dwelling units shall be subject to the following additional provisions:
- .7 Side Yard Width – minimum - 1.20 m
 - .50 Notwithstanding Section 24.26.5, a maximum of two *parking spaces* are permitted in a required *front yard*. [ZDM 4; ZNG/5091]
(ADDED by B/L 108-2017, Aug. 18/2017)
347. For the lands comprising Part of Lots 135 & 136, Concession 1, City of Windsor, further described as part of Part 1, Plan 12R-25686, situated south of Riverside Drive East and west of Martinique Avenue, the following additional provisions shall apply:
- a) The exterior wall of a garage forming part of the main building shall not project greater than 1.20 metres beyond the front walls and side walls of the *dwelling unit*.
 - b) A *basement* is prohibited. A *cellar* is permitted.
- [ZDM 14; ZNG/3525, SDN/5083]
(ADDED by B/L 65-2018, June 6/2018)

348. For the lands comprising Part of Lot 13, Concession 6; (Parts 2 & 3, 12R-17667), Multiple Dwelling shall be an additional permitted use, subject to the Residential District (RD) 3.1 zone regulations with the following additional specific regulations:

Landscape setback from Walker Road for a Combined Use building - 5 m;
and,
Required parking – Multiple Dwelling - 1 space per unit;
and,
Maximum Building Height - Multiple Dwelling - 23 m
- Combined Use building - 23 m,
and,
Building Setback from westerly lot line - 12m;
except where an access area is located between the westerly lot line and a building,
the setback from the westerly lot line shall be 18m.

(ADDED by B/L 87-2018, July 17, 2018)

350. For the lands comprising Part of Lots 84 & 85, Concession 2 (PIN 01316-0407) situated on the west side of McDougall Street, north of Holden Avenue, a *Self-storage Facility* shall be an additional permitted use. [ZDM 7; ZNG/5218]

(ADDED by B/L 162-2017, Dec. 7/2017)

351. For the lands comprising Lots 5 and 6, Registered Plan 678 City of Windsor, (Municipally known as 1627 Howard Avenue), situated west of Howard Avenue, and south of Hanna Street, the following additional provisions shall apply:

- i. A Multiple Dwelling with a maximum of 8 Units shall be an additional permitted use;
- ii. A minimum of 7 parking spaces shall be provided, one of which shall be a Type B Accessible Parking Space,
- iii. Required Parking Area Separation - 0m
- iv. The minimum lot frontage, maximum building height, minimum front yard, rear yard and side yard widths shall be as existing.

(ADDED by B/L 147-2017, Nov. 7, 2017)

352. For the lands comprising Parts 2 and 5, Plan 12R-14140, situated on the west side of Jefferson Boulevard, south and east of North Service Road, an *Automobile Repair Garage* shall be an additional permitted use. [ZDM 11, 15; ZNG/5244]

(ADDED by B/L 173-2017, Jan. 4/2018)

353. For the lands comprising of Lot 11, Registered Plan 678 situated on the southeast corner of the intersection of Highland Avenue and Hanna Street East; municipally known as 1602 Highland Avenue, an automobile detailing service shall be additional permitted uses on the subject land [ZDM 7; ZNG/5222]

(ADDED by B/L 163-2017, Dec. 7, 2017)

354. For the lands comprising of Part Lot 307, Concession North of Talbot Road, in the former Township of Sandwich South, now in the City of Windsor, designated as Part 1 Plan 12R-24026, situated at the east end of Alpenrose Court, no dwelling or structures, above or below grade, including decks, gazebos, swimming pools and sheds, shall be permitted within 14 metres of Highway No. 3/Talbot Road.
[ZDM 9; ZNG/5232]

(ADDED by B/L 1-2018, Feb. 6, 2018)

356. For the portion of the lands comprising of Part of Lots 3 to 6, Block D, Registered Plan 76, excluding that portion described as PART 1 on Reference Plan 12R-27358, situated north of Northwood St., west of South Cameron Blvd., abutting the north limit of Columbus Dr., a “Place of Worship with no accessory dwelling unit” shall be additional permitted use within the existing building on the subject land.
[ZDM 8; ZNG-5349]

(ADDED by B/L 76-2018, July 5, 2018)

357. For the lands comprising of Part of Block 5, Part of Block 7, and Part of Kirkland Avenue, Plan 12M-442, situated on the northeast corner of Banwell Road and McNorton Avenue, as shown delineated by a solid black line in Schedule “A” of By-law 89-2018, only semi detached and townhome dwellings are permitted.

(ADDED by B/L 89-2018, July 17, 2018)

359. For the lands comprising Lots 7 to 10 RP 1034, and Part Closed Alley RP 1034 described as Parts 11 to 14 and 33 to 36 Plan 12R-26252, situated on the east side of Lauzon Road, south of Riverside Drive East, *Dwelling Units* in a *Combined Use Building* with any one or more of the uses permitted in the CD2.1 zoning district within an existing building shall be an additional permitted use, and all *dwelling units*, not including entrances thereto, shall be located above the non residential uses.

[ZDM 10; ZNG-5380]

(ADDED by B/L 130-2018, Oct. 16, 2018)

360. For the lands comprising of Part of Block 6, Part of Block 7, Part of Kirkland Avenue, within Plan 12M-442, and All of Block 4, Part of Block 3, All of Stonecliff Avenue and Part of Raintree Street, within Plan 12M-428, situated on the northeast corner of Banwell Road and McNorton Avenue all being shown delineated by a dashed black line in Schedule “A” of By-law 89-2018, only townhome and multiple dwellings are permitted and following additional regulations shall apply:

Side Yard Width Minimum	-	1.5 m
Front Yard Depth Maximum	-	8.0 m

(ADDED by B/L 89-2018, July 17, 2018)

361. For the lands comprising Part of Block 3, and Part of Raintree Street, within Plan 12M-428, all being shown delineated by a dashed black line in Schedule “A” of By-law 89-2018, notwithstanding the provisions of Section 15.7.5.90, a vehicle access area to Banwell Road is permitted.

(ADDED by B/L 89-2018, July 17, 2018)

364. **WEST SIDE OF CHILVER ROAD, BETWEEN RIVERSIDE DRIVE EAST AND ASSUMPTION STREET**

For the lands comprising Lot 6, Registered Plan 262, for a *Double Duplex Dwelling*, *Duplex Dwelling*, *Multiple Dwelling* containing a maximum of four *dwelling units*, *Semi-Detached Dwelling*, or *Single Unit Dwelling*, the following additional provisions shall apply:

- a) Lot Width – minimum As Existing
- b) Lot Area – minimum As Existing
- c) Lot Coverage – maximum 50%
- d) Front Yard Depth – minimum 1.0 m
- e) Side Yard Width – minimum 1.20 m

[ZDM 6; ZNG/5569]

(ADDED by B/L 40-2019, April 18, 2019)

365. For the lands comprising Lot 71, Registered Plan 626, situated on the east side of Albert Road, between Whelpton Street and Richmond Street, a Duplex Dwelling shall be an additional permitted use and for a Duplex Dwelling, the minimum Lot Width, minimum Lot Area, maximum Lot Coverage, maximum Main Building Height, minimum Front Yard depth, minimum Rear Yard depth, and the minimum Side Yard width, shall be as existing.

[ZDM 6; ZNG/5410]”

(ADDED by B/L 154-2018, Nov. 28/2018)

366. For the lands comprising Part of Lot 1, Registered Plan 683, situated at the southwest corner of University Avenue West and Wellington Avenue, notwithstanding Section 15.2.5.15, a *dwelling unit* on the ground floor shall be an additional permitted use and that for the additional permitted use, no additional parking spaces are required.

[ZDM 3, ZNG/5603]

(ADDED by B/L 11-2019, Feb. 19/2019)

367. For the lands comprising Part of Park Lot 5, Registered Plan 106, and Part of Part 22, Plan 12R-7169, but not including Part 1, Plan 12R-15792, situated at the northeast corner of McDougall Street and Giles Boulevard East, a *Museum* is an additional permitted use.

[ZDM 7; ZNG/5626]

(ADDED by B/L 72-2019, June 20, 2019)

368. For the lands comprising Part of Farm Lot 85, Concession 1, designated as Parts 1 and 2, Plan 12R-10279, Part of Farm Lot 85, Concession 1, and Part of Park Lots 24 and 28 and Park Lot 26, Registered Plan 125, as delineated by a heavy black line on Schedule 'A' to By-law 379-2001, situated on the south side of Shepherd Street East, between McDougall Street and Mercer Street, a *private hall*, a *health studio*, a *restaurant*, provided there is no facility for drive-through service, a *business office*, a *contractor's office*, a *financial office*, a *personal service shop* and a *convenience store* shall be additional permitted uses and that the *required* number of *parking spaces* for a *private hall* shall be 165. [ZDM 14; ZNG/4628]

(ADDED by B/L 114-2016, Sept. 19/2016)

369. For the lands described as Lot 25, Block H, on Registered Plan 131 (located on the south side of Brodhead Street, east of Mercer Street), "*A Parking Area as an accessory use to the permitted uses on the property known as 400 Erie Street East*" shall be an additional permitted use, subject to the following regulations:

- a) Direct vehicular access/ingress to the subject Parking Area is prohibited from Brodhead Street frontage of the subject land;
- b) The requirements of Section 24.26.5 and 24.28 of the zoning by-law 8600 shall not apply; and
- c) Parking area separation from an interior lot line abutting a residential use shall be 1.5m.

[ZDM 7; ZNG-5638]"

(ADDED by B/L 48-2019, May 16/2019)

371. **WEST SIDE OF PETER STREET BETWEEN CHAPPELL AVENUE AND HILL AVENUE**

For the lands comprising Part of Lot 27, W/S of Peter Street, Registered Plan 40 Town of Sandwich, identified as PIN 01258-0179 and PIN 01258-0180, the minimum required *side yard* width along the northerly *lot line* shall be 0.3 m, and the following shall be additional permitted uses:

Bakery

Commercial School

Medical Office

Personal Service Shop

Professional Studio

Research and Development Facility

[ZDM 4; ZNG/5696]

(ADDED by B/L 64-2019, May 30, 2019)

372. **NORTH SIDE OF TECUMSEH ROAD EAST BETWEEN ROSSINI BOULEVARD AND BERNARD ROAD**

For the lands comprising Part of Lot 145, Lots 146 to 152, and Part of Closed Alley, Registered Plan 1223, an *Automobile Sales Lot* shall be an additional permitted use.

[ZDM 11; ZNG/5716]

(ADDED by B/L 63-2019, May 30, 2019)

373. For the lands comprising Part of Lots 125 and 126, Concession 2; (Part 3, 12R-838 and Part 1, 12R-10427), the following additional specific regulations shall apply:

Maximum Building Height	-	33m
Total Required Parking	-	130 spaces
Total Number of Units permitted	-	145

(ADDED by B/L 39-2019, April 18, 2019)

374. **WYANDOTTE STREET WEST BETWEEN ROSEDALE AVENUE AND MILL STREET**

For the lands comprising Lot 55, and northerly Part of Lot 54, Registered Plan 49, notwithstanding Section 25, the minimum width of an *access area*, *collector aisle*, and/or driveway leading to the *parking area* shall be 3.0 m and two-way access shall be permitted in the *access area*, *collector aisle*, and/or driveway.

[ZDM 3; ZNG/5734]

(ADDED by B/L 65-2019, May 31, 2019)

375. **WEST SIDE OF RANKIN AVENUE BETWEEN WYANDOTTE STREET & UNION STREET**

For the lands comprising Part of Lots 537 and 538, Registered Plan 682, the following additional provisions shall apply to a *townhome dwelling* with three *dwelling units*:

- | | |
|------------------------|----------------------|
| a) Lot Width - minimum | 18.0 m |
| b) Lot Area - minimum | 585.0 m ² |

[ZDM 3; ZNG/5735]

(ADDED by B/L 66-2019, May 31, 2019)

376. **SOUTH SIDE OF RIVERSIDE DRIVE EAST BETWEEN CHILVER ROAD AND DEVONSHIRE ROAD**

For the lands comprising Part Block 'A', Part Alley (Closed), RP211; Part Lots 1 & 2, Part Alley (Closed), RP 262; Part Lots 94 & 95, Concession 1, Sandwich East; Parts 3-5, 11-15, 20, 21, 25, 26, 28-30, and 35 on Plan 12R-26104, a *Child Care Centre* shall be a prohibited use and the maximum *building height* shall be 21.0 metres.

[ZDM 6; ZNG/5775]

(ADDED by B/L 76-2019, June 20, 2019)

388. (ADDED by B/L 36-2003, March 4, 2003; REPEALED by B/L 227-2002, Aug.12, 2002; AMENDED by B/L 340-2003, Oct. 6, 2003; DELETED by B/L 132-2011 August 5, 2011)

(2) TEMPORARY USE PROVISIONS

(AMENDED by B/L 125-2011, July 21, 2011; AMENDED by B/L 24-2009, OMB Order PL090206 Issued Oct. 19, 2012; And DELETED AND REPLACED by B/L 31-2013, March 28, 2013)

Certain parcels on the zoning district maps are delineated by a broken line and identified by a zoning district symbol – S.20(2) - and a paragraph of this subsection. In the event of a conflict between the provisions of this section, any site specific provisions in Section 20(1) and the provisions of the zoning district, the provisions of this section shall prevail.

A temporary use provision shall be deleted from this Zoning By-law the day after the temporary use expires and replaced with the expiry date.

1. Expired September 14, 2003.
2. Expired September 14, 2003.
3. Expired December 1, 2003.
4. Expired January 1, 2004.
5. Expired December 1, 2004.
6. By-law 209-2001 expired June 30, 2004.
7. For the lands comprising Part of Lots 1 to 3, Part of Lot 5 and the west part of Lot 4, Block 4, Registered Plan 256, known municipally as 801-819 Ouellette Avenue, delineated by a heavy black line in Schedule 'A' to By-law 125-2011, a public parking area shall be an additional permitted use until June 20, 2014, subject to the following additional regulations:
 - (i) A 30m x 30m landscaped open space yard be provided at the intersection of Ouellette Avenue and Elliott Street right of ways:
 - (ii) Minimum landscaped open space yard from Ouellette Avenue right-of way – 10m;
 - (iii) Only one access to Ouellette Avenue is permitted.
8. For the lands comprising Part of Lots 43 to 45, Concession 1 (Former Township of Sandwich), City of Windsor, (Parts 1, 2 & 3, Registered Plan 12R-18712); known municipally as 635 Sprucewood, an exhibition shall be a temporary permitted use from April 5 until April 7 inclusive, 2013.

(AMENDED by B/L 41-2013, April 2, 2013)

(3) HERITAGE CONSERVATION DISTRICTS

(ADDED by B/L 24-2009, OMB Order PL090206 Issued Oct. 19, 2012)

This subsection applies to lands that have been designated to be a Heritage Conservation District and are delineated by a broken green line on the zoning district maps (ZDM) and identified by a zoning district symbol and a paragraph(s) of this subsection. Any parcel so identified shall be considered as being within the zoning district symbol and shall be subject to the provisions of that zoning district, the identified paragraph(s) of this subsection and any other applicable provisions of this by-law. In the event of a conflict between the provisions of this subsection and the provisions of the zoning districts, the provisions of this subsection shall prevail.

1. Sandwich Heritage Conservation District Residential Overlay Zone

For the lands identified on the Zoning District Maps by a broken line and labelled S.20(3)1, on Schedule 'A' to By-law 24-2009, the following provisions shall apply:

Notwithstanding the regulations in the zoning district, the following will apply in the Sandwich Heritage Conservation District Residential Overlay Zone:

(a) Regulations

- (i) The minimum lot frontage, minimum lot area, maximum lot coverage, maximum number of dwelling units, minimum rear yard and side yard widths shall be as existing on the date of approval of this by-law.
- (ii) Maximum front yard depth – the maximum front yard for any building erected between existing buildings in the same block shall conform to the average of the front yards established by the nearest building on each side.

(b) Prohibitions

- (i) Building height in excess of 2 storeys shall be prohibited
- (ii) No new structures or additions shall be constructed between the main wall of the existing building and the front lot line
- (iii) Garages are prohibited unless located a minimum of 6 metres to the rear of the main wall.
- (iv) Parking spaces are prohibited in any front yard.

2. Sandwich Heritage Conservation District Commercial Overlay Zone

For the lands identified on the Zoning District Maps by a broken line and labelled S.20(3)2, on Schedule 'A' attached to By-law 24-2009, the following provisions shall apply:

Notwithstanding the regulations in the zoning district, the following will apply in the Sandwich Heritage Conservation District Commercial Overlay Zone.

(a) Permitted Uses

- (i) A retail store, not including a retail store for the sale of motor vehicles or heavy machinery; wholesale store; bakery not exceeding 500 square metres in net floor area; confectionery not exceeding 500 square metres in net floor area; outdoor market within a Business Improvement Area.
- (ii) A personal service shop; day nursery; funeral home; church, church hall; tourist home.
- (iii) A business, financial, medical or veterinary office; professional studio; commercial school;
- (iv) A restaurant; take-out food outlet; tavern; micro-brewery
- (v) Place of entertainment and recreation; private hall;
- (vi) Dwelling units in a combined use building with any one (1) or more of the foregoing uses, provided that all dwelling units, not including entrances thereto, are located entirely above the non-residential uses(s)

(b) Regulations

- (i) Building height – maximum 4 storeys and minimum 2 storeys
- (ii) Maximum front yard setback on other streets – 2 metres
- (iii) Minimum amenity area per dwelling unit

Bachelor Unit - 7.5 square metres
 One-Bedroom Unit - 10 square metres
 Two or more bedroom unit - 15 square metres

- (iv) Rooftop mechanical equipment will be setback from the roof edge a distance equal to the height above the roof, and will be screened from view from the street.

(c) **Prohibitions**

- (i) Front yard setbacks on Sandwich Street are prohibited
 (ii) Parking spaces are prohibited in any front yard

(4) **TRADITIONAL COMMERCIAL STREET - OFF-STREET PARKING PROVISIONS**
 (ADDED by B/L 130-2017, Sept. 28, 2017)

1. The following provisions apply to the lands identified on Schedule 'P' - Off-Street Parking Overlay to this By-law.
3. The following *streets* are identified as a Traditional Commercial Street:
 - Devonshire Road between Riverside Drive East and Wyandotte Street East
 - Drouillard Road between Trenton Street and Deming Street
 - Erie Street between Mercer Street and Hall Avenue
 - Ottawa Street between Marentette Avenue and Windermere Road
 - Ouellette Avenue between Wyandotte Street and Tecumseh Road
 - Sandwich Street between Brock Street and Detroit Street
 - Tecumseh Road East between Forest Avenue and Chilver Road
 - Tecumseh Road East between Cadillac Street and Larkin Road
 - Tecumseh Road East between Westcott Road and Rossini Boulevard
 - University Avenue West between Randolph Avenue and Salter Avenue
 - Wyandotte Street East between Arthur Street and Raymo Road
 - Wyandotte Street East between McDougall Street to Argyle Road
 - Wyandotte Street East between Thompson Boulevard and Glidden Avenue
 - Wyandotte Street West between California Avenue and Campbell Avenue
5. In the event of a conflict between the provisions of Section 20(4) and any provisions in any other section, the provisions of Section 20(4) shall prevail.

.1 ADDITIONAL PERMITTED USES

Parking Garage in a *combined use building* provided a minimum building depth of 10.0 m of the ground floor area abutting the Traditional Commercial Street is occupied by any use permitted by the *zoning district* in which the *lot* is located.

.3 PROHIBITED USES

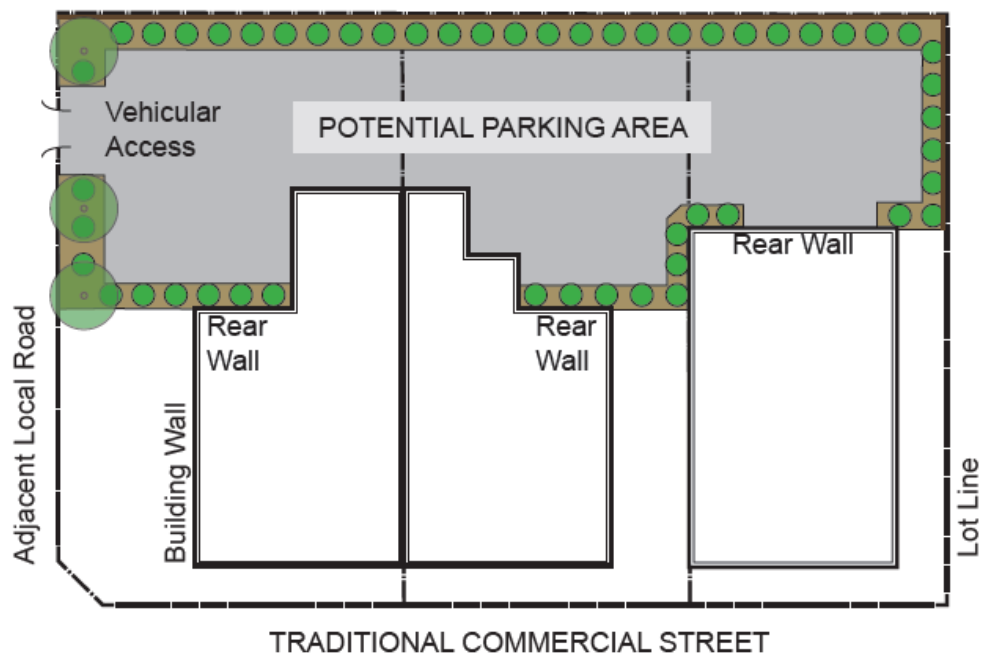
A *Public Parking Area* is prohibited save and except for any bicycle parking spaces.

.5 ADDITIONAL PROVISIONS

- (a) "New or expanded"
parking area means the creation of five or more *parking spaces*.

- (b) “Rear Wall” means the building wall furthest from the Traditional Commercial Street. Where the rear wall of a building does not follow a straight line the closest parallel building wall to the facade shall be deemed the rear wall.
- (c) For any *parking area* with five or more *parking spaces*, that portion of the *parking area* not used for a *parking space*, *parking aisle*, *collector aisle*, *access area*, *loading space* or *stacking space* shall be maintained exclusively as a *landscaped open space yard*.
- (d) The following additional provisions apply to any new or expanded *parking area*, *parking garage*, *access area* and *stacking space* with the exception of Drouillard Road Area shown on Schedule P.5 Off-Street Parking Overlay and any *school* drop-off / pick-up area:
 1. A *parking space*, *collector aisle*, *parking aisle*, or a *stacking space* is prohibited between the Traditional Commercial Street and:
 - (i) the *rear wall* of the building located on the same property; or
 - (ii) 10.0 metres from the exterior lot line that abuts a Traditional Commercial Street,
 whichever distance is greater.
 2. An *access area* to or from a Traditional Commercial Street is prohibited where access can be provided from an *alley* or from a *street* not identified on Schedule P.
 3. Where an *access area* cannot be provided from an *alley* or from a *street* not identified on Schedule P, a maximum of one *access area* may be provided from a Traditional Commercial Street.
 4. The width of the *access area* shall be a minimum of 3.0 m for *parking areas* with less than 20 *parking spaces* and shall not exceed 7.0 m for all *parking areas*.
- (e) These provisions apply only to any new or expanded *parking area*, *parking garage*, *access area* and *stacking space* in the Drouillard Road Area shown on Schedule P.5 Off-Street Parking Overlay:
 1. A *parking space*, *collector aisle*, *parking aisle*, or a *stacking space* is prohibited between the Traditional Commercial Street and the building wall located closest to the Traditional Commercial Street.
 2. A maximum of one *access area* may be provided from a Traditional Commercial Street.
 3. The width of the *access area* shall be a minimum of 3.0 m for *parking areas* with less than 20 *parking spaces* and shall not exceed 7.0 m for all *parking areas*.

ILLUSTRATION 20.4.5.5 – EXAMPLE OF POTENTIAL PARKING AREA



SECTION 21 - SUPPLEMENTARY USE REGULATIONS
(DELETED by B/L 177-2016, Dec. 28, 2016)

List of Amending By-law to Section 21

B/L 8719, Oct. 15/1986
B/L 9057, Jul 7/1987
By-law 8943, April 13/87
B/L 9828, June 12, 1989
B/L 10358, Jul 16/1990
By-law 10993, Mat 4, 1992
B/L 11093, Jul 20/1992
B/L 11315, Feb. 1/1993
B/L 11614, Nov. 1/1993
B/L 11742, Feb. 21, 1994
B/L 11780, March 28/1994
B/L 11655, Jan.5/94
B/L 11828, May 30, 1994
B/L 12829, March 17/1997
B/L 162-1998, June 28, 1998
B/L 324-1999, Dec 1/1999
B/L 33-2001, October 23, 2001, OMB Decision/Order No. 1716, OMB Case No. PL010233
BL 370-2001, November 15, 2001
B/L 363-2002, Dec. 31, 2002

By-law 227-2002, Approved by OMB Decision/Order No. 1013, July 24, 2003; OMB Decision/Order No. 1011, July 24, 2003 and OMB Decision/Order No. 1067, August 1, 2003, OMB File No. R020192, Case No. PL020829

B/L 46-2005, Mar. 23, 2005
B/L 212-2005, Sept. 22, 2005)
B/L 327-2004, approved by OMB Decision/Order 1695, issued June 13, 2006
B/L 232-2006, Jan. 18, 2007
B/L 164-2010, Nov 17/2010
B/L 118-2011, Dec. 13, 2011
B/L 165-2011, Oct. 20/2011
B/L 53-2012, June 1, 2012)
B/L 129-2012, October 2, 2012
B/L 48-2014, April 15/2014)
B/L 18-2015, March 4, 2015
B/L 144-2015, Nov. 6, 2015)
B/L 114-2016, Sept. 19/2016

**SECTION 22 - SUPPLEMENTARY LOT PROVISIONS
(DELETED by B/L 177-2016, Dec. 28, 2016)**

LIST OF AMENDING BY-LAWS TO SECTION 22

B/L 8614, Jun 23/1986
B/L 9057, Jul 7/1987
B/L 10238, May 30/1990
B/L 10358, Jul 16/1990
B/L 10637, Apr 22/1991
B/L 11093, Jul 20/1992
B/L 11096, Jul 20/1992
B/L 11406, Mar 29/1993
B/L 11780, Mar 28/1994
B/L 12429, Jan 8/1996
B/L 12616, Jul 2/1996
B/L 12042, Jan 9/1995
B/L 104-1998, May 15/1998
B/L 162-1998, Jun 24/1998
B/L 40-1999, Mar16/1999
B/L 324-1999, Dec 1/1999
B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716, OMB Case No. PL010233
B/L 92-2003, May 6/2003
B/L 10-2004, OMB Order PL0401143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005
B/L 68-2004, Mar 31/2004
B/L 176-2004, Jul 6/2004
B/L 46-2005, Mar 23/2005
B/L 142-2006, Aug 24/2006
B/L 204-2006, Nov 30/2006
B/L 164-2010, Nov 17/2010
B/L 53-2012, Jun 1/2012
B/L 179-2015, Jan. 6/2016
B/L 114-2015, Sept. 19, 2016
B/L 177-2016, Dec. 28, 2016.

SECTION 23 - SUPPLEMENTARY BUILDING REGULATIONS
(DELETED by B/L 177-2016, Dec. 28, 2016)

List of Amending By-laws to Section 23

B/L 33-2001, October 23, 2001, OMB Decision/Order No. 1716, OMB Case No. PL010233)

B/L 11096, July 20, 1992

B/L 11780, March 28/94

B/L 204-2006 November 30, 2006

SECTION 24 – PARKING, LOADING AND STACKING PROVISIONS

(AMENDED by B/L 8627 July 8/1986; B/L 9057 July 7, 1987; B/L 9882 July 31, 1989; B/L 10358 July 16/1990; B/L 10473 Nov. 5, 1990; 10993 May 4, 1992; B/L 11093 July 20, 1992; B/L 11157 Sept. 21,/1992; B/L 11780 March 28,/1994; B/L 12234 July 14/1995; B/L 12429 Jan. 8/1996; B/L 12819 March 17/1997; B/L 30-1998 March 2/1998; B/L 162-1998 June 24/1998; B/L 264-1999 Oct. 19/1999; B/L 33-2001 Oct. 23/2001 by OMB Decision No. 1716, Case # PL01023; B/L 370-2001 Nov. 15/2001; B/L 363-2002 Dec. 31/2002; B/L 92-2003 May 6/2003; B/L 269-2003 Sept. 15/2003; B/L 69-2004 March 31/2004; B/L 144-2004 June 11/2004; B/L 375-2004 Dec. 21/2004; B/L 46-2005 March 23/2005; B/L 212-2005 Sept./ 22/2005; B/L 204-2006 Nov. 30/2006; B/L 166-2007 Oct. 5/2007; B/L 110-2009 by OMB Order PL090722 Issued Nov. 20/2009 and AMENDED by Order PL090722 Issued Dec. 4/2009; B/L 164-2010 Nov. 17/2010 AND DELETED AND REPLACED by B/L 129-2012 Oct. 2/2012)

24.1 APPLICATION

24.1.1 The provisions in this Section apply to the use of all lots in all zoning districts in this by-law, unless otherwise stated in this by-law.

24.5 CENTRAL BUSINESS DISTRICT

24.5.1 In Section 24, Central Business District means all lands within the areas bounded by the centreline of the following streets and the Detroit River:

.1	North limit	-	Detroit River
	East limit	-	McDougall Street
	South limit	-	Elliott Street
	West limit	-	Dougall Avenue
.2	North limit	-	Detroit River
	East limit	-	Dougall Avenue
	South limit	-	University Avenue West
	West limit	-	Caron Avenue
.3	North limit	-	Detroit River
	East limit	-	Glengarry Avenue
	South limit	-	University Avenue East
	West limit	-	McDougall Street

24.10 GENERAL PROVISIONS

24.10.1 REQUIRED FOR EACH USE

.1 Parking spaces, visitor parking spaces, accessible parking spaces, bicycle parking spaces, loading spaces and stacking spaces shall be required for each use permitted by this by-law in accordance with the provisions of Section 24.

24.10.10 PROVISION AND MAINTENANCE

.1 All required parking spaces, visitor parking spaces, accessible parking spaces, bicycle parking spaces, loading spaces or stacking spaces shall be provided and clearly identified and marked at the time of the erection of a building or addition thereto, expansion of a use or when there is a change of use of a lot or building and shall be subsequently maintained, identified and marked exclusively for the use for which they are required for as long as such use is in operation.

24.10.15 DEFICIENCY IN SPACES – EXISTING BUILDINGS

.1 If, on the date this Section comes into force, an existing building has insufficient parking spaces, visitor parking spaces, accessible parking spaces, bicycle parking spaces or loading spaces to conform with Sections 24.20.1, 24.20.3, 24.20.5, 24.22.1, 24.24.1, 24.30.1, 24.40.1, the deficiency is not required to be made up prior to the construction of any addition or any change in use. Any additional parking spaces, visitor parking spaces, accessible parking spaces, bicycle parking spaces or loading spaces required as a result of

any such addition to the existing building or a change in use shall be provided in accordance with Sections 24.20.1, 24.20.3, 24.20.5, 24.22.1, 24.24.1, 24.30.1, 24.40.1

- .5 Despite Section 24.10.15.1, for an existing building located on a lot within the Central Business District, any change of use from the existing use to any use listed under Section 24.20.1 except for “All other uses not listed above”, no additional parking spaces, visitor parking spaces, accessible parking spaces, bicycle parking spaces or loading spaces are required.

24.20 PARKING SPACE PROVISIONS

24.20.1 REQUIRED PARKING SPACES – CENTRAL BUSINESS DISTRICT

- .1 In the Central Business district the required minimum number of parking spaces shall be as shown opposite the respective use in Table 24.20.1.1:

TABLE 24.20.1.1 – REQUIRED PARKING SPACES CENTRAL BUSINESS DISTRICT	
USE	PARKING RATE – MINIMUM
Bake Shop	0
Business Office	0
Commercial School	0
Convenience Store	0
Entertainment Lounge	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Food Convenience Store	0
Financial Office	0
Games Arcade	0
Hotel	1 for each of the first 60 guest rooms AND 1 for each additional 6 guest rooms
Medical Office	0
Motel	1 for each of the first 60 guest rooms AND 1 for each additional 6 guest rooms
Multiple Dwelling Units	None for the first six dwelling units AND 1 for each additional dwelling unit
Pawnshop	0
Personal Service Shop	0
Pharmacy	0
Residential Care Facility	1 for each 8 beds
Restaurant	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Retail Store	0
Take-out Food Outlet	0
Veterinary Clinic	0
Veterinary Office	0
All other uses not listed above	Section 24.20.5 shall apply

24.20.3 REQUIRED PARKING SPACES – BUSINESS IMPROVEMENT AREAS AND OTHER DEFINED AREAS

(AMENDED by B/L 130-2017, Sept. 28, 2017)

.1 Excluding lands in the *Central Business District*, for lands in any *Business Improvement Area* and for all lands within a *Commercial District* located:

- .1 on the north and south side of Wyandotte Street West between Dougall Avenue and Patricia Road;
- .2 on the north and south side of University Avenue between Dougall Avenue and Randolph Avenue;
- .3 on the north and south side of Tecumseh Road East between Forest Avenue and Chilver Road, Cadillac Street and Larkin Road, and Westcott Road and Rossini Boulevard;
- .4 on the east and west side of Ouellette Avenue between Giles Boulevard and Tecumseh Road;

for an existing *building*, the required minimum number of *parking spaces* shall be as shown opposite the respective use in Table 24.20.3.1:

TABLE 24.20.3.1 – REQUIRED PARKING SPACES BUSINESS IMPROVEMENT AREAS & OTHER DEFINED AREAS	
USE	PARKING RATE – MINIMUM
Bake Shop	0
Business Office	0
Convenience Store	0
Food Convenience Store	0
Food Outlet – Take-out	0
Medical Office	1 for each 27 m ² GFA
Pawnshop	0
Personal Service Shop	0
Pharmacy	0
Professional Studio	0
Repair Shop – Light	0
Restaurant	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Retail Store	0
Veterinary Office	1 for each 27 m ² GFA
All other uses not listed above	Section 24.20.5 shall apply

24.20.5 REQUIRED PARKING SPACES –ALL OTHER AREAS AND USES NOT LISTED IN TABLES 24.20.1.1 AND 24.20.3.1

.1 The required minimum number of parking spaces shall be as shown opposite the respective use as shown in Table 24.20.5.1:

TABLE 24.20.5.1 - REQUIRED PARKING SPACES
--

USE	PARKING RATE - MINIMUM
Adult Entertainment Parlour	1 for each 7.5 m ² GFA
Art Gallery	1 for each 45 m ² GFA
Automatic Car Wash	0
Automobile Repair Garage	1 for each 45 m ² GFA
Automobile Sales Lot	1 for each 45 m ² GFA
Bake Shop	1 for each 22.5 m ² GFA
Bakery	1 for each 45m ² GFA for the first 2,700 m ² GFA and 1 for each additional 180 m ²
Billiard Hall	1 for each 22.5 m ² GFA
Bingo Hall	1 for each 22.5 m ² GFA
Bowling Alley	4 per alley
Building Material Recycling Centre	1 for each 45 m ² GFA
Business Office	1 for each 45 m ² GFA
Church (including a Church Hall)	1 for each 5.5 m ² GFA uses as a church, chapel or sanctuary AND 1 for each 36 m ² GFA not used as a church, chapel or sanctuary
Club	1 for each 22.5 m ² GFA
Coin Operated Car Wash	0
College Student Residence	1 for each 4 beds
Collision Shop	1 for each 45 m ² GFA
Combined Use Building – Dwelling Units	1.25 for each dwelling unit
Commercial School	2.5 for each classroom or teaching area AND 1 for each 22.5 m ² of GFA of cafeteria, auditorium, gymnasium and other area of assembly
Confectionary	1 for each 45 m ² GFA for the first 2,700 m ² GFA AND 1 for each additional 180 m ²
Confectioner's Shop	1 for each 22.5 m ² GFA
Contractor's Office	1 for each 45 m ² GFA used as a business office AND 1 for each 200 m ² GFA used as a warehouse
Convenience Store	1 for each 22.5 m ² GFA
Convent or Monastery	1 for each 4 beds
Correctional Facility	1 for each 2 beds
Day Nursery	1.5 for each classroom or teaching area
Double-duplex Dwelling	4
Drive-through Food Outlet	1 for each 22.5 m ² GFA
Drive-through Restaurant	1 for each 7.5 m ² GFA
Duplex Dwelling	2
TABLE 24.20.5.1 - REQUIRED PARKING SPACES	
USE	PARKING RATE - MINIMUM

Elementary School	1.5 for each classroom or teaching area
Entertainment Lounge	1 for each 7.5 m ² GFA
Exhibition Hall	1 for each 36 m ² GFA
Financial Office	1 for each 45 m ² GFA
Food Convenience Store	1 for each 22.5 m ² GFA
Fraternity or Sorority House	1 for each 4 beds
Funeral Home	1 for each 5.5 m ² GFA used for a chapel, sanctuary or reposing room
Games Arcade	1 for each 22.5 m ² GFA
Garden Centre	1 for each 22.5 m ² GFA
Gas Bar	1 for each 45 m ² GFA
General Salvage Operation	1 for each 45 m ² GFA for the first 2,700 m ² GFA AND 1 for each additional 180 m ²
Group Home	1
Health Studio	1 for each 36 m ² GFA
Heavy Repair Shop	1 for each 45 m ² GFA for the first 2,700 m ² GFA AND 1 for each additional 180 m ²
Hospital	1 for each bed
Hotel	1 for each guest room AND 1 for each 22.5 m ² GFA used for a restaurant, convention hall, meeting room and other places of assembly.
Library	1 for each 45 m ² GFA
Light Repair Shop	1 for each 45 m ² GFA
Lodging House	1 for each 6 beds
Major Commercial Centre (exclusive of a hotel or motel)	1 for each 22.5 m ² GFA
Marina	0.5 for each 1 boat docking space AND 1 for each 1 boar anchorage space
Material Transfer Centre	1 for each 45 m ² GFA for the first 2,700 m ² GFA AND 1 for each additional 180 m ²
Medical Office	1 for each 13.5 m ² GFA
Micro-brewery	1 for each 45 m ² GFA
Minor Commercial Centre	1 for each 22.5 m ² GFA and when the combined GFA of all restaurants and entertainment lounges Exceeds 30% of the GFA of the Centre, 1 for each 7.5 m ² GFA of all restaurants and entertainment lounges in excess thereof
Mobile Home	1
TABLE 24.20.5.1 - REQUIRED PARKING SPACES	
USE	PARKING RATE - MINIMUM

Motel	1 for each guest room AND 1 for each 22.5 ² GFA used for a restaurant, convention hall, meeting room and other places of assembly
Motor Vehicle Dealership	1 for each 45 m ² GFA
Motor Vehicle Salvage Operation	1 for each 45 m ² GFA for the first 2,700 m ² GFA AND 1 for each additional 180 m ²
Multiple Dwelling containing a maximum of 4 Dwelling units	1 for each dwelling unit
Multiple Dwelling containing a minimum of 5 Dwelling units	1.25 for each dwelling unit
Museum	1 for each 45 m ² GFA
Outdoor Market	0
Pawnshop	1 for each 22.5 m ² GFA
Personal Service Shop	1 for each 22.5 m ² GFA
Pharmacy	1 for each 22.5 m ² GFA
Place of Entertainment and Recreation	1 for each 36 m ² GFA
Power Generation Plant	1 for each 200 m ² GFA
Professional Studio	1 for each 45 m ² GFA
Public Hall	1 for each 7.5 m ² GFA
Residential Care Facility	1 for each 4 beds
Restaurant	1 for each 7.5 m ² GFA
Retail Store	1 for each 22.5 m ² GFA
Secondary School	1.5 for each classroom or teaching area AND 1 For each 22.5 m ² of GFA of cafeteria , auditorium, gymnasium and other area of assembly
Self-storage Facility	2
Semi-Detached Dwelling	1 for each dwelling unit
Service Station	1 for each 45 m ² GFA
Shelter	1 for each 6 beds
Single –unit Dwelling	1
Stacked Dwelling Unit	1 for each dwelling unit
Take-Out Food Outlet	1 for each 22.5 m ² GFA
Temporary Outdoor Vendor’s Site	0
Theatre	1 for each 6 seats
Tourist Home	1 for each guest room AND 1 for each 22.5 m ² GFA used for a restaurant, convention hall, meeting room and other places of assembly
TABLE 24.20.5.1 - REQUIRED PARKING SPACES	
USE	PARKING RATE - MINIMUM

Townhome Dwelling having an attached garage or carport	1 for each dwelling unit
Townhome Dwelling without an attached garage or carport	1.25 for each dwelling unit
Transport Terminal	5 parking spaces, or 1 for each 45.0 m ² GFA, whichever is greater
University Student Residence	1 for each 4 beds
Veterinary Clinic	1 for each 13.5 m ² GFA
Veterinary Office	1 for each 13.5 m ² GFA
Warehouse	1 for each 200 m ² GFA
Wholesale Store	1 for each 45 m ² GFA
Workshop	1 for each 45 m ² GFA for the first 2,700 m ² GFA AND 1 for each additional 180 m ²
All other commercial uses not specifically listed	1 for each 36 m ² GFA
All other industrial uses not specifically listed	1 for each 45 m ² GFA for the first 2,700 m ² GFA AND 1 for each additional 180 m ² GFA

(AMENDED by B/L 144-2015, Nov. 6, 2015; B/L 169-2018, Dec. 19/2018)

24.20.7 CALCULATION OF REQUIRED PARKING SPACES

- .1 The required number of parking spaces for each use listed in Tables 24.20.1.1, 24.20.3.1 and 24.20.5.1 is calculated as follows:
 - .1 The gross floor area of that part of a building designed and used for a parking area, parking space, visitor parking space, accessible parking space, bicycle parking space, loading space, automatic car wash or coin-operated car wash is not included in the calculation of required number of vehicle parking spaces.
 - .2 If a parking rate is expressed as a ratio of parking spaces to the gross floor area, the parking space requirement for a use is to be calculated by dividing the applicable gross floor area of the use by the applicable parking rate.
 - .3 If the calculation of the number of required parking spaces results in a number containing a fraction, the number shall be rounded DOWN to the nearest whole number, but in no case may there be less than one parking space, except when the parking rate is zero.
 - .4 If a building is occupied or proposed to be occupied by more than one main use, the required parking for each main use is calculated on the basis of the percentage of gross floor area devoted to that use plus the equivalent percentage of any common areas and shared accessory uses in the building.
 - .5 If a Combined use Building is occupied in part by a Minor Commercial Centre or a Major Commercial Centre, the total required number of parking spaces is the sum of the required number of parking spaces for each Dwelling Unit and for the Minor Commercial Centre of a Major

Commercial Centre.

24.20.10 SIZE OF PARKING SPACE

- .1 Each parking space shall have a minimum length of 5.5 metres and a minimum width of 2.5 metres, except where one side of the parking space is flanked by a wall or fence, each parking space shall have a minimum length of 5.5 metres and a minimum width of 3.5 metres.

24.22 VISITOR PARKING SPACE PROVISIONS**24.22.1 REQUIRED VISITOR PARKING SPACES**

- .1 For a Townhome Dwelling without an attached garage or carport, Multiple Dwelling with a minimum of five dwelling units, or Dwelling Units in a Combined Use Building, a minimum of 15 percent of parking spaces shall be marked as visitor parking.
- .5 If the calculation of the number of visitor parking spaces results in a number containing a fraction, the number shall be rounded DOWN to the nearest whole number, but in no case shall there be less than one visitor parking space and one required parking space.

24.22.10 SIZE OF VISITOR PARKING SPACE

- .1 Each visitor parking space shall have a minimum length of 5.5 metres and a minimum width of 2.5 metres, except where one side of the parking space is flanked by a wall or fence, each visitor parking space shall have a minimum length of 5.5 metres and a minimum width of 3.5 metres.

24.24 ACCESSIBLE PARKING SPACE PROVISIONS [ZNG/4046]
(AMENDED by B/L 48-2014, April 15, 2014)**24.24.1 REQUIRED ACCESSIBLE PARKING SPACES**

- .1 There shall be provided accessible parking spaces as shown in Table 24.24.1:

TABLE 24.24.1 – REQUIRED ACCESSIBLE PARKING SPACES		
TOTAL NUMBER OF PARKING SPACES IN PARKING AREA	REQUIRED NUMBER OF ACCESSIBLE PARKING SPACES – MINIMUM	
	TYPE A	TYPE B
1 to 25	1 space	0
26 to 100	2 percent of parking spaces	2 percent of parking spaces
101 to 200	1.5 percent of parking spaces	0.5 space plus 1.5 percent of parking spaces
201 to 1,000	0.5 space plus 1 percent of parking spaces	1 space plus 1 percent of parking spaces
1,001 or more	5 spaces plus 0.5 percent of parking spaces	5.5 spaces plus 0.5 percent of parking spaces

- .2 If the calculation of the number of required Type A and Type B accessible parking spaces results in a number containing a fraction, the number shall be rounded up to the nearest whole number:

24.24.10 SIZE OF ACCESSIBLE PARKING SPACE

- .1 A Type A accessible parking space shall have a minimum width of 3.5 metres and a minimum length of 5.5 metres.
- .2 A Type B accessible parking space shall have a minimum width of 2.5 metres and a minimum length of 5.5 metres.

24.24.15 ACCESS AISLES

- .1 An access aisle, that is the space between or beside accessible parking spaces that allows persons with disabilities to get in and out their vehicles, shall be provided for all accessible parking spaces.
- .2 An access aisle may be shared by two accessible parking spaces and shall have a minimum width of 1.5 metres, extend the full length of the accessible parking space and be marked with high tonal contrast diagonal lines.

24.24.20 CURB CUT OR RAMP FOR ACCESSIBLE PARKING SPACE

- .1 Where a parking area is bounded by perimeter curbing which separates the principal pedestrian entrance of a building from the parking area, there shall be provided and maintained at least one curb cut or ramp that has a minimum width of 1.2 metres and a maximum slope of 1:8 where elevation is less than 7.5 cm or 1:10 where elevation is 7.5 cm to 20 cm.
- .2 The curb cut or ramp shall be designed and located to provide unobstructed access between an accessible parking space and the principal pedestrian building entrance. This provision does not preclude the construction of perimeter curbing around the parking area as required by this by-law except insofar as is required to satisfy this provision.

24.26 LOCATION OF PARKING, VISITOR PARKING OR ACCESSIBLE PARKING SPACES

- .1 For all dwellings or dwelling units in a combined use building, all required parking spaces, visitor parking spaces and accessible parking spaces shall be located on the same lot as the dwellings or dwelling units they are intended to serve.
- .2 For industrial uses in Manufacturing Districts, and for a university or college, all required parking spaces and accessible parking spaces shall be located entirely within a radius of 300 metres of the nearest lot line of the lands occupied by the use they are intended to serve.
- .3 For all other non-residential uses, all required parking spaces and accessible parking spaces shall be located entirely within a radius of 120 metres of the nearest lot line of the lands occupied by the use they are intended to serve.
- .4 A parking space, visitor parking space or accessible parking space is permitted in a required side or rear yard.
- .5 A parking space, visitor parking space or accessible parking space is prohibited in a required front yard or required landscaped open space yard, except on a lot occupied by a single-unit dwelling, semi-detached dwelling, duplex dwelling or a townhome dwelling unit, a parking space, visitor parking space or

accessible parking space is permitted in a required front yard.

- .6 For the lands bound by the Detroit River to the north, Walker Road to the east, Ottawa Street to the south and Lincoln Road to the west (identified as the Walkerville Heritage Area on Schedule G: Civic Image of the City of Windsor Official Plan) a parking space, visitor parking space or accessible parking space is prohibited in a front yard , except for any parking space, visitor parking space or accessible parking space existing in a front yard before September 15, 2010.
- .7 For the lands comprising Part of Lot 114, concession 1 and Lots 1 to 11 and Lots 15 to 19 Registered Plan 1100, situated on the east and west sides of Prado Place (identified as the Prado Place Heritage Area on Schedule G: Civic Image of the City of Windsor Official Plan) a parking space, visitor parking space or accessible parking space is prohibited in a front yard, except for any parking space, visitor parking space or accessible parking space existing in a front yard before December 28, 2006.
- .8 The parking of a vehicle within 6 metres of the intersection of any two streets is prohibited, except where the vehicle is parked within a parking garage.
- .9 A parking space, visitor parking space or accessible parking space is prohibited from encroaching into a public walkway, sidewalk or trail.

24.28 FRONT YARD PAVING AND SURFACING IN RESIDENTIAL DISTRICTS

24.28.1 IN ANY RESIDENTIAL DISTRICT:

- .1 A walkway, driveway or access area necessary for access to a parking space may cross a required front yard. That part of the required front yard not used for a walkway, driveway, access area, or, where permitted by this by-law, a parking space, shall be used exclusively as a landscaped open space yard.
- .3 For a single-unit dwelling, semi-detached dwelling, duplex dwelling or townhome dwelling unit, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof cannot exceed:
 - .1 for a lot having a width of 9 metres or greater: 50% of the required front yard area; or
 - .2 for a lot having a width of less than 9 metres: 50% of the required front yard area plus 5% for each 1 metre decrease in lot width below 9 metres to a maximum of 70% of the required front yard area.
 - .5 All driveways, access areas and parking spaces, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof.

24.30 BICYCLE PARKING SPACE PROVISIONS

24.30.1 REQUIRED BICYCLE PARKING SPACES

- .1 There shall be provided bicycle parking spaces as shown in Table 24.30.1:

TABLE 24.30.1 – REQUIRED BICYCLE PARKING SPACES	
TOTAL NUMBER OF PARKING SPACES IN PARKING AREA	REQUIRED NUMBER OF BICYCLE PARKING SPACES – MINIMUM
1 to 9	0
10 to 19	2
20 or more	2 for the first 19 spaces plus 1 for each additional 20 parking spaces

.7 If the calculation of the number of required bicycle parking spaces results in a number containing a fraction, the number shall be rounded UP to the nearest whole number.

24.30.10 SIZE OF BICYCLE PARKING SPACE

.1 Each bicycle parking space shall have a minimum dimension of 0.6 metres by 2.5 metres.

24.30.20 LOCATION OF BICYCLE PARKING SPACE

- .1 All bicycle parking spaces shall be located on the same lot as the use they are intended to serve.
- .2 Each bicycle parking space shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof and having thereon a corrosion resistant metal bicycle storage rack capable of accommodating a bicycle in a secure manner.
- .3 Each bicycle parking space shall be located in a manner which will not hamper the movement of persons or vehicles. The following provisions apply:
 - .1 When located on a walkway or sidewalk, each bicycle parking space shall be located a minimum of 2 metres from a building entrance or an accessible parking space;
 - .2 A bicycle parking space is prohibited within a daylight corner or a required yard.
- .4 Required bicycle parking spaces provided inside a building or located so as not to be visible from the major access area to the lot shall be identified by an Information and Operational Sign as set out in the City of Windsor Sign By-law.

24.40 LOADING SPACE PROVISIONS

24.40.1 REQUIRED LOADING SPACES

- .1 That part of a building that is designed and used for a parking area, parking space, visitor parking space, accessible parking space, bicycle parking space or loading space shall not be included in the calculation of required loading spaces.
- .3 For any Power Generation Plant or Self-storage Facility there shall be provided one loading space.
- .5 For any Multiple Dwelling with five or more dwelling units or a Residential Care Facility, there shall be provided loading spaces as follows:

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GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
750m ² or less	0
Over 750 m ² to 7,000m ²	1
Over 7,500 m ² to 15,000 m ²	2
Over 15,000m ² to 22,500m ²	3
Over 22,500m ²	4

.7 For any other building there shall be provided loading spaces as follows:

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
275m ² or less	0
Over 275m ² to 2,500m ²	1
Over 2,500m ² to 7,500m ²	2
Over 7,500 m ² to 15,000m ²	3
Over 15,000m ²	4

24.40.10 SIZE OF LOADING SPACE

- .1 Each loading space shall have a minimum length of 7.5 metres, a minimum width of 3.0 metres and a minimum height clearance of 3.5 metres throughout its length and width.

24.40.20 LOCATION OF LOADING SPACE

- .1 All loading spaces shall be located on the same lot as the use or building they are intended to serve.
- .2 A *loading space* may be located within a *parking area* or may have direct access from either a *parking aisle* or a *collector aisle*, provided, that the *loading space* is located and designed so as not to hamper the safe movement of people and operation of vehicles within the *parking area* and the *loading space* and *access area* complies with Section 25.5 in this By-law. [ZNG/4628]
(AMENDED by B/L 114-2016, Sept. 19/2016)
- .3 A loading space or access area thereto is prohibited within 6 metres of the point of intersection of two streets, a street and an alley, or a street and a railway right-of-way or in a required front yard or landscaped open space yard.

24.50 STACKING SPACE PROVISIONS

24.50.1 REQUIRED STACKING SPACES

- .1 Stacking spaces shall be provided on the following basis:
- .1 Automatic Car Wash – a minimum of 10 stacking spaces in advance of and a minimum of 1 stacking space at the terminus of each wash line.

- .2 Coin-operated Car Wash – a minimum of 2 stacking spaces in advance of and a minimum of 1 stacking space at the terminus of each wash stall.
 - .3 Drive-through Restaurant or a Drive-through Food Outlet – a minimum of 12 stacking spaces in advance of the pick-up window.
 - .4 Any other drive-through service – a minimum of 5 stacking spaces in advance of each drive-through service window or self-serve facility.
 - .5 Each fuel pump island erected as part of a Service Station or Gas Bar – a minimum of 1 stacking space in advance of the pump island and 1 stacking space at the terminus of the pump island.
 - .6 Each propane fuel facility that provides service to the public – a minimum of 1 stacking space adjacent to each propane fuelling pump.
- .2 A parking space, accessible parking space or visitor parking space is not a stacking space.

24.50.10 SIZE OF STACKING SPACE

- .1 Each stacking space shall have a minimum length of 5.5 metres and a minimum width of 3.0 metres.
- .2 An aisle or portion thereof used exclusively for the accommodation of stacking spaces shall have a minimum width of 3.5 metres.

24.50.20 LOCATION OF STACKING SPACE

- .1 All stacking spaces shall be located on the same lot as the use they are intended to serve.
- .2 The use of a required yard, required manoeuvring aisle, required collector aisle, parking space, or accessible parking space for a stacking space or part thereof is prohibited.
- .3 A screening fence having a minimum height of 1.2 metres shall be provided so as to prevent the penetration of light from headlights into a habitable room window which faces the stacking spaces and is not separated a minimum of 20 metres therefrom.
- .4 For a Drive-through Food Outlet or a Drive-through Restaurant constructed after November 1, 2004, all stacking spaces shall have a minimum separation 30 metres from a Dwelling or Dwelling Unit located in a Residential or Institutional Zoning District, except:
 - .1 where there is a noise barrier wall having a minimum height of 1.8 metres or a building wall located between the stacking spaces and the dwelling or dwelling unit, the minimum separation shall be 15 metres;
 - .2 for a Drive-through Restaurant or Drive-through Food Outlet that existed on a lot on or before November 1, 2004, or its replacement on the same lot.

SECTION 25 - PARKING AREA PROVISIONS

(Amended by: B/L 9057, Jul 7/1987; B/L 12429, Jan 8/1996; B/L 33-2001, Oct 23/2001, OMB Order No. 1716, OMB Case No. PL010233; B/L 370-2001, Nov 15/2001; B/L 167-2003, Jun 27/2003; B/L 167-2003, Jun 27/2003; B/L 132-2011, Aug 5/2011; B/L 53-2012, Jun 1/2012) [ZNG/4249]; B/L 18-2015, March 4, 2015

25.1 APPLICATION

- .1 The provisions in this Section apply to the construction or maintenance of a parking area containing five or more parking spaces, accessible parking spaces, visitor parking spaces or combination thereof in all zoning districts in this by-law.

25.5 GENERAL PROVISIONS

25.5.1 PROHIBITIONS

- .1 The parking or display of a motor vehicle within a landscaped open space yard, landscaped open space island or parking area separation is prohibited.
- .5 The placement of a refuse bin within a parking area and within 6.0 metres of the point of intersection of any two streets or any street and an access area; within a required parking space, required accessible parking space or required visitor parking space; or in a manner so as to hamper the movement or prevent the safe operation of a motor vehicle utilizing the parking area is prohibited.

25.5.10 CONSTRUCTION AND MAINTENANCE OF PARKING AREA

- .1 All parking spaces, visitor parking spaces and accessible parking spaces shall be accessible directly and exclusively from a parking aisle.
- .3 A curb shall bound the perimeter of a parking area and shall separate a landscaped open space yard, landscaped open space island or parking area separation from the parking area.
- .5 Any curb shall be constructed of poured in place concrete, shall be continuous and shall have a minimum width and height of 15.0 centimetres. Precast concrete, rubber, plastic or other curbing or a parking stop that is not continuous is prohibited.
- .7 A parking area shall be graded and drained into a municipal sewer system to prevent the runoff of surface water onto a street, alley or abutting properties.
- .9 A parking area shall be paved with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof, and shall be maintained in good condition.
- .11 Any lighting used to illuminate a parking area shall be full cut-off lighting.
- .13 For any part of a parking area that is located less than 4.50 metres from a dwelling unit on an abutting lot, a screening fence with a minimum height of 1.20 metres shall be provided along the lot line on which the parking area is located.
- .15 Where a parking area abuts an alley that provides access to the parking area, a screening fence that is located within 6.00 metres of the access area shall have a height of 0.90 metres.
- .17 Subject to Section 25.5.1.5, a refuse bin may be located within a parking area and shall be fully screened by a screening fence having a minimum height of 1.80 metres.

25.5.20 PARKING AREA SEPARATION

- .1 A parking area separation shall be provided as shown in Table 25.5.20.1:

TABLE 25.5.20.1 – PARKING AREA SEPARATION		
PARKING AREA FROM		MINIMUM SEPARATION
.1	Huron Church Road between the south limit of College Avenue and the north limit of the EC Row Expressway	10.00 m
	Save and except for Parts 4 and 5, Plan 12R-12366 and Part Lots 1346 to 1360, Part Lot 1820 and Part Block A, Registered Plan 1059 (situated on the west side of Huron Church Road, north of Tecumseh Road West)	3.00 m
.2	Any other street	3.00 m
.3	An interior lot line or alley	0.90 m
.4	A rear lot line on a lot located in a Commercial District 3.9	10.00 m
.5	A building wall in which is located a main pedestrian entrance facing the parking area	2.00 m
.6	A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area	4.50 m

- .5 The area forming the parking area separation shall be maintained exclusively as a landscaped open space yard.

25.5.30 ACCESS AREA

- .1 Ingress to a parking area from a street or alley or egress from a parking area to a street or alley shall be by way of an access area.
- .2 An access area may cross a required yard or a required landscaped open space yard.
- .3 An access area exclusively serving a loading space or serving a building in a Manufacturing District 1 or Manufacturing District 2 shall have one or more one-way lanes. Each lane shall have a minimum width of 3.50 metres and a maximum width of 6.50 metres.
- .4 An access area for all other uses shall have one or more one-way lanes. Each lane shall have a minimum width of 3.50 metres and a maximum width of 4.50 metres.
- .5 The width of each lane in an access area shall be measured a maximum of 3.00 metres from the lot line the access area crosses.
- .6 The width of the access area where it crosses the lot line shall be a minimum of the measurement in Section 25.5.30.5.

25.5.40 COLLECTOR AISLE

- .1 A collector aisle is prohibited within a street or alley.
- .2 A collector aisle shall be designed to prevent any vehicle that utilizes the collector aisle from entering upon a street or alley except by way of an access area.
- .3 A collector aisle that has a length of less than 50.00 metres shall have a minimum width of 6.00 metres for the entire length of the collector aisle.
- .4 A collector aisle that has a length of 50.00 metres or more shall have a minimum width of 7.50 metres for the entire length of the collector aisle.
- .5 Where a collector aisle is perpendicular to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be 3.00 metres.
- .6 Where a collector aisle is parallel to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be 2.50 metres.
- .7 The area forming the separation between a collector aisle and a parking space, accessible parking space or visitor parking space shall be maintained exclusively as a landscaped open space yard.

25.5.50 PARKING AISLE

- .1 A parking aisle is prohibited within a street and shall be designed to prevent any motor vehicle that utilizes the parking aisle from entering upon a street except by way of an access area.
- .2 A parking aisle located, in whole or in part, within an alley shall have a minimum width in conformity with Table 25.5.50.3. Where a parking aisle is not located, in whole or in part, within an alley, the parking aisle shall be designed to prevent any motor vehicle that utilizes the parking aisle from entering upon the alley except by way of an access area.
- .3 The minimum width of a parking aisle shall be as follows:

TABLE 25.5.50.3 – MINIMUM PARKING AISLE WIDTH		
ANGLE OF PARKING SPACE RELATIVE TO THE PARKING AISLE (IN DEGREES)		MINIMUM WIDTH OF A PARKING AISLE
.1	30.0°	3.50 metres
.2	45.0°	4.50 metres
.3	60.0°	5.50 metres
.4	90.0°	6.00 metres
.5	All angles and widths not indicated above are deemed to be the next highest angle and width indicated.	

- .4 A parking aisle having a width of less than 5.50 metres shall be designed to provide one-way movement of vehicles by providing a vehicular ingress at one end and a vehicular egress at the opposite end.

- .5 Where a parking aisle has a length of 50.00 metres or more and intersects with another parking aisle, there shall be a minimum 2.50 metre wide landscaped open space island at the intersection of the parking aisles.

25.10 PUBLIC PARKING AREA PROVISIONS

25.10.1 The provisions in Section 25.5 and the following additional provisions shall apply to a public parking area:

- .1 A shelter for parking attendants with a maximum gross floor area of 5.00 square metres and a maximum building height of 3.00 metres may be erected within a public parking area. All other buildings within a public parking area are prohibited;
- .2 A public parking area within any required yard of any dwelling or combined use building is prohibited; and
- .3 The sale, lease, rental, display or repair of motor vehicles within a public parking area is prohibited.

25.20 PARKING GARAGE PROVISIONS

25.20.1 The provisions in Section 25.1, Section 25.5.1, Section 25.5.10, Section 25.5.30, Sections 25.5.40.3 to 25.5.40.6 inclusive, and the following additional provisions shall apply to a parking garage:

- .1 A minimum separation of 6.00 metres shall be provided between an access ramp and an access area.
- .2 Perimeter screening shall be provided at each level of an above ground parking garage so as to prevent the projection of light from headlights into habitable room windows that face the parking garage and are not separated there from by a street.”

“D. A. BURR
MAYOR

J. B. ADAMAC
ACTING CITY CLERK

First Reading - March 31, 1986
Second Reading - March 31, 1986
Third Reading - March 31, 1986