

**SECTION 9: INDUSTRIAL ZONES****ZONING BY-LAW****9.3 PRESTIGE BUSINESS PARK (M3) ZONE**

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No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within an Industrial (M3) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**9.3.1 PERMITTED USES**

Building and Lumber Supply Establishment  
 Building or Contracting Supply Establishment  
 Children's Play-gym  
 Commercial Motor Vehicle Sales, Rental and Service Establishment  
 Communications Establishment  
 Conference or Convention Centre  
 Contractor's Establishment  
 Courier Establishment  
 Equipment and Machinery Sales, Rental and Service Establishment  
 Gymnastic Studio  
 Hotel  
 Industrial Administrative Office  
 Laboratory  
 Labour Association Hall  
 Manufacturing  
 Motor Vehicle Collision Repair Establishment  
 Motor Vehicle Service Station  
 Office  
 Private Power Generation Facility  
 Repair Service  
 Research and Development Establishment  
 Restaurant  
 Surveying, Engineering, Planning or Design Business  
 Trade School  
 Tradesperson's Shop  
 Transport Terminal  
 Transportation Depot  
 Warehouse

**9.3.2 PROHIBITED USES**

- i) Notwithstanding Section 9.3.1, the following types of manufacturing uses are prohibited, even as an accessory use:

Beverage Distillation  
 Breweries

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Concrete Crushing  
 Manufacturing of Asbestos, Phosphate  
 or Sulphur Products  
 Primary Production of Chemicals,  
 Synthetic Rubber, Plastic, Asphalt or  
 Cement, not including mixing,  
 blending, treatment or similar  
 process  
 Processing or Refining of Petroleum or  
 Coal  
 Processing, Milling or Packaging of  
 Animal Feed Salvage Yard  
 Rock Crushing  
 Salvage Yard  
 Slaughtering, Eviscerating, Rendering or  
 Cleaning of Meat, Poultry or Fish or  
 by-products thereof  
 Smelting of Ore or Metal  
 Tanning or Chemical Processing of Pelts  
 or Leather  
 Vulcanizing of Rubber or Rubber  
 Products  
 Explosives Manufacturing  
 Pulp and Paper Mills  
 (By-law 11-276, November 16, 2011)

- ii) Notwithstanding Section 9.3.1, the following uses are prohibited, even as accessory uses:

Day Nursery  
 Dwelling Unit  
 Place of Worship

**9.3.3 REGULATIONS**

- a) Minimum Lot Area 4000.0 square metres
- b) Yard Abutting a Street
- i) Minimum 6.0 metres;
  - ii) Maximum 25.0 metres.
  - iii) Where a building(s) exists on a lot in conformity with i) and ii) above, with a ground floor façade being equal to 25% or more of the measurement of any

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street line, section ii) above shall not apply to any additional building(s).

(By-law 11-276, November 16, 2011)

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| c) Minimum Yard Abutting a Residential Zone or an Institutional Zone  | 6.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone.  |
| d) Maximum Building Height Abutting a Residential Zone or an Institutional Zone   | <p>i) 11.0 metres;</p> <p>ii) In addition to i) above, maximum building height may be equivalently increased as yard increases beyond minimum yard requirement established in 9.3.3 d) above.</p>                |
| e) Location Restriction of Manufacturing Uses   | Any building or structure used for Manufacturing shall be setback a minimum 20.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone. |
| f) Restriction of Outdoor Training Facilities associated with a Trade School  | Any outdoor training facilities shall be prohibited.   |
| g) Gross Floor Area for Office Use  | Maximum gross floor area for Office use within an individual building, excluding accessory office, shall be limited to 3,000 square metres.  |
| h) Maximum Gross Floor Area for Industrial Administrative Office or Surveying, Engineering, Planning or Design Business | An Industrial Administrative Office or a Surveying, Engineering, Planning or Design Business shall be limited to a gross floor area of less than 10,000 square metres on a lot.                                  |
| i) Landscaped Area and Planting Strip Requirements  | i) Minimum 6.0 metre wide Landscaped Area shall be provided and maintained abutting a street, except for points of   |

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ingress and egress;

- ii) In addition to i) above, within the 6.0 metre Landscaped Area, a minimum 3.0 metre wide Planting Strip shall be required and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress;
- iii) In addition to i) above, for properties adjacent to Trinity Church Road, south of Rymal Road East, a minimum 6.0 metre wide Landscaped Area shall be provided and maintained;
- iv) Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

j) Visual Barrier

- i) Shall be provided along that portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone, in accordance with Section 4.19 of this By-law.
- ii) In addition to i) above, for properties adjacent to Trinity Church Road, south of Rymal Road East, a Visual Barrier shall be required within the Landscaped Area provided in Section 9.3.3 i) above.

(By-law 11-276, November 16, 2011)

k) Location and Screening of Outdoor Storage and Outdoor Assembly

Outdoor Storage and Outdoor Assembly of goods, materials or equipment shall be permitted in conjunction with a building and the following regulations shall apply:

- i) Outdoor Storage and Outdoor Assembly shall not be permitted in a Front Yard or a required Flankage Yard;
- ii) In addition to i) above, Outdoor Storage and Outdoor Assembly shall not be

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permitted in a Flankage Yard along the following streets:

Barton Street/Barton Street East  
 Dickenson Road East  
 Fruitland Road  
 Garner Road West  
 Highway No. 5 West  
 Highway No. 6  
 Rymal Road East  
 Shaver Road  
 South Service Road  
 Stone Church Road East  
 Trinity Church Road Extension  
 Trinity Road  
 Upper Ottawa Street  
 Wilson Street West

- iii) Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area;
- iv) Outdoor Storage and Outdoor Assembly shall be set back a minimum of 20.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone, and shall be screened by a Visual Barrier in accordance with Section 4.19 of this By-law;
- v) Outdoor Storage and Outdoor Assembly shall be setback a minimum of 24.0 metres from any portion of a property lot line of the properties known as 1023 Barton Street, 320, 324, 328, 332, 336, 340 and 344 McNeilly Road.
- vi) Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this By-law.

(By-law 11-276, November 16, 2011)

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| l) Location and Size of Outdoor Display                                     | <p>Outdoor Display of goods, materials or equipment shall be permitted only as an accessory use and the following regulations shall apply:</p> <ul style="list-style-type: none"> <li>i) Outdoor Display shall be permitted in a yard abutting a street, but shall be no closer than 3.0 metres to the lot line;</li> <li>ii) In addition to i) above, the area devoted to Outdoor Display shall be limited to a combined maximum of 25% the Landscaped Area required by Section 9.3.3 i) above.</li> </ul> |
| m) Maximum Combined Gross Floor Area for Accessory Retail and Showroom Area | <ul style="list-style-type: none"> <li>i) 25% of the gross floor area of the principal use or 500.0 square metres whichever is the lesser; and</li> <li>ii) Notwithstanding i) above, retail or accessory retail associated with a motor vehicle service station shall be limited to a maximum gross floor area of 280 square metres.</li> </ul> <p>(By-law 11-276, November 16, 2011)</p>  |
| n) Restriction of Access to Trinity Church Road                             | Access to Trinity Church Road, south of Rymal Road East, shall be prohibited for all new development.   |
| o) Location Restriction for Children's Play-gym and Gymnastics Studio       | Shall only be permitted on lots delineated with the boundaries shown on Figure 3 – Ancaster Business Park of Schedule "F" – Special Figures.  |
| p) Parking  | In accordance with the requirements of Section 5 of this By-law; and,   |
| q) Accessory Buildings  | <ul style="list-style-type: none"> <li>i) In accordance with the requirements of Section 9.3.3 of this By-law;</li> <li>ii) In addition to i) above, no accessory building shall be permitted within a front yard or flankage yard.</li> </ul> <p>(By-law 12-132, June 13, 2012)</p>  |

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- r) Restaurant Requirements
  - i) Restaurants shall only be permitted in the following locations:
    - a) on South Service Road located between Lake Avenue and Winona Road, but shall not be located on any property with frontage on Fruitland Road;
    - b) on Barton Street located between Lake Avenue and Winona Road, but shall not be located on any property with frontage on Fruitland Road; and,
    - c) The north side of Highway #5, west of Highway # 6; and,
    - d) Regulations a), b) and c) above shall not apply to restaurants accessory to a use on the property.
  - ii) Maximum gross floor area for a restaurant, as permitted in a) and b) above, whether freestanding or within a multi-tenant building shall be limited to 280 square metres.
  - iii) Where a restaurant is located on a property with frontage on South Service Road, the following shall also apply:
    - a) No restaurant shall occupy more than 30% of the total gross floor area on a property.

(By-law 10-128, June 28, 2011)

(By-law 12-132, June 13, 2012)