THE CORPORATION OF THE TOWN OF WASAGA BEACH COMPREHENSIVE ZONING BY-LAW 2003-60

OFFICE CONSOLIDATION

NOTE: This is an Office Consolidation. For an accurate reference, contact the Planning Department for the Municipality. An original copy of 2003-60 is lodged with the Planning Department and available upon request.

OFFICE CONSOLIDATION JUNE 2025

120 Glenwood Drive
Wasaga Beach, ON
L9Z 2N6
705-429-3844

INDEX

THE CORPORATION OF THE TOWN OF WASAGA BEACH 17
BY-LAW NUMBER 2003-60 17
SECTION 1 - TITLE, APPLICATION, SCOPE AND INTERPRETATION 17
1.2 APPLICATION OF THE BY-LAW 17
1.3 SCOPE AND EFFECT 17
1.4 ZONES AND SCHEDULES 17
1.5 INTERPRETATION 19
SECTION 2 - ADMINISTRATION AND ENFORCEMENT 20
2.2 COMPLIANCE WITH OTHER RESTRICTIONS 20
2.3 BUILDING AND OTHER PERMITS 20
2.4 INSPECTION 20
2.5 VIOLATION AND PENALTIES 20
2.6 RESTRAINT 20
2.7 FEES 20
SECTION 3 - GENERAL PROVISIONS 21
3.2 HEIGHT EXCEPTIONS 22
3.3 YARD ENCROACHMENTS 23
3.4 SIGHT TRIANGLES 24
3.5 FENCES 24
3.6 DISTANCE BETWEEN BUILDINGS AND STRUCTURES 25
3.7 SWIMMING POOLS 25
3.8 SPECIAL HIGHWAY SETBACKS 26
3.9 MEASUREMENT OF SETBACK AND YARD REQUIREMENTS 26
3.10 EASEMENTS AS YARDS 26
3.11 FLOOD PLAIN DEVELOPMENT 26
3.12 WATERCOURSE, FLOOD PLAIN, SLOPE REGULATIONS 27
3.13 PLANTING STRIPS 27
3.14 SIGNS 28
3.15 ILLUMINATION 28
3.16 CORNER LOTS 28
3.17 THROUGH LOTS 28
3.18 STREET REQUIREMENT 28
3.19 SERVICING REQUIREMENT 29
3.20 EXTERNAL BUILDING MATERIALS 29
3.21 MINIMUM LOT AREA 29
3.22 NON-CONFORMING USES 30
3.23 NON-COMPLYING LOTS, BUILDINGS OR STRUCTURES 30
3.24 HOLDING ZONES 31
3.25 PROHIBITED USES 32
3.25.4 Special Holding Provisions 33
3.26 PUBLIC USES 34
3.27 RESIDENTIAL USES AND OCCUPANCY OF BUILDINGS 35
3.28 ACCESSORY DWELLING UNITS IN RESIDENTIAL DWELLINGS 35
3.29 BED AND BREAKFAST 38
3.30 GROUP HOMES 39

3.31 HOME OCCUPATION 39
3.32 HOME INDUSTRY 40
3.33 HOME MEDICAL OFFICE 41
3.34 INTENTIONALLY LEFT BLANK 41
3.35 OUTSIDE STORAGE 41
3.36 OUTSIDE DISPLAY OF GOODS 41
3.37 TEMPORARY BUILDINGS AND STRUCTURES 42
3.38 OFF STREET PARKING REQUIREMENTS 43
3.38.9.1 Intentionally Left Blank 49
3.39 OFF STREET LOADING REQUIREMENTS 50
3.40 PARKING OF COMMERCIAL VEHICLES 51
3.41 PARKING OF SPECIAL VEHICLES 51
3.42 TOURIST ESTABLISHMENT GUEST ROOM LOCATION 53
SECTION 4 - RESIDENTIAL TYPE 1 (R1) ZONE 54
4.2 PERMITTED USES 54
4.2.1 Residential Uses: 54
4.2.2 Non-Residential Uses: 54
4.3 ZONE PROVISIONS 54
4.3.1 Lot Area (minimum): 54
4.3.2 Lot Frontage (minimum): 54
4.3.11 Dwelling Units per Lot (maximum): 1
4.4 ZONE EXCEPTIONS 1
4.4.1 R1-1 Zone 1
4.4.3 R1-3 Zone 1
4.4.4 R1-4 Zone Schedule "H" 1
4.4.5 R1-5 Zone Schedule "H" 1
4.4.6 R1-6 Zone Schedule "H" 1
4.4.7 R1-7 Zone Schedule "I" 1
4.4.8 R1-8 Zone Schedule "P" 2
4.4.9 R1-9 Zone Schedule "P" 2
4.4.10 R1-10 Zone Schedule "I" 2
4.4.11 R1-11 Zone Schedule "I" 2
4.4.12 R1-12 Zone Schedule "I" 2
4.4.13 R1-13 Zone Schedule "A" 2
4.4.14 R1-14 Zone Schedule "H" 2
4.4.15 R1-15 Zone Schedule "T" 2
4.4.16 R1-16 Zone Schedule "C" 2
4.4.17 R1-17 Zone Schedule "E" 2
4.4.18 R1-18 Zone Schedule 3
4.4.19 R1-19 Zone Schedule "T" 3
4.4.20 R1-20 Zone Schedule "T" 3
4.4.21 R1-21 Zone 3
4.4.22 R1-22 Zone Schedule "F" 3
4.4.23 R1-23 Zone Schedule "T" 3
4.4.24 R1-24 Zone Schedule "S" 3
4.4.25 R1-25 Zone Schedule "R" 3
4.4.26 R1-26 Zone Schedule "O" 4
4.4.27 R1-27 Zone Schedule "G" 4
4.4.28 R1-28 Zone Schedule "F" 4
4.4.29 R1-29 Zone Schedule "F" 4

4.4.30 R1-30 Zone Schedule "G" 5
4.4.31 R1-31 Zone Schedule "H" 5
4.4.35 R1-35 Zone Schedule "B" 5
4.4.39 R1H-39 Zone Schedule "P" 6
4.4.40 R1-40 Zone Schedule "T" 7
4.4.41 R1-41 Zone Schedule "T" 7
SECTION 5 - RESIDENTIAL TYPE 2 (R2) ZONE 8
5.2 PERMITTED USES 8
5.2.1 Residential Uses: 8
5.2.2 Non-residential Uses: 8
5.3 ZONE PROVISIONS 8
5.3.1 Lot Area (minimum): 8
5.3.2 Lot Frontage (minimum): 8
5.3.12 Dwelling Units per Lot (maximum): 1
5.3.13 Conversions to Boarding House: 2
5.3.14 Servicing: 2
5.4 ZONE EXCEPTIONS 2
5.4.1 R2-1 Zone Schedule "G" 2
5.4.2 R2-2 Zone Schedule "G" 2
5.4.3 R2-3 Zone Schedule "O" 2
5.4.4 R2-4 Zone Schedule "R" 3
5.4.5 R2-5 Zone Schedule "B" 3
5.4.6 R2-6 Zone Schedule "F" 3
5.4.7 R2-7 Zone Schedule "F" 3
5.4.8 R2-8 Schedule "R" 4
5.4.9 R2-9 Zone Schedule "O" 6
5.4.10 R2-10 Zone Schedule "F" 6
5.4.11 R2-11 Zone Schedule "F" 7
5.4.12 R2-12 Zone Schedule "F" 7
5.4.13 R2-13 Zone Schedule "F" 7
5.4.14 R2-14 Zone Schedule "F" 7
5.4.15 R2-15 Zone Schedule "G" 8
5.4.16 R2-16 Zone Schedule 'R' 8
5.4.17 R2-17 Zone Schedule 'C' 11
5.4.18 R2-18 Zone Schedule 'F' 11
5.4.19 R2H1-19 Zone Schedule "F" 11
5.4.20 R2H1-20 Zone Schedule "F" 12
6.2 PERMITTED USES 19
6.2.1 Residential Uses: 19
6.2.2 Non-residential Uses: 19
6.3 ZONE PROVISIONS 19
6.3.1 Lot Area (minimum): 19
6.3.2 Lot Frontage (minimum): 19
6.3.10 Height of Building (maximum): 12 m 20
6.3.12 Courts: 20
6.3.13 Play Areas: 20
6.3.14 Servicing: 20
6.3.15 Units per Structure: 20
6.4 ZONE EXCEPTIONS 21
6.4.1 R3-1 Zone Schedule "O" 21
6.4.2 R3-2 Zone Schedule "T" 21

6.4.2.1 R3-2-A Zone Schedule "T" *21*
6.4.2.2 R3-2-B Zone Schedule "T" *21*
6.4.3 R3-3 Zone Schedule "O" *21*
6.4.4 R3-4 Zone Schedule "P" *21*
6.4.5 R3-5 Zone Schedule "J" *21*
6.4.6 R3-6 Zone Schedule "P" *21*
6.4.7 R3-7 Zone Schedule "O" *21*
6.4.8 R3-8 Zone Schedule "I" *22*
6.4.9 R3-9 Schedule "J" *23*
6.4.10 R3-10 Zone Schedule "O" *23*
6.4.11 R3-11 Zone Schedule "T" *23*
6.4.12 R3-12 Zone Schedule "O" *23*
6.4.13 R3-13 Zone Schedule 'O' *23*
6.4.15 R3-15 Zone Schedule "T" *25*
6.4.16 R3-16 Zone Schedule "B" *25*
6.4.17 R3-17 Zone Schedule "L" *25*
6.4.19 R3-19 Zone Schedule "F" *25*
6.4.20 R3-20 Zone Schedule "O" *25*
6.4.22 R3-22 Schedule "R" *29*
6.4.23 R3-23 Schedule "D" *29*
6.4.24 R3-24 Zone Schedule "O" *29*
6.4.25 R3-25 Zone Schedule "O" *29*
6.4.26 R3-26 Zone Schedule "J" *30*
6.4.27 R3-27 Zone Schedule "F" *30*
6.4.28 R3-28 Zone Schedule "F" *30*
6.4.29 R3-29 Zone Schedule "F" *30*
6.4.30 R3-30 Zone Schedule "P" *31*
6.4.31 R3-31 Zone Schedule "D" *31*
6.4.32 R3-32 Zone Schedule 'O' *31*
6.4.33 R3-33 Zone Schedule 'R' *32*
6.4.34 R3-34 Zone Schedule 'R' *36*
6.4.36 R3-36 H Zone Schedule "F" *42*
6.4.37 Intentionally Left Blank *42*
6.4.39 R3-39 Zone Schedule 'R' *42*
6.4.40 R3-40 Zone Schedule 'N' *44*
6.4.42 R3H-42 Zone Schedule "O" *44*
6.4.44 R3H-44 Schedule "P" *45*
6.4.45 R3H1-45 Zone Schedule 'F' *46*
6.4.46 R3H1-46 Zone Schedule "F" *46*
SECTION 7- RESIDENTIAL TYPE 4 (R4) ZONE **66**
7.2 PERMITTED USES **66**
7.2.1 Residential Uses: *66*
7.2.2 Non-residential Uses: *66*
7.3 ZONE PROVISIONS **66**
7.3.8 Height of Building (maximum): 12 m *66*
7.3.13 Recreation Use Areas: *67*
7.3.14 Privacy Yards: *67*
7.3.15 Servicing: *67*
7.4 ZONE EXCEPTIONS **67**
7.4.1 R4-1 Zone Schedule "P" *67*
7.4.2 R4-2 Zone Schedule 'O' *68*

7.4.3 R4-3 Zone Schedule 'F' *68*
7.4.4 R4-4 Zone Schedule "R" *68*
7.4.5 R4-5 Zone Schedule "O" *69*
7.4.6 R4-6 Zone Schedule "O" *69*
7.4.7 R4-7 Zone Schedule "F" *70*
7.4.8 R4-8 Zone Schedule "F" *70*
7.4.9 R4H-9 Zone Schedule "O" *70*
7.4.10 R4-10 Zone Schedule "A" *71*
SECTION 8 - RESIDENTIAL MODULAR HOME (RM) ZONE **72**
8.2 PERMITTED USES **72**
8.2.1 Residential Uses: *72*
8.2.2 Non-residential Uses: *72*
8.3 ZONE PROVISIONS **72**
8.3.7 Unit Site Width (minimum): 10.5 m *72*
8.3.16 Accessory Storage Facilities provided by the developer for each unit shall be: *73*
8.4 ZONE EXCEPTIONS **74**
8.4.1 RM-1 Zone Schedule "Q" *74*
8.4.2 RM-2 Zone Schedule "Q" *74*
8.4.3 RM-3 Zone Schedule "Q" *75*
8.4.4 RM-4 Zone Schedule "Q" *75*
8.4.5 RM-5 Zone Schedule "Q" *75*
8.4.6 RM-6 Zone Schedule "Q" *75*
SECTION 9 – RESIDENTIAL ESTATE (RE) ZONE **76**
9.2 PERMITTED USES **76**
9.2.1 Residential Uses: *76*
9.2.2 Non-residential Uses: *76*
9.3 ZONE PROVISIONS **76**
9.4 ZONE EXCEPTIONS **77**
9.4.1 RE-1 Zone Schedule "E" *77*
9.4.2 RE-2 Zone Schedule "E" *77*
SECTION 10 - DISTRICT COMMERCIAL (CD) ZONE **78**
10.2 PERMITTED USES: **78**
10.2.1 Residential Uses: *78*
10.2.2 Non-residential Uses: *78*
10.3 ZONE PROVISIONS **79**
Motor Vehicle Service Other Establishment/Repair Garage Uses *79*
10.3.2 Lot Frontage (minimum): *79*
10.3.4 Exterior Side Yard Width (minimum): 15 m 6 m *79*
10.3.6 Rear Yard Depth (minimum): *79*
10.3.7 Landscaped Open Space (minimum): 5% 5% *79*
10.3.9 Vehicle Fuel Pump Island Location: *80*
10.3.10 Motor Vehicle Impound Yard Location: *80*
10.3.11 Driveways for Motor Vehicle Service Stations *80*
10.3.12 Dwelling Unit and/or Rental Unit (minimum): *81*
10.4 ZONE EXCEPTIONS **81**
10.4.1 CD-1 Zone Schedule "R" *81*
10.4.2 CD-2 Zone Schedule "G" *81*
10.4.3 CD-3 Zone Schedule "D" *81*
10.4.4 CD-4 Zone Schedule "O" *81*
10.4.5 CD-5 Zone Schedule "C" *82*

10.4.6 CD-6 Zone Schedule "G" *82*
10.4.7 CD-7 Zone Schedule "G" *82*
10.4.8 CD-8 Zone Schedule "R" *82*
10.4.9 CD-9 Zone Schedule "R" *83*
10.4.10 CD-10 Zone Schedule "H" *83*
10.4.11 CD-11 Zone Schedule "O" *83*
10.4.12 CD-12 Zone Schedule "G" *84*
10.4.13 CD-13 Zone Schedule "D" *84*
SECTION 11 - SERVICE COMMERCIAL (CS) ZONE **86**
11.2 PERMITTED USES **86**
11.2.1 Residential Uses: *86*
11.2.2 Non-residential Uses: *86*
11.3.9 Motor Vehicle Impound Yard Location: *87*
11.3.10 Outside Storage: *88*
11.3.11 Dwelling Unit and/or Rental Unit (minimum): *88*
11.4 ZONE EXCEPTIONS **88**
11.4.1 CS-1 Zone Schedule "B" *89*
11.4.2 CS-2 Zone Schedule "A" *89*
11.4.3 CS-3 Zone Schedule "B" *89*
11.4.4 CS-4 Zone Schedule "S" *89*
11.4.5 CS-5 Zone Schedule "R" *89*
SECTION 12 - LOCAL COMMERCIAL (CL) ZONE **91**
12.2 PERMITTED USES **91**
12.2.1 Residential Uses: *91*
12.2.2 Non-residential Uses: *91*
12.3 ZONE PROVISIONS **91**
12.3.1 Lot Area (minimum): *91*
12.3.2 Lot Frontage (minimum): *92*
12.3.6 Rear Yard Depth (minimum): *92*
12.4 ZONE EXCEPTIONS **92**
12.4.1 CL-1 Zone Schedule "C" *93*
12.4.2 CL-2 Zone Schedule "T" *93*
12.4.3 CL-3 Zone Schedule "N" *93*
12.4.4 CL-4 Zone Schedule "T" *93*
12.4.5 CL-5 Zone Schedule "B" *93*
12.4.6 CL-6 Zone Schedule "N" *93*
12.4.7 CL-7 Zone Schedule "F" *93*
SECTION 13- RECREATIONAL COMMERCIAL (CR) ZONE **94**
13.2 PERMITTED USES **94**
13.2.1 Residential Uses: *94*
13.2.2 Non-residential Uses: *94*
13.3 ZONE PROVISIONS **94**
13.3.1 Lot Area (minimum): *94*
13.3.2 Lot Frontage (minimum): *95*
13.3.6 Rear Yard Depth (minimum): *95*
13.4 ZONE EXCEPTIONS **95**
13.4.1 CR-1 Zone Schedule "S" *95*
13.4.2 CR-2 Zone Schedule "S" *96*
SECTION 14 - TOURIST COMMERCIAL (CT) ZONE **97**
14.2 PERMITTED USES: **97**

14.2.1 Residential Uses: *97*
14.2.2 Non-residential Uses: *97*
14.3 ZONE PROVISIONS **97**
14.3.1 Lot Area (minimum): *97*
14.3.2 Lot Frontage (minimum): *98*
14.3.3 Front Yard Depth (minimum): *98*
14.3.4 Exterior Side Yard Width (minimum): *98*
14.3.5 Interior Side Yard Width (minimum): *98*
14.3.6 Rear Yard Depth (minimum): *98*
14.3.7 Height of Building (maximum): 12 m *98*
14.4 ZONE EXCEPTIONS **99**
14.4.1 Intentionally Left Blank *99*
14.4.3 CT-3 Zone Schedule "N" *99*
14.4.4 CT-4 Zone Schedule "O" *99*
14.4.5 CT-5 Zone Schedule "H" *99*
14.4.6 CT-6 Zone Schedule "N' *99*
14.4.7 CT-7 Zone Schedule N" *99*
14.4.8 CT-8 Zone Schedules "I" and "N" *100*
14.4.9 CT-9 Zone Schedule "O" *100*
14.4.10 CT-10 Zone Schedule "N" *100*
14.4.11 CT-11 Zone Schedule "N" *100*
14.4.12 CT-12 Zone Schedule "N" *100*
14.4.13 CT-13 Zone Schedule "P" *100*
14.4.14 CT-14 Zone Schedule "O" *100*
14.4.15 CT-15 Zone Schedule "H" *100*
14.4.16 CT-16 Schedule "H" *100*
14.4.17 CT-17 Schedule "G" *101*
14.4.18 Intentionally Left Blank *101*
SECTION 15 - ACCOMMODATION COMMERCIAL (CA) ZONE **102**
15.2 PERMITTED USES **102**
15.2.1 Residential Uses: *102*
15.2.2 Non-residential uses: *102*
15.3 ZONE PROVISIONS **102**
15.3.1 Lot area (minimum): *102*
15.3.2 Lot frontage (minimum): *102*
15.3.10 Dwelling unit and/or rental unit area (minimum): *103*
15.4 ZONE EXCEPTIONS **104**
15.4.1 CA-1 Zone Schedule "P" *104*
15.4.2 CA-2 Zone Schedules "H" and "N" *104*
15.4.3 CA-3 Zone Schedule "H" *104*
15.4.4 CA-4 Zone Schedule "N" *104*
15.4.5 CA-5 Zone Schedule "I" *105*
15.4.6 CA-6 Zone Schedule "G" *105*
15.4.7 CA-7 Zone Schedule "O" *105*
15.4.8 CA-8 Zone Schedule "B" *105*
15.4.9 CA-9 Zone Schedule "O" *105*
15.4.10 CA-10 Zone Schedule "R" *105*
15.4.11 CA-11 Zone Schedule "O" *106*
15.4.12 CA-12 Zone Schedule "I" *106*
15.4.13 CA-13 Zone Schedule "H" *106*
15.4.14 CA-14 Zone Schedule "H" *107*

15.4.15 CA-15 107
15.4.16 CA-16 Zone Schedule "H" 107
SECTION 16- CAMPGROUND COMMERCIAL (CC) ZONE 108
16.2 PERMITTED USES: 108
16.2.1 Residential Uses: 108
16.2.2 Non-residential Uses: 108
16.3 ZONE PROVISIONS 108
16.3.11 Dwelling Unit per Lot (maximum): 1 109
16.3.15 Setback from any Residential Zone (any yard) (minimum): 15 m 109
16.3.21.8 Interior Side Yard Width from site boundaries (minimum): 3 m 110
16.4 ZONE EXCEPTIONS 111
16.4.1 CC-1 Zone Schedule "O" 111
16.4.2 CC-2 Zone Schedule "O" 111
16.4.3 CC-3 Zone Schedule "O" 111
16.4.4 CC-4 Zone Schedule "O" 111
16.4.5 CC-5 Zone Schedule "B" 111
SECTION 17 - INSTITUTIONAL (I) ZONE 112
17.2 PERMITTED USES 112
17.2.1 Residential uses. 112
17.2.2 Non-Residential uses: 112
17.3 Zone Provisions 112
17.3.1 Lot Area (Minimum): 112
17.4 ZONE EXCEPTIONS 114
17.4.1 I-1 Zone Schedule "E" 114
17.4.2 I-2 Zone Schedule "O" 114
17.4.3 I-3 Zone Schedule "P" 114
17.4.4 I-4 Zone Schedule "E" 114
17.4.5 I-5 Zone Schedule "O" 114
17.4.6 I-6 Zone Schedule "N" 114
17.4.7 I-7 Zone Schedule "F" 114
17.4.8 I-8/R2-18 Zone Schedule "F" 114
SECTION 18 - INDUSTRIAL INSIDE STORAGE (MI) ZONE 115
18.2 PERMITTED USES 115
18.2.1 Residential Uses: 115
18.2.2 Non-Residential Uses: 115
18.3 ZONE PROVISIONS 115
18.3.1 Lot Area (Minimum): 115
18.3.2 Lot Frontage (Minimum): 116
18.3.6 Rear Yard Depth (Minimum): 116
18.4 ZONE EXCEPTIONS 116
SECTION 19 - INDUSTRIAL OUTSIDE STORAGE (MO) ZONE 117
19.2 PERMITTED USES 117
19.2.1 Residential Uses: 117
19.2.2 Non-residential Uses: 117
19.3 ZONE PROVISIONS 118
19.3.1 Lot Area (minimum): 118
19.3.2 Lot Frontage (minimum): 118
19.3.6 Rear Yard Depth (Minimum): 118
19.3.7 Height of Building (maximum): 12 m 118
19.3.9 Open Storage: 118

19.4 ZONE EXCEPTIONS 119
19.4.1 MO-1 Schedule "S" 119
SECTION 20- INDUSTRIAL EXTRACTIVE (ME) ZONE 120
20.2 PERMITTED USES 120
20.2.1 Residential Uses: 120
20.2.2 Non-Residential Uses: 120
20.3 ZONE PROVISIONS 120
20.4 ZONE EXCEPTION 121
SECTION 21- WASTE DISPOSAL (MW) ZONE 122
21.2 PERMITTED USES 122
21.2.1 Residential uses: 122
21.2.2 Non-Residential uses: 122
21.3 ZONE PROVISIONS 122
21.4 ZONE EXCEPTIONS 122
21.4.1 MW-1 Zone Schedule "S" 123
21.4.2 MW-2 Zone Schedule "S" 123
SECTION 22 - OPEN SPACE (OS) ZONE 124
22.2 PERMITTED USES 124
22.2.1 Residential Uses: 124
22.2.2 Non-Residential Uses: 124
22.3 Zone Provisions 124
22.3.1 Lot Area (Minimum): 124
22.3.2 Lot Frontage (Minimum): 124
22.4 ZONE EXCEPTIONS 125
22.4.1 OS-1 Zone Schedule "F" 125
22.4.2 OS-2 Zone Schedule "Q" 125
22.4.3 OS-3 Zone Schedule "R" 125
22.4.4 OS-4 Zone Schedule "D" 44
22.4.5 OS-5 Zone Schedule "E" 44
22.4.6 OS-5 Zone Schedule "B" 44
22.4.6 OS-6 Zone Schedule "B" 44
22.4.7 OS-7 Zone Schedule "B" 44
22.4.8 OS-8 Zone Schedule "A" 44
Stormwater management facilities shall be an additional permitted use 44
22.4.9 OS-9 Zone Schedule "A" 44
Notwithstanding Section 22.3.1 c), the minimum lot area for a lot not served by a public water system and public sanitary sewer system shall be 4,800 square metres. 44
22.4.10 OS-10 Zone Schedule "A" 44
No minimum lot frontage shall be required; and, ... 44
No minimum lot area shall be required. 44
22.4.11 OS-11 Zone Schedule "O" 45
SECTION 23 - ENVIRONMENTAL PROTECTION (EP) ZONE 46
23.2 PERMITTED USES 46
23.2.1 Residential Uses: 46
23.2.2 Non-residential Uses: 46
23.3 ZONE PROVISIONS 46
23.3.7 Approval of Conservation Authority: 47
23.4 ZONE EXCEPTIONS 47
23.4.1 EP-1 Zone Schedule "O" 47
23.4.2 EP-2 Zone Schedule "R" 47

23.4.3 EP-3 Zone Schedule "O" *47*
23.4.4 EP-4 Zone Schedule "P" *47*
23.4.5 EP-5 Zone Schedule "R" *47*
23.4.6 EP-6 Zone Schedule "P" *47*
23.4.7 EP-7 Zone Schedule "F" *47*
23.4.8 EP-8 Zone Schedule "E" *48*
23.4.9 EP-9 Zone Schedule "B" *48*
SECTION 24 - RURAL (RU) ZONE **49**
24.2 PERMITTED USES **49**
24.2.1 Residential Uses: *49*
24.2.2 Non-Residential Uses: *49*
24.3 ZONE PROVISIONS **49**
24.3.12 Additional Requirements and Regulations: *50*
24.3.13 Single Family Dwelling Provisions: *50*
24.4 ZONE EXCEPTIONS **51**
24.4.1 RU-1 Schedule "Q" *51*
24.4.2 RU-2 Schedule "S" *51*
24.4.3 RU-3 Schedule "S" *51*
24.4.4 RU-4 Schedule "E" *51*
SECTION 25 - DEVELOPMENT (D) ZONE **52**
25.2 PERMITTED USES **52**
25.2.1 Residential Uses: *52*
25.2.2 Non-residential Uses: *52*
25.3 ZONE PROVISIONS **52**
25.4 ZONE EXCEPTIONS **53**
25.4.1 RD Zone Schedule "G" *53*
25.4.2 D-2 Zone Schedule "B" *53*
SECTION 26 - DOWNTOWN WASAGA BEACH **54**
26.1 Definitions *54*
26.2 General Provisions *55*
26.2.1 Mixed-Use Buildings *55*
26.2.2 Apartment Dwelling Units in Commercial and Mixed-Use Zones *55*
26.2.3 Continuous Street Frontage between the Nottawasaga River and Wood Avenue *56*
26.2.4 Continuous Street Frontage between Wood Avenue and Stonebridge Boulevard *56*
26.2.5 Continuous Street Frontage between Stonebridge Boulevard and River Road West *56*
26.2.6 Minimum Building Height *56*
26.2.7 Minimum Ground Floor Height *57*
26.2.8 Angular Planes *57*
26.2.9 Setback Requirements Adjacent to Main Street *58*
26.2.10 Setback Requirements Adjacent to Mosley Street *58*
26.2.11 INTENTIONALLY LEFT BLANK **58**
26.2.12 Communal Amenity Area Requirements *58*
26.2.13 Overlook *58*
Decks and balconies shall be screened, in accordance with the fencing and landscaping requirements of By-law 2003-60, from any views into private amenity areas. *58*
26.2.14 Outdoor Patio *59*
26.2.15 Parking *59*
a) Minimum Number of Parking Spaces *59*
b) Special Exemptions for Minimum Required Parking in the Downtown Core Mixed-Use

(DC1) Zone *62*
c) Mixed Use Development Shared Parking *62*
d) Method of Calculation *64*
iii) Calculation of Parking Requirements for Construction of Additions or Changes in Use *64*
e) Designation of Parking for Persons with Disabilities *65*
f) Parking Space, Area and Driveway Requirements *65*
ii) Parking Space and Aisle Dimensions *65*
g) Access to Parking Areas *65*
ii) Driveway Separation Distance on the Same Lot *65*
iii) Separation between Driveways and Intersections *66*
iv) Driveway Angle in Relation to Street Line *66*
v) Access through Residential Zones *66*
vi) Ingress/Egress in Flood Prone Areas *66*
vii) Access through Visibility Triangle *66*
h) Parking Area Location *66*
i) Off Street Loading Space Requirements *66*
26.2.16 Bicycle Parking Requirements *66*
26.3 Downtown Core, Downtown Gateway and Beach Mixed Use and Transition Zones *68*
26.3.2 Zone Provisions *23*
26.3.3 Zone Provisions for Stand-Alone Residential Uses within Mixed Use and Transition Zones *26*
26.4 ZONE EXCEPTIONS **28**
26.4.1 Downtown Gateway Mixed-Use Exception One (DG1-1) Zone Schedule "N" *28*
26.4.2 Downtown Gateway Transition Exception one (DG2-1) Zone (Schedule "N") *29*
26.4.3 Downtown Core Exception One (DC2-1) Zone Schedule "N" *29*
SECTION 27- DEFINITIONS **30**
27.2 ABUT **30**
27.3 ACCESSORY **30**
27.4 ACT **30**
27.5 ADJOIN **30**
27.6 ADULT ENTERTAINMENT ESTABLISHMENT **30**
27.7 AGRICULTURAL IMPLEMENT DEALER **30**
27.8 AGRICULTURAL PRODUCE SALES OUTLET **30**
27.9 AGRICULTURAL USE **30**
27.10 AGRICULTURAL USE, INTENSIVE **31**
27.10.1 AGRICULTURAL CANNABIS CULTIVATION SITE **31**
27.11 ALTER **31**
27.11.1 AMENITY SPACE, OUTDOOR **31**
27.12 AMUSEMENT DEVICE **31**
27.13 ANGLE OF DIVERGENCE **31**
27.14 ARENA **31**
27.15 ARCADE OR GAMES ESTABLISHMENT **32**
27.16 ART GALLERY **32**
27.17 ATTIC **32**
27.18 AUDITORIUM **32**
27.19 BALCONY **32**
27.20 BANQUET HALL **32**
27.21 BASEMENT **32**

27.22 BOARDER 32
27.23 BOARDING HOUSE 32
27.24 BOAT HOUSE 33
27.25 BUILDING 33
27.26 BUILDING HEIGHT 33
27.27 BUILDING INSPECTOR 33
27.28 BUILDING SUPPLY CENTER 33
27.29 BULK STORAGE YARD 33
27.30 BUS TRANSFER DEPOT 33
27.31 CAMP, SPORTS OR RECREATIONAL 33
27.32 CARPORT 33
27.33 CAR WASH 34
27.34 CELLAR 34
27.35 CEMETERY 34
27.36 CHIEF BUILDING OFFICIAL 34
27.37 CLUB 34
27.38 COMMERCIAL 34
27.39 CONSERVATION USES 34
27.40 CORPORATION 34
27.41 COUNCIL 34
27.42 COUNTY 35
27.43 CRISIS CARE FACILITY 35
27.44 CUSTOM WORKSHOP 35
27.45 DAY CARE, NURSERY 35
27.46 DECK 35
27.47 DEPARTMENT STORE 35
27.48 DINING ROOM 36
27.49 DRIVEWAY 36
27.50 DRY CLEANING OR LAUNDRY OUTLET 36
27.51 DRY CLEANING FACILITY 36
27.52 DWELLING UNIT, DETACHED ACCESSORY 36
27.53 DWELLING, APARTMENT 36
27.54 INTENTIONALLY LEFT BLANK 36
27.56 DWELLING UNIT, LINK 37
27.57 DWELLING UNIT, SINGLE DETACHED 37
27.58 DWELLING UNIT, SEMI-DETACHED 37
27.59 DWELLING, STREET TOWNHOUSE 37
27.60 DWELLING, TOWNHOUSE 37
27.61 DWELLING UNIT 37
27.61.1 DWELLING UNIT, MIXED USE 37
27.61.2 DWELLING UNIT, LANEWAY-BASED 37
27.62 DWELLING UNIT, ATTACHED ACCESSORY 37
27.63 DWELLING UNIT, BACHELOR 38
27.64 DWELLING UNIT/RENTAL UNIT AREA 38
27.65 EQUESTRIAN FACILITY 38
27.66 EQUIPMENT RENTAL 38
27.67 ERECT 38

27.68 ESTABLISHMENT 38
27.69 EXISTING 38
27.70 FINANCIAL SERVICES 38
27.71 FIRE HALL 38
27.72 FISHING ESTABLISHMENT 39
27.73 FLOOD PLAIN 39
27.74 FLOOR, FIRST 39
27.75 FLOOR AREA 39
27.76 FLOOR AREA, GROSS (G.F.A.) 39
27.77 FLOOR AREA, GROUND 39
27.78 FLOOR AREA, PUBLIC 40
27.79 FORESTRY USE 40
27.80 FUEL STORAGE TANK OR SUPPLY YARD 40
27.801 FUNERAL HOME 40
27.82 GARAGE, PRIVATE 40
27.83 GASOLINE RETAIL FACILITY 40
27.84 GENERAL MERCHANDISER 41
27.85 GO-CART COURSE 41
27.86 GOLF COURSE 41
27.87 GOLF DRIVING RANGE 41
27.88 GRADE, ESTABLISHED 41
27.89 GROUP HOME 41
27.90 GUEST ROOM 41
27.91 HABITABLE ROOM 41
27.92 HEREAFTER 41
27.93 HEREIN 41
27.94 HOME INDUSTRY 42
27.95 HOME MEDICAL OFFICE 42
27.96 HOME OCCUPATION 42
27.96.1 HOME OCCUPATION – HOLISTIC PRACTITIONER 42
27.96.2 HOME OCCUPATION – PERSONAL SERVICES 42
27.96.3 HOSPITAL 42
27.97 INDUSTRIAL, EXTRACTIVE 42
27.97.1 INFRASTRUCTURE 43
27.98 KENNEL 43
27.99 LANDSCAPED OPEN SPACE 43
27.100 LANE 43
27.100.1 LANE, PRIVATE 43
27.101 LAUNDROMAT 43
27.102 LIBRARY 43
27.103 LIGHT MANUFACTURING 43
27.104 LOADING SPACE 44
27.105 LOT 44
27.106 LOT, CORNER 44
27.107 LOT, INTERIOR 44
27.108 LOT, THROUGH 44
27.109 LOT AREA 44

27.110 LOT COVERAGE 45
27.111 LOT FRONTAGE 45
27.112 LOT LINE 45
27.113 LOT LINE, FRONT 45
27.114 LOT LINE, REAR 45
27.115 LOT LINE, SIDE 45
27.116 LUMBERYARD 45
27.117 MARINA 46
27.118 MARINE FACILITY 46
27.119 MINIATURE GOLF COURSE 46
27.120 MOBILE HOME 46
27.121 MODULAR HOME PARK 46
27.122 MODULAR HOME SITE 46
27.123 MODULAR HOME 46
27.124 MOTOR HOME 46
27.125 MOTOR VEHICLE 47
27.126 MOTOR VEHICLE, COMMERCIAL 47
27.127 MOTOR VEHICLE SALES AND SERVICE ESTABLISHMENT 47
27.128 MOTOR VEHICLE BODY SHOP 47
27.129 MOTOR VEHICLE IMPOUND YARD 47
27.130 MOTOR VEHICLE REPAIR GARAGE 47
27.131 MUSEUM 47
27.132 NON-COMPLYING 47
27.133 NON-CONFORMING 48
27.134 NURSERY AND GARDEN CENTER 48
27.135 NURSING HOME 48
27.136 NOXIOUS USE 48
27.137 OFFICE, BUSINESS 48
27.138 OFFICE, MEDICAL 48
27.139 OFFICE, PROFESSIONAL 48
27.140 OPEN SPACE 49
27.141 OPEN STORAGE 49
27.142 PARK 49
27.143 PARK, AMUSEMENT 49
27.144 PARK, PUBLIC 49
27.145 PARK, PRIVATE 49
27.146 PARKING AREA 49
27.147 PARKING LOT 49
27.148 PARKING SPACE 50
27.149 PASSIVE OUTDOOR RECREATION 50
27.150 PATIO 50
27.151 PERMITTED 50
27.152 PERSONS 50
27.153 PLACE OF WORSHIP 50
27.154 PLANTING STRIP 51
27.155 PLAY AREA 51
27.156 POINT OF INTERSECTION 51

27.157 POLICE STATION 51
27.158 PORCH/VERANDA 51
27.159 POST OFFICE 51
27.160 PREMISES 51
27.161 PUBLIC USE 51
27.161.1 PUBLIC SERVICE FACILITIES 51
27.167 RESTAURANT 53
27.168 RESTAURANT, DRIVE-IN 53
27.169 RESTAURANT, TAKE-OUT 53
27.169.1 RESTAURANT, TAKE-OUT (FOOD VEHICLE) 53
27.170 RETAIL STORE 53
27.170.1 SALVAGE YARD 53
27.178 SIGHT TRIANGLE 54
27.179 SIGN 55
27.180 SINGLE INDEPENDENT HOUSEKEEPING UNIT 55
27.181 STOREY 55
27.182 STOREY, FIRST 55
27.183 STOREY, ONE HALF 55
27.184 STREET 55
27.184.1 STREET, PRIVATE 55
27.185 STREET ACCESS 55
27.186 STREET LINE 56
27.187 STRUCTURE 56
27.188 STUDIO 56
27.189 SUPERMARKET 56
27.190 TAVERN 56
27.191 TAXI STAND 56
27.192 TEMPORARY BUILDING 56
27.193 THEATRE 56
27.194 THEATRE, DRIVE-IN 56
27.195 TOURIST ESTABLISHMENT 56
27.195.1 TOURIST ESTABLISHMENT, HOTEL 57
27.195.2 TOURIST ESTABLISHMENT, LODGE 57
27.195.3 TOURIST ESTABLISHMENT, MOTEL 57
27.195.4 TOURIST ESTABLISHMENT, RENTAL CABINS 57
27.195.5 TOURIST ESTABLISHMENT, RENTAL COTTAGE 57
27.195.6 TOURIST ESTABLISHMENT, BED AND BREAKFAST 57
27.196 TOWN 58
27.197 TRAILER SALES & SERVICE ESTABLISHMENT 58
27.198 TRAILER, HOUSE 58
27.199 TRAILER, PARK MODEL 58
27.200 TRAILER AND TENT PARK 58
27.201 TRAILER AND TENT SITE 58
27.202 TRANSMISSION SITE 58
27.203 TRANSPORTATION TERMINAL 59
27.204 USE 59
27.205 VETERINARY CLINIC 59

27.206 WAREHOUSE 59
27.207 WAREHOUSE, MINI STORAGE 59
27.208 WASTE DISPOSAL SITE 59
27.209 WATER BODY 59
27.210 WATER SUPPLY PLANT 59
27.211 WATER SYSTEM, PUBLIC 59
27.212 WHOLESALE USE 60
27.213 YARD 60
27.214 YARD, FRONT 60
27.215 YARD, FRONT DEPTH 60
27.216 YARD, REAR 60
27.217 YARD, REAR DEPTH 60
27.218 YARD, SIDE 60
27.219 YARD, SIDE WIDTH 60
27.220 YARD, SIDE EXTERIOR 60
27.221 YARD, SIDE INTERIOR 60
27.222 YARD, REQUIRED 60
27.223 YARD, PRIVACY 61
27.224 YARD DEPTH, PRIVACY 61
27.225 ZONE 61
27.226 ZONING ADMINISTRATOR 61
SECTION 28- VALIDITY 61
SECTION 29- IMPLEMENTATION 61
SECTION 30 - EFFECTIVE DATE 62
CERTIFICATION 62

THE CORPORATION OF THE TOWN OF WASAGA BEACH
BY-LAW NUMBER 2003-60

Being a Zoning By-Law pursuant to the prohibitions, regulations and requirements of Section 34 of the Planning Act, R.S.O. 1990, c. P13 as amended, in the Town of Wasaga Beach.

Now therefore, the Council of the Corporation of the Town of Wasaga Beach enacts as follows:

SECTION 1 - TITLE, APPLICATION, SCOPE AND INTERPRETATION

1.1 TITLE

This By-law shall be known as the "Town of Wasaga Beach Zoning By-law".

1.2 APPLICATION OF THE BY-LAW

The provisions of this By-law shall apply to all lands within the Town of Wasaga Beach except as may otherwise be specified herein.

1.3 SCOPE AND EFFECT

No building, structure or land shall be used and no building or structure shall be hereafter erected or altered within the corporate limits of the Town of Wasaga Beach, except in conformity with the provisions of this By-law.

1.4 ZONES AND SCHEDULES

1.4.1 For the purpose of this By-law, the Town of Wasaga Beach has been divided into Zones, the boundaries of which are shown on the Map Schedules “A” through “T” which are attached hereto and form part of this By-law.

1.4.2 The Zones are referred to by the following names or symbols and are identified on the Map Schedules by the following symbols:

Section 4	**R1**	Residential Type 1 Zone
Section 5	**R2**	Residential Type 2 Zone
Section 6	**R3**	Residential Type 3 Zone
Section 7	**R4**	Residential Type 4 Zone
Section 8	**RM**	Residential Modular Home
Section 9	**RE**	Residential Estate
Section 10	**CD**	District Commercial Zone
Section 11	**CS**	Service Commercial Zone
Section 12	**CL**	Local Commercial Zone
Section 13	**CR**	Recreation Commercial Zone
Section 14	**CT**	Tourist Commercial Zone

Section 15	**CA**	Accommodation Commercial Zone
Section 16	**CC**	Campground Commercial Zone
Section 17	**I**	Institutional Zone
Section 18	**MI**	Industrial Inside Storage Zone
Section 19	**MO**	Industrial Outside Storage Zone
Section 20	**ME**	Industrial Extractive Zone
Section 21	**MW**	Waste Disposal Zone
Section 22	**OS**	Open Space Zone
Section 23	**EP**	Environmental Protection Zone
Section 24	**RU**	Rural Zone
Section 25	**D**	Development Zone
Section 26	**DC1**	Downtown Core Mixed-Use Zone
	DC2	Downtown Core Zone
	DG1	Downtown Gateway Mixed-Use Zone
	DG2	Downtown Gateway Transition Zone
	B1	Beach Mixed-Use Zone
	B2	Beach Transition Zone
Section 27		Definitions

1.4.3 Schedules A,B,C,D,E,F,G,H,I,J,K,L,M,N,O,P,Q,R,S and T are included in and form part of this By-law.

1.4.4 Where the boundary of any Zone is uncertain, and on the Map Schedules attached hereto the boundary:

i) Is shown following a street, lane, railway, right-of-way, electric distribution line, right-of-way, or watercourse, then the lot line of the street, lane, railway, right-of-way, electric distribution line, right-of-way or watercourse shall be deemed to be the Zone boundary, or

ii) Is shown running parallel to a street line or other line or is irregular, then the Zone boundary may be determined in accordance with the scale shown on the Map Schedules.

1.4.5 When a lot contains more than one use, each such portion of the lot shall conform to the provisions of this By-law for such use in the Zone where it is located.

1.4.6 When a lot is divided into more than one Zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the applicable Zone.

1.4.7 For the purpose of this By-law, the map schedules included and forming part of this By-law may be, by resolution of Council, replaced and the replacement maps are deemed to form part of this By-law where changes or alterations to the map schedules are limited to the addition or alteration of road and lot fabric patterns only.

1.5 INTERPRETATION

The interpretation and application of the provisions of this By-law shall be held to be the minimum requirements for the promotion of health, safety, comfort, convenience and general welfare for the inhabitants of the Town of Wasaga Beach.

SECTION 2 - ADMINISTRATION AND ENFORCEMENT

2.1 ADMINISTRATION

This By-law shall be administered by the Zoning Administrator or such other person or persons as Council shall designate from time to time and no permit for the use of land or for the erection of any building or structure or approval of any municipal license within the jurisdiction of Council, shall be issued where the proposed use, building or structure would be in violation of any provision of this By-law.

2.2 COMPLIANCE WITH OTHER RESTRICTIONS

Nothing in this By-law shall be interpreted to relieve any person from the obligation to comply with the requirements of any other law or by-law in force within the Town, or from obtaining any permit, license, permission, authority or approval required by this and any other law or by-law. This By-law shall not be effective to reduce or mitigate in any way any restrictions lawfully imposed by a governmental authority having Jurisdiction to make such restrictions.

2.3 BUILDING AND OTHER PERMITS

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of The Ontario Building Code Act or regulations thereunder, as amended, or any other applicable law, where the obligation to obtain any permit, license, authority or approval is otherwise lawfully required.

2.4 INSPECTION

The Municipal Law Enforcement Officer, or any officer designated by Council to enforce the provisions of the Zoning By-law shall have all the powers authorized by Section 49 of the Planning Act, as amended.

2.5 VIOLATION AND PENALTIES

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a penalty within the limits permitted in The Planning Act, as amended from time to time, exclusive of costs.

2.6 RESTRAINT

In case any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of any requirements of this By-law, such contravention may be restrained by action at the insistence of any ratepayer, or of the Corporation of the

Town of Wasaga Beach pursuant to the provisions of The Planning Act, as amended, in that behalf.

2.7 FEES

Fees, as may be established by Council, may be charged to any person to offset the cost associated with the administration and enforcement of this By-law.

SECTION 3 - GENERAL PROVISIONS

3.1 ACCESSORY USES, BUILDINGS AND STRUCTURES

3.1.1.1 Uses Permitted

Where this By-Law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure, or use normally incidental to the main use, building or structure, but shall not include any of the following uses:

i. Any occupation for gain or profit conducted within or accessory to a dwelling unit;

ii. Any building for human habitation;

iii. Any part or body of a commercial motor vehicle; except as specifically permitted by the by-law.

3.1.1.2 An attached accessory dwelling unit may be permitted as an accessory use to a main residential use in the Residential Type One (R1) Zone, the Residential Type Two (R2) Zone, and the Residential Type Three (R3) Zone, in accordance with the criteria set out in Subsection 3.28 of this By-Law.

3.1.2 Lot Coverage

Unless otherwise specified, detached accessory buildings to a residential use in any R1 or R2 Zone shall not use more than 65 square metres of lot area in total and no horizontal dimension shall exceed 9 metres.

3.1.3 Quantity

In a Residential Type 1 (R1) Zone or a Residential Type 2 (R2) Zone, a maximum of two detached accessory buildings shall be permitted.

3.1.4 Height

BL2007-123

Except as otherwise provided, the maximum height of any detached building accessory to a residential use shall be 5 metres measured from the established grade to the ridge of any gable, hip, gambrel, or mansard roof and 3.5 metres from the established grade to the highest point of a flat roof and shall not exceed one storey. The maximum height within 12 metres from the rear lot line of a through lot shall be 3 metres.

3.1.5 Yards

Except as otherwise provided, all accessory buildings and structures shall comply with the yard requirements of the Zone in which such accessory building or structure is located.

3.1.5.1 Notwithstanding the yard provisions of this By-law to the contrary, drop awnings, clothes poles, flagpoles, garden trellises, fences, retaining walls, legal signs, refuse enclosures or similar accessory structures shall be permitted in any yard.

3.1.5.2 Notwithstanding the foregoing, heat pumps and air conditioning units shall not be located closer than 0.9 metres to any interior side lot line.

3.1.5.3 Marine facilities shall be deemed to be accessory structures for the purpose of this By-law and may be located in the rear yard but no closer than 0.9 metres to the interior or exterior side lot line.

3.1.5.4 Except as otherwise provided herein, in any Zone, an accessory building or structure which is not attached to the main building shall not be erected in any yard other than the interior side yard or rear yard and such accessory building or structure shall not be located closer to the street line than the main dwelling.

BL2010-16 **3.1.5.5** Detached buildings accessory to a residential use equal to or less than 3.7 metres in height may be located in an interior side or rear yard but shall be no closer than 0.9 metres to the lot line. Height shall be measured as per Subsection 3.1.4.

3.1.5.6 An attached accessory building or structure may be erected in front of, or beside the main building provided it is not located in a required yard and provided that it meets front and side yard setbacks and is constructed of the same type of material as the main building and is of similar design.

3.1.5.7 Except as otherwise provided, detached accessory buildings and structures may be permitted to be located between the front lot line and the main building on any lot, provided that such accessory building conforms to all other provisions of the By-law, and that the minimum front yard setback for such accessory building and structure shall be 12 metres.

3.2 HEIGHT EXCEPTIONS

3.2.1 The height provisions of this By-law shall not apply to the following uses:

i) An air conditioner duct
ii) A barn
iii) A belfry
iv) A chimney

v) A church spire
vi) A clock tower
vii) A corn crib
viii) A drying elevator
ix) An elevator penthouse
x) A farm implement shed
xi) A feed or bedding storage use
xii) A fire hose tower
xiii) A flag pole
xiv) A mechanical penthouse
xv) A communication tower or satellite dish
xvii) A skylight
xviii) A silo
xix) A utility plant
xx) A water tower
xxi) Ornamental roof construction

3.2.2 A mechanical penthouse shall not cover an area greater than 75 per cent of the total floor area of the top storey and shall have a minimum distance of 3 metres of flat floor area at its base on at least three sides. The height of the mechanical penthouse shall not exceed 4.5 metres without increasing the horizontal distance to the edge of the building, but shall not exceed 6 metres in height.

3.3 YARD ENCROACHMENTS

3.3.1 Ornamental and Communication Structures

Notwithstanding any provisions of this By-law to the contrary, sills, bay windows, belt course, chimneys, cornices, eaves, gutters, parapets, pilasters, or similar ornamental structures may project into any required yard a maximum distance of 0.75 metres.

3.3.2 Patios

Notwithstanding any provisions of this By-law to the contrary, patios that are at grade level may project into any required yard.

3.3.3 Decks

Notwithstanding any provisions of this By-law to the contrary, decks may project into:

i) A required front yard a maximum distance of 1.2 metres provided that the deck is not more than 0.6 metres above finished grade;
ii) A required rear yard, but shall be no closer than 0.9 metres to the lot line, provided that the deck is not more than 0.6 metres above finished grade;

iii) A required rear yard, but no closer than 3 metres to the lot line if the deck exceeds 0.6 metres above finished grade; and,

iv) A required interior and/or exterior side yard a maximum distance of 0.9 metres provided that the deck is not more than 0.6 metres above finished grade.

3.3.4 Porches/Verandas

Notwithstanding any provisions of this By-law to the contrary, porches/verandas may project into any required front or rear yard a maximum distance of 1.2 metres provided that they are not more than 1.2 metres above finished grade and shall not exceed an area of 1.5 square metres.

3.3.5 Balconies

Notwithstanding any provisions of this By-law to the contrary, balconies may project into any required front or rear yard a maximum distance of 1.2 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists.

3.3.6 Steps and Accessibility Ramps

Notwithstanding any provisions of this By-law to the contrary, steps and/or accessibility ramps to an entrance may project into any required front yard a maximum distance of 1.2 metres and may project into any required interior or exterior side yard a maximum distance of 0.9 metres provided that such uses are not below grade or not more than 0.6 metres above grade within the required yard.

3.4 SIGHT TRIANGLES

3.4.1 Within any area defined as a sight triangle, the following uses shall be prohibited:

i) A building, structure or use which would obstruct the vision of drivers of motor vehicles;

ii) A fence, tree, hedge, bush or other vegetation, the top of which exceeds 1.0 metres in height above the elevation of the street line;

iii) A finished grade which exceeds the elevation of the street line by more than 0.6 metres.

3.5 FENCES

3.5.1 Notwithstanding any provisions of this By-law to the contrary, fences shall not exceed 1.2 metres in height on the front lot line, and shall not exceed 1.2 metres in height to the distance required for front yard setbacks and thereafter a maximum of 2.13 metres.

3.5.2 Notwithstanding any provisions of this By-law to the contrary, in the case of a lot abutting a water body, fences shall not exceed 1.2 metres in height to the distance required for rear yard setbacks so as to prevent the blocking of views.

3.5.3 For the purpose of this By-law, fences are deemed not to be structures.

3.6 DISTANCE BETWEEN BUILDINGS AND STRUCTURES

3.6.1 No detached building or structure including the sills, bay windows, belt course, chimney, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures shall be located closer than 1.2 metres to any other building or structure.

3.7 SWIMMING POOLS

3.7.1 Location - R1, R2, RE, RM and RU Zones

A swimming pool is permitted as an accessory use to a permitted R1, R2, RE, RM or RU use provided that it complies with the following:

i) In the front yard if no part of such pool is located closer to any lot line or street line than the minimum distance required for the principal building located on such lot;

ii) In the side and rear yard if no part of such pool is located closer than 1.5 metres to the side or rear lot line;

iii) The maximum height of such pool and any required fencing is not more than 2.5 metres above the average finished grade of such pool;

iv) Any required building or structure, other than a dwelling, required to change clothing or for a pumping or filtering facility or other singular accessory uses complies with the provisions of this by-law respecting accessory buildings on such lots; and,

v) No water circulating or treatment equipment shall be located closer than 1.5 metres to any side or rear lot line.

3.7.2 Location - Other Permitted Zones

A swimming pool is permitted as an accessory use to a permitted R3, R4, CA, CR, CC, CT, I or OS use provided that it complies with the setback requirements of the Zone and the requirements of The Ontario Building Code Act as amended.

3.7.3 Fence

Every swimming pool shall be enclosed by a fence with gate in accordance with all Municipal by-laws, as amended from time to time.

3.7.4 Lot Coverage Exemption

A swimming pool shall not be considered as part of the lot coverage provided no part of the swimming pool or its railing protrudes more than 1.4 metres above the ground level surrounding the swimming pool.

3.8 SPECIAL HIGHWAY SETBACKS

Notwithstanding any other provisions of this By-law, where a lot abuts a Provincial Highway or County Road, the provisions of the Public Transportation and Highway Improvement Act or applicable County Requirements shall apply with regard to building setbacks from the highway centerline or right-of-way and other related matters, and where these requirements exceed the minimum requirements of this By-law they shall be complied with.

3.9 MEASUREMENT OF SETBACK AND YARD REQUIREMENTS

3.9.1 Where the regulations of a Zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres, such minimum yard shall be determined by measuring at right angles from either the street line of the public street or the lot line abutting such yard in the direction of such lot or parcel of land a distance equal to the said specific number of metres in the relevant regulation of such particular Zone.

3.9.2 Except as otherwise provided, in the case of a Zone boundary which is located between the lot line and the use to which the setback applies, the setback shall be calculated from the Zone boundary.

3.10 EASEMENTS AS YARDS

Where a lot includes any portion of an easement, such easement may be considered part of the lot for the purpose of computing the lot area and the yard depth or width of the lot, provided that the depth of the rear yard of the lot shall not be less than 6 metres.

3.11 FLOOD PLAIN DEVELOPMENT

Where a Zone is affixed with the symbol “F”, the development or redevelopment of any buildings or structures within this Zone shall be prohibited unless such development is in compliance with a Site Plan Control Agreement which has been properly registered as provided for under The Planning Act, as amended, and a permit is obtained from the Conservation Authority.

3.12 WATERCOURSE, FLOOD PLAIN, SLOPE REGULATIONS

3.12.1 Notwithstanding anything in this By-law save and except for the provisions of Section 3.26, Public Uses, or a building or structure used for the control of erosion or flooding, no building or structure requiring a building permit or septic system tile field shall be erected or placed in the following areas:

i) Within thirty (30) metres of the high-water elevation of a watercourse or environmental protection Zone, including a municipal drain, except where a municipal drain and/or ditch forms part of a road allowance, notwithstanding that such watercourse is not shown on any schedule forming part of this By-law and in the case of a septic system tile field within 15 metres. Notwithstanding the minimum setback distance herein, a shorter distance may be permitted, without the need to amend this By-law, where permission has been granted by the Conservation Authority or appropriate government agency having jurisdiction, in a form, including studies and tests, suitable to the Chief Building Official; and,

ii) No building or structure shall be permitted in a flood plain unless permission has been granted by the Conservation Authority or the appropriate government agency having jurisdiction, in a form including studies and tests, suitable to the Chief Building Official.

iii) No permit shall be issued for any building to be constructed or septic system tile field within any land situated within 15 metres of any top of bank, the slope of which exceeds 33 percent from horizontal. Notwithstanding the minimum setback distance herein, a shorter distance may be permitted, without the need to amend this By-law, where permission has been granted by the Conservation Authority or appropriate government agency having jurisdiction, in a form, including studies and tests, suitable to the Chief Building Official.

3.13 PLANTING STRIPS

3.13.1 Required Locations

Planting strips shall be required where a lot is used for a non-residential purpose, and:

i) The interior side lot line or rear lot line abuts residential use or land in a Residential Zone; or

ii) Where such a lot is in an Industrial Zone and the front, side or rear lot line Abuts a street line and the opposite street line abuts a residential use or land in a Residential Zone.

3.13.2 Width

Where, in any Zone, a planting strip is required, it shall have a minimum width of 3m, measured perpendicularly to the lot line adjoining such planting strip.

3.13.3 Vegetation Height in Sight Triangle

No vegetation within a sight triangle shall exceed a height of 1.0 metres.

3.13.4 Interruption for a Driveway or Walk

Where a driveway or walk extends through a planting strip, it shall be permissible to interrupt the planting strip within 3 metres of the edge of such driveway or within 1.5 metres of the edge of such walk.

3.13.5 Landscaped Open Space

A planting strip referred to in this subsection may form part of any landscaped open space required by this By-law.

3.14 SIGNS

Nothing in this By-law shall prevent the erection, alteration or use of any sign, provided such sign complies with any by-law of the Corporation regulating signs and provided such sign complies with the provisions of this By-law regarding sight triangles.

3.15 ILLUMINATION

Light fixtures, which are not public uses and which are designed for exterior illumination, shall be installed with the light directed downward and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9 metres above finished grade and no closer than 4.5 metres to any street line.

3.16 CORNER LOTS

The front lot line shall be deemed to be either the shortest of the lot lines that abut the streets or the lot line where the principal access to the lot is provided.

3.17 THROUGH LOTS

3.17.1 Where a lot which is not a corner lot has frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such a lot is located.

3.17.2 Special provisions applying to through lots are contained in Subsection 3.1, “Accessory Uses, Buildings and Structures", Subsection 3.13 “Planting Strips” and Subsection 3.41 "Parking of Special Vehicles".

3.18 STREET REQUIREMENT

No person shall erect any building or structure or use any lot in any Zone unless access for vehicular traffic, in the form of an unobstructed driveway or passageway at least 3.0 metres in width, is provided from such lot to a street that abuts the said lot.

Notwithstanding Section 3.18 the erection if a building or structure may occur on lots existing at the time of passing of this by-law and which abut the vehicular accesses known as Eastdale Drive and Coastline Drive located adjacent to the Nottawasaga Bay subject to Section 3.12 Watercourse, Flood Plain, Slope Regulations and compliance with all other provisions of the Zoning By-law.

3.19 SERVICING REQUIREMENT

No building or structure, intended for human habitation or occupancy, may be erected or used unless connected to:

i) Municipal sanitary sewers and/or water supply;
ii) Or in the absence of one or both of the above to alternative servicing which is provided to the satisfaction of the approval agency having jurisdiction.

3.20 EXTERNAL BUILDING MATERIALS

The following building materials shall not be used for the exterior vertical facing on any wall of any building or structure including fences, within the Corporation:

i) Tar paper,
ii) Building paper,
iii) Asphalt roll type siding,
iv) Particle board

3.21 MINIMUM LOT AREA

3.21.1 Subject to the provisions of Section 3.23, 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, larger area may be required by the approval agency having jurisdiction.

3.21.2 No part of an Environmental Protection (EP) Zone shall be used to calculate any lot area except as may be provided in Section 24.3.12 of the Rural (RU) Zone.

3.22 NON-CONFORMING USES

3.22.1 The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used specifically for that purpose.

3.22.2 The provisions of this By-law shall not apply to prevent the erection or use of a building or structure for a purpose prohibited by this By-law for which a building permit has been issued prior to the date of the passage of this By-law so long as such building or structure, when erected, is used for the purpose for which it was erected, and provided that the erection of such building or structure is commenced within the time requirements as set out in the building permit and such building or structure is completed within a reasonable time after the erection thereof is commenced.

3.22.3 The exterior of any building or structure which was lawfully used prior to the effective date of this By-law for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone.

3.22.4 The interior of any building or structure which was lawfully used for a purpose not permissible within the Zone in which it is located, may be reconstructed or structurally altered, in order to render the same more convenient for the existing purpose for which such building or structure was lawfully used.

3.22.5 Nothing in this By-law shall apply to prevent the replacement or strengthening to a safe condition of any building or structure or part thereof which has deteriorated to an unsafe condition or has been damaged beyond the control of the owner, which is occupied by a non-conforming use, provided such strengthening does not change the location or increase the height, area or volume of the original building or structure. Foundations are permitted provided that the foundation does not exceed 1.8 metres in total height and does not provide for human habitation.

3.23 NON-COMPLYING LOTS, BUILDINGS OR STRUCTURES

3.23.1 Notwithstanding any other provision of this By-law, a lot held in distinct and separate ownership on the date of passage of this By-law, except for a lot on a registered plan deemed not to be a plan under The Planning Act, as amended, having less than the minimum frontage and/or area required by this By-law, may be used for a purpose permitted in the Zone in which said lot is located, provided that all other applicable provisions in this By-law are complied with.

3.23.2 Where an authority possessing power of expropriation or acquisition or is authorized pursuant to the provisions of The Planning Act acquires land and such

acquisition deprives a parcel of land in frontage or area, or a required setback to a building or structure, the part of such parcel or required setback to such building or structure so deprived, shall be deemed for the purpose of this By-law, to conform to the provisions of this By-law.

3.23.3 No person shall replace or make an addition to any existing building or structure which does not comply with the required yards of the Zone in which it is located. However, the said building or structure may be replaced, repaired and/or renovated provided that:

i) The deterioration or damage was beyond the control of the owner;
ii) Such replacement repair or renovation does not increase the height, area or volume of the original building or structure. Foundations are permitted provided that same does not allow for human habitation and that same foundation does not exceed 1.8 metres in total height, and;
iii) All other applicable zone and general provisions are complied with.

3.23.4 Notwithstanding Subsection 3.23.3, where a building is in a Residential Zone and is located on a lot having less than the minimum front yard, side yard and/or rear yard required by this By-law, an attached deck shall be permitted provided that the said deck meets the provisions of Section 3.3, and that the deck is not covered or enclosed in any way.

3.23.5 The interior of any building or structure may be reconstructed or structurally altered.

3.23.6 Notwithstanding Subsection 3.23.3, an addition to an existing permitted dwelling is permitted and for the purpose of this By-law the dwelling is deemed to comply with the provisions of the Zone, provided that:

i) The property is Zoned either Residential Type 1 (R1), Residential Type 2 (R2) or Rural (RU);
ii) The encroachment of the dwelling into any required yard(s) of the Zone shall not exceed 15% in each separate yard;
iii) The encroachment of the dwelling must have been constructed prior to the date of passing of this By-law;
iv) That, if the dwelling was constructed after February 1975, a building permit for same was issued;
v) The dwelling on the property has a minimum of 70 square metres;
vi) The dwelling is supported by a concrete footing and perimeter or full foundation, and;
vii) Any construction after the date of passing of this By-law including the proposed extension complies to the setbacks of the Zone.

3.24 HOLDING ZONES

3.24.1 Within any Zone wherein the suffix "H" has been added to the Zone symbol, no person shall use any land, erect, alter, enlarge, use or maintain any building or

structure for any use other than as permitted in Subsection 3.24.2, and also such use, building or structure shall be in accordance with the regulations contained in Subsection 3.24.3.

3.24.2 Permitted Uses:

i) Agricultural use
Ii conservation and wildlife sanctuary including a forestry use
iii) Public park
iv) Public use in accordance with the provisions of section 3.26
v) Uses existing at the date of passing of this by-law in accordance with subsection 3.24.3 below
vi) Accessory buildings and uses to any permitted use in accordance with the provisions of section 3.24

3.24.3 Zone Regulations

3.24.3.1 For an agricultural or conservation and wildlife use, the Zone provisions of the Rural (RU) Zone, Section 24, shall apply.

3.24.3.2 A single detached dwelling unit shall comply with the provisions of Section 4, Residential Type 1 (R1) Zone

3.24.3.3 A public park shall comply with the provisions of the Open Space (OS) Zone, Section 22, shall apply.

3.24.4 Future Uses

For more detailed information in regard to the possible future permitted uses which may occur within these Zones, reference should be made to the Official Plan of the Town of Wasaga Beach.

3.25 PROHIBITED USES

3.25.1 Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any Zone:

i) Abattoir;
ii) Refining coal, oil or petroleum products;
iii) Tanning hides or skins;
iv) Manufacturing gas;
v) Manufacturing glue;
vi) Locating or storing on any land for any purpose whatsoever any disused railroad car, truck, bus or coach body whether or not the same is situated on a foundation.

3.25.2 In addition to the uses prohibited in 3.25.1 of this Section, any use is prohibited which, from the nature of the materials used therein is declared under The Public Health Act or any regulations adopted thereunder to be a noxious trade, business or manufacture.

3.25.3 In addition to the uses prohibited in 3.25.1 of this Section, all uses of land and the erection or use of any building or structure for a purpose not permitted under the "Permitted Uses" subsection of one or more Zones established by the By-law are and shall be deemed to be prohibited in each such Zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provisions of Section 3.26, Public Uses, hereof.

BL2020-48 **3.25.4 Special Holding Provisions**

Holding Provision One (H1)

That the lands zoned with a Holding provision one (H1) symbol shall be subject to a Holding provision in accordance with Section 19.2.2 of the Official Plan of the Town of Wasaga Beach and Section 3.24 of this By-law. The 'H1' Holding provision may be removed in whole or in part upon satisfaction of the following conditions:

1. The execution and registration on titled of a Subdivision Agreement and full compliance with said subdivision agreement; and,
2. Confirmation of available site servicing and that all services have been constructed and are operational to the satisfaction of the Town.
3. In addition for Blocks 758, 759 and 760 confirmation is required from the County of Simcoe that County waste collection services can be provided.

Holding Provision Two (H2)

That the lands zoned with a Holding provision two (H2) symbol shall be subject to a Holding provision in accordance with Section 19.2.2 of the Official Plan of the Town of Wasaga Beach and Section 3.24 of this By-law. The 'H2' Holding provision may be removed in whole or in part upon satisfaction of the following conditions:

1. The execution and registration on titled of a Subdivision Agreement and full compliance with said subdivision agreement;
2. Confirmation of available site servicing and that all services have been constructed and are operational to the satisfaction of the Town; and,
3. The lots/blocks have been consolidated with an adjacent plan of subdivision and/or have frontage on an open municipal road
4. In addition, for Lots 505-510 confirmation from the County of Simcoe that County waste collection services can be provided.

Holding Provision Three (H3)

That the lands zoned with a Holding provision two (H3) symbol shall be subject to a Holding provision in accordance with Section 19.2.2 of the Official Plan of the Town of Wasaga Beach and Section 3.24 of this By-law. The 'H3' Holding provision may be removed in whole or in part upon satisfaction of the following conditions:

1. The execution and registration on titled of a Subdivision Agreement and full compliance with said subdivision agreement;
2. Confirmation of available site servicing and that all services have been constructed and are operational to the satisfaction of the Town; and,
3. The holding provision as it relates to residential uses on Block 809 shall not be lifted prior to a period of time no less than 9 years after the approval of this by-law.
4. The holding provision as it relates to residential uses on Block 810 shall not be lifted prior to a period of time no less than 7 years after the approval of this by-law.

3.26 PUBLIC USES

3.26.1 General Permissions and Provisions

Public uses (public service facilities and infrastructure) are permitted in all zones in this By-law, unless a specific zone provides further regulations therein.

Every public use shall comply with the General Provisions of this By-law as contained in Section 3 hereof, and the provisions of the specific zone in which it is located.

3.26.2 Public Infrastructure

3.26.2.1 Nothing in this By-law shall prevent the use of land in any zone for public infrastructure, or private infrastructure that is intended to be assumed by a public authority upon construction and certification, provided that the location of such infrastructure has been approved by the Corporation.

3.26.2.2 Any telecommunications and electrical distribution company may, for the purposes of the public service, use any land or erect, or use any building or structure in any Zone. However, such use, building or structure shall be in compliance with the regulations prescribed in such Zone. There shall be no exterior storage in yards of goods, materials or equipment in any residential, mixed-use or transition, institutional, rural, open space, or environmental protection Zone.

3.26.3 Provisions in Residential Zones

Any above ground non-recreational public use which is located in a Residential Zone shall be enclosed in a building or structure designed, located and maintained in general harmony with the permitted residential buildings in such Zone or shall be suitably buffered.

3.26.4 Wayside Pits

Nothing in this By-law shall prevent a wayside pit or quarry or asphalt plant used in connection with a public road authority contract.

3.26.5 Natural Heritage and Natural Hazard Protection

3.26.5.1 Any building or use constructed or established under the jurisdiction of a public authority as a public use that is proposed to be located in the natural heritage system in the Official Plan, and/or is zoned Environmental Protection (EP) or Open Space (OS), shall be subject to the review of an environmental impact study (EIS) to the satisfaction of the Town and/or the Conservation Authority, where applicable in the policies of the Official Plan.

3.26.5.2 Any building or use constructed or established under the jurisdiction of a public authority as a public use that is proposed to be located in a natural hazard designation in the Official Plan and/or is zoned Environmental Protection (EP) or Open Space (OS), shall be in conformity with the provisions contained within Section 3.12 “Watercourse, Floodplain, Slope Regulations”.

3.27 RESIDENTIAL USES AND OCCUPANCY OF BUILDINGS

3.27.1 No person shall erect or use any building as a dwelling upon any lot whereon there exists, or is in the course of construction, or for which a building permit has been issued, a building erected or used or intended to be used as a dwelling unless otherwise specifically permitted by this By-law.

3.27.2 No building shall be used for human habitation before an Occupancy Permit has been issued by the municipality under the Ontario Building Code Act.

3.28 ACCESSORY DWELLING UNITS IN RESIDENTIAL DWELLINGS

3.28.1 Locational Restrictions and Servicing Requirements

3.28.1.1 No person shall establish an attached accessory dwelling unit in a residential dwelling in a Residential Zone, except in accordance with the provisions of this Subsection of the By-Law. Attached accessory dwelling units in residential dwellings shall be permitted only in the Zones indicated in this By-Law.

3.28.1.2 A maximum of one (1) attached accessory dwelling unit may be permitted in a single-detached, link, semi-detached, or street townhouse dwelling unit in the Residential Type One (R1) Zone, the Residential Type Two (R2) Zone, and the Residential Type Three (R3) Zone, subject to compliance with the provisions of Subsection 3.28 of the By-law.

3.28.1.3 Where a site-specific Zoning category limits the permitted uses to single-detached, link, semi-detached or street townhouse dwelling units, or a combination thereof, one (1) attached accessory dwelling unit may be permitted subject to compliance with the provisions of this Subsection of the By-law.

3.28.1.4 An attached accessory dwelling unit shall not be permitted unless the entire residential dwelling complies with all other applicable law, including but not limited to the Ontario Building Code, as amended, and the Ontario Fire Code, as amended.

3.28.1.5 A detached accessory dwelling unit shall not be permitted in a detached building or structure that is accessory to a permitted residential use unless a site-specific Zoning By-Law Amendment for a temporary use has been approved by Council.

3.28.1.6 An attached accessory dwelling unit shall not be permitted on lands that are subject to natural hazards such as a floodplain. Natural Hazard lands include but are not limited to lands that are zoned Environmental Protection, Open Space, and lands zoned with an 'F' suffix which signify floodplain in accordance with Subsection 3.11.

3.28.1.7 An attached accessory dwelling unit shall not be permitted in a residential dwelling that is not connected to full municipal water and sanitary sewer services.

3.28.1.8 Despite anything in this By-law to the contrary, attached accessory dwelling units shall not be permitted in residential dwelling units on properties that obtain street access from and have lot frontage on a private street.

3.28.1.9 Accessory dwelling units that do not meet the criteria outlined in Subsection 3.28.1 shall require a site-specific Zoning By-law Amendment.

3.28.2 Provisions

3.28.2.1 The minimum dwelling unit area for an attached accessory dwelling unit shall be 37 square metres. Notwithstanding Section 27.64, entitled Dwelling Unit/Rental Unit Area of this By-Law, the habitable area of the main dwelling and the attached accessory dwelling unit may be located below grade in accordance with Subsection 3.28.2.8.

3.28.2.2 A main residential dwelling that contains an attached accessory dwelling unit shall have a minimum dwelling unit area of 93 metres, exclusive of the accessory dwelling unit.

3.28.2.3 An attached accessory dwelling unit shall not exceed 45% of the total gross floor area of the main residential dwelling.

3.28.2.4 The minimum lot frontage for a street townhouse dwelling containing an attached accessory dwelling unit shall be 10.3 metres, and the minimum driveway width shall be 5.6 metres.

3.28.2.5 One additional parking space shall be required for an attached accessory dwelling unit, in accordance with this Subsection of this By-law. Tandem parking shall be permitted. All the parking areas required shall be provided on the lot for which

parking is required and shall not form part of any street or lane.

3.28.2.6 In addition to General Provision Section 3.38, for a residential dwelling containing an attached accessory dwelling unit, the driveway width shall not be more than 55% of the width of the lot frontage, and a minimum of 45% of the front yard of the residential dwelling unit shall be landscaped open space.

3.28.2.7 The construction of any attached accessory dwelling unit shall not permit exterior alterations or additions that significantly change the appearance of the main residential dwelling, including but not limited to new pedestrian entrance doors, porches, or decks on a building façade facing a public street.

3.28.2.8 Any attached accessory dwelling unit, in its entirety, may be located in a basement or cellar provided that:

a. The finished floor level of such basement or cellar is not below the level of any sanitary sewer or storm sewer serving the building in which such basement or cellar is located; and
b. The attached accessory dwelling unit complies with all applicable laws, such as the Ontario Building Code Act, as amended.

3.28.2.9 An attached accessory dwelling unit shall not be permitted to contain a home occupation, however the main residential dwelling unit may contain a home occupation, provided that it complies with the provisions of Subsection 3.31 of this By-Law.

3.28.2.10 Attached accessory dwelling units shall not be used as short-term accommodation for the travelling or vacationing public.

3.28.3 <u>Other Requirements</u>

Notwithstanding the requirements of Subsection 3.28 above, no attached accessory dwelling unit shall be permitted or authorized unless an Occupancy Permit has been obtained subsequent to March 25, 2014, for a newly constructed attached accessory dwelling unit, or to recognize an existing attached accessory dwelling unit.

3.29 BED AND BREAKFAST

3.29.1 No person shall engage in a permitted bed and breakfast, except in accordance with the following provisions:

3.29.2 The bed and breakfast shall be permitted only in the Zones indicated in this By-law and shall be clearly accessory to the main residential use and shall not change the residential character of the lot.

3.29.3 A dwelling containing a bed and breakfast must be the principal residence and occupied on a full-time basis by the owner of the dwelling or a lessee who has a minimum of a one-year lease.

3.29.4 No person other than a person residing in the residence containing the bed and breakfast shall be employed except as is necessary for housekeeping purposes.

3.29.5 In a residential Zone, such bed and breakfast shall be contained within the dwelling unit.

3.29.6 The bed and breakfast shall not have more than three rooms for overnight guest purposes.

3.29.7 The guest rooms shall not contain kitchen facilities.

3.29.8 A bed and breakfast must provide sufficient room for vehicular parking on the surfaced driveway of the property containing the bed and breakfast and no parking shall be permitted on any public road.

3.29.9 No parking shall be permitted in an interior side yard unless a separation distance of 0.9 metres is maintained from the side lot line and a minimum of sixty percent (60%) of the front yard is maintained as landscaped open space.

3.29.10 At least one bedroom must be available for the exclusive use of the dwellings principal resident(s).

3.29.11 Tandem parking shall be permitted.

3.29.12 A planting strip having a minimum height of 2.0 metres shall be provided and maintained adjacent to the parking area and the neighbouring residential property. In the case of parking in a rear yard, a planting strip or an opaque privacy fence of 2.0 metres in height shall be provided.

3.29.13 The bed and breakfast shall not create or become a nuisance, in particular, in regard to noise, traffic or parking.

3.30 GROUP HOMES

Shall be permitted in all Residential, Rural and Institutional Zones. In addition to the parking requirements of Section 3.38.9, one additional parking space shall be provided for the maximum number of staff members required to be in attendance at any one time. All the provisions of the respective Zones shall be complied with and all residential and institutional structures used for group home purposes shall be fully detached. A group home shall be separated from any other group home by a minimum distance of 500 metres.

3.31 HOME OCCUPATION

No person shall engage in a permitted home occupation, except in accordance with the following provisions:

3.31.1 The home occupation use shall be permitted only in the Zones indicated in this By-law and shall be clearly accessory to the main residential use and shall not change the residential character of the lot.

3.31.2 Not more than a total of three (3) persons shall be involved in the Home Occupation of which no more than one (1) person shall be a non-resident of the dwelling.

3.31.3 No floor area devoted to the home occupation, including the storing of materials and finished products, shall exceed more than 15 percent of the gross floor area of the dwelling or 30 square metres whichever is the lesser, and shall be confined to the dwelling on the lot and not in any attached or detached accessory building.

3.31.4 No retail sales may take place on the property or premises of the home occupation; however, catalogue, mail order or telemarketing sales as ordered by the customers of a local representative would be permitted.

3.31.5 The home occupation may permit the practice and teaching of arts, crafts, music and/or academic subjects. A home occupation may permit a trade or business provided that the service is conducted off-site. Servicing or repair of motor vehicles shall not be permitted on site.

3.31.6 Teaching shall be limited to three (3) students being taught at any one time.

3.31.7 A home occupation involving clients must provide sufficient room for vehicular parking on the surfaced driveway of the property containing the home occupation and no parking shall be permitted on any public road.

3.31.8 There shall be no parking or storage of vehicles in the front yard or exterior side yard other than on a surfaced driveway. The home occupation shall not create or become a public nuisance, in particular, in regard to traffic, parking, noise, vibration, fumes, odour, dust, glare or bright lights which is apparent or audible from adjacent properties.

3.31.9 The home occupation shall not interfere with television, radio reception or electrical service.

3.31.10 There shall be no external storage or display of goods and materials and the home occupation shall not involve hazardous or toxic chemicals.

3.31.11 A Home Occupation - Holistic Practitioner, Home Occupation -Personal Services and Pet Grooming shall be permitted and in addition to all other provisions of the zoning by-law shall also be subject to Subsection 3.31.12.

3.31.12 In addition to the parking requirements of Section 3.38.9, the home occupation parking requirements for a holistic practitioner, personal services and pet grooming services shall be increased by 1 parking space. One holistic practitioner or one personal service provider or one pet groomer may operate from the residence. No employees or signage shall be permitted. Each home occupation listed within Section 3.31.11 shall be separated by a distance of no less than 50 metres.

3.32 HOME INDUSTRY

No person shall engage in a permitted home industry, except in accordance with the following provisions:

3.32.1 The home industry use shall be permitted only in the Zones indicated in this By-law and shall be clearly accessory to the main residential use and shall not change the character of the lot.

3.32.2 The owner of the home industry shall reside on the same property where the home industry is located.

3.32.3 A maximum of three (3) persons other than a person residing in the residence containing the home industry, shall be employed except as is necessary for housekeeping purposes.

3.32.4 No floor area devoted to the home industry, including the storing of materials and finished products, shall exceed more than 25 percent of the gross floor area of the dwelling and accessory building or 75 square metres of an accessory building located on the lot on which a dwelling is in existence.

3.32.5 The home industry may permit the practice and teaching of arts, crafts, music and/or academic subjects. A home industry may permit a trade or business. Servicing or repairing of motor vehicles shall not be permitted on site.

3.32.6 Teaching shall be limited to ten (10) students being taught at any one time.

3.32.7 No retail sales may take place on the property or premises of the home industry other than items that have been crafted on the premises.

3.32.8 A home industry involving clients must provide sufficient room for vehicular parking on the surfaced driveway of the property containing the home industry and no parking shall be permitted on any public road. There shall be no parking or storage of vehicles in the front yard or exterior side yard other than on a surfaced driveway.

3.32.9 The home industry shall not create or become a public nuisance, in particular, in regard to traffic, parking, noise, vibration, fumes, odour, dust, glare or bright lights which is apparent or audible from adjacent properties.

3.32.10 The home industry shall not interfere with television, radio reception or electrical service.

3.32.11 There shall be no external storage or display of goods and materials and the home industry shall not involve hazardous or toxic chemicals.

3.33 HOME MEDICAL OFFICE

3.33.1 No person shall engage in a permitted home medical office, except in accordance with the following provisions:

3.33.2 The home medical office shall be permitted only in the Zones indicated in this By-law and shall be clearly accessory to the main residential use and shall not change the residential character of the lot.

3.33.3 A maximum of one person other than a person residing in the residence containing the home medical office, shall be employed except as is necessary for housekeeping purposes.

3.33.4 No more than 15 percent of the dwelling unit area shall be used for the purpose of a medical office and shall be confined to the dwelling on the lot and not in any attached or detached accessory building.

3.33.5 A home medical office involving clients must provide sufficient room for vehicular parking on the surfaced driveway of the property containing the home medical office and no parking shall be permitted on any public road. There shall be no parking or storage of vehicles in the front yard or exterior side yard other than on a surfaced driveway.

3.33.6 The home medical office shall not create or become a public nuisance, in particular, in regard to traffic, parking, noise, vibration, fumes, odour, dust, glare or bright lights which is evident from outside the dwelling unit.

3.33.7 The medical office shall not interfere with television or radio reception.

3.34 INTENTIONALLY LEFT BLANK

3.35 OUTSIDE STORAGE

3.35.1 Except as otherwise permitted in this By-law, no outside storage of goods or materials shall be permitted in any Zone.

3.35.2 Where permitted, outside storage may be subject to site plan control under The Planning Act, as amended, and without limiting the generality of the foregoing, may include requirements in regard to the buffering and screening of the use from adjacent uses.

3.36 OUTSIDE DISPLAY OF GOODS

3.36.1 In those Zones where the outside display of goods is permitted, the following provisions shall be complied with.

3.36.2 Such outside display is accessory to a permitted commercial use carried on in an enclosed building or portion thereof on the same lot.

3.36.3 The area used for outside display shall not be more than half of the main floor area above grade of the commercial building or portion thereof of any building constructed for which outside display and sale is permitted, and in any event, such area for outside display and sale shall not be more than 10% of the lot area. The maximum area for outside display and sale in the case of a motor vehicle sales or rental establishment, an agricultural implement sales establishment, a trailer sales and service establishment, a swimming pool sales and display establishment, a nursery and garden centre and a marina shall be 80% including any buildings and structures.

3.36.4 The area used for outside display shall provide side and rear yards in accordance with the provisions for the Zone in which the land is situated, but in any event, shall not be closer to any side or rear lot line than 3 metres and if the interior side lot line or rear lot line of a lot upon which such outside display and sale is permitted abuts a Residential Zone, then a landscaped open space area shall be provided along such abutting lot line or portion thereof to a depth of not less than 3 metres.

3.36.5 The area used for outside display shall be in addition to and separated from the required parking area.

3.36.6 The area used for outside display shall be surfaced and maintained with either concrete, asphalt, crushed stone and/or other hard surface and dustless materials or maintained as a lawn. The minimum landscaped open space requirement of the Zone shall also apply.

3.37 TEMPORARY BUILDINGS AND STRUCTURES

3.37.1 In C, I or M Zones, where a temporary building or structure is necessary for the storage of tools or materials for use in connection with the construction of the main building, the accessory building or structure may be erected on the lot before the erection of the main building, provided that a building permit is issued for the temporary building or structure and the main building and further, provided that such temporary building or structure shall be used only for the purpose of storage. The size of the temporary building shall be appropriate to the construction proposed. When the main building is ready for occupancy or the work abandoned, the temporary storage building shall be removed. Such temporary structure shall not include a truck van body or bus body.

3.38 OFF STREET PARKING REQUIREMENTS

3.38.1 Requirements

3.38.1.1 For every building or structure to be erected, altered, or its use converted to any of the uses specified by the following, off-street parking facilities shall be maintained upon the same lot on which the principle use is located and in accordance with the following provisions contained in this section unless otherwise specifically provided.

3.38.1.2 Downtown Wasaga Beach Parking Requirements

For parking requirements in Downtown Wasaga Beach, refer to Section 26.2.15 of this by-law.

3.38.2 Location and Access

3.38.2.1 The required parking area shall not form a part of any street or lane. The required parking area shall be provided on the lot occupied by the building, structure or use for which the said parking is required.

3.38.2.2 Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 3 metres in width. For residential uses the maximum width of any driveway shall be 6 metres for dwellings having no garage or single car garages, not more than 7.6 metres for double car garages and not more than 9 metres for triple car garages. For uses within commercial, industrial or institutional Zones the minimum width of any access driveway shall be 6 metres but not more than 12 metres.

BL2020-48

3.38.2.3 Each parking space shall have a minimum area of 16.7 square metres and is not less than 2.8 metres in width nor less than 5.5 metres in length. Parking space for elementary and secondary schools shall have not less than 2.7 metres in width and 5.5 metres long.

3.38.2.4 Unless otherwise permitted, each parking space shall be readily accessible at all times and arranged in such a manner to provide access and maneuvering space for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle.

3.38.2.5 The aisles between parking spaces within a parking area shall have a minimum width of 6m.

3.38.2.6 The minimum distance between two separate driveways on one lot, measured along the street line, shall be 7.6 metres.

3.38.2.7 The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 9 metres in all Residential Zones and 15 metres in all other Zones.

3.38.2.8 The minimum angle of intersection between a driveway and a street line shall be 60 degrees.

3.38.2.9 Every lot shall be limited to the following number of driveways:

i) Two driveways with a combined width not exceeding 30% of the lot frontage, for the first 31 metres of lot frontage or portion thereof; and

ii) One additional driveway for each additional 30 metres of lot frontage.

3.38.2.10 No driveway shall be established closer than 1.0 metre to a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.

3.38.3 Yards Where Permitted

3.38.3.1 Notwithstanding any yard provisions of this By-law to the contrary, uncovered surface parking shall be permitted as follows:

Residential	All yards, except in the required front and exterior side yards wherein parking shall be limited to a properly surfaced driveway.
Institutional, Rural, Open Space and Commercial	All yards provided that no part of any parking area, other than a driveway is located closer than 1.5 m to any street line.
Industrial	Interior side and rear yards only, except for visitor parking covering not more than 15% of the yard area in which it is located, provided that no part of any parking area, other than a driveway is located closer than 1.5 m to any street line.

3.38.4 Surface

3.38.4.1 Each parking area and driveway connecting the parking area with a street shall be paved with an asphalt or concrete surface and be bounded by curbs, except that in the case of a residential dwelling unit containing not more than three dwelling units, such driveway shall, before being used, be constructed of one or more of the following: crushed stone, asphalt, concrete and any other approved surface for a combined depth of at least 15 centimetres and with provisions for drainage facilities.

3.38.5 Addition to Existing Use

3.38.5.1 When a building or structure has insufficient parking as of the date of passing of this By-law to conform to the requirements herein, this By-law shall not be interpreted to require the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the

effect of which would be to increase the deficiency.

3.38.6 Parking Exemption

3.38.6.1 Notwithstanding the provisions of Section 3.38.9, "Minimum Parking Requirements", where an agreement between Council and the owner of a property has been entered into pursuant to The Planning Act, as amended, exempting the owner from the requirement to provide parking, only the number of parking spaces as set out in the agreement are required to be provided and for the purpose of this By-law, the property and use shall be deemed to comply with the zoning by-law in this respect.

3.38.7 General Restrictions

3.38.7.1 A structure not more than 3 metres in height and not more than 4.5 square metres in area may be erected in the parking area for the use of parking attendants.

3.38.7.2 No sign, other than directional signs and the name of the owner which shall not exceed 0.9 square metres in total area shall be erected in any parking area.

3.38.7.3 No gasoline pump or other service station equipment shall be located or maintained on any parking area.

3.38.7.4 Where non-residential off-street parking abuts a Residential Zone, a planting strip of at least 1.0 metres in height shall be erected and maintained on or near the lot line.

3.38.7.5 Where a parking area or parking space is permitted or required by this By-law in any Residential Zone, no person shall use such parking area or parking space for any motor vehicle unless such motor vehicle has affixed thereto a license plate or sticker which is currently valid.

3.38.8 Interpretation

3.38.8.1 Where the application of ratios results in a fraction of a parking space, the required number of spaces shall be rounded up to the closest whole number.

3.38.8.2 Where parking requirements are related to seating capacity and seating is by open benches, each 0.5 metres of open bench shall be counted as one seat.

3.38.8.3 When a building, structure or lot accommodates more than one type of use as set out in Section 3.38.9, the parking space requirement for such a building, structure or lot shall be the sum of the requirements for the separate uses thereof.

3.38.9 Minimum Parking Requirements

USE	MINIMUM PARKING REQUIRED
Agricultural Cannabis	1 space per 37 square metres of gross floor area

Cultivation Site	
Attached Accessory Dwelling Unit	1 parking space in addition to the minimum parking requirements of the primary residential use
Amusement Park	1 space per 37 sq.m of area dedicated to the park
Business, Professional Offices, Financial Services and Public Buildings	1 space per 18 sq.m of gross floor area. A minimum of 4 spaces must be provided for each use
Bowling Alley and Curling Rinks	4 spaces per bowling lane or curling sheet, plus 1 space per 18 sq. m. of floor area of an accessory use
Bed and Breakfast and Boarding House	2 spaces per dwelling unit plus 1 space per guest room
Campground	1 space per site plus 0.2 spaces per site for visitor parking
Car Wash – self serve - automatic	2 spaces per stall 5 spaces per stall
Child Care Centres *BL2020-48*	2 per classroom
Day Care Nursery	1 space per 18 sq.m of gross floor area
Driving Range	1 space per tee plus 2 additional spaces
Fire, Ambulance and Police Stations	1 space per 30 sq.m of gross floor area
Funeral Home	1 space for each 5 chapel seating with a minimum of 10 spaces
Golf Course	25 spaces per 9 holes
Group Home	2 spaces, plus 1 space per three resident bedrooms
Home Industry	2 spaces plus 1 space per 14 sq.m of gross floor area dedicated to the home industry and that a minimum of three spaces shall be provided
Home Medical Office	2 spaces plus 1 space per 9.25 sq.m of gross floor area dedicated to the home medical office and that a minimum of 7 spaces, which includes the residential requirement, shall be provided

Home Occupation	2 spaces plus 1 space per 14 sq.m of gross area dedicated to the home occupation
Hospitals, Nursing and Rest Homes	0.75 parking space per bed
Manufacturing and Industrial Buildings	1 space per 37 sq.m of gross floor area
Medical Office	The greater of 5 spaces per practitioner or 1 space per 18 sq.m of gross floor area
Miniature Golf and Golf Driving Range	1 space per tee for driving range and 1 space per miniature golf tee
Mini-storage warehouse	The greater of 1 space per 25 units or 5 spaces
Places of Assembly such as Auditoriums, Halls, Lodges, Union Halls, Dance Halls, Community Centres and other places of Public Assembly	1 space for each 4 persons maximum design capacity
Place of Worship	1 space per 9 sq.m of public floor area
Post Office, Museums, Art Galleries and Libraries	1 space per 18 sq.m of public floor area
Public Service Facilities	1 space per 30 sq.m. of gross floor area or 1 space per 5 persons maximum design capacity, whichever is the lesser
Recreational Establishments other than listed herein	1 space per 18 sq.m of gross floor area.
Residential Uses	2 parking spaces per dwelling unit
Residential Apartment Uses	1.75 parking spaces per dwelling unit
Restaurant and Restaurant, Take-out	1 space per 18 sq.m of gross floor area and a minimum of 4 spaces shall be provided
Restaurant, Drive-in	14 spaces
Retail Store, Merchandise or Personal Service Shop	1 space per 18 sq.m of gross floor area and a minimum of 4 spaces shall be provided for each use.
Retail Lumber and Building Supply Outlets	1 space per 18 sq.m of retail floor area with a minimum of 6 spaces

<table>
<tr><td>School, elementary

BL2020-48</td><td>• Two (2) spaces per classroom
• A portable classroom counts as one (1) classroom</td></tr>
<tr><td>School, secondary, college, university</td><td>3 spaces per classroom plus 1 space per office, plus 1 space per 3 sq.m of floor area of the gymnasium, or 1 space per 5 sq.m of gross floor area in the auditorium</td></tr>
<tr><td>School, Secondary

BL2020-48</td><td>• Parking is required in Accordance with the On the Ground Capacity of a school (OTG). OTG is defined by the Ministry of Education
• There parking calculations includes OTG plus pupil loading up to portables

<table><tr><th>OTG</th><th>Space</th><th>Barrier Free</th></tr><tr><td>0-400</td><td>80</td><td>4</td></tr><tr><td>401-700</td><td>100</td><td>5</td></tr><tr><td>701-1000</td><td>150</td><td>6</td></tr><tr><td>10011500</td><td>200</td><td>7</td></tr><tr><td>1501-2000</td><td>250</td><td>8</td></tr><tr><td>2001-2500</td><td>300</td><td>9</td></tr></table>
• A portable classroom counts as one classroom</td></tr>
<tr><td>Tavern</td><td>1 space per 18 sq.m of gross floor area and a minimum of 4 spaces shall be provided</td></tr>
<tr><td>Tourist Establishment</td><td>1.25 spaces per guest room plus 1 space per 14 sq.m of gross floor area of each office, tavern, dining room and meeting room</td></tr>
<tr><td>All Non-residential Uses not mentioned above</td><td>1 space per 18 sq.m of gross floor area</td></tr>
</table>

3.38.9.1 Intentionally Left Blank

3.38.9.2 <u>Mosley Square Parking Requirements</u>

Mosley Square, being the area fronting on Dunkerron Avenue and Mosley Streets, between 18th Street and 24th Street, the parking requirements for all commercial uses, other than accommodation facilities, shall be one space per 18.5 square metres of gross floor area.

3.38.9.3 <u>Large Commercial Parking Requirements</u>

(2007-42)
(2009-04)

Parking requirements for commercial uses with a gross floor area greater than 2,090.25 square metres shall be one space per 20 square metres of gross floor area.

3.38.9.4 <u>Motor Vehicle Parking Requirements To Serve Disabled Persons</u>

(2007-65)
(2009-05)

3.38.9.4.1 Inclusive of the requirements for off street parking facilities the following shall be provided for the exclusive use of vehicles operated by or conveying physically disabled persons displaying a valid disabled parking permit:

3.38.9.4.2 USE OR PURPOSE **PARKING REQUIREMENT**

i) Auditorium, Place of Worship 1/60 seats to a maximum of 20 spaces
ii) Hospital, Nursing Home, Rest Home 1/20 beds
iii) All other uses shall be in accordance with the following:

Total number of Parking Spaces Required	Minimum Number of Parking Spaces Required for Persons with Disabilities
5-10	1
11-20	2
21-50	3
51-90	4
91-190	5
191-290	6
291-390	7
391-490	8

iv) Where a medical office use is proposed in a building to be constructed one (1) additional disabled parking space shall be required in addition to the requirements within the above chart.

3.38.9.4.3 <u>Dimensions And Location of Parking Spaces Serving Disabled Persons</u>

i) Disabled parking spaces shall have a minimum width of 4.3 metres, a minimum depth of 5.5 metres, and a vertical clearance of 3.0 metres and be located in close proximity to building entrances, accessible ramps, walkways and elevators.

ii) At least one disabled parking space shall have a minimum width of 5.5 metres, a minimum length of 5.5 metres, a vertical clearance of 3.0 metres and be marked “Wheelchair Vehicle Only”. Where this parking space is located beside a fully depressed curb or pedestrian aisle with a width of 1.6 metres, the minimum width of such parking space shall be 4.3 metres. Where only one parking space is required to serve disabled persons, the parking space shall not be required to be marked “Wheelchair Vehicle Only”.

3.39 OFF STREET LOADING REQUIREMENTS

(2009-51)

3.39. 1 The owner or occupant of any lot, building or structure erected or used for any purpose, other than a farm, involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials, shall provide and maintain on the premises, facilities comprising one or more spaces at least 9 metres long 3 metres wide and having a vertical clearance of at least 4.5 metres and in accordance with the following:

GROSS FLOOR AREA COMMERCIAL BUILDING OR STRUCTURE	MINIMUM LOADING SPACES REQUIRED
Uses of less than 100 sq.m	0
Exceeding 100 sq.m but not more than 1000 sq.m	1
Exceeding 1000 sq.m	2
GROSS FLOOR AREA INDUSTRIAL BUILDING OR STRUCTURE	MINIMUM LOADING SPACES REQUIRED
Uses of less than 300 sq.m	1
Exceeding 300 sq.m but not more than 2,300 sq.m	2
Exceeding 2,300 sq.m but not more than 7,400 sq.m	3
Exceeding 7,400 sq.m	3 plus 1 for each additional 9,000 sq.m of gross floor area

3.39.2 <u>Location</u>

The required loading spaces shall be provided on the lot occupied by the building or structure for which the said loading spaces are required and shall not form a part of any street or lane.

3.39.3 <u>Surface</u>

In a commercial Zone, driveways and loading spaces shall be constructed of asphalt or concrete. In an industrial Zone, they shall be constructed of crushed stone, slag, gravel, crushed brick or tile, cinders, asphalt, concrete, or Portland cement binder, for a combined depth of at least 15 centimetres and with provisions

for drainage facilities. The driveways and loading spaces shall be maintained with a stable surface that is treated so as to prevent the raising of dust or loose particles.

3.39.4 Yards Where Permitted

3.39.4.1 For any commercial use, the required loading spaces shall be located in an interior side yard or rear yard provided such loading spaces are located no closer than 3 metres to any Residential Zone or use, or 1.5 metres to any lot line.

3.39.4.2 For any industrial use, no loading space or part thereof shall be located and no land shall be used for loading purposes within 3 metres of any lot line, or within 15 metres of any street line or boundary of any Residential Zone, or within 7.6 metres of the lot line of a lot used for or intended to be used for residential purposes.

3.39.5 Access

Access to loading spaces shall be by means of a driveway at least 6 metres wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the Zone in which the use is located.

3.39.6 Insufficient Spaces

When a building or structure has insufficient loading spaces as of the passing of this By-law, to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change in use may occur, the effect of which would be to increase that deficiency.

3.40 PARKING OF COMMERCIAL VEHICLES

3.40.1 Any area where off street parking is permitted under this By-law shall only be used for the parking of operating vehicles bearing a valid motor vehicle license plate, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and area are required.

3.40.2 (2011-89) Notwithstanding the foregoing, the owner or occupant of any lot, building or structure in any Residential Zone may use the lot or any private garage of which he is the owner or occupant, erected upon any such lot, for the housing or storage of one commercial motor vehicle which he operates himself, which does not exceed 8000 kilograms gross vehicle weight and which does not employ an airbrake system.

3.41 PARKING OF SPECIAL VEHICLES

3.41.1 No person shall use any lot in any Zone for the purpose of parking or storing a house and/or park model trailer, motor home, commercial trailer, auto trailer, boat and/or boat trailer except in accordance with the provisions of this section or as provided elsewhere in this By-law.

3.41.2 For the purpose of this section, “auto trailer” shall mean a trailer, enclosed or

unenclosed, designed to transport a single car and such other equipment, up to a maximum length of 13.4 metres from the rear to the front inclusive of the tongue or fifth wheel connection.

3.41.3 In a Rural Zone, the parking or outside storage of a house trailer, a motor home, an *(2007-85)* auto trailer, a commercial trailer, a boat and/or boat trailer is permitted only where such use:

i) Is accessory to an existing permitted use;
ii) Is located in the rear or side yard;
iii) Meets the minimum setbacks for accessory buildings in the applicable zone;
iv) Is limited to a maximum of one each of the following: a house trailer, a motor home, a commercial trailer, an auto trailer, a boat and/or boat trailer provided that the lot on which the vehicles are stored is greater than 1 hectare in area;
v) Is limited to a maximum of two special vehicles consisting of either a house trailer, a motor home, a commercial trailer, an auto trailer, a boat and/or boat trailer provided that the lot on which the vehicles are stored is 1 hectare in area or less;
vi) A boat and boat trailer when used together shall be considered one vehicle

3.41.4 *(2007-85)* In a Residential Zone, the parking or outside storage of a house trailer, a motor home, an auto trailer, a boat and/or boat trailer is permitted only where such use:

i) Is accessory to an existing permitted use;
ii) Is located in the rear or side yard;
iii) Meets the minimum setbacks for accessory buildings in the applicable zone;
iv) Is limited to a maximum of two special vehicles consisting of either a house trailer, a motor home, an auto trailer; a boat and/or boat trailer;
v) Such house trailer, motor home, auto trailer, boat and/or boat trailer shall not exceed 7 metres in length exclusive of hitch or tongue and/or 2.6 metres in width; the length of a boat shall be determined by measuring from the furthest point of the bow (front) not including any bowsprit or removable devices, to the furthest point of the stern (rear) including any molded swim platform but not including any stern drive or motor or removable devices. The width of a boat shall be measured from the widest portion of the hull between the port and starboard side. The size of any boat may be confirmed by the presentation of registration documents and reference to the longest or widest measurements recorded within that document;
vi) A boat and boat trailer when used together shall be considered one vehicle. The length or width of this vehicle shall be deemed to be the longest or widest measurement of either the boat or the boat trailer.
vii) For residential waterfront properties, the storage of special vehicles may be permitted in the front yard provided the stored special vehicle maintains a minimum front yard setback of 7.6 metres, and a minimum interior side yard setback of 1.8 metres or exterior side yard setback of 4.5 metres. Further the items shall be subject to Subsections 3.41.1 i), iv), v) and vi).

3.41.5 Notwithstanding Subsection 3.41.4, in a Residential Type 3 (R3) Zone or a Residential Type 4 (R4) Zone, the parking or storing of a house and/or park model trailer, a motor home, an auto trailer, a boat and/or boat trailer is only permitted within a fully enclosed building.

3.41.6 The provisions of Subsection 3.41.4 shall apply to an accessory residential use in a Non-Residential Zone.

3.41.7 In any Residential Zone, the parking or outside storage of commercial trailers is not permitted except where permitted elsewhere in this By-law.

3.41.8 In all Zones, human habitation is prohibited in a commercial trailer, auto trailer, boat, boat trailer, house and/or park model trailer or motor home unless otherwise permitted.

3.41.9 Notwithstanding the preceding subsections, the limitations imposed therein shall not restrict the number of house and/or park model trailers, motor homes, commercial trailers, auto trailers, boats and/or boat trailers that are fully enclosed within a private garage.

3.41.10 *(2007-85)* Notwithstanding the preceding subsections, the parking or storage of an auto trailer, house trailer, motor home, boat or boat trailer may be permitted in a Residential or Rural Zone for a maximum period of 5 days in any one calendar month in a front yard or exterior side yard, provided that such lot is not used for apartment dwelling purposes.

3.41.11 In a Residential Zone, the temporary parking of an auto trailer, a house trailer, a motor home, a boat, and an all-terrain vehicle in the front yard on the driveway, is permitted from April 1st to October 31st and the temporary parking of up to two snowmobiles is permitted from November 1st to March 31st only where such use:

i) Is accessory to an existing permitted use;

ii) Is limited to a maximum of one at any time in the case of an auto trailer, a house trailer, a motor home, a boat and an all-terrain vehicle and a maximum of two snowmobiles;

iii) In the case of a boat, all-terrain vehicle or snowmobile (2) these shall be located on a trailer with an affixed number plate as defined by the Highway Traffic Act R.S.O. 1990 C.H. 8 as amended Section 7(4) and registered with the Ministry of Transportation;

iv) All of the above are subject to Subsection 3.41.4v).

3.42 TOURIST ESTABLISHMENT GUEST ROOM LOCATION

No guest room within a Tourist Establishment shall be located below the first floor unless such establishment has a minimum of five attached guest rooms that are accessed by an interior corridor.

SECTION 4 - RESIDENTIAL TYPE 1 (R1) ZONE

4.1 No person shall within any Residential Type 1 (R1) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

4.2 PERMITTED USES

4.2.1 Residential Uses:

a) Single detached dwelling unit;
b) One (1) attached accessory dwelling unit, subject to subsection 3.28.

4.2.2 Non-Residential Uses:

a) Accessory use directly related to the uses permitted in the R1 Zone;
b) Home occupation;
c) Public use;
d) Bed and breakfast.

4.3 ZONE PROVISIONS

4.3.1 Lot Area (minimum):

a)	Lot served by a public water system; And a sanitary sewer system;	464.5 sq.m
b)	Lot served by a public water system;	1,400 sq.m
c)	Other lots.	1,860 sq.m

4.3.2 Lot Frontage (minimum):

a)	Lot served by a public water system; And a sanitary sewer system;	12 m
b)	Lot served by a public water system;	22m
c)	Other lots.	30m

4.3.3 Front Yard Depth (minimum): 6m

4.3.4 Exterior Side Yard Width (minimum): 4.5m

4.3.5 Interior Side Yard Width (minimum): 1.8m

4.3.6 Rear Yard Depth (minimum): 7.6m

4.3.7 Dwelling Unit Area (minimum): 93 sq.m

4.3.8 **Landscaped Open Space (minimum):** 30%

4.3.9 **Lot Coverage (maximum):** 35%

4.3.10 **Height of Building (maximum):** 10m

4.3.10.1 (2007-17) A single detached dwelling will be restricted to two storeys but may have a loft or living space located within the pitched roof area/attic of the said dwelling.

4.3.11 **Dwelling Units per Lot (maximum):**

a)	Single-detached dwelling	1
b)	Attached accessory dwelling unit	1

4.3.12 **Accessory Uses see Section 3.1**

4.3.13 **Parking Provisions see Section 3.38**

4.3.14 **Attached Accessory Dwelling in Residential Dwellings (See Subsection 3.28)**

4.4 **ZONE EXCEPTIONS**

The following Zone categories shall have the same permitted uses and zone provisions as the regular R1 Zone except as noted.

4.4.1 **R1-1 Zone**

4.4.2 **R1-2 Zone Schedule "B"**

The front yard depth minimum shall be 5.7 m.

4.4.3 **R1-3 Zone**

A home medical office shall also be permitted.

4.4.4 **R1-4 Zone Schedule "H"**

The front yard depth minimum shall be 1.2 m; the north interior side yard width minimum shall be 0.6 m; the rear yard depth minimum shall be 1.2 m.

4.4.5 **R1-5 Zone Schedule "H"**

The rear yard depth minimum shall be 10.6 m.

4.4.6 **R1-6 Zone Schedule "H"**

A bed and breakfast shall also be permitted and the exterior side yard width minimum shall be 1.8 m.

4.4.7 **R1-7 Zone Schedule "I"**

The front lot line shall be the north lot line for the purpose of yards only and the Rear Yard Depth (minimum), as it applies to the south rear yard, shall be 12 m.

4.4.8 R1-8 Zone Schedule "P"

The minimum lot frontage shall be 15.2 m.

4.4.9 R1-9 Zone Schedule "P"

The minimum lot frontage shall be 18.2 m.

4.4.10 R1-10 Zone Schedule "I"

The minimum lot area shall be 380 square metres.

4.4.11 R1-11 Zone Schedule "I"

The minimum lot frontage shall be 7.6 metres; the minimum interior side yard depth, as it relates to the north and south interior side yards only, shall be 7.6 metres; and, the minimum rear yard depth shall be 1.8 metres.

4.4.12 R1-12 Zone Schedule "I"

The minimum front yard depth shall be 2.4, the minimum interior side yard depth, as it relates to the north and south interior side yards only, shall be 7.6 metres; and, the minimum rear yard depth shall be 1.8 metres.

4.4.13 R1-13 Zone Schedule "A"

The lot area minimum shall be 410 square metres; the lot frontage minimum shall be 15 metres; the front yard depth minimum shall be 4.5 metres and 6 metres from any attached garage; the exterior side yard width minimum shall be 3 metres and lot coverage maximum shall be 43%. For the purpose of this section a private street shall be deemed to be a public street. For those lots with two side lot lines backing onto the shoreline of Nottawasaga Bay, no buildings or structures shall be located within 7.6 metres of a rear lot line; no fence shall be permitted along a rear lot line and no fence shall encroach within 6 metres of a rear lot line. In addition to the list of permitted Non-Residential Uses, a private clubhouse shall be permitted.

4.4.14 R1-14 Zone Schedule "H"

A Bed and Breakfast use and an accessory building with the installation of plumbing shall be permitted. Such accessory building shall not exceed 28 square metres in area and shall not be used or human habitation.

4.4.15 R1-15 Zone Schedule "T"

The front yard depth minimum shall be 12.0 metres.

4.4.16 R1-16 Zone Schedule "C"

The minimum front yard depth shall be 10 m and the front wall of an attached garage shall project no more than 1m beyond the front wall of the habitable area of the dwelling.

4.4.17 R1-17 Zone Schedule "E"

A rest home shall also be permitted. The maximum number of residents shall be eight (8).

4.4.18 R1-18 Zone Schedule

A bed and breakfast use shall also be permitted and the maximum driveway width shall be 8.4 metres.

4.4.19 R1-19 Zone Schedule "T"

The minimum separation requirement of Zoning By-law 2003-60 for a driveway setback from a street line shall be 7.0 metres.

4.4.20 R1-20 Zone Schedule "T"

The minimum interior side yard width shall be 1.35 metres.

4.4.21 R1-21 Zone

The use permitted shall be non-residential and shall be restricted to a Private Community Centre.

4.4.22 R1-22 Zone Schedule "F"

The minimum lot area shall be 585 sq.m. The Minimum Lot Frontage shall be 18 metres. The minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum Interior Side Yard shall be 1.5 metres. The maximum Lot Coverage shall be 40%.

4.4.23 R1-23 Zone Schedule "T"

The minimum front yard setback requirement shall be 5.3 metres, the minimum exterior side yard setback requirement shall be 2.1 metres, and the minimum interior side yard setback shall be .8 metres.

4.4.24 R1-24 Zone Schedule "S"

A 2.0 metre wide planting strip consisting of existing vegetation shall be required along the east interior side lot line.

4.4.25 R1-25 Zone Schedule "R"

Permitted residential uses shall be limited to single-detached dwelling units;

Section 4.3, Zone Provisions, applies to the lands zoned R1-25, except where specifically identified below:

Minimum lot depth shall be 30 metres; Minimum lot area shall be 360 square metres; Minimum front yard depth shall be 4.0 metres to the building face and side of an attached garage and 6.0 metres to the front of an attached garage; Where a garage is attached to a residential dwelling unit, the maximum projection of the face of the attached garage from the building face shall be 2.4 metres; Minimum exterior side yard width shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage; Minimum interior side yard width shall be 1.2 metres to the building face and to the rear or side of an attached garage and 8.0 metres to the front of an attached garage when garage is facing the side yard; Minimum rear yard depth shall be 7.5 metres to the

building face and 0.6 metres to the garage wall of a detached garage in the rear lot; Minimum landscaped open space shall be 30%;Maximum lot coverage shall be 55%; Maximum driveway width for single-detached dwelling units shall be 6.0 metres; Maximum height of building for single-detached dwelling units shall be 11.0 metres; Minimum outdoor amenity space excluding the driveway for single-detached dwelling units shall be 90 square metres per unit and having no dimension less than 6.0 metres; and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28.

Notwithstanding the General Provisions, Section 3.3.4 and 3.3.6 to the contrary, the following provisions shall apply: porches/verandas shall be permitted to encroach by sixty (60%) percent and steps by eighty (80%) percent into any required front or exterior side yard setback depth. Porch/verandas shall not be subject to nor restricted to a maximum area size. Maximum height of porch/verandas and steps within permitted encroachment shall be 1.6 metres.

4.4.26 R1-26 Zone Schedule "O"

Notwithstanding Subsection 3.18 of the Zoning By-law, the existing single detached dwelling may be enlarged.

4.4.27 R1-27 Zone Schedule "G"

Notwithstanding Sections 3.1.2 and 3.18, the maximum lot area that shall be used by detached accessory buildings is 98 square metres, and the maximum horizontal dimension of a detached accessory building shall be 9.2 metres. A building or structure may be constructed on a lot which does not have frontage on a municipal street.

4.4.28 R1-28 Zone Schedule "F"

The minimum lot area shall be 585 square metres; the minimum lot frontage shall be 18 metres; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces a street-line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard shall be 1.5 metres; the maximum lot coverage shall be 40%; notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R1.28 Zone, for corner lots at the intersection of a collector road and a local road where the conveyance of a 10 metre by 4 metre daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

4.4.29 R1-29 Zone Schedule "F"

The minimum lot area shall be 585 square metres; the minimum lot frontage shall be 18 metres; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces a street-line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5

metres; the minimum interior side yard shall be 1.5 metres; the maximum lot coverage shall be 40%.

4.4.30 R1-30 Zone Schedule "G"

In addition to Section 4.3, Zone Provisions, the following applies to the lands zoned R1-30:

A maximum of four existing accessory structures are permitted; the minimum side yard setback from the north interior lot line for existing accessory structures shall be .44 metres and the minimum interior side yard setback from the southern interior lot line for existing accessory structures shall be .9 metres; the minimum rear yard setback for existing accessory structures shall be .86 metres; the accessory structures shall not be connected to any private or municipal water and sewer services, shall not contain plumbing fixtures, may be used for storage or sleeping quarters only and shall not be used as a tourist establishment.

4.4.31 R1-31 Zone Schedule "H"

Notwithstanding Subsection 3.18 Street Requirements of the Zoning By- law, buildings and structures may be erected on lands that do not front onto a municipal street.

4.4.32 Intentionally Left Blank

4.4.33 Intentionally Left Blank

4.4.34 R1-34 Zone Schedule "T"

Notwithstanding the provisions of Section 4 the minimum lot area requirement shall be 400 square metres. Notwithstanding the provisions of Section 3.3 steps may project a maximum distance of 2.4 meres into a required front yard and a deck greater than 0.6 meres in height may project 1.2 metres into a required front yard.

BL2020-53 **4.4.35 R1-35 Zone Schedule "B"**

Permitted residential uses shall have a minimum Lot Area of 385 m^2, the minimum Lot Frontage shall be 11.5 m and the Interior Side Yard Width shall be 1.15 m for single detached dwelling units serviced by a public water and sanitary sewer systems. The maximum Lot Coverage, for lots having frontage along 62nd Street South, shall be 45%.

Notwithstanding the General Provision 3.3.4 and 3.38.2.7 to the contrary, the following provisions shall apply: Porches/Verandas shall be permitted to project into any required front or rear yard, where a lot has frontage onto 62nd Street South, by 1.5 m into the Front Yard to maximum area of 6 m^2; and the minimum distance between a driveway and a boundary line of a sight triangle measured along the street line intersected by such driveway, shall be 2.0 metres.

BL2021-59

4.4.36 R1-36 Zone Schedule "P"

Minimum Lot Area shall be 390 square metres;
Minimum Interior Side Yard Width shall be 1.2 metres;
Maximum lot coverage shall be 48%.
Only those dwellings with double car garages will be permitted to have an accessory dwelling unit in the residential dwelling.
In addition to General Provision Section 3.38, for the purposes of the lots zoned as R1-36 and containing a residential dwelling containing an attached accessory dwelling unit, the driveway width shall not be more than 60% of the width of the lot frontage, and a minimum of 40% of the front yard of the residential dwelling unit shall be landscaped open space.

BL2021-59

4.4.37 R1-37 Zone Schedule "P"

Minimum Interior Side Yard Width along the south property line shall be 2 metres, and the other interior side yard width shall be 1.2 metres;
Maximum lot coverage shall be 48%.
Only those dwellings with double car garages will be permitted to have an accessory dwelling unit in the residential dwelling;
In addition to General Provision Section 3.38, for the purposes of the lots zoned as R1-37 and containing a residential dwelling containing an attached accessory dwelling unit, the driveway width shall not be more than 60% of the width of the lot frontage, and a minimum of 40% of the front yard of the residential dwelling unit shall be landscaped open space.

BL2021-59 & BL2023-17

4.4.38 R1-38 Zone Schedule "P"

Minimum Interior Side Yard Width along the north property line shall be 2 metres, and the other interior side yard width shall be 1.2 metres;
Maximum lot coverage shall be 48%.
Only those dwellings with double car garages will be permitted to have an accessory dwelling unit in the residential dwelling.
In addition to General Provision Section 3.38, for the purposes of the lots zoned as R1-38 and containing a residential dwelling containing an attached accessory dwelling unit, the driveway width shall not be more than 60% of the width of the lot frontage, and a minimum of 40% of the front yard of the residential dwelling unit shall be landscaped open space.

BL2023-25

4.4.39 R1H-39 Zone Schedule "P"

The maximum lot coverage shall be 50%; the minimum rear yard setback shall be 7 metres for lots less than 30 metres in depth; the minimum interior side yard setback shall be 1.2 metres; and the maximum building height shall be 11.5 metres.

Porches shall be permitted to encroach a maximum of 1.8 metres within the front yard, and shall not exceed an area of 35 square metres. Porches shall be permitted to encroach a maximum 1.8 metres within the rear yard, and shall not exceed an area of 35 square metres. Porches shall be permitted to encroach a maximum of 1.8 metres within the exterior side yard, and shall not exceed an area of 35 square metres;

The Holding ‘H’ Provision may be lifted from the subject lands upon the following:

a) Execution of a Subdivision Agreement and;
b) Registration of a Plan of Subdivision.

4.4.40 R1-40 Zone Schedule “T”

The minimum lot area shall be 437 square metres, for a lot served by a public water system and a sanitary sewer system;

4.4.41 R1-41 Zone Schedule “T”

The minimum lot frontage shall be 7 metres, for a lot served by a public water system and a sanitary sewer system;
The minimum rear yard setback shall be 5 metres.

SECTION 5 - RESIDENTIAL TYPE 2 (R2) ZONE

5.1 No person shall within any Residential Type 2 (R2) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

5.2 PERMITTED USES

5.2.1 Residential Uses:

a) Boarding house;
b) Duplex dwelling unit;
c) Link dwelling unit;
d) Single detached dwelling unit;
e) Semi-detached dwelling unit;
f) One (1) attached accessory dwelling unit, subject to subsection 3.28.

5.2.2 Non-residential Uses:

a) Accessory use directly related to the uses permitted in the R2 Zone;
b) Home occupation accessory to a single detached or a semi-detached dwelling unit;
c) Public use;
d) Bed and breakfast use accessory to a single detached dwelling unit.

5.3 ZONE PROVISIONS

5.3.1 Lot Area (minimum):

a)	Single detached dwelling unit	370 sq.m
b)	Boarding house	695 sq.m
c)	Duplex dwelling unit	555 sq.m
d)	Semi-detached dwelling	370sq.m/unit
e)	Link dwelling unit	370 sq.m

5.3.2 Lot Frontage (minimum):

a)	Single detached dwelling unit	12 m
b)	Boarding house	18 m
c)	Duplex dwelling unit	15 m
d)	Semi-detached dwelling	10.6/unit
e)	Link dwelling unit	10.6 m

5.3.3	**Front Yard Depth (minimum):**	6 m
5.3.4	**Exterior Side Yard Width (minimum):**	4.5 m
5.3.5	**Interior Side Yard Width (minimum):**	
	A) Single detached dwelling unit	1.5 m
	b) Semi-detached dwelling unit	
	i) Vertical common wall	0 m
	Ii) exposed side wall to lot line	1.8 m
	c) Link dwelling unit	
	i) Exposed side wall to lot line	1.8m
	Ii) structurally connected below grade, but The above grade exterior walls are not connected	1.2 m
	d) Other uses	1.8 m
5.3.6	**Rear Yard Depth (minimum):**	7.6 m
5.3.7	**Dwelling Unit Area (minimum):**	
	A) Single detached dwelling unit	93 sq.m
	B) Boarding house	140 sq.m
	C) Duplex dwelling unit	80 sq.m
	D) Semi-detached dwelling unit	80 sq.m
	E) Link dwelling unit	80 sq.m
5.3.8	**Boarding House Guest Room Area (minimum):**	9 sq.m
5.3.9	**Landscaped Open Space (minimum):**	30%
5.3.10	**Lot Coverage (maximum):**	40%
5.3.11	**Height of Building (maximum):**	10 m

5.3.11.1 *(2007-17)* A single detached dwelling unit and semi-detached dwelling unit will be restricted to two storeys but may have a loft or living space located within the pitched roof/attic area of the said dwelling unit.

5.3.12 Dwelling Units per Lot (maximum):

a)	Duplex	2
b)	Attached accessory dwelling unit	1
c)	Other uses	1

5.3.13 Conversions to Boarding House:
Notwithstanding any provision to the contrary, any dwelling unit erected prior to the date of passing of this By-law and containing not less than 140 sq.m of dwelling unit area, having contiguous thereto a front yard and/or setback which is or are less than required under the Zone provisions of the R2 Zone, may be altered to a boarding house provided such alteration does not reduce the front yard, interior side yard, exterior side yard, or setback, as the case may be, which is or are less than required under the Zone provisions for the R2 Zone.

5.3.14 Servicing:
No lot in any R2 Zone shall be used for a dwelling unit unless such lot is served by a public water system and a sanitary sewer system.

5.3.15 Accessory Uses see Section 3.1

5.3.16 Parking Provisions see Section 3.38

5.3.17 Attached Accessory Dwelling Units in Residential Dwellings, see Subsection 3.28

5.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular R2 Zone except as noted.

5.4.1 R2-1 Zone Schedule "G"

The southern interior side yard minimum shall be 1.5 m

5.4.2 R2-2 Zone Schedule "G"

The lot frontage minimum shall be 7.6 m and the height of building maximum shall be 10.7 m.

5.4.3 R2-3 Zone Schedule "O"

- Residential uses shall be limited to single detached and semi-detached dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28;
- Minimum lot area for single detached dwelling units shall be 360 square metres;
- Minimum lot area of semi-detached dwelling units shall be 266 square metres;
- Minimum lot frontage for semi- detached dwelling units shall be 9 metres; Minimum front yard depth shall be 4.5 metres to the building face and 6.0 metres to an attached garage;
- Minimum interior side yard for single detached dwellings shall be 1.2 metres on one side and 0.6 metres on the other side;
- Minimum interior side yard for semi-detached dwellings shall be 1.2

metres on one side and 0.0 metres on the other side;

- Maximum lot coverage shall be 60% and, on lots with semi-detached dwellings, minimum rear yard and interior side yard setback for an accessory structure consisting of a detached garage shall be 1.5 metres;
- The minimum rear yard setback for detached and semi-detached dwellings shall be 7.0 metres;
- Steps, porches and verandas may project a maximum distance of 2.0 metres into the front yard provided they do not exceed an area of 20 square metres.

5.4.4 R2-4 Zone Schedule "R"

Semi-detached dwelling units and link dwelling units shall comply with the zone provisions of Section 5.3 with the exception that the minimum width per unit shall be 6.5 metres.

5.4.5 R2-5 Zone Schedule "B"

Permitted uses shall exclude boarding houses, and duplexes; a 1.8m encroachment for an unclosed porch shall be permitted; an unenclosed porch shall not be included for the purposes of calculating lot coverage; maximum size of an unenclosed porch shall be restricted to 17.75m^2.

5.4.6 R2-6 Zone Schedule "F"

Permitted residential uses shall be limited to Single Detached Dwelling Unit, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum Lot Area for a Single Detached Dwelling Unit with greater than 12 metres of Lot Frontage shall be 372 square metres, however, the minimum Lot Area for a Single Detached Dwelling Unit with greater than 15 metres of Lot Frontage shall be 483 square metres. The Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 meters. The minimum Interior Side Yard shall be 1.2 metres. The maximum lot coverage shall be 45%.

5.4.7 R2-7 Zone Schedule "F"

Permitted residential uses shall be limited to Semi-Detached Dwelling Unit, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum lot area shall be 300 square metres. The minimum lot frontage shall be 8.5 metres. The minimum exterior side yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum interior side yard shall be 1.2 metres. The maximum lot coverage shall be 45%.

5.4.8 R2-8 Schedule "R"

Permitted residential uses shall be limited to single-detached, semi- detached and link dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; In addition to the permitted non- residential uses in the R2 Zone, a private park shall also be permitted; Section 5.3, Zone Provisions, applies to the lands zoned R2-8, except where specifically identified below:

Single Detached Dwelling Unit

Minimum lot depth shall be 28 metres;

Minimum lot area for single- detached dwelling units shall be 256.2 square metres;

Minimum lot frontage for single- detached dwelling units shall be 9.15 metres;

Minimum front yard depth for single-detached dwelling units shall be 4.0 metres to the building face or side of an attached garage and 6.0 metres to the front of an attached garage;

Minimum exterior side yard depth for single- detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum interior side yard depth for single-detached dwelling units shall be 1.2 metres to the building face and side or rear of the garage and 8.0 metres to the front of an attached garage;

Minimum rear yard depth for single-detached dwelling units shall be 7.5 metres to building face and 0.6 metres to a detached garage (front or back) wall;

Minimum dwelling unit area for single- detached dwelling units shall be 84 square metres;

Minimum landscaped open space for single- detached dwelling units shall be 30%;

Maximum lot coverage for single- detached dwelling units shall be 55%;

Maximum driveway width for single- detached dwelling units shall of 6.0 metres for lots having 11 metre or greater frontages and 3.0 metres for lots having less than 11 metre frontages;

Maximum height of building for single- detached dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for single-detached dwelling units shall be 68.62 square metres and having no dimension less than 5.0 metres.

Semi-Detached Dwelling Unit

Minimum lot depth shall be 28 metres;

Minimum lot area for semi- detached dwelling units shall be 238.0 square metres per unit;

Minimum lot frontage for semi-detached dwelling units shall be 8.5 metres per unit;

Minimum front yard depth for semi-detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum exterior side yard depth for semi-detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum interior side yard depth for semi-detached dwelling units shall be 1.2 metres on one side and 0.0 metres on the other side;

Minimum rear yard depth for semi-detached dwelling units shall be 7.5 metres to the building face for dwelling units with a street accessed attached garage and 0.6 metres to a garage (front or back) wall for dwelling units with a street accessed detached garage;

Minimum landscaped open space for semi-detached dwelling units shall be 30%;

Maximum lot coverage for semi-detached dwelling units shall be 55%;

Maximum driveway width for semi-detached dwelling units shall be 3.0 metres per unit; Maximum height of building for semi-detached dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for semi-detached dwelling units shall be 63.75 square metres per unit and having no dimension less than 3.7 metres.

Link Dwelling Unit

Minimum lot depth shall be 28 metres;

Minimum lot area for link dwelling units shall be 238.0 square metres per unit;

Minimum lot frontage for link dwelling units shall be 8.5 metres per unit;

Minimum front yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum exterior side yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum interior side yard depth for link dwelling units shall be 1.2 metres on one side and 1.2 metres on the other side to the building face and 0.7 metres to the side of an attached garage;
Where an attached garage is permitted a 0.7 metre setback, General Provision 3.3.1, Yard Encroachments, Ornamental and Communication Structures, shall not apply, other than for eaves and gutters which may be permitted to encroach a maximum distance of 0.4 metres into the minimum required 0.7 metre interior side yard. Minimum rear yard depth for link dwelling units shall be 7.5 metres to the building face for dwelling units with a street accessed attached garage and 0.6 metres to a garage (front or back) wall for dwelling units with a street accessed detached garage;
Minimum landscaped open space for link dwelling units shall be 30%;

Maximum lot coverage for link dwelling units shall be 65%;
Maximum driveway width for link dwelling units shall of 6.0 metres for lots having 11 metre or greater frontages and 3.0 metres for lots having less than 11 metre frontages;
Maximum height of building for link dwelling units shall be 11.0 metres;
Minimum outdoor amenity space excluding the driveway for link dwelling units shall be 63.75 square metres per unit and having no dimension less than 3.7 metres.

All Dwelling Unit Types

Where a garage is attached to a residential dwelling unit, the maximum projection of the face of the attached garage from the building face shall be 2.4 metres; Notwithstanding the General Provisions, Section 3.3.4 and 3.3.6 to the contrary, the following provisions shall apply for all dwelling unit types: porches/verandas shall be permitted to encroach by sixty (60%) percent and steps by eighty (80%) percent into any required front or exterior yard setback depth. Porches/verandas shall not be subject to nor restricted to a maximum area size. Maximum height of porch/verandas and steps within permitted encroachment shall be 1.6 metres. For purposes of the R2-8 zone, a Private Street or Private Lane shall be deemed to be a Public Street as defined in this By-Law.

5.4.9 R2-9 Zone Schedule "O"

The minimum lot area shall be 350/m2/unit; the minimum front yard depth shall be 4.5 metres to the building face and 6.0 metres to the garage with steps, porches and verandas to project a maximum of 2.0 metres into the front yard provided the porch is no greater than 20 square metres; the minimum rear yard depth shall be 7.0 metres; and the maximum lot coverage shall be 60%.

5.4.10 R2-10 Zone Schedule "F"

Permitted residential uses shall be limited to a single detached dwelling unit, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; the minimum lot area for a single detached dwelling unit with a lot frontage with greater than 12 metres of lot frontage shall be 372 square metres; the minimum lot area for a single detached dwelling unit with a lot frontage greater than 15 metres shall be 483 square metres; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces as street-line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard for a single detached dwelling unit shall be 1.2 metres; the maximum lot coverage shall be 45%; notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R2-10 Zone, for corner lots at the intersection of a collector road and a local road where the conveyance of a 10 metre by 4 metre daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

5.4.11 R2-11 Zone Schedule "F"

Permitted residential uses shall be limited to a single detached dwelling unit, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; the minimum lot area for a single detached dwelling unit with a lot frontage greater than 15 metres shall be 483 square metres; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces a street-line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard for a single detached dwelling unit shall be 1.2 metres; the maximum lot coverage shall be 45%; notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R2-11 Zone, for corner lots at the intersection of a collector road and a local road where the conveyance of a 10 metre by 4 metre daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

5.4.12 R2-12 Zone Schedule "F"

Permitted residential uses shall be limited to a single detached dwelling unit, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; the minimum lot area for a single detached dwelling unit with a lot frontage with greater than 12 metres shall be 372 square metres; the minimum lot area for a single detached dwelling unit with a lot frontage greater than 15 metres shall be 483 square metres; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces a street line in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard for a single detached dwelling unit shall be 1.2 metres; the maximum lot coverage shall be 45%.

5.4.13 R2-13 Zone Schedule "F"

Permitted residential uses shall be limited to single detached dwelling unit, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; the minimum lot area for a single detached dwelling unit with a lot frontage with greater than 12 metres of lot frontage shall be 372 square metres; the minimum lot area for a single detached dwelling unit with a lot frontage greater than 15 metres shall be 483 square metres; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces a street-line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of a dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard for a single detached dwelling unit shall be 1.2 metres; the maximum lot coverage shall be 45%.

5.4.14 R2-14 Zone Schedule "F"

Permitted residential uses shall be limited to a semi-detached dwelling unit, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The

minimum lot area shall be 300 square metres; the minimum lot frontage shall be 8.5 metres; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces a street-line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of a dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard for a semi-detached dwelling unit shall be 1.2 metres; the maximum lot coverage shall be 45%. Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R2-14 Zone, for corner lots at the intersection of a collector road and a local road where the conveyance of a 10 metre by 4 metre daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

5.4.15 R2-15 Zone Schedule "G"

The minimum Lot Frontage width for a semi-detached dwelling shall be 7.7 metres, and the minimum lot line setback for a semi-detached accessory garage with a common wall shall be zero (0) metres except for the setback to the lot line separating Lot 140 and Part Lots 149 and 150 on Waston's Unregistered Plan 51C-309 which shall be a minimum 2 metres.

5.4.16 R2-16 Zone Schedule 'R'

Permitted residential uses shall be limited to single-detached, semidetached and link dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28;

In addition to the permitted nonresidential uses in the R2 Zone, a private park shall also be permitted;

Section 5.3, Zone Provisions, applies to the lands zoned R2-16, except where specifically identified below:

Single Detached Dwelling Unit

Minimum lot depth shall be 28 metres;

Minimum lot area for single detached dwelling units shall be 256.2 square metres;

Minimum lot frontage for single-detached dwelling units shall be 9.15 metres;

Minimum front yard depth for single-detached dwelling units shall be 4.0 metres to the building face or side of an attached garage and 6.0 metres to the front of an attached garage;

Minimum exterior side yard depth for single detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum interior side yard depth for single-detached dwelling units shall be 1.2 metres to the building face and side or rear of the garage and 8.0 metres to the front of an attached garage;

Minimum rear yard depth for single-detached dwelling units shall be 7.5 metres to building face;

Minimum dwelling unit area for single detached dwelling units shall be 84 square metres;

Minimum landscaped open space for single-detached dwelling units shall be 30%;

Maximum lot coverage for single-detached dwelling units shall be 55%;

Maximum driveway width for single-detached dwelling units shall be 6.0 metres for lots having 11 metre or greater frontages and 3.0 metres for lots having less than 11 metre frontages;

Maximum height of building for single detached dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for single- detached dwelling units shall be 68.62 square metres and having no dimension less than 5.0 metres.

Semi-Detached Dwelling Unit

Minimum lot depth shall be 28 metres;

Minimum lot area for semidetached dwelling units shall be 238.0 square metres per unit;

Minimum lot frontage for semi-detached dwelling units shall be 8.5 metres per unit;

Minimum front yard depth for semi-detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum exterior side yard depth for semi-detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum interior side yard depth for semi-detached dwelling units shall be 1.2 metres on one side and 0.0 metres on the other side;

Minimum rear yard depth for semi-detached dwelling units shall be 7.5 metres to the building face for dwelling units with a street accessed attached garage;

Minimum landscaped open space for semi-detached dwelling units shall be 30%;

Maximum lot coverage for semi-detached dwelling units shall be 55%;

Maximum driveway width for semi-detached dwelling units shall be 3.0 metres per unit;

Maximum height of building for semi-detached dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for semi- detached dwelling units shall be 63.75 square metres per unit and having no dimension less than 3.7 metres.

Link Dwelling Unit

Minimum lot depth shall be 28 metres;

Minimum lot area for link dwelling units shall be 238.0 square metres per unit;

Minimum lot frontage for link dwelling units shall be 8.5 metres per unit;

Minimum front yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum exterior side yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum interior side yard depth for link dwelling units shall be 1.2 metres on one side and 1.2 metres on the other side to the building face and 0.7 metres to the side of an attached garage;

Where an attached garage is permitted a 0.7 metre setback, General Provision 3.3.1, Yard Encroachments, Ornamental and Communication Structures, shall not apply, other than for eaves and gutters which may be permitted to encroach a maximum distance of 0.4 metres into the minimum required 0.7 metre interior side yard.

Minimum rear yard depth for link dwelling units shall be 7.5 metres to the building face for dwelling units with a street accessed attached garage;

Minimum landscaped open space for link dwelling units shall be 30%; Maximum lot coverage for link dwelling units shall be 65%;

Maximum driveway width for link dwelling units shall be 6.0 metres for lots having 11 metre or greater frontages and 3.0 metres for lots having less than 11 metre frontages;

Maximum height of building for link dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for link dwelling units shall be 63.75 square metres per unit and having no dimension less than 3.7 metres.

All Dwelling Unit Types

Where a garage is attached to a residential dwelling unit, the maximum projection of the face of the attached garage from the building face shall be 2.4 metres;

Notwithstanding the General Provisions, Section 3.3.4 and 3.3.6 to the contrary, the following provisions shall apply for all dwelling unit types:

- Porches/verandas shall be permitted to encroach by sixty (60%) percent and steps by eighty (80%) percent into any required front or exterior yard setback depth.
- Porches/verandas shall not be subject to nor restricted to a maximum area size.
- Maximum height of porch/verandas and steps within permitted encroachment shall be 1.6 metres.
- The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6.50 m.

- For purposes of the R2-16 zone, a Private Street or Private Lane shall be deemed to be a Public Street as defined in this By-Law.

5.4.17 R2-17 Zone Schedule 'C'

Notwithstanding Section 5.3 respecting zone provisions for the Residential Type 2 (R2) Zone, the minimum interior side yard width shall be 1.2 metres and the maximum lot coverage shall be 45%.

5.4.18 R2-18 Zone Schedule 'F'

BL2020-48

Permitted residential uses shall be limited to Single Detached Dwelling Units and Semi-Detached Dwelling Units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum lot Area for a Single Detached Dwelling Unit with greater than 12 metres of Lot Frontage shall be 372 square metres, however, the minimum Lot Area for a Single Detached Dwelling Unit with greater than 15 metres of Lot Frontage shall be 483 square metres. For Semi-Detached Dwelling Units the minimum Lot Area shall be 275 square metres. The minimum lot frontage shall be 8.5 metres.

For both Single Detached Dwelling Units and Semi-Detached Dwelling Units the Minimum Exterior Side Yard shall be 4.0 metres, except where the frontelevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum Interior Side Yard shall be 1.2 metres. The maximum lot coverage shall be 45%.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R2-18 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

5.4.19 R2H1-19 Zone Schedule "F"

BL2021-111

Permitted residential uses shall be limited to Single Detached Dwelling Units, Semi-Detached Dwelling Units and Link Dwelling Units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum Lot Area for a Single Detached Dwelling Unit with greater than 12 metres of Lot Frontage shall be 372 square metres, however, the minimum Lot Area for a Single Detached Dwelling Unit with greater than 15 metres of Lot Frontage shall be 483 square metres. For Semi-Detached Dwelling Units and Linked Dwelling Units the minimum Lot Area shall be 275 square metres. The minimum lot frontage shall be 8.5 metres.

For both Single Detached Dwelling Units, Semi-Detached Dwelling Units and Link Dwelling Units the Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the

dwelling unit to the front elevation of a garage shall be 1.5 metres. The maximum lot coverage shall be 45%.

For Single Detached Dwelling Units and Semi-Detached Dwelling Units the minimum Interior Side Yard shall be 1.2 metres for exposed side walls. For Link Dwelling Units the Minimum Interior Side Yard shall be 1.2 metres from the exposed sidewall to the lot line, and 0.48 metres on the side of the dwelling structurally connected below grade.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R2H1-19 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle."

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

Notwithstanding Section 3.6.1, No detached building or structure including the

sills, bay windows, belt course, chimney, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures shall be located closer than 0.96 metres to any other building or structure.

5.4.20 R2H1-20 Zone Schedule "F"

Permitted residential uses shall be limited to Single Detached Dwelling Units, Semi-Detached Dwelling Units and Link Dwelling Units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum Lot Area for a Single Detached Dwelling Unit with greater than 12 metres of Lot Frontage shall be 372 square metres, however, the minimum Lot Area for a Single Detached Dwelling Unit with greater than 15 metres of Lot Frontage shall be 483 square metres. For Semi-Detached Dwelling Units and Linked Dwelling Units the minimum Lot Area shall be 275 square metres. The minimum lot frontage shall be 8.5 metres."

For both Single Detached Dwelling Units, Semi-Detached Dwelling Units and Link Dwelling Units the Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The maximum lot coverage shall be 45%.

For Single Detached Dwelling Units and Semi-Detached Dwelling Units the minimum Interior Side Yard shall be 1.2 metres for exposed side walls. For Link Dwelling Units the Minimum Interior Side Yard shall be 1.2 metres from the exposed sidewall to the lot line, and 0.48 metres on the side of the dwelling structurally connected below grade.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R2H1-20 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle."

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

Notwithstanding Section 3.6.1, No detached building or structure including the sills, bay windows, belt course, chimney, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures shall be located closer than 0.96 metres to any other building or structure.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6.0 metres.

5.4.21 R2H1-21 Zone Schedule "F"

Permitted residential uses shall be limited to Single Detached Dwelling Units, Semi-Detached Dwelling Units and Link Dwelling Units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum Lot Area for a Single Detached Dwelling Unit with greater than 12 metres of Lot Frontage shall be 372 square metres, however, the minimum Lot Area for a Single Detached Dwelling Unit with greater than 15 metres of Lot Frontage shall be 483 square metres. For Semi-Detached Dwelling Units and Linked Dwelling Units the minimum Lot Area shall be 275 square metres. The minimum lot frontage shall be 8.5 metres."

For both Single Detached Dwelling Units, Semi-Detached Dwelling Units and Link Dwelling Units the Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The maximum lot coverage shall be 45%.

For Single Detached Dwelling Units and Semi-Detached Dwelling Units the minimum Interior Side Yard shall be 1.2 metres for exposed side walls. For Link Dwelling Units the Minimum Interior Side Yard shall be 1.2 metres from the exposed sidewall to the lot line, and 0.48 metres on the side of the dwelling structurally connected below grade.

Notwithstanding GeGeneral Provision 3.9.1 and the exterior side yard provisions of the R2H1-21 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle."

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

Notwithstanding Section 3.6.1, No detached building or structure including the sills, bay windows, belt course, chimney, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures shall be located closer than 0.96 metres to any other building or structure.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 7.5 metres.

5.4.22 R2H1-22 Zone Schedule “F”

Permitted residential uses shall be limited to Single Detached Dwelling Units and Semi-Detached Dwelling Units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum Lot Area for a Single Detached Dwelling Unit with greater than 12 metres of Lot Frontage shall be 372 square metres, however, the minimum Lot Area for a Single Detached Dwelling Unit with greater than 15 metres of Lot Frontage shall be 483 square metres. For Semi-Detached Dwelling Units the minimum Lot Area shall be 275 square metres. The minimum lot frontage shall be 8.5 metres.

For both Single Detached Dwelling Units and Semi-Detached Dwelling Units the Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the

dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum Interior Side Yard shall be 1.2 metres. The maximum lot coverage shall be 45%.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R2H1-22 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle."

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6.0 metres.

5.4.23 R2H1-23 Zone Schedule “F”

Permitted residential uses shall be limited to Single Detached Dwelling Units and Semi-Detached Dwelling Units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum Lot Area for a Single Detached Dwelling Unit with greater than 12 metres of Lot Frontage shall be 372 square metres, however, the minimum Lot Area for a Single Detached Dwelling Unit with greater than 15 metres of Lot Frontage shall be 483 square metres. For Semi- Detached Dwelling Units the minimum Lot Area shall be 275 square metres. The minimum lot frontage shall be 8.5 metres.

For both Single Detached Dwelling Units and Semi-Detached Dwelling Units the Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum Interior Side Yard shall be 1.2 metres. The maximum lot coverage shall be 45%.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R2H1-23 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured

from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 7.5 metres.

5.4.24 R2-24 Zone Schedule 'N'

Notwithstanding the provisions of Section 3.28 and Section 5 the following are permitted;An attached accessory dwelling unit shall not exceed 49% of the total gross floor area of the main residential dwelling; and Minimum Lot Frontage requirement shall be 8.5 metres/unit.

5.4.25 R2-25 Zone Schedule 'N'

The minimum Lot Frontage requirement for semi-detached dwellings shall be 10.2 metres/unit.
The maximum width of an abutting driveway along a common lot line shall be 11.5 metres.
The maximum lot coverage shall be 45%.
Detached accessory buildings less than 3.7 metres in height shall be permitted to 0.0 metres of an interior side lot line.

5.4.26 R2-26 Zone Schedule 'O'

Semi-Detached Dwelling Unit

Minimum Lot Frontage per lot/unit shall be 7.7 metres;
Minimum Front Yard Depth shall be 5.40 metres;
Minimum Front Yard Depth shall be 4.65 metres, when measured from the daylight triangle;
Minimum Lot Area per lot/unit shall be 240 square metres;
Minimum Exterior Side Yard Width shall be 3.3 metres;
Minimum Interior Side Yard Width (exposed side wall to lot line) shall be 1.4 metres;
Maximum Height of Building shall be 12.3 metres (inclusive of the Mechanical Penthouse);
Maximum Number of Storeys shall be three;
The Mechanical Penthouse component has a total height of 2.87metres and shall include the elevator and stair overruns;
Notwithstanding the Yard Encroachment requirements outlined under Sections 3.3.4, 3.3.5 & 3.3.6 of the Town's Zoning By-Law Porches, Balconies and Steps and Accessibility Ramps may project a maximum distance of 2.50 metres into the required front yard setback.

5.4.27 R2-27 Zone Schedule ''

5.4.28 R2-28 Zone Schedule 'A'

Semi-detached Dwelling Unit

Minimum Lot Area shall be 195 square metres per unit;
Minimum Lot Frontage shall be 7.5 metres per unit;
Minimum Front Yard Depth on corner units shall be 3 metres to the building face;
Minimum Exterior Side Yard Width shall be 3 metres;
Minimum Interior Side Yard Width (exposed side wall to lot line) shall be 1.35 metres;
Minimum Rear Yard Depth shall be 5.9 metres; and,
Maximum Lot Coverage shall be 45%

Notwithstanding Section 3.3.4, porches/verandas for interior units may project into any required front yard a maximum distance of 1.5 metres provided that they are not more than 1.2 metres above finished grade and shall not exceed an area of 8 square metres.

Notwithstanding Section 3.3.4, porches/verandas for corner units may project into any required front yard with a maximum height of 1.2 metres above finished grade, and a maximum area of 8 square metres, provided that the porches/verandas maintain a minimum front yard setback of 3 metres.

Notwithstanding Section 3.3.5, balconies for interior units may project into any required front or rear yard a maximum distance of 1.5 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists.

Notwithstanding Section 3.3.5, balconies for corner units may project into any required rear yard a maximum distance of 1.5 metres, and may project into any required front yard provided that the balconies maintain a minimum front yard setback of 3 metres, and provided that they are located at a greater height than the bottom of the first floor ceiling joists.

Notwithstanding Section 3.3.6, steps and/or accessibility ramps to an entrance may project into any required front yard, provided that the steps maintain a minimum front yard setback of 3 metres, and provided that such uses are not below grade or not more than 1.2 metres above grade within the required front yard.

Notwithstanding Section 3.10, where a lot includes a portion of an easement, such easement may be considered part of the lot for the purpose of computing the lot area and the yard depth or width of the lot, provided that the depth of the rear yard of the lot shall not be less than 5.9 metres.

Notwithstanding Section 3.18, buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such

driveways, shall be 7 metres in all Residential Zones for semi-detached dwelling units.

Notwithstanding Section 3.38.2.10, for a semi-detached dwelling located on Block 27 a non-abutting driveway may be established with a 0 metre setback along an interior lot line.

5.4.29 R2-29 Zone Schedule 'O'

Minimum Lot Area – 300 square metres
Minimum Lot Frontage – 10.5 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard Setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 1.35 m metres on one side and 0.6 metres on one side
Minimum Rear Yard - 6 metres
Maximum Lot Coverage – 55%
Maximum Height – 11.5 metres
Maximum Driveway Width – 6 metres

Section 3.38.2.8 shall not apply to this zone.

Notwithstanding 3.1.5.2, Air Conditioning units and heat pumps shall not be located closer than 0.1 metres to any interior side lot line; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard.

Notwithstanding Section 3.3,

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3 metre utility

easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line.

5.4.30 R2-30 Zone Schedule 'G'

The lot coverage (maximum) shall be 42%.

SECTION 6 - RESIDENTIAL TYPE 3 (R3) ZONE

6.1 No person shall within any Residential Type 3 (R3) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

6.2 PERMITTED USES

6.2.1 Residential Uses:

a) Street townhouse dwelling
b) Townhouse dwelling
c) One (1) attached accessory dwelling unit in a street townhouse dwelling only, subject to subsection 3.28

6.2.2 Non-residential Uses:

a) Accessory use directly related to the uses permitted in the R3 Zone
b) Accessory club
c) Public use

6.3 ZONE PROVISIONS

6.3.1 Lot Area (minimum):

a)	Street townhouse dwelling	210 sq.m/unit
b)	Townhouse dwelling	210 sq.m/unit
c)	Other uses	555 sq.m/unit

6.3.2 Lot Frontage (minimum):

a)	Street townhouse dwelling	7.0 m
b)	Townhouse dwelling	27 m
c)	Other uses	18 m

6.3.3 Front Yard Depth (minimum): 6 m

6.3.4 Exterior Side Yard Width (minimum): 5 m

6.3.5 Interior Side Yard Width (minimum):

a)	Townhouse dwelling	6 m
	i) Exposed end or side wall	6 m
b)	Street townhouse dwelling	

	i)	Vertical common wall	0 m
	ii)	Exposed end or side wall	3 m
	iii)	Exposed end or side wall abutting an r1 or r2 zone	6 m
c)	Other uses		6 m

6.3.6 Rear Yard Depth (minimum): 7.6 m

6.3.7 Dwelling Unit Area (minimum): 65 sq.m

6.3.8 Landscaped Open Space (minimum): 30%

6.3.9 Lot Coverage (maximum):

a)	Street townhouse dwelling	45%
b)	Townhouse dwelling	40%
c)	Other uses	35%

6.3.10 Height of Building (maximum): 12 m

6.3.11 Width Per Unit:

The minimum width of each townhouse or street townhouse unit shall be 7 metres.

6.3.12 Courts:

Where a building is in a court form, the distance between the opposing walls of the building forming the court shall be not less than 20 m or the height of the highest portion of the building, whichever is greater.

6.3.13 Play Areas:

A play area shall be provided on each lot containing more than 8 dwelling units in accordance with the following provisions:

- Minimum area: 5% of lot area;
- Location: not within 7.6 m of any exposed residential building wall.

6.3.14 Servicing:

No lot in any R3 Zone shall be used for a dwelling unit unless such lot is served by a public water system and a sanitary sewer system.

6.3.15 Units per Structure:

The maximum number of townhouse or street townhouse dwelling units, which are attached within a single townhouse or street townhouse structure, shall be 8.

6.3.16 ACCESSORY USES (SEE SECTION 3.1)

6.3.17 Parking Provisions see Section 3.38

6.3.18 Attached Accessory Dwelling Units in Residential Dwellings, see subsection 3.28

6.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular R3 Zone except as noted.

6.4.1 R3-1 Zone Schedule "O"

The exterior side yard minimum shall be 2.4 metres.

6.4.2 R3-2 Zone Schedule "T"

The maximum number of dwelling units which are attached within an overall single townhouse or street townhouse structure shall be 5.

6.4.2.1 R3-2-A Zone Schedule "T"

The minimum building opening elevation shall be 183.18 metres C.G.D.

6.4.2.2 R3-2-B Zone Schedule "T"

The minimum building opening elevation shall be 183.91 metres C.G.D.

6.4.3 R3-3 Zone Schedule "O"

The Exterior Side Yard Width (minimum) shall be 4m; the Interior Side Yard Width (minimum) shall be 4m; the Lot Coverage (maximum) shall be 40%; the Height of Building (maximum) shall be 10m; and no Play Areas or Privacy Yards shall be required.

6.4.4 R3-4 Zone Schedule "P"

No more than 5 buildings shall be permitted and no more than 67 dwelling units shall be permitted in the Zone.

6.4.5 R3-5 Zone Schedule "J"

No more than 60 street townhouse dwellings shall be permitted. Further, the Lot Area (minimum) shall be 174 sq.m; the Lot Frontage (minimum) shall be 6 m; the Interior Side Yard Width (minimum) shall be 1.5 m for the exposed end or side wall and for the exposed rear wall; the Landscaped Open Space (minimum) shall be 4%; the Lot Coverage (maximum) shall be 55%. The Permitted Yard Encroachment (maximum) shall be 2.5 m.

6.4.6 R3-6 Zone Schedule "P"

The maximum height of the building shall not exceed 9.2 metres or one storey whichever is more restrictive; the minimum play area shall be 4.5 % of the lot area; a minimum of 1.5 parking spaces per dwelling unit shall be required.

6.4.7 R3-7 Zone Schedule "O"

The maximum number of dwelling units shall be 9; the minimum lot area shall be 1800 square metres; decks, balconies, steps and accessibility ramps may project into the rear yard a maximum of 4.5 metres.

6.4.8 R3-8 Zone Schedule "I"

The following provisions shall apply;

a) The maximum number of residential units shall be 14.
b) Lot area (minimum) 2100 square feet
c) Lot frontage (minimum) 30 feet
d) Exterior side yard width (minimum) 60 feet
e) Interior side yard width (minimum)
   i) Vertical common wall 0 feet
   ii) Exposed end wall 15 feet
   iii) Exposed end wall to lot having Municipal address of 32, 15 St. 60 feet
f) Rear yard depth (minimum) 20 feet
g) Front yard depth (minimum) 15 feet
h) Lot coverage (maximum) 50%
i) Rear yard coverage;
   i) Paved driveways shall not exceed 10' in width
   ii) Additional parking area may be permitted through the use of grass filled open web paving stones but shall not exceed 30% of the rear yard area;
   iii) A minimum of 30% of the rear yard shall be maintained in a landscaped open space condition.
j) Height of building (maximum) 30 feet
k) No play area shall be required
l) Maximum encroachment of a balcony, deck or patio into a rear yard is 8 feet; maximum encroachment of balcony, deck or patio into a side yard is 5 feet
m) Minimum number of parking spaces per unit 2
n) The lots located at either end of the area which is subject to the provisions of this section, shall be maintained in a natural forested condition for a distance of 45 feet from the most eastern and western lot lines. Tree removal may occur within 15 feet of the end units to facilitate construction and prevent damage to the units. Normal forest management practices may be permitted in regard to the removal of aged or diseased trees. Where a tree is removed in regard to the preceding a similar or like species of tree, no less than 6 feet in height, shall be planted as a replacement.

ii) Notwithstanding the General Provisions to the contrary, the following provisions shall apply;
   a) Access to an improved public street is permitted by way of a private lane.
   b) The only front yard setback requirement is as shown in part i) above.

iii) Notwithstanding any definition to the contrary, the following provisions shall apply;
   a) A lane may be used as a primary means of access for vehicular traffic.

6.4.9 R3-9 Schedule "J"

The lot area shall be a minimum of 1872 square ft (174sm), the lot frontage shall be a minimum of 19.7 ft (6m), the minimum front yard setback for a lot which contains a turret feature or enclosed porch shall be 13.12 feet (4.0m); the front yard depth minimum shall be 19.7 ft (6m), the exterior side yard minimum shall be 7.9 ft (2.4m), the interior side yard minimum shall be 4.9ft(1.5m), the rear yard depth minimum shall be 23 feet (7.0m), the lot coverage maximum is 55%, the landscaped open space minimum shall be 4%; access to parking areas minimum shall be 9.8 ft (3m), permitted yard encroachment is a maximum of 8.2 ft (2.5m);

6.4.10 R3-10 Zone Schedule "O"

The maximum number of townhouse units shall be 96 units. The minimum treed landscaped buffer area strip along the westerly property boundary shall be 6.0 metres. The minimum separation distance from the rear or side of a townhouse dwelling to the side or rear of another townhouse dwelling shall be 6.4 metres. A maximum of two entrances are permitted from the subject site onto Zoo Park Road.

6.4.11 R3-11 Zone Schedule "T"

No more than 22 dwelling units shall be permitted. Further, the exterior side yard shall be a minimum of 3.0 metres (9.8 ft) and play areas shall be set back a minimum of 5 metres (16.4 ft) from any exposed residential building wall.

6.4.12 R3-12 Zone Schedule "O"

Permitted uses shall also include single detached and semi-detached dwellings; single detached and semi-detached dwellings shall comply with the Zone Provisions of Section 5.4.3; the total number of single detached dwellings on lands zoned R3-12 shall not exceed 20% of the total aggregate number of all units within this zone; minimum lot area for street townhouse dwellings or townhouse dwellings shall be 164 square metres; minimum front yard depth for street townhouse dwellings and townhouse dwellings shall be 4.5 metres to the main building face and 6.0 metres to an attached garage; minimum width of each street townhouse or townhouse unit shall be 5.45 metres; minimum exterior side yard for each street townhouse or townhouse dwelling shall be 3.5m; minimum interior side yard (exposed end or side wall) for street townhouse or townhouse dwellings shall be 1.2m; minimum rear yard depth for street townhouse or townhouse dwellings shall be 6.0 metres; a Play Area is not required and decks, balconies, steps and accessibility ramps may project into the rear yard a maximum of 5.5 metres.

6.4.13 R3-13 Zone Schedule 'O'

Permitted uses shall also include semi-detached dwellings; semi-detached dwellings shall comply with the Zone Provisions of Section 5.4.3;

For the purpose of this by-law, a private street shall be deemed a public street and for Unit 15 the side lot line abutting the private right-of-way shall be considered an

interior side yard.
Notwithstanding Sections 6.3.1 a), 6.3.2 a), 6.3.8, 6.3.9 a), and 6.3.13 of the Residential Type 3 (R3) Zone, and Sections 3.3.6, and 3.38.2.10 of the General Provisions, the following provisions apply:

Street Townhouse Dwelling Unit

- Lot Area (minimum) shall be 160 sq. m;
- Lot Frontage (minimum) shall be 5.45 metres;
- Minimum front yard depth for street townhouse dwellings and townhouse dwellings shall be 4.5 metres to the main building face and 6.0 metres to an attached garage;
- Minimum width of each street townhouse or townhouse unit shall be 5.45 metres;
- Minimum exterior side yard for each street townhouse or townhouse dwelling shall be 3.5m;
- Minimum interior side yard (exposed end or side wall) for street townhouse or townhouse dwellings shall be 1.2m;
- Minimum rear yard depth for street townhouse or townhouse dwellings shall be 6.0 metres; and decks, balconies, steps and accessibility ramps may project into the rear yard a maximum of 5.5 metres.
- Landscape Open Space (minimum) shall be 20%; Lot Coverage (maximum) shall be 62%; and no play area shall be required.
- Steps and/or accessibility ramps may encroach into any required front yard a maximum distance of 3.8 metres provided that such uses are not below grade or not more than 1.2 metres above grade within the required yard; non-abutting driveways may be established with a 0 metre setback along an interior lot line; and abutting driveways may be established along an interior side lot line provided the abutting driveways do not exceed a combined width of 11 metres.

6.4.14 R3-14 Zone Schedule 'O'

Permitted uses shall also include single detached and semi-detached dwellings; single detached and semi-detached dwellings shall comply with the Zone Provisions of Section 5.4.3; the total number of single detached dwellings on lands zoned R3-14 shall not exceed 20% of the total aggregate number of all units within this zone; minimum front yard depth for street townhouse dwellings and townhouse dwellings shall be 4.5 metres to the main building face and 6.0 metres to an attached garage; minimum width of each street townhouse or townhouse unit shall be 5.45 metres and decks, balconies, steps and accessibility ramps may project into the rear yard a maximum of 6.0 metres. For the purposes of this section a private street shall be deemed to be a public street. For street townhouse dwellings; porches and steps may project into a required front yard a maximum distance of 1.5 metres and a required rear yard a maximum distance of 2.5 metres provided the porch is no greater than 10 square metres in area; the minimum rear yard setback requirements shall be 7

metres, the minimum exterior side yard setback shall be 3 metres, the minimum

interior side yard setback shall be 1.5 metres; the minimum frontage requirement shall be 5.45 metres, the minimum lot area shall be 145 square metres and maximum lot coverage shall be 60%. For semidetached units the minimum rear yard setback shall be 6 metres, and minimum exterior side yard setback shall be 4.2 metres.

6.4.15 R3-15 Zone Schedule "T"

The maximum number of residential units shall be 36. The minimum rear yard setback shall be 4.5 metres. The maximum number of dwelling units which are attached within a single townhouse structures shall be 36.

6.4.16 R3-16 Zone Schedule "B"

Permitted uses shall include semi-detached dwelling units and street townhouse dwelling units; an interior side yard setback of 2.0 m shall apply; a maximum lot coverage of 52% excluding unenclosed porches shall apply; a 1.8m encroachment for an unenclosed porch shall be permitted; an unenclosed porch shall not be included for the purposes of calculating lot coverage; a maximum size of an unenclosed porch shall be restricted to 14.75m^2

6.4.17 R3-17 Zone Schedule "L"

A maximum Lot Coverage of 52% will apply.

6.4.18 R3-18 Zone Schedule "L"

Permitted uses shall include Street Townhouse, Townhouse or Modular/Mobile Park units but not both and a maximum lot coverage of 52% will apply.

6.4.19 R3-19 Zone Schedule "F"

Permitted residential uses shall be limited to a Street Townhouse Dwelling, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum Interior Side Yard for an exposed end or side wall shall be 2.0 metres.

6.4.20 R3-20 Zone Schedule "O"

Permitted uses shall also include semi-detached dwellings; semi-detached dwellings shall comply with the Zone Provisions of Section 5.4.3 unless otherwise stated herein; minimum lot size for a street townhouse or townhouse dwelling will be 145 square metres and 250 square metres for a semi-detached

dwelling; minimum lot frontage for townhouse or street townhouse dwellings shall be 4.0 metres ; maximum lot coverage for a street townhouse or townhouse dwelling shall be 60% and 50% for a semi-detached dwelling; minimum front yard depth for street townhouse dwellings and semi-detached dwellings shall be 4.2 metres to the main building face and 6 metres to an attached garage; minimum width per unit of each street townhouse or townhouse shall be 5.45 metres; minimum lot frontage per unit of each semi- detached unit shall be 9.6 metres;

minimum exterior side yard for each street townhouse or townhouse dwelling shall be 3.0 metres and 4.0 metres for a semi- detached dwelling and 2.0 metres where there is a covered porch attached to the main dwelling in the absence of a sidewalk; minimum interior side yard width (exposed side or end wall) for a street townhouse or townhouse dwelling shall be 1.2 metres; minimum rear yard depth shall be 6.0 metres, and steps, porches and verandas may project a maximum distance of 2.0 metres into the front yard provided that they do not exceed an area of 20 square metres. In addition, the court setback requirement of 20 metres of Section 6.3.12 shall not apply to the side or rear elevation of an opposing building and for the purposes of this section a private street shall be deemed a public street.

6.4.21 R3-21 Schedule "R"

Permitted residential uses shall be limited to semi-detached dwelling units, link dwelling units and street townhouse dwellings, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; the minimum percentage of laneway-based dwelling units shall be 70% of the total number of dwelling units in the zone; the maximum percentage of link dwelling units shall be 15% of the total number of dwelling units in the zone; in addition to the permitted non- residential uses in the R3 Zone, a private park shall also be permitted; the minimum 5% play area shall not need to be located on the lot but shall be required in the general vicinity, and the location determined through site plan approval;

Section 6.3, Zone Provisions, applies to the lands zoned R3-21, except where specifically identified below:

Semi-Detached Dwelling Unit

Minimum lot depth for semi-detached dwelling units shall be 27.0 metres; Minimum lot area for semi-detached dwelling units shall be 229.5 square metres per unit; Minimum lot frontage for semi-detached dwelling units shall be 8.5 metres per unit with a street-accessed garage and 6.7 metres per unit with a laneway-based garage; Minimum front yard depth for semi- detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of a garage; Minimum front yard depth for laneway- based semi-detached dwelling units shall be 3.5 metres; Minimum exterior side yard depth for semi-detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of a garage; Minimum interior side yard depth for semi-detached dwelling units

shall be 1.2 metres on one side and 0.0 metres on the other interior sides for street-accessed garage units; Minimum interior side yard depth for semi- detached dwelling units shall be 0.9 metres on one side and 0.0 metres on the other interior sides for laneway-based garage units;

Notwithstanding General Provision 3.1.5.5, Yards, Accessory Uses, Buildings and Structures, for a detached garage accessory to a laneway- based dwelling unit, the minimum interior side yard shall be 0.0 metres on one side and 1.2 metres on the other side, the minimum exterior side yard shall be 4.0 metres, and the minimum rear yard shall be 0.6 metres; Minimum rear yard depth for semi-detached dwelling

units shall be 7.5 metres; Minimum dwelling unit area for semi-detached dwellings units shall be 65 square metres per unit; Minimum landscaped open space for street-accessed semi-detached dwelling units shall be 30% and 20% for laneway-based semi-detached dwelling units; Maximum lot coverage for semi-detached dwelling units shall be 80%; Maximum driveway width for semi-detached dwelling units shall be 3.0 metres per unit for street- accessed garage units; Maximum height of building for semi-detached dwelling units shall be 11.0 metres; Minimum outdoor amenity space excluding the driveway for semi-detached dwelling units shall be 60 square metres for street- accessed units and 25 square metres for laneway-based units, having no dimension less than 3.7 metres; Semi- detached dwelling units shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street.

Link Dwelling Unit

Minimum lot depth for link dwelling units shall be 27.0 metres; Minimum lot area for link dwelling units shall be 180.9 square metres per unit; Minimum lot frontage for link dwelling units shall be 8.5 metres per unit with a street- accessed garage and 6.7 metres per unit with a laneway-based garage; Minimum front yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of a garage; Minimum front yard depth for laneway-based link dwelling units shall be 3.5 metres; Minimum exterior side yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of a garage; Minimum interior side yard width for a link dwelling units shall be 1.2 metres on one side and 1.2 metres on the other side to the building face and 0.7 metres to the side of an attached garage;

Where an attached garage is permitted a 0.7 metre setback, General Provision 3.3.1, Yard Encroachments, Ornamental and Communication Structures, shall not apply, other than for eaves and gutters which may be permitted to encroach a maximum distance of 0.4 metres into the minimum required 0.7 metre interior side yard.

Notwithstanding General Provision 3.1.5.5, Yards, Accessory Uses, Buildings and Structures, for a detached garage accessory to a laneway- based dwelling unit, the minimum interior side yard shall be 0.0 metres on one side and 1.2 metres on the other side, the minimum exterior side yard shall be 4.0 metres, and the minimum rear yard shall be 0.6 metres;

Minimum rear yard depth for link dwelling units shall be 7.5 metres; Minimum dwelling unit area for link dwellings units shall be 65 square metres per unit; Minimum landscaped open space for link dwellings shall be 30% for street-accessed units and 20% for laneway-based units; Maximum lot coverage for link dwelling units shall be 70%; Maximum driveway width link dwelling units shall be 3.0 metres per unit for street- accessed garage units (no driveway for laneway-based link dwelling units); Maximum height of building for link dwelling units shall be 11.0 metres; Minimum outdoor amenity space excluding the driveway for link

dwelling units shall be 60 square metres for street-accessed units and 25 square metres for laneway-based units, having no dimension less than 3.7 metres; Link dwelling units shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street.

Street Townhouse Dwelling

Minimum lot depth for townhouse dwelling units shall be 27.0 metres; Minimum lot area for townhouse dwelling units shall be 164.7 square metres per unit; Minimum lot frontage for street townhouse dwellings shall be 6.1 metres per unit; Minimum front yard depth for street townhouse dwellings shall be 4.0 metres to the building face and 6.0 metres to the front of a garage; Minimum front yard depth for laneway-based street townhouse dwellings shall be 3.5 metres to the building face; Minimum exterior side yard depth for street townhouse dwellings shall be 4.0 metres to the building face and 6.0 metres to the front of a garage; Minimum interior side yard depth for street townhouse dwellings shall be 1.5 metres on one side for townhouse end-units and 0.0 metres on the other interior side for street-accessed dwelling units; Minimum interior side yard depth for street townhouse dwellings shall be 0.9 metres on one side for townhouse end-units and 0.0 metres on the other interior side for laneway- based dwelling units; Notwithstanding General Provision 3.1.5.5, Yards, Accessory Uses, Buildings and Structures, for a detached garage accessory to a laneway-based dwelling unit, the minimum interior side yard shall be 0.0 metres, the minimum exterior side yard shall be 4.0 metres, and the minimum rear yard shall be 0.6 metres; Minimum rear yard depth for street townhouse dwellings shall be 7.5 metres; Minimum landscaped open space for street townhouse dwellings shall be 20% for street-accessed units and 20% for laneway-based units; Maximum lot coverage for street townhouse dwellings shall be 80%; Maximum driveway width for street townhouse dwellings shall be 3.0 metres per unit; Maximum height of building for street townhouse dwellings shall be 12.0 metres; Minimum width per unit for street townhouse dwellings shall be 6.1 metres per unit; Minimum outdoor amenity space for street townhouse dwellings shall be 45 square metres for street-accessed units and 25 square metres for laneway-based units, having no dimension less than 2.8 metres; Street townhouse dwellings shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street; Maximum number of dwelling units per street townhouse dwelling shall be 6.

All Dwelling Unit Types

Where a garage is attached to a residential dwelling unit, the maximum projection of the face of the attached garage from the building face shall be 2.4 metres; For the purposes of the R3-21 zone, a private street or private lane shall be deemed to be a public street as defined in this By- Law; Notwithstanding the General Provisions, Section 3.3.4 and 3.3.6 to the contrary, the following provisions shall apply for all dwelling unit types: porches/verandas shall be permitted to encroach by sixty (60%) percent and steps by eighty (80%) percent into any required front or exterior side yard setback depth for street-accessed units. Porches/verandas shall be permitted to encroach by seventy (70%) percent and steps by eighty (80%)

percent into any required front or exterior side yard setback depth for laneway-based units. Porches/verandas shall not be subject to nor restricted to a maximum area size. Maximum height of porch/verandas and steps within permitted encroachment shall be 1.6 metres; Notwithstanding the General Provisions to the contrary contained in Section 3, the following provisions shall apply: Dwelling Unit Access shall mean the primary front access to a residential dwelling unit from either a Public Street, a Private Street and/or a Public Open Space or Private Outdoor Amenity Space.

6.4.22 R3-22 Schedule "R"

All of the permitted uses and provisions of the R3-21 zone apply to the R3- 22 zone. However, for the purposes of the R3-22 zone, laneway-based street townhouse dwellings may be permitted to front onto an Open Space zone. All of the permitted uses and provisions of the R3-34 zone apply to the R3-22 zone.
Minimum lot depth for laneway-based street townhouse dwellings shall be
26.0 metres.

6.4.23 R3-23 Schedule "D"

The minimum street townhouse unit width shall be 6.3 metres and the interior side yard for the units on Puccini Drive shall be a minimum of 2.6 metres.

6.4.24 R3-24 Zone Schedule "O"

Permitted uses shall also include single detached and semi-detached dwellings; single detached and semi-detached dwellings shall comply with the Zone Provisions of Section 5.4.3; the total number of single detached dwellings on lands zoned R3-24 shall not exceed 20% of the total aggregate number of all units within this zone; minimum lot area for street townhouse dwellings or townhouse dwellings shall be 164 square metres; minimum front yard depth for street townhouse dwellings and townhouse dwellings shall be 4.5 metres to the main building face and 6.0 metres to an attached garage; minimum width of each street townhouse or townhouse unit shall be 5.45 metres; minimum exterior side yard for each street townhouse or townhouse dwelling shall be
3.5m; minimum interior side yard (exposed end or side wall) for street townhouse or townhouse dwellings shall be 1.2m; minimum rear yard depth for street townhouse or townhouse dwellings shall be 6.0 metres ; maximum lot coverage shall be 60%; a Play Area is not required and decks, balconies, steps and accessibility ramps may project into the rear yard a maximum of 5.5 metres; steps, porches and verandas may project a maximum distance of 2.0 metres into the front yard provided they do not exceed an area of 20 square metres.

6.4.25 R3-25 Zone Schedule "O"

The minimum front yard depth shall be 4.5 metres to the building face and
6.0 metres to the garage with steps, porches and verandas to project a maximum of 2.0 metres into the front yard provided the porch is no greater than 20 square metres; the minimum exterior side yard shall be 3.5 metres and 2.0 metres to a covered porch attached to a main dwelling; the minimum interior side yard setback

shall be 1.2 metres, the minimum rear yard depth shall be 6.0 metres; and the maximum lot coverage shall be 60%.

6.4.26 R3-26 Zone Schedule "J"

The lot area (minimum) shall be 174 square metres; the lot frontage (minimum) shall be 6 metres; the interior yard width (minimum) shall be
1.5 metres for the exposed end or side wall and for the exposed rear wall; the landscaped open space minimum shall be 4%; the lot coverage (maximum) shall be 55%; the permitted yard encroachment (maximum) shall be 2.5 metres; the minimum distance between a driveway and the intersecting street lines of Arcadia Road and Blueberry Trail shall be 6 metres. Further Townhouse is defined as a building divided vertically into no less than two (2) and no more than (8) individual dwelling units, each of which has direct access from the outside ground level and shares above ground party walls with abutting dwelling units and where each individual dwelling unit abuts a public street and where each dwelling unit is located on a separate lot.

6.4.27 R3-27 Zone Schedule "F"

Permitted residential uses shall be limited to street townhouse dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces a street line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard for an exposed end or side wall shall be 1.8 metres; the maximum lot coverage shall be 45 %.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R3-27 Zone, for corner lots at the intersection of a collector road and a local road where the conveyance of a 10 metre by 4 metre daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

6.4.28 R3-28 Zone Schedule "F"

Permitted residential uses shall be limited to street townhouse dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; the minimum exterior side yard shall be 4 metres, except where the front elevation of a garage faces a street-line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard for an exposed end or side wall shall be 1.8 metres; the maximum lot coverage shall be 45%.

6.4.29 R3-29 Zone Schedule "F"

Permitted residential uses shall be limited to street townhouse dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28; the minimum exterior side yard shall be 4 metres except where the front elevation of a

garage faces a street-line, in which case the exterior side yard to the garage shall be 6 metres; the maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres; the minimum interior side yard for an exposed end or side wall shall be 2.0 metres; notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R3-29 Zone, for corner lots at the intersection of a collector road and a local road where the conveyance of a 10 metre by 4 metre daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

6.4.30 R3-30 Zone Schedule "P"

Section 6.3 Zone Provisions applies to the lands zoned R3-30, except where specifically identified below:

- Maximum number of dwelling units shall be 22. For the purposes of the R3-30 Zone, a private street shall be deemed to be a public street.
- Minimum front yard depth for a townhouse dwelling shall be 5.0 metres;
- Minimum interior side yard width for a townhouse dwelling shall be 1.5 metres;
- Maximum lot coverage for a townhouse dwelling including a deck shall be 47%.
- Minimum lot area per unit for a street townhouse dwelling shall be 186 square metres;
- Minimum lot frontage per unit for a street townhouse dwelling shall be 6.25 metres;
- Minimum interior side yard width for an exposed end or side wall shall be 1.5 metres;
- Maximum lot coverage for a street townhouse dwelling including a deck shall be 47%;
- Minimum width of a street townhouse dwelling unit shall be 6.25 metres;
- Required Play Area may be situated in an adjacent zone; a Play Area may be situated within 1.5 metres of an exposed residential building wall; the maximum porch encroachment into a front or rear yard shall be 1.5 metres and the porch shall not exceed an area of 5 square metres.

6.4.31 R3-31 Zone Schedule "D"

The maximum lot coverage for a townhouse dwelling including a deck shall be 49%. Notwithstanding Subsection 3.18 Street Requirements of the Zoning By- law, buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

6.4.32 R3-32 Zone Schedule 'O'

Notwithstanding the provisions of Section 6 for the townhouse building located in the most northerly portion of the lands, the minimum lot area shall be 177 square metres; the maximum lot coverage shall be 68%; the minimum lot frontage shall be 6.6 metres; the minimum unit width shall be

6.6 metres; the minimum front yard setback requirement to River Road East shall be 4.2 metres to face of building; porches may project a maximum distance of 1.8 metres into the front yard setback requirement; the minimum interior side yard setback requirement for an exposed end wall shall be 1.2 metres; the minimum exterior side yard setback minimum shall be 4.2 metres to the building face and 3 metres for a corner feature (turret); the minimum rear yard setback requirement shall be 6 metres to a garage face; balconies are permitted to encroach into the required rear yard a maximum distance of 3 metres; the maximum height of the street townhouse unit shall be 12.5 metres.

Notwithstanding the provisions of Section 6 for the townhouse dwelling units located in the most southerly portion of the lands, the minimum lot area requirements shall be 185 square metres; maximum lot coverage shall be 65%;the minimum lot frontage shall be 6.6 meters; the minimum unit width shall be 6.6 metres; the minimum front yard setback shall be 6 metres to the garage face and 3.3 metres to porches; steps may project a maximum distance of 1.8 meters into the required front yard setback for porches; the minimum exterior side yard setback shall be 4.2 metres; the minimum rear yard setback shall be 6 metres ; the maximum height of the buildings shall be 12.5 metres. For the purposes of Section 3.18, the internal road shall be deemed to be a street.

6.4.33 R3-33 Zone Schedule 'R'

Permitted residential uses shall be limited to semi-detached dwelling units, link dwelling units and street townhouse dwellings, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28.
The minimum percentage of laneway-based dwelling units shall be 45% of the total number of dwelling units in the zone.

The maximum percentage of link dwelling units shall be 15% of the total number of dwelling units in the zone.

in addition to the permitted non-residential uses in the R3 Zone, a private park shall also be permitted; the minimum 5% play area shall not need to be located on the lot but shall be required in the general vicinity, and the location determined through site plan approval.

Section 6.3, Zone Provisions, applies to the lands zoned R3-33, except where specifically identified below:

Semi-Detached Dwelling Unit

Minimum lot depth for semi-detached dwelling units shall be 27.0 metres;

Minimum lot area for semi-detached dwelling units shall be 229.5 square metres per unit;
Minimum lot frontage for semi-detached dwelling units shall be 8.5 metres per unit with a street-accessed garage and 6.7 metres per unit with a laneway-based garage;

Minimum front yard depth for semidetached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum front yard depth for laneway based semi-detached dwelling units shall be 3.5 metres;

Minimum exterior side yard depth for semi-detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum interior side yard depth for semi-detached dwelling units shall be 1.2 metres on one side and 0.0 metres on the other interior sides for street-accessed garage units;

Minimum interior side yard depth for semidetached dwelling units shall be 0.9 metres on one side and 0.0 metres on the other interior sides for laneway-based garage units;

Minimum rear yard depth for semi-detached dwelling units shall be 7.5 metres;

Minimum dwelling unit area for semi-detached dwellings units shall be 65 square metres per unit;

Minimum landscaped open space for street-accessed semi-detached dwelling units shall be 30% and 20% for laneway-based semi-detached dwelling units;
Maximum lot coverage for semi-detached dwelling units shall be 80%;

Maximum driveway width for semi-detached dwelling units shall be 3.0 metres per unit for street accessed garage units;

Maximum height of building for semi-detached dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for semi- detached dwelling units shall be 60 square metres for street-accessed units and 25 square metres for laneway-based units, having no dimension less than 3.7 metres;

Semidetached dwelling units shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street.

Link Dwelling Unit

Minimum lot depth for link dwelling units shall be 27.0 metres;

Minimum lot area for link dwelling units shall be 180.9 square metres per unit;

Minimum lot frontage for link dwelling units shall be 8.5 metres per unit with a street accessed garage and 6.7 metres per unit with a laneway- based garage;

Minimum front yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of a garage;

Minimum front yard depth for laneway-based link dwelling units shall be 3.5 metres;

Minimum exterior side yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of a garage;

Minimum interior side yard width for a link dwelling units shall be 1.2 metres on one side and 1.2 metres on the other side to the building face and 0.7 metres to the side of an attached garage;

Where an attached garage is permitted a 0.7 metre setback, General Provision 3.3.1, Yard Encroachments, Ornamental and Communication Structures, shall not apply, other than for eaves and gutters which may be permitted to encroach a maximum distance of 0.4 metres into the minimum required 0.7 metre interior side yard.

Minimum rear yard depth for link dwelling units shall be 7.5 metres;

Minimum dwelling unit area for link dwellings units shall be 65 square metres per unit;

Minimum landscaped open space for link dwellings shall be 30% for street-accessed units and 20% for laneway-based units;

Maximum lot coverage for link dwelling units shall be 70%; Maximum driveway width link dwelling units shall be 3.0 metres per unit for street accessed garage units (no driveway for laneway-based link dwelling units);

Maximum height of building for link dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for link dwelling units shall be 60 square metres for street-accessed units and 25 square metres for laneway-based units, having no dimension less than 3.7 metres;

Link dwelling units shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street.

Street Townhouse Dwelling

Minimum lot depth for townhouse dwelling units shall be 27.0 metres;

Minimum lot area for townhouse dwelling units shall be 164.7 square metres per unit;

Minimum lot area for laneway-based street townhouse dwelling units shall be 145.0 square metres per unit;

Minimum lot frontage for street townhouse dwellings shall be 6.1 metres per unit;

Minimum lot frontage for laneway-based street townhouse dwellings shall be 5.5 metres per unit;

Minimum front yard depth for street townhouse dwellings shall be 4.0 metres to the building face and 6.0 metres to the front of a garage;

Minimum front yard depth for laneway-based street townhouse dwellings shall be 3.5 metres to the building face;

Minimum exterior side yard depth for street townhouse dwellings shall be 4.0 metres to the building face and 6.0 metres to the front of a garage;

Minimum interior side yard depth for street townhouse dwellings shall be 1.5 metres on one side for townhouse end-units and 0.0 metres on the other interior side for street-accessed dwelling units;

Minimum interior side yard depth for street townhouse dwellings shall be 0.9 metres on one side for townhouse end-units and 0.0 metres on the other interior side for laneway based dwelling units;
Minimum rear yard depth for street townhouse dwellings shall be 7.5 metres;

Minimum landscaped open space for street townhouse dwellings shall be 20% for street-accessed units and 20% for laneway-based units;

Maximum lot coverage for street townhouse dwellings shall be 80%;

Maximum driveway width for street townhouse dwellings shall be 3.0 metres, except for end-units for which the maximum driveway width shall be 6.0 metres;

Maximum height of building for street townhouse dwellings shall be 12.0 metres;

Minimum width per unit for laneway-based street townhouse dwellings shall be 5.5 metres per unit;

Minimum outdoor amenity space for street townhouse dwellings shall be 45 square metres for street-accessed units and 25 square metres for laneway-based units, having no dimension less than 2.8 metres;

Street townhouse dwellings shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street;

Maximum number of dwelling units per street townhouse dwelling shall be 6;

All Dwelling Unit Types

Where a garage is attached to a residential dwelling unit, the maximum projection of the face of the attached garage from the building face shall be 2.4 metres;

For the purposes of the R3-33 zone, a private street or private lane shall be deemed to be a public street as defined in this By- Law;

Notwithstanding the General Provisions, Section 3.3.4 and 3.3.6 to the contrary, the

following provisions shall apply for all dwelling unit types:

- Porches/verandas shall be permitted to encroach by sixty (60%) percent and steps by eighty (80%) percent into any required front, interior or exterior side yard setback depth for street-accessed units.
- Porches/verandas shall be permitted to encroach by seventy (70%) percent and steps by eighty (80%) percent into any required front, interior or exterior side yard setback depth for laneway-based units.
- Porches/verandas shall not be subject to nor restricted to a maximum area size.
- Maximum height of porch/verandas and steps within permitted encroachment shall be 1.6 metres;
- The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 2.90 m. Notwithstanding the General Provisions to the contrary contained in Section 3, the following provisions shall apply:
- Dwelling Unit Access shall mean the primary front access to a residential dwelling unit from either a Public Street, a Private Street and/or a Public Open Space or Private Outdoor Amenity Space."

6.4.34 R3-34 Zone Schedule 'R'

Permitted residential uses shall be limited to semi-detached dwelling units, link dwelling units and street townhouse dwellings, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28;

The minimum percentage of laneway-based dwelling units shall be 35% of the total number of dwelling units in the zone;

The maximum percentage of link dwelling units shall be 15% of the total number of dwelling units in the zone;

In addition to the permitted non-residential uses in the R3 Zone, a private park shall also be permitted; the minimum 5% play area shall not need to be located on the lot but shall be required in the general vicinity, and the location determined through site plan approval;

Section 6.3, Zone Provisions, applies to the lands zoned R3-34, except where specifically identified below:

Semi-Detached Dwelling Unit

Minimum lot depth for semi-detached dwelling units shall be 27.0 metres;

Minimum lot area for semi-detached dwelling units shall be 229.5 square metres per unit;

Minimum lot frontage for semi-detached dwelling units shall be 8.5 metres per unit with a street-accessed garage and 6.7 metres per unit with a laneway-based garage;

Minimum front yard depth for semidetached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum front yard depth for laneway based semi-detached dwelling units shall be 3.5 metres;

Minimum exterior side yard depth for semi-detached dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of an attached garage;

Minimum interior side yard depth for semi-detached dwelling units shall be 1.2 metres on one side and 0.0 metres on the other interior sides for street-accessed garage units;

Minimum interior side yard depth for semi-detached dwelling units shall be 0.9 metres on one side and 0.0 metres on the other interior sides for laneway-based garage units;

Minimum rear yard depth for semi-detached dwelling units shall be 7.5 metres;

Minimum dwelling unit area for semi-detached dwellings units shall be 65 square metres per unit;

Minimum landscaped open space for street-accessed semi-detached dwelling units shall be 30% and 20% for laneway-based semi-detached dwelling units;

Maximum lot coverage for semi-detached dwelling units shall be 80%;

Maximum driveway width for semi-detached dwelling units shall be 3.0 metres per unit for street accessed garage units;

Maximum height of building for semi-detached dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for semi- detached dwelling units shall be 60 square metres for street-accessed units and 25 square metres for laneway-based units, having no dimension less than 3.7 metres;

Semidetached dwelling units shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street.

Link Dwelling Unit

Minimum lot depth for link dwelling units shall be 27.0 metres;

Minimum lot area for link dwelling units shall be 180.9 square metres per unit;

Minimum lot frontage for link dwelling units shall be 8.5 metres per unit with a street accessed garage and 6.7 metres per unit with a laneway- based garage;

Minimum front yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of a garage;

Minimum front yard depth for laneway-based link dwelling units shall be 3.5 metres;

Minimum exterior side yard depth for link dwelling units shall be 4.0 metres to the building face and 6.0 metres to the front of a garage;

Minimum interior side yard width for a link dwelling units shall be 1.2 metres on one side and 1.2 metres on the other side to the building face and 0.7 metres to the side of an attached garage;

Where an attached garage is permitted a 0.7 metre setback, General Provision 3.3.1, Yard Encroachments, Ornamental and Communication Structures, shall not apply, other than for eaves and gutters which may be permitted to encroach a maximum distance of 0.4 metres into the minimum required 0.7 metre interior side yard.

Minimum rear yard depth for link dwelling units shall be 7.5 metres;

Minimum dwelling unit area for link dwellings units shall be 65 square metres per unit;

Minimum landscaped open space for link dwellings shall be 30% for street-accessed units and 20% for laneway-based units;

Maximum lot coverage for link dwelling units shall be 70%; Maximum driveway width link dwelling units shall be 3.0 metres per unit for street accessed garage units (no driveway for laneway-based link dwelling units);

Maximum height of building for link dwelling units shall be 11.0 metres;

Minimum outdoor amenity space excluding the driveway for link dwelling units shall be 60 square metres for street-accessed units and 25 square metres for laneway-based units, having no dimension less than 3.7 metres;

Link dwelling units shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street.

Street Townhouse Dwelling

Minimum lot depth for townhouse dwelling units shall be 27.0 metres;

Minimum lot area for townhouse dwelling units shall be 164.7 square metres per unit;

Minimum lot area for laneway-based street townhouse dwelling units shall be 145.0 square metres per unit;

Minimum lot frontage for street townhouse dwellings shall be 6.1 metres per unit;

Minimum lot frontage for laneway-based street townhouse dwellings shall be 5.5

metres per unit;

Minimum front yard depth for street townhouse dwellings shall be 4.0 metres to the building face and 6.0 metres to the front of a garage;

Minimum front yard depth for laneway-based street townhouse dwellings shall be 3.5 metres to the building face;

Minimum exterior side yard depth for street townhouse dwellings shall be 4.0 metres to the building face and 6.0 metres to the front of a garage;

Minimum interior side yard depth for street townhouse dwellings shall be 1.5 metres on one side for townhouse end-units and 0.0 metres on the other interior side for street-accessed dwelling units;

Minimum interior side yard depth for street townhouse dwellings shall be 0.9 metres on one side for townhouse end-units and 0.0 metres on the other interior side for laneway based dwelling units;

Minimum rear yard depth for street townhouse dwellings shall be 7.5 metres;

Minimum landscaped open space for street townhouse dwellings shall be 20% for street-accessed units and 20% for laneway-based units;

Maximum lot coverage for street townhouse dwellings shall be 80%;

Maximum driveway width for street townhouse dwellings shall be 3.0 metres, except for end-units for which the maximum driveway width shall be 6.0 metres;

Maximum height of building for street townhouse dwellings shall be 12.0 metres;

Minimum width per unit for laneway-based street townhouse dwellings shall be 5.5 metres per unit;

Minimum outdoor amenity space for street townhouse dwellings shall be 45 square metres for street-accessed units and 25 square metres for laneway-based units, having no dimension less than 2.8 metres;

Street townhouse dwellings shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street;

Maximum number of dwelling units per street townhouse dwelling shall be 6;

All Dwelling Unit Types

Where a garage is attached to a residential dwelling unit, the maximum projection of the face of the attached garage from the building face shall be 2.4 metres;

For the purposes of the R3-34 zone, a private street or private lane shall be deemed to be a public street as defined in this By- Law;

Notwithstanding the General Provisions, Section 3.3.4 and 3.3.6 to the contrary, the following provisions shall apply for all dwelling unit types:

- Porches/verandas shall be permitted to encroach by sixty (60%) percent and steps by eighty (80%) percent into any required front, interior or exterior side yard setback depth for street-accessed units.
- Porches/verandas shall be permitted to encroach by seventy (70%) percent and steps by eighty (80%) percent into any required front, interior or exterior side yard setback depth for laneway-based units.
- Porches/verandas shall not be subject to nor restricted to a maximum area size.
- Maximum height of porch/verandas and steps within permitted encroachment shall be 1.6 metres;

The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 4.30 m.

Notwithstanding the General Provisions to the contrary contained in Section 3, the following provisions shall apply:

- Dwelling Unit Access shall mean the primary front access to a residential dwelling unit from either a Public Street, a Private Street and/or a Public Open Space or Private Outdoor Amenity Space.”

6.4.35 R3-35 Zone Schedule “D”

Notwithstanding the provisions of Section 6 and Section 3.38, the minimum distance from the paved portion of an intersection to a driveway location shall be 4.5 metres.

For the purposes of the R3-35 Zone, a private laneway which forms a common element of a condominium corporation shall be considered a 'Street’.

BL2022-40

Notwithstanding the provisions of Section 6.2.1, Semi-Detached Dwellings shall also be permitted on lands within the R3-35 Zone.

Notwithstanding the provisions of Section 6.3.1, the minimum Lot Area for a Semi-Detached, Townhouse, or Street Townhouse Dwelling within the R3-35 Zone shall be 165 square metres.

Notwithstanding the provisions of Section 6.3.2, the minimum Lot Frontage for a Semi-Detached Dwelling shall be 7.0 meters and the minimum Lot Frontage for a Townhouse or Street Townhouse shall be 6.9 metres.

Notwithstanding the provisions of Section 6.3.3, the minimum Front Yard Depth for a Semi-Detached Dwelling shall be 6.0 metres,

Notwithstanding the provisions of Section 6.3.4, the minimum Exterior Side Yard Width for a Townhouse Dwelling or Street Townhouse Dwelling shall be 3.0 meters.

Notwithstanding the provisions of Section 6.3.5, the minimum Interior Side Yard from an exposed end or side wall of a Semi-Detached Dwelling shall be 3.0 metres,

Notwithstanding the provisions of Section 6.3.6, the minimum Rear Yard Depth for a Semi-Detached Dwelling shall be 7.6 metres,

Notwithstanding the provisions of Section 6.3.9, the maximum Lot Coverage for a Semi-Detached, Townhouse, or Street Townhouse Dwelling within the R3- 35 Zone shall be 55%.

Notwithstanding the provisions of Section 6.3.10, the maximum height for a Semi-Detached Dwelling shall be 12.0 metres.

Notwithstanding the provisions of Section 6.3.13, a common Play Area with a minimum area of 1,000 square metres shall be provided on the lands within the R3-35 Zone.

Notwithstanding the provisions of Sections 3.1.2 and 3.1.3, within the R3-35 Zone maximum of one detached Accessory Building or Structure may be permitted within a Rear Yard with a maximum area of 10 square metres, and a maximum height of 4.5 metres. An Accessory Building or Structure that is compliant with these provisions shall not be considered within the calculation of Lot Coverage for a particular lot.

Notwithstanding the provisions of Section 3.38.2.10, within the R3-35 Zone a driveway may be established not less than 0.3 metres from a side lot line.

.

6.4.36 R3-36 H Zone Schedule "F"

- The minimum Lot Area for a Townhouse dwelling shall be 185 square metres/unit.
- The minimum Lot Frontage for a Townhouse dwelling shall be 6.0 metres.
- The minimum Front Yard Depth for a Townhouse dwelling shall be 4.0 metres.
- The minimum Exterior Side Yard setback shall be 3.0 metres.
- The minimum Interior Side Yard setback for a Townhouse dwelling with an exposed end or side wall shall be 1.5 metres.
- The minimum Rear Yard Depth shall be 7.2 metres.
- The maximum lot coverage shall be as follows:

Block	Maximum Lot Coverage
A	60%
B	42%
C	44%
D	49%
E	53%
F	48%

- The minimum width of each Townhouse unit shall be 6.0 metres.
- A Play Area shall be provided that will be no larger than 500 square metres.
- Notwithstanding Section 3.18 Street Requirement of the Zoning By- law, buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

6.4.37 Intentionally Left Blank

LPAT Decision PL180619

6.4.38 R3-38 Zone Schedule "H"

For the purposes of the Zoning By-law the Front Yard for all Street Townhouse Units shall be 18th Street. Minimum Lot Area shall be 121 square metres/unit; Minimum Lot Frontage shall be 5.5 metres; Minimum Front Yard Depth shall be 3.5 metres; Minimum Exterior Side Yard shall be 2.4 metres (Mosley Street) and 2.6 metres (Dunkerron Avenue); Minimum Interior Side Yard Width shall be 1.2 metres; Minimum Rear Yard Depth shall be 6.0 metres; Minimum Landscaped Open Space shall be 13.5%; Maximum Lot Coverage shall be 60%; Minimum Width per Unit shall be 5.5 metres; Minimum and Maximum Encroachment for Porch/Veranda shall be 1.2 metres (front yard) and 2.2 metres (rear yard).

BL2020-47

6.4.39 R3-39 Zone Schedule 'R'

Notwithstanding any other provision in this By-law to the contrary, the following provisions shall apply to the lands zoned R3-39:

a)	Maximum number of residential units	58
b)	Minimum lot area (per unit)	148 sq.m.
c)	Minimum lot depth	19m
d)	Minimum lot frontage (per unit)	5.5m
e)	Minimum front yard depth:	
	i) For habitable space	5m
	ii) For covered porch	3m
f)	Minimum exterior side yard:	
	i) For habitable space	1.2m
	ii) For covered porch	1.0m
g)	Minimum Interior Side Yard	
	i) For habitable space	1.2m
	ii) For covered porch	1.0m

h) Minimum rear yard depth

i) For habitable space 5m

ii) For covered porch 3m

i) Minimum outdoor amenity space for townhouse dwellings 16 sq.m.

j) Minimum distance between a driveway and an intersection of street lines 8m

BL2020-65

6.4.40 R3-40 Zone Schedule 'N'

Notwithstanding any other provision in this by-law to the contrary, the following provisions shall apply to lands zoned "R3-40":

- Minimum Lot Area: 155 square metres
- Minimum Lot Frontage: 5.7 metres
- Minimum Exterior Side Yard: 3.0 metres
- Minimum Interior Side Yard (for exterior/end units only): 1.5 metres
- Minimum Rear Yard: 7.0 metres
- Maximum Lot Coverage: 47%
- Minimum Width for Street Townhouse Unit (serviced by public water and sanitary sewer systems): 5.7 metres

6.4.41 R3H1-41 Zone Schedule "F"

BL2021-111

Permitted residential uses shall be limited to street townhouse dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum Interior Side Yard for an exposed end or side wall shall be 1.8 metres. The maximum lot coverage shall be 45%.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R3H1-41 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle."

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6.0 metres.

BL2022-64

6.4.42 R3H-42 Zone Schedule "O"

<u>Townhouse Dwelling</u>

Minimum Lot Area shall be 132m^2 per unit
Minimum Exterior Side Yard Width, shall be 3.9m from the private street
Minimum Interior Side Yard Width, shall be 1.8m
Maximum Lot Coverage shall be 50% (per lot) Minimum Rear Yard Width, shall be 7.2m Maximum Lot Coverage shall be 50% (per lot) Minimum Width per Unit shall be 5.5m

Street Townhouse Dwelling

Minimum Lot Area shall be 132m^2 per unit

Minimum Interior Side Yard Width shall be 1.8m

Maximum Lot Coverage shall be 50% (per lot)

Minimum Width per Unit shall be 5.5m

Notwithstanding Section 3.38.2.4 of the Zoning By-law, tandem parking shall be permitted

Notwithstanding Section 3.38.2.7 of the Zoning By-law, the minimum distance between a driveway and an intersection of street lines shall be 7.0 meters.

6.4.43 R3H-43 Schedule "O"

Townhouse Dwelling

Minimum Lot Area shall be 132m^2 per unit

BL2022-64

Minimum Interior Side Yard Width shall be 3.0m

Maximum Lot Coverage shall be 50% (per lot)

Maximum Height: 10 m (two storeys)

Minimum Width per Unit shall be 5.5m

The Play Area for the dwelling units in this zone shall be located on lands within the R3-42 zone of Zoning Bylaw 2003-60.

Notwithstanding Section 3.38.2.4 of the Zoning By-law, tandem parking shall be permitted

Notwithstanding Section 3.38.2.7 of the Zoning By-law, the minimum distance between a driveway and an intersection of street lines shall be 7.0 meters.

6.4.44 R3H-44 Schedule "P"

The maximum lot coverage for a townhouse dwelling located on an interior townhouse lot shall be 49%. The maximum lot coverage for a townhouse dwelling located on an exterior townhouse lot shall be 44%.

BL2022-69

Subsection 6.3.13 Play Areas shall not apply.

Notwithstanding Subsection 3.18 Street Requirements of the Zoning By-law,

buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

The Holding 'H' Provision may be lifted from the subject lands upon the following:

a) Execution of a Subdivision Agreement; and

b) Registration of a Plan of Subdivision.

6.4.45 R3H1-45 Zone Schedule 'F'

BL2021-111
BL2023-17

Permitted residential uses shall be limited to street townhouse dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum Interior Side Yard for an exposed end or side wall shall be 1.8 metres. The maximum lot coverage shall be 45%.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R3-45 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

Notwithstanding Section 3.12.1i) the 30m setback to an environmental protection zone shall not apply.

6.4.46 R3H1-46 Zone Schedule "F"

BL2021-111
BL2023-17

Permitted residential uses shall be limited to street townhouse dwelling units, and one (1) attached accessory dwelling unit per lot, subject to Subsection 3.28. The Minimum Exterior Side Yard shall be 4.0 metres, except where the front elevation of a garage faces a street-line, in which case the Exterior Side Yard to the garage shall be 6 metres. The maximum distance from the main wall of the dwelling unit to the front elevation of a garage shall be 1.5 metres. The minimum Interior Side Yard for an exposed end or side wall shall be 1.8 metres. The maximum lot coverage shall be 45%.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R3-46 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6.0 metres.

6.4.47 R3-47 Zone Schedule "H"

A private street shall be considered a street. A Play Area with a minimum area of 289 square metres shall be provided. The Play Area shall have a minimum setback of 3.0 metres from any exposed residential building wall.

6.4.48 R3-48 Zone Schedule "H"

Notwithstanding Sections 6.3.1 a), 6.3.2 a), 6.3.3, 6.3.4, 6.3.5 b) ii) and iii), 6.3.6, 6.3.8, 6.3.9 a), 6.3.11, and 6.3.13 of the Residential Type 3 (R3) Zone, and Sections 3.3.4, 3.3.5, 3.3.6, and 3.38.2.10 of the General Provisions, the following provisions apply:

Street Townhouse Dwelling Unit

Lot Area (minimum) shall be 145 sq. m; Lot Frontage (minimum) shall be 6.5 metres; Front Yard Depth (minimum) shall be 2.8 metres; Exterior Side Yard (minimum) shall be 3.0 metres from the exterior side wall to a parallel lot line and 1.8 metres from the exterior side wall to the daylight triangle; Interior Side Yard (minimum) to an exposed end or side wall shall be 1.3 metres; Interior Side Yard (minimum) to an exposed end or side wall abutting an R1 Zone shall be 1.39 metres; Rear Yard Depth (minimum) shall be 4.4 metres to the dwelling and 6.0 metres to the garage; Landscaped Open Space (minimum) shall be 24%; Lot Coverage (maximum) shall be 68%; Width Per Unit (minimum) shall be 6.5 metre; and no play area shall be required.

Porches / Verandas shall be setback a minimum of 0.90 metres from a daylight triangle; Porches / Verandas, Balconies, steps and/or accessibility ramps may project into any required front and rear yard a maximum distance of 1.55 metres and Porches shall not exceed an area of 5.0 sq. metres; and driveways may be established along an interior side lot line internal to the R3-48 Zone with a 0.0 metre setback.

6.4.49 R3-49 Zone Schedule "B"

Street Townhouse Dwelling Unit

- Minimum Lot Frontage shall be 6 metres;
- Minimum Lot Area shall be 167 square metres;
- Minimum Front Yard Depth shall be 5 metres to the building face and 6 metres to the garage;
- Minimum Front Yard Depth on corner units shall be 3 metres to the

building face;
- Minimum Exterior Side Yard Width shall be 3 metres;
- Minimum Interior Side Yard Width (exposed end or side wall) shall be 1.35 metres;
- Minimum Interior Side Yard Width (exposed end or side wall abutting an r1 or r2 zone) shall be 1.74 metres;
- Minimum Rear Yard Depth shall be 7 metres;
- Minimum Landscaped Open Space shall be 24%;
- Maximum Lot Coverage shall be 60%; and,
- Minimum Width per Unit shall be 6 metres.

Notwithstanding any policies to the contrary in the Zoning By-law, for the purpose of the R3-49 Zone a minimum communal amenity space of 620 square metres shall be provided for the west phase, and a minimum communal amenity space of 2860 square metres shall be provided for the east phase.

Notwithstanding Section 3.1.5.2, for a street townhouse unit an interior side yard setback of 0.6 metres to a heat pump or air conditioner shall be permitted along the interior lot line where the vertical common wall is located.

Notwithstanding Section 3.3.4, porches/verandas are permitted in the required front yard with a maximum area of 10 square metres and a maximum height of

1.2 metres, provided that the porches/verandas maintain a minimum front yard setback of 1.5 metres on lots with a sidewalk along the frontage and a minimum front yard setback of 3 metres for lots that do not contain a sidewalk along the frontage.

Notwithstanding Section 3.3.6, steps are permitted in the required front yard, provided that the steps maintain a minimum front yard setback of 1.5 metres on lots with a sidewalk along the frontage and a minimum front yard setback of 3 metres for lots that do not contain a sidewalk along the frontage, and provided that such uses are not below grade or not more than 1.2 metres above grade within the required front yard.

Notwithstanding Section 3.3.6, steps may project into any required rear yard a maximum distance of 4.5 metres provided that such uses are not below grade or not more than 2.8 metres above grade within the required rear yard.

Notwithstanding Section 3.18, buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6 metres in all Residential Zones for street townhouses.

Notwithstanding Section 3.38.2.10, for street townhouses non-abutting driveways may be established with a 0 metre setback along an interior lot

line.

6.4.50 R3-50 Zone Schedule "B"

Back-to-Back Townhouse Dwelling Unit

- Permitted uses shall include back-to-back townhouses;
- Minimum Lot Frontage shall be 6.4 metres;
- Minimum Lot Area shall be 90 square metres;
- Minimum Front Yard Depth shall be 5 metres to the building face and 6 metres to the garage;
- Minimum Front Yard Depth on corner units shall be 3 metres to the building face;
- Minimum Exterior Side Yard Width shall be 3 metres;
- Minimum Interior Side Yard Width (exposed end or side wall) shall be 1.35 metres;
- Minimum Rear Yard Depth shall be 0 metres;
- Minimum Landscaped Open Space shall be 7%;
- Maximum Lot Coverage shall be 70%;
- Maximum Height of Building shall be 13 metres;
- Minimum Width per Unit shall be 6.4 metres; and,
- Maximum Units per Structure shall be 16

Notwithstanding any policies to the contrary in the Zoning By-law, for the purposes of the R3-50 Zone a minimum communal amenity space of 620 square metres shall be provided for the west phase, and a minimum communal amenity space of 2860 square metres shall be provided for the east phase.

Notwithstanding Section 3.1.5.2, an interior side yard setback of 0.6 metres to a heat pump or air conditioner shall be permitted along the interior lot line where the vertical common wall is located. For back-to-back townhouses the air conditioner/heat pump units can be located on the balconies within the front yard.

Notwithstanding Section 3.3.4, porches/verandas are permitted in the required front yard with a maximum area of 10 square metres and a maximum height of 1.2 metres, provided that the porches/verandas maintain a minimum front yard setback of 1.5 metres on lots with a sidewalk along the frontage and a minimum front yard setback of 3 metres for lots that do not contain a sidewalk along the frontage.

Notwithstanding Section 3.3.5, for back-to-back townhouses balconies are permitted in the required front yard, provided that the balconies maintain a minimum front yard setback of 1.5 metres on lots with a sidewalk along the

frontage and a minimum front yard setback of 3 metres for lots that do not contain a sidewalk along the frontage, and provided that the balconies are located at a greater height than the bottom of the first floor ceiling joists.Notwithstanding any policies to the contrary in the Zoning By-law, a balcony shall not extend beyond a porch/veranda whether over the porch or driveway.

Notwithstanding Section 3.3.6, steps are permitted in the required front yard, provided that the steps maintain a minimum front yard setback of 1.5 metres on lots with a sidewalk along the frontage and a minimum front yard setback of 3 metres for lots that do not contain a sidewalk along the frontage, and provided that such uses are not below grade or not more than 1.2 metres above grade within the required front yard.

Notwithstanding Section 3.10, where a lot includes a portion of an easement, such easement may be considered part of the lot for the purpose of computing the lot area and the yard depth or width of the lot, provided that the depth of the rear yard of the lot shall not be less than 0 metres for the back-to-back townhouses.

Notwithstanding Section 3.18, buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 8 metres in all Residential Zones for back-to-back townhouses.

R3-50T Zone Schedule "B"

Temporary Sales Centre

A Sales Centre shall also be a permitted use subject to the following provisions:

- The minimum lot area requirement for the area subject to the temporary use shall be 0.11 hectares;
- The minimum lot frontage requirement for the area subject to the temporary use shall be 29.09 metres;
- The minimum front yard setback, as measured from the front lot line post-road widening, shall be 6 metres;
- The minimum interior side yard setback shall be 3.2 metres;
- A total of 6 parking stalls will be provided;
- The front deck may project a maximum distance of 2.4 metres into any required front yard provided it is not more than 1 metre above finished grade;

- Notwithstanding Section 3.3.6, Steps and Accessibility Ramps, an accessibility ramp may project into any required front yard a maximum distance of 2 metres provided that such uses are not below grade or not more than 1 metre above grade within the required yard; and
- The Sales Centre building shall not exceed an area of 66 square metres.

This is a temporary zone, and the permissions granted within this zone are for a time period of 3 years from November 14, 2024, after which time these permissions shall be deemed to expire if an extension is not subsequently granted, and the provisions of the R3-50 Zone will apply.

6.4.51 R3-51 Zone Schedule “”

6.4.52 R3-52 Zone Schedule “”

6.4.53 R3-53 Zone Schedule “”

6.4.54 R3-54 Zone Schedule “A”

Back-to-Back Townhouse Dwelling Unit
Permitted uses shall include back-to-back townhouses;
Minimum Lot Area shall be 100 square metres;
Minimum Lot Frontage shall be 7 metres;
Minimum Front Yard Depth on corner units shall be 3 metres to the building face, notwithstanding the end unit on the northern portion of Block 35 which shall have a minimum front yard depth of 2.69 metres;
Minimum Exterior Side Yard Width shall be 3.5 metres;
Minimum Interior Side Yard Width (exposed end or side wall) shall be 1.35 metres;
Minimum Rear Yard Depth shall be 0 metres;
Minimum Landscaped Open Space shall be 17%;
Maximum Lot Coverage shall be 65%;
Minimum Width per Unit shall be 7 metres;
Maximum Units per Structure shall be 14; and,
The required Play Area can be consolidated into a larger area and provided on a nearby lot/block.

Notwithstanding Section 3.1.5.2, an interior side yard setback of 0.6 metres to a heat pump or air conditioner shall be permitted along the interior lot line where the vertical common wall is located. For back-to-back townhouses the air conditioner/heat pump units can be located on the balconies within the front yard.

Notwithstanding Section 3.3.4, porches/verandas for interior units may project into any required front yard a maximum distance of 1.5 metres provided that they are not more than 1.2 metres above finished grade and shall not exceed an area of 8 square metres.

Notwithstanding Section 3.3.4, porches/verandas for corner units may project into any required front yard with a maximum height of 1.2 metres above finished grade, and a maximum area of 8 square metres, provided that the porches/verandas maintain a minimum front yard setback of 3 metres.

Notwithstanding Section 3.3.5, balconies for interior units may project into any required front yard a maximum distance of 1.5 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists.

Notwithstanding Section 3.3.5, balconies for corner units may project into any required front yard provided that the balconies maintain a minimum front yard setback of 3 metres, and provided that they are located at a greater height than the bottom of the first floor ceiling joists.

Notwithstanding Section 3.3.6, steps and/or accessibility ramps to an entrance may project into any required front yard, provided that the steps maintain a minimum front yard setback of 3 metres, and provided that such uses are not below grade or not more than 1.2 metres above grade within the required front yard.

Notwithstanding Section 3.10, where a lot includes a portion of an easement, such easement may be considered part of the lot for the purpose of computing the lot area and the yard depth or width of the lot.

Notwithstanding Section 3.18, buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 7 metres in all Residential Zones for back-to-back townhouse dwelling units.

6.4.55 R3-55 Zone Schedule "A"

Street Townhouse Dwelling Unit
Minimum Lot Area shall be 145 square metres;
Minimum Lot Frontage shall be 5.5 metres;
Minimum Front Yard Depth on corner units shall be 3 metres to the building face;
Minimum Exterior Side Yard Width shall be 3.4 metres;
Minimum Interior Side Yard Width (exposed end or side wall) shall be 1.35 metres;
Minimum Interior Side Yard Width (exposed end or side wall abutting an R2 zone) shall be 1.35 metres;
Minimum Rear Yard Depth shall be 6 metres;
Maximum Lot Coverage shall be 55%; and,
Minimum Width per Unit shall be 5.5 metres

Notwithstanding Section 3.3.4, porches/verandas for interior units may project into any required front yard a maximum distance of 1.5 metres provided that they are not more than 1.2 metres above finished grade and shall not exceed an area of 8 square metres.

Notwithstanding Section 3.3.4, porches/verandas for corner units may project into any required front yard with a maximum height of 1.2 metres above finished grade, and a maximum area of 8 square metres, provided that the porches/verandas maintain a minimum front yard setback of 3 metres.

Notwithstanding Section 3.3.5, balconies for interior units may project into any required front or rear yard a maximum distance of 1.5 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists.

Notwithstanding Section 3.3.5, balconies for corner units may project into any required rear yard a maximum distance of 1.5 metres, and may project into any required front yard provided that the balconies maintain a minimum front yard setback of 3 metres, and provided that they are located at a greater height than the bottom of the first floor ceiling joists.

Notwithstanding Section 3.3.6, steps and/or accessibility ramps to an entrance may project into any required front yard, provided that the steps maintain a minimum front yard setback of 3 metres, and provided that such uses are not below grade or not more than 1.2 metres above grade within the required front yard.

Notwithstanding Section 3.18, buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

Notwithstanding Section 3.38.2.7, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 2 metres for the eastern most driveway of the street townhouse dwelling unit on Block 21.

6.4.56 R3-56 Zone Schedule "O"

Minimum Lot Area – 160 square metres
Minimum Lot Frontage – 6 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard - 6 metres
Minimum Landscaped Open Space – 20%
Maximum Lot Coverage – 65%

Maximum Height – 13.5 metres
Minimum Unit Width – 6.10 metres
Minimum Parking Space Size (internal to garage) – 2.7 metres X 6.0 metres unobstructed area
Maximum Driveway Width – 3.2 metres
Play Area – not required (section 6.3.13).

Section 3.38.2.8 shall not apply to this zone.

Notwithstanding 3.1.5.2 Air Conditioning units and heat pump may be located in the rear yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard.

Notwithstanding Section 3.3.

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.
ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.
iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.
iv. Steps below grade can project 2.5 metres from the rear main wall.
v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3 metre utility easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line

6.4.57 R3-57 Zone Schedule "O"

Permitted Use: Rear Lane Townhouse
Minimum Lot Area – 125 square metres
Minimum Lot Frontage – 5.7 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard Setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard (house) – 4.5 metres
Minimum Rear Yard (garage) – 6 metres
Minimum Landscaped Open Space – 10%
Maximum Lot Coverage – 65%
Maximum Height – 13.5 metres
Minimum Unit Width – 5.8 metres
Maximum Driveway Width – 4 metres on interior units
Play Area – not required (section 6.3.13)

Section 3.38.2.8 shall not apply to this zone

Minimum Balcony Amenity Area – 7.0 square metres, unobstructed

Notwithstanding 3.1.5.2, Air Conditioning units and heat pump may be located in the front yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard.

Notwithstanding Section 3.3,

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8

metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3 metre utility easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line

6.4.58 R3-58 Zone Schedule "O"

Permitted Use – Back-to-Back Townhouse
Minimum Lot Area – 85 square metres
Minimum Lot Frontage – 6 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard Setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard – 0 metres
Minimum Landscaped Open Space – 8%
Maximum Lot Coverage – 75%
Maximum Height – 13.5 metres
Minimum Unit Width – 6.5 metres
Maximum Driveway Width – 3.2 metres
Maximum Unit Per Structure – 16
Play Area – not required (section 6.3.13)

Section 3.38.2.8 shall not apply to this zone

Minimum Balcony Amenity Area – 7.0 square metres, unobstructed

Notwithstanding 3.1.5.2 Air Conditioning units and heat pump may be located on a balcony in the front yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard. Notwithstanding Section 3.3.

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted

in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3 metre utility easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line

6.4.59 R3-59 Zone Schedule "O"

Minimum Lot Area – 160 square metres
Minimum Lot Frontage – 6 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard - 6 metres
Minimum Landscaped Open Space – 20%
Maximum Lot Coverage – 65%
Maximum Height – 13.5 metres
Minimum Unit Width – 6.10 metres
Minimum Parking Space Size (internal to garage) – 2.7 metres X 6.0 metres unobstructed area
Maximum Driveway Width – 3.2 metres
Play Area – not required (section 6.3.13)

Notwithstanding 3.38.2.7 – the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6.0 metres.

Section 3.38.2.8 shall not apply to this zone.

Notwithstanding 3.1.5.2 Air Conditioning units and heat pump may be located in the rear yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard. Notwithstanding Section 3.3.

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3 metre utility easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line.

6.4.60 R3-60 Zone Schedule "O"

Minimum Lot Area – 125 square metres
Minimum Lot Frontage – 5.7 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard Setback (garage) – 6 metres

Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard (house) – 4.5 metres
Minimum Rear Yard (garage) – 6 metres
Minimum Landscaped Open Space – 10%
Maximum Lot Coverage – 65%
Maximum Height – 13.5 metres
Minimum Unit Width – 5.8 metres
Maximum Driveway Width – 4 metres on interior units
Play Area – not required (section 6.3.13)
Notwithstanding 3.38.2.7 – the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6.0 metres.

Section 3.38.2.8 shall not apply to this zone.

Minimum Balcony Amenity Area – 7.0 square metres, unobstructed
Notwithstanding 3.1.5.2 Air Conditioning units and heat pump may be located in the front yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard.

Notwithstanding Section 3.3.

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3-metre utility easement. A balcony located on top of a porch/veranda may

encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line

6.4.61 R3-61 Zone Schedule "O"

Permitted Use – Back-to-Back Townhouse
Minimum Lot Area – 85 square metres
Minimum Lot Frontage – 6 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard Setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard – 0 metres
Minimum Landscaped Open Space – 8%
Maximum Lot Coverage – 75%
Maximum Height – 13.5 metres
Minimum Unit Width – 6.5 metres
Maximum Driveway Width – 3.2 metres
Maximum Unit Per Structure – 16
Play Area – not required (section 6.3.13)

Notwithstanding 3.38.2.7 – the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 6.0 metres.

Section 3.38.2.8 shall not apply to this zone.

Minimum Balcony Amenity Area – 7.0 square metres, unobstructed.

Notwithstanding 3.1.5.2 Air Conditioning units and heat pump may be located on a balcony in the front yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard. Notwithstanding Section 3.3.

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres

above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3 metre utility easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line

6.4.62 R3-62 Zone Schedule "O"

Minimum Lot Area – 160 square metres
Minimum Lot Frontage – 6 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard - 6 metres
Minimum Landscaped Open Space – 20%
Maximum Lot Coverage – 65%
Maximum Height – 13.5 metres
Minimum Unit Width – 6.10 metres
Minimum Parking Space Size (internal to garage) – 2.7 metres X 6.0 metres unobstructed area
Maximum Driveway Width – 3.2 metres
Play Area – not required (section 6.3.13)

Notwithstanding 3.38.2.7 – the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 7.5 metres.

Section 3.38.2.8 shall not apply to this zone.

Notwithstanding 3.1.5.2 Air Conditioning units and heat pump may be located in the rear yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard.

Notwithstanding Section 3.3.

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3 metre utility easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line.

6.4.63 R3-63 Zone Schedule “O”

Permitted Use: Rear Lane Townhouse
Minimum Lot Area – 125 square metres
Minimum Lot Frontage – 5.7 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard Setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard (house) – 4.5 metres
Minimum Rear Yard (garage) – 6 metres
Minimum Landscaped Open Space – 10%
Maximum Lot Coverage – 65%
Maximum Height – 13.5 metres
Minimum Unit Width – 5.8 metres
Maximum Driveway Width – 4 metres on interior units
Play Area – not required (section 6.3.13)

Notwithstanding 3.38.2.7 – the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 7.5 metres.

Section 3.38.2.8 shall not apply to this zone.

Minimum Balcony Amenity Area – 7.0 square metres, unobstructed.

Notwithstanding 3.1.5.2 Air Conditioning units and heat pump may be located in the front yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere with the surface drainage of water or impede a pathway to the rear yard.

Notwithstanding Section 3.3.

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first floor ceiling joists and provided there is no encroachment into the 3 metre utility easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line.

6.4.64 R3-64 Zone Schedule "O"

Permitted Use – Back-to-Back Townhouse
Minimum Lot Area – 85 square metres
Minimum Lot Frontage – 6 metres
Minimum Front Yard Setback (house) – 4 metres
Minimum Front Yard Setback (garage) – 6 metres
Minimum Exterior Side Yard – 2.4 metres to the daylighting triangle and 3.0 metres for the remainder of the property boundary
Minimum Interior Side Yard – 0 metres, 1.35 metres (exposed end wall)
Minimum Rear Yard – 0 metres
Minimum Landscaped Open Space – 8%
Maximum Lot Coverage – 75%
Maximum Height – 13.5 metres
Minimum Unit Width – 6.5 metres
Maximum Driveway Width – 3.2 metres
Maximum Unit Per Structure – 16
Play Area – not required (section 6.3.13)

Notwithstanding 3.38.2.7 – the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveways, shall be 7.5 metres.

Section 3.38.2.8 shall not apply to this zone.

Minimum Balcony Amenity Area – 7.0 square metres, unobstructed.

Notwithstanding 3.1.5.2 Air Conditioning units and heat pump may be located on a balcony in the front yard; accessory air conditioner, heat pump, utility meter or similar item may project into any required yard, but its location shall not interfere

with the surface drainage of water or impede a pathway to the rear yard.

Notwithstanding Section 3.3:

i. Porches/verandas inclusive of steps and accessibility ramps are permitted in the exterior side yard and may encroach up to 1.5 metres of the required exterior side yard, for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

ii. Porches/verandas inclusive of steps and accessibility ramps are permitted in the front and may encroach up to 3.0 metres of the required front yard for a maximum area for a porch of 8 square metres provided that such uses are not below grade or not more than 1.2 metres above grade.

iii. Steps and accessibility ramps may project into any required rear yard no closer than 2.5 metres to the rear lot line, and not more than 3 metres above grade.

iv. Steps below grade can project 2.5 metres from the rear main wall.

v. Balconies may project into any required front or rear yard a maximum distance of 2 metres and into any required exterior yard a maximum of 1.8 metres provided that they are located at a greater height than the bottom of the first-floor ceiling joists and provided there is no encroachment into the 3 metre utility easement. A balcony located on top of a porch/veranda may encroach to the same extent and may include vertical supports.

Notwithstanding section 27.110, a porch/deck in the front or rear yard up to a maximum of 8 square metres is not included when calculating lot coverage; uncovered and covered balconies greater than 2.5 metres above finished grade are not included when calculating lot coverage.

Notwithstanding Section 3.3.1, ornamental and communication structures within the interior side yard shall maintain a minimum setback of 0.3 metres from the property line

SECTION 7- RESIDENTIAL TYPE 4 (R4) ZONE

7.1 No person shall within any Residential Type 4 (R4) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

7.2 PERMITTED USES

7.2.1 Residential Uses:

a) Apartment dwelling
b) Townhouse dwelling

7.2.2 Non-residential Uses:

a) Accessory use directly related to the uses permitted in the R4 Zone
b) Public use

7.3 ZONE PROVISIONS

7.3.1	**Lot Area (minimum):**	835.sq.m
7.3.2	**Lot Frontage (minimum):**	30 m
7.3.3	**Front Yard Depth (minimum):**	6 m
7.3.4	**Exterior Side Yard Width (minimum):**	6 m
7.3.5	**Interior Side Yard Width (minimum):**	6 m
7.3.6	**Rear Yard Depth (minimum):**	6 m

7.3.7 Dwelling Unit Area (minimum):

a) Apartment dwelling unit containing one bedroom or less	37 sq.m
b) Apartment dwelling unit containing two bedrooms	65 sq.m
c) Apartment dwelling unit containing three bedrooms	83 sq.m
d) Apartment dwelling unit containing more than three bedrooms plus an additional 9 sq.m for each bedroom in excess of 3	83 sq.m
e) Townhouse dwelling unit	65 sq.m

7.3.8	**Height of Building (maximum):**	12 m
7.3.9	**Gross Floor Area, Apartment (maximum):**	100% of lot area

7.3.10 Lot Coverage (maximum): 35%

7.3.11 Landscaped Open Space (minimum): 35%

7.3.12 Courts:

Where a building is in a court form, the distance between the opposing walls of the building forming the court shall be not less than 20 m or the height of the highest portion of the building, whichever is greater.

7.3.13 Recreation Use Areas:

A recreation use area shall be provided on each lot containing more than 8 dwelling units in accordance with the following provisions:

a. Minimum area: 5% of lot area
b. Location: not in any privacy yard nor in any required front yard

7.3.14 Privacy Yards:

In the case of a wall containing a first storey habitable room window, a privacy yard having a depth of not less than 6 m shall be provided adjoining each exterior wall of every dwelling unit. For the purposes of this section, a window shall be considered to be located on the first storey if any part of the glazing is less than 2.4 m above the finished adjacent grade.

7.3.15 Servicing:

No lot in any R4 Zone shall be used for a dwelling unit unless such lot is served by a public water system and a sanitary sewer system.

7.3.16.1 Accessory Uses see Section 3.1

7.3.17 Parking Provisions see Section 3.38

7.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular R4 Zone except as noted:

7.4.1 R4-1 Zone Schedule "P"

No Lot Frontage shall be required, the Front Yard Depth (minimum) shall be 7.6m, the Exterior Side Yard Width (minimum) shall be 7.6m, the Interior Side Yard Width (minimum) shall be 7.6m, the Rear Yard Depth (minimum) shall be 7.6m, and the Landscaped Open Space (minimum) shall be 10%.

7.4.2 R4-2 Zone Schedule 'O'

Maximum building height shall be 20.0 metres (maximum five storey); any part, above finished grade, of a building or structure which is used for the storage or parking of motor vehicles shall be excluded from the calculation of Gross Floor Area, Apartment; maximum lot coverage shall be 85%; minimum front yard depth shall be 4.5 metres; minimum exterior side yard width shall be 4.5 metres; minimum interior yard width shall be 4.5m and minimum rear yard depth shall be 4.5 metres.

7.4.3 R4-3 Zone Schedule 'F'

The Interior Side Yard Width (minimum) for the northern building shall be 7 metres to the face of the building, the Interior Side Yard Width (minimum) for the southern building shall be 0 metres to the closest zone line, the Front Yard Depth (minimum) of the northern most apartment building shall be 60 metres to the face of the building, the Front Yard Depth (minimum) of the southernmost apartment building shall be 50 metres to the face of the building, the Rear Yard Depth (minimum) to the northern building shall be 6 metres to the property line, the Rear Yard Depth (minimum) to the southern building shall be 1 metre to the closest zone line, the Front Yard Depth (minimum) for the accessory building shall be 15 metres, the Height of Building (maximum) of the northern most building from the ground to the top of the roof shall be 28 metres, the Height of Building (maximum) of the second building from the ground to the top of the roof shall be 25 metres, one accessory building shall be permitted to a maximum building footprint of 372 square metres and a Height of Building (maximum) of 6.1 metres, Off Street Parking Requirements for the accessory building be a total of 15 spaces.

7.4.4 R4-4 Zone Schedule "R"

In addition to the permitted non-residential uses in the R4 zone, a private park shall also be permitted; For purposes of the R4-4 Zone, the minimum 5% play area shall not need to be located on the lot but shall be required in the general vicinity, and the location shall be determined through site plan approval; Section 7.3, Zone Provisions, applies to the lands zoned R4-4, except where specifically identified below:

<u>Townhouse Dwellings</u>

Minimum lot depth for townhouse dwellings shall be 27.0 metres; Minimum front yard depth for townhouse dwellings shall be 4.0 metres to the building face; Minimum exterior side yard depth for townhouse dwellings shall be 4.0 metres; Minimum interior side yard depth for townhouse dwellings shall be 1.5 metres on the end-unit side and 0.0 metres on the interior side; Minimum rear yard depth for the deck portion only of townhouse dwellings shall be 2.0 metres abutting the Open Space (OS) Zone or Rural (R) Zone; Minimum dwelling unit area for townhouse dwelling units shall comply with Section 7.3.7 e), Zone

Provisions, under this By-Law; Maximum height of building for townhouse dwellings shall be 14.0 metres; Maximum lot coverage for townhouse dwelling units shall be 80%; Minimum landscaped open space for townhouse dwelling units shall be 15%; Maximum driveway width for townhouse dwelling units shall be 6.0 metres; Townhouse dwellings are subject to Court provisions for distance separation between dwellings opposite each other on a private street; Minimum outdoor amenity space on a terrace or balcony for townhouse dwellings shall be 25 square metres per unit for ground floor units only.

Notwithstanding General Provision 3.38.2.4, Off Street Parking Requirements, within the R4-4 zone for townhouse dwellings, tandem parking spaces shall be permitted to be calculated in order to meet minimum parking requirements.

Apartment Dwellings

Minimum lot depth for apartment dwellings shall be 27.0 metres; Minimum front yard depth for apartment dwellings shall be 5.0 metres to the building face; Minimum exterior side yard depth for apartment dwellings shall be 5.0 metres; Minimum interior side yard depth for apartment dwellings shall be 5.0 metres; Minimum rear yard depth for apartment dwellings shall be 5.0 metres abutting Open Space (OS) Zone or Rural (R) Zone; Maximum height of building for apartment dwellings shall be 15 metres; Maximum lot coverage for apartment dwellings shall be 55%; Minimum landscaped space for apartment dwellings shall be 25%; Maximum driveway width for apartment dwelling units shall be 6.0 metres; Apartment dwellings are subject to Court provisions for distance separation between dwellings opposite each other on a private street; Minimum outdoor amenity space for apartment dwellings shall be 0.0 square metres;

All Dwelling Unit Types

For purposes of the R4-4 zone, a private street or private lane shall be deemed to be a public street as defined in this By-Law; Notwithstanding the General Provisions to the contrary contained in Section 3, the following provisions shall apply: Dwelling Unit Access shall mean the primary front access to a residential dwelling unit from either a Public Street, a Private Street and/or a Public Open Space or Private Outdoor Amenity Space.

7.4.5 R4-5 Zone Schedule "O"

Maximum building height shall be 13.5 metres; parking spaces shall be provided at a minimum rate of 0.95 parking spaces per unit; and the required privacy yard shall not apply.

7.4.6 R4-6 Zone Schedule "O"

Minimum exterior side yard depth shall be 3.0 metres; maximum building height shall be 15 metres; minimum privacy yard shall be 2.0 metres; minimum off

street parking requirements shall be 79 spaces; and a 6.0 metre encroachment into the required front yard shall be permitted for steps/accessibility ramps.

7.4.7 R4-7 Zone Schedule "F"

Notwithstanding:

- Section 7.7.3 respecting minimum front yard, the depth shall be 2 metres;
- Section 7.3.5 respecting minimum interior side yard, the minimum interior side yard shall be 5 metres;
- Section 7.3.8 respecting maximum building height, the maximum number of storeys shall be 6 and the maximum building height shall be 21 metres;
- Section 7.3.9 respecting maximum gross floor area for an apartment building, the maximum gross floor area shall be 140%;
- Section 7.3.10 respecting maximum lot coverage, the maximum lot coverage shall be 45%;
- Section 7.3.13 respecting the recreation use areas, the minimum recreation use area does not apply; and
- Section 7.3.14 respecting privacy yards, the minimum privacy yard adjacent to a wall containing a first storey habitable room window shall not apply.

BL2020-48 **7.4.8 R4-8 Zone Schedule "F"**

- Height of Building (maximum): 24 metres (6 storeys)
- Front Yard Depth (minimum): 2 metres
- Interior Side Yard Width (minimum): 5 metres Lot Coverage (maximum): 45%
- Gross Floor Area, Apartment (maximum): 140% Section 7.3.14 Privacy Yards — shall not apply.

Notwithstanding General Provision 3.9.1 and the exterior side yard provisions of the R4-8 Zone, for corner lots where the daylighting triangle affects the proposed building envelope, the exterior side yard setback shall be measured from a line created by projecting the lot line to the point of intersection of the two street lines, rather than the new lot line created by the dedication of the daylighting triangle.

Notwithstanding Section 3.12.1 i) the 30m setback to an environmental protection zone shall not apply.

BL2022-64 & BL2023-17 **7.4.9 R4H-9 Zone Schedule "O"**

Minimum Interior Side Yard Width, shall be 4.75m. Minimum Play Area shall be 3% (105 m^2) of the site area.

7.4.10 R4-10 Zone Schedule "A"
Mixed-Use Buildings

To permit the following additional uses:

- Business, Professional or medical office;
- Financial services;
- Arcade or games establishment;
- Club;
- Laundromat;
- Nursery day care
- Personal service shop;
- Printing shop;
- Restaurant or take out restaurant;
- Retail store;
- Studio;
- Tavern;
- Veterinary clinic; and,
- Outside display of goods accessory to a permitted use.

Maximum Building height shall be 20 metres;

Maximum Gross Floor Area for all mixed-use buildings and structures shall be 125% of the lot area;

Maximum Gross Floor Area for the commercial retail space shall be 500 square metres;

Minimum Landscaped Open Space shall be 30%;

A Recreation use area with an overall minimum area of 467 square metres is required, and may be consolidated into a larger area and be provided for on a nearby lot/block; and,

A minimum of 1 parking space per dwelling unit shall be permitted for the residential apartment uses, and a minimum of 1 parking space per 18 square metres of gross floor area shall be permitted for the proposed commercial uses.

Notwithstanding Section 3.13.2, a planting strip with a minimum width of 2.1 metres is required where the interior side lot line or rear lot line of the mixed-use building block abuts residential uses or land within a Residential Zone.

Notwithstanding Section 3.18, buildings and structures may be erected on lands that do not front onto a municipal street and a private street shall be deemed to be a public street.

Notwithstanding Section 3.38.3.1, commercial parking areas may be established with a 1.2 metre setback to a street line.

The Holding 'H' Provision may be lifted from the subject lands upon the following:

a) Execution of a Site Plan Agreement and
b) Registration of a Site Plan Agreement

SECTION 8 - RESIDENTIAL MODULAR HOME (RM) ZONE

8.1 No person shall in any Residential Modular Home (RM) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

8.2 PERMITTED USES

8.2.1 Residential Uses:

a) modular/mobile home park

8.2.2 Non-residential Uses:

a) Administrative or rental office
b) Convenience commercial facility
c) General storage compound
d) Laundromat for the use of the park residents
e) Open space and park use
f) Public use
g) Recreational center
h) Storage shed for each modular home provided that the non- residential uses are provided exclusively for the use of the residents of the modular home park

8.3 ZONE PROVISIONS

8.3.1	**Park Area (minimum):**	4 ha
8.3.2	**Park Frontage (minimum):**	60 m
8.3.3	**Park Front Yard Depth (minimum):**	30 m
8.3.4	**Park Side Yard Width (minimum):**	18 m
8.3.5	**Park Rear Yard Depth (minimum):**	18 m
8.3.6	**Unit Site Size (minimum):**	295 sq.m
8.3.7	**Unit Site Width (minimum):**	10.5 m
8.3.8	**Maximum Density:**	Shall not exceed 20 units per gross hectare

8.3.9 **Maximum Units per Site:** 1 unit

8.3.10 **Minimum Side to Side Separation of units:** 5 m

8.3.11 **Minimum End to End Separation of units:** 3 m

8.3.12 **Minimum End to Side Separation of units:** 5 m

8.3.13 **Height of Building (maximum):** 9.5 m

8.3.14 **Maximum Unit Site Coverage:** 35%

The determination of maximum unit site coverage, as set out in 8.3.14, shall be the same as the method set out in this By-law for lot coverage and for the purpose of this subsection, the words, “lot” and “site” shall be the same.

8.3.15 **Minimum Unit Floor Area:** 70 sq.m

8.3.16 **Accessory Storage Facilities provided by the developer for each unit shall be:**

a) Required to provide inside storage of materials, furniture, tools and outdoor equipment. No outside storage, shall be permitted;
b) A minimum size of 2.4 cu.m. per unit is required;
c) Provided on each site or in centrally located structures. Each collective storage structure shall provide one space for every ten units which shall be located not further than 60 m from each unit. All storage facilities shall be constructed of suitable weather resistant materials.

8.3.17 An open air storage compound located and buffered in such a manner as to be inconspicuous shall be provided for the residents, having adequate space for the storage of house and/or park model trailer, motor homes, boats, snowmobiles, etc.

8.3.18 Non-habitable cellars will be permitted with a maximum above grade opening elevation of 0.8 m with no outside entrances permitted.

8.3.19 A skirt of metal or ornamental fencing must be constructed to the satisfaction of the Building Inspector and shall encircle the unit in such a manner that trash, animals and children may not gain access to the area beneath the unit and further that such screening will cover an otherwise objectionable view.

8.3.20 All internal roads must be to a minimum right-of-way width of 12 m and a minimum paved width of 7.6 m.

8.3.21 All services such as hydro, telephone, water, etc. shall be located underground.

8.3.22 A planting strip not less than 9m in width shall be reserved along all sides of the modular home park and shall be used for no other purpose than sodding and for planting.

8.3.23 One car space shall be provided for each unit plus an additional car space for each four sites to provide for guest parking. One car space to be located on the site of each unit with parking bays to be allocated for visitor parking within reasonable walking distance of units and located throughout the modular home park. Parking space to be minimum width of 2.8 m and a minimum length of 5.5 m. Such parking area shall not be used for the storage of boats, trailers and other vehicles. Parking is not allowed other than in designated areas.

8.3.24 Accessory Uses see Section 3.1

8.3.25 Parking Provisions see Section 3.38

8.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular RM Zone except as noted:

8.4.1 RM-1 Zone Schedule "Q"

The Unit Site Size (minimum) shall be 418 square metres; the Minimum Side to Side Separation of Units shall be 3.6 metres; the Minimum End to End Separation of units shall be 6.1 metres; the Minimum End to Side Separation of units shall be 3.6; and, two car spaces shall be provided for each unit and shall be located on the site of each unit.

8.4.2 RM-2 Zone Schedule "Q"

Park model trailers shall also be permitted; the Unit Site Size (minimum) shall be 418 square metres; the Minimum Side to Side Separation of Units shall be 3.6 metres; the Minimum End to End Separation of units shall be 6.1 metres; the Minimum End to Side Separation of units shall be 3.6; and, two car spaces shall be provided for each unit and shall be located on the site of each unit.

8.4.3 RM-3 Zone Schedule "Q"

Park model trailers shall also be permitted; the Unit Site Size (minimum) shall be 418 square metres; the Minimum Side to Side Separation of Units shall be 3.0 metres; the Minimum End to End Separation of units shall be 6.1 metres; the Minimum End to Side Separation of units shall be 3.0; and, two car spaces shall be provided for each unit and shall be located on the site of each unit.

8.4.4 RM-4 Zone Schedule "Q"

The unit site size (minimum) shall be 418 square metres; the minimum side to side separation of units shall be 3.6 metres; the minimum end to end separation of units shall be 20 metres; the minimum end to side separation of units shall be 3.6 metres; two car spaces shall be provided each unit and shall be located on the site of each unit; and the maximum site coverage shall be 45%.

8.4.5 RM-5 Zone Schedule "Q"

Permitted uses shall include semi-detached modular homes; a minimum front yard depth of 13 metres (42.7 feet); a minimum park side yard depth of 7.0 metres (22.96 feet) except for the site located at the corner of Ryther Road and Flos Road Seven that backs onto Ryther Road where the minimum park side yard depth will be 4.5 metres; no minimum park rear yard depth; no accessory storage facilities required; a minimum side to side separation of units to be 3.6 metres (11.8 feet); a vertical common wall interior side yard of 0 metres; a maximum site coverage of 45%; a minimum road paved width of 6.0 metres (19.68 feet); and a 3.0 metres (9.8 feet) planting strip that will be required on the westerly property line along Ryther Road and the northerly property line adjacent to the unopened portion of Flos Road Six only. Notwithstanding Section 8.2.1 which permits residential use in the form of 'modular/mobile home park', and notwithstanding the definition of modular home within Section 27 herein, the residential uses may also be constructed on-site using the standard constructions techniques of framing, enclosing and finishing commonly known as 'stick-built'.

8.4.6 RM-6 Zone Schedule "Q"

The minimum park front yard depth is 0 metres; the minimum park side yard depth is 7.0 metres (22.96 feet); the minimum park rear yard depth is 7.5 metres (24.6 feet); no accessory storage facilities are required; the minimum side to side separation of units shall be 3.6 metres (11.8 feet); the maximum site coverage is 45%; the minimum road paved width is 6.0 metres (19.68 feet); no planting strips are required other than along the unopened portion of Flos Road Six; and no guest parking is required provided two car spaces are located on each site. Notwithstanding Section 8.2.1 which permits residential use in the form of 'modular/mobile home park' and and notwithstanding the definition of modular home within Section 27 herein, the residential uses may also be constructed on-site using the standard constructions techniques of framing, enclosing and finishing commonly known as 'stick-built'.

SECTION 9 – RESIDENTIAL ESTATE (RE) ZONE

9.1 No person shall within any Residential Estate (RE) Zone use any lot or erect, alter, enlarge, maintain, or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

9.2 PERMITTED USES

9.2.1 Residential Uses:

a) Single detached dwelling unit

9.2.2 Non-residential Uses:

a) Accessory use directly related to the uses permitted in the RE Zone
b) Home occupation
c) Public use
d) Bed and breakfast

9.3 ZONE PROVISIONS

9.3.1	**Lot Area (minimum):**	1400 sq.m
9.3.2	**Lot Frontage (minimum):**	24 m
9.3.3	**Front Yard Depth (minimum):**	10 m
9.3.4	**Exterior Side Yard Width (minimum):**	6 m
9.3.5	**Interior Side Yard Width (minimum):**	3 m
9.3.6	**Rear Yard Depth (minimum):**	15 m
9.3.7	**Dwelling Unit Area (minimum):**	
	a) First floor area	112 sq.m
9.3.8	**Landscaped Open Space (minimum):**	30%
9.3.9	**Lot Coverage (maximum):**	30%
9.3.10	**Height of Building (maximum):**	11 m
9.3.11	**Dwelling Units per Lot:**	1

9.3.12 Accessory Uses see Section 3.1

9.3.13 Parking Provisions see Section 3.38

9.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular RE Zone except as noted:

9.4.1 RE-1 Zone Schedule "E"

The Lot Area (minimum) shall be 1620 sq.m; the Front Yard Depth (minimum) shall be 7.6 m; the Exterior Side Yard Width (minimum) shall be 7.6 m; the Interior Side Yard Width (minimum) shall be 2 m; the Dwelling Unit Area (minimum) of the first floor area shall be 115 sq.m

9.4.2 RE-2 Zone Schedule "E"

The Exterior Side Yard Width (minimum) shall be 6 m.

SECTION 10 - DISTRICT COMMERCIAL (CD) ZONE

10.1 No person shall within any District Commercial (CD) Zone use any land or erect, alter or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

10.2 PERMITTED USES:

10.2.1 Residential Uses:

a) Dwelling unit in a non-residential building provided that the dwelling unit is contained above the first storey and is not in any building occupied by a motor vehicle repair garage or motor vehicle sales and service establishment.

10.2.2 Non-residential Uses:

a) Building supply centre and accessory outside storage (in accordance with Section 3.35)
b) Business, financial services, professional and/or medical office
c) Car wash and/or gasoline retail facility
d) Club and/or sports training rehabilitation services
e) Commercial school and/or studio
f) Custom workshop
g) Equipment rental (no outside storage)
h) Funeral home
i) Hospital
j) Laundromat, dry cleaning and/or laundry outlet
k) Marina and/or marine facility
l) Merchandise service shop
m) Motor vehicle sales, impound yard, repair garage and/or service establishment
n) Nursery day care
o) Nursery and garden centre
p) Outside display of goods accessory to a permitted CD use (see Section 3.36)
q) Parking lot
r) Personal service shop
s) Place of worship
t) Printing shop
u) Public use
v) Restaurant and/or drive-in, take-out restaurant and/or tavern
w) Retail store, department store, general merchandiser and/or supermarket
x) Taxi stand/bus transfer depot
y) Theatre recreational entertainment, arcade and games establishment, recreational equipment rental establishment and/or fishing establishment
z) Tourist establishment aa) veterinary clinic

10.3 ZONE PROVISIONS

		Motor Vehicle Service Establishment/Repair Garage	Other Uses
10.3.1	**Lot Area (minimum):**		
	a) Lot served by a public water system and a sanitary sewer system Requirement	1,400sq.m.	no minimum
	b) Lot served by a public water system	1,400sq.m	1,400 sq.m
	c) Other lot	5,000sq.m	1,860 sq.m
10.3.2	**Lot Frontage (minimum):**		
	a) Lot served by a public water system and a sanitary sewer system	38 m	no minimum requirement
	b) Lot served by a public water system	38 m	30 m
	c) Other lot	60 m	30 m
10.3.3	**Front Yard Depth (minimum):**	15 m	6 m
10.3.4	**Exterior Side Yard Width (minimum):**	15 m	6 m
10.3.5	**Interior Side Yard Width (minimum):**		
	a) Where it abuts a R Zone	7.6 m	6 m
	b) Where it abuts a C or M Zone	3 m	0 m
	c) Where it abuts any other Zone	3 m	3 m
10.3.6	**Rear Yard Depth (minimum):**		
	a) Where it abuts a R Zone	7.6 m	6 m
	b) Where it abuts a C or M Zone	10 m	0 m
	c) Where it abuts any other Zone	10 m	3 m
10.3.7	**Landscaped Open Space (minimum):**	5%	5%
10.3.8	**Height of Building (maximum):**	12 m	12 m

10.3.9 Vehicle Fuel Pump Island Location:

Notwithstanding any other provisions of this By-law to the contrary, a vehicle fuel pump island accessory to a permitted use may be located within any front yard or exterior side yard provided that:

a) The minimum distance between any portion of the fuel pump island and any lot line shall be 4.5 m;
b) Where the lot is a corner lot, no portion of any fuel pump island shall be located closer than 3 m to a sight triangle;
c) Vehicle fuel pumps may be used in conjunction with a marina and may be located adjacent to the water's edge (subject to Section 3.1) and shall be setback a minimum of 4.5 m from any adjacent side lot line.

10.3.10 Motor Vehicle Impound Yard Location:

Notwithstanding any other provisions of this By-law to the contrary, a motor vehicle impound yard shall be located behind the front wall of the main building and shall be screened from view from any adjacent roadways.

10.3.11 Driveways for Motor Vehicle Service Stations

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to driveways on any lot used as an automobile service station:

a) The maximum width of a driveway measured along the street line shall be 9 m;
b) The minimum distance between driveways measured along the street line intersected by such driveways shall be 7.6 m;
c) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 9 m:
d) The minimum distance between an interior side lot line and any driveway shall be 3 m;
e) The interior angle formed by the street line and the center line of any driveway shall not be less than 45 degrees.

10.3.12 Dwelling Unit and/or Rental Unit (minimum):

a)	Bachelor attached dwelling unit	55 sq.m
b)	Bachelor rental cabin	55 sq.m
b)	Other attached dwelling unit or rental cabin	55 sq.m plus an additional 13 sq.m for each bedroom
c)	Detached dwelling unit or rental cottage	80 sq.m
d)	Hotel/lodge/motel guest room	29 sq.m

10.3.13 Bed and Breakfast or Rental Cottage Unit Area (minimum): 93 sq.m

10.3.14 Accessory Uses see Section 3.1

10.3.15 Parking Provisions see Section 3.38

10.3.16 Guest Room Location see Section 3.42

10.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular CD Zone except as noted:

10.4.1 CD-1 Zone Schedule "R"

Only a tourist establishment and a restaurant shall be permitted.

10.4.2 CD-2 Zone Schedule "G"

The minimum parking space area shall be 15 square metres, and as it relates to business, professional offices, financial services and public buildings, medical offices, restaurants, retail stores, merchandise or personal service shops, and taverns, the minimum parking required shall be 1 space per 17.8 square metres.

10.4.3 CD-3 Zone Schedule "D"

The minimum parking requirement shall be 1 parking space per 16.25 square metres (1 space per 175 square feet) of gross floor area. In addition the minimum front yard setback is 4.8 metres.

10.4.4 CD-4 Zone Schedule "O"

The minimum parking requirements shall be provided at a ratio of one space per 16 square metres of gross floor area; and further that a planting strip is not required.

10.4.5 CD-5 Zone Schedule "C"

Notwithstanding the Zone Provisions of the District Commercial (CD) Zone, and Section 3.38.9 of this By-law, for the lands zoned CD-5 on Schedule C the minimum number of on–site parking spaces to be provided at a ratio of one parking space per 17.7 square metres of gross floor area.

10.4.6 CD-6 Zone Schedule "G"

Notwithstanding the Zone Provisions of the District Commercial (CD) Zone, for the lands zoned CD-6 on Schedule "G", Outside Storage is permitted as a main use, Outside Storage of materials is restricted to building supply materials associated with the building supply use located on Lots 17-21 on Plan 1430, Outside Storage is subject to a minimum front yard depth of 0.0 metres, Outside Storage is subject to a minimum side yard width along the easterly side lot line of 3 metres, solid board fending is permitted to a maximum height of 1.8 metres on all lot lines, and the maximum height of outdoor storage shall not exceed the height of the permitted fencing.

10.4.7 CD-7 Zone Schedule "G"

Notwithstanding the Zone Provisions of the District Commercial (CD) Zone, for the lands zoned "CD-7" on Schedule "G" the minimum front yard depth from Riverbend Avenue shall be 0.0 metres and the minimum front yard depth from Mosley Street shall be 5.0 metres. The minimum side yard setback abutting a Residential Zone shall be 2.19 metres and the minimum required number of Off Street Loading spaces shall be zero.

10.4.8 CD-8 Zone Schedule "R"

Permitted uses shall be limited to mixed-use dwelling units; Commercial- related uses shall be restricted to the first storey of the mixed-use dwelling unit; Permitted commercial uses for the first-storey commercial space portion of the mixed-use dwelling unit shall be limited to Art Gallery, Workshop and/or Studio, Professional Business Offices, Medical Offices, Personal Service Shops and Retail Stores or similar uses; In addition to the permitted non-residential uses in the CD zone, a private park shall also be permitted.

Within the CD-8 zone, Section 6.3, Residential Type 3 (R3) Zone, Zone Provisions, applies to the mixed-use dwelling units, except where specifically identified below:

Maximum commercial net floor area for any one unit shall be 95 square metres; Minimum lot depth for mixed-use dwelling units shall be 27.0 metres; Minimum lot area for mixed-use dwelling units shall be 164.7 square metres per unit; Minimum lot frontage for mixed-use dwelling units shall be 6.1 metres per unit; Minimum front yard depth for mixed-use dwelling units shall be 0.0 metres to the face of the building; Minimum exterior side yard depth for a mixed-use dwelling unit shall be 3.5 metres; Minimum interior side yard depth for mixed- use dwelling units shall be 1.5 metres on the end-unit side and 0.0 metres on the other interior sides; Minimum rear

yard depth for mixed-use dwelling units shall be 6.0 metres to the building face to permit driveway parking; Minimum dwelling unit area for mixed-use dwelling units shall be 65.0 square metres per unit; Minimum landscaped open space for mixed-use dwelling units shall be 15%; Maximum lot coverage for mixed-use dwelling units shall be 80%; Maximum driveway width for mixed-use dwelling units shall be 6.0 metres per unit; Maximum height of building for mixed-use dwelling units shall be 12.0 metres; Minimum width per unit for mixed-use dwelling units shall be 6.1 metres per unit; Mixed-use dwelling units shall be subject to Court provisions for distance separation between dwelling units opposite each other on a private street; Maximum number of dwelling units per structure for mixed-use dwelling units, which are attached within a single street- accessed or laneway-based structure, shall be 6; the minimum 5% play area shall not need to be located on the lot but shall be required in the general vicinity, and the location shall be determined through site plan approval;

Notwithstanding General Provision 3.38.1, Off Street Parking Requirements, required parking spaces that are not provided on the same lot on which the principle use is located shall be located on adjacent lots at the ratio required in the By-law.

For the purposes of the CD-8 zone, a private street or private lane shall be deemed to be a public street as defined in this By-Law.

10.4.9 CD-9 Zone Schedule "R"

Notwithstanding General Provision 3.38.4, Off Street Parking Requirements, Surface, the parking surface shall not be required to be paved with an asphalt or concrete surface. This exception shall only apply to accessory parking for the sales office and temporary clubhouse uses.

10.4.10 CD-10 Zone Schedule "H"

The minimum planting strip width shall be 1.0 metres, the minimum separation between a driveway and intersecting street lines shall be 6.0 metres, the minimum yard between a parking area and a lot line shall be 1.0 metre and the minimum exterior side yard shall be 4.5 metres.

10.4.11 CD-11 Zone Schedule "O"

Notwithstanding the requirements of Section 10, the only permitted residential uses shall include townhouse dwellings and apartment dwellings; permitted Non-Residential uses shall include those uses pursuant to District Commercial Section 10.2.2, Service Commercial Section 11.2.2 and Local Commercial Section 12.2.2.

Notwithstanding the above, prohibited uses shall be motor vehicle uses such as motor vehicle sales and service establishment, motor vehicle body shop or repair garage or gasoline retail facility; equipment rental; funeral home; outdoor storage; building supply centre; prefabricated building sales and display centre; recreational equipment rental and/or fishing establishment; bus transfer/ depot;

service industrial; marina and/or marine facility; tourist establishment; parking lot; manufacturing, processing, custom workshop and/or service industrial use; mobile home sales/repairs; warehousing; kennel; and drive-thru facilities.

Notwithstanding the requirements of Section 10, the minimum front yard setback shall be 3.0 metres, the maximum building height shall be 21 metres and the minimum dwelling unit area should be as per Section 7.3.7.

Notwithstanding the provisions of Section 3.38, a minimum of 140 parking spaces shall be permitted; a maximum of 50% of the parking spaces shall be 2.8 metres in width by 5.5 metres in length and shall be a minimum of 15.4 square metres in area.

10.4.12 CD-12 Zone Schedule "G"

- The minimum front yard depth shall be 3 metres;The minimum exterior side yard width shall be O metres;
- Notwithstanding Section 3.13.2, the minimum planting strip width shall be 1 metre;
- Notwithstanding Section 3.38.9, the minimum number of parking spaces required for a veterinary clinic shall be 1 space per 25 sq. m. of Gross Floor Area;
- Despite Section 3.38.2.3, each parking space shall have a minimum area of 15.4 sq. m. and is not less than 2.8 metres in width nor less than 5.5 metres in length;
- Despite Section 27.178, the minimum sight triangle dimension shall be 4 metres by 4 metres at the intersection of Mosley Street and 32nd Street South.

10.4.13 CD-13 Zone Schedule "D"

Notwithstanding the requirements of Section 10.2.1, residential uses up to ten (10) dwelling units shall be permitted in a non-residential building provided that the dwelling unit is contained above the first storey and is not in any building occupied by a motor vehicle repair garage or motor vehicle sales and service establishment. Notwithstanding Section 10.3.4, Exterior Side Yard Width (minimum), a 0 metre setback shall be permitted.

Notwithstanding Section 10.3.5, Interior Side Yard Width (minimum), a 0 metre setback shall be permitted.

Notwithstanding Section 10.3.6, Rear Yard Depth (minimum), a 0 metre setback shall be permitted on Pucinni Drive.

Notwithstanding Section 10.3.8, Building Height (maximum), a maximum building height of 13.8 metres shall be permitted.

Notwithstanding General Provision 3.38.9, Minimum Parking Requirements, a Total of 49 parking spaces shall be provided.

Notwithstanding Section 27.178, the minimum sight triangle dimension shall be 4 metres by 4 metres at the intersection of 45th Street North and Puccini Drive.

10.4.14 CD-14 Zone Schedule "O"

Maximum Height – 16 metres.

Notwithstanding the permitted uses of the District Commercial Zone, a Hydro Station, an EMS Station and an Indoor Storage facility shall be permitted uses in the CD-14 Zone.

SECTION 11 - SERVICE COMMERCIAL (CS) ZONE

11.1 No person shall within any Service Commercial (CS) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

11.2 PERMITTED USES

11.2.1 Residential Uses:

a) Dwelling unit in a non-residential building provided that the dwelling unit is contained above the first storey and is not in any building occupied by a motor vehicle repair garage or motor vehicles sales and service establishment.

11.2.2 Non-residential Uses:

a) Business, financial services, professional and/or medical office
b) Car wash and/or gasoline retail facility
c) Club and/or sports training rehabilitation services
d) Commercial school and/or studio
e) Dry cleaning, laundry outlet and/or dry cleaning facility
f) Equipment rental (no outside storage)
g) Hospital
h) Manufacturing, processing, custom workshop and/or service industrial use
i) Marina and/or marine facility
j) Merchandise service shop
k) Mobile home, trailer and/or park model trailer sales and service establishment
l) Motor vehicle sales, impound yard, repair garage and/or service establishment
m) Nursery day care
n) Nursery and garden centre
o) Outside display of goods accessory to a permitted cs use (see section 3.36)
p) Outside storage
q) Personal service shop
r) Place of worship
s) Prefabricated building sales and display centre
t) Printing shop and/or publishing house
u) Public use
v) Recreational entertainment, arcade and games establishment, recreational equipment rental establishment and/or fishing establishment

w) Restaurant and/or drive-in, take-out restaurant and/or tavern
x) Retail store
y) Service industrial use
z) Swimming pool sales and/or display centre aa) tourist establishment
bb) Warehouse within a completely Enclosed Building, mini-storage warehouse
cc) Veterinary clinic and/or kennel

11.3 ZONE PROVISIONS

11.3.1 Lot Area (minimum):

a)	Lot served by a public water system and a sanitary sewer system	No minimum
b)	Lot served by a public water system	1,860 sq.m
c)	Other lot	5,000 sq.m

11.3.2 Lot Frontage (minimum):

A)	lot served by a public water system and a sanitary sewer system	12 m
b)	Lot served by a public water system	30 m
c)	Other lot	60 m

11.3.3 Front Yard Depth (minimum): 15 m

11.3.4 Exterior Side Yard Width (minimum): 15 m

11.3.5 Interior Side Yard Width (minimum):

a)	Where it abuts a C or M Zone	3 m
b)	Where it abuts any other Zone	7.6 m

11.3.6 Rear Yard Depth (minimum):

a)	Where it abuts a C or M Zone	3 m
b)	Where it abuts any other Zone	7.6 m

11.3.7 Landscaped Open Space 10%

11.3.8 Height of Building (maximum): 12 m

11.3.9 Motor Vehicle Impound Yard Location:
Notwithstanding any other provisions of this By-law to the contrary, a motor

vehicle impound yard shall be located behind the front wall of the main building and shall be screened from view from any adjacent roadways.

11.3.10 Outside Storage:

No outside storage of goods or materials shall be permitted except in accordance with the following provisions:

a. Every outside storage use shall be accessory to the use of the main building on the lot;
b. Every open storage use shall comply with the yard provisions of this by-law and shall be located to the rear of the rear wall of the main building;
c. Every open storage use shall not exceed 10% of the lot area;
d. Every open storage use shall be fenced or suitably screened so as to enclose and hide from view the material or items being stored.

11.3.11 Dwelling Unit and/or Rental Unit (minimum):

a) Bachelor attached dwelling unit	55 sq.m
b) Bachelor rental cabin	55 sq.m
c) Other attached dwelling unit or rental cabin	55 sq.m plus an additional 13 sq. M. For each bedroom
d) Detached dwelling unit or rental cottage	80 sq.m
e) Hotel/lodge/motel guest room	29 sq.m

11.3.12 **Bed and Breakfast or Rental Cottage Unit Area (minimum):** 93 sq.m

11.3.13 Accessory Uses see Section 3.1

11.3.14 Parking Provisions see Section 3.38

11.3.15 Guest Room Location see Section 3.42

11.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and provision as the regular CS Zone except as noted.

11.4.1 CS-1 Zone Schedule "B"

In addition one detached accessory dwelling unit shall be permitted.

11.4.2 CS-2 Zone Schedule "A"

The permitted uses shall be limited to a mini-storage warehouse and accessory outdoor storage.

11.4.3 CS-3 Zone Schedule "B"

Residential uses shall not be permitted.

11.4.4 CS-4 Zone Schedule "S"

Section 11.3 Zone Provisions applies to the lands zoned CS-4, except where specifically identified below:

The permitted uses shall be limited to: a recreational use, outside storage, a warehouse within a completely enclosed building, mini-storage warehouse. The minimum Interior Side Yard Width for existing accessory structures where it abuts any zone is 0m.

Every open storage use shall be permitted in accordance with the zoning provisions outlined under Section 11.3 except that; outdoor storage shall be permitted in front of the main building, providing it maintains a minimum front yard setback of 70 metres.

The parking area on lands zoned CS-4 shall be constructed of one or more of the following materials; crushed stone, asphalt or concrete for a depth of at least 6 inches and with provisions for drainage facilities.

BL2020-47 **11.4.5 CS-5 Zone Schedule "R"**

Notwithstanding any other provision in this By-law to the contrary, the following provisions shall apply to lands zoned "CS-5":

a) Permitted uses shall exclude the following:
    i) Manufacturing, processing, custom workshop and/or service industrial use
    ii) Marina and/or marine facility
    iii) Mobile home, trailer, impound yard, repair garage and service establishment
    iv) Motor vehicle sales, impound yard, repair garage and/or service establishment
    v) Outside storage
    vi) Prefabricated building sales and display centre

vii) Service industrial use
viii) Warehouse within a completely enclosed building, mini-storage warehouse

b) Except as specifically excluded above, permitted uses on lands zoned CS-5 shall also include the following:
   i) Dwelling units above the first strorey in a mixed use building
   ii) Restaurants with outside patios and/or drive-through
   iii) Private park
   iv) Existing golf course clubhouse and associated parking, as existing

c) The following provisions from Section 10.3 of the Zoning By-law for the "District Commercial" (CD) Zone shall apply to lands zoned "CS-5":
   i) Minimum required front yard (Section 10.3.3)
   ii) Minimum required exterior side yard (Section 10.3.4)
   iii) Minimum interior side yard (Section 10.3.5)
   iv) Minimum required rear yard (Section 10.3.6); and
   v) Minimum required landscaped open space (Section 10.3.7)

d) Notwithstanding General Provision 3.38.1, Off Street Parking Requirements, for lands zoned CS-5, required parking spaces may be provided on an adjacent contiguous lot provided that the cumulative parking requirements for adjacent lots are provided at the ratio required in the By-law, subject to the provisions of appropriate easement(s) for the provision of parking spaces on and access to such adjacent lot(s).

e) For the purpose of the CS-5 zone, a private street or private lane shall be deemed to be a public street as defined in this By-law.

SECTION 12 - LOCAL COMMERCIAL (CL) ZONE

12.1 No person shall within any Local Commercial (CL) Zone use any lot or erect, alter or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

12.2 PERMITTED USES

12.2.1 Residential Uses:

a) Dwelling unit in a non-residential building provided that the dwelling unit is contained above the first storey

b) Where a residence existed on the ground floor of a non-residential building prior to the passing of this By-law, the residential use shall be considered to be a legal conforming use.

12.2.2 Non-residential Uses:

a) Business, professional or medical office
b) Club
c) Hospital
d) Laundromat
e) Nursery day care
f) Outside display of goods accessory to a permitted cl use (see section 3.36)
g) Parking lot accessory to a permitted cl use
h) Personal service shop
i) Public use
j) Restaurant or take out restaurant
k) Retail store
l) Studio
m) Tavern
n) Veterinary clinic

12.3 ZONE PROVISIONS

12.3.1 Lot Area (minimum):

a)	Lot served by a public water system And a sanitary sewer system	555 sq.m
b)	Lot served only by a public water system	1,400 sq.m
c)	Other lot	1,860 sq.m

12.3.2	**Lot Frontage (minimum):**	
	a) Lot served by a public water system And a sanitary sewer system	18 m
	b) Lot served by a public water system	30 m
	c) Other lot	60 m
12.3.3	**Front Yard Depth (minimum):**	6 m
12.3.4	**Exterior Side Yard Width (minimum):**	6 m
12.3.5	**Interior Side Yard Width (minimum):**	
	a) Where it abuts a R Zone	6 m
	b) Where it abuts a C Zone	0 m
	c) Where it abuts any other Zone	3 m
12.3.6	**Rear Yard Depth (minimum):**	
	a) Where it abuts a R Zone	6 m
	b) Where it abuts a C Zone	0 m
	c) Where it abuts any other Zone	3 m
12.3.7	**Height of Building (maximum):**	9.5 m
12.3.8	**Lot Coverage (maximum):**	40%
12.3.9	**Dwelling Unit Area (minimum):**	
	a) Bachelor	55 sq.m
	b) Other	55 sq.m plus an additional 13 sq.m for each bedroom
12.3.10	**Retail Store Area (maximum):**	464 sq.m
12.3.11	**Commercial Uses per Lot (maximum):**	5
12.3.12	**Accessory Uses see Section 3.1**	
12.3.13	**Parking Provisions see Section 3.38**	

12.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular CL Zone except as noted.

12.4.1 CL-1 Zone Schedule "C"

A nursery or garden center shall also be permitted.

12.4.2 CL-2 Zone Schedule "T"

The interior side yard minimum shall be 1.8 metres.

12.4.3 CL-3 Zone Schedule "N"

The Rear Yard (minimum) shall be 1.6 metres.

12.4.4 CL-4 Zone Schedule "T"

In addition to the zone provisions of Subsection 12.2.1 a detached dwelling shall be permitted. Notwithstanding the zone provisions of Subsection 12.2.2, a business or professional office, a bed and breakfast and a tourist establishment are permitted.

12.4.5 CL-5 Zone Schedule "B"

A motel shall also be permitted.

12.4.6 CL-6 Zone Schedule "N"

The Interior Side Yard Width (minimum) shall be 1.8 metres.

12.4.7 CL-7 Zone Schedule "F"

Permitted non-residential uses include the following: business, professional or medical office; club and/or sports training rehabilitation services; convenience store' dry cleaning outlet; financial services; laundromat; nursery day care; outside display of goods accessory to a permitted CL use (See Section 3.36); parking lot accessory to a permitted CL use; personal service shop; public use; restaurant or take out restaurant; retail store; studio; supermarket; tavern; veterinary clinic. For the purposes of the CL-7 Zone, Section 12.3.10, entitled Retail Store Area (maximum) shall not apply to a retail store which provides a range of general food items including fresh meats, fresh produce and/or other foodstuffs, baked goods including a bakery, cooking, cleaning, health care, and beauty products.

SECTION 13- RECREATIONAL COMMERCIAL (CR) ZONE

13.1 No person shall within any Recreational Commercial (CR) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

13.2 PERMITTED USES

13.2.1 Residential Uses:

a) Detached accessory dwelling unit or attached accessory dwelling unit

13.2.2 Non-residential Uses:

a) Attached accessory restaurant or attached accessory take-out restaurant
b) Attached accessory retail use
c) Attached accessory tavern
d) Amusement park
e) Arcade and games establishment
f) Banquet hall
g) Club
h) Drive-in theatre
i) Recreational entertainment establishment and/or fishing establishment
j) Recreational equipment rental establishment
k) Recreational uses
l) Golf course
m) Public use
n) Sports or recreational camp
o) Theatre

13.3 ZONE PROVISIONS

13.3.1 Lot Area (minimum):

a)	Lot served by a public water system And a sanitary sewer system	700 sq.m
b)	Lot served by a public water system	1,860 sq.m
c)	Other lot	5,000 sq.m

13.3.2 Lot Frontage (minimum):

a) Lot served by a public water system and a sanitary sewer system	22 m
b) Lot served by a public water system	30 m
c) Other lot	60 m

13.3.3 Front Yard Depth (minimum): 6 m

13.3.4 Exterior Side Yard Width (minimum): 6 m

13.3.5 Interior Side Yard Width (minimum):

a)	Where it abuts a C Zone	7 m
b)	Where it abuts any other Zone	10 m

13.3.6 Rear Yard Depth (minimum):

a)	Where it abuts a C Zone	7 m
b)	Where it abuts any other Zone	10 m

13.3.7 Height of Building (maximum): 12 m

13.3.8 Landscaped Open Space (minimum): 20%

13.3.9 Dwelling Unit Area (minimum):

a)	Bachelor	55 sq.m
b)	Other attached	55 sq.m plus an additional 13 sq.m for each bedroom
c)	Detached	80 sq.m

13.3.10 Dwelling Unit Per Lot (maximum): 1

13.3.11 Accessory Uses see Section 3.1

13.3.12 Parking Provisions see Section 3.38

13.4 ZONE EXCEPTIONS

The following Zone categories shall have the same uses and Zone provisions as the regular CR Zone except as noted.

13.4.1 CR-1 Zone Schedule "S"

A go-cart course shall also be permitted.

13.4.2 CR-2 Zone Schedule "S"

No use other than a recreational use shall be permitted as defined within Section 27.164.The parking area on lands zoned CR-2 shall be constructed of one or more of the following materials: crushed stone, asphalt or concrete for a depth of at least 6 inches and with provisions for drainage facilities.

SECTION 14 - TOURIST COMMERCIAL (CT) ZONE

14.1 No person shall within any Tourist Commercial (CT) Zone use any land or erect, alter or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

14.2 PERMITTED USES:

14.2.1 Residential Uses:

a) Dwelling unit in a non-residential building provided that the dwelling unit is contained above the first storey.

14.2.2 Non-residential Uses:

a) Arcade or games establishment
b) Business/professional/medical office
c) Club
d) Commercial/municipal parking lot
e) Golf course
f) Tourist establishment
g) Nursery day care
h) Outside display of goods accessory to a permitted ct use (see section 3.36)
i) Personal service shop
j) Place of worship
k) Public use
l) Recreational entertainment establishment and/or fishing establishment
m) Recreational equipment rental establishment
n) Restaurant or drive-in or take-out restaurant
o) Retail store
p) Studio
q) Tavern
r) Taxi stand/bus transfer depot
s) Veterinary clinic

14.3 ZONE PROVISIONS

14.3.1 Lot Area (minimum):

a)	Lot served by a public water system sanitary sewer system	no minimum and a requirement
b)	Lot served by a public water system	1,400 sq. M
c)	Other lot	1,860 sq. m

14.3.2 Lot Frontage (minimum):

a)	Lot served by a public water system sanitary sewer system	no minimum and a requirement
b)	Lot served by a public water system	30 m
c)	Other lot	30 m

14.3.3 Front Yard Depth (minimum):

a)	Closed road	0 m
b)	Open road	3 m

14.3.4 Exterior Side Yard Width (minimum):

a)	Closed road	0 m
b)	Open road	3 m

14.3.5 Interior Side Yard Width (minimum):

a)	Where it abuts an R Zone	6 m
b)	Where it abuts a C Zone	0 m
c)	Where it abuts any other Zone	6 m

14.3.6 Rear Yard Depth (minimum):

a)	Where it abuts an R Zone	6 m
b)	Where it abuts a C Zone	0 m
c)	Where it abuts any other Zone	3 m

14.3.7 Height of Building (maximum): 12 m

14.3.8 Dwelling Unit and/or Rental Unit (minimum):

a)	Bachelor attached dwelling unit	55 sq. M
b)	Bachelor rental cabin	55 sq. M
c)	Other attached dwelling unit or rental cabin	55 sq. M plus an Additional 13 sq. M for each bedroom
d)	Detached dwelling unit or rental cottage	80 sq. M
e)	Hotel/lodge/motel/guest room	29 sq. M

14.3.9 Bed and Breakfast or Rental Cottage Unit Area (minimum): 93 sq. m

14.3.10 Accessory Uses see Section 3.1

14.3.11 Parking Provisions see Section 3.38

14.3.12 Guest Room Location see Section 3.42

14.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular CT Zone except as noted:

14.4.1 Intentionally Left Blank

14.4.2 CT-2 Zone Schedule "N"

An amusement park, auditorium, arena or stadium and a banquet hall shall also be permitted.

14.4.3 CT-3 Zone Schedule "N"

A marina and marine facility shall also be permitted.

14.4.4 CT-4 Zone Schedule "O"

An accessory dwelling unit in accordance with Section 4 shall also be permitted. For the purpose of the accessory dwelling unit, the rear yard depth minimum shall be 1.2 m.

14.4.5 CT-5 Zone Schedule "H"

The Minimum Parking Requirements, as it relates to an Apartment Dwelling, Retail Store, Merchandise or Personal Service Shop, 1 space per dwelling unit and 1 parking space per 40.3 sq.m. of gross floor area dedicated to either a retail store or personal service shop shall be required. A townhouse dwelling shall also be permitted. A restaurant or drive-in or take-out restaurant shall not be permitted. The Front Yard Depth (minimum), on an open road shall be 2.4 m. Where the rear yard abuts any other Zone, the minimum rear yard depth shall be 4.5 m. The Maximum Number of Dwelling Units shall be 12.

14.4.6 CT-6 Zone Schedule "N'

Notwithstanding the provisions of Subsection 14.3.3, Front Yard Depth (minimum), b) the front yard depth minimum shall be 0.76 m.

14.4.7 CT-7 Zone Schedule N"

Notwithstanding the provisions of Subsection 14.3.3 Front Yard Depth (minimum), b) the front yard depth minimum shall be 1.2 m.

14.4.8 CT-8 Zone Schedules "I" and "N"

Residential Type 3 (R3) uses in accordance with Section 6 shall also be permitted. No maximum height restriction shall be required.

14.4.9 CT-9 Zone Schedule "O"

Trailer and tent parks shall also be permitted in accordance with Section 16.

14.4.10 CT-10 Zone Schedule "N"

The minimum front yard depth shall be 1.2 metres for the existing footprint of the building.

14.4.11 CT-11 Zone Schedule "N"

The minimum front yard depth on an open road shall be 0.9 metres for the existing footprint of the building and no setback is required for eaves.

14.4.12 CT-12 Zone Schedule "N"

The minimum front yard depth shall be 1.5 metres and the minimum exterior yard width shall be 0.0 metres.

14.4.13 CT-13 Zone Schedule "P"

The minimum number of motor vehicle parking spaces to serve disabled persons shall be 1 and the minimum required planting strip width for the westerly lot line shall be 1.46 metres.

14.4.14 CT-14 Zone Schedule "O"

Notwithstanding the requirements of Section 3.38, the minimum parking requirements shall be 50 parking stalls and an outdoor sales area shall be permitted to locate on five (5) parking stalls during the months May through September. In addition to the permitted uses of Section 14, a commercial school shall also be permitted.

14.4.15 CT-15 Zone Schedule "H"

Notwithstanding parking requirements of Section 3.38.9.2 Mosley Square Parking Requirements, the minimum parking requirements shall be one space per 23 square metres of gross floor area.

14.4.16 CT-16 Schedule "H"

Notwithstanding Subsection 3.22.3 of the Zoning By-law, the existing single detached dwelling may be enlarged.

14.4.17 CT-17 Schedule "G"

The permitted uses shall be restricted to a business/professional office; a recreational equipment rental establishment; a studio; an accessory retail store; outside display of goods accessory to a permitted CT use; and an accessory dwelling unit located above the first floor. The minimum required interior side yard setback shall be 2 metres; the minimum driveway setback shall be 0 metres; and a gravel parking area shall be permitted when used in conjunction with a recreational equipment rental establishment.

14.4.18 Intentionally Left Blank

14.4.19 CT-19 Schedule "H"

Notwithstanding the provisions of Section 14, the minimum front yard setback requirement shall be 2.25 metres. Notwithstanding Section 3.38.9 the minimum parking space requirements shall be 0. Notwithstanding Section 3.39.1 the minimum loading space requirement shall be 0.

SECTION 15 - ACCOMMODATION COMMERCIAL (CA) ZONE

15.1 No person shall within any Accommodation Commercial (CA) Zone use any lot or erect, alter or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

15.2 PERMITTED USES

15.2.1 Residential Uses:

a) Detached accessory dwelling unit or attached accessory dwelling unit

15.2.2 Non-residential uses:

a) Attached accessory retail, banquet hall, restaurant, take-out restaurant and/or tavern
b) Attached accessory marina and/or recreational equipment rental establishment
c) Tourist establishment
d) Public use

15.3 ZONE PROVISIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular CA Zone except as noted:

15.3.1 Lot area (minimum):

a) Lot served by a public water and a sanitary sewer system 700 sq.m
b) Lot served by a public water system 1,400 sq.m
c) Other lot 2,800 sq.m
c) For each guest room, rental cabin or attached accessory dwelling unit in excess of four, an additional lot area of 185 sq. M is required where neither sanitary sewer nor water supply are available, or an additional lot area of 90 sq. M is required where only public water is available, or an additional lot area of 45 sq. M where both such services are available.
d) For a rental cottage on a lot serviced by a public water and a sanitary sewer system the lot area minimum shall be 464.5 sq. M.

15.3.2 Lot frontage (minimum):

a) Lot served by a public water system
And a sanitary sewer system 22m
b) Lot served by a public water system 30m
c) Other lot 45m
d) For a rental cottage on a lot serviced by a public water system and a Sanitary sewer system the lot frontage minimum shall be 12 m.

15.3.3 Front yard depth (minimum): 6 m

15.3.4 Exterior side yard width (minimum):

A) Bed and Breakfast or rental cottage	4.5 m
B) Any other use	6 m

15.3.5 Interior side yard width (minimum):

A) Bed and Breakfast or rental cottage	1.8 m
B) Any other use	3 m

15.3.6 Rear yard depth (minimum):

A) Bed and Breakfast or rental cottage	7.6 m
B) Any other use where it abuts an r zone	7.6 m
C) Any other use where it abuts any other zone	3 m

15.3.7 Height of building (maximum):

A) Bed and Breakfast or rental cottage	10 m
B) Any other use	12 m

15.3.8 Landscaped open space (minimum):

A) Bed and Breakfast or rental cottage	35%
B) Any other use	10%

15.3.9 Common recreation space (minimum):

a) Bed and breakfast or rental cottage	0
b) Any other use	15 %

15.3.10 Dwelling unit and/or rental unit area (minimum):

a) Bachelor attached dwelling unit	55 sq. M.
b) Bachelor rental cabin	55 sq. M.
c) Other attached dwelling unit or rental cabin an additional 13 sq.m for each bedroom	55 sq. M plus
d) Detached dwelling unit or rental cottage	80 sq. M.
e) Hotel/lodge/motel/guest room	29 sq. M

15.3.11 Bed and Breakfast or Rental Cottage Unit Area (minimum): 93 sq.m

15.3.12 Accessory Dwelling Unit, Bed and Breakfast or Rental Cottage/Lot (maximum): 1

15.3.13 Distance Between Buildings (minimum):

a) Where more than one tourist establishment building is erected on the same lot, the minimum distance between buildings shall not be less than 3 m.

15.3.14 Accessory Uses (See Section 3.1)

15.3.15 Parking Provisions (See Section 3.38)

15.3.16 Guest Room Location (See Section 3.42)

15.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular CA Zone except as noted:

15.4.1 CA-1 Zone Schedule "P"

A golf course shall also be permitted.

15.4.2 CA-2 Zone Schedules "H" and "N"

Only a rental cottage or a detached dwelling shall be permitted.

15.4.3 CA-3 Zone Schedule "H"

A single detached unit shall be permitted on the subject property provided all of the provisions and regulations for such use as set out in Section 4- Residential Type 1 (R1) Zone of this by-law are adhered to save and except the minimum lot area which shall be 450 square metres.

15.4.4 CA-4 Zone Schedule "N"

A single detached dwelling unit shall be permitted on the subject property provided all of the provisions and regulations for such use as set out in Section 4 – Residential Type 1 (R1) Zone of this By-law are adhered to save and except the minimum lot area which shall be 430 square metres (4,628.63 sq. feet) and the minimum lot frontage which shall be 9.14 metres (30.0 feet).

15.4.5 CA-5 Zone Schedule "I"

The minimum Interior Side yard setback permitted for the existing structure shall be 2 metres.

15.4.6 CA-6 Zone Schedule "G"

A Plan of Condominium townhouse containing six dwelling units shall also be permitted. The minimum interior and exterior side yard setback shall be 2.15 metres, the minimum parking requirement shall be two parking spaces per townhouse unit, and the minimum dwelling unit area shall be 93 square metres.

15.4.7 CA-7 Zone Schedule "O"

The maximum building height shall be 16.0 metres.

15.4.8 CA-8 Zone Schedule "B"

Permitted uses shall include two townhome buildings, an exterior side yard width of 3.0 metres, a residential occupancy of a period greater than 31 days shall be allowed, and an encroachment of 1.68 metres into the exterior side yard shall be permitted.

15.4.9 CA-9 Zone Schedule "O"

Notwithstanding the Commercial Accommodation Zone requirements, permitted uses shall include two condominium townhome buildings, for use as tourist establishment and/or townhouse dwelling. The minimum rear yard setback shall be 2.2 metres measured from the nearest wall of a building to the EP Zone boundary, the minimum exterior side yard setback shall be 2.4 metres, a deck higher than 0.6 metres above finished grade shall be permitted with a minimum setback of 1 metre measured from the nearest part of the deck to the EP Zone boundary, and the minimum parking requirement shall be two parking spaces for seven of the nine townhouse units and one parking space for two of the nine townhouse units.

15.4.10 CA-10 Zone Schedule "R"

Notwithstanding General Provision 3.38.1, Off Street Parking Requirements, required parking spaces that are not provided on the same lot on which the principle use is located shall be located on adjacent lots at the ratio required in the By-law.

15.4.11 CA-11 Zone Schedule "O"

Notwithstanding the requirements of Section 15, permitted uses shall include street townhouse for use as tourist establishment and/or townhouse dwelling. Street townhouse uses shall be subject to the requirements of Section 6 – Residential Type Three (R3) zone and, notwithstanding the requirements of Section 6, the minimum width of each street townhouse dwelling shall be 5.5 metres, the minimum lot frontage of the interior townhouse units shall be 5.5 metres, and the minimum lot area of the interior townhouse units shall be 206 square metres.

15.4.12 CA-12 Zone Schedule "I"

Despite General Provisions 3.13.2 the minimum width of a planting strip shall be 2.8 metres.

15.4.13 CA-13 Zone Schedule "H"

Notwithstanding the requirements of Section 15, permitted uses shall include 'townhouse dwelling' and 'street townhouse dwelling' for use as tourist establishment and/or townhouse dwelling. Townhouse and Street Townhouse uses shall be subject to the requirements of Section 6 – Residential Type Three (R3) zone.

Notwithstanding the requirements of Section 6, for 'townhouse dwelling', the minimum front yard depth to 20th Street North shall be 5 metres, the maximum porch encroachment into a front yard shall be 2.2 metres, the maximum stair encroachment into a front yard shall be 3 metres.

Notwithstanding the requirements of Section 6, for 'street townhouse dwelling', for the purposes of Section 3.18 the internal road shall be deemed to be a street, the minimum rear yard depth to 20th Street North shall be 5 metres, the minimum setback from the rear lot line to a porch shall be 3 metres, the minimum setback from a rear line to stairs attached to a porch shall be 2 metres, the minimum lot frontage shall be 5.6 metres, the minimum lot area shall be 140 square metres, the maximum lot coverage shall be 60%.

Notwithstanding the requirements of Section 6, for 'townhouse dwelling' and 'street townhouse dwelling', the minimum width of each townhouse dwelling shall be 5.6 metres, the minimum interior side yard width to an exposed end or side wall for street townhouse shall be 1.5 metres, the minimum separation between an exposed end or side wall and a play area shall be 1.5 metres.

15.4.14 CA-14 Zone Schedule "H"

Notwithstanding the requirements of Section 15, permitted uses shall include street townhouse for use as tourist establishment and/or townhouse dwelling. Street townhouse uses shall be subject to the requirements of Section 6 – Residential Type Three (R3) zone and, notwithstanding the requirements of Section 6, the minimum width of each street townhouse shall be 6.0 metres, the minimum lot frontage for street townhouse shall be 6.0 metres, the minimum interior side yard width to an exposed end or side wall for street townhouse shall be 1.5 metres, the minimum interior yard setback to an R2 zone shall be 4.0 metres, and the minimum exterior yard setback shall be 2.5 metres.

15.4.15 CA-15

15.4.16 CA-16 Zone Schedule "H"

Notwithstanding the requirements of Section 15, permitted uses shall include 'street townhouse dwelling' for use as tourist establishment and/or townhouse dwelling. The minimum distance from an intersection of street lines to a driveway location shall be 6 metres. Street Townhouse uses shall be subject to the requirements of Section 6 – Residential Type 3 Zone.

Notwithstanding the requirements of Section 6, for 'street townhouse dwelling' the maximum porch encroachment into a front yard shall be 2.0 metres for porches exceeding 1.5 square metres in area, the minimum lot area shall be 189 square metres, the maximum lot coverage shall be 47%; the minimum exterior side yard setback shall be 3.5 metres; the minimum lot frontages is 6 metres and the minimum unit width requirement is 6.2 metres.

SECTION 16- CAMPGROUND COMMERCIAL (CC) ZONE

16.1 No person shall within any Campground Commercial (CC) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

16.2 PERMITTED USES:

16.2.1 Residential Uses:
Detached accessory dwelling unit or attached accessory dwelling unit

16.2.2 Non-residential Uses:

- Attached accessory restaurant or attached accessory take-out restaurant;
- Attached accessory retail store;
- Attached accessory tavern;
- Public use;
- Recreational use;
- Tourist establishment;
- Trailer sales and service establishment;
- Trailer and tent park.

16.3 ZONE PROVISIONS

16.3.1	**Lot Area (minimum):**	8 ha
16.3.2	**Lot Frontage (minimum):**	30 m
16.3.3	**Front Yard Depth (minimum):**	25 m
16.3.4	**Exterior Side Yard Width (minimum):**	18 m
16.3.5	**Interior Side Yard Width (minimum):**	10 m
16.3.6	**Rear Yard Depth (minimum):**	10 m
16.3.7	**Lot Coverage - Permanent Buildings and Structures (Maximum):**	5%
16.3.8	**Height of Building (Maximum):**	11 m
16.3.9	**Trailer-floor area (Maximum):**	60 sq.m

16.3.10 **Dwelling Unit (Minimum):**

a)	Bachelor attached dwelling unit	55 sq. M
b)	Other attached dwelling unit	55 sq. M plus an additional 13 sq. M for each bedroom
c)	Detached dwelling unit	80 sq. M

16.3.11 **Dwelling Unit per Lot (maximum):** 1

16.3.12 **Landscaped Open Space (minimum):** 30%

16.3.13 A planting strip not less than 6 m in width shall be reserved along all sides of the trailer and tent park and shall be used for no other purpose than sodding and for planting.

16.3.14 All means of ingress or egress shall have a minimum width of 6 m and in the case of a corner lot, no means of ingress or egress shall be located within 15 m of the intersection of the street lines.

16.3.15 **Setback from any Residential Zone (any yard) (minimum):** 15 m

16.3.16 **In addition to the provisions contained above, the following regulations shall also apply:**

a)	Minimum area for individual tent or trailer sites	110 sq.m
b)	Minimum frontage for individual tent or trailer sites	8 m
c)	Maximum density of trailer sites per hectare of lot area shall be 30/ha	

16.3.17 Percentage of sites within the zoned area occupied by park model trailers shall cover a maximum area of 30%.

16.3.18 Notwithstanding the provisions of Section 3.1 “Accessory Uses”, all or part of any accessory building may be located in front of the projected front main wall of the main building and shall comply with the front or other yard requirements of this section.

16.3.19 **Accessory Uses (See Section 3.1)**

16.3.20 **Parking Provisions (See Section 3.38)**

16.3.21 **In addition to Subsection 16.3, the following provisions apply for park model trailers.**

16.3.21.1 **Site Area (minimum):** 325 sq.m

16.3.21.2 **Site Frontage (minimum):** 15m

16.3.21.3 **Site Depth (minimum):** 20m

16.3.21.4 **Site Coverage (maximum):** 35%

16.3.21.5 **Site Landscaped Open Space (minimum):** 30%

16.3.21.6 **Front Yard Depth and Exterior Side Yard Width from Site boundaries (minimum):** 4.5m

16.3.21.7 **Trailer Floor Area (Minimum):** 40 sq.m
(Maximum): 50.5 sq.m

16.3.21.8 **Interior Side Yard Width from site boundaries (minimum):** 3 m

16.3.21.9 **Rear Yard Depth from site boundaries (minimum):** 4.5 m

16.3.21.10 An outside storage compound located and buffered in such a manner as to be inconspicuous shall be provided for the residents, having adequate space for the storage of house and/or park model trailer, motor homes, boats, snowmobiles and similar recreational equipment.

16.3.21.11 A skirt or ornamental fencing must be constructed to the satisfaction of the Building Inspector and shall circle the trailer in such a manner that trash, animals and children may not gain access to the area beneath the unit and further that such screening will cover an otherwise objectionable view.

16.3.21.12 Laundry facilities including washers and dryers shall be provided in a structure. The drying of clothes shall be prohibited on trailers sites other than in automatic dryers.

16.3.21.13 Accessory storage facility structures are permitted on each trailer site to provide inside storage of materials, furniture, tools and outdoor equipment. The maximum size of such structure shall not exceed 9.3 square metres. The minimum rear site boundary and side site boundary setback for such structures shall be 1.0 metre. Such structures shall be constructed of suitable weather resistant material.

16.3.21.14 Unenclosed and/or uncovered decks located adjacent to the trailer shall not be constructed more than 0.6 m above the finished grade and must not extend more than 3 m from the trailer and shall not extend into any required setback from the front and exterior side site boundary.

16.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular CC Zone except as noted:

16.4.1 CC-1 Zone Schedule "O"

a) Only rental cabins/rental cottages together with accessory recreational facilities and areas are permitted.

b) The provisions of Section 16.3 do not apply. The following provisions apply:

i) Tent and trailer site area (minimum) 2,000 sq. ft.

ii) Tent and Trailer site frontage (minimum) 40 ft.

iii) Tent and trailer site maximum gross density is 10 sites per gross acre.

iv) A Planting strip having a minimum width of 10 ft. shall be required and maintained adjacent to each interior side and rear yard.

v) Parking requirement is 2.0 spaces per tent and trailer site.

16.4.2 CC-2 Zone Schedule "O"

a) Only rental cabins/rental cottages or park model trailers, but not both, together with accessory recreational facilities and areas are permitted.

b) The provisions and regulations of Section 16.4.1, Part b) shall apply.

16.4.3 CC-3 Zone Schedule "O"

a) Only park model trailers together with accessory recreational facilities and areas are permitted.

b) The provisions and regulations of Section 16.4.1 b) shall apply

c) Notwithstanding the definition of Trailer, Park Model within Section 24, Definitions, the minimum width requirement for park model trailers in the transit mode shall be 2.4 metres.

16.4.4 CC-4 Zone Schedule "O"

The front yard setback shall be 18 metres and the interior side yard setback shall be 10 metres.

16.4.5 CC-5 Zone Schedule "B"

Notwithstanding Section 16.3.5, Interior Side Yard Width, and Section 16.3.15, Setback from any Residential Zone, the setback from the campground commercial use to the adjacent residential lot, municipally addressed as 8697 Highway 26, shall be 5.0 metres. This setback reduction shall only apply to the setback to 8697 Highway 26 and shall not apply to any other existing residential uses.

Notwithstanding Section 16.3.16 c) of the Campground Commercial Zone, the maximum number of tent and tent trailer sites per hectare of lot area shall be 34 sites per hectare.

SECTION 17 - INSTITUTIONAL (I) ZONE

17.1 No person shall within an Institutional (I) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

17.2 PERMITTED USES

17.2.1 Residential uses.

a) Detached accessory dwelling unit or attached accessory dwelling unit

17.2.2 Non-Residential uses:

a) Art gallery
b) Auditorium, arena or stadium
c) Cemetery
d) Crisis care facility
e) Fire hall
f) Funeral home
g) Hospital
h) Library
i) Medical office
j) Municipal or government office
k) Municipal or provincial garage or storage yard
l) Municipal parking lot
m) Museum
n) Nursery day care
o) Nursing or rest home
p) Place of worship
q) Police station
r) Post office
s) Public park
t) Public use
u) School, college, training or rehabilitation center
v) Sports or recreational camp
w) Theatre
x) Water supply plant
y) Veterinary clinic

17.3 Zone Provisions

17.3.1 Lot Area (Minimum):

a)	Lot served by a public water system And a sanitary sewer system	465 sq. M.
b)	Lot served by a public water system	1,860sq.m
c)	Other lot	5,000sq.m

17.3.2 Lot Frontage (Minimum):

A)	lot served by a public water system and a sanitary sewer system	12m
b)	Lot served by a public water system	30m
c)	Other lot	60m

BL2020-48 **17.3.3 Front Yard Depth (minimum):** 3m

17.3.4 Exterior Side Yard Width (minimum): 6m

BL2020-48 **17.3.5 Interior Side Yard Width (minimum):**

a)	Where it abuts an I Zone	0m
b)	Where it abuts any other Zone	3m

17.3.6 Rear Yard Depth (minimum):

a)	Where it abuts an I Zone	0m
b)	Where it abuts any other Zone	7.6m

17.3.7 Dwelling Unit Area (minimum):

a)	Bachelor	55sq.m
b)	Other Attached	55sq.m. plus an additional 13sq.m for each bedroom

17.3.8 Landscaped Open Space (Minimum): 30%

BL2020-48 **17.3.9 Height of Building (Maximum):** 15m

17.3.10 Dwelling Units Per Lot (Maximum): 1

17.3.11 Services

An accessory dwelling unit shall not be permitted on any lot in an Institutional Zone unless such lot is served by a public water system and sanitary sewer system.

17.3.11 Accessory Uses see Section 3.1

17.3.12 Parking Provisions see Section 3.38

17.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular I Zone except as noted.

17.4.1 I-1 Zone Schedule "E"

The Height of Building (maximum) shall be 5 m.

17.4.2 I-2 Zone Schedule "O"

The Front Yard Depth (minimum) shall be 0.6 m; the West Interior Side Yard Width (minimum) shall be 1.2 m; and, the East Interior Side Yard Width (minimum) shall be 6 m.

17.4.3 I-3 Zone Schedule "P"

Only an art gallery, a museum, a nursery day care, a place of worship, a private park, a public park, and a school shall be permitted.

17.4.4 I-4 Zone Schedule "E"

As it relates to parking for Places of Worship, a minimum one parking space per 3 persons design capacity of the sanctuary shall be required.

17.4.5 I-5 Zone Schedule "O"

The maximum number of nursing or rest home beds shall be 120 and the minimum number of required parking spaces shall be 75 parking spaces. The minimum treed landscaped buffer area strip along the westerly property boundary shall be 6.0 metres.

17.4.6 I-6 Zone Schedule "N"

The Front Yard Depth (minimum) of the portion of the property fronting onto Nancy Street shall be 3m, and the Interior Side Yard (minimum) of the most northerly interior lot line in the I-6 zone shall be 3m.

17.4.7 I-7 Zone Schedule "F"

Notwithstanding:

- Section 3.38.9 respecting minimum parking requirements, the minimum parking requirement for an Elementary School shall be 2.0 parking spaces per classroom; and
- Section 17.3.9 respecting maximum building height, the maximum building height for a School shall be 15 metres.

BL2020-48

17.4.8 I-8/R2-18 Zone Schedule "F"

If the hold is lifted and site proceeds as residential, then the zone provisions of the R2-18 zone shall apply.

SECTION 18 - INDUSTRIAL INSIDE STORAGE (MI) ZONE

18.1 No person shall within any Industrial Inside Storage (MI) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein.

18.2 PERMITTED USES

18.2.1 Residential Uses:

a) Prohibited

18.2.2 Non-Residential Uses:

a) Accessory retail
b) Adult entertainment establishment
c) Business or professional office
d) Car wash
e) Club
f) Custom workshop
g) Dry cleaning facility
h) Equipment rental
i) Outside display of goods accessory to a permitted MI use (See Section 3.36)
i) Parking lot
j) Plant for the processing, assembly and manufacture of products and goods within a wholly enclosed structure
k) Public use
l) Recreational entertainment establishment
m) Restaurant
n) Shop for the repair, processing or treatment of goods and wares and any other service industries if conducted fully within an enclosed building
o) Veterinary clinic
p) Warehouse and mini-storage warehouse

18.3 ZONE PROVISIONS

18.3.1 Lot Area (Minimum):

a)	Lot served by a public water system And a sanitary sewer system	500 sq.m
b)	Lot served by a public water system	1,860 sq.m
c)	Other lot	5,000 sq.m

18.3.2	**Lot Frontage (Minimum):**		
	a)	Lot served by a public water system And a sanitary sewer system	12 m
	b)	Lot served by a public water system	30 m
	c)	Other lot	60 m
18.3.3	**Front Yard Depth (Minimum):**		15 m
18.3.4	**Exterior Side Yard Width (Minimum):**		15 m
18.3.5	**Interior Side Yard Width (Minimum):**		
	a)	Where it abuts a M Zone	3 m
	b)	Where it abuts any other Zone	12 m
18.3.6	**Rear Yard Depth (Minimum):**		
	a)	Where it abuts a M Zone	9 m
	b)	Where it abuts any other Zone	21 m
18.3.7	**Height of Building (Maximum):**		12 m
18.3.8	**Lot Coverage (Maximum):**		40%
18.3.9	**Accessory Uses (See Section 3.1)**		
18.3.10	**Parking Provisions (See Section 3.38)**		

18.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular MI Zone except as noted.

SECTION 19 - INDUSTRIAL OUTSIDE STORAGE (MO) ZONE

19.1 No person shall within any Industrial Outside Storage (MO) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

19.2 PERMITTED USES

19.2.1 Residential Uses:

a) Prohibited

19.2.2 Non-residential Uses:

a) Accessory retail
b) Adult entertainment establishment
c) Agricultural implement dealership
d) Business and professional office
e) Car wash
f) Cartage, express or transportation terminal
g) Commercial school
h) Club
i) Concrete manufacturing
j) Construction yard
k) Custom workshop
l) Dry cleaning facility
m) Equipment rental
n) Fuel storage tank or supply yard
o) Lumber yard or bulk storage yard
p) Merchandise service shop
q) Mobile home, park model trailer, trailer sales and service establishment
r) Motor vehicle body shop and repair garage and/or impound yard
s) Municipal or provincial garage or storage yard
t) Outside display of goods accessory to a permitted MO use (See Section 3.36)
u) Parking lot
v) Place of worship
w) Plant for processing, assembly and manufacture of products and goods within a fully enclosed structure
x) Printing shop or publishing house
y) Public use
z) Recreational entertainment establishment

aa) Restaurant
bb) Shop for repair, processing or treatment of goods and wares and any other service industries
cc) Veterinary clinic
dd) Warehouse and mini-storage warehouse

19.3 ZONE PROVISIONS

19.3.1 Lot Area (minimum):

a)	Lot served by a public water system And a sanitary sewer system	500 sq.m
b)	Lot served by a public water system	1,860 sq.m
c)	Other lot	5,000 sq.m

19.3.2 Lot Frontage (minimum):

a)	Lot served by a public water system And a sanitary sewer system	12 m
b)	Lot served by a public water system	30 m
c)	Other lot	60 m

19.3.3 Front Yard Depth (minimum): 15 m

19.3.4 Exterior Side Yard Width (Minimum): 15 m

19.3.5 Interior Side Yard Width (Minimum):

a)	Where it abuts a M Zone	3 m
b)	Where it abuts any other Zone	12 m

19.3.6 Rear Yard Depth (Minimum):

a)	Where it abuts an M Zone	9 m
b)	Where it abuts any other Zone	21 m

19.3.7 Height of Building (maximum): 12 m

19.3.8 Motor Vehicle Impound Yard Location:
Notwithstanding any other provisions of this By-law to the contrary, a motor vehicle impound yard shall be located behind the front wall of the main building.

19.3.9 Open Storage:
No outside storage of goods or materials shall be permitted except in accordance with the following provisions:

- Every open storage use shall be accessory to a permitted MO use;
- An open storage use shall be permitted only in a rear yard;
- Any open storage shall be screened from view from abutting lands by a fence wall or other appropriate means.

19.3.10 **Lot Coverage (Maximum):** 40%

19.3.11 **Landscaped Open Space (Minimum):** 10%

19.3.12 **Accessory Uses (See Section 3.1)**

19.3.13 **Parking Provisions (See Section 3.38)**

19.4 **ZONE EXCEPTIONS**

The following Zone categories shall have the same permitted uses and zone provisions as the regular MO Zone except as noted.

19.4.1 **MO-1 Schedule "S"**

The permitted uses shall be limited to the following: Accessory Retail; Agricultural Implement dealer; club; concrete manufacturing; construction yard; custom workshop; equipment rental; lumber yard or bulk storage yard; merchandise service shop; motor vehicle body shop and repair garage and/or impound yard; municipal or provincial garage or storage yard; outside display of good accessory to a permitted use; parking lot ; plant for processing, manufacturing of products and goods within a fully enclosed structure; printing shop or publishing house; public use; shop for repair, processing or treatment of goods and wares; warehouse and mini- storage. Notwithstanding Section 3.38.4, the parking area shall not be required to be paved.

SECTION 20- INDUSTRIAL EXTRACTIVE (ME) ZONE

20.1 No person shall within any Industrial Extractive (ME) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

20.2 PERMITTED USES

20.2.1 Residential Uses:

a) Prohibited

20.2.2 Non-Residential Uses:

a) Agricultural, conservation, forestry, reforestation or park use with accessory uses and buildings
b) Extractive industrial use
c) Public use

20.3 ZONE PROVISIONS

20.3.1	**Lot Area (Minimum):**	4 ha
20.3.2	**Lot Frontage (Minimum):**	30 m
20.3.3	**Front Yard Depth (Minimum):**	30 m
20.3.4	**Exterior Side Yard Width (Minimum):**	30 m
20.3.5	**Interior Side Yard Width (Minimum):**	15 m
20.3.6	**Rear Yard Depth (Minimum):**	15 m
20.3.7	**Lot Coverage (Maximum):**	5%
20.3.8	**Height of Building (Maximum):**	12 m

20.3.9 No sand or gravel excavation shall proceed closer than 120 m to any Residential, Commercial or Institutional, nor closer than 15 m to a property line, nor closer than 30 m to a public road allowance, nor closer than 150 m from any residential use.

20.3.10 No asphalt production, facility nor any building or structure used for the crushing, screening, washing or processing of sand, ballast, gravel, etc., shall be permitted within 300 m of any Residential, Commercial or Institutional Zone boundary, nor closer than 90 m to a public road allowance, no closer than 150 m to any residential use.

20.3.11 A strip of land not less than 15 m in width within the required yards shall be reserved for landscaped open space purposes between any Industrial (ME) Zone and any adjacent Residential, Commercial. Institutional or Industrial Zone, along any adjacent public road allowance or adjoining property line.

20.3.12 All extractive industrial uses shall, in addition to the above, conform to the standards and regulations of The Aggregate Resources Act, as amended and the requirements of the Ministry of Natural Resources.

20.3.13 Accessory Uses (See Section 3.1)

20.3.14 Parking Provisions (See Section 3.38)

20.4 ZONE EXCEPTION

The following Zone categories shall have the same permitted uses and zone provisions as the regular ME Zone except as noted.

SECTION 21- WASTE DISPOSAL (MW) ZONE

21.1 No person shall within any Waste Disposal (MW) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

21.2 PERMITTED USES

21.2.1 Residential uses:

a) Prohibited

21.2.2 Non-Residential uses:

a) Public use
b) Sewage treatment facility and may also include a sewage lagoon
c) Waste disposal site

21.3 ZONE PROVISIONS

21.3.1	**Lot Area (Minimum):**	2 ha
21.3.2	**Lot Frontage (Minimum):**	30 m
21.3.3	**Front Yard Depth (Minimum):**	30 m
21.3.4	**Exterior Side Yard Width (Minimum):**	15 m
21.3.5	**Interior Side Yard Width (Minimum):**	15 m
21.3.6	**Rear Yard Depth (Minimum):**	15 m
21.3.7	**Lot Coverage (Maximum):**	20%
21.3.8	**Height of Building (Maximum):**	12 m

21.3.9 Accessory Uses (See Section 3.1)

21.3.10 Parking Provisions (See Section 3.38)

21.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular MW Zone except as noted:

21.4.1 MW-1 Zone Schedule "S"

Notwithstanding the permitted uses and zone provisions of Subsections 21.2 and 21.3, the following shall apply within the MW-1 Zone:

a) Permitted uses:

i) Waste disposal site
ii) Accessory uses, buildings or structures

b) Zone Provisions:

i)	Lot Area (minimum)	26 ha
ii)	Lot Frontage (minimum)	300 m
iii)	Front Yard Depth (minimum)	30 m
iv)	Interior Side Yard Width (minimum)	15 m
v)	Rear Yard Depth (minimum)	15 m
vi)	Maximum Building Coverage	5%
vii)	Maximum Building Height	11 m

For the purpose of the Zone Provisions, yards are related to buildings only.

21.4.2 MW-2 Zone Schedule "S"

Notwithstanding any other provision of this By-law to the contrary, the uses permitted within the MW-2 Zone shall be limited to existing residential uses subject to the provisions of Section 24.3.13 of this By-law, agriculture, conservation, forestry, or reforestation with accessory uses and buildings or a park use, except those uses shall not include new residential uses or buildings designed or intended for human habitation. Lands located within the MW-2 Zone shall not be used as a waste disposal site.

SECTION 22 - OPEN SPACE (OS) ZONE

22.1 No person shall within any Open Space (OS) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

22.2 PERMITTED USES

22.2.1 Residential Uses:

a) Detached accessory dwelling unit or attached accessory dwelling unit for a golf course use only

22.2.2 Non-Residential Uses:

a) Agriculture
b) Forestry use, conservation use and wildlife sanctuary
c) Golf course
d) Marine facility
e) Parking lot
f) Public or private park
g) Public use
h) Recreational uses

22.3 Zone Provisions

22.3.1 Lot Area (Minimum):

a)	Lot served by a public water system And a sanitary sewer system	465 sq.m
b)	Lot served by a public water system	1,860 sq.m
c)	Other lot	5,000 sq.m

22.3.2 Lot Frontage (Minimum):

a)	Lot served by a public water system And a sanitary sewer system	12 m
b)	Lot served by a public water system	30 m
c)	Other lot	30 m

22.3.3 Front Yard Depth (Minimum): 6 m

22.3.4 Exterior Side Yard Width (Minimum): 4.5 m

22.3.5	**Interior Side Yard Width (Minimum):**		
	a)	Residential uses	1.8 m
	b)	Non-residential uses	6 m
22.3.6	**Rear Yard Depth (Minimum):**		7.6 m
22.3.7	**Dwelling Units Per Lot (Maximum):**		1
22.3.8	**Dwelling Unit Area (Minimum):**		
	a)	Bachelor	55 sq.m
	b)	Other attached	55 sq.m plus an Additional 13sq.m for each bedroom
	c)	Detached	80 sq.m
22.3.9	**Lot Coverage (Maximum):**		20%
22.3.10	**Height of Building (Maximum):**		12 m

22.3.11 Accessory Uses (See Section 3.1)

22.3.12 Parking Provisions (See Section 3.38)

22.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular OS Zone except as noted.

22.4.1 OS-1 Zone Schedule "F"

Permitted uses are limited to tennis courts, walking trails and accessory recreational uses such as horseshoe pits, lawn bowling, and similar uses where minimal tree removal or lot grading is required.

22.4.2 OS-2 Zone Schedule "Q"

A graveled surface parking area for on-site outside storage shall be permitted.

22.4.3 OS-3 Zone Schedule "R"

Permitted uses shall be limited to non-residential uses. In addition to the permitted non-residential uses in the OS zone, in the OS-3 zone the permitted uses shall also include a sales office, a temporary golf course clubhouse and associated accessory uses such as a parking lot;

Notwithstanding General Provision 3.38.4, Off Street Parking Requirements, Surface, the parking surface shall not be required to be paved with an asphalt or concrete surface, but shall only apply to accessory parking for the sales office and temporary clubhouse uses; Notwithstanding General Provision 3.38.1, Off Street Parking Requirements, required parking spaces that are not provided on the same lot on which the principle use is located shall be located on adjacent lots at the ratio required in the By-law.

Section 22.3 Zone Provisions, applies to the lands zoned OS-3, except where specifically identified below: Minimum interior side yard width shall be 3.21 metres.

22.4.4 OS-4 Zone Schedule "D"

Notwithstanding the provisions of Section 22, the only permitted use shall be a private park in the form of a treed landscaped buffer and walking trail.

22.4.5 OS-5 Zone Schedule "E"

Additional permitted use being stormwater management facilities, public park and emergency access.

22.4.6 OS-5 Zone Schedule "B"

Notwithstanding the provisions of Section 22, the only permitted use shall be a public park.

22.4.6 OS-6 Zone Schedule "B"

Notwithstanding Section 22.3.1 c), the minimum lot area for a lot not served by a public water system and public sanitary sewer system shall be 620 square metres.

Notwithstanding Section 22.3.2 c), the minimum lot frontage for a lot not served by a public water system and public sanitary sewer system shall be 20 metres.

22.4.7 OS-7 Zone Schedule "B"

Notwithstanding Section 22.3.1 c), the minimum lot area for a lot not served by a public water system and public sanitary sewer system shall be 2860 square metres.

22.4.8 OS-8 Zone Schedule "A"

Stormwater management facilities shall be an additional permitted use.

22.4.9 OS-9 Zone Schedule "A"

Notwithstanding Section 22.3.1 c), the minimum lot area for a lot not served by a public water system and public sanitary sewer system shall be 4,800 square metres.

22.4.10 OS-10 Zone Schedule "A"

No minimum lot frontage shall be required; and,
No minimum lot area shall be required.

22.4.11 OS-11 Zone Schedule “O”

Additional permitted use being stormwater management facilities and emergency access.

SECTION 23 - ENVIRONMENTAL PROTECTION (EP) ZONE

23.1 No person shall within any Environmental Protection (EP) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein:

23.2 PERMITTED USES

23.2.1 Residential Uses:

a) Existing residential uses;
b) A use accessory to a Residential use located in an adjoining Zone such as a boat house, tool shed, patio, in-ground swimming pool, barbecue or similar accessory use.

23.2.2 Non-residential Uses:

a) Conservation uses
b) Existing agricultural uses
c) Existing golf course
d) Forestry
e) Marine facility
f) Passive Outdoor recreation use
g) Public Park
h) Public Use

23.3 ZONE PROVISIONS

23.3.1	**Front Yard Depth (minimum):**	13 m
23.3.2	**Exterior Side Yard Width (minimum):**	13 m
23.3.3	**Interior Side Yard Width (minimum):**	7.6 m
23.3.4	**Rear Yard Depth (minimum):**	7.6 m
23.3.5	**Height of Building (maximum):**	6.0 m

23.3.6 Notwithstanding the permitted uses of Section 23.2.1 and 23.2.2, within the area Zoned EP and shown on Schedules “L”, “P” and “Q”, the permitted uses within the Zoned area shall be limited to forestry, conservation use, wildlife sanctuary, and public uses in recognition of Provincially Significant Wetland classification identified in relation to these areas.

23.3.7 Approval of Conservation Authority:

No permitted building or structure shall be erected or altered within an EP Zone except with the written approval of the Conservation Authority.

23.3.8 Accessory Uses (See Section 3.1)

23.3.9 Parking Provisions (See Section 3.38)

23.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular EP Zone except as noted.

23.4.1 EP-1 Zone Schedule "O"
No use other than a driving range shall be permitted.

23.4.2 EP-2 Zone Schedule "R"
No use other than conservation uses and a public use shall be permitted.

23.4.3 EP-3 Zone Schedule "O"
The existing natural vegetation shall remain undisturbed.

23.4.4 EP-4 Zone Schedule "P"
The existing natural vegetation shall remain undisturbed and all forms of development shall be prohibited including all uses accessory to a residential use and all non-residential uses save and excepting those existing on the subject site at the passing of this by-law.

23.4.5 EP-5 Zone Schedule "R"
Permitted uses shall be limited to non-residential uses and shall also include a parking lot and accessory landscaping.

23.4.6 EP-6 Zone Schedule "P"
In addition to the permitted non-residential uses in Section 23.2.2 in the EP-6 Zone, a private Play Area accessory to an adjacent residential development shall also be permitted. The Play Area shall have a minimum size of 265 square metres and a maximum size of 330 square metres.

23.4.7 EP-7 Zone Schedule "F"
Notwithstanding the provisions of Section 23 the only permitted uses shall be conservation uses. For the purpose of this amendment conservation uses shall be defined as uses being for scientific research and education, wildlife management, and other activities connected with the conservation of ecologically significant resources.

23.4.8 EP-8 Zone Schedule "E"

Permitted uses shall be limited to conservation uses, with conservation uses being defined as uses for woodland and wildlife management, and other activities connected with the conservation of ecologically significant resources.

23.4.9 EP-9 Zone Schedule "B"

Stormwater management facilities shall be an additional permitted use.

SECTION 24 - RURAL (RU) ZONE

24.1 No person shall within any Rural (RU) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein.

24.2 PERMITTED USES

24.2.1 Residential Uses:

a) single detached dwelling unit

24.2.2 Non-Residential Uses:

a) Agricultural or Agricultural Cannabis Cultivation Site or forestry use but does not include an intensive agricultural use
b) Agricultural produce sales outlet
c) Bed and breakfast
d) Conservation use and wildlife sanctuary
e) Equestrian facility
f) Fishing establishment
g) Home industry
h) Home occupation
i) Kennel
j) Nursery and garden center
k) Public use
l) Transmission site
m) Veterinary clinic

24.3 ZONE PROVISIONS

24.3.1	**Lot Area (Minimum):**	4 ha
24.3.2	**Lot Frontage (Minimum):**	60 m
24.3.3	**Front Yard Depth (Minimum):**	12 m
24.3.4	**Exterior Side Yard Width (Minimum):**	12 m
24.3.5	**Interior Side Yard Width (Minimum):**	6 m
24.3.6	**Rear Yard Depth (Minimum):**	9 m
24.3.7	**Dwelling Unit Area (Minimum):**	93 sq.m

24.3.8 **Lot Coverage (Maximum):** 10%

24.3.9 **Dwelling Units Per Lot (Maximum):** 1

24.3.10 **Height of Building (Maximum):** 10 m

24.3.11 **Accessory Buildings Yards**

Notwithstanding anything in this By-law to the contrary, the following shall apply in regard to buildings accessory to an agricultural use:

a)	Front Yard Depth (minimum)	15m
b)	Interior Side Yard Width (minimum)	8m
c)	Exterior Side Yard Width (minimum)	8m
d)	Rear Yard Depth (minimum)	15m

24.3.12 **Additional Requirements and Regulations:**

a) No minimum lot area is required in the case of a transmission site;

b) The minimum lot area for a lot to be used for a veterinary clinic and/or kennel shall be 0.6 ha with a minimum frontage of 30 m and the use shall comply with all other regulations of Section 24.3;

d) The minimum setback of any buildings or structures used for kennel purposes from any lot line shall be 6 m and any such buildings or structures shall be setback a minimum of 10 m from any Residential Zone, any residential building located on an adjacent lot or any vacant lot created or intended for residential purposes;

e) Notwithstanding Section 3.21.2, the provision for minimum lot area, for the purposes of calculating the minimum lot area for a permitted agricultural use, the total horizontal area within the lot lines of a lot shall be deemed to constitute the lot area.

24.3.13 **Single Family Dwelling Provisions:**

24.3.13.1 In the case of a lot used or intended to be used for Residential purposes on a lot created by consent subsequent to the passing of this By-law, the following Zone regulations shall apply.

a)	Lot Area (minimum)	1,855 sq.m
b)	Lot Frontage (minimum)	30 m
c)	Front Yard Depth (minimum)	9 m
d)	Exterior Side Yard Width (minimum)	9 m
e)	Interior Side Yard Width (minimum)	3 m
f)	Rear Yard Depth (minimum)	9 m
g)	Lot Coverage (maximum)	20%
h)	Dwelling Unit Area (minimum)	93sq.m
i)	Height of Building (maximum)	10m

24.3.14 **Accessory Uses (See Section 3.1)**

24.3.15 Parking Provisions (See Section 3.38)

24.3.16 Where a lot is used for an Agricultural Cannabis Cultivation Site, the following zone regulations shall also apply:

a) Agricultural Cannabis Cultivation shall be located in a detached and enclosed building;

b) Buildings shall be set back 100 metres from any lot line abutting a residential use, or any residential, institutional or open space zone;

c) No minor variance to any of the provisions of Section 24.3.16 shall be permitted by Committee of Adjustment and shall only be addressed by a Zoning By-Law Amendment.

24.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular RU Zone except as noted.

24.4.1 RU-1 Schedule "Q"

The following provision shall in addition apply;

a. Lot area (minimum) 5,000 square feet
b. Lot frontage (minimum) 50 feet
c. Front yard depth (minimum) 20 feet
d. Interior side yard width (minimum) 6 feet
e. Rear yard depth (minimum) 25 feet
f. The only residential development of this lot shall occur within the "RU-1" Zone

24.4.2 RU-2 Schedule "S"

The minimum lot area shall be 3.16 hectares

24.4.3 RU-3 Schedule "S"

The permitted uses shall be limited to Forestry, Conservation, Wildlife Sanctuary, Park, Passive Outdoor Recreation, Public Use, and Transmission Site. Despite General Provision 3.13, entitled Planting Strips, a 1.0 metre wide planting strip consisting of existing vegetation shall be required along the interior side lot line in the northwest corner of the property abutting an adjacent residential use.

24.4.4 RU-4 Schedule "E"

A Sales Centre shall also be a permitted use.

The minimum Lot Area requirement for the area subject to the temporary use shall be 0.255 ha.

The minimum Lot Frontage requirement for the area subject to the temporary use shall be 41 m.

The minimum Rear Yard Depth requirement for the area subject to the temporary use shall be 6.75 m.

SECTION 25 - DEVELOPMENT (D) ZONE

25.1 No person shall within any Development (D) Zone use any lot or erect, alter, enlarge, maintain or use any building or structure for any purpose or use other than as permitted for one or more of the following uses and in accordance with the following provisions or requirements as set out herein.

25.2 PERMITTED USES

25.2.1 Residential Uses:

a) Detached accessory dwelling unit
b) Existing single detached dwelling unit

25.2.2 Non-residential Uses:

a) Agricultural produce sales outlet
b) Agricultural use but not including an agricultural use involving livestock
c) Conservation use and wildlife sanctuary including a forestry use
d) Home occupation
e) Public or private park
f) Public use

25.3 ZONE PROVISIONS

25.3.1	**Lot Area (Minimum):**	10 ha
25.3.2	**Lot Frontage (Minimum):**	36 m
25.3.3	**Front Yard Depth (Minimum):**	6 m
25.3.4	**Exterior Side Yard Width (Minimum):**	4.5 m
25.3.5	**Interior Side Yard Width (Minimum):**	1.8 m
25.3.6	**Rear Yard Depth (Minimum):**	7.6 m
25.3.7	**Dwelling Unit Area (Minimum):**	93 sq.m
25.3.8	**Lot Coverage (Maximum):**	10%
25.3.9	**Height of Building (Maximum):**	10 m
25.3.10	**Dwelling Units Per Lot (Maximum):**	1

25.3.11 Accessory Uses see Section 3.1

25.3.12 Parking Provisions see Section 3.38

25.4 ZONE EXCEPTIONS

The following Zone categories shall have the same permitted uses and zone provisions as the regular D Zone except as noted.

25.4.1 RD Zone Schedule "G"

No Development shall be permitted within this zone. Development may only occur following an appropriate rezoning and compliance with the policies of the Official Plan (Section 12.2.7.3).

25.4.2 D-2 Zone Schedule "B"

A Sales Centre shall also be a permitted use subject to the following provisions:

- The minimum lot area requirement for the area subject to the temporary use shall be 0.11 hectares;
- The minimum lot frontage requirement for the area subject to the temporary use shall be 29.09 metres;
- The minimum front yard setback, as measured from the front lot line post-road widening, shall be 6 metres;
- The minimum interior side yard setback shall be 3.2 metres;
- A total of 6 parking stalls will be provided;
- The front deck may project a maximum distance of 2.4 metres into any required front yard provided it is not more than 1 metre above finished grade;
- Notwithstanding Section 3.3.6, Steps and Accessibility Ramps, an accessibility ramp may project into any required front yard a maximum distance of 2 metres provided that such uses are not below grade or not more than 1 metre above grade within the required yard; and
- The Sales Centre building shall not exceed an area of 66 square metres.

***** Section 25.4.2, Development Exception 2 D-2 Zone expires on November 14, 2027***

SECTION 26 - DOWNTOWN WASAGA BEACH

26.1 Definitions

The following definitions apply specifically to Downtown Wasaga Beach, and are to be read in addition to those definitions in Section 27 of this Zoning By-law:

Dwelling, Apartment means a dwelling that contains four (4) or more dwelling units, which have a common entrance from street level and are served by a common corridor and the occupants of the units have the right of use in common of the corridors, stairs, yards, or one (1) or more of them. An “Apartment Dwelling” does not include any other dwelling unit defined herein.

Dwelling Unit, Apartment means a dwelling unit of two (2) or more rooms designed or intended for use by a group of persons in which cooking and sanitary facilities are provided for the exclusive use of such group of persons, and with a private entrance from outside the building or from a common hallway or stairway inside, but does not include any other use defined or classified herein.

Dwelling, Back-to-Back Townhouse a residential building having attached units separated by a common or party wall above grade, including a common or party rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front elevation or exterior side elevation of the dwelling unit.

Dwelling, Stacked Townhouse means a residential building with dwelling units stacked vertically (typically two) each with an independent entrance at grade to the front and rear of the building.

Amenity Area, Communal means recreational facilities, which may include outdoor landscaped communal areas, patios, rooftop amenities, children’s play areas, and other amenities like swimming pools, recreation facilities, indoor communal lounges and other areas, within the site which can be used for recreational purposes by all residents of a building or a group of buildings but not including driveways or parking areas.

Gaming Facility means any gaming establishment, facility and other property or assets ancillary or related thereto or used in connection therewith, including, without limitation, any casinos, hotels, resorts, theaters, parking facilities, timeshare operations, retail shops, restaurants, other buildings, land, golf courses and other recreation and entertainment facilities, marinas, vessels and related equipment.

Restaurant, Convenience means a building, structure or part thereof, with an accessory drive-through where food is prepared and offered for sale to the public for consumption within the building, structure or part thereof, or off the premises.

Short-term Rental means all or part of a dwelling unit in the Town used to provide sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This excludes hotels and motels and accommodations where there is no payment.

26.2 General Provisions

The following General Provisions apply specifically to Downtown Wasaga Beach and are to be read in addition to and supersede those General Provisions in Section 3 of this Zoning By-law where there is a conflict.

26.2.1 Mixed-Use Buildings

Where permitted by this By-law, a mixed-use commercial/office/residential building shall be in accordance with the following provisions:

a) Parking shall be provided for all uses in accordance with Section 26.2.15 and bicycle parking shall be provided in accordance with Section 26.2.16.
b) Dwelling units shall not be located on the ground floor of buildings where continuous building frontage is required.
c) For all new buildings, communal amenity areas shall be provided for the units in accordance with Subsection 26.2.12.
d) Conversions of commercial space to residential dwelling unit(s) and vice-versa shall be permitted in the Downtown Core (DC) and Beach (B) Zones, provided all other provisions of this By-law are complied with.

26.2.2 Apartment Dwelling Units in Commercial and Mixed-Use Zones

Where permitted by this By-law, an apartment dwelling unit permitted in commercial and mixed-use zones shall be in accordance with the following provisions:

a) Apartment dwelling unit(s) shall be located in the second or higher storey of commercial buildings.
b) For all new buildings, communal amenity areas shall be provided for the apartment units in accordance with Section 26.2.12.
c) An apartment dwelling unit shall be prohibited on the same lot as an automobile gas bar, automobile service station or automobile repair garage.
e) Parking requirements shall be provided for the apartment dwelling unit(s) shall be in accordance with Subsection 26.2.15.

26.2.3 Continuous Street Frontage between the Nottawasaga River and Wood Avenue

Notwithstanding any other provision of this By-law, where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, continuous street frontage, and the following provisions, shall apply:

a) The width of the main building shall be a 100 percent of the lot frontage and set back at the applicable minimum and maximum front yard setbacks, as indicated in the applicable Zone provisions.
b) In no case shall a new parking area be accessed from or permitted in the front yard.

26.2.4 Continuous Street Frontage between Wood Avenue and Stonebridge Boulevard

Notwithstanding any other provision of this By-law, where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, continuous street frontage, and the following provisions, shall apply:

a) The width of the main building shall be a minimum of 75 percent of the lot frontage and set back at the applicable minimum and maximum front yard setbacks, as indicated in the applicable Zone provisions.
b) Notwithstanding clause 26.2.6, where a lot is not subject to the minimum building height requirement, the width of the main building shall be a minimum of 50.0 percent of the lot frontage.
c) In no case shall a new parking area be accessed from or permitted in the front yard.

26.2.5 Continuous Street Frontage between Stonebridge Boulevard and River Road West

Notwithstanding any other provision of this By-law, where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, continuous street frontage, and the following provisions, shall apply:

a) The width of the main building shall be a minimum of 50 percent of the lot frontage and set back at the applicable minimum and maximum front yard setbacks, as indicated in the applicable Zone provisions.
b) Notwithstanding clause 26.2.6, where a lot is not subject to the minimum building height requirement, the width of the main building shall be a minimum of 50.0 percent of the lot frontage.
c) In no case shall a new parking area be accessed from or permitted in the front yard.

26.2.6 Minimum Building Height

a) Where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, the minimum height of any main building shall be three (3) storeys or 10.5 metres.

b) Notwithstanding the above and any other provision of this By-law, the minimum building height shall be one (1) storey for civic uses, public uses, gaming facilities, recreational entertainment establishments, and other entertainment-related uses where they are permitted in the Downtown Core Mixed-Use (DC1) Zone, the Downtown Gateway Mixed-Use (DG1) Zone, and the Beach Mixed-Use (B1) Zone.

26.2.7 Minimum Ground Floor Height

Notwithstanding any other provision of this By-law, where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, the minimum height of the first storey shall be 4.5 metres.

26.2.8 Angular Planes

Where the maximum height of a building is subject to the angular plane, as indicated in the Zone provisions, the following provisions shall apply:

a) The maximum height of a building shall be further restricted to the height of an angular plane, extending from the opposite street line upwards at a forty-five degree (45°) angle towards the building. The upper storeys of the building shall be stepped back within the forty- five degree (45°) line projection in accordance with the angular plane.

b) The angular plane shall be applied and may reduce the permitted maximum building height as indicated in the zone provisions to mitigate impacts from sun shadow and overlook on the street and adjacent low-density uses.

26.2.9 Setback Requirements Adjacent to Main Street

a) Notwithstanding any other provision of this By-law and any yard requirements, where the right-of-way for Main Street in the Downtown is less than 30 metres wide, no building or structure shall be erected closer than a distance equal to the sum of 15.0 metres and the required front or exterior side yard setback in that zone from the original centre line of the improved public street right-of-way.

26.2.10 Setback Requirements Adjacent to Mosley Street

a) Notwithstanding any other provision of this By-law and any yard requirements, where the right-of-way for Beach Drive and Mosley Street in the Downtown is less than 23 metres wide, no building or structure shall be erected closer than a distance equal to the sum of
11.5 metres and the required front or exterior side yard setback in that zone from the original centre line of the improved public street right-of-way.

BL2021-37

26.2.11 INTENTIONALLY LEFT BLANK

26.2.12 Communal Amenity Area Requirements

Communal amenity areas shall be provided for multi-unit residential uses, including but not limited to a stacked townhouse dwelling, apartment dwelling, and apartment dwelling units within a mixed-use building in accordance with the following minimum requirements:

a) 5.0 square metres of communal amenity area shall be provided for each bachelor and one (1) bedroom dwelling unit;
b) 10.0 square metres of communal amenity area shall be provided for each two (2) bedroom dwelling unit;
c) 20.0 square metres of communal amenity area shall be provided for each three (3) bedroom dwelling unit;
d) 30.0 square metres of communal amenity area shall be provided for each four (4) bedroom dwelling unit or dwelling unit with more than four (4) bedrooms; and
e) Inclusive within the communal amenity area requirements above, a children's play area shall be provided where a multi-unit residential development contains ten (10) or more dwelling units. A children's play area shall be provided at a rate of 2.5 square metres per dwelling or apartment unit. The minimum size of any children's play area shall be 46.0 square metres, while the maximum size of such children's play area shall be 140.0 square metres.

26.2.13 Overlook

Decks and balconies shall be screened, in accordance with the fencing and landscaping requirements of By-law 2003-60, from any views into private amenity areas.

26.2.14 Outdoor Patio

Where permitted by this By-law as an accessory use to a permitted restaurant or other food premises, an outdoor patio may be located in any yard but not within 3.0 metres of any side or rear property line that abuts an existing residential use or Residential zone, nor in a visibility triangle. Such provisions shall not apply to outdoor patios located in the Downtown Core Mixed-Use (DC1) and Beach Mixed-Use (B1) and Beach Transition (B2) Zones.

26.2.15 Parking

Public and private parking spaces which are accessory to the main use of a lot, building or structure are a permitted use in all zones.

For every building or structure to be erected, altered, or its use converted to any of the uses specified by the following, off-street parking facilities shall be maintained upon the same lot on which the principle use if located and in accordance with the following provisions contained in this section unless otherwise specifically provided:

a) Minimum Number of Parking Spaces

i) Required Number of Parking Spaces by Use

No person shall erect, enlarge or change the use of a lot, building or structure without providing and maintaining a minimum number of parking spaces in accordance with Tables 1, 2 and 3.

Table 1: Parking Requirements for Residential Uses

Type of Use	Minimum Required Parking
Accessory Dwelling Unit	1.0 space per unit, in addition to the parking requirements of the principal use.
Apartment Dwelling	1.25 spaces per unit; or 1.1 spaces per unit located in any DC1 or DG1 Zone. *Including 0.15 spaces per unit for Visitor Parking
Apartment Units as part of a Mixed Commercial/Residential Building, where permitted in Commercial and Mixed Use Zones	1.1 spaces per unit; or 1.0 space per unit located in any DC1 or DG1 Zone. *Including 0.15 spaces per unit for Visitor Parking
Bed & Breakfast	A minimum of 1.0 space for the dwelling unit, plus 1.0 space per guest room.
Boarding, Rooming or Lodging House	A minimum of 1.0 space for the dwelling unit, plus 0.5 spaces per bedroom.
Converted Dwelling	1.5 spaces per dwelling unit..
Duplex Dwelling	1.5 spaces per dwelling unit.
Detached Accessory Dwelling Unit (Garden Suite)	1.0 space per garden suite, in addition to the parking requirements for the principal dwelling unit.
Group Home	2.0 spaces per group home.
Home Occupation	No additional spaces shall be required in DC and DG Zones only.
Institutional Residence	0.5 spaces per bed.
Linked Dwelling	2.0 spaces per dwelling unit.
Rental or Condominium Townhouse Dwelling	1.5 spaces per dwelling unit.
Retirement Home	0.5 spaces per unit.
Attached Accessory Dwelling Unit (Second Suite)	1.0 space per second unit, in addition to the parking requirements for the principal dwelling unit.
Semi-detached dwelling	1.5 spaces per dwelling unit.
Single Detached Dwelling	2.0 spaces per dwelling unit.
Street Townhouse Dwelling	1.5 spaces per dwelling unit.
Triplex Dwelling	1.5 spaces per dwelling unit.

Table 2: Parking Requirements for Commercial and Mixed Uses

Type of Use	Minimum Required Parking
Arena	1.0 space per 30.0 square metres of gross floor area or 1 space per 5 persons maximum design capacity, whichever is lesser.
Assembly Hall	1.0 space per 10.0 square metres of gross floor area.
Automobile Sales and Used Automobile Sales Establishment, Service Establishment, Automobile Rental Agency, and Automobile Leasing Agency	1.0 space per 20.0 square metres gross floor area.
Bank or Trust Company	1.0 spaces per 18.0 square metres gross floor area.
Clinic or Medical Office	1.0 space per 18.0 square metres of gross floor area.
Commercial Recreation Establishment	1.0 space per 20.0 square metres of gross floor area
Commercial Use in Mixed Commercial Residential Development	1.0 spaces per 25.0 square metres gross floor area.
Convenience Store	1.0 spaces per 20.0 square metres gross floor area.
Hardware, Home Appliance, Home Decorating, Home Furnishing or Home Improvement Store	1.0 spaces per 50.0 square metres gross floor area.
Hotel or Motel	1.0 space per guestroom plus the required spaces for any adjoining or accessory public or commercial uses, i.e restaurant.
Library	1.0 space per 30.0 square metres of gross floor area or 1 space per 5 persons maximum design capacity, whichever is lesser.
Offices (Business, Public, Professional)	1.0 spaces per 28.0 square metres gross floor area on the first storey and 1.0 spaces per 50.0 square metres gross floor area above or below the first storey.
Personal Service Establishment	1.0 spaces per 20.0 square metres gross floor area.
Refreshment vehicle	5.0 spaces
Restaurants, including take-out restaurants	1.0 space per 18.0 square metres gross floor area, except that any take-out restaurant shall be 1.0 space per 8.0 square metres gross floor area. In all cases a minimum of 5.0 spaces shall be provided.

Outdoor Patio	No additional parking shall be required, except that where the area of the outdoor patio exceeds 50.0 percent of the gross floor area of the restaurant, parking shall be provided at a rate of 1.0 space per 18.0 square metres of outdoor patio seating area.
Retail Uses (General)	1.0 spaces per 20.0 square metres gross floor area.
Self-Service Storage Facility	1.0 space per 100.0 square metres gross floor area.
Shopping Centre or Department Store	1.0 spaces per 20.0 square metres gross floor area.
Short-term rental	1.0 space per bedroom.
Supermarket or Grocery Store	1.0 spaces per 18.0 square metres gross floor area.
Theatre	1.0 space per 5 fixed seats.
Veterinarian's Office	1.0 spaces per 28.0 square metres gross floor area.
Wholesale Establishment	1.5 spaces per 100.0 square metres gross floor area.
All Other Commercial Uses Not Listed Herein	1.0 spaces per 18.0 square metres gross floor area.

b) Special Exemptions for Minimum Required Parking in the Downtown Core Mixed-Use (DC1) Zone

Where a lot is located in the DC1 Zone, the parking required for any commercial uses shall be reduced by 50.0 percent.

c) Mixed Use Development Shared Parking

A shared parking formula may be used for the calculation of required parking for a mixed-use development. A mixed-use development means the following:

i) Non-office uses in an office or medical office building or group of buildings on the same lot.
ii) Office or medical office space in a building or group of buildings on the same lot primarily occupied by retail uses.
iii) A building or group of buildings on the same lot containing a mix of office or medical office, commercial uses and dwelling units.
iv) Non-residential uses in an apartment.

Shared parking is to be calculated in compliance with Table 3. All required parking spaces must be accessible to all users participating in the shared parking arrangement and may not be reserved for specific users.

The initial step in determining required parking for a mixed use development is to calculate the parking requirement for each use in the development as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period for each time period (i.e. morning), contained in Table 3. Each “time of day” is totaled for weekday and weekend. The highest figure obtained from all time periods shall become the required parking for the mixed use development.

Table 3: Shared Parking Requirements for Mixed Uses

Type of Use	Percentage of Peak Period (Weekday)		
Office/Medical Office/Financial Institution	Morning: 100 Afternoon: Evening: Overnight:	 95 25 0	
Restaurant/Convenience Restaurant	Morning: Afternoon: Evening: Overnight:	15 50 100 0	
Retail Centre/Retail Store Personal Service Establishment	Morning: Afternoon: Evening: Overnight:	80 90 90 0	
Overnight Accommodation Hotel, Motel, Short-Term Rental	Morning: Afternoon: Evening: Overnight:	70 60 75 100	
Residential	Morning: Afternoon: Evening: Overnight:	90 40 90 100	*Visitor – 20 *Visitor – 10 *Visitor – 80 *Visitor – 100
Type of Use	Percentage of Peak Period (Weekend)		
Office/Medical Office/Financial Institution	Morning: Afternoon: Evening: Overnight:	10 10 10 10	

Restaurant/Convenience	Morning:	15	
Restaurant	Afternoon:	50	
	Evening:	100	
	Overnight:	0	
Retail Centre/Retail Store Personal Service Establishment	Morning:	80	
	Afternoon:	100	
	Evening:	10	
	Overnight:	0	
Overnight Accommodation Hotel, Motel, Short-Term Rental	Morning:	70	
	Afternoon:	60	
	Evening:	75	
	Overnight:	100	
Residential - Resident (1) Residential - Visitor	Morning:	90	*Visitor – 20
	Afternoon:	40	*Visitor – 10
	Evening:	90	*Visitor – 80
	Overnight:	100	*Visitor – 100

d) Method of Calculation

i) Rounding

For the purposes of calculating required parking, should a fraction result from a calculation, then the required parking shall be the next highest whole number. For example, if the calculated minimum parking requirement is 3.25 spaces, then the required minimum parking is 4.0 spaces.

ii) **Calculation of Parking for Multiple Uses on a Lot** Except as otherwise provided in this By-law, when a building, lot or structure accommodates more than one (1) type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building(s) occupied by the separate types of use. This provision shall apply to any principal use(s) and accessory use(s).

iii) Calculation of Parking Requirements for Construction of Additions or Changes in Use

When a building or structure has insufficient parking at the time of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be an increase in that deficiency.

e) Designation of Parking for Persons with Disabilities

i) Parking for persons with disabilities shall be provided in accordance Section 3.38.9.4 of this By-law.

f) Parking Space, Area and Driveway Requirements

i) Surface

Each parking area and driveway connecting the parking area with a street shall be paved with an asphalt or concrete surface and be bounded by curbs.

ii) Parking Space and Aisle Dimensions

Parking spaces may be varied in width depending on the angle measured perpendicular to the axis of the access aisle of the space provided. Where an aisle serves two (2) different types of angled parking, which are located across from each other, the largest required access aisle shall be provided. The minimum dimensions of parking spaces and parking space access aisles shall be in accordance with the following:

1. Ninety degree (90°) parking spaces shall be a minimum of 2.75 metres by 6.0 metres with a minimum 6.0 metres access aisle;
2. Sixty degree (60°) parking spaces shall be a minimum of 2.6 metres by 5.5 metres with a minimum 5.5 metres access aisle;
3. Forty-five degree (45°) parking spaces shall be a minimum of 2.6 metres by 5.5 metres with a minimum 4.5 metres access aisle;
4. Thirty degree (30°) parking spaces shall be a minimum of 2.6 metres by 5.5 metres with a minimum 4.5 metres access aisle; and
5. Parallel parking spaces shall be a minimum of 6.0 metres by 2.75 metres with a minimum 4.5 metres access aisle.

g) Access to Parking Areas

i) Driveways, Access Lanes and Parking Aisles

1. Ingress and egress to parking areas shall be provided by parking aisles comprised of not less than one (1) access lane for ingress and one (1) access lane for egress.
2. Each lane shall be a minimum width of 3.0 metres, and if combined, the lanes shall be a minimum width of 6.0 metres.
3. The width of the lanes shall not exceed 9.0 metres.

ii) Driveway Separation Distance on the Same Lot

Except for the development of single-detached, triplex, semi-detached, or townhouse dwellings, no person shall locate more than one (1) driveway on a single lot without a separation distance of a minimum of 7.6 metres measured between the nearest curb

faces of each private approach (driveway) along the street line.

iii) Separation between Driveways and Intersections

The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9.0 metres.

iv) Driveway Angle in Relation to Street Line

The minimum angle of intersection between a driveway and a street line shall be sixty degrees (60°).

v) Access through Residential Zones

No lot or parcel which is zoned for residential purposes shall be used for vehicular access purposes to any land which is non-residential.

vi) Ingress/Egress in Flood Prone Areas

Ingress/egress for new buildings shall be designed such that vehicular and pedestrian movement is not prevented during times of flooding.

vii) Access through Visibility Triangle

A driveway shall not be located within any required visibility triangle.

h) Parking Area Location

i) For all zones in the Downtown, no parking is permitted in the front yard or exterior side yard, unless the principle use of the property is for a single-detached dwelling, semi-detached dwelling, or a street townhouse dwelling;

ii) In the DC1, DC2, DG1, DG2, B1 and B2 Zones, parking may be permitted in the interior side yard, provided that:

1. The Continuous Street Frontage General Provisions 26.2.3, 26.2.4, and 26.2.5 permit an opening in the continuous building frontage on Main Street and side streets; or
2. A landscape strip of a minimum width of 3.0 metres is located along the street line to buffer the parking areas from the street.

i) Off Street Loading Space Requirements

i) Off street loading spaces shall be provided in accordance Section 3.39 of this By-law.

26.2.16 Bicycle Parking Requirements

If a lot is located within the area delineated as the Downtown, as shown on Schedule “N”, and is zoned DC1, DC2, DG1, DG2, B1, B2, any R4 zone, or

Institutional Zone, bicycle parking shall be provided for the uses specified in Table 4 and in accordance with the provisions below.

a) Bicycle parking spaces shall be permitted as an accessory use in all zones.

b) The minimum number of bicycle parking spaces shall be in accordance with Table 4:

Table 4: Minimum Required Bicycle Parking

Type of Use	Minimum Required Bicycle Parking
Institutional Residence	0.25 spaces per room or suite.
Retirement Home, Apartment Dwelling, Masonite Dwelling	0.25 spaces per dwelling unit.
School	1.0 space per 100.0 square metres of gross floor area.
Retail, Office or Restaurant Use with less than 3,000.0 square metres of gross floor area	1.0 space per 250.0 square metres of gross floor area.
Retail, Office or Restaurant Use with over 3,000.0 square metres of gross floor area	1.0 spaces per 250.0 square metres of gross floor area for the first 3,000.0 square metres of gross floor area, and 1.0 space per 500.0 square metres of gross floor area Thereafter.
Hotel or Motel	1.0 space per 1,000.0 square metres of gross floor area.
Any other Non-Residential Use	1.0 space per 1,000.0 square metres of gross floor area.

c) Where the minimum number of bicycle parking spaces calculated in accordance with Table 4 results in a fraction, the minimum number of bicycle parking spaces shall be rounded up to the next whole number.

d) Bicycle parking shall be located on the same lot as the use or building for which it is provided.

e) Bicycle parking may be located within any yard, but not within a visibility triangle.

f) A maximum of 50.0 percent of bicycle parking spaces may be located within a required landscaped area.

g) Bicycle parking spaces shall be 0.6 metres by 1.8 metres.

h) Bicycle parking spaces shall be accessed by an aisle with a minimum width of 1.5 metres.

i) Any bicycle parking areas and associated aisles shall be located and designed such that they are directly accessible by cyclists from a driveway or parking aisle designed in accordance with the provisions of

Section 26.2.15.

j) Bicycle racks shall be provided for bicycle parking on a surface comprised of crushed stone, brick, asphalt or concrete.

k) The provisions of this Section shall only apply to the erection of a new building, redevelopment of a lot or a change in use.

26.3 Downtown Core, Downtown Gateway and Beach Mixed Use and Transition Zones

26.3.1 Permitted Uses

Unless otherwise permitted in this By-law, no person shall, within any Downtown Core (DC), Downtown Gateway (DG), or Beach (B) Mixed Use or Transition Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the uses permitted in Table 5.

Table 5: Permitted Uses

Use	Mixed Use and Transition Zones					
	DC1	DC2	DG1	DG2	B1	B2
Residential Uses						
Apartment Dwelling (1)		X		X	X	X
Apartment Dwelling as part of a Mixed Commercial/Office/Residential Building (1)	X	X	X	X	X	X
Apartment Dwelling Unit (1)	X	X	X	X	X	X
Triplex dwellings, four-plex dwellings, stacked townhouse dwellings, back-to-back townhouse dwellings, townhouse dwellings		X		X	X	X
Second Suite	X	X	X	X	X	X
Bed and Breakfast		X		X		X
Dwelling Unit (1)	X	X	X	X	X	X
Retirement Home	X	X	X	X		
Non-Residential Uses A						
Arcade	X	X			X	X
Assembly Hall	X	X	X	X	X	X
Adult Entertainment Establishment						
B						
Bakery	X		X	X	X	X
Bake Shop	X	X	X	X	X	X
Use	**Mixed Use and Transition Zones**					
	DC1	**DC2**	**DG1**	**DG2**	**B1**	**B2**
Business and Professional Offices	X	X	X	X	X	X
Business Incubator/Accelerator	X	X	X	X	X	X
Business Service Establishment	X	X	X	X	X	X
C						
Car Wash						
Catering Service	X	X	X	X	X	X

Clinic or Medical Office	X	X	X	X	X	X
Commercial Recreation Establishment	X	X	X	X	X	X
Commercial School	X	X	X	X	X	X
Commercial Use	X	X	X	X	X	X
Computer Service	X	X	X	X	X	X
Convenience Store	X	X	X	X	X	X
Custom Workshop	X	X	X	X	X	
D, E						
Day Nursery	X	X	X	X	X	X
Delicatessen	X	X	X	X	X	X
Department Store			X	X	X	X
Dry Cleaning Outlet	X	X	X	X	X	X
F						
Farmer's Market	X	X	X	X	X	X
Film, Television and Recording Studio	X	X	X	X	X	
Financial Service	X	X	X	X	X	X
Flea Market			X	X		
G						
Gaming Facility					X	
Gasoline Retail Facility						
Grocery Store	X	X	X	X	X	X

Table 5: Permitted Uses

Use	Mixed Use and Transition Zones					
	DC1	DC2	DG1	DG2	B1	B2
H						
Health Club	X	X	X	X	X	X
High Technology Retail Store	X	X	X	X	X	
Home Appliance Store	X		X	X	X	
Home Decorating Store	X		X	X	X	
Home Furnishing Store	X		X	X	X	
Home Improvement Store	X		X	X	X	
Home Occupation	X	X	X	X		
Hotel	X	X	X	X	X	X
I, J, K, L						
Laundromat	X	X	X	X	X	
M, N						
Mixed Commercial/Residential Building (1)	X	X	X	X	X	X
Motel					X	X
Motor Vehicle Sales and service Establishment, Body Shop and Repair Garage						
O						
Office, Business/Medical/Professional	X	X	X	X	X	X
P, Q						
Parking Lot/Parking Garage (as a principal use)	X	X	X	X	X	X
Personal Service Establishment	X	X	X	X	X	X
Pet Shop	X	X	X	X	X	X
Photographic Service	X	X	X	X	X	X
Post-Secondary Institution	X	X	X	X		
Printing Establishment	X	X	X	X	X	X

Use	Mixed Use and Transition Zones					
	DC1	DC2	DG1	DG2	B1	B2
Private Club	X	X	X	X	X	X
R						
Recreational Entertainment Establishment	X	X	X	X	X	X
Research and Development Establishment	X	X	X	X	X	X
Restaurant	X	X	X	X	X	X
BL2021-37 Restaurant - Take-Out	X	X	X	X	X	X
BL2021-37 Restaurant – Take-Out (Food Vehicle)					X	X
Restaurant, Convenience						
Retail Shopping Centre				X		
Retail Store	X	X	X	X	X	X
S						
Short-term Rental	X	X	X	X	X	X
Sub Post Office	X	X	X	X	X	
Supermarket			X	X	X	X
T						
Taxi Dispatch Office	X	X	X	X	X	
Theatre	X	X	X	X	X	X
U						
V						
Veterinarian's Office	X		X	X		
Vocational Training Centre	X	X	X	X	X	
W, X, Y, Z						
Wholesale Establishment	X		X	X	X	

Notes to Table 5:

(1) This use is subject to General Provisions 26.2.1 and 26.2.2 under By-law 2003-60.

26.3.2 Zone Provisions

Unless otherwise permitted in this By-law, no person shall, within any for Downtown Core (DC), Downtown Gateway (DG), and Beach (B) Mixed Use and Transition Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the zone provisions indicated in Table 6.

Table 6 – Zone Provisions for Mixed Use and Transition Zones

Requirement	DC1	DC2	DG1	DG2	B1	B2
Minimum Lot Frontage	12.0 m	12.0 m	15.0 m	15.0 m	12.0 m	15.0 m
Minimum Lot Area	500.0 m^2	500.0 m^2	500.0 m^2	500.0 m^2	500.0 m^2	500.0 m^2
Minimum Front Yard	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m
Maximum Front Yard (1)	0.0 m where the lot is subject to Continuous Street Frontage (3)	1.2 m where the lot is subject to Continuous Street Frontage (3)	0.0 m where the lot is subject to Continuous Street Frontage (3)	3.0 m where the lot is subject to Continuous Street Frontage (3)	7.5 m	7.5 m
Minimum Exterior Side Yard (1)	0.0 m	1.2 m	0.0 m	3.0 m	0.0 m	3.0 m
Minimum Interior Side Yard	0.0 m	0.0 m or 4.5 m where abutting a Residential Zone	0.0 m	1.5 m or 4.5 m where abutting a Residential Zone	0.0 m	1.5 m or 4.5 m where abutting a Residential Zone
Minimum Rear Yard	6.0 m or 50% of the height of the building, whichever is greater	6.0 m or 75% of the height of the building, whichever is greater	6.0 m or 50% of the height of the building, whichever is greater	6.0 m or 75% of the height of the building, whichever is greater	6.0 m or 50% of the height of the building, whichever is greater	6.0 m or 75% of the height of the building, whichever is greater
Maximum Lot Coverage	90%	75%	80%	70%	80%	70%
Minimum Landscaped Open Space	No requirement	10%	No requirement	10%	No requirement	10%
Minimum Ground Floor Height	4.5m where subject to Section 26.2.7	No requirement	4.5m where subject to Section 26.2.7	No requirement	4.5m where subject to Section 26.2.7	No requirement

Requirement	DC1	DC2	G1	DG2	B1	B2
Minimum Building Height	3 storeys where subject to Section 26.2.6; otherwise, no requirement	No requirement	3 storeys where subject to Section 26.2.6; otherwise, no requirement	No requirement	3 storeys where subject to Section 26.2.6; otherwise, no requirement	No requirement
Maximum Building Height	6 storeys and subject to Angular Plane provisions of Section 26.2.8	4 storeys and subject to Angular Plane provisions of Section 26.2.8	6 storeys and subject to Angular Plane provisions of Section 26.2.8	4 storeys and subject to Angular Plane provisions of Section 26.2.8	6 storeys and subject to Angular Plane provisions of Section 26.2.8	4 storeys and subject to Angular Plane provisions of Section 26.2.8
Maximum Commercial Unit Width (2)	10 metres (2)	None	None	None	10 metres (2)	None
Minimum Building Setback above Three Storeys	1,5 metres for any storey above the third storey measured from the main wall of the first three storeys	None	1,5 metres for any storey above the third storey measured from the main wall of the first three storeys	None	1,5 metres for any storey above the third storey measured from the main wall of the first three storeys	None

Note: Other General Provisions in Section 3 and Section 26.2 may apply.

Notes to Table 6:

BL2021-37

(1) General Provisions 26.2.9 and 26.2.10 apply along the frontages and exterior side yards on Main Street and Mosley Street respectively.

(2) The Maximum Commercial Unit width of 10 metres shall only apply for properties fronting onto Main Street between the Nottawasaga River and Beck Street and those properties fronting onto the Town Square in the Downtown Core Mixed-Use (DC1) Zone and Festival Square in the Beach Mixed-Use (B1) Zone.

(3) Continuous Frontage requirements along Main Street are outlined in General Provisions 26.2.3, 26.2.4, and 26.2.5

26.3.3 Zone Provisions for Stand-Alone Residential Uses within Mixed Use and Transition Zones

Unless otherwise permitted in this By-law, no person shall, within any Downtown Core (DC), Downtown Gateway (DG), and Beach (B) Mixed

Use and Transition Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the zone provisions indicated in Table 7.

Table 7 – Zone Provisions for Stand-alone Residential Uses within Mixed Use and Transition Zones

Requirement	Use	DC1 & DG1	DC2	DG2	B1 & B2
Minimum Lot Frontage	Apartment Dwelling	Not permitted	25.0 m	25.0 m	25.0 m
	Stacked and Back-to-back Townhouse Dwelling		30.0 m	30.0 m	30.0 m
	Triplex Dwelling		21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls	21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls	21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls
	Townhouse Dwelling		6.0 m per unit with a front-accessed garage, plus 3.0 m for exterior lots 5.5 m per unit with a rear-accessed garage	6.0 m per unit with a front-accessed garage, plus 3.0 m for exterior lots 5.5 m per unit with a rear-accessed garage	6.0 m per unit with a front-accessed garage, plus 3.0 m for exterior lots 5.5 m per unit with a rear-accessed garage
	Converted Dwelling		As legally existing	As legally existing	As legally existing
Minimum Lot Area	Apartment Dwelling	Not permitted	1,000.0 m2	1,000.0 m2	1,000.0 m2
	Stacked and Back-to-back Townhouse Dwelling		180.0 m2 per unit	180.0 m2 per unit	180.0 m2 per unit
	Triplex Dwelling		600.0 m2 or in accordance with Street Townhouse provisions where separated by vertical walls	600.0 m2 or in accordance with Street Townhouse provisions where separated by vertical walls	600.0 m2 or in accordance with Street Townhouse provisions where separated by vertical walls
	Townhouse Dwelling		180.0 m^2 per unit	180.0 m^2 per unit	180.0 m^2 per unit
	Converted Dwelling		540.0 m^2	540.0 m^2	540.0 m^2

Requirement	Use	DC1 & DG1	DC2	DG2	B1 & B2
Minimum Front Yard	All uses except those noted below	Not permitted	0.0 m	0.0 m	0.0 m
	Townhouse or Stacked or Back-to-back Townhouse Dwelling		4.5 m where driveways are located in front, 0.0 metres otherwise	4.5 m where driveways are located in front, 0.0 metres otherwise	4.5 m where driveways are located in front, 0.0 metres otherwise
	Converted Dwellings		As legally existing	As legally existing	As legally existing
Minimum Exterior Side	All uses except those noted below	Not permitted	4.5m	4.5m	4.5m
	Converted Dwellings		As legally existing	As legally existing	As legally existing
Minimum Interior Side Yard (1)	All uses except those noted below	Not permitted	1.2m	1.2m	1.2m
	Converted Dwellings		As legally existing	As legally existing	As legally existing
Minimum Rear Yard (1)	All uses except those noted below	Not permitted	7.5m	7.5m	7.5m
	Converted Dwellings		As legally existing	As legally existing	As legally existing
	Stacked and Back-to-back Townhouse Dwelling (1)		0.0m	0.0m	0.0m
Minimum Landscape Open Space	All permitted uses		30%	30%	30%
Maximum Height	All uses except those noted below	Not Permitted	10.0 metres and 3 storeys	10.0 metres and 3 storeys	10.0 metres and 3 storeys
	Apartment Dwelling		4 storeys and subject to Angular Plan provisions of Section 26.2.8	4 storeys and subject to Angular Plan provisions of Section 26.2.8	Maximum height is as per Table 6
	Townhouse or Stacked or Back-to-back Townhouse Dwelling		12.0 metres and 3 storeys	12.0 metres and 3 storeys	12.0 metres and 3 storeys
Minimum Lot Depth	All permitted uses	Not permitted	25.0m	25.0m	25.0m
Other Provisions					

Note: Other General Provisions in Section 3 and Section 26.2 may apply.

Notes to Table 7:

(1) An interior side yard or rear yard shall not be required where dwelling units share a common wall.

26.4 ZONE EXCEPTIONS

26.4.1 Downtown Gateway Mixed-Use Exception One (DG1-1) Zone Schedule "N"

Notwithstanding and other provisions in this by-law to the contrary, lands zoned "DG1-1" shall be subject to the following provisions:

a) A Gasoline Retail Facility shall be permitted, subject to:
   i. Such use and all associated components shall be located no closer than 92 metres from the point of intersection of the street lines of the property along Main Street and River Road West;
   ii. Any vehicle fueling pumps and canopy shall be located no closer than approximately 35 metres from the nearest street line of the property along Main Street, and no closer than 13 metres from the street line of the property along River Road West.

b) The Street Lines adjacent to:
   i. Main Street shall be the Front Lot Line,
   ii. River Road West shall be the Exterior Site Lot Line, and
   iii. All other lot lines shall be Interior Lot Lines.

c) One access to a parking area shall be permitted through the Front Yard.

d) A maximum of one (1) parking space shall be permitted to encroach into the Front Yard.

e) Where a planting strip is required, it shall have a minimum width of 1.5 metres.

f) Parking spaces shall be no less than:
   i. 2.75 metres in width,
   ii. 6.0 meters in depth, and
   iii. 16.5 square metres in area.

g) The minimum required number of parking spaces to accommodate:
   i. Retail Store and Restaurant uses shall be 1 space per 25 square metres of gross floor area, of which a minimum of two (2) shall be barrier-free parking spaces.
   ii. A Hotel use, inclusive of amenity areas and accessory Restaurant(s) shall be 1 space per guest room, of which a minimum of three (3) shall be barrier-free parking spaces.

h) One (1) loading space shall be required to serve each building.

i) A gasoline pump and other service station equipment shall be permitted to be location and maintained in a parking area, subject to compliance with parking space and drive aisle provisions of this by-law.

j) The maximum front yard setback shall 4.2 metres.

k) The maximum building height shall be 14.0 metres.

l) The minimum building setback above three storeys shall be 0.0 metres.

m) The minimum floor area for a rental unit shall be 27 square metres.

26.4.2 Downtown Gateway Transition Exception one (DG2-1) Zone (Schedule "N")
670 River Road West & 300 Zoo Park Road

Notwithstanding the provisions of Section 26.3.2, Table 6, and Section 26.3.3, Table 7 of this By-law, the following provisions shall apply in the DG2-1 Zone:

a) The maximum building height stall be 5.5 storeys, provided that:
   i. The first half-story is used for parking under the building
   ii. There are a maximum of five storeys of residential apartment dwelling units,
   iii. The top storey may be used for residential apartment dwelling units, indoor/outdoor rooftop communal amenity area, elevator and mechanical penthouse(s) and other similar uses;
   iv. No rooftop community amenity areas, elevator and mechanical penthouse(s) and other similar uses, shall be permitted above 5.5 storeys.

b) Maximum Front Yard (River Road West) shall be 3.0 metres

c) Minimum Exterior Side Yard (Zoo Park Road) shall be 3.0 metres

d) The Holding (H) Symbol shall be removed by By-law of Council in accordance with the provisions of Section 19.2.2.4 of the Official Plan.

26.4.3 Downtown Core Exception One (DC2-1) Zone Schedule "N"
21 Poplar Glen Road
   i. The minimum lot frontage for an apartment dwelling shall be 20.8 metres
   ii. The minimum landscaped open space shall be 17.2%

SECTION 27- DEFINITIONS

27.1 ABANDONED
Shall mean failure to proceed expeditiously with construction of a work, specifically, abeyance of construction for a period of nine months.

27.2 ABUT
Shall mean to touch along a boundary line or lot line.

27.3 ACCESSORY
Shall mean a use, detached building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure but not including a building or structure which is used for human habitation.

27.4 ACT
Shall mean The Planning Act, as amended from time to time.

27.5 ADJOIN
Shall mean to touch at a point or a line.

27.6 ADULT ENTERTAINMENT ESTABLISHMENT
Shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business, or occupation, services designed to appeal to the erotic or sexual appetites or inclinations; of which a principal feature or characteristic is the nudity or partial nudity of any person, or in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word or picture, symbol or representation having like meaning or implication is used in any advertisement.

27.7 AGRICULTURAL IMPLEMENT DEALER
Shall mean an establishment for the storage, repair or sale of agricultural implements, equipment and machinery and includes the sale of parts, accessories or lubricants for agricultural equipment on the same premises as an accessory use.

27.8 AGRICULTURAL PRODUCE SALES OUTLET
Shall mean a premises accessory to a farm, used for the retail sale of agricultural products produced on the farm where such outlet is located and that may be supplemented by local agricultural products.

27.9 AGRICULTURAL USE
Shall mean the use of land, buildings, or structures for the purpose of beekeeping, dairying, fallow, field crops, forestry, fruit farming, horticulture, market gardening, pasturage, raising of livestock, or any other farming use, but excludes intensive agricultural uses and an Agricultural Cannabis Cultivation Site.

27.10 AGRICULTURAL USE, INTENSIVE

Shall mean land on which the predominant use is for the commercial raising of chickens, turkeys, or other fowl, fur bearing animals, hogs, or the growing of mushrooms or land used as an animal feed lot, managed to maximize production and output in a confined area.

27.10.1 AGRICULTURAL CANNABIS CULTIVATION SITE

Means buildings or structures use for growing and destroying of cannabis which is authorized by a license issued by the Federal Minister of Health pursuant to the *Cannabis Act* as amended from time to time or any successors thereto and may include the minimum amount of processing, testing, packaging and/or shipping necessary to make the product available for sale and use in accordance with the license and does not include any processing, testing, and packaging beyond the minimum.

27.11 ALTER

Shall mean:

a) Any change to one or more external dimensions; or
b) Any change to the type of construction of the exterior walls or roof; or
c) Any change in a bearing wall or partition, column, beam, girder, or other supporting member of a building or structure; or
d) Any increase in the area or cubic contents of a building or structure.

27.11.1 AMENITY SPACE, OUTDOOR

Shall mean an outdoor open space located directly adjacent to and accessed from a habitable room of a residential dwelling unit for the private use of the occupant(s), which is suitable for the growth and maintenance of landscaping and may include any surface pedestrian walk, patio, pools or similar areas but does not include any driveway or parking space.

27.12 AMUSEMENT DEVICE

Shall include any machine, device, equipment or contrivance used for playing any game of chance or skill or of mixed chance or skill used to afford entertainment or amusement. This definition shall not include an Amusement Park as defined herein.

27.13 ANGLE OF DIVERGENCE

Shall mean the interior acute angle formed by and lying between two external walls or lines or their projections.

27.14 ARENA

Shall mean a building designed and used predominantly for athletic and team sports and may contain change rooms, washrooms, concessions and areas for assembly.

27.15 ARCADE OR GAMES ESTABLISHMENT

Shall mean any premise or part thereof containing three or more amusement devices operated for gain which may include a casino.

27.16 ART GALLERY

Shall mean a building used for the preservation of collections of paintings or other works of art and devoted primarily to the recreation and/or education of the public, and may include the exhibition and sale of paintings and other works of art, whether by the proprietor or others.

27.17 ATTIC

Shall mean that portion of a building situated wholly or partly within the roof and which is not a one-half storey.

27.18 AUDITORIUM

Shall mean a building or structure where facilities are provided for athletic, civic, education, political, religious or social events. This definition may include an arena, community center, gymnasium, stadium, theater or similar use.

27.19 BALCONY

Shall mean a structure attached to and projecting from a permitted use at a greater height than the bottom of the first floor ceiling joists.

27.20 BANQUET HALL

Shall mean a building or structure, which may include an area for the preparation and serving of food, and which is designed for the gathering of persons for social, civic, educational, religious, recreational or similar purposes.

27.21 BASEMENT

Shall mean a storey which is partly underground, but which has at least one-half of its height (measured from finished floor to finished ceiling) above the adjacent finished grade, or has at least one wall from finished floor to above finished ceiling exposed above the ground level and where a permanent point of access is provided in the said wall.

27.22 BOARDER

Shall mean a person other than the lessee, tenant, owners, or person related thereto, to whom meals may or may not be provided and where lodging is provided for compensation.

27.23 BOARDING HOUSE

Shall mean a dwelling in which lodging with or without meals is supplied for gain to three (3) or more persons other than the lessee, tenant or owner of said dwelling, but does not mean or include a tourist establishment, hospital or similar commercial or institutional use, or apartment building, and does not include a bed and breakfast establishment.

27.24 BOAT HOUSE

Shall mean an accessory building or structure for the docking and/or storage of water vessels.

27.25 BUILDING

Shall mean any structure, other than a wall or fence, used for shelter, accommodation or enclosure of persons, animals or goods.

27.26 BUILDING HEIGHT

Shall mean the vertical distance between the established grade and

- The highest point of a flat roof;
- The deck line of a mansard roof;
- The mean height between the eaves and ridge of a gabled or hip roof.
- In calculating the height of a building, any construction used as an ornament or for the mechanical operation of the building such as a mechanical penthouse or a chimney, tower, cupola, steeple, or an antenna, or a free standing farm silo shall not be included unless otherwise stipulated herein.

27.27 BUILDING INSPECTOR

Shall mean an inspector appointed under The Ontario Building Code Act as amended.

27.28 BUILDING SUPPLY CENTER

A building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements.

27.29 BULK STORAGE YARD

Shall mean a place where land is used for the storage, in the open, of goods and materials, machinery, petroleum products, and/or equipment, but does not include a salvage, junk or scrap yard.

27.30 BUS TRANSFER DEPOT

Shall mean a building where tickets are sold and a waiting room is provided for transit passengers and where buses can stop to pick up and discharge transit passengers, but does not include the storage and maintaining of buses or any other vehicle.

27.31 CAMP, SPORTS OR RECREATIONAL

Shall mean the use of lands, buildings and structures for sport and recreational training and educational purposes and may include accommodation and food service facilities for camp staff and patrons.

27.32 CARPORT

Shall mean a building or structure or part thereof, at least forty percent (40%) of

the area of the perimeter faces of which is open and unobstructed by any wall, door, post or pier, which is used for the temporary parking or storage of private passenger motor vehicles or commercial vehicles wherein neither servicing nor repairing is carried on for remuneration.

27.33 CAR WASH

Shall mean a building of structure containing facilities for washing motor vehicles for a fee.

27.34 CELLAR

Shall mean that portion of a building which is partly or wholly underground, but which has more than one-half of its height (measured from finished floor to finished ceiling) below the established finished grade level adjacent to the exterior walls of the building.

27.35 CEMETERY

Shall mean a cemetery, mortuary, columbarium and/or crematorium within the meaning of The Cemetery Act, as amended.

27.36 CHIEF BUILDING OFFICIAL

Shall mean a Chief Building Official appointed or constituted under The Ontario Building Code Act as amended.

27.37 CLUB

a) Shall mean a building or part of a building used as a meeting place for members of an organization; and
b) The use of such premises being for social, recreational or athletic purposes; and
c) Includes a lodge, a fraternity or sorority house and a labour union hall.

27.38 COMMERCIAL

Shall mean the use of land, building or structure for the purpose of buying, selling, supplying of goods and services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

27.39 CONSERVATION USES

Shall mean to include forestry, reforestation, scientific research and education, wildlife management, and other activities connected with the conservation of ecologically significant resources and also includes a wildlife sanctuary.

27.40 CORPORATION

Shall mean the Municipal Corporation of the Town of Wasaga Beach.

27.41 COUNCIL

Shall mean the Municipal Council of the Corporation of the Town of Wasaga Beach.

27.42 COUNTY

Shall mean the Municipal Corporation of the County of Simcoe.

27.43 CRISIS CARE FACILITY

Shall mean a building or part of a building which is used to provide temporary residence for persons requiring immediate emergency shelter and aid for a short period of time and;

a) Such facility is supervised or the members of the group are referred, by a hospital, court or government agency; or
b) Such facility is funded wholly or in part by any government, other than funding provided solely for capital purposes; or
c) Such facility is regulated or supervised under any general or special Act; and without limiting the generality of the foregoing, includes hostels for battered or abused adults or children, hostels for youths requiring immediate emergency, temporary shelter and hostels for elderly persons.

27.44 CUSTOM WORKSHOP

Shall mean a building or part of a building used by a trade, craft or guild for the manufacture and sale of custom made articles.

27.45 DAY CARE, NURSERY

Shall mean a premises that receives more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are:

a) Under eighteen years of age in the case of a day nursery for children with a developmental handicap: and
b) Under ten years of age in all other cases; but does not include,
c) Part of a public school, separate school, private school or a school for challenged children under The Education Act; or
d) A place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued by the Parks and Recreation Federation of Ontario,

In accordance with the Ministry of Community and Social Services or appropriate government agency as regulated by The Day Nurseries Act.

27.46 DECK

Shall mean a structure attached to or located adjacent to a permitted use and which is unenclosed and uncovered and may have access stairs or ramps to grade.

27.47 DEPARTMENT STORE

Shall mean a building or part of a building having a size of 5,100 square metres or greater which provides a range of retail products including clothing, furniture, dry goods, appliances, electronic equipment and games, sports and leisure

items, home improvement merchandise and

hardware including hand and electrical tools, automotive products and service facilities, personal service including beauty salon, travel agents, insurance agents and similar undertakings, lawn and garden equipment and supplies and food products.

27.48 DINING ROOM

Shall mean that part of a restaurant, or other building which is used for the consumption of food by persons seated at booths, counters, tables or a combination thereof.

27.49 DRIVEWAY

Shall mean an area of entrance and/or exit for regular use of motor vehicles.

27.50 DRY CLEANING OR LAUNDRY OUTLET

Shall mean a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning or dyeing. Such establishment may also be used for pressing and or distributing any articles or goods or fabric which have been received therein and may include a self-service dry cleaning and/or a self-service laundry.

27.51 DRY CLEANING FACILITY

Shall mean a building, or part thereof, used for the purpose of receiving, pressing, dyeing, dry cleaning and distribution of any such goods or articles, wherein only non-flammable solvents are used, no odours or fumes are emitted and/or no noise or vibration is created which causes or may cause nuisance or inconvenience within or exterior to the premises.

27.52 DWELLING UNIT, DETACHED ACCESSORY

Shall mean a dwelling unit, accessory to the main use of the property and in the form of a dwelling unit, single detached.

27.53 DWELLING, APARTMENT

Shall mean a separate building containing more than four (4) dwelling units, each unit having access from a corridor system, and may include administrative, maintenance, storage, laundry, garage and other similar accessory facilities provided for the convenience of the occupants.

27.54 INTENTIONALLY LEFT BLANK

27.55 DWELLING UNIT, DUPLEX

Shall mean a separate building of two (2) or more stories divided horizontally into not more than two (2) dwelling units, each of which is completely on a separate storey and each of which have an independent entrance either directly from outside the building or through a common vestibule.

27.56 DWELLING UNIT, LINK

Shall mean a separate building not containing more than one (1) dwelling unit and is structurally connected below grade to another dwelling unit, but the above grade exterior walls of the structure are not connected.

27.57 DWELLING UNIT, SINGLE DETACHED

Shall mean a separate building containing not more than one (1) dwelling unit and includes a modular home, but does not include a mobile home or rental cottage.

27.58 DWELLING UNIT, SEMI-DETACHED

Shall mean one of a pair of two attached dwelling units divided vertically, each of which has an independent entrance either directly from outside the building or through a common vestibule.

27.59 DWELLING, STREET TOWNHOUSE

Shall mean a building, as described in 27.60 in which each dwelling unit abuts a public street and where each dwelling unit is located on a separate lot.

27.60 DWELLING, TOWNHOUSE

Shall mean a separate building divided vertically into three (3) or more dwelling units and which may be further divided horizontally, each of which has direct access from the outside ground level and shares above ground party walls with abutting dwelling units.

27.61 DWELLING UNIT

Shall mean one or more rooms in a building, designed as, or intended as, or capable of being used or occupied as a single independent housekeeping unit and containing sanitary facilities, facilities for food preparation or facilities for the installation of kitchen equipment and a means of private entrance directly from the outside or from a common Hallway or stairway of from a shared room within the building. For the purpose of this By-law, a dwelling unit does not include any commercial accommodation, any room or group of rooms in a boarding (rooming or lodging) house or a house trailer.

27.61.1 DWELLING UNIT, MIXED USE

Shall mean a dwelling unit with a 'live-work' commercial component, which shall not include a home occupation or a home industry, and which is located in the first storey of the building and provides public access to a street.

27.61.2 DWELLING UNIT, LANEWAY-BASED

Shall mean a dwelling unit that fronts onto a public or private street, and which backs onto a private lane in order to provide vehicular access to a rear yard garage.

27.62 DWELLING UNIT, ATTACHED ACCESSORY

Shall mean a dwelling unit, accessory to the main use of the property and contained within or attached to a main use building.

27.63 DWELLING UNIT, BACHELOR

Shall mean a dwelling unit consisting of one bathroom and not more than two (2) appropriately arranged habitable rooms and providing therein living, dining, sleeping, and kitchen accommodation.

27.64 DWELLING UNIT/RENTAL UNIT AREA

Shall mean the habitable area of each floor above finished grade contained within the inside walls of a dwelling unit/rental unit, excluding any private garage, carport, porch, verandah, unfinished attic, or sunroom (unless such sunroom is habitable in all seasons of the year) and excluding common hallways, common stairways or other common areas and the thickness of exterior walls.

27.65 EQUESTRIAN FACILITY

Shall mean land, buildings and structures where horses are boarded, trained or kept for hire and may include accessory uses such as a tack shop, exercise facilities, meeting facilities and other similar uses.

27.66 EQUIPMENT RENTAL

Shall mean an establishment where tools, machinery, construction and renovation goods and equipment are kept predominantly for rent or lease on a temporary loan basis to the public.

27.67 ERECT

Shall mean to build, construct, reconstruct or relocate and, without limiting the generality of the word, also includes:

a) Any preliminary operation such as excavation, filling or draining;
b) Altering an existing building or structure by an addition, enlargement, extension or other structural change; and
c) Any work which requires a building permit under the Building By-law of the Corporation or the Ontario Building Code Act as amended;

And whereby the words "erected" and “erection” shall have a corresponding meaning.

27.68 ESTABLISHMENT

Shall mean a place or premises in which or where a use occurs or events happen.

27.69 EXISTING

Shall mean existing on the date of passing of this By-law unless otherwise specifically set out herein.

27.70 FINANCIAL SERVICES

Shall mean an establishment concerned with the custody, loans, exchange or issue of money, extension of credit and the transmission of funds, either through a chartered bank, trust company or other business or facility.

27.71 FIRE HALL

Shall mean a building housing firefighting apparatus and may or may not provide accommodation for fire fighters.

27.72 FISHING ESTABLISHMENT

Shall mean an establishment where bait, tackle and fishing equipment are kept for sale or hire, where boats are intended for recreational fishing excursions are kept for hire and may include the stocking and keeping or fish together with pond or tank fishing facilities.

27.73 FLOOD PLAIN

Shall mean the area, usually low lands adjoining a watercourse or waterbody which has been or may be subject to flooding hazards based on flooding produced from a Hurricane (Hazel 1954 or Timmins Storm 1961) event, the 1:100 year flood, high lake level, or ice jamming.

27.74 FLOOR, FIRST

Shall mean the floor of a building at or immediately above the established grade.

27.75 FLOOR AREA

Shall mean, with reference to a building, the total habitable floor area within a building which area is measured between the exterior faces of the exterior walls or from the center line of a common or party wall, but excluding any private garage, carport, breezeway, porch, veranda, balcony, sunroom unless such sunroom is habitable in all seasons of the year, attic or cellar.

27.76 FLOOR AREA, GROSS (G.F.A.)

Shall mean the aggregate of the floor areas of all the stories of all buildings on a lot and including the floor area of any basement, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level, and for the purpose of this paragraph, the walls of an interior court shall be deemed to be exterior walls, but excluding the following:

a) Any accessory dwelling unit;
b) Any part, below finished grade, of a building or structure which is used for heating equipment;
c) Any part, below finished grade, of a building or structure which is used for the storage or parking of motor vehicles; or
d) Enclosed malls when used as a common area between stores.

27.77 FLOOR AREA, GROUND

Shall mean the floor area of the lowest storey of a building approximately at or first above the finished grade level excluding any cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excluding any car parking area within the building, breezeway, porch, veranda, balcony or sunroom unless such sunroom is habitable in all seasons, and for the purpose of this paragraph the walls of an inner court area shall be deemed to be exterior walls.

27.78 FLOOR AREA, PUBLIC

Shall mean, with reference to a building, the total floor area within a building provided for and intended to be used by the public which area is measured between the exterior faces of the exterior walls or from the centreline of a common or party wall but does not include private offices, storage areas, food preparation areas, mechanical rooms or similar areas.

27.79 FORESTRY USE

Shall mean a use related to the management and protection of trees and other vegetation.

27.80 FUEL STORAGE TANK OR SUPPLY YARD

Lands, buildings and structures for the storage, distribution of fuels and oils but not including retail sales or key lock operations.

27.801 FUNERAL HOME

Shall mean an establishment concerned with the ceremonies held for a deceased person prior to burial and may also include any premises where the preparation of the dead human body for interment or cremation is undertaken.

27.82 GARAGE, PRIVATE

Shall mean an accessory building or portion of a building including a carport which is designed or used for the temporary parking or storage of motor vehicles and the storage of household equipment incidental to residential occupancy and where there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

27.83 GASOLINE RETAIL FACILITY

Shall mean a premise where the retail sale of fuel or lubricants for motor vehicles constitutes either the sole use, such as a gas bar, or an accessory use, such as a gasoline pump island. This definition shall not include a motor vehicle repair garage.

27.84 GENERAL MERCHANDISER

Shall mean a building or part of a building having a size of 5,100 square meters or greater, which all or a portion of may be open to the public or limited to members and which provides a range of goods, wares and merchandise. Permitted items for sale are those allowed in a department store and a supermarket.

27.85 GO-CART COURSE

Shall mean a public or private area designed and used for the maneuvering of a small four-wheeled vehicle around a track.

27.86 GOLF COURSE

Shall mean a public or private area operated for the purpose of playing golf, including a par three golf course, a driving range, a miniature golf course or a similar use.

27.87 GOLF DRIVING RANGE

Shall mean a public or private area or building designed and used for the driving of golf balls.

27.88 GRADE, ESTABLISHED

Shall mean, with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure, means the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, road or highway, means the elevation of the street, road or highway established by the Municipality or other designated authority.

27.89 GROUP HOME

Shall mean a residence that is licensed or funded under an Act of the Parliament of Canada or the Province of Ontario for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical conditions or legal status, require a group living arrangement for their wellbeing.

27.90 GUEST ROOM

Shall mean a room or suite of rooms which is used or maintained for gain or profit by providing accommodation to the public.

27.91 HABITABLE ROOM

Shall mean a room designed for living, sleeping, eating or food preparation.

27.92 HEREAFTER

Shall mean after the date of the passing of this By-law.

27.93 HEREIN

Shall mean in this By-law and shall not be limited to any particular section of this By-law.

27.94 HOME INDUSTRY

Shall mean a use which is conducted for gain or profit and which is clearly incidental, accessory or secondary to the residential use of a dwelling.

27.95 HOME MEDICAL OFFICE

Shall mean a use which is conducted for gain or profit and which is clearly incidental, accessory or secondary to the residential use of a dwelling and which is used by qualified medical doctors, dentists, osteopaths, chiropractors and/or drugless practitioners and their employee or assistant for the purpose of consultation, diagnosis and treatment or other human health purpose, but does not include a private or public hospital.

27.96 HOME OCCUPATION

Shall mean a use that is conducted for gain or profit and which is clearly incidental, accessory or secondary to the residential use of a dwelling.

27.96.1 HOME OCCUPATION – HOLISTIC PRACTITIONER

Shall mean a person qualified to provide physical or psychological therapies designed to improve health or relieve stress and shall include but are not limited to Aromatherapy, Reiki, Reflexology, Non-medical- therapeutic massage therapies, Nutritional therapies, Herbal/Botanical therapies, Psychological and Mind/Body Control and does not include a Massage Therapist licensed and registered by the Province of Ontario, Family Physicians, Optometrists, Surgeons, Dentists, Chiropractors, Osteopaths, Physiotherapists and Dental Hygienists who are already regulated herein and practice pursuant to the Health Professions Act.

27.96.2 HOME OCCUPATION – PERSONAL SERVICES

Shall mean a home based business where a personal service is provided and may include barber services, a beauty salon, tattoo or body piercing services, dressmaking services, shoe repair services, a tailor, a photographic studio or other similar uses and does not include a fitness studio, a body rub parlour, a massage therapist licensed and registered by the Province of Ontario, Family Physicians, Optometrists, Surgeons, Dentists, Chiropractors, Osteopaths, Physiotherapists and Dental Hygienists who are already regulated herein and practice pursuant to the Health Professions Act.

27.96.3 HOSPITAL

Shall mean a hospital as defined by the Private Hospitals Act as amended from time to time or a hospital as defined by the Public Hospitals Act as amended from time to time.

27.97 INDUSTRIAL, EXTRACTIVE

Shall mean land including accessory buildings and structures, used for the removal, refinement and/or processing of sand, gravel, stone or other aggregate resources and includes a borrow pit, a gravel pit and a stone quarry.

27.97.1 INFRASTRUCTURE

Shall mean physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, storm water management systems, flood and erosion control structures, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/ telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

27.98 KENNEL

Shall mean any building or structure or part thereof used for the keeping of three or more purebred dogs for breeding purposes and/or any number of dogs for boarding or any other normally associated or related function.

27.99 LANDSCAPED OPEN SPACE

Shall mean the open, unobstructed space, at finished grade on a lot, accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition shall not include any surfaced walk, patio or similar area, driveway or ramp, whether surfaced or not, nor any curb, retaining wall, parking area or open space beneath or within a building or structure.

27.100 LANE

Shall mean a public thoroughfare which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

27.100.1 LANE, PRIVATE

Shall mean a private laneway thoroughfare within or abutting a condominium form of development that is privately owned, managed and maintained, and which affords access to the rear of lots and which is not intended for general traffic circulation but which is not a Public or Private Street.

27.101 LAUNDROMAT

Shall mean an establishment containing one or more washers, each having a capacity not exceeding 23 kilograms, and drying, ironing, finishing and incidental equipment, provided that only water, soaps and detergents are used and provided that no such operation shall emit any noise or vibrations which would cause a nuisance or inconvenience within or without the premises. This definition may include a self-service dry cleaning establishment.

27.102 LIBRARY

Shall mean a building or part of a building containing printed, pictorial, computer, and audio visual equipment and material for public use for the purposes of study, reference and recreation.

27.103 LIGHT MANUFACTURING

Shall mean the fabrication or assembly of any item from standardized parts, but

excluding any processing of raw or partly finished material.

27.104 LOADING SPACE

Shall mean an area of land that is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle and such parking is not for the purpose of offering commodities for sale or display.

27.105 LOT

Shall mean a parcel or tract of land described in a deed or other document which is legally capable of conveying title and:

a) Is a whole lot as shown on a registered plan of subdivision, but a registered plan of subdivision for the purposes of this paragraph does not include a registered plan of subdivision which has been deemed not to be a registered plan of subdivision under a by-law passed pursuant to The Planning Act, as amended from time to time; or,

b) The description of which is the same as in a deed which has been given consent pursuant to The Planning Act, as amended from time to time; or

c) Is the whole remnant remaining to an owner or owners after conveyance made with consent pursuant to The Planning Act, as amended from time to time; or

d) Is located in a Judge's Plan provided that each parcel is held in separate and distinct ownership; or,

e) Is a legally separated parcel of land without any adjoining or abutting land being owned by the same owner or owners.

27.106 LOT, CORNER

Shall mean:

a) A lot situated at the intersection of and abutting on two (2) or more streets, or

b) A lot abutting on one (1) or more parts of the same street or on two (2) or more streets in which an interior angle of less than one hundred and thirty-five (135) degrees is contained by the two (2) straight lines which join the foremost point of the lot with the two (2) points at which the interior side lot line and the rear lot line meet the street or streets.

27.107 LOT, INTERIOR

Shall mean any lot, other than a corner or through lot.

27.108 LOT, THROUGH

Shall mean a lot, other than a corner lot, having separate frontages on two streets.

27.109 LOT AREA

Shall mean the total horizontal area within the lot lines of a lot and 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, excluding the horizontal area between the top and toe of the embankment of thirty-three percent (33%) or more from the horizontal.

27.110 LOT COVERAGE

Shall mean that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings on the lot. Lot coverage shall not include the following:

a) Uncovered and unenclosed decks and balconies; canopies and overhanging eaves provided none of the foregoing are less than two and one half (2.5) metres above finished grade;
b) Enclosed malls when used as a common area between stores.

27.111 LOT FRONTAGE

Shall mean the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line and a distance equal to the minimum required front yard depth. Lot frontage shall not include the extent to which a lot abuts the end of a street, other than a street which terminates in a cul-de-sac.

27.112 LOT LINE

Shall mean any boundary of a lot.

27.113 LOT LINE, FRONT

Shall mean, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, either the shorter lot line shall be deemed to be the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line or the lot line where the principal access to the lot is provided shall be deemed to be the front lot line and the other lot line abutting a street shall be considered an exterior side lot line. In the case of a through lot or a corner lot whose exterior lot lines are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a lot having water frontage, the front lot line shall be considered the lot line abutting the street.

27.114 LOT LINE, REAR

Shall mean, in the case of a lot having four (4) or more lot lines, the lot line furthest from and opposite to the front lot line. If a lot has less than four (4) lot lines, it shall be deemed to be the apex of the triangle formed by the side lot line.

27.115 LOT LINE, SIDE

Shall mean a lot line other than a front or rear lot line.

27.116 LUMBERYARD

Shall mean a place where lumber and other related building materials are kept for sale.

27.117 MARINA

Shall mean an establishment where boats, personal watercraft, and snowmobiles and related accessories are stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.

27.118 MARINE FACILITY

Shall mean an accessory building or structure that is used to take a boat into or out of a waterbody, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock or boat house, but shall not include any building for human habitation or any boat service, repair or sales facility.

27.119 MINIATURE GOLF COURSE

Shall mean a place where a game is played with a golf ball and clubs on a small scale course having a varied number of holes and differing degrees of difficulty.

27.120 MOBILE HOME

Shall mean any dwelling that is designed to be made mobile, and constructed or manufactured in accordance with the Ontario Building Code Act as amended, to provide a permanent residence for one or more persons, but does not include a motor home, house, modular home, trailer or tent trailer or trailer otherwise designed.

27.121 MODULAR HOME PARK

Shall mean a parcel of land under single or condominium ownership which has been planned and improved for the placement of mobile and modular homes for non-transient use, together with ancillary facilities.

27.122 MODULAR HOME SITE

Shall mean a parcel of land, within a mobile home park, intended to be used by one (1) mobile home or one (1) modular home.

27.123 MODULAR HOME

Shall mean a prefabricated building, equipped for year round occupancy and containing therein facilities for cooking as well as sanitary facilities including a flush toilet and a shower or bathtub and placed on a finished or permanent foundation. The construction of a modular home shall conform to the Ontario Building Code Act as amended and shall maintain the appearance and character of traditionally constructed single detached dwelling units, particularly distinguished by a peaked, hip or similar roof line. This definition shall not include a mobile home.

27.124 MOTOR HOME

Shall mean a self-propelled vehicle capable of being used for the temporary living, sleeping, eating or accommodation of persons.

27.125 MOTOR VEHICLE

Shall mean an automobile, a boat, a commercial motor vehicle, a farm implement, a motorcycle, a snowmobile, personal watercraft, a truck or a tourist vehicle as may be defined in the Highway Traffic Act as amended.

27.126 MOTOR VEHICLE, COMMERCIAL

Shall mean a motor vehicle having permanently attached thereto a truck

or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways and a commercial motor vehicle as may be defined in the Highway Traffic Act as amended.

27.127 MOTOR VEHICLE SALES AND SERVICE ESTABLISHMENT

Shall mean a building and/or lot used for the display, sale, storage and rent of new and used motor vehicles and may include, as clearly accessory and incidental to the above, the servicing, repair, cleaning, polishing, greasing, body repair and painting of vehicles, the sale of automotive accessories and related products and the leasing or renting of motor vehicles, but shall not include any other defined automotive use nor include a wrecking yard or salvage yard.

27.128 MOTOR VEHICLE BODY SHOP

Shall mean a building where automobile cleaning, polishing, body repair and painting is conducted within an enclosed building but shall not include any other automotive use or include a wrecking or salvage yard.

27.129 MOTOR VEHICLE IMPOUND YARD

Shall mean a building or open compound used for the temporary storage of motor vehicles and/or other items which have been seized and impounded due to a vehicle bylaw enforcement violation or other similar circumstance and may include an accessory office.

27.130 MOTOR VEHICLE REPAIR GARAGE

Shall mean a building other than a private garage where motor vehicles are repaired, parked or stored for remuneration, kept for hire or sale, serviced, and where gasoline, lubricants, and automotive parts and accessories are kept for sale, but does not include the repair of motor vehicle bodies.

27.131 MUSEUM

Shall mean a building used or to be used for the preservation of a collection of paintings or other works of art, or of objects of natural history, cultural history, or of mechanical, scientific, or philosophical inventions, instruments, models or designs, and dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and other offices and premises used or to be used in connection therewith.

27.132 NON-COMPLYING

Shall mean a lot, building or structure that does not fulfill the requirements of the

general provisions or Zone provisions for the Zone in which the lot, building or structure is located.

27.133 NON-CONFORMING

Shall mean the use or activity of any lot, building or structure which does not conform with the permitted uses of this by-law.

27.134 NURSERY AND GARDEN CENTER

Shall mean a place where all forms of plants, plant material, vegetation, landscaping materials and services, and associated supplies are offered for sale together with accessory items and services including, but not limited to, garden and patio equipment, furniture and supplies, hot tubs, spas and supplies, Christmas trees and similar seasonal plant and decorative materials with related supplies, and also may include accessory outside storage.

27.135 NURSING HOME

Shall mean a building within which is provided lodging, nursing, medical or similar care and treatment and includes a rest or convalescent home, and is operated under The Nursing Home Act, as amended, but not a private hospital.

27.136 NOXIOUS USE

Shall mean a use which, from its nature or operation creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration; or by reason of the emission of gas, fumes, dust or objectionable odour; or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, water or other material; and without limiting the generality of the foregoing shall include any uses which under The Public Health Act, as amended, or regulations thereunder, may be declared by the appropriate government agency having jurisdiction or Council to be a noxious or offensive trade, business or manufacture.

27.137 OFFICE, BUSINESS

Shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization, and shall exclude such uses as retail sale, manufacture, assembly or storage of goods or places of assembly and amusement.

27.138 OFFICE, MEDICAL

Shall mean a building or part of a building used by qualified medical doctors, dentists, osteopaths, chiropractors and/or drugless practitioners, as well as by their staff and their patients for the purpose of consultation, diagnosis and treatment or other human health purposes but does not include a private or public hospital.

27.139 OFFICE, PROFESSIONAL

Shall mean any office where professionally qualified and accredited persons, technical assistants and clerical staff are employed and where clients or patients go for advice, consultation or treatment, but shall not include a business or medical office.

27.140 OPEN SPACE

Shall mean the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure on the lot, which is suitable and used for the growth and maintenance of grass, flowers, bushes and other landscaping and may include any surface pedestrian walk, patio, pools or similar areas but does not include any driveway, ramp or parking area.

27.141 OPEN STORAGE

Shall mean the uncovered storage or display of goods, merchandise or equipment on a lot or portion thereof.

27.142 PARK

Shall mean an area, consisting largely of open space, which may include a recreational area, playground, play field or similar use, but shall not include a mobile home park or trailer and tent park.

27.143 PARK, AMUSEMENT

Shall mean the use of lands, buildings and structures which may include permanent rides, demonstrations and exhibits, theatres, arcades, games of chance, swimming pools, wave pools, water slides, food and beverage service and similar uses designed for the amusement and enjoyment of patrons and which is presented as a unified and coordinated entertainment facility.

27.144 PARK, PUBLIC

Shall mean an area where park uses are permitted and the area is owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario.

27.145 PARK, PRIVATE

Shall mean an area other than, in terms of ownership, a public park.

27.146 PARKING AREA

Shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

a) Comprises all parking spaces or at least the minimum number required according to the provisions of this By-law and all driveways, aisles, maneuvering areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces; and

b) Is provided and maintained in accordance with all applicable provisions of this By-law. This definition shall include a private garage.

27.147 PARKING LOT

Shall mean any parking area other than a parking area accessory to a permitted use on the same lot.

27.148 PARKING SPACE

Shall mean an area of land which:

a) Is provided and maintained for the temporary parking or storage of one (1) motor vehicle other than for the purpose of offering commodities for sale or display;

b) Is adequate for the temporary parking or storage of one (1) motor vehicle and may be located within a private garage, building, carport or covered area; and,

c) Has adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles, maneuvering areas or similar areas, not part of which access is to be used for the temporary parking or storage of any motor vehicle.

27.149 PASSIVE OUTDOOR RECREATION

Shall mean the use of land which is typically unobtrusive and not disturbing to the surrounding natural landscape and may include where permitted, walking trails, natural interpretive facilities, bird and wildlife observation areas and similar uses involved in the enjoyment of the natural environment, but does not include a golf course, or motorized recreational vehicles except where specifically designated for such use.

27.150 PATIO

Shall mean an area located at the finished grade of the lot, adjacent to a permitted use and constructed of wood, stone, brick, concrete or pavement and which is not part of any driveway or parking space.

27.151 PERMITTED

Shall mean permitted by this By-law.

27.152 PERSONS

Shall include an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors, or other legal representatives of a person to whom the same can apply according to law.

27.153 PLACE OF WORSHIP

Shall mean lands or buildings used for worship by an association of persons that is:

a) Charitable under the laws of Ontario; and

b) Organized for the advancement of religion and for the conduct of religious worship, service or rites; and

c) Permanently established as to the continuity of its existence;

And may include accessory uses such as a residence for a caretaker or head of the congregation and an assembly hall.

27.154 PLANTING STRIP

Shall mean an area which shall be used for no purpose other than planting a row of trees or a continuous hedgerow of evergreens or shrubs, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting shrubs, flowers, grass or similar vegetation.

27.155 PLAY AREA

Shall mean a fenced or enclosed space, at or above finished grade, which is equipped with play facilities and designed for use by children.

27.156 POINT OF INTERSECTION

Shall mean the point at which street lines abutting a corner lot intersect, or the intersection of the projection or tangent of the street lines.

27.157 POLICE STATION

Shall mean a building housing members of a law enforcement detachment.

27.158 PORCH/VERANDA

Shall mean a structure located adjacent to a permitted use, which is unenclosed but may be covered.

27.159 POST OFFICE

Shall mean a place where a government agency, department or appointed agent handles the receipt and transmission of mail.

27.160 PREMISES

Shall mean a parcel of land with a structure on it.

27.161 PUBLIC USE

Shall mean the use of a lot, building, structure or facility by a public authority, for the purpose of providing public service facilities and infrastructure to the public, or carrying out its public mandate.

27.161.1 PUBLIC SERVICE FACILITIES

Shall mean land, buildings and structures for the provision of programs and services provided or subsidized by a public authority, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.

BL2020-48

27.161.2 PUBLIC AUTHORITY

Shall mean:

a) The Government of Canada, Province of Ontario, County of Simcoe, Town of Wasaga Beach, or any commission, committee, board, department or school board established by such agency;
b) Any entity providing police, ambulance or fire service on behalf of the authorities described in clause a);
c) Any utility company providing telephone, electrical or natural gas services;
d) Any railway company authorized under the Railway Act of Canada; or
e) Any corporation providing services to the public that apart from fees charged for its services has an operating budget entirely funded by one or more entities described in clause a).

27.162 RECREATIONAL EQUIPMENT RENTAL ESTABLISHMENT

Shall mean the use of lands, buildings and structures for the display, leasing or renting of recreational equipment which may include wind surfers, surf boards, paddle boats, canoes, bicycles, sports equipment, snow skis or similar Items.

27.163 RECREATIONAL ENTERTAINMENT ESTABLISHMENT

Shall mean a premises where entertainment is offered for gain or profit such as a motion picture or other theater, public hall, dance hall, bingo hall, billiard or pool rooms, bowling alley, ice or roller skating rink, paintball or laser tag games, fishing establishments and all other similar places of amusement, but shall not include an adult entertainment establishment.

27.164 RECREATIONAL USES

Shall mean the use of land for parks, playgrounds, play areas, tennis courts, lawn bowling greens, skating rinks, athletic fields, fishing establishments, golf courses, golf driving ranges, paintball or laser tag games, picnic areas, swimming pools, day camps, community centers, snow skiing and all similar uses, together with necessary and accessory buildings and structures.

27.165 RESIDENTIAL

Shall mean the use of land, buildings or structures for human habitation.

27.166 REST HOME

Shall mean a building in which persons who are harbored, received or lodged and where, in addition to sleeping accommodation and meals, nursing, medical or similar care and treatment may be provided, but shall not include a hospital.

27.167 RESTAURANT

BL2021-78

Shall mean a building or part of a building, or associated outdoor café area, which includes seating where food and possibly alcohol (in accordance with the Liquor License Act) is offered for sale or sold to the public for immediate consumption therein. This definition shall not include a Boarding House.

27.168 RESTAURANT, DRIVE-IN

Shall mean an establishment where food is offered for sale or sold to the public for consumption, such establishment being designed for consumption of the food within a motor vehicle parked in a permitted parking space on the premises of the establishment.

27.169 RESTAURANT, TAKE-OUT

Shall mean an establishment where food is offered for sale or sold to the public solely for consumption off the premises of the establishment.

27.169.1 RESTAURANT, TAKE-OUT (FOOD VEHICLE)

BL2021-37

Shall mean a vehicle or trailer from which food is prepared and/or offered for sale and sold to the public solely for consumption off the premises, and shall include a chip wagon, mobile food preparation vehicle, or refreshment vehicle, and shall not include a mobile barbeque facility or refrigerated bicycle cart.

27.170 RETAIL STORE

Shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

27.170.1 SALVAGE YARD

Shall mean an establishment where goods, wares, merchandise, articles or things are processed for further use, and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes a junk or scrap metal yard and an automobile wrecking yard or premises

27.172 SCHOOL

BL2020-48

Shall mean a school under the jurisdiction of a Board of Education or Separate School Board, a college or university or any other similar educational institution or parochial school operated on a non-profit basis which is maintained either wholly or partially at public expense whether or not the same is also a boarding school, and includes any dormitory building accessory to such a school" be deleted and replaced with "Shall mean a school under the jurisdiction of a Board of Education or Separate School Board, a college or university or any other similar educational

institution or parochial school operated on a non-profit basis which is maintained either wholly or partially at public expense whether or not the same is also a boarding school, and includes such as but not limited to child care and any dormitory building accessory to such a school.

27.173 SCHOOL, COMMERCIAL

Shall mean a school conducted for hire or gain such as a studio of dancing, art school, drama school, school of calisthenics, business or trade school or any other specialized school.

27.174 SERVICE SHOP, MERCHANDISE

Shall mean an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of motor vehicles.

27.175 SERVICE SHOP, PERSONAL

Shall mean an establishment wherein a personal service is provided. This may include a barber shop, a beauty salon, a health and fitness studio, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio or similar uses.

27.176 SEWAGE TREATMENT FACILITY

Shall mean a building or structure, approved by the Ministry of Environment or the appropriate agency having jurisdiction, where domestic and or industrial waste is treated and may also include a sewage lagoon.

27.177 SEWER SYSTEM, SANITARY

Shall mean a system of underground conduits, operated by the Corporation or by the Ministry of Environment or the appropriate agency having jurisdiction, carries sewage to a sewage treatment facility.

27.178 SIGHT TRIANGLE

Shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres from the point of intersection of the street lines (measured along the street lines). 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 line or the intersection of the tangents to the street lines.

27.179 SIGN

Shall mean a display board, screen, cloth or structure having characters, letters, or illustration applied thereto or displayed thereon in any manner and includes:

a) A sign within a building that is visible from a street, and

b) The posting or painting of an advertisement or notice on any building or structure.

27.180 SINGLE INDEPENDENT HOUSEKEEPING UNIT

Shall mean an area within a building which is exclusively devoted to the occupants therein and where all occupants have normal and reasonable access to all of the habitable areas and facilities of the housekeeping unit and in the case of a single detached dwelling unit this means the entire building.

27.181 STOREY

Shall mean that portion of a building, other than an attic, basement or cellar, which is situated between the top of any floor and the top of the floor next above it, and if there is not a floor above it, that portion between the top of such floor and the ceiling above it.

27.182 STOREY, FIRST

Shall mean the lowest storey of a building located above the average finished adjacent grade.

27.183 STOREY, ONE HALF

Shall mean the portion of a building situated wholly or partly within the roof, and in which there is sufficient space to provide a minimum height of 2.3m between finished floor and finished ceiling, over a floor area equal to at least 50% of the area of the floor next below.

27.184 STREET

Shall mean a highway:

a) As defined under The Highway Traffic Act as amended, and The Municipal Act as amended, which has been assumed for public use and is maintained year round; or

b) Within a registered plan of subdivision that has not been deemed not to be a registered plan of subdivision under a by-law passed pursuant to the provisions of The Planning Act, as amended.

27.184.1 STREET, PRIVATE

Shall mean a Street or thoroughfare within or abutting a condominium form of development that is privately owned, managed and maintained, and which affords a primary means of access for vehicular traffic to abutting lots.

27.185 STREET ACCESS

Shall mean, when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.

27.186 STREET LINE

Shall mean the limit of the street allowance and is the dividing line between a lot and a street.

27.187 STRUCTURE

Shall mean anything constructed or erected, the use of which requires location on the ground, or which is attached to something having location on the ground, and for the purposes of this By-law shall not include a vehicle as defined in The Highway Traffic Act as amended or a fence of less than 2 metres in height.

27.188 STUDIO

Shall mean a building or part thereof used as the workplace of a photographer or artist, craftsman or for the instruction of art, music, dancing, languages or similar disciplines, or for the sale of crafts.

27.189 SUPERMARKET

Shall mean a building or part of a building having a size of 930 square metres or greater, which provides a range of general food items including fresh meats, fresh produce and other food stuffs, baked goods including a bakery, cooking, cleaning and health care and beauty products. Furthermore ancillary items including home, garden and clothing products may be permitted.

27.190 TAVERN

Shall mean a building or a part thereof used for a lounge or other public house as defined pursuant to The Liquor License Act as amended.

27.191 TAXI STAND

Shall mean a predetermined and well maintained place where an automobile that carries passengers for a fare picks up and drops off clients.

27.192 TEMPORARY BUILDING

Shall mean a building or structure intended for removal or demolition within a prescribed time as set out in the building permit application.

27.193 THEATRE

Shall mean a place of public assembly intended for the production and viewing of the performing arts or the screening or viewing of motion pictures and consisting of an auditorium with permanently fixed seats solely for a viewing audience.

27.194 THEATRE, DRIVE-IN

Shall mean a place of public assembly designed for the screening or viewing of motion pictures within a motor vehicle parked in a permitted parking space on the premises of the establishment.

27.195 TOURIST ESTABLISHMENT

Shall mean a building designed for the accommodation of the traveling or vacationing public wherein no room within the establishment shall be occupied by the same guest for a period of time exceeding 31 consecutive days. When used in this By-law, this term is understood to include the following accommodation types:

27.195.1 TOURIST ESTABLISHMENT, HOTEL

Shall mean a tourist establishment containing therein three or more guest rooms served by a common entrance where guest rooms may include culinary facilities and may have a separate entrance directly from outside the building together with an office serving the patrons of the tourist establishment. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

27.195.2 TOURIST ESTABLISHMENT, LODGE

Shall mean a tourist establishment containing therein three or more guest rooms served by a common entrance where guest rooms may include culinary facilities and may have a separate entrance directly from outside the building together with an office serving the patrons of the tourist establishment. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms or recreational facilities for use by the guests.

27.195.3 TOURIST ESTABLISHMENT, MOTEL

Shall mean a tourist establishment containing therein three or more guest rooms that may include culinary facilities and individual sanitary facilities for each guest room having a separate entrance directly from outside the building together with an office serving the patrons of the tourist establishment. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

27.195.4 TOURIST ESTABLISHMENT, RENTAL CABINS

Shall mean a tourist establishment containing one rental unit in a detached building or two rental units in a building that has a common wall between the units which may have individual culinary and sanitary facilities together with an office serving the patrons of the tourist establishment and having a minimum of two (2) rental cabins on a lot.

27.195.5 TOURIST ESTABLISHMENT, RENTAL COTTAGE

Shall mean a tourist establishment in a detached building on an individual lot which has culinary and sanitary facilities and comprises only one (1) rental unit.

27.195.6 TOURIST ESTABLISHMENT, BED AND BREAKFAST

Shall mean a private residential dwelling unit within which guest rooms, which may have separate sanitary facilities but shall not have separate culinary facilities, wherein such guest rooms are offered to the traveling public and wherein meals may or may not be offered to the guests.

27.196 TOWN

Shall mean the Corporation of the Town of Wasaga Beach

27.197 TRAILER SALES & SERVICE ESTABLISHMENT

Shall mean a building and/or lot use for the display and sale of new and used house trailers and motor homes, and may include, as accessory to the above, the servicing, repair, cleaning, polishing, body repair and painting of house trailers and motor homes, the sale of house trailer accessories and related products and the leasing or renting of house trailers, but shall not include a mobile or modular home.

27.198 TRAILER, HOUSE

Shall mean any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being used for the temporary living, sleeping and/or eating accommodation of persons notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall not include a mobile home or modular home as defined herein.

27.199 TRAILER, PARK MODEL

Shall mean any vehicle which is built on a single chassis, mounted on wheels, designed to facilitate relocation from time to time, designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances, has a gross floor area including lofts, not exceeding 50 square metres when in the set up mode and having a width greater than 2.6 metres in the transit mode.

27.200 TRAILER AND TENT PARK

Shall mean any land on or upon which any tent, house trailer, park model trailer or motor home, or any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being propelled by the motor vehicle, used or intended to be used for the temporary living, sleeping or eating accommodation of Park patrons but does not include permanent or year round occupancy by anyone other than the owner or operator of the park and that tent, house trailer, park model trailer or motor homes is placed, located, kept or maintained, notwithstanding that such vehicle is jacked up or its running gear removed. This definition shall not include a mobile home park as defined herein.

27.201 TRAILER AND TENT SITE

Shall mean an area of land within a trailer and tent park that is or is intended to be occupied by one trailer, tourist vehicle or tent with adequate access to a driveway or public street.

27.202 TRANSMISSION SITE

Shall mean an area of land on which a structure, used for the purpose of sending and/or receiving a communication signal, is located.

27.203 TRANSPORTATION TERMINAL

Shall mean the use of land, buildings or structures for the purpose of storing, servicing, repairing or loading trucks, transport trailers and/or buses, but does not include automobile service stations or transportation sales or rental outlets.

27.204 USE

Shall mean the purpose for which any land, building, structure or premises, or part or combination thereof is arranged, designed or intended to be used.

27.205 VETERINARY CLINIC

Shall mean a building or structure or part thereof that is used for the purpose of consultation, diagnosis, boarding and office treatment of animals, birds and pets.

27.206 WAREHOUSE

Shall mean a place for the storage of merchandise or commodities.

27.207 WAREHOUSE, MINI STORAGE

Shall mean a structure which has been divided into a number of individual rooms or compartments which are rented or leased to the public for the purpose of storing goods, equipment or personal belongings.

27.208 WASTE DISPOSAL SITE

Shall mean:

a) Any land upon, into, in or through which, or building or structure in which waste is deposited, disposed of, handled, stored, transferred, treated or processed, and

b) Any operation carried out, including excavation and use of aggregate for the purposes of waste disposal, but not including a "pit" under the Aggregate Resources Act; or machinery or equipment used in Connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in Clause a).

27.209 WATER BODY

Shall mean any bay, lake, natural watercourse or canal, other than a drainage or irrigation channel.

27.210 WATER SUPPLY PLANT

Shall mean a building or structure, approved by the Ministry of Environment or the appropriate agency having jurisdiction, where water is treated for human consumption.

27.211 WATER SYSTEM, PUBLIC

Shall mean a distribution system of underground piping and related storage including pumping and purification appurtenances, owned and operated by the Corporation or by the Ministry of the Environment or the appropriate agency having jurisdiction.

27.212 WHOLESALE USE

Shall mean relating to, or engaged in the sale of goods in quantity usually for resale by a retail merchant.

27.213 YARD

Shall mean a space, appurtenant to a building or structure, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses specifically permitted elsewhere in this By- law.

27.214 YARD, FRONT

Shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any main building.

27.215 YARD, FRONT DEPTH

Shall mean the least horizontal dimensions between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

27.216 YARD, REAR

Shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any main building on the lot.

27.217 YARD, REAR DEPTH

Shall mean the least horizontal dimension between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage on the lot.

27.218 YARD, SIDE

Shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any main building on the lot. In the case of a lot with no rear lot line, the side yard shall extend from the front yard to the opposite side yard.

27.219 YARD, SIDE WIDTH

Shall mean the least horizontal dimension between the side lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage on the lot.

27.220 YARD, SIDE EXTERIOR

Shall mean a side yard immediately adjoining a street.

27.221 YARD, SIDE INTERIOR

Shall mean a side yard other than an exterior side yard.

27.222 YARD, REQUIRED

Shall mean a yard with the minimum front yard depth, rear yard depth, or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard, or in the case of a lot which has no rear lot line, the required side yard shall extend from the required front yard to the opposite required side yard.

27.223 YARD, PRIVACY

Shall mean a yard adjoining an exterior wall of a dwelling unit, clear and unobstructed by any public or joint pedestrian access or surface parking area, other than a private driveway for a dwelling unit.

27.224 YARD DEPTH, PRIVACY

Shall mean the least horizontal dimension of a privacy yard measured from and at right angles to the exterior wall which such privacy yard adjoins.

27.225 ZONE

Shall mean a designated area of land use shown on the Map Schedules of this By-law.

27.226 ZONING ADMINISTRATOR

Shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-la*w.

SECTION 28- VALIDITY

28.1 Any section, clause or provision of this By-law, including anything contained in Schedules A, B, C, D, E, F, G, H. I, J, K, L. M, N, O, P, Q, R, S, and T attached hereto and forming part of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole, or any part thereof other than the section, clause, or provisions so declared to be invalid, and is hereby declared to be the intention that all remaining sections, clauses, provisions or schedules of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared invalid.

SECTION 29- IMPLEMENTATION

29.1 All by-laws in force within the Town of Wasaga Beach regulating the use of land and the character, location and use of buildings and structures shall be, and the same are amended insofar as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern. Furthermore, By-law Number 75-10, as amended, of the Corporation of the Town of Wasaga Beach is hereby repealed in its entirety. By-law Number 1553-89, as amended, of the Corporation of the Township of Sunnidale is hereby repealed in its entirety and By-law Number 10-93, as amended, of the Corporation of the Township of Nottawasaga is hereby repealed in its entirety, where these By-laws had previously been in effect on lands now located within the Corporate limits of the Town of Wasaga Beach subsequent to the amalgamation of these lands as of January 1, 1994.

SECTION 30 - EFFECTIVE DATE

30.1 This By-law shall take effect from the date of its passing by Council and shall come into force pursuant to the provisions of and regulations made under The Planning Act. As amended.

Read a first and second time of September 2003.

(Original signed by)
_____this 9th day

MAYOR, Walter Borthwick (Original signed by)

_____
CLERK, Eric Collingwood

(Original signed by)
Read a third time and finally passed of September 2003.

_____this 9th day
MAYOR, Walter Borthwick

(Original signed by)

_____
CLERK, Eric Collingwood

CERTIFICATION

Certified that the above is a true copy of By-law Number 2003-60 as enacted and passed by Council of the Town of Wasaga Beach on the 9th of September, 2003.

(Original signed by)

_____
CLERK, Eric Collingwood