

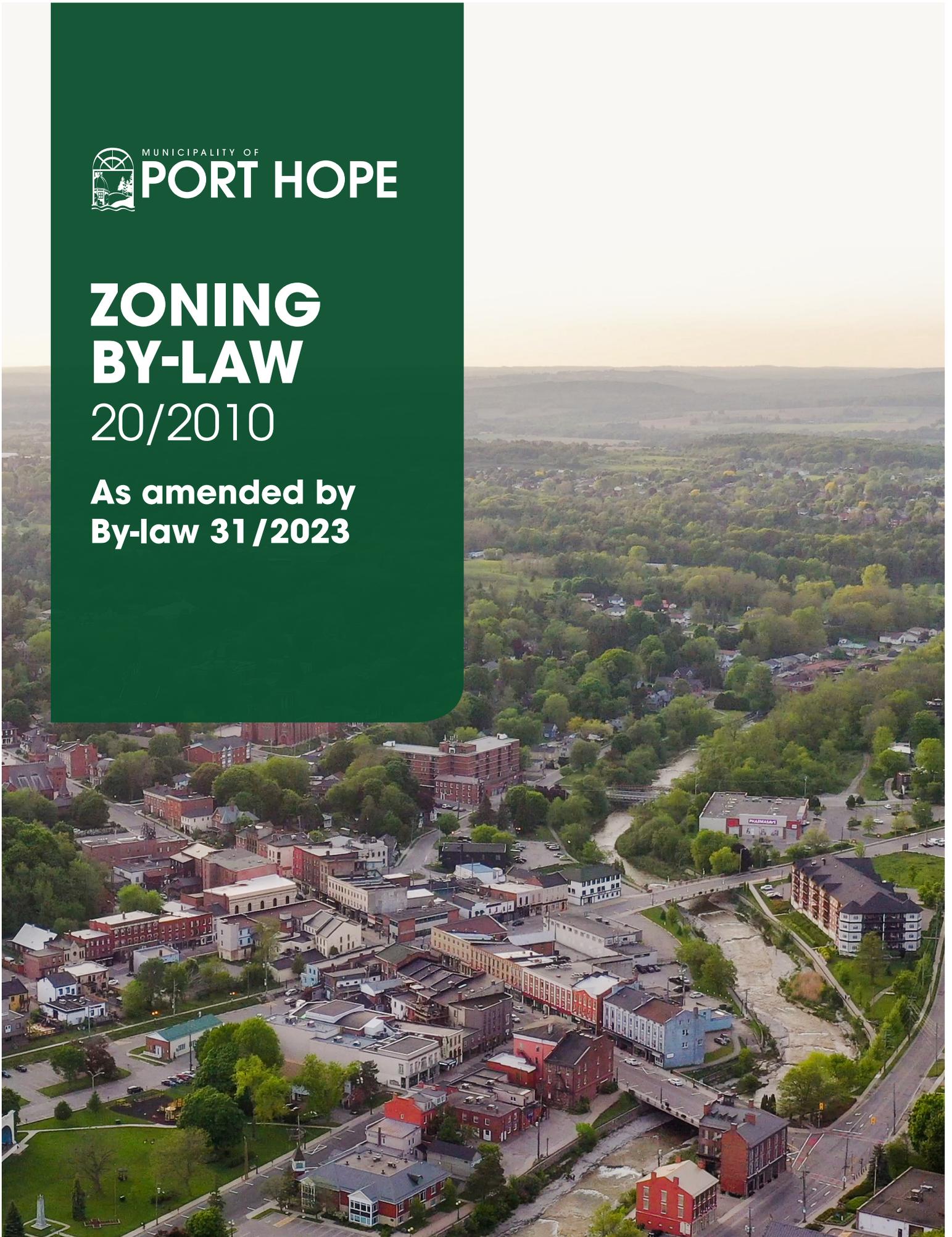


MUNICIPALITY OF

PORT HOPE

ZONING BY-LAW 20/2010

**As amended by
By-law 31/2023**



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PORT HOPE
ZONING BY-LAW 20/2010**



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PORT HOPE**

Adopted: June 29, 2010

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Amended by By-law 31/2023

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Prepared by:



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PREAMBLE

These pages explain the purpose of this Zoning By-law and how it should be used. **These pages do not form part of the Zoning By-law passed by Council** and are intended only to make the Zoning By-law more understandable and easier to use.

Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended grants the statutory authority to municipalities to zone lands. A zoning by-law can according to Section 34(1):

- Prohibit the use of land or buildings for any use that is not specifically permitted by the by-law;
- Prohibit the erection or siting of buildings and structures on a lot except in locations permitted by the by-law;
- Regulate the type of construction and the height, bulk, location, size, floor area, spacing and use of buildings or structures;
- Regulate the minimum frontage and depth of a parcel of land;
- Regulate the proportion of a lot that any building or structure may occupy;
- Regulate the minimum elevation of doors, windows or other openings and buildings or structures;
- Require that parking and loading facilities be provided and maintained for a purpose permitted by the by-law; and,
- Prohibit the use of lands and the erection of buildings or structures on land that is:
 - Subject to flooding;
 - The site of steep slopes;
 - Rocky, low lying, marshy or unstable;
 - Contaminated;
 - A sensitive groundwater recharge area or headwater area;
 - The location of a sensitive aquifer;
 - A significant wildlife habitat area, wetland, woodland, ravine, valley, or area of natural and scientific interest;
 - A significant corridor or shoreline of a lake, river or stream; or,
 - The site of a significant archaeological resource.

As the result of the above, zoning by-laws do affect the rights of property owners to use land. However, zoning by-laws do not create or affect any interest in land and has no effect on title.

Zoning by-laws in Ontario are not permitted to regulate the user of land, only the use of land. By-laws that are designed to control the user have been determined to not be valid by the courts. Section 35(2) is consistent with these court decisions and it states:

"The authority to pass a by-law under Section 34 does not include the authority to pass a by-law that has the effect of distinguishing between persons who are related and persons who are unrelated in respect to the occupancy or a use of a building or structure or a part of a building or structure, including the occupancy or use as a single housekeeping unit."

Any Official Plan contains general policies that affect the use of land throughout a municipality. These policies specify where certain land uses are permitted and in some instances, specify what regulations should apply to the development of certain lands. However, the Official Plan is a general document that is not intended to regulate every aspect of the built form on a lot. It is for this reason that an Official Plan is not considered to be "applicable law" for the purposes of determining whether a building permit should be issued under the Building Code Act, 1992, S.O. 1992, c.23, as amended. Instead, this is the role of a zoning by-law, with such a by-law being considered "applicable law".

HOW TO USE THIS BY-LAW

In order to reference this By-law most easily, a property owner should follow each of the steps listed below to determine what permissions apply to their particular property.

1. LOCATE THE PROPERTY ON A MAP

Maps in a Zoning By-law are called 'Schedules'. The first step to using this By-law is to refer to the zone schedules (both the main Schedules 'A' and 'B' as well as any special maps contained in Schedule 'C') that can be found on the Municipality's website, at the front counter of the Planning and Development Department at the Municipal Office on the copy held by the Clerk's Department. The schedule you are looking at may not be the most up-to-date version, so confirm your findings with a Planner at the Municipality. The online schedules include a key map and series of smaller maps covering the entire Municipality. The zone category will be indicated on the schedules by a symbol or abbreviation. For example, you may see a symbol such as "A" beside your property. This would indicate that your property is within the Agricultural Zone. The zone symbols or abbreviations are explained in Part 2 of the By-law.

Part 2 also provides assistance to help you identify the zone boundaries on the Schedules. For example, if your property appears close to a zone boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.4 of the By-law.

2. BY-LAW AMENDMENTS

A Zoning By-law is not a static document. It is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law

amendment. While the Municipality strives to keep this By-law up-to-date, more recent amendments may not be included in the version of the By-law you are using. Staff in the Municipality's Planning and Development Department will be able to assist you to confirm if your property has been subject to a more recent By-law amendment.

3. ZONE PROVISIONS

The next step to using this By-law is to determine what uses are permitted on your property and what standards may apply to the uses on your property. Parts 6 to 10 of the By-law identify the permitted uses and zone standards for each zone in the Municipality. Zone standards include minimum lot area, minimum frontage requirements, minimum yard requirements, maximum lot coverage for buildings, maximum permitted height of buildings and, in some cases, the minimum required landscaped open space on the lot.

4. DEFINITIONS

The definitions in Part 3 can assist you if you are not sure of the nature of a permitted use or how it has been defined for the purposes of this By-law. Words that are defined in Part 3 are italicized throughout the By-law. If a word is not italicized, it is not specifically defined. Uses which are not identified as permitted uses within a particular zone are not permitted in that zone.

5. GENERAL PROVISIONS

Now that you are aware of the uses permitted on your property and the specific zone standards that apply to those uses, reference should be made to Part 4 of this By-law. Part 4 contains a more general set of standards known as 'General Provisions' that apply to all properties in all zones throughout the Municipality. For example, the general provisions contain standards that regulate the location of accessory structures on a lot, height exceptions, and non-conforming/non-complying uses that apply to all properties regardless of what zone the property is located.

6. PARKING AND LOADING

Part 5 provides the parking and loading requirements for all uses permitted in the Municipality. If you are considering changing the use of your property or adding a new use to your property, you should review Part 5 to ensure that you are aware of the parking requirements for the proposed use.

7. OVERLAY ZONES, EXCEPTIONS, HOLDING ZONES, TEMPORARY USES, AND INTERIM CONTROL BY-LAWS

Parts 11 through 14 contain specific requirements that may apply to one property or a series of properties. Some properties are within an Overlay Zone, covered

in Part 11 (Overlay Zones) that modify use permissions or performance standards within the particular overlay.

Lands subject to an exception covered in Part 12 (Exceptions) have specific use permissions or zone provisions that have been applied either in response to a landowner request or if there is a public interest objective in applying different rules on a property and/or in an area. The provisions within an exception section are intended to take precedence over any other provision in the By-law, where relevant lands subject to an exception will be specifically identified on the schedules with a number within a set of brackets after the parent zone symbol. Additional reference may be made within this Section to special mapping applicable to such properties.

Part 13 (Holding Provisions) contains specific requirements that describe what conditions need to be met in order to develop or establish new permitted uses on a property. Lands subject to a Hold will be specifically identified on the schedules with the use of a (H) symbol followed by the Holding provision number.

Part 14 (Temporary Use Zones) identifies those properties that are subject to use permissions that only last for a specified period of time. Lands subject to an exception will be specifically identified on the schedules with the use of a (T) symbol followed by the Temporary Use number in front of the parent zone symbol.

8. DESCRIPTION OF ZONES

This section includes an overview of the intent and purpose of each zone.

8.1 Residential Zones (Part 6 of the By-law)

The residential zones implement the policies of the Low, Medium and High Density Residential designations of the Official Plan. Two zones further recognize and permit dwelling units within the Hamlets. A further three zones recognize dwelling units within the Countryside Area.

RES1 – Low Density Residential One

This Zone would permit single detached dwellings and limited accessory uses only. Within this zone are five “sub-zones” that reflect the varied lot frontages and subsequent minimum required yards in Ward 1. These zones are identified as RES1-1 (the largest and widest lots), RES1-2, RES1-3, RES1-4 and RES1-5 (the smallest and narrowest lots).

RES2 – Low Density Residential Two

This Zone would permit other forms of low density residential development in addition to single detached dwellings, such as semi-detached in addition to limited accessory uses. Similar to the RES1 Zone, there are two sub-zones (RES2-1 and RES2-2) that reflect the different lot frontage and subsequent minimum required yards in this zone.

RES3 – Medium Density Residential

This Zone applies to the majority of lands (except for those with a current community facility) designated Medium Density Residential in the Official Plan. The list of permitted uses would be fairly broad, permitting all forms of low density residential development as well as various forms of townhouse development and limited accessory uses.

RES4 – High Density Residential

This Zone applies to lands (except for those with a current community facility) designated High Density Residential in the Official Plan. This zone permits higher density forms of development such as townhouse and apartment buildings and limited accessory uses.

RESV1 and RESV2 – Hamlet Residential

These Zones permits low density residential development within the designated Hamlets shown in the Official Plan. The RESV2 Zone requires a larger lot area to accommodate newer septic system requirements and permits more residential uses than the RESV1 Zone.

RESR – Rural Residential

This Zone permits single detached dwellings and limited accessory uses on individual lots within the Countryside Area of Ward 2 (those rural lands outside of the Hamlets and the Oak Ridges Moraine).

RESE – Estate Residential

This Zone permits single detached dwellings and limited accessory uses within existing estate residential subdivisions in the Countryside Area of Ward 2 (those rural lands outside of the Hamlets and the Oak Ridges Moraine).

8.2 Commercial Zones (Part 7 of the By-law)

The Commercial Zones implement the Central, General and Highway Commercial designations of the Official Plan, the Local Commercial areas within Ward 1 as well as existing commercial development within Ward 2.

COM1 – Neighbourhood Commercial

This Zone permits a range of commercial use permissions that are appropriate within a neighbourhood context, such as retail stores, personal service shops, offices and medical clinics. This Zone applies to smaller convenience shops and plazas in Ward 1.

COM2 – General Commercial

This Zone implements the General Commercial and Highway Commercial designations in the Official Plan and applies to comprehensively planned commercial nodes and corridors along major arterial roads in Ward 1. It permits a wide range of retail uses, professional offices and personal service shops.

COM3 – Downtown Commercial

This Zone applies to the historic commercial core of Ward 1 and lands south to the railway line and Lake Ontario shoreline. It permits a broad range of retail uses, professional offices and personal service shops as well as limited residential development and community facilities.

COMR – Rural Commercial

This Zone applies to lands designated Highway Commercial in Ward 2 in the Official Plan and to other existing commercial properties outside of that designation. It permits a smaller range of retail uses, professional offices and personal service shops than in the General Commercial (COM2) Zone, based upon the availability of partial or private services only.

COMV – Hamlet Commercial

This Zone applies to existing commercial properties in the Hamlets of Welcome and Campbellcroft. It permits a range of retail, professional office and personal service uses.

8.3 Employment Zones (Part 8 of the By-law)

The employment zones implement the General and Service Employment designations, as well as the additional specialized designations, of the Official Plan.

EMP1 – General Employment

This Zone applies to lands designated General Employment in the Official Plan in both Ward 1 and the Rural Employment Areas of Ward 2 (Wesleyville and the intersection of Highway 28 and Dale Road). Permitted uses include industrial and office uses, as well as outdoor storage. This Zone can be characterized as a “traditional” employment zone.

EMP2 – Service Employment

This Zone applies to lands designated Service Employment in the Official Plan in both Ward 1 and the Rural Employment Areas of Ward 2 (Wesleyville and the intersection of Highway 28 and Dale Road). Permitted uses include industrial and office uses, as well as limited professional office uses, but at a higher density to ensure a high-profile built form.

EMPR – Rural Employment

This Zone applies to remaining employment lands within Ward 2 that are the site of existing industrial uses.

EMPX – Extractive

This Zone recognizes and permits licensed mineral aggregate resource operations under the Aggregate Resources Act.

EMPG – Power Generation

This Zone applies to lands in Wesleyville that are planned for electrical power generation and accessory uses.

EMPW – Waste Management

This Zone applies to sites used for *waste management* purposes in Ward 2.

8.4 Countryside Zones (Part 9 of the By-law)

These zones apply in Ward 2 to all rural lands that are not part of a Hamlet. In other words, these zones apply to farmlands, woodlots and other rural areas.

A – Agricultural

This Zone applies to lands designated as Prime Agriculture in the Official Plan, which are recognized as those lands to be preserved for farming. Permitted uses are limited to agriculture and related uses, including single detached dwellings and limited accessory uses.

RU – Rural

This Zone applies to lands designated as General Agriculture in the Official Plan, which are recognized as those lands that are less ideal for farming. Permitted uses are limited to agriculture and related uses, including single detached dwellings and limited accessory uses.

Oak Ridges Moraine Zones

In 2005, the Municipality adopted its Oak Ridges Moraine Conservation Plan Zoning By-law Amendment. It introduced six new zones into the former Township of Hope By-law, directly implementing that Plan. The new Official Plan recognizes the same six designations as a Secondary Plan for the area, each of which provides the basis for one implementing zone:

- Oak Ridges Moraine – Core (ORM-C), applying where a high concentration of significant environmental features has been identified;
- Oak Ridges Moraine – Environmental Protection (ORM-EP), applying to the majority of lands on the Oak Ridges Moraine and where development is generally discouraged;
- Oak Ridges Moraine – Linkage (ORM-L), applying to lands where a corridor system for the potential natural transfer of wildlife throughout the Oak Ridges Moraine is to be protected;
- Oak Ridges Moraine – Extractive (ORM-MX), applying to licensed mineral aggregate resource operations on the Oak Ridges Moraine;

- Oak Ridges Moraine –Hamlet (ORM-V), applying where typical rural land uses are permitted on the Moraine; and,
- Oak Ridges Moraine – Rural Settlement (ORM-RS), applying where potential expansion of the Hamlet of Campbellcroft is contemplated by the Official Plan.

8.5 Other Zones (Part 10 of the By-law)

A series of additional zones are required to complete the implementation of the Official Plan.

IU – Urban Institutional

This Zone applies to community facilities in Ward 1. Permitted uses include any public or community-oriented use, including places of worship, schools, community halls and facilities operated by the Municipality.

IR – Rural Institutional

This Zone applies to community facilities in Ward 2. A smaller list of permitted uses applies in this Zone compared to the Urban Institutional (IU) Zone.

OS – Open Space

This Zone applies to parklands owned and maintained by a public authority throughout the Municipality.

OSR – Major Recreational

This Zone applies to major, private open space uses (active recreation) throughout the Municipality. Permitted uses include golf courses, cross-country facilities, mountain biking facilities and equestrian centres.

EP – Environmental Protection

This Zone applies to Provincially Significant Wetlands and remaining lands designated Natural Environment in the Official Plan, and outside of the Regulatory Floodplain (see Section 7.6 of this Preamble) that contain some form of significant environmental feature. No uses beyond conservation uses and parks without buildings or structures (except those used for erosion or flood control) are permitted.

Future D – Development

This Zone identifies lands that are designated for development in the Municipality by the Official Plan but have yet to be granted full development permissions.

T – Transportation

This Zone applies to railway lands owned by CP Rail and CN Rail and permits railway uses only.

8.6 Overlay Zones (Part 11 of the By-law)

Overlay Zones are contained in Part 11 of the Zoning By-law. These Zones modify use permissions and performance standards for lands covered by the applicable Overlay, as required by the Official Plan.

EP-F – Environmental Protection - Floodplain

This Overlay Zone restricts full development permissions and performance standards within the overlay to ensure that certain design criteria are carried forward into applicable law to the satisfaction of the Conservation Authority, but only within those areas where limited development is permitted in Section C5.1.1 of the Official Plan.

Landform Conservation Areas 1 and 2

On the Oak Ridges Moraine, an additional cap on the total area disturbed by development is placed upon lands within a Landform Conservation Area identified on Schedule 'C-2' to the Zoning By-law. Two standards apply, based upon the degree of significance attached to the particular feature.

CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NUMBER 20/2010

WHEREAS it is considered desirable to prohibit the *use* of land and the erection and *use of buildings or structures* except for certain purposes, and to regulate the type of construction and the height, bulk, location, size, *floor area*, character and *use of buildings* in accordance with the provisions of Part 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended;

NOW THEREFORE, the *Council* of the *Corporation* of the *Municipality* of Port Hope enacts as follows:

PART 1 - INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-law may be referred to as the “*Municipality of Port Hope Zoning By-law*” (“this By-law”) and applies to all lands within the *Municipality of Port Hope*.

1.2 CONFORMITY AND COMPLIANCE WITH BY-LAW

No *person* shall change the *use* of any *building, structure* or land or *erect* or alter any *building* or *structure* or occupy any land or *building* except in accordance with the provisions of this By-law.

1.3 BUILDING PERMITS, CERTIFICATES OF OCCUPANCY AND MUNICIPAL LICENSES

The requirements of this By-law must be met before a *building* permit is issued for the erection, addition to or *alteration* of any *building* or *structure*.

Without limiting the generality of the foregoing, this shall include those matters defined as applicable law under Section 1.4.1.3 of Ontario Regulation 350/06 (the *Building Code*).

1.4 INTERPRETATION

Nothing in this By-law shall serve to relieve any *person* from any obligation to comply with the requirements of any other By-law of the *Municipality of Port Hope* or any other requirement of the *County of Northumberland*, the Province of Ontario or the Government of Canada that may affect the *use* of lands, *buildings* or *structures* in the *Municipality*.

1.5 ENFORCEMENT

Any person or directors or officers of any corporation convicted of a violation of this By-law is liable to penalties in accordance with the provisions of Sections 67 and 67.1 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

1.6 VALIDITY

If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, if it be found to be of no-force and effect, it is the intention of the *Municipality* that each and every other provision of this By-law be applied and in force in accordance with its terms to the extent possible according to law.

1.7 EFFECTIVE DATE

This By-law shall come into force the day it was passed if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force upon the approval of the Ontario Municipal Board and in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended.

1.8 REPEAL OF FORMER BY-LAWS

- a) By-laws 2857/73 (Port Hope) and 3035 (Hope) and all amendments thereto are hereby repealed.
- b) By-law 3350 (Hope) is amended by deleting all of the Parts and Schedules that apply to all lands subject to By-law 3350 except for those lands that are legally described as:
 - (i) Part of Lot 12, Broken Front Concession (1252 and 1845 Baulch Road and adjacent lands as identified on Schedule "B" - Sheet 15).

1.9 MINOR VARIANCES TO FORMER BY-LAWS, AS AMENDED

Where the Committee of Adjustment of the *Municipality* or the Ontario Municipal Board has authorized a minor variance from the provisions of By-laws 2857/73, 3035 and 3350, in respect of any land, *building* or *structure* and the decision of the Committee of Adjustment of the *Municipality* of Port Hope or the Ontario Municipal Board authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

1.10 EXPANSIONS TO LEGAL NON-CONFORMING USES

Where the Committee of Adjustment of the *Municipality* of Port Hope or the Ontario Municipal Board has authorized the expansion of a legal non-conforming use, *building* or *structure* in accordance with Section 45 (2) a) i) of the Planning Act R.S.O. 1990 c.P 13 as amended and the decision of the Committee of Adjustment of the *Municipality* of Port Hope or the Ontario Municipal Board authorizing such expansion has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, *building* or *structure* shall be deemed to be modified to the extent necessary to give effect to such a decision.

1.11 SITE PLAN AGREEMENTS

Where a Site Plan Agreement has been entered into prior to the effective date of this by-law, the provisions of this by-law, as they apply to such land, *building* or

structure, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

1.12 LOTS CREATED BY A WILL

A *lot* created by a Will after July 26, 1990 does not qualify for a *building* permit. If a *lot* created by a Will was created on or before July 26, 1990, a *building* permit may be available provided all other applicable provisions in this By-law are met.

PART 2 - ESTABLISHMENT OF ZONES

2.1 ZONES

The Provisions of this By-law apply to all lands within the limits of the *Municipality* of Port Hope. All lands in the *Municipality* are contained within one or more of the following *Zones*:

ZONE	SYMBOL
Residential Zones (See Part 6)	
Low Density Residential One	RES1-1, RES1-2, RES1-3, RES1-4. RES1-5
Low Density Residential Two	RES2-1, RES2-2
Medium Density Residential	RES3
High Density Residential	RES4
Hamlet Residential One	RESV1
Hamlet Residential Two	RESV2
Rural Residential	RESR
Estate Residential	RESE
Commercial Zones (See Part 7)	
Neighbourhood Commercial	COM1
General Commercial	COM2
Downtown Commercial	COM3
Rural Commercial	COMR
Hamlet Commercial	COMV
Employment Zones (See Part 8)	
General Employment	EMP1
Service Employment	EMP2
Rural Industrial	EMPR
Power Generation	EMPG
Extractive Industrial	EMPX
Waste Management	EMPW
Countryside Zones (See Part 9)	
Agricultural	A
Rural	RU
Oak Ridges Moraine – Core	ORM-C
Oak Ridges Moraine – Environmental Protection	ORM-EP

Oak Ridges Moraine – Extractive Industrial	ORM-MX
Oak Ridges Moraine – Linkage	ORM-L
Oak Ridges Moraine – Rural	ORM-RU
Oak Ridges Moraine – Village	ORM-V

Other Zones (See Part 10)

Institutional – Urban	IU
Institutional – Rural	IR
Open Space	OS
Major Recreational	OSR
Environmental Protection	EP
Transportation	T
Future Development	D

Overlay Zones (See Part 11)

Environmental Protection – Floodplain	EP-F
Landform Conservation Area	(Schedule ‘C-2’)

2.2 ZONE SYMBOLS

The *Zone* symbols used in this By-law and on the Schedules to this By-law to refer to *lots, buildings and structures* and other parcels of land and to the *use of lots, buildings and structures* and other parcels of land permitted by this By-law.

2.3 ZONE SCHEDULES

The *Zones* and *Zone* boundaries are shown on Schedules ‘A’ and ‘B’ to this By-law.

2.4 DETERMINING ZONE BOUNDARIES

When determining the boundary of any *Zone* as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- a) A boundary indicated as following a highway, *street, lane, railway right-of-way, utility corridor or watercourse* shall follow the *centreline* of such highway, *street, lane, railway right-of-way, utility corridor or watercourse*;
- b) A boundary indicated as substantially following *lot lines* shown on a Registered Plan of Subdivision, or the municipal boundaries of the *Municipality* shall follow such *lot lines*;
- c) A boundary indicated as running substantially parallel to a *streetline* and the distance from the *streetline* is not indicated, the boundary shall be deemed to be parallel to

such a *streetline* and the distance from the *streetline* shall be determined according to the scale shown on the Schedule(s);

- d) A boundary indicated as following a *lot line* abutting an unopened road allowance shall follow the *centreline* of such road allowance;
- e) A *zone* boundary indicated as following a shoreline shall follow such shoreline, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- f) Where a *lot* falls into two or more *zones*, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *zone*; and,
- g) Where none of the above provisions apply the *zone* boundary shall be scaled from the Schedule(s).

In no case is a *Zone* boundary dividing a *lot* into two or more *Zone* categories intended to function as a property boundary.

2.5 EXCEPTION ZONES

Where a *Zone* symbol on the attached schedule(s) is followed by a number enclosed within a set of brackets, the symbol refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Part 12 of this By-law. Unless specifically amended by the *Zone* Exception, all other provisions of the Parent *Zone* apply.

2.6 HOLDING ZONES

- a) Notwithstanding any other provision in this By-law, where a *Zone* symbol is followed by a set of brackets, a letter “H” and a number contained within those brackets – for example RES4(H1) – the symbol refers to a Holding provision that applies to the lands noted. No *person* shall *use* or permit the land to which the Hold applies for any *use* other than the *use* which legally existed on the date the By-law applying the Holding provision came into effect or the *use(s)* permitted in the By-law enacting the Hold, or expand or replace an existing *building* or *structure* as the case may be, until the Hold (H) is removed in accordance with the policies of the Official Plan and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

- b) Notwithstanding the above, *public uses* in accordance with Section 4.28 of this By-law, *model homes* in accordance with Section 4.15 of this By-law, construction uses in accordance with Section 14.1.1 of this By-law, a sales office in accordance with Section 14.1.2, *wayside pit*, *wayside quarry*, *portable asphalt plant* or *portable concrete plant* in accordance with Section 14.1.3 of this By-law are permitted without the need to remove the Holding provision. In addition, this provision shall not prevent the issuance of a Building Permit to make structural repairs, carry out façade improvements, improve and/or replace plumbing and electrical systems and/or replace openings.

2.7 DEFINITIONS

For the convenience of the reader, all words that are italicized are defined in Part 3 of this By-law.

2.8 LAND OWNERSHIP

No representation or implication is made by the *Municipality* nor should any inference be drawn from the Schedules attached to this By-law as to the ownership of any land and/or rights of access to such land. Ownership and access rights are legal matters that fall solely within the purview of a *court* of competent jurisdiction.

PART 3 - DEFINITIONS

Abattoir means:

An establishment used for the slaughtering or killing of livestock, or poultry, or fowl, and may include the temporary keeping of animals or poultry or fowl, the preparing and packing and shipping of meat for human consumption; in conformity with the regulations contained in the Public Health Act, as amended.

Accessory building or structure means:

A detached *building* or *structure*, the use of which is customarily incidental to, subordinate to, or exclusively devoted to the *principal use* or *building*, located on the same *lot*.

Accessory use means:

A *use*, which is subordinate to; incidental to; and exclusively devoted to the *principal use* and located on the same *lot*.

Adult Entertainment means:

An establishment in which is provided, in pursuance of a trade, calling, business or occupation, Services or Entertainment *Appealing to or Designed to Appeal to Erotic or Sexual Appetites or Inclinations*.

Adult Entertainment Use means:

A *use* that includes an *adult entertainment* establishment, *adult video store*, *adult specialty store*, *body rub establishment*, whether such *use* is a *main* or *accessory use*.

Adult Specialty Store means:

An establishment specializing in the sale of materials and products, such as clothing and accessories, appealing to, or designed to appeal to, erotic or sexual appetites or inclinations. An *adult specialty store* may, as an *accessory use*, sell or rent pre-recorded video tapes, video discs, films and or *slides appealing to, or designed to appeal to, erotic or sexual appetites or inclinations*, provided that no greater than 10% of the *gross floor area* of the *premises* is used for such sale or rentals.

Adult Video Store means:

An establishment where any combination of pre-recorded video tapes, video discs, films or slides *Appealing to, or Designed to Appeal to, Erotic or Sexual*

Appetites or Inclinations, or depicting sexual acts, are offered for rent or sale. An *Adult video store* shall not include facilities for the screening or viewing of such products.

Agricultural Support Use means:

An establishment used for the storing, blending and distributing agricultural support products such as fertilizers, seed and agricultural chemicals.

Agricultural Warehouse means:

A *building* used for the storage of agricultural produce and may include facilities for wholesale distribution or an *accessory retail store*, subject to the provisions of this By-law.

Aisle means:

An area of land used by *motor vehicles* to access *parking spaces*.

Alteration means:

Any modification to the structural component of a *building* that results in a change of *use*, or any increase or decrease in the volume or *floor area* of a *building* or *structure*.

Animal Clinic means:

An establishment where one or more licensed veterinarians and any associated staff provide medical, surgical or similar services solely for domestic pets. This definition may include overnight recovery areas and grooming activities but shall not include any facilities for the cremation or disposal of dead animals or a *kennel*.

Animal Shelter means:

An establishment where abandoned, lost or rescued animals are sheltered or boarded for the purposes of adoption or claiming shall not but include and *animal clinic* or *kennel*.

“Appealing to, or Designed to Appeal to, Erotic or Sexual Appetites or Inclinations”, when Used to Describe Services or Entertainment includes:

- a) Services or Entertainment of which a principal feature or characteristic is the nudity or partial nudity of any *person*; and,

- b) Services or Entertainment in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word, picture, symbol or representation having like meaning or implication is used in any advertisement.

Arena means:

A *building* containing an ice surface used for skating related activities and/or trade shows, other recreational activities not requiring an ice surface and other events or gatherings, such as weddings, banquets and conferences.

Art Gallery means:

An establishment used for any combination of the preservation, exhibition or sale of paintings or other works of art.

Asphalt plant means:

An establishment that produces and/or recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix mineral aggregate with bitumen and/or tar, and includes:

- (a) The stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the premises; and
- (b) The storage and maintenance of equipment, and
- (c) Facilities for the administration or management of the business.

Assembly Hall means:

A *building*, or part of a *building*, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a *banquet hall*, *private club* or fraternal organization.

Auctioneer's Establishment means:

An establishment used for the sale of items in which the price is determined through bidding and may include, as an *accessory use*, an *outdoor display and sales area*.

Auditorium means:

A *building*, or part of a *building*, in which facilities are provided for athletic, civic, educational, political, religious or social purposes and shall include an *arena*, gymnasium, or other similar facility or *use*.

Balcony means:

An outdoor living area on a partially enclosed platform attached to or extended horizontally from one or more main walls of a *building* and which is not accessed by stairs from the outside.

Banquet Hall means:

An establishment used for the purpose of catering to banquets, weddings, receptions or similar functions for which food and beverages may be prepared and served.

Barrier-free means:

A *building* and its facilities, which can be approached, entered and used by persons with physical or sensory disabilities.

Basement means:

One or more *storeys* of a *building* located below the *first storey*.

Bed and Breakfast Establishment means:

An establishment where guest rooms are rented and in which sleeping accommodations and meals are provided to the traveling public and is carried out within the principal residence of the proprietor of the establishment.

Bicycle Parking Space means:

An area that is provided and maintained for the purpose of temporary storage of a bicycle or motor assisted bicycle as defined under the Highway Traffic Act.

Bicycle Parking Space, Long-term means:

A bicycle parking space within a *building* or *structure* designed for the storage of bicycles equipped with a rack or stand designed to lock the wheel and frame of a bicycle, or within a locked room for the exclusive use of parking bicycles.

Bicycle Parking Space, Short-term means:

A bicycle parking space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle, that is available for use by the general public.

Billiard Hall means:

An establishment where the game of billiards is played for commercial purposes.

Body Rub means:

The kneading, manipulating, rubbing, massaging, touching or stimulating, by any means, of a *person's* body or part thereof but does not include:

- a) Medical or therapeutic treatment given by a *person* duly qualified, licensed or registered to do so under the laws of the Province of Ontario; and,
- b) Alternative health care services, such as shiatsu and reflexology, given by a *person* duly qualified to provide such services through completion of formal courses and education and training in the provision of such service offered by an organization or institution that has the qualifications to provide such services.

Body Rub Establishment means:

An establishment where a *body rub* is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but shall not include:

- a) Any *establishment* where *body rubs* are performed for the purpose of medical or therapeutic treatment and are performed by *persons* duly qualified, licensed or registered to do so under the laws of the Province of Ontario; and,
- b) Any establishment where *body rubs* are performed for the purpose of alternative health care services, such as shiatsu and reflexology, given by a *person* duly qualified to provide such services through completion of formal courses and education and training in the provision of such service offered by an organization or institution that has the qualifications to provide such services.

Bowling Alley means:

An establishment where the game of bowling is played for commercial purposes.

Building means:

A *structure* consisting of any combination of a wall, roof and floor, or a structural system serving the function thereof, including all plumbing, works, fixtures and service systems appurtenant thereto.

Building Supply Outlet means:

An establishment in which *building* or construction materials and home improvement materials are offered for retail sale.

Bulk Fuel Storage Facility means:

An establishment for the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances.

Camping Establishment means:

A tourist establishment consisting of at least five (5) seasonal camping *lots* and comprising land used or maintained as grounds for the camping or temporary parking of *trailers*, motorized *mobile homes*, truck campers, campers or tents, but does not include parks or camping grounds maintained by a *public authority*

Cannabis-related use - indoor" means:

Those activities authorized in accordance with the Federal Cannabis Regulation SOR-2018-144 as amended that are carried out within an enclosed building or structure.

"Cannabis-related use - outdoor" means:

Those activities authorized in accordance with the Federal Cannabis Regulation SOR-2018-144 as amended that only involve the growing and harvesting of cannabis outdoors.

Carport means:

A *building* or *structure* which is less than 60% enclosed, and is used for the parking or storage of one or more *motor vehicles*.

Cellar means:

That portion of a *building*, between two floor levels, which has at least half of its height from finished floor to finished ceiling below finished grade level adjacent to the exterior walls of the *building*.

Cemetery means:

Has the same meaning as in the Funeral, Burial and Cremation Services Act, as amended.

Centreline means:

With reference to a *public street*, a line drawn parallel to and equidistant from the limits of the *public street* and with reference to a *private street*, a line drawn parallel to and equidistant from the edges of the paved surface of the *private street*.

Child care centre means:

Has the same meaning as in the Child Care and Early Years Act, as amended.

Commercial Fitness Centre means:

An establishment in which facilities are provided for recreational or athletic activities such as body-building, gymnastics, martial arts and exercise classes and may include associated facilities such as a sauna, a swimming pool, a solarium, a cafeteria and *accessory retail store*.

Commercial Self-storage Facility means:

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

Communication Dish means:

A device that is utilized to receive and/or transmit telecommunications radio or television or other data signals.

Community Centre means:

A building or structure operated by a *public authority* which is used for community activities and other activities such as recreational *uses*, trade shows, weddings and banquets.

Community Centre, Private means:

A tract of land or *building* or any part of a *building* used by the residents of a planned adult lifestyle/retirement community for the purposes of recreation, athletic, religious or social purposes.

Community Garden means:

An area of land, rooftop, other space managed and maintained by individuals and/or non-profit organizations that is not located in a building, to grow and harvest food crops and/or non-food, ornamental crops, such as flowers grown for personal or group use, consumption or donation.

Concrete batching plant means: *An industrial use* where concrete or concrete products used in *building* or construction is produced, and includes facilities for:

- The administration or management of the business;

- The stockpiling of bulk materials used in the production process or of finished products manufactured on the premises; and/or
- The storage and maintenance of required equipment;
- But does not include the retail sale of finished concrete products.

Conservation Use means:

An area of land that is generally left in its natural state and which is used for any combination of preservation, protection, or improvement of components of the natural heritage system of other lands for the benefit of man and the natural environment and which may include, as an *accessory use*, hiking trails and cross country ski trails, *buildings* and *structures* such as nature interpretation centres and public information centres.

Contractor's Supply Establishment means:

An establishment in which materials and supplies for service trade contractors are offered for retail sale.

Contractor's Yard means:

An establishment used by any general contractor or builder where equipment and materials are stored, or where a contractor and/or builder performs shop and assembly work, and/or offers a trade or service, which is not generally open to the public, and includes, but is not limited to, landscaping services, excavators, roofing, industrial electricians, general construction services, and welding services, or other similar services.

Corporation means:

The *Corporation* of the *Municipality* of Port Hope.

Council means:

The *Council* of the *Corporation* of the *Municipality* of Port Hope.

Country Inn means:

An establishment which is used for overnight accommodation, with meals, for the traveling public or day visitors to Port Hope, and which shall also include residential accommodation for the owner.

County means:

The *Corporation* of the *County* of Northumberland.

Court means:

An open, uncovered and unoccupied space appurtenant to a *building* and bounded on two sides by walls of the *main building*.

Crematorium means:

A *building* that is fitted with appliances for the purpose of cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the Funeral, Burial and Cremation Services Act and includes everything necessarily incidental and ancillary to that purpose.

Custom Workshop means:

A *building* or part of a *building* used by a trade, craft or guild for the manufacture in small quantities of made-to-measure clothes or articles and shall include baking, dressmaking, upholstering, weaving, repair, refinishing of antiques and other art objects, ceramic making, painting, sculpting and the repair of personal effects, but shall not include metal spinning, woodworking or furniture manufacturing, or refinishing of antique automobiles, and further does not include any factory production or any shop or factory otherwise classified or defined in the By-law.

Dating/Escort Services means:

An establishment where the social needs of those looking for companionship are organized, and which may include meeting rooms and/or dispatch services and/or the storage and parking of *motor vehicles* used by the business.

Data processing or other data services use means:

An establishment used for the collection, analysis, processing, storage, or distribution of electronic data.

Deck means:

An uncovered and unenclosed *structure* that is *accessory* to a residential *use* and used as an outdoor living area, with a foundation holding it *erect* and a floor that is above finished grade and shall not include a landing or a stair.

Dog and other Pet Daycare means:

An establishment where domestic dogs and other pets are cared for during the day and not overnight.

Drive-through Service Facility means:

A *building* or *structure* where goods or services are offered to the public within a parked or stationary vehicle by way of a service window.

Driveway means:

A defined area providing access for *motor vehicles* from a *public* or private *street* or a *lane* to facilities such as a *parking area*, parking lot, *loading space*, *private garage*, *building* or *structure*.

Dry Cleaners Distribution Station means:

An establishment where articles of fabric are dropped off, stored or picked up by members of the public, but does not include a *dry cleaning establishment*.

Dry Cleaning Establishment means:

An establishment where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on and in which only non-flammable solvents are or can be used which do not emit odours or fumes and from which no noise or vibration is emitted.

Dry Industrial Use means:

An *industrial use* that does not utilize water in any manufacturing or processing activities and where water is required for employee *use* only.

Dwelling Unit means:

An area of a building operated as a housekeeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities. The dwelling units regulated by this By-law are defined below:

- a. **Accessory dwelling:** An *accessory dwelling unit* to the *principal use* of a non residential *building*.
- b. **Additional residential unit** means: A *dwelling unit* that is self-contained, subordinate to and located within the same *building* or on the same *lot* of a *primary dwelling unit*. For the purposes of this definition, a detached *additional residential unit* can be considered a *modular home dwelling*.
- c. **Apartment dwelling:** A *dwelling unit* in a *building* containing five or more *dwelling units* that share a common access to the outdoors through a common entrance and/or a common corridor system.
- d. **Garden suite:** A detached *dwelling unit* that is accessory to the principal *dwelling unit* on the same *lot* and which is designed to be portable.

- e. **Mobile home dwelling:** A *dwelling unit* designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons in accordance with the applicable Canadian Standards Association standard.
- f. **Modular Home dwelling:** A prefabricated *building* or *structure* which is designed to provide a permanent *dwelling unit* for one or more *persons* and which is placed on a finished permanent foundations. This definition shall not include a *mobile home*, a travel *trailer* or tent *trailer* or a *trailer* otherwise defined.
- g. **Multiple dwelling:** A *dwelling unit* in a *building* containing four or more *dwelling units* that would not be considered any other type of *dwelling unit* as defined by this By-law.
- h. **Primary dwelling unit:** The largest *dwelling unit* in which the residential use of the *lot* is conducted.
- i. **Semi-detached dwelling:** A *dwelling unit* in a *building* that is divided vertically into two *dwelling units* that share a common wall above and below *grade*. A wall that has a minimum *height* of 2.4 metres above *grade* and which has a minimum depth of 6.0 metres is required to separate the pair of *dwelling units* within the same *building*.
- j. **Single detached dwelling:** A *dwelling unit* in a building containing only one *dwelling unit*.
- k. **Street townhouse dwelling:** A *dwelling unit* in a *building* that is vertically divided above and below *grade* into a minimum of three *dwelling units*, each of which has an independent entrance to the outside at the front, rear, and/or side of the *building* and a *yard* abutting at least two of the exterior walls of each *dwelling unit*.
- l. **Triplex dwelling:** A *dwelling unit* in a *building* that is divided horizontally or is divided horizontally and vertically into three *dwelling units*, each of which has an independent entrance to the outside or through a common entrance or a combination of both.

Easement means:

An instrument that is registered on title which provides for the *use* of land subject to the *easement* for sewer, water, drainage or utility purposes and which may include a right-of-way in favour of a *public authority*.

Emergency Housing means:

Emergency shelters or facilities that accommodate not less than three and not more than ten residents, and provide temporary lodging, board, and personal support services to homeless individuals in a 24-hour supervised setting, for up to 30 days.

Emergency Service Facility means:

A *building* that houses emergency personnel, their supplies, equipment and vehicles and may include an ambulance response facility, fire station or police station.

Equestrian Centre means:

An area of land where horses are boarded and taken out to be ridden by their owners, or rented to others and where riding lessons may be given.

Equipment Sales and Rental means:

An establishment in which heavy machinery and equipment are offered or kept for rent, lease or hire under agreement for compensation.

Erect means:

To build, construct, reconstruct, alter, relocate or, without limiting the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing *building* or *structure* by an addition, demolition, enlargement or extension.

Established Grade means:

The average surface elevation at the outside walls of any *building* or *structure*, which is determined by taking the arithmetic mean of the levels of the finished ground surface at every location of change of grade at the outside walls of the *building* or *structure*.

Farm means:

The growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages and *farm processing - value-retaining* facilities.

Farm Employee Accommodation means:

Buildings or *structures* that are designed to be used for the accommodation of employees of a farm on a temporary or permanent basis.

Farm Event Venue means:

An event venue *accessory* to a *farm* and which is *used* for social gatherings for people who are not part of the *farm* operation, and the event is not related to normal *farm* practices. It may or may not be open to the public and is operated for profit or gain.

Farm Event Venue (short-term) means:

An event venue *accessory* to a *farm* and which is *used* for social gatherings for people who are not part of the *farm* operation, and the event is not related to normal *farm* practices. It may or may not be open to the public and is operated for profit or gain, but can only last for three consecutive calendar days each year.

Farm Experience and Education Activity means:

An *accessory use* that is directly related to agriculture and a *farm* and which consists of adding a component of information, education, or entertainment to a *farm*.

Farm Implement Dealer means:

An establishment where farm equipment is repaired, serviced, sold or stored.

Farm Processing – Value-Retaining means:

The grading, sorting, packing, drying of crops primarily produced on properties which form part of the *farm* where the facility is located.

Farm Processing Value-Added means:

An *accessory use* involving the processing and refining of products made from produce grown on the *farm* into a final retail product.

Farm Produce Outlet means:

An outlet that is *accessory* to a *farm* and, located on the same *lot*, and operated by the owner of the *farm*, in which fresh fruits, grains, plants, flowers, grasses and vegetables grown on the *farm* are offered for sale, and may also include the limited sale of value-added *farm* products made from the produce grown on the *farm*, such as jam, pies, honey, wine, meat, eggs or dairy products. The limited sale of preserving supplies, other food products, *home crafts*, flowers and produce and bedding plants grown locally, in Ontario, may also be included.

Farm Vacation Home means:

An establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive *use* of

guests) for the traveling or vacationing public in up to three guest rooms within a single *dwelling* that is located on a farm and is the principal residence of the proprietor of the establishment.

Financial Institution means:

An establishment in which financial services are offered to the public and includes a bank, credit union, trust company, savings office, cheque cashing company, or any other retail banking operation.

Floodplain means:

In the case of inland waterways, those lands subject to flooding during a Regulatory flood, being a Regional Storm centred over any given watershed.

Floodproofing, Dry means:

The *use* of fill, columns or design modifications to elevate *openings* in *buildings* or *structures* above the Regulatory Flood level or the *use* of watertight doors, seals, berms/floodwalls to prevent water from entering *openings* below the Regulatory Flood level.

Floodproofing, Wet means:

The *use* of materials, methods and design measures to maintain structural integrity and minimize water damage in *buildings* or *structures* which are intentionally designed to allow flood waters to enter, as determined by the *Municipality* in consultation with the Ganaraska Region Conservation Authority.

Floor Area means:

The total area of all floors in a *building*, measured between the exterior faces of the exterior walls of the *building* at each floor level.

Floor Area, Gross means:

The aggregate of the areas of each floor of a *building* or *structure* above or below *established grade*, measured between the exterior faces of the exterior walls and the *building* or *structure* excluding the sum of the areas of each floor used, or designed or intended for *use* for the parking of *motor vehicles*, unless the parking of *motor vehicles* is the principal *use* of the *building* or *structure*.

Floor Area, Gross Leasable means:

The total area of all floors in a *building* designated for tenant occupancy and the tenant's exclusive *use* including *basements*, mezzanines, upper *floor areas* and integral storage areas, measured from the centerline partitions and the exterior

faces of the exterior walls but not including public or common areas such as *parking spaces* and *parking areas*, malls, corridors, stairways, elevators or machine or equipment rooms.

Floor Area, Ground means:

The area of a *lot* occupied by a *building* or *structure* measured to the interior face of the exterior walls, excluding in the case of a *dwelling* any *private garage*, breezeway, *porch* or verandah.

Floor Area, Net means:

The aggregate of the *floor areas* of a *building* above or below *established grade*, but excluding car *parking areas* within the *building*, stairways, elevator shafts, service or mechanical rooms and penthouses, washrooms, garbage or recycling rooms, staff locker and lunch rooms, loading areas, any space with a floor to ceiling *height* of less than 1.8 metres and any part of a *basement* that is unfinished, is used solely for storage purposes and is not accessible to the public.

Food truck means:

A motorized vehicle, other than a motor assisted bicycle or motorcycle, from which refreshments are cooked, carried or offered for sale for consumption to the general public but does not mean trailers, push cars or non-motorized vehicles propelled by muscular power.

Forest Management means:

The management of woodlands, including *accessory uses* such as the construction and maintenance of forest access roads and maple syrup production facilities:

- a) For the production of wood and wood products, including maple syrup;
- b) To provide outdoor recreation opportunities;
- c) To maintain and, where possible, improve or restore conditions for wildlife; and,
- d) To protect water supplies.

Fuel Storage Tank means:

A tank for the bulk storage of petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid but does not include a container for a tank for storage merely incidental to some other *use* of the *premises* where such tank is located.

Funeral Home means:

An establishment used for providing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for interment.

G.S.C. means:

When used in conjunction with a number, the elevation of the land above sea level according to the Geological Survey of Canada.

Garage, Private means:

An enclosed *building*, or part thereof, designed and used for the storage of one or more *motor vehicles*.

Golf Course means:

An outdoor public or private area operated for the purpose of playing golf and which may include, as accessory uses, a *restaurant*, a clubhouse, a *retail store* selling golf equipment and accessories, a fitness centre, a *miniature golf course*, a dwelling unit for an owner/caretaker and other *buildings* or *structures* devoted to the maintenance, administration of the *golf course*.

Golf Driving Range means:

An indoor or outdoor public or private facility dedicated to the driving of golf balls from fixed golf tees and which may include, as accessory uses, a clubhouse, a *retail store* selling golf equipment and accessories, a dwelling unit for an owner/caretaker and other *buildings* and *structures* devoted to the maintenance, administration and operation of the *golf driving range*.

Greenhouse, Commercial means:

A *building* or *structure* for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation, which are not necessarily planted outdoors on the same lot containing such greenhouse, excluding the growing of cannabis and, which are sold directly from such lot at wholesale or retail.

Habitable Room means:

A room designed for living, sleeping, eating or food preparation including, but not limited to, a den, *library*, sewing room or enclosed sunroom.

Height means:

With reference to a *building* or *structure*, the vertical distance measured from the *established grade* of such *building* or *structure* to:

- a) The highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) The deckline of a mansard roof;
- c) The mean level between eaves and ridge of a gabled, hip or gambrel roof or other type of pitched roof; and,
- d) In case of a *structure* with no roof, the highest point of the said *structure*.

Home child care means:

The caring of children in a *dwelling unit* in accordance with the Child Care and Early Years Act, as amended and which is not a *child care centre*.

Home Industry means:

A small-scale *industrial use* which is an *accessory use* to the *principal use*. For the purpose of this By-law, a *contractor's yard*, the repairing of *motor vehicles* or paint shop, *mobile homes* and *trailers* are not considered to be *home industries*.

Home Occupation means:

The *use* of part of a *dwelling unit* for the conduct of a profession, trade or occupation that results in a product or service and which is clearly *accessory* to the principal residential *use* of the *dwelling unit*.

Hospital means:

Any institution, *building* or other *premises* established for the treatment of *persons* afflicted with or suffering from sickness, disease or injury.

Hotel means:

An establishment that contains *suites* with or without private cooking facilities that are rented on a temporary basis to the public or *dwelling units*, or a combination of both, equipped to be occupied as temporary accommodation for the public, and may contain a public dining area, meeting rooms and *accessory* banquet facilities.

Hydrologically Sensitive Feature means:

Permanent and intermittent streams, wetlands, kettle lakes, seepage areas and springs as described in Section 26 of the Oak Ridges Moraine Conservation Plan.

Individual on-site sewage services means:

Sewage systems, as defined in O. Reg. 332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services means:

Individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Industrial Use means:

An establishment used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging and incidental storage of goods and materials and may include *accessory* sales and distribution of such products.

Infrastructure means:

A physical *structure* (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, *waste management* systems, electric power transmission facilities, communication/telecommunications facilities, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Institutional Use means:

A *use* that caters to the social, educational, health or religious needs of humans.

Kennel means:

An establishment used for the breeding, raising, training, sheltering, or boarding of dogs, cats or other household pets.

Key Natural Heritage Feature means:

Wetlands; significant portions of the habitat of endangered, rare and threatened species; fish habitat; areas of natural and scientific interest (life science); significant valleylands; significant woodlands; significant wildlife habitat; sand

barrens; savannahs and tallgrass prairies as described in Section 22 of the Oak Ridges Moraine Conservation Plan.

Laboratory means:

A building or a room where scientific or technological experiments, analyses, and research are carried out.

Landscaped Open Space means:

That space on a *lot* that is not covered by *buildings* or *structures* and is used exclusively for *landscaping*.

Landscaping means:

Trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, and may include lands that are used as walkways and *driveways* and ramps that provide access on to the lot from the *street* and shall not include *parking areas*.

Landscaping Operation means:

An establishment *used* for the exclusive purposes of providing landscape contracting services, including the incidental storage of landscaping equipment, and may include the *accessory* growing of plants, but shall not include a *commercial greenhouse, nursery or retail store*.

Landscaping, Soft means:

That portion of a *lot* comprised of any combination of flowers, grass, shrubs, sod, trees or other horticultural elements that is not covered by architectural elements including but not limited to asphalt, *buildings*, brickwork, concrete, stonework or *structures*.

Lane means:

A public thoroughfare which affords only a secondary means of access to abutting *lots* and which is not intended for general traffic circulation. For the purposes of this By-law, a *lane* is not a *public street*.

Laundry Establishment means:

An establishment used for the purpose of collection and distribution of articles or goods of fabric to be subjected to the process of cleaning, in which only water and detergents can be used, and may include a self-service laundry component.

Library means:

An establishment containing printed, electronic and pictorial material for *public use* for purposes of study, reference and recreation as recognized by the Public Libraries Act, R.S.O. 1990, c.P. 44, as amended.

Livestock means:

Dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds and any other animal raised for food, fur or fibre.

Livestock Facility means:

A *building* where *livestock* are harboured and kept for *use*, propagation, or intended profit or gain and may include associated manure storage.

Loading Space means:

An unobstructed area of land that is used for the temporary parking of one or more *commercial motor vehicles* while merchandise or materials are being loaded to or unloaded from such vehicle.

Long term care home means: A place that is licensed as a long-term care home under the Long-Term Care Homes Act and includes a municipal home, joint home or First Nations home.

Lot means:

A parcel of land that is registered as a legally conveyable parcel of land in the Land Titles Registry Office.

Lot Area means:

The total horizontal area within the *lot lines* of a *lot*.

Lot Coverage means:

That percentage of the *lot* covered by all *buildings* and shall not include that portion of such *lot area* that is occupied by a *building* or portion thereof that is completely below grade. *Lot coverage* in each *Zone* shall be deemed to apply only to that portion of such *lot* that is located within said *Zone*.

Lot Depth means:

The horizontal distance between the mid-point of the *front lot line* and the mid-point of the *rear lot line*.

Lot Frontage means:

The horizontal distance between the interior side and/or *exterior side lot lines*, with such distance being measured perpendicularly to the line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line* at a point on that line 6.0 metres from the *front lot line*.

In the case of a *lot* with no *rear lot line*, the point where two side *lot lines* intersect shall be the point from which a line is drawn to the mid-point of the *front lot line*. In the case of a *corner lot* with a *sight triangle*, the *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* for the purposes of calculating *lot frontage*.

Lot Line means:

A line delineating any boundary of a *lot*.

Lot Line, Exterior Side means:

The *lot line* of a *corner lot*, other than the *front lot line*, which divides the *lot* from a *public street*.

Lot Line, Front means:

The line that divides the *lot* from the *public street*, but, in the case of:

- a) A *corner lot*, the shortest of the *lot lines* that divides the *lot* from the *public street* shall be deemed to be the *front lot line*;
- b) A *corner lot* where such *lot lines* are of equal length and where one *lot line* abuts a *County* road or Provincial highway, the *front lot line* shall be deemed to be that line which abuts the *County* road or Provincial highway;
- c) A *corner lot* where such *lot lines* are of equal length and where both *lot lines* abut *public streets* under the same jurisdiction, the *Corporation* may designate either *streetline* as the *front lot line*;
- d) A *lot* that does not abut a *public street* but which is separated from a *public street* by a *public park* and which is accessed by a *lane*, the shortest *lot line* that abuts the *public park* shall be deemed to be the *front lot line*; and,

- e) A *through lot*, the longest of the *lot lines*, which divides the *lot* from the *public streets*, shall be deemed to be the *front lot line*. If both such *lot lines* are of equal length, the *Corporation* may designate either *streetline* as the *front lot line*.

Lot Line, Interior Side means:

A *lot line*, other than a *rear lot line* that does not abut a *public street*.

Lot Line, Rear means:

The *lot line* opposite to, and most distant from, the *front lot line*.

Lot, Corner means:

A *lot* at the intersection of two or more *public streets* or upon two parts of the same *public street* with such *street* or *streets* containing an angle of not more than 135 degrees or a *lot* upon which the tangents at the *street* extremities of the *interior side lot lines* contain an angle of not more than 135 degrees. The corner of a *lot* on a curved corner shall be that point on the *streetline* nearest the point of intersection of the said tangents.

Lot, Interior means:

A *lot* that is not a *corner lot* or a *through lot*.

Lot, Through means:

A *lot* bounded on opposite sides by a *public street*. However, if the *lot* qualifies as being both a *corner lot* and a *through lot*, such *lot* is deemed to be a *corner lot* for the purposes of this By-law.

Main Building Façade Means:

- a) The exterior wall of the *building* on the *first storey* that contains the front door to the *building*; or,
- b) In the case of a *corner lot*, the exterior wall of the *building* on the *first storey*.

Marina means:

A *building*, *structure* or place, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced,

repaired and/or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

Medical Office means:

An establishment used for the medical, dental, surgical, and therapeutic treatment of human beings including clinics operated by a number or variety of medical professionals, but does not include a public or private *hospital*.

Micro-brewery means:

An establishment used for the small-scale production of beer and/or cider and at which beer and/or cider may be packaged and sold for distribution, retail, or wholesale. The establishment may include retail sales, tours, and hospitality and tasting area, and a restaurant.

Micro Distillery means:

An establishment at which alcohol, which is a product of the fermentation or distillation of grains, fruits or other agricultural products, is produced and at which alcohol may be packaged and sold for distribution, retail, or wholesale. The establishment may include retail sales, tours, and hospitality and tasting area, and a restaurant.

Mineral Aggregate Resource Operation means:

- a) Lands under license or permit, other than for a *wayside pit or quarry*, issued in accordance with the Aggregate Resources Act, or successors thereto; and,
- b) Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate and derived products such as asphalt and concrete or in the production of secondary related products.

Mineral aggregate resources are gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act, R.S.O. 1990, c.A.8, as amended, suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act, R.S.O. 1990, c.M.14, as amended.

Miniature Golf Course means:

An establishment where the game of mini-putt is played using artificially constructed holes.

Minimum Distance Separation (MDS) means:

The mathematical tool to determine a recommended distance between livestock and manure storage facilities and non-agricultural *uses*.

Mobile Home means:

Any *dwelling* that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more *persons* in accordance with Canadian Standards Association (CSA) Z240, but does not include a *park model home*, travel *trailer* or tent *trailer* or *trailer* otherwise designed.

Mobile Home Park means:

Land that has been provided and designed for the location of two or more occupied *mobile homes*.

Model Home means:

A *building* that is used on a temporary basis as a sales office and/or as an example of the type of *dwelling* that is for sale in a related development and which is not occupied or used for human habitation.

Motel means:

An establishment that contains multiple rooms with no private cooking facilities that are rented on a temporary basis to the public with each room being accessed directly from the outside.

Motor Vehicle means:

An automobile, motorcycle, motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a *street car*, or other *motor vehicles* running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-*building* machine.

Motor Vehicle Body Shop means:

An establishment used for the painting, repairing of the interior, exterior, or undercarriage of *motor vehicle* bodies. *Motor vehicle washing establishments* are not an *accessory use*.

Motor Vehicle, Commercial means:

A *motor vehicle* having permanently attached thereto a truck or delivery body and includes an ambulance, hearse, casket, wagon, fire apparatus, police patrol, motor bus and tractor used for hauling purposes on the highways and any vehicle bearing commercial license plates.

Motor Vehicle Dealership means:

An establishment used for the sale and/or rental of new and/or used *motor vehicles* and may include, as *accessory uses*, a *motor vehicle service station* and *motor vehicle body shop*.

Motor Vehicle Gasoline Bar means:

An establishment where gasoline or other motor fuels and oil are kept for sale and delivery directly into a *motor vehicle*, and may include an *accessory retail store*, but shall not include a *motor vehicle* repair establishment or a *motor vehicle washing establishment*.

Motor Vehicle Repair Garage means:

An establishment used for the repairing of *motor vehicles*, but shall not include the sale of *motor vehicle* fuels or a *motor vehicle body shop*. *Motor vehicle washing establishments* are not an *accessory use*.

Motor Vehicle Service Station means:

An establishment used for the sale of *motor vehicle* fuels and which may include the following *accessory uses*: *retail store*, *restaurant*, *personal service shop*, *transit station*, *motor vehicle* rental, *motor vehicle repair shop* and *motor vehicle washing establishment*.

Motor Vehicle Washing Establishment means:

An establishment in which the mechanical or hand washing of *motor vehicles* is carried out.

Mountain Biking Facility means:

An area of land with trails used by non-motorized mountain bikes and which may include, as *accessory uses*, a *restaurant*, a club house, a *retail store* selling mountain bike equipment and accessories, *commercial fitness centres*, a *dwelling unit* for an owner/caretaker and other *buildings* or *structures* devoted to the maintenance, administration and operation of the *mountain biking facility*.

Municipality means:

The *Municipality* of Port Hope.

Municipal sewage services means:

A sewage works within the meaning of section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

Municipal water services means:

A municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act, 2002.

Museum means:

An establishment used for the preservation of a collection of any combination of paintings, other works of art, objects of natural history, mechanical, scientific or philosophical inventions, instruments, models or designs and which may also include a *library*, reading rooms, laboratories and *accessory professional office*.

Net Developable Area means:

The area of a *lot* or *site*, less any area that is within a *key natural heritage feature* or a *hydrologically sensitive feature*.

Non-Complying means:

A *building*, *structure* or *lot* that does not comply with the regulation(s) of this By-Law.

Non-Conforming means:

A *use* that is not a permitted *use* in the *Zone* in which the said *use* is situated.

Noxious use means: 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, waste or other material.

Nursery means:

A *building* or part of a *building* and land adjacent thereto for growing, displaying and sale of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation

and may include, as an *accessory use*, the sale of goods, products and equipment for gardening or *landscaping* purposes.

Opening means:

An area of a main wall that is open from the outside to the inside and which is treated in a manner that offers a view to the inside from the outside.

Outdoor Display and Sales Area means:

An outdoor open space area where produce or merchandise is displayed or sold and where services are provided in conjunction with a business located within a *building* or *structure* on the same *lot*.

Outdoor Rooftop Patio means:

An unenclosed outdoor seating area *accessory* to a *restaurant*, *micro-brewery*, *micro-distillery*, café or bake shop, where food and beverages are served to the public for consumption on the *outdoor rooftop patio*, but excludes a night club and any component thereof.

Outdoor Storage means:

An area of land used in conjunction with a business located within a *building* or *structure* on the same *lot*, for the storage of goods and materials.

Outdoor Storage Use means:

An *outdoor storage* area forming the *principal* use of a *lot*, such as a *motor vehicle* wrecking yard, a *motor vehicle* storage compound or construction equipment or materials yard.

Park, Private means:

An open space or recreational area other than a *public park*, operated on a commercial or private member basis, and which includes one or more of the following facilities or activities:

- a) Areas for walking, horse back-riding and cross-country skiing;
- b) Recreational or playground areas such as picnic areas, tennis *courts*, lawn bowling greens, outdoor skating rinks, athletic fields and *accessory buildings* which may include change rooms, meeting rooms and washrooms.

Any area of land under the jurisdiction of a *public authority* that is designed and/or maintained for active or passive recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, *golf courses*, swimming pools, splash pads, sport courts, bowling greens, *arenas*, boating facilities and sports fields and ancillary retail *uses*.

Park, Public means:

Any area of land under the jurisdiction of a *public authority* that is designed and/or maintained for active or passive recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, swimming pools, splash pads, sport courts, bowling greens, boating facilities and sports fields and ancillary retail *uses*.

Parking Area means:

An open area of land not located on a *public street*, private street or *lane* that is used for the parking of four or more *motor vehicles*, but shall not include any area where *motor vehicles* for sale or repair are kept or stored and shall not include a driveway that provides access to a ground oriented residential *dwelling unit*.

Park Model Home means:

A *trailer* designed for temporary human habitation having permanent running gear attached and meeting CSA Standard Z241.

Parking Lot, Commercial means:

An area of land used for the parking of *motor vehicles* for a fee, with such *use* forming the principal *use* of a *lot*.

Parking Space means:

An unobstructed space for the exclusive *use* of parking of a *motor vehicle*.

Patio, Restaurant means:

An outside area that is *accessory* to a *restaurant* and where food and/or beverages are prepared and/or served in conjunction with the *restaurant use*.

Person means:

Any human being, association, firm, partnership, incorporated company, *corporation*, agent or trustee, and the heirs, executor or other legal representatives of a *person* to whom the context can apply.

Personal Service Shop means:

An establishment in which services involving the care of *persons* or their apparel are offered and includes a barber shop, a hair dressing shop, a beauty shop, a shoe repair establishment, a *dry cleaners distribution station*, photographer's *studio*, tailor, travel agent, day spa, tanning salon, diet centre or similar service establishments.

Pet grooming means:

An establishment where domestic pets are treated and/or groomed, but does not include an animal clinic.

Place of Amusement means:

An establishment that contains facilities that offer games of skill and competition for the amusement of the public, such as motion simulation rides, virtual reality games, video games, computer games, laser games and similar types of *uses*, but does not include casinos or any other establishment accommodating gambling or gaming activities, wagering or betting, video lottery and gaming machines or any other similar type of gambling *use*.

Place of Entertainment means:

A motion picture or live *theatre, arena, auditorium*, planetarium, concert hall and other similar *uses* but shall not include an *adult entertainment use*, any *use* entailing the outdoor operation or racing of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other similar type of gambling *use*.

Place of Worship means:

A *building* or part of a *building* used by a charitable religious group(s) for the practice of religious rites and may include *accessory uses* that are subordinate and incidental to the practice of religious rites. Examples of *accessory uses* include, but shall not be limited to, classrooms, assembly areas with a potential occupancy less than the *place of worship* area, a kitchen, a residence for the faith group leader and caretaker, and offices subordinate and incidental to the principal *place of worship*. A *place of worship* does not include a cemetery, child care centre, or *private school*.

Planting Strip means:

An area which shall be used for no purpose other than *landscaping*, including decorative rock treatments or other required structural features, a row of trees or

a continuous massing of deciduous and coniferous shrubs. The remainder of such *planting strip* shall be used for no purpose other than *landscaping* features, planting trees, shrubs, annuals and/or perennials, grass or similar vegetation. Walkways and *driveways* accessing the lot from the street are permitted to cross a *planting strip*.

Porch means:

A *structure* with a roof and at least one side that is open and unenclosed, that is accessed by stairs from grade and which provides access to the *first storey* of a *dwelling unit*.

Portable Asphalt Plant means:

A facility:

- a) With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
- b) Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable Processing Plant means:

Equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a *concrete batching plant* or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a *motor vehicle* and which equipment is not considered permanently affixed to the site.

Power Generation Facility means:

A facility for the generation of electricity, but shall not include a *solar panel* or *wind turbine*.

Principal building means:

A *building* in which the principal use(s) on the *lot* is conducted. For the purpose of this By-law, a principal building shall also include a *school portable*.

Principal use means:

The principal purpose for which a *lot* is used.

Printing or Publishing Establishment means:

An establishment wherein printing, photocopying, blue printing, duplicating, publishing or lithography are conducted.

Privacy Area means:

An outdoor area exclusively used by the occupants of a *dwelling unit* but shall not include a *parking area*, *driveway* or ingress or egress ramp.

Private Club means:

An establishment used as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include *uses* that are normally carried out as a commercial enterprise.

Private Road means:

A private thoroughfare not under the jurisdiction of the *Corporation*, the *County* of Northumberland or the Province of Ontario or created through the registration of a plan of condominium.

Professional Office means:

An establishment where services are provided that require specialized training or professional certification including but not limited to accountant, appraiser, attorney, architect, landscape architect, engineer, land use planner, surveyor, stockbroker, physician, dentist, chiropractor, massage therapist, psychologist, and optometrist.

Public Authority means:

Any Provincial, Regional or Municipal commission, board, or authority or any quasi-public body that is controlled by a *public authority* such as a public transit commission and which for the purposes of this definition include public or private utilities which provide *infrastructure* for *public use*.

Public Use means:

Any *use* of land, *buildings* or *structures* by or on behalf of a *public authority*.

Public Works Yard means:

A facility where materials are stored in addition to the indoor and/or *outdoor storage* of *motor vehicles* and equipment owned and operated by a *public authority* and may include a *professional office* as an *accessory use*.

Queuing Lane means:

An area of land that is used exclusively for *motor vehicles* whose occupants are waiting to be provided with goods, materials or services.

Queuing Space means:

An unobstructed space for the exclusive *use* by a *motor vehicle* within a *queuing lane* while awaiting service.

Recreational Trailer, Vehicle or Boat means:

Any vehicle that is suitable for being attached to a *motor vehicle* for the purpose of being drawn or is self-propelled, and may be capable of being used on a short term recreational basis for living, sleeping or eating accommodation of human beings and includes a travel *trailer*, pick-up camper, motorized camper, boat *trailer*, or tent *trailer*.

Recreational Trailer, Vehicle or Boat Sales Establishment means:

An establishment used for the sale of *recreational trailers, vehicles or boats* and may include, as an *accessory use*, the repair and storage of *recreational trailers, vehicles or boats*.

Research and Development means:

The use of buildings or structures or a portion thereof for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacture or sale of products, except as incidental to the main purpose of the facility.

Residential Hospice means:

A facility that provides a home-like environment where adults and children with life-threatening illnesses receive end-of-life care services and is carried out in a residential dwelling, but does not include a *treatment centre*.

Resort Establishment means:

An establishment designed for the traveling or vacationing public, and that has facilities for accommodation and may serve meals or provide *kitchen facilities* within each unit and may furnish equipment, supplies or services to *persons* for recreational purposes, but does not include a *camping establishment, hotel, mobile home park or private park*.

Restaurant means:

An establishment in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the *building* and which may include the preparation of food in a ready-to-consume state for consumption off the premises.

Restaurant, Take-Out means:

An establishment where prepared food is primarily consumed outside of the *premises* and where no more than six seats for customers are provided.

Retail Store means:

An establishment in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public but does not include an any use otherwise defined in this By-law.

Retail Store, Accessory means:

A retail store accessory to a permitted non-residential use.

Retirement Home means:

Has the same meaning as in the Retirement Homes Act, 2010.

Salvage Yard means:

An area outside of an enclosed *building* where scrap metal and *motor vehicles* are disassembled and dismantled, or where *motor vehicles* in an inoperable condition or used *motor vehicle* parts are stored or re-sold.

Saw and/or Planing Mill means:

A building, structure or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

School Portable means:

A temporary building or structure designed to serve as a classroom on a *lot* that is also the site of a *public school*.

School, Commercial means:

An establishment used as a school conducted for gain, including a *studio* of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics, business or trade school and any other such specialized school.

School, Private means:

An establishment used as an academic school which secures the major part of its funding from sources other than government agencies.

School, Public means:

A building used as an academic school under the jurisdiction of a Provincially approved educational institution or parochial school operated on a non-profit basis.

Service Shop means:

An establishment in which the repair of household articles is primarily carried out but shall not include shops for the repair of internal combustion engines, *motor vehicles* or other similar *uses*.

Setback means:

The horizontal distance from a property line or defined physical feature such as a *stable top of bank* measured at right angles from such line or feature to the nearest part of any *building* or *structure* or amenity area or other component of a *use* that is subject to the *setback* on the *lot*.

Shared Housing (Small Scale) means:

A *dwelling unit* where lodging is provided to more than two and no more than six tenants who live as a single housekeeping unit with no more than one kitchen and where at least 1 of the tenant-occupied rooms is equipped with an external locking mechanism that prevents access to said room by the other house occupants when the room is unoccupied.

Shared Housing (Large Scale) means:

A *dwelling unit* where lodging is provided to more than six tenants who live as a single housekeeping unit with no more than one kitchen and where at least 1 of the tenant-occupied rooms is equipped with an external locking mechanism that prevents access to said room by the other house occupants when the room is unoccupied.

Shared Housing, Supervised (Small Scale) means:

A *single detached dwelling* unit occupied by not less than six and not more than ten *persons* exclusive of staff and receiving family, who live as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care and which is licensed, approved or supervised by the Province of Ontario under any general or special Act.

Shared Housing, supervised (Large Scale) means:

A *single detached dwelling* unit occupied by more than ten persons exclusive of staff, who live as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care and which is licensed, approved, supervised or contracted by the Province of Ontario or the Federal Government under any general or special Act.

Shipping Container means:

A freight container that is used for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving goods and materials. A *shipping container* shall also include, but not be limited to, the body of a transport trailer or a straight truck and any prefabricated portable metal storage unit. For the purpose of this definition, a *shipping container* does not have wheels or include a *motor vehicle* or a transport trailer.

Sidewalk means:

A paved area within the municipal right-of-way that is designed for *use* by pedestrians.

Sight Triangle means:

The triangular space on a *lot* formed by two intersecting *streetlines* and a line drawn from a point on one *streetline* across such *lot* to a point in the other *streetline*, each such point being the required distance from the point of intersection of the *streetlines* (measured along the *streetlines*). Where the two *street* lines do not intersect at a point, the point of intersection of the *streetlines* shall be deemed to be the intersection of the projection of the *streetlines* or the intersection of the tangent to the *streetlines*.

Sign means:

Any board, plate, panel, object, surface or device upon, within, against, through or by which there is inscribed, painted, affixed, borne, or projected any declaration, demonstration, insignia or illustration used for the purpose of direction, information, advertisement, promotion or identification including any

Sign Structure related thereto, structural trim, and advertising device related thereto.

Solar Panel means:

A device that is designed to convert the energy of the sun into electricity.

Spa Room means:

A room in a private establishment which offers patrons services such as personal hygiene, grooming, relaxation therapy, hydro-therapy and licensed massage therapy on a one-to-one basis.

Specialty Food Store means:

An establishment specializing in a specific type or class of foods such as an appetizer store, bakery, butcher, delicatessen, fish, gourmet and similar foods.

Stable Top of Bank means:

The line which defines the transition between tableland and sloping ground at the crest of a slope associated with a *watercourse*, as determined by an approved Geotechnical Study or by the appropriate Conservation Authority.

Storage Container means:

Any portable device that is open or closed, in which a material can be stored, handled, treated, transported, recycled or disposed of.

Storey means:

That portion of a *building* between the surface of a floor and the floor, ceiling or roof immediately above.

Storey, First means:

The *storey* with its floor closest to *established grade* and having its ceiling more than 1.8 metres above grade.

Street, Private means:

A private right-of-way that is used by *motor vehicles* but is not owned by the *Municipality* or any other *public authority*.

Street, Public means:

A roadway owned and maintained by a *public authority* and for the purposes of this By-law does not include a *lane* or any private *street*.

Streetline means:

The limit of a road allowance and is the dividing line between a *lot* and a *street*.

Structure means:

Anything that is *erected*, built or constructed of parts joined together and attached or fixed permanently to the ground or any other *structure*.

For the purpose of this By-law, a fence that has a *height* of 1.8 metres or less, a retaining wall that has a *height* of 1.0 metre or less, a light standard and a *sign* shall be deemed not to be *structures*.

Studio means:

An establishment or part thereof used as a working place for the creation of paintings, sculptures, pottery, video and other pictures or objects that are the subject of art.

Supermarket means:

An establishment, containing a complete departmentalized food store selling a comprehensive line of groceries, baked goods, fresh fruit and vegetables, canned goods, dairy products, frozen foods, and fresh and frozen meats. Other lines may include confectionary, drugs and cosmetics, household supplies and articles, hardware, commercial service *uses* such as dry cleaning and financial services, and a seasonal garden centre.

Swimming Pool Pumps, Filters and Heaters means:

The equipment necessary to operate an *outdoor swimming pool*.

Swimming Pool, Outdoor means:

Any privately owned body of water located outdoors, contained in part or in whole by artificial means, in which the depth of water of any point can exceed 0.6 metres and which is used or capable of being used for swimming, diving or bathing.

Taxi Service Depot/Dispatch Establishment means:

An establishment where taxi's and/or limousine taxis are dispatched from and where such vehicles may be parked and/or stored.

Theatre means:

An establishment that is used for the showing of motion pictures or for dramatic, musical or live performances. For the purposes of this definition, an *adult entertainment* establishment is not considered to be a *theatre*.

Trade and Convention Centre means:

An establishment where facilities are provided for the displaying of goods and services for the general public, such as an auto show or a computer trade show or where groups of people meet for civic, educational, political, religious or social purposes.

Trailer means:

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

Trailer, Tourist means:

A *trailer* capable of being used for the temporary living, sleeping or eating accommodation of *persons* notwithstanding that its running gear is or may be removed.

Transit Station means:

A *building* or *structure* or parts thereof or an area of land that is used for temporary parking of transit vehicles and the picking-up and dropping off of passengers.

Transport Terminal means:

The *use* of land for the purpose of storing, servicing, washing, repairing or loading of trucks and transport *trailers* with materials or goods that are not manufactured, assembled, warehoused, or processed on the same *lot*, but does not include a *waste transfer facility*.

Treatment Centre means:

A *single detached dwelling* which is occupied by not more than 20 *persons* exclusive of staff, who live as a single housekeeping unit, and require 24-hour residential, sheltered, specialized or group care, and treatment and rehabilitation for addiction to drugs or alcohol.

Unitary Equipment means:

Any apparatus used for the purpose of heating, cooling, changing of air, refrigeration, pumping or filtering of water or any other equipment used for these purposes, except for an air conditioning unit located in a *window opening*.

Use means:

The purpose for which any portion of a *lot, building or structure* is designed, arranged, intended, occupied or maintained.

Warehouse means:

An establishment which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff substances and articles.

Waste Composting Facility means:

- a) Any land upon, into, in or through which, or *building or structure* in which organic waste that is to be diverted from landfill is deposited, stored, processed and recycled into compost; and,
- b) Any operation carried out or machinery or equipment used in connection with the depositing, storage, transfer, processing or recycling referred to in clause (a).

Waste Management Facility means:

- 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 or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a).

Such a facility shall require an environmental assessment under the Environmental Assessment Act, R.S.O. 1990, c.E.18 as amended (Ontario) or the Canadian Environmental Assessment Act, 1992 c.37, as amended (Canada).

Waste Recycling Facility means:

The *use* of land, *buildings* or *structures* for the collection and processing of materials such as paper, plastic, glass, metal, styrofoam and other similar materials for recycling, but shall not include a *waste composting facility* or *waste transfer facility*.

Waste Storage Area means:

A space allocated either within a *main building* or in an *accessory building or structure* where garbage, refuse or recycling materials are temporarily stored while awaiting disposal, but does not include any storage for hazardous waste or materials.

Waste Transfer Facility means:

The *use* of land, *buildings* and *structures* for the collection of waste into bulk containers for the further transport to a *waste management facility*, *waste composting facility*, *waste recycling facility* or other waste disposal facility.

Watercourse means:

A body of water or the natural channel for a perennial stream of water.

Wayside Pit or Quarry means:

A temporary pit or quarry opened and used by or for a *public authority* solely for purpose of a particular project or contract of road construction and which is not located within the right-of-way of a *public street*.

Wellhead Protection Area means:

The surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.

Yard means:

An open, uncovered space on a *lot* appurtenant to a *building* and unoccupied by *buildings* or *structures* except as specifically permitted in this By-law.

Yard, Exterior Side means:

The *yard* of a *corner lot* extending from the *front yard* to the *rear yard* between the *exterior side lot line* and the nearest main walls of the *main building* or *structure* on the *lot*.

Yard, Front means:

A *yard* extending across the full width of the *lot* between the *front lot line* and the nearest main walls of the *main building* or *structure* on the *lot*.

Yard, Interior Side means:

A *yard* other than an exterior side *yard* that extends from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest main walls of the *main building* or *structure* on the *lot*.

Yard, Minimum Required means:

The minimum distance of a *yard* required from a *lot line*. No part of a required minimum *yard* for a *building* or *structure* shall be included as part of a required minimum *yard* for another *building* or *structure*. In calculating *minimum required yards*, the minimum horizontal distance from the respective *lot lines* shall be used.

Yard, Rear means:

A *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest main walls of the *main building* or *structure* on the *lot*.

Zone means:

A designated area of land *use(s)* shown on the Zoning Schedules of this By-law.

PART 4 - GENERAL PROVISIONS

The provisions of this section of the By-law shall apply to all lands within the *Municipality* of Port Hope, unless otherwise specified.

4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

All accessory buildings, structures and uses are subject to the following provisions:

- a) Where this By-law provides that land may be used or a *building* or *structure* may be *erected* or used for a purpose, that purpose shall include any *accessory buildings, structures* or *uses* located on the same *lot* as the *principal* use to which they are related.
- b) No *accessory building* or *structure* shall be used for human habitation or an occupation for gain or profit, except if specifically permitted by this By-law.
- c) No *accessory building* or *structure* shall be *erected* on a *lot* prior to the erection of the *main building* on the *lot*.
- d) No *accessory building* or *structure* or part thereof shall be located within an *easement* that is in favour of a *public authority*.
- e) For the purpose of *setback* calculations, natural gas or electricity meters and unitary equipment, dog houses, freestanding mail boxes, entrance pillars, statues, storage lockers under 1.0 metres high, freestanding arbours or pergolas, pool pumps and filters not inside *accessory buildings*, flag poles, free standing trellises, school bus shelters, composters, planters, light standards, *decks*, *porches*, freestanding gazebos that have a floor area of 15 m² or less and barbeques are not considered *structures* for the determination of *setbacks* in Section 4.1 of this By-law.
- f) Standards for *accessory buildings* and *structures* are set out in Tables 4.1 and 4.2, below:

Table 4.1: Provisions for Urban Residential, Commercial, Employment and Institutional Zones

	RES1, RES2, RES3, RES4	COM1, COM2, COM3, COM4, EMP1, EMP2, EMPR	IU
Permitted <i>yards</i>	Interior Side, Exterior Side and Rear	Interior Side, Exterior Side and Rear	Interior Side, Exterior Side and Rear
<i>Setback from front lot line</i>	Not permitted any closer to <i>front lot line</i> than <i>main building</i> from <i>front lot line</i> .	Not permitted any closer to <i>front lot line</i> than <i>main building</i> from <i>front lot line</i> .	Not permitted any closer to <i>front lot line</i> than <i>main building</i> from <i>front lot line</i> .
<i>Setback from exterior side lot line</i>	Not permitted any closer to exterior <i>lot line</i> than <i>main building</i> from exterior <i>lot line</i> . Notwithstanding the above, a detached <i>private garage</i> in the <i>rear yard</i> shall not be located any closer than 5.5 metres from the exterior <i>side lot line</i> .	Not permitted any closer to exterior <i>lot line</i> than <i>main building</i> from exterior <i>lot line</i> .	Not permitted any closer to exterior <i>lot line</i> than <i>main building</i> from exterior <i>lot line</i> .
Minimum required <i>setback</i> from interior side and rear <i>lot line</i>	1.2 metres	1.2 metres	1.2 metres
Maximum <i>height</i> for detached <i>private garage</i>	5.0 metres	n/a	n/a
Maximum <i>height</i> for all other <i>accessory buildings and structures</i> (1)	4.0 metres	4.0 metres	4.0 metres
Maximum <i>lot coverage</i> for any <i>accessory buildings and structures</i>	10% of the <i>lot area</i>	n/a	10% of the <i>lot area</i>
Maximum number of <i>accessory buildings and structures</i> per <i>lot</i>	1 <i>private garage/carport</i> and 1 <i>accessory building</i> or <i>structure</i>	2	2

Table 4.2: Provisions for Countryside and Open Space Zones

	Countryside Zones	RESV1, RESV2, RESR, RESE	COMR, COMV, EMPR, EMPD, EMPG	OS, OSR
Permitted <i>yards</i>	Interior and Rear	Interior and Rear	Interior and Rear	Interior and Rear
Minimum required <i>setback</i> from <i>front</i> or <i>exterior side lot line</i>	Not permitted in <i>minimum required yard</i> for <i>main building</i> (2)	Not permitted any closer to <i>front lot line</i> than the <i>main building</i> from <i>front lot line</i> . (2)	Not permitted in <i>minimum required yard</i> for <i>main building</i> (2)	Not permitted any closer to <i>front lot line</i> than the <i>main building</i> from <i>front lot line</i> . (2)
Minimum required <i>setback</i> from <i>interior side</i> and <i>rear lot line</i>	1.2 metres increased to 7.5 metres adjacent to a Residential, Commercial or Employment Zone boundary	1.2 metres	3.0 metres	3.0 metres
Maximum <i>height</i> for detached <i>private garage</i>	5.0 metres	5.0 metres	n/a	n/a
Maximum <i>height</i> for all other <i>accessory buildings</i> and <i>structures</i> (Shall not apply to <i>buildings</i> used for <i>livestock</i> , agricultural machinery and agricultural products such as hay)	5.0 metres (1)	5.0 metres	n/a	n/a
Maximum <i>lot coverage</i> for all <i>accessory buildings</i> and <i>structures</i> (4)	5% of the <i>lot area</i> (1)(3)	5% of the <i>lot area</i>	n/a	n/a

SPECIAL PROVISIONS

1. Shall not include *buildings* used for *livestock*, agricultural machinery and agricultural products such as hay.
2. An *accessory structure* or *building* may be located closer to the front lot line than the *principal building*, provided they meet the *setback* requirements of the *principal building*.
3. Maximum *lot coverage* increased to 7.5% of the *lot area* when a property has a lot area less than 1.0 ha.
4. For the purposes of this provision, *decks*, *porches* and freestanding gazebos that have a floor area of 15m² or less are not included in the calculation of *lot coverage*.

4.1.1 Private Garages

In addition to those provisions in Tables 4.1 and 4.2, the following provisions shall also apply to *private garages* or carports associated with *single detached*, *semi-detached* and *street townhouse dwellings* in Residential Zones on *lots* with less than 15.0 metres of *lot frontage*:

- a) No part of a *private garage* or carport that is *attached* to a *dwelling* shall be closer to the *front lot line* than the *main building* except for the following:
 - i) Where the *building* has a covered *porch* the *private garage* or carport may extend 2.0 metres beyond the *main building facade* provided that the *private garage* or carport is not closer to the *front lot line* than the *porch*, excluding the steps accessing the porch.
- b) Where a *private garage* or carport is accessed from a *lane*, it shall be set back between 0.3 and 0.6 metres from the *lot line* dividing the *lot* from the *lane*.
- c) The minimum width for a *private garage* or carport, measured between the inside of the walls or columns, shall be 3.0 metres.
- d) The maximum width for a *private garage* or carport, measured between the outside of the walls or the columns facing a *front lot line*, shall be 60% of the *lot frontage* or 12.0 metres, whichever is less.

4.1.2 Gatehouses and Parking Shelters

The following provisions shall also apply to gatehouses and parking shelters:

- a) Notwithstanding any other provision of this By-law, a gatehouse not exceeding 10.0 square metres in *floor area* shall be permitted in any part of a front or exterior side *yard* in a High Density Residential (RES4) *Zone* or any *Employment Zone*.
- b) Nothing in this By-law shall apply to prevent the erection of a parking shelter for *use* solely by parking attendants or security personnel in any part of a *parking area* except within a *sight triangle*, provided that such parking shelter does not exceed 4.5 metres in *height* and 5.0 square metres in *gross floor area*.

4.1.3 Shipping Containers

- a) Shipping containers and *trailers* shall not be placed or used on any *lot* in a Residential or Service Employment (EMP2) *Zone* and shall only be located on a *lot* as an *accessory structure* used in conjunction with a permitted *agricultural use* or *transport terminal*.
- b) The placement of a *shipping container* on a lot is permitted in a *Commercial Zone*, subject to the following provisions:
 - i) The *shipping container* shall be located no closer to a *Residential Zone* boundary than what is required for the *principal building* from that same *Residential Zone* boundary;
 - ii) The *shipping container* is permitted to locate in a *rear or interior side yard*; and
 - iii) The *shipping container* shall be screened from view.

4.1.4 Unitary Equipment

Unitary equipment shall be subject to the following requirements:

- a) *Unitary equipment* is not permitted in the *front yard* unless *accessory buildings* are permitted in the *front yard* by this By-law

4.1.5 Waste Storage Areas

Accessory waste storage areas are permitted in all *zones*, provided that:

- a) Where such a standard applies, an *accessory building* or *structure* used mainly as a *waste storage area* shall not be included in the total permitted *lot coverage* for *accessory buildings* and/or *structures* on a *lot*: and,
- b) An *accessory building* containing a *waste storage area* shall be located:
 - i) In an *interior side yard* or *rear yard* only;
 - ii) No closer to any *lot line* than required for an *accessory building* or *structure* by this By-law;

- iii) No closer to any Residential *Zone* boundary than required for an *accessory building* in a non-Residential *Zone* by this By-law;
- iv) No closer to any Open Space or Environmental *Zone* boundary than required for an *accessory building* by this By-law;
- v) Outside of any required landscaped area or landscaped buffer; and,
- vi) Shall not occupy any required *parking spaces, loading spaces* access to *parking spaces* and *loading spaces* or *driveways*.

4.1.6 Recreational Structures

Outdoor swimming pools and hot tubs are permitted in accordance with Tables 4.1 and 4.2, except that no part of any *outdoor swimming pool* or hot tub shall be permitted within any *required yard*. For the purposes of this Section, setbacks shall be measured to the water's edge.

4.2 ADDITIONAL RESIDENTIAL UNITS

4.2.1.1 General Provisions

Where an *additional residential unit* is permitted by this By-law, the following provisions, in addition to those in Section 4.2.1.2 and 4.2.1.3, shall apply:

- a) An additional residential unit shall only be permitted on a lot containing a *single detached dwelling, semi-detached dwelling* or *street townhouse dwelling*.
- b) The addition of a new *driveway* to access an *additional residential unit* and which crosses the same *streetline* as an existing *driveway* on a *lot* is subject to Section 5.5.3.2.
- c) Where only one (1) *additional residential unit* is permitted, the *additional residential unit* shall only be permitted within the same *building* as the *primary dwelling unit* on the *lot*.
- d) Where two (2) *additional residential units* are permitted on a *lot*, such *additional residential units* may be located as follows:
 - i) One (1) *additional residential unit* within the same *building* as the *primary dwelling unit* on the *lot* and one (1) *additional residential unit* in a detached *accessory building* located on the same lot as the *primary dwelling unit*; or,

- ii) Two (2) *additional residential units* within the same *building* as the *primary dwelling unit* in which case, an *additional residential unit* in a detached *accessory building* shall not be permitted.

In no case, shall two (2) *additional residential units* be permitted in a detached *accessory building*.

- e) A *building* on a residential *lot* that is divided into a *primary dwelling unit* and an *additional residential unit(s)* shall not constitute any other type of *dwelling unit* otherwise defined in this By-law.
- f) A maximum of two (2) bedrooms shall be permitted in an *additional residential unit*.
- g) An *additional residential unit* shall only be permitted on a *lot* that satisfies Section 4.10 (Frontage on a Public Street) of this By-law.
- h) Where municipal services are available, both the *primary dwelling unit* and the *additional residential unit(s)* on the same *lot* shall be connected to municipal water and sewer services of adequate size.
- i) An *additional residential unit* shall not be permitted:
 - i) On lands within the Environmental Protection - Floodplain (EP-F) Overlay Zone or in a *floodplain* as identified by the Conservation Authority; and,
 - ii) On a *lot* containing *shared housing (small scale), garden suite, bed and breakfast establishment, farm vacation home, shared housing, supervised (small scale), shared housing, supervised (large scale)* or *farm employee accommodation*.
- j) Parking for an *additional residential unit(s)* shall be provided in accordance with the requirements of Section 5.6 (Residential Parking Requirements) of this By-law.
- k) Required off-street *parking spaces* may be arranged in tandem in conjunction with the required *parking spaces* for the *primary dwelling unit*.

- l) An *additional residential unit* in a detached *accessory building* is not permitted to have a basement or other habitable living space below grade.
- m) A clear path suitable for pedestrian use with a minimum width of 1.2 metres shall be provided from the *streetline* to the entrance of an *additional residential unit* that is contained within a detached *accessory building*.
- n) If an *additional residential unit* is within the Hamlet Residential One and Two (RESV1 and RESV2), Rural Residential (RESR), and Estate Residential (RESE) Zones:
 - i) The minimum *lot area* shall be 0.4 hectares;
 - ii) The *additional residential unit* shall be serviced by the same well serving the *primary dwelling unit* on the *lot*; and
 - iii) Notwithstanding Section 4.2.1.1 b), two (2) *additional residential units* are permitted within the same *building* as the *primary dwelling unit* on the *lot* or one (1) *additional residential unit* within the same *building* as the *primary dwelling unit* and one (1) *additional residential unit* within a detached *accessory building*. If located within an *accessory building*, no part of the *additional residential unit* shall be located further than 40 metres from the *principal building*.
- o) If an *additional residential unit* is within the Agricultural (A) and Rural (RU) Zones:
 - i) The minimum *lot area* shall be 0.4 hectares;
 - ii) The *additional residential unit* shall be serviced by the same well serving the *primary dwelling unit* on the *lot*;
 - iii) Notwithstanding Section 4.2.1.1 b), two (2) *additional residential units* are permitted within the same *building* as the *primary dwelling unit* on the *lot* or one (1) *additional residential unit* is permitted within the same *building* as the *primary dwelling unit* on the *lot* and one (1) *additional residential unit* within a detached *accessory building* provided the whole of the detached *accessory building* is located within 40 metres of the *building* containing the *primary dwelling unit*; and

- iv) If the *additional residential unit* is in a detached *accessory building* on the *lot* that was created after March 1, 2017, the provisions of Section 4.14 dealing with *minimum distance separation* apply.
- p) If an *additional residential unit* is within the Oak Ridges Moraine - Rural (ORM-RU) and Oak Ridges Moraine - Rural Settlement (ORM-RS) Zones:
 - i) The minimum *lot area* shall be 0.4 hectares;
 - ii) The *additional residential unit* shall be serviced by the same well serving the *primary dwelling unit* on the *lot*; and
 - iii) A total of one (1) *additional residential unit* is permitted and only within the same *building* as the *primary dwelling unit* on the *lot*.

4.2.1.2 Additional Residential Units Within the Same Building as the Primary Dwelling Unit on the Lot

Where an *additional residential unit(s)* is within the same *building* as the *primary dwelling unit*, the following additional provisions shall apply:

- a) The *additional residential unit(s)* shall be located entirely within the same *building* as the *primary dwelling unit*.
- b) A maximum of one entrance to the *principal building* shall be permitted along each *public street*.
- c) The maximum *gross floor area* of the *additional residential unit(s)* may not singularly or cumulatively exceed 50% of the *gross floor area* of the *primary dwelling unit*. Notwithstanding the above, if an *additional residential unit* is located in the basement, such *additional residential unit* may occupy the entire basement. In no case shall more than one (1) *additional residential unit* be located in a basement.
- d) Where direct access to the *additional residential unit* is provided from the *interior side yard*, the entrance to the *additional residential unit* is required to be a

minimum of 1.2 metres from the *interior side lot line* and no stairs accessing the *additional residential unit* are permitted within 1.2 metres from the *interior side lot line*.

4.2.1.3 Additional Residential Unit in a Detached Accessory Building in any Residential Zone

Where an *additional residential unit* is within a detached *accessory building* to a *primary dwelling unit* in any Residential Zone, the following additional provisions shall apply:

- a) The provisions in Section 4.1 (Accessory Buildings, Structures and Uses) apply except where modified by Sections 4.2.1.1 and 4.2.1.3.
- b) The maximum *gross floor area* of the *additional residential unit* within a detached *accessory building* shall not exceed 50% of the *gross floor area* of the *primary dwelling unit* but in no case can occupy more than 50% of the *rear yard* and have a *floor area* that is greater than 70 m².
- c) A *detached accessory building* containing an *additional residential unit* shall be setback no further than 40 metres from the *public street* that is relied upon for access.
- d) An *accessory building* containing an *additional residential unit* shall not exceed the *height* of the *principal building* or 5 metres, whichever is less.

4.2.1.4 Additional Residential Unit in a Detached Accessory Building in all other zones where permitted except in any Residential Zone

Where an *additional residential unit* is within a detached *accessory building* to a *primary dwelling unit* in any zone except in any Residential Zone, the following additional provisions shall apply:

- a) The provisions in Section 4.2 (Accessory Buildings, Structures and Uses) apply except where modified by Sections 4.2.1.1 and 4.2.1.4.

- b) The maximum *gross floor area* of the *additional residential unit* within a detached *accessory building* shall not exceed 50% of the *gross floor area* of the *primary dwelling unit* but in no case can be larger than 80 m².
- c) An *accessory building* containing an *additional residential unit* shall not exceed the *height* of the *principal building* or 5 metres, whichever is less.

4.2.2 Accessory Dwelling Units in Commercial Zones

Where an *accessory dwelling unit* is permitted in a Commercial Zone in this By-law:

- a) The maximum number of *accessory dwelling units* permitted on a *lot* shall be 1, except in the Downtown Commercial (COM3) Zone, where there is no maximum;
- b) The portion of floor area within the *first storey* of a *building* and within 12.0 metres of any *streetline* is used for commercial purposes.

Notwithstanding the above, entrances and lobbies associated with the *accessory dwelling* may be located in this area provided that no more than 30% of the wall facing the *streetline* is occupied by entrances or lobbies; and,

- c) No *dwelling unit* shall be located within a portion of a non-residential *building* that is used:
 - i) To house livestock;
 - ii) As part of a *bulk fuel storage* operation or any *premises* that has flammable fluids or hazardous materials stored in bulk for commercial purposes;
 - iii) For a *motor vehicle body shop*;
 - iv) For a *motor vehicle gasoline bar*;
 - v) For a *motor vehicle repair garage*;
 - vi) For a *motor vehicle sales and/or rental establishment*;
 - or,
 - vii) For a *motor vehicle service station*.

4.3 FARM EMPLOYEE ACCOMMODATION

Where *farm employee accommodation* is a permitted use:

- a) Any *lot* upon which *farm employee accommodation* is located shall be occupied as a residence by the operator of the business;
- b) Any *building* and any associated activity area used for the *farm employee accommodation* shall be located no further than 30.0 metres from a *single detached dwelling* or barn on the same *lot* and no closer than 15.0 metres from any *lot line*;
- c) *Buildings* or *structures* for *farm employee accommodation* shall only be located on a *lot* with a minimum *lot area* of least 40.0 hectares;
- d) The maximum *gross floor area* for *farm employee accommodation* shall be 80.0 square metres;
- e) The *driveway* accessing the *farm employee accommodation* shall be shared with the *driveway* that is utilized for the principal *use* on the *lot*; and,
- f) The *use* is clearly secondary and *accessory* to the principal *use* on the same *lot*.

4.4 COMMUNICATION DISHES

No *communication dish* shall have a diameter of greater than 1.3 metres and shall not be more than 1.3 metres wide at its widest point. In addition, all *communication dishes* shall be attached to the *main building* on the *lot*. Notwithstanding the above, there are no restrictions on the size or location of a *communication dish* in any *Employment Zone*, or *Countryside Zone*, except that they are not permitted in a required *yard*.

4.5 DECKS

4.5.1 Decks That Have a Height of Less Than 0.6 Metres

A *deck* that has an average floor *height* of less than 0.6 metre above the ground at the wall the deck is located against or attached to shall be permitted to encroach into the *required rear* and *interior side yards*, provided that:

- a) The *deck* is located no closer to the *interior* and *exterior side lot line* than the *interior* and *exterior side yard* requirement for the *main building*; and,

- b) The *deck* is located no closer than 1.0 metre from the *rear lot line*.

Notwithstanding the above provisions, stairs used to access a *deck* are permitted to encroach within 0.8 metres of any *lot line*.

4.5.2 Decks That Have a Height of 0.6 Metres or Greater

A *deck* that has a floor *height* of 0.6 metres or greater above the ground at the wall the deck is located against or attached to shall be permitted to encroach into the *required rear yard*, provided that:

- a) The *deck* shall be located no closer than 3.0 metres to the *rear lot line*;
- b) The *deck* shall be located no closer to the *interior side lot line* than the *interior side yard* requirement for the *main building*; and,
- c) The *deck* shall be located no closer to the *exterior side lot line* than the *exterior side yard* requirement for the *main building*.

Notwithstanding the above provisions, stairs used to access a *deck* are permitted to encroach within 0.8 metres of any *lot line*.

4.6 DWELLING UNITS BELOW GRADE

A *dwelling unit* may be permitted below *finished grade* provided that the finished floor level of the *dwelling unit* is not more than 1.2 metres below the highest *finished grade* level immediately adjacent to the *dwelling unit*.

4.7 DWELLING UNITS ON A LOT

Unless otherwise permitted in this By-law, no more than one *dwelling unit* shall be permitted on any *lot*.

4.8 ENCROACHMENT OF ARCHITECTURAL FEATURES

- a) Architectural features such as sills, belt courses, cornices, chimney breasts, pilasters, roof overhangs, window bays and balconies are permitted to encroach into any *required yard* a distance of no more than 0.6 metres, but in no case shall the architectural feature or *balcony* be located closer than 0.6 metres to any *lot line*.
- b) There is no restriction on the location of gutters, eavestroughs or rainwater collectors.

- c) If a window bay encroaches into a required interior or *rear yard* in accordance with Section 4.8(a), it shall be cantilevered over *grade* and extend no more than 1.0 metre into the required *yard* and be no more than 3.0 metres wide.
- d) If a window bay encroaches into the required *front* or *exterior side yard* in accordance with Section 4.8(a), the window bay is not required to be cantilevered and it can encroach into such *yard* a distance of 1.0 metre, provided it is no more than 3.0 metres wide. The width of the window bay can be increased to 4.0 metres if a *porch* does not abut the main wall of the *dwelling unit*.
- e) Stairs accessing a *basement* or cellar are not permitted to encroach into the required *front, exterior and interior side yards*.

4.9 ESTABLISHED BUILDING LINES

4.9.1 Reduced Front Yard

Notwithstanding any other provision of this By-law, where a vacant *lot* exists between two developed *lots*, with the *main building* on one or both of the developed *lots* having a *front yard* less than the *minimum required front yard* for the applicable *zone*, the *required front yard* of the vacant *lot* is permitted to be the average of the *front yards* of the two developed *lots*.

4.9.2 Increased Front Yard

Notwithstanding any other provision of this By-law, where a vacant *lot* exists between two developed *lots*, with the *main building* on both of the developed *lots* having a *front yard* greater than the *minimum required front yard* for the applicable *zone*, the *minimum required front yard* of the vacant *lot* shall be the average of the *front yards* of the two developed *lots*.

4.10 FRONTAGE ON A PUBLIC STREET

Unless otherwise specified by this By-law, no *person* shall *erect* any *building* or *structure* and no *person* shall *use* any *building* or *structure, lot* or parcel unless the *lot* or parcel to be so used, or upon which the *building* is situated or *erected* or proposed to be *erected*:

- a) Abuts or fronts on a *street* which is assumed by by-law by a *public authority* for maintenance purposes; or,

- b) Is being constructed pursuant to a Subdivision Agreement with a *public authority*; or,
- c) Fronts on a year round maintained *public street* that was not established as a consequence of Registering a Plan of Subdivision; or,
- d) Is a private *street* within a Plan of condominium that either provides direct access to a *public street* or which connects with other private *streets* within a Plan of Condominium or other Plans of Condominium to access a *public street* or original road allowance.

For the purposes of this By-law, the *front lot line* of a *lot* separated from a *public street* by a reserve or a Block of land owned by a *public authority* shall be deemed to abut such a *public street*.

4.11 HEIGHT EXCEPTIONS

The *height* requirements of this By-law shall not apply to:

- a) Any ornamental roof construction features including but not limited to domes, chimneys, towers, steeples, spires, belfries, cupolas or any architectural *structure* used to screen mechanical equipment;
- b) Any mechanical features, such as *structures* containing a mechanical penthouse or the equipment necessary to control an elevator provided that such equipment does not project more than 5.0 metres above the highest point of the roof and does not occupy greater than 50% of the area of the roof;
- c) A lightning rod;
- d) A weather vane or other weather monitoring device;
- e) A fire station drying tower;
- f) *Mineral aggregate resource operations*;
- g) *Buildings and structures* associated with a *public works yard*;
- h) Clock towers and monuments;
- i) Flagpoles and light standards;
- j) *Agricultural buildings and structures*; and,

- k) Towers used for telecommunications, electricity transmission lines or water storage tanks.

4.12 HOME INDUSTRY

Where a *home industry* is a permitted use:

- a) The maximum number of employees permitted to be engaged in the business and working in the *home industry*, in addition to the residents of the *dwelling unit*, shall be as follows:
 - i) On *lots* less than or equal to 0.6 hectares in area – 1 employee;
 - ii) On *lots* having an area of greater than 0.6 hectares and less than or equal to 1.7 hectares – 2 employees;
 - iii) On *lots* greater than 1.7 hectares in area – 3 employees; or,
 - iv) In all other *Zones* – 0 employees;
- b) Any *lot* upon which a *home industry* is located shall also be occupied as a residence by the operator of the business;
- c) A *home industry* shall be permitted within an *accessory building*. Any *accessory building* used for the *home industry* shall be located no further than 30.0 metres from the detached *dwelling* on the same *lot* and no closer than 30.0 metres from any *lot line*;
- d) A *home industry* shall only be located on a *lot* with a minimum *lot area* of least 4.0 hectares;
- e) The maximum *gross floor area* dedicated to the *home industry* shall not exceed 200.0 square metres;
- f) The *driveway* accessing the *home industry* shall be shared with the *driveway* that is utilized for the *principal use* on the *lot*;
- g) The *use* shall be clearly secondary and *accessory* to the *principal use* on the same *lot*;
- h) Only the sale of goods that are primarily manufactured, processed, fabricated or produced on the *premises* is permitted;
- i) *Outdoor storage* of goods or materials is permitted subject to Section 4.23 of this By-law, provided that the area occupied

by such *outdoor storage* does not exceed 50% of the *gross floor area* of the *home industry*;

- j) Only currently licensed *motor vehicles*, associated with the *home industry*, are parked or stored on the *lot* and within an *interior side* or *rear yard*;
- k) There is no external advertising other than a *sign erected* in accordance with the *Municipality's Sign By-law*;
- l) The following *uses* shall not be permitted as a *home industry*:
 - i) Construction/*landscaping* contractors *yards*; and,
 - ii) Any *use* involving the storage, repair, maintenance, painting and/or towing of *motor vehicles* or recreational vehicles; and,
- m) *Home industry uses* shall not include the generation of or storage of *hazardous waste*, *liquid industrial waste*, or any severely toxic contaminant listed in Schedule 3 contaminants of Ontario Regulation 347 of the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended, and shall not generate sewage effluent in excess of 4,500 litres per day.

No more than one home industry, home occupation or custom workshop shall be permitted on a lot, and in no case shall there be a home industry, home occupation and custom workshop in the same dwelling unit.

4.13 HOME OCCUPATION AND CUSTOM WORKSHOP

Where a home occupation or custom workshop is a permitted use:

- a) A *home occupation* or *custom workshop* shall be conducted as an indoor *accessory use* within a permitted *dwelling unit* or an *accessory building* or *structure* without changing the primary residential character thereof;
- b) The maximum number of employees that may be engaged in the business and working in the *dwelling unit* or an *accessory building* or *structure*, in addition to the residents of the *dwelling unit*, shall be as follows:
 - i) In the Low Density Residential One (RES1), Low Density Residential Two (RES2), Hamlet Residential One (RESV1), Hamlet Residential Two (RESV2), or Rural Residential (RESR) *Zone*, as well as any Countryside *Zone* or the Estate Residential (RESE)

- Zones on lots less than or equal to 0.6 hectares in area – 1 employee;*
- ii) In any Countryside *Zone* or the Estate Residential (RESE) *Zones on lots* having an area of greater than 0.6 hectares and less than or equal to 1.7 hectares – 2 employees;
 - iii) In any Countryside *Zone* or the Estate Residential (RESE) *Zones on lots* greater than 1.7 hectares in area – 3 employees; or,
 - iv) In all other *Zones* – 0 employees.
- c) Any *dwelling unit* containing a *home occupation* or *custom workshop* shall be occupied as a residence by the operator of the business;
 - d) The *home occupation* or *custom workshop* is not conducted in whole or in part in any *yard, driveway* or required *parking space*;
 - e) The maximum *gross floor area* dedicated to the *home occupation* or a *custom workshop* shall be in accordance with the maximums identified in Table 4.3, below:

Table 4.3: Maximum Floor Area for a Home Occupation or Custom Workshop

Zones	Maximum Gross Floor Area (GFA)	
	Conducted within the dwelling unit	Conducted within an accessory building
<ul style="list-style-type: none"> • RES1 • RES2 	25% GFA	10% of the <i>lot area</i>
<ul style="list-style-type: none"> • RESV1 • RESV2 • RESR • Any Countryside <i>Zone</i> and RESE on <i>lots</i> less than or equal to 0.6 hectares in area 	25% GFA	50.0 m ²
<ul style="list-style-type: none"> • Any Countryside <i>Zone</i> and RESE on <i>lots</i> having an area of greater than 0.6 hectares and less than or equal to 1.7 hectares 	25% GFA	100.0 m ²
<ul style="list-style-type: none"> • Any Countryside <i>Zone</i> and RESE on <i>lots</i> greater than 1.7 hectares in area 	25% GFA	140.0 m ²
<ul style="list-style-type: none"> • All other <i>Zones</i>, where permitted 	25% GFA	Not permitted

Note: *Floor area* in *basement* or *cellar* not to be included within calculation

- f) There are no goods, wares or merchandise offered or exposed for sale, or sold or kept for sale on the *premises* other than those produced on the *premises*;
- g) There is no *outside storage* of materials, goods or vehicles in conjunction with the *home occupation use*;
- h) There is no external advertising other than a *sign erected* in accordance with the *Municipality's Sign By-law*;
- i) There is no parking of *commercial motor vehicles* permitted, only one *commercial motor vehicle* trip shall be generated per day and no *commercial motor vehicle* shall visit the property between the hours of 8:00 pm and 8:00 am;
- j) A *custom workshop* shall not create noise, vibration, fumes, odour, dust, glare or radiation that is detectable outside of the *dwelling unit* or *accessory building* containing the *custom workshop*;
- k) The following *uses* shall not be permitted as a *home occupation* or *custom workshop*:
 - i) *Adult entertainment use*;
 - ii) *Animal clinic*;
 - iii) *Construction/landscaping contractor's yards*;
 - iv) *Dating/escort services*;
 - v) *Industrial use*;
 - vi) *Kenel*;
 - vii) *Medical office*;
 - viii) *Long term care home*;
 - ix) *Pet grooming or dog or other pet daycare*;
 - ix) *Place of amusement*;
 - x) *Restaurant*;
 - xi) *Retail store*;
 - xiii) *Taxi service depot/dispatch establishments*; and,
 - xiv) Any *use* involving the storage, repair, maintenance, painting and/or towing of *motor vehicles* or *recreational vehicles*.

No more than one home industry, home occupation or custom workshop shall be permitted on a lot, and in no case shall there be a home industry, home occupation and custom workshop in the same dwelling unit.

4.14 MINIMUM DISTANCE SEPARATION

Notwithstanding any other *yard* or *setback* provisions in this By-law to the contrary no residential, institutional, commercial, industrial or recreational *use* located on a separate *lot* and otherwise permitted by this By-law shall be *erected* or altered unless it complies with the *Minimum Distance Separation* (MDS I) Formula as developed by the Ontario Ministry of Agriculture and Rural Affairs, attached as Schedule 'D' to this By-law.

Notwithstanding any other *yard* or *setback* provision in this By-law to the contrary no *building* housing livestock or manure handling facility shall be *erected* or expanded unless it complies with the *Minimum Distance Separation* (MDS II) Formula as developed by the Ontario Ministry of Agriculture and Rural Affairs, attached as Schedule 'D' to this By-law.

4.15 MODEL HOMES

Model homes shall only be permitted on lands that have received Draft Plan of Subdivision Approval for residential purposes provided that:

- a) Not more than the lesser of 8 or 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as *model homes*;
- b) The *model home* is built within a *lot* defined by the draft approved Plan of Subdivision;
- c) The *model home* complies with all other requirements of this By-law; and,
- d) A *Model Home* Agreement is entered into with the *Municipality*.

4.16 MULTIPLE USES ON A LOT

- a) Where any *building*, *structure* or land is used for more than one purpose the said *building*, *structure* or land shall comply with the provisions of this By-law relating to each *use*. In the case of a conflict, the more stringent provision shall apply.
- b) Within any Countryside *Zone* or the Rural Residential (RESR), Estate Residential (RESE), Rural Commercial (COMR) or Rural Industrial (EMPR) *Zones*, a *building* shall be *set back* a minimum of 10.0 metres from any *dwelling unit* in a separate *building* on the same *lot*.

4.17 MULTIPLE ZONES ON ONE LOT

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

The *lot area* and *lot frontage* requirements of the most restrictive *zone* on the *lot* shall be applied to the entire *lot*.

This provision does not apply to lands that are subject to a Holding (H) Provision. This provision is also subject to Section 4.7 of this By-law.

4.18 NON-COMPLYING BUILDINGS AND STRUCTURES

4.18.1 Replacement, Enlargement, Repair or Renovation

A *non-complying building* or *structure* that does not comply with this By-law, but which was legally *erected*/altered in accordance with the by-laws in force at the time of construction and/or *alteration* is permitted to be replaced, enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) Does not further encroach into a required *yard*;
- b) Does not increase the amount of *floor area* or volume in a required *yard* by more than 10% of the portion of the *building* or *structure* located in the required *yard* as of the date of passing of this By-law;
- c) Does not in any other way increase a situation of non-compliance; and,
- d) Complies with all other applicable provisions of this By-law.

4.18.2 Reconstruction

Nothing in this By-law shall apply to prevent the reconstruction of any legally existing *building* or *structure* that is accidentally damaged or destroyed by causes beyond the control of the owner or where the owner has obtained a demolition permit from the *Municipality*. Such a *building* or *structure* is permitted to be reconstructed in accordance with the previously existing standards, even if such did not conform with one or more of the provisions of this By-law provided that a *building* permit for the reconstruction is obtained within 24 months of the damage being done and, where applicable, that the *building* or *structure* is improved to meet the appropriate *dry* or *wet floodproofing* standard of the Ganaraska Region Conservation Authority, but that the non-compliance may not be further increased.

4.18.3 Permitted Exterior Extension, Alteration and Reconstruction

On the exterior of a *building* or *structure*, the installation of eavestroughs, siding, brick or insulation whose sole purpose is to improve the exterior of a *building* or *structure* that was lawfully used for a purpose not permissible within the *zone* in which it is located prior to the effective date of this By-law shall be permitted provided that the *floor area* of the *building* or *structure* is not expanded in any way, except in conformity with this By-law.

4.18.4 Permitted Interior Alteration

The interior of any *building* or *structure* that was lawfully used for a purpose not permissible within the *zone* in which it is located prior to the effective date of this By-law, is permitted to be reconstructed or structurally altered, in order to render the *building* or *structure* more convenient for the existing purpose for which it was lawfully used.

4.18.5 Restoration to a Safe Condition

Nothing in this By-law shall prevent the repair, strengthening or restoration to a safe condition of any *building* or *structure* or part thereof that was lawfully used for a purpose not permissible within the *zone* in which it is located prior to the effective date of this By-law, or the *rebuilding* of such *building* or *structure* if it has been destroyed by means beyond the control of the owner, provided that the dimensions or *use* of the original *building* or *structure* or of any *yards* appurtenant thereto, are not altered in any way except in conformity with this By-law unless these changes are necessary to provide for flood proofing.

In cases where a *building* or *structure* or part thereof is found to be unsafe due to radioactive contaminated landfill or materials, this provision shall permit the correction of the condition.

4.18.6 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or *use*, for a purpose prohibited by this By-law, of any *building* or *structure* for which plans have, prior to the date of passing of this By-law, been approved by the Chief *Building* Official, so long as the *building* or *structure*, when *erected*, is used and continues to be used for the purpose for which it was *erected*.

4.18.7 Non-compliance as a Result of Acquisition by a Public Authority

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a *public authority*, such acquisition results in a contravention of this By-law relating to minimum *yards* and/or *setbacks*, *lot coverage* or maximum permitted *gross floor area* or *net floor area*, then the lands

so acquired shall be deemed to continue to form part of the *lot* upon which the *building* or *buildings* are located in determining compliance with this By-law.

4.18.8 Driveways and Required Parking Spaces

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a *public authority*, such acquisition results in a contravention of this By-law relating to the minimum required number of *parking spaces*, minimum size of *parking spaces*, minimum width of a *driveway*, location of *parking spaces* and/or *driveways* or minimum required *setbacks* and/or *yards* for *driveways* and/or *parking spaces*, then the lands so affected are deemed to comply with this By-law to the extent it complied with this By-law on the day before the expropriation was finalized.

4.18.9 Non-compliance as a Result of New Road Construction

Notwithstanding any other provision in this By-law, where as a result of the establishment of a new public road abutting a *lot* that would have been considered an *interior lot* prior to the establishment of the public road, such *lot* shall continue to be considered an *interior lot* for the purposes of determining compliance with this By-law.

4.19 NON-COMPLYING LOTS

4.19.1 Existing Lots

A *lot* in existence prior to the effective date of this By-law that does not meet the *lot area* and/or *lot frontage* requirements of the applicable *Zone*, is permitted to be used and *buildings* and *structures* thereon be *erected*, enlarged, repaired or renovated provided the *use* conforms with this By-law and the *buildings* or *structures* comply with all of the other provisions of this By-law.

4.19.2 Non-compliance as a Result of Acquisition by a Public Authority

Notwithstanding any other provision of this By-law to the contrary, where, as a result of the acquisition of part of a *lot* by a *public authority*, the *lot*, after the acquisition, is a *non-complying lot*, such *non-complying lot* may be used for any purpose permitted by this By-law within the *Zone* in which the *lot* is located, provided that:

- a) Such *lot* as reduced is accessible to vehicular traffic from a road either directly or via private access;
- b) No change is made to such *lot* or to any *building* or *structure* thereon, subsequent to the date of the said acquisition, that would increase the degree of any non-conformity resulting

from such acquisition or that would contravene any other provision hereof; and,

- c) This provision is not construed as mitigating or legalizing any non-conformity or contravention pertaining to such *lot* prior to the date of such acquisition.

4.19.3 Lot Subject to a Consent to Sever

Notwithstanding any other provision of this By-law to the contrary, where an existing *lot* has a lesser lot area and/or *lot frontage* than required by this By-law and is the subject of a consent to a land severance, an amendment to this By-law to recognize the further reduction in *lot area* and/or *lot frontage* will not be required, provided that all other applicable zone standards of this By-law are complied with.

4.19.4 Part of Lot 34, Broken Front Concession and Part of Lots 34 and 35, Concession 1

Sections 4.19.1, 4.19.2 and 4.19.3 above shall not apply to Part of Lot 34, Broken Front Concession and Part of Lots 34 and 35, Concession 1, as shown on Schedule 'C-1' to this By-law, with the exception of the following lots as shown on Registrars Compiled Plan No. 173:

- a) Provided they are combined and treated as one *lot*, each pair of Lots 49 and 50, Lots 161 and 162, Lots 175 and 176, Lots 275 and 276, Lots 286 and 287, and Lots 360 and 361; and,
- b) Lots 1, 2, 51, 52, 158, 163, 164, 165, 170, 172, 173, 205, 206, 207, 217, 236, 237, 238, 239, 241, 243, 277, 278, 283, 284, 285 and 288.

4.20 NON-CONFORMING USES

The provisions of this By-law shall not apply to prevent the *use* of any existing *lot*, *building* or *structure* for any purpose prohibited by this By-law if such existing *lot*, *building* or *structure* was lawfully used for such purpose, prior to the effective date of this By-law and provided that the *lot*, *building* or *structure* continues to be used for that purpose and is not altered in any way except in conformity with this By-law.

Notwithstanding the above, legal non-conforming uses in a Commercial Zone are permitted to expand by no more than 10% of the existing floor area.

4.21 OPENINGS

4.21.1 Facing a Lot Line

An *opening* for a door that provides access to the interior of a *main building* and/or an *accessory building* shall not be permitted in any portion of a wall facing a *lot line* that is located less than 1.2 metres from the same *lot line*.

4.21.2 External Stairs to a Basement Prohibited

An *opening* providing access for stairs from the outside of a *building* to a *basement* or *cellar* shall not be permitted in any *required yard*.

4.22 OUTDOOR DISPLAY AND SALES

Where an outdoor display and sales area is permitted as an accessory use:

- a) The *outdoor display and sales area* shall comply with the following *setbacks*:
 - i) Maximum distance between an *outdoor display and sales area* and *building* containing the principal use of the *lot* – 12.0 metres;
 - ii) Minimum required *interior side yard* for an *outdoor display and sales area* – 3.0 metres;
 - iii) *Minimum required rear yard* for an *outdoor display and sales area* – 3.0 metres;
 - iv) Minimum *set back* for an *outdoor display and sales area* from a Residential Zone boundary – 7.5 metres.
- b) The maximum permitted area for an *outdoor display and sales area* shall be 200% of the *floor area* of the *main building* on the same *lot*;
- c) The *outdoor display and sales area* must be located outside of any required *parking spaces*, loading areas and required *planting strips*;
- d) The *outdoor display and sales area* shall be established and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and comprised in whole or in part of one or more materials including asphalt, concrete, concrete or brick pavers, gravel or similar materials. and,

- e) *Motor vehicle dealerships* or the *accessory* sale of *motor vehicles* where permitted by this By-law, are not subject to the provisions of Sections 4.22(a), (b) and (c) of this By-law.

4.23 OUTDOOR STORAGE

4.23.1 General Provision

Where accessory outdoor storage is permitted in a zone:

- a) *Outdoor storage* shall be permitted only in a *rear* or *interior side yard* and shall not be located any closer than 18.0 metres to any *streetline*, including the Highway 401 *streetline*;
- b) The *height* of stored materials shall not exceed 4.5 metres;
- c) *Outdoor storage* shall be screened by opaque fencing with a minimum *height* of 2.75 metres;
- d) *Outdoor storage* is not permitted within any *yard* adjoining a residential *zone* boundary; and,
- e) The maximum permitted area for *outdoor storage* shall be the lesser of 30% of the *lot area* or twice the ground *floor area* of the *main building* on the *lot*.

4.23.2 Agricultural Uses

Outdoor storage of farm-related materials shall be permitted *accessory* to a *farm*. The provisions of Section 4.23.1 above shall not apply.

4.24 PATIOS

4.24.1 Restaurant Patios

Restaurant patios are permitted *accessory* to any *restaurant* provided that:

- a) A *restaurant* patio shall be permitted in any *yard* with no required *setback* to the applicable *lot line*, except that in a *rear yard* it shall be located no closer to the *rear lot line* than required for an *accessory building* by this By-law;
- b) Notwithstanding Subsection (a) above, a *restaurant* patio shall not be permitted within a *sight triangle* required by this By-law;

- c) Notwithstanding Subsection (a) above, a *restaurant* patio shall not be located within any *planting strip* required by Section 4.25 of this By-law;
- d) Notwithstanding Subsection (a) above, a *restaurant* patio shall be *setback* a minimum of 7.5 metres from any Residential Zone;
- e) The maximum *height* of a *restaurant* patio shall be 4.0 metres except if it is on a roof; and,
- f) A *restaurant* patio shall be screened by fencing with a minimum *height* of 1.0 metre.

4.24.2 Outdoor Rooftop Patios

Outdoor rooftop patios are permitted *accessory* to any *restaurant*, subject to the following provisions:

- a) *Outdoor rooftop patios* shall not extend beyond the roof of the *building*;
- b) Where an *abutting lot* is zoned for residential purposes or contains a *building(s)* with one or more *dwelling units*, a minimum 1.8 metre tall acoustical wall shall be erected along the portion of the perimeter of the *outdoor rooftop patio* that is generally parallel to the *rear lot line* and *side lot line*. For the purposes of this provision, an acoustical wall means a wall designed to effectively eliminate noise from the *outdoor rooftop patio* from reaching the *abutting lot* zoned for residential purposes containing a *building* with one or more *dwelling units*.
- c) The *maximum floor area* of all *outdoor rooftop patios* combined shall be 50 square metres per *building*.
- d) Any roofed area comprising part of an *outdoor rooftop patio* shall remain unenclosed and open to the air on at least two sides and shall not exceed 20% of the total *floor area* of the outdoor rooftop *patio*.
- e) The primary *ingress* and *egress* of an *outdoor rooftop patio* shall be from the interior of the *building*, and exterior stairs shall only be used for emergency and fire safety purposes as required by applicable law.

- f) *Outdoor rooftop patios* shall not contain electronic music/sound equipment, and shall not be used as a dance floor or for live music or other forms of entertainment.

4.25 PLANTING STRIPS

4.25.1 Location

- a) A 3.0 metre-wide *planting strip* abutting the full length of the *lot line* shall be required:
 - i) Where a *lot* in any Commercial or Employment *Zone* or in the Institutional Rural (IR) *Zone* abuts an *interior side* or *rear lot line* of a *lot* in any Residential *Zone*;
 - ii) Where a *lot* in the Medium Density Residential (RES3) *Zone* abuts a *lot* in a Low Density Residential One (RES1) or Low Density Residential Two (RES2) *Zones*;
 - iii) Where a *lot* in the High Density Residential (RES4) *Zone* abuts a *lot* in a Low Density Residential One (RES1), Low Density Residential Two (RES2) *Zone* or Medium Density Residential (RES3) *Zones*; and,
 - iv) Along a *streetline* between a *parking area* and a *street* where *parking areas* are located adjacent to a *street* in any *Zone* except the Downtown Commercial (COM3) *Zone*.
- b) A 4.5 metre wide *planting strip* abutting the full length of the *lot line* shall be required:
 - i) Along a *streetline* where a *lot* contains an *apartment building*.
- c) Where *parking areas* are connected to *parking areas* on adjacent *lots*, a *planting strip* is not required.
- d) Where there is an opaque wall or fence having a *height* of 1.5 metres or more, the width of the *planting strip* is permitted to be reduced to 1.8 metres in width.

4.25.2 Contents

Required *planting strips* shall contain one or more of the following screening devices:

- a) A continuous row of trees;
- b) A continuous hedgerow of evergreens, bushes or shrubs;
- c) A berm;
- d) A wall; or,
- e) A fence.

4.25.3 Design

Screening devices comprising a required *planting strip* shall:

- a) Be arranged so as to form a dense or opaque screen or barrier;
- b) Be designed to have an ultimate *height* of not less than 1.8 metre above the elevation of the ground at the nearest *lot line*, provided that they do not obstruct a *sight triangle*; and,
- c) Be uninterrupted except where traversed by pedestrian walkways or permitted *driveways*, in which case no such screening devices shall be required within 1.0 metre thereof.

4.25.4 Landscaped Open Space

A *planting strip* or buffer screen referred to in this Section is permitted to form a part of any *landscaped open space* required by this By-law and is also permitted to form part of a required *yard*.

4.26 PORCHES

4.26.1 Size of Porches

- a) The floor of any porch that is located between a main wall of a building and a streetline shall extend at least 1.5 metres towards the streetline from the main wall that abuts the porch. Windows, stairs, columns, piers and/or railings associated with the porch are permitted to encroach within this area. Notwithstanding the above, a portion of the porch is not required to extend 1.5 metres towards the streetline provided it extends no more than 0.8 metres along the main wall. The floor of any *porch* that is located between a *main wall* of a *building* and a *streetline* shall have a depth of at least 1.5 metres measured from the edge closest to the *streetline* to the main wall that abuts the *porch*. Windows,

stairs, columns, piers and/or railings associated with the *porch* are permitted to encroach within this area. Notwithstanding the above, a portion of the *porch* is not required to have a depth of 1.5 metres provided it extends no more than 0.8 metres along the main wall.

- b) The elevation of a *porch* shall be a maximum of 3.0 metres, with the elevation being measured from the floor of the *porch* to the underside of the rafters or ceiling of the porch.

4.26.2 Encroachments into Yards

- a) *Porches* and the stairs used to access a *porch* are permitted to encroach
 - i) Into the required *front yard* and *exterior side yard* a distance of 2.5 metres, provided that no part of the *porch* shall be located closer than 1.2 metres from the *front* or *exterior side lot line*;
 - ii) Into the required *rear yard* a distance of 2.5 metres; and,
 - iii) Into the required *interior side yard* a distance of 2.5 metres, provided that no part of the *porch* is located closer than 1.2 metres from the *interior side lot line*.
- b) Notwithstanding the above, where there is a legal non-complying *building* which already encroaches into the required *front yard* and/or *exterior side yard*, *porches* and stairs used to access a *porch* are permitted to encroach an additional 2.5 metres, provided that no part of the *porch* or the stairs used to access a *porch* is located closer than 1.2 metres from the *front* or *exterior side lot line*.
- c) In addition to a *porch*, an underground cold *cellar* is permitted to encroach into any required *yard*, provided the underground cold *cellar* is located entirely underneath the porch.
- d) Eaves and eavestroughs associated with a *porch* shall be permitted to encroach an additional 0.6 metres beyond what is permitted by this Section into any required yard. There is no restriction on the location of gutters.

4.27 PROHIBITED USES

4.27.1 All Zones

The following *uses*, activities and/or objects shall be prohibited in any *Zone*:

- a) The *use* of any tent, *trailer* or *motor vehicle* for human habitation, except where such tent, *trailer* or *motor vehicle* is located in a campground, in a *trailer* park or in a *mobile home park*;
- b) The *use* of any *accessory building or structure* or boathouse for human habitation;
- c) The *use* of a truck, bus, coach body or rail car for human habitation or for storage purposes;
- d) The storage of disused rail cars, streetcars, buses, truck bodies or *trailers* without wheels;
- e) The parking or storage of *trailers* or *commercial motor vehicles* on a vacant *lot*;
- f) The parking or storage of *trailers* or *commercial motor vehicles* on a vacant *lot* for the purposes of advertising;
- g) The *outdoor storage* of partially dismantled *motor vehicles* or *trailers* or *motor vehicle* or *trailer* parts unless otherwise permitted by this By-law;
- h) The parking or storage of a *shipping container* on a residential *lot*;
- i) *Noxious uses*;
- j) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar; and,
- k) The bulk storage of industrial chemicals, fuels and oils, hazardous waste or liquid industrial waste unless specifically permitted by as defined under Environmental Protection Act, R.S.O. 1990, c.E. 19, as amended.

4.27.2 Oak Ridges Moraine

In addition to Section 4.27.1 of this By-law, the following *uses* are prohibited in the Oak Ridges Moraine – Core (ORM-C), Oak Ridges Moraine – Environmental Protection (ORM-EP), Oak Ridges Moraine – Extractive Industrial (ORM-MX), Oak Ridges Moraine – Linkage (ORM-L), Oak Ridges Moraine – Rural (ORM-RU) and Oak Ridges Moraine – Village (ORM-V) *Zones*:

- a) Generation or storage of hazardous or liquid industrial waste;
- b) *Waste composting facility*;
- c) *Waste management facility*;
- d) *Waste transfer facility*;
- e) Organic soil conditioning facilities;
- f) Snow storage and disposal facilities;
- g) Bulk storage tanks that are not equipped with an approved secondary containment device; and,
- h) The *use*, creation, handling or storage of aflatoxin, tetrachlorodibenzo-p-dioxin, pentachlorodibenzo-p-dioxin, hexachlorodibenzo-p-dioxin, tetrachlorodibenzo furan or other contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

4.28 PUBLIC USES

4.28.1 Permitted Locations

- a) A *public use*, including a *community garden*, shall be permitted in all *zones* other than the:
 - i) Environmental Protection (EP) *Zone*;
 - ii) Oak Ridges Moraine – Core (ORM-C) *Zone*;
 - iii) Oak Ridges Moraine – Environmental Protection (ORM-EP) *Zone*;
 - iv) Oak Ridges Moraine – Extractive Industrial (ORM-MX) *Zone*;
 - v) Oak Ridges Moraine – Linkage (ORM-L) *Zone*;
 - vi) Oak Ridges Moraine – Rural (ORM-RU) *Zone*; and,
 - vii) Oak Ridges Moraine – Village (ORM-V) *Zone*.
- b) Nothing in this By-law shall prevent the *use* of any land, *building* or *structure* for *infrastructure* and as a *public street* nor prevent the installation of a utility including a water main, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, sewage pumping station, municipal well and related *structure*, water storage tower, water reservoir, telecommunications/communications *infrastructure* or other utility supply or communication line.

4.28.2 Regulations for Public Uses

Where a *public use* is permitted, the following provisions shall apply:

- a) Such *public use* shall comply with all applicable *zone* standards, parking and loading requirements of the *Zone* in which it is located;
- b) No *outdoor storage* shall be permitted unless such *outdoor storage* is specifically permitted in the *Zone* in which the *public use* is located;
- c) Notwithstanding subsection (a) above, *buildings* and *structures* which are used for the storage of road maintenance materials within a *public works yard* owned by a *public authority* shall be exempt from the *height* requirements of this By-law;
- d) Any *accessory uses* to a *public use* shall be clearly incidental and *accessory* to the principal use; and,
- e) Any above-ground, utility or *public use* which is located in a Residential *Zone* shall be located and maintained in general harmony with the residential *buildings* permitted in such *Zone*.

4.29 RAMPS AND BARRIER-FREE ACCESS

Nothing in this By-law shall prevent the location of a *barrier-free* entrance that conforms to the requirements of Section 3.8 (Barrier-Free Design) of the Ontario *Building Code* (Ontario Regulation 350/06) or its successor.

4.30 REDUCTION OF REQUIREMENTS

No *person* shall change the purpose for which any *lot* or *building* is used, erect or enlarge any *building* or *structure* or sever any lands from any existing *lot* if the effect of such action is to cause the original, adjoining, remaining or new *building*, *structure* or *lot* to be in contravention of this By-law.

4.31 SCHOOL PORTABLES

School portables are considered to be *main buildings* by this By-law.

4.32 SERVICES REQUIRED

4.32.1 Urban Area

No land, *building* or *structure* in the following *Zones* shall be used and no *building* or *structure* shall be *erected*, used or altered after the passage of this By-law unless the use is to be serviced by *municipal sewage services* and *municipal water services*:

- a) Low Density Residential One (RES1);
- b) Low Density Residential Two (RES2);
- c) Medium Density Residential (RES3);
- d) High Density Residential (RES4);
- e) Neighbourhood Commercial (COM1);
- f) General Commercial (COM2), but only for those lands within this *Zone* as shown on Schedule 'A' to this By-law;
- g) Downtown Commercial (COM3);
- h) General Employment (EMP1), but only for those lands within this *Zone* as shown on Schedule 'A' to this By-law;
- i) Service Employment (EMP2), but only for those lands within this *Zone* as shown on Schedule 'A' to this By-law; and,
- j) Institutional Urban (IU).

4.32.2 Hamlets and the Countryside Area

In all other *zones*, the establishment of any type of sewage disposal system, except a Class IV or VI system as defined by the *Building Code Act*, 1992, S.O. 1992, c.23, as amended, is not permitted on vacant *lots* that existed on the date this By-law comes into effect.

4.32.3 Other Dwelling Units in the Hamlet Areas

Notwithstanding Section 4.32.2 above an *apartment dwelling*, a multiple *dwelling* and a townhouse *dwelling* shall not be *erected*, used or altered in the Hamlet Residential Two (RESV2) *Zone* after the passage of this By-law unless the *use* is to be serviced by *municipal sewage services* and *municipal water services*.

4.33 SIGHT TRIANGLES

4.33.1 Application

Notwithstanding any other provision of this By-law, a *sight triangle* shall be required on a *corner lot* at an at-grade intersection of two or more *streets* that is measured according to the provisions set out in Table 4.4, below:

Table 4.4: Sight Triangle Dimensions (Distance from Lot Line to Point of Intersection)

		Subject lot has access onto a:		
		Local street	Existing Arterial, Existing Collector and Future Collector as shown on Schedules D and D1 to the Official Plan	County Road or Provincial Highway
Other right-of-way	Local road	3.0 metres	5.0 metres	9.0 metres
	Existing Arterial, Existing Collector and Future Collector as shown on Schedules D and D1 to the Official Plan	5.0 metres	7.0 metres	9.0 metres
	Arterial or Provincial Highway	9.0 metres	9.0 metres	9.0 metres

The provisions of this Section shall not apply to any *lot* located in the Downtown Commercial (COM3) *Zone* or where this By-law does not require any *front* or *exterior side yard*.

4.33.2 Prohibition of Obstructions

Within any part of a *sight triangle* as defined herein:

- a) No *building, structure, sign, wall* or fence shall be *erected*, located or placed, in whole or in part;
- b) No vehicle shall be parked or stored; and,
- c) Landscaping materials are permitted to be located or allowed to grow and any land raised, but in no case greater than 1.0 metre in height above the average elevation of the

site triangle, determined by averaging the elevations of the three corner points thereof, or being located in such a manner as to impede or obstruct in any way the field of view across such *site triangle* for persons driving vehicles on an abutting street.

4.33.2 Permitted Encroachments

Notwithstanding Section 4.33.2 a) above, architectural features such as sills, belts courses, cornices, parapets, pilasters or other similar ornamental *structures* shall be permitted to encroach into a *sight triangle* in accordance with Section 4.8 a) of this By-law.

4.34 SIGNS

The provisions of this By-law shall not apply to prevent the erection, alteration or use of any *sign* provided such *sign* complies with the By-laws of the *Municipality* and is *accessory* to the use of the land on which it is located.

4.35 SOLAR PANELS

4.35.1 General Provisions

a) *Solar panels* are permitted as set out in Table 4.5, below:

Table 4.5: Standards for Solar Panels

Land Use	Permitted Location	Maximum Height
<i>Single detached, semi-detached and townhouse dwellings</i> in the RES1, RES2, RES3 and RES4 Zones	Roof Ground mounted platform	Panels are permitted to extend a maximum of 1.0 metre perpendicular to a roof surface. It is classified as an <i>accessory structure</i> .
Residential, industrial and commercial <i>buildings</i> 12.0 metres in <i>height</i> or over.	Roof Ground mounted platform	Panels are permitted to extend a maximum of 5.0 metres beyond the highest point of the roof. It is classified as an <i>accessory structure</i> .
Residential, industrial and commercial <i>buildings</i> under 12.0 metres in <i>height</i> (not including <i>single-detached, semi-detached and townhouse dwellings</i> in the RES1, RES2, RES3 and RES4 Zones)	Roof Ground mounted platform	Panels are permitted to extend a maximum of 2.0 metres beyond the highest part of the roof. It is classified as an <i>accessory structure</i> .
Rural residential or <i>agricultural</i>	Roof Ground mounted platform	Panels are permitted to extend a maximum of 1.0 metre in <i>height</i> , measured perpendicular to a roof surface. It is classified as an <i>accessory structure</i> .

- b) Free-standing, ground mounted *solar panels* shall be included in the calculation of *lot coverage*. For the purposes of this By-law, such a *solar panels* is deemed to be an *accessory structure*.

4.35.2 Prohibited Zones

Notwithstanding Section 4.35.1 above, a *solar panel* shall not be permitted in the following *Zones*.

- a) Environmental Protection (EP) *Zone*;
- b) Open Space (OS) *Zone*; and,
- c) Environmental Protection – *Floodplain* (EP-F) *Zone*,

4.36 SPECIAL SETBACKS

4.36.1 County Roads and Provincial Highways and Railroads

Notwithstanding any other provision in this By-law, all *buildings* and *structures* shall be located no closer than:

- a) 59.0 metres from the *centreline* of Highway 401;
- b) 30.0 metres from the *centre-line* of any other Provincial Highway; and,
- c) 30.0 metres from the *centre-line* of a *County Road*.

4.36.2 Lake Ontario Shoreline

Notwithstanding any other provision in this By-law, all *buildings* and *structures* shall be set back a minimum of 30.0 metres inland from the 72.9 metre *G.S.C.* elevation.

4.36.3 TransCanada Pipeline

Notwithstanding any other provisions in this By-law, no permanent *building* or *structure* shall be located within 7.0 metres of the TransCanada pipeline right-of-way. *Accessory structures* shall have a minimum *setback* of at least 3.0 metres from the limit of the TransCanada right-of-way. No *building* or *structure* is permitted within 3.0 metres of the TransCanada right-of-way.

4.36.4 Trans-Northern Pipeline

Notwithstanding any other provision in this By-law, no permanent *building* or *structure* shall be located within 10.0 metres of the Trans-Northern pipeline right-of-way.

4.36.5 Railroads

Notwithstanding any other provision in this By-law, all *buildings* and *structures* containing a *dwelling unit*, a *place of worship*, a *child care centre* and/or a *private* or *public school* shall be located no closer than 30 metres from the right-of-way owned by a Federally regulated railway company.

4.37 THROUGH LOTS

Where a *lot*, which is not a *corner lot*, has *lot frontage* on more than one *street*:

- a) 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 *lot* is located; and,
- b) *Accessory buildings* and structures shall be permitted in the applicable *yard* having the greater depth in accordance with Section 4.1 of this By-law.

4.38 TRAVEL TRAILERS, RECREATIONAL VEHICLES AND CAMPERS

4.38.1 Outdoor Parking and Storage

The outdoor parking and storing of a *recreational vehicle*, truck camper, camper *trailer*, *trailer* and licensed off-road *recreational vehicle* shall be prohibited in all Residential and Countryside *Zones* except that a total of one *recreational vehicle*, truck camper, camper *trailer*, *trailer* or licensed off-road *recreational vehicle*, is permitted to be stored outdoors on the same *lot* where the owner of said *recreational vehicle* resides in a Residential *Zone*, provided that it meets the *setbacks* for an *accessory building* and where the required *parking spaces* for the use on the *lot* are satisfied, and only in the following *yards*:

- a) In the *rear* or *interior side yard*, provided that it meets the *setbacks* for an *accessory building* within the limits of the *lot*; and,
- b) In the *front yard*, provided that it meets the *minimum required front yard* standard for the applicable *zone*.

4.38.2 Use

- a) The *use of trailers, travel trailers, recreational vehicles*, truck campers, and camper *trailers* for commercial purposes or habitation shall be prohibited in all *Zones* except in areas where such *use* is expressly permitted by this By-law.
- b) No other form of *trailer* or *vehicle* shall be used for human habitation unless expressly permitted by this By-law.

4.39 USES OF LOTS WITHOUT BUILDINGS

Unless expressly permitted by this By-law, no permitted *use* in any Residential, Commercial or Employment *Zone* is permitted unless a *main building* is *erected* on the same *lot*.

PART 5 - PARKING AND LOADING PROVISIONS

5.1 APPLICABILITY OF THIS SECTION

- a) The parking and *loading space* requirements of this Part of the By-law shall not apply to any *use* in existence at the date of passing of this By-law so long as the *floor area*, as it existed at such date, is not increased.
- b) If an addition is made to the *building* that increases the *floor area*, additional parking and *loading spaces* shall be required to be provided for the additional *floor area* as required by the regulations of this By-law.
- c) If the *use* of lands or a *building* or part of a *building* is changed to a *use* that requires additional parking than what existed as of the date of passing of this By-law, additional parking and *loading spaces* shall be required in accordance with the regulations of this By-law.
- d) Notwithstanding any other provision of this By-law to the contrary, within the Downtown Commercial Zone, no additional parking or loading spaces shall be required for:
 - i) a change of use of any existing *building, structure* or part thereof; or,
 - ii) an addition to an existing building or structure which results in an increase in floor area, save and except if such addition creates additional *dwelling units*. Where additional *dwelling units* are created, the parking provisions of this By-law shall apply.

5.2 GENERAL PARKING PROVISIONS

5.2.1 Restriction on Use of Land, Buildings and Structures

No *person* shall *use* any land, *building* or *structure* in any *Zone* for any purpose permitted by this By-law, unless the minimum number of *parking spaces* required are provided in accordance with the provisions of this Part of the By-law.

5.2.2 Calculation of Parking Requirements

5.2.2.1 Rounding of Requirements

Where the minimum number of *parking spaces* is calculated on the basis of a rate or ratio, the required number of *parking spaces* shall be rounded to the next higher whole number where the calculated required number of *parking spaces* results in a fraction of a *parking space*.

5.2.2.2 More than One Use on a Lot

The parking requirements for more than one *use* on a single *lot* or for a *building* containing more than one *use*, shall be the sum total of the parking requirements for each of the component *uses*, unless otherwise noted.

5.2.2.3 Requirements Based on Capacity

Where the number of *parking spaces* required in accordance with this By-law is based upon the “capacity” of a *use*, such capacity shall be equal to the maximum capacity of any *building* or *structure* pertaining to such *use*, as determined by the Ontario *Building Code*, relevant fire safety regulations or, where applicable, the Liquor Licensing Board or Ontario or other public agency having jurisdiction, whichever capacity is less.

5.2.3 Dimensions of Parking Spaces

5.2.3.1 General Requirements

- a) Where *parking spaces* are provided in a surface *parking area*, or on a *driveway* each *parking space* shall have a width of not less than 2.7 metres and a length of not less than 5.5 metres.
- b) Where *parking spaces* are provided in an enclosed or underground *parking garage*, such *parking spaces* shall have a width of not less than 2.7 metres and a length of not less than 5.4 metres.
- c) Where required *parking spaces* are provided within a *private garage* accessory to a detached, semi-detached or townhouse *dwelling*, with such a *private garage* being a single car garage or a double car garage with a separating wall, each *parking space* shall have a width of not less than 2.9 metres and length of not less than 6.0 metres and a *height* clearance of not less than 2.1 metres. A minimum area of 2.9 metres wide by 5.3 metres long by 2.1 metres

high of this space shall be unobstructed by any component of any *structure*, including stairs.

- d) Where *parking spaces* are provided within a *private garage accessory* to a detached, semi-detached or townhouse *dwelling*, with such a *private garage* being a single car garage or a double car garage with no separating wall, each *parking space* shall have a width of not less than 2.75 metres and length of not less than 6.0 metres and a *height* of not less than 2.1 metres. A minimum area of 5.5 metres wide by 5.3 metres long by 2.1 metres high of this space shall be unobstructed by any component of any *structure*, including stairs.

5.2.3.2 Parallel Parking

Where principal access to a *parking space* is located on its longest side, such *parking space* shall have a minimum width of 2.75 metres and a minimum length of 6.9 metres.

5.2.3.3 Single Stacked Angled Parking

Where principal access to a *parking space* is located on its shortest side, and where *landscaped open space*, a *sidewalk* or a wall abuts the *parking spaces* along the opposite shorter side, and where the *parking space* is provided at any angle between ten and seventy degrees, measured between the edge of the pavement and the longer side of the *parking space*, such *parking space* shall have a minimum width of 2.75 metres and a minimum length of 6.4 metres.

5.2.3.4 Compact Car Parking

Notwithstanding any other provision of this Part of the By-Law to the contrary, where 10 or more *parking spaces* are required on a *lot*, the minimum rectangular dimensions required for not more than 10% of such *parking spaces* shall be a width of 2.5 metres and a length of 5.5 metres, provided that any such *parking space* is clearly identified as being reserved for the parking of small cars only.

5.2.4 Location of Required Parking

5.2.4.1 Same Lot as the Use

All *parking spaces* shall be located on the same *lot* as the *use* that requires the parking.

5.2.4.2 When Off-site Parking May be Permitted

Notwithstanding Section 5.2.4.1 above, required *parking spaces* for any *use* within the Downtown Commercial (COM3) *Zone* are permitted to be located on another *lot* within 300.0 metres of the *lot* on which parking would be required for a *use*, provided that:

- a) An agreement with the *Municipality* is registered against title of both such registered *lots* binding and requiring the owner(s) thereof to maintain such *parking spaces* for the duration of the *building, structure* or *use* for which they are required; and,
- b) The off-site parking is located on a *lot* held under the same ownership and is in the same *Zone* as the subject *lot*; or,
- c) The *principal use* is a permitted *use* on both *lots*; or,
- d) The *lot* on which the parking is being provided is located in a *zone* that permits a parking *lot*.

5.2.4.3 Yards where Parking Areas are Permitted

Outdoor *parking areas* shall be permitted in any part of any *yard*, except that no part of any *parking area* shall be located:

- a) Within a *sight triangle* in accordance with Section 4.32 of this By-law;
- b) In any required *front yard* or required exterior side *yard* in any Countryside, Open Space (OS) or Residential *Zone*;
- c) Closer to any *street* having a width of more than 10.0 metres than:
 - i) 1.0 metre in any Commercial, Institutional Urban (IU), Institutional Rural (IR), Open Space (OS) or Major Recreational (OSR) *Zone*; or,
 - ii) 2.0 metres in any Countryside, Rural Employment (EMPR4), Waste Disposal (EMPD), Power Generation (EMPG), Extractive Industrial (EMPX) or Institutional Rural (IR) *Zone*;
- d) Closer to any Residential *Zone* than:
 - i) The minimum required interior side and minimum required rear *yard* in an Industrial *Zone*;

- ii) 1.0 metre in any Commercial, Institutional Urban (IU), Institutional Rural (IR), Open Space (OS) or Major Recreational (OSR) Zone; or,
 - iii) 3.0 metres in any Countryside, Rural Employment (EMPR), Waste Disposal (EMPD), Power Generation (EMPG), Extractive Industrial (EMPX) or Institutional Rural (IR) Zone; and,
- e) Notwithstanding anything to the contrary, no parking, save and except for visitor parking, may be located in the *front yard* or *exterior side yard* in the Service Employment Zone provided that no part of any *parking area* other than a *driveway* is located closer than 0.9 metres to any street line.

5.2.5 Surface Treatment

All *parking spaces*, *loading spaces*, *queuing lanes* and *spaces*, *parking areas*, *parking lots* and all *driveways* and *aisles* providing, access thereto shall be established and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and comprised in whole or in part of one or more materials including asphalt, concrete, concrete or brick pavers, gravel or similar materials. The use of similar materials which provide for the infiltration of water into the ground is also permitted.

Notwithstanding the above, this requirement shall not apply in any Countryside Zone and the Open Space (OS) Zones.

5.2.6 Exclusive Use of a Parking Space

Any *parking space* shall be unobstructed and available for parking purposes and used exclusively for that purpose at all times, unless otherwise specified in this By-law.

5.2.7 Parking Required for Outdoor Patios

Parking spaces are not required for any *outdoor patio* that occupies less than 40% of the *net floor area* of the *restaurant* it serves. Where the *outdoor patio* occupies an area equal to or greater than 40% of the *net floor area* of the *restaurant* it serves, *parking spaces* shall be *required* at the required minimum requirement specified in Section 5.3 of this By-law for that portion of the *outdoor patio* greater than 40% of the *net floor area* of the *restaurant* it serves.

5.2.8 Access to Parking Areas and Parking Spaces

5.2.8.1 Double Parking

Each required *parking space* shall be accessible at all times for parking a vehicle without the necessity of moving any other vehicle, except that nothing in this By-law shall apply to prevent the parking of a vehicle in any part of a *driveway accessory to a single detached dwelling, semi-detached dwelling or street townhouse dwelling*.

5.2.8.2 Width of Parking Aisles

The minimum width of an aisle providing access to a *parking space* within a *parking area* shall be 3.5 metres, except as set out in Table 5.1, below in the case of angled off-street parking accessed by a one-way aisle.

Table 5.1: Width of Parking Aisles

Angle of Parking (Degrees)		Minimum Required Aisle Width (Metres)
Equal to	Less than	
0	45	3.5
45	56	4.3
56	70	6.5
70	90	6.7

5.2.8.3 Width of Access Ramps and Driveways in Non-Residential Zones

Access ramps and *driveways* accessing a *parking area* or parking *lot* shall be a minimum of 3.0 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic, and in no case shall be not more than 9.0 metres in width.

5.2.9 Cash-in-Lieu of Parking

Parking spaces required by Sections 5.3 and 5.6 of this By-law shall not be required if the *Municipality* has entered into an agreement with the landowner respecting the payment of cash-in-lieu of some or all of the parking required in accordance with Section 40 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

5.2.10 Unlicensed Motor Vehicles and Motor Vehicle Uses

- a) The parking of an unlicensed motor vehicle on a lot shall be permitted only as an accessory use to a motor vehicle sales and/or rental establishment, motor vehicle body shop or a motor vehicle repair garage located on the same lot; and,
- b) No part of any *lot* in a Residential *Zone* shall be used for the parking or storage outdoors of any vehicle, other than a recreational vehicle, where such vehicle does not bear a valid license plate and currently valid validation tag, except

for not more than 1 such vehicle in either an *interior side yard, private garage or carport*.

5.2.11 Parking Garages

Parking garages shall comply with the provisions for the *main building* in accordance with this By-law. No *setbacks* or *yards* shall be required for any portion of a parking garage if it is constructed completely below the *established grade*. This exemption shall also apply to ventilation shafts and housings, stairways and other similar facilities associated with below grade parking garages that extend from below *established grade*.

5.3 NON-RESIDENTIAL PARKING REQUIREMENTS

The number of *parking spaces* required for non-residential *uses* shall be calculated in accordance with the standards set out in Table 5.2, below:

Table 5.2: Non-Residential Parking Requirements

Use	Minimum <i>Parking Space</i> Requirement (<i>Net floor area unless otherwise specified</i>)
<i>Adult Entertainment Parlour</i>	1/5.8 m ² <i>net floor area</i>
<i>Adult Specialty Store</i>	1/20 m ² <i>net floor area</i>
<i>Adult Video Store</i>	1/20 m ² <i>net floor area</i>
<i>Animal Clinic</i>	1/16.9 m ² <i>net floor area</i>
<i>Arena</i>	1/3 fixed seats
<i>Art Gallery</i>	1/40 m ² <i>net floor area</i>
<i>Assembly Hall</i>	1/6 persons capacity
<i>Banquet Hall</i>	1/5.8 m ² <i>net floor area</i>
<i>Billiard Hall</i>	1/20 m ² <i>net floor area</i>
<i>Bowling Alley</i>	4/lane
<i>Professional Office</i>	1/30 m ² <i>net floor area</i>
<i>Commercial Fitness Centre</i>	1/20 m ² <i>net floor area</i>
Commercial Self-Storage Facilities	1/5 m ² <i>net floor area</i> for the <i>professional office</i> plus 1/100 m ² of the <i>building(s)</i> used for storage, except where the <i>driveway</i> access to the storage unit has a minimum width of 7.0 metres, in which case no additional parking shall be required
<i>Community Centre</i>	1/10 m ² <i>net floor area</i>
<i>Child care centre</i>	1.5/classroom plus 1/30 m ² <i>net floor area</i>
<i>Dry Cleaning Establishment</i>	1/12 m ² <i>net floor area</i>
<i>Financial Institution</i>	1/18 m ² <i>net floor area</i>
<i>Funeral Home</i>	Minimum 10 spaces, plus an additional 1/13 m ² <i>net floor area</i>
<i>Golf Course</i>	24 spaces/9 holes
<i>Golf Driving Range</i>	1.5/tee
Greenhouse, Commercial	1/20 m ² <i>net floor area</i>
<i>Hospital</i>	1/21 m ² <i>net floor area</i>
<i>Hotel</i>	1/room
<i>Industrial Use</i>	1/30 m ² for the first 1,000 m ² <i>net floor area</i> , plus 1/100 m ² <i>net floor area</i> for the <i>floor area</i> between 1,000.1 m ² and 5,000 m ² <i>net floor area</i> , plus 1/200 m ² <i>net floor area</i>

Use	Minimum Parking Space Requirement (Net floor area unless otherwise specified)
	for the <i>net floor area</i> in excess of 5,000.1 m ² <i>net floor area</i>
<i>Kenel</i>	1/16.5 m ² <i>net floor area</i>
<i>Library</i>	1/26.5 m ² <i>net floor area</i>
<i>Medical Office</i>	5 spaces OR 1/16.9 m ² <i>net floor area</i> , whichever is greater
<i>Miniature Golf Course</i>	1.25/tee
<i>Motel</i>	1.1/room
<i>Motor Vehicle Body Shop</i> <i>Motor Vehicle Repair Garage</i> <i>Motor Vehicle Service Station</i>	1/20m ² <i>net floor area</i> for the <i>professional office</i> , plus any spaces required for <i>accessory uses</i>
<i>Motor Vehicle Dealership</i>	1/20 m ² <i>net floor area</i> for the <i>motor vehicle sales and/or rental establishment</i> , plus any spaces required for <i>accessory uses</i> .
<i>Motor Vehicle Gas Bar</i>	1/20 m ² <i>net floor area</i>
<i>Motor Vehicle Rental Establishment</i> <i>Motor Vehicle Sales and/or Rental Establishment</i>	1/20 m ² <i>net floor area</i>
<i>Museum</i>	1/40 m ² <i>net floor area</i>
<i>Personal Service Shop</i>	1/20 m ² <i>net floor area</i>
<i>Place of Worship</i>	1/4 persons of worship area capacity OR 1/9 m ² <i>net floor area</i> of worship area capacity, whichever is greater
<i>Restaurant</i>	1/9.3 m ² <i>net floor area</i>
<i>Restaurant, Take-Out</i>	1/16.6 m ² <i>net floor area</i>
<i>Retail Store</i>	1/20 m ² <i>net floor area</i>
<i>School, Commercial</i>	1/20 m ² <i>net floor area</i>
<i>School, Private</i> <i>School, Public</i>	4/classroom
<i>Service Shop</i>	1/20 m ² <i>net floor area</i>
<i>Supermarket</i>	1/13.8 m ² <i>net floor area</i>
<i>Theatre</i>	1/4 seats
<i>Trade and Convention Centre</i>	1/20 m ² <i>net floor area</i> , plus any spaces required for any <i>accessory restaurant and/or banquet hall</i>
<i>Transport Terminal</i>	1/100 m ² <i>net floor area</i>
<i>Warehouse</i>	1/100 m ² <i>net floor area</i>
<i>Wayside Pit or Quarry</i>	Any spaces required for the <i>professional office</i>
Any other non-residential use not specified in this table	1/30 m ² <i>net floor area</i>

5.4 BARRIER-FREE PARKING SPACES

Barrier-free *parking spaces* shall be provided in accordance with Ontario Regulations 191/11 and 413/12 as amended.

5.5 GENERAL RESIDENTIAL PARKING PROVISIONS

5.5.1 Location of Parking

- a) The parking of *motor vehicles* associated with a residential use is only permitted within a parking garage, surface *parking area*, *private garage*, *carport* or on a *driveway* accessing an individual *dwelling unit*, a *private garage* or a *carport*.
- b) No vehicle shall be parked on an unsurfaced area of any *front* or *exterior side yard*.
- c) A *parking area* shall be set back 1.0 metre from a *streetline*.
- d) A *parking area* associated with an apartment or *multiple-unit building* shall be set back 7.5 metres from a *streetline*, 3.0 metres from an *interior side lot line* and 1.8 metres from the *building* on the same *lot*.

5.5.2 General Parking Provisions for Ground Oriented Residential Dwelling Units, Including Additional Residential Units

- a) Within a *front* or *exterior side yard*, *motor vehicle* parking is only permitted on a *driveway*.
- b) A *driveway* associated with a ground-oriented residential *dwelling* shall provide direct access to a *private garage*, *carport* or *parking space*.
- c) *Motor vehicles* shall not be parked parallel to the *streetline* on any *driveway* unless expressly permitted by this By-law.
- d) There shall be no *motor vehicle* parking between an outside wall of an attached *private garage* that faces an *exterior side lot line*, a *front lot line* or a *rear lot line*.
- e) Subject to the provisions for circular *driveways*, only one *driveway* is permitted per *lot*.
- f) Notwithstanding the above, a second driveway on a *lot* that crosses the *exterior lot line* may be permitted on a *corner lot* provided the driveway is located a minimum of 12 metres from the point of intersection of the front lot line and the *exterior side lot line*. In addition a second driveway accessing a *lot* in the Countryside Zone may be permitted provided the lot has a minimum *lot area* of 0.4 hectares.

5.5.3 Driveways in Residential Zones

5.5.3.1 Maximum and Minimum *Driveway* Width

- a) The minimum *driveway* width shall be 3.0 metres.
- b) The maximum *driveway* width shall be equal to the *garage door width* plus 1.5 metres or 6.1 metres, whichever is greater, provided a minimum of 40% of the area of the *front* or *exterior side yard* in which the *driveway* is located is the site of *soft landscaping*.
- c) Notwithstanding Section 5.5.3.1(b) above, the maximum width of a *driveway* at the *streetline* shall be 6.1 metres.
- d) When a *garage door* opening used for *motor vehicle* access faces an *interior side lot line*, the maximum *driveway* width in the *front yard* is 6.1 metres.

5.5.3.2 Entrances for Driveways

- a) *Driveways* used for providing access for the parking of *motor vehicles*, shall:
 - i) Not be located within a *sight triangle*, except that, where a *lot* is occupied by a *semi-detached dwelling unit*, the *driveway* shall be located along the *front lot line* or *exterior side lot line*, at the location furthest removed from the intersection; and,
 - ii) Comply with any applicable regulations of the *Municipality, County* or the Ministry of Transportation pertaining to entrances onto public roads.

5.5.3.3 Provisions for Circular Driveways (Two Driveways Crossing the Same Lot Line)

On lots that have a *lot frontage* of 22.0 metres or greater, a second *driveway* crossing the same *lot line* as the first *driveway* is permitted provided:

- a) The *principal building* is *setback* at least 15.0 metres from the *streetline*;
- b) The *driveways* are at least 7.0 metres apart, measured at the *streetline*;
- c) The second *driveway* allows a *motor vehicle* alternate access to a lot, and connects from the *streetline* to the main

driveway providing access to the *private garage, carport* or other *parking spaces*; and,

- d) No more than 50% of the area of the *front yard* and 30% of the width of the *lot frontage* is used for *driveway* purposes.

5.5.4 Parking of Commercial Motor Vehicles in Residential Zones

- a) The parking or storage of one *commercial vehicle* per *dwelling unit* on a *lot* is permitted in any Residential Zone, provided the *commercial vehicle* has a registered gross vehicle weight of 3,400 kilograms or less.
- b) Notwithstanding Section 5.5.4(a) above, a maximum of two *commercial vehicles* per *dwelling unit* on a *lot* is permitted in any Countryside Zone.
- c) If the *commercial motor vehicle* is a school bus, it is permitted to exceed a weight of 3,400 kilograms within the Countryside Zones, as well as any Commercial or Employment Zone, but shall not exceed the 5.0 metre wheelbase.

5.6 RESIDENTIAL PARKING REQUIREMENTS

The number of *parking spaces* required for residential *uses* shall be calculated in accordance with the standards set out in Table 5.5, below:

Table 5.5: Residential Parking Requirements

Use	Minimum Parking Space Requirement
<i>Additional Residential Unit</i>	1 space for the first <i>additional residential unit</i> on a <i>lot</i> subject to Section 4.2.1.1 j), with 0 spaces required for the second <i>additional residential unit</i> , where permitted
<i>Bed and Breakfast Establishment</i>	1/room or <i>suite</i> used for the purpose of lodging for the traveling public, in addition to the required parking for the <i>dwelling unit</i>
<i>Shared Housing (Small Scale) and Shared Housing (Large Scale)</i>	1 space for every two tenants
<i>Emergency Housing</i> <i>Shared housing, supervised (small scale)</i> <i>Shared housing, supervised (large scale)</i> <i>Treatment Centre</i>	0.25/beds
<i>Custom Workshop</i> <i>Home Industry</i> <i>Home Occupation</i>	1 space, but only if the <i>use</i> occupies a <i>gross floor area</i> of 15.0 m ² or greater.
<i>Dwelling, Accessory</i> <i>Garden Suite</i>	1/unit, in addition to the required parking for the <i>dwelling unit</i>
<i>Dwelling, Accessory in the Downtown Commercial (COM3) Zone</i>	1/unit
<i>Dwelling, Apartment</i>	1/unit, plus 0.25/unit dedicated for visitor parking <i>(Reduced to 0.75 space/unit with no visitor parking requirement in the COM3 Zone)</i>
<i>Dwelling, Multiple Unit</i>	1.5/unit, plus 0.25/unit dedicated for visitor parking <i>(Reduced to 0.75 space/unit with no visitor parking requirement in the COM3 Zone)</i>
<i>Dwelling, Semi-Detached</i> <i>Dwelling, Single Detached</i>	2/unit
<i>Dwelling, Street Townhouse</i>	2/unit
<i>Long Term Care Home</i>	0.5/bed
<i>Mobile Home</i>	1/unit
<i>Residential Hospice</i>	0.5 spaces per bed
<i>Retirement Home</i>	4 spaces, plus 0.5 <i>parking spaces</i> for each of the first 30 guest rooms, plus 0.25 <i>parking spaces</i> for each additional guest room

5.7 LOADING

Where a *loading space* is provided, it shall comply with the provisions of this Section.

5.7.1 Dimensions of Loading Spaces

Each *loading space* shall be a minimum of 3.7 metres wide, 9.0 metres long and have a minimum vertical clearance of 4.3 metres.

5.7.2 Location of Required Loading Spaces

Loading spaces shall:

- a) Be located on the same *lot* for the *use* or *building* for which it is required;
- b) Be located within 15.0 metres of the *use* or *building* for which it is required;
- c) Not be permitted in the *front yard* or *exterior side yard*, and shall not be located in any *required yard*;
- d) In a Residential *Zone*, be set back a minimum of 10.0 metres from any *streetline* and 3.0 metres from an *interior side* or *rear lot line*; and,
- e) In a Commercial, Institutional or Employment *Zone*, be set back a minimum of 10.0 metres from any *streetline* or residential *zone* boundary, but is permitted within this area if the *loading space* is located entirely within a *building* or *structure* on a floor above the *first storey* or below *established grade*.

5.7.3 Exclusive Use of a Loading Space

Any required *loading space* shall be unobstructed and available for loading purposes and used exclusively for that purpose at all times, unless otherwise specified in this By-law.

5.8 QUEUING LANES FOR DRIVE-THROUGH SERVICE FACILITIES

5.8.1 Queuing Lane Requirements

Where *drive-through service facilities* are permitted, *queuing lanes* are required and shall be exclusive of any other *parking space*, *loading space* and *aisle* requirements contained within this By-law and shall be provided in accordance with the provisions of this Part.

5.8.2 Ingress and Egress Space Requirements

The minimum queuing space requirements within a designated *queuing lane* shall be in accordance with the standards set out in Table 5.8, below:

Table 5.8: Queuing Lane Requirements

Use Associated with Drive-Through Service Facility	Minimum Required Ingress Queuing Spaces	Minimum Required Egress Queuing Spaces
<i>Financial Institution</i>	4	1
<i>Restaurant</i>	12	2
<i>Motor Vehicle Service Station</i>	3	n/a
<i>Motor Vehicle Washing Establishment</i>	10	2
<i>All Other Uses</i>	3	1

5.8.3 Location of Ingress and Egress Spaces

Required ingress spaces shall be located and calculated from the entrance of the stacking lane to the product pick-up window, if an order box is provided or the dispensing machine and required egress spaces shall be located after the service product pick-up window or dispensing machine. The vehicle space at the product pick-up window shall count towards the minimum egress spaces. Ingress and egress spaces shall not interfere with or restrict property access

5.8.4 Length of Queuing Lane

The length of the *queuing lane* associated with the *drive-through service facility* shall be the total number of required ingress spaces and egress spaces.

5.8.5 Multiple Queuing Lane Requirements

Where multiple *queuing lanes* are provided on a *lot*, the queuing space requirements shall be provided for each individual queuing lane in compliance with the provisions of Section 5.8 of this By-law.

5.8.6 Size of Queuing Space

All queuing spaces shall be rectangular in shape, with a minimum width of 3.0 metres and a minimum length of 7.0 metres.

5.8.7 Setbacks for Queuing Lanes

Queuing lanes and all order boxes using voice communication to order shall be located no closer than:

- a) 12.2 metres from any *streetline*; and,
- b) 30.0 metres from any Residential Zone.

5.8.8 Relation to Front and Exterior Side Lot lines

No *queuing lanes*, order boxes, and openings associated with a *drive through service facility* shall be located in the wall facing the *front* or *exterior side lot line* unless all of the components of a *drive through service facility* are located no closer than 12.2 metres from the *front* and *exterior side lot lines*.

5.8.9 Delineation of Queuing Lane Requirements

Queuing lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the *parking area* and loading area.

5.9 BICYCLE PARKING REQUIREMENTS

5.9.1 GENERAL PROVISIONS FOR BICYCLE PARKING

Where *bicycle parking spaces* are required by this By-law, the following provisions apply:

- a) Where a required *bicycle parking space* is located wholly within a *building* or *structure*, it shall be subject to the following requirements:
 - i) A required *bicycle parking space* shall have direct access from an interior communal area of a *building* or *structure*; and,
 - ii) The minimum width of an aisle providing unobstructed access to a *bicycle parking space* shall be 1.5 m.
- b) The minimum dimensions of a *bicycle parking space* are as follows:
 - i) Length 1.8 m;
 - ii) Width 0.6 m; and,
 - iii) Height 1.2 m.
- c) Notwithstanding the minimum dimensions noted in subsection b), where a *long term bicycle parking space* is located on a wall, the dimensions above may be oriented vertically.

5.9.2 MINIMUM NUMBER OF REQUIRED BICYCLE PARKING SPACES

- a) The minimum number of *bicycle parking spaces* required shall be calculated in accordance with the standards set out in Table 5.9.2 below.

Table 5.9.2: Bicycle Parking Requirements

Use	Bicycle Parking Standards	
	Long-term	Short-term
Any building on a lot containing more than 7 <i>dwelling units</i> , except for <i>detached, semi-detached</i> or <i>street townhouse dwellings</i>	1 space for every 4 <i>dwelling units</i>	The greater of 1 space for every 12 <i>dwelling units</i> or 6 spaces
<i>Professional Office</i>	1 space per 1,000m ² of <i>gross floor area</i>	The greater of 1 space per 1,000m ² of <i>gross floor area</i> or 6 spaces

PART 6 - RESIDENTIAL ZONES

6.1 LIST OF APPLICABLE ZONES

Low Density Residential One	RES1-1, RES1-2, RES1-3, RES1-4, RES1-5
Low Density Residential Two	RES2-1, RES2-2
Medium Density Residential	RES3
High Density Residential	RES4
Hamlet Residential One	RESV1
Hamlet Residential Two	RESV2
Rural Residential	RESR
Estate Residential	RESE

6.2 GENERAL PROHIBITION

No *person* shall, within any Residential *Zone*, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building* or *structure* for any *use* other than as permitted in Table 6.1 and in accordance with the standards contained in Tables 6.2, 6.3, 6.4, 6.5, 6.6 and 6.7, below, the General Provisions contained in Part 4 and the Parking and Loading Provisions contained in Part 5 of this By-law.

6.3 PERMITTED USES

Uses permitted in a *Zone* are denoted by the symbol 'X' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 6.1, below. Any number(s) following the symbol 'X', *zone* heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed at the end of the Permitted *Use* Table 6.1:

Table 6.1: Permitted Uses in the Residential Zones

USE	RES1	RES2	RES3	RES4	RESV1	RESV2	RESR	RESE
Two Additional Residential Units (6)	X	X	X	X	X	X	X	X
Dwelling, Single Detached	X	X	X		X	X	X	X (1)
Dwelling, Semi-Detached	X (2)	X	X					
Bed and Breakfast Establishment	X	X	X		X	X	X	
Custom Workshop (5)	X	X	X	X	X	X	X	X
Child care centre	X	X	X	X	X	X	X	
Dwelling, Apartment				X		X (3)		
Dwelling, Multiple-Unit			X	X		X (3)		
Dwelling, Street Townhouse			X	X		X (3)		
Home Occupation (5)	X	X	X	X	X	X	X	X
Home child care	X	X	X	X	X	X	X	
Residential Hospice	X	X	X	X	X	X	X	X
Retirement Home			X	X				
Shared housing, supervised (small scale)	X	X	X	X	X	X	X	X
Shared Housing (Small Scale)	X	X	X	X	X	X	X	X

SPECIAL PROVISIONS

1. Minimum *floor area* for a *single detached dwelling* – 140.0 square metres.
2. Subject to the standards for *semi-detached dwellings* in Table 6.3
3. Subject to Section 4.32 (Services Required) of this By-law.
5. Subject to Section 4.13 (*Home occupations* and *Custom workshops*) of this By-law.
6. Subject to Section 4.2.1 (*Additional Residential Units*)

6.4 ZONE STANDARDS

No *person* shall within any *Zone* use or permit the use of any *lot* or *erect, alter, use any building* or *structure* except in accordance with the following *zone* standards in Tables 6.2, 6.3, 6.4, 6.5, 6.6 and 6.7, below. Any number(s) following the *zone* standard, *zone* heading or description of the standard indicates an additional *Zone* requirement. These additional standards are listed at the end of Tables 6.2, 6.3, 6.4, 6.5, 6.6 and 6.7:

Table 6.2: Standards for the Low Density Residential One (RES1) Zone

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Exterior Side Yard	Minimum Required Interior Side Yard	Minimum Required Rear Yard	Maximum Height
RES1-1	700.0 m ²	18.0 m	7.5 m	7.5 m	1.2 m (1)	7.5 m	11.0 m
RES1-2	460.0 m ² (2)	15.0 m (3)	6.0 m	3.0 m (4)	1.2 m (5)	7.5 m	11.0 m
RES1-3	415.0 m ² (6)	13.7 m (7)	6.0 m	3.0 m (4)	1.2 m (5)	7.5 m	11.0 m
RES1-4	370.0 m ² (8)	12.0 m (9)	6.0 m	3.0 m (4)	1.2 m (5)	7.5 m	11.0 m
RES1-5	310.0 m ² (8)	12.0 m (9)	6.0 m	3.0 m (4)	1.2 m (5)	7.5 m	11.0 m

SPECIAL PROVISIONS

1. Shall be increased to 3.0 metres on one side only.
2. Minimum *lot area* for a *corner lot* – 505.0 square metres.
3. Minimum *lot frontage* for a *corner lot* – 16.5 metres.
4. *Minimum required exterior side yard* for a *private garage* or *carport* – 5.5 metres.
5. *Minimum required interior side yard* for a *private garage* or *carport* – 1.2 metres. Shall be increased to 3.0 metres on one side only on a *lot* where no attached *private garage* or *carport* is provided.
6. Minimum *lot area* for a *corner lot* – 465.0 square metres.
7. Minimum *lot frontage* for a *corner lot* – 15.2 metres.
8. Minimum *lot area* for a *corner lot* – 425.0 square metres.
9. Minimum *lot frontage* for a *corner lot* – 13.7 metres.
10. Minimum *lot area* for a *corner lot* – 390.0 square metres.
11. Minimum *lot frontage* for a *corner lot* – 11.7 metres.

Table 6.3: Standards for the Low Density Residential Two (RES2-1) Zone

<i>Building</i>	<i>Minimum Lot Area</i>	<i>Minimum Lot Frontage</i>	<i>Minimum Required Front Yard</i>	<i>Minimum Required Exterior Side Yard</i>	<i>Minimum Required Interior Side Yard</i>	<i>Minimum Required Rear Yard</i>	<i>Maximum Height</i>
<i>Single Detached Dwelling</i>	460.0 m ² (1)	15.0 m (2)	6.0 m	3.0 m (3)	1.2 m (4)	7.5 m	11.0 m
<i>Semi-Detached Dwelling</i>	350.0 m ² /unit	9.0 m/unit	6.0 m	6.0 m	1.2 m (5)	7.5 m	11.0 m

SPECIAL PROVISIONS

1. Minimum *lot area* for a *corner lot* – 505.0 square metres.
2. Minimum *lot frontage* for a *corner lot* – 16.5 metres.
3. *Minimum required exterior side yard* for a *private garage* or *carport* – 5.5 metres.
4. *Minimum required interior side yard* for a *private garage* or *carport* – 1.2 metres. Shall be increased to 3.0 metres on one side only on a *lot* where no attached *private garage* or *carport* is provided.
5. Minimum required *interior side yard* where a *lot* does not have an attached *private garage* or *carport on one side* – 3.7 metres. Shall be reduced to zero along the *interior side lot line* that is also the location of a common wall.

Table 6.4: Standards for the Low Density Residential Two (RES2-2) Zone

<i>Building</i>	<i>Minimum Lot Area</i>	<i>Minimum Lot Frontage</i>	<i>Minimum Required Front Yard</i>	<i>Minimum Required Exterior Side Yard</i>	<i>Minimum Required Interior Side Yard</i>	<i>Minimum Required Rear Yard</i>	<i>Maximum Height</i>
<i>Single Detached Dwelling</i>	270.0 m ² (1)	9.0 m (2)	6.0 m	3.0 m (3)	1.2 m (4)	7.5 m	11.0 m
<i>Semi-Detached Dwelling</i>	300.0 m ² /unit (5)	9.0 m/unit (2)	6.0 m	6.0 m	1.2 m (6)	7.5 m	11.0 m

SPECIAL PROVISIONS

1. Minimum *lot area* for a *corner lot* – 315.0 square metres.
2. Minimum *lot frontage* for a *corner lot* – 10.5 metres per *dwelling unit*.
3. *Minimum required exterior side yard* for a *private garage* or *carport* – 5.5 metres.
4. *Minimum required interior side yard* for a *private garage* or *carport* – 1.2 metres. Shall be increased to 3.0 metres on one side only on a *lot* where no attached *private garage* or *carport* is provided.
5. Minimum *lot area* for an end unit on a *corner lot* or an end unit abutting an – 350.0 square metres.
Minimum *lot area* on an *interior lot* with two *semi-detached dwelling units* – 600.0 square metres.
Minimum *lot area* on a *corner lot* with two *semi-detached dwelling units* – 650.0 square metres.
6. *Minimum required interior side yard* for an attached *private garage* or *carport* – 1.2 metre.
Minimum required interior side yard where a *lot* does not have an attached *private garage* or *carport on one side* – 3.0 metres.
Shall be reduced to zero along the *interior side lot line* that is also the location of a common wall.

Table 6.5: Standards for the Medium Density Residential (RES3) Zone

<i>Building</i>	<i>Minimum Lot Area</i>	<i>Minimum Lot Frontage</i>	<i>Minimum Required Front Yard</i>	<i>Minimum Required Exterior Side Yard</i>	<i>Minimum Required Interior Side Yard</i>	<i>Minimum Required Rear Yard</i>	<i>Maximum Height</i>
<i>Single Detached Dwelling</i>	270.0 m ² (1)	9.0 m (2)	6.0 m	3.0 m (3)	1.2 m (4)	7.5 m	11.0 m
<i>Semi-Detached Dwelling</i>	300.0 m ² /unit (5)	9.0 m/unit (6)	6.0 m	6.0 m	1.2 m (7)	7.5 m	11.0 m
<i>Triplex Dwelling</i>	550.0 m ² (12)	18.0 m (13)	6.0 m	3.0 m (10)	2.0 m (14)	7.5 m	11.0 m
<i>Multiple-Unit Dwelling</i>	4,000.0 m ²	50.0 m	7.5 m	7.5 m	6.0 m (16)	6.0 m (17)	11.0 m
<i>Street townhouse Dwelling</i>	180.0 m ² /unit (18)	6.0 m/unit (19)	6.0 m	3.0 m	2.0 m (20)	7.5 m	11.0 m

SPECIAL PROVISIONS

1. Minimum *lot area* for a *corner lot* – 315.0 square metres.
2. Minimum *lot frontage* for a *corner lot* – 10.5 metres per *dwelling unit*.
3. *Minimum required exterior side yard* for a *private garage* or *carport* – 5.5 metres.
4. *Minimum required interior side yard* for a *private garage* or *carport* – 1.2 metres. Shall be increased to 3.0 metres on one side only on a *lot* where no attached *private garage* or *carport* is provided.
5. Minimum *lot area* for an end unit on a *corner lot* – 350.0 square metres.
Minimum *lot area* on an *interior lot* with two *semi-detached dwelling units* – 600.0 square metres.
Minimum *lot area* on a *corner lot* with two *semi-detached dwelling units* – 650.0 square metres.
6. Minimum *lot frontage* for an end unit on a *corner lot* – 10.5 metres.
Minimum *lot frontage* for an *interior lot* with two *semi-detached dwelling units* – 18.0 metres.
Minimum *lot frontage* for a *corner lot* with two *semi-detached dwelling units* – 19.5 metres.
7. *Minimum required interior side yard* for an attached *private garage* or *carport* – 1.2 metre.
Minimum required interior side yard where a *lot* does not have an attached *private garage* or *carport on one side* – 3.0 metres.
Shall be reduced to zero along the *interior side lot line* that is also the location of a common wall.
8. *Minimum required exterior side yard* for an attached *private garage* or *carport* – 5.5 metres.
9. Minimum *lot area* for a *corner lot* – 600.0 square metres.
10. Minimum *lot frontage* for a *corner lot* – 19.0 metres.
11. *Minimum required interior side yard* where a *lot* does not have an attached *private garage* or *carport on one side* – 3.0 metres.
12. *Minimum required interior side yard* abutting a *street townhouse dwelling* – 3.0 metres;
Minimum required interior side yard abutting a *single detached dwelling* or *semi-detached dwelling* – 7.5 metres.
13. *Minimum required interior side yard* abutting a *street* or a *single detached dwelling* or *semi-detached dwelling* – 7.5 metres.
14. Minimum *lot area* for an end unit on an *interior lot* – 240.0 square metres;
Minimum *lot area* for a *corner lot* – 270.0 square metres;
Minimum required amenity area on a *lot* – 36.0 square metres.
15. Minimum *lot frontage* for an end unit on an *interior lot* – 8.0 metres;
Minimum *lot frontage* for a *corner lot* – 9.0 metres.
16. Required on one side of an end unit only.

Table 6.6: Standards for the High Density Residential (RES4) Zone

<i>Building</i>	<i>Minimum Lot Area</i>	<i>Minimum Lot Frontage</i>	<i>Minimum Required Front Yard</i>	<i>Minimum Required Exterior Side Yard</i>	<i>Minimum Required Interior Side Yard</i>	<i>Minimum Required Rear Yard</i>	<i>Maximum Height</i>
<i>Apartment Dwelling</i>	1.0 ha	60.0 m	7.5 m (1)	7.5 m (1)	7.5 m (1)	7.5 m (1)	n/a
<i>Multiple-Unit Dwelling</i>	4,000.0 m ²	50.0 m	7.5 m	7.5 m	6.0 m (2)	6.0 m (3)	11.0 m
<i>Street Townhouse Dwelling</i>	180.0 m ² /unit (4)	6.0 m/unit (5)	6.0 m	3.0 m	2.0 m (6)	7.5 m	11.0 m
<i>Long term Care Home and Retirement Home</i>	n/a	n/a	6.0 m	6.0 m	7.5 m	7.5 m	11.0 m

SPECIAL PROVISIONS

1. Plus an additional 1.0 metre for every 3.0 metres or part thereof by which the *apartment building* exceeds a *height* of 15.0 metres.
2. *Minimum required interior side yard* abutting a *street townhouse dwelling* – 3.0 metres;
Minimum required interior side yard abutting a *single detached dwelling* or *semi-detached dwelling* – 7.5 metres.
3. *Minimum required interior side yard* abutting a *street* or a *single detached dwelling* or *semi-detached dwelling* – 7.5 metres.
4. *Minimum lot area* for an end unit on an *interior lot* – 240.0 square metres;
Minimum lot area for a *corner lot* – 270.0 square metres;
Minimum required amenity area on a *lot* – 36.0 square metres.
5. *Minimum lot frontage* for an end unit on an *interior lot* – 8.0 metres;
Minimum lot frontage for a *corner lot* – 9.0 metres.
6. Required on one side only.

Table 6.7 – Standards for Ward 2 Residential Zones

<i>Zone</i>	<i>Minimum Lot Area</i>	<i>Minimum Lot Frontage</i>	<i>Minimum Required Front Yard</i>	<i>Minimum Required Exterior Side Yard</i>	<i>Minimum Required Interior Side Yard</i>	<i>Minimum Required Rear Yard</i>	<i>Maximum Lot Coverage</i>	<i>Minimum Landscaped Open Space</i>	<i>Maximum Height</i>
RESV1	2,800.0 m ²	30.0 m	10.0 m	10.0 m	3.0 m	10.0 m	30%	30%	11.0 m
RESV2	8,000.0 m ²	30.0 m	12.0 m	12.0 m	3.0 m	12.0 m	30%	30%	11.0 m
RESR	4,000.0 m ²	45.0 m	15.0 m	15.0 m	6.0 m	15.0 m	30%	30%	11.0 m
RESE	6,000.0 m ²	45.0 m	15.0 m	15.0 m	6.0 m	15.0 m	30%	30%	11.0 m

PART 7 - COMMERCIAL ZONES

7.1 LIST OF APPLICABLE ZONES

Neighbourhood Commercial	COM1
General Commercial	COM2
Downtown Commercial	COM3
Rural Commercial	COMR
Hamlet Commercial	COMV

7.2 GENERAL PROHIBITION

No *person* shall, within any *Commercial Zone*, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building* or *structure* for any *use* other than as permitted in Table 7.1, in accordance with the standards contained in Table 7.2, the General Provisions contained in Part 4 and the Parking and Loading provisions contained in Part 5 of this By-law.

7.3 PERMITTED USES

Uses permitted in a *Commercial Zone* are denoted by the symbol 'X' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 7.1, below. Any number(s) following the symbol 'X', *zone* heading, or identified permitted *use* indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed at the end of the Permitted *Use* Table:

Table 7.1: Permitted Uses

USE	COM1	COM2	COM3	COMR	COMV
<i>Animal Clinic</i>		X		X	X
<i>Apartment dwelling</i>			X		
<i>Art Gallery</i>			X		X
<i>Assembly Hall</i>		X	X		X
<i>Auctioneer's Establishment</i>			X	X	
<i>Billiard Hall</i>	X	X	X	X	
<i>Building Supply Outlet</i>		X		X	
<i>Professional Office</i>	X	X	X	X	X
<i>Camping Establishment</i>				X	
<i>Commercial Fitness Centre</i>	X	X	X		X
<i>Country Inn</i>			X		X
<i>Child care centre</i>		X	X		X
<i>Dog and other pet daycare</i>	X	X	X	X	X
<i>Drive-through Service Facility (1)</i>		X		X	
<i>Dry Cleaners Distribution Station</i>	X	X	X		X
<i>Dwelling, Accessory (2)</i>	X	X	X	X	X
<i>Emergency Service Facility</i>	X	X	X	X	X
<i>Farm Implement Dealer</i>		X		X	

USE	COM1	COM2	COM3	COMR	COMV
Financial Institution		X	X		X
Food truck	X	X	X	X	X
Funeral Home		X	X		
Greenhouse, Commercial		X		X	
Hotel		X	X		X
Laundry Establishment		X	X		
Library			X		X
Medical Office	X	X	X		X
Micro-brewery		X	X		
Micro-distillery		X	X		
Miniature Golf Course		X			
Motel		X			X
Motor Vehicle Dealership		X		X (4)	
Motor Vehicle Body Shop		X	X (4)	X (4)	X (4)
Motor Vehicle Gasoline Bar		X	X (4)	X (4)	X (4)
Motor Vehicle Repair Garage		X	X (4)	X (4)	X (4)
Motor Vehicle Service Station		X	X (4)	X (4)	X (4)
Motor Vehicle Washing Establishment		X			
Multiple unit dwelling			X		
Museum			X		X
Nursery				X	
Outside Display and Sales Area, Accessory (3)		X	X	X	X
Parking Lot, Commercial			X		
Personal Service Shop	X	X	X	X	X
Pet Grooming	X	X	X	X	X
Place of Amusement		X	X		X
Place of Entertainment		X	X		X
Place of Worship			X		
Printing or Publishing Establishment	X		X		X
Private Club		X	X	X	
Recreational Trailer, Vehicle or Boat Sales Establishment		X		X	
Resort Establishment				X	
Restaurant	X	X	X	X	X
Restaurant, Take-Out	X	X	X	X	X
Retail Store	X	X	X	X	X
School, Commercial		X	X		X
Service Shop		X	X		X
Specialty Food Store	X	X	X		X
Studio		X	X		X
Supermarket		X			
Taxi Service Depot/Dispatch Establishment		X	X		X
Theatre		X	X		X
Trade and Convention Centre			X		
Transit Station		X	X		X

SPECIAL PROVISIONS

1. Maximum number of *drive-through service facilities* permitted on a *lot* – 2.
2. Subject to Section 4.2.2 (*Accessory dwellings in Commercial Zones*)
3. Subject to Section to 4.22 (*Outdoor Display and Sales*) of this By-law.
4. Only legally existing *uses* and related *floor area* as of the date of the passing of this By-law.

7.4 ZONE STANDARDS

No *person* shall within any Commercial Zone use or permit the use of any *lot* or *erect, alter* or use any *building* or *structure* except in accordance with the zone standards in Table 7.2, below. Any number(s) following the zone standard, zone heading or description of the standard indicates an additional Zone requirement. These additional standards are listed at the end of Table 7.2:

Table 7.2: Zone Standards in the Commercial Zones

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Exterior Side Yard	Minimum Required Interior Side Yard	Minimum Required Rear Yard	Maximum Height
COM1	Twice the <i>net floor area</i>	n/a	6.0 m	7.5 m	6.0 m	6.0 m	11.0 m
COM2	3,700.0 m ²	60.0 m	3.0 m	7.5 m (1)	0.0 m (1)	0.0 m (1)	11.0 m
COM3	n/a	30.0 m	n/a	n/a	(2)	n/a	14.0 m (3)
COMR	6,000.0 m ²	30.0 m	15.0 m	15.0 m	12.0 m	15.0 m	10.0 m
COMV	3,000.0 m ²	30.0 m	10.0 m	10.0 m	10.0 m	10.0 m	10.0 m

SPECIAL PROVISIONS

1. *Minimum required yard* abutting a Residential Zone – 9.0 metres.
2. *Minimum required interior side yard* for that portion of a mixed use building that contains *dwelling units* which have *openings* to *habitable rooms* facing the *interior side lot line* – 4.5 metres.
3. *Minimum building height* – 7.5 metres.

PART 8 - EMPLOYMENT ZONES

8.1 LIST OF APPLICABLE ZONES

General Employment	EMP1
Service Employment	EMP2
Rural Employment	EMPR
Extractive	EMPX
Power Generation	EMPG
Waste Management	EMPW

8.2 GENERAL PROHIBITION

No *person* shall, within any *Employment Zone*, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building* or *structure* for any *use* other than as permitted in Table 8.1 and in accordance with the standards contained in Table 8.2, the General Provisions contained in Part 4 and the Parking and Loading Provisions contained in Part 5 of this By-law.

8.3 PERMITTED USES

Uses permitted in an *Employment Zone* are denoted by the symbol 'X' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 8.1, below. Any number(s) following the symbol 'X', *zone* heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed at the end of the Permitted *Use* Table 8.1:

Table 8.1: Permitted Uses in the Employment Zones

USE	EMP1	EMP2	EMPR	EMPX	EMPG	EMPW
<i>Abattoir</i>			X			
<i>Agricultural Support Use</i>			X			
<i>Agricultural Warehouse</i>						
<i>Animal Clinic</i>			X			
<i>Animal Shelter</i>	X		X			
<i>Assembly Hall</i>		X	X			
<i>Banquet Hall</i>	X	X				
<i>Building Supply Outlet</i>	X		X			
<i>Professional Office</i>	X	X	X			
<i>Commercial Fitness Centre</i>	X	X				
<i>Conservation Use</i>				X		
<i>Contractor's Supply Establishment</i>	X	X				
<i>Contractor's Yard</i>	X		X			
<i>Data Processing Use</i>	X	X				
<i>Dog and other pet daycare</i>		X				
<i>Drive-Through Service Facility</i>		X				

USE	EMP1	EMP2	EMPR	EMPX	EMPG	EMPW
Dry Cleaner's Distribution Station		X				
Dry Cleaning Establishment	X	X				
Dry Industrial Use	X	X	X		X	
Emergency Service Facility	X	X	X		X	
Equipment Sales and Rental Establishment	X		X			
Farm			X	X	X	X
Farm Implement Dealer	X	X	X			
Financial Institution		X				
Food Truck	X	X	X			
Funeral Home		X				
Hotel		X				
Industrial Use	X	X				
Laboratory		X				
Landscaping Operation	X		X			
Laundry Establishment	X	X				
Micro-brewery	X	X				
Micro-distillery	X	X				
Mineral Aggregate Resource Operation				X		
Motel		X				
Motor Vehicle Body Shop	X		X			
Outdoor Display and Sales Area, Accessory (4)	X	X	X			
Outdoor Storage, Accessory (5)	X	X	X	X	X	
Personal Service Shop		X (3)				
Pet Grooming		X				
Power Generation Facility					X	
Place of Entertainment		X				
Printing and Publishing Establishment	X	X	X			
Private Club		X				
Public Works Yard	X		X			
Research and Development		X				
Restaurant		X				
Retail Store, Accessory	X (1)	X (1)	X (1)			
Salvage Yard	X (2)		X			
Saw and/or Planing Mill			X			
School, Commercial	X	X (3)				
School, Private		X (3)				
Service Shop	X	X (3)				
Studio	X					
Taxi Service Depot/ Dispatch Establishment	X		X			
Warehouse	X	X	X			
Waste Composting Facility						X
Waste Management Facility						X
Waste Recycling Facility					X	X
Waste Transfer Facility						X

SPECIAL PROVISIONS

1. Maximum permitted *net floor area* – The greater of 10% of the *net floor area* of the principal use or 75.0 square metres.

2. Only legally existing *uses* as of the date of passing of this By-law, are permitted.
3. Provided the *use* occupies no more than 20% of the *net floor area* of a the building in which it is located if such *building* is divided into multiple independent employment uses
4. Subject to Section 4.22 (*Outdoor Display and Sales*) of this By-law.
5. Subject to Section 4.23 (*Outdoor Storage*) of this By-law.

8.4 ZONE STANDARDS

No *person* shall within any Employment *Zone* use or permit the *use* of any *lot* or *erect, alter, use* any *building* or *structure* except in accordance with the *zone* standards in Table 8.2, below. Any number(s) following the *zone* standard, *zone* heading or description of the standard indicates an additional *Zone* requirement. These additional standards are listed at the end of Table 8.2.

Table 8.2: Zone Standards in the Employment Zones

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Exterior Side Yard	Minimum Required Interior Side Yard	Minimum Required Rear Yard	Maximum Lot Coverage	Maximum Height
EMP1 <i>Municipal Sewage Services and Municipal Water Services</i>	n/a	30.0 m	15.0 m (1)	15.0 m (1)	3.0 m (2)	12.0 m (3)	n/a	n/a
EMP1 One or both of <i>Individual on-site Sewage Services and Individual on-site Water Services</i>	4,000.0 m ²	30.0 m	20.0 m	20.0 m	10.0 m	15.0 m	50%	12.0 m
EMP2 <i>Municipal Sewage Services and Municipal Water Services</i>	4,000.0 m ²	45.0 m	15.0 m (1)	15.0 m (1)	3.0 m (2)	12.0 m (3)	n/a	12.0 m
EMP2 One or both of <i>Individual on-site Sewage Services and Individual on-site Water Services</i>	4,000.0 m ²	30.0 m	20.0 m	20.0 m	10.0 m	15.0 m	50%	12.0 m
EMPR	4,000.0 m ²	30.0 m	20.0 m	20.0 m	10.0 m	15.0 m	50%	12.0 m
EMPX	n/a	n/a	30.0 m	15.0 m	15.0 m	30.0 m	n/a	n/a
EMPG	n/a	n/a	15.0 m	15.0 m	6.0 m	15.0 m	30%	11.0 m
EMPW	n/a	n/a	100.0 m	15.0 m	6.0 m	15.0 m	30%	11.0 m

SPECIAL PROVISIONS

1. *Minimum required yard* abutting any *Zone* that is not an Employment, Open Space (OS) or Major Recreational (OSR) *Zone* – 24.0 metres.
2. *Minimum required yard* abutting any *Zone* that is not an Employment, Open Space (OS) or Major Recreational (OSR) *Zone* – 18.0 metres.
3. *Minimum required yard* abutting any *Zone* that is not an Employment, Open Space (OS) or Major Recreational (OSR) *Zone* – 21.0 metres.

PART 9 - COUNTRYSIDE ZONES

9.1 LIST OF APPLICABLE ZONES

Agricultural	A
Rural	RU
Oak Ridges Moraine – Core	ORM-C
Oak Ridges Moraine – Environmental Protection	ORM-EP
Oak Ridges Moraine – Extractive Industrial	ORM-MX
Oak Ridges Moraine – Linkage	ORM-L
Oak Ridges Moraine – Rural	ORM-RU
Oak Ridges Moraine – Village	ORM-V

9.2 GENERAL PROHIBITION

No *person* shall, within any Countryside *Zone*, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building* or *structure* for any *use* other than as permitted in Table 9.1 and in accordance with the standards contained in Table 9.2, the General Provisions contained in Part 4 and the Parking and Loading Provisions contained in Part 5 of this By-law.

9.3 PERMITTED USES

Uses permitted in the Countryside *Zones* are denoted by the symbol '**X**' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 9.1, below. Any number(s) following the symbol '**X**', *zone* heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed at the end of the Permitted *Use* Table 9.1:

Table 9.1: Permitted Uses in the Countryside Zones

<i>USE</i>	A	RU	ORM-C	ORM-EP	ORM-MX	ORM-L	ORM-RU	ORM-V
<i>One Additional Residential Unit (7)</i>	X	X					X	X
<i>Two Additional Residential Units</i>	X	X						
<i>Bed and Breakfast Establishment</i>	X	X					X	X
<i>Cannabis Related, Outdoor</i>	X (10)	X (10)	X (10)			X (10)	X (10)	
<i>Conservation Use</i>	X	X	X	X (2)	X	X	X	X
<i>Country Inn (5)</i>	X	X						X
<i>Custom Workshop</i>	X (3)	X (3)						
<i>Dog and other pet daycare Dwelling, Single Detached</i>	X	X	X (H5)					

USE	A	RU	ORM- C	ORM- EP	ORM- MX	ORM- L	ORM- RU	ORM- V
<i>Equestrian Centre</i>	X	X					X	
<i>Farm</i>	X	X	X			X	X	X
<i>Farm Employee Accommodation,</i>	X (4)	X (4)						
<i>Farm experience and education activity</i>	X (8)	X (8)					X (8)	
<i>Farm event venue (short term)</i>	X (11)	X (11)					X (11)	
<i>Farm Produce Outlet,</i>	X	X				X	X	X
<i>Farm processing - value added</i>	X (9)	X (9)					X (9)	
<i>Farm Vacation Home</i>			X			X	X	X
<i>Food Truck</i>	X	X					X	X
<i>Forest Management</i>	X	X						
<i>Greenhouse, Commercial</i>	X	X				X	X	
<i>Home Industry</i>	X (6)	X (6)						
<i>Home Occupation</i>	X (3)	X (3)	X (3)			X (3)	X (3)	X (3)
<i>Kennel</i>		X (1)						
<i>Mineral Aggregate Resource Operation</i>					X			
<i>Park, Public</i>	X	X	X	X (2)		X	X	X
<i>Pet Grooming</i>	X	X				X	X	
<i>Home child care</i>	X	X	X			X	X	X
<i>Residential hospice</i>	X	X				x	X	X
<i>Shared housing, supervised (small scale)</i>	X	X				x	X	X
<i>Shared Housing (Small Scale)</i>								X
Legal existing uses on November 15, 2001			X	X	X	X	X	X

SPECIAL PROVISIONS

1. Only legally existing *uses* as of the date of passing of this By-law.
2. No *buildings* or *structures* are permitted, unless for flood or erosion control.
3. Subject to Section 4.13 (*Home Occupations* and *Custom Workshop*) of this By-law.
4. Subject to Section 4.3 (*Farm Employee Accommodation*) of this By-law.
5. Maximum six guestrooms permitted
6. Subject to Section 4.12 (Home Industries) of this By-law.
7. Subject to Section 4.2.1 (Additional Residential Units)
8. The minimum *lot area* required is 4.0 hectares and the use is permitted provided that no less than 40% of the *lot* is in active agricultural use. The area of the *farm* that is used for the *farm experience and education activity* shall not exceed 2% of the *lot area* and *buildings* and *structures* used for the *farm experience and education activity* shall not exceed 20% of the permitted 2% of the *lot area*. Included in the 2% of the *lot area* calculation

are the laneways and driveways accessing the *farm experience and education activity* if not shared with the *principal use* of the *lot* as a *farm*, paved parking and loading areas associated with the use, the floor area of all *buildings* and *structures* constructed after April 30, 2014 which will be used for the use and any outdoor storage areas, patio areas and areas used for infrastructure that exclusively supports the use such as stormwater management ponds, firefighting ponds and tile fields. The floor area of *buildings* and *structures* constructed before April 30, 2014 is not counted in the 2% of the *lot area* calculation or in the 20% of the 2% of *lot area* calculation.

9. The *farm processing - value added use* shall result in a product where the majority of the components or ingredients of the final product that are processed, preserved, packaged and/or stored come from the *farm*. The minimum *lot area* required is 4.0 hectares and the use is permitted provided that no less than 40% of the *lot* is in active agricultural use. The area of the *farm* that is used for the *farm processing - value added use* shall not exceed 2% of the *lot area* and *buildings* and *structures* used for the *farm processing - value added use* shall not exceed 20% of the permitted 2% of the *lot area*. Included in the 2% of the *lot area* calculation are the laneways and driveways accessing the *farm processing - value added use* if not shared with the *principal use* of the *lot* as a *farm*, paved parking and loading areas associated with the use, the floor area of all *buildings* and *structures* constructed after April 30, 2014 which will be used for the use and any outdoor storage areas, patio areas and areas used for infrastructure that exclusively supports the use such as stormwater management ponds, firefighting ponds and tile fields. The floor area of *buildings* and *structures* constructed before April 30, 2014 is not counted in the 2% of the *lot area* calculation or in the 20% of the 2% of *lot area* calculation.
10. Edge of cultivation area shall be set back a minimum of 300 metres from residential and institutional *buildings* on nearby *lots*.
11. The minimum *lot area* required is 4.0 hectares. The area of the *farm* that is used for the *farm event venue (short term)* shall not exceed 2% of the *lot area* and *buildings* and *structures* used for the *farm event venue (short term)* shall not exceed 20% of the permitted 2% of the *lot area*. Included in the 2% of the *lot area* calculation are the laneways and driveways accessing the *farm event venue (short term)* if not shared with the *principal use* of the *lot* as a *farm*, paved parking and loading areas associated with the use, the floor area of all *buildings* and *structures* constructed after April 30, 2014 which will be used for the use and any outdoor storage areas, patio areas and areas used for infrastructure that exclusively supports the use such as stormwater management ponds, firefighting ponds and tile fields. The floor area of *buildings* and *structures* constructed before April 30, 2014 is not counted in the 2% of the *lot area* calculation or in the 20% of the 2% of *lot area* calculation.

9.4 ZONE STANDARDS

No person shall within any Countryside Zone use or permit the use of any lot or erect, alter or use any building or structure except in accordance with the zone standards in Table 9.2, below. Any number(s) following the zone standard, zone heading or description of the standard indicates an additional Zone requirement. These additional standards are listed at the end of Table 9.2:

Table 9.2: Zone Standards in the Countryside Zones

Zone	Minimum Lot Frontage	Minimum Lot Area	Minimum Required Front Yard	Minimum Required Exterior Side Yard	Minimum Required Interior Side Yard	Minimum Required Rear Yard	Maximum Height	Maximum Lot Coverage
A	165.0 m	40.0 ha	15.0 m	15.0 m	15.0 m (1)	15.0 m	10.0 m	10% (2)
RU	165.0 m	40.0 ha	15.0 m	15.0 m	15.0 m (1)	15.0 m	10.0 m	10% (2)
ORM-C (3)	165.0 m	40.0 ha	15.0 m	15.0 m	6.0 m	15.0 m	12.0 m	30% (4)
ORM-EP (3)	165.0 m	40.0 ha	15.0 m	15.0 m	6.0 m	15.0 m	12.0 m	30% (4)
ORM-L (3)	165.0 m	40.0 ha	15.0 m	15.0 m	6.0 m	15.0 m	12.0 m	30% (4)
ORM-MX (3)	165.0 m	40.0 ha	30.0 m	30.0 m	15.0 m	15.0 m	n/a	30% (4)
ORM-RU (3)	165.0 m	40.0 ha	15.0 m	15.0 m	6.0 m	15.0 m	12.0 m	30% (4)
ORM-V (3)	30.0 m	2,800.0 m ²	10.0 m	10.0 m	6.0 m	10.0 m	12.0 m	30% (4)

SPECIAL PROVISIONS

1. Minimum *required interior side yard* for a *single detached dwelling* – 6.0 metres.
2. Maximum *lot coverage* for a *single detached dwelling* – 30%.
3. Maximum ground *floor area* permitted for a non-agricultural *building* or *structure* – As it existed on November 15, 2001.
Maximum permitted increase in *gross floor area* for a non-agricultural *building* or *structure* – 100% of the ground *floor area* that existed on November 15, 2001.
4. Subject to Section 11.2 (Landform Conservation Area) for those lands indicated on Schedule 'C-2' of this By-law.

PART 10 - OTHER ZONES

10.1 LIST OF APPLICABLE ZONES

Institutional – Urban	IU
Institutional – Rural	IR
Open Space	OS
Major Recreational	OSR
Environmental Protection	EP
Future Development	FD
Future Development - Waterfront	FD-W
Transportation	T

10.2 GENERAL PROHIBITION

No *person* shall, within any Institutional, Open Space, Environmental Protection, Future Development or Transportation *Zone*, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building* or *structure* for any *use* other than as permitted in Table 10.1, in accordance with the standards contained in Table 10.2, the General Provisions contained in Part 4 and the Parking and Loading Provisions contained in Part 5 of this By-law.

10.3 PERMITTED USES

Uses permitted in any Institutional, Open Space, Environmental Protection, Future Development or Transportation *Zone* are denoted by the symbol 'X' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 10.1, below. Any number(s) following the symbol 'X', *zone* heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed at the end of the Permitted *Use* Table 10.1:

Table 10.1: Permitted Uses in the Other Zones

USE	IU	IR	OS	OSR	EP	FD	FD-W	T
Activities related to the principal <i>use</i> of the lands as a rail corridor								X
<i>Arena</i>	X	X	X (5)					
<i>Art Gallery</i>	X	X						
<i>Assembly Hall</i>	X	X		X				
<i>Professional Office, Accessory</i>	X	X		X				
<i>Camping Establishment</i>				X				
<i>Cemetery</i>	X	X						
<i>Commercial Fitness Centre</i>				X				
<i>Community Centre</i>	X	X	X (5)					

USE	IU	IR	OS	OSR	EP	FD	FD-W	T
Community Centre, Private	X	X		X				
Conservation Use			X		X (2)		X (6)	
Custom Workshop (4)						X		
Child care centre, Accessory	X	X						
Dwelling Unit, Accessory	X (3)	X (3)						
Emergency Housing	X	X						
Emergency Service Facility	X	X						
Equestrian Facility				X				
Farm				X (1)	X (1)	X (1)	X (6)	
Golf Course				X				
Golf Driving Range				X				
Home Occupation (4)						X		
Hospital	X	X						
Library	X	X						
Long term care home	X							
Marina			X (5)	X				
Miniature Golf Course				X				
Mountain Biking Facility				X				
Museum	X	X	X (5)					
Park, Private	X	X	X	X	X (2)		X (6)	
Park, Public	X	X	X		X (2)			
Personal Service Shop				X				
Place of Worship	X	X						
Public Works Yard	X	X						
Restaurant				X				
Retail Store				X				
Retirement Home	X							
School, Commercial				X				
School, Private	X	X						
School, Public	X	X						
Studio	X	X		X				
Uses legally existing on the effective date of this By-law						X	X (6)	

SPECIAL PROVISIONS

1. Only farms and *farm buildings* that existed on the effective date of this By-law are permitted.
2. No *buildings, structures* and site alteration are permitted, unless for flood or erosion control.
3. Permitted only as an *accessory use* to a *place of worship*.
4. Subject to Section 4.13 (*Home Occupations and Custom Workshop*) of this By-law.
5. If operated as a *public use* by the *Municipality*.
6. 'D-W' – Future Development Waterfront Zone is an 'Interim Zone' recognizing all existing uses on the lands as well as associated with Public Recreation, and that lands within this zone shall be subject to a future public process to identify a range of permitted uses as approved by Council.

10.4 ZONE STANDARDS

No *person* shall within any Institutional, Open Space, Environmental Protection, Future Development or Transportation *Zone use* or permit the *use* of any *lot* or *erect, alter, use* any *building* or *structure* except in accordance with the following *zone* standards. Any number(s) following the *zone* standard *zone* heading or description of the standard indicates an additional *Zone* requirement. These additional standards are listed at the end of Table 10.2:

Table 10.2: Zone Standards

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Maximum Height
IU	n/a	n/a	6.0 m	7.5 m	6.0 m	6.0 m	n/a	19.0 m
IR	3,000 m ²	30.0 m	15.0 m	15.0 m	10.0 m	15.0 m	40%	11.0 m
OS	n/a	n/a	6.0 m	7.5 m	7.5 m	6.0 m	n/a	11.0 m
OSR	n/a	n/a	6.0 m	7.5 m	7.5 m	6.0 m	n/a	11.0 m
EP	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
FD	n/a	n/a	15.0 m	15.0 m	6.0 m	15.0 m	30%	n/a
FD-W	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
T	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

PART 11 - OVERLAY ZONES

Notwithstanding any other provision of this By-law to the contrary, within the areas shown on the Schedules to this By-law as being within one of the following *Overlay Zones*, the following provisions shall additionally apply to or, where applicable, supersede the parent *Zone* standards on lands within the applicable *Overlay Zone*.

11.1 ENVIRONMENTAL PROTECTION – FLOODPLAIN (EP-F) ZONE

- a) Within the Environmental Protection – *Floodplain* (EP-F) *Overlay Zone* as shown on Schedules 'A' and 'B' to this By-law, no land shall be used and no *buildings* or *structures* shall be *erected* or used except for those in accordance with any regulations of, and subject to the approval of, the *Municipality* (satisfactory to the policies of Section C5.1.1 of the Official Plan), the Ganaraska Region Conservation Authority and, where applicable, pursuant to the Lakes and Rivers Improvement Act, R.S.O. 1990, c.L.13, as amended, the Fisheries Act, R.S.C. 1985, C.F-14, as amended, or the Public Lands Act, R.S.O. 1990, c.P.43, as amended.
- b) Any *use*, *building* or *structure* that legally existed on the effective date of this By-law:
 - i) Shall be subject to the provisions of Sections 4.18 and 4.20 of this By-law;
 - ii) The minimum elevation for any door, window or other *opening* for any *building* or *structure* within 30 metres of the 72.9 metres G.S.C. elevation shall be 73.2 metres; and,
- c) The minimum elevation for any door, window or other *opening* for any other *building* or *structure* within the *Municipality* shall be equal to the *dry floodproofing* elevation as determined by the Ganaraska Region Conservation Authority.

11.2 LANDFORM CONSERVATION AREA

For lands within a Class 1 or Class 2 Landform Conservation Area as shown on Schedule 'C-2' to this By-law, the following additional specific *Zone* Standards shall apply:

11.2.1 Class 1 Landform Conservation Areas

- a) Maximum permitted *net developable area* of the site that can be disturbed is not more than 25 per cent of the total area of the site.
- b) Maximum percentage of permitted net developable area of the site that can have impervious surfaces is 15 per cent of the total area of the site.

11.2.2 Class 2 Landform Conservation Areas

- a) Maximum permitted *net developable area* of the site that can be disturbed is not more than 50 per cent of the total area of the site.
- b) Maximum percentage of permitted net developable area of the site that can have impervious surfaces is 20 per cent of the total area of the site.

PART 12 - EXCEPTIONS

12.1

Where a *Zone* symbol is followed by a set of brackets and a number contained within those brackets – for example, A(1) – the provisions of this By-law are modified for the lands to which the *zone* exception applies as set out in Table 12.1, below.

In Table 12.1:

- 12.1.1 Column 1 identifies the *Zone(s)* subject to the exception;
- 12.1.2 Column 2 sets out the exception number, amending By-law number and map location of each exception which corresponds to an area of the *Municipality* identified on the Zoning Schedules by the same number, contained within a set of brackets following a *Zone* symbol, denoting an exception;
- 12.1.3 Column 3 sets out the additional *uses* permitted in the *zone* exception, if applicable;
- 12.1.4 Column 4 sets out the only *uses* permitted in the *zone* exception, if applicable;
- 12.1.5 Column 5 sets out the prohibited *uses* in the *zone* exception, if applicable; and,
- 12.1.6 Column 6 sets out the new or modified standards for the *zone* exception, if applicable.

All other provisions of the *zone*, unless specifically modified or amended by this Part, continue to apply to the lands subject to this Section.

Table 12.1: Site-specific Exceptions

Col. 1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
A ORM-EP ORM-V	1 (3350) (B-Various)			(i) Any dwelling unit.	
IR	2 (3350) (B-23)	(i) <i>Places of worship;</i> (ii) <i>Guest house, accessory.</i>			(i) <i>Maximum lot coverage for all buildings – 10%</i> (ii) <i>Minimum required landscaped open space – 30%</i>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
RESV 1	3 (3376) (B-23)				(i) Minimum required <i>gross floor area</i> for a <i>dwelling unit</i> – 186.0 metres; (ii) For the purposes of this <i>Zone</i> , the minimum <i>gross floor area</i> shall not include the <i>basement</i> or <i>cellar</i> .
COM2	4 (3427) (3448) (66/2005) (B-18)		(i) <i>Assembly hall</i> ; (ii) <i>Banquet hall</i> ; (iii) <i>Building supply outlet</i> ; (iv) <i>Professional office</i> ; (v) <i>Dry cleaner's distribution station</i> ; (vi) <i>Hotel</i> ; (vii) <i>Medical office</i> ; (viii) <i>Motel</i> ; (ix) <i>Motor vehicle gasoline bar</i> ; (x) <i>Motor vehicle service station</i> ; (xi) <i>Motor vehicle washing establishment</i> ; (xii) <i>Outside display and sales area, accessory</i> ; (xiii) <i>Personal service shop</i> ; (xiv) <i>Place of entertainment</i> ; (xv) <i>Private club</i> ; (xvi) <i>Retail store</i> ; (xvii) <i>Restaurant</i> ; (xviii) <i>Restaurant, take-out</i> .		
A RU	5 (68/2008) (B-19)	(i) <i>Retail store</i> .			(i) Maximum <i>gross floor area</i> for a <i>retail store</i> – 353.0 square metres.
EMP1	6 (20/2010) (B-18)	(i) <i>Salvage yard</i> .			

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
RES3	7 (2965/75) (A-11)				(i) <i>Maximum height – 3.7 metres.</i>
OS	8 (3132/78) (A-9)	(i) <i>Assembly hall;</i> (ii) <i>Museum;</i> (iii) <i>Accessory dwelling units on the second storey only.</i>			(i) <i>Maximum number of accessory dwelling units – 1;</i> (ii) <i>Maximum number of buildings permitted – 1.</i>
COM2	9 (46/85) (A-3)				(i) <i>An accessory dwelling unit is permitted within a building used for a motor vehicle repair shop.</i>
RES1-2	10 (19/87) (A-13)				(i) <i>Minimum required front yard – 45.0 metres.</i>
RES1-1	11 (20/87) (A-14)				(i) <i>Minimum required front yard – 5.9 metres;</i> (ii) <i>Minimum required interior side yard – 2.4 metres.</i>
RES2-1	12 (12/88) (A-9)				(i) <i>The lot shall be deemed to have frontage onto Howard Street until the Municipality constructs the future cross-town road.</i>
COM2	13 (25/89) (A-9)			(i) <i>Equipment sales and rental establishment;</i> (ii) <i>Hotel;</i> (iii) <i>Motel;</i> (iv) <i>Outdoor display and sales area, accessory to an equipment sales and rental establishment;</i> (v) <i>Place of entertainment.</i>	

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
COM2	14 (78/89) (59/2001) (A-11)			(i) <i>Motor vehicle gas bar;</i> (ii) <i>Motor vehicle service station.</i>	(i) Minimum required number of <i>parking spaces</i> for a <i>shopping centre</i> – 1 space/18.6 square metres <i>gross leasable floor area</i> ; (ii) Minimum required number of <i>parking space</i> for a <i>professional office</i> – 1 space/33.8 square metres <i>gross leasable floor area</i> ; (iii) Minimum required number of barrier-free <i>parking space</i> – 6.
RES2-1	15 (35/90) (A-6)				(i) For the purposes of this <i>Zone</i> “ <i>Height</i> ” shall mean the vertical distance from the finished grade level of the <i>building</i> or <i>structure</i> to the highest point of the <i>building</i> or <i>structure</i> and for the purposes of this definition, a <i>structure</i> shall include a fence and freestanding wall. (ii) For the purposes of this <i>Zone</i> “ <i>Finished Grade Level</i> ” shall mean the elevation of the finished surface of the ground abutting the external wall of the <i>building</i> or <i>structure</i> nearest to a <i>public street</i> but shall not include any embankment in lieu of steps. (iii) The <i>building</i> envelope shall be as delineated by the dotted lines shown on Schedule ‘C-13’ of this By-law.

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
COM1	16 (07/92) (09/2007) (A-14)	(i) <i>Professional office;</i> (ii) <i>Dry cleaners distribution station;</i> (iii) <i>Financial Institution;</i> (iv) <i>Personal service shop;</i> (v) <i>Restaurant;</i> (vi) <i>Restaurant, take-out;</i> (vii) <i>Retail store.</i>			(i) Maximum <i>lot coverage</i> – 25%.
COM3	17 (15/92) (A-6)				(i) Maximum <i>gross floor area</i> of a <i>place of amusement</i> – 204.0 square metres; (ii) A <i>place of amusement</i> shall be limited to the <i>ground floor area</i> ; (iii) Maximum number of mechanical or electronic machines or devices for use as a game, entertainment or amusement by the public – 11.
COM2	18 (07/93) (A-11)		(i) <i>Retail store.</i>	(i) <i>Supermarket;</i> (ii) <i>Drug store.</i>	
EMP1	19 (31/93) (A-12)				(i) Minimum required elevation for an <i>opening</i> – 80.22 metres elevation G.S.C.; (ii) All <i>buildings</i> shall be located outside the hatched area shown on Schedule ‘C-14’ of this By-law; (iii) Areas inside of the hatched area on Schedule ‘C-14’ of this By-law shall be used only for access <i>driveways, landscaped open space</i> and in-ground facilities associated with stormwater or servicing of the lands.

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
EMP2	20 (47/93) (37/03) (A-14)	(i) <i>Building supply outlet;</i> (ii) <i>Motor vehicle sales and/or rental establishment;</i> (iv) <i>Restaurant, accessory.</i>			(i) Parking shall be permitted in <i>required front and exterior side yards;</i> (ii) Minimum required <i>planting strip</i> provided along the south limit of the Zone – 10.0 metres, and shall include an earth berm.
RES2-1	21 (48/93) (A-5)				(i) <i>Minimum required rear yard</i> – 8.0 metres; (ii) Maximum <i>lot coverage</i> – 35%; (iii) Minimum required setback from the <i>centreline</i> of John Street – 12.0 metres.
RES2-1	22 (56/93) (A-6)		(i) <i>Multiple-unit dwelling.</i>	(i) <i>Bed and breakfast;</i> (ii) <i>Shared Housing (Small Scale).</i>	(i) Maximum number of <i>dwelling units</i> – 3.
RES3	23 (2901/74) (A-13)		(i) <i>Street townhouse dwelling;</i> (ii) <i>Additional residential units</i> in accordance with Section 4.2.1		(i) All <i>buildings</i> shall be located within the hatched area shown on Schedule 'C-3' of this By-law.
EMP1	24 (12/95) (A-13)	(i) <i>Commercial fitness centre;</i> (ii) <i>Private club.</i>			
RES4	25 (16/95) (A-2)		(i) <i>Apartment dwelling.</i>		(i) Maximum number of <i>dwelling units</i> – 43. (ii) <i>Minimum required interior side yard</i> – 6.0 metres; (iii) Minimum required number of <i>parking spaces</i> – 54 spaces, inclusive of handicapped stalls; (iv) 85% of the minimum required number of <i>parking spaces</i> shall be provided below grade.

COM2	26 (24/95) (A-11)	(i) <i>Place of amusement.</i>			(i) Maximum <i>gross floor area</i> of a <i>place of amusement</i> – 234.7 square metres; (ii) Location of a <i>place of amusement</i> – <i>basement</i> floor level of the westerly most <i>building</i> on the subject property only.
OSR	27 (15/90) (A-4)				(i) Minimum <i>lot area</i> – 0.4 hectares; (ii) Maximum <i>height</i> of a <i>building</i> or <i>structure</i> – 3.7 metres; (iii) Maximum height of a Clubhouse – 3 storey or 14m (whichever is the lesser) building (plus an observation deck up to 18m); (iv) Minimum required <i>landscaped open space</i> – 5%; (v) When the <i>lot area</i> of any block shown on Schedule 'C-12' of this By-law is reduced by 10% or less as a result of the registration of a Plan of Subdivision, the affected block may continue to be developed in accordance with the requirements of this <i>Zone</i> .
RES4	28 (15/90) (A-4)		(i) <i>Apartment dwelling</i> ; (ii) <i>School, public</i> ; (iii) <i>Street townhouse dwelling</i> . (iv) <i>Additional residential units</i> in accordance with Section 4.2.1		1. Zone Standards for Residential Uses: (i) Minimum <i>lot area</i> – as shown on Schedule 'C-12' of this By-law; (ii) Minimum <i>lot frontage</i> – as shown on Schedule 'C-12' of this By-law; (iii) Maximum <i>height</i> , excluding Block 1 and Block 2 as shown on Schedule 'C-12' of this By-law – 4 storeys or 14.0 metres, whichever is the lesser; (iv) Maximum <i>height</i> for Block 1 and Block 2

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>identified on Schedule 'C-12' of this By-law – 2 storeys or 10.0 metres, whichever is the lesser;</p> <p>(v) Maximum <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> – 30%;</p> <p>(vi) Maximum coverage by an open <i>parking area</i>, <i>driveways</i> and vehicular movement areas – 25%;</p> <p>(vii) Maximum number of <i>dwelling units</i> – Block 1: 36, Block 2: 48, Block 3: 72, Block 4: 52, Block 5: 52, Block 6: 27, Block 7: 41, Block 8: 64, Block 12: 5, Block 13: 5;</p> <p>(viii) All <i>buildings</i> and <i>structures</i> shall be erected within the <i>Building Envelope</i> delineated on Schedule 'C-12' of this By-law. Notwithstanding the above, where a 10.0 metre setback is required for <i>buildings</i> or structures in Block 2, an <i>accessory building</i> or <i>structure</i> shall be permitted up to but not closer than 6.0 metres of the lot line;</p> <p>(ix) Minimum required <i>landscaped open space</i> – 30%;</p> <p>(x) An <i>accessory building</i> is permitted within any yard in Block 1 delineated on Schedule C-12 of this By-law;</p> <p>(xi) Maximum <i>height</i> of an <i>accessory building</i> on Block 1 as delineated on Schedule 'C-12' of this By-law – 3.7</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>metres;</p> <p>(xii) Each <i>parking space</i> shall have a width of not less than 2.7 metres and a length of not less than 5.5 metres;</p> <p>(xiii) Uncovered <i>parking areas</i> are permitted in all <i>yards</i> provided that no part of any <i>parking area</i> other than a <i>driveway</i> is located within 6.0 metres to any <i>streetline</i> and is closer than 3.0 metres to any <i>side lot line</i> or <i>rear lot line</i> or within 1.8 metres of any residential <i>building</i> located on the <i>lot</i>;</p> <p>(xiv) When the <i>lot area</i> of any block shown on Schedule 'C-12' of this By-law is reduced by 10% or less as a result of the registration of a Plan of Subdivision, the affected block may continue to be developed in accordance with the requirements of this <i>Zone</i>.</p> <p>2. Zone Standards for a School:</p> <p>(i) Shall be subject to the standards of the IU <i>Zone</i>.</p>
COM1	29 (15/90) (A-4)		<p>(i) <i>Accessory dwelling unit</i>;</p> <p>(ii) <i>Art gallery</i>;</p> <p>(iii) <i>Professional office</i>;</p> <p>(iv) <i>Community centre</i>;</p> <p>(v) <i>Dry cleaner's distribution station</i>;</p> <p>(vi) <i>Financial institution</i>;</p> <p>(vii) <i>Library</i>;</p>		<p>(i) Minimum <i>lot area</i> – as shown on Schedule 'C-12' of this By-law;</p> <p>(ii) Minimum <i>lot frontage</i> – as shown on Schedule 'C-12' of this By-law;</p> <p>(iii) Maximum <i>height</i> – 3 storeys or 14 metres, whichever is the lesser;</p> <p>(iv) Maximum <i>lot coverage</i> of all <i>buildings</i> and</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
			(viii) <i>Medical office</i> ; (ix) <i>Museum</i> ; (x) <i>Personal service shop</i> ; (xi) <i>Restaurant</i> ; (xii) <i>Retail store</i> ; (xiii) <i>School, commercial</i> ; (xiv) <i>Service shop</i> ; (xv) <i>Studio</i> .		structures – 30%; (v) Maximum <i>gross floor area</i> for residential uses – twice the <i>gross floor area</i> for commercial uses; (vi) Maximum <i>gross floor area</i> for commercial uses within an individual block – 1,000.0 square metres; (vii) Maximum <i>gross floor area</i> for a <i>retail store</i> – 260.0 square metres; (ix) All <i>buildings and structures</i> shall be erected within the <i>Building Envelope</i> delineated on Schedule ‘C-12’ of this By-law; (x) Minimum required <i>landscaped open space</i> for a mixed use <i>building</i> – 30%; (xi) Minimum required <i>landscaped open space</i> for a commercial <i>building</i> only – 10%; (xii) Minimum required number of <i>parking spaces</i> for commercial uses – 1/18.6 sq.m of <i>gross leasable floor area</i> ; (xiii) Minimum required number of <i>parking spaces</i> for residential uses – 1.5 spaces per <i>dwelling unit</i> ; (xiv) Each <i>parking space</i> shall have a width of not less than 2.7 metres and a length of not less than 5.5 metres. (xv) Minimum required number of <i>loading spaces</i> – 1; (xvi) Uncovered <i>parking areas</i> are permitted in all <i>yards</i> provided that

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>no part of any <i>parking area</i> other than a <i>driveway</i> is located within 6.0 metres of any <i>street line</i> and no closer than 2.0 metres of any <i>side lot line</i> or 4.5 metres of a <i>rear lot line</i> or within 1.8 metres of any residential <i>building</i> located on the <i>lot</i>;</p> <p>(xvii) When the <i>lot area</i> of any block shown on Schedule 'C-12' of this By-law is reduced by 10% or less as a result of the registration of a Plan of Subdivision, the affected block may continue to be developed in accordance with the requirements of this <i>Zone</i>.</p>
COM2	30 (15/90) (A-4)		<ul style="list-style-type: none"> (i) <i>Art gallery</i>; (ii) <i>Assembly Hall</i>; (iii) <i>Professional office</i>; (iv) Club house for a <i>golf course</i> situated on another <i>lot</i>; (v) <i>Commercial fitness centre</i>; (vi) <i>Financial institution</i>; (vii) <i>Hotel</i>; (viii) <i>Library</i>; (ix) <i>Museum</i>; (x) <i>Personal service shop</i>; (xi) <i>Restaurant</i>; (xii) <i>Retail store</i>; (xiii) <i>School, private</i>; (xv) <i>Studio</i>. 		<ul style="list-style-type: none"> (i) Minimum <i>lot area</i> – As shown on Schedule 'C-12' of this By-law; (ii) Minimum <i>lot frontage</i> – As shown on Schedule 'C-12' of this By-law; (iii) Maximum <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> – 30%; (iv) All <i>buildings</i> and <i>structures</i> shall be erected within the <i>Building Envelope</i> delineated on Schedule 'C-12' of this By-law; (v) Maximum <i>height</i> of a <i>building</i> or <i>structure</i> – 14.0 metres; (vi) Maximum <i>gross floor area</i> for a <i>retail store</i> – 260.0 square metres; (viii) Minimum required <i>landscaped open space</i> – 10%; (ix) Maximum <i>gross</i>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p><i>leasable floor area</i> for uses other than a <i>hotel</i>, an <i>assembly hall</i>, <i>restaurant</i>, club house or other recreational uses – 1,000.0 square metres;</p> <p>(x) Minimum required number of <i>parking spaces</i> for those uses other than a <i>hotel</i>, an <i>assembly hall</i>, <i>private club</i>, <i>private school</i>, <i>public school</i>, club house and recreational uses – 1 space/18.6 square metres of <i>gross leasable floor area</i>;</p> <p>(xi) Each <i>parking space</i> shall have a width of not less than 2.7 metres and a length of not less than 5.5 metres;</p> <p>(xii) Minimum required number of <i>loading spaces</i> – 1 space/500.0 square metres of <i>gross leasable floor area</i>;</p> <p>(xiii) When the <i>lot area</i> of any block shown on Schedule 'C-12' of this By-law is reduced by 10% or less as a result of the registration of a Plan of Subdivision, the affected block may continue to be developed in accordance with the requirements of this <i>Zone</i>.</p>
COM2	31 (10/96) (A-1)			<p>(i) <i>Motor vehicle gas bar</i>;</p> <p>(ii) <i>Motor vehicle service station</i>.</p>	<p>(i) Maximum width of an ingress and egress ramp – 10.8 metres, measured along the <i>streetline</i>;</p> <p>(ii) Required <i>parking spaces</i> are permitted to be provided on an abutting <i>lot</i>, provided that the abutting <i>lot</i> is in a Commercial</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p><i>Zone;</i></p> <p>(iii) Maximum <i>gross leasable floor area</i> – 4,400.0 square metres, excluding the <i>floor area</i> of the mezzanine and stand-alone storage <i>buildings accessory</i> to a permitted <i>use</i> in existence on March 11, 1996.</p>
COM2	32 (10/96) (A- 1)				<p>(i) Maximum <i>gross leasable floor area</i> – 1,125.0 square metres;</p> <p>(ii) No frontage is required onto a <i>public street</i>;</p> <p>(iii) The <i>front lot line</i> shall be the <i>lot line</i> along the west side of the subject <i>lot</i>.</p>
COM2	33 (14/98) (61/2003) (94/2004) (A-1)				<p>(i) Required <i>parking spaces</i> are permitted to be provided on an <i>abutting lot</i>, provided that the <i>abutting lot</i> is in a Commercial <i>Zone</i>;</p> <p>(ii) Maximum <i>lot area</i> used for an <i>accessory outdoor display and sales area</i> – 1,400.0 square metres;</p> <p>(iii) Minimum required setback for an <i>accessory outdoor display and sales area</i> from the Toronto Road <i>streetline</i> – 50.0 metres;</p> <p>(iv) Maximum <i>gross leasable floor area</i> for a <i>retail store</i> – 500.0 square metres;</p> <p>(v) Maximum <i>gross leasable floor area</i> for a <i>supermarket</i> – 5,900.0 square metres;</p> <p>(vi) Maximum <i>gross leasable floor area</i> for a <i>motor vehicle gasoline bar</i> – 35.0</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					square metres; (vii) Minimum setback for <i>loading space</i> from <i>rear lot line</i> - 1.5 metres.
COM2	34 (32/98) (A-12)	(i) <i>Industrial use</i> ; (ii) <i>Custom workshop</i> ; (iii) <i>Printing and publishing establishment</i> .	(i) <i>Assembly hall</i> ; (ii) <i>Farm implement dealer</i> ; (iii) <i>Greenhouse commercial</i> ; (iv) <i>Hotel</i> ; (v) <i>Medical office</i> ; (vi) <i>Motel</i> ; (vii) <i>Motor vehicle body shop</i> ; (viii) <i>Motor vehicle washing establishment</i> ; (ix) <i>Personal service shop</i> ; (x) <i>Place of amusement</i> ; (xi) <i>Recreational trailer, vehicle or boat sales establishment</i> ; (xii) <i>Specialty food store</i> ; (xiii) <i>Supermarket</i> .		(i) <i>Minimum required rear yard</i> – 7.0 metres; (ii) Maximum number of main <i>buildings</i> per lot – 1; (iii) Minimum required <i>landscaped open space</i> – 5%; (iv) Minimum required <i>planting strip</i> required along a <i>streetline</i> – 3.0 metres; (v) Maximum <i>gross floor area</i> for a <i>retail store accessory</i> to an <i>industrial use</i> – 10% of the <i>gross floor area</i> of the <i>industrial use</i> .
OS	35 (32/98) (A-12)		(i) <i>Professional office, accessory</i> ; (ii) <i>Conservation use</i> ; (iii) <i>Nursery</i> ; (iv) <i>Park</i> .		(i) <i>Minimum required front yard</i> – 2.0 metres; (ii) <i>Minimum required interior yard</i> – 2.0 metre; (iii) Minimum required <i>yard, all yards, for a parking area</i> – 7.5 metres; (iv) Maximum <i>lot coverage</i> – 20%; (v) Minimum required <i>landscaped open space</i> – 75%.
RES1-1	36 (47/98) (A-10)			(i) Human habitation within an <i>accessory building</i> .	(i) <i>Minimum required front yard</i> – 6.2 metres; (ii) Maximum <i>height</i> of an <i>accessory building</i> – 8.4 metres; (iii) Maximum <i>accessory</i>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p><i>building</i> dimensions – 7.5 metres wide by 14.2 metres long;</p> <p>(iv) For the purposes of this <i>Zone</i>, “<i>Height</i>” shall mean the vertical distance from the average grade level at the <i>building</i> face closest to the street to the highest point of the <i>accessory building</i> or <i>structure</i>.</p>
RES2-1	37 (65/99) (A-11)	(i) <i>Single detached dwelling.</i>			(i) The <i>lot</i> shall be deemed to have access to a <i>public street</i> over an unopened road allowance.
EMP1	38 (8/2000) (A-14)				<p>(i) <i>Minimum required front yard</i> – 55.0 metres;</p> <p>(ii) <i>Minimum required setback</i> from an EP-F <i>Zone</i> boundary – 3.0 metres;</p> <p>(iii) <i>Maximum gross floor area</i> – 929.0 square metres;</p> <p>(iv) <i>Maximum ground floor area</i> – 465.0 square metres;</p> <p>(v) <i>Maximum height</i> – 12.0 metres.</p>
COM2	39 (41/83) (A-11)	(i) <i>Veterinary Clinic</i>	(i) <i>Hotel.</i>		
RES3	40 (38/2000) (12/2002) (40/2005) (A-9)				<p>(i) <i>Minimum required interior side yard</i> – 1.2 metres;</p> <p>(ii) <i>Minimum lot frontage</i> – 7.55 metres.</p>
OSR OS	41 (6/2000) (A-5)				<p>(i) <i>Maximum gross floor area</i> of all <i>accessory buildings</i> and <i>structures</i> – 185.8 square metres;</p> <p>(ii) <i>Maximum height</i> of an <i>accessory building</i> or <i>structure</i> – 4.5 metres;</p> <p>(iii) <i>Minimum required</i></p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>yard, north yard – 30.5 metres;</p> <p>(iv) Minimum required <i>landscaped open space</i> – 95%.</p> <p>(v) The minimum required level of protection from hazards associated with the shoreline of Lake Ontario shall be the 1:100 year flood level of Lake Ontario being 76.2 metres G.S.C. plus a 50.0 metres, maximum, horizontal effect for wave action, or, the 100 year erosion limit, whichever is the greater.</p>
RES1-2	42 (44/2000) (A-5)				<p>(i) Maximum number of guest rooms – 2;</p> <p>(ii) Maximum <i>gross floor area</i> of a <i>bed and breakfast</i> – 25% of the <i>gross floor area</i> of the <i>dwelling unit</i>.</p>
COM3	44 (13/2002) (A-10, A-11)	<p>(i) <i>Apartment dwelling</i>;</p> <p>(ii) <i>Multiple-unit dwelling</i>;</p> <p>(iii) <i>Street townhouse dwelling</i>.</p>			<p>(i) Minimum <i>lot area</i> – 46.5 square metres per <i>dwelling unit</i>;</p> <p>(ii) Minimum required <i>setback</i> from <i>centreline</i> of a <i>public street</i> – 10.0 metres.</p>
COM2	45 (41/2002) (A-2)				<p>(i) No <i>opening</i> shall be permitted on the north elevation of any <i>building</i> located less than 9.0 metres from the northern <i>lot line</i> on that portion of a wall located higher than 3.0 metres above <i>finished grade</i>.</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
RES3	49 (OMB Dec. 1075, 1990, 2292) (A-4)		(i) As shown on Schedule 'C-6' of this By-law.		(i) As shown on Schedules 'C-6' and 'C-7' of this By-law.
RES2-1	50 (OMB Dec. 1075, 1990, 2292) (A-4)		(i) As shown on Schedule 'C-6' of this By-law.		(i) As shown on Schedules 'C-6' and 'C-7' of this By-law.
COM1	54 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-6' of this By-law.		(i) As shown on Schedules 'C-6' and 'C-7' of this By-law.
OS	56 (OMB Dec. 1075, 1990, 2292) (A-4)		(i) As shown on Schedule 'C-6' of this By-law.		(i) As shown on Schedules 'C-6' and 'C-7' of this By-law.
RES2-1	57 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-8' of this By-law.		(i) As shown on Schedules 'C-8' and 'C-9' of this By-law.
RES3	58 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-8' of this By-law.		(i) As shown on Schedules 'C-8' and 'C-9' of this By-law.
RES4	59 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-8' of this By-law.		(i) As shown on Schedules 'C-8' and 'C-9' of this By-law.
IU	60 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-8' of this By-law.		(i) As shown on Schedules 'C-8' and 'C-9' of this By-law.
OS	61 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-8' of this By-law.		(i) As shown on Schedules 'C-8' and 'C-9' of this By-law.

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
RES2-1	62 (OMB Dec. 1075, 1990, 2292) (A-2)		(i) As shown on Schedule 'C-10' of this By-law.		(i) As shown on Schedules 'C-10' and 'C-11' of this By-law.
RES3	63 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-10' of this By-law.		(i) As shown on Schedules 'C-10' and 'C-11' of this By-law.
OS	64 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-10' of this By-law.		(i) As shown on Schedules 'C-10' and 'C-11' of this By-law.
OS	65 (OMB Dec. 1075, 1990, 2292) (A-3)		(i) As shown on Schedule 'C-10' of this By-law.		(i) As shown on Schedules 'C-10' and 'C-11' of this By-law.
EMP1	66 (92/2004) (A-14)				(i) Maximum number of <i>model homes</i> - 3; (ii) An <i>accessory outdoor display and sales area</i> shall be limited to the <i>yard</i> abutting Highway 401.
RES3	67 (51/2005) (A-13)				(i) Minimum required <i>setback</i> from the 'EP-F' Zone – 3.0 metres.
RES2-1	68 (74/2005) (A-10)	(i) <i>Medical office.</i>			(i) <i>Minimum required interior side yard</i> – 0.55 metres on one side; (ii) <i>Minimum required rear yard</i> – 18.0 metres; (iii) Minimum required <i>landscaped open space</i> – 30%.
RES1-1	69 (84/2005) (A-5)	(i) <i>Country Inn.</i>			(i) Maximum number of guest rooms – 7; (ii) Maximum number of spa rooms – 7; (iii) Maximum <i>floor area</i> for the storage and kitchen associated with a <i>hotel</i> – 90.0 square metres;

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					(iv) Minimum required number of <i>loading spaces</i> – 1; (v) <i>Minimum required yard</i> for a <i>parking space</i> or <i>parking area</i> – 2.0 metres; (vi) Minimum required <i>planting strip</i> along any <i>lot line</i> – 1.0 metre.
RES1-1	70 (84/2005) (A-5)		(i) <i>Parking area</i> ; (ii) <i>Single detached dwelling</i> . (iii) <i>Additional residential units</i> in accordance with Section 4.2.1		(i) <i>Minimum required yard</i> for a <i>parking space</i> or <i>parking area</i> – 1.5 metres.
A	71 (3400) (B-17)	(i) <i>Agricultural produce plant</i> .			
RES2-1	72 (18/2003) (A-12)	(i) Shared housing, Supervised (Large Scale)			
A	73 (11/2003) (B-17)			(i) Barn for the purposes of housing <i>livestock</i> .	
RES2-1	74 (56/84) (A-9)				(I) Maximum number of <i>single detached dwellings</i> – 3.
COMR	75 (3350) (B-22)		(i) <i>Motor vehicle repair garage</i> .		
EMPR	76 (3350) (B-18)		(i) <i>Industrial use</i> ; (ii) <i>Retail store</i> ; (iii) <i>Transport terminal</i> .		
OSR	77 (3350) (B-23)		(i) <i>Camping establishment</i> ; (ii) <i>Greenhouse, accessory</i> ; (iii) <i>Miniature golf course, accessory</i> ; (iv) <i>Recreational trailer, vehicle or</i>		(i) <i>Minimum required yard</i> , all yards – 15 metres; (ii) Maximum <i>lot coverage</i> – 40%; (iii) Minimum required <i>landscaped open space</i> – 40%.

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
			<i>boat sales establishment, accessory;</i> (v) Retail sale of propane fuel.		
EMPR	78 (3350) (B-18)		(i) <i>Agricultural support use;</i> (ii) <i>Outdoor storage.</i>		(i) <i>Minimum required interior side yard – 15.0 metres.</i>
EMPR	79 (3350) (B-17)		(i) <i>Abattoir;</i> (ii) <i>Retail store, accessory, within the main building.</i>		(i) <i>Minimum required front yard – 76.0 metres.</i>
EMPR	80 (3350) (B-25)		(i) <i>Abattoir;</i> (ii) <i>Retail store, accessory, within the main building.</i>		
EMPR	81 (3350) (B-19)		(i) <i>Agricultural support use;</i> (ii) <i>Retail store, accessory.</i>		
EMPR	82 (3350) (06/2011) (B-18)		(i) <i>Agricultural warehouse;</i> (ii) <i>Animal clinic;</i> (iii) <i>Professional office, accessory;</i> (iv) <i>Farm implement dealer;</i> (v) <i>Industrial use;</i> (vi) <i>Outdoor storage, accessory;</i> (vii) <i>Retail store, accessory;</i> (viii) <i>Service shop.</i> (ix) <i>Single detached dwelling, accessory.</i>		(i) <i>Single detached dwelling is ancillary to a permitted non-residential use and occupied by the owner, caretaker, watchman or other similar person, and family, as is employed on the lot on which such dwelling house is located.</i>
EMPR	83 (3350) (B-17)		(i) <i>Motor vehicle repair shop.</i>		
EMPR	84 (3350) (B-18)		(i) <i>Dry industrial use.</i>		

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
COM2	85 (20/2010) (A-2)	(i) <i>Industrial use.</i>			
RES3	86 (104/2009) (A-10)		(i) <i>Apartment building containing a maximum of 24 dwelling units.</i>		(i) <i>Minimum required front yard – 12 metres;</i> (ii) <i>Minimum required exterior side yard – 20 metres;</i> (iii) <i>Minimum required rear yard – 1.5 metres;</i> (iv) <i>Minimum number of parking spaces required – 1 space per dwelling unit.</i>
COM2	87 (80/2009) (A-1)	(i) <i>Auctioneer's Establishment;</i> (ii) <i>Outdoor storage, accessory.</i>		(i) <i>Motor vehicle body shop;</i> (ii) <i>Place of Amusement;</i> (iii) <i>Specialty food store;</i> (iv) <i>Supermarket.</i>	(i) <i>Minimum required setback from the Toronto Road and Highway 401 streetlines for accessory outdoor display and sales, accessory outdoor storage and loading spaces – 2.0 metres;</i> (ii) <i>Minimum required yard abutting the Toronto Road streetline – 2.0 metres;</i> (iii) <i>Minimum required exterior side yard – 20.0 metres;</i> (iv) <i>Minimum required yard, all other yards – 3.0 metres;</i> (v) <i>Minimum required width of planting strip required abutting the Toronto Road streetline – 6.0 metres;</i> (vi) <i>Minimum required width of planting strip abutting all other streetlines – 3.0 metres;</i> (vii) <i>Minimum required number of parking spaces for a retail store – 1/18.5 square metres gross leasable floor area.</i>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
RES3	88 (84/2010) (A-10)				<ul style="list-style-type: none"> (i) Minimum <i>lot area</i> - 166.14 square metres; (ii) Minimum <i>lot frontage</i> - 8.6 metres; (iii) Minimum <i>front yard</i> <ul style="list-style-type: none"> - 4.0 m (adjacent to Harcourt Street) - 6.0 m (adjacent to Hope Street) (iv) Minimum <i>exterior side yard</i> - 3.5 m; (v) Minimum <i>rear yard</i> <ul style="list-style-type: none"> - 4.0 m (adjacent to RES3-86 zone) - 2.5m (adjacent to RES3-88 zone).
COM1	89 (92/2010) (A-9)	(i) Drive-through Window for a Convenience Retail Purpose(s), but not including <i>Restaurant</i> or <i>Restaurant Take-Out</i> .			(i) The Drive-through Window shall only apply to a Convenience Retail Purpose which <i>use</i> primarily sells food and closely related household items which are stocked so as to attract those consumers principally residing in the immediately surrounding area.
RES1-4	90 (01/2010) (A-1)				<ul style="list-style-type: none"> (i) <i>Minimum required front yard</i> - 4.5 metres; (ii) <i>Minimum required rear yard</i> - 6.0 metres; (iii) <i>Minimum required interior side yard</i> - 1.2 metres and where an attached <i>garage</i> or <i>carport</i> is provided, the minimum <i>side yard</i> on one side may be 1.0 metre.
RES4	91 (51/98) (A-2)				<ul style="list-style-type: none"> (i) Minimum <i>lot area</i> - 0.6 hectares (ii) Maximum residential density - 150 <i>dwelling units</i> per hectare
FD	92 (65/2009) (B-18)				<ul style="list-style-type: none"> (i) Minimum <i>lot area</i> shall be 19 hectares; (ii) Minimum <i>front setback</i> shall be 10

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					metres; (iii) Minimum <i>setback</i> adjacent to the 'RESV1' Zone shall be 3 metres; (iv) Minimum westerly <i>setback</i> adjacent to the 'RESV1' Zone shall be 30 metres; (v) Maximum number of residential <i>units</i> shall be one (1); (vi) The existing <i>accessory structure</i> (workshop) shall be a permitted <i>use</i> for up to two (2) years from the date of the passing of this By-law, or until such time as all or a portion of the workshop is converted to a residential <i>use</i> or a new <i>single detached</i> residential <i>unit</i> is constructed on the subject lands.
RESV 1	93 (57/2011) (B-18)				(i) Minimum <i>Front Yard</i> - 4.17 metres.
RES3	94 (62/2011) (A-4)		(i) Single Detached; (ii) Semi-detached; (iii) a Public Use including a school or park (iv) <i>Additional residential units</i> in accordance with Section 4.2.1		(i) Minimum <i>Lot Area</i> a. Single Detached- 229 square metres b. Semi-detached - 212 square metres (ii) Minimum <i>Lot Frontage</i> a. Single Detached- 8.2 metres b. Semi-detached - 7.6 metres (iii) <i>Minimum Required Front Yard</i> to the main wall of the <i>dwelling</i> a. <i>Lot</i> with vehicular access from a <i>public street</i> (front) – 4.5 metres b. <i>Lot</i> with vehicular access from a <i>lane</i> – 3.0

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>metres</p> <p>(iv) Minimum Required <i>Setback</i> to Attached Garage from a <i>public street</i> – 6.0 metres</p> <p>(v) <i>Minimum Required Exterior Side Yard</i></p> <p>a. Abutting a local road right-of-way of 17.0 metres– 3.0 metres</p> <p>b. Abutting a local road right-of-way of 14.5 metres– 2.0 metres</p> <p>c. For the purpose of Clause (v), the <i>side yard setback</i> of the <i>dwelling</i> and the accessory garage shall be calculated as if the <i>lot lines</i> were produced to their point of intersection.</p> <p>(vi) <i>Minimum Required Interior Side Yard</i> - 1.2 metres and 0.6 metres; (provided the minimum cumulative <i>interior side yard</i> of abutting yards shall be 1.8 metres); Shall be reduced to zero along the <i>interior side lot line</i> that is also the location of a common wall</p> <p>(vii) <i>Minimum Required Rear Yard</i></p> <p>a. <i>Lot</i> with vehicular access from a <i>public street</i> (front) – 6.0 metres</p> <p>b. <i>Lot</i> with vehicular access from a <i>lane</i> – 10.5 metres to the main rear wall of the <i>dwelling</i> excluding any breezeway or <i>porch</i></p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>c. For the purpose of Clause (vii) a breezeway means a connection between the <i>dwelling unit</i> and an accessory garage. A breezeway shall not be more than one (1) <i>storey</i> in <i>height</i> and shall not have a width greater than 2.2 metres on a <i>lot</i> having a <i>lot frontage</i> of 7.6 metres in width. The width of a breezeway may be increased by 0.3 metres for each additional 0.3 metres of <i>lot frontage</i> to a maximum of 4 metres. The measurement of the width shall be from the inner side of the exterior walls or supporting <i>structure</i>.</p> <p>(viii) Notwithstanding the provisions of Section 4.1.1 (<i>Private Garages</i>) or any other provision in this By-law, the minimum <i>setback</i> for a <i>private garage</i> from a <i>lot line</i> shall be:</p> <ol style="list-style-type: none"> a. 0.0 metres for a jointly-owned garage which serves two <i>dwellings</i> whose common <i>lot line</i> is the dividing line of such garage. b. 0.3 metres from the <i>lot line</i> dividing the <i>lot</i> from a <i>lane</i>.

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<ul style="list-style-type: none"> (ix) Maximum number of <i>dwelling</i>s -112 (does not include <i>additional residential units</i>). (x) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other provision in this By-law: <ul style="list-style-type: none"> a. the provision for '<i>Setback from exterior side lot line</i>' shall not apply b. The maximum <i>floor area</i> for any <i>accessory buildings</i> and <i>structures</i> shall be 20% (xi) Notwithstanding the provisions of Section 4.33.1 (<i>Sight Triangles - Application</i>), or any other provision in this By-law, the <i>sight triangle</i> dimensions shall be 3.0 metres for Local Roads with a connection to Strachan Street, and 1.5 metres for Laneways.
RES3	95 (101/2011) (A-9)				<ul style="list-style-type: none"> (i) <i>Minimum Required Front Yard</i> – 4.5 metres (ii) <i>Minimum Required Interior Side Yard</i> – 4.5 metres (iii) <i>Minimum Required Rear Yard</i> – 4.5 metres (iv) Minimum number of <i>parking spaces</i> required – 1.5 space per <i>dwelling unit</i> (including visitor parking) (v) Notwithstanding the provisions of Section

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					5.5.1 (Location of Parking) or any other provision in this By-law: a. the minimum <i>setback</i> of the <i>parking area</i> from the <i>streetline</i> shall be 4.5 metres. b. the minimum <i>setback</i> of the <i>parking area</i> from the <i>building</i> on the same <i>lot</i> shall be 1.0 metres.
RESV 1	96 (90/2011) (B-20)				(i) <i>Minimum Exterior Side Yard</i> – 3.59 metres. (ii) <i>Minimum Rear Yard</i> – 0.588 metres. (iii) <i>Lot Area</i> – 1,823 square meters
RES3	97 (22/2012) (A-1)				(i) <i>Minimum Required Front Yard</i> – 3.0 metres. (ii) <i>Minimum Required Interior Side Yard</i> – 1.2 metres (iii) <i>Minimum Required Interior Side Yard</i> when adjacent to a public walkway– 0.6 metres (iv) <i>Minimum Required Rear Yard</i> – 6.0 metres
RES3	98 (33/2012) (A-6)		(i) Multiple-unit dwellings;		(i) <i>Minimum Lot Area</i> - 926.70 square metres (ii) <i>Minimum Lot Frontage</i> – 15.90 metres (iii) <i>Minimum Required Interior Side Yard</i> a. West – 1.87 metres b. East – 5.91 metres (iv) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones),

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>or any other provision in this By-law, the 'Setback from interior side lot line' to the west shall be 0.00 metres.</p> <p>(v) Notwithstanding the provisions of Table 5.5 (Residential Parking Requirements), or any other provision in this By-law, the number of parking spaces required – 0 space <i>per dwelling unit</i>.</p>
RES3	99 (33/2012) A-6		i) <i>Multiple-unit dwellings</i> ;		<p>(i) <i>Minimum Lot Frontage</i> – 35.73 metres</p> <p>(ii) <i>Minimum Required Front Yard</i> -6.60 metres</p> <p>(iii) <i>Minimum Required Setback to Attached Garage from a public street</i> – 6.0 metres</p> <p>(iv) <i>Minimum Required Interior Side Yard</i></p> <p>a. West – 0.00 metres</p> <p>b. East – 4.35 metres</p> <p>(v) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other provision in this By-law, the maximum number of <i>accessory buildings and structures per lot</i> shall be 1 <i>private garage</i> and 2 <i>accessory buildings or structures</i>.</p> <p>(vi) Notwithstanding the provisions of Table 5.5 (Residential Parking Requirements), or any other provision</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					in this By-law, the total number of <i>parking spaces</i> is 8.
COMV	100 (57/2012) (B-23)				<ul style="list-style-type: none"> (i) <i>Minimum Front Yard</i> –0.0 metres (ii) <i>Minimum Exterior Side Yard</i> –0.0 metres. (iii) Notwithstanding the provisions of Section 4.2.2.b) (Accessory Dwelling Units-Commercial Zones), or any other provision in this By-law, the portion of <i>floor area</i> within the <i>first storey</i> of a <i>building</i> and within 0.0 metres of Gilmour Road and within 5.3 metres of County Road 9 is used for commercial purposes.
RES3	102 (72/2013) (A-4)		<ul style="list-style-type: none"> (i) Single Detached; (ii) Semi-detached; (iii) a Public Use including a school or park (iv) <i>Additional residential units</i> in accordance with Section 4.2.1 		<ul style="list-style-type: none"> (i) <i>Minimum Lot Area</i> <ul style="list-style-type: none"> a. Single Detached- 229 square metres b. Semi-detached - 212 square metres (ii) <i>Minimum Lot Frontage</i> <ul style="list-style-type: none"> a. Single Detached- 8.2 metres b. Semi-detached - 7.6 metres (iii) <i>Minimum Required Front Yard</i> to the main wall of the <i>dwelling</i> <ul style="list-style-type: none"> a. <i>Lot</i> with vehicular access from a <i>public street</i> (front) – 4.5 metres b. <i>Lot</i> with vehicular access from a <i>lane</i> – 3.0 metres (iv) <i>Minimum Required</i>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>Setback to Attached Garage from a <i>public street</i> – 6.0 metres</p> <p>(v) <i>Minimum Required Exterior Side Yard</i></p> <p>a. Abutting a local road right-of-way of 17.0 metres– 3.0 metres</p> <p>b. Abutting a local road right-of-way of 14.5 metres– 2.0 metres</p> <p>c. For the purpose of Clause (v), the <i>side yard setback</i> of the <i>dwelling</i> and the accessory garage shall be calculated as if the lot lines were produced to their point of intersection.</p> <p>(vi) <i>Minimum Required Interior Side Yard</i> - 1.2 metres and 0.6 metres; (provided the minimum cumulative <i>interior side yard</i> of abutting <i>yards</i> shall be 1.8 metres); Shall be reduced to zero along the <i>interior side lot line</i> that is also the location of a common wall</p> <p>(vii) <i>Minimum Required Rear Yard</i></p> <p>a. <i>Lot</i> with vehicular access from a <i>public street</i> (front) – 6.0 metres</p> <p>b. <i>Lot</i> with vehicular access from a <i>lane</i> – 10.5 metres to the main rear wall of the <i>dwelling</i> excluding any</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>breezeway or <i>porch</i></p> <p>c. For the purpose of Clause (vii) a breezeway means a connection between the <i>dwelling unit</i> and an accessory garage. A breezeway shall not be more than one (1) <i>storey in height</i> and shall not have a width greater than 2.2 metres on a <i>lot</i> having a <i>lot frontage</i> of 7.6 metres in width. The width of a breezeway may be increased by 0.3 metres for each additional 0.3 metres of <i>lot frontage</i> to a maximum of 4 metres. The measurement of the width shall be from the inner side of the exterior walls or supporting <i>structure</i>.</p> <p>(viii) Notwithstanding the provisions of Section 4.1.1 (<i>Private Garages</i>) or any other provision in this By-law, the minimum <i>setback</i> for a <i>private garage</i> from a <i>lot line</i> shall be:</p> <p>a. 0.0 metres for a jointly-owned garage which serves two <i>dwellings</i> whose common <i>lot line</i> is the dividing line of such garage.</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>b. 0.3 metres from the <i>lot line</i> dividing the <i>lot</i> from a <i>lane</i>.</p> <p>(ix) Maximum number of <i>dwelling</i>s -96 (does not include <i>additional residential units</i>).</p> <p>(x) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other provision in this By-law:</p> <p>a. the provision for 'Setback from <i>exterior side lot line</i>' shall not apply</p> <p>b. The maximum <i>floor area</i> for any <i>accessory buildings</i> and <i>structures</i> shall be 20%</p> <p>(xi) Notwithstanding the provisions of Section 4.33.1 (<i>Sight Triangles</i> - Application), or any other provision in this By-law, the <i>sight triangle</i> dimensions shall be 3.0 metres for Local Roads with a connection to Strachan Street, and 1.5 metres for Laneways.</p>
RESR	103 (71/2013) (B-17)				<p>The single family dwelling, fully-raised bed, well and/or <i>accessory structure</i> shall be located within a <i>building</i> envelope with the following <i>setbacks</i>:</p> <p>(i) Minimum <i>setback</i> from northern property line - 6.0 meters</p> <p>(ii) Minimum <i>setback</i> from southern property line - 6.0</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>meters</p> <p>(iii) Minimum <i>setback</i> from Mastwoods Road - 15.0 meters</p> <p>(iv) Minimum setback from eastern property line - 15.0 meters</p> <p>(v) Minimum <i>setback</i> from the Pond- 15.0 metres</p> <p>all in accordance with "Scoped Site Servicing Study" prepared by Oakridge Environmental Ltd. and dated April 2013.</p>
RES1-1	104 (20/2014) (84/2005) (A-5)	(i) Country Inn (ii) <i>Treatment Centre</i>			<p>(i) Maximum number of guest rooms – 9;</p> <p>(ii) Maximum number of <i>spa rooms</i> – 9;</p> <p>(iii) Maximum floor area for the storage and kitchen associated with a <i>hotel</i> – 90.0 square metres;</p> <p>(iv) Minimum required number of <i>loading spaces</i> – 1;</p> <p>(v) <i>Minimum required yard for a parking space or parking area</i> – 2.0 metres;</p> <p>(vi) Minimum required <i>planting strip</i> along any <i>lot line</i> – 1.0 metre.</p> <p>(vii) 'Treatment Centre' means a single detached <i>dwelling</i> which is occupied by not more than 20 persons exclusive of staff, who live as a single housekeeping unit, and require 24-hour secure residential, sheltered, specialized or group care, and treatment and rehabilitation for addiction to drugs or alcohol. For the purpose of Treatment Centre "secure" shall mean monitored and</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>controlled egress and ingress to the facility at all times.</p> <p>(viii) The Treatment Centre shall be wholly contained within the existing <i>building</i> envelope based on the date of the passage of this By-law.</p> <p>(ix) Parking for the Treatment Centre shall be provided based on a total of 14 spaces.</p> <p>(x) Notwithstanding Section 4.36, a Treatment Centre shall be permitted on the subject lands.</p>
COM3	105 (39/2014) (A-6)				<p>(i) <i>Minimum Front Yard</i> –0.0 metres</p> <p>(ii) <i>Minimum Exterior Side Yard</i> –0.0 metres.</p> <p>(iii) Notwithstanding the provisions of Section 4.2.2.b) (Accessory Dwelling Units- Commercial Zones), or any other provision in this By-law, the residential use is permitted within the <i>first storey</i> of the <i>building</i> and within 12.0 metres of Walton Street and Pine Street North.</p>
RESV 1	106 (44/2014) (B-23)				<p>(i) <i>Minimum Front Yard</i> – 8.08 metres.</p> <p>(ii) <i>Maximum Height</i> – 15.0 metres.</p> <p>(iii) <i>Lot Area</i> – 2,000.1 square meters.</p>
COMR	107 (15/2015) (B-18)				<p>(i) <i>Minimum Interior Side Yard</i> (north) – 7.32 metres.</p> <p>(ii) <i>Lot Area</i> – 4,419.3 square metres.</p>
RES1-	108	(i) <i>Custom</i>			(i) Parking for the all

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
2	(18/2016) (A-11)	<i>Workshop</i> <i>(ii) Professional Office</i> <i>(iii) Retail Store, Accessory</i>			permitted uses shall be provided based on a total of 4 spaces. <i>(ii) Minimum Front Yard – 4.36 metres</i> <i>(iii) Minimum Rear Yard – 7.4 metres.</i> <i>(iv) Minimum Interior Yard – 0.35 metres.</i> <i>(v) Maximum Width of Driveway at the streetline – 11.5 m</i>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
A(1)	109 (86/2015) (B-17)		<ul style="list-style-type: none"> i. <i>Growing and sale of hydroponic crops</i> ii. <i>Growing and sale of Trees</i> iii. <i>Growing and sale of hydroponic plants</i> iv. <i>Agricultural Storage</i> v. <i>Apple Storage and Distribution Centre</i> vi. <i>Small Scale Food Processing plant for Local Produce</i> vii. <i>Farm Equipment repair shop</i> viii. <i>Farm Input Supplier</i> 	<ul style="list-style-type: none"> i. <i>Bed and Breakfast Establishment</i> ii. <i>Shared Housing (Small Scale)</i> iii. <i>Dwelling, Single Detached</i> iv. <i>Farm Employee Accommodation</i> v. <i>Farm Vacation Home</i> vi. <i>Shared housing, supervised (small scale)</i> 	<ul style="list-style-type: none"> i. Minimum required <i>lot frontage</i> – 100 m ii. Minimum required <i>lot area</i> – 1.2 ha iii. Minimum required <i>rear yard</i> – 10.06 m iv. Maximum <i>lot coverage</i> – 20%
A	110 (33/2016) (B-20)	(i) <i>Retail Store, accessory</i>			<ul style="list-style-type: none"> (i) Retail Store structure, associated parking, outdoor patio, laneways and private services are limited to an area of 0.5 ha within the existing cluster of buildings in the south west corner of the subject lands based on the date of the passage of this By-law. (ii) Maximum gross floor area of building used for retail store– 235 m²
COMR	111 (44/2016) (B-18)	<ul style="list-style-type: none"> (i) <i>Outdoor Storage</i> (ii) <i>Warehouse, Accessory</i> 			<ul style="list-style-type: none"> (i) Warehouse, Accessory shall be defined as “A building or part thereof, which is used for the short term, temporary storage and warehousing of household goods, which are not for sale or accessible to the general public, that is customarily incidental to, subordinate to or exclusively devoted to the <i>principal use</i> located on the same lot.”

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
RU	112 (36/2017) B-23				<p>The single family dwelling, fully-raised bed, well and/or accessory structure shall be located within a building envelope with the following setbacks:</p> <ul style="list-style-type: none"> (i) Minimum setback from northern property line - 374.0 meters (ii) Minimum setback from western property line - 40.0 meters (iii) Minimum setback from Ganaraska Road – 113.0 meters (iv) Minimum setback from eastern property line- 200.0 meters (v) Minimum setback from the Pond - 30.0 metres
RESR	113 (52/2017) B-18				<ul style="list-style-type: none"> (i) Minimum <i>Lot Area</i> - 2221.8 square metres (ii) Minimum Required <i>Front Yard</i> – 9.1 metres (iii) Minimum Required <i>Interior Yard</i> – 4.5 metres (iv) Minimum Required <i>Rear Yard</i> - 2.4 metres (v) Notwithstanding the provisions of Table 4.2 (Provisions for Countryside and Open Space Zones), or any other provision in this By-law, the existing accessory structure will be permitted in the front yard and have the following provisions: <ul style="list-style-type: none"> a. <i>Setback</i> from <i>front lot line</i> shall be 3 metres b. Maximum

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p><i>height</i> shall be 8.7 metres</p> <p>c. Maximum <i>floor area</i> for all <i>accessory buildings</i> and <i>structures</i> shall be 11.1%</p> <p>(vi) The single detached dwelling shall be wholly contained within the existing building envelope of the former church based on the date of the passage of this By-law.</p>
RES1-2	114 (77/2017) A-11	(i) Accessory dwelling unit within an accessory structure			<p>(i) Maximum height for the accessory structure – 5.5 metres.</p> <p>(ii) The Accessory Dwelling shall be wholly contained within the existing building envelope of the accessory structure based on the date of the passage of this By-law.</p>
RES3	115 (32/2018) A-4		<p>(i) Single Detached</p> <p>(ii) a Public Use including a school, park, or walkway</p> <p>(iii) <i>Additional residential units</i> in accordance with Section 4.2.1</p>		<p>(i) Minimum Lot Area – 230 square metres</p> <p>(ii) Minimum Lot Frontage – 8.4 metres</p> <p>(iii) Minimum Required Front Yard to the main wall of the dwelling</p> <p>a) Lot with vehicular access from a public street (front) – 4.5 metres</p> <p>b) Lot with vehicular access from a lane – 3.0 metres</p> <p>(iv) Minimum Required Setback to Attached Garage from a public street – 6.0m</p> <p>(v) Minimum Required Exterior Side Yard</p> <p>a) Abutting a local road right-of-way</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>of 17.0 metres or greater – 3.0 metres</p> <p>b) Abutting a local road right-of-way of 14.5 metres– 2.0 metres</p> <p>(vi) Minimum Required Interior Side Yard - 1.2 metres and 0.6 metres (provided the minimum cumulative interior side yard of abutting yards shall be 1.8 metres)</p> <p>(vii) Minimum Required Rear Yard</p> <p>a) Lot with vehicular access from a public street (front) – 6.0 metres</p> <p>b) Lot with vehicular access from a lane – 10.5 metres to the main rear wall of the dwelling excluding any breezeway, attached</p> <p>c) For the purpose of Clause (vii) a breezeway shall not be more than one (1) storey in height and shall not have a width greater than 2.2 metres on a lot having a frontage of 7.6 metres in width. The width of a breezeway may be increased by 0.3 metres for each additional 0.3 metres of lot frontage to a maximum of 4 metres. The measurement of the width shall be from the inner side of the exterior walls or supporting structure.</p> <p>(viii) Notwithstanding the</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>provisions of Section 4.1.1 (Private Garages) or any other provision in this By-law, the minimum setback for a private garage from a lot line dividing the lot from a lane shall be 0.3 metres from the lot line</p> <p>(ix) For the purpose of Clauses (iii) to (viii), in the case of a corner lot, the setbacks of the dwelling and garage shall be calculated as if the exterior side lot line was extended to its hypothetical point of intersection with the extension of the front lot line and rear lot line dividing the lot from a lane</p> <p>(x) Maximum number of dwellings -170 (does not include <i>additional residential units</i>)</p> <p>(xi) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other provision in this By-law:</p> <p>a) the provision for 'Setback from exterior side lot line' shall not apply</p> <p>b) The maximum floor area for any accessory buildings and structures shall be 20%</p> <p>(xii) Notwithstanding the provisions of Section 4.33.1 (Sight Triangles - Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>3.0m for Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(xiii) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, for lots 14.0m or larger, accessed from a lane, a balcony may be permitted on the roof top of an attached garage provided:</p> <p>a) the garage is no higher than one storey beyond the main rear wall;</p> <p>b) that the minimum distance between any two balconies on abutting properties is 6.0 metres, and; c) That the garage has a minimum setback of 6.0 metres from the rear lot line.</p> <p>xiii) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters and roof overhangs, are permitted to encroach into the smallest <i>interior side yard</i> on the lot provided that in no case shall the architectural feature be located closer than 0.2 metres to the <i>interior side lot line</i>.</p>
RES1-2	116 (32/2018) A-4		(i) Single Detached		<p>(i) Minimum Lot Area – 600 square metres</p> <p>(ii) Minimum Lot Frontage – 15.0 metres</p> <p>(iii) Minimum Required</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					Front Yard – 6.0 metres (iv) Minimum Required Exterior Side Yard – 2.0 metres (v) Minimum Required Interior Side Yard – 1.2 metres (vi) Minimum Required Rear Yard – 7.5 metres (vii) Maximum Height – 11.0 metres
A	117 (49/2018) B-15				(viii) Minimum required <i>lot frontage</i> – 35 m (ix) Minimum required <i>lot area</i> – 22.13 ha (x) Minimum required interior side yard setback for the existing shed – 1 m
A	118 (79/2018) B-18		(i) Agriculture-Related Uses (ii) Single Detached Dwelling (iii) <i>Additional residential units</i> in accordance with Section 4.2.1		(i) Minimum required <i>lot area</i> – 4.2 ha (ii) Minimum required front yard setback for the existing single detached dwelling – 4.7 m (iii) Minimum required front yard setback for the existing garage – 0 m (iv) Minimum required front yard setback for two existing silos, based on the date of the passing of this by-law– 5.5 m and 5.6 m (v) Minimum required front yard setback for existing agriculture-related accessory structures, based on the date of the passing of this by-law: a. Metal building #1 – 6.0 m b. Metal building #2 – 2.1 m c. Concrete building

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					- 0 m
COMR	119 (65/2018) (B-18)		(i) Farm Retail (ii) Animal Clinic (iii) Professional Office (iv) Emergency Service Facility (v) Farm Implement Dealer (vi) Greenhouse Commercial (vii) Nursery (viii) Personal Service Shop (ix) Private Club (x) Restaurant (xi) Retail Store		(i) Minimum Required Interior Side Yard – 1.86 metres
EMP1	120 (78/2018) (A-13)	(i) Transportation terminal			(i) Minimum Required Rear Yard – 8.5 metres
RESV 1	121 (37/2019) (B-20)				(i) Minimum Lot Area: 0.21 ha (ii) Minimum Lot Frontage- 22.2 m
RES2-2	122 (17/2019) (A-10)		Uses permitted within a RES1 Zone subject to those special provisions applicable to such uses within the RES1 Zone		(i) Minimum required front yard setback of “Lot 2” (corner lot) – 3.23 m
RESR	123 (84/2019) (B-15)				(ii) Minimum required lot frontage – 43.5 m
COM3	124 (16/2021) (A-10) (13/2002) (A-10/11)	(i) Apartment dwelling unit; (ii) Multiple- unit dwelling; (iii) Street townhouse dwelling			(i) Minimum required Lot Frontage- 4.5 metres (per unit) (ii) Minimum required Setback from Centreline of a Public Street- 7.3 metres (iii) Maximum of 15 townhouse dwelling units (iv) Minimum required parking spaces— 28 spaces (v) Minimum lot area 46.5 square metres per dwelling unit

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
EMP2	125 (14/2020) (A-14)	(i) <i>Motor vehicle body shop;</i> (ii) <i>Motor vehicle dealership;</i> (iii) <i>Motor vehicle gasoline bar;</i> (iv) <i>Motor vehicle repair garage;</i> (v) <i>Motor vehicle sales and rental establishment</i> (vi) <i>Recreational trailer, vehicle or boat sales establishment.</i>		(i) Funeral Home	(ii) Maximum lot area permitted for the accessory outdoor display and sale area associated with motor vehicles or recreational vehicles – 66%; (iii) Minimum required floor area before an accessory restaurant is permitted – 1,000.0 m2
(A)	126 (30/2020) (B-20)				39R-9361 Part 1: (i) minimum lot frontage: 45.72m (ii) minimum lot size: 7.66 ha 39R-9361 Part 2: (i) minimum lot frontage: 155m (ii) minimum lot size: 5.95 ha In the event where a proposed building and/or structure is proposed for development within the Ganaraska Regional Conservation Authority (GRCA) Regulated Area, written authorization from the GRCA is required prior to the issuance of a Building Permit. Appropriate development setbacks from the natural hazards are to be approved by the GRCA.
RES3	127 (43/2020) (A-13)				Minimum <i>Rear Yard</i> —6.2 metres.
RES3	128 (OLT 42/2021)		(i) Single Detached Dwelling (ii) a Public Use including a school, park, or walkway (iii) <i>Additional</i>		(i) Minimum Lot Area - 230 square metres (ii) Minimum Lot Frontage - 8.4 metres (iii) Minimum Required Front Yard to the

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
			<i>residential units</i> in accordance with Section 4.2.1		<p>main wall of the dwelling – 3.0 metres</p> <p>(iv) Minimum Required Exterior Side Yard – 3.0 metres</p> <p>(v) Minimum Required Interior Side Yard - 1.2 metres and 0.6 metres (provided the minimum cumulative interior side yard of abutting yards shall be 1.8 metres)</p> <p>(vi) Minimum Required Rear Yard - 10.3 metres to the main rear wall of the dwelling excluding any breezeway, attached private garage, or porch</p> <p>a. For the purpose of Clause (vi) a breezeway shall not be more than one (1) storey in height and shall not have a width greater than 2.2 metres on a lot having a frontage of 7.6 metres in width. The width of a breezeway may be increased by 0.3 metres for each additional 0.3 metres of lot frontage to a maximum of 4 metres. The measurement of the width shall be from the inner side of the exterior walls or supporting structure.</p> <p>(vii) Notwithstanding the provisions of Section 4.1.1 (Private Garages) or any other provision in this By-law, the minimum setback</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>for a private garage from a lot line dividing the lot from a lane shall be 0.3 metres from the lot line</p> <p>(viii) For the purpose of Clauses (iii) to (vii), in the case of a corner lot, the setbacks of the dwelling and garage shall be calculated as if the exterior side lot line was extended to its hypothetical point of intersection with the extension of the front lot line and rear lot line dividing the lot from a lane</p> <p>(ix) Maximum number of dwellings - 25 (does not include <i>additional residential units</i>)</p> <p>(x) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other provision in this By-law:</p> <ol style="list-style-type: none"> a. the provision for 'Setback from exterior side lot line' shall not apply b. The maximum floor area for any accessory buildings and structures shall be 20% <p>(xi) Notwithstanding the provisions of Section 4.33.1 (Sight Triangles - Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be 3.0m for</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(xii) Notwithstanding the provisions of Section 4.15 (Model Homes), or any other provision in this by-law, not more than 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as model homes.</p> <p>(xiii) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters, and roof overhangs, are permitted to encroach into the smallest interior side yard on the lot provided that in no case shall the architectural feature be located closer than 0.2m to the <i>interior side lot line</i>.</p>
RES3	129 (OLT 42/2021)		<p>(i) Single Detached</p> <p>(ii) A Public Use including a school, park, or walkway</p> <p>(iii) <i>Additional residential units</i> in accordance with Section 4.2.1</p>		<p>(i) Minimum Lot Area - 230 square metres</p> <p>(ii) Minimum Lot Frontage – 8.4 metres</p> <p>(iii) Minimum Required Front Yard to the main wall of the dwelling</p> <p>a. Lot with vehicular access from a public street (front) – 4.5 metres</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<ul style="list-style-type: none"> b. Lot with vehicular access from a lane – 3.0 metres (iv) Minimum Required Setback to Attached Garage from a public street – 6.0m (v) Minimum Required Exterior Side Yard <ul style="list-style-type: none"> a. Abutting a local road right-of-way of 17.0 metres or greater – 3.0 metres b. Abutting a local road right-of-way of 14.5 metres or lane right-of-way of 7.5 metres– 2.0 metres (vi) Minimum Required Interior Side Yard - 1.2 metres and 0.6 metres (provided the minimum cumulative interior side yard of abutting yards shall be 1.8 metres) (vii) Minimum Required Rear Yard <ul style="list-style-type: none"> a. Lot with vehicular access from a public street (front) – 6.0 metres b. Lot with vehicular access from a lane – 10.5 metres to the main rear wall of the dwelling excluding any breezeway, attached private garage, or porch c. For the purpose of Clause (vii) a breezeway shall not be more than one (1) storey in height and shall not have a width greater than 2.2 metres on a lot having a frontage of 7.6 metres in

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>width. The width of a breezeway may be increased by 0.3 metres for each additional 0.3 metres of lot frontage to a maximum of 4 metres. The measurement of the width shall be from the inner side of the exterior walls or supporting structure.</p> <p>(viii) Notwithstanding the provisions of Section 4.1.1 (Private Garages) or any other provision in this By-law, the minimum setback for a private garage from a lot line dividing the lot from a lane shall be 0.3 metres from the lot line</p> <p>(ix) For the purpose of Clauses (iii) to (viii), in the case of a corner lot, the setbacks of the dwelling and garage shall be calculated as if the exterior side lot line was extended to its hypothetical point of intersection with the extension of the front lot line and rear lot line dividing the lot from a lane</p> <p>(x) Maximum number of dwellings - 238 (does not include <i>additional residential units</i>)</p> <p>(xi) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>Institutional Zones), or any other provision in this By-law:</p> <ul style="list-style-type: none"> a. the provision for 'Setback from exterior side lot line' shall not apply b. The maximum floor area for any accessory buildings and structures shall be 20% <p>(xii) Notwithstanding the provisions of Section 4.33.1 (Sight Triangles - Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be 3.0m for Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(xiii) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters, and roof overhangs, are permitted to encroach into the smallest interior side yard on the lot provided that in no case shall the architectural feature be located closer than 0.2m to the <i>interior side lot line</i>.</p> <p>(xiv) Notwithstanding the provisions of Section 4.8</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>(Encroachment of Architectural Features), or any other provision in this by-law, for lots 14.0m or larger, accessed from a lane, a balcony may be permitted on the roof top of an attached garage provided:</p> <ul style="list-style-type: none"> a. the garage is no higher than one storey beyond the main rear wall; b. that the minimum distance between any two balconies on abutting properties is 6.0 metres, and; c. that the garage has a minimum setback of 6.0 metres from the rear lot line. <p>(xv) Notwithstanding the provisions of Section 4.15 (Model Homes), or any other provision in this by-law, not more than 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as model homes.</p>
RES3	130 (OLT 42/2021)		<ul style="list-style-type: none"> (i) Single Detached (ii) A Public Use including a school, park, or walkway (iii) <i>Additional residential units</i> in accordance with Section 4.2.1 		<ul style="list-style-type: none"> (i) Minimum Lot Area - 230 square metres (ii) Minimum Lot Frontage – 14.0 metres (iii) Notwithstanding Clause (ii), the lot flanking on Strachan Street (corner lot) may have a minimum lot frontage of 11.0 metres.

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<ul style="list-style-type: none"> (iv) Minimum Required Front Yard to the main wall of the dwelling accessed from a public street (front) – 4.5 metres (v) Minimum Required Setback to Attached Garage from a public street – 6.0m (vi) Minimum Required Exterior Side Yard Abutting a local road right-of-way – 3.0 metres (vii) Minimum Required Interior Side Yard - 1.2 metres and 0.6 metres (provided the minimum cumulative interior side yard of abutting yards shall be 1.8 metres) (viii) Minimum Required Rear Yard – 7.0 metres (ix) Maximum number of dwellings - 14 (does not include <i>additional residential units</i>) (x) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other provision in this By-law: <ul style="list-style-type: none"> a. the provision for 'Setback from exterior side lot line' shall not apply b. The maximum floor area for any accessory buildings and structures shall be 20% (xi) Notwithstanding the provisions of

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>Section 4.33.1. (Sight Triangles-Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be 3.0m for Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(xii) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters, and roof overhangs, are permitted to encroach into the smallest interior side yard on the lot provided that in no case shall the architectural feature be located closer than 0.2m to the <i>interior side lot line</i>.</p> <p>(xiii) Notwithstanding the provisions of Section 4.15 (Model Homes), or any other provision in this by-law, not more than 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as model homes.</p>
RES1-2	131 31/2023 A-6				(i) Minimum <i>interior yard</i> setback on one side – 0.0 m
RES3	132		(i) Single		(iv) Minimum Lot Area –

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
	(OLT 42/2021)		Detached (ii) A Public Use including a school, park, or walkway (iii) <i>Additional residential units</i> in accordance with Section 4.2.1		300 square metres (v) Minimum Lot Frontage – 11.0 square metres (vi) Minimum Required Front Yard to the main wall of the dwelling with vehicular access from the public (front) – 4.5 metres (vii) Minimum Required Setback to Attached Garage from a public street – 6.0m (viii) Minimum Required Exterior Side Yard <ul style="list-style-type: none"> a. Abutting a local road right-of-way of 17.0 metres or greater – 3.0 metres b. Abutting a local road right-of-way of 14.5 metres or lane right-of-way of 7.5 metres— 2.0 metres (ix) Minimum Required Interior Side Yard – 1.2 metres and 0.6 metres (provided the minimum cumulative interior side yard of abutting yards shall be 1.8 metres) (x) Minimum Required Rear Yard – 5.0 metres (xi) Maximum number of dwellings – 4 (does not include <i>additional residential units</i>) (xii) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>Institutional Zones), or any other provisions in this By-law:</p> <ul style="list-style-type: none"> a. the provision for 'Setback from the exterior side lot line' shall not apply b. The maximum floor area for any accessory buildings and structures shall be 20% <p>(xiii) Notwithstanding the provisions of Section 4.33.1 (Sight Triangles - Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be 3.0m for Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(xiv) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters, and roof overhangs, are permitted to encroach into the smallest interior side yard on the lot provided that in no case shall the architectural feature be located closer than 0.2m to the <i>interior side lot line</i>.</p> <p>(xv) Notwithstanding the provisions of Section 4.15 (Model</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					Homes), or any other provision in this by-law, not more than 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as model homes.
OSR	133 42/2021 (OLT)	(i) a Private Use including a walkway			
RES3 V1	134 (55/2021) (B-23)	(i) <i>Commercial School</i>			
A	136 (30/2022) B-15	(i) <i>Agri-tourism use</i> which includes as a component, 10 farm vacation cabins			<p>a) For the purposes of this exception an agri-tourism use is defined as follows: Means a farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation</p> <p>b) Non-farm-related meetings are prohibited;</p> <p>c) Maximum permitted <i>gross floor area</i> for indoor farm-related meeting space: 195 square metres;</p> <p>d) Maximum permitted land area for outdoor farm-related meeting space: 865 square metres;</p> <p>e) Maximum number</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>of attendees on the farm-related meeting: 35</p> <p>f) Parking for the exclusive use of the employees and guests of the agri-tourism use is permitted;</p> <p>g) Maximum number of farm vacation cabins permitted: 10;</p> <p>h) Maximum <i>gross floor area</i> of a farm vacation cabin: 30 square metres;</p> <p>i) For the purposes of this Exception, a farm vacation cabin is defined as a cabin that provides sleeping accommodation (including participation in farm activities, meals, services and facilities for the exclusive use of the employees or guests of the agri-tourism use) for the employees of the agri-tourism use and/or the travelling or vacationing public;</p> <p>j) Farm vacation cabins and their access are not permitted in a <i>floodplain</i> or in any other natural hazard area identified by the Conservation</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>Authority, unless specifically permitted by the Conservation Authority;</p> <p>Each farm vacation cabin shall be accessed by a driveway that is a minimum of 6.0 metres wide.</p>
RU	140 B-19 (12/2023)				<p>(i) For the purposes of this exception a home industry use is defined as follows: Means a small-scale industrial use to include a cabinet manufacturing workshop that will be accessory to the residential and agricultural use of the property.</p> <p>(ii) Maximum permitted gross floor area for home industry: 557.4m²</p> <p>(iii) Maximum number of employees permitted for a home industry: 12</p> <p>(iv) Parking for exclusive use of the employees is permitted.</p> <p>(v) Maximum distance from home industry to primary residential dwelling: 70m</p>
COMV	141 B-23 04/2023		<p>i. <i>Retail Store</i></p> <p>ii. <i>Specialty Food Store</i></p> <p>iii. <i>Outside Display and Sales Area, Accessory</i> (subject to Section 4.22)</p> <p>iv. <i>a single detached dwelling</i></p> <p>v. <i>home</i></p>		<p>(i) Maximum gross floor area of building used for retail store/specialty food store– 440 m²</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
			<i>occupation</i> vi. <i>community garden</i> vii. <i>agriculture</i> (excluding livestock facilities).		
RESR	144 (50/2023) (B-20)				(i) Minimum Lot Frontage – 20.0m
A(1)	145 (50/2023) (B-20)			(i) Any Dwelling Unit (ii) The housing of livestock	(i) Minimum Required Interior Side Yard Setback for existing agricultural structure – 12.4m (ii) Minimum Required Interior Side Yard for Setbacks of existing agricultural structure – 1.2m and 4.6m
RESR	146 (51/2023) (B-20)				(i) Minimum Required Rear Yard Setback for existing single detached dwelling – 14.2m (ii) Minimum Required Interior Side Yard Setback for existing single detached dwelling – 5.6m
A(1)	147 (51/2023) (B-20)			(i) Any Dwelling Unit (ii) The housing of livestock	(i) Minimum Required Interior Side Yard Setback for existing agricultural structure – 14.7m (ii) Minimum Required Interior side yard for setbacks of existing
RES3	148 OLT 63/2023		(i) Single Detached (ii) a Public Use including a school, park, or walkway (iii) Additional residential units in accordance with Section 4.2.1		(i) Minimum Lot Area – 230 square metres (ii) Minimum Lot Frontage – 8.4 metres (iii) Minimum Required Front Yard to the main wall of the dwelling a. Lot with vehicular access from a public street (front) – 4.5 metres b. Lot with vehicular access from a

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>lane (rear) – 3.0 metres</p> <p>(iv) Minimum Required Setback to Attached Garage from a public street – 6.0m</p> <p>(v) Minimum Required Exterior Side Yard</p> <p>a. Abutting a local road right-of-way of 17.0 metres or greater – 3.0 metres</p> <p>b. Abutting a local road right-of-way of 14.5 metres or lane right-of-way of 7.5 metres– 2.0 metres</p> <p>(vi) Minimum Required Interior Side Yard - 1.2 metres and 0.6 metres (provided the minimum cumulative interior side yard of abutting yards shall be 1.8 metres)</p> <p>(vii) Minimum Required Rear Yard</p> <p>a. Lot with vehicular access from a public street (front) – 6.0 metres</p> <p>b. Lot with vehicular access from a lane (rear) – 10.5 metres to the main rear wall of the dwelling excluding any breezeway, attached private garage, or porch</p> <p>c. For the purpose of Clause (vii) a breezeway shall not be more than one (1) storey in height and shall not have a width greater than 2.2 metres on a lot having a frontage of 7.6 metres in width. The width of a breezeway may be increased by</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>0.3 metres for each additional 0.3 metres of lot frontage to a maximum of 4 metres. The measurement of the width shall be from the inner side of the exterior walls or supporting structure.</p> <p>(viii) Notwithstanding the provisions of Section 4.1.1 (Private Garages) or any other provision in this By-law, the minimum setback for a private garage from a lot line dividing the lot from a lane shall be 0.3 metres from the lot line</p> <p>(ix) For the purpose of Clauses (iii) to (viii), in the case of a corner lot, the setbacks of the dwelling and garage shall be calculated as if the exterior side lot line was extended to its hypothetical point of intersection with the extension of the front lot line and rear lot line dividing the lot from a lane</p> <p>(x) Maximum number of dwellings – 60 (does not include additional residential units)</p> <p>(xi) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>provision in this By-law:</p> <ul style="list-style-type: none"> a. the provision for 'Setback from exterior side lot line' shall not apply b. The maximum floor area for any accessory buildings and structures shall be 20% <p>(xii) Notwithstanding the provisions of Section 4.33.1 (Sight Triangles - Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be 3.0m for Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(xiii) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, for lots 14.0m or larger, accessed from a lane, a balcony may be permitted on the roof top of an attached garage provided:</p> <ul style="list-style-type: none"> a. the garage is no higher than one storey beyond the main rear wall; b. that the minimum distance between any two balconies on abutting properties is 6.0 metres, and; c. that the garage has a minimum setback of 6.0 metres from the

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>rear lot line.</p> <p>(xiv) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters and roof overhangs, are permitted to encroach into the smallest interior side yard on the lot provided that in no case shall the architectural feature be located closer than 0.2 metres to the interior side lot line.</p> <p>(xv) Notwithstanding the provisions of Section 4.15 (Model Homes), or any other provision in this by-law, not more than 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as model homes.</p>
RES3	149 OLT (63/2023)		<p>(i) Street Townhouse</p> <p>(ii) a Public Use including a school, park, or walkway</p> <p>(iii) Additional residential units in accordance with Section 4.2.1</p>		<p>(i) Minimum Lot Area for an end unit on an interior lot – 232.0 square metres</p> <p>(ii) Minimum Lot Frontage for an end unit on an interior lot – 7.88 metres</p> <p>(iii) Minimum Required Front Yard to the main wall of the dwelling – 3.0 metres</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>(iv) Minimum Required Interior Side Yard - 1.2 metres</p> <p>(v) Minimum Required Rear Yard – 10.5 metres to the main rear wall of the dwelling excluding any breezeway, attached private garage, or porch</p> <p>a. For the purpose of Clause (v) a breezeway shall not be more than one (1) storey in height and shall not have a width greater than 2.2 metres on a lot having a frontage of 6.55 metres in width. The width of a breezeway may be increased by 0.3 metres for each additional 0.3 metres of lot frontage to a maximum of 4 metres. The measurement of the width shall be from the inner side of the exterior walls or supporting structure.</p> <p>(vi) Notwithstanding the provisions of Section 4.1.1 (Private Garages) or any other provision in this By-law, the minimum setback for a private garage from a lot line dividing the lot from a lane shall be 0.3 metres from the lot line</p> <p>(vii) Maximum number of dwellings – 43</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>(does not include additional residential units)</p> <p>(viii) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other provision in this By-law:</p> <ul style="list-style-type: none"> a. the provision for 'Setback from exterior side lot line' shall not apply b. The maximum floor area for any accessory buildings and structures shall be 20% <p>(ix) Notwithstanding the provisions of Section 4.33.1 (Sight Triangles - Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be 3.0m for Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(x) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters and roof overhangs, are</p>

Col.1	Col. 2	Col. 3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
					<p>permitted to encroach into the smallest interior side yard on the lot provided that in no case shall the architectural feature be located closer than 0.2 metres to the interior side lot line.</p> <p>(xi) Notwithstanding the provisions of Section 4.15 (Model Homes), or any other provision in this by-law, not more than 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as model homes.</p>

PART 13 - HOLDING PROVISIONS

13.1 Notwithstanding any other provision in this By-law, where a Zone symbol is followed by a set of brackets, a letter “H” and a number contained within those brackets – for example RES4(H1) – the symbol refers to a Holding provision that applies to the lands noted. No person shall use or permit the land to which the Hold applies for any use other than the use which legally existed on the date the By-law applying the Holding provision came into effect or the use(s) permitted in the By-law enacting the Hold, or expand or replace an existing building or structure as the case may be, until the Hold (H) is removed in accordance with the policies of the Official Plan and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

13.2 Notwithstanding the above, public uses in accordance with Section 4.28 of this By-law, model homes in accordance with Section 4.15 of this By-law constructions uses in accordance with Section 14.1.1 of this By-law, a sales office in accordance with Section 14.1.2, asphalt plant or portable concrete plant in accordance with Section 14.1.3 of this By-law are permitted without the need to remove the Holding provision.

13.3 The Municipality may pass a By-law pursuant to Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended to remove the Holding (H) Symbol, thereby placing the lands in the zone indicated by the zone symbol, when all of the applicable requirements have been met. For the purposes of this By-law, a number of distinct holding provisions have been applied as set out in Table 13.1, below:

13.4 In Table 13.1:

13.1.1 Column 1 sets out the number of each Holding (H) provision which corresponds to an area of the *Municipality* identified on the Zoning Schedules by the same number, contained within a set of brackets following a *Zone* symbol, denoting a Holding (H) provision;

13.1.2 Column 2 identifies the general applicability of the Holding (H) provision;

13.1.3 Column 3 identifies the property subject to the Holding (H) provision;

13.1.4 Column 4 sets out the conditions for removal of the Holding (H) provision;

13.1.5 Column 5 identifies the date of enactment of the Holding (H) provision;

All other provisions of this By-law continue to apply to the lands subject to this Section.

Table 13.1: Holding (H) Provisions

Col. 1	Column 2	Column 3	Column 4	Col. 5
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted
H1	Lands where a development agreement is required	Multiple properties	The Holding (H1) provision may be lifted once the <i>Municipality</i> is satisfied that an appropriate Subdivision Agreement and/or Site Plan Agreement and/or Development Agreement has been executed.	Jun. 29, 2010
H2	Former <i>waste management facilities</i> and adjacent lands	Multiple properties	The Holding (H2) provision may be lifted once the <i>Municipality</i> is satisfied that the proposed <i>use</i> and/or development will be compatible with the <i>waste management facilities</i> in accordance with Section C17 (Solid <i>Waste Management</i>) of the Official Plan.	Jun. 29, 2010
H3	LLRWM Evaluation Area	Multiple properties	The Holding (H3) provision may be lifted once the <i>Municipality</i> is satisfied that the proposed development will be compatible with the Low-Level Radioactive Waste Management Area in accordance with Section D4.4 (Low-Level Radioactive <i>Waste Management</i>) of the Official Plan.	Jun.29, 2010
H4	Oak Ridges Moraine Environmental Review	Multiple Properties	The Holding (H4) provision may be lifted once an appropriate Natural Heritage Evaluation and Hydrological Evaluation are completed to the satisfaction of the <i>Municipality</i> and the appropriate Conservation Authority, in accordance with the policies of the Oak Ridges Moraine Conservation Plan.	Apr. 12, 2005
H5	New <i>single detached dwellings</i> on the Oak Ridges Moraine	All properties in the following <i>Zones</i> : - ORM-C - ORM-EP - ORM-MX - ORM-L - ORM-RU - ORM-V	The Holding (H5) provision may be lifted once an appropriate Natural Heritage Evaluation and Hydrological Evaluation are completed to the satisfaction of the <i>Municipality</i> and the appropriate Conservation Authority, in accordance with the policies of the Oak Ridges Moraine Conservation Plan, and once <i>The Municipality</i> is satisfied that a Site Plan Agreement has been executed.	Apr. 12, 2005
H6	Factory Outlet Mall Site	Part of <i>Lot 2</i> , Concession 2	The Holding (H6) provision may be lifted once a Traffic Impact Analysis and Servicing Impact Study are completed to the satisfaction of the Director of Public Works, the necessary drawings and agreements concerning the alignment and reconstruction of Telephone Road are completed to the satisfaction of the Director of Public Works and an appropriate Site Plan Agreement has been executed.	Oct. 25, 2005

Col. 1	Column 2	Column 3	Column 4	Col. 5
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted
H7	Penryn Mason Homes Phase 1	Multiple Properties	The Holding (H7) provision shall be lifted once a Heritage Impact Assessment (“HIA”) is completed to the satisfaction of the Municipality and any recommendations of the HIA are implemented to each of the lots within the zone.	Jun 9, 2021

PART 14 - TEMPORARY USE ZONES

14.1 MUNICIPALITY-WIDE

14.1.1 Construction Uses

Nothing in this By-law shall prevent *uses* incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other *building* or *structure* incidental to the construction, only for so long as the same are necessary for work in progress that has neither been finished nor abandoned.

14.1.2 Sales Office

Nothing in this By-law shall prevent the *use* of land for a sales office for the sale of residential, industrial or commercial *suites* (excluding a *model home*) provided that the *suites* to be sold are to be located on lands within the limits of the *Municipality*, and provided the lands are not within the following *zones*:

- a) Agricultural (A) *Zone*;
- b) Oak Ridges Moraine – Core (ORM-C) *Zone*;
- c) Oak Ridges Moraine – Environmental Protection (ORM-EP) *Zone*;
- d) Oak Ridges Moraine – Extractive Industrial (ORM-MX) *Zone*;
- e) Oak Ridges Moraine – Linkage (ORM-L) *Zone*;
- f) Oak Ridges Moraine – Rural (ORM-RU) *Zone*;
- g) Oak Ridges Moraine – Village (ORM-V) *Zone*;
- h) Environmental Protection (EP) *Zone*;
- i) Open Space (OS) *Zone*;
- j) Major Recreational (OSR) *Zone*; and,
- k) Environmental Protection – *Floodplain* (EP-F) *Zone*.

14.1.3 Wayside Pit or Quarry, Portable Asphalt and Concrete Plants

A *wayside pit* or *wayside quarry*, *portable asphalt plant* or portable concrete plant is permitted in any *Zone* with the exception of the following *zones*:

- a) Agricultural (A) *Zone*;
- b) Oak Ridges Moraine – Core (ORM-C) *Zone*;
- c) Oak Ridges Moraine – Environmental Protection (ORM-EP) *Zone*;
- d) Oak Ridges Moraine – Extractive Industrial (ORM-MX) *Zone*;
- e) Oak Ridges Moraine – Linkage (ORM-L) *Zone*;
- f) Oak Ridges Moraine – Rural (ORM-RU) *Zone*;
- g) Oak Ridges Moraine – Village (ORM-V) *Zone*;
- h) Environmental Protection (EP) *Zone*;
- i) Open Space (OS) *Zone*;
- j) Major Recreational (OSR) *Zone*; and,
- k) Environmental Protection – *Floodplain* (EP-F) *Zone*.

Notwithstanding the above, in no case shall a *wayside pit* or *wayside quarry* be located closer than 150.0 metres to a Residential *Zone* boundary or 90.0 metres from a *dwelling unit*, whichever is the greater.

14.1.4 Garden Suite

A *garden suite* shall only be permitted where identified as a permitted *use* in this By-law. Unless otherwise modified or amended otherwise, all provisions of the *zone* the subject *lot* is located within shall apply to the *garden suite*.

14.2 SITE-SPECIFIC PERMISSIONS

Where on Schedules to this By-law, a *zone* symbol is preceded by the letter “T”, a number and a dash, one or more additional but temporary *uses* are permitted on the lands noted until the permission granted by the site specific Temporary Use By-law expires in accordance with the policies of the Official Plan and Section 39 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Table 14.1, below, identifies the Temporary *Use Zones* within the *Municipality*.

In Table 14.1:

- 14.2.1 Column 1 sets out the temporary *use* symbol of each temporary *use* permission which corresponds to an area of the *Municipality* identified on the Zoning Schedules by the same symbol, preceding a dash and a *Zone* symbol, denoting a temporary *use* permission;
- 14.2.2 Column 2 identifies the *Zone* subject to the Temporary *Use* By-law;
- 14.2.3 Column 3 identifies the property subject to the Temporary *Use* By-law;
- 14.2.4 Column 4 sets out the temporary *uses* permitted;
- 14.2.5 Column 5 sets out any *zone* standards and other special provisions applicable to the temporary *use(s)*;
- 14.2.6 Column 6 identifies the date of enactment of the Temporary *Use* By-law;
- 14.2.7 Column 7 identifies the date of expiry of the Temporary *Use* By-law;
- 14.2.8 All other provisions of this By-law continue to apply to the lands subject to this Section.

Table 14.1: Temporary Use Permissions

Col. 1	Col. 2	Column 3	Column 4	Column 5	Col. 6	Col. 7
Exception Number	Zone	Subject Property	Temporary Uses Permitted	Special Provisions	Date Enacted	Date Expires
T3 (05/2016) (B-22)		Part of Lot 4 Concession 9 (9451 Woodvale School Road)	(i) <i>Garden suite</i>	(i) Access to both <i>dwellings</i> (principal & garden suite) shall be limited to the same driveway; (ii) Maximum <i>gross floor area</i> for a <i>garden suite</i> – 90.0 square metres; (iii) Maximum <i>height</i> for a <i>garden suite</i> – 4.5 metres; (iv) One <i>garden suite</i> shall be permitted on the subject lands; (v) Maximum <i>lot coverage</i> – 30%. (vi) The garden suite shall be located within a building envelope with the following <i>setbacks</i> : <ul style="list-style-type: none"> • Minimum <i>setback</i> from northern property line - 158 metres; • Minimum <i>setback</i> from southern property line - 285 metres; • Minimum <i>setback</i> from Woodvale School Road 	Feb 2, 2016	Feb 2, 2026

Col. 1	Col. 2	Column 3	Column 4	Column 5	Col. 6	Col. 7
Exception Number	Zone	Subject Property	Temporary Uses Permitted	Special Provisions	Date Enacted	Date Expires
				- 117 metres; • Minimum <i>setback</i> from eastern property line – 259 metres.		
T4 (64-2018) (46/2021) (B-16)	EMP1	Part of Lots 30 and 31 Concession 1	(i) <i>Conservation Use</i> (ii) <i>Single Detached Dwelling, Accessory</i>	Single detached <i>dwelling</i> is ancillary to a permitted non-residential <i>use</i> and occupied by the owner, caretaker, watchman or other similar person, and family, as is employed on the lot on which such <i>dwelling</i> house is located.	August 7, 2018	August 3, 2024
T5 (23/2023) (A-1)	RES1-1	196 Toronto Road	(i) <i>Offices</i> (ii) <i>Laboratory</i> (iii) <i>Training Facility</i> (iv) <i>Storage of Soil Samples</i>	(i) Access from LTWMF Access Road (ii) Parking for the Temporary Uses.	May 16, 2023	May 16, 2026
T6 (23/2023) (B-15)	COMR (H3)	2267 Baulch Road	(i) <i>Soil Sample Storage in Containers and Quonset Hut(s)</i> (ii) <i>Parking Associated with the Adjacent Low Level Radioactive Management Facility.</i>	(i) Access from LTWMF Access Road	May 16, 2023	May 16, 2026
T7 (32/2023) (A-1)	RES1-2	230 Walton Street	(i) <i>Suite</i>	(i) 'Suite' means a series of rooms of complementary use, operated under a single tenancy and includes dormitories. (ii) maximum number of students- 20 (iii) maximum 10 <i>parking spaces</i> on site including 1 <i>barrier-free</i> parking space. (iv) 1 loading space on existing driveway on Walton Street	July 4, 2023	July 4, 2026

PART 15 - ENACTMENT

15.1 FORCE AND EFFECT

This By-law shall come into effect in accordance with the Planning Act, R.S.O. 1990, c.P.13, as amended.

15.2 READINGS BY COUNCIL

BY-LAW READ A FIRST AND SECOND TIME THIS 29th DAY OF June, 2010.

BY-LAW READ A THIRD AND FINAL TIME AND FINALLY PASSED THIS 29th DAY OF June, 2010.

MAYOR: _____
Linda Thompson

(Municipal Seal)

CLERK: _____
S.C. Dawe

15.3 CERTIFICATION

I hereby certify that the foregoing is a true copy of Zoning By-law 20/2010 as enacted by the *Council* of the *Corporation* of the *Municipality* of Port Hope on the 29th day of June, 2010.

CLERK: _____