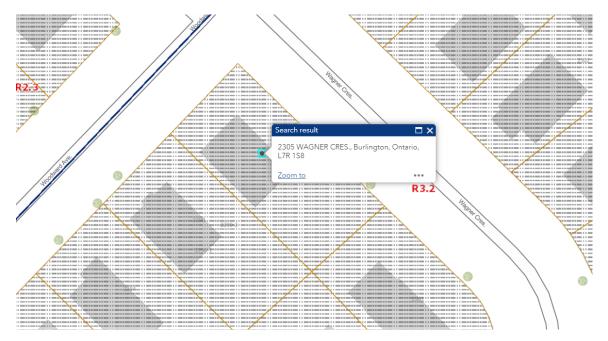
Figure 1- Zoning Map: 2305 Wagner Cres., Burlington, Ontario L7R 1S8

R3.2 - Residential Zone City of Burlington Zoning By-Law 2020 (Full by law here)



# Google Map:



#### **PART 2: RESIDENTIAL ZONES**

ZONE DESIGNATIONS: R1 TO R4 (Low Density Residential)

RM1 TO RM5 (Medium Density Residential) RH1 TO RH5 (High Density Residential)

RO1 TO RO4 (Orchard Community Residential)
RAL1 TO RAL4 (Alton Community Residential)

# 1. GENERAL PROVISIONS

No persons shall in any of the zones included in Part 2 of this By-law use any land or erect any building or structure except in accordance with the uses permitted and the regulations thereto and subject to the following:

PART 1: GENERAL CONDITIONS AND PROVISIONS PART 14: EXCEPTIONS TO ZONE DESIGNATIONS

# (a) Holding Zone

Where a zone designation is preceded by the Holding Symbol 'H' the uses permitted shall be in accordance with Part 11, Subsection 1.1. Development or redevelopment of lands having an 'H' zoning shall be deemed premature until the 'H' prefix is removed in accordance with Part 11, Subsection 1.2.

## (b) Accessory Buildings and Structures

Refer to Part 1, Subsection 2.2

#### (c) Patios and Decks

Refer to Part 1, Subsection 2.3

#### (d) Fencing and Privacy Screens

Refer to Part 1, Subsection 2.4

## (e) Swimming Pools

Refer to Part 1, Subsection 2.5

## (f) Lands Adjacent to Lake Ontario and Burlington Bay

Refer to Part 1, Subsection 2.30

# (g) Side Yard Requirements for "L" Shape Dwellings

Where the front elevation of a detached dwelling, without an attached garage or carport, designed in an "L" shape forming one side and one end of a parking space 4.5 m wide by 6.5 m long, the required side yard for that dwelling shall be the same as that required for a detached dwelling with an attached garage or carport.

# (h) Parking Lot

Parking lots shall be set back 4.5 m from a street line.

# (i) Parking Spaces and Driveways

(i) For townhouses, back-to-back townhouses, stacked townhouses, cluster homes, and apartment buildings up to 3 storeys, driveways and parking lots shall be set back 3 m from a wall of a building containing windows of habitable rooms, except where a parking space and driveway is for the exclusive use of the unit occupant the setback shall not apply.

Parking spaces shall be set back at least 6 m from an R1, R2, R3 zone.

(ii) For apartment buildings 4 storeys or more in height, driveways shall be set back 9 m and parking spaces 6 m from a window of a habitable room in a dwelling unit located on the ground floor or basement.

Driveways and parking spaces shall be set back 6 m from an R1, R2, R3 zone.

## (j) Parking Structures

An enclosed parking structure that extends more than 1.6 m above finished grade shall be subject to the same yard requirements as a principal building.

An enclosed parking structure below grade and up to 1.6 m above grade shall be set back 3 m from a street line.

An enclosed parking structure below and above grade shall not encroach into a required landscape buffer abutting a residential zone.

#### 2. PROHIBITED USES

Notwithstanding the uses permitted in Residential Zones, the following uses, as well as those in Part 1, Subsection 2.22, are prohibited except where permitted by the respective zone:

- Parking or storing a motor vehicle, excepting a recreational vehicle, exceeding a registered gross vehicle weight of 3000 kg, an overall length of 6 m or an overall height of 2.6 m is prohibited.
- Parking or storing a motor vehicle equipped with a stake body is prohibited.
- Parking or storing a recreational vehicle on or off a trailer or supported by other means
  or parking or storing a utility trailer including its load which exceeds a combined height of
  3.6 m is prohibited.
- The parking or storage of any motor vehicle, motorcycle, snowmobile, jetski, trailer, recreational vehicle, boat, or other such conveyance is not permitted within a landscaped open space area.

# 3. R ZONE PERMITTED USES (LOW DENSITY)

The uses permitted in all Residential 'R' Zones shall be in accordance with Table 2.3.1:

**Table 2.3.1** 

USE	LOW DENSITY ZONES				
	R1	R2	R3	R4	R5
Detached Dwelling	✓	✓	✓		
Semi-Detached Dwelling				✓	
Cluster Homes					✓
One Accessory Dwelling Unit	✓ (a)	✓ (a)	✓ (a)		

#### Footnote to Table 2.3.1:

(a) Permitted in all R1 zones, all R2 zones, and in R3.1 and R3.2 zones only, subject to the following regulations:

Permitted in a detached dwelling only

Lot Width: 15 metres

Notwithstanding the above, an accessory dwelling unit is permitted within a detached dwelling that existed on the date of enactment of this By-law that is situated on a lot with a width of less than 15 metres, only provided that as of the date of enactment of By-law 2020.244 (April 28, 2008), the dwelling contained an existing garage with a minimum width of 6 m.

Floor Area of accessory dwelling unit: 42 m<sup>2</sup> minimum

100 m<sup>2</sup> maximum

Floor Area of the accessory dwelling unit shall not be in excess of 40% of the total floor area of the residential building.

For purposes of this footnote, a finished basement forming part of a dwelling unit is defined as floor area.

Total Rear Yard Amenity Area for the principal dwelling unit and accessory dwelling unit: 135 m<sup>2</sup> minimum.

The accessory dwelling unit shall have its own exterior entrance separate from the exterior entrance to the principal dwelling unit. The separate entrance to the accessory dwelling unit shall not be located on any elevation of the building facing a street. Access to a principal and accessory unit through a common vestibule is permitted.

Refer to Part 1, Section 2.24 for driveway widths on a lot containing an accessory dwelling unit.

On lots containing an accessory dwelling unit, a maximum of 50% of the lot area between a street line and the building elevation facing the street may be used for driveways, walkways, and patios; the remaining 50% shall be landscaped open area.

Parking: One space per accessory dwelling unit; tandem parking for the one additional space to serve the principal dwelling unit and the space to serve the accessory dwelling unit is not permitted.

Parking for the principal dwelling and the accessory dwelling unit shall not be permitted in that portion of the rear yard defined as the area between the extension of the two lines projected backward from the two side walls of the dwelling.

Notwithstanding the above parking provisions:

- where a lot containing an accessory dwelling unit fronts on a Major Arterial Road, Arterial Road or Collector Road as shown on Schedule 'B' of Part 1, General Conditions and Provisions, (unless lay-by parking exists on the street in front of the lot); or
- where a lot containing an accessory dwelling unit is a parcel of tied land fronting on a common element road; or
- where a lot containing an accessory dwelling unit fronts on any one of the streets listed in Table 2.3.1.1:

Two parking spaces per accessory dwelling unit are required. Tandem parking for the second parking space to serve the accessory dwelling unit is permitted.

**Table 2.3.1.1** 

Street Name	From	То
Abbott Road	Guildwood Drive	Regal Road
Aldershot Place	West end	LaSalle Park Road
Algonquin Road	Indian Road	East end
Ascot Place	End cul-de-sac	Shadeland Avenue
Avondale Court	Lakeshore Road	End
Baldwin Street	West cul-de-sac	Hager Avenue
Balmoral Avenue	Guelph Line	Rossmore Boulevard
Bayshore Boulevard	Bonnieview Avenue	South end
Beaver Street	Lakeshore Road	First Street
Bedford Avenue	Old Orchard Road	Grove Park Drive
Belhaven Crescent	South end	North cul-de-sac
Bellflower Drive	Unsworth Drive	Sandcherry Drive
Bellview Crescent	Bellview Street	End
Belvenia Road	Lakeshore Road	Spruce Street
Beverly Drive	New Street	Edith Avenue
Birch Avenue	Clark Avenue	Brant Street

Street Name	From	То
Birchwood Avenue	Townsend Avenue	Plains Road
Blenheim Street	Hurd Avenue	Brant Street
Bluebird Court	Falcon Boulevard	Cul-de-sac
Bonnieview Avenue	Bayshore Boulevard	Spring Gardens Road
Boothman Avenue	North Shore Boulevard	Plains Road
Botanical Drive	Plains Road	Spring Gardens Road
Brenda Crescent	Glenwood School Drive	Queensway Drive
Brinell Avenue	Orpha Street	Hazel Street
Brookview Avenue	Spring Gardens Road (S)	Spring Gardens Road (N)
Brookfield Avenue	Lakeshore Road	Pomona Avenue
Bruce Street	Newbold Drive	Delaware Avenue
Burlington Avenue	Ontario Street	Birch Avenue
Cardinal Avenue	(W) End	Falcon Boulevard
Carol Street	Regina Street	Wallace Street
Caroline Street	Ontario Hydro	Locust Street
Caroline Street	Elizabeth Street	Drury Lane
Cavendish Drive (N of Upper	Upper Middle Road	Devlin Drive
Middle Road)		
Cavendish Drive (S of Upper	Upper Middle Road	Upper Middle Road
Middle Road)		
Cedar Avenue	Kingsway Drive	(E) End
Cedarwood Place	Plains Road	(N) End
Centennial Drive	Guelph Line	Upper Middle Road
Clearview Avenue	Plains Road	(N) End
Cleta Street	Glenwood School Drive	Queensway Drive
Condor Drive	Raven Avenue	(N) End
Conrad Court	(S) Cul-de-sac	Dorset Avenue
Coventry Way	Cavendish Drive	Guelph Line
Crosby Avenue	New Street	Caroline Street
Cumberland Avenue	New Street	Prospect Street
Danforth Avenue	Plains Road	Hendrie Avenue
Danforth Place	Hendrie Avenue	North Shore Boulevard
Dawlish Road	Brant Street	Cavendish Drive
Delaware Avenue	Lakeshore Road	New Street
Dorchester Crescent	Dovercourt Avenue (S)	Dovercourt Avenue (N)
Dorset Avenue	Dorchester Crescent	Maplehurst Avenue
Dovercourt Avenue	Plains Road	(N) cul-de-sac
Dowland Crescent	Downsview Drive	Enfield Road
Dowland Crescent	Downsview Drive	Dowland Crescent (N)
Downsview Drive	Plains Road	Dowland Crescent
Eagle Drive	Shoreview Road	Finch Avenue
Eagle Drive	Shoreview Road	North Shore Boulevard
Easterbrook Avenue	Plains Road	North Shore Boulevard
Eden Place	End	Hurd Avenue
Edgewater Crescent	North Shore Boulevard	East end
Ellengale Road	King Road	Vanderburgh Drive
Elm Crescent	Goodram Drive	Spruce Avenue
Emerald Street (E)	Wellington Avenue	Victoria Avenue

Street Name	From	То
Emerald Street (W)	Wellington Avenue	Victoria Avenue
Enfield Road	King Road	East end
Falcon Boulevard	Cardinal Avenue	Plains Road
Farnham Place	Falmouth Terrace (S)	Falmouth Terrace (N)
Fassel Avenue	(W) End	Hazel Street
Faversham Avenue	Brant Street	Cavendish Drive
Filman Place	Townsend Avenue (W)	Townsend Avenue (E)
Filmandale Road	Mallard Avenue	Plains Road
Finch Avenue	Eagle Drive	Falcon Boulevard
First Street	Delaware Avenue	Guelph Line
Flemish Drive	Walkers Line	Longmoor Drive
Forest Glen Avenue	North Shore Boulevard	Townsend Avenue
Fruitland Avenue	(S) End	Lakeshore Road
Gage Court	(W) Cul-de-sac	Dowland Crescent
Gallagher Road	Plains Road	North End
Gardenview Drive	Unsworth Avenue (N)	Unsworth Avenue (S)
Glen Acres Court	Townsend Avenue	(N) cul-de-sac
Glenwood School Drive	(W) End	Queensway Drive
Goodram Drive	Lakeshore Road	Spruce Avenue
Gorton Avenue	North Shore Boulevard	Patricia Drive
Grand View Avenue	Brookview Avenue	Botanical Drive
Green Street	South end	First Street
Greenwood Drive	King Road	East end
Grove Park Drive	Bedford Avenue	Gallagher Road
Guildwood Drive	Oakwood Drive	New Street
Hager Avenue	Ontario Street	Ghent Avenue
Halifax Place	End	Hurd Avenue
Hampton Court	Rossmore Boulevard	East end
Harris Crescent	West end	East end
Hart Avenue	Lakeshore Road	South Drive
Hart Crescent (E)	South Drive	Woodland Park Drive
Hart Crescent (W)	South Drive	Woodland Park Drive
Harvey Place	Townsend Avenue	North cul-de-sac
Havendale Boulevard	Upper Middle Road	Brant Street
Hazel Street	Fassel Avenue	Glenwood School Drive
Helena Street	Plains Road	Leighland Road
Hendrie Avenue	(W) end	Unsworth Avenue
Highway Avenue	Botanical Drive	Plainsview Avenue
Holtby Avenue	New Street	Caroline Street
Hurd Avenue	Ontario Street	Baldwin Street
Indian Road	End	North Shore Boulevard
Inverary Road	Longmoor Drive	Fairview Street
Inverness Avenue	King Road	Penny Lane
Iroquois Road	Indian Road	(E) end
Joan Drive	Plains Road Enfield Road	
Kenwood Avenue	Bromley Road (S) Spruce Avenue	
Kingswood Place	Joan Drive	King Road
Lakeland Crescent	Lakeshore Road	Fruitland Avenue

	│ To
Lakeshore Road	Lakeview Avenue
W end	Falcon Boulevard
Brant Street	Truman Street
Kingsway Drive	Cul-de-sac
West end	Maple Avenue
Caroline Street	Baldwin Street
Cedar Avenue	Plains Road
Teal Drive	Eagle Drive
Old Orchard Road	Grove Park Drive
Mary Street	Enfield Road
Pearl Street	Martha Street
South end	First Street
James Street	Caroline Street
Maplehurst Avenue	Joan Drive
	Wilton Street
1 7	Cavendish Drive
	Filmandale Road
	North Shore Boulevard
	Fairwood Place
	North End
	Goodram Drive (N)
\ /	Manorwood Drive
	End
	Glenwood School Drive
	Newlands Crescent (E)
	Townsend Avenue
	Fairwood Place
	Bonnieview Avenue
	Townsend Avenue
	Plains Road West
	Glenwood School Drive
	New Street
	Grandview Avenue
	Gallagher Road
Danforth Place	(S) End
Guelph Line	Pomona Avenue
	St. Matthew's Avenue
	Falcon Boulevard
Lockhart Road	(S) End
	Walkers Line
	Wilton Street
	Rossmore Boulevard (N)
	New Street
	Guelph Line
	New Street
	Plains Road
	Cedar Avenue (E)
	Brant Street Kingsway Drive West end Caroline Street Cedar Avenue Teal Drive Old Orchard Road Mary Street Pearl Street South end James Street Maplehurst Avenue (E) cul-de-sac Duncaster Drive Tanager Avenue Indian Road King Road North Shore Boulevard Goodram Drive (S) Bedford Avenue Lakeshore Road CNR Tracks Centennial Drive LaSalle Park Road Spring Gardens Road Cardinal Avenue Unsworth Avenue Lakeshore Road Spring Gardens Road Cardinal Avenue Lakeshore Road Spring Gardens Road Spring Gardens Road Cardinal Avenue Lakeshore Road Spring Gardens Road Manorwood Drive Danforth Place Guelph Line Clearview Avenue Eagle Drive

Street Name	From	То
Shoreacres Road	Lakeshore Road	Glen Afton Drive
Shoreview Road	(W) End	(E) End
Smith Avenue	Lakeshore Road	New Street
South Drive	Guelph Line	Rossmore Boulevard
Springbank Crescent	Dorset Avenue (W)	Dorset Avenue (E)
Spruce Avenue	Melores Drive	Burloak Drive
Spruce Avenue	Goodram Drive	Appleby Line
St. Paul Street	South End	(N) cul-de-sac
Stillwater Crescent	North Shore Boulevard	(E) end
Sumach Drive	Unsworth Avenue	(N) end
Sunset Drive	Greenwood Drive	Marley Road
Tait Avenue	Tavistock Drive	Nottingham Drive
Tanager Avenue	Cranston Court	Merle Avenue
Teal Drive	Cranston Court	Townsend Avenue
Third Street	St. Paul Street	Guelph Line
Torrance Street	Lakeshore Road	Harris Crescent
Townsend Avenue	LaSalle Park Road	King Road
Unsworth Avenue	North Shore Boulevard	Sumach Drive
Vanderburgh Drive	North Shore Boulevard	Gayne Boulevard
West Oval	Bayshore Boulevard	(W) end
White Oak Drive	Plains Road	Grove Park Drive
Wickens Avenue	King Road	Penny Lane
Willow Avenue	End	Beach Boulevard
Willowbrook Road	Plains Road	Enfield Road
Wilton Street	Lakeshore Road	Robert Street
Woodland Avenue	New Street	Wellington Avenue
Woodland Park Drive	Guelph Line	Rossmore Boulevard
Wren Avenue	Partridge Drive	Eagle Drive

All other provisions of the respective zone shall apply.

# 4. R1, R2, R3 ZONE REGULATIONS

# 4.1 LOT WIDTH, AREA, YARDS

#### **Table 2.4.1**

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
			R1 ZONES			
R1.1	30 m	1850 m <sup>2</sup>	9 m	9 m (c)	(a)	9 m
R1.2	24 m	925 m <sup>2</sup>	9 m	9 m (c)	(a)(d)	9 m
			R2 ZONES			
R2.1	18 m	700 m <sup>2</sup>	11 m (e)(f)	10 m (c)	(a)(d)	4.5 m
R2.2	18 m	700 m <sup>2</sup>	11 m	10 m (c)	(b)	4.5 m
R2.3	18 m	680 m <sup>2</sup>	7.5 m	9 m <b>(c)</b>	(b)	4.5 m
R2.4	16 m	600 m <sup>2</sup>	6 m	9 m <b>(c)</b>	(b)(g)	4.5 m
	R3 ZONES					
R3.1	15 m	500 m <sup>2</sup>	6 m	9 m <b>(c)</b>	(b)	4.5 m
R3.2	15 m	425 m <sup>2</sup>	6 m	9 m <b>(c)</b>	(b)	4.5 m
R3.3	13 m	400 m <sup>2</sup>	6 m	12 m <b>(c)</b>	(b)	4.5 m
R3.4	12 m	400 m <sup>2</sup>	6 m	7.5 m <b>(c)</b>	(a)	4.5 m

# Footnotes to Table 2.4.1

(a) With attached garage or carport: 10% of actual lot width

Without attached garage or carport: 10% of actual lot width, 3 m minimum on

one side

**(b)** Without attached garage or carport:

(i) One or one and a half storey side: 1.2 m, 3 m other side (ii) Two or more storey side 1.8 m, 3 m other side

With attached garage or carport:

(i) One or one and a half storey side: 1.2 m (ii) Two or more storey side: 1.8 m

- (c) On a corner lot the rear yard may be 4.5 m
- (d) Properties located within the Roseland and Indian Point Character Area as identified in Part 2 Residential Zones, Section 4.9 Character Area Maps:

With attached garage or carport:

Lots under 17 m in width: 10% of actual lot width Lots between 17-25 m in width: 12% of actual lot width

Lots greater than 25 m in width: 15% of actual lot width up to a maximum of

5 m

Without attached garage or carport:

Lots under 17 m in width: 10% of actual lot width, 3 m minimum on the

side with a driveway

Lots between 17-25 m in width: 12% of actual lot width, 3 m minimum on the

side with a driveway

Lots greater than 25 m in width: 15% of actual lot width, 3 m minimum on the

side with a driveway

(e) Properties located on the west side of Indian Road as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps shall have a front yard of 4 m.

- (f) Properties located within the Shoreacres Character Area as identified in Part 2 Residential Zones, Section 4.9 Character Area Maps with an R2.1 zone shall have a front yard of 9 m.
- (g) Properties located within the Shoreacres Character Area as identified in Part 2 Residential Zones, Section 4.9 Character Area Maps shall have a side yard subject to footnote (a) above.

**Table 2.4.2** 

Other Yards	Requirement
Building setback abutting a creek block	7.5 m, 4.5 m if block includes a 3 m buffer
Yard abutting a pipeline easement	7 m
Yard abutting a railway right-of-way	30 m

## 4.2 LOT COVERAGE

**Table 2.4.3** 

Dwelling Type	Dwelling with Attached Garage	Dwelling without Attached Garage
One storey	40% including accessory buildings	32% plus 8% for accessory buildings
One and a half storey	37.5% including accessory buildings	29.5% plus 8% for accessory buildings
Two or more storeys	35% including accessory buildings 40% in R3.3 and R3.4 zones	27% plus 8% for accessory buildings 32% plus 8% in R3.3 and R3.4 zones
All Dwellings in Designated Areas (b) (c)	35% for one storey dwellings including accessory buildings	27% for one storey dwellings plus 8% for accessory buildings
	30% for one and a half storey dwellings including accessory buildings	22% for one and a half storey dwellings plus 8% for accessory buildings
	25% for all other dwelling types including accessory buildings	17% for all other dwelling types plus 8% for accessory buildings

# Footnotes to Table 2.4.3

(a) One accessory building less than 10 m<sup>2</sup> and less than 2.5 m in height shall be exempt from the lot coverage requirements of Table 2.4.3.

- (b) Designated Areas are shaded on ZONING MAPS in Part 15.
- (c) Properties with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 Residential Zones, Section 4.9 Character Area Maps) shall be exempt from this lot coverage regulation. For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation.

## 4.3 PARKING

Parking shall be provided in accordance with Part 1, Subsection 2.25 "Off-Street Parking and Loading Requirements".

#### 4.4 BUILDING HEIGHT

(a) Residential building height shall be provided in accordance with Part 1, Subsection 2.31 "Residential Building Height".

#### 4.5 FLOOR AREA RATIO

- (a) A maximum floor area ratio of 0.45:1 shall apply to all properties in Designated Areas for Lot Coverage.
- **(b)** Notwithstanding subsection a) above, properties located within the Shoreacres Character Area as identified in Part 2 Residential Zones, Section 4.9 Character Area Maps shall have a maximum floor area ratio of 0.4:1.

# 4.6 DWELLING DEPTH

(a) Maximum depth of a dwelling shall be 18 m measured from building wall closest to front lot line to building wall closest to rear lot line.

Note - Properties with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps) shall be exempt from this dwelling depth regulation. For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation.

# 4.7 ARCHITECTURAL FEATURES

(a) On building elevations facing a street, the height of columns on the first storey shall not exceed the height of the ceiling of the first storey.

#### 4.8 GARAGES

(a) The width of a front loading attached garage shall not exceed 50% of the width of its building elevation.

**(b)** An attached garage with a garage door facing the street is not permitted to project beyond the front wall on the first storey of a dwelling.

Note - Notwithstanding Part 2, Section 4.8 of By-law 2020, as amended, any dwelling which legally existed as of the date of the enactment of Zoning By-law 2020.374 (December 19, 2016), and used for a purpose permitted by this By-law, is deemed to conform to the regulations of this By-law for the life of the existing dwelling.