

Zoning By-law 2009-189

Section 7.0

Future Development Zone

7.13 Future Development (FD) Zone Regulations *(2012-001)* *(2022-007)*

7.13.1 Permitted Uses

- i. The uses as permitted in Section 4.3.1.
- ii. Infrastructure for which an Environmental Assessment has been completed or which are required as a condition of approval under the Planning Act, subject to the following provisions:
 - a. Notwithstanding any other provision of this By-law, any *building* or *structure* for the purpose of providing or sheltering infrastructure shall not be subject to Section 7.13.2;
 - b. Any *building* or *structure* used for a *general office use*, *public works yard*, or *warehouse* shall not be permitted.
- iii. The *use* of legally existing *buildings* and *structures* by new *accessory uses*.

7.13.2 Permitted Expansion of Legal Buildings and Structures

The existing *lot coverage* on the day of the passage of this by-law, for all existing *buildings* or *structures* and existing *accessory buildings* or *structures*, may be increased by a maximum of 10% subject to regulations of this section and section 5.

7.13.3 Maximum Height

10 metres except for *agricultural buildings*

7.13.4 Minimum Yards

Front Yard and *Flankage* - 9 m
Side Yard - 2.4 m
Rear Yard - 7.5 m

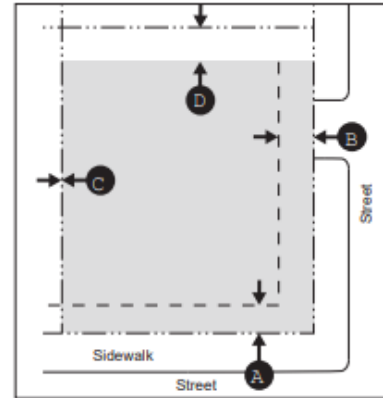
(Performance zones relocated by 2012-001 and 2013-065)

Dundas Urban Core Zone

7.2 Dundas Urban Core (DUC) Zone Regulations

7.2.1 Uses Permitted

- i. See Section 6.
- ii. *Retail Uses*
 - a. No single *retail use* shall exceed a maximum of 7,000 square metres of *leasable floor area*; and,
 - b. The maximum total *retail development* in the DUC Zone, including any DUC Performance Zone, shall not exceed 32,000 square metres *leasable floor area* of *retail development*, of which a maximum of 19,000 square metres of *leasable floor area* of *retail development*, which may include a *supermarket*, shall be located within 300 metres of the intersection of Dundas St. and Neyagawa Blvd.



The grey represents potential building area. The internal dashed line represents the maximum yard.

7.2.2 Building Types Permitted and Related Standards						
Building Type	Min. Floor Space Index	Max. Floor Space Index	Min. Front Yard and Flankage A B	Max. Front Yard and Flankage A B	Min. Interior Side Yard Setback C	Minimum Rear Yard Setback D
<ul style="list-style-type: none"> • <i>Mixed use building;</i> • <i>Apartment;</i> • <i>Office building;</i> • <i>Hotel;</i> • <i>Institutional building;</i> • <i>Parking garage;</i> • <i>Commercial/residential building</i> 	0.5	2.5	0.0 m	6 m	0.0 m ¹	1 m with rear <i>lane</i> access, unless there is a <i>residential use</i> at <i>grade</i> where the <i>setback</i> shall be 0.75 m 6 m without rear <i>lane</i> access, except abutting lands in the NHS, CE, or P Zones where the <i>setback</i> shall be a minimum of 3 m

¹ *Minimum Interior Side Yard Setback* – Notwithstanding this requirement, if the *side yard* abuts lands in the GU or S Zone and the *building* on the *lot* has a *height* of 4 *storeys* or less, the *setback* shall be 1.5 m; and if the *building* has a *height* of more than 4 *storeys* the *setback* shall be 7 m.

7.2.3 Permitted Yard Encroachments

See Section 4.21

7.2.4 Height

- Minimum *height* for all *buildings*, other than *accessory buildings and structures* - 2 storeys

Maximum *height* - 8 storeys

7.2.5 Parking Standards

See Section 5

7.2.6 Accessory Buildings and Structures

See Sections 4.14 through 4.20 inclusive

7.2.7 Performance Zone Categories - Dundas Urban Core (DUC) Zone

7.2.7.1 Dundas Urban Core Performance (DUC-1) Zone 1

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-1) Zone 1, however, in addition *commercial buildings* with a minimum *overall height* of 5 metres shall be permitted.

7.2.7.2 Dundas Urban Core Performance (DUC-2) Zone 2

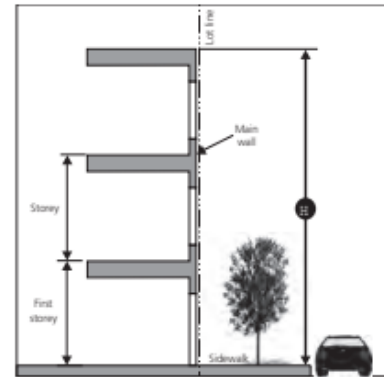
In addition to the permitted *uses* and regulations of the DUC Zone, in the Dundas Urban Core Performance (DUC-2) Zone 2, the *uses and buildings* in the GU Zone will also be permitted and the regulations of the GU Zone shall apply to those *uses and buildings*. Notwithstanding the regulations of the GU Zone, however, the *minimum rear yard* shall be 6 m.

7.2.7.3 Dundas Urban Core Performance (DUC-3) Zone 3

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-3) Zone 3, however, the minimum *height* for all *buildings*, other than *accessory buildings and structure* shall be three *storeys*.

7.2.7.4 Dundas Urban Core Performance (DUC-4) Zone 4

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-4) Zone 4, however, where a *lot* has *streets* on three or four sides, the *front and flankage yard* requirements shall apply to all *yards* abutting a *street*.



Height is measured to the tallest point of a building, excluding a number of rooftop features (see Section 4.28).

7.2.7.5 Dundas Urban Core Performance (DUC-5) Zone 5

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-5) Zone 5, however, notwithstanding the provisions of Section 5.1.3, Location of *Parking Spaces*, the required *parking spaces* for any use may be located on the *lot* on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

7.2.7.6 Dundas Urban Core Performance (DUC-6) Zone 6

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-6) Zone 6, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, Maximum *Height* for *private garages*, the maximum *height*, if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

7.2.7.7 Dundas Urban Core Performance (DUC-7) Zone 7

In addition to the permitted uses and regulations of the DUC Zone, in the Dundas Urban Core Performance (DUC-7) Zone 7, the *uses* and *buildings* in the GU Zone will also be permitted and the regulations of the GU Zone shall apply to those *uses* and *buildings*. However, notwithstanding the permitted *building* types and related standards (Section 7.6.2) of the GU Zone, *single-detached* and *semi-detached building* types shall not be permitted.

7.2.7.8 Dundas Urban Core Performance (DUC-8) Zone 8

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-8) Zone 8, however where a *lot* has *streets* on three or four sides, the *front* and *flankage yard* requirements shall apply to all *yards* abutting a *street*. In addition, the *height* for *commercial uses* shall be a minimum of 5 metres.

(DUC-9 and higher relocated by 2013-065)

4.21 Encroachments Permitted in Required Yards

Every *yard* shall be open and unobstructed from the ground to the sky by any *structures*, except for:

- i. lawful fences, signs, and retaining, noise and ornamental walls;
- ii. *driveways* and walks; and,
- iii. the encroachments listed in Table 4.21 which are permitted in association with either the main *building*, or an *accessory buildings* or *structures*, subject to compliance with the regulations listed in the columns of the Table 4.21.

Table 4.21 - Permitted Encroachments into Required Yards

	Structure	Yard in which Structure is Permitted	Maximum projection into required yard	Minimum Distance from Lot Line¹
(a)	Sills, belt courses, cornices, coves, pilasters, eaves, gutters, awnings, canopies or other non-structural architectural features	All	0.6m	n/a
(b)	Fire Escapes	<i>Rear & Side</i>	1.5m	0.6m from the <i>lot line</i>
(c)	Exterior stairways	<i>Rear & Side</i>	1.5m	0.6m from the <i>lot line</i>
(d)	<i>Balconies</i>	<i>All</i>	1.5m	1.5m unless overtop a <i>porch</i> in which case the <i>setbacks</i> shall be the same <i>setbacks</i> as the <i>setback</i> for a <i>porch</i> under sub-section (e)

Table 4.21 - Permitted Encroachments into Required Yards

Structure	Yard in which Structure is Permitted	Maximum projection into required yard	Minimum Distance from Lot Line¹
(e) <i>Uncovered platforms 0.6 m or greater in height measured from surrounding grade and porches, including a balcony on top of a porch including vertical supports and a roof above and landings. However, any exterior stair required to provide access to an uncovered platform or porch shall be permitted to encroach into any required yard.</i>	<i>Front</i>	1.5m	1m from the <i>front lot line</i> with exception of any exterior stair which may encroach to within 0.5m of the <i>front lot line</i> .
	<i>Rear</i>	2.5m	0.6m from the <i>rear lot line</i>
	<i>Interior Side</i>	n/a	0.6m from the <i>interior side lot line</i> except: i. where the platform is designed to allow drainage to occur underneath in which case the min. <i>setback</i> shall be 0m; and, ii. for <i>townhouse</i> and <i>semi detached</i> units in which case it may be 0m from an interior common wall
	<i>Flankage</i>	n/a	1m from the <i>flankage</i> with the exception of any exterior stair which may encroach to within 0.5m of the <i>flankage</i>
(f) Chimneys and gas fireplace projections and chases (with a maximum width of 1.8m)	<i>Front & Flankage</i>	0.6m	1m from the <i>front lot line</i> and <i>flankage</i>
	<i>All other yards</i>	0.6m	0.6m from the <i>lot line</i>
(g) Bay, Box out and Bow Windows with or without foundations with a maximum width of 3m which may be a maximum of three storeys in height and which may include a door.	<i>Front & Flankage</i>	0.6m	1m from the <i>front lot line</i> and <i>flankage</i>
	<i>All other yards</i>	0.6m	0.6m from the <i>lot line</i>
(h) Uncovered stairs below grade accessing a main building	<i>Rear</i>	1.5m	0.6m from the <i>lot line</i>
	<i>Side</i>	0m	1.5m
(i) <i>Uncovered platforms less than 0.6m in height measured from surrounding grade</i>	<i>Front</i>	1.5m	1m from the <i>front lot line</i> and <i>flankage</i>
	<i>Interior Side</i>	n/a	0.6m from the <i>interior side lot line</i> except: i. where the platform is designed to allow drainage to occur underneath in which case the minimum <i>setback</i> shall be 0m; and, ii. for <i>townhouse</i> and <i>semi detached</i> units in which case it may be over 0m from an interior common wall
	<i>All other yards</i>	n/a	0.6m from the <i>lot line</i>
(j) Unenclosed barrier free ramps	All	n/a	0.6m from the <i>lot line</i> unless the ramp is designed to allow drainage to occur underneath in which case the minimum <i>setback</i> shall be 0m

Minimum distance from lot line does not apply where minimum building setback is 0 metres.

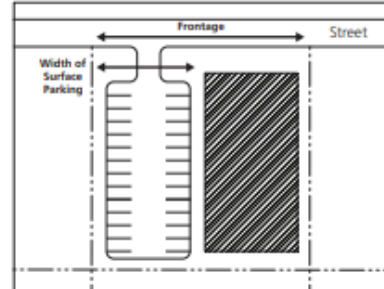
Parking and Loading Regulations

5.1.6 Surface Parking Area Location

Where *surface parking areas* are permitted on lots which abut Trafalgar Road, the maximum *lot frontage* or *flankage* on Trafalgar Road occupied by *surface parking area* shall be:

<i>Office building</i>	50%
<i>Mixed use and apartment buildings</i>	20%
<i>Commercial buildings</i>	20%
<i>Parking garage</i>	5%
<i>Institutional building</i>	5%
<i>Hotel</i>	5%
<i>Commercial/Residential buildings</i>	5%

This shall be measured as the maximum percentage of *lot frontage* or *flankage* occupied by *surface parking area* where no *building edge* is located within 6 metres of the Trafalgar Road *lot frontage* or *flankage*. The only exception shall be where the By-law permits a greater *front yard* or *flankage setback*, in which case that setback shall apply.



Surface Parking Frontage.

5.1.7 Hardscape Surface Treatment (2022-007)

All *parking spaces*, *tandem parking spaces*, *parking pad*, *loading dock*, *aisles* and *driveways* in any Zone other than a Natural Heritage Zone shall be surface treated with asphalt, concrete, interlocking brick, similar hardscaped surface, or other material sufficient to provide stability, prevent erosion, be usable in all seasons, and allow infiltration of surface water.

Table 5.1A - Parking Requirements For Residential Uses

(4)	<i>Apartment - More than 4 storeys</i>	Up to 1.25 <i>parking spaces</i> per <i>dwelling unit</i> , plus 0.2 <i>parking spaces</i> per <i>dwelling unit</i> for visitors. Additional <i>parking spaces</i> shall not be permitted. In the Trafalgar Urban Core Zone, no <i>parking spaces</i> shall be permitted in a <i>surface parking area</i> , with the exception of visitor <i>parking spaces</i> which may be located underground, in a <i>parking garage</i> or in a <i>surface parking area</i> .
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Table 5.1B - Parking Requirements For Non-Residential Uses

(4)	<i>Café</i>	<p>No <i>parking spaces</i> shall be required and a maximum of 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> shall be permitted.</p> <p>In the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i> or <i>on-street</i>.</p>
(5)	<i>Club</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(6)	<i>Commercial fitness centre; or, Place of amusement</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(7)	<i>Commercial residential -combined (mixed use)</i>	<p>The applicable regulations for <i>non-residential uses</i> apply to the <i>non-residential floor area</i>, while the applicable residential regulations apply to the <i>dwelling units</i>.</p>
(8)	<i>Commercial residential -connected (live-work)</i>	<p>Residential Component: 1 <i>parking space</i> minimum and 2 <i>parking spaces</i> maximum per <i>dwelling unit</i> which may be provided in tandem; and,</p> <p>Commercial Component: i) up to 90 square metres - 2 <i>parking spaces</i> ii) over 90 square metres - the applicable regulations for <i>non-residential uses</i> apply to the <i>non-residential floor area</i></p>
(9)	<i>Commercial school</i>	<p>1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and,</p> <p>1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum.</p> <p>In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i>.</p>
(10)	<i>Commercial self storage</i>	<p>1 <i>parking space</i> per 650 square metres of <i>leasable floor area</i> minimum.</p>