

**SECTION 34**  
**HERITAGE (HER) ZONE**

**34.1 GENERAL PURPOSE OF THE HER ZONE**

This Zone provides for and regulates buildings, structures and lands that have been designated under the Ontario Heritage Act.

This Zone may be compounded with other zones only to the extent of identifying the permitted uses. Regulations shall be as prescribed by the HER Zone.

**34.2 PERMITTED USES**

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any HER Zone for any use other than the following uses:

- 1) HER

The following are permitted uses in the HER Zone:

- a) any uses identified in the accompanying compound zone.

**34.3 REGULATIONS**

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any HER Zone except in conformity with the regulations as set out below and in Table 34.3.

- 1) ADDITIONS

No additions shall be constructed in the front yard or exterior side yard.

- 2) REPLACEMENT

Notwithstanding Section 4.16 or any other provisions of this By-Law to the contrary, if a building or structure that is designated under the Ontario Heritage Act is demolished, destroyed, damaged or removed, the new building or structure to occupy the lot must be of the same height, volume, floor area, general form, mass and external design as the original building or structure.

**34.4 SPECIAL PROVISIONS**

The following zone variations apply to unique or existing situations and are not the standard HER Zone. If a regulation or use is not specified, the list of permitted uses and/or the regulations of Section 34.2 and/or Section 34.3 shall apply.

**a) HER Zone Variation**

- 1) HER(1)

a) Additional Permitted Use:

- i) Offices, professional

b) Regulations:

- i) The additional permitted use shall be clearly secondary to the use of the dwelling unit and carried out by a resident of the unit.

- ii) The floor area taken up by the additional permitted use shall be no more than 25 percent (25 %) of the total floor area of the dwelling unit and shall be confined to one area.

- iii) The additional permitted use shall not involve the use or

employment within the dwelling unit of more than two people who do not reside in the dwelling unit.

iv) Off-street parking shall be provided for the additional permitted use according to the regulations of Subsection 4.19 of the By-law.

v) Notwithstanding any other provisions of this By-law, the minimum Landscaped Open Space requirement is 30 percent (30 %).

(Z.-1-92118)

2) HER(2) 165 Elmwood Avenue East

a) Regulation[s]

i) Landscaped Open Space (%) 80%  
(min)

ii) Lot Coverage (%) 6%  
(max)

iii) Accessory structures are permitted in the exterior side yards.  
(Z.-1-152399)

**TABLE 34.3**

**HERITAGE (HER) ZONE**

**REGULATIONS FOR HER ZONE VARIATIONS**

Column A		B
<b>Line 1</b>	ZONE VARIATIONS	HER
<b>2</b>	LOT AREA (m <sup>2</sup> ) MINIMUM	* As it exists on the day of passage of this By-law.
<b>3</b>	LOT FRONTAGE (m) MINIMUM	* As it exists on the day of passage of this By-law.
<b>4</b>	LOT DEPTH (m) MINIMUM	As it exists on the day of passage of this By-law.
<b>5</b>		LOCAL STREET
<b>6</b>	FRONT AND EXTERIOR SIDE YARD DEPTH (m) MINIMUM	ARTERIAL
<b>7</b>		PRIMARY COLLECTOR
<b>8</b>		SECONDARY COLLECTOR
<b>9</b>		REAR YARD DEPTH (m) MINIMUM
<b>10</b>	INTERIOR SIDE YARD DEPTH (m) MINIMUM	As it exists on the day of passage of this By-law.
<b>11</b>	LANDSCAPED OPEN SPACE (%) MINIMUM	As it exists on the day of passage of this By-law.
<b>12</b>	LOT COVERAGE (%) MAXIMUM	As it exists on the day of passage of this By-law.
<b>13</b>	HEIGHT (m) MAXIMUM	As it exists on the day of passage of this By-law.

\* Z.-1-94236