Town of Pelham

Zoning By-Law

Office Consolidation, October 1, 2026

ZBA Address	By-law No.	Date Passed
1 Pancake Lane	4456(2022)	May 16, 2022*
Tanner Extension	4492(2022)	October 3, 2022
Tanner Extension	4492(2022)	October 3, 2022
Tanner Extension	4492(2022)	October 3, 2022
147 Port Robinson Road	4490(2022)	October 3, 2022
1145 Pelham Street	04(2023)	January 9, 2023
1114 Haist Street	07-2023	January 30, 2023*
125 Port Robinson Road	18-2023	February 21, 2023
125 Port Robinson Road	18-2023	February 21, 2023
125 Port Robinson Road	18-2023	February 21, 2023
125 Port Robinson Road	18-2023	February 21, 2023*
1112 Haist Street	45-2023	July 26, 2023 (map only)
550 Webber Road	53-2023	September 20, 2023
1039 Church Street	55-2023	September 20, 2023
1039 Church Street	55-2023	September 20, 2023
56 Philmori Boulevard	63-2023	November 15, 2023
305 Canboro Road	65-2023	November 8, 2023
61 Port Robinson Road	09-2024	February 21, 2024
1389 Effingham Street	15-2024	March 6, 2024
Housekeeping	13-2024	March 6, 2024
Park Place West Subdivision	27-2024	May 1, 2024
Park Place West Subdivision	27-2024	May 1, 2024
Cannabis	47-2024	July 10, 2024
Canboro Estates	52-2024	August 14, 2024
Canboro Estates	52-2024	August 14, 2024
Maplewood Estates	73-2024	November 6, 2024
Forest Park Subdivision	79-2024	November 20, 2024
1415 Station St	15-2025	March 26, 2025
286 Canboro Road	25-2025	May 7, 2025
Summersides Village Extension	02-2025	July 2, 2025
Housekeeping 2025	01-2026	January 14, 2026
Additional Residential Units (ARUs)	19-2026	April 8, 2026
920 Killman Road	24-2026	April 23, 2026

*These by-laws were passed as amendments to zoning by-law 1136(1987) but were not included in the approved 2022 plan as they were approved while by-law 4481(2022) was under appeal. The approved by-law amendments were incorporated into the 2022 by-law following OLT approval in March 2023.

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PREAMBLE

i. Introduction

The preamble is intended to assist the reader in understanding and interpreting the Zoning By-law for the Town of Pelham and is provided for convenience purposes only. It does not form part of the Zoning By-law.

ii. Purpose of the By-law

The Zoning By-law regulates the use of land, buildings and structures in the Town of Pelham. The by-law implements and conforms to the policies of the Town of Pelham Official Plan.

iii. Authority to Prepare the By-law

The Zoning By-law is prepared in accordance with Section 34 of the *Planning Act*, R.S.O., 1990, c.P.13, as amended. Generally speaking, the *Planning Act* allows the Council of the Town of Pelham to pass zoning by-laws to restrict the use of land, and to regulate the size, location and character of buildings and structures within the Town.

iv. Structure of the By-law

The Zoning By-law consists of the following sections:

<u>Section 1: Interpretation and Administration</u>

Section 1 describes how the Zoning By-law is to be interpreted, and how the By-law is to be administered by the Town of Pelham.

<u>Section 2: Definitions</u>

Section 2 provides specific definitions for commonly used terms in the By-law, many of the permitted uses, and other technical terms used in the Zoning By-law. These definitions ensure that the Zoning By-law is being interpreted and applied consistently.

Where a word is not specifically defined, it is intended that the common, general definition of the term within Webster's Dictionary is applicable. Certain definitions are also supported by illustrations to help clarify, the illustrations do not form part of the Zoning By-law but are intended to assist in understanding the meaning of a definition.

<u>Section 3: General Provisions</u>

Section 3 provides general provisions which may be applicable to all zones, one or more categories or zones, or to specific uses, and additional requirements for specific

situations. The reader should identify all general provisions that are applicable to their situation.

Section 4: Parking Requirements

Section 4 provides the minimum parking, loading and bicycle parking requirements for uses permitted in the Zoning By-law.

Sections 5-9: Zone Categories (Permitted Uses and Zone Regulations)

The Zoning By-law establishes a number of zones which permit certain uses, as well as requirements for the location and character of buildings and structures. Sections 5 to 9 detail the permitted uses and zone regulations in each zoning category. Each of the permitted uses is subject to the applicable zone regulations, general provisions (Section 3), parking requirements (Section 4) and zone exceptions (Section 10).

This By-law is exclusionary, which means that if a use is not specifically identified within a zone, then the use is not permitted.

The zones are organized into categories as follows:

Section 5: Agricultural/Rural Zones
Section 6: Residential Zones
Section 7: Greenfield Development Zones
Section 8: Commercial Zones
Section 9: Other Zones

Section 10: Zone Exceptions

Most lands in the Town of Pelham are zoned by a base zone, which is represented by symbols such as "A", "R1" etc. However, some lands are also zoned by a site-specific exception, which is denoted as a base zone symbol followed by a hyphenated numeric suffix. For example, A-1 is Exception number 1 to the A Zone. All zone Exceptions are contained in Section 10 of the Zoning By-law.

Schedules A-E: Maps

Schedules A through E identify the zoning for all lands in the Town of Pelham. In addition, the maps also identify areas which are subject to provisions related to the Niagara Escarpment Plan. The mapping is subject to change and may be amended from time to time to reflect amendments to the Zoning By-law as well as mapping changes due to technical adjustments.

Niagara Escarpment Plan Area

The Regulated Area of the Niagara Escarpment Plan is illustrated on Schedules A and C. Development within this area may require development permit approval from the

Niagara Escarpment Commission before a building permit can be issued. The area identified on Schedules A and C is primarily intended for information purposes only as the Regulated Area of the Niagara Escarpment Plan may change from time to time. The reader should consult with the Town of Pelham and the Niagara Escarpment Commission to confirm whether a development permit will be required prior to any development or site alteration. Section 3.20 in the General Provisions provides additional information on the Niagara Escarpment Plan Area.

Interpretation of the Schedules

Section 1.4 describes how the schedules are to be interpreted. The zone boundaries are not intended to be absolute as they are illustrated. In most cases, the boundaries are intended to follow lot lines or the boundaries of roads and of natural heritage features.

v. Use of the Holding "H" Symbol

Certain lands are also subject to holding provisions. Lands subject to holding provisions are denoted by the symbol (H), added as a suffix to the zone. A holding symbol may be added to a base zone (i.e. A(H)) or to an exception zone (i.e. A-1(H)).

Where a holding symbol is shown, the general provisions of Section 3.14 apply. Where a holding symbol is applied to lands, the lands may not be used or developed according to the requirements of the underlying base zone until such time as the holding symbol is removed. Lands subject to a holding symbol are typically only permitted to be used for those uses which legally existed prior to the addition of the holding symbol. The reader should consult with the Town to confirm the permitted uses and the requirements for removing the holding symbol.

vi. Minor Variances

The Committee of Adjustment has the authority to approve minor variances to the Zoning By-law, which may provide minor relief from specific zoning provisions or similar use permissions of one or more properties. Minor variances previously granted are not reflected in the Zoning By-law and are not shown in Section 10: Exceptions. A minor variance approved by the Town of Pelham Committee of Adjustment granted in relief to the provisions of the former By-law will remain in effect and a building permit may be issued by the Chief Building Official up to two-year from the effective date of this By-law. The reader should contact the Town of Pelham to identify whether there are any approved minor variances applicable to a property.

vii. Non-Conformity and Non-Compliance

A use is considered to be legal non-conforming if it was legally established (existing use) prior to the passing of the Zoning By-law but is no longer permitted by the Zoning By-law. The Zoning By-law does not prevent the continued legal use, alteration or expansion of buildings and structures that no longer conform to the permitted uses in the Zoning By-law.

Buildings and structures are considered to be legal non-complying if they were established legally prior to the passing of the Zoning By-law but no longer comply with the new provisions of the Zoning By-law. The Zoning By-law may have implemented different lot provisions than were previously required and as such, buildings and structures that previously complied may no longer comply with the new standards.

Please refer to Section 3.21 and 3.22 of the Zoning By-law for provisions regarding non-conformity and non-compliance.

viii. Confirming with the Town

It is always a good idea to pre-consult with the Town of Pelham about your construction project prior to the submission of a complete application. Town Staff will help you to determine whether your project will comply with the applicable provisions of the Zoning By-law, or if there are any approved minor variances which are applicable to the property. For significant developments, consultation with other applicable agencies may also be required.

ix. Relationship to Other By-laws, Regulations and Legislation

The Zoning By-law does not supersede or surmount any other legislation, regulations or municipal by-laws. In fact, depending on your proposal or the use of your property, other laws may apply. It is the property owners' responsibility to understand what laws will apply to their land use or their construction project.

The Town administers other by-laws that are related to the Zoning By-law. For example the Town administers a Clean Yards By-law which sets out provisions for the maintenance of buildings and yards, ensuring safe, clean and sanitary conditions, along with enforcement of violations within the Town. These additional by-laws essentially build on the Zoning By-law's requirements and are to be considered "in addition to" the Zoning By-law's requirements.

The laws and regulations of the Province, the Federal Government and other agencies may also apply. Some uses may be subject to Provincial/Federal Licensing or regulation. It is not the role of the Zoning By-law to integrate with the regulations or laws of other levels of government however, the Town can help you identify what other laws and regulations might apply to your project.

The Corporation of the Town of Pelham

By-law No. 4481(2022)

Being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Pelham

WHEREAS authority is granted to the Council of the Corporation of the Town of Pelham under Section 34 of the *Planning Act*, R.S.O., 1990, c .P. 13, as amended to pass this By-law;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it desirable to regulate the use of land, and the character and location of buildings and structures for the promotion of public health, safety, general convenience and well-being of the Town of Pelham;

AND WHEREAS there is an Official Plan in effect in the Town of Pelham;

AND WHEREAS this By-law is deemed to be in conformity with the Town of Pelham Official Plan;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

SECTION 1: INTERPRETATION AND ADMINISTRATION

1.1 INTRODUCTION

The purpose of this Zoning By-law is to implement the policies of the Town of Pelham's Official Plan. The Official Plan is a long-range policy document that is not meant to regulate every aspect of built-form on a private lot. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, a municipality's Zoning By-law must conform to the Official Plan.

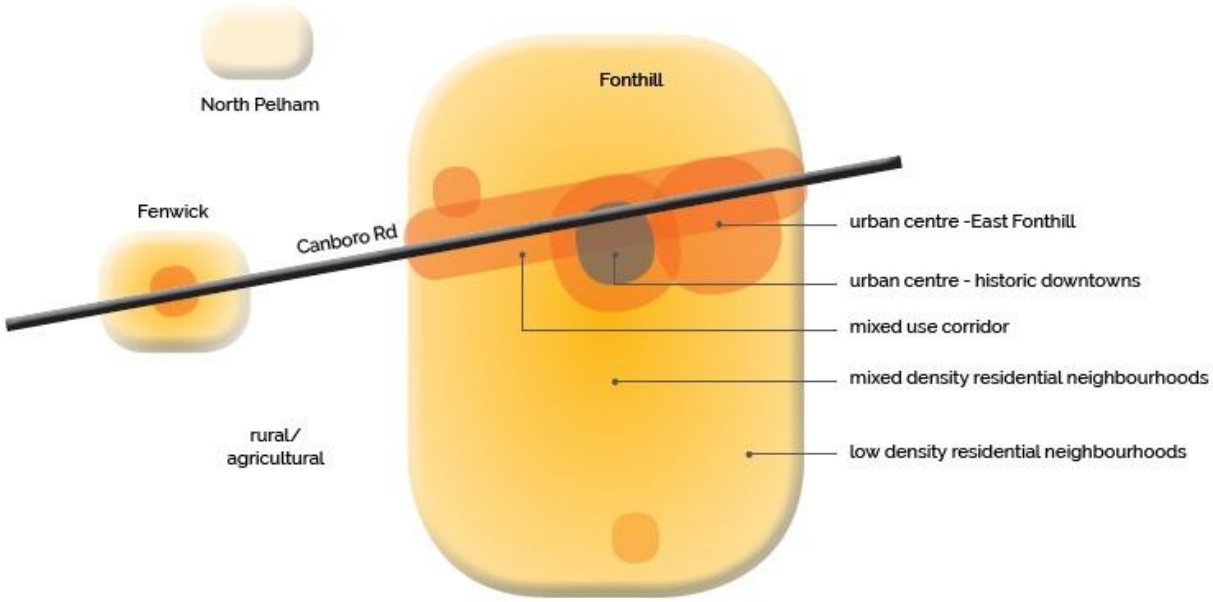
This Zoning By-law will apply to all land within the Town of Pelham with the exception of land in the Niagara Escarpment Commission Development Permit Control Area. Through the authority granted in Section 34 of the *Planning Act*, this By-law aims to prohibit the use of land and the erection of buildings and structures except for purposes as set out in this By-law. It will also regulate the type of construction, height, bulk, location, size, floor area, spacing, character and use of buildings or structure on the lands covered by this By-law.

It is the objective of this Zoning By-law to create successful, vibrant and livable communities with an array of residential housing types and commercial mixed uses in a pedestrian-oriented environment. This Zoning By-law integrates existing zones within the Town with Greenfield Residential and Commercial Mixed Use Zones, which support a growing, thriving, and diverse community.

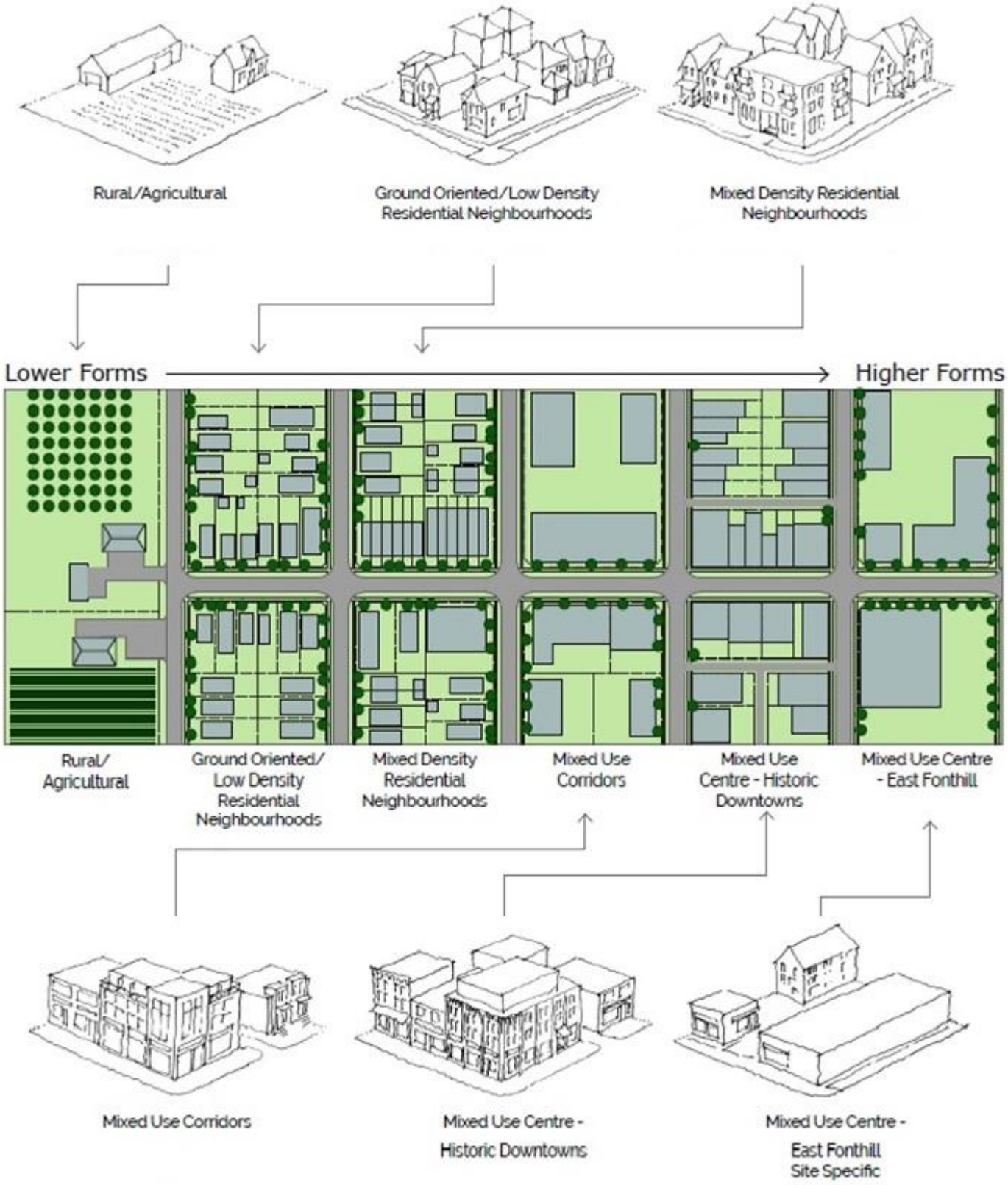
Zones for mixed uses and residential uses are based around the idea of a "Transect-based Code". This is a method for organizing urban form in a continuum of intensity from urban to rural, facilitating its categorization within form-based definitions. The Urban Core is the heart of the community – the downtown – where the greatest intensity is found. The highest and most dense buildings, and the greatest mix of uses are located here. The Rural/Agricultural edge surrounds the community and has the lowest density. In between are a series of graduated transitions, including low density residential neighbourhoods comprised mostly of single detached houses, medium density areas comprised of townhouses, small commercial pockets servicing their neighbourhoods and planned mixed use areas. This theoretical approach to the "transect" cannot be applied dogmatically to existing communities that have developed over a long period of time.

In Pelham, while there is a general transition from lower and less dense forms to higher and more dense forms, it is important to recognize that the community has developed over a very long period of time, and there are a number of settlements, neighbourhoods and centres that exhibit different forms and densities. There are important nodes and corridors that have had their own role within the overall urban structure. The transect concept does not occur in a straight line from centre to edge, but it is still evident as a general pattern. The "transect" is a useful tool for organizing the Town's urban structure and establishing zones that facilitate a continuum of intensity using form-based standards.

Conceptual Urban Structure of Pelham



Prototype Transect



1.2 TITLE AND SCOPE

This By-law is known as the Zoning By-law of the Town of Pelham (this By-law) and applies to all lands within the corporate limits of the Town except for that area that is subject to the Niagara Escarpment Development Permit Control Area.

1.3 APPLICATION

a) No person shall use any land or erect or alter any buildings or structures within a zone, except in conformity and compliance with the provisions of this By-law.

b) No person, other than a public authority, shall reduce any lot by conveyance or otherwise so that it does not meet the requirements of this By-law, or if it did not meet the requirements initially, that it is further from meeting them.

c) No municipal permit, certificate or license may be issued if the permit is required for a use of land, erection, alteration, enlargement or use of any building or structure that does not conform or comply with this By-law.

d) Despite any other provisions of this By-law, the Chief Building Official of the Town may not issue a building permit for the development or redevelopment of any lands or buildings or structures or any part thereof within the area of the Town affected by this By-law unless in accordance with the provisions of this By-law and any By-law of the Town enacted pursuant to Section 41 of the *Planning Act*.

e) The lack of a survey or mistake or an error or omission by any person required to comply with the provisions of this By-law does not relieve that person from liability for failure to comply with the provisions of this By-law.

f) This By-law shall be administered by a person appointed by the Council of the Town of Pelham as the Zoning Administrator.

1.4 ZONES AND SYMBOLS

a) Schedules A through E attached hereto form part of this By-law.

b) For the purpose of this By-law, the Town has been divided into zones, the boundaries of which are shown on Schedules A through E.

c) The zone categories are referred to using colour coding, as illustrated in the legend on Schedules A through E.

d) The zones are referred to by the following names throughout the Zoning By-law:

Zone	Symbol
Residential Zones	
Residential One Zone	R1
Residential Two Zone	R2
Residential Three Zone	R3
Residential Multiple One Zone	RM1
Residential Multiple Two Zone	RM2
Residential Development Zone	RD
Rural Residential Zone	RR
Greenfield Development Zones	
Greenfield Development Residential One Zone	GF-R1
Greenfield Development Residential Two Zone	GF-R2
Greenfield Development Residential Three Zone	GF-R3
Greenfield Neighbourhood Commercial Zone	GF-NC
Commercial Zones	
Village Commercial Zone	VC
Main Street Zone	MS
Town Square Zone	TS
Downtown Corridor Zone	DC
Neighbourhood Commercial Zone	NC
Rural/Agricultural Zones	
Agricultural Zone	A
Agricultural Zone - Cannabis	A-CAN
Specialty Agricultural Zone	SA
Specialty Agricultural Zone – Cannabis	SA-CAN
Rural Employment Zone	RE
Rural Employment Zone – Cannabis	RE-CAN
Commercial Rural Zone	CR
Mineral Aggregate Resource Zone	MAR
Other Zones	
Open Space Zone	OS
Institutional	I
Airport Zone	A
Environmental Protection One Zone	EP1
Environmental Protection Two Zone	EP2
Environmental Protection Three Zone	EP3

1.5 ZONE BOUNDARIES

a) The zones and zone boundaries are shown on Schedules A through E that are attached to and form part of this By-law.

b) Respecting the zone boundaries of the zones, the following applies:

i. Each parcel of land within the Town is provided with a zone category, the boundary of the parcel forms the zone boundary.

ii. The Environmental Protection One (EP1), Environmental Protection Two (EP2), Environmental Protection Three (EP3) and Open Space (OS) Zones boundary generally reflects the natural features and the location of the boundary may be determined by lot line, road, rail line, or where the zone does not abut any of the above, by the scale of the map or as confirmed through an Environmental Impact Study.

c) Where a parcel of land or lot falls into two or more zones, each portion of the parcel of land or lot shall be used in accordance with the provisions of this By-law for each of the applicable zones.

1.6 MANDATORY WORDING

The words "must" or "shall" are mandatory.

1.7 DISCRETIONARY WORDING

The word "may" is not mandatory. "May" is used to indicate that some circumstances may or may not be applicable.

1.8 EXAMPLES AND ILLUSTRATIONS

Examples and illustrations are for the purpose of clarification and convenience, and do not form part of this By-law.

1.9 SEVERABILITY

Should any section, clause, provision or Schedule of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.10 LITIGATION

This By-law does not affect the rights of any person or landowner concerned in any action, litigation or other proceeding pending on the date of final passage, except to the extent to be determined in the final adjudication of action, litigation or other proceedings.

1.11 OCCUPANCY INSPECTION/FINAL INSPECTION REPORT

a) No land may be used or occupied, and no building or structure which has been erected or altered may be used or changed in use, in whole or in part, until an

occupancy inspection report has been successfully completed and approved by the Town.

b) No occupancy inspection report, final inspection report, building permit and/or approval of an application for any municipal license shall be issued where the proposed use, building or structure is contrary to the provisions of this By-law.

1.12 NEED FOR COMPLIANCE WITH OTHER LAWS

Nothing in this By-law shall exempt any person from complying with the requirements of any other legislation or by-law in force or from obtaining any license, permission, permit authority or approval required by this By-law, any other by-law or any other legislation.

Where Conservation Authority Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (O. Reg. 172/06 and 179/06), are in force and effect, a permit from the Conservation Authority having jurisdiction shall be obtained pursuant to the provisions of the *Conservation Authorities Act* prior to the following:

a) The construction, reconstruction or erection of a building or the placing of fill;

b) Changes that would alter the use, or potential use, size or dwelling units of a building or structure; and

c) Works within or around a wetland or watercourse.

Lands that are regulated include floodplains, erosion hazards, wetlands, watercourses, hazardous soils and shorelines.

1.13 VIOLATIONS AND PENALTIES

Any person who contravenes this By-law is guilty of an offence, and each day a breach of this By-law continues constitutes a separate offence. Upon conviction for an offence, the person convicted is liable to the discontinuation of land use and/or fines as provided for under the *Planning Act*.

1.14 REPEALS OF PREVIOUS BY-LAWS

All previous Zoning By-laws, and all amendments thereto, are hereby repealed except to give effect to the transitional provisions in Section 1.16 of this By-law or to give effect to the exceptions of this By-law.

1.15 TECHNICAL REVISIONS TO THE ZONING BY-LAW

Provided that the purpose and effect of this By-law is unaffected, the following technical revisions to this By-law shall be permitted without a Zoning By-law Amendment:

a) Correction to grammatical, mathematical, boundary or other such errors, including minor technical revisions to the mapping consistent with the intent of this By-law and the Town's Official Plan;

b) Changes to the numbering of sections, the numbering contained in the cross-referencing of sections, and the format and arrangement of the text, tables, schedules and maps, and the numbering of pages;

c) Corrections or revisions to the technical information contained on schedules, such as the title blocks, legend and updated parcel fabric;

d) Changes to the illustrations or the Preamble, which are not considered to form part of this By-law;

e) Changes resulting from the removal of a Holding (H) Symbol; and

f) Changes to the Environmental Feature mapping resulting from the submission of an approved Environmental Impact Study, which has been approved by the appropriate authority.

1.16 TRANSITIONAL PROVISIONS

1.16.1 Building Permit Applications

Nothing in this By-law shall prevent the erection of a use of a building or structure for which an application for a building permit was filed on or prior to the date of passage of this By-law, if the application complies, or the building permit application is amended to comply, with the provisions of the former By-law 1136 (1987) as it read on the date of passage of this By-law. For the purposes of this section, an application for a building permit means the application for a building permit which satisfies the requirements set out in the *Building Code Act*, as amended.

1.16.2 Minor Variance

Where the Committee of Adjustment of the Town or the Ontario Land Tribunal has authorized a minor variance, in respect of any land, building or structure and the decision of the Committee of Adjustment of the Town or the Ontario Land Tribunal authorizing such a minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure shall be deemed to be modified to the extent necessary to give effect to such minor variance.

1.16.3 Consent

a) Where:

i. An application is made for consent to convey land under Section 50 of the *Planning Act*, prior to enactment of this By-law; and

ii. That consent is granted and that land is conveyed before the consent lapses; and

iii. That consent results in the creation of one or more lots which do not comply with the lot frontage or lot area requirements of this By-law;

Then, each such lot created is deemed to comply with the lot frontage and lot area requirements of this By-law provided that the lot created complies with the lot frontage and lot area requirements of the applicable zoning prior to the date of adoption of this By-law.

b) Where:

i. An application for consent has been approved and a long form certificate has been issued by the Town in accordance with Section 53(42) of the *Planning Act*; and

ii. The conveyance has not occurred prior to the date of adoption of this Zoning By-law;

Said lot shall be deemed to comply with the lot frontage and lot area of the zone in which the lot is located; provided such lot complied with the lot frontage and lot area requirements of the applicable zoning prior to the date of adoption of this By-law.

1.16.4 Site Plan

Where a Site Plan Agreement has been entered into prior to the effective date of this By-law, and the timeframes specified in the Agreement have not yet lapsed, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

SECTION 2: DEFINITIONS

ABANDONED means the failure, in the opinion of the Chief Building Official, to proceed expeditiously with construction work or to undertake construction work during any continuous 1-year period.

ABUTTING means two or more lots sharing a common boundary of at least one point, or a lot sharing a common boundary with a public road.

ACCESSORY USE means a use customarily incidental, subordinate and exclusively devoted to a principal use and located on the same lot as the principal use.

ACCESSORY BUILDING OR STRUCTURE means a detached building or structure used to house an accessory use and includes a private garage and second dwelling unit.

ADDITIONAL NEEDS HOUSING means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements, or support functions required for daily living.

Examples of additional needs housing may include, but are not limited to, long-term care homes, adaptable and accessible housing, housing for persons with disabilities, such as physical, sensory, or mental health disabilities, and housing for older persons. (PPS, 2024)

ADDITION OR EXTENSION TO AN EXISTING BUILDING OR STRUCTURE means any expansion or increase in size of a building or structure.

ADDITIONAL RESIDENTIAL UNIT (ARU) means a self-contained dwelling unit which consists of kitchen and bathroom facilities and is intended to be used for residential purposes, secondary or subordinate to a primary dwelling unit.

ADULT ENTERTAINMENT PARLOUR means any premises or part thereof in or on which is provided in pursuance of a trade, calling, business or occupation, body-rub business, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations and as further defined in the *Municipal Act*.

AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other prescribed material under the *Aggregate Resources Act*. For the purposes of this definition, earth does not include topsoil and peat.

AGRI-TOURISM USES means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education, or activities related to the farm operation (PPS, 2024)

AGRICULTURAL PRODUCE STAND means a building or structure or portion thereof where only locally grown produce is retailed to the general public with a maximum footprint of 25 m^2.

AGRICULTURAL USES means the growing of crops, including nursery, biomass, and horticulture crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish,; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm building and structures including, but not limited to, livestock facilities, manure storage, value-retaining facilities, and housing for farm workers, whin the size and nature of the operation requires additional employment. (PPS, 2024)

AGRICULTURAL-RELATED USE means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

AIRPORT means an area of land used for the landing, storing and taking off of aircraft and their passengers and/or freight and may include, as accessory uses, ticket offices, parcel shipping facilities, and offices that support the airport.

ALTER when used in reference to a building or structure or portion thereof, means any alteration in a bearing wall or partition column, beam, girder or other supporting member of a building or structure, or any increase in the area or cubic contents of a building or structure. When used in reference to a lot, alter means to decrease the width, depth or area of a lot or to decrease the width, depth or area of any required yard, setback, landscaped open space are or parking area or to change the location of a boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

AMENITY AREA means open space areas, balconies or recreation facilities, or other similar facilities in a residential or mixed-use development, which provide recreational space for the residents of a development.

ANGULAR PLANE means a flat surface extending from a lot line and projecting over a lot, at a specified angle measured up from the horizontal, through which no part of a structure on the lot may penetrate.

ASSEMBLY HALL means a building or part of a building in which facilities are provided for meetings of a civic, educational, political, religious, social or recreational nature and includes banquet facilities.

ATTACHED means a building adjoined by a roof or which shares a common wall with an adjacent building(s).

AUDITORIUM means a building or structure where facilities are provided for athletic, civic, educational, recreational, political, religious or social events, including, but not so as to limit the generality of the foregoing, an arena, a community centre, a bowling alley, a recreation centre, an assembly hall, a gymnasium, a stadium, a cinema, a theatre or a playhouse.

BAKERY means an establishment where food products for which flour, grains, meal or sugar are the principal ingredients are produced, mixed, compounded, baked or otherwise prepared and where the prepared food products are offered for retail sale on the same premises.

BALCONY means a platform that projects from the wall of a building and is accessible from inside such building by means of a door or window.

BANK means an institution where money is deposited, kept, lent and exchanged and shall include Trust Companies, Credit Unions, and other like financial institutions.

BASEMENT means that portion of a building between two floor levels which is partly underground, but which has more than one-half of its height below grade, from finished floor to finished ceiling.

BED AND BREAKFAST ESTABLISHMENT means a part of a dwelling unit in which not more than 3 bedrooms are used or maintained for the accommodation of the travelling public, in which the owner and operator of the dwelling unit supplies lodgings with or without meals and which is owner-occupied, but does not include a hotel or motel.

BERM means a mound of earth which may include landscaping features, formed to provide visual and/or acoustical separation.

BUILDING means any structure, used for the shelter of persons, animals, goods or equipment and having a roof which is supported by columns or walls and as defined by the *Ontario Building Code Act*.

BUILDING HEIGHT or HEIGHT means, in the case of the building or structure on the lot, the vertical distance between the average finished grade along the front elevation and:

a) The mid-point of the eaves and the peak of a gable, hip, gambrel or mansard roof;

b) The highest point of a flat roof; and

c) The highest point of the roof surface for any other type of roof.

BUILDING SUPPLY AND SERVICE means a building, structure or lands where the principal function is the selling of a variety of building supplies, including lumber, siding, plumbing, electrical, air conditioning and heating equipment and similar commodities.

CAMPGROUND means a place where people are temporarily accommodated in tents, whether or not washing and toilet facilities are provided in permanent buildings, and shall include a trailer camp, and where the operation is limited to between April 1st and November 15th.

CANNABIS-RELATED USE – INDOOR means those activities authorized in accordance with the Federal Cannabis Regulation SOR-2018-1448 as amended that are carried out within an enclosed building or structure.

CANNABIS-RELATED USE – OUTDOOR means those activities authorized in accordance with Federal Cannabis Regulation SOR-2018-144 as amended that only involve the growing and harvesting of cannabis outdoors.

CAR WASH means a building or structure containing facilities specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand.

CARPORT means a building or structure, at least forty per cent (40%) of the area of the perimeter walls of which are open and unobstructed by any wall, door, post or pier,

a) Which is used for the temporary parking or storage of private passenger motor vehicles or commercial vehicles of less than one (1) tonne maximum capacity; and

b) Wherein neither servicing nor repairing is carried on for profit.

CEMETERY means land that is set apart or used as a place for the interment of the dead and shall not include a crematorium, but may include a mausoleum.

CHIEF BUILDING OFFICIAL means the person appointed by Council as the Chief Building Official charged with the duty of enforcing and administering the provisions of the *Building Code Act*, as amended, or any successor thereto, together with any regulations thereunder.

CLINIC means a building or part thereof used by health care professionals, their staff and their patients for the purpose of consultation, diagnosis or treatment.

COMMERCIAL SELF STORAGE means premises used for the temporary storage of household items and secured storage areas or lockers which are generally accessible by means of individual loading doors for each storage unit or locker.

COMMERCIAL USE means the use of land, buildings or structures for the purpose of buying and/or selling of commodities and/or the supply of services for remuneration, but does not include activities associated with industrial uses.

COMMUNITY CENTRE means a building or structure operated by a public authority that is used for community activities and other activities such as recreational uses, trade shows, weddings and banquets.

COMPLY means in keeping with the quantitative requirements of this By-law.

CONCRETE BATCHING OR ASPHALT PLANT means the use of land, buildings or structures for the purpose of the manufacturing of concrete or asphalt, or products or objects made therefrom.

CONFORM means a use which is permitted by this By-law in the zone category in which the use is located.

CONSERVATION USE means the use of land and/or water for the purpose of planned management of natural resources.

CONTRACTORS' ESTABLISHMENT means the use of land, building or structure, or parts thereof, by any general contractor or builder where equipment and materials are stored, or where a contractor and/or tradesman performs shop and assembly work, and/or offers a trade or service, including, but not limited to landscaping services, general construction service, cabinetry services, plumbing services, welding services, and trucking services or other similar services but does not include any other use as defined by this by-law.

CONSTRUCTION TRADES RETAIL ESTABLISHMENT means the wholesale or retail sale of construction trade products and includes uses such as building supply yards, equipment and materials storage and tradesmen's shops and accessory office uses.

CONVENIENCE RETAIL STORE means a small-scale retail store serving the daily or occasional needs of the residents in the immediate area with a variety of goods such as, but not limited to, groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines, and newspapers.

CREMATORIUM means a building fitted with the proper appliances for the purposes of the cremation of human remains and includes everything incidental or ancillary thereto.

CULTURAL USE means the use of land, building or structure for the purpose of educational entertainment, art or history, including but not limited to museums, libraries, art galleries/studios and community centres, and may include ancillary office, restaurant, retail and service commercial uses.

CUSTOM WORKSHOP means a building or structure or portion thereof used by a trade, craft or guild for manufacturing small quantities of made-to-measure or made-to-order clothes or articles and includes upholstering, furniture restoration and refinishing, custom order manufacturing or articles such as draperies and blinds, but does not include any manufacturing uses which generate nuisance impacts such as noise, dust or vibration.

DAYCARE CENTRE means premises for the temporary care and custody of more than five people that is operated for reward or compensation for a continuous period not exceeding twenty-four hours and has a license as required to operate. This use shall include a daycare for children, seniors or people with special needs.

DAYLIGHTING TRIANGLE means an area free of buildings or structures or other visual obstructions, and which are to be determined by measuring, from the point of intersection of street lines on a corner lot, and along each such street line and joining such points with a straight line, and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the "daylighting triangle". Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

DECK means a ground-oriented structure over 0.6m above any part of the finished grade of the adjoining exterior wall used as an outdoor living area or amenity space, which may or may not be attached to a building and does not have any walls or a roof.

DENSITY means the number of dwelling units per hectare on a lot.

DETACHED ANICLLARY STRUCTURE means a building or structure not physically connected to the primary dwelling unit, located on the same lot, and used for purposes subordinate and incidental to the primary dwelling unit.

DETACHED GARAGE means a detached ancillary structure on a property that is not physically connected to the primary dwelling unit, offering flexible space for vehicles, storage, or workshops, away from living areas, which reduces noise and fume transfer but requires stepping outside for access.

DRAINAGE DITCH AND IRRIGATION CHANNEL means those channels or means of conveying the passage of water that the Town, Niagara Peninsula Conservation Authority and Ministry of Natural Resources agree have physical characteristics that are man-made or have been altered to the point that they no longer perform the functions of a natural watercourse.

DRIVE-THRU SERVICE FACILITY means a use which includes a facility where business may be conducted, including the sale of goods, food or other articles directly with individuals who remain in their vehicles.

DRIVEWAY means a defined area providing access for motor vehicles from a public or private street or a lane to facilities such as a parking area, parking lot, loading space, private garage, building or structure, but does not include a parking aisle.

DWELLING means a building used for human habitation as a residence, with or without attached garage or carport, but shall not include a motor home, vehicle, trailer, hotel, motel, bed and breakfast, or dwelling unit accessory to a non-residential use.

DWELLING, APARTMENT means a building containing five or more dwelling units, which have a common entrance from the street level and where the occupants have the right in common to use halls, elevators, stairs, yards and accessory buildings.

DWELLING, BACK-TO-BACK TOWNHOUSE means a townhouse dwelling that contains dwelling units divided vertically from each other by common side walls and common rear walls.

DWELLING, BLOCK TOWNHOUSE means a group of no more than eight dwelling units located on the same lot, where the lot has direct access onto and frontage along a public street, but the individual units may not have legal frontage on a public street.

DWELLING, CONVERTED means a dwelling originally designed as a single detached dwelling that has been altered to accommodate additional dwelling units, but not more than 4 dwelling units.

DWELLING, DUPLEX means a building containing two dwelling units, on one lot, but does not include a semi-detached dwelling.

DWELLING, FARM means a dwelling that provides full-time accommodation for the owner or operator of an agricultural use.

DWELLING, FOURPLEX means a building containing four dwelling units.

DWELLING, LIVE-WORK means a dwelling unit that includes working space accessible from the living area, regularly used by one or more of the residents of the dwelling unit, but does not include a home-based business.

DWELLING, LODGING HOUSE means a building or any portion of a building in which lodgers, in exchange for periodic payments to a Licensee, are provided with accommodation in private rooms and with access to common areas, and are not provided with sanitary facilities or food preparation facilities for the exclusive use of individual lodgers, and in which lodgers may or may not be provided with meals, but does not include a hotel, tourist establishment or short-term rental unit, a hospital or any provincially-regulated long-term care home, retirement home, nursing home, group home or similar facility.

DWELLING, MOBILE HOME means a dwelling unit that is designed to be made mobile and to be transported, after it has been constructed or manufactured, to a mobile home site to provide a permanent residence and which is suitable for occupancy as a dwelling unit at the time it is placed on the mobile home site except for minor and incidental unpacking and assembly operations, placement on a mobile home site and connection to utilities.

DWELLING, PRINCIPAL means a dwelling unit owned or rented by a person, alone or jointly with another person, which is their principal place of residency.

DWELLING, SEMI-DETACHED means a building divided vertically into two dwelling units by a common wall extending from the base of the foundation to the roof. The attachment along the common wall may include a dwelling unit wall and/or garage wall. Each unit may be located on a separate lot.

DWELLING, SINGLE DETACHED means a building containing one dwelling unit, but does not include a mobile home dwelling.

DWELLING, STACKED TOWNHOUSE means a building containing three or more dwelling units, with each dwelling unit separated from the other both horizontally and vertically, that may have a private independent entrance from a yard or a shared entrance from a common corridor, vestibule or landing.

DWELLING, STREET TOWNHOUSE means a group of no more than 8 townhouse dwelling units which have direct access and frontage along a public street. Each dwelling unit may be located on a separate lot.

DWELLING, TRIPLEX means a building that is divided horizontally into three dwelling units, each of which has an independent entrance either directly or through a common vestibule.

DWELLING UNIT means a group of rooms in a building used or designed or intended to be used as a single, independent and separate housekeeping unit:

a) In which a food preparation area and sanitary facilities are provided for the exclusive use of such housekeeping unit; and

b) Which has a private entrance from outside the building or from a common hallway or stairway inside the building, but does not include a tent, cabin, trailer, motor home, mobile home, or in a hotel, motel, or bed and breakfast establishment.

EASEMENT means an instrument that is registered on title which provides for the use of land subject to the easement for sewer, water, drainage or utility purposes and which may include a right-of-way.

ENVIRONMENTAL IMPACT STUDY means a science-based study of ecological features and functions and impacts to those features and functions resulting from development and/or site alteration, prepared in accordance with the Region of Niagara's environmental impact study guidelines.

ERECT means, with reference to a building or structure, to build, alter, construct, reconstruct, relocate or enlarge and without limiting the generality of the foregoing, also includes:

a) Any physical operation such as excavating, filling, grading or drainage works preparatory to building, construction, reconstruction; or

b) Altering any existing building or structure by an addition, deletion, enlargement or other structural change; or

c) The moving of a building or structure from one location to another; or

d) Any work for which a building permit is required.

"Erected" and **"Erection"** shall have a corresponding meaning.

EXISTING means legally existing as of the date of passing of this By-law.

FARM means land used for agricultural uses and includes a farm dwelling and accessory buildings, which may include accommodation for full or seasonal farm workers.

FARM HELP HOUSE, PERMANENT OR SEASONAL, means a building located on the same lot and accessory to an agricultural use and which is provided and maintained by the owners of the lot for the accommodation of persons employed full-time in agriculture by the owner of the lot.

FARM PRODUCE OUTLET means a building or portion thereof wherein the retail sale of the following products are offered for sale to the general public:

a) Locally grown produce (a minimum of 70 percent of the retail floor area);

b) Imported Produce;

c) Bakery items and processed fruit prepared on the premises, grocery, deli and dairy products and locally made crafts (a maximum of 50 square metres retail floor area); and

d) Locally grown greenhouse and nursery products.

FARM SUPPLY AND SERVICE ESTABLISHMENT means a building or structure or portion thereof, such as a farm co-op, used for the retail sale and rental for farm use, of minor equipment and implements and parts thereof and tools, hardware and clothing and includes a farm implement sales and service establishment.

FARM WINERY means an on-farm diversified agricultural use that utilizes fruit grown on the farm to produce and market wine in accordance with Provincial law and regulation. A Farm Winery may also include a distillery, cidery or microbrewery.

FENCE includes a hedge, free-standing wall, structure or partition constructed of any material or combination of materials, enclosing, partly enclosing or dividing lot boundaries or being used for decorative purposes.

FINISHED GRADE means the average elevation of the finished surface of the ground at the base of the outside walls of a building or structure. For a sloping lot, the grade shall be calculated as the average of the finished ground level at all corners of the building or structure.

FIRST FLOOR GLAZING means the amount of glazing (transparent windows and doors) expressed as a percentage of the surface area of a building's first floor façade facing publicly accessible streets, walkways or open space.

FIRST FLOOR HEIGHT means the vertical height from the finished first floor elevation of the interior of the building to the ceiling of the first floor.

FLOOR AREA means the area of the floor surface of a storey or part thereof.

FLOOR AREA, DWELLING UNIT means the aggregate of the floor areas of all habitable rooms in a dwelling unit, excluding the thickness of any exterior walls.

FLOOR AREA, GROSS means the aggregate of the floor areas of all storeys of a building or structure other than a private garage, an attic, a basement or a cellar not used for commercial purposes.

FLOOR AREA, GROUND means the floor area of the first storey of a building.

FLOOR AREA, LEASABLE means the aggregate area of all floors in a building measured from the centre line of the joint interior partitions and from the exteriors of outside walls and used or capable of being used for commercial purposes such as sales, display, storage and offices. Leasable floor area shall not include floor space used in common, such as:

a) Parking Areas;

b) Mechanical room, boiler room, maintenance room, or electrical or utility room;

c) Common hallways or stairways;

d) Elevators and associated equipment;

e) Washrooms;

f) Foyers, lobbies but not waiting areas/rooms; and

g) A storey having a height of 1.8m or less.

FLOOR AREA, NET means the aggregate of the floor areas of a building above or below established grade, but excluding car parking areas within the building, stairways, elevator shafts, service or mechanical rooms and penthouses, washrooms, garbage or

recycling rooms, staff locker and lunch rooms, loading areas any space with a floor to ceiling height of less than 1.8 metres and any part of a basement that is unfinished, is used solely for storage purposes and is not accessible to the public.

FOOD TRUCK means any motorized vehicle, trailer, cart, or other portable unit that is designed, equipped or used for the preparation, sale or distribution of food or beverages for immediate consumption. The term includes, but is not limited to:

a) Mobile food trucks – self-contained, motorized units equipped for food preparation and sales;

b) Concession trailers – towable units without independent motive power; and

c) Mobile food carts/kiosks – non-motorized, movable units.

A food truck does not include a fixed building or other permanent structure used as a restaurant, café, or other fixed food service establishment.

FORESTRY USE means the general raising and harvesting of wood and, without limiting the generality of the foregoing, includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees and other forest products.

FUEL STORAGE TANK means a tank used or intended to be used for the bulk storage of combustible or inflammable liquids or gases, including, but not so as to limit the generality of the foregoing, petroleum or petroleum products.

FUNERAL HOME means a premises used for providing funeral supplies and services to the public, including facilities intended for the preparation of the human body for internment.

GARAGE, PRIVATE means an accessory building or portion of a dwelling designed for the parking of private vehicles and is not used for repairing/servicing vehicles for gain or profit and includes a partially enclosed carport.

GARAGE DOOR WIDTH means the width of the garage door opening(s), which is used for vehicular access. Where there is more than one opening, the garage door width shall be the distance between the two outer extremities of the garage door opening(s), excluding any intervening columns, doors, windows or wall sections which might separate two or more garage door openings.

GARDEN SUITE means a small, independent temporary building, physically separate from the principal dwelling unit with which it is associated, which may be used as a dwelling unit, or for activities accessory to those permitted in the principal dwelling unit.

GOLF COURSE means an area operated for the purpose of playing golf, and includes such accessory uses as a restaurant, a retail store that sells golf equipment and accessories, a dwelling unit for an owner/caretaker and other buildings or structures

devoted to the maintenance and operation of the golf course and may include, as accessory uses, a golf driving range and a miniature golf facility.

GOLF DRIVING RANGE means an indoor or outdoor public or private facility dedicated to the driving of golf balls from fixed golf tees.

GREENHOUSE, COMMERCIAL means the use of a building or structure for the growing of such items as flowers, bushes, shrubs, trees, plants, fruits, vegetables and other types of nursery stock. Such use may include the wholesale or retail sale of greenhouse products customarily, incidental, subordinate and exclusively devoted to the principal use, located on the same lot therein. A retail use accessory to a greenhouse shall have a maximum retail floor area of 200 square metres.

GROSS FLOOR AREA (ARU) means the total area of the floor in a primary dwelling unit measured to the inside of all exterior walls or the centre of common walls, excluding any unfinished basement, garage, carport and/or unenclosed porch.

For a detached ancillary structure or detached garage used for an ARU purpose, gross floor area refers to the total area of all floors, measured to the inside of all exterior walls.

GUEST ROOM means a habitable room or suite of habitable rooms wherein accommodation, with or without meals, is provided for gain or profit to one or more persons, and which contains no facilities for cooking.

GYMNASIUM/FITNESS CENTRE means a building designed and intended to accommodate various forms of indoor sports and recreation and may include an arena, tennis, squash, handball and badminton courts and roller rinks.

HABITABLE ROOM means any room of a residential building or an institutional building, used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, water-closet compartment, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods.

HOME INDUSTRY means a small-scale operation of an industrial nature conducted entirely within a building or part of an accessory building to a single detached dwelling, such as a welding shop, machine shop or large animal vet clinic, but does not include the repairing, storage or recycling of motor vehicles, recreational vehicles or heavy equipment.

HOME OCCUPATION means a business or professional activity conducted as a secondary use to the residential use within any dwelling unit which is the primary residence of the person or persons conducting the business or professional activity.

HOOP HOUSE means a temporary, ground-placed structure without a permanent foundation that is located on farmland, used for the seasonal protection of plants and plant material, and contains no space intended for residential occupancy.

For the purposes of this By-law, a hoop house shall not be included in the calculation of maximum coverage.

HOTEL means any establishment so defined in *The Hotel Registration of Guests Act*, as amended from time to time, and includes a motel or motor hotel.

INDIVIDUAL ON-SITE SEWAGE SERVICES means sewage systems, as defined in O.Reg. 332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located. (PPS, 2024)

INDIVIDUAL ON-SITE WATER SERVICES means individual, autonomous water supply systems that are owned, operated and managed by the owners of the property upon which the system is located (PPS, 2024)

INDUSTRIAL HEMP-RELATED USE – INDOOR means those activities authorized in accordance with the Federal Industrial Hemp Regulation SOR-2018-145 as amended that are carried out within an enclosed building or structure.

INDUSTRIAL HEMP-RELATED USE – OUTDOOR means those activities authorized in accordance with the Federal Industrial Hemp Regulation SOR-2018-145 as amended that only involve the growing and harvesting of hemp outdoors.

INDUSTRIAL USE means the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory and ancillary uses.

INSTITUTIONAL USE means the use of land, buildings or structures for social, educational, childcare, health or religion purposes.

KENNEL means the use of lands, buildings or structures where small domestic animals or household pets are: boarded for hire or gain; kept for the purpose of breeding; and/or kept for the purpose of training.

LANDMARK SITE means a site which is conspicuous, and which has the potential to be easily seen and/or recognized from a distance, acting as an identifier or wayfinding tool for a community being located at the terminus of a street, on public spaces or located on a corner. Development on landmark sites is generally expected to be iconic and raise the profile of the location.

LANDSCAPED AREA OR LANDSCAPED STRIP means a permeable area not built upon and not used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and decorative paths, decorative walkways, fences and similar appurtenances, but does not include parking areas,

driveways, service walkways or ramps. The words "landscaping" and "landscaped" shall have the same meaning.

LANDSCAPED OPEN SPACE means the percentage of a lot used as a landscaped area or strip.

LANE means a public or private right-of-way which provides a means of access to abutting lots and which is not intended for general traffic circulation.

LIVESTOCK means farm animals and/or fowl raised, housed or kept for propagation or use for commercial purposes, including action or intended profit or gain and without limiting the generality of the foregoing, includes: dairy and beef cattle, horses, swine, sheep, laying hens, chickens and turkey broilers, turkeys, goats, geese, mink and rabbits but does not include animals kept as pets or animals raised, housed or kept for recreational or hobby purposes.

LOADING SPACE means an area of land, exclusive of aisles or driveways and accessible to a street or lane which is provided and maintained upon the same lot or lots upon which the principal use is located and which is used for the temporary parking of one or more commercial vehicles while merchandise or materials are being loaded or unloaded from such vehicle, and such parking is not to be used for the purpose of offering commodities for sale or display.

LONG-TERM BICYCLE PARKING SPACE means an indoor space to park and secure a bicycle in an enclosed, secured area with controlled access where a bicycle is intended to be parked for long periods of time and can include a storage locker.

LONG-TERM CARE HOME means a long-term care home as defined in the *Long-Term Care Homes Act*, 2007, as amended.

LOT means a parcel or contiguous parcels of land designated and registered at the Registry Office as one parcel of land in one ownership.

LOT AREA means the total horizontal area within the lot lines of a lot, excluding any area covered by water or marsh or between the rim of the banks of a river or watercourse. In the case of a corner lot having street lines rounding at the corner with a radius of 6 metres or less, the lot area of such lot is to be calculated as if the lot lines were projected to their point of intersection.

LOT, CORNER means

a) A lot situated at the intersection of and abutting on two or more streets and which streets have an angle of intersection of not more than 135 degrees, regardless of whether or not such streets abut a 0.3 metre reserve;

b) A lot abutting a curve of a street, the adjacent sides of which curve contain an angle facing the lot of not more than 135 degrees, and such angle shall

be formed by their tangents drawn from the points where the side lot lines meet the street line but does not include a lot abutting the bulb of a cul-de-sac or a turning circle, regardless of whether or not such streets have a 0.3 metre reserve.

LOT COVERAGE means the percentage of the lot covered by all buildings and structures, excluding balconies, canopies and overhanging eaves which are two (2) metres or more in height above the finished grade. For the purposes of this definition, a deck attached to a building greater than 0.6m above grade and a covered porch shall be considered in the calculation of lot coverage. Patios and in-ground pools shall not be included within the lot coverage calculation.

LOT DEPTH means:

a) The shortest horizontal distance between the rear lot line and the front lot line of a lot, where such lot lines are parallel;

b) The horizontal distance between the mid-point of the rear lot line and the mid-point of the front lot line of a lot, where such lot lines are not parallel; or

c) The horizontal distance between the mid-point of the front lot line and the point of intersection of the side lot lines of a lot where there is no rear lot line.

LOT FRONTAGE means the horizontal distance between the side lot lines of a lot measured along the front lot line.

a) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 6.0m back from the front lot line, measured horizontally at 90 degrees from the lot centre line between the side lot lines.

b) In the case of a corner lot with a daylighting triangle or a rounded corner, the lot frontage is determined from the lot centre line to back from the front lot line measured horizontally between the side lot lines.

LOT, INTERIOR means a lot other than a corner lot or a through lot.

LOT LINE means any boundary of a lot.

LOT LINE, CORNER means a side lot line that is also a street line, regardless of whether the street has a 0.3m reserve.

LOT LINE, FRONT means

a) The lot line that divides the lot from the street;

b) In the case of a corner lot, the shorter street line shall be deemed to be the front lot line and the longer street line shall be deemed to be an exterior side lot line;

c) In the case of a corner lot with two street lines of equal length, the lot line that abuts the wider street, or abuts a Regional Road or a Provincial Highway shall be deemed to be the front lot line; and in the case of both streets being under the same jurisdiction, or the same width, the front lot line shall be deemed to be the lot line with the principal entrance; and

d) In the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be equal length the Town may designate either street line as the front lot line or the front lot line shall be deemed to be the lot line with the principal entrance.

LOT LINE, REAR means the lot line or lines opposite a front lot line.

LOT LINE, SIDE means a lot line other than a front lot line or a rear lot line.

LOT, THROUGH means a lot other than an interior lot or a corner lot which has frontage on two streets.

MANUFACTURING, ASSEMBLY, PROCESSING AND FABRICATION means activities of an industrial nature undertaken entirely within enclosed buildings designed to assemble, create, repair, restore, finish or package goods, articles or things, but shall not include any handling or recycling of hazardous waste material.

MAUSOLEUM means a building or structure serving as a final repository for the dead.

MICRO-BREWERY means a building used for the making of beer on a small scale, and may include tasting and restaurant facilities and the retail sale of related items.

MINERAL AGGREGATE RESOURCE OPERATION means:

a) Lands under license or permit, other than for a wayside pit or quarry, issued in accordance with the *Aggregate Resources Act*, or successors thereto; and

b) Associated facilities used in the extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete or the production of secondary related products.

Mineral aggregate resources are gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite,

mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

MODULAR HOME means a prefabricated building or structure designed to provide a permanent dwelling unit for one or more persons and placed on a finished, permanent foundation, but does not include a mobile home, travel trailer, motor home, or other trailer.

MOTOR HOME means a self-propelled vehicle capable of being used for temporary sleeping and/or eating accommodation for one or more persons.

MUNICIPALITY means the Town of Pelham.

MUNICIPAL LAW ENFORCEMENT OFFICER means a person, appointed by Council, charged with the duty of enforcing this By-law.

MUNICIPAL SERVICES means all publicly owned physical works and facilities necessary to sustain and service a lot and shall include streets, municipal water systems, sanitary sewer services, storm sewers and stormwater ponds.

NON-COMPLYING means a use, building or structure existing at the date of the passing of this By-law is a permitted use under this By-law but which does not comply with a zone provision or requirement of the zone within which it is located.

NON-CONFORMING means the use or activity in respect of any land, building or structure which is not within the list of permitted uses set out in this By-law for the zone in which such land, building or structure is located.

NON-RESIDENTIAL when used in reference to a use, building or structure, means designed, intended or used for a purpose other than as a dwelling.

NOTWITHSTANDING when used in this By-law means in spite of, or instead of.

OBNOXIOUS USES when used in reference to a use, building or structure, means a use which from its nature, or from the manner of carrying on the same, creates or is liable to create, by reason of gas, fumes or dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, junk, waste, or other material, a condition which becomes or may become hazardous or injurious in regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of land, building or structure.

OFFICE means the use of a building or portion thereof designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration or where not conducted on an industrial site, the administration of an industry, but shall not include a retail use, any industrial use, clinic, financial use or place of entertainment.

ON-FARM DIVERSIFIED USES means uses that are secondary to the principal agricultural use of an active farm operation and are limited in area. On-farm diversified uses include, but are not limited to, home-based businesses and agri-tourism/value-added uses. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.

OPERATING MACHINERY shall mean any apparatus (including air conditioners, generators, electric motor and compressors) used for mechanical power having one or more moving parts which are driven by other than muscular power and meeting the following criteria:

a) Incidental to the main use or accessory use of the property and connected to the main building by way of brackets, electrical power lines, air ducts or similar connectors, but excluding portable-type air conditioning units, or generators.

OUTSIDE STORAGE means the placing or locating in the open air and/or in partially closed buildings or structures of any goods, materials, parts, merchandise or equipment of any kind but does not include operative vehicles licensed or capable of being licensed to be operated on a highway at any time, or motorized construction vehicles or agricultural or parks vehicles or commercial vehicles, boats or recreational vehicles whether or not operative or capable of being licensed.

OWNER means any person whose interest in a parcel of land is defined and whose name is specified in an appropriate instrument in the relevant Land Registry Office.

PARCEL OR PARCEL OF LAND means a lot or block within a registered plan of subdivision, or any land that may be legally conveyed pursuant to the *Planning Act.*

PARK means an open space area, playground or playing field, which may include recreational facilities, including buildings for such facilities or support services.

PARK, PUBLIC means a park owned or controlled by a public agency.

PARK, PRIVATE means a park other than a public park.

PARKING AISLE means an area of land which abuts and provides direct vehicular access to one or more parking spaces within a parking area.

PARKING AREA means an area of land which is provided and maintained for the parking of vehicles and which area comprises all parking spaces of at least the minimum number required according to the provisions of this By-law and all aisles and related ingress and egress lanes and similar areas used for the purpose of gaining access to or from the said parking spaces and is provided and maintained in accordance with the provisions of this By-law.

PARKING GARAGE means a building or structure used for the parking of vehicles including commercial vehicles of less than 1 tonne maximum capacity and may include

aisles, parking spaces and related ingress and egress lanes, but shall not include a public street.

PARKING SPACE means an area of land which:

a) Is provided for the temporary parking or storage of one vehicle or bicycle for other than the purpose of sale or display; and

b) Is of a size which is adequate for the temporary parking or storage of one vehicle or bicycle in accordance with the provisions of this By-law; and

c) Has adequate access to permit ingress and egress of a vehicle or bicycle from a street by means of a driveway, aisles, maneuvering areas or similar areas, no part of which shall be used for the temporary storage of one or more vehicles or bicycles; and

d) May be located outside or within a private garage, carport, building or other covered area as identified in the particular zone.

PATIO, COMMERCIAL means an outside area that is accessory to a restaurant and where food and/or beverages are prepared and served in conjunction with the restaurant use.

PATIO, RESIDENTIAL means an outside area made of impermeable material, that is no higher than 0.6 metres from the ground surface and which is accessory to a dwelling.

PERSON means an individual, individuals, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and their heirs, executors or other legal representative of a person to whom the same can apply according to law.
PLACE OF ENTERTAINMENT means a motion picture or other theatre, arena, auditorium, public hall, bowling alley, ice or roller skating rink, dance hall or music hall; but does not include any place of entertainment or amusement otherwise defined or classified herein.

PLACE OF WORSHIP means a building owned or occupied by a religious congregation or religious organization and dedicated exclusively to worship and related religious, social and charitable activities, with or without a hall, an auditorium, a convent or monastery, an office of a clergyman, a cemetery, a Sunday school, a parish hall or a parsonage as uses accessory thereto.

PORCH means a roofed structure abutting the exterior wall of a structure, which is used to define and provide entry to a dwelling. For the purpose of this definition, a porch may be comprised of a knee-wall or partial wall to support a roof, but shall remain unenclosed.

PRE-FABRICATED SHIPPING CONTAINER means a standardized storage structure, or similar, which is typically used for intermodal freight transport.

PREMISES means an area of a building occupied or used by a business or enterprise. In a multiple tenancy building occupied by more than one (1) business, each business area shall be considered a separate premises. Each individual unit proposed and/or registered in a draft Plan of Condominium shall also be considered an individual premises.

PRIMARY DWELLING UNIT means the dominant and/or largest dwelling unit on the lot in which the main residential dwelling use is conducted, which may contain or have associated with it one or more additional dwelling units.

PRIVATE CLUB means an athletic, recreational or social club which is not operated for gain or profit and includes the premises of a fraternal organization.

PRIVATE HOME DAYCARE means the accessory use of a dwelling unit for the temporary care and custody of not more than five children who are under ten years of age who do not live in the dwelling unit and which is operated for reward or compensation for a continuous period not exceeding twenty-four hours.

PUBLIC AUTHORITY means any Federal, Provincial, Regional or Municipal Corporation and includes any commissions, board, authority, agency, ministry or department established by or for any of them.

PUBLIC SERVICE FACILITIES means land, buildings and structures, including but not limited to: schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, childcare and educational programs, including elementary, secondary, post-secondary, long term care services, and cultural services.

Public service facilities do not include infrastructure. (PPS, 2024)

PUBLIC USE means designed, adapted or used for civic political, educational, social or recreational purposes by various levels of government and their commissions, boards, agencies, ministries or departments.

PUBLIC UTILITY means any utility which supplies water, sanitary sewers, storm sewers, electricity, gas, steam, telecommunications, cable television, transportation, drainage, and refuse collection and disposal services to the general public.

RECONSTRUCTION means the act of returning a failing building or structure to a safe and secure condition but shall not constitute the replacement of the building or structure.

RECREATIONAL USE means the use of lands, buildings or structures for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf course, golf driving ranges and miniature golf, picnic areas, swimming pools, day camps, community centres and other similar uses, together with

accessory buildings and structures, but does not include a track for the racing of animals, vehicles, motorcycles or motorized snow vehicles or other vehicles.

REDEVELOPMENT means the removal of buildings or structures from land and the construction or erection of other buildings or structures thereupon.

REGION OR REGIONAL means or refers to the Corporation of the Regional Municipality of Niagara.

REGIONAL ROAD means any street or road under the jurisdiction of the Region.

REGULATORY FLOODPLAIN means lands which have the potential to be impacted by a one-hundred-year flood and are subject to the regulations and authority of the Niagara Peninsula Conservation Authority.

REPAIR SHOP means a building or part of a building used for the repair of household articles and shall include the repair or servicing of communication parts and accessories, electronic devices, television sets, radios, home security systems, satellite systems, computers, furniture, appliance repair shops and other similar uses, but shall not include manufacturing, industrial assembly or motor vehicle repair shops.

REPLACEMENT means the act of demolishing and removing a structure for the purpose of building a new structure in the same location, having the same footprint and floor area.

REQUIRED means as required by the provisions contained herein.

RESERVE means a strip of land abutting a public street and owned by the authority having jurisdiction over the public road.

RESIDENTIAL means the use of land, buildings or structures or a portion thereof, for human habitation.

RESTAURANT means a building or part thereof where food is prepared and offered or kept for retail sale to the public for immediate consumption either on or off the premises.

RESTAURANT, DRIVE-THRU RESTAURANT means a restaurant where patrons order and purchase their food from their vehicles and then drive away to consume the food elsewhere and may be secondary to an establishment that offers sit-down service on the premises as well.

RETAIL USE means a building or part thereof in which goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public.

RETAIL FRONTAGE means the horizontal distance of a commercial/retail unit measured along the building’s frontage.

RETIREMENT HOME means a premises that provides accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate bathroom and separate entrance from a common hall and where common facilities for the preparation and consumption of food are provided and where common lounges, recreation rooms and medical care facilities may also be provided, but where full culinary facilities are not provided within a unit. A Retirement Home shall not include an apartment dwelling.

ROAD means a public highway or public road under the jurisdiction of either the Town, the Region or the Province of Ontario, and includes any highway as defined by the *Municipal Act*, as amended from time to time and does not include a lane or private right-of-way, unopened or closed road allowances.

ROAD ALLOWANCE means land held under public ownership for the purpose of providing a road.

ROAD, IMPROVED means any road that is:

a) Owned and maintained all year round by the Town hereafter;

b) Has been constructed in such a manner so as to permit its use by normal vehicular traffic; and

c) Not a lane or private right-of-way.

ROAD, PRIVATE means a private road or right-of-way that accesses multiple properties that is not owned or maintained by the Town or any other Public Authority.

SALVAGE YARD means a place where derelict and/or non-functional vehicles are wrecked and/or disassembled for resale and where second-hand goods or scrap metal are collected, sorted and stored for commercial purposes.

SCHOOL means a school under the jurisdiction of a Board as defined in the *Education Act*, as amended from time to time, a college, a university or any other educational establishment, including, but not necessarily restricted to, a nursery school or a boarding school having accessory dormitory facilities.

SCHOOL, PUBLIC means a school under the jurisdiction of a public agency.

SCHOOL, PRIVATE means a school, other than a public school, under the jurisdiction of a private board or trustee or governors, a religious organization, a charitable institution or operated by one or more persons for gain or profit.

SENSITIVE LAND USE means school, day care, playground, sporting venue, park, recreational area, residence, place of worship, community centre or any other place where people regularly gather or sleep.

SERVICE SHOP means a building or part thereof wherein a personal service is performed, including, but not so as to limit the generality of the foregoing, a barber shop, a beauty salon, a shoe repair shop, a dry cleaning outlet, a laundromat, a tailor or dressmaking shop, a photographic studio and a taxi dispatch office, but does not include a massage or body-rub parlour or any adult entertainment parlour as defined in the *Municipal Act*, as amended from time to time.

SETBACK means the shortest distance from a building/structure to a lot line or an environmental protection boundary.

SEWER, SANITARY means a system of underground conduits, either publicly or privately operated, which carries sewage to a place for treatment.

SEWER, STORM means a system of open ditches and/or underground conduits, either publicly or privately operated, which carries storm water and surface drainage to an outlet.

SHOPPING CENTRE means one or more buildings or parts thereof containing five or more separate permitted commercial uses, which are maintained as a single unit and located on a single lot, such lot being held and maintained under one ownership or under condominium ownership pursuant to the *Condominium Act*, as amended from time to time.

SHORT-TERM ACCOMMODATION means the commercial use of an entire dwelling unit, which may be rented for a period of up to 28 consecutive days for temporary accommodation, and used as an occasional or seasonal residential dwelling for recreation, rest or relaxation. Short-term rental accommodation shall not include a hotel/motel, bed and breakfast establishment, inn, boarding house, dwelling or similar commercial or institutional use.

SHORT-TERM BICYCLE PARKING SPACE means a space to park and secure a bicycle for a few minutes or a few hours.

SIGN means any device, object or thing which directs attention to and which is designed to convey a message and that is placed for the purpose of advertising goods and services offered, identifying a business or enterprise or for conveying any other type of message and, without limiting the generality of the foregoing, this definition includes but is not limited to, the types of signs defined in the Town of Pelham Sign By-law, 2020, as amended from time to time.

STACKING LANE means a continuous on-site queuing lane that includes tandem parking spaces for motorized vehicles, separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs.

STACKING SPACE means a portion of a stacking lane which provides standing room for vehicles in a queue for a drive-thru service facility.

STEP BACK means the horizontal distance by which a building façade above grade is set back from the façade immediately below it.

STOREY means that portion of a building other than an attic, one-half storey, basement or cellar, included between the surface of any floor and the surface of the floor, roof deck or deck ridge next above it.

STOREY, ONE-HALF means that portion of a building situated wholly or in part within the roof, and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 1.5 metres and 2.5 metres over a floor area which is not less than one-third nor more than two-thirds of the floor area of the storey next below.

STREETLINE means a lot line or a lot adjoining a street.

STRUCTURE means anything constructed or erected having a fixed point on or in the ground or attached to a building or structure having a fixed point on or in the ground.

STUDIO means any premises or part thereof used as a working place for the creation or instruction of painting, sculpture, pottery, glass, wrought iron, dance, music, acting, yoga or other similar uses.

SWIMMING POOL means a privately owned body of water located at, below or above ground level in which the depth of water at any point can exceed 0.6 metres and is used, or capable of being used for swimming, diving or bathing, but shall not include a pond or other such body of water, created and used or intended to be used, for agricultural or industrial purposes.

TANDEM PARKING means two parking spaces, located one behind the other.

TOP OF BANK means the upper edge of the slope of a stream valley or shoreline where the slope intersects the horizontal plain or flood plain identified and regulated by the Niagara Peninsula Conservation Authority pursuant to the *Conservation Authorities Act*.

TOWN means the Corporation of the Town of Pelham.

TRAILER means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and is capable of being used for the transport of goods, materials, equipment or livestock, notwithstanding that such vehicle is jacked up or that its running gear is removed.

TRAILER CAMP means a lot, used for the parking of tourist trailers.

TRAILER, TOURIST means a trailer capable of being used for the temporary living, sleeping or eating accommodation of one or more persons, notwithstanding that the running gear of such trailer is or may be removed, or that such trailer is fixed on a finished and permanent foundation or has become in any other manner so adapted and

affixed to the land upon which it is situated and it is, or has become, an immobile and permanent structure.

URBAN SQUARE means a moderately scaled park found within a denser urban area, which may include both hard and soft landscaping, and which provides for multifunctional and flexible space for social gatherings, festivals and civic functions.

USE means the purpose for which any portion of a lot, building or structure is designed, arranged, intended, used, occupied or maintained.

VEHICLE means an automobile or vehicle used for carrying passengers or for transporting goods and may include a farm implement, mobile home, motor home, tourist trailer, snowmobile or marine craft.

VEHICLE, COMMERCIAL means a vehicle which is designed for the transport of goods and which is used for business, employment or commercial purposes.

VEHICLE, RECREATIONAL means a boat, all-terrain vehicle, a snowmobile or any other vehicle having not more than two wheels, including, but not so as to limit the generality of the foregoing, a motorcycle, bicycle, or any other device powered solely by means of human effort.

VEHICLE BODY SHOP means a building or portion thereof where the repairing, straightening, filling, grinding, painting or replacing of body, interior and frame components of vehicles takes place.

VEHICLE FUEL STATION (GAS BAR) means the use of land, buildings or structures where automotive fuels and accessories are sold at retail, including electric vehicle charging stations, and may include a convenience store as an accessory use.

VEHICLE SALES OR RENTAL ESTABLISHMENT means the use of land, buildings or structures, or a portion thereof, where vehicles are displayed, sold, leased or rented. Repair or maintenance of such vehicles, including a vehicle body shop, may be included as an accessory use.

VEHICLE SERVICE AND REPAIR ESTABLISHMENT means a building or portion thereof, where mechanical repairs and servicing of vehicles occurs, and may include the incidental retail sale to the general public of automotive parts and accessories and cars not exceeding six at any one time but shall not include a vehicle body shop.

VETERINARIAN'S CLINIC means a building or part thereof with or without related structures wherein animals of all kinds are treated or kept for treatment by a registered veterinarian.

WAREHOUSE means a building or part thereof which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares,

merchandise, food-stuff, substances, articles or things, and includes the premises of a warehouseman, but does not include a fuel storage tank except as an accessory use.

WASTE DISPOSAL SITE means a provincially licensed facility where garbage, refuse or domestic, institutional, commercial or industrial waste is dumped, destroyed or stored in suitable containers.

WATERCOURSE means an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

WHOLESALE USE means a building or portion thereof in which goods, wares, merchandise or articles are stored or kept for distribution purposes to retail merchants, but shall not include a "Retail Use".

YARD means an area of land which is open, uncovered, unoccupied and is appurtenant to, and located on the same lot as a building, structure or excavation. In determining the yard measurements, the minimum horizontal distance from the respective lot lines to the nearest point of the building shall be used.

a) **Front Yard** means a yard extending across the full width of a lot between the front lot line and the nearest part of any building or structure on such lot.

b) **Rear Yard** means a yard extending across the full width of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest part of any building or structure on such lot.

c) **Side Yard** means a yard extending from the front yard to the rear yard between the side lot lines and the nearest part of any building or structure on such lot.

d) **Exterior Side Yard** means a side yard immediately adjoining a street or abutting a 0.3m reserve on the opposite side of which a street is located.

YARD, REQUIRED means the minimum yard required by the provisions of this By-law.

ZONE means an area designated on a Zoning Map Schedule and established by this By-law for a specific use.

ZONING ADMINISTRATOR means the Director of Community Planning and Development or designate, or other persons, appointed by Council, charged with the duty of administering this By-law.

SECTION 3: GENERAL PROVISIONS

The provisions of Section 3 shall apply to all zones, unless otherwise specified in these provisions.

3.1 ACCESSORY USES, BUILDINGS AND STRUCTURES

Except as provided otherwise within a specific zone, accessory buildings and structures not attached to the main building shall:

a) Not be established until or unless the main building or use to which it is accessory is established;

b) Not be used for human habitation, except for Second Dwelling Units that are subject to Section 3.30;

c) Not be located in any required front yard or the required exterior side yard;

d) Not be located within, or partially within, any utility easement, corridor, daylighting triangle or storm drainage swale;

e) Have a total lot coverage for all accessory buildings of not more than 10% in any Residential Zone and not more than 5% in any other Zone and the maximum lot coverage for all buildings shall not exceed the maximum lot coverage of the zoning category in which the property is located;

f) Not exceed a building height of 7.0m; and

g) Not be located less than 1.0m from an interior side or rear yard lot line.

3.2 AGRICULTURAL USES

3.2.1 Agriculture-Related Uses

Agriculture-related uses may only be permitted in accordance with the provisions of Section 5, the Rural/Agricultural Zones and in accordance with the following:

a) The use shall be conducted entirely within a detached accessory building in conjunction with an operational farm;

b) Only one agriculture-related use is permitted on one lot;

c) Ancillary retail/commercial sales and service activities shall be limited to the lesser of 50m^2 or a maximum of 10% of the gross floor area of the building;

d) All buildings related to the use shall be located within a cluster of existing buildings;

e) The use and all associated facilities, including parking areas, shall not exceed a maximum area of 0.4ha;

f) The maximum combined total floor area of the building utilized for the agriculture-related use shall be 250m^2;

g) The maximum area that may be utilized for open storage shall be 200m^2 and no more than one area of open storage shall be permitted;

h) The area utilised for open storage shall be screened from the view of a public road;

i) The use shall comply with the applicable noise emission standards of the Ministry of the Environment and Climate Change and where necessary, acoustic fencing, berms or other mitigation measures shall be provided to ensure that off-site sound levels generated by the use meet those standards;

j) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law;

k) The use shall comply with the parking and loading requirements of Section 4; and

l) Site Plan Control shall apply to any development.

3.2.2 On-Farm Diversified Uses

On-farm diversified uses, including agritourism/value-added uses, may only be permitted in accordance with the provisions of Section 5, the Rural/Agricultural Zones, and in accordance with the following:

a) The use shall be accessory and directly related to the existing permitted agricultural use(s) on the lot and shall primarily serve the existing permitted agricultural use(s) on the lot and the existing permitted agricultural use(s) on surrounding lots in the area;

b) On-farm diversified uses that involve value-added packaging, processing, sale and/or storage of products shall be limited to products produced by, or derived from, the principal agricultural use(s) on the lot as the primary source of the majority of the product, and may include products sourced from agricultural uses on surrounding lots in the area as a secondary source of product;

c) A maximum of three on-farm diversified uses shall be permitted on a lot;

d) All buildings related to the use shall be located within a cluster of existing buildings;

e) The area of the lot permanently, temporarily or seasonally devoted to on-farm diversified uses shall not exceed 2% of the total lot area to a maximum of 1 hectare, including the area of existing and new buildings and structures, required parking and loading areas, outside display and sales areas, outside storage areas and any other areas of the lot used for the on-farm diversified use, excluding existing driveways shared with a permitted principal use on the lot and areas that produce a harvestable crop;

f) Production lands which are used for the growing of crops and simultaneously used as part of the activity area shall not be included in the calculation of the 2% noted in 3.2.2 e);

g) The total gross floor area that is permanently, temporarily or seasonally devoted to on-farm diversified uses shall not exceed 500m^2 including the gross floor areas used within all main buildings or structures, and accessory buildings or structures on the lot;

h) Accessory buildings or structures that are used for on-farm diversified use shall comply with the requirements of Section 3.1;

i) Main buildings or structures that are used for on-farm diversified uses shall comply with the regulations of the applicable zone;

j) The total lot coverage for all main buildings or structures and accessory buildings or structures shall not exceed the maximum lot coverage of the applicable zone;

k) Retail sales that form part of the on-farm diversified uses shall be subject to the following:

   i. The gross floor area devoted to retail sales shall not exceed 50% of the gross floor area of all buildings and structures used in conjunction with the on-farm diversified uses, to a maximum of 200m^2 of gross floor area for retail use;

   ii. The gross floor area devoted to retail sale of products that are not produced on, or derived from, agricultural products produced on the lot shall not exceed 25% of the gross floor area of all buildings and structures used in conjunction with the on-farm diversified use(s);

   iii. A maximum of one retail outlet shall be permitted on a lot;

   iv. The maximum area of the lot permitted to be used for outside display and sales areas shall be 25m^2 and shall not be counted as part of the maximum gross floor area permitted for retail use;

v. Outside display and sales areas shall be setback a minimum of 3.0m to all lot lines; and

vi. Outside display and sales areas and any related structures shall not exceed a maximum height of 3.0m.

l) Outside storage for purposes other than outside display and sales areas on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots by planting strips in accordance with Section 3.16, and shall comply with the regulations of the applicable zone;

m) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law;

m) Comply with the parking and loading requirements of Section 4; and

n) Site Plan Control shall apply.

3.3 BED AND BREAKFAST ESTABLISHMENTS

Where permitted, a bed and breakfast establishment shall be subject to the requirements of the zone in which it is located, and it shall:

a) Be permitted only within the principal residence of an Owner and/or operator;

b) Be located in a single detached dwelling only and be clearly secondary to the main residential use;

c) Not be established or operated in an accessory building;

d) Not contain more than 3 guest rooms;

e) Be licensed through the Town's Short Term Accommodation Licensing By-law, pursuant to the *Municipal Act*, *2001*;

f) Obtain approval from the Regional Public Health Department and the Town's Building and Fire Departments;

g) No bed and breakfast establishment located on a separate lot from a livestock facility, manure storage or anaerobic digester, shall be permitted unless the dwelling in which it is located complies with the Minimum Distance Separation (MDS I) formulae and guidelines developed by the province, as amended.

h) Comply with the parking requirements of Section 4.

3.4 BUILDING RESTORATION

a) Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing building or structure, provided that such strengthening or restoration does not increase the height, area or volume or result in the change of the use of such building or structure so as to contravene any of the provisions of this By-law.

b) Nothing in this By-law shall prevent the replacement of a building or structure which has been partially or completely destroyed by fire, an act of God or any other means, except within a floodplain, beyond the control of the owner on all or part of the existing foundation, provided the said building or structure is replaced within five years of it being partially or completely destroyed.

3.5 DAYLIGHTING TRIANGLES

Within the Daylighting Triangle, no sign, fence, landscaping, building or structure shall be greater than 0.5 metres in height above the elevation of the ground at the lot line. There shall be no additional building setbacks offset from a daylight triangle. Measurements for daylighting triangles shall be in accordance with the Town's Engineering Standards.

3.6 DRIVE-THRU FACILITIES

a) Notwithstanding any other provisions of this By-law, where a building or structure incorporates a drive-thru service facility, an area for vehicles waiting to use the drive-through service facility shall be provided, in addition to any other parking areas. The stacking lane shall be located a minimum of 7.5m from any Residential, Institutional or Open Space Zone, and vehicles may be parked in tandem within the stacking lane; and

b) All drive-thru windows on building facades shall not face any street line.

3.7 ENCROACHMENTS

Every part of any yard required to be provided in any zone shall be open and unobstructed by any structure from the ground to the sky, in accordance with the following:

Structure	Yard	No part of any building or structure shall project into the specified yard more than:
Eaves or gutters, sills, belt courses, cornices, chimneys, firewalls, bay windows, pilasters, window wells, or other ornamental structures	Any yard	0.5m

Fences, freestanding walls, flag poles, garden trellises, retaining walls, light standards and similar accessory structures and appurtenances and hedges, trees and shrubs	Any Yard	Unrestricted
Exterior stairs in a Residential Zone	Any Yard	No restriction, provided the stairs are: a) No longer than 1.5m; b) No wider than 1.5m; and c) No closer to a lot line than 0.6m
Balconies, canopies, drop awnings, unenclosed porches	Front, exterior or rear yard	3m
Canopy attached to an apartment dwelling	Front or exterior side yard	3m
Clothes poles and antennae	Any yard except a front yard	
Decks (uncovered)	Exterior side yard or rear yard	4m
Fire Escapes	Exterior side or rear yard	1.5m, however a minimum interior side yard setback of 1.2m is required.
Air Conditioners and Generators	Front, side or exterior side yard	In a Residential Zone: a) 2m from the main wall of the main building in the front yard; or b) 0.3m from the exterior or side lot line
Operating Machinery (excluding air conditions or generators)	In a residential zone: a) Be permitted to encroach into any side yard adjacent to a street or rear yard of any lot used for residential purposes; c) Not be located less than 5m from an existing Residential use under separate ownership; and d) Be permitted to encroach into any side yard, provided that the operating equipment shall be no closer than 5m from any lot line.	

3.8 ESTABLISHED BUILDING LINE

Unless permitted under Section 3.20, Non-Conforming Uses:

a) Where existing development on either side of a middle lot has a legal non-conforming front yard setback or exterior side yard setback for the zone, the front yard setback for the main building on the middle lot may be reduced, provided all parking requirements are met to either:

   i) The average of the yard depth or width, as applicable, of the main building on each of the other two lots, if both are non-complying, or 3.0 metres whichever is greater; or

   ii) The average of the yards of the main building on the non-complying lot and the yard depth or width, as applicable, of the applicable zone if only one adjacent lot is non-complying, or 3.0 metres, whichever is greater.

b) Where the main building on the lots on either side of the middle lot has a setback greater than the minimum front yard setback for the zone, the required front yard setback of the main building on the middle lot shall be the average yards of the dwellings on the other two lots.

c) Where the existing front yard setback for a main building is less than the required front yard setback for the zone, an addition to the side of the building within an interior side yard may be extended into the required front yard to the extent of the legal non-conforming front yard, provided that the said addition complies with all other provisions of this By-law.

3.9 FOOD TRUCKS

Food trucks are permitted in all Commercial Zones within the Town, and the following provisions shall apply:

a) A food truck shall operate in accordance with the regulations for the zone in which the food truck is located;

b) A food truck shall comply with the regulations of the Town’s Licensing By-law;

c) The location of a food truck shall not diminish the minimum number of required off-street parking spaces for all of the uses situated on the lot and will not occupy a designated barrier-free parking space;

d) No portion of a food truck shall be located within a fire route, designated in accordance with the Fire Code of a Town By-law, or within any daylighting triangle; and

e) Where required by the laws and regulations of the Province, Region of Niagara and Town of Pelham, approval shall be obtained from the appropriate Regional Public Health Department, the Technical Standards and Safety Authority, the Electrical Safety Authority and the Town of Pelham Fire Department, in order to operate a food truck within the Town.

Notwithstanding any other provisions of this By-law, mobile food trucks may be permitted in public parks.

3.10 GARAGE SALES OR AUCTIONS

Notwithstanding any other provision of this By-law, a garage or yard sale or auction is a permitted use in any agricultural, rural, residential or commercial zone provided that such sales are restricted to no more than three occasions per year and no more than three consecutive days at a time on any one lot.

3.11 ADDITIONAL NEEDS HOUSING

a) Additional needs housing refers to supportive and specialized housing options for individuals with disabilities (developmental, psychiatric, physical), mental health challenges, or other needs who require assistance to maintain independent living;

b) Additional needs housing may be subject to Provincial approval and/or licensing may be required;

c) Parking shall be provided in accordance with Section 4.

3.12 HEIGHT EXCEPTIONS

The height provisions of this By-law shall not apply to the following uses, nor shall such used be used in calculation of height:

a) A belfry;

b) A chimney;

c) A clock tower;

d) An elevator or stairway penthouse;

e) A flag pole;

f) A hydro-electric transmission tower;

g) An ornamental structure;

h) A communications antenna;

i) A silo;

j) A place of worship spire;

k) A structure containing heating, cooling or other mechanized equipment pertaining to a building;

l) A tower;

m) A water tower;

n) A windmill; and

o) A parapet.

3.13 HOME-BASED BUSINESS

3.13.1 Home Occupations

Where a home occupation is permitted in a Zone, the following provisions shall apply:

a) Not more than one employee, in addition to the residents of the dwelling unit, shall be engaged in the business;

b) Any dwelling unit containing a home occupation shall be occupied as a residence by the operator of the business;

c) The use is entirely restricted to the dwelling unit and shall not be conducted in whole or in part in any accessory building, yard or private garage, except for private home daycare;

d) No more than one home occupation shall be permitted in one dwelling;

e) The maximum gross floor area dedicated to the home occupation shall be the lesser of $50m^2$ or 25% of the gross floor area of the dwelling, except for a private home daycare;

f) There shall be no goods, wares or merchandise offered or exposed for sale or kept for sale on the premises other than those produced on the premises;

g) There shall be no outside storage of materials, goods or vehicles in conjunction with the home occupation use;

h) Parking shall be provided in accordance with Section 4;

i) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law; and

j) A home occupation shall not create noise, vibration, fumes, odour, dust, glare or radiation that is detectable outside of the dwelling unit.

3.13.2 Home Industries

Where a home industry is permitted in an Agricultural (A) or Specialty Agricultural (SA) Zone, the following provisions shall apply:

a) Not more than 2 employees, who are not residents of the dwelling unit, shall be engaged in the business and working in the home industry and one parking space shall be provided for each employee;

b) Any lot upon which a home industry is located shall be occupied as a residence by the operator of the business;

c) Any accessory building and any associated activity area used for the home industry shall be located no closer than 30m from any lot line;

d) A home industry shall only be located on a lot with a minimum lot area of at least 2ha;

e) The maximum gross floor area dedicated to the home industry shall not exceed $100m^2$;

f) The driveway accessing the home industry shall be shared with the driveway that is utilized for residential use on the lot;

g) Only the sale of goods that are primarily manufactured, processed, fabricated or produced on the premises shall be permitted;

h) Outdoor storage of goods or materials related to a home industry shall be permitted in the rear yard and interior side yards only, provided that the area utilized for open storage does not exceed $50m^2$;

i) No more than 2 currently licensed motor vehicles, associated with the home industry, shall be parked or stored on the lot and within the interior side or rear yard;

j) Parking shall be provided in accordance with Section 4;

k) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law;

l) No more than one home industry shall be permitted per lot; and

m) The following shall not be permitted as a home industry:

   i. Any use involving the storage, repair, maintenance and/or towing of motor vehicles or recreational vehicles.

3.14 HOLDING ZONES (H SYMBOL)

Holding (H) Zones are established and identified on Schedules A through F of this By-law in parentheses with a corresponding number, such as (H), following the zone symbol.

a) Prior to the removal of the Holding (H) symbol, the only permitted uses on the lands subject to the Holding (H) symbol shall be those uses legally existing at the date the Holding (H) symbol is applied.

b) Where a Holding (H) symbol is imposed on any land, the By-law which places the Holding (H) symbol on said lands shall set out the conditions to be satisfied to effect its removal.

3.15 LANDSCAPED STRIPS

a) Where a lot is used for a non-residential purpose and the interior side or rear lot line, or portion thereof, abuts a Residential Zone, then a strip of land adjoining such abutting lot, or portion thereof, shall be used for no other purpose than a landscape strip in accordance with the provisions of Section 3.15.

b) Where land is required to be used for no other purpose than a landscape strip, it shall have a minimum width of 1.5m, measured perpendicular to the lot line it adjoins, except in the case of a rear yard swale where a minimum width of 3.0m shall be required.

c) In all cases where ingress and egress driveways or walkways extend through a landscape strip, it shall be permissible to interrupt the strip within 3m of the edge of such driveway or within 1.5m of the edge of such walk.

d) A landscape strip referred to in Section 3.15 may form part of any landscaped area required by this By-law.

e) Landscape strips shall be planted with trees and bushes to form a visual screen at least 3.0m in height and may be in combination with privacy fencing.

3.16 LOT AND YARD REQUIREMENTS

3.16.1 Requirements for a Lot

a) Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended or enlarged except upon a lot, nor shall and land be used for any permitted use unless it comprises a lot, but this provision shall not prevent the use of any parcel or tract of land for agricultural purposes excluding the erection or enlargement of any building or structure, except a fence.

b) Except where a second unit or farm help house(s) is permitted, no person shall erect more than 1 single detached dwelling, 1 semi-detached dwelling, 1 duplex dwelling, 1 triplex dwelling, 1 fourplex dwelling or 1 converted dwelling on one lot.

3.16.2 Frontage on an Improved Road

No person shall erect any building or structure in any zone after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected fronts on an improved public road.

An improved road means a road which has been constructed in such a manner so as to permit its use by means of normal vehicular traffic by the public.

This shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision or Plan of Condominium where a Development or Subdivision Agreement has been entered into with the Town, notwithstanding that the road or roads will not be assumed by the Town until the end of the maintenance period. This provision shall not prevent the enlargement, extension, reconstruction or other structural alteration of an existing building or structure which is located on a lot which does not have direct access to or fronts an improved public road, provided the use of the building or structure does not change, is permissible within the zone in which it is located and complies with all applicable yard and setback requirements of the Zoning By-law.

3.16.3 Minimum Lot Area

The minimum lot area shall be as contained in the appropriate section of this By-law for the zone in which the lot is located. However, the Niagara Region Planning and Development Services Department may require a larger lot area for water supply and sewage disposal facilities, in which case the lot area requirements of the Niagara Region Planning and Development Services Department shall prevail.

3.16.4 Lots Reduced by Public Acquisitions

Where the area of a lot is reduced by means of an acquisition of part of the lot by a public agency for the purpose of providing a public service, and where such acquisition causes the lot to be reduced, or any building or structure existing lawfully on the lot on the date of such acquisition to have a lot area, lot frontage, lot depth, lot coverage, front yard setback, side yard setback or rear yard setback that does not conform to the requirements hereof for the zone in which such lot is located, then the lot as reduced shall continue to be used as if no such acquisition had taken place, provided that:

a) No change is made in the dimensions or area of the lot as reduced, subsequent to the date of such public acquisition, that would increase the extent of the said non-conformity; and

b) No building, structure or addition is erected on the lot as reduced, subsequent to the date of such public acquisition, except in accordance with all of the provisions hereof for the zone in which such lot is located.

3.16.5 Lots with More than One Use

a) Where a lot contains more than one permitted use defined separately herein, other than an accessory use, each such use shall conform to the provisions of this By-law which are applicable to such use in the zone in which the said lot is located as if such use existed independently of any other use.

b) Where standards or provisions pertaining to two or more uses on one lot are in conflict, the highest or most restrictive standards or provisions shall prevail.

3.16.6 Lots with More than One Zone

a) Where a lot is divided into two or more zones, each such portion of the said lot shall be used in accordance with the provisions of this By-law which are applicable to the zone wherein such portion of the said lot is located.

b) Notwithstanding subsection a) and subject to subsection c) for the purpose of determining required yard setbacks, the provisions of the said zone in which a building or structure is to be erected shall apply.

c) Where one of the zones of the lot(s) is EP1, the required setback for each of the respective zones shall be the greater of that determined under subsection a) above, or as otherwise required by the Niagara Peninsula Conservation Authority, in accordance with the provisions of the *Conservation Authorities Act*, as amended from time to time.

3.16.7 Existing Undersized Lots

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority or correction of title, such smaller lot may be used and a permitted principal building or structure may be erected and/or used on such a smaller lot provided that all other applicable provisions of this By-law are complied with and provided that a sewage system that complies with the regulations under the *Building Code Act*, or can be connected to the sanitary sewer and water system can be installed on the lands.

3.17 MINIMUM DISTANCE SEPARATION REQUIREMENTS

a) New and expanded livestock facilities, manure storage facilities and anaerobic digesters are subject to the Minimum Distance Separation II (MDS II) requirements developed by the province, as amended from time to time, and shall comply with the requirements of the *Ontario Nutrient Management Act*.

b) No dwelling shall be erected or located on a separate lot unless it complies with the requirements of the *Ontario Nutrient Management Act* and the Minimum Distance Separation I (MDS I) formulae and guidelines developed by the province, as amended from time to time. An existing off-site dwelling, destroyed by a catastrophic event, may be replaced by a new dwelling provided that the new dwelling is sited no closer to the lot on which the livestock facility is located than the previously existing dwelling.

c) A new livestock facility may replace a former livestock facility destroyed by a catastrophic event, provided that the new livestock facility does not result in increases in the values of Factors A, B or D, of the MDS Formulae, compared to what existed at the livestock facility prior to the catastrophic event, such that there is no switch to a livestock type with a higher odour potential, there is no increase in the number of nutrient units housed and there is no switch to a manure system type with a higher odour potential.

d) Notwithstanding the MDS requirements, where new development on a vacant lot of record is unable to comply with the MDS requirements, a dwelling may be permitted on the lot provided the dwelling is located on the lot the furthest distance reasonably feasible from the impacted livestock facilities.

3.18 MUNICIPAL SERVICES

Notwithstanding any other provisions of this By-law, no lands shall be used nor any building or structure erected or used thereon, unless:

a) Municipal sanitary sewer and water services are available and capable of servicing the said land, building or structures. Municipal sanitary sewer and water services are required for development within any Urban Boundary as shown on Schedules A through E, and no use shall be permitted without being connected to such services in such area.
b) Written approval is received from the Niagara Region Planning and Development Services Department for the use of private septic services for those lots located outside of the urban boundary.

3.19 NIAGARA ESCARPMENT COMMISSION JURISDICTION

Lands located within the Niagara Escarpment Plan Area illustrated on Schedules A and C are lands that provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such

development occurs as is compatible with that natural environment. The delineation of the Niagara Escarpment Area is based on the most current information available, and may not be accurate or up to date in some areas.

a) Development within the Niagara Escarpment Development Control Area is regulated by the Niagara Escarpment Commission through the issuance of development permits.

b) Within the Niagara Escarpment Plan Area, development includes a change in the use of any land, building or structure.

3.20 NON-CONFORMING USES

a) No lands shall be used and no building or structure shall be used except in conformity with the provisions of this By-law unless such use legally existed prior to the passage of this By-law and provided that it has continued and continues to be used for such purpose, and that such use, when established, was not contrary to a By-law passed under Section 34 of the *Planning Act*, R.S.O. 1990, cP.13 or a predecessor thereof that was in force at that time.

b) A use of a lot, building or structure which under the provisions hereof is not permissible within the zone in which such lot, building or structure is located shall not be changed except to a use which is permissible within such zone.

3.21 OBNOXIOUS USES

Notwithstanding anything contained herein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is obnoxious, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive, or both:

a) By the creation of noise or vibration; or

b) By reason of the emission or gas, fumes, smoke, dust or objectionable odour; or

c) By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery or other such material; or

d) By any combination of a) through c); or

e) Any use that is not legally permitted.

3.22 OUTSIDE STORAGE

Where open/outside storage is permitted, the following regulations shall apply:

a) Open/outside storage shall only be permitted in a rear yard; and

b) Where an open/outside storage area is visible from any street, any abutting lot and/or park, the open/outside storage area shall be screened by a visual screen containing a solid fence or wall not less than 2.0m in height.

3.23 PRE-FABRICATED SHIPPING CONTAINERS

Pre-fabricated shipping containers and unlicensed trailers shall not be permitted to be used or stored on any lot in a Residential Zone.

This provision shall not restrict the use of a pre-fabricated shipping container or unlicensed trailer to be used in a Residential Zone on a temporary basis for the storage of construction materials and equipment for any project undertaken by or on behalf of a public authority or for any construction project for which the Municipality has issued a building permit, provided the container or trailer is removed prior to final inspection.

3.24 PRIVATE HOME DAYCARE

Where a private home daycare is permitted, it shall be subject to the requirements of the zone in which it is located and the following:

a) Is permitted within any residential dwelling unit; and

b) Notwithstanding any other provisions of this By-law, no part of any required front yard shall be used for the purposes of an outdoor play space accessory to a private home daycare.

3.25 PROHIBITED USES

The following uses are prohibited in any Zone:

a) The use of any trailer, tourist trailer, motor home or pre-fabricated shipping container for human habitation except where such tourist trailer or motor home is located in a camping establishment, in a trailer park or in a mobile home park.

b) The use of any motor vehicle for human habitation.

c) The use of a truck, bus or coach body for human habitation.

d) The storage of disused rail cars, streetcars, truck bodies or trailers except where legally permitted by this Zoning By-law.

e) The outdoor storage of partially dismantled motor vehicles or trailers or motor vehicle or trailer parts except where legally permitted by this Zoning By-law.

f) Obnoxious uses.

g) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar.

h) The bulk storage of industrial chemicals, hazardous waste or liquid industrial waste as defined under the *Environmental Protection Act*, as amended.

i) Permanent racetracks for automobiles or machines.

j) The keeping or raising of any bull, ox, cow, sheep, horse, goat, pig or other cattle, any poultry, or any reptile or wild animal including any tamed or domesticated wild animal on any residential lot or in any building or structure on such lot, or in any building or structure in a Residential or Residential Development Zone.

3.26 PUBLIC USES

The provisions of this By-law shall not apply to prevent the use of any land, building or structure by any public authority, except for a waste disposal site, provided that:

a) Such use building or structure complies with the yard, setback and height provisions of the Zone in which it is located; and

b) No outdoor storage is permitted unless such outdoor storage is specifically permitted in the Zone in which the use is located.

Notwithstanding the above provisions, buildings and structure associated with a public works yard owned by a public authority are exempt from the height requirements of this By-law.

Nothing in this By-law shall prevent a public authority from providing or using land as a street or rail line nor prevent the installation of a utility main including a water main, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, telecommunication or other utility supply or communication line.

3.27 RAILWAY AND PIPELINE RIGHT-OF-WAY SETBACKS

Notwithstanding anything contained in this By-law:

a) No residential building shall be located closer than 30.0m to a railway right-of way;

b) For TransCanada Pipeline:

   i. No permanent structures are permitted within 7.0m of the pipeline right-of way;

ii. Accessory structures must maintain a minimum 3.0m setback of the limit of the pipeline right-of-way; and

iii. No building or structures shall be permitted within 3.0m of the pipeline right-of-way.

c) For Enbridge Gas Pipeline:

i. All development within 30.0m or crossings of the pipeline shall require written consent from Enbridge Gas and is the responsibility of the applicant to obtain prior to development approval.

3.28 RECONSTRUCTION OF BUILDINGS AND STRUCTURES

3.28.1 RECONSTRUCTION, REPLACEMENT OR EXTENSION OF LEGAL NON-COMPLYING BUILDINGS AND STRUCTURES

Where a building or structure has been lawfully erected on a lot having less than the minimum frontage and/or area, or having less than the minimum setback, and/or yard or any other provision required in this By-law, the said building or structure shall be deemed to comply with this By-law with respect to any deficiency or deficiencies; and further the said building or structure may be reconstructed or replaced provided that:

a) The reconstruction or replacement does not further reduce such setback at the front yard and/or side yard and/or corner side yard and/or rear yard less than the minimum required by this By-law;

b) Nothing in this By-law shall prevent a vertical or horizontal extension or addition from being made to an existing building or structure on a lot, even though such a building, structure or lot does not comply to one or more of the provisions of this By-law, provided such extension or addition itself is designed, located, used and otherwise in compliance with the provisions of this By-law, with the exception that no extensions or additions will be permitted in an Environmental Protection Zone;

c) All other provisions of this By-law are complied with; and

d) The reconstruction or replacement of any building or structure must comply with the regulations of the Ontario Building Code and the town of Pelham Development Charge By-law in terms of timelines for reconstruction or replacement.

3.28.2 Agricultural Buildings and Structures

Nothing in this By-law shall apply to prevent the reconstruction of any legal non-complying agricultural building or structure situated in the Agricultural (A) or Specialty Agricultural (SA) Zones in the case of partial or complete destruction caused by fire, lightning or severe weather event provided:

a) Such building was in a state of good repair and was utilized for agricultural purposes at the time of destruction;

b) Such building or structure, as replaced or reconstructed, shall not have in total a greater livestock housing capacity than lawfully existed in the destroyed or demolished building or structure at the date of its partial or complete destruction or demolition; and

c) Where any yard existing at the date of the partial or complete destruction or demolition of such building or structure does not comply with the minimum yard or minimum setback required by this By-aw, such yard shall not be further reduced.

3.28.3 Replacement of Other Buildings

Any building other than a building used exclusively for residential purposes may, in case of this complete destruction, be replaced with a new building where the complete destruction is caused by fire, lightning or severe weather event provided that:

a) Such destroyed or demolished building was in conformity with this By-law at the date of its complete destruction; or

b) For buildings not in conformity with this By-law, the ground floor area of such building as replaced does not exceed that which was existing at the date of its complete destruction.

3.28.4 Replacement of Residential Buildings

Any building used exclusively for residential purposes may, in the case of its complete destruction, be replaced with a new building or in the case of its partial destruction, be reconstructed where the complete or partial destruction, as the case may be, is caused by fire, lightning, explosion, or severe weather event provided that:

a) Such destroyed or demolished building was lawfully used at the date of its partial or complete destruction;

b) Such building as replaced or reconstructed shall not contain a greater number of dwelling units than lawfully existed in the destroyed or demolished building at the date of its partial or complete destruction;

c) Where the ground floor area of the destroyed building was less than the minimum ground floor area permitted in the applicable Zone under this By-law, such building, as replaced or reconstructed, shall not contain a lesser floor area than lawfully existed in the destroyed or demolished building at the date of its partial or complete destruction or demolition;

d) Where any yard existing at the date of the partial or complete destruction of such building does not comply with the minimum yard required in the applicable Zone

under this By-law, then such yard shall not be less than the yard existing at the date of the partial or complete destruction or demolition of such building;

e) The height of such building, as replaced or reconstructed, shall not exceed the maximum height permitted in the applicable Zone under this By-law; and

f) Nothing withstanding Section 3.28.4 a) through e) where the building is destroyed by flood, the replacement of said structure shall be subject to the regulations of the Niagara Peninsula Conservation Authority.

3.29 Additional Residential Units (ARUs)

3.29.1 Settlement Area

a) In addition to the primary dwelling unit, a maximum of two ARUs are permitted on a parcel of land that permits a residential use in the settlement area:

   i. Up to two ARUs are permitted in a single-detached, semi-detached, block townhouse or street townhouse dwelling; or

   ii. One ARU can be located within the primary dwelling unit and one in a detached ancillary structure or detached garage. For clarification, only one ARU can be detached from the primary dwelling unit.

b) The maximum gross floor area (ARU) of the ARU shall be 50% of the total gross floor area of the primary dwelling unit, to a maximum of 93m^2.

c) In addition to the required parking for the primary dwelling unit, a minimum of one parking space shall be provided for each ARU.

d) A detached ancillary structure or detached garage that contains an ARU must maintain a minimum separation distance of 2.4m from any other building or structure on the same lot that contains a dwelling unit, unless the ARU is located in a legally established existing detached ancillary structure or detached garage.

e) The maximum distance of an ARU located in a detached ancillary structure or detached garage, from the closest portion of the primary dwelling is 40.0m, unless the ARU is located in a legally established existing detached ancillary structure or detached garage.

f) A detached ancillary structure or detached garage, legally established on or before the date of passing of this by-law, may be converted to an ARU without the need to comply with current zoning regulations, provided the ARU requirements are met, and no openings are added to a wall that would not otherwise comply.

g) The minimum landscaped open space shall be 30% of the total lot area.

h) The maximum height for a detached garage that contains an ARU shall be 8.0m.

i) All other applicable zone requirements shall be met.

j) All applicable requirements of the Ontario Building Code shall be met.

3.29.2 Agricultural Area (Agriculture and Rural Residential Zones)

a) In addition to the primary dwelling unit, a maximum of two ARUs are permitted on a parcel of land that permits a residential use outside of the settlement and outside of the Greenbelt Plan area;

   i. Up to two ARUs are permitted in a single-detached dwelling; or

   ii. One ARU can be located within the primary dwelling unit and one in a detached ancillary structure or detached garage. For clarification, only one ARU can be detached from the primary unit.

b) The maximum gross floor area (ARU) of the ARU shall be 50% of the total gross floor area of the primary dwelling unit, to a maximum of 112m^2.

   An ARU located in the basement of the primary dwelling unit may occupy the entire basement.

c) In addition to the required parking for the primary dwelling unit, a minimum of on parking space shall be provided for each ARU.

d) A detached ancillary structure or detached garage that contains an ARU must maintain a minimum separation distance of 2.4m from any other building or structure on the same lot that contains a dwelling unit, unless the ARU is located in a legally established existing detached ancillary structure or detached garage.

e) The maximum distance of an ARU located in a detached ancillary structure or detached garage, from the closest portion of the primary dwelling is 40.0m.

f) A detached ancillary structure or detached garage, legally established on or before the date of passing of this by-law, may be converted to an ARU without the need to comply with current zoning regulations, provided the ARU requirements are met, the location of the detached ancillary structure or detached garage does not exceed the maximum distance separation noted in 3.29.2 e), and no openings are added to a wall that would not otherwise comply.

g) Individual on-site sewage services and individual on-site water services must be adequate to service the ARU(s), and are encouraged to be shared. Approval from the relevant authority must be obtained before the ARU can be approved.

h) On a parcel of land that is less than 1 acre in size, the minimum landscaped open space shall be 30% of the total lot area.

i) The maximum height for a detached garage that contains an ARU shall be 8.0m.

j) Any applicable Minimum Distance Separation requirements must be met.

k) All other applicable zone requirements shall be met.

l) All applicable requirements of the Ontario Building Code shall be met.

3.29.3 Specialty Agricultural Zone (Greenbelt Plan Area)

a) In addition to the primary dwelling unit, one ARU is permitted on a parcel of land that permits a residential use in a single detached dwelling or within a detached ancillary structure or detached garage in the Specialty Agriculture Zone (Greenbelt Plan Area), provided the detached ancillary structure or detached garage was constructed prior to July 1, 2017, and the primary dwelling unit or detached ancillary structure is located outside of the Greenbelt Plan Natural Heritage System.

b) An ARU is not permitted within the Greenbelt Plan Natural Heritage System.

c) The maximum gross floor area (ARU) of the ARU shall be 50% of the total gross floor area of the primary dwelling unit, to a maximum of 112m^2.

   An ARU located in the basement of the primary dwelling unit may occupy the entire basement.

d) In addition to the required parking for the primary dwelling unit, a minimum of on parking space shall be provided for each ARU.

e) A detached ancillary structure or detached garage that contains an ARU must maintain a minimum separation distance of 2.4m from any other building or structure on the same lot that contains a dwelling unit, unless the ARU is located in a legally established existing detached ancillary structure or detached garage.

f) The maximum distance of an ARU located in a detached ancillary structure or detached garage, from the closest portion of the primary dwelling is 40.0m, unless the ARU is located in a legally established existing building.

g) A detached ancillary structure or detached garage, legally established on or before July 1, 2017, may be converted to an ARU without the need to comply with current zoning regulations, provided the ARU requirements are met, the location of the detached ancillary structure or detached garage does not exceed the maximum distance separation noted in 3.29.2 f), and no openings are added to a wall that would not otherwise comply.

h) Individual on-site sewage services and individual on-site water services must be adequate to service the ARU(s), and are encouraged to be shared. Approval from the relevant authority must be obtained before the ARU can be approved.

i) On a parcel of land that is less than 1 acre in size, the minimum landscaped open space shall be 30% of the total lot area.

j) The maximum height for a detached garage that contains an ARU shall be 8.0m.

k) Any applicable Minimum Distance Separation requirements must be met.

l) All other applicable zone requirements shall be met.

m) All applicable requirements of the Ontario Building Code shall be met.

3.30 SHORT-TERM ACCOMMODATIONS

Where permitted, a short-term accommodation shall be subject to the requirements of the Zone in which it is located, and it shall:

a) Be permitted only in the A, SA, CR, VC, DC, MS, TS, and NC Zones;

b) Permit a maximum occupancy of 10 persons per dwelling at any one time;

c) Be licensed through the Town's Short Term Accommodation Licensing By-law, pursuant to the *Municipal Act*, *2001*;

d) Obtain approval from the Regional Public Health Department and the Town's Building and Fire Departments; and

e) Comply with the parking provisions of Section 4.

3.31 SPECIAL EXCEPTIONS

The Special Exceptions noted in Section 10 shall have effect in respect of the subject use and the provisions of the respective shall be amended insofar as required to give effect to the special provisions. All other provisions of the respective zone shall apply, with the necessary changes being made to the subject use.

3.32 SPECIAL SETBACKS

Notwithstanding any other provisions in this By-law, the following shall apply:

3.32.1 Setback from Environmental Protection One Zone & Environmental Protection Two Zone

a) Notwithstanding any other provisions of this By-law, the following setbacks shall apply to lands zoned Environmental Protection One (EP1) Zone and Environmental Protection Two (EP2) Zone:

Natural Heritage Feature	Building Setback
Provincially Significant Life Science Area of Natural and Scientific Interest	50m
Provincially Significant Wetland	120m
Habitat of Threatened and Endangered Species	50m
Environmental Conservation Area	50m
Type 1 – Critical Fish Habitat	30m
Type 2 or 3 – Critical Fish Habitat	15m
Regulated Floodplain	0m
Significant Woodlands	50m

b) The setbacks noted in Section 3.32.1 a) may be modified without an amendment to the Zoning By-law through the approval of an Environmental Impact Study, approved by the appropriate regulatory authority and the execution of a written agreement to be registered on title requiring the owner to implement all recommendations of the approved Environmental Impact Study.

c) The setbacks noted in Section 3.32.1 a) do not apply to lands located in Fenwick and Fonthill, as illustrated on Schedules B and C. In these areas, the setbacks will be established through the findings of an Environmental Impact Study.

3.32.2 Setback from Environmental Protection Three Zone

a) Notwithstanding any other provision in this By-law, no building or structure shall be located within 120 metres of any Environmental Protection Three (EP3) Zone, with the exception that new agricultural buildings and structures are permitted within the 120 metres of an EP3 Zone, provided such buildings or structures maintain a 30 metre setback from the EP3 Zone.

d) The setbacks noted in Section 3.32.2 a) may be modified without an amendment to the Zoning By-law through the approval of an Environmental Impact Study, approved by the appropriate regulatory authority and the execution of a written agreement to be registered on title requiring the owner to implement all recommendations of the approved Environmental Impact Study.

3.32.3 Setbacks from Slopes

a) Notwithstanding any other provisions of this By-law, no dwelling unit, building or structure shall be located within 7.5m of a slope or embankment that exceed 33%

or a ratio of 3:1. This provision shall also not prevent the expansion or replacement of buildings or structures that existed on the effective date of this By-law within this setback area, provided the expansion or replacement does not have the effect of reducing the setback from the slope or increasing the volume or floor area of a building or structure in a minimum required yard.

b) In Urban Area infilling situations, a reduced setback may be considered in cases where there are site specific constraints which may necessitate the reduced setback. Any reduced setback request will require a geotechnical study approved by the appropriate authority.

3.32.4 Greenbelt Natural Heritage System

Lands identified within the Greenbelt Natural Heritage System are located within the Greenbelt Natural Heritage Overlay designation of the Town's Official Plan and reflect lands within the Natural Heritage System of the Provincial Greenbelt Plan. Permitted uses in the Greenbelt Natural Heritage System shall be the uses of the zone category, subject to the following:

a) The maximum developable area shall be 25%; and

b) Notwithstanding, agricultural buildings and structures are not subject to the above requirements.

3.32.5 Airport Influence Area

No building or structure shall exceed 12.0 metres in height within the Airport Influence Area.

3.33 STORAGE OF RECREATIONAL VEHICLES, TRAILERS AND BOATS

In any Residential Zone, no person shall store a recreational vehicle, mobile home, motor home, tourist trailer, boat and trailer or haulage trailer, except in accordance with the following:

a) Where the lot is use for an apartment dwelling or boarding house, the storage of such vehicles shall be enclosed and shall only be permitted in spaces or areas that are in addition to the parking requirements of Section 4.

b) The storage of such vehicles shall be permitted in any yard, provided that where storage occurs in a front or exterior side yard, a minimum setback of 1.5m from the front lot line or exterior side lot line shall be required for sight clearance purposes.

c) The storage of such vehicles in not for the exchange, payment or renumeration of any kind, financial or otherwise.

3.34 SWIMMING POOLS

Notwithstanding any other provision of this By-law to the contrary, in any Zone a swimming pool may be erected and used in any side yard or rear yard provided:

a) No interior wall surface of any such swimming pool shall be located closer than 1.5m to any side lot line, rear lot line or exterior side lot line, or closer than 3.0m to that portion of the rear lot line which abuts a side lot line of any adjoining lot;

b) No water circulating or treatment equipment, such as pumps or filters shall be located closer than 3.0m to any side lot line, or rear lot line or 1.2m to any side lot line or rear lot line if enclosed in an accessory building or structure or closer to any street than the required yard for the main building or structure. A pool heater shall maintain a setback of 1.0m to any lot line.

c) A swimming pool shall not be considered as part of lot coverage.

d) In the case of an indoor swimming pool in a separate building or structure or enclosure, the building, structure or enclosure shall comply with all accessory building provisions of the Zone in which such a building, structure or enclosure is located.

3.35 TEMPORARY USES

a) Nothing in this By-law shall prevent the use of any land, or the erection or use of any temporary building or structure incidental to and necessary for construction work on the premises for which a building permit has been issued and not expired, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned for a period of one year.

b) Nothing shall prevent the use of a mobile home, motor home or tourist trailer for the temporary accommodation of the occupants in the case of complete or partial destruction of the farm dwelling by fire, lightening, explosion, wind, flood or Act of God, or where its demolition is by order of the Town of Pelham, the Region of Niagara Health Services Department or other authority, for safety, health or sanitation requirements in the Agricultural (A) Zone or Specialty Agricultural (SA) Zone for a period of time not to exceed 18 months.

c) Nothing shall prevent the use of land, or the erection of a real estate sales pavilion or model home on a temporary basis, either located within or not more than 300 metres from a developing subdivision and such use shall be removed when all lots have been sold.

d) A tent, used on a temporary basis, that requires a building permit, is required to maintain a 3.0m minimum setback from all lot lines and is exempt from the lot coverage and height requirements of this Zoning By-law.

3.36 SPECIAL EVENTS

a) A special event will be required to be in keeping with the Town's Special Events By-law, as amended.

SECTION 4: PARKING AND LOADING REQUIREMENTS

4.1 PARKING SPACE REQUIREMENTS

4.1.1 Minimum Parking Requirements

a) A minimum number of parking spaces shall be provided and maintained on a lot in accordance with the following:

Use	Minimum # of Parking Spaces
AGRICULTURAL USES	
Agri-tourism/Value Added Use	1 space per 55 m^2 GFA*
Agriculture-Related Use	1 space per 55 m^2 GFA
Greenhouse	1 space per 2000 m^2 GFA
On-farm Diversified Use	1 space per 55 m^2 GFA
All other agricultural uses are exempt from the parking requirements of this section.	
RESIDENTIAL USES	
Apartment Dwelling	1.25 spaces per dwelling unit
Bed and Breakfast	2 spaces per dwelling unit plus 1 additional space for each guest room
Home Industry	2 spaces per dwelling unit plus 1 additional space for home industry use
Home Occupation	2 spaces per dwelling unit plus 1 additional space for home occupation use
Second Dwelling Unit	1 space per dwelling unit
Semi-Detached Dwelling	2 spaces per dwelling unit
Single Detached Dwelling	2 spaces per dwelling unit
Short Term Accommodation	1 space per guest room
Street Townhouse Dwelling	2 spaces per dwelling unit
Other Permitted Residential	1.25 spaces per dwelling unit
COMMERCIAL USES	
Drive-thru Facility	Restaurant – 10 tandem spaces All Other Uses – 3 tandem spaces
Medical Office	4.5 spaces per 100m^2 GLFA**
Office	3.0 spaces per 100m^2 GLFA
Retail Place of Entertainment and Restaurant	3.25 spaces per 100m^2 GLFA
Other Permitted Commercial	3.0 spaces per 100m^2 GLFA***
INDUSTRIAL USES	
Industrial	1 space per 50m^2 of GLFA
PUBLIC/INSTITIONAL	
Public and Institutional including associated office space and/or retail, restaurants and personal service uses	3.5 spaces per 100m^2 of GLFA

OTHER USES	
Cannabis-Related Use – Indoor	1 space per 100m^2 GFA
Industrial-Hemp Related Use – Indoor	1 space per 100m^2 GFA
All Other Permitted Uses	3.5 spaces per 100m^2 of GLFA
Within the Main Street (MS) Zone, all non-residential development shall be exempt from any parking requirement. Residential uses within the Main Street (MS) Zone shall be required to provide 1 parking space per dwelling unit.	

* Gross Floor Area
** Gross Leasable Floor Area
*** Not applicable to temporary outdoor patios.

4.1.2 Calculation of Required Parking Spaces

a) Where the calculation of the required number of parking spaces under Section 4.1.1 a) results in a fraction of 0.25 or higher, the value shall be rounded up to the next whole number;

b) When a building or structure accommodates more than one type of use, as defined in this By-law, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses, including any accessory uses with a defined parking requirement under Section 4.1.1 a); and

c) On a lot with a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling or townhouse dwelling, a private driveway devoted to the dwelling unit and located on the lot may be included in the calculation of parking spaces.

d) Parking that is secured off-site can be included in the overall required parking calculation, provided that there is a legal agreement, registered on title, and the removal of spaces from the off-site location does not impede the required spaces from that location for the use.

4.1.3 Barrier-Free Parking Spaces

a) Barrier-free parking spaces are required to be provided near entrances for apartment buildings, mixed-use buildings, commercial and institutional uses in accordance with the following, and have signage in accordance with the Ontario Regulation 191/11 Integrated Accessibility Standards, as amended:

Total Number of Parking Spaces	Minimum Number of Barrier Free Parking Spaces		
	Type A	Type B	Total
1 to 25	1	-	1
26 to 50	1	1	2
51 to 75	1	2	3

76 to 100	2	2	4
100 or more	4% of the total number of required parking spaces. Even number of Spaces – Equal number of Type A and B Odd number of Spaces – Additional space can be Type A or B.		

b) Where one or more Type B barrier free parking space(s) is required, an equal number of Type A barrier free parking spaces may be substituted for the Type B space(s), provided that this provision shall not reduce the total number of barrier free parking spaces required;

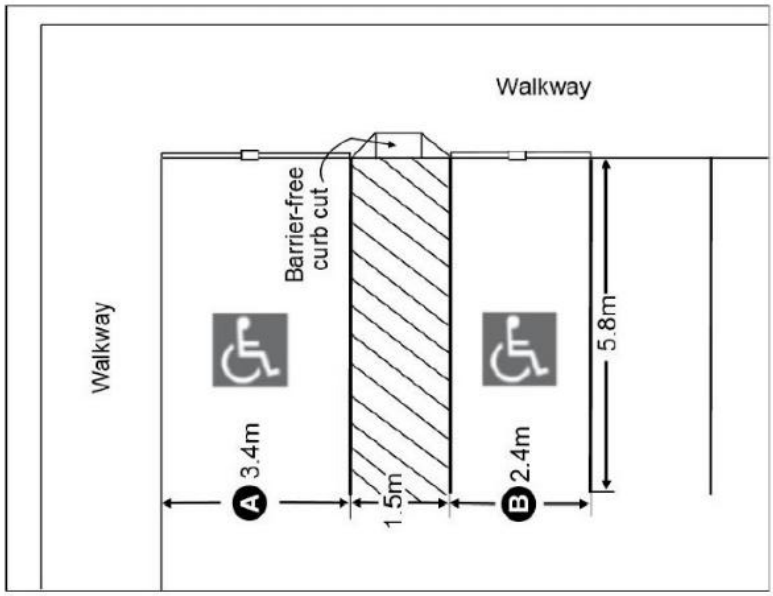
c) Notwithstanding the minimum barrier-free parking requirements, the minimum barrier free parking requirement for medical offices, clinics and facilities providing outpatient services shall be 10% of the total minimum parking requirement for the use;

d) The total number of required barrier free parking spaces shall be included within the minimum parking requirements of the permitted use of the overall parking requirement;

e) Type A barrier free parking spaces shall be a minimum of 3.4m by 5.8m;

f) Type B barrier free parking spaces shall be a minimum of 2.4m by 5.8m; and

g) An access aisle shall be provided on one side of all barrier free parking spaces and shall have a minimum width of 1.5m and a minimum length equal to the full length of the parking space and shall be marked with high tonal contrast diagonal lines where the surface asphalt, concrete or other hard surface, and one access aisle may be shared by two barrier free parking spaces (with one barrier free parking space located on each side of the access aisle).



4.1.4 Parking Area and Driveway Requirements

4.1.4.1 Parking Space Dimensions and Requirements

a) The minimum dimensions of a parking space shall be 2.6m by 5.8m with a minimum vertical clearance of 2.0m;

b) The minimum dimensions of a tandem parking space shall be 2.6m by 6.0m with a minimum vertical clearance of 2.0m; and

c) Any required space shall be unobstructed and free of any structures or encroachments.

4.1.4.2 Parking Aisles

a) Each parking space shall be accessed either directly by a driveway or a parking aisle. A parking aisle shall have a minimum width of 6.2m; and

b) Notwithstanding Section 4.1.4.2 a), where a parking aisle is designed to provide one-way traffic only, and the parking spaces are provided at an angle not exceeding 45°measured at the parking aisle, the minimum width shall be 4.5m.

4.1.4.3 Driveways

a) In any zone where a dwelling is permitted, the maximum driveway width shall be 6.0m or 50% of the frontage or the exterior side lot line distance, whichever is less for the entire length of the driveway;

b) In any zone where a street townhouse dwelling is permitted, the maximum driveway width shall be 6.0m or 50% of the frontage or the exterior side lot line distance, whichever is less for the entire length of the driveway, and each unit shall have one driveway;

c) Ingress and egress to and from required parking areas and required parking spaces in any zone shall be provided by means of unobstructed driveways at least 3.0m in width for one-way traffic and 6.0m in width for two-way traffic;

d) Notwithstanding the requirements of 4.1.4.3 b), the ingress and egress requirements of the Region of Niagara shall apply along all Regional Roads;

e) Nothing in this subsection shall apply to prevent the use of a right-of-way as a means of obtaining access to a parking area provided the right-of-way has been legally established for such purpose; and

f) Notwithstanding 4.1.4.3 a) and b), a circular or secondary driveway shall only be permitted in accordance with the following:

i. On a lot with a minimum lot frontage of 30m;

ii. The maximum combined width of all driveway entrances/egresses shall be 9.0m; and

iii. The minimum distance between the driveway entrances/egresses shall be 15.0m. For the purpose of interpreting this regulation, the distance between proposed driveway entrances/egresses shall be measured along the applicable street line(s) between the driveway entrances/egresses.

iv. In the case of a corner lot, a driveway entrance may be permitted for each street frontage.

g) Properties that are being used for agricultural purposes are exempt from the requirements of Section 4.1.4.3.

4.1.4.4 Parking Area and Driveway Surface

a) In the settlement area, a parking area and the driveway(s) connecting the parking area with the street shall be constructed of asphalt, concrete, permeable paving or other Low Impact Development materials. The use of gravel is not permitted on a permanent basis.

4.1.4.5 Parking Structures

a) Where a parking area located in a structure constitutes the main use on a lot, then such structure shall conform to all the zone provisions for the zone in which the lot is located.

b) Where a parking area located in a structure is accessory to a permitted use on a lot, then such structure shall conform to all the provisions for accessory uses set out in Subsection 4.4.5 a).

4.1.4.6 Underground Parking Areas

Nothing in this By-law shall apply to prohibit the location of underground parking areas in any yard, provided that:

a) Only less than half a part of any underground parking area shall be situated above finished grade in any required yard; and

b) No part of any underground parking area shall be located outside the property lines.

4.1.4.7 Illumination

Where parking areas are illuminated, lighting fixtures shall be arranged, designed and installed so that the light is directed downward and deflected away from adjacent properties.

4.1.4.8 Parking Area Location on Lot

Notwithstanding the yard provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards as follows:

Residential (except Apartment)
All required yards provided that no part of any dwelling and parking area, other than a driveway, is located closer than 0.9m to any street line.
Apartment Dwelling
Shall be permitted except in any front yard and corner yard provided that no part of any parking area, other than a driveway is located closer than 7.5m to any street line and no closer than 3.0m to any side lot line or rear lot line.
Institutional, Commercial, Open Space
All required yards provided that no part of any parking area, other than a driveway is located closer than 0.9m to any street line.
Industrial
Interior side and rear yards only, except for visitor parking, provided that no part of any parking area, other than driveway is located closer than 4.5m to any street line.

4.1.4.9 Other Parking Regulations

a) Nothing in this By-law shall prevent the erection of a shelter for use solely by parking attendants in any part of a parking area, except within a daylighting triangle, provided such shelter is not more than 4.5m in height and has a floor area of not more than $5m^2$.

b) No commercial vehicle as defined in the *Highway Traffic Act*, of greater than 1 tonne maximum capacity and/or no bus used as a commercial vehicle designed for carrying 10 or more passengers and used for the transportation of persons, shall be parked or stored in a Residential Zone and shall not be parked overnight on a street.

4.2 LOADING SPACE REQUIREMENTS

4.2.1 Minimum Loading Space Requirements

a) A minimum number of loading space(s) shall be provided and maintained on a lot in accordance with the following:

Use	Minimum # of Required Loading Spaces
INDUSTRIAL USES	
Less than 500m^2 GFA	None
500m^2 of GFA to 2,500 m^2 GFA	1
Over 2,500m^2	2, plus 1 additional loading space for each 10,000m^2 GFA in excess of 10,000m^2
COMMERCIAL USES	
Less than 185m^2 of GFA	0
185m^2 GFA to 930m^2 GFA	1
Over 930m^2 GFA	2, plus 1 additional loading space for each 1,400m^2 GFA in excess of 930m^2

4.2.2 Loading Space Requirements

a) A loading space shall be a minimum of 3.5m in width and 9.0m in length with a minimum vertical clearance of 4.0m;

b) A loading space shall be unobstructed, and free of any structures and encroachments;

c) Where the calculation of the required number of loading spaces under Section 4.2.1a) results in a fraction of 0.25 or higher, the value shall be rounded up to the next whole number;

d) The required loading space(s) shall be provided on the same lot occupied by the building or structure for which the said loading space(s) is required, and shall not form any part of any improved street or lane;

e) When a building or structure accommodates more than one type of use, as defined in this By-law, the loading space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses;

f) A loading space shall be constructed of asphalt, concrete, permeable paving, Portland cement, or like materials; and

g) A loading space shall not be permitted in any front yard or exterior side yard, except in any agricultural or rural zone, where it shall be permitted in any yard.

4.3 BICYCLE PARKING REQUIREMENTS

4.3.1 Minimum Bicycle Parking Requirements

a) A minimum number of parking spaces for bicycles shall be provided and maintained on a lot in accordance with the following:

Use	Short-term Bicycle Parking Space Requirements	Long-term Bicycle Parking Space Requirements
RESIDENTIAL USES		
Apartment dwelling	Minimum of 6 spaces	0.25 spaces per unit
COMMERCIAL USES		
Office	3 + 0.25/100m^2 GFA	0.15/100m^2 GFA
Medical Office	3 + 0.1/100m^2 GFA	0.15/100m^2 GFA
Any retail or restaurant use	3 + 0.25/100m^2 GFA	0.1/100m^2 GFA
All other permitted commercial uses	3 + 0.25/100m^2 GFA	0.1/100m^2 GFA
INDUSTRIAL USES		
Industrial	0.1/100m^2 GFA	0.06/100 m^2 GFA
INSTITUTIONAL/PUBLIC USES		
Private and Public School	3 + 0.06/100m^2 GFA	0.06/100m^2 GFA
Institutional/Public	3 + 0.25/100m^2 GFA	0.1/100m^2 GFA
Other Uses		
All other non-residential uses	0.1/100m^2 GFA	0.06/100m^2 GFA

4.3.2 Bicycle Space and Parking Area Requirements

a) A bicycle parking space must be on the same lot as the use for which it is required;

b) Where the calculations of the required number of bicycle parking spaces under Section 4.3.1a) results in a fraction of 0.25 or higher, the value shall be rounded up to the next whole number;

c) When a building or structure accommodates more than one type of use, as defined in this By-law, the bicycle parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses;

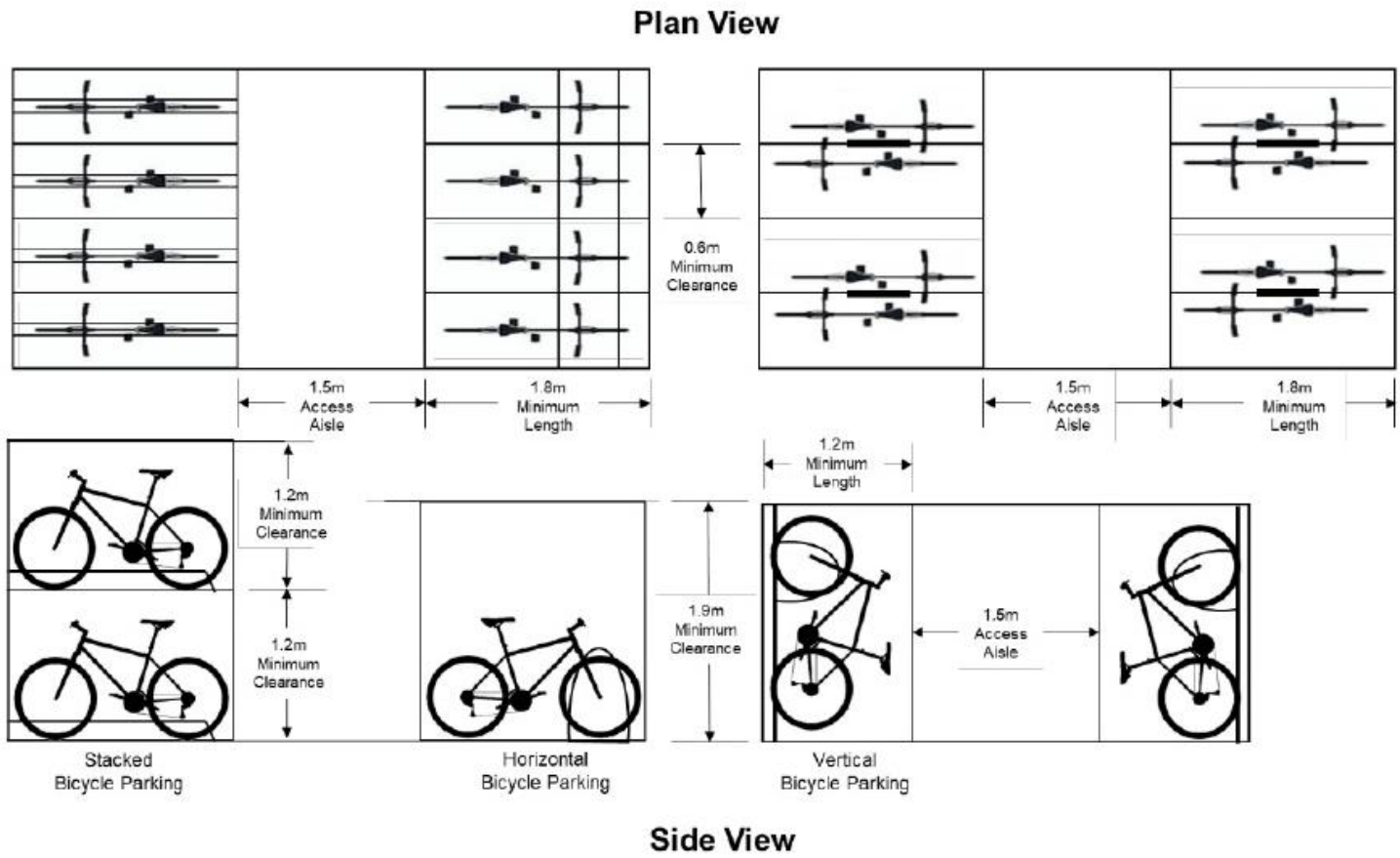
d) All short-term bicycle parking areas shall be located a maximum of 15.0m from a building entrance; and

e) All long-term bicycle parking spaces shall be located indoors.

4.3.3 Bicycle Parking Space Dimensions

The minimum bicycle parking space dimensions shall be:

Bicycle Parking Space	Length	Width	Height	Vertical Clearance	Aisle Width
Horizontal	1.8m	0.6m	1.9m	1.9m	1.5m
Vertical	1.8m	0.6m	1.9m	1.9m	
Stacked	1.8m	0.6m	1.2m	2.4m	



SECTION 5: RURAL/AGRICULTURAL ZONES

The following zoning categories are described in this section:

A Agricultural Zone

Permitted Uses:

- Agricultural use;
- Agri-tourism/Value-added use;
- Agricultural-related use;
- Bed and breakfast;
- Farm winery;
- Forestry and resource management;
- Home industry;
- Home occupation;
- Kennel;
- On-farm diversified use;
- Seasonal or permanent farm help house;
- Additional Residential Units (ARUs);
- Short term accommodation;
- Single detached dwelling on an existing vacant lot of record; and
- Uses, buildings and structures accessory to the foregoing uses.

A-CAN Agricultural Zone - Cannabis

- Cannabis Related Use – Indoor; and
- Industrial Hemp-Related Use – Indoor.

SA Specialty Agricultural Zone

Permitted Uses:

- Agricultural use;
- Agri-tourism/Value added use;
- Agriculture-related use;
- Bed and breakfast;
- Farm winery;
- Forestry and resource management;
- Home industry;
- Home occupation;
- Kennel;
- On-farm diversified use;
- Seasonal or permanent farm help house;
- Additional Residential Units (ARUs);
- Short term accommodation;
- Single detached dwelling on an existing vacant lot of record; and
- Uses, buildings and structures accessory to the foregoing uses.

SA-CAN Specialty Agricultural Zone - Cannabis

- Cannabis Related Use – Indoor; and
- Industrial Hemp-Related Use – Indoor.

RE Rural Employment Zone

Permitted Uses:

- Agriculture-related use;
- Agricultural use that does not involve the keeping of livestock;
- Building supply & service establishment;
- Construction trade & retail establishment;
- Contractor's establishment;
- Commercial self-storage;
- Custom workshop;
- Farm supply and service establishment
- Kennel;
- Manufacturing, assembly, processing and fabrication;
- Vehicle service and repair establishment;
- Veterinarian's clinic;
- Warehouse;
- Wholesaling establishments; and
- Uses, buildings and structures accessory to the foregoing uses.

RE-CAN Rural Employment Zone - Cannabis

- Cannabis Related Use – Indoor; and
- Industrial Hemp-Related Use – Indoor.

MAR Mineral Aggregate Resource Zone

Permitted Uses:

- Agricultural use;
- Agricultural-related use;
- Mineral aggregate resource operation;
- On-farm diversified use; and
- Uses, buildings and structures accessory to the foregoing uses.

CR Commercial Rural Zone

Permitted Uses:

- Custom workshop;
- Vehicle service and repair establishment;
- Building supply and service;
- Farm supply and service establishments;
- Farm produce markets;
- Service shop;
- Short term accommodation;
- Vehicle fuel station (gas bar);
- Vehicle sales and rental establishment;
- Veterinarian's clinic; and
- Uses, buildings and structures accessory to the foregoing uses.

5.1 AGRICULTURAL ZONE

5.1.1 Permitted Uses

a) Agricultural use;
b) Agri-tourism/Value added use;
c) Agriculture-related use;
d) Bed and breakfast;
e) Farm winery;
f) Forestry and resource management;
g) Home industry;
h) Home occupation;
i) Kennel;
j) On-farm diversified use;
k) Seasonal or permanent farm help house;
l) Additional Residential Units (ARUs);
m) Short-term accommodation;
n) Single detached dwelling on an existing vacant lot of record; and
o) Uses, buildings and structures accessory to the foregoing uses.

5.1.2 Zone Requirements for Agricultural Use

Minimum Lot Frontage	180.0m
Minimum Lot Area	40ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	20.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	20.0m
Maximum Building Height	18.0m or 12.0m for a residential dwelling
Maximum Lot Coverage	10%
Minimum Setback for Cannabis-Related Use – Outdoor from a Sensitive Land Use	300.0m
Minimum Setback for Industrial Hemp-Related Use – Outdoor from a Sensitive Land Use	300m
Livestock, Minimum Parcel Size	Livestock shall be permitted to be kept in the Agriculture (A) Zone on parcels with a minimum of two (2) hectares. A livestock facility shall comply with the requirements of the Ontario Nutrient Management Act and Minimum Distance Separation (MDS) formulae and guidelines developed by the Province, as amended from time to time.

5.1.3 Zone Requirements for a Single Detached Dwelling on an Existing Vacant Lot of Record

Minimum Lot Frontage	180.0m
Minimum Lot Area	0.4ha
Minimum Front Yard	8.0m
Minimum Interior Side Yard	8.0m
Minimum Corner Side Yard	8.0m
Minimum Rear Yard	15.0m

Maximum Building Height	12.0m
Maximum Lot Coverage	10%

5.1.3.1 Zone Requirements for a Seasonal or Permanent Farm Help House

a) No seasonal farm help houses shall be used as a permanent dwelling;

b) The minimum floor area for a seasonal farm help house shall be $30m^2$;

c) The minimum floor area for a permanent farm help house shall be $93m^2$; and

d) Notwithstanding the above provisions, a seasonal farm help house may be used as a principal farm dwelling for a period not to exceed one (1) year in the event of destruction by fire, flood or natural disaster of the said farm dwelling.

5.1.4 Zone Requirements for Buildings and Structures Accessory to a Single Detached Dwelling on an Existing Vacant Lot of Record

Maximum Lot Coverage	1% to a maximum of 10% for all buildings
Minimum Side Yard	3.0m
Minimum Rear Yard	3.0m
Minimum Distance to the Dwelling	3.0m
Maximum Building Height	7.3m

Accessory buildings and structures shall not be permitted in the required front yard.

5.1.5 Zone Requirements for a Farm Winery, Brewery, Distillery

Minimum Lot Frontage	46.0m
Minimum Lot Area	10.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	20.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	20.0m
Maximum Building Height	18.0m

Maximum Lot Coverage	10%
Minimum Land Area Planted in Vineyards	5.0ha
Maximum Floor Area of Building(s) Used for a Farm Winery	300.0m^2
Maximum Floor Area of a Hospitality and Retail Space	100.0m^2

5.1.6 Zone Requirements for a Commercial Greenhouse

Minimum Lot Frontage	100.0m
Minimum Lot Area	3.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m*
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	15.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	30%
Minimum Setback from a Dwelling on an Adjacent Lot	45.0m
Minimum Setback for Outside Storage - Lot Line or Dwelling on Adjacent Lot	30.0m

*Where ventilation fans face the rear or side yard the yard shall be increased to 25.0m where one or more ventilating fans exhaust into the respective yard.

5.1.7 Zone Requirements for a Hoop House

Maximum Setback from Any Yard	3.0m
Maximum Height	10.0m

A hoop house will not be considered as part of the overall lot coverage

5.1.8 Zone Requirements for a Kennel

Minimum Lot Frontage	100.0m
Minimum Lot Area	2.0ha

Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	25.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	10%
Minimum Setback from a Dwelling on an Adjacent Lot	150m

5.1.9 Zone Requirements for an Agriculture-Related Use and On-Farm Diversified Use

Please refer to Section 3.2

5.1.10 Zone Requirements for a Bed and Breakfast

Please refer to Section 3.3

5.1.11 Zone Requirements for a Home Industry and Home Occupation

Please refer to Section 3.13

5.1.12 Zone Requirements for Additional Residential Units (ARUs)

Please refer to Section 3.29

5.1.13 Zone Requirements for Short-Term Accommodation

Please refer to Section 3.30

A-CAN

5.1.A AGRICULTURAL ZONE - CANNABIS

Subject to the general provisions of Section 3 and all other applicable requirements of this By-law, the provisions of this section shall apply throughout the Agricultural Zone-Cannabis (A-CAN).

5.1.A.1 Permitted Uses

a) Cannabis-Related Use - Indoor; and

b) Industrial Hemp-Related Use - Indoor;

A retail store is not permitted as an accessory use to any of the permitted uses listed in this section.

5.1.A.2 Zone Requirements for Permitted Uses

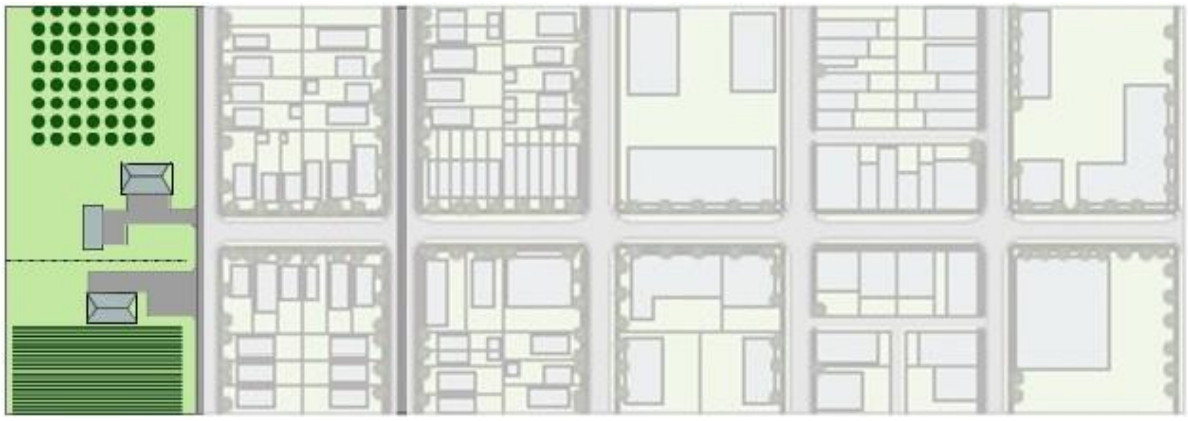
Minimum Lot Frontage for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	100.0m
Minimum Lot Frontage for standard processing and standard cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	200.0m
Minimum Lot Frontage for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	200.0m

Minimum Lot Area for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	3.0ha
Minimum Lot Area for standard processing and standard cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	10.0ha
Minimum Lot Area for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	10.0ha
Maximum Lot Coverage	30%
Minimum Front Yard for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	80.0m
Minimum Front Yard for standard processing and standard cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	80.0m
Minimum Front Yard for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	80.0m
Minimum Side Yard or Rear Yard for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	15.0m, except where ventilating fans in a wall exhaust into the respective Side Yard or Rear Yard, in which case the minimum Yard shall be 25.0m
Minimum Side Yard or Rear Yard for standard processing and standard cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	40.0m, except where ventilating fans in a wall exhaust into the respective Side Yard or Rear Yard, in which case the minimum Yard shall be 60.0m
Minimum Side Yard or Rear Yard for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	40.0m, except where ventilating fans in a wall exhaust into the respective Side Yard or Rear Yard, in which case the minimum Yard shall be 60.0m
Minimum Exterior Side Yard or Rear Yard for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	20.5m
Minimum Exterior Side Yard or Rear Yard for standard processing and standard cultivation as	80.0m

defined by the Federal Cannabis Regulation SOR-2018-144	
Minimum Side Yard or Rear Yard for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	80.0m
Minimum Setback for storage area from Streetline, Lot Line of an adjacent lot with a Residential Use	30.0m

SA

5.2 SPECIALTY AGRICULTURAL ZONE



5.2.1 Permitted Uses

a) Agricultural use;

b) Agri-tourism/Value added use;

c) Agriculture-related use;

d) Bed and breakfast;

e) Farm winery, brewery, distillery;

f) Forestry and resource management;

g) Hobby farm;

h) Home industry;

i) Home occupation;

j) Kennel;

k) On-farm diversified use;

l) Seasonal or permanent farm help house;

m) Additional Residential Units (ARUs);

n) Short-term accommodation;

o) Single detached dwellings on an existing vacant lot of record; and

p) Uses, buildings and structures accessory to the foregoing uses.

5.2.2 Zone Requirements for Specialty Agricultural Uses

Minimum Lot Frontage	180.0m
Minimum Lot Area	40.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	20.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	20.0m
Maximum Building Height	18.0m or 12.0m for residential dwelling
Maximum Lot Coverage	10%
Minimum Setback for Cannabis-Related Use – Outdoor from a Sensitive Land Use	300.0m
Minimum Setback for Industrial Hemp-Related use – Outdoor from a Sensitive Land Use	300.0m
Livestock, Minimum Parcel Size	Livestock shall be permitted to be kept in the Agriculture (A) Zone on parcels with a minimum of two (2) hectares. A livestock facility shall comply with the requirements of the Ontario Nutrient Management Act and Minimum Distance Separation (MDS) formulae and guidelines developed by the Province, as amended from time to time.

5.2.3 Zone Requirements for a Single Detached Dwelling on an Existing Vacant Lot of Record

Minimum Lot Frontage	20.0m
Minimum Lot Area	0.4ha
Minimum Front Yard	8.0m
Minimum Interior Side Yard	8.0m
Minimum Corner Side Yard	8.0m

Minimum Rear Yard	15.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	10%

5.2.3.1 Zone Requirements for a Seasonal or Permanent Farm Help House

a) No seasonal farm help houses shall be used as a permanent dwelling;

b) The minimum floor area for a seasonal farm help house shall be $30m^2$;

c) The minimum floor area for a permanent farm help house shall be $93m^2$; and

d) Notwithstanding the above provisions, a seasonal farm help house may be used as a principal farm dwelling for a period not to exceed one (1) year in the event of destruction by fire, flood or natural disaster of the said farm dwelling.

5.2.4 Zone Requirements for Buildings and Structures Accessory to a Single Detached Dwelling on an Existing Vacant Lot of Record

Maximum Lot Coverage	1% to a maximum of 10% for all buildings
Minimum Side Yard	3.0m
Minimum Rear Yard	3.0m
Minimum Distance to the Dwelling	3.0m
Maximum Building Height	7.3m

Accessory buildings and structures shall not be permitted in the required front yard.

5.2.5 Zone Requirements for a Farm Winery, Brewery, Distillery

Minimum Lot Frontage	46.0m
Minimum Lot Area	10.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	20.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	20.0m

Maximum Building Height	18.0m
Maximum Lot Coverage	10%
Minimum Land Area Planted in Vineyards	5.0ha
Maximum Floor Area of Building(s) Used for a Farm Winery	300.0m^2
Maximum Floor Area of a Hospitality and Retail Space	100.0m^2

5.2.6 Zone Requirements for a Commercial Greenhouse

Minimum Lot Frontage	100.0m
Minimum Lot Area	3.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m*
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	15.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	15.0m
Maximum Lot Coverage	30%
Minimum Setback from a Dwelling on an Adjacent Lot	45.0m
Minimum Setback for Outside Storage from Lot Line or Dwelling on an Adjacent Lot	30.0m

*Where ventilation fans face the rear or side yard the yard shall be increased to 25.0m where one or more ventilating fans exhaust into the respective yard.

5.2.7 Zone Requirements for a Hoop House

Minimum Setback from any Yard	3.0m
Maximum Height	10.0m

A hoop house will not be considered as part of the overall lot coverage.

5.2.8 Zone Requirements for a Kennel

Minimum Lot Frontage	100.0m
Minimum Lot Area	2.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	25.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	10%
Minimum Setback from a Dwelling on an Adjacent Lot	150m

5.2.9 Zone Requirements for an Agriculture-Related Use and On-Farm Diversified Use

Please refer to Section 3.2

5.2.10 Zone Requirements for a Bed and Breakfast

Please refer to Section 3.3

5.2.11 Zone Requirements for a Home Industry and Home Occupation

Please refer to Section 3.13

5.2.12 Zone Requirements for Additional Residential Units (ARUs)

Please refer to Section 3.29

5.2.13 Zone Requirements for Short-Term Accommodation

Please refer to Section 3.30

5.2.14 Exceptions – Greenbelt Natural Heritage System

Lands identified within the Greenbelt Natural Heritage System are located within the Greenbelt Natural Heritage Overlay designation of the Town's Official Plan and reflect lands within the Natural Heritage System of the Provincial Greenbelt Plan. Permitted

uses in the Greenbelt Natural Heritage System shall be the uses of the zone category, subject to the following:

a) Maximum developable area shall be 25%; and

b) Notwithstanding, agricultural buildings and structures are not subject to the above requirements.

SA-CAN

5.2.A SPECIALTY AGRICULTURAL ZONE - CANNABIS

Subject to the general provisions of Section 3 and all other applicable requirements of this By-law, the provisions of this section shall apply throughout the Specialty Agricultural Zone- Cannabis (SA-CAN).

5.1.A.1 Permitted Uses

a) Cannabis-Related Use - Indoor; and

b) Industrial Hemp-Related Use - Indoor;

A retail store is not permitted as an accessory use to any of the permitted uses listed in this section.

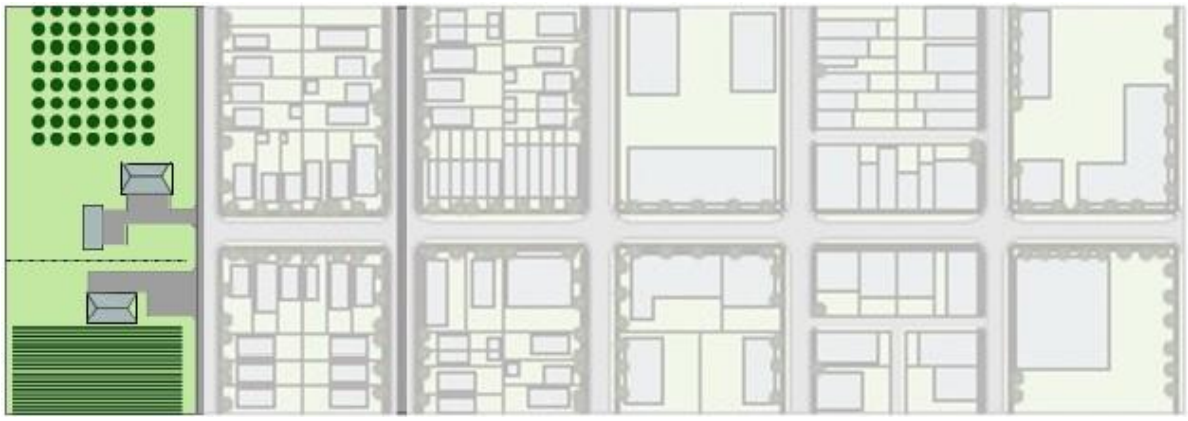
5.1.A.2 Zone Requirements for Permitted Use

Minimum Lot Frontage for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	100.0m
Minimum Lot Frontage for standard processing and standard cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	200.0m
Minimum Lot Frontage for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	200.0m

Minimum Lot Area for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	3.0ha
Minimum Lot Area for standard processing and standard cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	10.0ha
Minimum Lot Area for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	10.0ha
Maximum Lot Coverage	30%
Minimum Front Yard for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	80.0m
Minimum Front Yard for standard processing and standard cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	80.0m
Minimum Front Yard for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	80.0m
Minimum Side Yard or Rear Yard for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	15.0m, except where ventilating fans in a wall exhaust into the respective Side Yard or Rear Yard, in which case the minimum Yard shall be 25.0m
Minimum Side Yard or Rear Yard for standard processing and standard cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	40.0m, except where ventilating fans in a wall exhaust into the respective Side Yard or Rear Yard, in which case the minimum Yard shall be 60.0m
Minimum Side Yard or Rear Yard for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	40.0m, except where ventilating fans in a wall exhaust into the respective Side Yard or Rear Yard, in which case the minimum Yard shall be 60.0m
Minimum Exterior Side Yard or Rear Yard for micro-processing and micro-cultivation as defined by the Federal Cannabis Regulation SOR-2018-144	20.5m
Minimum Exterior Side Yard or Rear Yard for standard processing and standard cultivation as	80.0m

defined by the Federal Cannabis Regulation SOR-2018-144	
Minimum Side Yard or Rear Yard for industrial hemp-related as defined by the Federal Industrial Hemp Regulation SOR-2018-145	80.0m
Minimum Setback for storage area from Streetline, Lot Line of an adjacent lot with a Residential Use	30.0m

5.3 RURAL EMPLOYMENT ZONE



5.3.1 Permitted Uses

a) Agriculture-related use;

b) Agricultural use that does not involve the keeping of livestock;

c) Building supply and service establishment;

d) Commercial self storage;

e) Construction trade and retail establishment;

f) Contractor’s establishment;

g) Custom workshop;

h) Farm supply and service establishment;

i) Fuel storage tank establishment;

j) Kennel;

k) Manufacturing, assembly, processing and fabrication establishment;

l) Vehicle service and repair shop;

m) Vehicle body shop;

n) Veterinarian’s clinic;

o) Warehouse;

p) Wholesaling establishment; and

q) Uses, buildings and structures accessory to the foregoing uses.

5.3.2 Zone Requirements for Rural Employment Uses

Minimum Lot Frontage	30.0m
Minimum Lot Area	0.4ha
Minimum Front Yard	14.0m
Minimum Interior Side Yard	6.0m
Minimum Corner Side Yard	14.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	60%
Maximum Building Height	12.0m

5.3.3 Zone Requirements for a Kennel

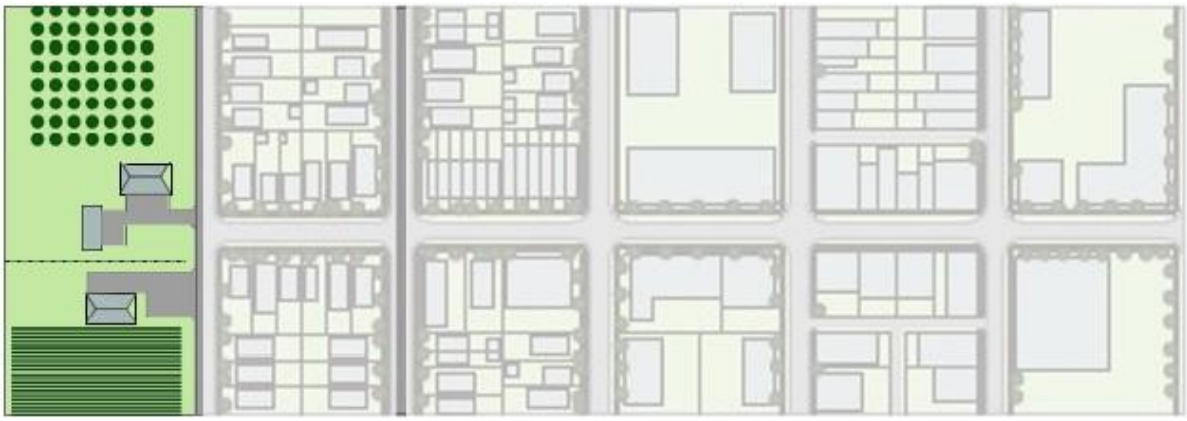
Minimum Lot Frontage	100.0m
Minimum Lot Area	2.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	25.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	10%
Minimum Setback from a Dwelling on an Adjacent Lot	150m

5.3.4 Zone Requirements for Agriculture-Related Uses

Please refer to Section 3.2.1

RE-CAN

5.3. RURAL EMPLOYMENT ZONE - CANNABIS



Subject to the general provisions of Section 3 and all other applicable requirements of this By-law, the provisions of this section shall apply throughout the Rural Employment Zone- Cannabis (RE-CAN).

5.3.A.1 Permitted Uses

a) Cannabis-Related Use - Indoor; and

b) Industrial Hemp-Related Use - Indoor;

A retail store is not permitted as an accessory use to any of the permitted uses listed in this section.

5.3.A.2 Zone Requirements for Permitted Use

Minimum Lot Frontage	30.0m
Minimum Lot Area	0.2ha
Maximum Lot Coverage	60%
Minimum Front Yard	14.0m
Minimum Exterior Side Yard	14.0m
Minimum Side Yard	6.0m, except where adjacent to a Residential Zone, in which case the minimum Side Yard shall be 9.0m

Minimum Rear Yard	7.5m, except where adjacent to a Residential Zone, in which case the minimum Rear Yard shall be 15.0m

5.3.A.3 Additional Zone Requirements for Permitted Uses

a) Notwithstanding Section 5.3.A.2, no minimum Side Yard or Rear Yard shall be required adjacent to a railway spur.

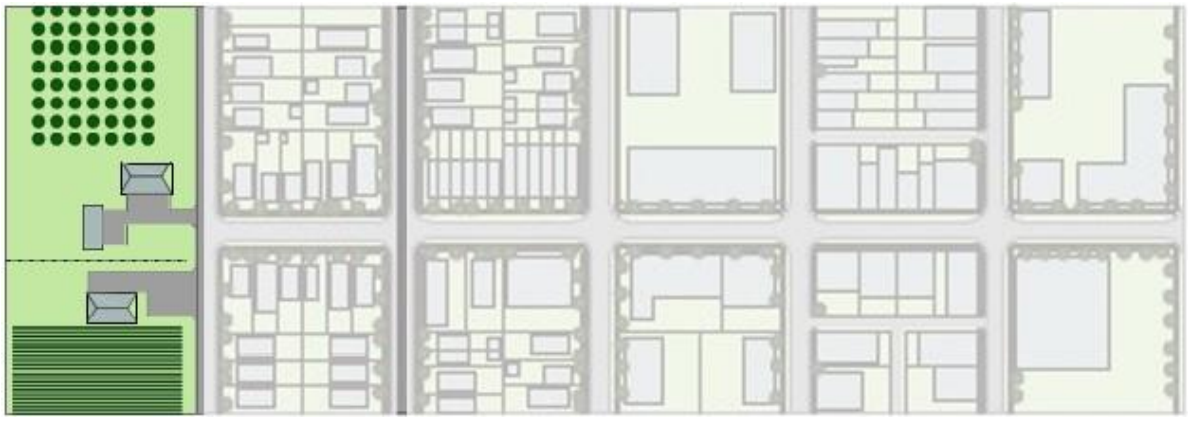
b) Outside storage shall only be permitted within a Rear Yard which is screened from public view.

c) A landscaped amenity area of a minimum width of 3.0m shall be provided adjacent to any Residential Zone or Commercial Zone or a Street that abuts the Side Yard or Rear Yard.

d) Exterior lighting and illuminated signage shall be directed away from any adjacent Residential Zone.

e) Required loading spaces shall not be located in any Front Yard or any Yard adjacent to a Residential Zone.

5.4 COMMERCIAL RURAL ZONE



5.4.1 Permitted Uses

a) Building supply and service establishment;
b) Custom workshop;
c) Farm supply and service establishment;
d) Farm produce market;
e) Service shop;
f) Short term accommodation;
g) Vehicle fuel station (gas bar);
h) Vehicle service and repair establishment;
i) Vehicle sales and rental establishment;
j) Veterinarian's clinic; and
k) Uses, buildings and structures accessory to the foregoing uses.

5.4.2 Zone Requirements for Commercial Rural Uses

Minimum Lot Frontage	30.0m
Minimum Lot Area	0.4ha
Minimum Front Yard	7.5m
Minimum Interior Side Yard	6.0m

Minimum Corner Side Yard	7.5m
Minimum Rear Yard	7.5m
Maximum Lot Coverage	30%
Maximum Building Height	12.0m
Maximum Gross Floor Area	50% of lot area

5.4.3 Zone Requirements for Short-Term Accommodation

Please refer to Section 3.30

5.5 MINERAL AGGREGATE RESOURCE ZONE

5.5.1 Permitted Uses

a) Agricultural use;

b) Agriculture-related use;

c) On-farm diversified use;

d) Mineral aggregate resource operation; and

e) Uses, buildings and structures accessory to the foregoing uses.

5.5.2 Zone Requirements for Mineral Aggregate Resource Uses

Minimum Lot Frontage	100.0m
Minimum Lot Area	20ha
Minimum Front Yard	20.0m*
Minimum Interior Side Yard	20.0m*
Minimum Corner Side Yard	20.0m*
Minimum Rear Yard	20.0m*

*Where lands are licensed for mineral aggregate extraction under the Aggregate Resources Act (ARA), the setbacks established in the approved ARA site plan shall prevail.

5.5.3 Zone Requirements for Agriculture-Related and On-Farm Diversified Use

Please refer to Section 3.2

SECTION 6: RESIDENTIAL ZONES

The following zoning categories are described in this section:

R1 Residential One Zone

Permitted Uses:

- Single detached dwelling;
- Semi-detached dwelling;
- Bed and breakfast establishment;
- Additional Residential Units (ARUs);
- Home occupation; and
- Uses, buildings and structures accessory to the foregoing uses.

R2 Residential Two Zone

Permitted Uses:

- Single detached dwelling;
- Semi-detached dwelling;
- Duplex dwelling;
- Bed and breakfast establishment;
- Additional Residential Units (ARUs);
- Home occupation; and
- Uses, buildings and structures accessory to the foregoing uses.

R3 Residential Three Zone

Permitted Uses:

- Semi-detached dwelling;
- Duplex dwelling;
- Triplex dwelling;
- Additional Residential Units (ARUs);
- Home occupation; and
- Uses, buildings and structures accessory to the foregoing uses.

RR Rural Residential Zone

Permitted Uses:

- Single detached dwelling;
- Additional Residential Units (ARUs);
- Home occupation and
- Uses, buildings and structures accessory to the foregoing uses.

RM1 Residential Multiple One Zone

Permitted Uses:

- Semi-detached dwelling;
- Duplex dwelling;
- Triplex dwelling;
- Fourplex dwelling;
- Boarding house dwelling;
- Converted dwelling;
- Street townhouse dwelling;
- Block townhouse dwelling;
- Additional Residential Units (ARUs); and
- Uses, buildings and structures accessory to the foregoing uses.

RM2 Residential Multiple Two Zone

Permitted Uses:

- Apartment dwelling; and
- Uses, buildings and structures accessory to the foregoing uses.

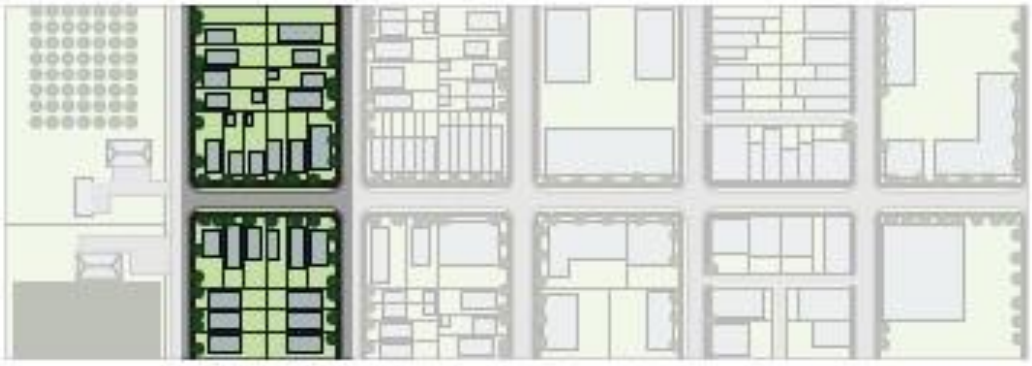
RD Residential Development Zone

Permitted Uses:

- Existing single detached dwelling;
- Uses, buildings and structures accessory to the foregoing uses; and
- Uses existing at the time of the passing of the by-law.

R1

6.1 RESIDENTIAL ONE ZONE



6.1.1 Permitted Uses

a) Single detached dwelling;

b) Semi-detached dwelling;

c) Bed and breakfast establishment;

d) Home occupation;

e) Additional Residential Units (ARUs); and

f) Uses, buildings and structures accessory to the foregoing uses.

6.1.2 Zone Requirements for a Single Detached Dwelling

Minimum Lot Frontage	15.0m
Minimum Lot Area	420m^2
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Height for a Dwelling	12.0m

Maximum Lot Coverage	50%

6.1.3 Zone Requirements for a Semi-Detached Dwelling

Minimum Lot Frontage	6.0m per dwelling unit
Minimum Lot Area	165m^2 per dwelling unit
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Minimum Side Yard	1.2m except that no interior side yard shall be required for a semi-detached dwelling between the common vertical wall dividing one unit from another.
Minimum Corner Side Yard	3.0m except where no attached garage or carport is provided the minimum corner side yard shall be 5.5m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.1.4 Zone Requirements for a Bed and Breakfast Establishment

Please refer to Section 3.3

6.1.5 Zone Requirements for a Home Occupation

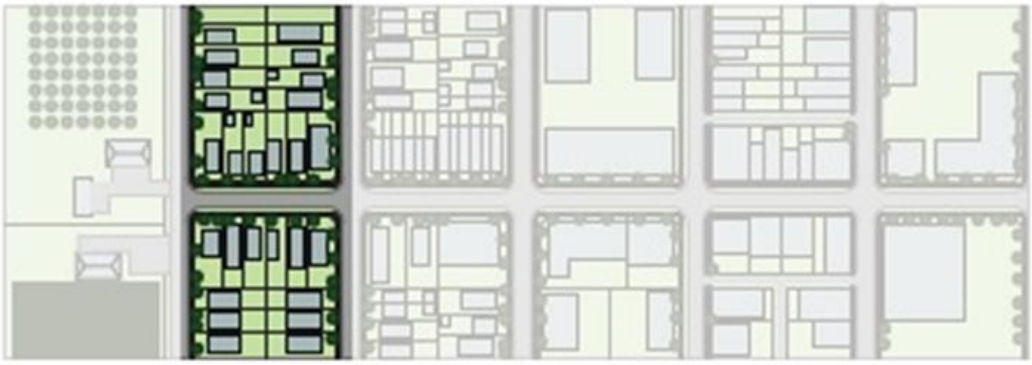
Please refer to Section 3.13.1

6.1.6 Zone Requirements for Additional Residential Units (ARUs)

Please refer to Section 3.29

R2

6.2 RESIDENTIAL TWO ZONE



6.2.1 Permitted Uses

a) Single detached dwelling;

b) Duplex dwelling;

c) Semi-detached dwelling;

d) Bed and breakfast establishment in a single detached dwelling;

e) Home occupation;

f) Additional Residential Units (ARUs); and

g) Uses, buildings and structures accessory to the foregoing uses.

6.2.2 Zone Requirements for a Single Detached Dwelling

Minimum Lot Frontage	12.0m
Minimum Lot Area	360m^2
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m

Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.2.3 Zone Requirements for a Semi-Detached Dwelling

Minimum Lot Frontage	6.0m per dwelling unit
Minimum Lot Area	165m^2 per dwelling unit
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Minimum Side Yard	1.2m except that no interior side yard shall be required for a semi-detached dwelling between the common vertical wall dividing one unit from another.
Minimum Corner Side Yard	3.0m except where no attached garage or carport is provided the minimum corner side yard shall be 5.5m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.2.4 Zone Requirements for a Duplex Dwelling

Minimum Lot Frontage	14.0
Minimum Lot Area	400m^2
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Minimum Side Yard	1.2m
Minimum Corner Side Yard	4.5m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.2.5 Zone Requirements for a Bed and Breakfast Establishment

Please refer to Section 3.3

6.2.6 Zone Requirements for a Home Occupation

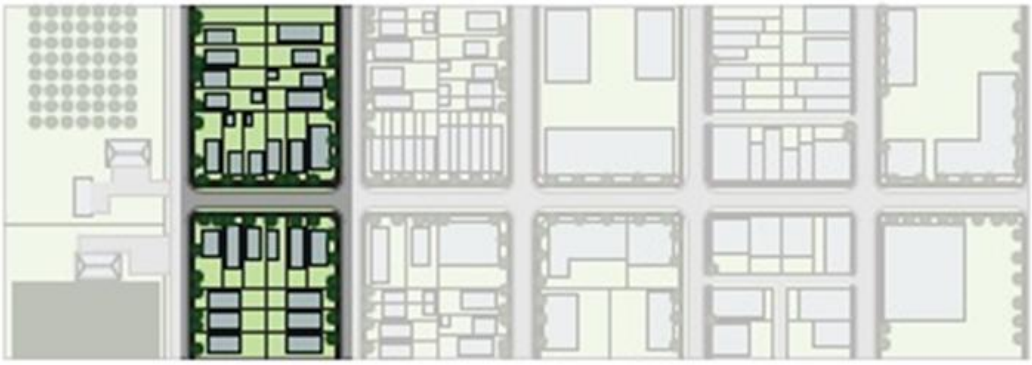
Please refer to Section 3.13.1

6.2.7 Zone Requirements for Additional Residential Units (ARUs)

Please refer to Section 3.29

R3

6.3 RESIDENTIAL THREE ZONE



6.3.1 Permitted Uses

a) Semi-detached dwelling;

b) Duplex Dwellings;

c) Triplex dwelling;

d) Home occupation;

e) Additional Residential Units (ARUs); and

f) Uses, buildings and structures accessory to the foregoing uses.

6.3.2 Zone Requirements for a Semi-Detached Dwelling

Minimum Lot Frontage	6.0m per dwelling unit
Minimum Lot Area	165m^2 per dwelling unit
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Minimum Side Yard	1.2m except that no interior side yard shall be required for a semi-detached dwelling between the common vertical wall dividing one unit from another.
Minimum Corner Side Yard	3.0m except where no attached garage or carport is provided the minimum corner side yard shall be 5.5m
Minimum Rear Yard	7.5m

Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.3.3 Zone Requirements for a Duplex Dwelling

Minimum Lot Frontage	14.0
Minimum Lot Area	400m^2
Minimum Front Yard	3.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	4.5m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.3.4 Zone Requirements for a Triplex Dwelling

Minimum Lot Frontage	14.0
Minimum Lot Area	140m^2 per unit
Minimum Front Yard	3.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.3.5 Zone Requirements for a Home Occupation

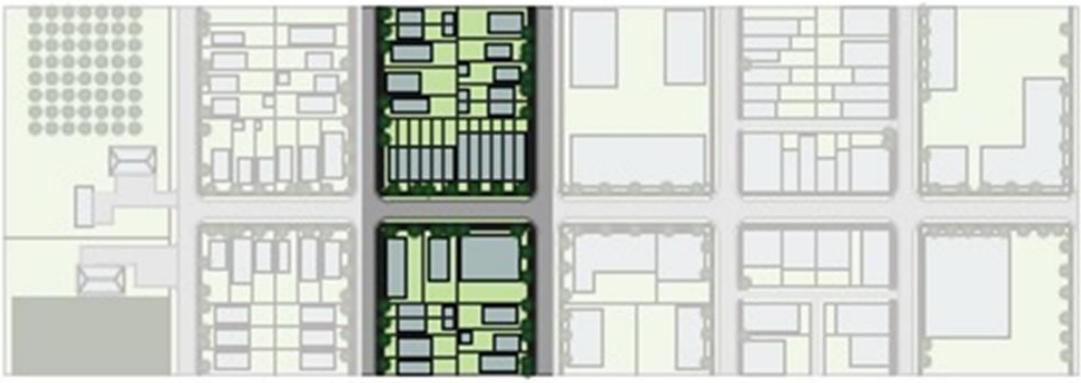
Please refer to Section 3.13.1

6.3.6 Zone Requirements for Additional Residential Units (ARUs)

Please refer to Section 3.29

RM1

6.4 RESIDENTIAL MULTIPLE ONE ZONE



6.4.1 Permitted Uses

a) Triplex dwelling;

b) Semi-detached dwelling;

c) Duplex dwelling;

d) Fourplex dwelling;

e) Boarding house dwelling;

f) Converted dwelling;

g) Street townhouse dwelling;

h) Block townhouse dwelling;

i) Home occupation;

j) Additional Residential Units (ARUs); and

k) Uses, buildings and structures accessory to the foregoing uses.

6.4.2 Zone Requirements for Residential Multiple One Uses

Minimum Lot Frontage	14.0m 6.0m per dwelling unit for semi-detached dwellings

Minimum Lot Area	140m^2 per unit
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.4.3 Zone Requirements for a Street Townhouse Dwelling

Minimum Lot Frontage	6.0m per dwelling unit, except in the case of an interior lot containing a dwelling attached on one side only, the minimum lot frontage required shall be 9.0m
Minimum Lot Area	230m^2 per unit
Minimum Front Yard	3.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Landscape strip	A landscape strip of 1.5m minimum in width shall be provided where the boundary of a RM1 Zone abuts an R1, R2 or R3 Zone
Maximum Lot Coverage	50%

6.4.4 Zone Requirements for a Block Townhouse Dwelling

Minimum Lot Frontage	30.0m or 14.0m on a corner lot
Minimum Lot Area	2,000m^2
Minimum Front Yard	3.0m

Minimum Side Yard	1.2m, except that where the rear of a building faces the side yard, the minimum side yard shall be 7.5m, and the minimum side yard abutting a street shall be 7.5m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Minimum Setback from an Internal Road	3.0m except for garages where it is 6.0m
Maximum Setback from an Internal Road	4.5m
Distance Between Buildings on the Same Lot	FACE OF A BUILDING means one or other of the longest walls on a building. SIDE OF A BUILDING means one or the other of the shortest walls on a building. Each building shall be deemed to have two faces. Any face of one townhouse shall be no closer to any side of another townhouse than 9.0m. Any face of any townhouse shall be no closer than 14.0m to any face of another townhouse. Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse.
Landscape strip	A landscape strip of 1.5m minimum in width shall be provided where the boundary abuts a R1, R2, or R3 Zone.
Maximum Lot Coverage	50%

6.4.5 Zone Requirements for a Home Occupation

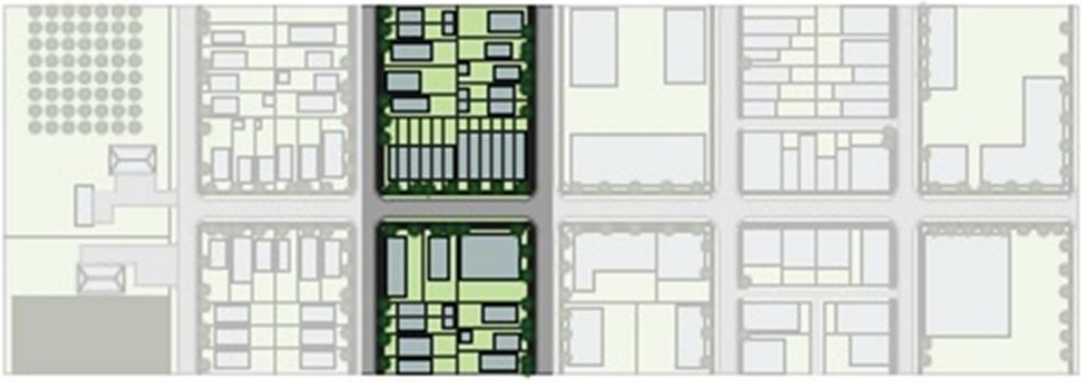
Please refer to Section 3.13.1

6.4.6 Zone Requirements for Additional Residential Units (ARUs)

Please refer to Section 3.29

RM2

6.5 RESIDENTIAL MULTIPLE TWO ZONE



6.5.1 Permitted Uses

a) Apartment dwelling; and

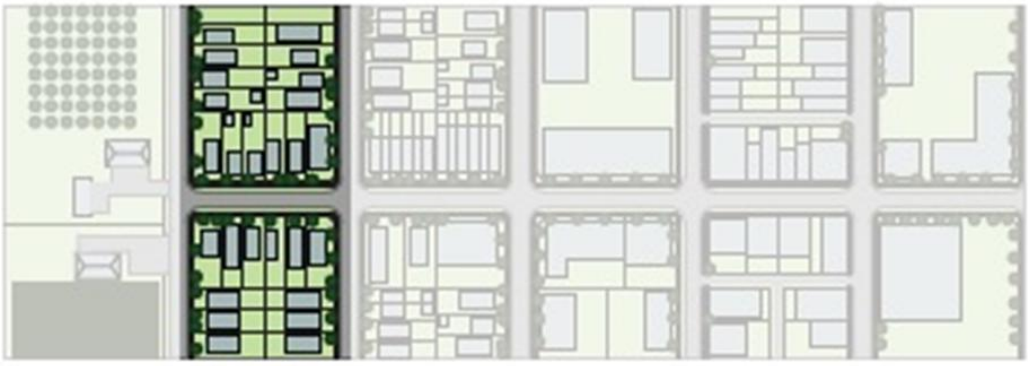
b) Uses, buildings and structures accessory to the foregoing uses.

6.5.2 Zone Requirements

Minimum Lot Frontage	30.0m
Minimum Lot Area	150m^2 per unit
Minimum Front Yard	3.0m
Minimum Side Yard	6.0m or ½ the height of the building, whichever is less
Minimum Corner Side Yard	3.0m to 6.0m
Minimum Rear Yard	12.0m
Maximum Building Height	15.0m
Maximum Lot Coverage	50%
Landscape strip	A landscape strip of 2.4m minimum in width shall be provided where the boundary of a RM2 Zone abuts a R1, R2, or R3 Zone.

RD

6.6 RESIDENTIAL DEVELOPMENT ZONE



6.6.1 Permitted Uses

a) Existing single detached dwelling;

b) Uses, buildings and structures accessory to the foregoing uses; and

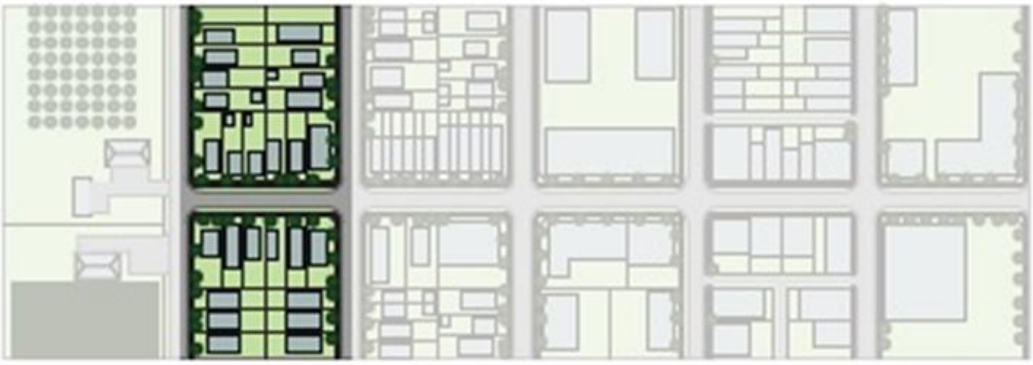
c) Uses existing at the date of passing of the By-law.

6.6.2 Zone Requirements

Minimum Lot Frontage	122.0m or as existing
Minimum Lot Area	4000m^2 or as existing
Minimum Front Yard	8.0m
Minimum Side Yard	5.0m
Minimum Corner Side Yard	8.0m
Minimum Rear Yard	8.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

RR

6.7 RURAL RESIDENTIAL ZONE



6.7.1 Permitted Uses

a) Single detached dwelling;

b) Home occupation;

c) Additional Residential Units (ARUs); and

d) Uses, buildings and structures accessory to the foregoing uses.

6.7.2 Zone Requirements

Minimum Lot Frontage	15.0m or 17.0m on a corner lot
Minimum Lot Area	0.4ha
Minimum Front Yard	3.0m
Minimum Side Yard	1.2m and 3.0m on the other side 1.5m on each side where carport or garage is attached
Minimum Rear Yard	5.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

6.7.3 Zone Requirements for a Home Occupation

Please refer to Section 3.13.1

6.7.4 Zone Requirements for Additional Residential Units (ARUs)

Please refer to Section 3.29

SECTION 7: GREENFIELD DEVELOPMENT ZONE

The following zoning categories are described in this section:

GF-R1

New Greenfield Development Residential One Zone

Permitted Uses:

- Single detached dwelling;
- Semi-detached dwelling;
- Duplex dwelling;
- Triplex dwelling;
- Bed and breakfast establishment in a single detached dwelling;
- Additional Residential Units (ARUs); and
- Uses, buildings and structures accessory to the foregoing uses.

GF-R2

New Greenfield Development Residential Two Zone

Permitted Uses:

- Street townhouses;
- Additional Residential Units (ARUs); and
- Uses, buildings and structures accessory to the foregoing uses.

GF-R3

New Greenfield Development Residential Three Zone

Permitted Uses:

- Triplex dwelling;
- Fourplex dwelling;
- Street townhouses;
- Block townhouses;
- Stacked townhouses;
- Back-to-back townhouses
- Apartment dwellings;
- Additional Residential Units (ARUs); and
- Uses, buildings and structures accessory to the foregoing uses.

GF-NC

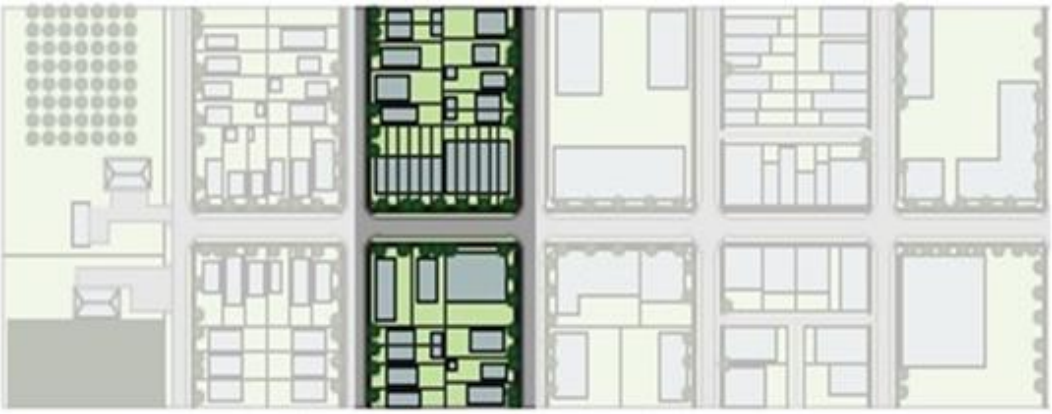
New Greenfield Development Neighbourhood Commercial Zone

Permitted Uses:

- Retail use;
- Service shop;
- Dwelling units above the ground floor; and
- Uses, buildings and structures accessory to the foregoing uses.

GF-R1

7.1 NEW GREENFIELD DEVELOPMENT RESIDENTIAL ONE ZONE



7.1.1 Permitted Uses

a) Single detached dwelling;

b) Semi-detached dwelling;

c) Duplex dwelling;

d) Triplex dwelling;

e) Bed and breakfast establishment in a single detached dwelling;

f) Additional Residential Units (ARUs); and

g) Uses, buildings and structures accessory to the foregoing uses.

7.1.2 Zone Requirements for a Bed and Breakfast Establishment

Please refer to Section 3.3

7.1.3 Zone Requirements for Additional Residential Units (ARUs)

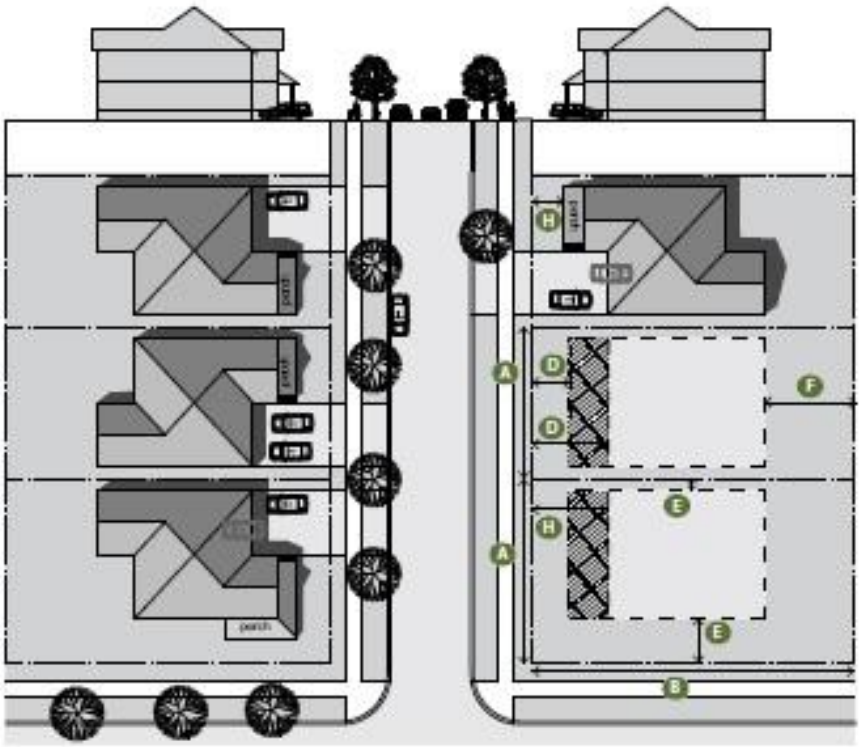
Please refer to Section 3.29

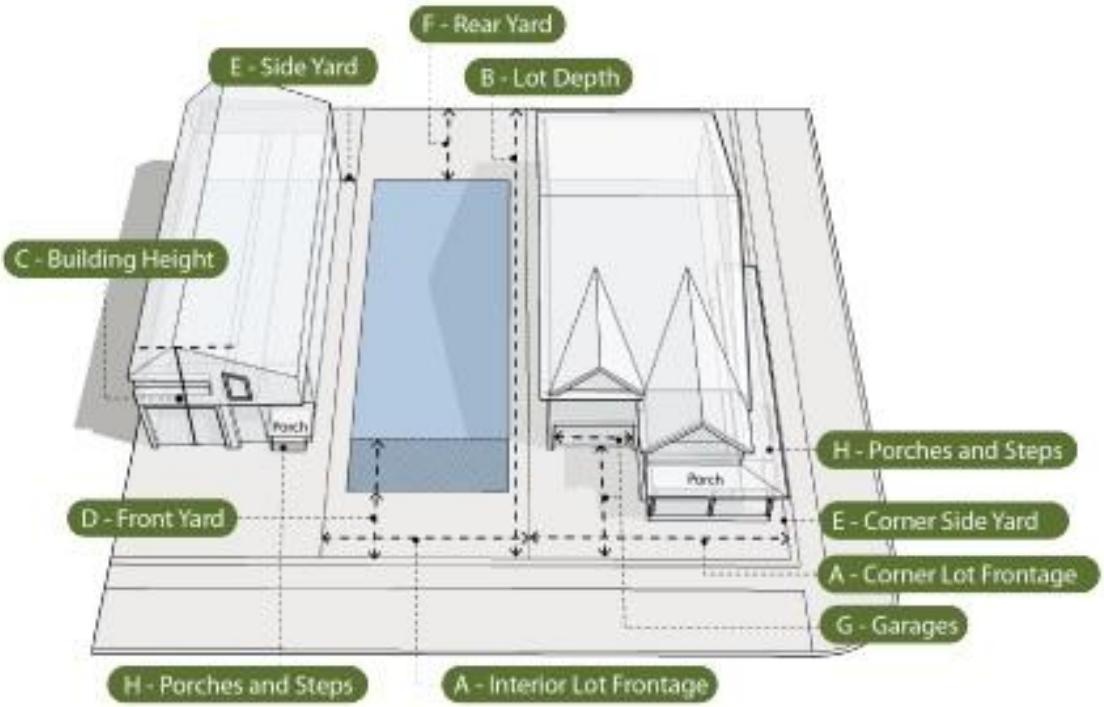
7.1.4 Zone Requirements Single Detached with Attached Garage

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m
Garage	The garage door shall be set back a minimum of 6.0m from the lot line, or corner side yard lot line. The garage door width shall not exceed a maximum of 50% of the width of the lot or 6.0m, whichever is less, or, if facing the corner side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Single Detached with Attached Garage Typologies</u>

Demonstration Streetscape



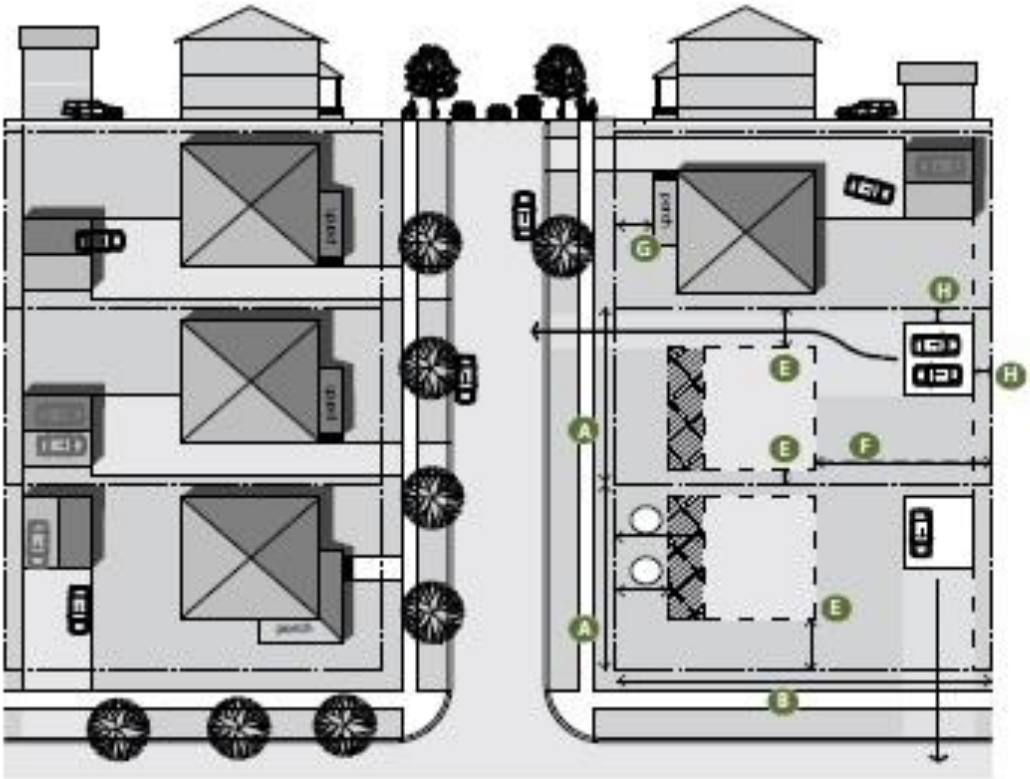


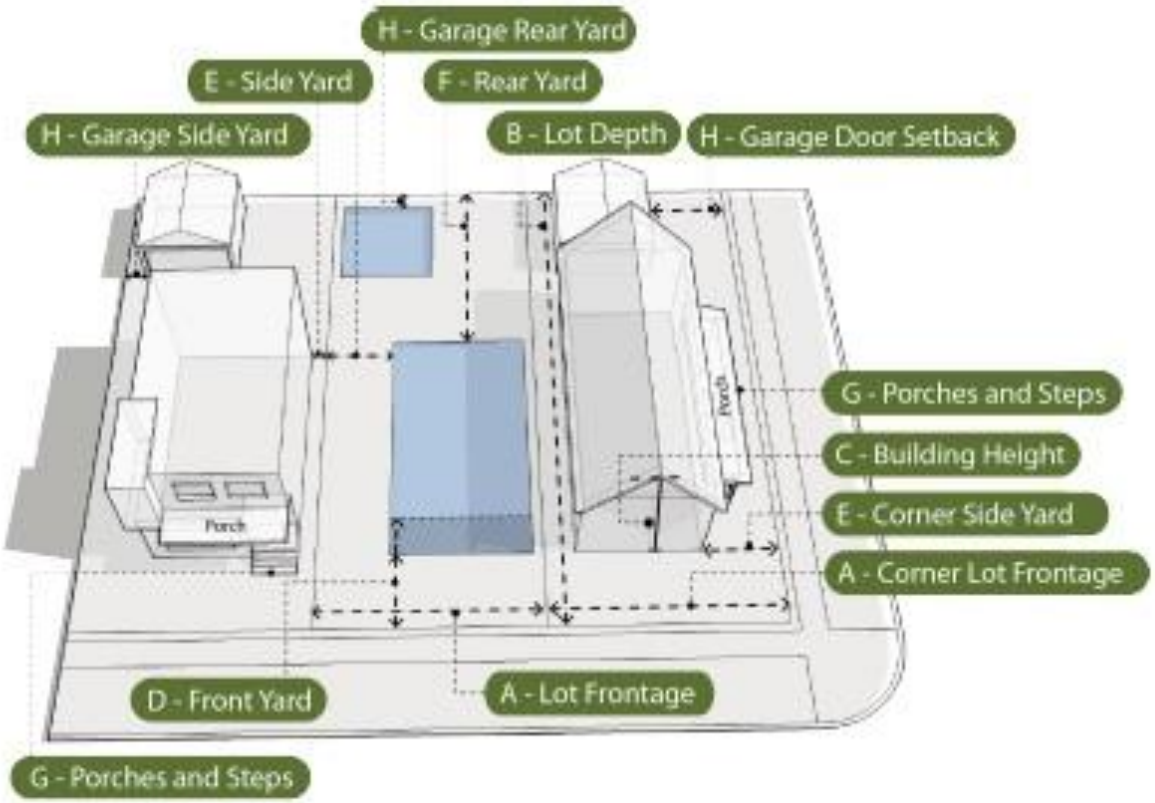
7.1.5 Zone Requirements Single Detached with Detached Garage

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 13.5m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. Where there is a driveway within the interior side yard, the minimum side yard shall be 3.0m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	A detached garage shall be set back a minimum of 1.2m from the interior side lot line and rear lot line. The garage door shall be set back a minimum of 6.0m from the front lot line or corner side yard. The garage door width shall not exceed 50% of the lot width, or, if facing the corner side lot line, 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Single Detached with Detached Garage Typologies</u>

Demonstration Streetscape



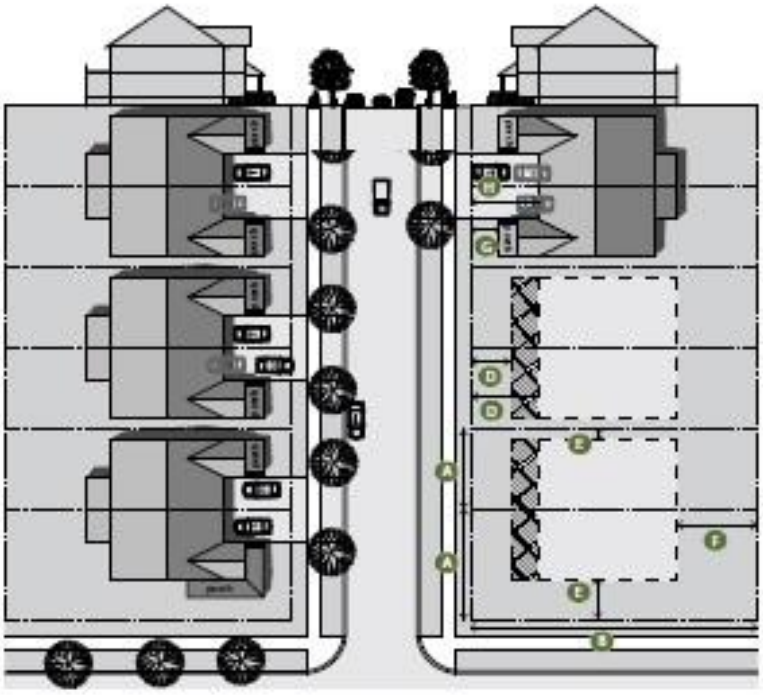


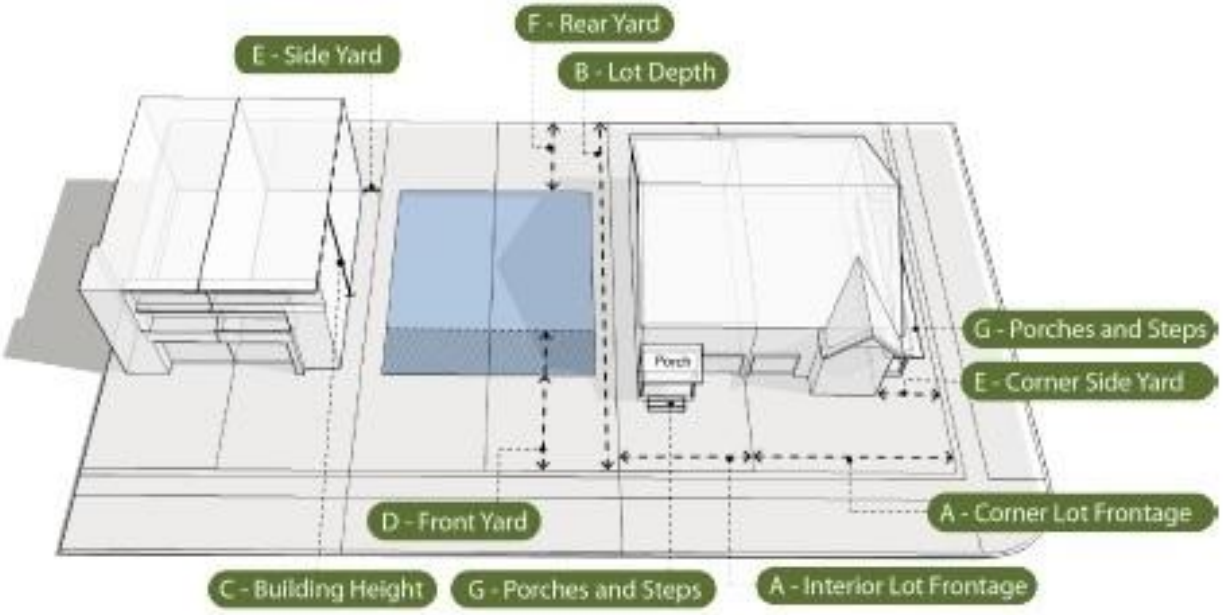
7.1.6 Zone Requirements Semi-Detached with Attached Garage

Lot Frontage	The minimum lot frontage shall be 9.0m, with a minimum lot frontage of 12.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m
Garage	The garage door shall be set back a minimum of 6.0m from the front lot line. The garage door width shall not exceed 50% of the lot width or 6.0m, whichever is less, or, if facing the corner side lot line, 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Semi-Detached with Attached Garage Typologies</u>

Demonstration Streetscape



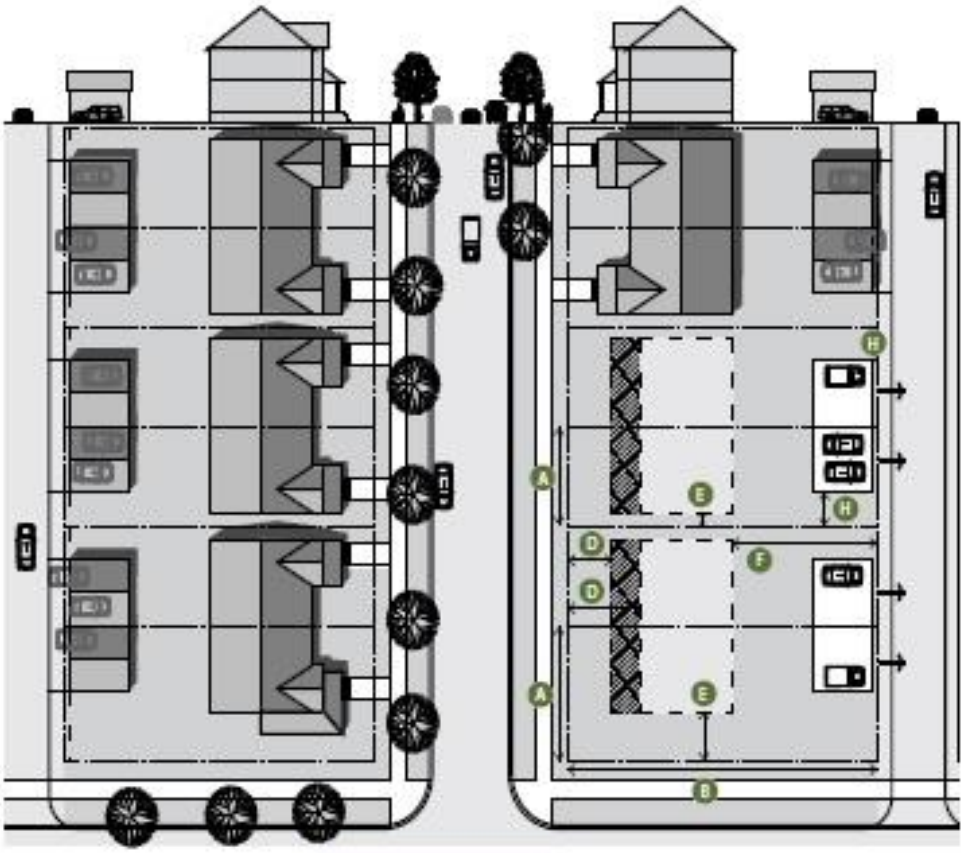


7.1.7 Zone Requirements Semi-Detached with Rear Lane

Lot Frontage	The minimum lot frontage shall be 9.0m, with a minimum lot frontage of 12.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back 1.2m from one side lot line and 0.5m from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Semi-Detached with Rear Lane Typologies</u>

Demonstration Streetscape

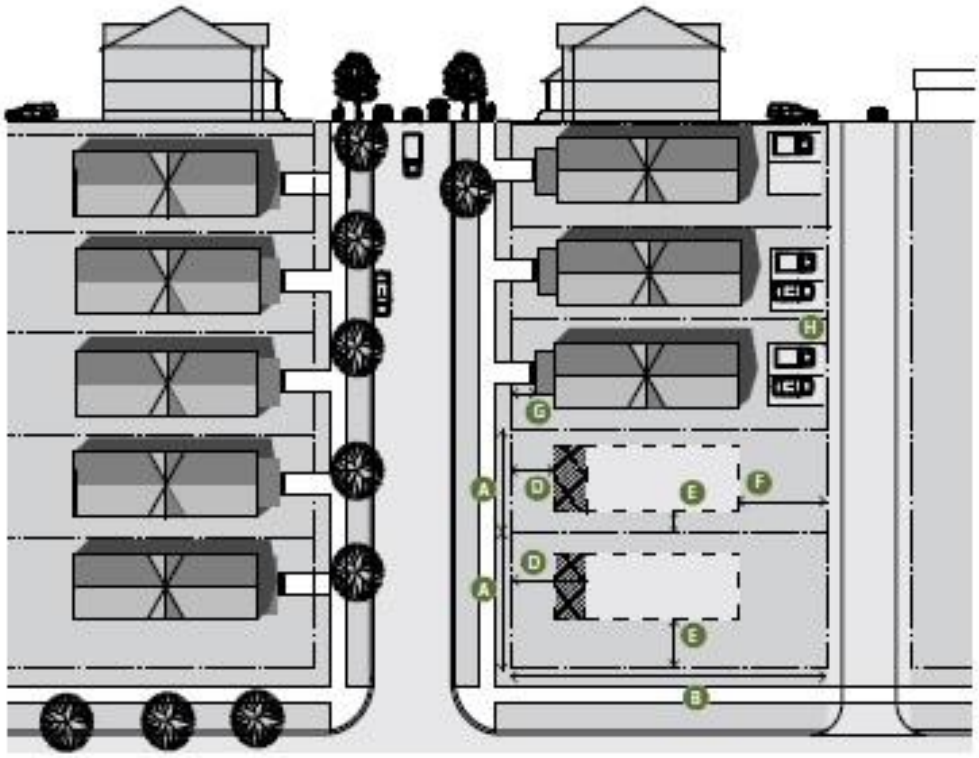


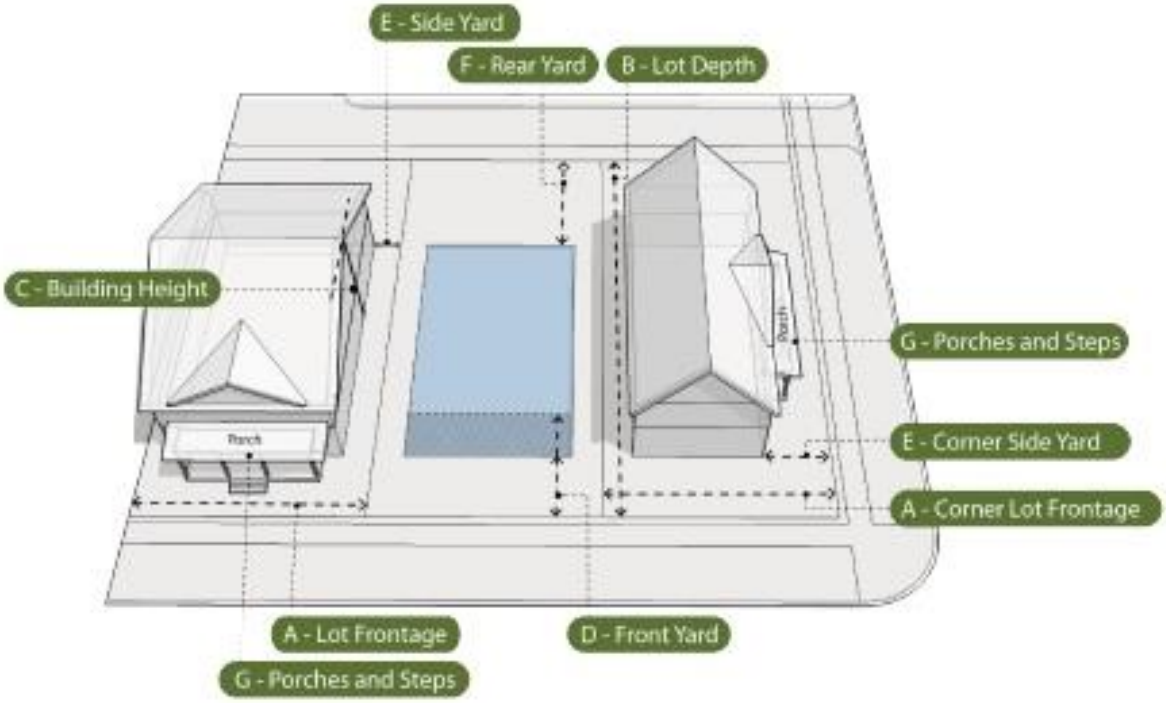
7.1.8 Zone Requirements Duplex and Triplex with Rear Lane

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back 1.2m from one side lot line and 0.5m from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

Duplex and Triplex with Rear Lane Typologies

Demonstration Streetscape





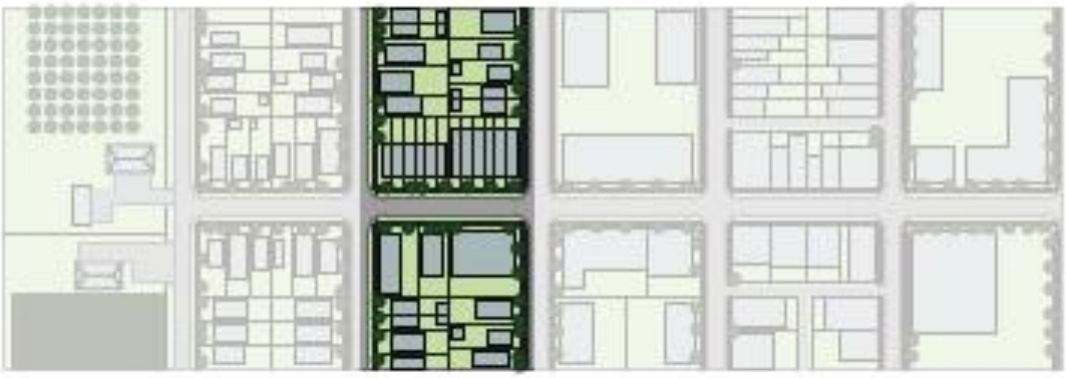
7.1.9 Zone Requirements Duplex and Triplex with Attached Garage

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m
Garage	The garage shall be set back a minimum of 6.0m from the front lot line or corner side yard lot line. The garage door width shall not exceed 50% of the width of the lot or 6.0m, whichever is less, or if facing the exterior side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Duplex and Triplex with Attached Garage Typologies</u>

GF-R2

7.2 NEW GREENFIELD DEVELOPMENT RESIDENTIAL TWO ZONE



7.2.1 Permitted Uses

a) Street townhouses;

b) Additional Residential Units (ARUs); and

c) Uses, buildings and structures accessory to the foregoing uses.

7.2.2 Zone Requirements for Additional Residential Units (ARUs)

Please refer to Section 3.29

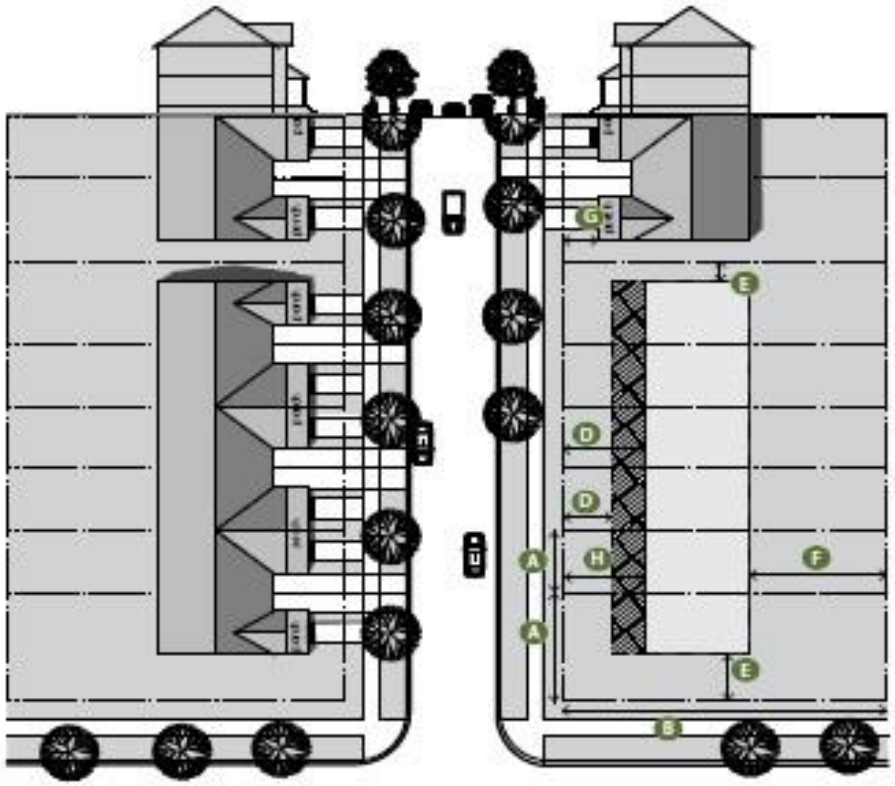
7.2.3 Zone Requirements Street Townhouse with Attached Garage

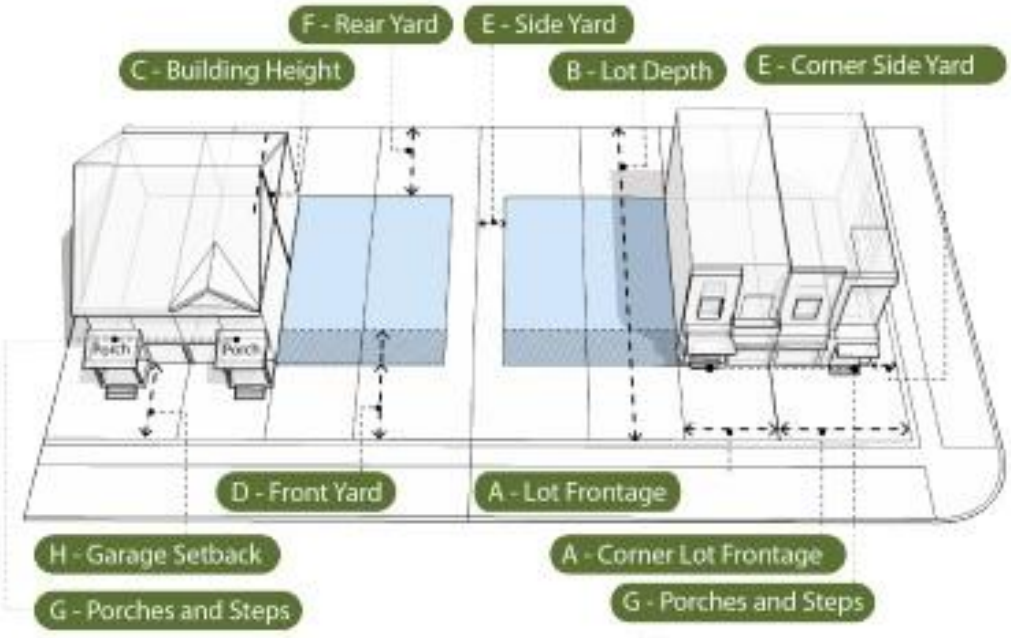
Lot Frontage	The minimum lot frontage shall be 6.0m per unit, with a minimum frontage of 7.2m for interior end units and 9.0m for exterior end units.
Lot Depth	The minimum lot depth shall be 29.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m

Rear Yard	The minimum rear yard setback shall be 6.0m
Garage	The garage shall be set back a minimum of 6.0m from the front lot line or corner side yard lot line. The garage door width shall not exceed 65% of the width of the lot or 6.0m, whichever is less, or if facing the exterior side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

Street Townhouse with Attached Garage Typologies

Demonstration Streetscape



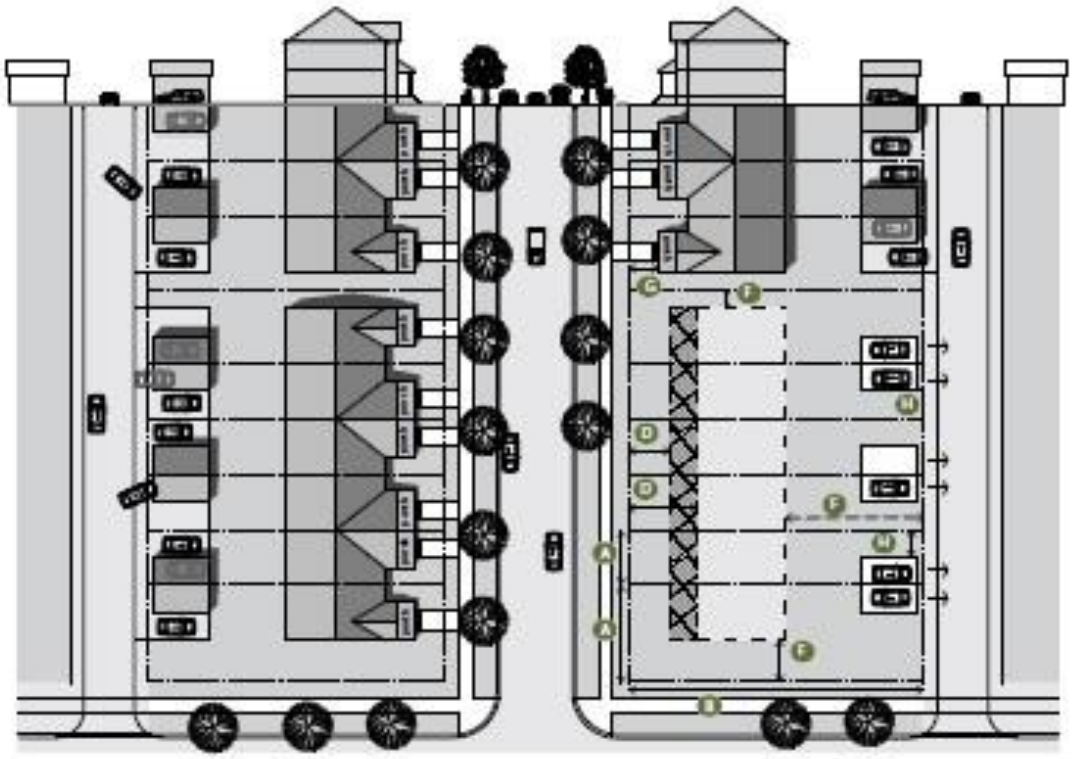


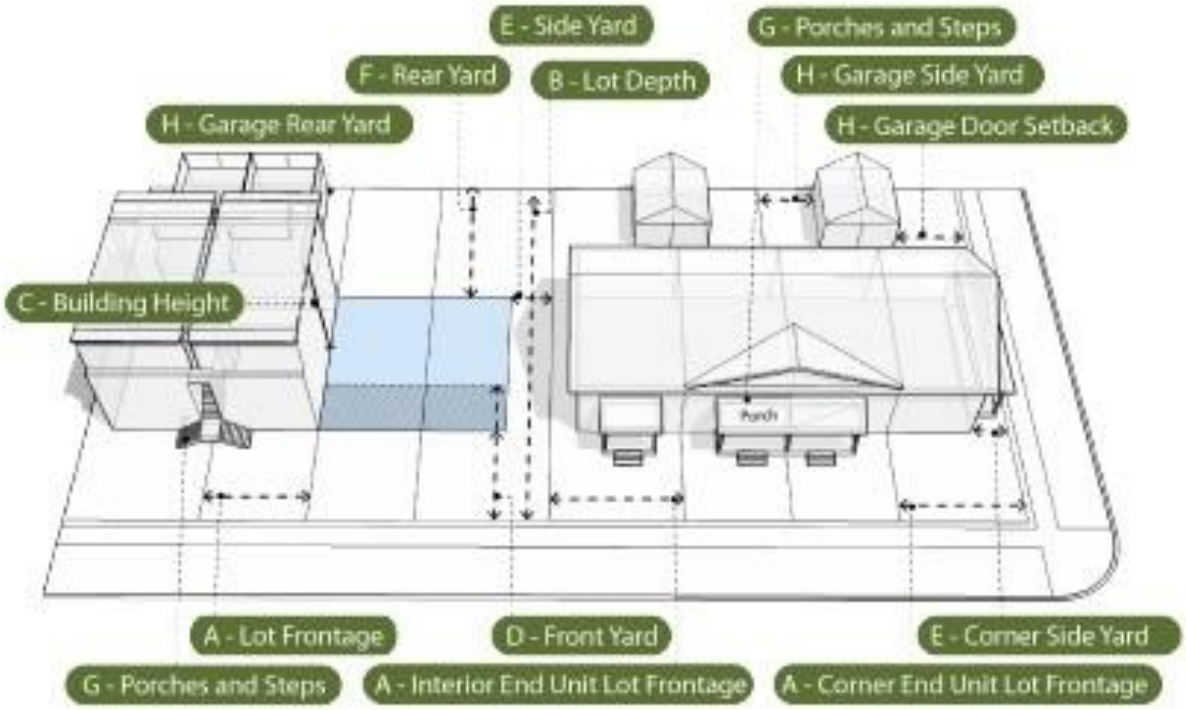
7.2.4 Zone Requirements Street Townhouse with Rear Lane

Lot Frontage	The minimum lot frontage shall be 6.0m per unit, with a minimum frontage of 7.2m for interior end units and 9.0m for exterior end units.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back a minimum of 1.2m from one side lot line and 0.5 from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Street Townhouse with Rear Lane Typologies</u>

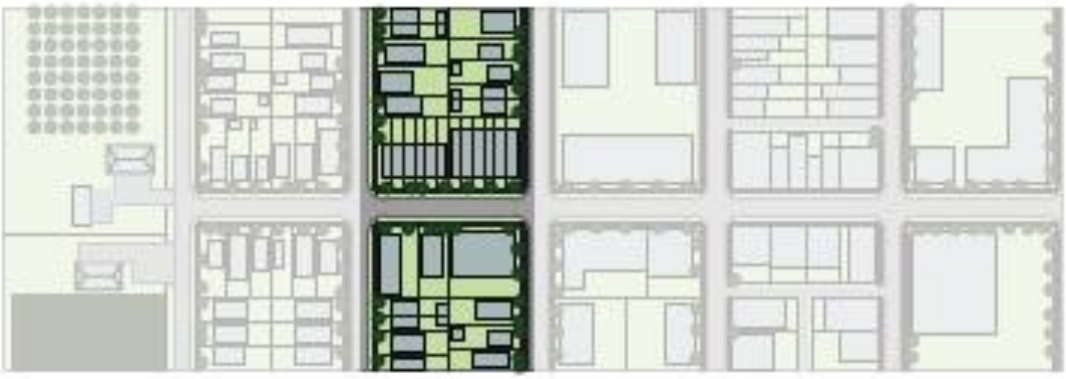
Demonstration Streetscape





GF-R3

7.3 NEW GREENFIELD DEVELOPMENT RESIDENTIAL THREE ZONE



7.3.1 Permitted Uses

a) Triplex dwelling;

b) Fourplex dwelling;

c) Street townhouses;

d) Block townhouses;

e) Stacked townhouses;

f) Back-to-back townhouses;

g) Apartment dwellings;

h) Additional Residential Units (ARUs); and

i) Uses, buildings and structures accessory to the foregoing uses.

7.3.2 Zone Requirements for Additional Residential Units (ARUs)

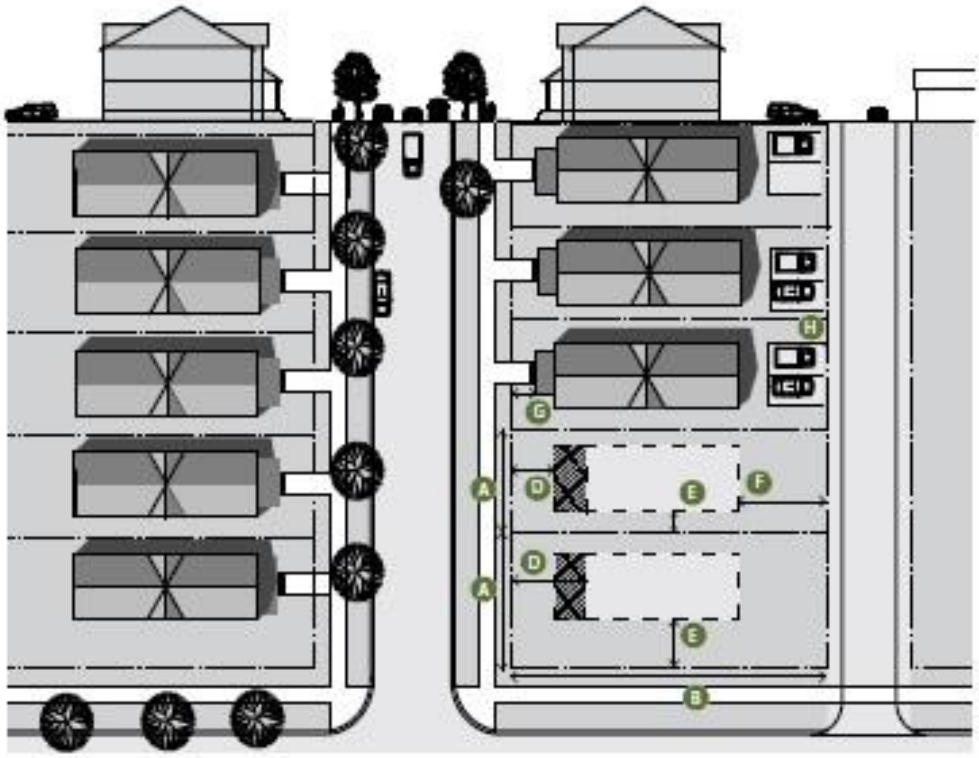
Please refer to Section 3.29

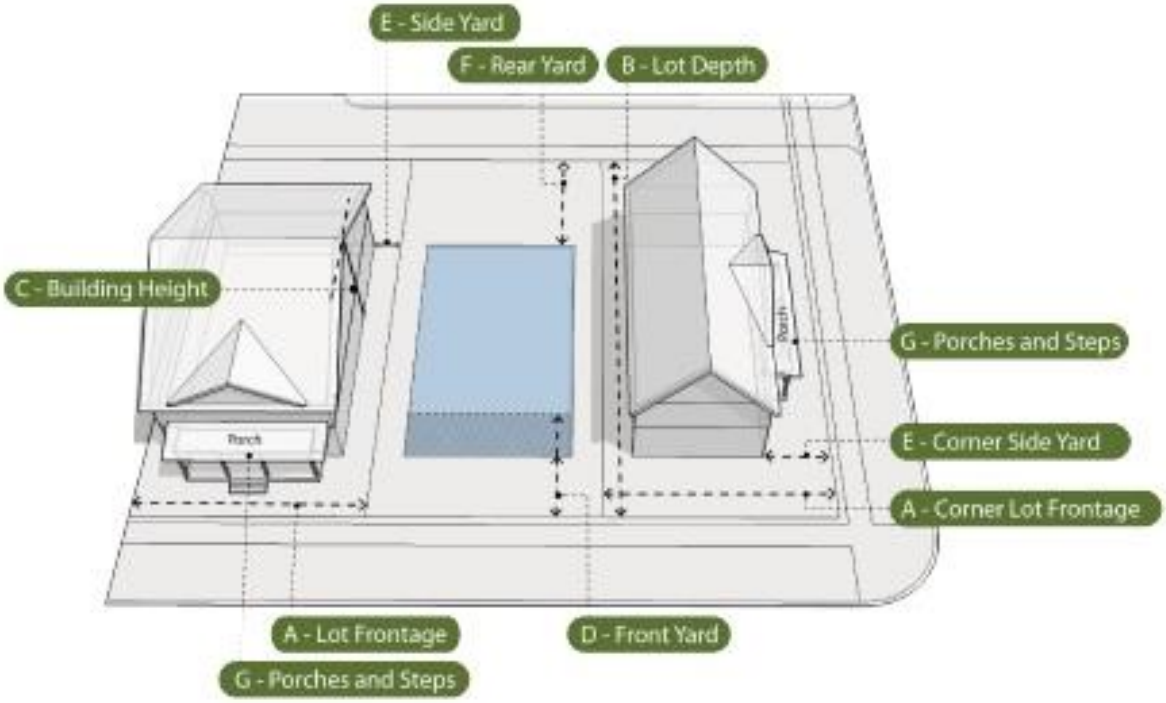
7.3.3 Zone Requirements Triplex and Fourplex with Rear Lane

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 28.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back 1.2m from one side lot line and 0.5m from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Triplex and Fourplex with Rear Lane Typologies</u>

Demonstration Streetscape





7.3.4 Zone Requirements Duplex and Triplex with Attached Garage

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 28.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m
Garage	The garage shall be set back a minimum of 6.0m from the front lot line or corner side yard lot line. The garage door width shall not exceed 50% of the width of the lot or 6.0m, whichever is less, or if facing the exterior side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

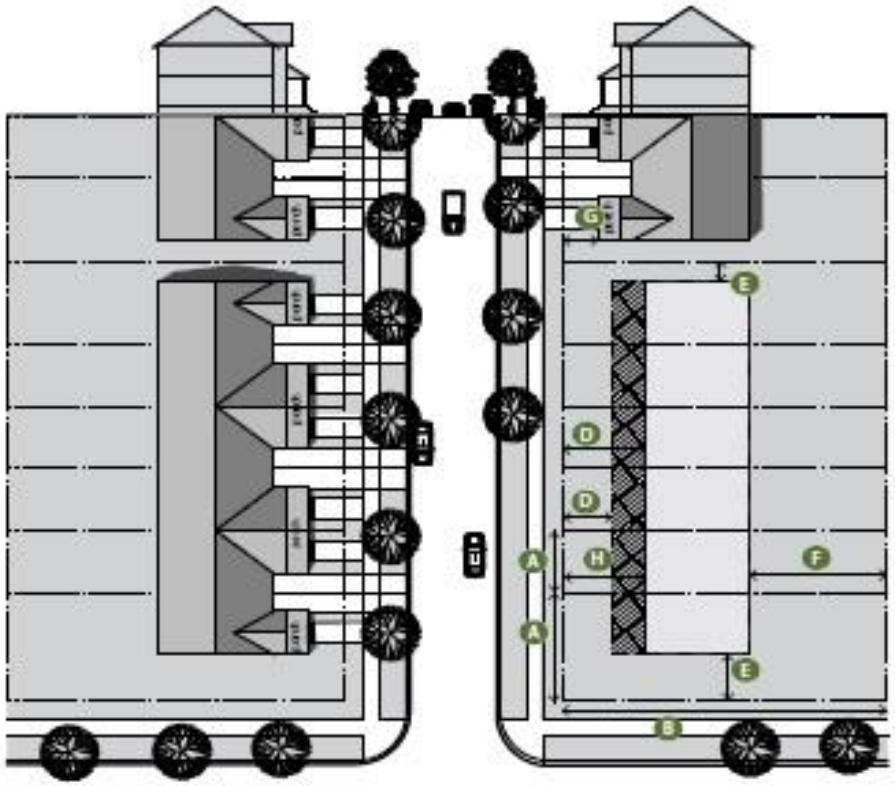
Triplex and Fourplex with Attached Garage Typologies

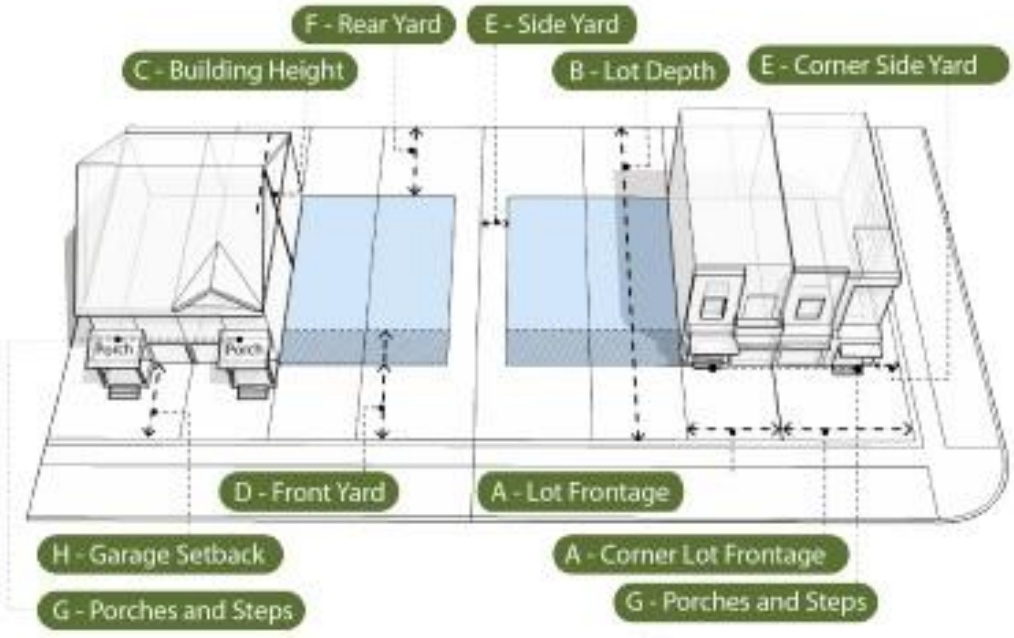
7.3.5 Zone Requirements Street Townhouse with Attached Garage

Lot Frontage	The minimum lot frontage shall be 6.0m per unit, with a minimum frontage of 7.2m for interior end units and 9.0m for exterior end units.
Lot Depth	The minimum lot depth shall be 28.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 6.0m
Garage	The garage shall be set back a minimum of 6.0m from the front lot line or corner side yard lot line. The garage door width shall not exceed 65% of the width of the lot or 6.0m, whichever is less, or if facing the exterior side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Street Townhouse with Attached Garage Typologies</u>

Demonstration Streetscape



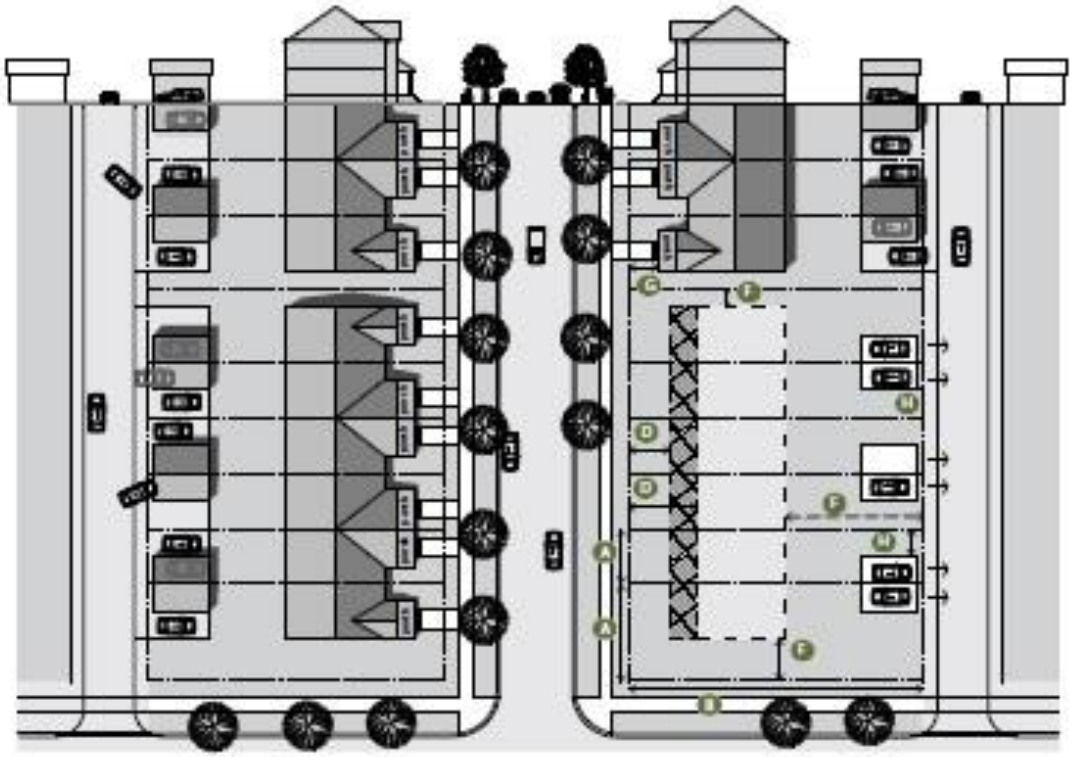


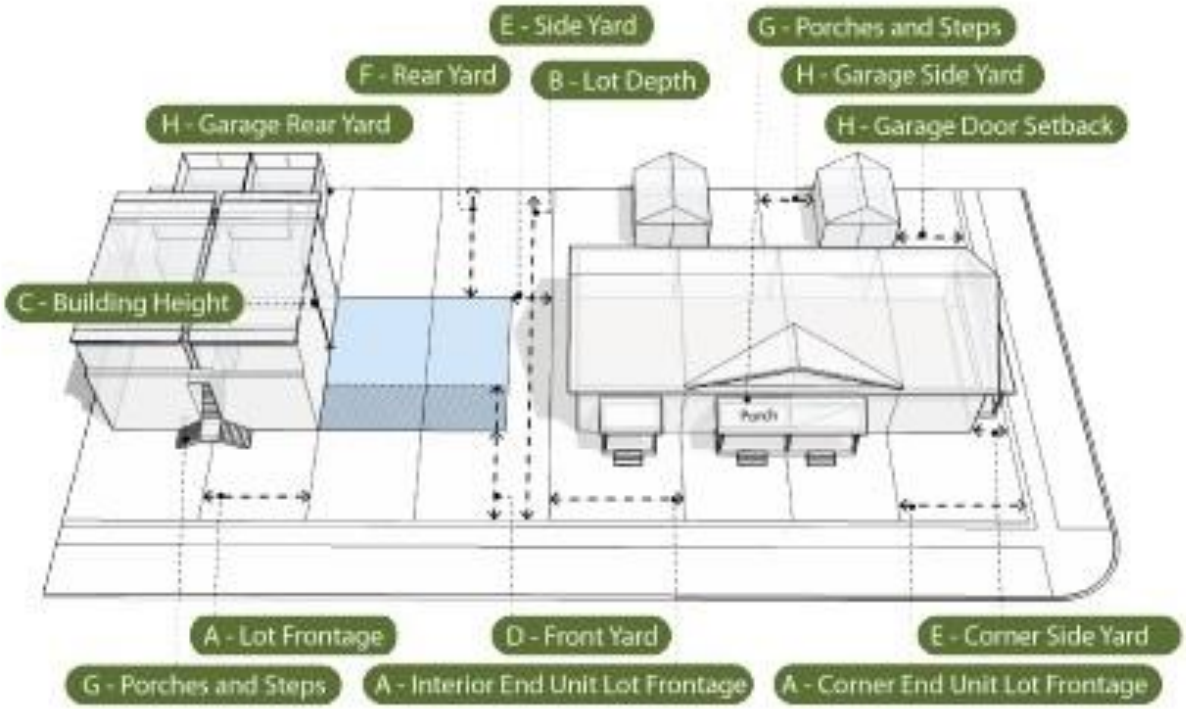
7.3.6 Zone Requirements Street Townhouse with Rear Lane

Lot Frontage	The minimum lot frontage shall be 6.0m per unit, with a minimum frontage of 7.2m for interior end units and 9.0m for exterior end units.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back a minimum of 1.2m from one side lot line and 0.5 from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

<u>Street Townhouse with Rear Lane Typologies</u>

Demonstration Streetscape



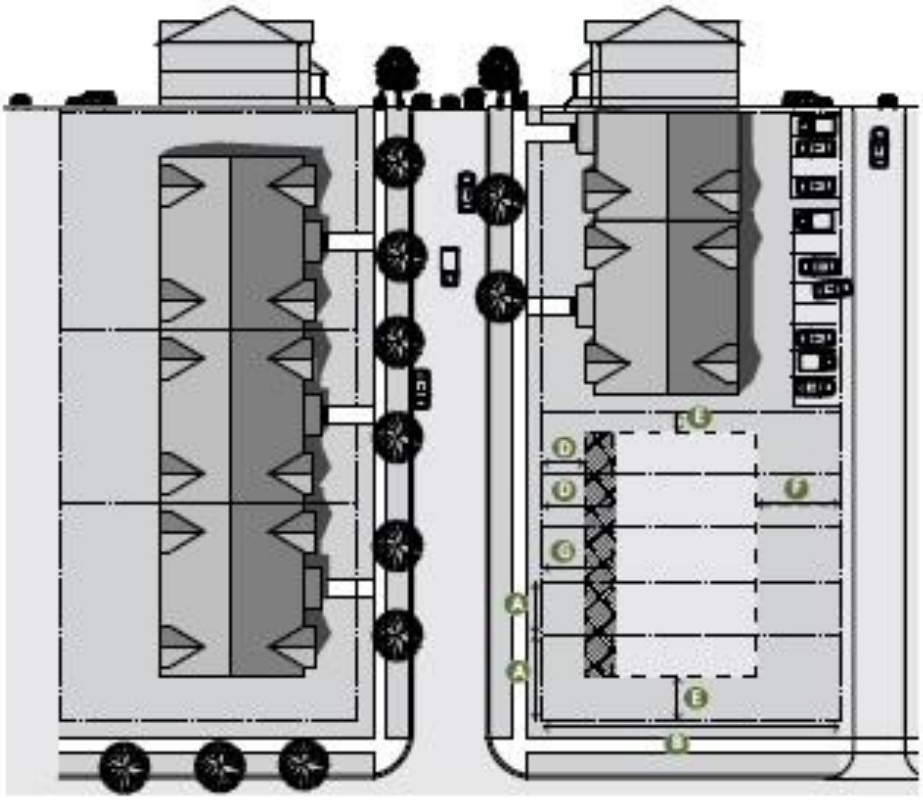


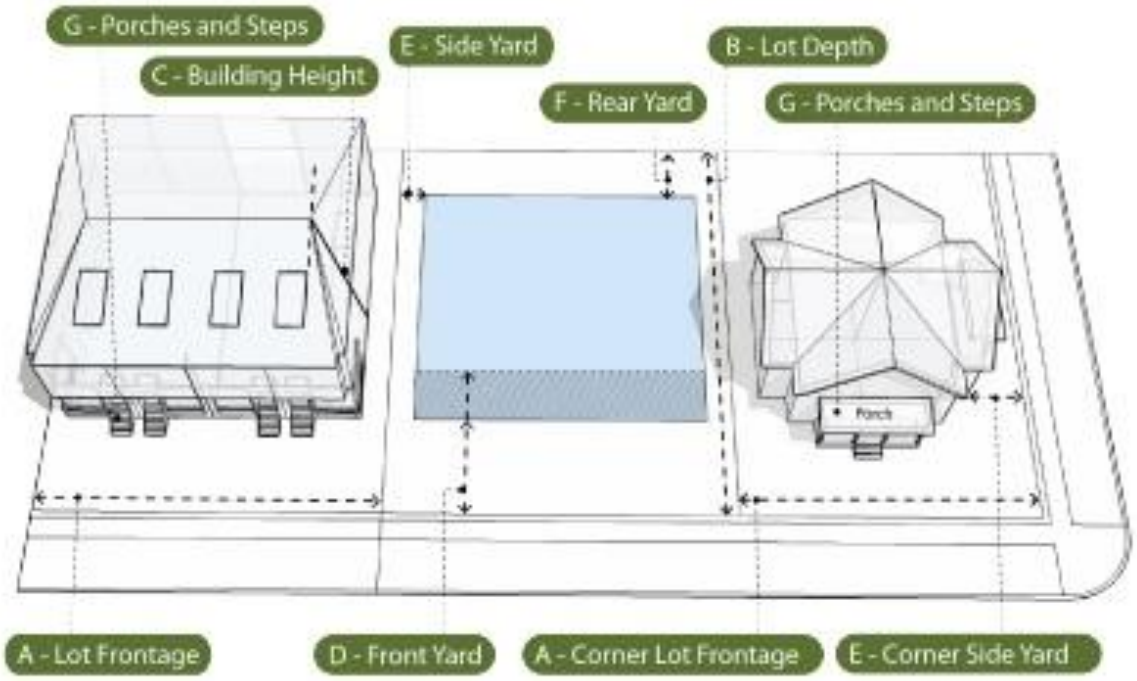
7.3.7 Zone Requirements Block Townhouse and Stacked Townhouse Dwelling

Lot Frontage	The minimum lot frontage shall be 30.0m.
Lot Depth	The minimum lot depth shall be 28.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 6.0m
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.
Parking	Parking shall not be located in the front yard or corner side yard.

<u>Block and Stacked Townhouse Typologies</u>

Demonstration Streetscape





7.3.8 Zone Requirements Back-to Back Townhouse Dwelling

Lot Frontage	The minimum lot frontage shall be 6.0m per unit.
Minimum Lot Area	The minimum lot area shall be 110m^2 per unit.
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 6.0m of the front lot line.
Side Yards	The minimum side yard shall be 2.0m or 0m to a common wall. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 0m.
Minimum Ground Floor Area for Dwelling	88m^2 – 1 Storey 22m^2 – 2 or 3 Storey
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

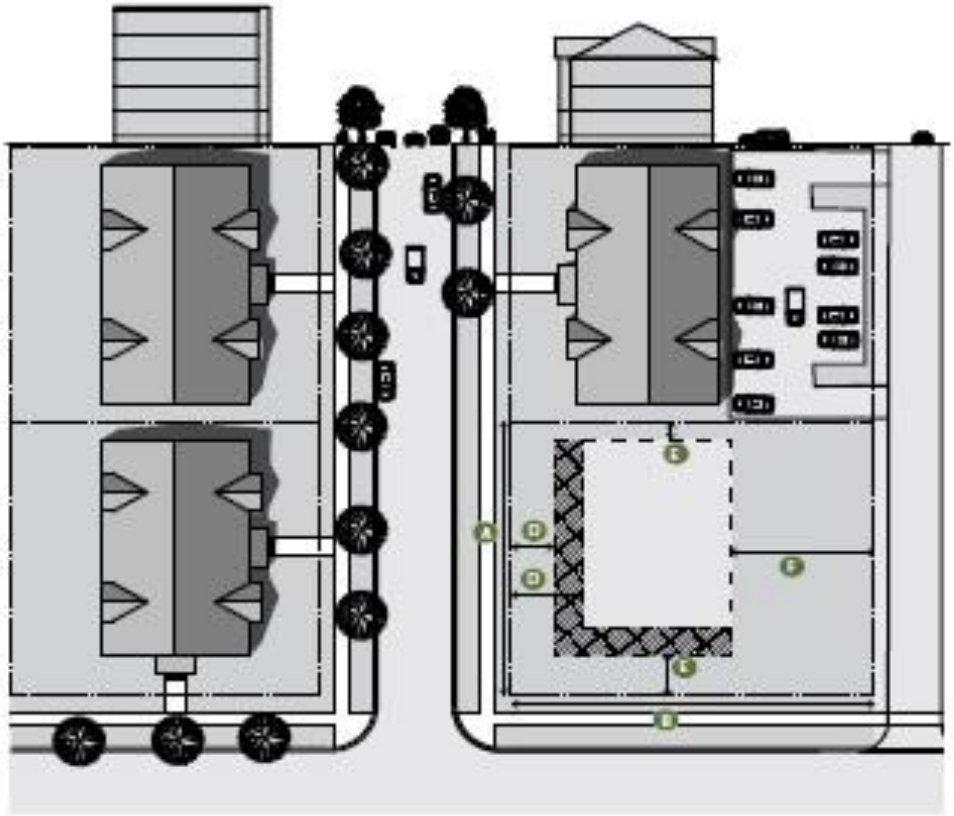
Back-to Back Townhouse Typologies

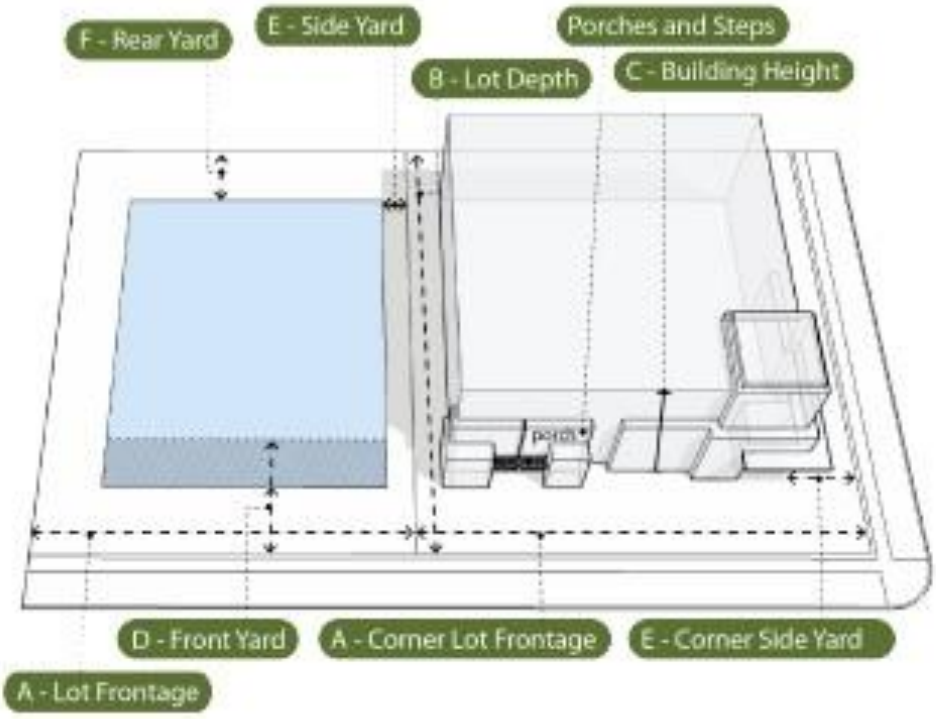
7.3.9 Zone Requirements Apartment

Lot Frontage	The minimum lot frontage shall be 30.0m.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 5 storeys
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 3.0m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m

Apartment Typologies

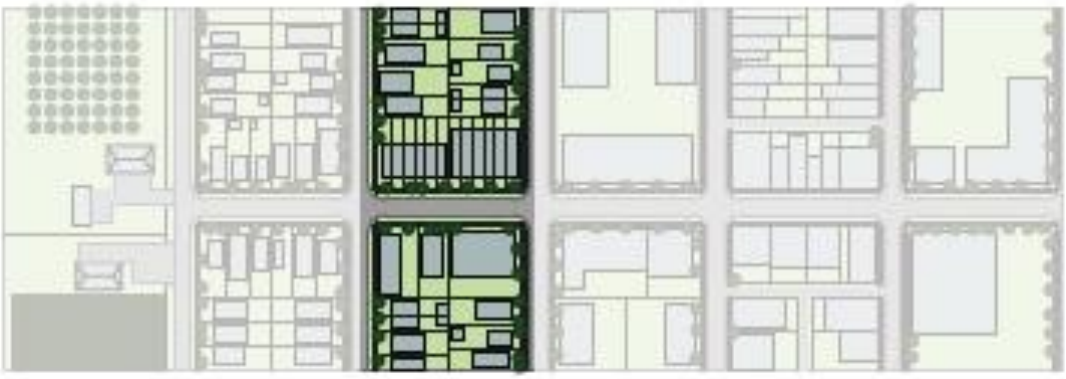
Demonstration Streetscape





GF-NC

7.4 NEW GREENFIELD DEVELOPMENT NEIGHBOURHOOD COMMERCIAL ZONE



7.4.1 Permitted Uses

a) Retail use;

b) Service shop;

c) Uses, buildings and structures accessory to the foregoing uses; and

d) Dwelling units above ground floor, commercial use.

7.4.2 Zone Requirements

Building Height	The building height shall be a maximum of 12.0m.
Front Yard	The main front wall shall be built within 3.0m and 4.5m from the front lot line.
Side Yards	There is no minimum required side yard abutting a Commercial Zone. A minimum side yard of 4.5m is required when abutting a Residential or Institutional Zone. The minimum corner side yard is 3.0m.
Rear Yard	There is no minimum required rear yard abutting a Commercial Zone where access is available to the rear of the building on said lot by means of a public or private lane. A minimum rear yard of 6.0m is required when abutting a Commercial Zone where no access is available to the rear of said building, except by means of a yard. A minimum rear yard of 10.5m is required where the building contains residential accommodation

	of one or more storeys in height. A minimum rear yard of 10.5m is required when abutting a Residential or Institutional use or Zone.
Lot Frontage	The minimum lot frontage shall be 15.5m.
Lot Area	The minimum lot area shall be 500m^2
Lot Coverage	The maximum lot coverage shall be 50%

Dwelling units shall only be permitted above the ground floor of a commercial use.

A minimum landscaped amenity area of 55m^2 shall be provided for each dwelling unit.

SECTION 8: COMMERCIAL ZONES

The following zoning categories are described in this section:

VC Village Commercial Zone

Permitted Uses:

- Apartment dwellings;
- Bakery;
- Cultural use;
- Dwelling unit(s) above a commercial use;
- Existing single detached dwelling;
- Hotel;
- Institutional use;
- live-work units;
- Microbrewery;
- Office use;
- Parking facility;
- Parks and urban square;
- Places of entertainment;
- Restaurant;
- Retail use;
- Additional Residential Units (ARUs);
- Service shop;
- Short-term accommodation;
- Townhouses; and
- Uses, buildings and structures accessory to the foregoing uses.

NC Neighbourhood Commercial Zone

Permitted Uses:

- Bakery;
- Dwelling unit(s) above a commercial use;
- Retail use;
- Service shop;
- Short-term accommodation; and
- Uses, buildings and structures accessory to the foregoing uses.

MS Main Street Zone

Permitted Uses:

- Bakery;
- Cultural use;
- Dwelling unit(s) above a commercial use;
- Existing single detached dwelling;
- Hotel;
- Institutional use;
- Live-work unit;
- Microbrewery;
- Office use;
- Parking facility;
- Parks and urban square;
- Places of entertainment;
- Restaurant;
- Retail use;
- Additional Residential Units (ARUs);
- Service shop;
- Short-term accommodation; and
- Uses, buildings and structures accessory to the foregoing uses.

TS Town Square Zone

Permitted Uses:

- Cultural use;
- Dwelling unit(s) above a commercial use;
- Hotel;
- Institutional use;
- Microbrewery;
- Office use;
- Parking facility;
- Parks and urban square;
- Places of entertainment;
- Restaurant;
- Retail Use;
- Service Shop
- Short-term accommodation; and
- Uses, buildings and structures accessory to the foregoing uses.

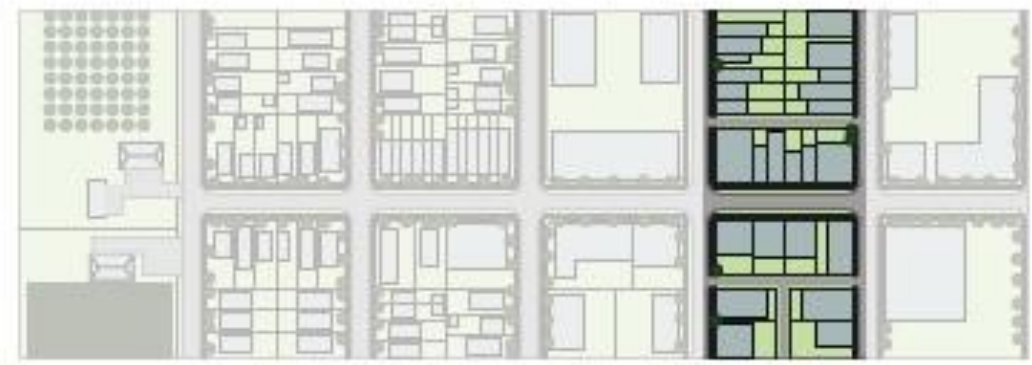
DC Downtown Corridor Zone

Permitted Uses:

- Apartment dwellings;
- Bakery;
- Cultural use;
- Daycare centre;
- Drive-thru service facility;
- Dwelling unit(s) above a commercial use;
- Gymnasiums/fitness centre;
- Hotel;
- Institutional use;
- Microbrewery;
- Office use;
- Retail use;
- Parking facility;
- Parks and urban square;
- Places of entertainment;
- Restaurant;
- Service shop;
- Shopping centre;
- Short-term accommodation;
- Vehicle fuel station (gas bar);
- Vehicle service and repair establishment; and
- Uses, buildings and structures accessory to the foregoing uses.

VC

8.1 VILLAGE COMMERCIAL ZONE



8.1.1 Permitted Uses

a) Apartment dwellings;
b) Bakery;
c) Cultural use;
d) Dwelling unit(s) above a commercial use;
e) Existing single detached dwelling;
f) Hotel;
g) Institutional use;
h) Microbrewery;
i) Office uses;
j) Parking facility;
k) Parks and urban square;
l) Places of entertainment;
m) Restaurant;
n) Retail use;
o) Additional Residential Units (ARUs);
p) Service shop;
q) Short-term accommodation;
r) Townhouses and live-work units; and
s) Uses, buildings and structures accessory to the foregoing uses.

8.1.2 Zone Requirements for Additional Residential Units (ARUs) within an Existing Single Detached Dwelling

Please refer to Section 3.29.1

8.1.3 Zone Requirements for Short-Term Accommodation

Please refer to Section 3.30

8.1.4 Zone Requirements for Apartment Dwellings

Please refer to Section 6.5.2. For a landmark site, the height requirement for an apartment dwelling shall be in accordance with Section 8.1.5.

8.1.5 Zone Requirements for Townhouse Dwellings

Please refer to Sections 7.3.5 and 7.3.6 for Street Townhouses, Section 7.3.7 for Block Townhouses, Section 7.3.7 for Stacked Townhouses, and Section 7.3.8 for Back-to-Back Townhouses.

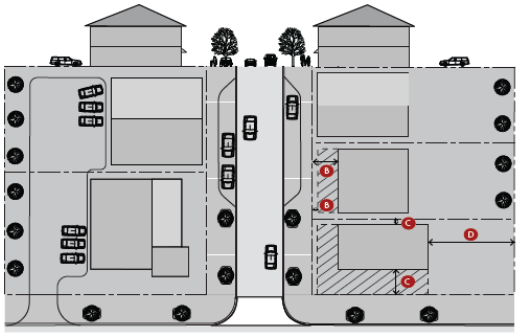
8.1.6 Zone Requirements

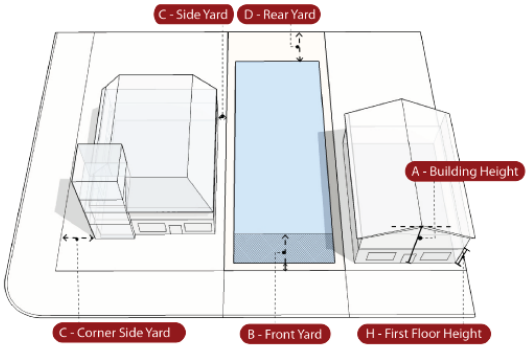
Building Height	The building height shall be a maximum of 9.0m and 2 storeys.
Front Yard	The main front wall of the structure shall be built between 1.0-5.0m from the front lot line.
Side Yards	The minimum side yard shall be 0.6m and a maximum of 1.2m. The minimum side yard with a driveway is 3.0m unless shared. The main corner side wall shall be built within 1.-5.0m of the exterior side lot line.
Rear Yard	The minimum rear yard setback shall be 6.0m.
Retail Frontage	The maximum retail frontage of individual businesses shall not exceed 14.0m.
Retail Store GFA	The maximum retail GFA of individual businesses shall not exceed $500m^2$
First Floor Window Height	0.3m – 0.6m
First Floor Glazing	The first floor glazing shall be a minimum of 50% of the front wall, except for standalone residential uses, where there is no glazing requirement.

First Floor Height	The first floor height shall be a minimum of 3.0m.
Landmark Sites	The minimum height for Landmark Sites shall be 13.0m or 3 storeys, whichever is greater and the maximum height shall be the lesser of 16.0m or 4 storeys. There shall be a minimum step back of 2.0m on the 3rd and 4th storey.

Village Commercial Typologies

Demonstration Streetscape





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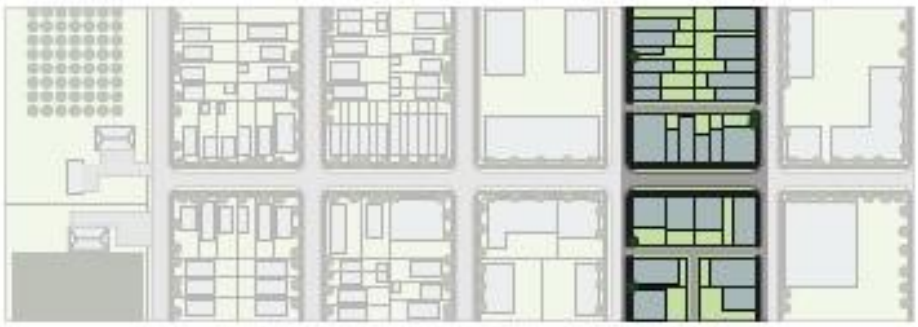
8.2 MAIN STREET ZONE



8.2.1 Permitted Uses

a) Bakery;
b) Cultural uses;
c) Dwelling unit(s) above a commercial use;
d) Existing single detached dwellings;
e) Hotels;
f) Institutional uses;
g) Live-work units;
h) Microbreweries
i) Office uses;
j) Parking facilities;
k) Parks and urban squares;
l) Places of entertainment;
m) Residential apartments located above the first floor;
n) Restaurants;
o) Retail uses;
p) Additional Residential Units (ARUs);
q) Service shop;
r) Short-term rental accommodations; and
s) Uses, buildings and structures accessory to the foregoing uses.

8.2.2 Zone Requirements for Additional Residential Units (ARUs) within an Existing Single Detached Dwelling

Please refer to Section 3.29.1

8.2.3 Zone Requirements for Short-Term Accommodation

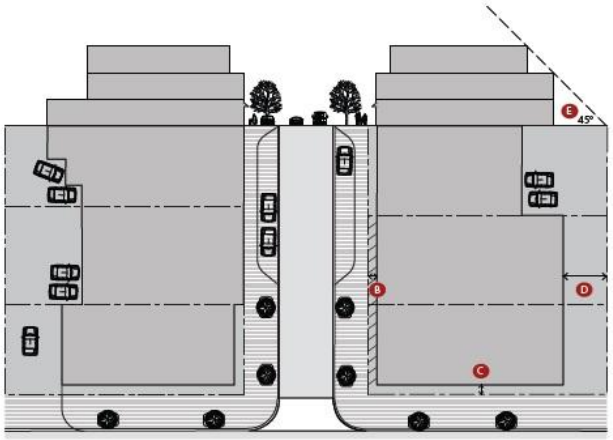
Please refer to Section 3.30

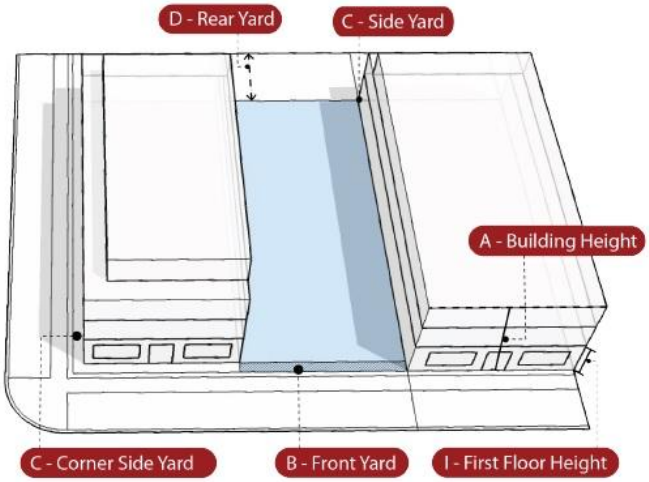
8.2.4 Zone Requirements

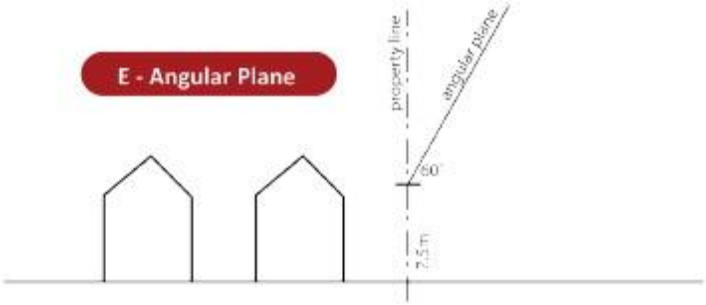
Building Height	The building height shall be a minimum of 9.0m and 2 storeys. The building height shall be a maximum of 13.0m or 3 storeys, whichever is less.
Front Yard	The main front wall shall occupy a minimum of 75% of the lot frontage and be built within 0-3.0m of the front lot line.
Side Yards	There is no minimum interior side yard requirement. The minimum side yard with a driveway is 3.0m. The main exterior side wall shall be built within 0-3.0m of the corner side lot line.
Rear Yard	The minimum rear yard setback shall be 6.0m.
Angular Plane	A 45°angular plane shall be established from the rear yard lot line where abutting a residential use. A 60°angular plane shall be established from 7.5m above the side yard lot line where abutting a residential use.
Retail Frontage	The maximum retail frontage of individual businesses shall not exceed 12.0m.
Retail Store GFA	The maximum retail GFA of individual businesses shall not exceed 500m^2 on Pelham St. and 2500m^2 on Regional Road 20.
First Floor Window Height	0.3m – 0.6m
First Floor Glazing	The first floor glazing shall be a minimum of 75% of the front wall and the exterior side wall for a distance of 10.0m from the front wall.
First Floor Height	The first floor height shall be a minimum of 3.0m.
Landmark Sites	The minimum height for Landmark Sites shall be 13.0m or 3 storeys, whichever is greater and the maximum height shall be the lesser of 16.0m or 4 storeys. There shall be a minimum step back of 2.0m on the 3rd and 4th storey.

Main Street Typologies

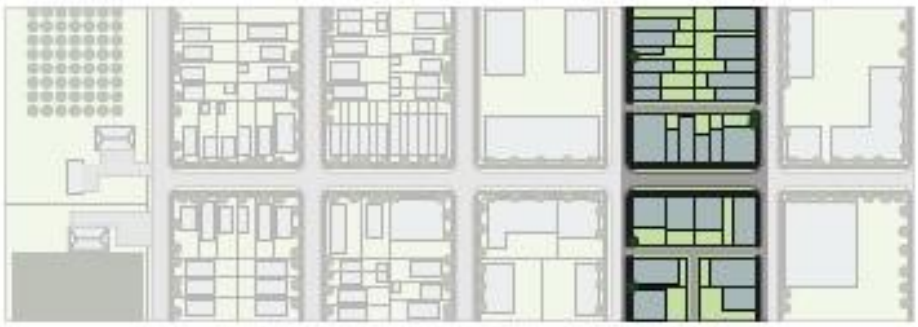
Demonstration Streetscape







8.3 TOWN SQUARE ZONE



8.3.1 Permitted Uses

a) Cultural use;

b) Dwelling unit(s) above a commercial use;

c) Hotel;

d) Institutional use;

e) Microbrewery;

f) Office use;

g) Parking facility;

h) Parks and urban square;

i) Places of entertainment;

j) Residential apartments located above the first floor;

k) Restaurant;

l) Retail Use;

m) Service shop;

n) Short-term accommodation; and

o) Uses, buildings and structures accessory to the foregoing uses.

8.3.2 Zone Requirements for Short-Term Accommodation

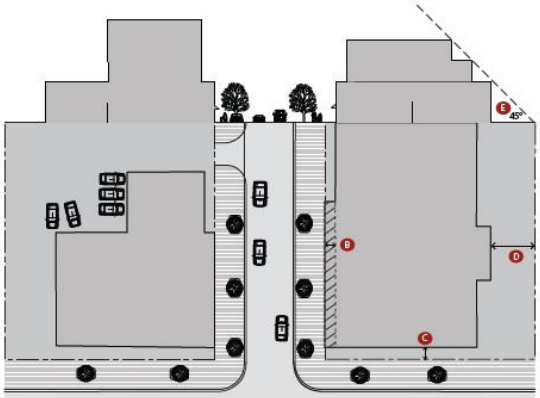
Please refer to Section 3.30

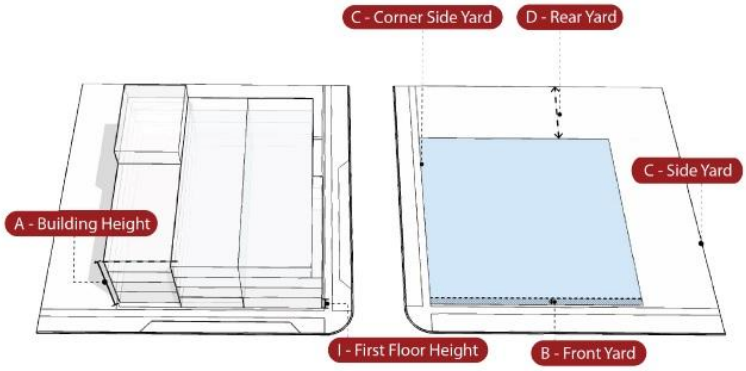
8.3.3 Zone Requirements

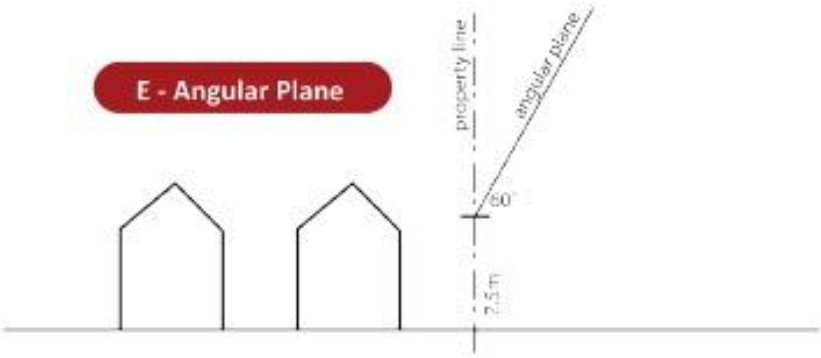
Building Height	The building height shall be a minimum of 13.0m and 3 storeys. The building height shall be a maximum of 20.5m and 5 storeys.
Front Yard	The main front wall shall occupy a minimum of 75% of the lot frontage and be built within 0-3.0m of the front lot line.
Side Yards	There is no minimum interior side yard requirement. The minimum side yard with a driveway is 3.0m. The main exterior side wall shall be built within 0-3.0m of the exterior side lot line.
Rear Yard	The minimum rear yard setback shall be 6.0m. For lots surrounding Peace Park, a minimum of 2.0m is permitted
Step Backs	There shall be a minimum step back of 1.5m above the 3rd storey for buildings of 4 or more storeys.
Angular Plane	A 45°angular plane shall be established from the rear yard lot line where abutting a residential use. A 60°angular plane shall be established from 7.5m above the side yard lot line where abutting a residential use.
Retail Frontage	The maximum retail frontage of individual businesses shall not exceed 12.0m.
Retail Store GFA	The maximum retail GFA of individual businesses shall not exceed 500m^2 on Pelham St. and 2500m^2 on Regional Road 20.
First Floor Window Height	0.3m – 0.6m
First Floor Glazing	The first floor glazing shall be a minimum of 75% of any walls facing streets or public spaces for retail uses, and 50% of any walls facing streets or public spaces for all other uses.
First Floor Height	The first floor height shall be a minimum of 4.5m.
Landmark Sites	The minimum height for Landmark Sites shall be 14.5 or 3 storeys, whichever is greater and the maximum height shall be the lesser of 20.5m or 5 storeys. There should be a minimum step back of 2.0m on the 4th storey.

Town Square Typologies

Demonstration Streetscape







DC

8.4 DOWNTOWN CORRIDOR ZONE

8.4.1 Permitted Uses

a) Apartment dwellings;
b) Bakery;
c) Cultural use;
d) Daycare centre;
e) Drive-thru service facility;
f) Dwelling unit(s) above a commercial use;
g) Gymnasiums/fitness centre;
h) Hotel;
i) Institutional use;
j) Microbrewery;
k) Office use;
l) Retail use;
m) Parking facility;
n) Parks and urban square;
o) Places of entertainment;
p) Restaurant;
q) Service shop;
r) Shopping centre;
s) Short-term accommodation;
t) Vehicle fuel station (gas bar);

u) Vehicle service and repair establishment; and

v) Uses, buildings and structures accessory to the foregoing uses.

8.4.2 Zone Requirements for Short-Term Accommodation

Please refer to Section 3.30

8.4.3 Zone Requirements for Apartment Dwellings

Please refer to Section 6.5.2. For a landmark site, the height requirement for an apartment dwelling shall be in accordance with Section 8.4.4, Landmark Sites.

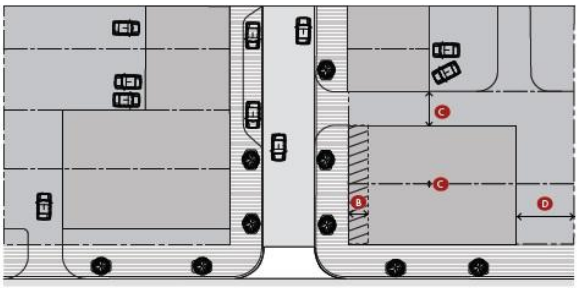
8.4.4 Zone Requirements

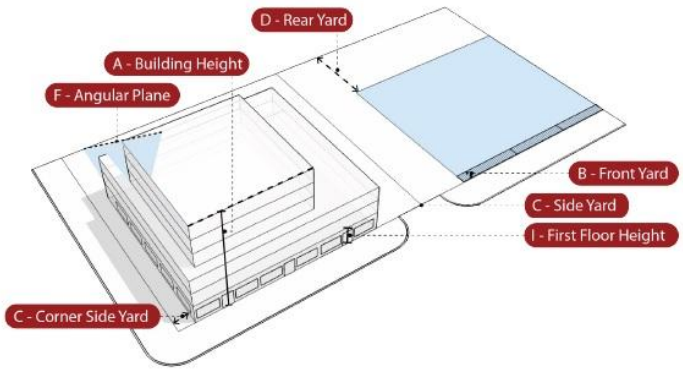
Building Height	The building height shall be a minimum of 10.0m and 2 storeys. The building height shall be a maximum of 20.5m and 5 storeys, whichever is less.
Front Yard	The main front wall shall occupy a minimum of 60% of the lot frontage and be built within 0-3.0m of the front lot line.
Side Yards	There is no minimum interior side yard requirement. The minimum side yard with a driveway is 6.0m from the side yard lot line or if shared 3.0m. The main exterior side wall shall occupy a minimum of 60% of the exterior lot frontage and be built within 0-3.0m of the exterior side lot line.
Rear Yard	The minimum rear yard setback shall be 6.0m from the lot line.
Step Backs	There shall be a minimum step back of 1.5m above the 3rd storey through 6th storey.
Angular Plane	A 45°angular plane shall be established from the rear yard lot line where abutting a residential use. A 60°angular plane shall be established from 7.5 m above the side yard lot line where abutting a residential use.
Retail Frontage	The maximum retail frontage of individual businesses shall not exceed 12.0m.
Retail Store GFA	The maximum retail GFA of individual businesses shall not exceed 500m^2 on Pelham St. and 2500m^2 on Regional Road 20.
First Floor Window Ht.	0.3m – 0.6m

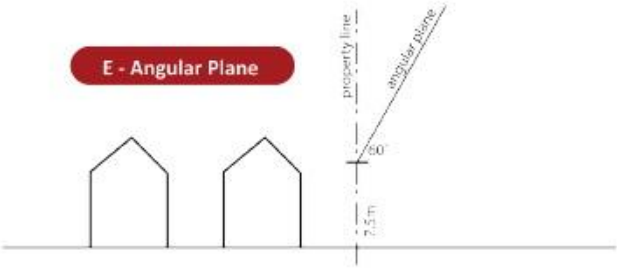
First Floor Glazing	The first floor glazing shall be a minimum of 75% of the front wall and exterior side wall for a distance of 10.0m from the front wall, except for standalone residential uses, where there is no glazing requirement.
First Floor Ht.	The first floor height shall be a minimum of 4.5m.
Landmark Sites	The minimum height for Landmark Sites shall be 13.0m or 3 storeys, whichever is greater and the maximum height shall be the lesser of 23.75m or 6 storeys. There shall be a minimum step back of 2.0m on the 4th storey.

Downtown Corridor Typologies

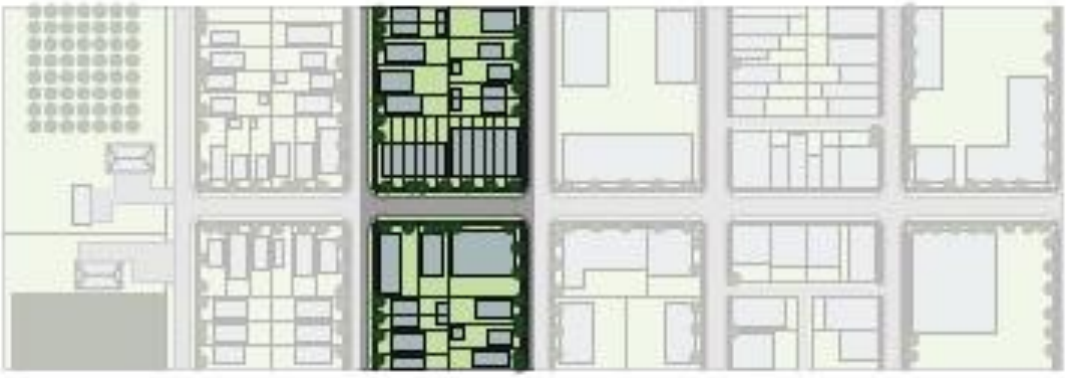
Demonstration Streetscape







8.5 NEIGHBOURHOOD COMMERCIAL ZONE



8.5.1 Permitted Uses

a) Dwelling unit(s) above a commercial use;

b) Retail use;

c) Service shop;

d) Short term accommodation; and

e) Uses, buildings and structures accessory to the foregoing uses.

8.5.2 Zone Requirements for Short Term Accommodation

Please refer to Section 3.30

8.5.3 Zone Requirements

Building Height	The building height shall be a maximum of 10.0m.
Front Yard	The main front wall shall be built within 4.0-6.0m of the front lot line.
Side Yards	There is no minimum required side yard abutting a Commercial Zone. A minimum side yard of 4.0m is required when abutting a Residential or Institutional Zone. The minimum corner side yard is 3.0m.
Rear Yard	There is no minimum required rear yard abutting a Commercial Zone where access is available to the rear of the building on said lot by means of a public or private lane. A minimum rear yard of 6.0m is required when

abutting a Commercial Zone where no access is available to the rear of said building, except by means of a yard. A minimum rear yard of 10.5m is required where the building contains residential accommodation of one or more storeys in height. A minimum rear yard of 10.5m is required when abutting a Residential or Institutional use or Zone. The minimum rear yard setback shall be 6.0m from the lot line.

Lot Frontage	The minimum lot frontage shall be 15.5m.
Lot Area	The minimum lot area shall be 465m^2.
Lot Coverage	The maximum lot coverage shall be 50%

Dwelling units shall only be permitted above the ground floor of a commercial use.

A minimum outdoor amenity area of 55m^2 shall be provided for each dwelling unit.

SECTION 9: OTHER ZONES

The following zoning categories are described in this section:

OS Open Space Zone

Permitted Uses:

- Conservation and forestry uses;
- Existing cemeteries;
- Municipal, government or public use;
- Park, private;
- Park, public; and
- Uses, buildings and structures accessory to the foregoing uses.

I Institutional Zone

Permitted Uses:

- Assembly hall auditorium;
- Apartment dwelling;
- Daycare centre;
- Long term care home;
- Municipal, government or public use;
- Place of worship;
- Public or private club;
- Retirement home;
- School; and
- Uses, buildings and structures accessory to the foregoing uses.

AP Airport Zone

Permitted Uses:

- Airport; and
- Uses, buildings and structures accessory to the foregoing use.

EP1 Environmental Protection One Zone

Permitted Uses:

- Conservation uses and flood control;
- Existing uses;
- Linear infrastructure;
- Passive recreational trails and facilities; and
- Wildlife management uses.

EP2 Environmental Protection Two Zone

Permitted Uses:

- Conservation uses and flood control;
- Existing agricultural uses;
- On-farm diversified agricultural uses;
- Passive recreational trails and facilities; and
- Wildlife management uses.

EP3 Environmental Protection Three Zone

Permitted Uses:

- Conservation uses and flood control;
- Existing uses, that were in existence prior to December 16, 2004;
- Linear infrastructure;
- Passive recreational trails and facilities; and
- Wildlife management uses.

OS

9.1 OPEN SPACE

9.1.1 Permitted Uses

a) Conservation and forestry uses;
b) Existing cemeteries;
c) Municipal, government or public use;
d) Park, private;
e) Park, public; and
f) Uses, buildings and structures accessory to the foregoing uses.

9.1.2 Zone Requirements for Open Space Uses

Minimum Lot Frontage	15.0m
Minimum Front Yard	8.0m
Minimum Interior Side Yard	4.5m
Minimum Corner Side Yard	5.0m
Minimum Rear Yard	7.5m
Maximum Lot Coverage	10%
Maximum Building Height	12.0m

9.2 INSTITUTIONAL ZONE

9.2.1 Permitted Uses

a) Apartment dwelling, only when built in conjunction with a permitted institutional use;
b) Additional needs housing;
c) Institutional uses;
d) Assembly hall auditorium;
e) Public service facilities
f) Public or private club;
g) and
h) Uses, buildings and structures accessory to the foregoing uses.

9.2.2 Zone Requirements for Institutional Uses

Minimum Lot Frontage	30.0m or as existing
Minimum Lot Area	0.15ha or as existing
Minimum Front Yard	0.0m
Minimum Interior Side Yard	3.0m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Lot Coverage	80%
Maximum Building Height	12.0m

9.2.3 Zone Requirements for Apartment Dwelling

Minimum Lot Frontage	30.0m
Minimum Lot Area	150m^2 per unit or 0.2ha, whichever is greater

Minimum Front Yard	3.0m
Maximum Front Yard	6.0m
Minimum Side Yard	7.5m or ½ the height of the building, whichever is less
Minimum Corner Side Yard	3.0m to 6.0m
Minimum Rear Yard	12.0m
Maximum Building Height	15.0m
Maximum Lot Coverage	40%

AP

9.3 AIRPORT ZONE

9.3.1 Permitted Uses

a) Airport; and

b) Uses, buildings and structures accessory to the foregoing use.

9.3.2 Zone Requirements

Minimum Front Yard	15.0m
Minimum Interior Side Yard	7.5m
Minimum Corner Side Yard	15.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Minimum Lot Coverage	50%
Minimum Setback from Residential Zone	15.0m

EP1

9.4 ENVIRONMENTAL PROTECTION ONE ZONE

9.4.1 Permitted Uses

a) Conservation uses and flood control;

b) Existing uses;

c) Linear infrastructure;

d) Passive recreational trails and facilities; and

e) Wildlife management uses.

9.4.2 Zone Requirements for Environmental Protection One Uses

a) An existing use shall be a use which was legally established prior to the effective date of this By-law.

b) Existing uses not otherwise permitted in the EP1 Zone are subject to Section 3.22: Non-Conforming Uses.

c) All new buildings or structures located in proximity to the EP1 Zone are subject to Section 3.31.1.

EP2

9.5 ENVIRONMENTAL PROTECTION TWO ZONE

9.5.1 Permitted Uses

a) Bed and breakfast;

b) Conservation uses and flood control;

c) Existing agricultural use;

d) Linear infrastructure;

e) On-farm diversified agricultural use;

f) Passive recreational trails and facilities;

g) Wildlife management uses; and

h) Uses, buildings and structures accessory to the foregoing uses.

9.5.2 Zone Requirements for Environmental Protection Two Uses

a) An existing use shall be a use which was legally established prior to the effective date of this By-law.

b) Existing uses not otherwise permitted in the EP2 Zone are subject to Section 3.22: Non-Conforming Uses.

c) All new buildings or structures located in proximity to the EP2 Zone are subject to Section 3.32.1.

9.5.3 Zone Requirements for an On-Farm Diversified Use

Please refer to Section 3.2.2

9.5.4 Zone Requirements for a Bed and Breakfast Establishment

Please refer to Section 3.3

9.5.5 Zone Requirements for an Agricultural Use

Please refer to Section 5.1

EP3

9.6 ENVIRONMENTAL PROTECTION THREE ZONE

9.6.1 Permitted Uses

a) Conservation uses and flood control;

b) Existing use that was existing prior to December 16, 2004;

c) Linear infrastructure;

d) Passive recreational trails and facilities;

e) Wildlife management uses; and

9.6.2 Zone Requirements for Environmental Protection Three Zone

a) An existing use which was legally established prior to December 6, 2004.

b) Existing uses not otherwise permitted in the EP3 Zone are subject to Section 3.22: Non Conforming Uses.

c) All new buildings or structures located in proximity to the EP3 Zone are subject to Section 3.31.2.

d) A new single detached dwelling shall be permitted on an existing vacant lot provided the vacant lot existed prior to December 6, 2004.

9.6.3 Zone Requirements for an Agricultural Use

Please refer to Section 5.1

SECTION 10: EXCEPTIONS

SA-1: 2695 Victoria Avenue (Regional Road 24)
formerly A-37

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a farm supply and service establishment and such use shall be subject to the zone requirements in the Commercial Rural Zone (Section 5.4).

SA-2: 856 Sawmill Road
formerly A-98 & H-98

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a golf course and uses, buildings and structures accessory thereto.

SA-3: 2610 Maple Street
formerly A-239

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a golf driving range with one accessory building to contain a golf ball dispensing machine only and the following special regulations shall apply thereto:

Maximum gross floor area of accessory building	10.0m^2
Parking and access	as existing
No lighting is permitted.	
Minimum Lot Frontage	186.0m
Minimum Lot Area	6.5ha
Maximum Lot Coverage	0.5%
Minimum Front Yard	10.0m
Minimum Side Yard	15.0m
Minimum Corner Side Yard	60.0m
Minimum Rear Yard	15.0m
Maximum Building Height	3.7m

SA-4: 2325 Victoria Avenue (Regional Road No. 24)
formerly A-95

In addition to the uses permitted in the Specialty Agricultural Zone, this land may also be used for a campground and open air recreational uses such as hiking, cross country skiing, horseback riding, pleasure snowmobiling and uses, buildings and structures accessory thereto.

SA-5: 2355 Cream Street
formerly A-63

In addition to the uses permitted in the Specialty Agricultural Zone, this land may also be used for a fire hall and uses, buildings and structures accessory thereto.

SA-6: 597 Sixteen Road
formerly A-39

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a vehicle body shop, a vehicle service and repair establishment, a vehicle sales and rental establishment, light manufacturing and warehousing within wholly enclosed buildings and uses, buildings and structures accessory thereto.

SA-7: 895 Tice Road
formerly A-60

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for automotive glass sales and services and uses, buildings and structures accessory thereto.

SA-8: 1732 Cream Street
formerly A-277

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a secondary dwelling unit designated under the *Ontario Heritage Act*, as amended.

SA-9: 569 Highway 20 West (Regional Road no. 20), w/s Cream Street and 630 Highway 20 West (Regional Road no. 20)
formerly A-142 & A-112

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for an existing golf course and uses, buildings and structures accessory thereto.

SA-10: 922 Highway 20 West (Regional Road No. 20)
formerly A-109

In addition to the uses in the Specialty Agricultural Zone, this land may also be uses for a motor fuel retail outlet (gas bar) and convenience retail store containing one accessory dwelling unit and the following special regulations apply:

Motor Fuel Retail Outlet

Minimum Front Yard	5.0m
Minimum Side Yard	30m from easterly and westerly zone lines
Minimum Rear Yard	30m from northerly zone line

Convenience Retail Store

Minimum Front Yard	5.4m
Minimum Side Yard	30m from westerly zone line 27m from easterly zone line
Minimum Rear Yard	30m from northerly zone line

SA-11: 1350 Maple Street
formerly A-01

In addition to the uses in the Specialty Agricultural Zone, this land shall also be used for a vehicle repair shop, light manufacturing, assembly, processing and fabrication, warehouse and uses buildings and structures accessory thereto but does not include the warehouse of food-stuff or the manufacture and warehouse of explosive materials.

SA-12: 1261 Victoria Avenue (Regional Road No. 24)
formerly A-48

In addition to the uses in the Specialty Agricultural Zone, this land shall also be used for a salvage yard and uses, buildings and structures accessory thereto.

A-13: 920 Pelham Street
formerly A-163

In addition to the uses in the Agricultural Zone, this land may also be used for a senior citizens apartment house and nursing home and the regulations of Section 5.1 shall apply thereto.

A-14: 952 Foss Road and Southside Foss Road
*formerly A-51

In addition to the uses in the Agricultural Zone, this land may also be used for a farm produce retail store; processing of locally grown farm produce and value-added products; retail sale of locally grown farm produce and value-added products produced or manufactured on the property; and uses building and structures accessory to the foregoing permitted uses and the following special regulations shall apply:

Minimum Interior Side Yard	15.0m
Maximum Building Height	11.0m

Maximum Lot Coverage of all on-farm diversified uses, including but not limited to all buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and access roads	2%
Maximum Gross Leasable Floor Area of retail salesfloor area	50.0m^2
Minimum Gross Leasable Floor Area dedicated to the sale of products produced or manufactured on the farm property	25.0 m^2

A-15: 731 Church Street
formerly A-53

In addition to the uses in the Agricultural Zone, this land may also be used for a contractor's yard and uses, buildings and structures accessory thereto, a vehicle repair shop and a vehicle body shop subject to the following special regulations:

a) Outside storage shall only be permitted within a rear yard which is screened from view from the street.

b) The maximum number of pieces of contractor's equipment to be stored on site at any given time shall not exceed 15.

c) The maximum number of disabled vehicles to be stored on site accessory to the vehicle repair shop and the vehicle body shop shall not exceed 6 at any given time.

d) Notwithstanding the special regulations above, the maximum combined number of pieces of contractor's equipment and disabled vehicles to be stored on site shall not exceed 15.

e) The maximum weight limit for contractor's equipment stored at the site shall not exceed 10 ton per piece of equipment.

A-16: 809 Poth Street
formerly A-151

In addition to the uses in the Agricultural Zone, this land shall also be used for a group home and the following special regulations shall apply:

Maximum number of residents	8

No private garage or carport is required.

A-17: 571 Poth Street
formerly A-246

Notwithstanding the regulations of the Agricultural Zone, the following special regulations shall apply:

Maximum building height for an accessory structure	6.09m
Maximum number of horses	7

A-18: 313 Victoria Avenue (Regional Road No. 24)
formerly A-97 & H-97

In addition to the uses in the Agricultural Zone, this land may also be used for a golf course and uses, buildings and structures accessory thereto.

A-19: 304 Church Street
formerly A-54

In addition to the uses in the Agricultural Zone, this land may also be used for a warehouse, excluding a warehouse for food stuffs, and the regulations of the Commercial Rural zone shall apply thereto.

A-20: 380 Cream Street
formerly A-249

Maximum height for an accessory structure	6.09m

A-21: 259 Farr Street
formerly A-232

In addition to the uses in the Agricultural Zone, this land may also be used for a kennel subject to the following regulations:

Minimum lot area	1.9ha
Minimum rear yard	15.0m

A-22: 275 Church Street
formerly A-226

Notwithstanding the regulations of the Agricultural Zone, this land may only be used for forestry and conservation uses excluding buildings and structures.

A-23: 275 Church Street
formerly A-227

In addition to the uses in the Agricultural Zone, this land may also be used for the repair and service of farm vehicles and implements within the existing agricultural building subject to the following regulations:

Farm vehicles and implements shall be limited to farm plated trucks and tow trailers, vehicles and implements designed to be used in the production of crops and/or raising of livestock.

Outside storage shall be limited to a maximum of 3 farm vehicles or implements at any one time

Maximum floor area within existing building 130.0m^2

A-24: 206 Webber Road (Regional Road no. 29)
formerly A-99, H-99

In addition to the uses in the Agricultural Zone, this land may also be used for a golf course, restaurant/banquet hall and uses, buildings and structures accessory thereto.

A-25: 119 River Road and Southside River Road
formerly A-192, H-194, H-193, H-195

In addition to the uses in the Agricultural Zone, this land may also be used for a golf course.

A-26: 144 River Road
formerly A-139

Notwithstanding the regulations of the Agricultural Zone, a septic area will only be permitted within the A-26 zone.

CR-27: 708 Highway 20 West (Regional Road no. 20)
formerly CR-148

In addition to the uses in the Commercial Rural Zone, this land may also be used for a vehicle body shop subject to the following special regulations:

a) Open storage shall be directly related to the permitted use on the lot.

b) Open storage shall be permitted in the rear and interior side yard but not within the exterior side yard.

c) Open storage shall not be permitted within 6m of a residential use.

d) Open storage shall be screen from view at a plane level which is a minimum of 1.5m from grade level of an adjacent street; or when abutting a residential use at a plan level which is a minimum of 1.5m from the finished grade level at the

property line; and by means of landscaping features to be located within a landscape strip.

SA-28: 576 Highway 20 West (Regional Road no. 20)
formerly A-133

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a floral wholesale distribution business with associated office facilities and includes the sale of flowers not produced on site; and an agriculturally related research and development and training radar based facility with associated radio transmitter antenna subject to the following special regulations:

Minimum Easterly Side Yard	17.98m

RM1-29: OakHaven Estates Subdivision
formerly RMV1-205, 233, 234, 235, 236 & 237

Notwithstanding the regulations of the Residential Multiple 1 Zone, no buildings or structures shall be permitted on the lands.

OS-30: 73 Cherry Ridge Boulevard
formerly OS-204

Notwithstanding the regulations of the Open Space Zone, no buildings or structures shall be permitted on the lands.

RM1-31: 1128 Cream Street
formerly RV1-199

Notwithstanding the regulations of the Residential Multiple 1 Zone, the minimum rear yard for all structures shall be 91.0m.

RM1-32: 1106 Balfour Street
formerly RV1-156

In addition to the uses in the Residential Multiple 1 Zone, this land may also be used for a construction trades establishment with no outside storage.

CR-33: 854 Canboro Road
formerly CR-132

Notwithstanding the Commercial Rural Zone, this land may only be used for a farm supply establishment, a warehouse, manufacturing, assembly, processing and fabrication of wood products such as kitchen cupboards, furniture, wood crafts, windows, doors and offices subject to the following special regulations:

Minimum front yard	14.0m

Minimum easterly side yard	7.5m
Minimum westerly side yard	20.0m
Minimum rear yard	22.5m

All activities shall be carried on entirely within the wholly-enclosed buildings with no outside storage, manufacturing, assembly, processing and fabrication or display of goods for sale being permitted.

Any manufacturing, assembly, processing and fabrication requiring municipal water service is prohibited.

All parking and loading areas and their approaches are not required to have cement, asphalt or other permanent type surface. Any required dust collection system shall be located within a building.

R1-34: 808 Canboro Road
formerly RV1-279

Notwithstanding the Residential 1 Zone, the lands shall be subject to the following special regulations:

Minimum lot area	679.0m^2
Minimum front yard	3.8m to a covered porch or deck and 5.6m to a dwelling

SA-35: 200 Highway 20 East
formerly A-46

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a bank, church, personal service shop, clinic, dry cleaning outlet, hotel, motel, tavern, office, public and private club, restaurant, retail use, service shop and uses, buildings and structures accessory thereto and subject to the regulations in the Downtown Corridor Zone.

SA-36: 214 Highway 20 East (Regional Road no. 20)
formerly A-145

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a Group Home consisting of two dwellings on one lot and subject to the following special regulations:

Maximum number of residents	19

SA-37: 1369 Rice Road
formerly A-82

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a church subject to the following special regulations:

Maximum Lot Coverage	20%
Minimum Front Yard	20.0m
Minimum Side Yard	9.0m
Minimum Rear Yard	9.0m
Maximum Building Height	12.0m

R1-38: 1014 Church Street
formerly RV1-56a & 56

In addition to the uses in the Residential 1 zone, this land may also be used for the manufacture of concrete burial vaults and uses, buildings and structures accessory thereto subject to the following special regulations:

Minimum Side Yard	6.0m except the minimum side yard adjacent to a Residential Zone shall be 9.0m
Minimum Rear Yard	7.5m except the minimum rear yard adjacent to a Residential Zone shall be 15.0m
Landscaping Requirements	A landscaped amenity area of a minimum width of 3.0m shall be provided adjacent to any residential or commercial zone or a street that abuts the side or rear yard
Exterior Lighting	Exterior lighting and illuminated signage shall be directed away from any adjacent residential zone
Loading Spaces	Required loading spaces shall not be located in any front yard or any yard adjacent to a residential zone

R1-39: 956 Church Street and 958 Church Street
formerly RV2-05

In addition to the uses in the Residential 1 Zone, this land may also be used for the storage of petroleum products and uses, buildings and structures accessory thereto.

OS-40: Centennial Park
formerly OS-179

Notwithstanding the regulations of the Open Space Zone, no buildings shall be constructed within 15 metres of the watercourses.

NC-41 (H): 788 & 792 Welland Road
formerly NC-262 & NC-262(H)

In addition to the uses in the Neighbourhood Commercial zone, this land may also be used for dwelling units above the ground floor and at grade at side and rear yards and the following special regulations apply:

Commercial Uses

Maximum Lot Coverage	45%
Maximum Gross Floor Area	65% of lot area
Minimum Front Yard	0m
Minimum Side Yard	0m where abutting a commercial or industrial use
	3.0m where abutting a residential or institutional use
Minimum Rear Yard	6.0m where abutting a commercial or industrial use
	3.0m where abutting a residential or institutional use

Residential Uses

a) Dwelling units are permitted about the ground floor of any commercial use and at the side and rear yards.

b) No maximum gross floor area for dwelling units.

c) A minimum landscaped amenity area of 30.0m^2 shall be provided for each dwelling unit.

d) Parking Requirements

   i. 1.5 parking spaces per dwelling unit

   ii. 1 parking space per 30m^2 of net floor area for retail or office uses

   iii. 1 space per 4 persons seating capacity for eating establishments

e) Ingress and Egress

i. Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3.0m wide where only one-way traffic is permitted and have a minimum width of 6.5m but not more than 9.0m in perpendicular width where two-way traffic is permitted.

f) Parking Area Location on Lot

i. Apartment Dwelling and Boarding House Dwelling: All yards provided that no part of any parking area, other than a driveway, is located closer than 7.5m to any street line and no closer than 1.0m to any side lot line or rear lot line.

g) Landscape strips

i. Where land is required to be used for no other purpose than a landscape strip, it shall have a minimum width of 1.0m, except where adjacent to an at-grade patio at the north-west corner of the site where the landscape strip shall have a minimum width of 0.5m and a privacy fence, measured perpendicular to the lot line it adjoins.

h) Unenclosed porches, balconies, steps and patios

i. Notwithstanding the yard provisions of this By-law to the contrary, unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard a maximum distance of 2.0m provided that, in the case of porches, steps or patios, such uses are not more than 2.0m above ground. Patios may project into any required rear yard provided they are not more than 0.6m above grade.

The lifting of the holding (H) provision for the NC-262 (H) zone for 788 Welland Road shall be subject to the Ministry of Tourism, Culture and Sport issuing an acknowledgement letter for the submitted Stage 1 and 2 Archaeological Assessment for 788 Welland Road and the Town receiving a copy of the letter.

P-42: 766 Welland Road
formerly P-222

Notwithstanding the provision of the Open Space Zone, the following special regulations shall apply:

Minimum Lot Coverage	50%
Minimum Front Yard	15.0m
Minimum Side Yard	15.0m

Minimum Easterly Side Yard	3.0m
Minimum Parking Requirements	60 spaces

The parking area and driveway connecting the parking area with the street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

The maximum width for the driveway ramp measured along the street line shall be 16.0m.

A landscaping area in the form of a landscape strip shall be planted with trees to form a visual screen of at least 3.0m in height adjacent to every portion of any lot line that abuts the boundary of any Residential Zone, except where prohibited by the Niagara Peninsula Conservation Authority.

R1-43: 754 Welland Road and s/s Welland Road
formerly RV1-03

In addition to the uses in the Residential 1 Zone, this land may also be used for a greenhouse and accessory retail use.

SA-44: 1040 Balfour Street
formerly I-70

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a church.

SA-45: 916 Church Street
formerly A-203

Notwithstanding the Specialty Agricultural Zone, the following special regulations shall apply:

Minimum side yard	10.8m north 20.0m south
Minimum distance separation for the existing agricultural building	as existing

A-46: 807 Church Street
formerly A-06

In addition to the uses in the Agricultural Zone, this land may also be used for a welding shop and uses, buildings and structures accessory thereto.

R1-47: 760 Foss Road
formerly RV1-123

In addition to the uses in the Residential 1 Zone, this land may also be used for a greenhouse and uses, buildings and structures accessory thereto subject to the following special regulations:

a) Greenhouses shall be located a minimum of 15.0m from a lot line except where ventilating fans exhaust into the side or rear yard of any adjacent lot, in which case the minimum setback distance of greenhouses from the lot line shall be 25.0m.

b) Greenhouses shall be located a minimum distance of 30.0m from any residential use on an adjacent lot.

c) No manure compost or equipment storage area on the subject lands shall be permitted within 30.0m of a residential use on an adjacent lot.

SA-48: 461 Canboro Road
formerly I-72

In addition to the uses in the Specialty Agricultural zone, this land may also be used for a church.

SA-49: 418 Canboro Road
formerly I-73

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a church.

SA-50: 350 Highway 20 West
formerly I-75

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a school.

SA-51: 1368 Effingham Street
no former exception

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for the warehouse of a public utility.

SA-52: 495 Canboro Road
formerly A-137

Notwithstanding the Specialty Agricultural Zone, the following regulations shall apply:

Minimum rear yard	2.5m

Minimum side yard	1.0m
Maximum lot coverage	11%
Maximum lot coverage for accessory structures	2.9%
Minimum easterly side yard	0.8m
Minimum front yard for an accessory structure	4.4m
Minimum easterly side yard for an accessory structure	2.4m

SA-53: 1162 Centre Street
formerly I-74

Notwithstanding the Specialty Agricultural Zone, this land may only be used for a school.

SA-54: 406, 408 & 410 Canboro Road
formerly A-10

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for two existing single detached dwelling units and one existing secondary dwelling unit in an existing dwelling, the manufacturing and sale of lumber and wood products, a construction trades establishment and uses, buildings and structures accessory thereto.

The manufacturing and sale of lumber and wood products, construction trades establishment and uses, buildings and structures accessory thereto shall be subject to the regulations of the Rural Employment Zone.

SA-55: 398 Canboro Road
formerly A-141

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a seasonal restaurant and farm produce market subject to the following special regulations:

Minimum front yard	12.5m
Maximum retail floor area including restaurant	148m^2
Parking Spaces	20 spaces

Seasonal is defined as having a duration of 6 months commencing May 1st to November 1st each calendar year.

Seasonal farm produce market shall provide a minimum of 70% of the retail floor area for Ontario grown produce; a maximum of 25m^2 of the retail floor area for bakery

items and processed fruit, deli and dairy products and locally hand crafted products; and locally grown greenhouse and nursery products.

SA-56: 308 Welland Road
formerly A-08

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a vehicle repair shop and uses, buildings and structures accessory thereto.

RM1-57: 42 Concord Street
formerly RM1-97

Notwithstanding the Residential Multiple 1 Zone, this land shall be used for block townhouse dwellings and where the lands are adjacent to lands zoned Environmental Protection 1, the only permitted use is a private passive yard use defined as a natural or landscaped area, used for passive amenity purposes but does not include a building, structure, swimming pools, parking lot or active recreational use.

SA-58: 563 Highway 20 West (Regional Road no. 20)
formerly A-14

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a vehicle repair shop, machine shop, vehicle sales or rental establishment and uses, buildings and structures accessory thereto.

SA-59: 345 Highway 20 West (Regional Road no. 20)
formerly A-157

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a welding business which includes ancillary manufacture and sale of trailers, trailer accessories and hitches and subject to the following special regulations:

Maximum lot coverage	15%
Minimum side yard	3.0m
Minimum rear yard	6.0m
Maximum height	6.4m

Outside storage of goods and materials related to the welding business is not permitted, save and except the exterior display for sale of products manufactured on site.

No private garage or carport is required.

SA-60: 337 Highway 20 West (Regional Road no. 20)

formerly A-20

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a vehicle sales or rental establishment, a service shop, a retail use, a farm supply and service establishment, the storage of all vehicles except commercial vehicles and uses buildings and structures accessory thereto subject to the regulations in the Commercial Rural zone.

SA-61: 299 Highway 20 West (Regional Road no. 20)
formerly A-18

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a motel.

SA-62: 220 Tice Road
formerly A-160

Notwithstanding the Specialty Agricultural Zone, this land may only be used for agricultural uses not including greenhouses and a golf driving range.

A-63: 1615 Lookout Street
formerly A-17

In addition to the uses in the Agricultural Zone, this land may also be used by a public or private utility.

R1-64: Residence at Lookout Point Subdivision
formerly R1-180, 182, 183, 184, 185, 186 & 187

Notwithstanding the provisions of Section 3 and the Residential 1 Zone, no buildings or structures, including but not limited to storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 15.0m of the rear lot line.

OS-65: Residences at Lookout Point Subdivision
formerly OS-188

Notwithstanding the provisions of the Open Space Zone, no buildings or structures, including but not limited to, storage sheds, garages and gazebos shall be permitted.

R2-66: Timmsdale Estates Subdivision
formerly RM1-175

Notwithstanding the provisions of the Residential 2 Zone, no structural development, including but not limited to storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 7.5m of the top of bank, as approved by the Niagara Peninsula Conservation Authority.

RM1-67: Timmsdale Estates Subdivision
formerly RM1-176

Notwithstanding the provisions of the Residential Multiple 1 Zone, no structural development, including but not limited to storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 7.5m of the top of bank, as approved by the Niagara Peninsula Conservation Authority.

R2-68: 175 Canboro Road
formerly R2-22

Notwithstanding the provisions of the Residential 2 Zone, this land may also be used for a greenhouse and uses, buildings and structures accessory thereto.

A-69: 310 Cream Street
formerly I-76

In addition to the uses in the Agricultural Zone, this land may also be used for a school.

A-70: Land surrounding the Airport
formerly A-25

Notwithstanding the provisions of the Agricultural Zone, the maximum height of all buildings and structures shall be 12.0m.

RE-71: 491 Webber Road (Regional Road no. 29)
formerly M1-114

Notwithstanding the provisions of the Rural Employment Zone, one dwelling unit internal to the existing building shall be permitted as an accessory to the uses permitted in the Rural Employment Zone.

RE-72: 550 Webber Road (Regional Road no. 29)
formerly M2-124

Notwithstanding Section 4.1.4.1 (a) of the Parking and Loading requirements, the following special regulations shall apply:

Notwithstanding Section 5.3.1 of the Rural Employment Zone, the following special regulations shall apply:

5.3.1 Permitted Uses:

r) Place of Worship

RE-73: 472 Webber Road (Regional Road no. 29)
formerly M2-103

Notwithstanding the provisions of the Rural Employment zone, this land may only be used for manufacturing, industrial and warehousing uses, but not including obnoxious or dangerous uses, automobile service stations and construction trades establishments and uses, buildings and structures accessory thereto as well as one dwelling unit internal to the existing building as of February 4, 1991 accessory to the foregoing permitted uses and the following special regulations shall apply:

Minimum side yard	9.0m where adjacent to a residential zone or 0m where adjacent to a railway spur
Minimum rear yard	15.0m where adjacent to a residential zone or 0m where adjacent to a railway spur

Outside storage shall only be permitted within a rear yard which is screen from public view.

A landscaped amenity area with a minimum width of 3.0m shall be provided adjacent to any residential or commercial zone or a street that abuts the side or rear yard.

Exterior lighting and illuminated signage shall be directed away from any adjacent residential zone.

Required loading spaces shall not be located in any front yard or in any yard adjacent to a residential zone.

R1-74: 1551 Haist Street
formerly R1-225

Notwithstanding the Residential 1 zone, the following special regulations shall apply:

Minimum Northerly Interior Side Yard	7.5m
Minimum Southerly Interior Side Yard	1.8m

No driveways and buildings or structures, including but not limited to, storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 7.5m of the top of bank as approved by the Niagara Peninsula Conservation Authority.

RM1-75: Davis Heights
formerly RM1-253

Notwithstanding the Residential Multiple 1 zone, this land shall be used for a maximum of 36 block townhouse dwellings subject to the following special regulations:

Maximum Lot Coverage	25.51%
Minimum Area per Unit	226.9m^2
Minimum Frontage per Unit	9.6m
Minimum Ground Floor Area	88m^2 for a one storey dwelling
	50m^2 for a two storey dwelling
Minimum Setbacks of all Buildings	As shown on Schedule B
Minimum Side Yard between Block Townhouse Dwellings	As shown on Schedule B
Minimum Structural Setback from Top of Bank	As shown on Schedule B
Minimum Amenity Area per Dwelling Unit	14m^2
Minimum Landscaped Area	25%

Unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard shown on Schedule B provided that in the case of porches, steps or patios, such uses are not more than 3.0m above ground.

DC-76: 1465 Station Street
formerly RM1-276

Notwithstanding the provisions of the Residential Multiple zone, this land may only be used for block townhouse dwellings subject to the following special regulations:

Maximum density	45 dwelling units per hectare
Minimum front yard (Station Street)	7.0m for a dwelling
	4.0m for a covered porch or deck
Minimum setback between front of dwelling and internal roadway	4.0m for a dwelling and covered porch and 6.0m for a garage door
Minimum Side Yard from North Property Line	7.0m for a dwelling and 4.0m for a covered porch or deck
Minimum Side Yard from South-West Property Line	3.0m for a dwelling, covered porch or deck

Minimum Side Yard for most South-Easterly Dwelling Unit (south-east property line)	1.2m for dwelling side walls and 0.3m for covered porch or deck
Minimum Setback between side of Dwelling and Internal Road	2.0m for dwelling side walls, covered porch or deck
Minimum Setback between sides of Dwelling Units	2.4m
Minimum Rear Yard (East Property Line)	7.0m for a dwelling and 4.0m for a covered porch or deck
Minimum Rear Yard for most Easterly Dwelling Unit (north-east property line)	1.2m for a dwelling, covered porch or deck
Minimum Rear Yard for most Easterly Dwelling Unit (south-east property line)	4.0m for a dwelling and 2.0m for a covered porch or deck
Distance between buildings on the same lot	Any face of one townhouse shall be no closer than 11.0m to any face of another townhouse Any side of any townhouse shall be no closer than 2.4m to any side of another townhouse
Minimum Ground Floor Area for a Dwelling	$88m^2$ one-storey $50m^2$ two-storey
Minimum Landscaped Area	25%
Landscape strip	1.2m in width where the boundary of the RM1 zone abuts an R1 or R2 zone. If a swale is required at the most easterly dwelling unit of the townhouse block (north-east property line) a minimum landscape strip of 0.5m with a privacy fence is required.
Amenity Area	minimum of $2.5m^2$ for each one-bedroom unit and a minimum of $5.0m^2$ for each two or more-bedroom units in one location for recreational use for the residents of the development.

Minimum Internal Roadway Width	6.0m
Minimum Garage Width	3.4m
Maximum Lot Coverage	42%
Parking Requirements	2 parking spaces per dwelling unit, which may include a space in a garage and a tandem parking space in the associated unit driveway.
Parking Space Size	2.7m wide by 5.8m long

DC-77: 105 Highway 20 East (Regional Road no. 20)
formerly GC-275

Minimum Above Grade Building Setback:

Minimum Side yard (North property line of the mixed use Condominium domain and the townhouse condominium domain)	7.5m
Minimum rear yard (east property line)	15.0m for main building and 13.0m for balconies
Minimum corner side yard (Highway 20 east)	0m
Minimum setback for Sub-grade structures and ramps	0m
Minimum Landscape Area and Amenity Area	25%
Grade Level Internal Roadway Width	6.0m along shared roadway locations
Parking Requirements	1.25 spaces per apartment dwelling 3 spaces per 100m^2 of commercial floor area 1 space per 4 persons seating capacity for restaurants
Parking area on Lot	All yards provided that no part of any parking area other than a driveway is

	located closer than 3.0m to any street line and no closer than 0m to any side lot line or 3.0m to the rear lot line
Sub-grade parking level internal roadway width	Minimum 6.0m
Parking space size	2.7m wide by 5.8m long

DC-78: 110 Highway 20 East (Regional Road no. 20)
formerly HC-162

In addition to the permitted uses in the Downtown Corridor zone, a retail use and supermarket retail establishment may be permitted in accordance with the following:

A supermarket is defined as: "a retail establishment having a minimum floor area of 300 square metres and a maximum floor area of 3,800 square metres, primarily selling food and grocery items and which may sell other accessory merchandise such as household supplies and personal care products but not including a pharmacy, a photo shop, a dry cleaners, or a florist."

Maximum Lot Coverage	40%
Front Yard Setback	6.0m
Minimum number of Loading Spaces	2
Minimum number of Parking Spaces	180
Minimum ingress and engress from a required parking space	7.3m
Minimum landscape strip width along RR 20	6.0m
Minimum landscape strip width along easterly Boundary	1.2 m

R1-79: 23 Highland Avenue
formerly R1-31

Notwithstanding the provisions of the Residential 1 zone, this land may also be used for the manufacture and sale of monuments and uses, buildings and structures accessory thereto.

NC-80: 1292 Pelham Street
no former exception

In addition to the uses in the Neighbourhood Commercial zone, this land may also be used for a funeral home and uses, buildings and structures accessory thereto.

NC-81: 1145 Pelham Street
formerly GC-89

In addition to the uses in the Neighbourhood Commercial zone, this land may also be used for professional and business offices, restaurants, personal service shops, clinics, custom workshops, daycare centre, dry cleaning outlets, banks and trust companies, undertaking establishments and uses, buildings and structures accessory thereto. The following special regulations shall apply:

a) Maximum of 20 dwelling units above the ground floor

b) Maximum gross floor area for the commercial uses shall be 50% of the lot area.

c) Maximum gross floor area for dwelling units shall be 72%.

d) Dwelling units shall only be permitted above the ground floor of any commercial use.

e) Minimum landscaped amenity area 51.85m^2 per dwelling unit

NC-82: 1022 Pelham Street
formerly NC-108

In addition to the uses in the Neighbourhood Commercial zone, this land may also be used for business and professional offices, parking lots, restaurants, studios, agencies and personal service shops on the ground floor only and uses, buildings and structures accessory thereto subject to the following special regulations:

Commercial Uses

Maximum lot coverage	17%
Maximum gross floor area	34%
Minimum side yard	0m where abutting a commercial or industrial use
	4.5m where abutting a residential or institutional use
Minimum rear yard	6.0m where abutting a commercial or industrial use
	12.0m where abutting a residential or institutional use
Maximum building height	8.0m

Maximum gross floor area per permitted use	235m^2
Maximum gross commercial floor area	930m^2

Accessory Residential Uses:

a) Maximum of one accessory dwelling unit for each commercial use.

RM1-83 (H): 703 Quaker Road
formerly RM1-281(H)

Notwithstanding the Residential Multiple 1 zone, this land shall only be used for block townhouse dwellings and the following site-specific regulations shall apply:

Minimum Lot Frontage	8.8m
Minimum Setback from Quaker Road	30.0m
Minimum Setback from Internal Roadway	4.5m to dwelling unit or 6.0m to garage
Minimum Side Yard	1.5m
Minimum Rear Yard	6.0m to back of dwelling unit 1.5m to side of dwelling unit
Distance between buildings on same lot	Any side of any townhouse shall be no closer than 3.0m
Landscape strip	A landscape strip of 1.3m minimum in width shall provided where the boundary of an RM1 zone abuts an R1 or R2 zone except for along the west property line of 695 Quaker Road a 0.5m buffer strip with a privacy fence is required

Unenclosed porches, balconies, steps and patios, covered or uncovered, may project into any required yard a maximum distance of 3.5m provided that, in the case of porches, steps or patios, such uses are not more than 1.3m above ground.

Removal of the holding (H) provision will occur subject to execution of condominium and site plan agreements addressing servicing and drainage to the satisfaction of the Director of Public Works.

R1-84: 1078 Quaker Road, 1080 Quaker Road, 1082 Quaker Road, 1084 Quaker Road, 1088 Quaker Road, 1090 Quaker Road, 1092 Quaker Road, 1094 Quaker Road, 1096 Quaker Road, and 1098 Quaker Road
formerly R1-26

The following special regulation shall apply to these lands:

Minimum rear yard	61.0m

DC-85: 209 Highway 20 East
formerly HC-127

Notwithstanding the Downtown Corridor zone, this land shall only be used for a bank, personal service shops, business and professional office and dwelling units above the first floor subject to the following special regulations:

Maximum floor area devoted to health care practitioners	225m^2
Maximum number of dwelling units	12
Minimum number of parking spaces	58
Minimum number of parking spaces per health care practitioner	5
Required setback of parking spaces along south-easterly property line	1.5m
Location of dwelling unit parking	Not required in a garage or carport
Location of required loading space	Exterior side yard
Required setback of loading space abutting Rice Road	1.5m
Minimum maneuvering aisle width in the parking garage	6.4m
Minimum driveway width for the parking garage	5.4m
Maximum building height	12.06m from the finished floor elevation of 190.73m
Minimum landscaped amenity area	430m^2
Minimum indoor residential amenity area	160m^2 to be located in the cellar

Minimum front yard	17.8m

DC-86: 227 Highway 20 East
no former exception

In addition to the uses in the Downtown Corridor zone, this land may also be used a vehicle repair shop and a vehicles sales or rental establishment.

R1-87: 1120 Haist Street
Formerly R1-282

Notwithstanding the provisions of the Residential 1 zone, the following special regulations shall apply:

Minimum Front Yard	6m and 6.5m to garage
Maximum Front Yard	6m
Maximum garage door width	Lesser of 50% of the lot width or 60% of the dwelling width

RM1-88: 120 Haist Street
Formerly RM1-283

Notwithstanding the provisions of the Residential Multiple 1 zone, this land may only be used for block townhouse dwellings, street townhouse dwellings, home occupation and one accessory dwelling unit or home occupation located above a garage subject to the following special regulations:

Minimum Lot Frontage	7.2m for interior end units
Minimum Lot Depth	32m
Minimum Front Yard	4.5m
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3m
Minimum Rear Yard	10.5m

Notwithstanding Section 2: Definitions, for street townhouse dwellings that abut the Public (P) zone, the north lot line abutting the Public zone will be considered the front lot line.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

a) Ingress and egress for all driveway and garages shall be from a rear lane.

b) The minimum rear yard for a garage shall be 0.5m.

c) The maximum garage height shall be 7m.

Notwithstanding Section 3: General Provisions, the following shall apply:

a) Garages shall have a 0m interior side yard setback and have a minimum interior side yard setback of 2.75m on the other side.

b) The minimum porch depth shall be 2m.

c) Porches may encroach a maximum of 2m into a required front or exterior side yard. Steps associated with a porch may encroach up to the lot line.

Block Townhouse Dwellings

The following special regulations shall apply to block townhouse dwellings:

a) The minimum setback from an internal roadway shall be 4.5m.

b) The minimum setback from a rear lane shall be 10.5m.

c) The setback of the building face from the northerly lot line shall be 4.5m.

d) The minimum setback of the side of building to lot line, rear lane internal roadway shall be 1.2m.

e) The minimum setback of the side of building to any side of another side of building shall be 1.2m.

f) The minimum porch depth shall be 2m.

g) Porches may encroach a maximum of 2m closer to an internal roadway and the northerly lot line. Steps associated with a porch may encroach up to the internal roadway or northerly lot line.

Notwithstanding Section 4: Parking and Loading Requirements, the following special regulations shall apply:

a) Ingress and egress for all driveway and garages shall be from a rear lane.

b) The minimum garage setback from a rear lane shall be 0.5m.

c) The maximum garage height shall be 7m.

d) Garages shall be located a minimum of 5.5m from another garage on the other side.

R2-89: 120 Haist Street
Formerly R2-284

Notwithstanding the provisions of the Residential 2 zone, the following special regulations shall apply:

Minimum Lot Depth	32m
Minimum Front Yard	4.5m 6m to garage
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3m
Minimum Rear Yard	7.5m or 10m where backing onto an existing residential property
Maximum garage door width	Lesser of 50% of the lot width or 60% of the dwelling unit
Minimum setback from internal roadway	4.5m 6m to garage
Minimum setback between single detached dwellings	2.4m
Minimum setback from east/west lot line	1.2m
Minimum setback from south lot line	10m

Notwithstanding Section 3: General Provisions, the following special regulations shall apply:

a) The minimum porch depth shall be 2m.

b) Porches may encroach a maximum of 2m into a required front or exterior side yard or internal roadway. Steps associated with a porch may encroach up to the lot line or internal roadway.

RM2-90: 163 Port Robinson Road

Formerly RM2-285

Notwithstanding the provisions of the Residential Multiple 2 zone, the following site-specific regulations shall also apply:

Minimum Lot Area per Dwelling Unit	115m^2
Minimum Lot Depth	36m
Maximum Density	70 units per hectare
Maximum Lot Coverage	50%
Minimum Front Yard	3m
Minimum Interior Side Yard	2.25m
Minimum Landscaped Area	25%
Maximum Building Height	3 Storeys
Amenity Area	Every unit shall be provided with a balcony of at least 5m^2 in floor area

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall also apply:

Minimum Parking Requirements - Apartment Dwelling	1.08 spaces per dwelling unit
Ingress and Egress - Two-way Traffic	6m
Parking Area Location – Apartment Dwelling	All yards provided that no part of any parking area, other than a driveway is located closer than 7.5m to any street line, 0m to any rear lane and no closer than 1 m to any side lot line.

R2-91: River Estates Phase 2 Subdivision
Formerly R2-286

Notwithstanding the provisions of the Residential 2 zone, the following site-specific regulations shall also apply:

Maximum Lot Coverage	None
Minimum Front Yard	4.5m

	6m for Garages
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3m
Minimum Ground Floor Area for a Dwelling	$88m^2$ – One-storey $50m^2$ – Two-storey

RM1-92: River Estates Phase 2 Subdivision
Formerly RM1-287

Section 2: Definitions is amended for the subject lands as follows:

"DAYLIGHTING TRIANGLE" means an area free of buildings or structures or other visual obstructions, and which are to be determined by measuring, from the point of intersection of street lines on a corner lot, a minimum of 6m along each such street line and joining such points with a straight line, and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the "daylighting triangle".

Notwithstanding Section 4: Parking and Loading Requirements, the following special regulations shall apply:

a) Ingress and egress for all driveways/garages shall be from the laneway.

b) The minimum rear yard for garages shall be 0.5m.

c) Garages shall have a 0m interior side yard setback with a shared masonry wall on one side and a minimum interior side yard setback of 2.4m on the other side.

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for street townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply:

Minimum Lot Frontage	6m per dwelling unit
Minimum Corner Lot Frontage	7.5m per dwelling unit
Minimum Lot Area	$170m^2$
Minimum Front Yard	4.5m
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	3.0m or 0m for a common wall

RM1-93: River Estates Phase 2 Subdivision

Formerly RM1-288

Notwithstanding Section 4: Parking and Loading Requirements, the following special regulations shall apply:

a) Ingress and egress for all driveways/garages shall be from an internal road.

Notwithstanding the regulations of the Residential Multiple 1 zone, these lands may only be used for block townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply:

Minimum Front Yard	3m
Minimum Side Yard	1.5m except that where the rear of a building faces the side yard, the minimum side yard shall be 6m
Minimum Rear Yard	3m
Distance between buildings on the same lot	3m
Landscape strip	0m
Minimum setback from internal roadway	3m to building front, or 6m to rear of building, or 6m to front access garages 0m to rear access garages

The front of all buildings flanking Port Robinson Road shall be facing Port Robinson Road

RM1-94: 100 Welland Road
Formerly RM1-289

Notwithstanding the provisions of Section 3: General Provisions, the following site-specific regulations shall also apply:

a) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 1m of the front lot line provided that, such uses are not more than 1.3m above ground. Such uses shall not be within 3.6m of the rear lot line provided that, such uses are not more than 2m above ground. Patios may project into any require rear yard provided they are not more than 0.6m above grade

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall also apply:

Ingress and Egress – Two-way Traffic	6m drive aisle width (clear width measured from curb-face to curb-face)

Notwithstanding the regulations of the Residential Multiple 1 zone, these lands may be used for block townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply:

Minimum Front Yard	2.9m to street or private lane
Minimum Side Yard	1.2m to lot line or private lane
Minimum Rear Yard	6m
Distance between buildings on the same lot	Any side of any block townhouse shall be no closer than 1.3m to any side of another block townhouse
Landscape strip	A minimum landscape strip width of 1 m shall be provided where the boundary of an RM1 zone abuts an R1 or R2 zone

One second dwelling unit accessory to each dwelling of a two-block townhouse dwelling shall be permitted.

R2-95: Saffron Meadows Ph. 3 Subdivision
Formerly R2-290

Section 2: Definitions is amended for the subject lands as follows:

"SECOND DWELLING UNIT" means a second dwelling unit on a lot with a principal dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Section 3: General Provisions is amended for the subject lands as follows:

a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this By-law is specifically permitted.

b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:

   i. The maximum floor area does not exceed 60m^2;
   ii. A maximum of one entrance is permitted to face a street, inclusive of the principal dwelling;
   iii. A minimum of one parking stall is required;

iv. Compliance with the Ontario Building Code and Fire Code, as applicable;

c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.

d) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, in the cases of porches, steps and patios, such uses are not more than 1.3m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that, such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units being served is there or less, and a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.

b) All uses fronting Port Robinson Road and Street 'C' (Klager Avenue) from a point no less than 220m south of Port Robinson Road shall be accessed from a public or private rear laneway.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the regulations of the Residential 2 zone, these lands may be used for one single detached dwelling, uses, buildings and structures accessory thereto, and home occupations, and the following site-specific regulations shall apply:

Minimum Lot Area	360m^2
Minimum Lot Frontage	12m
Maximum Lot Coverage	50%
Minimum Front Yard	4m to dwelling front face and 6m to garage
Maximum Front Yard	5.5m to dwelling front face
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3m on the other side where there is no attached carport or garage

Minimum Exterior Side Yard	3m to dwelling 6m to garage
Minimum Rear Yard	7.5m
Maximum Attached Garage Width	7.5m or 50% of the lot frontage, or 20% of the lot depth, whichever is less
Maximum Driveway Width	7m or 50% of the lot frontage, or 20% of the lot depth, whichever is less

RM1-96: Saffron Meadows Ph. 3 Subdivision
Formerly RM1-291

Section 2: Definitions is amended for the subject lands as follows:

"SECOND DWELLING UNIT" means a second dwelling unit on a lot with a principal dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Section 3: General Provisions is amended for the lands identified as RM1-96 as follows:

a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this By-law is specifically permitted.

b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:

   i. The maximum floor area does not exceed 60m^2;
   ii. A maximum of one entrance is permitted to face a street, inclusive of the principal dwelling;
   iii. A minimum of one parking stall is required;
   iv. Compliance with the Ontario Building Code and Fire Code, as applicable;

c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.

d) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, in the cases of porches, steps and patios, such uses are not more than 1.3m above

ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that, such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units being served is there or less, and a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.

b) All uses fronting Port Robinson Road and Street 'C' (Klager Avenue) from a point no less than 220m south of Port Robinson Road shall be accessed from a public or private rear laneway.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the regulations of the Residential Multiple 1 zone, these lands may be used for semi-detached dwellings, duplex dwellings, triplex dwellings, fourplex dwellings, converted dwellings, street townhouse dwellings, block townhouse dwellings, uses, buildings and structures accessory thereto, and home occupations, and the following site-specific regulations shall apply:

Minimum Lot Area	360m^2
Minimum Lot Frontage	12m
Minimum Front Yard	4m to dwelling front face and 6m to garage
Maximum Front Yard	5.5m to dwelling front face
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3m on the other side where there is no attached carport or garage
Minimum Exterior Side Yard	3m to dwelling 6m to garage
Minimum Rear Yard	7.5m
Maximum Attached Garage Width	7.5m or 50% of the lot frontage, or 20% of the lot depth, whichever is less
Maximum Driveway Width	7m or 50% of the lot frontage, or 20% of the lot depth, whichever is less

Semi-detached, Duplex, Triplex, Fourplex and Converted Dwellings

The following special regulations shall apply to semi-detached, duplex, triplex, fourplex and converted dwellings:

Minimum Lot Area	150m^2 per dwelling unit
Minimum Lot Frontage	16m
Minimum Front Yard	4m to dwelling front face and 6m to garage
Maximum Front Yard	5.5m to dwelling front face
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3m on the other side where there is no attached carport or garage
Minimum Exterior Side Yard	3m to dwelling 6m to garage
Minimum Rear Yard	7.5m
Maximum Attached Garage Width	7.5m or 50% of the lot frontage, or 20% of the lot depth, whichever is less
Maximum Driveway Width	7m or 50% of the lot frontage, or 20% of the lot depth, whichever is less

Street Townhouse Dwellings

The following special regulations shall apply to street townhouse dwellings:

Minimum Lot Area	180m^2 per dwelling unit
Minimum Lot Frontage	6m per dwelling unit
Minimum Front Yard	4m to dwelling front face 6m to garage
Maximum Front Yard	5.5m to dwelling front face
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3m on the other side where there is no attached carport or garage
Minimum Exterior Side Yard	3m to dwelling 6m to garage

Minimum Rear Yard	7.5m
Maximum Height	12.0m
Maximum Attached Garage Width	7m or 50% of the lot frontage, or 20% of the lot depth, whichever is less

Block Townhouse Dwellings

The following special regulations shall apply to block townhouse dwellings:

Minimum Lot Area	2000m^2
Minimum Lot Frontage	30m
Minimum Front Yard	2.5m on a street or internal laneway 6m to garage on a street or internal laneway
Maximum Front Yard	5m on a street or internal laneway
Minimum Interior Side Yard	1.2m to dwelling, except where the rear of a building faces the side yard, the minimum side yard shall be 6m. Detached garages shall have a 0m setback on one side and a 2.4m setback on the other side
Minimum Exterior Side Yard	3m on a street or internal laneway 6m to garage on a street or internal laneway
Maximum Exterior Side Yard	5m on a street or internal laneway
Minimum Rear Yard	6m, except where the side of a building faces the rear yard, the minimum rear yard shall be 1.2m 0.5m to garage on internal laneway
Maximum Height	12.0m
Distance between buildings on the same lot	A 'face' of a building means the longest wall of a building. Each building shall be deemed to have two faces. A 'side' of a building means the shortest wall of a building. Each building shall be deemed to have two sides. Any face of one townhouse shall be no closer to any side of another townhouse than 7.2m

	Any face of any townhouse shall be no closer than 11m to any face of another townhouse Any side of any townhouse shall be no closer than 3m to any side of another townhouse
Maximum Attached Garage Width	7.5m or 50% of the lot frontage, or 20% of the lot depth, whichever is less
Minimum Landscaped Area	25%
Amenity Area	$5m^2$ of amenity area shall be provided for each unit in one location for recreational use of the residents

OS-97: Saffron Meadows Ph. 3 Subdivision
Formerly OS-292

Notwithstanding the regulations of the Open Space zone, these lands may be used for public parkland, conservation and flood control projects, recreational uses such as trails, fences and picnic facilities, and uses, buildings and structures accessory thereto and the following site-specific regulations shall also apply:

Minimum Lot Area	0.4ha
Minimum Lot Frontage	15m
Minimum Lot Coverage	10%
Minimum Front Yard	4m
Minimum Exterior Side Yard	4m
Minimum Side Yard	4m
Minimum Rear Yard	7.5m
Maximum Building Height	12m

OS-98: Saffron Meadows Ph. 3 Subdivision
Formerly OS-293

Notwithstanding the regulations of the Open Space zone, these lands may be used for forest, fish and wildlife management uses, conservation and flood control projects, stormwater management facilities, and small-scale passive recreational uses such as trails, fences, docks and picnic facilities that will have no negative impact on natural heritage features or on their ecological functions, and the following site-specific regulations shall also apply:

Minimum Lot Area	0.4ha
Minimum Lot Frontage	15m

EP1-99: Saffron Meadows Ph. 3 Subdivision
Formerly EP-294

Notwithstanding the regulations of the Environmental Protection 1 zone, these lands may be used for forest, fish and wildlife management uses, conservation and flood control projects, stormwater management facilities, and small-scale passive recreational uses such as trails, fences, docks and picnic facilities that will have no negative impact on natural heritage features or on their ecological functions.

RM1-100: 155 Port Robinson Road
Formerly RM1-295

Notwithstanding the regulations of the Residential Multiple 1 zone, the following site-specific regulations shall apply:

Minimum Exterior Side Yard	6m
Minimum Interior Side Yard	3m or 0m for common walls

DC-101: 1440 Pelham Street
Formerly GC-296

Notwithstanding the requirements of the Downtown Commercial zone, the following site-specific regulations shall apply:

Maximum Gross Floor Area	123% of lot area
Maximum Height	4 storeys

a) The rooftop area shall be used for outdoor amenity space which is accessory to the dwelling units only.

b) A minimum 2.8m step-back shall be provided for the front building façade of the fourth storey.

c) A minimum 3m step-back shall be provided for the elevator and mechanical penthouse.

R2-102: 695,697 Quaker Road
Formerly R2-297

Section 2: Definitions is amended for the subject lands as follows:

"SECOND DWELLING UNIT" means a second dwelling unit on a lot with a principal dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Section 3: General Provisions is amended for the lands identified as RM1-96 as follows:

a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this By-law is specifically permitted.

b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:

   i. The maximum floor area does not exceed 60m^2;
   ii. A maximum of one entrance is permitted to face a street, inclusive of the principal dwelling;
   iii. A minimum of one parking stall is required; and
   iv. Compliance with the Ontario Building Code and Fire Code, as applicable.

c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.

R1-103: 1084 Quaker Road
Formerly R1-298

In addition to the uses permitted in the Residential 1 zone, these lands may also be used for a duplex dwelling and the following site-specific regulation shall apply:

Minimum Rear Yard	61m

RM1-104: 1307 Haist Street
Formerly RM1-299

Notwithstanding the requirements of the Residential Multiple 1 zone, these lands may be used for street townhouse dwellings and uses, buildings and structures accessory and the following site-specific regulations shall apply:

Minimum Lot Frontage	17m
Minimum Lot Area	400m^2 per dwelling unit

Minimum Front Yard	4.5m to front building face and 6m to a garage
Minimum Exterior Side Yard	4.5m
Minimum Rear Yard	7m
Maximum Building Height	6m

Second dwelling units are prohibited.

RM1-105: Saffron Valley Ph. 2 Subdivision
Formerly RM1-300

Notwithstanding the requirements of Section 3: General Provisions and Section 4: Parking and Loading Requirements, the following regulations shall apply:

a) Ingress and Egress shall be provided by unobstructed driveways with a maximum width of 7m for two-way traffic.

b) Unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard a maximum distance of 3m provided that, in the case of porches, steps or patios, such uses are not more than 1.3m above ground. Patios may project into any required yard provided they are not more than 0.6m above grade.

Notwithstanding the provisions of the Residential Multiple 1 zone, the following site-specific regulations shall apply:

Minimum Lot Frontage	7.1m
Minimum Front Yard	4.5m to front building face 6m to a garage on a street or internal roadway
Minimum Side Yard	i) Where the rear wall of a building faces and interior side yard, the minimum require yard shall be 6m ii) Unit 6 – 5.3m iii) Unit 13 – 2.1m iv) Unit 17 – 3.8m v) Unit 24 & 35 – 1.5m vi) Units 9, 12, 18, 23, 29 & 30 may be located no closer than 3m from the inside radius of an internal street (i.e. intersection or turn) vii) Where abutting an internal roadway – 4.2m
Minimum Rear Yard	6.1m

Distance Between Buildings	Any face of one townhouse shall be no closer to any side of another townhouse than 9m. Any face of any townhouse shall be no closer than 15m to any face of another townhouse. Any side of any townhouse shall be no closer than 3m to any side of another townhouse.

R1-106: 1, 1A, 3C Hurricane Road
Formerly R1-302

Section 2: Definitions is amended for the subject lands as follows:

"SECOND DWELLING UNIT" means a second dwelling unit on a lot with a principal dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

"DWELLING – FRONT FACE" means where a setback is measured from the 'dwelling front face', this shall include any portion of a building face exposed to the street line including the front door, but does not include a covered porch.

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.

b) Except as otherwise provided herein, no accessory building shall exceed 6m in height.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the provisions of the Residential 1 zone, the following site-specific regulations shall apply:

Minimum Lot Area	620m^2
Minimum Lot Frontage	17m
Minimum Front Yard	6m to dwelling face and 7.7m to garage

Maximum Front Yard	7.7 to dwelling face
Minimum Interior Side Yard	1.8m or 3m to a laneway
Maximum Lot Coverage	35%

No minimum ground floor area requirement.

R1-107: 3, 3A Hurricane Road
Formerly R1-303

Section 2: Definitions is amended for the subject lands as follows:

"SECOND DWELLING UNIT" means a second dwelling unit on a lot with a principal dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

"DWELLING – FRONT FACE" means where a setback is measured from the 'dwelling front face', this shall include any portion of a building face exposed to the street line including the front door, but does not include a covered porch.

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.

b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:

   i. The maximum floor area does not exceed 65m^2;
   ii. A maximum of one entrance is permitted to face a street, inclusive of the principal dwelling;
   iii. A minimum of one parking stall is required; and
   iv. Compliance with the Ontario Building Code and Fire Code, as applicable.

c) Except as otherwise provided herein, no accessory building shall exceed 6m in height.

d) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the provisions of the Residential 1 zone, the following site-specific regulations shall apply:

Maximum Lot Frontage	4.7m

Existing accessory buildings are permitted.

No minimum ground floor area requirement.

A-108: Concession 17, Part Lot 17 (Form. Part of 855 Chantler Road)
Formerly A-304

Notwithstanding the requirements of the Agricultural zone, these lands may be used for agricultural uses including greenhouses, uses, buildings and structures accessory and forestry and conservation uses and the following site-specific regulations shall apply:

Minimum Lot Frontage	91m

A-109: 855 Chantler Road
Formerly A-305

Notwithstanding the requirements of the Agricultural zone, the following site-specific regulations shall apply:

Maximum Lot Coverage for an Existing Accessory Structure	6.4% provided the maximum lot coverage of all buildings does not exceed 10%
Maximum Building Height for an Existing Accessory Structure	Existing as of the date of passing or 3.7m

R2-110: Park Place South Subdivision
Formerly R2-306

Section 2: Definitions is amended for the subject lands as follows:

"SECOND DWELLING UNIT" means a second dwelling unit on a lot with a principal dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.

b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:

   i. The maximum floor area does not exceed 65m^2;
   ii. A maximum of one entrance is permitted to face a street, inclusive of the principal dwelling;
   iii. A minimum of one parking stall is required; and
   iv. Compliance with the Ontario Building Code and Fire Code, as applicable

c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.

d) Detached garages shall be located in the rear yard with a minimum rear setback of 6.0m to laneways, minimum 1.5m setback from end wall to interior side lot line or 0m setback from common wall to interior side lot line.

e) The maximum lot coverage shall be 15%

f) Dwelling units below grade are not permitted.

g) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 2m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

a) Ingress and egress to and from required parking spaces and areas, hall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 8m in perpendicular width where two-way traffic is permitted.

b) All uses fronting Summersides Boulevard shall be accessed from a public or private laneway.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 8m.

Notwithstanding the requirements of the Residential 2 zone, the following site-specific regulations shall apply:

Minimum Lot Area	360m^2

Minimum Lot Frontage	12m
Maximum Lot Coverage	There is no maximum lot coverage requirement
Minimum Front Yard	4m to dwelling front face and 6m to garage
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3m
Minimum Rear Yard	6m
Maximum Height	3 storey or 12m, whichever is greater
Minimum Ground Floor Area for Dwelling	One Storey: 88m^2 Two or Three Storey: 50m^2

RM1-111: Park Place South Subdivision
Formerly RM1-307

Section 2: Definitions is amended for the subject lands as follows:

"SECOND DWELLING UNIT" means a second dwelling unit on a lot with a principal dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.

b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:

   i. The maximum floor area does not exceed 65m^2;
   ii. A maximum of one entrance is permitted to face a street, inclusive of the principal dwelling;
   iii. A minimum of one parking stall is required; and
   iv. Compliance with the Ontario Building Code and Fire Code, as applicable

c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.

d) Detached garages shall be located in the rear yard with a minimum rear setback of 6.0m to laneways, minimum 1.5m setback from end wall to interior side lot line or 0m setback from common wall to interior side lot line.

e) The maximum lot coverage shall be 15%

f) Dwelling units below grade are not permitted.

g) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 2m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

a) Ingress and egress to and from required parking spaces and areas, hall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 8m in perpendicular width where two-way traffic is permitted.

b) All uses fronting Summersides Boulevard shall be accessed from a public or private laneway.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 8m.

Notwithstanding the requirements of the RM1 zone, the following site-specific regulations shall apply:

Minimum Lot Frontage	6m
Minimum Corner Lot Frontage	7.5m
Minimum Front Yard	3m to dwelling front face and 6m to garage
Minimum Interior Side Yard	1.2m, 0m to common wall
Minimum Exterior Side Yard	3m

Minimum Rear Yard	6m
Maximum Height	3 storey or 12m, whichever is greater
Minimum Ground Floor Area for Dwelling	One Storey: 88m^2 Two or Three Storey: 50m^2
Landscape strips	There are no landscape strip requirements.

RM1-112: Park Place South Subdivision
Formerly RM1-308

Section 2: Definitions is amended for the subject lands as follows:

"DWELLING, BACK-TO-BACK TOWNHOUSE" means a townhouse dwelling that contains dwelling units divided vertically from each other by common side walls and common rear walls.

"SECOND DWELLING UNIT" means a second dwelling unit on a lot with a principal dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.

b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:

   i. The maximum floor area does not exceed 65m^2;
   ii. A maximum of one entrance is permitted to face a street, inclusive of the principal dwelling;
   iii. A minimum of one parking stall is required; and
   iv. Compliance with the Ontario Building Code and Fire Code, as applicable

c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.

d) Detached garages shall be located in the rear yard with a minimum rear setback of 6.0m to laneways, minimum 1.5m setback from end wall to interior side lot line or 0m setback from common wall to interior side lot line.

e) The maximum lot coverage shall be 15%.

f) Dwelling units below grade are not permitted.

g) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 2m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

a) Ingress and egress to and from required parking spaces and areas, hall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 8m in perpendicular width where two-way traffic is permitted.

b) All uses fronting Summersides Boulevard shall be accessed from a public or private laneway.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 8m.

Notwithstanding the requirements of the Residential Multiple 1 zone, back-to-back townhouse dwellings shall also be permitted subject to the following site-specific regulations:

Minimum Lot Frontage	6m
Minimum Corner Lot Frontage	10m
Minimum Lot Area	110m^2 per dwelling unit
Minimum Front Yard	7.5m
Minimum Interior Side Yard	1.2m, 0m to common wall
Minimum Exterior Side Yard	3m
Minimum Rear Yard	0m

Maximum Height	3 storey or 12m, whichever is greater
Minimum Ground Floor Area for Dwelling	One Storey: 88m^2 Two or Three Storey: 50m^2

A-113: 588 Chantler Road
Formerly A-309

Notwithstanding the requirements of the Agricultural zone, the following site-specific regulations shall apply:

Maximum Lot Coverage for an accessory structure	1.58% provided the maximum lot coverage of all buildings does not exceed 10%
Maximum Building Height for an accessory structure	5.9m

A-114: Concession 13, Part of Lot 11 (Form. Part of 588 Chantler Road)
Formerly A-310

The lands identified as A-114 prohibits the use of the lands for residential purposes as result of a Farm Surplus Severance (File No. B21/2021P) and be rezoned as Agricultural Purposes Only (APO).

I-115: 1105 Baxter Lane & 769 Welland Road (Baxter Hall)
Formerly I-265

Notwithstanding the requirements of the Institutional zone, these lands may be used for:

a) Cemetery;

b) Clinics;

c) Daycare Centres;

d) Long-term Care Facility or Retirement Homes;

e) Municipal, Government or Public Uses;

f) Offices;

g) Personal Service Uses;

h) Places of Worship;

i) Public or Private Clubs;

j) Retail uses with a floor area of less than 185m^2;

k) Schools; and

l) Uses, buildings and structures accessory to the foregoing uses.

Notwithstanding the requirements of the Institutional zone, these lands are subject to the following site-specific regulations:

Maximum Lot Coverage	43.4%
Minimum Front Yard	0.9m
Minimum Exterior Side Yard	3m
Minimum Side Yard	4m
Maximum Building Height	12m
Parking Requirements	70 spaces total

Ingress and Egress shall be provided by means of unobstructed driveways or passageways of at least:

One-way Traffic: 3 metres

Two-way Traffic: 5.8 metres but not more than 9 metres in perpendicular width

Planting Strips	1.8m measured perpendicular to the lot line it adjoins
Yard Encroachments	Unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard a maximum of 3.5m

DC-116: 151 Highway 20 East (Regional Road no. 20)
no former exception

In addition to the uses in the Downtown Corridor Zone, this land may also be used for a car wash.

DC-117: 158 Highway 20 West (Regional Road no. 20)
no former exception

In addition to the uses in the Downtown Corridor Zone, this land may also be used for a car wash.

A-118: 799 Balfour Road
no former exception

In addition to the uses in the Agricultural Zone, this land may also be used for an existing landscape contractor.

A-119: 605 Chantler Road
no former exception

In addition to the uses in the Agricultural Zone, this land may also be used for an existing landscape contractor.

EP1/EP2-120: 110 Chantler Road
no former exception

In addition to the uses in the Environmental Protection 1 and Environmental Protection 2 Zones, this land may also be used for an existing construction company.

SA-121: 854 Canboro Road
no former exception

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for the existing storage and retail sale of fireworks.

A-122: 421 Poth Street
no former exception

In addition to the uses in the Agricultural Zone, this land may also be used for an existing tree removal service contractor.

SA-123: 2320 Maple Street
no former exception

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for an existing excavation services company.

A-124: 137 Chantler Road
no former exception

In addition to the uses in the Agricultural Zone, this land may also be used for an existing construction company.

VC-125: 1522 Pelham Street
*Formerly GC-311

Notwithstanding the requirements of the Village Commercial Zone, the following site-specific regulations shall apply:

Maximum Lot Coverage	50%
Maximum Gross Floor Area for Dwelling Units	96%
Maximum Building Height	13.0m

Parking Requirements	1.2 spaces per dwelling unit

No minimum landscaped amenity area shall be required for dwelling units

No planting strip shall be required between the parking area and the interior lot line.

RM2-126: Park Place North Subdivision
*Formerly RM2-312

Section 2: Definitions is amended for the subject lands as follows:

"PEDESTRIAN BRIDGE OR CANOPY" means a structure connected to two buildings for use by pedestrians to pass between two buildings.

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

a) Notwithstanding the yard requirements of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line and 2.0m of the rear lot line provided that, such uses are not more than 1.3m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that, such uses are not more than 0.3m above the ground.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

Use	Minimum # of Parking Spaces
Apartment Dwelling	1.25 spaces per dwelling unit
Block Townhouse Dwelling	1.5 spaces per dwelling unit
Nursing Home or Senior Citizens House Unit	0.5 spaces per unit

In addition to the uses permitted in the RM2 Zone, block townhouses, nursing homes and senior citizen apartment houses shall also be permitted, provided that block townhouse dwellings do not constitute more than 50% of the total number of dwelling units and the following site-specific regulations shall apply:

Block Townhouse Dwellings

Minimum Lot Frontage	Block townhouses may be accessed via private road within the subdivision plan
Minimum Lot Area	2000m^2
Maximum Density	20-60 units per hectare

Minimum Front Yard	3.0m to front face or 6.0m to garage
Minimum Interior Side Yard	1.2m, except where the rear of the building faces a side yard, the minimum side yard shall be 6.0m and the minimum side yard abutting a street or internal roadway shall be 2.0m
Minimum Rear Yard	6.0m
Maximum Building Height	12.0m
Minimum Distance Between Dwellings on the Same Lot	Any face of one townhouse shall be no closer to any side of another townhouse than 9.0m Any face of any townhouse shall be no closer than 15.0m to any face of another townhouse. Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse
Minimum Landscaped Area	25%

Apartment Dwellings or Nursing Homes and Senior Citizens Apartment Houses

Minimum Lot Area	75m^2 per dwelling unit
Minimum Lot Frontage	30m for entire site Frontage requirement deleted for land division subsequent to Plan registration, subject to site plan approval.
Minimum Lot Depth	38.0m
Minimum Lot Density	130.2 units per hectare
Maximum Lot Coverage	30%
Minimum Front Yard	4.0m to Meridian Way Front yard setback to lot lines created subsequent to plan registration is deleted subject to site plan approval.
Minimum Interior Side Yard	4.5m, except 0m for an enclosed or unenclosed pedestrian bridge.

Minimum Exterior Side Yard	One half the height of the building or 7.0m to Meridian Way, whichever is greater.
Minimum Landscaped Area	35%
Maximum Height	5 storeys

R3-127: 1553 Pelham Street
*Formerly R3-313(H)

Notwithstanding the requirements of the Residential 3 zone, the following site-specific regulations shall apply:

Maximum Lot Coverage	45%
Minimum Interior Side Yard	1.2m, except that no interior side yard setback shall be required where a pair of semi-detached dwellings on adjacent lots are attached by a common wall along the shared property line separating such lots.

R1-128: 30, 54, 56, 64-68 Philmori Boulevard
*Formerly R1-314 and R1-315

In addition to the provisions of the Residential 1 zone, the following site-specific regulations shall apply:

Minimum Rear Yard	7.5m

Notwithstanding any provisions of the Zoning By-law to the contrary, no buildings or structures, including but not limited to, storage sheds, garages, pool houses, swimming pools, decks and gazebos, shall be permitted within 7.5m of the rear lot line.

A minimum 1.5m fence with no gate shall be provided along the rear lot line

R2-129: Forest Park Subdivision
*Formerly R2-316

Section 2: Definitions is amended for the subject lands as follows:

LOT FRONTAGE means the horizontal distance between the side lot lines of a lot measured along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 7.5m back from the front lot line measured horizontally at 90 degrees from the lot centre line between the side lot lines.

FINISHED GRADE means when used in reference to a building or structure, the elevation of the finished surface of the ground adjoining the principal entrance of the structure.

Notwithstanding the requirements of Section 3: General Provisions, the following shall apply:

a) Unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 1.3m above ground. Uncovered patios and decks shall be permitted up to 1.2m from a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.

b) All uses fronting Port Robinson Road and Station Street from a point no more than 190m south of Port Robinson Road shall be accessed from a public or private rear laneway or internal private driveway.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the uses in the Residential 2 zone, these lands shall only be used for one single detached dwelling; uses, buildings and structures accessory thereto; and home occupations and the following site-specific regulations shall apply:

Minimum Lot Area	360m^2
Minimum Lot Frontage	12.0m
Minimum Front Yard	4.0m to front face and 6.0m to garage (the garage of the dwelling shall be a minimum of 0.6m behind the front face of the dwelling or covered porch)
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3.0m on the other side where there is no attached carport or garage.
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	4.0m

Minimum Rear Yard (Lot 34)	4.0m
Maximum Height	12.0m
Max. Attached Garage Width Frontage	50% of the lot frontage for the first 6m 60% of lot frontage 6m behind the front lot line
Max. Driveway Width Frontage	7.5m or 50% of the lot frontage

RM1-130: Forest Park Subdivision
*Formerly RM1-317

Notwithstanding the requirements of Section 3: General Provisions, the following shall apply:

a) Unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 1.3m above ground. Uncovered patios and decks shall be permitted up to 1.2m from a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.

b) All uses fronting Port Robinson Road and Station Street from a point no more than 190m south of Port Robinson Road shall be accessed from a public or private rear laneway or internal private driveway.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the uses in the Residential Multiple 1 zone, these lands shall only be used for a semi-detached dwelling; a duplex dwelling; a triplex dwelling; a fourplex dwelling; a converted dwelling; street townhouse dwellings; uses, buildings and structures accessory thereto; and home occupations and the following site-specific regulations shall apply:

Semi-Detached, Duplex, Triplex, Fourplex and Converted Dwelling

Minimum Lot Area	150m^2 per dwelling unit
Minimum Lot Frontage	15.0m
Minimum Front Yard	4.0m to front face and 6.0m to garage
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3.0m on the other side where there is no attached carport or garage.
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	6.0m
Maximum Height	12.0m
Max. Attached Garage Width Frontage	7.5m or 60% of the lot frontage
Max. Driveway Width Frontage	7.0m or 50% of the lot frontage

Street Townhouse Dwellings

Minimum Lot Area	180m^2 per dwelling unit
Minimum Lot Frontage	6.0m per dwelling unit, or 7.0m per dwelling unit attached on one side only.
Minimum Front Yard	4.0m to front face and 6.0m to garage
Minimum Interior Side Yard	1.5m
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	6.0m
Maximum Height	12.0m
Max. Attached Garage Width Frontage	7.5m or 60% of the lot frontage
Max. Driveway Width Frontage	7.0m or 60% of the lot frontage, or 20% of the lot depth, whichever is less

RM2-131: Forest Park Subdivision
*Formerly RM2-318

Notwithstanding the requirements of Section 3: General Provisions, the following shall apply:

a) Unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 1.3m above ground. Uncovered patios and decks shall be permitted up to 1.2m from a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

Apartment Dwelling	1.25 spaces per dwelling unit

a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.

b) All uses fronting Port Robinson Road and Station Street from a point no more than 190m south of Port Robinson Road shall be accessed from a public or private rear laneway or internal private driveway.

c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the uses in the Residential Multiple 2 zone, these lands shall only be used for an apartment dwelling; an apartment dwelling above at-grade commercial or daycare centre; street townhouse dwellings; block townhouse dwellings; daycare centre; convenience retail and service commercial uses; uses, buildings and structures accessory thereto; and home occupations and the following site-specific regulations shall apply:

Apartment Dwelling or Apartment Dwelling with At-Grade Commercial or Daycare Centre

Minimum Lot Area	0.75ha for Daycare Centre
Minimum Lot Frontage	30.0m
Minimum Lot Depth	38.0m
Minimum Density	35 units per hectare
Maximum Density	160 units per hectare within 100.0m of Station Street and Port Robinson Road, or 75 units per hectare elsewhere

Minimum Front Yard	3.0m
Minimum Interior Side Yard	3.0m or 10.0m when abutting single detached, semi-detached or townhouse dwellings
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	3.0m or 10.0m where abutting single detached, semi-detached or townhouse dwellings
Minimum Height	12.0m or 3-storeys, whichever is greater
Maximum Height	22.0m or 6-storeys whichever is less within 100.0m of Station Street and Port Robinson Road, or 17.0m or 5-storeys whichever is less, elsewhere
Minimum Landscaped Area	25%
Maximum Commercial Floor Area	150m^2 per unit/max 3 units

Street Townhouse Dwellings

Minimum Lot Area	120m^2 per dwelling unit
Minimum Lot Frontage	6.0m per dwelling unit, or 7.0m per dwelling end unit and 6.0m per dwelling end unit where garage access from rear lane
Minimum Front Yard	3.0 m to front face, 6.0m to garage
Minimum Interior Side Yard	1.5m
Minimum Exterior Side Yard	3.0m to dwelling and 6.0m to garage
Minimum Rear Yard	6.0m
Maximum Height	12.0m
Max. Attached Garage Width Frontage	7.5m or 60% of the lot frontage
Max. Driveway Width	7.0m or 60% of the lot frontage, or 20% of the lot depth, whichever is less

Block Townhouse Dwellings

Minimum Lot Area	2000m^2 per dwelling unit
Minimum Lot Frontage	22.0m
Minimum Density	20 units per hectare
Minimum Front Yard	3.0m on a street or internal laneway
Minimum Interior Side Yard	1.2m to dwelling, except where the rear of a building faces the side yard, the minimum side yard shall be 6.0m
Detached Garage	May have a 0m setback with a shared wall on one side and a 1.5m setback on the other side
Minimum Exterior Side Yard	3.0m on a street or internal laneway and 6.0m to garage on a street or internal roadway
Minimum Rear Yard	6.0m, except where the side of a building faces the rear yard, the minimum rear yard shall be 1.2m, or 0.5m to a garage on internal laneway
Distance between buildings on the same lot	A FACE of a building means, one or other of the longest walls of a building. Each building shall be deemed to have two faces. A SIDE of a building means, one or other of the shortest walls on a building. Each building shall be deemed to have two sides. Any face of one townhouse shall be no closer to any side of another townhouse than 7.2m. Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse.
Maximum Height	12.0m
Max. Attached Garage Width w/o Rear Lane Access	7.5m or 60% of the dwelling

RM1-132: 690 Quaker Road
*Formerly RM1-132 (H) * Holding (H) Removed by By-law 67-2024

Notwithstanding the requirements of the Residential Multiple 1 zone, the following site-specific regulations shall apply:

Minimum Lot Frontage	6.0m per dwelling unit, except in the case of an interior lot containing a dwelling attached on one side, the minimum lot frontage required shall be 8.0m
Minimum Interior Side Yard	1.5m
Maximum Height	8.5m
Planting Strip	Encroachment of the existing accessory building into the 1.5m width planting strip where the boundary of the RM1-135 Zoe abuts the R1 Zone is permitted
Landscape Strip	A minimum landscape strip of 1.5m wide and 2.1m high shall be provided along the rear lot line

RM1-133 (H): 701 Quaker Road
*Formerly RM1-281 (H)

Notwithstanding the requirements of Section 3: General Provisions, the following shall apply:

a) Unenclosed porches, balconies, steps and patios covered or uncovered, may project into any required yard a maximum distance of 3.5m, but not less than 2.5m from any lot line provided that, in the case of any porches, steps or patios such uses are not more than 1.3m above the ground.

Notwithstanding the requirements of the Residential Multiple 1 zone, this property shall only be used for block townhouse dwellings and the following site-specific regulations shall apply:

Minimum Lot Frontage	8.79m	
Minimum Setback from Quaker Road	30.0m	
Minimum Setback from Internal Roadway	2.9m to a dwelling, 6.0m to a garage	
Minimum Site Yard	6.0m to rear of dwelling, 1.5 m to side of dwelling	
Minimum Rear Yard	6.0m to rear of dwelling, 1.5m to side of dwelling	
Distance between buildings on the same lot	Face to Side	7.0m
	Face to Face	15.0m
	Side to Side	3.0m

Planting Strip	A planting strip of 0.5m minimum in width shall be provided along the eastern property line of 703 Quaker Road and a planting strip 1.2m minimum in width shall be provided along the western property line of 695 Quaker Road
Amenity Area	Each dwelling unit shall be provided with a yard 6.0m in depth measured from the rear wall of the dwelling to the lot line, as private amenity space.

The lifting of the holding (H) provision for the RM1-133 (H) Zone for 701 Quaker Road shall be subject to the execution of Condominium and Site Plan Agreements addressing servicing and drainage to the satisfaction of the Director of Public Works or their designate.

EF-MU1-134: Village of East Fonthill
*Formerly EF-MU1

1.0 Permitted Uses

The following uses are permitted within the East Fonthill Mixed - Use 1 (EF - MU1) Zone:

a) Commercial, professional, medical and/or government offices;

b) Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 150 m^2 (1,615 ft^2) per business; and retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas between 100 m^2 (1076.39 ft^2) and 150 m^2 (1614.59 ft^2) per business are permitted up to a maximum of 18% of the total Gross Leasable Floor Area per lot.

c) Space extensive retail uses selling products such as:

   i. automotive related products;

   ii. large and bulky goods such as furniture and appliances;

   iii. hardware and home improvement materials;

   iv. food/groceries; and

   v. nursery or garden supply products;

d) Hotels and tourist accommodations;

e) Conference and convention centres;

f) Cultural, recreational and entertainment uses;

g) Public and private institutional uses;

h) Parks and urban squares;

i) Public uses and public and private utilities;

j) Public art installations; and

k) Public roads, active transportation facilities and transit facilities.

2.0 Development Regulations

a) Retail uses including retail stores, restaurants and personal services shall be required at-grade in all buildings, with the following exceptions:

   i. A hotel, where at-grade uses may include hotel functions in conjunction with hotel-related commercial uses. Hotel-related commercial uses may include associated retail stores, restaurants and personal services that may have Gross Leasable Floor Areas of less than 150 m^2 (1,615 ft^2), as long as they are wholly incorporated with the primary hotel use; or

   ii. A medical office, where at-grade uses may include office and office-related functions in conjunction with retail stores, restaurants and personal service uses; or

   iii. A conference or convention centre, cultural, recreational and entertainment uses, and public and private institutional uses, where at-grade uses may include the primary use, as well as retail stores, restaurants and personal service uses.

b) A maximum of two (2) drive-through facilities are permitted within this Zone, to be generally located as identified symbolically on Schedule 1.

c) The EF- MU1 Zone may accommodate a maximum total Gross Floor Area of 30,000 m^2 (322,917 ft^2) for all permitted uses.

d) Minimum building height: 2 storeys, or 6.0 m (19.7 ft), whichever is greater.

e) Maximum building height: 10 storeys, or 35.0 m (114.8 ft), whichever is less.

f) For all yards abutting Highway 20 East (Regional Road 20), Street B, or Street C, there shall be no distinction between what is the Front Yard, Rear Yard or Exterior Side Yard. For any buildings abutting or adjacent to Highway 20 East (Regional Road 20), Street B, or Street C the following Build-Within Zones shall apply:

i. Buildings that abut, or are adjacent to Highway 20 East (Regional Road 20) shall provide a front façade and main front wall in a Build-Within Zone of 0.0 to 3.0 m (0.0 to 9.8 ft), measured from the lot line abutting Highway 20 East (Regional Road 20) (as per Schedule 4).

ii. Notwithstanding i. above, the front façade/main front wall of the two permitted drive-through facilities identified symbolically on Schedule 1, shall have a Build-Within Zone of 2.0 to 24.0 m (6.6 ft to 78.7 ft), and shall include a landscaped area of 2.0 m (6.6 ft) abutting the front property line (as per Schedule 4). The identified landscaped area shall include decorative fencing and plantings that screen the drive-through lane and parking in front of the permitted drive-through uses.

iii. Buildings that abut, or are adjacent to both Highway 20 East (Regional Road 20) and Street B (the corner location) shall provide a front façade or an exterior side façade with the same level of design and materiality as the front façade, in a Build-Within Zone of 0.0 to 12.0 m (0.0 to 39.4 ft), measured from the Street B Right-of-Way (as per Schedule 4). The façade abutting or adjacent to Highway 20 East (Regional Road 20) shall have a Build-Within Zone of 0.0 to 3.0 m (0.0 to 9.8 ft) (as per Schedule 4).

iv. Where a building abuts or is adjacent to Street B, the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone (as per Schedule 4).

v. Where a building abuts or is adjacent to Street C, west of Street B, the building wall shall be developed with a minimum setback of 4.0 m (13.1 ft), and shall include a minimum 4.0 m (13.1 ft) landscaped buffer strip abutting the Street C Right-of-Way (as per Schedule 4).

vi. Where a building abuts or is adjacent to Street C, east of Street B, the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone (as per Schedule 4).

vii. Where a building abuts, or is adjacent to the OS Zone, the adjacent building wall shall be developed within the 1.5 to 4.0 m (4.9 to 13.1 ft) Build-Within Zone (as per Schedule 4). Lands within 0.0 and 1.5 m (0.0 to 4.9 ft) of the property line shall include a landscape buffer strip abutting Street B and/or the EF - OS zone. An exception to this requirement affects the development of the northwest quadrant of the intersection of Street B and Street C as identified symbolically on Schedule 1. In this location, a phased development is anticipated, and the following regulations shall apply:

    i. In Phase 1, the Build-Within Zone shall be 21.5 to 26.5 m (70.5 to 86.9 ft) from the boundary of the EF - OS Zone. The lands located within that Build-Within Zone shall be appropriately landscaped, and shall not be used for a permanent or temporary parking lot; and

ii. In Phase 2, the Build-Within Zone shall be 1.5 to 6.5 m (4.9 to 21.3 ft) from the boundary of the EF - OS Zone.

viii. Where a building abuts or is adjacent to the westerly boundary of the EF - MU1 Zone, the building wall shall be developed with a minimum setback of 2.0 m (6.6 ft).

ix. Where a parking lot or parking space abuts Highway 20 East (Regional Road 20), it shall be set back a minimum of 3.0 m (9.8 ft) from the road right-of-way, except where developed in conjunction with either of the two (2) drive-through facilities identified on Schedule 1. For parking spaces developed as part of either drive-through facility, the minimum setback from Highway 20 East (Regional Road 20) Right-of-Way shall be 2.0 m (6.6 ft).

x. Where a parking lot or parking space abuts Street A, Street B, or Street C east of Street B, it shall be set back a minimum of 3.0 m (9.8 ft) from the road right-of-way.

xi. Where a parking lot or parking space abuts Street C west of Street B, it shall be set back a minimum of 3.0 m (9.8 ft) from the road right-of-way.

xii. The minimum distance separation between buildings shall be 4.0 m (13.1 ft) for any buildings less than 3-storeys in height. Buildings taller than 3-storeys shall be separated by a minimum of 5.0 m (16.4 ft).

g) The building envelopes established by this Zone are identified on Schedules 2 and 3. The Build-Within Zones for buildings are identified on Schedule 4.

3.0 Parking Requirements

a) All development shall include parking for vehicles and bicycles located at-grade and/or located within a structure. Within the specified parking space requirements, all development shall include appropriate spaces for visitors parking, parking for persons with disabilities, and/or parking for parents with young children, wherever appropriate.

b) For all permitted office uses – 2.75 to 3.25 spaces per 100 m^2 (1,076.4 ft^2) of Gross Leasable Floor Area.

c) Notwithstanding b) above, for a medical office use, the parking requirement shall be between 4.0 and 5.25 spaces per 100 m^2 (1,076.4 ft^2) of Gross Leasable Floor Area.

d) For all permitted retail and service commercial uses, including restaurants – 4.25 to 5.25 spaces per 100 m^2 (1,076.4 ft^2) of Gross Leasable Floor Area.

e) For all other permitted uses – 3.0 to 4.0 spaces per 100 m^2 (1,076.4 ft^2) of Gross Floor Area.

EF-MU2-135: Village of East Fonthill
*Formerly EF-MU2

1.0 Permitted Uses

The following uses are permitted within the East Fonthill Mixed - Use 2 (EF - MU2) Zone:

a) Commercial, professional, medical and/or government offices;

b) Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 100 m2 (1,076.39 ft2) and less than 1,000 m2 (10,763.9 ft2) per business;

c) Hotels and tourist accommodations;

d) Conference and convention centres;

e) Cultural, recreational and entertainment uses;

f) Public and private institutional uses;

g) Townhouses and apartment buildings;

h) Housing for seniors and/or special needs housing;

i) Child care facilities;

j) Parks and urban squares;

k) Public uses and public and private utilities;

l) Public art installations; and

m) Public roads, active transportation facilities and transit facilities.

2.0 Development Regulations

a) A maximum of two drive-through facilities of any kind are permitted in the EF-MU2-135 Zone.

b) Minimum building height: 2-storeys, or 6.0 m (19.7 ft), whichever is greater.

c) Maximum building height: 10-storeys, or 35.0 m (114.8 ft), whichever is less.

d) For all yards abutting Highway 20 East (Regional Road 20), Street C or Rice Road (Regional Road 54), there shall be no distinction between what is the Front Yard, Rear Yard or Exterior Side Yard. For any buildings abutting or adjacent to Highway 20 East (Regional Road 20), Street C, or Rice Road (Regional Road 54), the following Build-Within Zones shall apply:

   i. Where a building abuts or is adjacent to Street C or Rice Road (Regional Road 54), the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m(0.0 9.8 ft) Build-Within Zone. Buildings which abut the storm sewer easement may have a Build-Within Zone of 9.69 to 16.57 m (31.8 to 54.4 ft).

   ii. Where a building abuts or is adjacent to Street C or Rice Road (Regional Road 54), the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone (as per Schedule 4). A larger setback may be required for residential uses that abut Rice Road (Regional Road 54), subject to the requirements of a Noise Mitigation Report.

   iii. Where a building abuts, or is adjacent to an EF - SWM Zone, it shall be set back from the boundary of the EF - SWM Zone a minimum of 3.0 m (9.8 ft) (as per Schedule 4). A landscape buffer shall be included within the requirement development setback.

   iv. Where a parking lot or parking space abuts Highway 20 East (Regional Road 20) or Rice Road (Regional Road 54), it shall be set back a minimum of 3.0 m (9.8 ft). A landscape buffer shall be included within the requirement development setback.

   v. The minimum distance separation between buildings shall be 3.0 m (9.8 ft) for townhouse/live-work buildings 3-storeys or less, or 4.0 m (13.1 ft) for any other buildings less than 3-storeys in height. Buildings taller than 3-storeys shall be separated by a minimum of 5.0 m (16.4 ft).

e) The building envelopes established by this Zone are identified on Schedules 2 and 3. The Build-Within Zones for buildings are identified on Schedule 4.

3.0 Parking Requirements

a) All development shall include parking for vehicles and bicycles located at-grade and/or located within a structure. Within the specified parking space requirements, all development shall include appropriate spaces for visitors parking, parking for persons with disabilities, and/or parking for parents with young children, wherever appropriate.

b) For all permitted residential uses – 1.00 to 1.25 spaces per unit. Seniors housing has a parking requirement of between 0.5 and 0.75 spaces per unit.

c) For all permitted office uses – 2.75 to 3.25 spaces per 100 m2 (1,076.4 ft 2) of Gross Leasable Floor Area.

d) Notwithstanding c) above, for a medical office use, the parking requirement shall be between 4.0 and 5.25 spaces per 100 m2 (1,076.4 ft 2) of Gross Leasable Floor Area.

e) For all permitted retail and service commercial uses, including restaurants – 4.25 to 5.25 spaces per 100 m2 (1,076.4 ft 2) of Gross Leasable Floor Area.

f) For all other permitted uses – 3.0 to 4.0 spaces per 100 m2 (1,076.4 ft 2) of Gross Floor Area.

EF-MU3-136: Village of East Fonthill
*Formerly EF-MU3

1.0 Permitted Uses

The following uses are permitted within the East Fonthill Mixed - Use 3 (EF - MU3) Zone:

a) A Multi-Use Recreational Facility, including cultural, recreational and entertainment uses;

b) Commercial, professional, medical and/or government offices;

c) Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 150 m2 (1,614.6 ft2) and less than 1,000 m2 (10,763.9 ft2) per business;

d) Hotels and tourist accommodations;
e) Conference and convention centres;

f) Public and private institutional uses;

g) Townhouses and apartment buildings;

h) Housing for seniors and/or special needs housing;

i) Child care facilities;

j) Parks and urban squares;

k) Public uses and public and private utilities;

l) Public art installations; and,

m) Public roads, active transportation facilities and transit facilities.

2.0 Development Regulations

a) Minimum building height: 2-storeys, or 6.0 m (19.7 ft), whichever is greater.

b) Maximum building height: 10-storeys, or 35.0 m (114.8 ft), whichever is less.

c) For all yards abutting Street B, Street C, Street D, or Rice Road (Regional Road 54), there shall be no distinction between what is the Front Yard, Rear Yard or Exterior Side Yard. For any buildings abutting or adjacent to Street B, Street C, Street D or Rice Road (Regional Road 54), the following setbacks shall apply:

i. Buildings that abut, or are adjacent to Street B, Street C or Street D shall provide a front façade and main front wall in a Build-Within Zone of 0.0 to 3.0 m (0.0 to 9.8 ft) (as per Schedule 4).

ii. Where a building abuts or is adjacent to Rice Road (Regional Road 54), the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone (as per Schedule 4). A larger setback may be required for residential uses that abut Rice Road (Regional Road 54), subject to the requirements of a Noise Mitigation Report.

iii. Where a building abuts, or is adjacent to an OS Zone, it shall be set back from the boundary of the OS Zone a minimum of 3.0 m (9.8 ft) (as per Schedule 4). A landscape buffer shall be included within the requirement development setback.

iv. Where a building abuts, or is adjacent to an OS Zone, it shall provide a main front wall or front façade within a Build-Within Zone of 0.0 to 3.0 m (0.0 to 9.8 ft) (as per Schedule 4). A landscape buffer shall be included within the requirement development setback.

v. Where a parking lot or parking space abuts Street B, Street C, Street D, or Rice Road (Regional Road 54), it shall be set back a minimum of 3.0 m (9.8 ft). A landscape buffer shall be included within the requirement development setback.

vi. The minimum distance separation between buildings shall be 3.0 m (9.8 ft) for townhouse/live-work buildings 3-storeys or less, or 4.0 m (13.1 ft) for any other buildings less than 3-storeys in Height. Buildings taller than 3-storeys shall be separated by a minimum of 5.0 m (16.4 ft).

d) The building envelopes established by this Zone are identified on Schedules 2 and 3. The Build-Within Zones for buildings are identified on Schedule 4.

3.0 Parking Requirements

a) All development shall include parking for vehicles and bicycles located at-grade and/or located within a structure. Within the specified parking space requirements, all development shall include appropriate spaces for visitors parking, parking for persons with disabilities, and/or parking for parents with young children, wherever appropriate.

b) For all permitted residential uses – 1.00 to 1.25 spaces per unit. Seniors housing has a parking requirement of between 0.5 and 0.75 spaces per unit.

c) For all permitted office uses – 2.75 to 3.25 spaces per 100 m2 (1,076.4 ft2) of Gross Leasable Floor Area.

d) Notwithstanding c) above, for a medical office use, the parking requirement shall be between 4.0 and 5.25 spaces per 100 m2 (1,076.4 ft2) of Gross Leasable Floor Area.

e) For all permitted retail and service commercial uses, including restaurants – 4.25 to 5.25 spaces per 100 m2 (1,076.4 ft2) of Gross Leasable Floor Area.

f) For a permitted Multi-Use Recreational Facility, that includes any continuation of cultural, recreational and/or entertainment uses, as well as associated office space, and/or retail stores, restaurants and personal service uses – 2.0 to 3.5 spaces per 100 m2 (1,076.4 ft2) of Gross Floor Area.

g) For all other permitted uses – 3.0 to 4.0 spaces per 100 m2 (1,076.4 ft2) of Gross Floor Area.

R2-137: Summersides Village
*Formerly R2-322

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

a) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that such uses are not more than 1.3m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the regulations of the Residential 2 Zone, the following site-specific regulations shall apply:

Minimum Front Yard	4.0m to dwelling front face and 6.0m to garage

Minimum Interior Side Yard	1.2m on both sides where a carport or garage is attached, 1.2m on one side and 3.0m on the other side where there is no attached carport or garage
Minimum Exterior Side Yard	4.0m

R2-138: Saffron Meadows Phase 1 and 2
*Formerly R2-266

Notwithstanding the provisions of Section 3: General Provisions, the following shall apply:

a) A covered porch is permitted to encroach into a front and exterior side yard 1.5m and into a rear yard 3.0m.

Notwithstanding the provisions of the Residential 2 zone, the following site-specific regulations shall apply:

Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m and 3.0m on the other side where there is no attached carport or garage or 1.2 on both sides where there is an attached carport or garage
Minimum Rear Yard	6.0m

R2-139 (H): Saffron Meadows Phase 1 and 2
*Formerly R2-266 (H)

Notwithstanding the provisions of Section 3: General Provisions, the following shall apply:

a) A covered porch is permitted to encroach into a front and exterior side yard 1.5m and into a rear yard 3.0m.

Notwithstanding the provisions of the Residential 2 zone, the following site-specific regulations shall apply:

Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Exterior Side Yard	3.0m

Minimum Interior Side Yard	1.2m and 3.0m on the other side where there is no attached carport or garage or 1.2 on both sides where there is an attached carport or garage
Minimum Rear Yard	6.0m

RM1-140: Saffron Meadows Phase 1 and 2
*Formerly RM1-267

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for block townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply for block townhouse dwellings:

Minimum Lot Frontage	12.0m
Minimum Lot Area	1.4ha
Minimum Density	Minimum 22 units per hectare
Minimum Side Yard	1.5m except where the rear of a building faces the side yard the minimum side yard shall be 6.0m and the minimum side yard abutting a street or an internal roadway shall be 3.0m
Minimum Rear Yard	6.0m
Distance Between Buildings on the Same Lot	A FACE OF A BUILDING means one or other of the longest walls of a building. Each building shall be deemed to have two faces. A SIDE OF A BUILING means one or other of the shortest walls on a building. Each building shall be deemed to have two sides. Any face of one townhouse shall be no closer to any side of another townhouse than 9.0m Any face of any townhouse shall be no closer than 15.0m to any face of another townhouse Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse

RM1-141: Saffron Meadows Phase 1 and 2
*Formerly RM1-268

Notwithstanding the provisions of Section 3: General Provisions, the following shall apply:

b) A covered porch is permitted to encroach into a front and exterior side yard 1.5m and into a rear yard 3.0m.

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for street townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply for street townhouse dwellings:

Minimum Lot Frontage	6.0m per dwelling unit
Minimum Corner Lot Frontage	11.0m
Minimum Lot Area	180m^2
Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m or 0 for a common wall
Minimum Rear Yard	6.5m
Planting Strip	No requirement

RM1-142 (H): Saffron Meadows Phase 1 and 2
*Formerly RM1-268 (H)

Notwithstanding the provisions of Section 3: General Provisions, the following shall apply:

a) A covered porch is permitted to encroach into a front and exterior side yard 1.5m and into a rear yard 3.0m.

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for street townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply for street townhouse dwellings:

Minimum Corner Lot Frontage	12.0m
Minimum Lot Area	180m^2

Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m or 0 for a common wall
Minimum Rear Yard	6.5m
Planting Strip	No requirement

RM1-143 (H): Saffron Meadows Phase 1 and 2
*Formerly RM1-269 (H)

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for block townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply for block townhouse dwellings:

Minimum Lot Frontage	10.0m
Minimum Lot Area	0.9ha
Minimum Density	Minimum 20 units per hectare
Minimum Side Yard	1.5m except where the rear of a building faces the side yard the minimum side yard shall be 6.0m and the minimum side yard abutting a street or an internal roadway shall be 3.0m
Minimum Rear Yard	6.0m
Distance Between Buildings on the Same Lot	A FACE OF A BUILDING means one or other of the longest walls of a building. Each building shall be deemed to have two faces. A SIDE OF A BUILING means one or other of the shortest walls on a building. Each building shall be deemed to have two sides. Any face of one townhouse shall be no closer to any side of another townhouse than 9.0m Any face of any townhouse shall be no closer than 15.0m to any face of another townhouse Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse

VC-144: Church Hill (Corner of Church Hill and Hwy #20 – Fonthill United Church)
*no former exception

In addition to the use of the Village Commercial zone, the subject lands may be used as a parking area for the Fonthill United Church located at 42 Church Hill.

R2-145: River Estates Subdivision
*formerly R2-254

Notwithstanding the provisions of the Residential 2 zone, the following special regulations shall apply:

Minimum Lot Frontage	12.0m
Minimum Corner Lot Frontage	15.0m
Minimum Lot Area	360m^2
Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m
Minimum Rear Yard	7.5m
Minimum GFA for a Dwelling	93m^2 – 1 Storey 55m^2 – 2 Storey
Maximum Building Height	3 storeys or 12.0m whichever is less

RM2-146: River Estates Subdivision
*formerly RM2-256

Notwithstanding the regulations of the Residential Multiple 2 zone, these lands may be used for apartment dwellings; block townhouse dwellings; and uses, buildings and structures accessory to the foregoing permitted uses, and the the following special regulations shall apply:

Apartment Dwellings

Minimum Lot Frontage	30.0m
Minimum Density	78 units per hectare

Minimum Lot Depth	38.0m
Minimum Lot Coverage	40%
Minimum Front Yard	3.0m
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	3.0m
Minimum Rear Yard	7.5m
Minimum Landscaped Area	30%
Maximum Building Height	10 storeys or 35.0m whichever is less
Minimum Building Height	3 storeys or 11.0m whichever is greater
Minimum First Floor Building Height	4.0m

Block Townhouse Dwellings

Minimum Lot Frontage	30.0m
Minimum Lot Area	0.2ha
Minimum Density	35 dwelling units per hectare
Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Interior Side Yard	3.0m where abutting a street or internal roadway
Minimum Rear Yard	6.0m
Minimum GFA for a Dwelling	$88m^2$ – 1 Storey $50m^2$ – 2 Storey
Maximum Building Height	12.0m
Distance Between Buildings on the Same Lot	<u>Interior Side Yard</u> From End Wall 2.69m From Rear Wall 6.0m <u>Rear Yard</u> From End Wall 3.0m

From Rear Wall 6.0m

Between Buildings
Between End Walls 3.0m
Between Rear Walls 8.0m
Between End and Rear Wall 6.0m

Minimum Distance to Private Road
To Attached Garage 6.0m
To Dwelling 2.45m

Maximum Unit Driveway Width	50%
Minimum Landscaped Area	25%

RM1-147: Hummel Properties Inc.
*formerly RM1-263

Notwithstanding the provisions of the Residential Multiple 1 zone, the following special regulations shall apply:

Minimum Corner Lot Frontage	9.0m
Minimum Exterior Side Yard	1.5m
Minimum Interior Side Yard	1.5m or 0m to a common wall

R1-148: 1039 Church Street
*no former exception

Notwithstanding Section 6.1.2 of the Residential One Zone, the following special regulation shall apply:

Minimum Lot Frontage 12.0 m

RM2-149: 1039 Church Street
*no former exception

Notwithstanding Section 3: General Provisions, the following special regulations shall apply:

a) Where land is required to be used for no other purpose than a landscape strip, it shall have a minimum width of 1.5m, measured perpendicular to the lot line it adjoins, except in the case of a rear yard swale where a minimum width of 1.5m shall be required.

Notwithstanding Section 4: Parking and Loading Requirements, the following special regulations shall apply:

Parking Area Location on Lot:

Apartment dwelling

Shall be permitted except in any front yard and corner yard provided that no part of any parking area, other than a driveway is located closer than 7.5m to any street line and no closer than 1.5m to any side lot line or rear lot line.

Notwithstanding the provisions of the Residential Multiple 2 zone, the following special regulations shall apply:

Minimum Corner Lot Frontage	9.4m
Minimum Lot Area	232m^2 per unit
Minimum Front Yard	78.0m
Maximum Front Yard	78.0m
Minimum Rear Yard	5.0m

R2-150: Park Place West Subdivision
*formerly R2-324

Notwithstanding the provisions of Section 3: General Provisions the following shall apply:

a) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line, provided that, such uses are not more than 2.0m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the regulations of the Residential Two R2 Zone, the following site specific regulations shall apply:

Single Detached Dwelling

Minimum Lot Area	360m^2
Minimum Lot Frontage	12.0m
Maximum Lot Coverage	50%
Minimum Front Yard	4.0m to front face; 6.0m to garage
Minimum Interior Side Yard	6.0m
Minimum Rear Yard	6.0m

Maximum Height	10.5m
Minimum Ground Floor Area	One Storey: 88m^2 Two or Three Storey: 50m^2

RM1-151: Park Place West Subdivision
*formerly RM1-325

Notwithstanding the provisions of Section 3: General Provisions the following shall apply:

a) Daylighting Triangle: A building or structure shall be permitted within the daylighting triangle subject to meeting the minimum exterior side and front yard regulations.

b) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line, provided that, such uses are not more than 2.0m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the regulations of the Residential Multiple One RM1 Zone, the following site specific regulations shall apply:

Semi-detached Dwelling

Minimum Lot Frontage	7.8m
Minimum Lot Area	250m^2 per dwelling unit
Minimum Front Yard	3.0m from front face or 6.0m to garage
Minimum Side Yard	1.2m
Minimum Rear Yard	6.0m
Maximum Height	10.5m

Street Townhouse Dwelling

Minimum Lot Frontage	6.0m
Minimum Corner Lot Frontage	7.5m

Minimum Lot Area	170m^2 per dwelling unit
Minimum Front Yard	3.0m to front face or 6.0m to garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m or 0m to common wall
Minimum Rear Yard	6.0m
Maximum Height	10.5m
Minimum Ground Floor Area	One Storey: 88m^2 Two or Three Storey: 50m^2
Landscape Strips	There are no landscape strip requirements

A-152: 364 Foss Road
*formerly A-52

In addition to the uses in the Agricultural Zone, this land may also be used for a sod and fertilizer retail outlet, farm supply and service establishment and accessory office uses.

R1-153(H): Oak Haven Estates Subdivision
*formerly RV1-233(H)

Notwithstanding the regulations of the Residential One R1 Zone, these lands may only be used for single detached dwellings and uses, buildings and structures accessory thereto and the following site-specific regulations shall apply:

Minimum Lot Frontage	Interior Lot: 14.0m Corner Lot: 18.0m
Minimum Lot Area	490m^2
Maximum Lot Coverage	35%
Minimum Front Yard	6.0m
Minimum Interior Side Yard	1.5m
Minimum Exterior Side Yard	4.5m to front face or 8.0m to garage
Minimum Rear Yard	7.5m
Maximum Building Height	10.5m

Minimum Ground Floor Area	One Storey: 93m^2 Two Storey: 56m^2

Garage projection shall be permitted a maximum of 1.0m beyond the mail wall of the front of the dwelling

RM1-154: Oak Haven Estates Subdivision
*formerly RMV1-235

Notwithstanding the regulations of the Residential Multiple One RM1 Zone, these lands may only be used for street townhouse dwellings and uses, buildings and structures accessory thereto and the following site-specific regulations shall apply:

Minimum Lot Frontage	7.0m per dwelling unit
Minimum Lot Area	240 m2 per dwelling unit
Minimum Front Yard	6.0m to front face or 8.0m to garage
Minimum Interior Side Yard	1.5m
Minimum Rear Yard	7.5m
Maximum Building Height	10.5m
Minimum Ground Floor Area	One Storey: 75m2 Two Storey: 45m2

Garage Projection shall be permitted a maximum of 1.0m beyond the mail wall of the front of the dwelling

RM1-155: Oak Haven Estates Subdivision
*formerly RMV1-236

Notwithstanding the regulations of the Residential Multiple One RM1 Zone, these lands may only be used for block townhouse dwellings and uses, buildings and structures accessory thereto and the following site-specific regulations shall apply:

Minimum Lot Frontage	25.0m
Maximum Number of Dwelling Units	36
Minimum Setback from a Public Road	7.5m
Minimum Setback from the Open Space Zone	1.5m

Minimum Setback from the R1-153 and RM1-154 Zones	8.0m
Minimum Setback from the RM1-29 Zone	4.0m
Minimum Internal Roadway Width	6.0m
Minimum Setback from Internal Road	4.0m to front face or 6.0m to garage
Minimum Setback between Side of Unit and Internal Road	2.0m
Maximum Building Height	10.5m
Minimum Ground Floor Area for a Dwelling	One Storey: 75m2 Two Storey: 45m2
Minimum Landscape Area	30%

Garage Projection shall be permitted a maximum of 1.0m beyond the mail wall of the front of the dwelling

R2-156 (H): 125 Port Robinson Road
*formerly R2-330 (H)

Notwithstanding the regulations of the Residential Two R2 Zone, the following site specific regulations shall apply:

Zone Requirements for a Single Detached Dwelling

Minimum Lot Coverage	Deleted
Minimum Front Yard	4.5m to dwelling 6.0m to garage
Minimum Interior Side Yard Setback	1.2m
Minimum Exterior Side Yard	3.0m
Minimum Ground Floor Area for a Dwelling	One-Storey – 88m^2 Two-Storey- 50m^2

The lifting of the Holding (H) provision for the R2-156(H) shall be subject to the satisfactory approval of the Director of Community Planning that a Developer's Group

Agreement or equivalent has been entered into and that the plan of subdivision has received final approval by the Town.

RM1-157 (H): 125 Port Robinson Road
*formerly R2-331 (H)

Notwithstanding the uses of the Residential Multiple One RM1 Zone, these lands shall only be used for street townhouse dwellings and buildings, structures and uses accessory thereto and the following site specific regulations shall apply:

Zone Requirements for a Street Townhouse Dwelling

Minimum Lot Frontage	6.0m for interior units
	7.2m for end units
Minimum Corner Lot Frontage	7.5m per dwelling unit
Minimum Lot Area	170m^2 per dwelling unit
Minimum Front Yard	4.5m to dwelling
	6.0m to garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard Setback	1.2m and 0m for a common wall

No planting strip shall be required.

The lifting of the Holding (H) provision for the RM1-157(H) shall be subject to the satisfactory approval of the Director of Community Planning that a Developer's Group Agreement or equivalent has been entered into and that the plan of subdivision has received final approval by the Town.

RM1-158 (H): 125 Port Robinson Road
*formerly RM1-332 (H)

Notwithstanding the uses of the Residential Multiple One RM1 Zone, these lands shall only be used for street townhouse dwellings and buildings, structures and uses accessory thereto and the following site specific regulations shall apply:

Zone Requirements for a Street Townhouse Dwelling

Minimum Lot Frontage	6.0m for interior units
	7.2m for end units

Minimum Corner Lot Frontage	7.5m per dwelling unit
Minimum Lot Area	170m^2 per dwelling unit
Minimum Front Yard	4.5m to dwelling
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard Setback	1.2m and 0m for a common wall

No planting strip shall be required.

All access shall be provided by a laneway. No direct access shall be provided to Klager Avenue.

The lifting of the Holding (H) provision for the RM1-158(H) shall be subject to the satisfactory approval of the Director of Community Planning that a Developer's Group Agreement or equivalent has been entered into and that the plan of subdivision has received final approval by the Town.

RM2-159: 125 Port Robinson Road
*formerly RM2-333 (H) * Holding (H) Removed by By-law 36-2024

Notwithstanding the regulations of the Residential Multiple Two RM2 Zone, the following site specific regulations shall apply:

Zone Requirements for Apartment Dwellings

Minimum Lot Area	117m2 per dwelling unit
Maximum Density	86 units per hectare
Minimum Rear Yard (Port Robinson Rd.)	One half the height of the building or 7.5m whichever is greater
Parking Requirements	1.25 spaces per unit

R2-160: Tanner Extension
*formerly R2-326

Notwithstanding the regulations of the Residential Two R2 Zone, the following site specific regulations shall apply:

Minimum Lot Area	340m2
Minimum Lot Frontage	12.0m

	15.0m corner lot
Minimum Front Yard	4.0m to dwelling
	6.0m to garage
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	6.0m

RM1-161: Tanner Extension
*formerly RM1-327

Notwithstanding the uses of the Residential Multiple One RM1 Zone, these lands shall only be used for street townhouse dwellings and buildings, structures and uses accessory thereto and the following site specific regulations shall apply:

Zone Requirements for a Street Townhouse Dwelling

Minimum Lot Area	188m^2 per interior unit
Minimum Front Yard	6.0m
Minimum Interior Side Yard	1.5m
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	6.0m

No planting strip shall be required.

OS-162: Tanner Extension
*formerly OS-328

Notwithstanding the regulations of the Open Space OS Zone, the following site-specific regulation shall apply:

Minimum Lot Area 497m^2

RM2-163: 1 Pancake Lane
*formerly RM2-316

Notwithstanding the provisions of Section 3: General Provisions the following shall apply:

a) Notwithstanding the yard provisions of this By-law, the porch may project into the required front yard by 2.5m

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following shall apply:

a) Parking Requirements	56 total including visitor
b) Width of Ingress and Egress	7.0m
c) Parking Area Location on Lot	2.0m from the westerly lot line

Notwithstanding the regulations of the Residential Multiple Two RM2 Zone, these lands may only be used for one apartment building containing a maximum of 40 dwelling units and the following site-specific regulations shall apply:

Minimum Lot Area per Dwelling Unit	118m^2 per unit
Maximum Density	85 units per hectare
Minimum Interior Side Yard	6.0m
Minimum Landscaped Area	31.89% of lot area
Maximum Building Height	4-storeys
Common Amenity Area	60.0m^2 total for the building (indoor)
Private Amenity Area	7.5m^2 per unit (balconies)
Minimum Setback from Internal Road	4.0m to front face or 6.0m to garage
Minimum Setback between Side of Unit and Internal Road	2.0m

RM2-164: 15 Highway 20 East
*formerly RM2-329

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following shall apply:

a) Parking Requirements	1.16 spaces per unit
b) Width of Ingress and Egress	7.0m for ingress and egress (two-way traffic)

c) Parking Area Location on Lot	0m from south lot line 0m from west lot line 1.4m from north lot line
d) Dimensions of Parking Spaces	6.2m drive aisle width 2.6m parking stall width where abutting a column
e) Planting Strips	1.4m width planting strip along the north lot line

Notwithstanding the regulations of the Residential Multiple Two RM2 Zone, the following site-specific regulations shall apply:

Minimum Lot Area	59m^2 per unit
Maximum Density	170 units per hectare
Maximum Lot Coverage	48%
Minimum Front Yard	0m
Minimum Interior Side Yard	0.9m west
	4.2m east
Minimum Landscaped Area	20%
Maximum Building Height	4 storeys (14.5 m)
Minimum Floor Area	52m^2 for a one bedroom
Amenity Area	36.9m^2

RM2-165: 1145 Pelham Street
*formerly GC-89

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following shall apply:

a) Parking Requirements	1.46 spaces per unit
	1.4m from north lot line
b) Parking Area Location on Lot	1.5m to any street line 3.0m to any side or rear lot line

Notwithstanding the regulations of the Residential Multiple Two RM2 Zone, the following site-specific regulations shall apply:

Minimum Lot Area	106m^2 per unit
Maximum Density	94 units per hectare
Minimum Front Yard	6.0m
Minimum Interior Side Yard	6.2m
Minimum Landscaped Area	34% of lot area
Maximum Building Height	5 storeys with the 5th storey being limited to indoor and outdoor amenity space, storage, elevator and stairway penthouse or ornamental structure.

EF-MU3-136: 120 Meridian Way

In addition to the parking provisions of the East Fonthill Mixed Use Three EF-MU3-136 Zone, the following shall apply:

a) Parking spaces shall be a minimum of 2.7 metres wide and 5.8 metres in length.

RD-166 (H): 147 Port Robinson Road
*Formerly RD – H

The lifting of the Holding (H) provision for the RD-166(H) shall be subject to the satisfactory approval of a Plan of Subdivision and Developer's Group Agreement.

RM1-167: Maplewood Estates Subdivision
*Formerly RD

Notwithstanding Minimum Lot Area, Minimum Lot Frontage and Landscape Strip requirements of Section 6.4.3 of the Residential Multiple 1 (RM1) Zone, the following site-specific regulations shall apply:

Minimum Lot Area	200m^2 per dwelling unit
Minimum Lot Frontage	6.0m per dwelling unit
	7.3m in the case of an interior lot containing a dwelling attached on one side only

Landscape Strip	A landscape strip of 1.2m minimum in width shall be provided where the boundary of a RM1 Zone abuts an R1, R2 or R3 Zone

VC-168(H): 1415 Station Street
*Formerly VC

Notwithstanding the requirements of Section 8.1.4 of the Village Commercial (VC) Zone, the following site-specific regulations shall apply:

Minimum Building Height	12.5m, 3-storeys
Maximum Front Yard	5.3m
Maximum Side Yard	2.55m
Minimum Rear Yard	1.45m
Minimum Driveway Width	5.7m

Notwithstanding Section 4.1.4.8 Parking Area location on a Lot, the following site specific regulations shall apply:

Apartment Dwelling

Notwithstanding the yard provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required front yard.

The lifting of the holding (H) provision for the VC-168 (H) zone shall be subject to the following:

The availability of a stormwater outlet to the satisfaction of the Director of Public Works.

RR-169 and EP1: 286 Canboro Road
*Formerly RR and VC

Notwithstanding the maximum front yard requirements of Section 6.7.2, the following site-specific regulations shall apply:

Maximum Front Yard	delete

GF-R2-170 Summersides Village Extension
*Formerly RD

Notwithstanding the minimum lot frontage, maximum front yard and minimum corner side yard requirements of Section 7.2.3, the following site-specific regulation shall apply:

Minimum Lot Frontage for Exterior End Unit	6.0m per unit, with a minimum frontage of 7.2m for interior units and 8.15m for exterior end units
Maximum Front Yard	The main front wall of the dwelling shall be built within 3.0m and 6.0m of the front lot line
Minimum Corner Side Yard	2.0m

SA-171: 1389 Effingham Street
*Formerly SA-156

Notwithstanding Sections 3.2.1 Agriculture-Related Uses, 3.2.2 On-Farm Diversified Uses and Section 5.2.5 Specialty Agriculture Zone, the following site-specific regulations shall apply:

Section 3.2.1 Agriculture-Related Uses

a) The use shall be conducted entirely within a detached accessory building in conjunction with an operational farm, with the exception of a 467 m^2 outdoor tasting/hospitality area including pizza oven;

b) Only two agriculture-related uses are permitted on one lot;

c) Ancillary retail/commercial sales and service activities shall be limited to the lessor of 100 m^2 (20 m^2 for retail and 80 m^2 for hospitality/tasting area) of the gross floor area of the building;

d) The maximum combined total floor area of the building utilized for the agriculture-related uses shall be 520 m^2;

Section 3.2.2 On-Farm Diversified Uses

e) The total gross floor area that is permanently, temporarily or seasonally devoted to on-farm diversified uses shall not exceed 520 m^2, including the gross floor areas used within all main buildings or structures, and accessory buildings or structures on the lot;

Section 5.2.5 of the Specialty Agriculture Zone

Minimum Land Area Planted in Vineyards	2.4 ha
Maximum Floor Area of Building(s) Used for a Farm Winery	520.0m^2

R2-172: 61 Port Robinson Road
*Formerly R2-157

Notwithstanding Section 6.2.2 of the Residential Two Zone, the following site-specific regulations shall apply:

Maximum Front Yard	6.13m

Notwithstanding Section 4.1.4.1 (b) of the Parking Space Dimensions and Requirements, the following special regulation shall apply:

The minimum dimensions of a tandem parking space shall be 2.6m by 5.5m.

Notwithstanding Section 3.7 of the Encroachment Requirements, the following special regulation shall apply:

A chimney shall be permitted to encroach 0.52m into a side yard.

RM1-173: 82-90 Canboro Road (Canboro Estates)
*Formerly RM1-166

Notwithstanding the maximum front yard and minimum rear yard requirements in Section 6.4.2 of the Residential Multiple 1 (RM1) zone, the following site-specific regulations shall apply:

Maximum Front Yard	22.06m
Minimum Rear Yard	1.2m

R2-174: 82-90 Canboro Road (Canboro Estates)
*Formerly R2-165

Notwithstanding the maximum front yard requirement in Section 6.2.2 of the Residential 2 (R2) zone, the following site-specific regulation shall apply:

Maximum Front Yard	17.0m

SA 175: 920 Killman Road
*No former exception

The lands identified as SA-175 shall be used for agricultural purposes only (APO). No residential uses are permitted as a result of consent. (File No. B10-2025P)

R2-176: 1114 Haist Street
*Formerly R2-284

Notwithstanding the provisions of Section 3: General Provisions, the following special regulations shall apply:

Minimum depth for a porch	2.0m

Porches may encroach a maximum of 2.0 into a required front or exterior side yard and a maximum of 3.5m into a required rear yard. Steps associated with a porch in a front or exterior side yard may encroach up to the lot line.

Notwithstanding the provisions of Section 6.2, Residential Two Zone, the following special regulations shall apply:

Minimum Lot Depth	32.0m
Minimum Lot Frontage	12.0m
Minimum Lot Coverage	55%
Minimum Front Yard	4.5m 6.0m to a garage
Minimum Interior Side Yard	1.2m
Minimum Rear Yard	7.5m
Maximum Height for a Dwelling	10.5m
Maximum Garage Door Width	The lesser of 50% of the lot width or 60% of the dwelling width

SA 177: 305 Canboro Road
*No former exception

The lands identified as SA-177 shall be used for agricultural purposes only (APO). No residential uses are permitted as a result of consent. (File No. B12-2023P)

SECTION 11: REPEAL AND ENACTMENT

11.1 By-laws Repealed

By-law 1136 (1987), and all amendments thereto, being a by-law to regulate the use of lands and the character, location and use of buildings and structures within the Town of Pelham, are hereby repealed and replaced.

SECTION 12: EFFECTIVE DATE

12.1 Effective Date

The By-law shall come into force and effect on the date that it is enacted.

Read, enacted, signed and sealed this 30th day of August, 2022.

_____
Marvin Junkin, Mayor

_____
Holly Willford, Town Clerk