

TOWNSHIP OF PITTSBURGH

ZONING BY-LAW NUMBER 32-74

Ontario Municipal Board
Approval of By-law No. 32-74
December 14, 1976

LAST AMENDMENT PASSED ON: November 16, 2010
PRINTED: May 27, 2011

OFFICE CONSOLIDATION

All zoning By-laws may be viewed on our

City of Kingston Website: www.cityofkingston.ca

BY-LAW shortcut link:

<http://www.cityofkingston.ca/cityhall/bylaws/index.asp>

For accurate reference, any questions regarding this By-law Number 32-74 and the above-noted amendments should be directed to the Planning Department, 1211 John Counter Blvd. Office, or by calling (613) 546-4291, extension 3180. Thank you. (Copies of any original by-law amendments are obtained through the Office of the City Clerk (613) 546-4291 ext. 1244) *Thank you*

Maps : Note: for the most recent consolidated map schedules; these are available from the following web site: <http://www.cityofkingston.ca/cityhall/bylaws/zoning/index.asp>

This is an office consolidation of By-law Number 32-74, as approved, and as amended by the following approved by-laws:

1975	11-76, 16-75, 17-75
1976	5-76, 7-76, 16-76, 19-76, 34-76, 37-76, 38-76, 39-76, 40-76
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1978	9-78, 24-78
1979	3-79, 4-79, 7-79, 10-79, 12-79, 15-79, 19-79, 26-79, 35-79
1980	16-80, 27-80, 32-80, 34-80, 37-80, 38-80, 41-80
1981	4-81, 6-81, 11-81, 20-81, 24-81, 40-81
1982	4-82, 9-82, 11-82, 12-82, 15-82, 17-82, 18-82, 19-82, 28-82, 35-82, 36-82
1983	8-83, 12-83, 15-83, 16-83
1984	4-84, 6-84, 8-84, 13-84, 14-84, 27-84, 28-84, 29-84, 34-84, 42-84
1985	5-85, 6-85, 8-85, 10-85, 12-85, 15-85, 22-85, 26-85, 27-85
1986	3-86, 4-86, 5-86, 7-86, 11-86, 15-86, 16-86, 17-86, 18-86, 19-86, 20-86, 21-86, 22-86, 23-86, 24-86, 27-86, 28-86, 35-86, 45-86
1987	5-87, 16-87, 17-87, 24-87, 25-87, 30-87, 33-87, 37-87, 39-87, 40-87, 41-87, 44-87, 45-87, 58-87, 59-87, 65-87, 71-87
1988	2-88, 6-88, 8-88, 9-88, 10-88, 18-88, 19-88, 21-88, 22-88, 28-88, 29-88, 30-88, 40-88, 41-88, 50-88, 51-88, 60-88, 63-88, 66-88, 68-88, 69-88, 70-88, 71-88, 79-88
1989	8-89, 13-89, 16-89, 17-89, 20-89, 30-89, 31-89, 34-89, 35-89, 41-89, 42-89, 44-89, 48-89, 53-89, 54-89, 60-89
1990	5-90, 6-90, 14-90, 15-90, 18-90, 24-90, 25-90, 42-90, 48-90, 49-90, 50-90, 57-90, 63-90, 65-90, 66-90, 68-90, 70-90, 73-90, 76-90, 78-90
1991	2-91, 8-91, 9-91, 10-91, 26-91, 27-91, 33-91, 35-91, 42-91, 52-91, 53-91, 69-91, 70-91, 73-91, 74-91, 89-91, 90-91, 92-91
1992	10-92, 14-92, 15-92, 22-92, 26-92, 28-92, 32-92, 40-92, 43-92, 44-92, 51-92, 53-92, 57-92, 61-92, 63-92, 64-92, 66-92, 68-92, 69-92, 70-92
1993	1-93, 10-93, 15-93, 29-93, 31-93, 37-93, 39-93, 40-93, 41-93, 46-93, 55-93, 56-93, 57-93, 60-93, 61-93, 64-93, 67-93, 74-93
1994	3-94, 9-94, 10-94, 12-94, 36-94, 39-94, 41-94, 43-94, 45-94, 48-94, 49-94, 52-94, 67-94, 68-94, 70-94
1995	7-95, 17-95, 20-95, 31-95, 34-95, 37-95, 47-95, 52-95
1996 and forward continued on next page	

Amendments continued 1996 forward:

By-Law No.	Date of Council Approval	Name of Applicant/Project	Effect of By-law
8-96	February 26, 1996	Maclean, A. Pt. Lt. 16, Conc. 2, Middle Road	Section 23(3) A1-43
9-96	April 9, 1996	Greenwood Bros. Ltd. Pt. Lt 8 & 9, Conc. EGCR West Side Gore Road	Section 8 (3) RR-8
16-96	May 22, 1996	Ken Bangma Construction Part Lots 3 & 4 EGCR Concession 3 & 4	Sections 5, 11F, 11G, & 11H RR Zone to RR-7 Zone; D to R9, R10, R11, also FP-1, and OS-12
19-96	May 27, 1996	Andrew, D. Pt. Lt. 21, Conc. 2, Hwy No. 2	A1 to ER-7 and OS
29-96	June 24, 1996	Redmond, D. Pt. Lt. 30, Conc. 4, Findlay Station Rd.	Section 24 (3) A2-23
34A-96	July 22, 1996	Greenwood Bros. Ltd. Lots 57-100 Reg. Plan. 1974 Greenwood Park Phase II	Section 11 B (2) R5-1
44-96	October 15, 1996	Neuman, Eric Dewar Pt. Lt. 25, Conc. 2 Pts 1, 2, 3, 7, 8 & 9, Ref. Plan 13R-4751	Remove -H symbol LSR Zone - Change to Map only
48-96	December 9, 1996	John Edward Hood Pt. Lt. 37, Conc. 2, Pt. 1, Ref. Plan 13R-5533	Remove -H symbol LSR Zone - Change to Map only
49-96	December 9, 1996	C. Holmberg Pt. Lt. 41, Conc. 4	Section 16 (3) CH-9
5-97	February 24, 1997	C. Dick/ N. Toews Pt. Lt. 40 & 41, Conc. 5	Section 17 (3)(f) Section 17 (3)(f)(i) - CT-6-H
7-97	March 10, 1997	Nicoll-Griffith, Michael John Pt. Lt. 9, Conc. 1	Remove -H symbol LSR Zone - Change to Map only
8-97	March 10, 1997	E. Mangan Pt. Lt. 29 & 30, Conc. 7 3198 & 3230 Sand Hill Rd.	Section 24 (3) A2-24
99-225	June 15, 1999	HIGHLAND MOTEL, 725 HIGHWAY NO. 15	Schedule "A" Zone Change to 'CH'
99-227	June 15, 1999	Highway No. 15 And Freeman Crescent	Zone Change From 'R4' To 'R5-2', Lot 101, Registered Plan 1974,
99-228	June 15, 1999	Part Of Lot 37, Concession 6, 3837 Sand Hill Road	Zone Change To 'A2-21'
99-317	September 28, 1999	Phases Two And Three, Greenwood Park Subdivision	Section 5(14)(e)(viii);
2000-37	January, 26, 2000		Rezone Part of Lots 5 & 6, EGCR to R5-3
2000-210	August 8, 2000	Lot 15, Plan 575 955 Cottage Farms Road	Remove The "-H" Holding Symbol Related To The LSR Zone
2000-244	September 12, 2000	Pt. Lt. 19, Conc. 3 2522 Middle Road	Site Specific Section 23 (3)
2000-315	October . 25/00	Lots 20-38, Plan 13 M25 Greenwood Park	Section 11(B)(3)
2000-316	October 25, 2000	2045 Middle Road Pt. Lt. 13, Conc. 2	A2-26 Section 24 (3)
2000-357	November 7, 2000	Pt. Lt. 32, Conc. 2 designated as Part 1 Plan 13R-1662	Removal Of 'H' Symbol
2001-11	December 12, 2000	Part Lots 3 And 4, Concession EGCR	R10; R11; Section 11
2001-13	December 19, 2000	2477 Isle Of Man Road, Parts 1-3 Of Reference Plan 13R13195, Part Of Lot 3 Concession 4	Special Requirements (A1-53)

Amendments to 32-74 continued:

By-Law No.	Date of Council Approval	Name of Applicant/Project	Effect of By-law
2001-46	January 23, 2001	1037 Middle Road Being Part Of Lot 2, Concession 1	(A1-54) (A1-55)
2001-115	May 1, 2001	P.Lots 7,8 & 9 Conc. EGCR And Add Section 11A(3)(a)	Map Change
2001-145	June 5, 2001	Section 4 New subsection 73 and 73(a); Section 25: Section 23(2)(a) and 23(2)(l) and Section 24(2)(a) and Section 24(2)(n)	Minimum Distance Separation Provisions
2001-146	June 5, 2001	Section 23(2)(a) and Section 24(2)(a)	Minimum lot area requirement
2001-170	July 17, 2001	P. Lot 32 Conc. 2 Reference Plan 13R-15429, 1724 Turcotte Lane	Removal of "H" Symbol
2001-196	August 28, 2001	Conc. 4 S1/2 Lot 31, to the east of 3394 4 th Concession Rd.	(A2-27) Section 24(2)
2001-218	September 25, 2001	Remove the H Symbol Lots 9 to 12, 15 to 20 and part of Part Lot 22, Shore Road	Remove 'H' Holding symbol
2001-258	October 23, 2001	P. Lot 5& 6 Conc. EGCR from Restricted Rural (A1) to Special Residential Type 5 Zone (R5-4) & Open Space Zone (OS)	Map Change
2002-20	December 18, 2001	6144 Highway No. 15, Part Lots 33 & 34, Concession 9 & 10	A2 to A2-28 A2 to A2-29
2002-112	May 7, 2002	Part Lot 30, Concession 4 – Parts 2 & 3, Plan 13R-16172 and Part 1, Plan 13R-13227 – W/S Findlay Station Road	A2 to A2-30 A2-23 to A2
2002-182	July 16, 2002	900 McLean Court	R6 to R5-5 R6-3 to R5-5 R6 to OS R6 to OS-13
2002-208	August 13, 2002	3806 Accommodation Road	A1 and A2 to A2-31
2002-240	October 22, 2002	946 Cottage Farms Road – Lot 6, Concession 1	LSR-H to LSR – Removal of H symbol
2002-250	October 22, 2002	Lot 16, Concession 3, Parts 7-9, Plan 13R-749	A1 to LSR-4
2002-251	October 22, 2002	242 James Street	CL to CL-1
2002-320	November 19, 2002	26 Faircrest Boulevard	R1-5 to R1-48 D to R1-48
2002-322	November 19, 2002	Administrative Amendments for Parking Provisions	
2003-78	March 18, 2003	Part Lot 5, Concession 5, Parts 3 and 4, Plan 13R-10188	Remove H symbol from A1-28-H zone
2003-377	September 16, 2003	Homestead Land Holdings – R3, R3-6, R3-7 zones – Residential Type 3 Zone	R3, R3-6, R3-7 zones – Residential Type 3 Zone
2003-383	September 16, 2003	Administrative Amendments for Model Homes and to maintain development potential where lands required for road widening, etc.	Administrative Amendments
2004-2	December 2, 2003	Greenwood Park, Phase 7	Rezone to R4-3 and General OS to permit single detached dwellings and open space areas
2004-19	December 16, 2003	4414 highway 2, Lot 38, Concession 3	A1 to Special A1-14 Zone
2004-81	March 30, 2004	Greenwood Park, Phase 8	A1 to R5-6H; A1 to OS; A1 to I-7-H R5-2 to R5-6-H; R6-1 to R5-6-H R6-1 to R5-7-H; A1 to R5-7-H C-6 to R5-8-H; R6-2 to R5-8-H

Amendments to 32-74 continued:

By-Law No.	Date of Council Approval	Name of Applicant/Project	Effect of By-law
2004-123	May 18, 2004	3604 Pine Grove Road	A2 to I
2004-238	July 14, 2004	S/S Middle Road, Part Lots 3 & 4, Concession 2	OS to ER
2004-261 REPEALED by 2004-283	August 18, 2004	1636 Highway 15 (Mr. Gas Ltd.)	A1 to CH-7 and CH to CH-7 A1 to CH CH to A1
2004-283 (repeals 2004-261)	September 7, 2004	1636 Highway 15 (Mr. Gas Ltd.)	A1 to CH-7 A1 to Ch Ch to A1
2004-291 (replaces 2004-261)	September 7, 2004	1636 Highway 15 (Mr. Gas Ltd.)	CH to CH-7 A1 to CH CH to A1
2004-308	September 21, 2004	.46 hectares – Barriefield Heritage Conservation District	R1 to R1-46 and R1-47
2005-82	April 5, 2005	1136 Highway 2 East – Part Lot 1, Concession 1	I to R1-1
2005-118	May 3, 2005	15.3 hectares – Part Lot 1 & 2, Concession 3 – Stephentown Creek Ltd.	RR to RR-10-H
2005-131	May 17, 2005	Lot 4, Plan 626, Part Lot 26, Concession 2, being Parts 4 & 5, Plan 13R-7013 – 1741 Bateau Lane	Remove H symbol LSR-H to LSR
2005-141	June 7, 2005	Lands between Leo Lake and Hwy. No. 15	A2 to A2-32-H
2005-211	August 23, 2005	Administrative Amendments	Administrative Amendments
2005-215	August 23, 2005	Downtown Residential Review	Downtown Residential Review
2005-219	August 23, 2005	Greenwood Park Subdivision, Phase 8 – Part Lots 6, 7, 8 & 9, CECGR and Blocks 122, 140 & 141, Registered Plan 1974 and Lot 40, Registered Plan 13M-12	R5-6-H, R5-7-H and R5-8-H to R5-6, R5-7 and R5-8, Special Residential Type 5
2006-25	January 10, 2006	Part Of Lots 1 And 2, Concession 4 Geographic Township Of Pittsburgh, I Of Kingston, County Of Frontenac, Kingston East	Site Specific Zoning – ‘A1’ And ‘Lsr-H’ To ‘A1-57-H’, 2490 Isle Of Man Road
2006-26	January 10, 2006	Part Of Lot 11, Concession 3 And More Particularly Described As Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 And 11 Geographic Township Of Pittsburgh, I Of Kingston, Of Draft Reference Plan By Smith And Smith Ols	Site Specific Zoning – A1, A2 And Rr To A1-5, 1844 Middle Road
2006-32	January 10, 2006	Zoning Administration	Zoning Administration
2006-41	January 26, 2006	Administrative Amendments	Administrative Amendments
2006-79	April 4, 2006	5210 Highway No. 15, Part Of Lot 25 And 26, Concession 8)	‘A1’ To ‘R1’ Map 1 of Schedule “A”

Amendments to 32-74 continued:

By-Law No.	Date of Council Approval	Name of Applicant/Project	Effect of By-law
2006-80	April 4, 2006	Greenwood Park, Phase 9	Site Specific – 'R4-5-H' Modified Residential Type 4 Zone, 'OS' General Open Space, 'OS-11' Modified Open Space and 'FP' Flood Plain)
2006-109	May 2/06	752 Highway No. 15, Parts 1 And 2 Of 13R-9031 FILE: D14-036-2005	Site Specific Zoning From 'CH' TO 'CH-11', 752 Highway No. 15, Parts 1 And 2 Of 13R-9031 – Permit A Car Wash
2006-130	May 23, 2006	Greenwood Park, Phase 8	R5-7
2006-237	October 24, 2006	228, 230, 234, 236 Rose Abbey Drive	Residential Type 5 'R5-6' to I-6, 228, 230, 234, to allow a church use and the addition of a clause for the Site Specific 'I-6' Zone to reduce the minimum number of required parking spaces to 156
2007-74	March 6, 2007	1559 Highway #15	'A1' Zone to Special Restricted Rural' A1.58' Zone
2007-80	March 6, 2007	Greenwood Park Subdivision, Phase 9	Section 11A: 'R4-5-H' Modified Residential Type 4 Holding Zone to 'R4-5' Modified Residential Type 4 Zone and Text Amendments to 'R4-5' Zone –)
2007-158	August 14, 2007	Administrative Amendments	Administrative Amendments
2007-173	September 4, 2007	858 Stephentown Lane	Map change only – REMOVE THE '-H' HOLDING SYMBOL RELATED TO THE 'RR-10-H' ZONE
2007-186	October 2, 2007	3697 Highway #2	Map change only – Remove The '-H' Holding Symbol Related To The 'LSR-H' Zone
2007-187	October 2, 2007	3823 Highway #2	Map change only – Remove The '-H' Holding Symbol Related To The 'LSR-H' Zone
2007-225	November 20, 2007	Greenwood Park, Phase 9B	Map change only – Remove The 'H' Holding Symbol Related To The 'R4-5-H' Zone
2008-17	December 18, 2007	2649 Highway #15 D14-099-2007	Sections 23(1)(a), 23(1)(b), 23(2)(a) and 23(2)(e) Lands zoned as "A1-49"
2008-31	January 8, 2008	Greenwood Park Subdivision Phase 9 File: D14-102-2007	Zone Change to amend lot frontage provisions – 'R4-5' Zone
2008-59	February 19, 2008	1539 Joyceville Road File: D14-104-2007	Zone Change from 'A1' to 'A1-59-H' Map No. 2 change
2008-64	February 19, 2008	Administrative Amendment File: D14-107-2007	Section 5.14 Parking Requirements – Tourist Establishments
2008-67	February 19, 2008	2611 Isle of Man Road Clause (2), Report No. 28 File: D14-101-2007	Map No. 1; Section 16 (3) and Section 23 (3) - 2611 Isle of Man Road Zone Change from Rural 'A1' Zone to Special Highway Commercial 'CH-12' Appeal filed March 20, 2008 OMB Decision Withdrawn Declaration dated/prepared July 8, 2008
2008-101	May 6, 2008	Greenwood Park, Phase 9C, 9D and 9E Registered as 13M-71 Delegated Authority File: D28-037-2008	Map No. 4 REMOVE '-H' HOLDING SYMBOL 'R4-5-H' ZONE

2008-116	June 3, 2008	2069 Joyceville Road Clause (1), Report No. 70, 2008 File: D14-110-2008	Zone Change from 'M2-3' to 'MD-3-H'
2008-138	July 15/08	Part Of Lots 5, 6, And 7, Concession East Of The Great Cataraqui River, And Blocks 116, 117, 118, 119 And 120, Registered Plan No. 13M-38	Remove The '-H' Holding Symbol Related To The Holding Special Residential Type 4, 'R4-5-H' Zone Map Change Only
2008-164	Sept. 2/08	Administrative Amendments	Administrative Amendments
2008-172	Sept. 16/08 As Amended By By- Law No. 2007-116	Norterra Organics – 2069 Joyceville Road File No. D28-047-2008	Map Change Only Remove The '-H' Holding Symbol Related To The 'MD-3-H' Zone
2009-28	Jan. 6/09	1641 Shore Road, Park Lot 21 Of Plan No. 487 File No. D14-052-2008	Remove The '-H' Holding Symbol Related To The 'Limited Service Residential' (LSR) Zone Map Change Only
2009-73	May 5/09	33 McFadden Lane And 34 McFadden Lane File No. D14-117-2008	Zone Change From 'A1' To 'LSR', Map Change Only
2009-91	June 16, 2009	992 Harmony Lane File No. D14-118-2008	Zone Change from 'A1' to 'LSR-5' See Section 12(3)(d)
2009-115	August 4, 2009	217 Gore Road	Zone Change from 'MVC' to 'MVC-2' See Section 17A
2009-180	Nov. 17/09	920 Alnwick Lane, Con 1 Pt Lot 10 S Hwy 2; RP13R2272 Part 1 St Lawrence River File No. D28-061-2009	Remove The '-H' Holding Symbol Related To The 'Limited Service Residential' (LSR) Zone Map Change Only
2010-34	Jan. 19/10	585 Sibbit Avenue File No. D14-151-2009	Zone Change from "I" & "D" Zones to "R1-5" Zone Map Change Only
2010-63	March 23/10	271 Main Street File No. D14-166-2010	Zone Change to modify the existing Holding Special Residential 'R1-47-H' Zone and to change from Holding Special Residential 'R1-47-H' Zone to Residential 'R1' Zone
2010-64	March 23/10	1368 Highway No. 15 File No. D14-133-2008	Zone Change from R1 to R1-49
2010-184	Sept. 7/10	151 Barrett Court, Plan 1932 Lot 3 File No. D28-064-2010	To Remove The '-H' Holding Symbol Related To The 'R3-7-H' Residential Zone (Proposed 14 Storey, 116 Unit Apartment Building Map Change Only
2010-225	#24 Nov. 16/10	4153 Mangan Boulevard 4157 Mangan Boulevard 5216 Dundon Drive File No. D14-183-2010	Zone Change from D to R1 – 4153 Mangan Boulevard, OS to R1 – 4157 Mangan Boulevard and C-7-H to R1-33 – 5216 Dundon Drive Map Change Only
2010-227	#24 Nov. 16/10	Part Lot 4, Concession 4, Duffe Lane Cottage Association File No. D14-131-2008	To change the zone on approximately 9.8 hectares (24.2 acres) of land from "Restricted Rural Zone (A1) to "Special Requirement (RR-11-H) Zone

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SCHEDULES FOLLOWING

Complimentary Table of Metric Conversions	
“A”	Zone Maps
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(does not form part of by-law)
 Immediately following Section 27
 Repealed by By-law #18-88

THE CORPORATION OF THE TOWNSHIP OF PITTSBURGH

BY-LAW NUMBER 32-74

A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF PITTSBURGH.

The Municipal Council of the Corporation of the Township of Pittsburgh ENACTS as follows:

SECTION 1 TITLE, APPLICATION AND SCOPE

(1) TITLE OF BY-LAW

This By-law may be cited as the "Zoning By-law".

(2) APPLICATION OF BY-LAW

The provisions of this By-law shall apply to all lands under the jurisdiction of the Corporation of the Township of Pittsburgh.

(3) SCOPE OF BY-LAW

(a) NO REDUCTION OF RESTRICTIONS:

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

(b) CONFORMITY WITH BY-LAW:

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.

No lands shall be severed 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.

(c) EXISTING USES CONTINUED:

Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

(d) **BUILDING PERMIT ISSUED:**

Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Building Inspector prior to the date of passing of this By-law, provided:

- (i) when the building or structure is erected, it shall be used and continue to be used for the purpose for which the building permit was issued; and
- (ii) the erection of such building or structure is commenced within 2 years of the date of passing of this By-law and provided the erection of such building or structure is completed within a reasonable time after the erection thereof is commenced.

SECTION 2**SCHEDULE TO BY-LAW**

The following Schedule is included in and forms part of this By-law:

(#42-90) SCHEDULE "A" - ZONE MAPS, comprised of Maps 1, 2, 3, and 4. The boundaries of all the zones are shown on Schedule "A". Zone boundaries, where possible, are construed to be lot lines, street lines, shorelines, boundaries of railroad, hydro or other rights-of-way, or boundaries of registered plans. In the case where uncertainty exists as to the boundary of any zone, then the location of such boundary shall be determined in accordance with Schedule "A" at the original size in the scale of 1:24,000 for Maps 1 and 2, in the scale of 1:2,400 for Map 3, and in the scale of 1:5,000 for Map 4 and in the original scale of Schedule "A" to By-law 5-90 for Map 5..

(#52-95)

SCHEDULE "B" - SITE PLANS. Each of the site plans attached hereto is designated as Schedule "B" followed by a dash and a number (for example: Schedule "B-1").

SECTION 3**INTERPRETATION**

For the purposes of this By-law, words used in the present tense include the future; words in singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the words "used" and "occupied" shall include the words "arranged" and "designed" to be used or occupied.

SECTION 4**DEFINITIONS**

In this By-law, unless the context requires otherwise, the following definitions and interpretations shall apply:

- (1) "CORPORATION" means the Corporation of the Township of Pittsburgh.
- (2) "COUNCIL" means the Municipal Council of the Corporation of the Township of Pittsburgh.
- (3) "COUNTY" means the Corporation of the County of Frontenac.
- (4) "ACCESSORY", when used to describe a use, building or structure, means a use, a building or a structure that is incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.
- (5) "ACCESSORY DWELLING HOUSE" - See "DWELLING HOUSE".
- (6) "ACCESSORY DWELLING UNIT" - See "DWELLING UNIT".
- (6A) "AIR CONDITIONER" means any device used for the purpose of cooling, dehumidification, circulating and cleaning of air and which utilizes duct work in its operation rather than directly discharging into the conditioned space. This definition shall include devices such as Heat Pumps, HVAC, Heat Exchange, related generators, pumps and solar panels.

(By-Law No. 2006-41)
- (7) "ALTER", when used in reference to a building or part thereof, means to change any one or more of the external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" means to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot, or otherwise.

"ALTERED" and "ALTERATION" shall have corresponding meanings.
- (8) "ANIMAL HOSPITAL" means a building where one or more licensed veterinarians and any associated staff provide medical, grooming, boarding or similar services solely for household pets.
- (9) "APARTMENT DWELLING HOUSE" - See "DWELLING HOUSE".
- (#67-93) (9a) "APARTMENT DWELLING UNIT" - See "DWELLING UNIT".
- (#53-89) (9b) "ASSEMBLY PLANT" means a building or structure in which various components are combined to produce a final product and in which the various components are not manufactured.
(#67-93)
- (10) "ATTIC" - See "STOREY".

- (11) "AUDITORIUM" means a building or structure where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, community centre, gymnasium, stadium, theatre or similar use.
- (12) "AUTOMOBILE SERVICE STATION" means an establishment primarily engaged in the retail sale of fuels or lubricants for motor vehicles or snowmobiles. Accessory uses may include the sale of motor vehicle or snowmobile accessories and minor maintenance or repair operations for such vehicles, other than bodywork or painting. This definition shall not include a car wash as defined herein.
- (#30-88) (12a) "BAKERY" means an establishment primarily engaged in the manufacturing of bakery products and the wholesale distribution and sale of such products to retail stores, restaurants, and other non-household customers and may include household consumers if the manufacturing of such products is clearly accessory to the wholesale function.
- (#52-94) (12b) "BANK OR FINANCIAL INSTITUTION" means a building or a part of a building wherein money management services are provided and includes a bank, trust company, credit union, financial company, mortgage company or investment company.
- (13) "BASEMENT" - See "STOREY".
- (14) "BEVERAGE ROOM" means a building or premises, other than a restaurant which is licensed under The Liquor License Act.
- (15) "BOARDING HOUSE" - See "DWELLING HOUSE".
- (16) "BODY SHOP" means a building or premises used for the painting or repairing of vehicle bodies. This definition shall not include a salvage yard as defined herein.
- (17) "BUILDING" means any structure, other than a wall or fence, used for shelter, accommodation or enclosure of persons, animals or chattels.
- (18) "BUILDING BY-LAW" means any building by-law within the meaning of The Planning Act.
- (#10-92) (19) DELETED
- (#30-88) (19a) "BUSINESS OFFICE" means a building or part of a building wherein one or more individuals are employed in the management, direction, or conducting of any agency, business, brokerage or labour organization and includes such uses as a lawyer's office, an architect's office, an engineer's office, real estate agency, consulting firm, communications office, and research business, but does not include any use otherwise defined in this By-law. A business office may also include a cafeteria or restaurant for the exclusive use by employees of the business office provided such facilities are only operated during regular business office hours.
- (20) "CAMPING GROUND" means an open area provided for the use of outdoor camping in tents or similar facilities. This definition shall not include a trailer park or mobile home park.
- (21) "CAR WASH" means a building or structure containing facilities for washing motor vehicles by means of a conveyor system and mechanical devices. This definition may also include a self-service car wash.

- (#53-89) (21a) "CATERING SERVICE" means the preparation and distribution of ready to eat food to the public. Such distribution may be by truck or van to construction sites, factories or other similar locations or to private residences.
- (#53-89) (21b) "COMMERCIAL SCHOOL" means a premises in which training is offered for hire or gain, other than a private academic or religious or parochial school and includes 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. A commercial school may include a day nursery as an accessory use.
(By-law No. 32-74; 2007-158)
- (22) "CELLAR" - See "STOREY".
- (22a) "CHIEF BUILDING OFFICIAL" shall mean the municipal Official adopted pursuant to the Ontario Building Code Act, R.S.O. 1993, Chapter B.23, as amended, and shall include his authorized representatives.
(By-Law No. 10-92; 2006-32)
- (23) "CHURCH" means a building dedicated to religious worship. Accessory uses may include a church hall, church auditorium, Sunday school, a parish hall or a day nursery."
(By-law No. 32-74; 2007-158)
- (24) "CLINIC" means a building or part of a building that is used solely by physicians, dentists, and/or drugless practitioners, their staff, and their patients for the purpose of consultation, diagnosis, and office treatment and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, providing that all such uses have access only from the interior of the building or structure, but shall not include accommodation for in-patient care or operating rooms for major surgery.
(By-Law No. 32-74; 2005-211)
- (25) "CLUB, COMMERCIAL" means an athletic recreational or social club operated for gain or profit.
- (26) "CLUB, PRIVATE" means an athletic, recreational or social club located on private lands and not operated for gain or profit. This definition may include the premises of a fraternal organization.
- (27) "COMMERCIAL GARAGE" - See "GARAGE, COMMERCIAL".
- (27A) "COMMERCIAL MOTOR VEHICLE" means any vehicle which displays commercial lettering or commercial licence plates and shall also include construction equipment which is self-propelled or designed to be towed, a taxi, a delivery vehicle, a driving school vehicle, in addition to any commercial vehicle as defined under the Highway Traffic Act.
(By-Law No. 2002-322)
- (28) "CONVENIENCE STORE" means an establishment where food, tobacco, drugs, periodicals or similar items of household necessity are kept for retail sale to residents of the immediate neighbourhood.
- (29) "CONVERTED DWELLING HOUSE" - See "DWELLING HOUSE".

- (30) "CORNER LOT" - See "LOT".
- (31) "COURT" means an open, unoccupied space adjoining a building and bounded on 2 or more sides by the walls of the said building.
- (#52-94) (31a) "DATA PROCESSING AND RELATED SERVICE" means a building or part of a building used for input, processing or printing of computerized data.
- (#27-91) (31b) "DAY NURSERY" means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are:
- (#52-94)
- (i) under eighteen years of age in the case of a day nursery for children with a developmental handicap, and
 - (ii) under ten years of age in all other cases.
- (31c) "DECK" means a structure without a roof, having a foundation to hold it erect, the floor which is above finished grade, and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground.
- (By-law No. 32-74; 2008-164)
- (32) "DINING ROOM" means that part of a restaurant, or other building, which is used for the consumption of food by persons seated at booths, counters, tables or a combination thereof.
- (33) "DRIVE-IN RESTAURANT" - See "RESTAURANT, DRIVE-IN".
- (34) "DRY CLEANING OR LAUNDRY OUTLET" means a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning or dyeing. Such establishment may also be used for pressing and/or distribution of any such articles or goods of fabric which have been received therein.
- (35) "DUPLEX DWELLING HOUSE" - See "DWELLING HOUSE".
- (36) "DWELLING HOUSE" means a building occupied or capable of being occupied as the home or residence of one or more persons. This definition shall not include a mobile home, a travel trailer or a motor home.
- (a) "ACCESSORY DWELLING HOUSE" means a single family dwelling house which is accessory to a permitted Non-Residential use and is occupied by either the family of the owner or by the family of a person employed on the lot where such dwelling house is located.
 - (b) "APARTMENT DWELLING HOUSE" means a dwelling house containing 3 or more dwelling units. This definition shall not include any dwelling house otherwise defined herein or specifically named elsewhere in this By-law.

- (c) "BOARDING HOUSE" means a dwelling house, erected prior to the date of passing of this By-law, which contains not more than 4 guest rooms, for gain or profit, lodgings with or without means, are provided to the public.
- (d) "CONVERTED DWELLING HOUSE" means a dwelling house, erected prior to the date of passing of this By-law, the interior of which has been altered so as to provide therein not more than 2 dwelling units.
- (e) "DUPLEX DWELLING HOUSE" means the whole of a dwelling house that is divided horizontally into 2 separate dwelling units, each of which has an independent entrance either directly from outside the building or through a common vestibule.
- (#40-93) (i) "FLOATING DWELLING HOUSE" means a dwelling house constructed, erected, or placed on a floatation system; or a boat not being used primarily for navigation, but rather primarily as a permanent or temporary residence for one or more persons.
- (#20-89; 40-93) (ii) "PLANNED UNIT ROW DWELLING HOUSE" means a row dwelling house which forms part of a group of such dwellings and shares common facilities with the other dwellings such as access to a public road, parking facilities, open space and recreation areas, and is designed as an integral part of a complex for condominium, co-operative and/or rental occupancy.
- (f) "ROW DWELLING HOUSE" means one of a group of 3 or more attached single-family dwelling houses divided vertically, each of which has an independent entrance directly from outside the building.
- (g) "SEASONAL DWELLING HOUSE" means a dwelling house used as an occasional resort for vacation, recreation, rest and relaxation purposes by a person who maintains and regularly resides in a permanent dwelling at another location.
- (h) "SEMI-DETACHED DWELLING HOUSE" means one of a pair of 2 attached single-family dwelling houses with a common wall divided vertically, each of which has an independent entrance either directly from outside the building or through a common vestibule.
- (#44-89) (i) "LINKED DWELLING HOUSE" means one of two or more single family dwelling houses linked by common underground masonry footing, each of which has an independent entrance directly from the outside, but does not include any other dwelling house otherwise defined herein.
- (i) "SINGLE-FAMILY DWELLING HOUSE" means a dwelling house containing only one dwelling unit and occupied by not more than one family.
- (#40-93) (j) "TOURIST FLOATING DWELLING HOUSE" means a floating dwelling house containing a maximum of three dwelling units and used for the accommodation of the travelling or vacationing public.
- (37) "DWELLING UNIT" means one (1) or more habitable rooms designed to provide sanitary conveniences and kitchen facilities for residential purposes. This definition shall not include a mobile home, a travel trailer or a motor home.

- a) "ACCESSORY DWELLING UNIT" means a dwelling unit which is part of and accessory to a permitted Non-Residential use other than an automobile service station or a commercial garage.
- b) "APARTMENT DWELLING UNIT" means a dwelling unit located in a non-residential building.
- c) "BACHELOR DWELLING UNIT" means a dwelling unit consisting of not more than 2 habitable rooms.
- d) "PRIVATE CABIN" means a dwelling unit which contains no cooking facilities and which is accessory to a permitted dwelling house.
(By-law No. 32-74; 10-92; 67-93; 2008-164)
- (#10-92) (38) "DWELLING UNIT AREA" means the total floor area of a dwelling unit contained within the exterior faces of the exterior walls and the centreline of the common walls, excluding any private garage, carport, porch, verandah, balcony, cellar, basement, unfinished attic, or sun room (unless such sun room is habitable in all seasons of the year).
- (#10-92) (38a) "EAVE" means a roof overhang, free of enclosing walls, without supporting columns.
- (#30-88) (38b) "EQUIPMENT RENTAL ESTABLISHMENT" means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture, and fixtures, only of a size and type which would be used for a specific home improvement or household purpose and which could be transported by the individual household user.
- (#10-92) (39) "ERECT" means to build, construct, reconstruct or relocate and, without limiting the generality of the word, also includes:
- (a) any preliminary operation such as excavating, filling or draining;
 - (b) altering any existing building or structure by an addition, enlargement, extension or other structural change; and
 - (c) any work which requires a building permit under the Building By-law of the Corporation.
- "ERECTED" and "ERECTION" shall have corresponding meanings.
- (#10-92) (40) DELETED
- (41) "EXISTING" means existing of the date of passing of this By-law.
- (42) "EXTERIOR SIDE LOT LINE" - See "LOT LINE".
- (43) "EXTERIOR SIDE YARD" - See "YARD".
- (44) "FACTORY OUTLET" means a building or part of a building accessory to a permitted industrial use where the products manufactured by that industry are offered or kept for wholesale or retail sale.

- (45) "FAMILY" means one or more persons residing together and comprising a single domestic household, sharing all areas of a dwelling unit, exclusive of bedrooms and may include up to three roomers or boarders." (By-Law 32-74; 2005-215; 2007-158)
- (46) "FARM" means land used for the tillage of soil, the growing of vegetables, fruits, grains or other staple crops. This definition may also apply to land used for livestock raising, dairying or wood lots.
- (#11-75) (46a) "SPECIALIZED FARM" means land on which the predominant economic activity consists of raising chickens, turkeys or other fowl, the raising of fur bearing animals; the raising of swine or goats; the raising of cattle on feed lots; or the growing of mushrooms.
- (47) "FARMER" means a person whose chief source of income is derived from the operation of a farm.
- (#30-88) (47a) "FARM EQUIPMENT SALES ESTABLISHMENT" means an establishment having as its primary use the storage and display of farm implements for sale, rent, or lease and may include facilities for the repair and maintenance of such implements as an accessory use.
- (48) "FARM PRODUCE OUTLET" means a use accessory to a permitted farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.
- (#10-92) (49) "FINISHED GRADE", when used with reference to a main building, means the average elevation of the finished surface of the ground where it abuts the main building or that portion of the main building which abuts a front yard, exclusive of any embankment in lieu of steps or berm.
- (#10-92) (49a) "FINISHED GRADE", when used with reference to a structure or a building, other than a main building, means the average elevation of the finished surface of the ground where it abuts the structure or building, exclusive of any embankment in lieu of steps or berm.
- (#40-93) (49b) "FLOATING DWELLING HOUSE" - see "DWELLING HOUSE".
- (50) "FLOOD PLAIN" means the area below the high watermark of a waterbody.
- (51) "FRONTAGE" - See "LOT FRONTAGE".
- (52) "FRONT LOT LINE" - See "LOT LINE"
- (53) "FRONT YARD" - See "YARD".
- (#30-88) (53a) "GARDEN CENTRE" means a building and/or outdoor area primarily used for the retail sale of lawn and garden equipment and products, plants, and planting materials.
- (54) "GARAGE, COMMERCIAL" means a building, structure or lot where commercial motor vehicles are stored or where vehicles are repaired or maintained.
- (55) "GARAGE, PRIVATE" means an accessory building or portion of a dwelling house which is fully enclosed and designed or used for the sheltering of vehicles and storage of household equipment incidental to the residential occupancy.

- (56) "GASOLINE RETAIL FACILITY" means a premises where the retail sale of fuel or lubricants for motor vehicles constitutes either the sole use, such as a gas bar, or an accessory use, such as a gasoline pump island. This definition shall not include an automobile service station.
- (#4-82) (56a) "GASOLINE AND/OR DIESEL PUMP ISLAND(S)" means a structure which is intended to provide gasoline and/or diesel fuel for vehicles and which constitutes either the sole use, such as a gas bar, or an accessory use.
- (57) "GOLF COURSE" means a public or private area operated for the purpose of playing golf. This definition may include a par 3 golf course, but shall not include a driving range, a miniature golf course or similar use.
- (58) "GRADE" - See "FINISHED GRADE".
- (59) "GRAVEL PIT" means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel, or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.
- (60) "GROSS FLOOR AREA" means the aggregate of the horizontal areas of each floor of a building or structure, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
- (i) any accessory dwelling unit;
 - (ii) any part, below finished grade, of a building or structure which is used for heating equipment;
 - (iii) any part, below finished grade, of a building or structure which is used for the storage or parking of motor vehicles; or
 - (iv) enclosed malls when used as a common area between stores.
- (#30-88) (60a) "GROSS SALES AREA" means the total outdoor area of a lot specifically identified and designated for sales and associated display purposes. Abbreviated to g.s.a.
- (61) "GUEST ROOM" means a room or suite of rooms which contains no facilities for cooking, and which is used or maintained for gain or hire by providing accommodation to the public.
- (62) "HABITABLE ROOM" means a room designed for living, sleeping, eating or food preparation.
- (#10-93) (63) "HEIGHT", when used with reference to a main building, means the vertical distance between finished grade and the highest point of the building proper, exclusive of any roof construction such as a chimney. For the purposes of this Section, a main building shall include an attached private garage.
- (#10-93) (63a) "HEIGHT", when used with reference to a structure or building, other than a main building, means the vertical distance between finished grade, and the highest point

- of the building or structure proper, exclusive of any roof construction such as a chimney.
- (64) "HOME OCCUPATION" means any occupation conducted for gain or profit as an accessory use with a permitted dwelling house or permitted dwelling unit.
- (65) "HOTEL" - See "TOURIST ESTABLISHMENT".
- (66) "IMPROVED STREET" - See "STREET".
- (#30-88) (66a) "INDUSTRIAL MALL" means a group of businesses or establishments conceived, designed, and developed in accordance with the provisions of this By-law and managed as a unit whether by a single owner or a group of owners or tenants acting in collaboration.
- (67) "INTERIOR LOT" - See "LOT".
- (68) "INTERIOR SIDE LOT LINE" - See "LOT LINE".
- (69) "INTERIOR SIDE YARD" - See "YARD".
- (69a) NOT USED
- (69b) "KITCHEN" means a room or group of rooms used or designed for the cleaning and preparation of food, and may include accessory storage for food.
(By-law No. 32-74; 10-92; 2008-164)
- (#52-94) (69c) "LABORATORY" means a building or part of a building used for scientific, medical or dental testing, experimentation or research and may include the taking or processing of x-rays.
- (#10-92) (70) "LANDSCAPED OPEN SPACE" means the open unobstructed space, at grade on a lot, which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, or similar area but shall not include any driveway or ramp, whether surfaced or not, nor any curb, retaining wall, parking area or any open space beneath or within a building or structure.
- (71) "LANE" means a public thoroughfare which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.
- (72) "LAUNDROMAT" means an establishment containing one or more washers, each having a capacity not exceeding 23.0 kilograms, and drying, ironing, finishing and incidental equipment provided that only water, soaps and detergents are used and provided that no such operation shall emit any noise or vibration which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service dry cleaning establishment.
- (73) "LIVESTOCK FACILITY" means a building where agricultural animals, including fowl, are or can be housed including the associated manure storage.
(By-Law No. 2001-145 – 2001)

- (73)(a) MINIMUM DISTANCE SEPARATION (MDS) PROVISIONS are formula to calculate the required distance between a livestock facility and another land use.
- MDS I provides the minimum distance separation for new development from existing livestock facilities. MDS I applies when locating development in proximity to existing livestock facilities on an existing or proposed separate parcel of land.
- MDS II provides the minimum distance separation for new or expanding livestock facilities from existing or approved development. MDS II applies when an application is made for a new, existing, modified or expanding livestock facility.
(Refer to Appendix 1 of the By-Law for further information)”
(By-Law No. 2001-145 – 2001)
- (74) "LOT" means an area of land, under one ownership, occupied or to be occupied by one or more main buildings, structures, or uses, together with any accessory buildings, structures or uses, and including all yards and other zone provisions required by this By-law. A lot may or may not be land shown as a lot on a duly registered plan of subdivision.
- (a) "CORNER LOT" means a lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.
- (b) "INTERIOR LOT" means any lot which has street access, other than a corner lot.
- (c) "STANDARD WATERFRONT LOT" means a lot which has no street access, but has water access on one shoreline only.
- (d) "THROUGH LOT" means any lot having street access on 2 or more street lines, other than a corner lot.
- (e) "THROUGH WATERFRONT LOT" means a lot which has no street access, but has water access on more than one shoreline.
- (#10-92) (75) "LOT AREA" means the total horizontal area within the lot lines of a lot.
- (#10-92) (76) "LOT COVERAGE" means that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures, exclusive of canopies, balconies and eaves which are more than 2.5 metres above the finished grade of the said canopy, balcony or eaves.
- Lot coverage shall not include uncovered porches, uncovered patios, uncovered decks and uncovered pool aprons which have a finished elevation, exclusive of hand rails and other such appurtenances, less than 0.5 metres above the finished grade of the said porch, patio, deck or pool apron.
- Lot coverage shall not include: fences; walls (other than the wall of a building); gates; gate posts; gateways; lamp posts; lawn ornaments; legal signs; uncovered steps; uncovered walkways; uncovered driveways; uncovered parking areas; sub-surface heating, cooling and sewage disposal systems; or a pool or a heating,

- cooling, or sewage disposal facility that has a finished elevation, exclusive of handrails and other such appurtenances, which is less than 0.5 metres above the finished grade of the said pool or heating, cooling, or sewage disposal facility.
- (77) "LOT DEPTH" means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.
- (78) "LOT FRONTAGE" means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein distant from the front lot line a distance equal to the minimum required front yard depth;
- (#67-93) or where a minimum-maximum front yard depth is utilized in a zone, a distance equal to or greater than the minimum required front yard depth but not exceeding the maximum required front yard depth;
- (#61-93) or where a minimum-maximum front yard depth is utilized in an R7 or R8 Zone, a distance equal to or greater than the minimum required front yard depth but not exceeding the maximum required front yard depth.
- (79) "LOT LINE" means any boundary of a lot of the vertical projection thereof.
- (a) "FRONT LOT LINE" means, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot or a corner lot whose exterior lot lines are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a standard waterfront lot, the shoreline shall be deemed to be the front lot line. In the case of a through waterfront lot, the longest shoreline shall be deemed to be the front lot line.
- (b) "REAR LOT LINE" means, in the case of a lot having 4 or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than 4 lot lines, there shall be deemed to be no rear lot line.
- (c) "SIDE LOT LINE" means a lot line other than a front or rear lot line.
- (#53-89) (79a) "MANUFACTURING PLANT" means an establishment primarily engaged in the processing, altering, finishing, refinishing, or assembling or similar production of various articles, commodities or things.
- (#11-75) (80) "MARINA" means a building, structure or place, containing docking facilities and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.

- (81) "MARINE FACILITY" means an accessory building or structure which is used to take a boat into or out of a waterbody, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock, or boathouse, but shall not include any building used for human habitation or any boat service, repair or sales facility.
- (82) "MERCHANDISE SERVICE SHOP" - See "SERVICE SHOP, MERCHANDISE".
- (83) "MOBILE HOME" shall mean a manufactured, movable or portable dwelling unit constructed to be towed, to its appropriate site, on its own chassis, connected to utilities and designed to be placed on a permanent foundation or piers for year round living. It may consist of one or more parts that can be folded, collapsed or telescoped for towing to the appropriate site, and expanded later for additional cubic capacity; to be joined into one integral unit. The mobile home must contain sleeping accommodation, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems. Enclosed porches or sunrooms are permitted as accessory uses.
(By-Law No. 2006-41)
- (84) "MOBILE HOME PARK" means land which has been provided and designed for the location thereon of 2 or more occupied mobile homes.
- (84A) "MODEL HOME" means a single detached dwelling, semi-detached dwelling or townhouse block used in the interim for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of subdivision proposed for registration.
(By-Law No. 2003-383)
- (85) "MOTEL" - See "TOURIST ESTABLISHMENT".
- (86) "MOTOR HOME" means a self-propelled vehicle capable of being used for temporary living, sleeping or eating accommodation of persons.
- (87) "NON-CONFORMING" means a use, a building or structure which does not conform to the provisions of this By-law for the zones in which such use, building or structure is located, on the date of passing of this By-law.
- (87a) "NURSERY/GARDEN CENTRE/GREENHOUSE" means the use of lands, buildings or structures, or portions thereof, where trees, shrubs or plants are grown for the purpose of retail or wholesale trade. A nursery may include the accessory sale of soil, planting materials, fertilizers, garden equipment, ornaments and similar materials.
(By-Law No. 2005-211)
- (88) "NURSING HOME" means a building in which the proprietor supplies for gain or hire, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required. This definition may include a rest home or convalescent home, but shall not include any other establishment otherwise defined or classified herein.

- (89) "PARK" means an area, consisting largely of open space, which may include a recreational area, playground, play field or similar use, but shall not include a mobile home park or trailer park.
- (a) "PUBLIC PARK" means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- (b) "PRIVATE PARK" means a park other than a public park.
- (90) "PARKING AREA" means an area or structure provided for the parking of motor vehicles and includes any related aisles, parking spaces, ingress and egress lanes, but shall not include any part of a street. This definition may include a private garage.
- (91) "PARKING LOT" means any parking area other than a parking area accessory to a permitted use on the same lot.
- (92) "PARKING SPACE" means a portion of a parking area, exclusive of any aisles or ingress or egress lanes, which may be used for the temporary parking or storage of a motor vehicle.
- (93) "PERMITTED" means permitted by this By-law.
- (94) "PERSON" means any human being, association, firm, partnership, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- (95) "PERSONAL SERVICE SHOP" - See "SERVICE SHOP, PERSONAL".
- (#30-88) (95a) "PHOTOGRAPHIC ESTABLISHMENT" means a building or part of a building used for the developing and print processing of film, the sale of film or photographic equipment whether at retail or wholesale, the repair of photographic equipment and includes portrait and commercial photography.
- (#30-88) (95b) "PRINTING ESTABLISHMENT" means a building or part of a building used for printing regardless of the method, the publishing of newspapers, periodicals, books, documents, maps and similar items, the reproduction and duplication of printed material as a copying service to businesses or the public and includes the sale and servicing of printing and duplicating equipment and supplies.
- (96) "PRIVACY YARD" - See "YARD".
- (97) "PRIVATE CABIN" - See "DWELLING UNIT".
- (98) "PRIVATE CLUB" - See "CLUB, PRIVATE".
- (99) "PRIVATE GARAGE" - SEE "GARAGE, PRIVATE".
- (#41-94) (99a) "PRIVATE HOME DAY CARE" means the temporary care and custody for reward or compensation of not more than five children in a private residence, other than the home of a parent or guardian of any such child for a continuous period not exceeding twenty-four hours.

- (100) "PUBLIC USE" means a building, structure or lot used for public services by the Corporation or the County, any local board of either the Corporation or the County, any Conservation Authority established by the Government of Ontario, any Ministry or Commission of the Government of Ontario or Canada, any telephone or telegraph company or any railway company authorized under The Railway Act.
- (101) "PUBLIC WATER SYSTEM" - See "WATER SYSTEM, PUBLIC".
- (102) "REAR LOT LINE" - See "LOT LINE".
- (103) "REAR YARD" - See "YARD".
- (104) "RECREATIONAL ESTABLISHMENT" means a billiard or pool hall, bowling alley, curling or skating rink, or similar use.
- (#30-88) (104a) "RECREATIONAL VEHICLE SALES ESTABLISHMENT" means an establishment used for the storage and display of boats, trailers, campers, and other recreational vehicles for sale, rent or lease but shall not include mobile homes, automobiles or motorcycles. Accessory uses may include facilities for the repair and maintenance of such vehicles.
- (105) "RENTAL CABIN" or "RENTAL COTTAGE" - See "TOURIST ESTABLISHMENT".
- (106) "REQUIRED YARD" - See "YARD".
- (#52-94) (106a) "RESEARCH AND DEVELOPMENT FACILITY" means a building or part of a building wherein scientific, medical, dental, or research tests, experiments or investigations are systematically conducted and where drugs, chemicals, glassware or other substances or articles pertinent to such tests, experiments or investigations may be manufactured or otherwise prepared for use on the premises.
- (107) "RESTAURANT" means a building or part of a building where food is offered for sale or sold to the public for consumption therein. This definition shall not include a boarding or lodging house.
- (108) "RESTAURANT, DRIVE-IN" means an establishment where food is offered for sale or sold to the public for consumption, such establishment being designed for consumption of the food within a motor vehicle parked in a permitted parking space on the premises of the establishment.
- (109) "RESTAURANT, TAKE-OUT" means an establishment where food is offered for sale or sold to the public solely for consumption off the premises of the establishment.
- (110) "RETAIL STORE" means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.
- (110a) "ROW BUILDING" means one of a group of 3 or more attached buildings with individual units divided vertically, each of which has an independent entrance directly from the outside of the building.
- (By-law No. 16-97-1997)
- (111) "ROW DWELLING HOUSE" - See "DWELLING HOUSE".

- (112) "SALVAGE YARD" means an establishment where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open. This definition may include a junk yard, a scrap metal yard and an automobile wrecking yard or premises.
- (113) "SCHOOL" means a school under the jurisdiction of a Board as defined in the Ministry of Education Act and may include a day nursery as an accessory use.
(By-law No. 32-74; 2007-158)
- (114) "SEASONAL DWELLING HOUSE" - See "DWELLING HOUSE".
- (115) "SEMI-DETACHED DWELLING HOUSE" - See "DWELLING HOUSE".
- (116) "SERVICE SHOP, MERCHANDISE" means an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles or boats.
- (117) "SERVICE SHOP, PERSONAL" means an establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, shoe repair shop, or a tailor shop, a photographic studio, or similar use.
- (118) "SETBACK" means the least horizontal dimension between the centreline of a street allowance, measured at right angles to such centreline, and the nearest part of any building, structure, or excavation on the lot, or the nearest open storage use on the lot.
- (119) "SEWAGE TREATMENT FACILITY" means a building or structure, approved by the Ministry of the Environment, where domestic and/or industrial waste is treated.
- (120) "SEWER SYSTEM, SANITARY" means a system of underground conduits, operated by the Corporation, by another municipality or by the Ministry of the Environment, which carries sewage to a sewage treatment facility.
- (121) "SEWER SYSTEM, STORM" means a sewer which carries storm surface water and storm drainage, but does not carry sewage or industrial waste.
- (122) "SHOPPING CENTRE" means a group of restricted business uses designed, developed and managed as a unit, having the required off-street parking provided on the site.
- (123) "SHORELINE" means any lot line or portion thereof which abuts a waterbody.
- (#30-88) (123a) "SHOWROOM" means a part of a building primarily used for the display of samples, patterns, goods or products and wherein orders are taken for merchandise which is stored in bulk in the warehouse part of the same building.
- (124) "SITE LOT LINE" - See "LOT LINE".
- (125) "SIDE YARD" - See "YARD".

- (126) "SIGHT TRIANGLE" means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.
- (By-Law No. 2005-211)
- (127) "SIGN, LEGAL" means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or lot which directs attention to an object, product, place, activity, person, institute, organization or business and which complies with the By-law of the Corporation regulating signs.
- (128) "SINGLE-FAMILY DWELLING HOUSE" - See "DWELLING HOUSE".
- (129) "SPECIALIZED FARM" - See "FARM".
- (130) "STANDARD WATERFRONT LOT" - See "LOT".
- (131) "STONE QUARRY" means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.
- (132) "STOREY" means the portion of a building, other than an attic or a cellar, included between any floor level and the floor, ceiling or roof next above it.
- (a) "FIRST STOREY" means the lowest storey of a building.
- (b) "ONE-HALF STOREY" means that portion of a building situated wholly or partly within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.25 metres over a floor area equal to at least 50% of the area of the floor next below.
- (c) "ATTIC" means that portion of a building situated wholly or partly within the roof and which is not a one-half storey.
- (d) "BASEMENT" means a storey which is partly underground, but which has at least one-half of its height (measured from finished floor to finished ceiling) above the adjacent finished grade.
- (e) "CELLAR" means that portion of a building which is partly or wholly underground and which has more than one-half of its height (measured from finished floor to finished ceiling) below the adjacent finished grade.

- (133) "STREET" means a public highway or public road under the jurisdiction of either the Corporation, the County of the Province of Ontario. This definition shall not include a lane or private right-of-way. "STREET ALLOWANCE" shall have a corresponding meaning.
- (#5-90) (a) "IMPROVED STREET" means a street which has been assumed by By-law and/or which is maintained on a year round basis by a public road authority.
- (134) "STREET ACCESS" means, when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.
- (135) "STREET LINE" means the limit of the street allowance and is the dividing line between a lot and a street.
- (136) "STRUCTURE" means anything constructed or erected, the use of which requires location on or in the ground, or attached to something having location on or in the ground.
- (#10-92) (136a) "SWIMMING POOL" means a tank, pool, or artificial body of water which may be used for swimming or wading purposes and which has a possible maximum depth of water greater than 0.61 metres, and may include a hot tub or whirl pool.
(By-Law No. 2005-211)
- (137) "TAKE-OUT RESTAURANT" - See "RESTAURANT, TAKE-OUT".
- (138) "THROUGH LOT" - See "LOT".
- (139) "THROUGH WATERFRONT LOT" - See "LOT".
- (140) "TOURIST ESTABLISHMENT" means a building designed or used for the accommodation of the travelling or vacationing public.
- (a) "HOTEL" means a tourist establishment containing therein 5 or more guest rooms served by a common entrance. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.
- (b) "MOTEL" means a tourist establishment containing therein 5 or more guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.
- (c) "RENTAL CABIN" or "RENTAL COTTAGE" means a tourist establishment designed to accommodate one family in a detached building or in one of 2 such buildings which have a common wall.
- (#40-93) (140a) "TOURIST FLOATING DWELLING HOUSE" - see "DWELLING HOUSE".
- (141) "TRAVEL TRAILER" means any vehicle designed to be towed by a motor vehicle and capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall not include a mobile home.

- (141a) "TRAILER, UTILITY" means a non-automotive vehicle designed to be hauled by a motor vehicle for the purpose of transporting goods or other vehicles.
(By-law No. 32-74; 2008-164)
- (142) "TRAILER CAMP" or "TRAILER PARK" means land which is used for the location of travel trailers occupied on a temporary or seasonal basis.
- (143) "USE", when used as a noun, means the purpose for which a lot, building or structure, of any combination thereof is designed, arranged, occupied or maintained.
- "USES" shall have a corresponding meaning.
- "USE" (when used as a verb) or "TO USE" shall have corresponding meanings.
- (144) "VEHICLE" means an automobile, a commercial motor vehicle not exceeding 900 kilogram capacity, a farm implement, a mobile home, a motor home, a snowmobile or a travel trailer.
- (145) "VEHICLE SALES OR RENTAL ESTABLISHMENT" means an establishment having as its main use the storage of vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- (#30-88) (145a) "VETERINARY ESTABLISHMENT" means a building or part of a building used by one or more licensed veterinarians and associated staff and where animals, birds, or other livestock are treated and/or groomed and where domestic animals or birds are kept for treatment.
- (146) "WAREHOUSE" means a weather tight building designed or used for the storage of goods.
- (147) "WATER ACCESS" means that any lot having a lot line or portion thereof which is also a shoreline, shall be deemed to have water access.
- (148) "WATERBODY" means any bay, lake, natural watercourse or canal, but excluding a drainage or irrigation channel.
- (149) "WATER FRONTAGE" means the straight line horizontal distance between the two most widely separated points on any one shoreline of a lot.
- (150) "WATER SETBACK" means the straight line horizontal distance from the high watermark of a watercourse, bay or lake to the nearest part of any excavation, building, structure, or open storage use on the lot.
- (151) "WATER SUPPLY PLANT" means a building or structure, approved by the Ministry of Environment, where water is treated for human consumption.
- (152) "WATER SYSTEM, PUBLIC" means a distribution system of underground piping and related storage, including pumping and purification appurtenances, owned and operated by the Corporation, by another municipality or by the Ministry of Environment.

- (153) "YARD" means a space appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this By-law.
- (a) "FRONT YARD" means a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any excavation or main building on the lot.
 - (b) "FRONT YARD DEPTH" means the least horizontal dimension between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.
 - (c) "REAR YARD" means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any excavation or main building on the lot. If there is no rear lot line, there shall be deemed to be no rear yard.
 - (d) "REAR YARD DEPTH" means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.
 - (e) "SIDE YARD" means a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any excavation or main building on the lot. In the case of a lot which has no rear lot line, the side yard shall extend from the front yard to the opposite side yard.
 - (f) "SIDE YARD WIDTH" means the least horizontal dimension between the side lot line of the lot and the nearest part of any building, structure or excavation or main building on the lot. In the case of a lot which has no rear lot line, the side yard shall extend from the front yard to the opposite side yard.
 - (g) "EXTERIOR SIDE YARD" means a side yard immediately adjoining a street.
 - (h) "INTERIOR SIDE YARD" means a side yard other than an exterior side yard.
 - (i) "REQUIRED YARD" means a yard with the minimum front yard depth, rear yard depth, or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard, or in the case of a lot which has no rear lot lines, the required side yard shall extend from the required front yard to the opposite required side yard.
 - (j) "PRIVACY YARD" means a yard adjoining an exterior wall of a dwelling unit, clear and unobstructed by any public or joint pedestrian access or surface parking area, other than a private driveway for a dwelling unit.
 - (k) "PRIVACY YARD WIDTH" means the least horizontal dimension of a privacy yard measured from and at right angles to the exterior wall which such privacy yard adjoins.
- (154) "ZONE" means a designated area of land use shown on Schedule "A" hereto.

- (155) "ZONING ADMINISTRATOR" means the Director of Planning and Development, or in the absence of the Director, the Manager of Development Approvals or the Manager of Policy Planning or any other authorized member of the Department of Planning and Development.

(By-Law No. 2006-32)

SECTION 5**GENERAL PROVISIONS**

The contents of this Section are:

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(1) ACCESSORY USES

(a) USES PERMITTED:

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

- (i) any occupation for gain or profit conducted within or accessory to a dwelling unit;
- (ii) any building used for human habitation; except as in this By-law is specifically permitted.

(#10-92) (b) EXCEPTIONS:

- (i) Loading Spaces shall conform to the provisions of Section 5(10) (Loading Space Regulations);
- (ii) Driveways and Parking areas shall conform to the provisions of Section 5(14) (Parking Area Regulations).

(#10-92) (c) LOCATION:

- (i) All accessory uses, buildings or structures shall be located on the same lot and in the same Zone as the main permitted use;
- (ii) Notwithstanding any yard provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, light standards, garden trellises, fences, walls (other than the wall of a building), gates, gateposts, gateways, lamp posts, lawn ornaments, legal signs, sub-surface heating, cooling and sewage disposal facilities, walkways, landscaping, berms, patios flush with the finished surface of the ground surrounding the patio, or similar accessory uses shall be permitted anywhere on a lot, except that the provisions of Section 5(19) (Sight Triangles) of this By-law shall apply;
- (iii) No detached accessory building shall be located closer than 2.0 metres to a main building;
- (iv) Notwithstanding any other provisions of this By-law to the contrary, an accessory boat house, pump house, dock, wharf, or marine facility may be erected and used in a yard abutting a lot line contiguous with a navigable waterway or waterbody, provided such accessory use, building or structure meets the required setback from any other lot lines;
- (v) Notwithstanding any other provisions of this By-law to the contrary, an accessory boathouse, pump house, dock, wharf, or marine facility may be erected and used on lands abutting a lot line contiguous with a navigable waterway or waterbody, provided that such accessory use, building, or structure does not encroach on adjacent water frontage when the lot boundaries are extended into the water and provided that all necessary permits and permissions have been obtained;

- (vi) Nothing in this By-law shall prevent the erection of a detached private garage in the front yard of a lot having a lot line contiguous with a navigable waterway or waterbody, provided it is not located within a required setback, a required front yard depth, or a required side yard width, except where a mutual private garage is erected on the common lot line between two lots, no minimum interior side yard width is required.
- (vii) No Air Conditioner shall be constructed closer than 1.2m to any side or rear lot line nor in any required front yard.

(By-Law No. 2006-41)

(#10-92)
 (#61-93)
 (#67-93)

(d) YARDS:

Except as otherwise provided herein, all accessory uses, buildings, and structures shall comply with the setback provisions of this By-law and the provisions of the Zone in which such use, building, or structure is located, except that in an LSR, R1, R2, R3, R4, R5, R6, R7, R8, R9, R10 or R11 Zone, an accessory use, building or structure shall comply with the following provisions:

(By-law No. 16-96-1996)

- (i) No accessory use, building or structure shall be located within a required setback, a front yard, a required front yard depth, an exterior side yard, or a required exterior side yard width;
- (ii) No accessory use, building or structure shall be located closer than 1.2 metres to an interior side lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum interior side yard width is required;
- (iii) No accessory use, building or structure shall be located closer than 1.2 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.

(#10-92)
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(e) HEIGHT:

- (i) All accessory uses, buildings and structures, except as provided elsewhere in this By-law, shall comply with the height provisions of the Zone in which such accessory use, building or structure is located, except that in any LSR, R1, R2, R3, R4, R5, R6, R7, R8, R9, R10 or R11 Zone, an accessory use, building or structure, other than an attached private garage, shall not exceed 5 metres in height.

(By-law No. 16-96-1996)

(f) HEIGHT OF BOATHOUSE:

No boathouse shall exceed a height of 6 metres, nor consist of more than one storey.

- (g) DETACHED ACCESSORY BUILDINGS in a residential zone may be used for passive recreational purposes, such as a living room, study, den, recreational room, studio and similar uses. Home occupation uses are prohibited.

(By-law No. 32-74; 2008-164)

(2) CONSTRUCTION USES

- (a) The following uses are permitted in all zones within the Corporation:

a building or structure incidental to construction on the lot where such building or structure is situated, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned.

- (b) "Abandoned" in this subsection means the failure to proceed expeditiously with the construction work.

(2A) DRIVE-THROUGH SERVICE FACILITY

A new "Drive-Through Service Facility" shall be constructed or established in accordance with the following provisions:

- (i) Definitions for the purpose of this Section,
- a. "DRIVE-THROUGH SERVICE FACILITY" shall mean an accessory or main use of a business that provides or dispenses products or services through an attendant or a window or automated machine to patrons remaining in motorized vehicles including any associated stacking lanes, speaker system, microphone system, order board or other such structures. Despite the above, a drive-through service facility does not include a car washing establishment, automobile service station or a gas bar.
- b. "STACKING LANE" shall mean an onsite queuing lane for motorized vehicles.
- (ii) No drive-through service facility shall be constructed or established within 50 m of a residential use or zone that permits a residential use.
- (iii) A minimum 3 m wide planting strip shall be provided along the lot line between the property containing the drive-through service facility and a residential use or zone that permits a residential use.
- (iv) All drive-through service facilities shall be subject to Site Plan Control approval.
(BI 32-74; 2008-164)

(3) DWELLING UNITS

- (a) YARD PROVISIONS:

Where a dwelling unit is located in a Non-Residential building, such dwelling unit shall comply with the yard provisions of this By-law which apply to the said Non-Residential building.

- (b) CELLAR LOCATION:

No dwelling unit, in its entirety, shall be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used for no purpose other than a furnace room, laundry room, storage room, recreation room or for a similar use.

(c) BASEMENT LOCATION:

A dwelling unit, in its entirety, may be located in a basement, provided that the finished floor level of such basement is not below the level of any sanitary sewer or storm sewer serving the building in which such basement is located and provided further that the finished floor level of such basement is not more than 1 metre below the adjacent finished grade.

(d) KITCHEN

A dwelling unit shall contain only one kitchen.

(By-law No. 32-74; 2008-164)

(e) ENTRANCE

A dwelling unit shall have its own separate entrance.

(By-law No. 32-74; 2008-164)

(#10-92) (4) EXTERNAL BUILDING MATERIALS

The following building materials shall not be used for the exterior vertical facing on any wall of any building or structure which is located partly or wholly within 90 metres of a street:

- | | |
|------------------------------|--|
| (a) tar paper | (f) tentest |
| (b) building paper | (g) interior wall sheathing |
| (c) asphalt roll-type siding | (h) aluminum or membrane covered sheathing |
| (d) roll roofing | |
| (e) mill ends | |

(5) GRAVEL PITS AND STONE QUARRIES

No gravel pit or stone quarry shall be established or made in any area of the Corporation except in a zone where a gravel pit or a stone quarry is included under the heading "Uses Permitted" in this By-law. Where this By-law states that no land shall be used for any purpose other than planting grass, shrubs, seeded berms, trees or similar vegetation, this shall also mean that no gravel pit or stone quarry shall be established in those areas.

(6) HEIGHT RESTRICTIONS

(a) MAXIMUM HEIGHTS:

No building shall exceed a height of 12 metres or 4 storeys.

(#10-92)

(b) EXCEPTIONS:

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

- | | |
|----------------------|-----------------------------------|
| (A) a barn | (K) a farm implement shed |
| (B) a chimney | (L) a feed or bedding storage use |
| (C) a church belfry | (M) a flag pole |
| (D) a church steeple | (N) a lighting fixture |

(6) cont'd: HEIGHT RESTRICTIONS

- | | |
|-----------------------------------|--------------------------------------|
| (E) a church spire | (O) a lightning rod |
| (F) a clock tower | (P) a mechanical equipment enclosure |
| (G) a corn crib | (Q) a silo |
| (H) a domestic antenna | (R) a water tower |
| (I) a drying elevator | (S) a windmill |
| (J) an electrical supply facility | (T) a ventilator |

For the purpose of this Section, a satellite dish shall not be considered to be a domestic antenna.

(#10-92) (7) HOME OCCUPATIONS

No home occupation shall be permitted in any zone unless such home occupation conforms to the following provisions:

- (a) No person, other than a member of the household residing in the dwelling unit, shall be engaged or employed in the home occupation.
- (b) There shall be no external display or advertising, other than a legal sign, to indicate to persons outside, that any part of the dwelling house, dwelling unit or lot is being used for a purpose other than residential.
- (c) Not more than 25% of the gross floor area of the dwelling unit shall be used for the purpose of home occupation uses.
- (d) Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling house or dwelling unit.
- (e) There shall be no goods, wares, or merchandise, other than those produced on the premises, offered or exposed for sale or rent.
- (#41-94) (f) The home occupation shall be carried on entirely within the dwelling except for private home day cares that provide an enclosed fenced play area which shall be used for outdoor activity. A private garage shall not be considered to be part of the dwelling unit.
- (g) No equipment or process shall be used which creates noise, vibration, glare, fumes, odours, motor vehicle traffic or electrical interference in excess of that normally experienced in a residential neighbourhood.
- (h) The home occupation shall not create or become a public nuisance, in particular, in regard to noise, traffic or parking.
- (#41-94) (i) Notwithstanding Section 5(7)(f) hereof, private home day cares having no more than 5 children including the care givers children or located in either a RR, ER, A1, A2 or D Zone shall not require the provision of an enclosed fence play area.
- (j) Notwithstanding Clause (e) above, in all Zones except Zone 'A1' (Restricted Rural Zone) and Zone 'A2' (General Rural Zone), there shall be no outdoor storage of materials, equipment or containers, exterior parking or storage of commercial or industrial vehicles or equipment, animal enclosures or other outdoor activities in conjunction with the home occupation

(By-Law No. 2002-322)

(8) ILLUMINATION

Lighting fixtures, which are not public uses and which are designed for exterior illumination, shall be installed with the light directed downward and deflected away from adjacent lots and streets.

(9) LANES AS YARDS

Where the rear lot line of a lot adjoins any portion of a lane, one-half of the width of that portion of such lane may be considered part of the lot for the purpose of computing the lot area and the rear yard depth of the lot.

(10) LOADING SPACE REGULATIONS

(a) REQUIREMENTS:

The owner or occupant of any lot, building or structure erected or used for any purpose other than a farm, involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials, shall provide and maintain at the premises, facilities comprising one or more loading spaces 9 metres long, 3.5 metres wide and having a vertical clearance of at least 4 metres, and in accordance with the following:

GROSS FLOOR AREA OF BUILDING OR STRUCTURE		MINIMUM NUMBER OF LOADING SPACES REQUIRED
(i)	280 square metres or less	1
(ii)	Exceeding 280 square metres but not 2,300 square metres	2
(iii)	Exceeding 2,300 square metres but not 7,400 square metres	3
(iv)	Exceeding 7,400 square metres	3, plus 1 additional loading space for each additional 9,300 square metres of gross floor area or fractional part thereof

(b) LOCATION

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

(c) YARDS WHERE PERMITTED:

The required loading spaces shall be located only in an interior side yard or rear yard provided such loading spaces are located no closer than 18 metres to any street line.

(d) ACCESS:

Access to loading spaces shall be by means of a driveway at least 3.5 metres wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

- (e) SURFACE:
The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- (f) ADDITION TO EXISTING USE:
When a building or structure has insufficient loading spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency.

(11) LOT DEVELOPMENT REQUIREMENTS

- (#5-90) (a) ACCESS TO IMPROVED STREET:
No person shall erect any building or structure or use any lot in any zone, except an LSR zone, unless the lot abuts and has direct vehicular access to an improved street in the form of an unobstructed driveway or passageway at least 3.5 metres in width. This provision shall not apply to a lot on a registered plan of subdivision where there is a subdivision agreement registered against the land containing provisions dealing with the construction and assumption of the roads; or to a model home(s), where a model home agreement has been executed (signed) by the owner on a lot prior to registration of the plan of subdivision subject to the regulations of Section 5(2) of this By-Law.
(By-Law No. 32-74; 2003-383)
- (b) EXEMPTION FOR ISLAND LOTS:
If a lot is located on an island and if such lot has no street access, then the said lot shall be exempt from the provisions of paragraph (a) of this subsection if such lot has water access on a waterbody.
- (#10-92) (c) MORE THAN ONE ZONE ON A LOT:
Where a lot is divided into more than one zone, each such portion of the lot shall, for the purpose of this By-law, be considered a separate lot and shall be used in accordance with the applicable zone provisions of this By-law, but this provision shall not be construed to permit more than one dwelling house on the whole lot.
- (d) AREA AND/OR FRONTAGE LESS THAN REQUIRED:
Where a lot having a lesser lot area and/or lot frontage than that required herein is held under distinct and separate ownership from abutting lots, as shown by a registered conveyance in the records of the Registry or Land Titles Office on the date of the passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other requirements of this By-law are complied with.
- (e) LOT SERVICING REQUIREMENTS:
No person shall erect any building or structure or use any lot in any zone; unless there is adequate capacity for sanitary sewer or septic facilities, stormwater sewer, and potable water.

(12) NON-CONFORMING USES

(#10-92) (a) REBUILDING OR REPAIR PERMITTED:

Nothing in this By-law shall prevent the rebuilding or repair of any building or structure that is damaged or destroyed subsequent to the date of passing of this By-law, provided that the dimensions of the original building or structure are not increased and the use of the building or structure is not altered.

For the purpose of this Section, wilful demolition of a building or structure shall not constitute damaged or destroyed.

(b) STRENGTHENING TO SAFE CONDITION PERMITTED:

Nothing in this By-law shall prevent the strengthening to a safe condition of any building or structure or part of any such building or structure which does not conform to the provisions of this By-law, provided that such alteration or repair does not increase the height, size or volume, or change the use of such building or structure.

(c) EXTENSIONS PERMITTED:

Nothing in this By-law shall prevent an extension or addition being made to a use, building or structure which is used for a purpose specifically permitted within the zone in which such use, building or structure is located and which use, building or structure existed on the date of passing of this By-law, provided such extension or addition does not contravene any of the provisions of this By-law.

(13) NOXIOUS USES

No use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture.

(By-Law No. 2006-41)

(14) PARKING AREA REGULATIONS

(#10-92) (a) REQUIREMENTS:

The owner or occupant of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, one or more parking spaces, each such parking space having a minimum area of 16.0 square metres, a minimum width of 2.75 metres and a minimum length of 5.2 metres, in accordance with the following:

TYPE OF USE	MINIMUM PARKING SPACE REQUIREMENT
RESIDENTIAL USES	
Apartment Dwelling House	1.25 parking spaces per dwelling unit
Boarding House	1 parking space per dwelling unit plus 1 parking space per guest room
Row Dwelling House	1.5 parking spaces per dwelling unit
Seasonal Dwelling House	2 parking spaces per dwelling unit
Other Residential Uses permitted in this By-Law	1 parking space per dwelling unit
NON-RESIDENTIAL USES	

Animal Hospital, Clinic	The greater of: (a) 3 parking spaces per practitioner, or (b) 1 parking space per 9 square metres of gross floor area
Auditorium	The greater of: (a) 1 parking space per 6 fixed seats or fraction thereof, or (b) 1 parking space per 9 square metres of gross floor area
Beverage Room	1 parking space per 4 persons design capacity
Bowling Alley, Curling Rink	2 parking spaces per bowling lane or curling sheet
Business Office, Professional Office	1 parking space per 18.5 square metres of gross floor area
Car Wash (i) Self service operation (ii) Conveyor operation	5 parking spaces per wash stall 10 parking spaces per wash stall
Church	1 parking space per 9 square metres of gross floor area
Industrial Building	1 parking space per 37 square metres of gross floor area
Nursing Home	3 parking spaces per 4 beds or fraction thereof
Recreational Establishment (other than listed separately herein)	The greater of: (a) 1 parking space per 14 square metres of gross floor area, or (b) 1 parking space per 4 persons design capacity of the establishment
Restaurant	The greater of: (a) 1 parking space per 14 square metres of gross floor area, or (b) 1 parking space per 4 persons design capacity of the dining room
Restaurant, Drive-in	10 parking spaces per lot
Retail Store, Merchandise Service Shop, Personal Service Shop	1 parking space per 18 square metres of gross floor area
School	The greater of: (a) 1.5 parking spaces per classroom, or (b) 1 parking space per 3 square metres of floor area in the gymnasium, or (c) 1 parking space per 3 square metres of floor area in the auditorium
Shopping Centre	Parking area to be 2½ times the gross floor area
Tourist Establishment	1 parking space for each guest room / suite plus 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge plus 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces (hotel, motel uses only) (By-law No. 32-74; 2008-64)
Other Non-Residential Uses permitted by this By-law	1 parking space per 37 square metres of gross floor area

- (b) **MORE THAN ONE USE ON A LOT:**
When a building, structure or lot accommodates more than one type of use as set out in paragraph (a) of this subsection, the parking space requirement for such building, structure or lot shall be the sum of the requirements for the separate uses thereof.
- (c) **LOCATION:**
The required parking area shall not form a part of any street or lane. The required parking areas shall be provided on the lot occupied by the building, structure or use of which the said parking area is required, except:
- (i) in the case of a lot in a Residential Zone which has water access and no street access; or
 - (ii) in the case of a Non-Residential use, the required parking area may be provided on another lot if such parking area is not more than 150 metres from the lot requiring the parking area.
- (d) **YARDS WHERE PERMITTED:**
Notwithstanding the yard provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted as follows:

	ZONE	YARDS WHERE PARKING AREA PERMITTED
(#10-92)	Residential, Development	Rear yard and interior side yard only, except that this provision shall not apply to prevent the use of a garage or hard surfaced driveway, provided the width of such driveway does not exceed the width of the garage walls. (By-Law No. 2005-211)
(#10-92)	Commercial, Open Space Rural, Institutional	All yards, provided that no part of any parking area, other than a driveway, is located closer than 3 metres to any street line.
(#10-92)	Industrial	Interior side yards and rear yards only, except for visitor parking covering not more than 15% of the yard in which it is located, provided that no part of any parking area, other than a driveway, is located closer than 3 metres to any street line.
(#52-94)	Business Park	Interior side yards and rear yards only except that a maximum of 15% of the total number of parking stalls required may be located in a front yard or exterior side yard provided that no part of any parking area, other than a driveway, is located closer than 8 metres to a lot line.
	Development or Residential except for an Apartment Dwelling House use	Up to 30 square metres of the rear yard and interior side yard only; except that this provision shall not apply to prevent the use of a garage or hard surfaced driveway, provided the width of such driveway does not exceed the garage walls. (By-law No. 32-74; 2008-164)

(e) ACCESS:

- (i) Access for non-residential use to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 3.5 metres, but not more than 9 metres in width. Access for residential uses shall be provided by means of unobstructed driveways or passageways provided the width of such driveway does not exceed 40% or the width of the lot or 6 metres, whichever is the lesser. For purposes of calculating the maximum width of a driveway on a lot whose front lot line or rear lot line is shorter than the other, the lot width should be measured at the mid-point of the lot depth.

(32-74; 2007-158)

- (ii) The aisles between parking spaces within a parking area shall have a minimum width of 6 metres.
- (iii) The maximum width of any combined ingress and egress driveway, measured along the street line, shall be 9 metres.
- (iv) The minimum distance between 2 separate driveways on one lot, measured along the street line, shall be 7.5 metres.

(#10-92)(#61-93
 (#67-93)

- (v) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be:

- a) 9 metres for all Residential uses in LSR, R1, R2, R3, R4, R5, R6, R7, R8, R9, R10 OR R11 Zones;
- b) 7 metres for all Residential uses in MVC, C, LSR, R1, R2, R3, R4, R5, R6, R7, R8, R9, R10 OR R11 Zones where the sight triangle requirement is 3 metres;
- c) 15 metres for all other uses and zones

(By-Law No. 16-96-1996; 2005-211)

- (vi) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.

(#10-92)

- (vii) Every lot shall be limited to the following number of driveways:

- (a) less than 30 metres of frontage:
- (i) maximum one driveway;
- (b) 30 metres of frontage or more:
- (i) maximum two driveways for the first 30 metres of frontage;
- (ii) maximum one additional driveway for each full 30 metres of frontage in excess of the first 30 metres.

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 (#67-93)

- (viii) No driveway shall be established closer than 3.5 metres to an interior side lot line nor closer than 1.5 metres to a rear lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres, except that no driveway in an LSR, R1, R2, R3, R4, R5, R6, R7, R8, R9, R10 or R11 Zone shall be established closer than 1.0 metres to an interior side lot line, nor closer than 1.0 metres to a rear lot line, provided that this shall not apply to prevent the establishment of abutting driveways along a common lot line, if their combined width does not exceed 9 metres.

(By-law No. 16-96-1996)

Notwithstanding the above provisions, where within the LSR, R1, R2, R3, R4, R5, R6, R7 or R8 zones a side yard of less than 1.0 metres is permitted, the driveway is permitted to extend as close to the interior lot line as the attached garage.

(By-law No. 99-317-1999)

(f) SURFACE:

Each parking area and driveway connecting the parking area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. In the case of a dwelling house containing 3 or more dwelling units, such parking area and driveway shall be paved with an asphaltic or concrete surface and be bounded by curbs.

(g) ADDITION TO EXISTING USE:

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

(h) USE OF PARKING AREAS AND PARKING SPACES:

Where a parking area or parking space is permitted or required by this By-law in any Residential Zone, no person shall use such parking area or parking space for parking any motor vehicle unless such vehicle is used in operations incidental to the permitted uses in respect of which such parking area or parking space is provided, and bears a motor vehicle license plate or sticker which is currently valid.

(i) RESTRICTIONS IN RESIDENTIAL ZONES

No person shall use any parking area or parking space in a Residential Zone except in accordance with the following regulations:

- i. Not more than one vehicle per dwelling unit shall be a commercial motor vehicle as defined in this By-Law.
- ii. The rated capacity of any such commercial motor vehicle shall not exceed two (2) tonnes.
- iii. Where a parking area or parking space is permitted or required by this By-Law in any Residential Zone, no person shall use such parking space for the parking of any motor vehicle unless such vehicle is used in operations incidental to the permitted uses in which such parking area or parking space is provided and bears a motor vehicle license plate or sticker which is currently valid.

(By-Law No. 32-74; 2002-322; 2008-164)

(15) PETROLEUM AND NATURAL GAS USES

- (a) The following uses are permitted within the Rural and Industrial Zones:

a building or structure incidental to the exploration, drilling, pumping or extraction of petroleum or natural gas, but only until the work is completed or abandoned.

- (b) "Abandoned" in this subsection means the failure to proceed expeditiously with the work.

(16) PLANTING STRIPS

- (a) REQUIRED LOCATIONS:

Where a lot is used for a Non-Residential purpose and

- (i) the interior side lot line or rear lot line abuts a Residential use or undeveloped land in a Residential Zone, or
- (ii) where such lot is in an Industrial Zone and the front, side or rear lot line abuts a portion of a street, the opposite side of which portion of the street abuts a Residential use or undeveloped land in a Residential Zone,

then a strip of land adjoining such abutting lot line, or portion thereof, shall be used for no other purpose than planting in accordance with the provisions of this subsection.

- (b) WIDTH:

Where in any zone a strip of land is required to be used for no other purpose than planting, it shall have a minimum width of 3 metres, unless otherwise provided herein.

- (c) CONTENTS:

Except where it is required along a front lot line, or along a side lot line within 3 metres of a street line, a planting strip shall be used for no other purposes than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder; the remainder of the strip shall be used for no other purpose than the planting of ornamental shrubs, flowering shrubs, flower beds, or a combination thereof. Where required along a front lot line, a planting strip shall be used for no other purpose than trees, hedges, shrubs, flower beds, grass or a combination thereof.

- (d) DRIVEWAYS OR WALKS:

In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within 3 metres of the edge of such driveway or within 1.5 metres of the edge of such walk.

- (e) LANDSCAPED OPEN SPACE:

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

(17) PUBLIC USES

- (a) GENERAL PROVISIONS:

Every public use shall comply with the general provisions of this By-law as contained in Section 5 hereof.

(b) ZONE PROVISIONS:

Every public use shall comply with the zone provisions of the zone wherein such public use is located.

(c) ZONES WHERE PERMITTED:

If a specific public use is listed as a permitted use in any zone, then such public use shall be permitted only within the zone or zones making reference thereto.

(d) PROVISIONS IN RESIDENTIAL ZONES:

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

(#10-92) (e) STREETS AND INSTALLATIONS:

Nothing in this By-law shall prevent the use of land for a street or prevent the installation of a watermain, sanitary sewer main, gas main, pipeline, lighting fixture, or overhead or underground hydro, telephone or cable line, provided the location of such main or line has been approved by the Corporation.

Nothing in this By-law shall prevent the use of public land for a mail box or utility box, provided that the location of such box has been approved by the Corporation.

(#10-92) (f) POLLING STATIONS:

Nothing in this By-law shall apply to prevent the use of a building, or part thereof, as a temporary polling station for a federal, provincial or municipal election or referendum.

(18) SETBACKS

No person shall erect any building or structure in any zone unless such building or structure conforms to the following setback requirements:

- | | | |
|----------|--------------------------|---|
| (#10-92) | (a) Provincial Highway | - 18 metres
plus the minimum front yard depth required for such use in the zone where it is located. |
| (#10-92) | (b) County Road | - 30 metres |
| (#10-92) | (c) Private Right-of-Way | - 10.5 metres |
| (#10-92) | (d) Other Road | - 10 metres
plus the minimum front yard depth required for such use in the zone where it is located. |

(19) SIGHT TRIANGLES

(By-Law No. 2005-211)

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

- (a) a building, structure or use which would obstruct the vision of drivers of motor vehicles;
- (b) a fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line;
- (c) a finished grade which exceeds the elevation of the street line by more than 0.5 metres.

(20) THROUGH LOTS

In the case of a through lot, the front yard requirements of the zone or zones in which such lot is located shall apply to each yard which abuts a street.

(21) STORAGE OF SPECIAL VEHICLES

(a) VEHICLES PERMITTED

In any Residential Zone, no person shall use any lot for the purpose of parking or storing a boat, motor home, snowmobile, personal watercraft, all terrain vehicle, travel trailer, utility trailer or similar recreational vehicle except for:

- (i) one (1) boat which shall not exceed 8.2 metres in length;
- (ii) one (1) motor home which shall not exceed 8.2 metres in length;
- (iii) not more than two (2) snowmobiles, personal watercraft, all terrain vehicles, utility trailer, or similar recreational vehicle, or any combination thereof;
- (iv) one (1) travel trailer which shall not exceed 8.2 metres in length, exclusive of hitch or tongue.

(By-Law No. 32-74; 2008-164)

(b) YARDS WHERE PERMITTED

In any Residential Zone, the parking or storage of a boat, motor home, snowmobile, personal watercraft, all terrain vehicle, travel trailer or similar recreational vehicle shall only be permitted in a garage, carport or other building and not in any required parking space or site triangle, except that on lands not used for apartment dwelling purposes, such boat, motor home, snowmobile, personal watercraft, all terrain vehicle, travel trailer or similar recreational vehicle may be parked or stored in an interior side yard or rear yard but no closer than 1 metre to any lot line.

(By-law No. 32-74; 2007-158; 2008-164)

(c) TEMPORARY STORAGE OF PARKING

In a Residential Zone, the parking or storage of a boat, motor home, snowmobile, personal watercraft, all terrain vehicle, travel trailer, utility trailer or similar recreational vehicle may be permitted for a period of not more than 72 hours in any one calendar month in a front yard or exterior side yard, provided that such lot is not used for apartment dwelling house purposes.

(By-Law No. 32-74; 2002-322; 2005-211; 2008-164)

(#11-75) (22) WATER SETBACKS

Notwithstanding any provisions of Sections 7 through 25 inclusive to the contrary, no building or structure other than a marine facility or a marina shall be located less than 15 metres from a flood plain.

(23) YARD ENCROACHMENTS

(#10-92) (a) **ORNAMENTAL STRUCTURES:**

Notwithstanding any provisions of this By-law to the contrary, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.5 metres to any lot line.

“(b) **DECKS, PORCHES, PATIOS, BALCONIES, STEPS, AND VERANDAS, UNENCLOSED, IN A RESIDENTIAL ZONE**

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed decks, porches, patios, balconies, steps, and verandas, covered or uncovered, are permitted in any Residential Zone in accordance with the following provisions:

(By-law No. 32-74; 10-92; 61-93; 67-93; 16-96; 2005-211; 2007-158; 2008-164)

	Height Above Finished Grade Level		
	Finished grade level to 0.6 m	More than 0.6 m and less than 1.2 m	More than 1.2 m
Maximum Area	50 % of yard in which it is located.	50 % of yard in which it is located.	30 m ²
Minimum Setback from Exterior Side Lot Line	May project 3.5 m out from main building wall, but not closer than 3.5 m to exterior side lot line.	May project 2.5 m out from main building wall, but not closer than 3.5 m to exterior side lot line.	Must meet setback requirement for individual zones.

(By-law No. 32-74; 10-92; 61-93; 67-93; 16-96; 2005-211; 2007-158; 2008-164)

Minimum Setback from Interior Side Lot Line	0.6 m	Must meet setback requirements for individual zones. For Semi-Detached Dwelling Houses: a) 1.2 m; and, b) on the side with a common party wall: 0.3 m or 0 m if there is a common privacy barrier of a minimum height of 1.5m. For a Rowhouse: 0.3 m or 0 m if there is a common privacy barrier with a minimum height of 1.5 m.	Must meet setback requirements for individual zones. For Semi-Detached Dwelling Houses: a) 1.2 m; and, b) on the side with a common party wall: 0.3 m or 0 m if there is a common privacy barrier of a minimum height of 1.5m. For a Rowhouse: 0.3 m or 0 m if there is a common privacy barrier with a minimum height of 1.5 m.
Minimum Setback from Rear Lot Line	2 m	2 m	4m
Minimum Setback from Front Lot Line	May project 3.5 m out from main building wall, but not closer than 3.5 m to the front lot line.	May project 2.5 m out from main building wall, but not closer than 3.5 m to the front lot line.	Must meet setback requirements for individual zones.

(c) BARRIER-FREE STRUCTURES

Notwithstanding any provisions of this By-Law to the contrary, unenclosed structures necessary to ensure that a building and its facilities can be approached, entered, and used by persons with physical or sensory disabilities in accordance with the Ontario Building Code, may project into any required front or side yard provided that the structure is not closer than 0.3 metres from any side lot line. For clarification, the area of such structures shall not be used in the calculation of lot coverage.

(By-law No. 32-74; 10-92; 61-93; 67-93; 16-96; 2005-211; 2007-158; 2008-164)

(d) Deleted.

(By-law No. 32-74; 10-92; 61-93; 67-93; 16-96; 2005-211; 2007-158; 2008-164)

(24) 'H' HOLDING ZONE PROVISIONS

Pursuant to the provisions of the *Planning Act*, R.S.O., 1990, Council may specify, by the use of a Holding Symbol '-H' in conjunction with the appropriate zone symbol, the eventual use to which lands, buildings and structures may be put at such time in the future as the '-H' Holding Symbol is removed by a further amendment to this By-Law. The Holding Symbol "-H" may be used in conjunction

with any Zoning category in this By-Law, in accordance with the following provisions:

- (i) Lands which are shown to be subject to an '-H' Holding Zone may be used only for the following purposes while the '-H' Symbol is in place:
 - (a) Existing uses, subject to the provisions of the Zone category that was applicable to the lands prior to the establishment of the '-H' Holding Zone;
 - (b) Other uses, as deemed appropriate by Council, and as specified in the Amending Zoning By-Law establishing the '-H' Holding Zone.

This section shall not prevent the renovation of any building or structure or part of any such building or structure or the alteration or renovation of an existing building or structure provided such alteration or renovation will not increase the height, size or volume, or change the use of such building or structure located in a Holding Zone.

- (c) Model homes, where a model home agreement has been executed (signed) by the owner and prior to registration of the plan of subdivision, subject to the regulations of Section 5(26) of this By-Law.
(By-Law No. 2003-383)
- (ii) Subject to the removal of the '-H' Holding Symbol, the lands shall be used in accordance with the permitted uses and regulations of the associated Zone Symbol and any amendments thereto deemed appropriate by Council and specified in the Amending zoning By-Law which established the '-H' Holding Zone or as otherwise approved by Council.
- (iii) The '-H' Holding Symbol shall only be removed once all of the following applicable requirements have been complied with:
 - (a) All applicable municipal requirements and financial arrangements have been completed to the satisfaction of Council;
 - (b) The required services are available or can be made available;
 - (c) The phasing and design of the proposed development is to Council's satisfaction;
 - (d) Any identified development constraints can be addressed to the satisfaction of Council;
 - (e) All necessary Agreements, such as the Subdivision Agreement or Site Plan Control Agreement, have been registered on title;
 - (f) City Council has given Notice pursuant to the requirements of the Planning Act of its intention to pass a By-Law to remove the '-H' Holding Symbol and has passed the appropriate amendment to the Zoning By-Law to remove the '-H' Holding symbol pursuant to the Planning Act.
(By-law No. 99-88-1999)

(25) MINIMUM DISTANCE SEPARATION REQUIREMENTS

Minimum Distance Separation formulae and criteria are to be applied in zones where any farm or any livestock facilities are a permitted use. Attached as “**Appendix 1**” are the formulas and worksheets for the calculation and application of the Minimum Distance Separation Formulae as prescribed, and amended from time to time, by the Ontario Ministry of Agriculture Food and Rural Affairs.

(By-Law No. 32-74; 2001-145)

25. cont'd:

- (a) **NEW NON-AGRICULTURAL USES**
The expansion or establishment of any new non-agricultural use in close proximity to an existing livestock facility shall comply with the requirements of the Minimum Distance Separation (MDS I) calculation.
- (b) **NEW OR EXPANDED LIVESTOCK FACILITIES**
No livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) calculation.
- (c) **EXISTING LOTS OF RECORD**
The Minimum Distance Separation requirements do not apply in the case of a new Non-Agricultural use under this subsection where a legal lot of record with an area of 0.8 ha or less, existed as of the date of passing of this By-law, and for which the proposed use is listed as a permitted use in the zone in which the existing lot is located, in which case the provisions of this section shall not serve to preclude the issuance of a building permit for the permitted use.”
- (d) **HIGHER STANDARD TO GOVERN**
The greater separation distance of either the MDS provision or Zone provision shall be applied.

(By-Law No. 32-74; 2001-145)

(26) MODEL HOMES IN DRAFT PLANS OF SUBDIVISION

Notwithstanding any other provision of this By-Law, where a model home agreement has been executed (signed) more than one single detached, semi-detached or a townhouse dwelling may be constructed on a lot prior to registration of the plan of subdivision subject to the following restrictions:

- (i) The use shall be permitted in the zone in which the dwelling or townhouse block is to be located;
- (ii) The dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
- (iii) The maximum number of model homes shall not exceed ten percent (10%) of the total number of lots intended for single detached, semi-detached or townhouse dwelling purposes within the plan of subdivision proposed for registration, to a maximum of ten (10) units;
- (iv) The model home shall comply with all other provisions of this By-Law, as though the dwellings and or units were constructed on the lot within the registered plan of subdivision; and
- (v) The model home shall comply with all applicable terms and conditions of the said subdivision agreement.

(By-Law No. 2003-383)

(27) REDUCTION OF LOT AREA – ROAD WIDENINGS, DAYLIGHTING TRIANGLES, ETC.

Notwithstanding any other section of this By-Law, where any portion of a lot is, subsequent to the date of passing of this amending By-Law, taken by the City for the purpose of a road widening, daylighting triangle, turning lane or other similar use, and such use is not required in order to provide entrances, exits, acceleration or deceleration lanes or other similar uses designed to serve the said lot, then the development potential as permitted in this By-Law, for any building permit issued after the date of passing of this amending By-Law shall be calculated on the entire lot area including the area of the proposed road widening or other similar use.

(By-Law No. 2003-383)

(28) Reserved

(29) Reserved

(30) Private Swimming Pools in Residential Zones

Notwithstanding the yard provisions of this By-Law to the contrary, in a Residential Zone, a private swimming pool, and structures in conjunction with such swimming pool, may be erected and used in the required interior side yard or the required rear yard provided:

- a) No part of the inside wetted surface of such swimming pool, may be located closer than 1.5 metres to any rear or side lot line;
- b) No water circulating or treatment equipment, such as pumps or filters, shall be located closer than 3.0 metres to any interior side or rear lot line except where such equipment is enclosed in an accessory building;
- c) A swimming pool shall not be considered as part of the lot coverage provided no part of the pool excluding its railing protrudes more than 1.4 metres above the ground level surrounding the swimming pool; and
- d) A swimming pool, whether above-ground or in-ground, or related structures or equipment of greater than 0.15 metres above finished grade shall not be located within 1.5 metres of any lot line and 3.5 metres of any exterior side lot line.

(By-law No. 32-74; 2008-164)

(31) Renewable Energy Systems

Static Renewable Energy Device: For the purpose of this section a Static Renewable Energy Device shall mean a device that produces, captures or conserves energy without visible motion or emissions such as noise, vibration, liquids, gases or combustion products; such devices may include solar panels, pool heaters, etc.

Notwithstanding the height provisions of this By-Law to the contrary, a Static Renewable Energy Device may exceed a height requirement by 0.5 metres.

(By-law No. 32-74; 2008-164)

* * * * *

SECTION 6

ZONES(1) ZONE CLASSIFICATION

For the purpose of this By-law, all lands within the Corporation are divided into zones and are classified as follows:

	<u>ZONES</u>	<u>SYMBOLS</u>	<u>SECTION NO.</u>
	<u>Residential Zones</u>		
	Estate Residential Zone	ER	7
	Rural Residential Zone	RR	8
	Residential Type 1 Zone	R1	9
	Residential Type 2 Zone	R2	10
	Residential Type 3 Zone	R3	11
(#67-93)	Residential Type 4 Zone	R4	11A
(#67-93)	Residential Type 5 Zone	R5	11B
(#67-93)	Residential Type 6 Zone	R6	11C
(#61-93)	Residential Type 7 Zone	R7	11D
(#61-93)	Residential Type 8 Zone	R8	11E
	Residential Type 9 Zone	R9	11F
	Residential Type 10 Zone	R10	11G
	Residential Type 11 Zone	R11	11H
(#5-90)	Limited Service Residential Zone	LSR	12
	<u>Institutional Zone</u>	I	13
	<u>Commercial Zones</u>		
	Local Commercial Zone	CL	14
	General Commercial Zone	C	15
	Highway Commercial Zone	CH	16
	Tourist Commercial Zone	CT	17
	Mixed Village Centre Zone	MVC	17A
	<u>Industrial Zones</u>		
	Restricted Industrial Zone	M1	18
	General Industrial Zone	M2	19
	Extractive Industrial Zone	MX	20
	Disposal Industrial Zone	MD	21
(#53-89)	Business Park Zone	BP	21A
	<u>Open Space Zone</u>	OS	22
(#11-81)	<u>Flood Plain Zone</u>	FP	22A
	<u>Rural Zones</u>		
	Restricted Rural Zone	A1	23
	General Rural Zone	A2	24
	<u>Development Zone</u>	D	25

(2) ZONE SYMBOLS

The symbols listed in Section 6(1) hereof may be used to refer to buildings and structures, the uses of lots, buildings and structures permitted by this By-law in the said zones, and whenever in this By-law the word "zone" is used, preceded by any of the said symbols, such reference shall mean any area within the Corporation within the scope of this By-law, delineated on Schedule "A" and designated thereon by the said symbol.

(3) ZONE PROVISIONS

The uses permitted, the minimum area and frontage of lots, the minimum size of yards, the maximum lot coverage, the minimum landscaped open space, and all other zone provisions are set out herein for the respective zones.

(4) SPECIAL ZONES AND PROVISIONS

Where a zone symbol is followed by a dash and a number (for example "M1-1") the lands so designated shall be subject to all the provisions of the zone represented by such symbol except as otherwise provided by the special provisions of the special zone.

(5) BUILDING, STRUCTURE AND USE CLASSIFICATION

For the purpose of reference, all buildings, structures and uses named as permitted uses and classified under the headings "Residential Uses" or "Non-Residential Uses" may be referred to as Residential or Non-Residential buildings, structures or uses respectively.

(#37-87) (6) HOLDING ZONE PROVISION

Where the zone symbol designating certain lands as shown on Schedule "A" is followed by the Holding symbol "-H" (for example: "R1-H"), no development of such lands shall be permitted until such time as the "-H" symbol has been removed by amendment to this By-law. Once the "-H" symbol has been removed, the lands shall be subject to all applicable provisions of the zone in which they are located.

* * * * *

SECTION 7**ESTATE RESIDENTIAL ZONE (ER)****(1) USES PERMITTED**

No person shall within any ER zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following ER uses, namely:

(a) RESIDENTIAL USES:

a detached single family dwelling house.

(b) NON-RESIDENTIAL USES:

(#26-93) a church;
a home occupation;
a public use.

(2) ZONE PROVISIONS

No person shall within any ER zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - 0.8 hectares
- (b) LOT FRONTAGE (minimum): - 36.5 metres
- (c) FRONT YARD DEPTH (minimum): - 15 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 15 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 6 metres
- (f) REAR YARD DEPTH (minimum): - 15 metres
- (g) DWELLING UNIT AREA (minimum): - 140 square metres
- (h) LANDSCAPED OPEN SPACE (minimum): - 50%
- (i) LOT COVERAGE (maximum): - 15%
- (j) HEIGHT OF BUILDING (maximum): - 9 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only
- (l) ACCESSORY USES, PARKING, ETC.:

In accordance with the provisions of Section 5 hereof.

(#39-76) (3) SPECIAL ER ZONES

(#39-76) (a) SPECIAL ACCESS PROVISION (ER-1):
(#5-90) (DELETED)

(#5-90) (a) DELETED

(#14-77) (b) GRAVES SUBDIVISION (ER-2):

Notwithstanding any provisions of this By-law to the contrary, no building or structure shall be located closer than 60 metres to the high water mark of the St. Lawrence Channel nor shall any building or structure be designed, erected, altered or located in such a way as to permit the entry of flood waters below the level of 76 metres Canadian Geodetic Datum on lands designated ER-2 on Schedule "A" hereto.

- (#33-77) (c) TOWLE SUBDIVISION (ER-3):
- Notwithstanding any provisions of this By-law to the contrary, no building or structure shall be located closer than 30 metres to the high water mark of the St. Lawrence River nor shall any building or structure be erected, altered or located below the level of 78 metres Canadian Geodetic Datum on lands designated ER-3 on Schedule "A" hereto.
- (#15-79) (d) GOLLOGLY SUBDIVISION (ER-4):
- Notwithstanding any provisions of this By-law to the contrary, the lands designated ER-4 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Minimum Elevation:
No opening to any building or structure shall be constructed below the minimum elevation of 76.8 metres.
 - (ii) Provincial Highway Setback:
No building or structure shall be located less than 30.5 metres from any Provincial Highway.
 - (iii) Water Setback:
No building or structure other than a marine facility shall be located less than 30.5 metres from the high water mark of the St. Lawrence River.
- (#12-82) (e) 451534 ONTARIO CORP. SUBDIVISION (ER-5):
- Notwithstanding the provisions of Section 7(1)(b) and Section 7(2) hereof to the contrary, the lands designated ER-5 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Special Use:
An existing horse shelter designed and used by no more than six horses may be permitted as an accessory use on a lot with a minimum size of 3.2 hectares.
 - (ii) Minimum Elevation:
No buildings or structures shall be erected below a contour line of 76.9 metres (Canadian Geodetic Datum).
- (#29-88) (f) BANGMA SUBDIVISION (ER-6):
- Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as ER-6 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Water Setback:
No building or structure shall be located closer than 10 metres to the high water mark of the pond located on Lot 10 of the Draft Approved Plan of Subdivision.

- (ii) Special Provision:
No buildings or structures other than marine facilities, and, no sewage system shall be located closer than 30 metres from the high water mark of the St. Lawrence River nor shall any building or structure other than a marine facility be located below an elevation of 76.9 metres (Canadian Geodetic Datum).

(#60-89) (g) SPECIAL REQUIREMENTS (ER-7)

Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as ER-7 on Schedule "A" hereto shall be developed in accordance with the following provision:

- (i) Minimum Elevation:
No buildings or structures shall be erected below a contour line of 76.6 metres (Canadian Geodetic Datum).

(#48-89) (h) CLUNY HOUSE (ER-8):

Notwithstanding the provisions of Sections 5(1), 5(18), and 7(2) to the contrary, the lands designated as ER-8 on Schedule "A" hereto shall be used in accordance with the following provisions:

- (i) Accessory Use:
garage existing as of at time of passing of this By-law may be located in the front yard no closer than 13.0 metres to the front lot line.
- (ii) Lot Area (minimum): - 2 hectares

(#73-91) (i) SPECIAL REQUIREMENTS (ER-9):

Notwithstanding the provisions of Section 7(2)(a) hereof to the contrary, the lands designated as ER-9 on Schedule "A" attached hereto shall be used in accordance with the following provisions:

- (i) Lot Area (minimum): - 1.6 hectares

SECTION 8**RURAL RESIDENTIAL ZONE (RR)****(1) USES PERMITTED**

No person shall within any RR Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses, namely:

- (a) Residential Uses:
a detached single family dwelling house.
- (b) Non-Residential Uses:
a church;
a home occupation;
a public use.

(2) ZONE PROVISIONS

No person shall within any RR Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - 0.4 hectares
- (b) LOT FRONTAGE (minimum): - 46 metres
- (c) FRONT YARD DEPTH (minimum): - 10.5 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum) : - 10.5 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 4.5 metres
- (f) REAR YARD DEPTH (minimum): - 7.5 metres
- (g) DWELLING UNIT AREA (minimum): - 120 square metres
- (h) LANDSCAPED OPEN SPACE (minimum): - 30%
- (i) LOT COVERAGE (maximum): - 25%
- (j) HEIGHT OF BUILDING (maximum): - 9 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only
- (l) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(#24-86) (3) SPECIAL RR ZONES**(a) MOHAN SUBDIVISION (RR-1):**

Notwithstanding any provisions of this By-law to the contrary, the lands designated RR-1 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:

- (i) Lot Area (minimum): - 0.6 hectares
- (ii) Minimum Elevation:

No buildings or structures, including marine facilities, shall be erected below a contour line of 89.2 metres (Geodetic Survey of Canada Datum).

- (#9-88) (b) SUDDS (RR-2):
- Notwithstanding the provisions of Section 8(2)(a), hereof to the contrary, the lands designated as RR-2 on Schedule "A" attached hereto may be used for a detached single family dwelling house, in accordance with the following provision:
- (i) Lot Area (minimum): - 0.38 hectares
- (#63-88) (c) SPECIAL REQUIREMENTS (RR-3):
- Notwithstanding the provisions of Section 8(2)(a) hereof to the contrary, the lands designated as RR-3 on Schedule "A" attached hereto may be used for a detached single family dwelling house, in accordance with the following provision:
- (i) Lot Area (minimum): - 0.35 hectares
- (#25-90) (d) SPECIAL REQUIREMENTS (RR-4):
- Notwithstanding the provisions of Section 8(2)(a) hereof to the contrary, the lands designated as RR-4 on Schedule "A" attached hereto shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 0.24 hectares
- (e) NOT USED
- (f) NOT USED
- (#90-91) (g) SPECIAL REQUIREMENTS (RR-7):
- Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as RR-7, on Schedule "A" attached hereto shall be used in accordance with the following provisions:
- (i) For the purposes of the RR-7 Zone, the northern side yard shall be deemed an exterior side yard.
- (ii) Exterior side yard width (minimum) - 7.5 metres
- (iii) Accessory Uses:
For the purposes of the RR-7 Zone, no accessory use shall be permitted within 7.5 metres of the northern lot line.
- (h) SPECIAL REQUIREMENT (RR-8):
- Notwithstanding the provisions of Section 8(1) and Section 8(2)(a) hereof to the contrary, the lands designated as "RR-8" on Schedule "A" attached hereto, shall be used for no other purpose other than one or more of the following uses: a detached single family dwelling house, a home occupation, or a public use, in accordance with the following provision:
- (i) Lot Area (minimum) - 0.8 hectares
- (ii) Rear yard Depth (minimum) - 30 metres

(By-Law No. 9-96-1996)

(i) SPECIAL REQUIREMENT (RR-9)

Notwithstanding the provisions of Section 8(1) and Section 8(2) to the contrary, the lands designated as RR-9 on Schedule 'A' hereto, shall be used for no other purpose than one or more of the following uses: a detached single family dwelling house, a home occupation, or a public use, in accordance with the following provision:

- (i) Lot Area (minimum) - 0.8 hectares
(By-Law No. 98-298-1998)

(j) SPECIAL REQUIREMENT (RR-10) STEPHENTOWN CREEK LTD.

Notwithstanding Section 8(1) and Section 8(2) OF By-Law 32-74 to the contrary, the lands designated 'RR-10' on Schedule 'A' hereto shall be developed as a vacant land condominium with up to 25 Condominium Units, subject to the following provisions:

- 1) Dwellings per Condominium Unit (maximum) 1 only
- 2) Bedrooms per Condominium Unit (maximum) 3
- 3) Minimum Setback of any building from a Condominium Unit Boundary that abuts an access lane 5 metres
- 4) Minimum Setback of any building from a Condominium Unit Boundary 1.5 metres
- 5) Lot coverage (maximum) the lesser of 25% or 200 square metres
- 6) Building Height (maximum) 8 metres
- 7) Accessory Uses are to be in accordance with Section 5
- 8) No building shall be located in an area below the 88.92 metres elevation Geodetic Survey of Canada.
- 9) No building opening shall be located below 89.22 metres elevation Geodetic Survey of Canada
- 10) Notwithstanding Section 5(24)(i) Holding Zone Provisions to the contrary no building permits shall be issued for the alteration or renovation of a building or structure, until the "-H" symbol is removed; unless an existing building or structure requires a building permit for safety reasons
- 11) Notwithstanding Section 5(24)(iii) Holding Zone Provisions to the contrary an (-H) symbol may be removed from any part of the zone if the owner provides confirmation from a qualified professional that the development site (condominium unit) complies with the following:
 - a) That the setback and area requirements for water wells and sanitary septic systems comply with current standards;
 - b) That the water well complies with the current standards for potable water; and,
 - c) That the sanitary septic system complies with current standards.
- 12) Private Open Space is a permitted use. This space may also be used for private individual water and sanitary septic systems. Each system is to be for the exclusive use of a single condominium unit.

(By-Law No. 2005-118)

(k) Special Requirement (RR-11) Duffe Lane Condominium

Notwithstanding Section 8(1) and Section 8(2) of By-Law No. 32-74 to the contrary, the lands designated 'RR-11' on Schedule 'A' hereto shall be developed as a vacant land condominium with up to 14 Condominium Units, subject to the following provisions:

- 1) Dwellings per Condominium Unit (maximum) - 1 only
- 2) Bedrooms per Condominium Unit (maximum) - 3
- 3) Minimum Setback from the floodplain (elevation of 88.92 metres GSC) for any building, structures, including septic systems - 30 metres
- 4) Minimum Setback of any building from a Condominium Unit Boundary that abuts an access lane - 5 metres
- 5) Minimum Setback of any building from a Condominium Unit Boundary - 1.5 metres
- 6) Lot Coverage (maximum) - the lesser of 25% or 200 square metres
- 7) Building Height (maximum) - 8 metres
- 8) A vehicle parking area may be located no closer than 10.5 metres to a public street (Isle of Man Road).
- 9) Accessory Uses are to be in accordance with Section 5 of the Zoning By-Law.
- 10) No finished floor of a building shall be located in an area below the 89.22 metres elevation Geodetic Survey of Canada.
- 11) No building opening, such as a window, vent or floor drain, shall be located below 89.22 metres elevation Geodetic Survey of Canada.
- 12) No new additions to existing buildings or structures, such as interior floor area, decks, porches, roofed structures or septic system, shall be located within 30 metres of the flood plain elevation of 88.92 metres Geodetic Survey of Canada.

(By-law No. 32-74; 2010-227)

- 13) Notwithstanding Section 5(24)(i) Holding Zone Provisions to the contrary no building permits shall be issued for the alteration or renovation of a building or structure, until the "-H" symbol is removed; unless an existing building or structure requires a building permit for safety reasons or repair for maintenance.
- 14) Notwithstanding Section 5(24)(iii) Holding Zone Provisions to the contrary an (-H) symbol may be removed from any part of the zone if the owner provides confirmation from a qualified professional that the development site (condominium unit) complies with the following:
- a. That the setback and area requirements for water wells and sanitary septic systems comply with current standards;
 - b. That the well has been installed by a licensed well driller in accordance with Ontario Regulation 903 or its replacement and in accordance with the "Hydrogeological Assessment Proposed Duffe Lane Vacant Land Condominium – Part Lot 4 Con. IV, City of Kingston (Pittsburgh), Ontario" report by Concord Engineering, dated June 10, 2010;
 - c. That the water well complies with the current standards for potable water;
 - d. That the sanitary septic system complies with current standards;
 - e. That the development proposal has completed a Heritage Impact Assessment in accordance with City requirements and prepared to the satisfaction of the City to address the impacts of new development on the adjacent heritage property;
 - f. That the development location has completed a Stage Two Archaeological Assessment (under the terms recommended by 'An Archaeological Assessment (Stage 1) of the proposed severances Part Lot 4 Concession 4, Geographic Township of Pittsburgh, CITY OF KINGSTON, County of Frontenac, Ontario' prepared by Nicolas R. Adams, CIF# P003-172-2007, dated February 12, 2008) to the satisfaction of the City and the Ministry of Culture, including the completion and acceptance of any further archaeological assessments deemed necessary by the licensed archaeologist/City/Ministry of Culture.

(By-law No. 32-74; 2010-227)

SECTION 9**RESIDENTIAL TYPE 1 ZONE (R1)**(1) USES PERMITTED

No person shall within any R1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses, namely:

- (a) RESIDENTIAL USES:
a detached single family dwelling house.
- (b) NON-RESIDENTIAL USES:
a church;
a home occupation;
a public use.

(2) ZONE PROVISIONS

No person shall within any R1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minima):
 - (i) Lot served by a public water system and a sanitary sewer system - 550 square metres
 - (ii) Lot served by a public water system or a sanitary sewer system - 1,400 square metres
 - (iii) Other lots - 2,050 square metres
- (b) LOT FRONTAGE (minima):
 - (i) Lot served by a public water system and a sanitary sewer system - 18 metres
 - (ii) Lot served by a public water system or a sanitary sewer system - 30 metres
 - (iii) Other lots - 36.5 metres
- (c) FRONT YARD DEPTH (minimum): - 7.5 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 7.5 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 3.5 metres,
provided that on that side where there is an attached private garage or attached carport, the minimum interior side yard width shall be 2.5 metres plus 0.5 metres for every storey, or portion thereof, above the first storey.
- (f) REAR YARD DEPTH (minimum): - 7.5 metres
- (g) DWELLING UNIT AREA (minima):
 - (i) Building containing a basement - 93 square metres
 - (ii) Building not containing a basement - 100 square metres
- (h) LANDSCAPED OPEN SPACE (minimum) - 30%

9 (2) cont'd:

- (i) LOT COVERAGE (maximum): - 33%
- (j) HEIGHT OF BUILDING (maximum): - 9 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only
- (l) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(#9-84)

- (m) SPECIAL INTERIOR SIDE YARD AND DRIVEWAY LOCATION REQUIREMENTS (R1-6, R1-8, R1-9, R1-10, R1-19):

For the purpose of the R1-6, R1-8, R1-9, R1-10 and R1-19 zones, notwithstanding any provisions of this By-law to the contrary, the following special interior side yard requirements and driveway location requirements shall apply:

- (i) Interior Side Yard Width (minimum):
 - (a) one story dwelling house - 1.2 metres on one side and 3.0 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 3.0 metres to 1.2 metres.
 - (b) two storey dwelling house - 1.8 metres on one side and 3.0 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 3.0 metres to 1.2 metres.
- (ii) Location of Driveway:
 - (a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located with 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.
 - (b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.2 metres of the rear lot line.

(#11-75) (3)

SPECIAL R1 ZONES

- (a) LARGER LOTS REQUIRED (R1-1):

Notwithstanding the provisions of Sections 9(2)(a) and 9(2)(b) hereof to the contrary, the lands designated R-1 on Schedule "A" attached hereto shall have a minimum area of 2,050 square metres and a minimum lot frontage of 36.5 metres.

9 (3) cont'd:
(#11-75)

(b) SPECIAL LOT SIZE REQUIREMENTS (R1-2):

Notwithstanding the provisions of Section 9(2)(a) to the contrary, the lands designated R1-2 on Schedule "A" attached hereto shall have a minimum lot area of:

- (i) 2,025 square metres, where the lot existed upon the date of the enactment of this clause, or
- (ii) 4,050 square metres, where the lot is a lot on a registered plan of subdivision approved subsequent to the date of the enactment of this clause.

(#16-75)

(c) SPECIAL LOT SIZE AND SETBACK REQUIREMENTS (R1-3):

Within the area designated as R1-3 on Schedule "A" hereto, the following special provisions shall apply:

- (i) Notwithstanding the provisions of Section 9(2)(a) to the contrary, the minimum lot area shall be 4,050 square metres.
- (ii) Notwithstanding the provisions of Section 5(22) to the contrary, no building or structure, other than a marine facility shall be located less than 60 metres from the high water mark of the Rideau Canal.

For the purpose of this clause the high water mark of the Rideau Canal shall be deemed to be the high water mark established in March 1974 and shown on a draft plan of subdivision by Ray Hunter, Ontario Land Surveyor, dated July 10, 1974.

(#5-77)

(d) SPECIAL INTERIOR SIDE YARD REQUIREMENTS (R1-4):

Notwithstanding any provisions of this By-law, including Section 5(1)(d)(i) to the contrary, the lands designated as R1-4 on Schedule "A" hereto may be used in accordance with the following provisions:

- (i) Interior Side Yard Width (minimum): - 2 metres on one side and 4 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 4 metres to 1 metre.
- (ii) Location of Driveway:
 - (a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1 metre of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line of their combined width does not exceed 9 metres.
 - (b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1 metre of the rear lot line.

9 (3) cont'd:
 (#7-79)

(e) SPECIAL LOT SIZE REQUIREMENTS (R1-5):

Notwithstanding any provisions of this By-law to the contrary, the lands designated R1-5 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Lot Area (minimum): - 2,000 square metres

For the purposes of the R1-5 Zone, "Lot Frontage" means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point thereon not less than the minimum required front yard depth and not greater than 10.67 metres from the front lot line.

(#10-79)

(f) SPECIAL LOT FRONTAGE REQUIREMENT (R1-6):

Notwithstanding the provisions of Section 9(2)(b)(i) hereof to the contrary, the lands designated R1-6 on Schedule "A" hereto shall be developed in accordance with the following provision:

(#68-94)

- (i) Lot Frontage (minimum): - 14.25 metres

(#10-79)
 (#29-84)

(g) SPECIAL INTERIOR SIDE YARD REQUIREMENTS:
 SEMI-DETACHED DWELLING HOUSE PERMITTED (R1-7):

Notwithstanding any provision of this By-law to the contrary, nothing shall prevent the use of lands designated R1-7 on Schedule "A" attached hereto for a semi-detached dwelling house, and the lands designated R1-7 on Schedule "A" hereto shall be developed in accordance with the following provisions:

(#68-94)

- (i) Lot Area (minimum):
 (a) semi-detached dwelling house - 305 square metres

- (ii) Lot Frontage (minimum):
 (a) semi-detached dwelling house - 10 metres

- (iii) Dwelling Unit Area (minimum):
 (a) semi-detached dwelling house - 78.5 metres

- (iv) Interior Side Yard Width (minima):

- (a) single family dwelling house
 (i) one storey dwelling house - 1.2 metres on one side and 3.0 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 3.0 metres to 1.2 metres.
 (ii) two storey dwelling house - 1.8 metres on one side and 3.0 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 3.0 metres to 1.2 metres.

9 (3) cont'd:

(b) semi-detached dwelling house - 3 metres

(v) Location of Driveway:

(a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.

(b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.2 metres of the rear lot line.

(#10-79) (h) SPECIAL LOT FRONTAGE AND REAR YARD DEPTH REQUIREMENT (R1-8):

Notwithstanding the provisions of Sections 9(2)(b)(i) and 9(2)(f) hereof to the contrary, the lands designated R1-8 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Lot Frontage (minimum): - 15.3 metres
- (ii) Rear Yard Depth (minimum): - 15.3 metres

(#10-79) (i) SPECIAL REAR YARD DEPTH REQUIREMENT (R1-9):

Notwithstanding the provisions of Section 9(2)(f) hereof to the contrary, the lands designated R1-9 on Schedule "A" hereto shall be developed in accordance with the following provision:

- (i) Rear Yard Depth (minimum): - 15.3 metres

(#10-79) (j) SPECIAL WATER SETBACK REQUIREMENT (R1-10):

Notwithstanding any provisions of this By-law to the contrary, the lands designated R1-10 on Schedule "A" hereto shall be developed in accordance with the following provision:

(i) Water Setback:

No building or structure shall be located less than 15.3 metres from the high water mark of the Great Cataraqui River.

(#12-79) (k) SPECIAL INTERIOR SIDE YARD REQUIREMENTS (R1-11):

Notwithstanding any provisions of this By-law to the contrary, the lands designated as R1-11 on Schedule "A" hereto shall be developed in accordance with the following provisions:

9 (3) cont'd:

- (i) Interior Side Yard Width (minimum):
 - a) one storey dwelling house - 1.8 metres on one side and 4.2 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 4.2 metres to 1.2 metres.
 - (b) two storey dwelling house - 1.8 metres on one side and 4.2 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 4.2 metres to 1.2 metres.
- (ii) Location of Driveway:
 - (a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.
 - (b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.2 metres of the rear lot line.

(#12-79)

(I) SPECIAL INTERIOR SIDE YARD REQUIREMENTS:
SEMI-DETACHED HOUSE PERMITTED (R1-12):

Notwithstanding any provisions of this By-law to the contrary, nothing shall prevent the use of the lands designated R1-12 on Schedule "A" hereto for a semi-detached house, and the lands designated R1-12 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Lot Area (minimum):
 - (a) semi-detached dwelling house - 325 square metres
- (ii) Lot Frontage (minimum):
 - (a) semi-detached dwelling house
 - (i) Corner lot - 15 metres
 - (ii) Other lot - 10.5 metres
- (iii) Dwelling Unit Area (minimum):
 - (a) semi-detached dwelling house - 78.5 metres
- (iv) Interior Side Yard Width (minimum):
 - (a) single-family dwelling house
 - (i) one storey dwelling house - 1.2 metres on one side and 4.2 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 4.2 metres to 1.2 metres.
 - (ii) two storey dwelling house - 1.8 metres on one side and 4.2 metres on the other side, provided that on that side where there is an attached private garage or carport, the

9 (3) cont'd:

minimum interior side yard width may be reduced from 4.2 metres to 1.2 metres.

- (b) semi-detached dwelling house
 - (i) one storey dwelling house - 3 metres provided that in the case of a one storey dwelling house having an attached private garage or carport, the minimum interior side yard width may be reduced from 3 metres to 1.2 metres.
 - (ii) two storey dwelling house
 - (a) with attached private garage or carport which abuts a common lot line - 1.8 metres
 - (b) with attached private garage or carport which abuts an interior side yard - 1.2 metres
 - (c) with no attached garage or carport - 3.0 metres
- (v) Location of Driveway:
 - (a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.
 - (b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.2 metres of the rear lot line.
- (vi) Detached Single-Family Dwelling House Permitted:

Notwithstanding any provisions of Section 9 hereof to the contrary, the lands designated R1-12 on Schedule "A" hereto may also be used for a detached single-family dwelling house in accordance with the following provisions:

 - (a) Zone Provisions:

The zone provisions of Section 9(3)(k) for R1-11 zones shall apply.
 - (b) Location:
 - (i) Where a detached single-family dwelling house is located on a lot, no fewer than two other detached single-family dwelling houses shall be located on adjacent lots, along a continuous portion of the street line.

9 (3) cont'd:

- (ii) Where a semi-detached dwelling house is located on a lot, no fewer than two other semi-detached dwelling houses shall be located on adjacent lots along a continuous portion of a street line.

(#12-83) (m) SPECIAL REQUIREMENTS (R1-13):

Notwithstanding any provisions of this By-law to the contrary, nothing shall prevent the use of the lands designated R1-13 on Schedule "A" hereto for detached single-family and semi-detached dwelling houses and the lands designated R1-13 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Detached Single-Family Dwelling House on a lot served by a public water system and a sanitary sewer system:
 - (a) Lot Area (minimum): - 465 square metres
 - (b) Lot Frontage (minimum):
 - (i) Corner lot - 18 metres
 - (ii) Other lot - 15 metres
 - (c) Front Yard Depth (minimum): - 6.1 metres
 - (d) Exterior Side Yard Width (minimum): - 6.1 metres
 - (e) Interior Side Yard Width (minimum):
 - 1.2 metres on one side and 2.4 metres on the other side provided that on the side where there is an attached private garage, the minimum interior side yard may be reduced from 2.4 metres to 1.2 metres.
 - (f) Dwelling Unit Area (minimum): - 85 square metres
 - (g) All other zone provisions in accordance with the provisions of Section 9(2) hereof.
- (ii) Semi-Detached Dwelling House on a lot served by a public water system and a sanitary sewer system:
 - (a) Lot Area (minimum): - 325 square metres
 - (b) Lot Frontage (minimum):
 - (i) Corner lot - 15 metres
 - (ii) Other lot - 10.5 metres

9 (3) cont'd:

- (c) Front Yard Depth (minimum): - 6.1 metres
- (d) Exterior Side Yard Width (minimum): - 6.1 metres
- (e) Interior Side Yard Width (minimum): - 1.2 metres plus 0.6 metres for every storey, or portion thereof, on that side where the building height exceeds one storey.
- (f) Dwelling Unit Area (minimum): - 78.5 square metres
- (g) All other zone provisions in accordance with the provisions of Section 9(2) hereof.

(iii) Setbacks (minimum):

- (a) other road - 9 metres plus the minimum required front yard depth.

(iv) Location of Accessory Uses:

Nothing in this By-law shall prevent the location of accessory uses within a required interior side yard provided that no such use is located within 1.2 metres of a side lot line, except where adjoining private garages are erected on the common lot line between two lots, in which case no interior side yard is required.

(v) Location of Driveway:

- (a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.
- (b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.2 metres of the rear lot line.

(#32-80)

(n) SPECIAL REQUIREMENTS (R1-14):

Notwithstanding any provisions of Section 9(2)(a)(iii) or 9(2)(b)(iii) to the contrary, the lands designated as R1-14 on Schedule "A" attached hereto shall be used for no other purpose than a detached single family dwelling in accordance with the following provisions:

9 (3) cont'd:

- (i) Lot Area (minimum): - 0.2 hectares
- (ii) Lot Frontage (minimum): - 35 metres

(#32-80) (o) SPECIAL REQUIREMENTS (R1-15):

Notwithstanding any provisions of Section 9(2)(a)(iii) or 9(2)(b)(iii) to the contrary, the lands designated as R1-15 on Schedule "A" attached hereto shall be used for no other purpose than a detached single family dwelling in accordance with the following provisions:

- (i) Lot Area (minimum): - 0.4 hectares
- (ii) Lot Frontage (minimum): - 37 metres

(#32-80) (p) SPECIAL REQUIREMENTS (R1-16):

Notwithstanding any provisions of Section 9(2)(a)(iii) or 9(2)(b)(iii) to the contrary, the lands designated as R1-16 on Schedule "A" hereto shall be used for no other purpose than a detached single family dwelling house in accordance with the following provisions:

- (i) Lot Area (minimum): - 0.7 hectares
- (ii) Lot Frontage (minimum): - 42 metres

(#28-82) (q) SPECIAL ELEVATION REQUIREMENT (R1-17):

Notwithstanding the provisions of Section 9(2) hereof to the contrary, the lands designated as R1-17 on Schedule "A" hereto shall be developed in accordance with the following provision:

- (i) Minimum Elevation:

No dwelling house shall be erected with a floor elevation below 89.63 metres (Canadian Geodetic Datum).

(#34-80) (r) SPECIAL LOT FRONTAGE REQUIREMENT AND SIDE YARD
(#36-82) REQUIREMENT (R1-18):

Notwithstanding Section 9(1)(a), Section 9(2)(b)(iii) and Section 9(2)(e) of this By-law to the contrary, the lands designated as R1-18 on Schedule "A" hereto shall be used for no purpose other than two existing single family dwelling houses and one additional single family dwelling house to be developed in accordance with the following provisions:

- (i) Lot Frontage (minimum): - 20 metres
- (ii) Interior Side Yard Width (minimum): - 7.6 metres,

9 (3) cont'd:

except that where the side lot line is adjacent to the eastern boundary of the R1-18 Zone, the interior side yard width shall be a minimum of
- 27.74 metres

For the purposes of the R1-18 Zone, the front lot line shall be deemed to be the lot line which abuts Canal Drive and all other lot lines shall be deemed to be side lot lines.

(#29-84) (s) SPECIAL INTERIOR SIDE YARD AND DRIVEWAY REQUIREMENTS (R1-19):

The R1-19 zone is subject to all the provisions set forth in Section 9(2) of this By-law, including Section 9(2)(m).

(#24-87) (t) LILAC ROW (R1-20):

Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as R1-20 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Front Yard Depth (minimum): - 6 metres,
except that where the front lot line abuts Wellington Street, the front yard depth may be a minimum of 5 metres.
- (ii) Exterior Side Yard Width (minimum) - 6 metres
- (iii) Interior Side Yard Width (minimum):
 - (a) 1.8 metres on one side and 3.04 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard width may be reduced from 3.04 metres to 1.8 metres.
 - (b) Where the lot frontage exceeds 19 metres, the minimum interior side yard width shall be 2.4 metres on one side and 3.04 metres on the other side, provided that on that side where there is an attached private garage or carport, the minimum interior side yard may be reduced from 3.04 metres to 2.4 metres.

(#10-92) (iv) Location of Driveway:

- (a) Nothing shall prevent the location of a driveway or parking area within an interior side yard, provided that the yard is a minimum width of 3.04 metres.
- (b) Nothing shall prevent the location of a driveway or parking area within 0.0 metres of an interior side lot line.
- (c) The minimum width of a driveway shall be 3.0 metres.
- (d) The minimum width of a parking space shall be 3.0 metres.

9 (3) cont'd:

(e) The establishment of abutting driveways along a common lot line shall be permitted if their combined width does not exceed 9 metres.

(v) Setback (minimum):

In accordance with the provisions of Section 5(18), except that where a lot abuts Wellington Street, the setback may be reduced to 6.1 metres plus the minimum required front yard depth.

(vi) For the purposes of the R1-20 Zone, "Height" shall mean the vertical distance between the ground level at the lowest exposed point of a building and the highest point of the building proper.

(#33-87) (u) SPECIAL REQUIREMENTS (R1-21):

Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated R1-21 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Lot Area (minimum): - 470 square metres
- (ii) Lot Frontage (minimum): - 15.2 metres
- (iii) Interior Side Yard and Driveway Requirements:

That the zone provisions set forth in Section 9(2)(m) hereof, shall apply.

(#65-87) (#5-90) (v) SPECIAL REQUIREMENTS (R1-22): (DELETED)

(#32-92) (w) SPECIAL REQUIREMENTS (R1-23):

Notwithstanding the provisions of Section 9(2)(a) and Section 9(2)(b) to the contrary, the lands designated as R1-23 on Schedule "A" attached hereto shall be used in accordance with the following provisions:

- (i) Lot Area (minimum): - 0.25 hectares
- (ii) Lot Frontage (minimum): - 34 metres

(#44-89) (x) SPECIAL REQUIREMENTS (R1-24):

Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated R1-24 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Lot Frontage (minimum): - 15 metres
- (ii) Front Yard Depth (minimum): - 6.0 metres
- (iii) Exterior Side Yard Width (minimum): - 3.5 metres

9 (3) cont'd:

- (iv) Interior Side Yard Width (minimum): - 1.5 metres
on one side, with a minimum aggregate of 5 metres for both yards, except where a garage or carport is attached to the main building, the minimum aggregate shall be 3 metres.
- (v) Rear Yard Depth (minimum): - 12 metres
- (vi) Dwelling Unit Area:
 - (a) one storey dwelling (minimum): - 130 square metres
 - (b) two storey dwelling (minimum): - 167 square metres
- (#73-90) (vii) Location of Driveway:
 - (a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.5 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.
 - (b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.5 metres of the rear lot line.
- (#73-90) (viii) Accessory Uses:
Notwithstanding the provisions of Section 5(1)(d) hereof to the contrary, no accessory use shall be located closer than 1.5 metres to an interior side lot line or rear lot line.
- (#44-89) (y) SPECIAL REQUIREMENTS (R1-25):
Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as R1-25 on Schedule "A" hereto shall be developed in accordance with the following provisions:
 - (i) Lot Area (minimum): - 675 square metres
 - (ii) Front Yard Depth (minimum): - 6.0 metres
 - (iii) Exterior Side Yard Width (minimum): - 3.5 metres
 - (iv) Interior Side Yard Width (minimum): - 1.5 metres
on one side, with a minimum aggregate of 5 metres for both yards, except where a garage or carport is attached to the main building, the minimum aggregate shall be 3 metres.
 - (v) Rear Yard Depth (minimum): - 12 metres
 - (vi) Dwelling Unit Area:
 - (a) one storey dwelling (minimum): - 130 square metres
 - (b) two storey dwelling (minimum): - 167 square metres

9 (3) cont'd:

- (#73-90) (vii) Location of Driveway:
- (a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.5 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.
- (b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.5 metres of the rear lot line.
- (#73-90) (viii) Accessory Uses:
- Notwithstanding the provisions of Section 5(1)(d) hereof to the contrary, no accessory use shall be located closer than 1.5 metres to an interior side lot line or rear lot line.
- (#74-91)
(#10-92) (ix) Special Provision:
- Where a lot is divided into more than one zone, the lot lines, not the zone boundaries, shall be used to calculate yard, lot area, lot coverage and landscaped open space requirements only, of the R1-25 Zone.
- (#2-91) (z) SPECIAL REQUIREMENTS (R1-26) Pt. Lot "B", Barriefield:
- Notwithstanding any provisions of Sections 5 and 9 hereof to the contrary, the lands designated R1-26 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:
- (a) Lot Area (minimum): - 670 square metres
- (b) Lot Frontage (minimum): - 15 metres
- (c) Front Yard Depth (minimum): - 1.2 metres
(maximum): - 2.4 metres
- (d) Exterior Side Yard Width (minimum) - 1.2 metres
- (e) Interior Side Yard Width (minima):
- (i) In the case of only 1 such yard - 4 metres
- (ii) In the case of more than 1 such yard - 1.2 metres
on one side and 4.0 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.

9 (3) cont'd:

- (f) Rear Yard Depth (minimum): - 10.0 metres
- (g) Water Setback (minimum): - 10.0 metres
- (h) Setback (minimum): - 6.0 metres
plus the minimum required front yard depth.
- (i) Yards for Accessory Buildings and Structures/Location of accessory buildings and Structures:
 - (i) No accessory building or structure shall be located within any required rear yard, or within 3 metres of any front lot line, or within 1.2 metres of any interior side lot line, or within 1.2 metres of any exterior side lot line. No detached accessory building or structure shall be located closer than 1.2 metres to a main building.
 - (j) The provisions of Section 5(1)(d)(iv) shall not apply.
 - (k) Lot Coverage:
 - (i) exclusive of accessory buildings and structures, attached garages with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): - 121 square metres
 - (ii) accessory buildings and structures, including attached garages with or without dwelling space below or above (maximum): - 28 square metres
 - (iii) steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum):
 - total - 45 square metres
 - in rear yard (maximum) - 22.5 square metres
 - in front yard (maximum) - 22.5 square metres
 - (iv) decks and patios not more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): - 45 square metres
 - (l) Landscaped Open Space (minimum) - 50%
 - (m) Height of Buildings (maximum): - 10 metres

For the purposes of the R1-26 Zone "Height" shall mean the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.

 - (n) Number of Storeys (maximum):

9 (3) cont'd:

1. Facing front yard - 1½
2. Facing rear yard - 2½

For the purposes of the R1-26 Zone a cellar or basement shall be deemed to be a storey when facing a rear yard.

For the purposes of the R1-26 Zone a cellar or basement shall not be deemed to be a storey when facing a front yard.

- (o) Height to Eave (maximum): - 4.5 metres

For the purposes of the R1-26 Zone "Height to Eave" shall mean the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.

- (p) Roof Slope:

All dwelling units shall have sloping roofs.

- (q) Dwelling Houses per Lot (maximum): - 1 only

- (r) Location of Driveway:

Nothing shall prevent the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of a side lot line. No driveway shall be located within a required exterior side yard or a required rear yard. A driveway within a front yard shall be located not less than 1.2 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line.

- (s) Access/Width of Driveway (maximum): - 6.0 metres
(minimum): - 3.0 metres

- (t) Number of Driveways: - 1 only

- (u) Number of Parking Spaces Per Dwelling Unit (minimum): - 2

- (v) Width of Parking Space (minimum): - 3.0 metres

- (w) Length of Parking Space (minimum): - 6.0 metres

- (x) Area of Parking Space (minimum) - 18.0 square metres

- (y) Location of Parking Spaces:

All yards, except a required rear yard or required exterior side yard or required front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 1.2 metres to an exterior side lot line. Nothing shall prevent the \

9 (3) cont'd:

establishment of a required parking space directly behind or directly in front of another required parking space.

(z) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within the R1-26 Zone.

(aa) Yard Encroachments:

The provisions of Section 5(23)(b) shall not apply, except that steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres. The provisions of Section 5(23)(c) shall not apply, except that a deck or patio with no roof structure not more than 0.6 metres above the lowest ground level adjacent to the deck or patio and covering not more than 18 square metres of a required rear yard may project into a required rear yard not more than 5.5 metres.

(#2-91)

(aa) SPECIAL REQUIREMENTS (R1-27) Pt. Lot "B" Barriefield:

Notwithstanding any provisions of Sections 5 and 9 hereof to the contrary, the lands designated R1-27 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:

- (a) Lot Area (minimum): - 750 square metres
- (b) Lot Frontage (minimum): - 65 metres
- (c) Front Yard Depth (minimum): - 1.2 metres
- (d) Exterior Side Yard Width (minimum): - 1.2 metres
For the purposes of the R1-27 Zone the southern boundary of the Zone shall be deemed to be an exterior side lot line.
- (e) Interior Side Yard Width (minimum): - 4 metres
- (f) Rear Yard Depth (minimum): - 3.0 metres
- (g) Setback (minimum): - 6.0 metres
plus the minimum required front yard depth.
- (h) Yards for accessory buildings and structures/Location of accessory buildings and structures:
No accessory building or structure shall be located within any required rear yard, or within 3 metres of any front lot line, or within 4 metres of any interior side lot line, or within 1.2 metres of any exterior side lot line. No detached accessory building or structure shall be located closer than 1.2 metres to a main building.
- (i) The provisions of Section 5(1)(d)(iv) shall not apply.

- (j) Lot Coverage:
- (i) exclusive of accessory buildings and structures, attached garages with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): - 150 square metres
 - (ii) accessory buildings and structures, including attached garages with or without dwelling space below or above (maximum): - 50 square metres
 - (iii) steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): - 45 square metres
 - (iv) decks and patios not more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): - 45 square metres

(k) Landscaped Open Space (minimum): - 50%

(l) Height of Buildings (maximum): - 7.8 metres

For the purposes of the R1-27 Zone "Height" shall mean the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.

(m) Number of Storeys (maximum): - 1½

(n) Height to Eave (maximum): - 4.5 metres

For the purposes of the R1-27 Zone "Height to Eave" shall mean the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.

(o) Roof Slope:

All dwelling units shall have sloping roofs.

(p) Dwelling Houses per Lot (maximum): - 1 only

(q) Location of Driveway:

No driveway shall be located within a required exterior side yard or within a required interior side yard or within a required rear yard. A driveway within a front yard shall be located not less than 1.2 metres from an exterior side lot line and not less than 4.0 metres from an interior side lot line.

(r) Access/Width of Driveway (maximum): - 6.0 metres
(minimum): - 3.0 metres

9 (3) cont'd:

- (s) Number of Driveways: - 1 only
- (t) Number of Parking Spaces per Dwelling Unit (minimum): - 2
- (u) Width of Parking Space (minimum): - 3.0 metres
- (v) Length of Parking Space (minimum): - 6.0 metres
- (w) Area of Parking Space (minimum): - 18.0 square metres
- (x) Location of Parking Spaces:

No parking space shall be established in any required yard. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.

- (y) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within the R1-27 Zone.
- (z) Yard Encroachments:
The provisions of Section 5(23)(b) shall not apply, except that steps may project into any required yard a maximum distance of 0.5 metres. The provisions of Section 5(23)(c) shall not apply.

(#52-91)

- (bb) Special Requirements (R1-28), Barriefield:

Notwithstanding any provisions of this By-law to the contrary, the lands designated as R1-28 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:

- (a) Lot Area (minimum): - 490 square metres
- (b) Lot Frontage (minimum): - 17 metres
- (c) Front Yard Depth (minimum): - 1.2 metres
- (d) Interior Side Yard (minimum): - 1.2 metres
on one side and 4.0 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.
- (e) Rear Yard Depth (minimum): - 7.5 metres
- (f) Setback (minimum): - 6.1 metres
plus the minimum required front yard depth.
- (g) Yards For Accessory Uses, Buildings and Structures Including Attached Garages:

9 (3) cont'd:

No accessory use, building or structure shall be located within 1.2 metres of a front yard nor within 1.2 metres of any side or rear lot line.

- (h) The provisions of Section 5(1)(d)(iv) shall not apply.
- (i) Lot Coverage (maximum): - 35%
For the purposes of the R1-28 Zone, "Lot Coverage" shall mean that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: pools; and canopies, balconies, and overhanging eaves which are not less than 2.5 metres above finished grade.
- (j) Lot Coverage Dwelling Unit (maximum): - 121 square metres
For the purposes of the R1-28 Zone, "Lot Coverage Dwelling Unit" shall mean that area of the lot covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: accessory buildings and structures; attached garages without dwelling space below or above; unenclosed porches, verandahs, balconies, decks, patios and canopies; pools; and overhanging eaves which are not less than 2.5 metres above finished grade.
- (k) Lot Coverage Accessory Uses, Buildings and Structures (maximum):
- 55 square metres
- (l) Landscaped Open Space (minimum): - 50%
- (m) Height of Buildings (maximum): - 7.8 metres
For the purposes of the R1-28 Zone "Height" shall mean the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
- (n) Height to Eave (maximum): - 4.5 metres
For the purposes of the R1-28 Zone "Height to Eave" shall mean the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
- (o) Roof Slope:
All dwelling units shall have sloping roofs.
- (p) Dwelling Houses Per Lot (maximum): - 1 only
- (q) Location of Driveway:
Nothing shall prevent the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of an interior side lot line. A driveway within a front yard shall be located not less than 4.0 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line. A driveway within a rear yard shall be located not less than 0.5 metres from a rear lot line.

9 (3) cont'd:

- (r) Access/Width of Driveway (maximum): - 4.0 metres
(minimum): - 3.0 metres
- (s) Number of Driveways (maximum): - 1 only
- (t) Number of Parking Spaces Per Dwelling Unit (minimum): - 2
- (u) Width of Parking Space (minimum): - 3.0 metres
- (v) Length of Parking Space (minimum): - 6.0 metres
- (w) Area of Parking Space (minimum): - 18.0 square metres
- (x) Location of Parking Spaces:
All yards, except an exterior side yard or a front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 4.0 metres to an exterior side lot line and no closer than 0.5 metres to a rear lot line. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.
- (y) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within the R1-28 Zone.
- (z) Yard Encroachments:
 - (i) The provisions of Section 5(23)(b) shall not apply, except that steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres.
 - (ii) The provisions of Section 5(23)(b) shall not apply.

(#52-91)

(cc) SPECIAL REQUIREMENTS (R1-29), Barriefield:

Notwithstanding any provisions of this By-law to the contrary, the lands designated as R1-29 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:

- (a) Lot Area (minimum): - 625 square metres
- (b) Lot Frontage (minimum): - 22 metres
- (c) Front Yard Depth (minimum): - 1.2 metres
- (d) Exterior Side Yard Width (minimum): - 4.0 metres
- (e) Interior Side Yard Width (minimum): - 4.0 metres,
provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.

9 (3) cont'd:

- (f) Rear Yard Depth (minimum): - 7.5 metres
- (g) Setback (minimum): - 6.1 metres
plus the minimum required front yard depth.
- (h) Yards for Accessory Uses, Buildings and Structures Including Attached Garages:
No accessory use, building or structure shall be located within 1.2 metres of any front yard, nor within 1.2 metres of an exterior side yard nor within 4.0 metres of an exterior side lot line nor within 1.2 metres of any interior side or rear lot line.
- (i) The provisions of Section 5(1)(d)(iv) shall not apply.
- (j) Lot Coverage (maximum): - 28%
For the purposes of the R1-29 Zone, "Lot Coverage" shall mean that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: pools; and canopies, balconies, and overhanging eaves which are not less than 2.5 metres above finished grade.
- (k) Lot Coverage Dwelling Unit (maximum):- 121 square metres
For the purposes of the R1-29 Zone, "Lot Coverage Dwelling Unit" shall mean that area of the lot covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: accessory buildings and structures; attached garages without dwelling space below or above; unenclosed porches, verandahs, balconies, decks, patios and canopies; pools; and overhanging eaves which are not less than 2.5 metres above finished grade.
- (l) Lot Coverage Accessory Uses, Buildings and Structures (maximum):
- 55 square metres
- (m) Landscaped Open Space (minimum): - 60%
- (n) Height of Buildings (maximum): - 7.8 metres
For the purposes of the R1-29 Zone "Height" shall mean the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
- (o) Height to Eave (maximum): - 4.5 metres
For the purposes of the R1-29 Zone "Height to Eave" shall mean the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
- (p) Roof Slope:
All dwelling units shall have sloping roofs.

9 (3) cont'd:

- (q) Dwelling Houses Per Lot (maximum): - 1 only
 - (r) Location of Driveway:
Nothing shall prevent the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of an interior side lot line. A driveway within a front yard shall be located not less than 4.0 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line. A driveway within a rear yard shall be located not less than 0.5 metres from a rear lot line.
 - (s) Access/Width of Driveway (maximum):- 4.0 metres
(minimum):- 3.0 metres
 - (t) Number of Driveways (maximum): - 1 only
 - (u) Number of Parking Spaces Per Dwelling Unit (minimum): - 2
 - (v) Width of Parking Space (minimum): - 3.0 metres
 - (w) Length of Parking Space (minimum): - 6.0 metres
 - (x) Area of Parking Space (minimum): - 18 square metres
 - (y) Location of Parking Spaces:
All yards, except an exterior side yard or a front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 4.0 metres to an exterior side lot line and no closer than 0.5 metres to a rear lot line. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.
 - (z) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within the R1-29 Zone.
- (aa) Yard Encroachments:
- (i) The provisions of Section 5(23)(b) shall not apply, except that steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres.
 - (ii) The provisions of Section 5(23)(d) shall not apply.
- (bb) Any dwelling unit constructed shall have its principal facade facing Main Street.
- (#89-91) (dd) SPECIAL REQUIREMENTS (R1-30):

Notwithstanding the provisions of Section 5(11)(c) hereof to the contrary, the lands designated as R1-30 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:

- (i) Where a lot is divided into more than one zone, the lot lines, not the zone boundaries, shall be used to calculate yard, lot area, lot coverage and landscaped open space requirements only, of the R1-30 Zone.
- (ii) Notwithstanding any provisions of this By-law to the contrary, Lots 73, 81, 82, 83 and the south half of Lot 74, Registered Plan No. 95 (Eastview) shall be considered to be a single lot.

(#27-92)
 (#60-93)
 (#3-94)

- (ee) SPECIAL REQUIREMENTS (R1-31), Barriefield:
 Repealed by By-law #3-94

(#66-92)

- (ff) SPECIAL REQUIREMENTS (R1-32), Barriefield:

Notwithstanding any provisions of this By-law to the contrary, the lands designated as R1-32 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:

- (a) Lot Area (minimum): - 650 square metres
- (b) Lot Frontage (minimum): - 16 metres
- (c) Front Yard Depth (minimum): - 9 metres
- (d) Interior Side Yard (minimum): - 1.2 metres
 on one side and 4.0 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.
- (e) Rear Yard Depth (minimum): - 7.5 metres
- (f) Setback (minimum): - 6.09 metres
- (g) Yards for Accessory Uses, Buildings and Structures Including Attached Garages:
 No accessory use, building or structure shall be located within 1.2 metres of a front yard nor within 1.2 metres of any side or rear lot line.
- (h) Total Lot Coverage (maximum): - 176 square metres
- (i) Lot Coverage Dwelling Unit (maximum): - 121 square metres
 For the purposes of the R1-32 Zone, "Lot Coverage Dwelling Unit" shall mean that area of the lot covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: accessory buildings and structures; attached garages without dwelling space below or above; unenclosed porches, verandahs, balconies, decks, patios and canopies; pools; and overhanging eaves which are not less than 2.5 metres above finished grade.

- (j) Landscaped Open Space (minimum): - 50%
- (k) Height of Buildings (maximum): - 7.8 metres
For the purposes of the R1-32 Zone "Height" shall mean the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
- (l) Height to Eave (maximum): - 4.5 metres
For the purposes of the R1-32 Zone "Height to Eave" shall mean the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
- (m) Roof Slope: All dwelling units shall have sloping roofs.
- (n) Dwelling Houses Per Lot (maximum): - 1 only
- (o) Location of Driveway:
Nothing shall prevent the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of an interior side lot line. A driveway within a front yard shall be located not less than 0.5 metres from an interior side lot line. A driveway within a rear yard shall be located not less than 0.5 metres from a rear lot line.
- (p) Access/Width of Driveway (maximum):- 4.0 metres
(minimum): - 3.0 metres
- (q) Number of Driveways (maximum): - 1 only
- (r) Number of Parking Spaces Per Dwelling Unit (minimum): - 2
- (s) Location of Parking Spaces:
All yards, except a front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 0.5 metres to a rear lot line. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.
- (t) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within the R1-32 Zone.

(#9-91)
(#52-95)

(gg) SPECIAL REQUIREMENTS (R1-33)

Notwithstanding any provisions of Section 9(2)(b)(iii) to the contrary, the lands designated as R1-33 on Schedule "A" attached hereto shall be used for no other purpose than a detached single family dwelling in accordance with the following provisions:

- (a) Lot Frontage (minimum): - 30 metres

(#10-94) (hh) SPECIAL REQUIREMENTS (R1-34):

Notwithstanding the provisions of Section 9(2)(b)(iii), hereof to the contrary, the lands designated as R1-34 on Schedule "A" attached hereto shall be developed in accordance with the following provision:

- (a) Lot Frontage (minimum): - 30 metres

(#12-94) (ii) SPECIAL REQUIREMENTS (R1-35):

Notwithstanding any provisions of Sections 5 and 9 hereof to the contrary, the lands designated as R1-35 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:

- (a) Lot Area (minimum): - 670 square metres

- (b) Lot Frontage (minimum): - 15 metres

- (c) Front Yard Depth (minimum): - 1.2 metres

- (d) West Side Yard Width (minimum): - 10 metres

- (e) East Side Yard Width (minimum): - 4.8 metres

- (f) Rear Yard Depth (minimum): - 6 metres

- (g) Water Setback (minimum): - 10.0 metres

- (h) Setback (minimum): - 6.0 metres
plus the minimum required front yard depth.

- (i) Yards for Accessory Buildings and Structures/
Location of Accessory Buildings and Structures:

- (i) No accessory building or structure shall be located within 6 metres of the north lot line, or within 4.8 metres of the east lot line, or within 10 metres of the west lot line, or within 3 metres of the south lot line.

No detached accessory building or structure shall be located closer than 1.2 metres to a main building.

- (j) Lot Coverage:

- (i) exclusive of accessory buildings and structures, attached garages with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): - 121 square metres

- (ii) accessory buildings and structures, including attached garages with or without dwelling space below or above (maximum):
- 28 square metres

- (iii) steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum):
 - 45 square metres
- (iv) decks and patios not more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum):
 - 45 square metres
- (k) Landscaped Open Space (minimum): - 50%
- (l) Height of Buildings (maximum): - 8.6 metres
For the purposes of the R1-35 Zone "Height" shall mean the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
- (m) Height to Eave (maximum): - 4.5 metres
For the purposes of the R1-35 Zone "Height to Eave" shall mean the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
- (n) Roof Slope:
All dwelling units shall have sloping roofs.
- (o) Dwelling Houses Per Lot (maximum): - 1 only
- (p) Location of Driveway:
A driveway may be located anywhere on a lot provided it is not located within 10 metres of the west lot line or within 6 metres of the north lot line or within 1 metre of the east lot line.
- (q) Access/Width of Driveway (maximum): - 6.0 metres
(minimum): - 3.0 metres
- (r) Number of Driveways (maximum): - 1 only
- (s) Number of Parking Spaces Per Dwelling Unit (minimum): - 2
- (t) Width of Parking Spaces per Dwelling Unit (minimum): - 3.0 metres
- (u) Length of Parking Space (minimum): - 6.0 metres
- (v) Area of Parking Space (minimum): - 18.0 square metres

- (w) Location of Parking Spaces:
A parking space may be located anywhere on a lot provided it is not located within 10 metres of the west lot line or within 6 metres of the north lot line or within 1 metre of the east lot line. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.
- (x) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within the R1-35 Zone.
- (y) Yard Encroachments:
The provisions of Section 5(23)(b) shall not apply, except that steps may project into any required yard a maximum distance of 1.5 metres provided they are no closer than 1.2 metres to any lot line. The provisions of Section 5(23)(c) shall not apply, except that uncovered patios and uncovered decks which have a finished elevation, exclusive of handrails and other such appurtenances, not more than 0.6 metres above the finished grade of the said uncovered patio or uncovered deck and a lot coverage not greater than 18 square metres may be located in any yard provided they are not located within 5 metres of the west lot line or within 6 metres of the north lot line or within 4.8 metres of the east lot line or within 1.2 metres of the south lot line.
- (z) Minimum Elevation:
No dwelling house shall be erected with a floor elevation below 76.6 metres (Canadian Geodetic Datum).
- (#39-94) (jj) SPECIAL REQUIREMENTS (R1-36):
Notwithstanding any provisions of this By-law, hereof to the contrary, the lands designated as R1-36 on Schedule "A" attached hereto may be used for a detached single family dwelling house, a home occupation, or a public use, in accordance with the following provisions:
- (a) Lot Area (minimum): - 2,500 square metres
 - (b) Interior Side Yard Width (minimum): - 4.5 metres
 - (c) No building or structure shall be permitted within any required interior side yard width.
- (#48-94) (kk) SPECIAL REQUIREMENTS (R1-37), Barriefield:
Notwithstanding any provisions of this By-law to the contrary, the lands designated as R1-37 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:
- (a) Lot Area (minimum): - 460 square metres
 - (b) Lot Frontage (minimum): - 15 metres

- (c) Front Yard Depth (minimum): - 1.2 metres
- (d) Interior Side Yard (minimum): - 1.2 metres
on one side and 4.0 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.
- (e) Exterior Side Yard (minimum): - 1.2 metres
- (f) Rear Yard Depth (minimum): - 7.5 metres
- (g) Setback (minimum): - 6.1 metres
plus the minimum required front yard depth.
- (h) Yards for Accessory Uses, Buildings and Structures Including Attached Garages:
No accessory use, building or structure shall be located within 1.2 metres of a front yard nor within 1.2 metres of any side or rear lot line.
- (i) Lot Coverage (maximum): - 35%
For the purposes of the R1-37 Zone, "Lot Coverage" shall mean that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: pools; and canopies, balconies, and overhanging eaves which are not less than 2.5 metres above finished grade.
- (j) Lot Coverage Dwelling Unit (maximum): - 121 square metres
For the purposes of the R1-37 Zone, "Lot Coverage Dwelling Unit" shall mean that area of the lot covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: accessory buildings and structures; attached garages without dwelling space below or above; unenclosed porches, verandahs, balconies, decks, patios and canopies; pools; and overhanging eaves which are not less than 2.5 metres above finished grade.
- (k) Lot Coverage Accessory Uses, Buildings and Structures (maximum):
- 55 square metres
- (l) Landscaped Open Space (minimum): - 50%
- (m) Height of Buildings (maximum): - 7.8 metres
For the purposes of the R1-37 Zone "Height" shall mean the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
- (n) Height to Eave (maximum): - 4.5 metres
For the purposes of the R1-37 Zone "Height to Eave" shall mean the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.

- (o) Roof Slope:
All dwelling units shall have sloping roofs.
- (p) Dwelling Houses Per Lot (maximum): - 1 only
- (q) Location of Driveway:
Nothing shall prevent the establishment of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of an interior side lot line. A driveway within a front yard shall be located not less than 4.0 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line. A driveway within a rear yard shall be located not less than 0.5 metres from a rear lot line.
- (r) Access/Width of Driveway (maximum): - 4.0 metres
(minimum): - 3.0 metres
- (s) Number of Driveways (maximum): - 1 only
- (t) Number of Parking Spaces Per Dwelling Unit (minimum): - 2
- (u) Width of Parking Space (minimum): - 3.0 metres
- (v) Length of Parking Space (minimum): - 6.0 metres
- (w) Area of Parking Space (minimum): - 18.0 square metres
- (x) Location of Parking Spaces:
All yards, except an exterior side yard or a front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 4.0 metres to an exterior side lot line and no closer than 0.5 metres to a rear lot line. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.
- (y) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within the R1-37 Zone.

(#68-94)

(II) SPECIAL REQUIREMENTS (R1-38):

Notwithstanding any provisions of Section 9(2)(b)(i) to the contrary, the lands designated as R1-38 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:

- (a) Lot Frontage (minimum): - 12 metres

(#31-95) (mm) SPECIAL REQUIREMENT (R1-39):

Notwithstanding the provisions of Section 9(2)(c) to the contrary, the lands designated "R1-39" on Schedule "A" attached hereto, shall be developed in accordance with the following provision:

- (i) Front Yard Depth (minimum): - 39 metres

(#31-95) (nn) SPECIAL REQUIREMENT (R1-40):

Notwithstanding the provisions of Section 9(2)(c) to the contrary, the lands designated "R1-40" on Schedule "A" attached hereto, shall be developed in accordance with the following provision:

- (i) Front Yard Depth (minimum): - 62 metres

(#31-95) (oo) SPECIAL REQUIREMENT (R1-41):

Notwithstanding the provisions of Section 9(2)(c) to the contrary, the lands designated "R1-41" on Schedule "A" attached hereto, shall be developed in accordance with the following provision:

- (i) Front Yard Depth (minimum): - 80 metres

(pp) SPECIAL REQUIREMENT (R1-42), Trainor

Notwithstanding the provisions of Section 9(1), 9(2)(a) and 9(2)(b) to the contrary, the lands designated as "R1-42" on Schedule 'A' attached shall be used for no other purposes than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provisions:

- (i) Lot Area (minimum) - 2 hectares
 (ii) Lot Frontage (minimum) - 60 metres

(By-Law No. 99-202-1999)

(qq) SPECIAL LOT SIZE AND FRONTAGE REQUIREMENT (R1-48)

Notwithstanding the provisions of Section 9(1), 9(2)(b)(ii) and 9(3)(e) of this By-law to the contrary, the lands designated R1-48 on Schedule 'A' hereto shall be used for no other purpose than a detached single family dwelling house, home occupation or a public use in accordance with the following provisions:

- (i) Lot Area (minimum) 2,000 square metres
 (ii) Lot Frontage (minimum) 17 metres

For the purposes of the R1-48 zone, 'Lot frontage' means the horizontal distance between the side lot lines and measured along the common property line with the public right-of-way.

(By-Law No. 2002-320)

(rr) *(Not Used)*

(ss) *(Not Used)*

(tt) SPECIAL REQUIREMENTS (R1-46) Pt. Lot "B", Barriefield

Notwithstanding the provisions of Sections 9(1)(a) and 9(2) hereof to the contrary, the lands designated 'R1-46' on Schedule 'A' hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:

- (a) Lot Area (minimum): 670 square metres
- (b) Lot Frontage (minimum): 30 metres
- (c) Front Yard Depth (minimum): 1.2 metres
- (d) Exterior Side Yard Width (minimum): 1.2 metres
- (e) Interior Side Yard Width (minima):
 - (i) in the case of only 1 such yard: 3.9 metres
 - (ii) in the case of more than 1 such yard: 1.2 metres on one side and 3.9 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 3.9 metres to 1.2 metres.
- (f) Rear Yard Depth (minimum): 10.0 metres
- (g) Water Setback (minimum): 15.0 metres
- (h) Setback (minimum): 6.0 metres plus the minimum required front yard depth.
- (i) Yards for Accessory Buildings and Structures/Location of accessory buildings and Structures:
 - (i) No accessory building or structure shall be located:
 - a. within 30 metres of the high water mark,
 - b. within 1.2 metres of any interior side lot line,
 - c. within 1.2 metres of any exterior side lot line,
 - d. within in any front yard.
 - (ii) No detached accessory building or structure shall be located closer than 1.2 metres to a main building.
- (j) The provisions of Section 5(1)(c)(iv) shall not apply.

(tt) cont'd:

- (k) Lot Coverage:
 - (i) exclusive of accessory buildings and structures, with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): 400 square metres
 - (ii) accessory buildings and structures, (maximum): 28 square metres
 - (iii) steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): in rear yard (maximum): 22.5 square metres
 - (iv) decks and patios less than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres
- (l) Height of Buildings (maximum): -10 metres
For the purposes of this zone "Height" shall mean highest point of any structure exclusive of any accessory roof construction such as a chimney.
- (m) Dwelling Houses per Lot (maximum): 1 only
- (n) Location of Driveway:
Nothing shall prevent the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of a side lot line. No driveway shall be located within a required exterior side yard or a required rear yard. A driveway within a front yard shall be located not less than 1.2 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line.
- (o) Access/Width of Driveway (maximum): 3.0 metres
- (p) Number of Driveways: 1 only
- (q) Number of Parking Spaces Per Dwelling Unit (minimum): 2
- (r) Width of Parking Space (minimum): 3.0 metres
- (s) Length of Parking Space (minimum): 6.0 metres
- (t) Area of Parking Space (minimum): 18.0 square metres
- (u) Location of Parking Spaces:
All yards, except a required rear yard or required front yard, provided that no part of any parking area is located closer than 1.2 metres to an interior side lot line. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.
- (v) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within this Zone.
- (w) Yard Encroachments:
The provisions of Section 5(23)(b) shall not apply, except that steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5

(tt) cont'd:

metres. The provisions of Section 5(23)(c) shall not apply, except that a deck or patio with no roof structure not more than 0.6 metres above the lowest ground level adjacent to the deck or patio and covering not more than 18 square metres of a required rear yard may project into a required rear yard not more than 5.5 metres.

(x) Minimum Elevation:

No dwelling house shall be erected with a floor elevation below 76.6 metres (Canadian Geodetic Datum).

(By-Law No. 2004-308)

(uu) SPECIAL REQUIREMENTS (R1-47) Pt. Lot "B", 271 Main Street, Barriefield

Notwithstanding any provisions of Sections 9(1)(a) and 9(2) hereof to the contrary, the lands zoned 'R1-47' on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:

- (a) Lot Area (minimum): 630 square metres
- (b) Lot Frontage (minimum): 7 metres
- (c) Front Yard Depth (minimum): 30.5 metres
- (d) Exterior Side Yard Width (minimum): 1.2 metres
- (e) Interior Side Yard Width (minima):
 - (i) In the case of only one such yard: 3.9 metres
 - (ii) In the case of more than one such yard: 1.2 metres on one side and 3.9 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 3.9 metres to 1.2 metres.
- (f) Rear Yard Depth (minimum): 10.0 metres
- (g) Water Setback (minimum): 15.0 metres
- (h) Setback (minimum): 6.0 metres plus the minimum required front yard depth.
- (i) Yards for Accessory Buildings and Structures/Location of accessory buildings and Structures:

(By-law No. 32-74; 2010-63)

(uu) cont'd:

- (i) Accessory building or structure shall be located
 - a. within 30 metres of the high water mark
 - b. within 1.2 metres of any interior side lot line
 - c. within 1.2 metres of any exterior side lot line
 - d. within in any front yard
- (ii) No detached accessory building or structure shall be located closer than 1.2 metres to a main building.
- (j) The provisions of Section 5(1)(c)(iv) shall not apply.
- (k) Lot Coverage:
 - (i) exclusive of accessory buildings and structures, with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): 400 square metres
 - (ii) accessory buildings and structures, (maximum): 28 square metres
 - (iii) steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum) total: 45 square metres;
in rear yard (maximum): 22.5 square metres;
in front yard (maximum): 22.5 square metres;
 - (iv) decks and patios less than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres
- (l) Height of Buildings (maximum): 95 metres (Canadian Geodetic Datum, this is the absolute elevation not the height above grade)

For the purposes of this zone "Height" shall mean highest point of any structure exclusive of any accessory roof construction such as a chimney.
- (m) Dwelling Houses per Lot (maximum): 1 only
- (n) Location of Driveway:
No part of any driveway shall be located within 3.5 metres of any zone other than a 'R1-47' zone. Nothing shall prevent the location of a driveway within an interior side yard that abuts a 'R1-47' zone. Abutting driveways are permitted.
- (o) Access/Width of Driveway (maximum): 3.0 metres

(By-law No. 32-74; 2010-63)

(uu) cont'd:

- (p) Number of Driveways: 1 only
- (q) Number of Parking Spaces Per Dwelling Unit (minimum): 2
- (r) Width of Parking Space (minimum): 3.0 metres
- (s) Length of Parking Space (minimum): 6.0 metres
- (t) Area of Parking Space (minimum): 18.0 square metres
- (u) Location of Parking Spaces:

All yards, except a required rear yard or required front yard, provided that no part of any parking area is located closer than 1.2 metres to an interior side lot line. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.
- (v) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within this Zone.
- (w) Yard Encroachments:

The provisions of Section 5(23)(b) shall not apply, except that steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres. The provisions of Section 5(23)(c) shall not apply, except that a deck or patio with no roof structure not more than 0.6 metres above the lowest ground level adjacent to the deck or patio and covering not more than 18 square metres of a required rear yard may project into a required rear yard not more than 5.5 metres.
- (x) Minimum Elevation:

No dwelling house shall be erected with a floor elevation below 76.6 metres (Canadian Geodetic Datum).

(By-Law No. 2004-308; 2010-63)

(vv) **1368 Highway No. 15 (R1-49 Zone)**

Notwithstanding the provisions of Section 9(2)(b) hereof to the contrary, the lands designated "R1-49" on Schedule 'A' hereto, may also be used for a "BED and BREAKFAST" in accordance with the following provisions:

- (i) For the purpose of this section a "BED and BREAKFAST" shall be defined as a dwelling occupied by the owner and in which a maximum of four (4) rooms are provided with or without meals, for hire or pay, for the travelling or vacationing public.
- (ii) Five (5) parking spaces shall be provided.

- (iii) A sign identifying the "BED and BREAKFAST" is permitted on the property; the sign shall be less than 5 square metres in area.

(By-law No. 32-74; 2010-64)

SECTION 10**RESIDENTIAL TYPE 2 ZONE (R2)****(1) USES PERMITTED**

No person shall within any R2 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R2 uses, namely:

- (a) **RESIDENTIAL USES:**
 a converted dwelling house;
 a duplex dwelling house;
 a semi-detached dwelling house.
- (b) **NON-RESIDENTIAL USES:**
 a public use.

(2) ZONE PROVISIONS

No person shall within any R2 Zone use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and except in accordance with the following provisions:

- (a) **LOT AREA (minima):**
- (i) Semi-detached dwelling house
- | | | |
|---|---|-------------------|
| - lot served by a sanitary sewer system | - | 325 square metres |
| - other lots | - | 700 square metres |
- (ii) Other uses
- | | | |
|---|---|--------------------|
| - lot served by a sanitary sewer system | - | 500 square metres |
| - other lots | - | 1400 square metres |
- (b) **LOT FRONTAGE (minima):**
- | | <u>corner lot</u> | <u>other lot</u> |
|---|-------------------|------------------|
| (i) Semi-detached dwelling house | | |
| - lot served by a sanitary sewer system | 15 metres | 10.5 metres |
| - other lots | 23 metres | 23 metres |
| (ii) Other uses | | |
| - lot served by a sanitary sewer system | 23 metres | 18 metres |
| - other lots | 30 metres | 30 metres |
- (c) **FRONT YARD DEPTH (minimum):** - 7.5 metres
- (d) **EXTERIOR SIDE YARD WIDTH (minimum):** - 7.5 metres
- (e) **INTERIOR SIDE YARD WIDTH (minimum):** - 3 metres
- (f) **REAR YARD DEPTH (minimum):** - 7.5 metres
- (g) **DWELLING UNIT AREA (minima):**
- (i) Semi-detached dwelling house - 80 square metres
- (ii) Other uses - 160 square metres

- (h) LANDSCAPED OPEN SPACE (minimum): - 30%
- (i) LOT COVERAGE (maximum): - 35%
- (j) HEIGHT OF BUILDING (maximum): - 9 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only
- (l) ACCESSORY USES, PARKING ETC.:
In accordance with the provisions of Section 5 hereof.

(#11-81) (3) SPECIAL R2 ZONES

(a) BARRIEFIELD (R2-1):

Notwithstanding any provisions of Sections 5 and 10 hereof to the contrary, the lands designated R2-1 on Schedule "A" hereto shall be used for no purpose other than an existing dwelling house, a single family dwelling house, a converted dwelling house or a boarding house, in accordance with the following provisions:

- (i) Lot Area (minimum): - 464.5 square metres
- (ii) Lot Frontage (minimum): - 15.24 metres
- (iii) Front Yard Depth (minimum) - 1.2 metres
- (iv) Exterior Side Yard Width (minimum): - 1.2 metres
- (v) Interior Side Yard Width (minima):
 - 1. In the case of only 1 such yard - 3.04 metres
 - 2. In the case of more than 1 such yard-1.2 metres on one side and 3.04 metres on any other side.
- (vi) Dwelling Unit Area (minima):
 - 1. Boarding house - 18.58 square metres per person
 - 2. Other permitted dwelling house - 92.9 square metres per unit
- (vii) YARDS FOR ACCESSORY BUILDINGS (minima):

No accessory building or structure shall be located in any front yard nor within 1.2 metres of any lot line.
- (viii) SETBACK (minimum): - 7.3 metres

(#33-87) (b) SPECIAL PROVISIONS (R2-2):

Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as R2-2 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Uses Permitted:
A semi-detached dwelling house and the uses permitted in Section 10(1)(b).
 - (ii) Lot Area (minimum): - 300 square metres
 - (iii) Lot Frontage (minimum): - 9.1 metres
 - (iv) Interior Side Yard Width (minimum): - 1.8 metres,
provided that in the case where an attached private garage or carport abuts an interior side yard, the minimum interior side yard may be reduced to 1.2 metres.
 - (v) Location of Driveway:
 - (a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.
 - (b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.2 metres of the rear lot line.
 - (vi) All other zone provisions shall be in accordance with the provisions of Section 10(2) hereof.
- (#10-88) (c) WATSON (R2-3):
- Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated R2-3 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house in accordance with the following provisions:
- (i) Setback (minimum): - 5 metres plus the required yard.
 - (ii) Yards for Accessory Buildings:
No accessory building or structure shall be located in the required setback, front yard depth, or exterior side yard width.
 - (iii) Front Lot Line:
For the purposes of the R2-3 Zone, the northern boundary of the Zone shall be deemed the front lot line.
 - (iv) All other zone provisions shall be in accordance with the provisions of Section 10(3)(a).

(#44-89) (d) SPECIAL REQUIREMENTS (R2-4):

Notwithstanding any provisions of this By-law to the contrary, the lands designated R2-4 on Schedule "A" hereto shall be used for no other purpose other than a link dwelling house, a semi-detached dwelling house or a public use in accordance with the following provisions:

- (i) Front Yard Depth (minimum): - 6 metres
- (ii) Exterior Side Yard Width (minimum) - 3.5 metres
- (iii) Interior Side Yard Width (minimum): - 1.2 metres,
except that on the one side of a semi-detached dwelling house the
minimum shall be nil.
- (iv) Rear Yard Depth (minimum): - 12 metres
- (v) Dwelling Unit Area (minimum): - 78 square metres
- (vi) Location of Driveway:
No driveway shall be established closer than 1.2 metres to a side lot
line, provided this shall not apply to prevent the establishment of
abutting driveways along a common lot line if their combined width
does not exceed 9 metres.

(#73-90) (vii) Lot Frontage (minimum): - 9 metres

(#73-90) (viii) Accessory Uses
Notwithstanding the provisions of Section 5(1)(d) hereof to the
contrary, no accessory use shall be located closer than 1.2 metres to
an interior side lot line or rear lot line.

(#68-94) (e) SPECIAL REQUIREMENTS (R2-5):

Notwithstanding the provisions of Section 10(2)(b)(i) hereof to the contrary,
the lands designated as R2-5 on Schedule "A" attached hereto, shall be
developed in accordance with the following provision:

- (i) Lot Frontage (minimum): - 9.25 metres

SECTION 11**RESIDENTIAL TYPE 3 ZONE (R3)**(1) USES PERMITTED

No person shall within any R3 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R3 uses, namely:

- (a) RESIDENTIAL USES:
 an apartment dwelling house;
 a boarding house;
 a row dwelling house.
- (b) NON-RESIDENTIAL USES:
 a public use.

(2) ZONE PROVISIONS

No person shall within any R3 Zone use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

- (a) LOT AREA (minima):
- | | | |
|-------|--------------------------|---------------------------------------|
| (i) | Apartment dwelling house | - 205 square metres per dwelling unit |
| (ii) | Boarding house | - 550 square metres |
| (iii) | Row dwelling house | - 205 square metres |
- (b) LOT FRONTAGE (minima):
- | | <u>corner lot</u> | <u>other lot</u> |
|-------|--------------------------|------------------|
| (i) | Apartment dwelling house | 35 metres |
| (ii) | Boarding house | 23 metres |
| (iii) | Row dwelling house | 13.5 metres |
- (c) FRONT YARD DEPTH (minima):
- | | | |
|------|---|--------------|
| (i) | Apartment dwelling house | - 7.5 metres |
| | plus 10% of the amount by which the height of the building exceeds 10.5 metres. | |
| (ii) | Other uses | - 7.5 metres |
- (d) EXTERIOR SIDE YARD WIDTH (minima):
- | | | |
|------|---|--------------|
| (i) | Apartment dwelling house | - 7.5 metres |
| | plus 10% of the amount by which the height of the building exceeds 10.5 metres. | |
| (ii) | Other uses | - 7.5 metres |
- (e) INTERIOR SIDE YARD WIDTH (minima):
- | | | |
|------|---|----------------|
| (i) | Apartment dwelling house | - 10.5 metres, |
| | plus 15% of the amount by which the height of the building exceeds 10.5 metres. | |
| (ii) | Other uses | - 3 metres |

- (f) REAR YARD DEPTH (minima):
- | | | |
|---|---|-------------|
| (i) Apartment dwelling house | - | 10.5 metres |
| plus 15% of the amount by which the height of the building exceeds 10.5 metres. | | |
| (ii) Row dwelling house | - | 10.5 metres |
| (iii) Other uses | - | 7.5 metres |
- (g) DWELLING UNIT AREA (minima):
- | | | |
|--|---|--------------------|
| (i) Bachelor dwelling unit | - | 58.5 square metres |
| (ii) Dwelling unit containing 1 bedroom | - | 75 square metres |
| (iii) Dwelling unit containing 2 bedrooms | - | 88 square metres |
| (iv) Dwelling unit containing more than 2 bedrooms | - | 93 square metres |
| plus an additional 14 square metres for each bedroom in excess of 2. | | |
- (h) LANDSCAPED OPEN SPACE (minima):
- | | | |
|------------------------------|---|-----|
| (i) Apartment dwelling house | - | 45% |
| (ii) Other uses | - | 30% |
- (i) LOT COVERAGE (maximum): - 30%
- (j) HEIGHT OF BUILDING (maximum): - 12 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only
- (l) COURTS:
Where a building is in a court form, the distance between opposing side walls of the building forming the court shall be not less than 22 metres or the height of the highest portion thereof, whichever is the greater.
- (m) PRIVACY YARDS:
A privacy yard shall be provided adjoining each exterior wall of every dwelling unit with a minimum width in accordance with the following:
- | | |
|--|-------------|
| in the case of a wall containing a first storey living room window, | 10.5 metres |
| provided that where the yard adjoins a street line or vehicular driveway, the minimum width shall be | - |
| 7.5 metres | |
| in the case of a wall containing a first storey habitable room window other than a living room window, | 7.5 metres |
| provided that where the yard adjoins a vehicular driveway, the minimum width shall be | - |
| 6 metres | |
- An unobstructed yard, clear of any public pedestrian access, shall be provided adjoining the window of every first storey dwelling unit in an apartment dwelling house. Such yard shall extend not less than 3.5 metres from any portion of the window.
- For the purpose of this Section, a window shall be considered to be located on the first storey if any part of the glazing is less than 2.5 metres above the adjacent finished grade.
- (n) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

- (3) SPECIAL R3 ZONES
- (a) WINDSOR COURT (R3-1):
REPEALED
- (#12-79) (b) SPECIAL SIDE YARD REQUIREMENTS (R3-2):
Notwithstanding any provisions of this By-law to the contrary, the lands designated as R3-2 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Interior Side Yard Width (minimum):
(a) Row dwelling house - 3 metres,
provided that where an interior side yard abuts a public walkway, the minimum interior side yard width may be reduced from 3 metres to 0.6 metres.
- (#11-82) (ii) Detached single family dwelling house and semi-detached dwelling house permitted:
Notwithstanding any provision of Section 11 hereof to the contrary, the lands designated R3-2 on Schedule "A" hereto may also be used for a detached single family dwelling house or a semi-detached dwelling house in accordance with the following provisions:
- (a) Zone Provisions:
(i) Detached single family dwelling houses:
The zone provisions of Section 9(3)(k) for R1-11 zones shall apply.
(ii) Semi-detached dwelling houses:
The zone provisions of Section 9(3)(l) for R1-12 zones shall apply.
- (b) Location:
(i) Where a detached single family dwelling house is located on a lot, no fewer than two other detached single family dwelling houses shall be located on adjacent lots along a continuous portion of the street line.
(ii) Where a semi-detached dwelling house is located on a lot, no fewer than two other semi-detached dwelling houses shall be located on adjacent lots along a continuous portion of a street line.
(iii) A row dwelling house shall consist of a minimum of five dwelling units.
- (#8-84) (c) SPECIAL REQUIREMENTS (R3-3):
Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as R3-3 on Schedule "A" hereto shall be used for no purpose other than an apartment dwelling house in accordance with the following provisions:

- (i) Height of Building (maximum): - 22.8 metres,
exclusive of any elevator or service penthouse
 - (ii) Number of Storeys (maximum): - 8
 - (iii) Dwelling Units Permitted (maximum) - 94
 - (iv) Special Provision:
Appropriate noise abatement measures including building design, orientation, and/or other techniques shall be employed in the design of any project to minimize any potential adverse impact of noise on the project site from traffic on Highway No. 15.
- (#12-85) (v) Dwelling Unit Location:
One dwelling unit may be located in the cellar of an apartment dwelling house provided it meets the requirements of Section 5(3)(c).
- (#5-87) (d) SPECIAL REQUIREMENTS (R3-4):
(#40-88) REPEALED
(#20-89)
- (#37-87) (e) SPECIAL REQUIREMENTS (R3-5):
(#13-89) Notwithstanding any provisions of this By-law hereof to the contrary, the lands which are designated as R3-5 on Schedule "A" hereof shall be used for no other purpose other than an apartment dwelling house in accordance with the following provisions:
- (i) Height of Building (maximum): - 22.8 metres
exclusive of any elevator or service penthouse.
 - (ii) Number of Storeys (maximum): - 8
 - (iii) Dwelling Houses Permitted (maximum): - 1 per lot
 - (iv) Parking Requirements (minimum): - 1.5
parking spaces per dwelling unit.
 - (v) Exterior Side Yard:
For the purposes of the R3-5 Zone, the western boundary of the zone shall be deemed to be a side lot line.
 - (vi) Rear Lot Line:
For the purposes of the R3-5 Zone, the northern boundary of the Zone shall be deemed to be a rear lot line.
 - (vii) Special Provision:
For the purposes of the R3-5 zone, the minimum setback from Highway Number 15 shall be 58.0 metres, measured from the pavement edge of Highway Number 15.

- (#10-91) (viii) Parking Space Size:
For the purposes of the R3-5 Zone, the minimum parking space size shall be 16.0 square metres, provided that every parking space shall have a minimum width of 2.75 metres.
- #10-91) (ix) Dwelling Unit Location:
One dwelling unit may be located in the cellar of an apartment dwelling house, provided it meets the requirements of Section 5(3)(c).
- (#37-87) (f) SPECIAL REQUIREMENTS (R3-6-H):
Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as R3-6-H on Schedule "A" hereof shall be used for no other purpose than an apartment dwelling house in accordance with the following provisions:
- (i) Height of Building (maximum): - 38 metres
exclusive of any elevator or service penthouse.
(By-Law No. 32-74; 2003-377)
 - (ii) Number of Storeys (maximum): - 14
(By-Law No. 32-74; 2003-377)
 - (iii) Dwelling Houses Permitted (maximum): - 1 per lot
 - (iv) Deleted by By-Law 2003-377
(By-Law No. 2003-377)
 - (v) LOT AREA (minimum) for an Apartment Dwelling House
170 square metres per dwelling unit; however, the combined number of dwelling units in the R3-6 and R3-7 Zones shall be limited to a maximum of 276 dwelling units in total;
 - (vi) DWELLING UNIT AREA (minima):
 - (i) Dwelling unit containing 1 bedroom - 60 square metres
 - (ii) Dwelling unit containing 2 bedrooms - 74 square metres
 - (vii) Notwithstanding Section 5(14)(d) to the contrary, parking areas may be provided in a required front yard, no closer than 1.5 metres from the road allowance.
(By-Law No. 2003-377)
- (#37-87) (g) SPECIAL REQUIREMENTS (R3-7-H):
Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as R3-7-H on Schedule "A" hereof shall be used for no purpose other than an apartment dwelling house in accordance with the following provisions:
- (i) Height of Building (maximum): - 38 metres
exclusive of any elevator or service penthouse.
(By-Law No. 32-74; 2003-377)
 - (ii) Number of Storeys (maximum): - 14
(By-Law No. 32-74; 2003-377)

- (iii) Dwelling Houses Permitted (maximum): - 1 per lot
- (iv) LOT AREA (minimum) for an Apartment Dwelling House –
170 square metres per dwelling unit; however, the combined number of dwelling units in the R3-6 and R3-7 Zones shall be limited to a maximum of 276 dwelling units in total;
- (v) DWELLING UNIT AREA (minima):
 - (i) Dwelling unit containing 1 bedroom – 60 square metres
 - (ii) Dwelling unit containing 2 bedrooms - 74 square metres
- (vi) Notwithstanding Section 5(14)(d) to the contrary, parking areas may be provided in a required front yard, provided it is not within 1.5 metres of the road allowance.

(By-Law No. 2003-377)

(#50-88) (h) WINDSOR COURT (R3-8):

Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as R3-8 on Schedule "A" hereto shall be used in accordance with the following provisions:

- (i) Special Provision:
Where, at the time of passing of this By-law, any existing building is not in conformity with the yard requirements of Zoning By-law 32-74, the existing yard shall be deemed to be the required yard, only in so far as it affects the existing building. Any alteration to a building or any new construction of a building or structure shall be in conformity with Section 5 and Section 11 of Zoning By-law 32-74 as amended as the same shall then exist.
- (#15-92) (ii) Lot Area (minimum): - 200 square metres per dwelling unit
- (#15-92) (iii) Lot Coverage (maximum): - 45%
- (#15-92) (iv) Lot Coverage Accessory Buildings and Structures (maximum): - 6 square metres
- (#15-92) (v) Special Provision:
Notwithstanding the provisions of Section 11(3)(h)(iii) of this By-law to the contrary, accessory buildings or structures may be erected, provided their total lot coverage does not exceed 6 square metres.
- (#15-92) (vi) Parking Requirements (minimum): - 1 parking space per dwelling unit
- (#15-92) (vii) Special Provision:
Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 3.2 metres, but not more than 9 metres in width.

- (#16-89) (i) SPECIAL REQUIREMENTS (R3-9):
- Notwithstanding the provision of Section 11(2)(i) hereof to the contrary, the lands designated as R3-9 on Schedule "A" hereto may be used in accordance with the following provision:
- (i) Lot Coverage (maximum): - 32%
- (#16-89) (j) SPECIAL REQUIREMENTS (R3-10):
- Notwithstanding the provision of Section 11(2)(i) hereof to the contrary, the lands designated as R3-10 on Schedule "A" hereto may be used in accordance with the following provision:
- (i) Lot Coverage (maximum): - 40%
- (#20-89) (k) SPECIAL REQUIREMENTS (R3-11):
- Notwithstanding any provision of this By-law hereof to the contrary, the lands which are designated as R3-11 on Schedule "A" hereof shall be used for no other purpose than a planned unit row dwelling house in accordance with the following provisions:
- (i) Front Yard Depth (minimum): - 7.5 metres
- (ii) Interior Side Yard Width (minimum): - 7.5 metres,
except where more than one dwelling house is located on a lot, the minimum distance between facing end walls shall be 3.0 metres.
- (iii) Height of Building (maximum): - 9 metres
- (iv) Dwelling Houses per Lot (maximum): - 40
- (v) Planting Strips:
A planting strip as provided for in Section 5(16) herein shall be provided along the entire southern lot line.
- (#14-92) (l) SPECIAL REQUIREMENTS (R3-12):
- Notwithstanding the provisions of Section 11(1) and Section 11(2)(a) and Section 11(2)(b) and Section 5 hereof to the contrary, the lands designated as R3-12 on Schedule "A" attached hereto shall be used for no purpose other than a row dwelling house or a public use in accordance with the following provisions:
- (i) Lot Area (minimum): - 175 square metres
per dwelling unit
- (ii) Lot Frontage (minimum):
(a) Corner Lot - 13.5 metres
(b) Other Lot - 5.8 metres

(iii) Parking Requirements (minimum): - 1
parking space per dwelling unit

(iv) Special Provision:

Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 2.8 metres, but not more than 9 metres in width.

No driveway shall be established closer than 0.0 metres to an interior side lot line.

SECTION 11A**RESIDENTIAL TYPE 4 ZONE (R4)****(#67-93) (1) USES PERMITTED**

No person shall within any R4 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R4 uses, namely:

- (a) RESIDENTIAL USES:
a detached single family dwelling house.
- (b) NON-RESIDENTIAL USES:
a home occupation;
a public use.

(2) ZONE PROVISIONS

No person shall within any R4 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - 510 square metres
- (b) LOT FRONTAGE (minimum):
 - (i) Corner Lot - 18.0 metres
 - (ii) Other Lot - 15.0 metres
- (c) FRONT YARD DEPTH: (minimum) - 3 metres
(maximum) - 6 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 3 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 1.2 metres
on one side, with a minimum aggregate of 3 metres except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
- (f) REAR YARD DEPTH (minimum): - 10 metres
- (g) DWELLING UNIT AREA (minimum): - 93 square metres
- (h) LANDSCAPED OPEN SPACE (minimum): - 30%
- (i) LOT COVERAGE (maximum): - 40%
- (j) HEIGHT OF BUILDING (maximum): - 10.5 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only

- (l) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof except:
- (i) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (m) GARAGE LOCATION:
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 6 metres to the street line.
- (n) SIGHT TRIANGLES:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R4 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(#67-93) (3) SPECIAL R4 ZONES

- (#67-93) (a) SPECIAL REQUIREMENTS (R4-1):
Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as R4-1 on Schedule "A" attached hereto shall be used in accordance with the following provisions:
- | | | |
|-------|-------------------------|-------------------|
| (i) | Lot Area (minimum): | 585 square metres |
| (ii) | Lot Frontage (minimum): | |
| | (a) Corner Lot | 19.5 metres |
| | (b) Other Lot | 16.5 metres |
| (iii) | Lot Coverage (maximum): | 35% |
- (b) SPECIAL REQUIREMENTS (R4-2)
Notwithstanding the provisions of Sections 11A(2) hereof to the contrary, the lands designated "R4-2" on Schedule "A" attached hereto, shall be used in accordance with the uses and provisions of the "R4" zone except:
- | | | |
|-----|--------------------------|------------|
| i) | REAR YARD DEPTH | |
| | Minimum | 7.5 metres |
| ii) | INTERIOR SIDE YARD WIDTH | |
| | Minimum | 1.2 metres |
- (By-law No. 2001-115 – 2001)
- (c) SPECIAL REQUIREMENTS (R4-3)
Notwithstanding any provisions of Section 11A(2) to the contrary, the lands designated 'R4-3' on Schedule 'A' attached hereto, shall be used in accordance with the following:
- | | | |
|-----|------------------------|-------------------|
| (a) | Lot Area (minimum) | 300 square metres |
| (b) | Lot Frontage (minimum) | |
| | (i) Corner Lot | 11 metres |
| | (ii) Other Lot | 9 metres |

(3) SPECIAL R4 ZONES cont'd:

- (c) Front Yard Depth:
 - (i) Minimum 3 metres
 - (ii) Maximum 5 metres
- (d) Interior Side Yard Width (minimum) 0.6 metres on one side and 1.2 metres on the other side except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard shall be 3 metres.
- (e) Rear Yard Depth (minimum) 7.5 metres
- (f) Dwelling Unit Area (minimum) 85 square metres
- (g) Lot Coverage (maximum) 50%
- (h) Accessory Uses, Parking etc.:
In accordance with the provisions of Section 5 hereof except:
 - (i) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, no minimum interior side yard width is required;
 - (ii) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to the rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard width is required.
 - (iii) That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the minimum required driveway width shall be 3.0 metres.
 - (iv) That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres.
 - (v) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
- (i) Garage Location
Notwithstanding any other provision of this By-Law hereof to the contrary, no garage shall be located closer than 5 metres to the street line."
(By-Law No. 2004-2)
- (d) (RESERVED)
- (e) Special Requirements (R4-5-H)

Notwithstanding any provisions of Section 11A(2) to the contrary, the lands zoned 'R4-5' on Schedule 'A' shall be used for a detached single family dwelling house, home occupation or
(By-law No. 32-74; 2006-80; 2007-80)

(3) SPECIAL R4 ZONES cont'd:

public use in accordance with the following provisions:

- | | | |
|--------|--|---|
| (i) | LOT AREA (minimum) | 270 square metres |
| (ii) | LOT FRONTAGE (minimum) | |
| | (a) Corner Lot | 11.5 metres |
| | (b) Other Lot | 9.15 metres |
| | (c) Lot Frontage Measurement: Notwithstanding the provisions of Section 4(78) Lot frontage shall be measured between the side lot lines at a distance of 7.5 metres from the front lot line. | |
| | | (By-law No. 32-74; 2008-31) |
| (iii) | FRONT YARD DEPTH (minimum) | 3.0 metres |
| (iv) | EXTERIOR SIDE YARD WIDTH (minimum) | 3.0 metres |
| (v) | INTERIOR SIDE YARD WIDTH (minimum) | 1.2 metres on one side,
0.6 metres on the other, |
| | except for the following: | |
| | (a) where a side lot line abuts a 0.3 m reserve, the minimum interior side yard width shall be 3.0 metres; and | |
| | (b) on a lot where there is no attached private garage or attached carport, the minimum interior side yard width shall be 2.4 metres on one side and 1.2 metres on the other. | |
| (vi) | REAR YARD DEPTH (minimum) | 7.4 metres |
| (vii) | DWELLING UNIT AREA (minimum) | 93 square metres |
| (viii) | LANDSCAPED OPEN SPACE (minimum) | 30% |
| (ix) | LOT COVERAGE (maximum) | |
| | (a) 48% for lots less than 340 square metres | |
| | (b) 45% for lots 340 square metres or greater in area | |
| (x) | HEIGHT OF BUILDING (maximum) | 10.5 metres |
| (xi) | DWELLING HOUSES PER LOT (maximum) | 1 only |
| (xii) | ACCESSORY USES, PARKING ETC: | |
| | That notwithstanding the maximum allowable lot coverage provisions of this zone, | |
| | | (By-law No. 32-74; 2006-80; 2007-80) |

an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.

(By-law No. 32-74; 2006-80; 2007-80)

(3) SPECIAL R4 ZONES cont'd:

- (xiii) **GARAGE LOCATION**
Notwithstanding any other provisions of this By-Law hereof to the contrary, no garage, either attached or detached from the dwelling, shall be located closer than 6.0 metres to the front lot line.
- (xiv) **SIGHT TRIANGLES**
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands zoned R4-5 on Schedule 'A', shall measure the sight triangle 3.0 metres from the point of intersection of the street lines.
- (xv) **'-H' Holding Zone Provisions**
The lifting of the '-H' Holding Zone Provisions shall be subject to Section 5(24).

(By-law No. 32-74; 2006-80; 2007-80)

SECTION 11B**RESIDENTIAL TYPE 5 ZONE (R5)****(#67-93) (1) USES PERMITTED**

No person shall within any R5 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R5 uses, namely:

- (a) RESIDENTIAL USES:
 - a detached single family dwelling house;
 - a linked dwelling house;
 - a semi-detached dwelling house.
- (b) NON-RESIDENTIAL USES:
 - a home occupation;
 - a public use.

(2) ZONE PROVISIONS

No person shall within any R5 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) A SINGLE FAMILY DWELLING HOUSE:
 - (i) Lot Area (minimum): - 384 square metres
 - (ii) Lot Frontage (minimum):
 - (a) Corner Lot - 15 metres
 - (b) Other Lot - 12 metres
 - (iii) Front Yard Depth:
 - (a) Minimum - 3 metres
 - (b) Maximum - 8 metres
 - (iv) Exterior Side Yard Width (minimum): - 3 metres
 - (v) Interior Side Yard Width (minimum): - 1.2 metres,
except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
 - (vi) Rear Yard Depth (minimum): - 10 metres
 - (vii) Dwelling Unit Area (minimum): - 93 square metres
 - (viii) Landscaped Open Space (minimum): - 30%
 - (ix) Lot Coverage (maximum): - 40%
 - (x) Height of Building (maximum): - 10.5 metres
 - (xi) Dwelling Houses Per Lot (maximum): - 1 only

- (xii) Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof except:
- (a) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (xiii) Garage Location:
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 8 metres to the street line.
- (xiv) Sight Triangles:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R5 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.
- (b) A LINK DWELLING HOUSE;
A SEMI-DETACHED DWELLING HOUSE:
- (i) Lot Area (minimum): - 332 square metres
- (ii) Lot Frontage (minimum):
(a) Corner Lot - 13.5 metres
(b) Other Lot - 10.5 metres
- (iii) Front Yard Depth:
(a) Minimum - 3 metres
(b) Maximum - 8 metres
- (iv) Exterior Side Yard Width (minimum): - 3 metres
- (v) Interior Side Yard Width:
(a) Link Dwelling House (minimum): - 1.2 metres,
except on the side where the houses are linked, the minimum shall be 0.6 metres; and where a side lot abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
(b) Semi-Detached Dwelling House (minimum): - 1.2 metres,
except that on one side of a semi-detached house the minimum shall be nil; and where a side lot abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
- (vi) Rear Yard Depth (minimum): - 10 metres
- (vii) Dwelling Unit Area (minimum): - 93 square metres
- (viii) Landscaped Open Space (minimum): - 30%
- (ix) Lot Coverage (maximum): - 40%
- (x) Height of Building (maximum): - 10.5 metres

- (xi) Dwelling Houses Per Lot (maximum): - 1 only
- (xii) Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof except:
 - (a) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (xiii) Garage Location:
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 8 metres to the street line.
- (xiv) Sight Triangles:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R5 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(3) SPECIAL R5 ZONES

Notwithstanding the provisions of Section 11B(1)(a) and Section 11B(2) hereof to the contrary, the lands designated "R5-1" on Schedule "A" attached hereto, shall be used for no purpose other than one or more of the following uses: a detached single family dwelling house or a semi-detached dwelling house, in accordance with the following provisions:

(i) A SINGLE FAMILY DWELLING HOUSE:

- (a) Lot Area (minimum) - 276 square metres
- (b) Lot Frontage (minimum):
 - (i) Corner Lot - 10.8 metres
 - (ii) Other Lot - 9 metres
- (c) Front Yard Depth:
 - (i) Minimum - 3 metres
 - (ii) Maximum - 5 metres
- (d) Interior Side Yard Width (minimum): - 0.6 metres on one side and 1.2 metres on the other side, except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
- (e) Rear Yard Depth (minimum): - 7.5 metres
- (f) Dwelling Unit Area (minimum) - 0 square metres
- (g) Lot Coverage (maximum): - 50%

- (h) Accessory Uses, Parking etc.:
In accordance with the provisions of Section 5 hereof except:
- (i) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, no minimum interior side yard width is required;
 - (ii) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
 - (iii) That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the minimum required driveway width shall be 3.0 metres.
 - (iv) That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres.
 - (v) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
- (i) Garage Location:
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 5 metres to the street line.
- (ii) A SEMI-DETACHED DWELLING HOUSE;
- (a) Lot Area (minimum) - 276 square metres
 - (b) Lot Frontage (minimum):
 - (i) Corner Lot - 10.8 metres
 - (ii) Other Lot - 9 metres
 - (c) Front Yard Depth:
 - (i) Minimum - 3 metres
 - (ii) Maximum - 5 metres
 - (d) Interior Side Yard Width (minimum): - 1.2 metres on one side and nil on the other side, except where a side lot line abuts a 0.3 metre reserve, the minimum side yard width shall be 3 metres.
 - (e) Rear Yard Depth (minimum): - 7.5 metres
 - (f) Dwelling Unit Area (minimum) - 0 square metres
 - (g) Lot Coverage (maximum): - 50%

- (h) Accessory Uses, Parking etc.:
In accordance with the provisions of Section 5 hereof except:
- (i) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, no minimum interior side yard width is required;
 - (ii) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
 - (iii) That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the minimum required driveway width shall be 3.0 metres.
 - (iv) That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres.
 - (v) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
- (i) Garage Location:
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 5 metres to the street line.

(By-Law No. 34A-96-1996; 19-97-1997)

(b) SPECIAL REQUIREMENTS (R5-2)

Notwithstanding any provisions of Sections 5(18) and 11B(3)(a) hereof to the contrary, the lands designated "R5-2" on Schedule "A" attached hereto, shall be used in accordance with the uses and provisions of the "R5-1" zone except:

- (i) SETBACKS
No person shall erect any building or structure unless such building or structure conforms to the following setback requirement:
 - (a) Road – one half of the width of the road plus the minimum required front yard depth.
- (ii) FRONT YARD DEPTH
 - (a) Maximum - 6 metres
- (iii) REAR YARD DEPTH
 - Properties abutting the Prestige Business Park - 13 metres
(By-Law No. 99-027-1999)

(c) SPECIAL REQUIREMENTS (R5-3)

Notwithstanding the provisions of Sections 5(18) and 11B(3)(a) hereof to the contrary, the lands designated "R5-3" on Schedule 'A' attached hereto, shall be used in accordance with the uses and provisions of the "R5-2" zone except:

(i) REAR YARD DEPTH

Properties abutting the Prestige Business Park - 15 metres
(By-Law No. 2000-037-2000)

(d) SPECIAL REQUIREMENTS (R5-4)

Notwithstanding the provisions of Section 11B(3)(a) hereof to the contrary, the lands designated "R5-4" on Schedule 'A' attached hereto, shall be used in accordance with the uses and provisions of the "R5-3" zone except:

(i) FRONT YARD DEPTH

(i) Minimum - 3 metres
(ii) Maximum - 4.8 metres

(ii) GARAGE LOCATION

Notwithstanding any other provision of this By-Law to the contrary, no garage shall be located closer than 4.8 metres to the street line.

(By-Law No. 2000-315-2000)

(e) SPECIAL REQUIREMENTS (R5-5)

Notwithstanding any provisions of Section 11B(2) to the contrary, the lands designated "R5-5" on Schedule 'A' attached hereto, shall be used for no other purpose other than one or more of the following uses:

A detached single family dwelling house, a semi-detached dwelling house or a row dwelling in accordance with the uses and provision of the 'R5' Zone and the following regulations:

(i) SINGLE FAMILY DWELLING HOUSE:

- | | | |
|-----|------------------------------------|--|
| (a) | Lot Area (minimum) | 276 square metres |
| (b) | Lot Frontage (minimum): | |
| | (i) Corner Lot | 10.8 metres |
| | (ii) Other Lot | 9.0 metres |
| (c) | Front Yard Depth (Minimum) | 3 metres |
| (d) | Interior Side Yard Width (Minimum) | 0.6 metres on one side and 1.2 metres on the other side, except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres. |
| (e) | Rear Yard Depth (Minimum) | 7.4 metres |
| (f) | Lot Coverage (Maximum) | 50% |

- (g) Accessory Uses, Parking etc.:
In accordance with the provisions of Section 5 hereof except:
- (i) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage is erected on the common lot line between two lots, no minimum interior side yard width is required;
 - (ii) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
 - (iii) That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the minimum required driveway width shall be 3.0 metres.
 - (iv) That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres.
 - (v) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
- (h) Garage Location:
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 5 metres to the street line.

(ii) A SEMI-DETACHED DWELLING HOUSE:

- | | | |
|-----|-------------------------------------|--|
| (a) | Lot Area (Minimum) | 276 square metres |
| (b) | Lot Frontage (Minimum) | |
| | (i) Corner Lot | 10.8 metres |
| | (ii) Other Lot | 9 metres |
| (c) | Front Yard Depth (Minimum) | 3 metres |
| (d) | Interior Side Yard Width (Minimum): | 1.2 metres on one side and nil on the other side, except where a side lot line abuts a 0.3 metre reserve, the minimum side yard width shall be 3 metres. |
| (e) | Rear Yard Depth (minimum) | 7.4 metres |
| (f) | Lot Coverage (Maximum) | 50% |
- (g) Accessory Uses, Parking etc.:
In accordance with the provisions of Section 5 hereof except:
- (i) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage is erected on

the common lot line between two lots, no minimum interior side yard width is required;

- (ii) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
- (iii) That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the minimum required driveway width shall be 3.0 metres.
- (iv) That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres.
- (v) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.

- (h) **Garage Location:**
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 5 metres to the street line.

(iii) ROW DWELLING

- | | | |
|-----|------------------------------------|--|
| (a) | Lot Area (Minimum) | 190 square metres |
| (b) | Lot Frontage (Minimum): | |
| | (i) Corner Lot | 9.0 metres |
| | (ii) Other Lot | 6.0 metres |
| (c) | Front Yard Depth (Minimum) | 3 metres |
| (d) | Exterior Side Yard Width (Minimum) | 3 metres |
| (e) | Interior Side Yard Width (Minimum) | 1.2 metres, except where the building shares a common wall with any building on an adjacent lot, the minimum shall be nil. |
| (f) | Rear Yard Depth (Minimum) | 7.4 metres |
| (g) | Dwelling Unit Area (Minimum) | 65 square metres |
| (h) | Landscaped Open Space (Minimum) | 30% |
| (i) | Lot Coverage (Maximum) | 45% |
| (j) | Height Of Building (Maximum) | 12 metres |
| (k) | Dwelling Houses Per Lot (Maximum) | 1 only |
| (l) | Accessory Uses, Parking, Etc.: | |

In accordance with the provisions of Section 5 hereof except:

- (i) Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard provided they are no closer than 1.2 metres to any lot line.
- (ii) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (iii) There is no minimum height requirement for an accessory use, building or structure.
- (iv) The maximum width of a driveway shall be 3.5 metres.

(m) **Garage Location:**
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 8 metres to the street line.

(n) **Special Provision:**
There shall be no more than seven (7) attached row dwelling houses in one continuous row.

(o) **Sight Triangles:**
That notwithstanding the provisions of Section 4(126) hereof to the contrary, the lands designated 'R5-5' on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(By-Law No. 2002-182)

(f) *(Not Used)*

(g) **SPECIAL REQUIREMENTS (R5-6)**

Notwithstanding any provisions of Section 11B(2) to the contrary, the lands designated "R5-6" on Schedule 'A' attached hereto, shall be used for a detached single family dwelling house, home occupation or public use in accordance with the following provisions:

(i) **LOT AREA (minimum)** 384 square metres

(ii) **LOT FRONTAGE (minimum)**
 (a) **Corner Lot** 15 metres
 (b) **Other Lot** 12 metres

(iii) **FRONT YARD DEPTH**
 (a) **Minimum** 3 metres
 (b) **Maximum** 6 metres

(By-Law 32-74; By-Law 2006-130)

(iv) **EXTERIOR SIDE YARD WIDTH (minimum)** 3 metres

(v) **INTERIOR SIDE YARD WIDTH (minimum)** 1.2 metres, except where a side lot line abuts a 0.3m reserve, the minimum interior side yard width shall be 3 metres

- (vi) REAR YARD DEPTH (minimum) 7.4 metres
(By-Law 32-74; By-Law 2006-130)
- (vii) DWELLING UNIT AREA (minimum) 93 square metres
- (viii) LANDSCAPED OPEN SPACE (minimum) 30%
- (ix) LOT COVERAGE (maximum) 50%
(By-Law 32-74; By-Law 2006-130)
- (x) HEIGHT OF BUILDING (maximum) 10.5 metres
- (xi) DWELLING HOUSES PER LOT (maximum) 1 only
- (xii) ACCESORY USES, PARKING ETC:
(a) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard
- (xiii) GARAGE LOCATION
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 6 metres to the street line.
(By-Law 32-74; By-Law 2006-130)
- (xiv) SIGHT TRIANGLES
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R5-6 on Schedule 'A' attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.
(By-Law No. 2004-81)
- (xv) Notwithstanding the provisions of Section 11B(3)(i)(b) to the contrary, for civic addresses 210, 212, 214, 218 and 220 Rose Abbey Drive, the maximum front yard depth shall be 8 metres.
(By-law No. 32-74; 2007-158)

(h) SPECIAL REQUIREMENTS (R5-7)

Notwithstanding any provisions of Section 11B(2) to the contrary, the lands designated 'R5-7' on Schedule 'A' attached hereto, shall be used for a detached single family dwelling house, a semi-detached dwelling house, a row dwelling, home occupation, or a public use in accordance with the following provisions:

(i) SINGLE FAMILY DWELLING HOUSE

- (a) LOT AREA (minimum) 276 square metres
- (b) LOT FRONTAGE (minimum)
(a) Corner Lot 10.8 metres
(b) Other Lot 9.0 metres

- (c) FRONT YARD DEPTH
- | | |
|-------------|----------|
| (a) Minimum | 3 metres |
| (b) Maximum | 6 metres |
- (d) EXTERIOR SIDE YARD WIDTH (minimum) 3 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum) 0.6 metres on one side and 1.2 metres on the other side, except where a side lot line abuts a 0.3m reserve, the minimum interior side yard width shall be 3 metres
- (f) REAR YARD DEPTH (minimum) 7.4 metres
- (g) LOT COVERAGE (maximum) 50%
- (h) ACCESORY USES, PARKING ETC:
In accordance with the provisions of Section 5 hereof except:
- (a) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard
- (b) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, no minimum interior side yard width is required;
- (c) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
- (d) That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the minimum required driveway width shall be 3.0 metres.
- (e) That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres.
- (f) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
- (i) GARAGE LOCATION
- Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 6 metres to the street line.

(ii) SEMI-DETACHED DWELLING HOUSE

- | | | |
|-----|---|-------------------|
| (a) | LOT AREA (minimum) | 276 square metres |
| (b) | LOT FRONTAGE (minimum) | |
| | (a) Corner Lot | 10.8 metres |
| | (b) Other Lot | 9.0 metres |
| (c) | FRONT YARD DEPTH | |
| | (a) Minimum | 3 metres |
| | (b) Maximum | 6 metres |
| (d) | EXTERIOR SIDE YARD WIDTH (minimum) 3 metres | |
| (e) | INTERIOR SIDE YARD WIDTH (minimum) 1.2 metres on one side and 0 metres on the other side, except where a side lot line abuts a 0.3m reserve, the minimum interior side yard width shall be 3 metres | |
| (f) | REAR YARD DEPTH (minimum) | 7.4 metres |
| (g) | LOT COVERAGE (maximum) | 50% |
| (h) | ACCESSORY USES, PARKING ETC:
In accordance with the provisions of Section 5 hereof except: | |
| | (a) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard | |
| | (b) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, no minimum interior side yard width is required; | |
| | (c) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required. | |
| | (d) That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the minimum required driveway width shall be 3.0 metres. | |
| | (e) That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres. | |
| | (f) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line. | |

(i) GARAGE LOCATION

Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 6 metres to the street line.

- (iii) **ROW DWELLING**
- (a) LOT AREA (minimum) 190 square metres
 - (b) LOT FRONTAGE (minimum)
 - (a) Corner Lot 9.0 metres
 - (b) Other Lot 6.0 metres
 - (c) FRONT YARD DEPTH
 - (a) Minimum 3 metres
 - (b) Maximum 6 metres
 - (d) EXTERIOR SIDE YARD WIDTH (minimum) 3 metres
 - (e) INTERIOR SIDE YARD WIDTH (minimum) 1.2 metres, except where the building shares a common wall with any building on an adjacent lot, the minimum shall be 0 metres
 - (f) REAR YARD DEPTH (minimum) 7.4 metres
 - (g) DWELLING UNIT AREA (minimum) 65 square metres
 - (h) LANDSCAPED OPEN SPACE (minimum) 30%
 - (i) LOT COVERAGE (maximum) 45%
 - (j) HEIGHT OF BUILDING (maximum) 12 metres
 - (k) DWELLING HOUSES PER LOT (maximum) 1 only
 - (l) ACCESORY USES, PARKING ETC:
In accordance with the provisions of Section 5 hereof except:
 - (a) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard
 - (b) That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the maximum required driveway width shall be 3.5 metres.
 - (c) That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres.
 - (d) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
 - (e) Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard provided they are no closer than 1.2 metres to any lot line.

- (m) **GARAGE LOCATION**
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 6 metres to the street line.
- (n) **SPECIAL PROVISIONS**
There shall be no more than seven (7) attached row dwelling houses in one continuous row.
- (o) **SIGHT TRIANGLES**
That notwithstanding the provisions of Section 4(126) hereof to the contrary, the lands designated R5-7 on Schedule 'A' attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(By-Law No. 2004-81)

(i) **SPECIAL REQUIREMENTS (R5-8)**

Notwithstanding any provisions of Section 11B(2) to the contrary, the lands designated 'R5-8' on Schedule 'A' attached hereto, shall be used in accordance with the uses and provisions of the 'R5-7' zone except the following:

- (i) **BUILDING HEIGHT**
 - (a) Minimum 6 metres, consisting of 2 storeys
 - (b) Maximum 10.5 metres
- (ii) **EXPANDED HOME OCCUPATION**
Expanded Home Occupations shall be developed in accordance with Section 5(7) except the following:
 - (a) one person, other than a member of the household residing in the dwelling unit may be engaged or employed in the expanded home occupation; and
 - (b) not more than 35% of the gross floor area of the dwelling unit or 46.45 square metres, whichever is less, shall be used for the purpose of the expanded home occupation.

(By-Law No. 2004-81)

SECTION 11C**RESIDENTIAL TYPE 6 ZONE (R6)****(#67-93) (1) USES PERMITTED**

No person shall within any R6 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R6 uses, namely:

- (a) RESIDENTIAL USES:
a row dwelling house.
- (b) NON-RESIDENTIAL USES:
a public use.

(2) ZONE PROVISIONS

No person shall within any R6 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - 222 square metres
- (b) LOT FRONTAGE (minimum):
 - (i) Corner Lot - 9.1 metres
 - (ii) Other Lot - 6.1 metres
- (c) FRONT YARD DEPTH:
 - (i) Minimum - 3 metres
 - (ii) Maximum - 8 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 3 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 2 metres, except where the building shares a common wall with any building on an adjacent lot, the minimum shall be nil.
- (f) REAR YARD DEPTH (minimum): - 7.5 metres
- (g) DWELLING UNIT AREA (minimum): - 65 square metres
- (h) LANDSCAPED OPEN SPACE (minimum): - 30%
- (i) LOT COVERAGE (maximum): - 40%
- (j) HEIGHT OF BUILDING:
 - (i) Minimum - 8 metres
 - (ii) Maximum - 12 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only

- (l) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof except:
- (i) Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard provided they are no closer than 1.2 metres to any lot line.
 - (ii) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
 - (iii) There is no minimum height requirement for an accessory use, building or structure.
 - (iv) The maximum width of a driveway shall be 3.5 metres.
- (m) GARAGE LOCATION:
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 8 metres to the street line.
- (n) SPECIAL PROVISION:
There shall be no more than seven attached row dwelling houses in one continuous row.
- (o) SIGHT TRIANGLES:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R6 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(#67-93) (3) SPECIAL R6 ZONES

(#67-93) (a) SPECIAL REQUIREMENTS (R6-1):

Notwithstanding any provision of this By-law hereof to the contrary, the lands designated as R6-1 on Schedule "A" attached hereto shall be used in accordance with the following provisions:

- (i) Lot Area (minimum): - 262 square metres
- (ii) Lot Frontage (minimum):
 - (a) Corner Lot - 10.3 metres
 - (b) Other Lot - 7.3 metres

(#67-93) (b) SPECIAL REQUIREMENTS (R6-2):

Notwithstanding any provision of this By-law to the contrary, the lands designated as R6-2 on Schedule "A" attached hereto shall be used in accordance with the following provisions:

- (i) Front Yard Depth:
 - (a) Minimum - Nil
 - (b) Maximum - 8 metres

- (c) **SPECIAL REQUIREMENTS (R6-3)**
Notwithstanding any provision of this By-law to the contrary, the lands designated as R6-3 on Schedule 'A' attached hereto shall be used in accordance with the following provisions:

- (i) Exterior side yard Width (minimum) - 7.5 metres
- (ii) Interior Side Yard Width (minimum) - 7.5 metres
except where the building shares a common wall with any building on an adjacent lot, the minimum shall be nil.
- (iii) Height of Building (maximum) - 9.0 metres
- (iv) All other zone provisions shall be in accordance with Section 11C(2).

(By-law No. 16-97-1997)

SECTION 11D**RESIDENTIAL TYPE 7 ZONE (R7)****(#61-93) (1) USES PERMITTED**

No person shall within any R7 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R7 uses, namely:

- (a) RESIDENTIAL USES:
a detached single family dwelling house.
- (b) NON-RESIDENTIAL USES:
a home occupation;
a public use.

(2) ZONE PROVISIONS

No person shall within any R7 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - 450 square metres
- (b) LOT FRONTAGE (minimum):
 - (i) Corner Lot - 16.8 metres
 - (ii) Other Lot - 15.0 metres
- (c) FRONT YARD DEPTH:
 - (i) Minimum - 3 metres
 - (ii) Maximum - 6 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 3 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 1.2 metres
on one side, with a minimum aggregate of 3 metres except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
- (f) REAR YARD DEPTH (minimum): - 10 metres
- (g) DWELLING UNIT AREA (minimum): - 93 square metres
- (h) LANDSCAPED OPEN SPACE (minimum): - 30%
- (i) LOT COVERAGE (maximum): - 40%
- (j) HEIGHT OF BUILDING (maximum): - 10.5 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only

- (l) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof except:
 - (i) Notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (m) GARAGE LOCATION:
Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 6 metres to the street line.
- (n) SIGHT TRIANGLES:
Notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R7 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(#61-93) (3) SPECIAL R7 ZONES

- (#61-93) (a) SPECIAL REQUIREMENTS (R7-1):
Notwithstanding any provision of this By-law hereof to the contrary, the lands designated as R7-1 on Schedule "A" attached hereto shall be used in accordance with the following provisions:
 - (i) Lot Area (minimum): - 550 square metres
 - (ii) Lot Coverage (maximum): - 35%
- (b) SPECIAL REQUIREMENTS (R7-2)
Notwithstanding the provisions of this By-Law, the lands designated as R7-2 and shown on Schedule 'A' (Rideau Community) attached hereto shall be in accordance with the following provision:
 - (i) Interior Side Yard (minimum)
1.2 metres on one side, with a minimum aggregate of 2.4 metres except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.

(By-law No. 98-90-1998)

SECTION 11E**RESIDENTIAL TYPE 8 ZONE (R8)****(#61-93) (1) USES PERMITTED**

No person shall within any R8 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R8 uses, namely:

- (a) RESIDENTIAL USES:
 - a detached single family dwelling house;
 - a linked dwelling house;
 - a semi-detached dwelling house.
- (b) NON-RESIDENTIAL USES:
 - a home occupation;
 - a public use.

(2) ZONE PROVISIONS

No person shall within any R8 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) A SINGLE FAMILY DWELLING HOUSE
 - (i) Lot Area (minimum): - 418 square metres
 - (ii) Lot Frontage (minimum):
 - (a) Corner Lot - 13.8 metres
 - (b) Other Lot - 12 metres
 - (iii) Front Yard Depth:
 - (a) Minimum - 3 metres
 - (b) Maximum - 8 metres
 - (iv) Exterior Side Yard Width (minimum): - 3 metres
 - (v) Interior Side Yard Width (minimum): - 1.2 metres,
except where a side lot abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
 - (vi) Rear Yard Depth (minimum): - 10 metres
 - (vii) Dwelling Unit Area (minimum): - 93 square metres
 - (viii) Landscaped Open Space (minimum): - 30%
 - (ix) Lot Coverage (maximum): - 40%
 - (x) Height of Building (maximum): - 10.5 metres
 - (xi) Dwelling Houses Per Lot (maximum): - 1 only

- (xii) Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof except:
- (a) Notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (xiii) Garage Location:
Notwithstanding any other provisions of this By-law hereof to the contrary, no garage shall be located closer than 8 metres to the street line.
- (xiv) Sight Triangles:
Notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R8 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.
- (b) A LINKED DWELLING HOUSE;
A SEMI-DETACHED DWELLING HOUSE
- (i) Lot Area (minimum): - 330 square metres
- (ii) Lot Frontage (minimum):
- (a) Corner Lot - 12.3 metres
- (b) Linked Dwelling House - 10.5 metres
- (c) Semi-Detached Dwelling House - 10.0 metres
- (iii) Front Yard Depth:
- (a) Minimum - 3 metres
- (b) Maximum - 8 metres
- (iv) Exterior Side Yard Width (minimum): - 3 metres
- (v) Interior Side Yard Width:
- (a) Linked Dwelling House (minimum): - 1.2 metres, except on the side where the houses are linked, the minimum shall be 0.6 metres; and where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
- (b) Semi-Detached Dwelling House (minimum): - 1.2 metres, except that on one side of a semi-detached house the minimum shall be nil; and where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
- (vi) Rear Yard Depth (minimum): - 10 metres
- (vii) Dwelling Unit Area (minimum): - 93 square metres
- (viii) Landscaped Open Space (minimum): - 30%
- (ix) Lot Coverage (maximum): - 40%
- (x) Height of Building (maximum): - 10.5 metres

- (xi) Dwelling Houses Per Lot (maximum): - 1 only
- (xii) Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof except:
 - (a) Notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (xiii) Garage Location:
Notwithstanding any other provisions of this By-law hereof to the contrary, no garage shall be located closer than 8 metres to the street line.
- (xiv) Sight Triangles:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R8 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

SECTION 11F**RESIDENTIAL TYPE 9 ZONE (R9)****(1) USES PERMITTED**

No person shall within any R9 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R9 uses, namely:

- (a) RESIDENTIAL USES:
a detached single family dwelling house.
- (b) NON-RESIDENTIAL USES:
a home occupation;
a public use.

(2) ZONE PROVISIONS

No person shall within any R9 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): 480 square metres
- (b) LOT FRONTAGE (minimum):
 - (i) Corner 16.8 metres
 - (ii) Other Lot 15.0 metres
- (c) FRONT YARD DEPTH:
 - (i) Minimum 3 metres
 - (ii) Maximum 8 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum) 3 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres on one side,
with a minimum aggregate of 3 metres, except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
- (f) REAR YARD DEPTH (minimum): 10 metres
- (g) LANDSCAPED OPEN SPACE (minimum): 30%
- (h) LOT COVERAGE (maximum): 40%
- (i) HEIGHT OF BUILDING (maximum): 10.5 metres
- (j) DWELLING HOUSES PER LOT (maximum): 1 only

(k) **ACCESSORY USES, PARKING, ETC:**

In accordance with the provisions of Section 5 hereof except:

- (i) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (ii) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum interior side yard width is required.
- (iii) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
- (iv) That notwithstanding the provisions of Section 5(1)(e)(l) hereof to the contrary, the maximum allowable height for a detached garage shall be 6 metres; and
- (v) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.

(l) **GARAGE LOCATION:**

Notwithstanding any other provision of this By-law, hereof to the contrary, no garage shall be located closer than 8 metres to the street line.

(m) **SIGHT TRIANGLES:**

That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R9 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(By-Law No. 16-96-1996)

SECTION 11G**RESIDENTIAL TYPE 10 ZONE (R10)**(1) USES PERMITTED

No person shall within any R10 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R10 uses, namely:

- (a) RESIDENTIAL USES:
a detached single family dwelling house.
- (b) NON-RESIDENTIAL USES:
a home occupation;
a public use.

(2) ZONE PROVISIONS

No person shall within any R10 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - 384 square metres
- (b) LOT FRONTAGE (minimum):
 - (i) Corner - 13.8 metres
 - (ii) Other Lot - 12.0 metres
- (c) FRONT YARD DEPTH:
 - (i) Minimum- 3 metres
 - (ii) Maximum- 6 metres
(By-Law No. 16-96; 2001-011)
- (d) EXTERIOR SIDE YARD WIDTH (minimum)- 3 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum):- 1.2 metres except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
- (f) REAR YARD DEPTH (minimum):- 7.5 metres
(By-Law No. 16-96; 2001-011)
- (g) LANDSCAPED OPEN SPACE (minimum):- 30%
- (h) LOT COVERAGE (maximum):- 40%
- (i) HEIGHT OF BUILDING (maximum):- 10.5 metres
- (j) DWELLING HOUSES PER LOT (maximum):- 1 only
- (k) ACCESSORY USES, PARKING, ETC:

In accordance with the provisions of Section 5 hereof except:

- (i) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard:

- (ii) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum interior side yard depth is required.
 - (iii) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
 - (iv) That notwithstanding the provisions of Section 5(1)(e)(l) hereof to the contrary, the maximum allowable height for a detached garage shall be 6 metres; and
 - (v) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
- (l) GARAGE LOCATION:
Notwithstanding any other provision of this By-law, hereof to the contrary, no garage shall be located closer than 6 metres to the street line.
(By-Law No. 16-96; 2001-011)
- (m) SIGHT TRIANGLES:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R10 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.
(By-law No. 16-96-1996)

SECTION 11H**RESIDENTIAL TYPE 11 ZONE (R11)****(1) USES PERMITTED**

No person shall within any R11 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R11 uses, namely:

(a) RESIDENTIAL USES:

a detached single family dwelling house;

(By-Law No. 16-96 – 1996)

a linked dwelling house.

(By-Law No. 16-96; 2001-11)

(b) NON-RESIDENTIAL USES:

a home occupation;

a public use, including but not limited to a storm water detention pond, public open space, and public pathways.

(2) ZONE PROVISIONS

No person shall within any R11 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) a Single Family Dwelling House

- | | | |
|-------|-------------------------------------|--|
| (i) | LOT AREA (minimum): - | 340 square metres |
| (ii) | LOT FRONTAGE (minimum): | |
| | (a) Corner Lot | 11.4 metres |
| | (b) Other Lot | 9.6 metres |
| (iii) | FRONT YARD DEPTH: | |
| | (a) Minimum | 3 metres |
| | (b) Maximum | 6 metres |
| | | (By-Law No. 16-96; 2001-11) |
| (iv) | EXTERIOR SIDE YARD WIDTH (minimum) | 3 metres |
| (v) | INTERIOR SIDE YARD WIDTH (minimum): | 0.6 metres on one side and 1.2 metres on the other side, except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres. |
| (vi) | REAR YARD DEPTH (minimum): | 7.5 metres |
| | | (By-Law No. 16-96; 2001-11) |
| (vii) | LANDSCAPED OPEN SPACE (minimum): | 30% |

- (viii) LOT COVERAGE (maximum):- 40%
- (ix) HEIGHT OF BUILDING (maximum):- 10.5 metres
- (x) DWELLING HOUSES PER LOT (maximum): 1 only
- (xi) ACCESSORY USES, PARKING, ETC:
In accordance with the provisions of Section 5 hereof except:
- (a) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
- (b) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum interior side yard width is required.
- (c) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
- (d) That notwithstanding the provisions of Section 5(1)(e)(l) hereof to the contrary, the maximum allowable height for a detached garage shall be 6 metres; and
- (e) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
- (xii) GARAGE LOCATION:
Notwithstanding any other provision of this By-law, hereof to the contrary, no garage shall be located closer than 6 metres to the street line.
(By-Law No. 16-96; 2001-11)
- (xiii) SIGHT TRIANGLES:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R11 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(b) a Linked Dwelling House

(By-Law No. 16-96; 2001-11)

- (i) LOT AREA (minimum):- 320 square metres
- (ii) LOT FRONTAGE (minimum):
 - (a) Corner Lot 10.8 metres
 - (b) Other Lot- 9.0 metres
- (iii) FRONT YARD DEPTH:
 - (a) Minimum- 3 metres
 - (b) Maximum- 6 metres(By-Law No. 16-96; 2001-11)
- iv) EXTERIOR SIDE YARD WIDTH (minimum) 3 metres
- (v) INTERIOR SIDE YARD WIDTH (minimum):
1.2 metres except on the side where the houses are linked, the minimum shall be 0.6 metres; and where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard width shall be 3 metres.
(By-Law No. 16-96; 2001-11)
- (vi) REAR YARD DEPTH (minimum): 7.5 metres
(By-Law No. 16-96; 2001-11)
- (vii) LANDSCAPED OPEN SPACE (minimum): 30%
- (viii) LOT COVERAGE (maximum): 40%
- (ix) HEIGHT OF BUILDING (maximum): 10.5 metres
- (x) DWELLING HOUSES PER LOT (maximum): 1 only
- (xi) ACCESSORY USES, PARKING, ETC:
In accordance with the provisions of Section 5 hereof except:
 - (a) That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
 - (b) That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum interior side yard width is required.
 - (c) That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.

(d) That notwithstanding the provisions of Section 5(1)(e)(I) hereof to the contrary, the maximum allowable height for a detached garage shall be 6 metres; and

(e) That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.

(xii) **GARAGE LOCATION:**

Notwithstanding any other provision of this By-law, hereof to the contrary, no garage shall be located closer than 6 metres to the street line.

(By-Law No. 16-96; 2001-11)

(xiii) **SIGHT TRIANGLES:**

That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated R11 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

(By-Law No. 16-96-1996; 2001-11-2001)

(#64-93) (3) SPECIAL LSR ZONES**(#64-93) (a) SPECIAL REQUIREMENTS (LSR-1):**

- (i) Notwithstanding the provisions of Section 12(1)(a) hereof to the contrary, the lands designated LSR-1 on Schedule "A" attached hereto shall be used for no purpose other than one or more of the following uses: a detached single family dwelling house, a seasonal dwelling house and a farm.
- (ii) Notwithstanding any other provisions of this By-law hereof to the contrary, no buildings or structures, including accessory buildings and structures, other than a fence, shall be located closer than 440 metres to the rear lot line.

(#17-95) (b) SPECIAL REQUIREMENT (LSR-2):

Notwithstanding the provisions of Section 12(2)(m) hereof to the contrary, the lands designated as "LSR-2" on Schedule 'A' attached hereto shall be developed in accordance with the following:

- (i) Direct vehicular access to a legal right-of-way shall be provided in the form of an unobstructed driveway or passageway at least 3.0 metres in width.

(d) SPECIAL REQUIREMENT (LSR-4)

Notwithstanding the provisions of Section 12(1)(b) hereof to the contrary, the lands designated as "LSR-4" on Schedule 'A' attached hereto shall be developed in accordance with the following:

- (i) The permitted uses shall also include:
 - a farm, but not including a specialized farm as defined herein;
 - a home occupation;
- (ii) Direct vehicular access to a legal right-of-way shall be provided in the form of an unobstructed driveway or passageway at least 3.0 metres in width.

(By-Law No. 2002-250)

(e) SPECIAL REQUIREMENT (LSR-5):

Notwithstanding any provisions of Section 12 of the By-Law to the contrary, the lands designated as 'LSR-5' on Schedule 'A' attached hereto and municipally known as 992 Harmony Lane shall be developed in accordance with the following:

(By-law No. 32-74; 2009-91)

12. (3). (e) SPECIAL REQUIREMENT (LSR-5) cont'd:
- (i) Any dwelling, accessory building or private sewer system shall be constructed a minimum of 30.0m away from the shoreline and within the 30.0m setback there shall be no soil disturbance or removal of existing vegetation.
 - (ii) For the purposes of this By-Law, the height of a building shall be measured from the minimum elevation of the finished surface of the ground where it abuts the main building. The maximum height for a dwelling shall be 9.0m, measured to the highest point of the building, exclusive of any roof construction such as a chimney.
 - (iii) The maximum height of any exterior wall shall be 7.0m.
 - (iv) Mansard roofs are not permitted.

(By-law No. 32-74; 2009-91)

SECTION 13**INSTITUTIONAL ZONE (I)****(1) USES PERMITTED**

No person shall within any I Zone use any lot or erect, alter or use any building or structure for any purpose, except one or more of the following I uses, namely:

- (a) RESIDENTIAL USES:
an accessory dwelling house.
- (b) NON-RESIDENTIAL USES:
an animal hospital;
an auditorium;
a cemetery;
a church;
a clinic;
a hospital;
a nursing home;
a private club;
a public use;
a school.

(2) ZONE PROVISIONS

No person shall within any I Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum):
 - (i) Accessory dwelling house 2050 square metres
- (b) LOT FRONTAGE (minimum):
 - (i) Accessory dwelling house 30 metres
- (c) FRONT YARD DEPTH (minimum): 7.5 metres
- (#10-92) (d) EXTERIOR SIDE YARD WIDTH (minimum): - 7.5 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 9 metres,
provided that where the interior side lot line abuts a Commercial or Institutional Zone, no interior side yard is required.
- (f) REAR YARD DEPTH (minimum): - 7.5 metres,
provided that where the rear lot line abuts a zone other than a Commercial or Institutional Zone, the minimum rear yard depth shall be:
 - 10.5 metres
- (g) DWELLING UNIT AREA (minimum): - 80 square metres
- (h) LANDSCAPED OPEN SPACE (minimum): - 30%
- (i) HEIGHT OF BUILDING (maximum): - 12 metres

- (j) DWELLING HOUSES PER LOT (maximum): - 1 only
- (k) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(#11-75) (3) SPECIAL I ZONES

- (a) QUEENS VIVARIUM (I-1):

Notwithstanding the provisions of Section 13(1)(b) hereof to the contrary, the lands designated I-1 on Schedule "A" attached hereto may be used for the production and maintenance of animals needed to meet the requirements of research facilities.

(#19-82)
(#36-82)

- (b) I-2 ZONE:

Notwithstanding the provisions of Sections 13(2) and 5(22) hereof to the contrary, the lands designated I-2 on Schedule "A" hereto shall be developed in accordance with the following provisions:

- (i) Lot Frontage (minimum): - 23 metres
- (ii) Interior Side Yard Width (minimum): - 1 metre
- (iii) Water Setback (minimum): - 1 metre

(#6-88)

- (c) FAIRFIELD (I-3):

Notwithstanding the provisions of Section 5(14)(a) and Section 13(1) hereof to the contrary, the lands designated as I-3 on Schedule "A" hereto shall be used for no purpose other than a nursing home in accordance with the following provision:

- (i) Parking Requirements (minimum): - 1.5 parking spaces per 4 beds or fraction thereof.

(#34-89)

- (d) SPECIAL REQUIREMENTS (I-4):

Notwithstanding any provisions of this By-law to the contrary, the lands designated as I-4 on Schedule "A" hereto shall be used for no other purpose other than a church in accordance with the following provisions:

- (i) Front Lot line:

For the purposes of the I-4 Zone, the western boundary of the zone shall be deemed to be a front lot line.

- (ii) Interior Side Yard Width (minimum): - 9 metres
- (iii) Rear Yard Depth (minimum): - 10.5 metres

- (iv) Planting Strips:

As part of any required yard, five (5) metres adjacent to any lot line shall be used for a sight obscuring buffer in the form of a planting strip.

- (v) Parking:
 - (a) No parking shall be located within any required planting strip.
 - (b) All parking areas shall be provided on the lot occupied by the building(s), structure(s) or use(s) for which the said parking area is required.
 - (c) All parking areas, aisles, and driveways providing ingress and egress shall be paved with an asphaltic or concrete surface.

(#27-91) (e) SPECIAL REQUIREMENTS (I-5):

Notwithstanding the provisions of Section 13(1)(a) and Section 13(1)(b) hereof to the contrary, the lands designated as I-5 on Schedule "A" attached hereto shall be used for no other purpose than one or more of the following uses: a day nursery, a school, a public park, and a public use.

(#67-93) (f) SPECIAL REQUIREMENTS (I-6)

Notwithstanding any provisions of this By-law to the contrary, the lands designated as I-6 on Schedule "A" attached hereto shall be used for no purpose other than a church, an accessory dwelling house, or an accessory dwelling unit in accordance with the following provisions:

- (i) Interior Side Yard Width (minimum): - 7.5 metres
- (ii) Rear Yard Depth (minimum): - 70 metres
- (iii) Height of Building:
 - (a) Minimum - 6 metres
 - (b) Maximum - 12 metres
- (iv) Accessory Uses, Parking, Etc.:

In accordance with the provisions of Section 5 hereof except:

 - (a) No part of any parking area, other than a driveway, shall be located closer than 7.5 metres to a street line or closer than 4 metres to a side lot line.
 - (b) No part of any parking area including a driveway shall be located closer than 7.5 metres to a rear lot line.
 - (c) Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard, provided they are no closer than 1.2 metres to any lot line.
 - (d) There is no minimum height requirement for an accessory use, building, or structure.
- (v) Special Requirement (I-6):

Notwithstanding any provision of this By-Law to the contrary, the minimum number of required on-site parking spaces shall be 156.

(By-law No. 2006-237)

- (#67-93) (g) SPECIAL REQUIREMENTS (I-7):
Notwithstanding any provisions of this By-law to the contrary, the lands designated 'I-7' on Schedule "A" attached hereto shall be used in accordance with the uses and provisions of the 'R5-7' zone or a school in accordance with the following provisions:
- (i) MINIMUM LOT AREA 2.71 hectares
 - (ii) FRONT YARD DEPTH (minimum) 7.5 metres
 - (iii) INTERIOR SIDE YARD(minimum) 10 metres
 - (iv) REAR YARD DEPTH (minimum) 7.5 metres
 - (v) BUILDING HEIGHT
 - (a) Minimum 6 metres
 - (b) Maximum 12 metres
 - (vi) ACCESSORY USES, PARKING ETC.
In accordance with the provisions of Section 5 hereof except:
 - (a) No part of any parking area, other than a driveway, a bus lay-by area, or a maximum of 5 visitor parking spaces, shall be located within a front yard or exterior side yard.
 - (b) No part of any parking area including a driveway shall be located closer than 7.5 metres to an interior side lot line.
 - (c) No part of any parking area, other than a driveway, shall be located within 4 metres of a rear lot line.
 - (d) Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard, provided they are no closer than 1.2 metres to any lot line.
 - (e) There is no minimum height requirement for any accessory use, building, or structure.

(By-Law No. 2004-81)

- (#57-93) (h) SPECIAL REQUIREMENTS (I-8):
Notwithstanding the provisions of Section 13(1)(a), and Section 13(1)(b), hereof to the contrary, the lands designated as I-8 on Schedule "A" attached hereto shall be used for no other purpose than a school or a public use.

SECTION 14**LOCAL COMMERCIAL ZONE (CL)**

(a)

(1) USES PERMITTED

No person shall within any CL Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CL uses, namely:

- (a) RESIDENTIAL USES:
an accessory dwelling unit.
- (b) NON-RESIDENTIAL USES:
a convenience store;
a public use;
a day nursery.

(By-law No. 32-74; 2007-158)

(2) ZONE PROVISIONS

No person shall within any CL Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum):
 - (i) Accessory Dwelling unit - 2050 square metres
- (b) FRONT YARD DEPTH (minimum): - 7.5 metres
- (c) EXTERIOR SIDE YARD WIDTH (minimum): - 7.5 metres
- (d) INTERIOR SIDE YARD WIDTH (minimum): - 9 metres
- (e) REAR YARD DEPTH (minimum): - 7.5 metres
- (f) DWELLING UNIT AREA (minimum):
 - (i) Bachelor dwelling unit - 58.5 square metres
 - (ii) Other dwelling unit - 75 square metres
plus an additional 14 square metres for each bedroom.
- (g) LANDSCAPED OPEN SPACE (minimum): - 30%
- (h) HEIGHT OF BUILDING (maximum): - 9 metres
- (i) DWELLING UNITS PER LOT (maximum): - 1 only
- (j) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(3) SPECIAL CL ZONES

Notwithstanding the provisions of Section 14 hereof to the contrary, the lands designated as 'CL-1' on Schedule "A" attached hereto may be used in accordance with the following provisions:

No person shall within any 'CL-1' Zone use any lot to erect, alter or use for any purpose except one or more of the following 'CL-1' uses, namely:

- (a) Residential Uses: A maximum of two (2) dwelling units.
- (b) Non-residential Uses: Convenience store; A public use; Antique store; Art gallery; Artisans studio; Boutique; Clock shop; and Professional offices (medical doctor's office, lawyer, or surveyor).

ZONE PROVISIONS

No person shall within the 'CL-1' Zone use the lot and existing building to erect, alter or use for any purpose except in accordance with the following provisions:

- | | | |
|-----|----------------------------------|--|
| (a) | Lot area (minimum) | 1100m ² |
| (b) | Front yard depth (minimum) | 7.5 meters |
| (c) | Exterior side yard (minimum) | 7.5 meters |
| (d) | Interior side yard (minimum) | 4.5 meters |
| (e) | Rear yard depth (minimum) | 4 meters |
| (f) | Landscaped open space (minimum) | 30% |
| (g) | Height of building (maximum) | 9 m; 4.7 m on the easterly 6m of the existing building |
| (h) | Dwelling units per lot (maximum) | 2 only |
| (i) | Parking (maximum) | 6 parking spaces
(By-Law No. 2002-251) |

(aa) BARRIER FREE VEHICLE PARKING

- (i) In any zone, the required number of parking spaces shall include the provision of barrier free vehicle parking spaces for the use of physically disabled persons in the minimum quantity specified below:
(By-law No. 32-74; 2007-158)

(aa) cont'd:

INDUSTRIAL, COMMERCIAL OR RESIDENTIAL AND INSTITUTIONALTable 1 - Industrial

Total Required Parking Spaces	Number of Required Barrier Free Vehicle Parking Spaces
5 - 19	1
20 - 100	2
101 - 200	4
201 - 300	6
301 - 400	8
401 - 500	10
more than 500	12

Table 2 - Commercial or Residential

Total Required Parking Spaces	Number of Required Barrier free Vehicle Parking Spaces
5 - 19	1
20 - 50	2
51 - 100	4
101 - 150	6
151 - 200	8
201 - 250	10
251 - 300	12
301 - 400	14
more than 400	1 additional space per 100 required spaces

Table 3 - Institutional

Total Required Parking Spaces	Number of Required Barrier free Vehicle Parking Spaces
5 - 9	1
10 - 20	2
21 - 40	4
41 - 60	6
61 - 80	8
81 - 100	10
101 - 120	12
121 - 140	14
141 - 160	16
more than 160	18

(By-law No. 32-74; 2007-158)

(aa) cont'd:

(ii) ADDITIONAL REGULATIONS

The following regulations shall also apply to barrier free vehicle parking spaces:

- (a) the barrier free vehicle parking spaces shall have minimum rectangular dimensions of 3.7 metres (12 feet) width by 6.0 metres (20 feet) in length, and if two adjacent spaces are designated for the disabled, then the total width of both spaces together may be 6.4 metres (21 feet) if a 1.5 metres (5 feet) wide access aisle separates the two spaces. If no access aisle separates the spaces, the total width of the two spaces shall be 7.4 metres (24 feet);
- (b) all barrier free vehicle parking spaces shall be painted blue and be marked by an identifying marker consisting of the International Symbol for the disabled;
- (c) if accessible parking spaces for side lift vans are provided, each space shall be at least 4.9 metres (16 feet) wide;
- (d) a standard parking space parallel to the curb shall constitute an acceptable parking space providing it allows individuals to get in and out of either side of a vehicle and providing a sidewalk wheelchair ramp is located nearby;
- (e) a minimum vertical clearance of 2.9 metres (10 feet) shall be provided at accessible parking spaces, passenger loading zones, and along access routes;
- (f) gradient for a barrier free vehicle parking space shall not exceed five (5) per cent;
- (g) wheelstops shall be placed to provide a minimum 0.8 metres clear space for wheelchair access;
- (h) barrier free vehicle parking spaces shall be the spaces located closest to the nearest accessible entrances(s) of the building on an accessible route;
- (i) curb ramps, where required, shall be provided to permit access from the parking area to the sidewalk.

(By-law No. 32-74; 2007-158)

SECTION 15**GENERAL COMMERCIAL ZONE (C)****(1) USES PERMITTED**

No person shall within any C Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following C uses, namely:

- (a) RESIDENTIAL USES:
prohibited.
- (b) NON-RESIDENTIAL USES:
an auditorium;
a beverage room;
a business office;
a commercial club;
a day nursery;
a dry cleaning or laundry outlet;
a gasoline retail facility;
a laundromat;
a merchandise service shop;
a personal service shop;
a private club;
a professional office;
a public use;
a recreational establishment;
a restaurant;
a retail store.

(By-law No. 32-74; 2007-158)

(2) ZONE PROVISIONS

No person shall within any C Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - 930 square metres
- (b) FRONT YARD DEPTH (minimum): - 7.5 metres
- (c) EXTERIOR SIDE YARD WIDTH (minimum): - 7.5 metres
- (d) INTERIOR SIDE YARD WIDTH (minimum): - 9 metres,
provided that where the interior side lot line abuts a Commercial or Institutional Zone, no interior side yard is required.
- (e) REAR YARD DEPTH (minimum): - 7.5 metres,
provided that where the rear lot line abuts a zone other than a Commercial or Institutional Zone, the minimum rear yard depth shall be 10.5 metres.
- (f) LANDSCAPED OPEN SPACE (minimum): - 20%

- (g) HEIGHT OF BUILDING (maximum): - 10.5 metres
- (h) GASOLINE PUMP ISLAND LOCATION:
Notwithstanding any other provisions of this By-law to the contrary, a gasoline pump island accessory to a permitted use may be located within any front yard or exterior side yard provided:
- (i) The minimum distance between any portion of the gasoline pump island and any lot line shall be 4.5 metres.
- (ii) Where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 3 metres to a sight triangle.
- (i) OPEN STORAGE:
No open storage of goods or materials shall be permitted except in accordance with the following provisions:
- (i) Every open storage use shall be accessory to the use of the main building on the lot.
- (ii) An open storage use shall only be permitted in a rear yard.
- (iii) Every open storage use shall be concealed from view from abutting streets by a fence, wall or similar structure.
- (iv) No open storage use shall cover more than 35% of the lot area.
- (j) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(#35-79) (3) SPECIAL C ZONES

- (a) ICE CREAM RETAIL AND WAREHOUSING FACILITY (C-1):
Notwithstanding any provisions of this By-law to the contrary, the lands designated as C-1 on Schedule "A" hereto may be used for an ice cream retail outlet and an ice cream products warehouse used in conjunction with such retail outlet.

- (#37-80) (#36-82) (b) COMMERCIAL CENTRE (C-2):
Notwithstanding any provisions of this By-law to the contrary, the lands which are designated as C-2 on Schedule "A" hereto shall be used for no purpose other than a shopping centre consisting of any of the uses permitted by Section 15(1)(b) hereof, and a Day Care Centre and Day Nursery, provided that the said lands shall be in accordance with the provisions of Schedule "B-3" hereto, and further provided that the provisions of Section 5(16) of this By-Law shall not apply.
(By-Law No. 16-97-1997; 98-192-1998)

- (i) Front Yard Depth (minimum): 18.0 metres

- (ii) Interior Side Yard Width (minimum): 18.0 metres
provided that where the interior side lot line abuts a Commercial or Institutional Zone, the interior side yard width may be reduced to 3.0 metres.
- (iii) Rear Yard Depth (minimum): 22.5 metres
- (iv) Gross Floor Area (maximum): 8,000 square metres
- (v) Parking Areas
 - (a) Parking shall be provided on the basis of 1 space per 18 every 18 square metres of gross floor area.
 - (b) Within the C-2 Zone, required parking may form a part of public and private streets or lanes.
 - (c) The required parking area may be provided on another lot not occupied by the building, structure or use of which the said parking is required provided that such a parking area is not more than 250 metres from the lot requiring the parking area.
- (vi) Landscaped Open Space
 - (a) A 4.5 metre-wide landscaped open space area long the northern and southern boundary of the C-2 Zone shall be required.
 - (b) The requirements of Section 5(16) shall not apply to the C-2 Zone.

(By-Law No. 16-97-1997)

- (#5-86) (c) LESAGE PROPERTY (C-3):
Notwithstanding the provisions of Section 15(1)(b) hereof to the contrary, the lands designated as C-3 on Schedule "A" attached hereto may also be used for a convenience store.
- (#23-86) (d) ROY'S PET SHOP (C-4):
Notwithstanding the provisions of Section 15(1)(a), Section 15(1)(b), Section 15(2)(b), Section 15(2)(c), and Section 15(2)(e) hereof to the contrary, the lands designated as C-4 on Schedule "A" attached hereto shall be used for no purpose other than a retail pet shop operation and a single family dwelling house in accordance with the following provisions:
 - (i) Front Yard Depth (minimum): - 6 metres
 - (ii) Exterior Side Yard Depth (minimum): - 3 metres
 - (iii) Rear Yard Depth (minimum): - 6 metres

(#45-86)
 (#66-88)

(e) PITCO PROPERTY (C-5):

Notwithstanding any provisions of this By-law to the contrary, the lands which are designated as C-5 on Schedule "A" attached hereto may also be used for a shopping centre consisting of any of the uses permitted by Section 15(1)(b) hereof, including a convenience store, and shall be developed in accordance with the following provisions:

(i) For the purpose of the C-5 Zone, a recreational establishment shall not include an arcade or video machine entertainment centre.

(ii) Interior Side Yard (minimum): - 9 metres

For the purpose of the C-5 Zone, the southern boundary of the Zone shall be deemed to be a side lot line.

(iii) Rear Lot line:

For the purpose of the C-5 Zone, the western boundary of the Zone shall be deemed to be a rear lot line.

(iv) Parking Area (minimum): - 90 spaces

(#67-93)

(f) SPECIAL REQUIREMENTS (C-6):

Notwithstanding any provisions of this By-law to the contrary, the lands designated as C-6 on Schedule "A" attached hereto shall be used for no purpose other than an apartment dwelling unit, a business office, a clinic, a convenience store, a day nursery, a dry cleaning or laundry outlet, a laundromat, a personal service shop, a professional office, a public use, a restaurant, a rental store, a row dwelling house, a take-out restaurant, in accordance with the following provisions:

(i) A row dwelling unit shall only be permitted in accordance with the provisions of the R6-2 Zone.

(ii) The maximum number of row dwelling houses permitted in the C-6 Zone shall be 10.

(iii) An apartment dwelling unit shall only be permitted above a first storey non-residential use.

(iv) An apartment dwelling unit shall have access at grade which is separate from the access for non-residential uses.

(v) Lot Area (minimum): - 0 square metres

(vi) Front Yard Depth (minimum): - 0 metres

(vii) Exterior Side Yard Width (minimum): - 0 metres

- (viii) Interior Side Yard Width (minimum): - 7.5 metres,
provided that where the interior side lot line abuts a Commercial or Institutional Zone, the interior side yard width may be reduced to 3.0 metres.
 - (ix) Rear Yard Depth (minimum): - 7.5 metres,
provided that where the rear lot line abuts a Commercial or Institutional Zone, the rear yard depth may be reduced to 3.0 metres.
 - (x) Landscaped Open Space (minimum): - 10%
 - (xi) Height of Building:
 - (a) Minimum: - 8 metres
 - (b) Maximum: - 12 metres
 - (xii) Open Storage:
No open storage is permitted.
 - (xiii) Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof except:
 - (a) There is no minimum height requirement for an accessory use, building, or structure.
 - (b) No part of any parking area, other than a driveway, shall be located within a front yard or exterior side yard.
 - (c) No part of any parking area shall be located closer than 3.0 metres to any lot line.
 - (d) No driveway shall be located closer than 3.0 metres to an interior side lot line or a rear lot line.
 - (xiv) The total gross floor area of all non-residential uses shall not exceed 1000 square metres.
 - (xv) The gross floor area of any individual business premise shall not exceed 350 square metres.
 - (xvi) Sight Triangles:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated C-6 on Schedule "A" attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.
- (#9-91)(#52-95) (g) SPECIAL REQUIREMENTS (C-7-H):
Notwithstanding any provisions of this By-law to the contrary, the lands which are designated as C-7-H on Schedule "A" attached hereto shall be used for no purpose other than a business office, a commercial club, a dry cleaning or laundry outlet, a gasoline retail facility, a laundromat, a merchandise service shop, a personal service shop, a private club, a professional office, a public use, a recreational establishment, a

restaurant, a retail store, an accessory dwelling unit, a shopping centre consisting of any of the uses listed above, and shall be developed in accordance with the following provisions:

- (i) Interior Side Yard (minimum): - 9 metres,
provided that where the interior side lot line abuts an Open Space Zone, the interior side yard may be reduced to 3.0 metres.
- (ii) Rear Yard Depth (minimum): - 7.5 metres
- (iii) Landscaped Open Space (minimum): - 30%
- (iv) Notwithstanding the provisions of Section 15(2)(i) to the contrary, no open storage of goods or materials shall be permitted.
- (v) Notwithstanding the provisions of Section 15(2)(j) to the contrary, no part of any parking area other than a driveway shall be permitted within 4 metres of a front lot line and no part of any parking area including a driveway shall be located within 4 metres of a rear lot line nor within 7 metres of a side lot line abutting a Residential Zone nor within 1 metre of a side lot line abutting an Open Space Zone.

SECTION 16**HIGHWAY COMMERCIAL ZONE (CH)****(1) USES PERMITTED**

No person shall within any CH Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CH uses, namely:

- (a) **RESIDENTIAL USES:**
 - an accessory dwelling house;
 - an accessory dwelling unit.

- (b) **NON-RESIDENTIAL USES:**
 - an automobile service station;
 - a day nursery;
 - a drive-in restaurant;
 - a home occupation;
 - a motel;
 - a nursery/garden centre/greenhouse;
 - a public use;
 - a retail outlet accessory to a permitted use;
 - a rental cabin;
 - a restaurant;
 - a vehicle sales or rental establishment.

(By-Law No. 32-74; 2005-211; 2007-158)

(2) ZONE PROVISIONS

No person shall within any CH Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) **LOT AREA (minima):**
 - (i) Accessory dwelling house or accessory dwelling unit - 2050 square metres
 - (ii) Automobile service station - 2050 square metres
 - (iii) Motel or rental cabins - 2785 square metres, plus an additional 185 square metres for each guest room or rental cabin in excess of 4.
 - (iv) Other uses - 930 square metres

- (b) **LOT FRONTAGE (minima):**
 - (i) Accessory dwelling house - 30 metres
 - (ii) Automobile service station - 38 metres
 - (iii) Motel or rental cabins - 46 metres

- (c) FRONT YARD DEPTH (minima):
- (i) Automobile service station - 12 metres
 - (ii) Motel or rental cabins - 12 metres
 - (iii) Other uses - 7.5 metres
- (d) EXTERIOR SIDE YARD WIDTH (minima):
- (i) Automobile service station - 12 metres
 - (ii) Other uses - 7.5 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 6 metres,
provided that where the interior side lot line abuts a zone other than a Commercial or Institutional Zone, the minimum interior side yard width shall be 9 metres.
- (f) REAR YARD DEPTH (minimum): - 7.5 metres,
provided that where the rear lot line abuts a zone other than a Commercial or Institutional Zone, the minimum rear yard depth shall be 10.5 metres.
- (g) LANDSCAPED OPEN SPACE (minimum): - 20%
- (h) HEIGHT OF BUILDING (maximum): - 10.5 metres
- (i) HABITABLE ROOM WINDOW:
Where the exterior wall of a motel or rental cabin contains a first storey habitable room window, such wall shall be located no less than 9 metres from any interior side lot line or rear lot line.
- (j) DISTANCE BETWEEN BUILDINGS:
Where more than one motel building or rental cabin is erected on the same lot, the minimum distance between buildings shall not be less than 15 metres; provided that where 2 external walls facing and parallel to each other contain no openings or windows to habitable rooms, the distance between such 2 walls may be reduced to 3 metres.
- For the purpose of the foregoing, such external walls having an angle of divergence not more than 85 degrees shall be deemed to face and be parallel to each other.
- In the above paragraph, "angle of divergence" means the interior acute angle formed by and lying between such 2 external walls or their projection.
- (k) GASOLINE PUMP ISLAND LOCATION:
Notwithstanding any other provisions of this By-law to the contrary, a gasoline pump island accessory to a permitted use may be located within any front yard or exterior side yard provided:
- (i) the minimum distance between any portion of the gasoline pump island and any lot line shall be 4.5 metres; and
 - (ii) where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 3 metres to a sight triangle.

- (l) **DRIVEWAYS FOR AUTOMOBILE SERVICE STATIONS:**
Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to driveways on any lot used as an automobile service station:
- (i) The maximum width of a driveway, measured along the street line shall be 9 metres.
 - (ii) The minimum distance between driveways measured along the street line intersected by such driveways shall be 7.5 metres.
 - (iii) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 9 metres.
 - (iv) The minimum distance between an interior side lot line and any driveway shall be 3 metres.
 - (v) The interior angle, formed between the street line and the centre line of any driveway, shall not be less than 45 degrees.
- (m) **ACCESSORY USES, PARKING, ETC.:**
In accordance with the provisions of Section 5 hereof.

(#19-79) (3) SPECIAL CH ZONES
(#36-82)

- (a) **ANTONAKOS RESTAURANT (CH-1):**
Notwithstanding any provisions of this By-law to the contrary, the lands designated CH-1 on Schedule "B-2" hereto shall be used for no purpose other than a restaurant and an accessory dwelling house in accordance with the provisions of Schedule "B-2" hereto.

- (#16-83) (b) **ST. LAWRENCE COMMUNITY (CH-2):**
Notwithstanding the provisions of Section 16(1)(b) hereof to the contrary, the lands designated CH-2 on Schedule "A" hereto shall be used for no other purpose than one or more of the following uses: a home occupation, a motel, a nursery/garden centre/greenhouse, a public use, a retail outlet accessory to a permitted use, a rental cabin, a restaurant.

(By-Law No. 2005-211)

- (#34-84) (c) **HIGHWAY SERVICE CENTRE (CH-3):**
Notwithstanding any provisions of this By-law to the contrary, the lands designated CH-3 on Schedule "A" attached hereto shall be used for no purpose other than a highway service centre in accordance with the following definitions:

- (i) "Highway Service Centre" means an establishment providing a restaurant and engaged in the retail sale of fuel and/or lubricants for motor vehicles, including commercial motor vehicles, but not including a snowmobile or motorized snow vehicle. Accessory uses may include a business office, a tourist information facility,

and minor maintenance or repair operations for motor vehicles and commercial motor vehicles, other than body work or painting.

- (ii) "Commercial Motor Vehicle" means a motor vehicle having attached thereto a truck or delivery body and includes an ambulance, a hearse, a bus, fire fighting apparatus, and a tractor used for hauling purposes on a public highway or public road.

(#26-85)
(#49-94)

- (d) MINAKER'S NURSERY (CH-4):
Notwithstanding the provisions of Section 16(1)(b) hereof to the contrary, the lands designated CH-4 on Schedule "A" hereto shall be used for no purpose other than one or more of the following uses: a fruit and vegetable cart, an indoor country market, a home occupation, a motel, a nursery/garden centre/greenhouse, a public use, a rental cabin, and a restaurant, in accordance with the following provisions:

(By-Law 2005-211)

- (i) Interior Side Yard Width (minima):
- (a) No interior side yard is required where lots abut within the CH-4 zone.
- (b) On the eastern boundary of the CH-4 zone, the minimum interior side yard width shall be 2 metres from an existing dwelling house.

(#49-94)

- (ii) Fruit and Vegetable Cart:
- (a) up to one fruit and vegetable cart not exceeding 10 square metres of lot coverage is permitted provided that:
- (i) it is located no closer than 1 metre to the front lot line;
- (ii) it is in use not more than 5 months of each calendar year; and
- (iii) during the months it is not in use, it is not located in the front yard.

(#49-94)

- (iii) Indoor Country Market:
- (a) a country market is permitted provided that:
- (i) it is located wholly indoors;
- (ii) the sale of items is limited to: vegetables, fruits, jams, jellies, syrups, baked goods, eggs, honey, potted plants, crafts, or antiques; and
- (iii) the gross floor area does not exceed 250 square metres.

(#36-87)

- (e) VIRKE (CH-5) - Repealed by OMB March 9, 1988

- (#41-87) (f) STENSON'S (CH-6):
Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as CH-6 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Uses Permitted:
A convenience store and the uses permitted in Section 16(1)(a) and Section 16(1)(b).
 - (ii) Special Provision:
Where, at the time of passing of this By-law, any existing building or structure is not in conformity with the yard or setback requirements of Zoning By-law 32-74, the existing yard or setback shall be deemed to be the required yard or setback, only insofar as it affects the existing building or structure. Any alteration to a structure or building shall be in conformity with Section 5 and Section 16 of Zoning By-law 32-74 as amended as the same shall then exist.
- (#40-87) (g) CONVENIENCE STORE (CH-7):
(#74-93) Notwithstanding the provisions of Section (16)(1)(b) hereof to the contrary, the lands designated CH-7 on Schedule "A" attached hereto may also be used for a convenience store.
- (#28-92) (h) SPECIAL REQUIREMENTS (CH-8):
Notwithstanding any provisions of this By-law to the contrary, the lands designated CH-8 on Schedule "A" hereto shall be used for no other purpose than a motel, an accessory dwelling house, or a public use, in accordance with the following provisions:
- (i) Interior Side Yard Width (minimum):
 - (a) on the southern boundary of the CH-8 Zone, the minimum interior side yard shall be 6 metres.
 - (i) SPECIAL REQUIREMENT (CH-9):
Notwithstanding the provisions of Section 16(1)(a) and Section 16(1)(b) hereof to the contrary, the lands designated as "CH-9" on Schedule "A" attached hereto, may be used for: a business office, a personal service shop, a professional office, a retail store, a day nursery/garden centre/greenhouse, a recreational establishment, a merchandise service shop or a flea market.

(By-Law No. 49-96-1996; 2005-211)
 - (j) Special Requirement (CH-10), Highland Motel
Notwithstanding the provisions of Section 16(1)(b) to the contrary, the lands designated "CH-10" on Schedule "A" attached shall be used for no other purpose than one or more of the following uses: a home occupation, a motel, a nursery, a public use, a retail outlet accessory to a permitted use, a rental cabin or a restaurant.

(32-74; 99-225)

- (k) Highway Commercial Zone:
 On the approximately 8 hectares parcel of land known municipally as 2611 Isle of Man Road and zoned as 'CH-12-H' on Schedule A, Zoning Map No. 1 attached to and forming part of amending By-Law No. 2008-66:
 (By-law No. 32-74; 2008-67)

NOTE: By-law No. 2008-67: APPEAL FILED TO OMB and WITHDRAWN - July 8, 2008

(3) (k) cont'd SPECIAL CH ZONES

Notwithstanding any provisions of the By-Law to the contrary, the lands identified as 'CH-12-H' Zone on Schedule "A" attached hereto, shall be used for no other purpose than a retail nursery, accessory retail uses associated with a retail nursery use, accessory outdoor and open storage use associated with a retail nursery use, an accessory dwelling unit and small scale retail uses not exceeding 100 square metres.

That the use and removal of the '-H' Symbol on the rear portion of the lands shall be in accordance with the regulations of Section 5(24) of the Zoning By-Law and that prior to the removal of the '-H' Symbol and any redevelopment of the lands the following provisions shall be complied with:

- a) that prior to the establishment of a 'permitted use' on the subject property that the developer verify, to the satisfaction of the City of Kingston, the method for obtaining adequate quantity and quality of water for the use; and
- b) that prior to drilling a well for any permitted use the developer shall complete a hydro-geologic study verify, to the satisfaction of the City of Kingston, that there is adequate quantity and quality water supply for the proposed use.

(By-law No. 32-74; 2008-67)

NOTE: By-law No. 2008-67:
 APPEAL FILED TO OMB and WITHDRAWN - July 8, 2008

(L) SPECIAL REQUIREMENT (CH-11) Highway No. 15:

Notwithstanding any provision of Section 16(1) to the contrary lands zoned as CH-11 on Schedule 'A', Map 4, and also shown on Schedule 'A' of By-Law No. 2006-109 may also be used for a "Car Wash". A privacy fence shall be installed to separate any non-residential uses from an abutting residential zone. 2006-109

(By-law No. 32-74; 2006-109)

SECTION 17**TOURIST COMMERCIAL ZONE (CT)****(1) USES PERMITTED**

No person shall within any CT Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CT uses, namely:

- (a) **RESIDENTIAL USES:**
 - an accessory dwelling house;
 - an accessory dwelling unit.
- (b) **NON-RESIDENTIAL USES:**
 - a convenience store;
 - a day nursery;
 - a home occupation;
 - a hotel;
 - a marina;
 - a motel;
 - a public use;
 - a rental cabin;
 - a restaurant;
 - a take-out restaurant.

(By-law No. 32-74; 2007-158)

(2) ZONE PROVISIONS

No person shall within any CT Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) **LOT AREA (minima):**
 - (i) Accessory dwelling house or accessory dwelling unit - 2050 square metres
 - (ii) Tourist establishment - 2785 square metres, plus an additional 185 square metres for each guest room or rental cabin in excess of 4.
- (b) **LOT FRONTAGE (minima):**
 - (i) Accessory dwelling house - 30 metres
 - (ii) Tourist establishment - 46 metres
- (c) **FRONT YARD DEPTH (minima):**
 - (i) Tourist establishment - 12 metres
 - (ii) Other uses - 7.5 metres
- (d) **EXTERIOR SIDE YARD WIDTH (minimum):** - 7.5 metres,
- (e) **INTERIOR SIDE YARD WIDTH (minimum):** - 6 metres,

provided that where the interior side lot line abuts a zone other than a Commercial or Institutional Zone, the minimum interior side yard width shall be 9 metres.

- (f) REAR YARD DEPTH (minimum): - 7.5 metres,
provided that where the rear lot line abuts a zone other than a Commercial or Institutional Zone, the minimum rear yard depth shall be 10.5 metres.
- (g) LANDSCAPED OPEN SPACE (minimum): - 20%
- (h) HEIGHT OF BUILDING (maximum): - 12 metres
- (i) HABITABLE ROOM WINDOW:
Where the exterior wall of a tourist establishment contains a first storey habitable room window, such wall shall be located no less than 9 metres from any interior side lot line or rear lot line.
- (j) DISTANCE BETWEEN BUILDINGS:
Where more than one tourist establishment building is erected on the same lot, the minimum distance between buildings shall not be less than 15 metres; provided that where 2 external walls facing and parallel to each other contain no openings or windows to habitable rooms, the distance between such 2 walls may be reduced to 3 metres.

For the purpose of the foregoing, such external walls having an angle of divergence not more than 85 degrees shall be deemed to face and be parallel to each other.

In the above paragraph, "angle of divergence" means the interior acute angle formed by and lying between such 2 external walls or their projection.
- (k) OPEN STORAGE:
No open storage of goods or materials shall be permitted except in accordance with the following provisions:
 - (i) Every open storage use shall be accessory to the use of the main building on the lot.
 - (ii) An open storage use shall only be permitted in a rear yard.
 - (iii) Every open storage use shall be concealed from view from abutting streets by a fence, wall or similar structure.
 - (iv) No open storage use shall cover more than 35% of the lot area.
 - (v) The open storage provisions of this subsection shall not apply to marinas.
- (l) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

- (3) SPECIAL CT ZONES
- (a) TRAILER PARK (CT-1):
Notwithstanding any provisions of Section 17(1) hereof to the contrary, the lands designated CT-1 on Schedule "A" hereto may be used for an existing trailer park.
- (b) CAMPING GROUND (CT-2):
Notwithstanding any provisions of Section 17(1) hereof to the contrary, the lands designated CT-2 on Schedule "A" hereto may be used for an existing camping ground.
- (#18-88) (c) TRAILER PARK (CT-3)
Repealed by By-law #18-88.
- (#11-75) (d) TOUR BOAT OPERATIONS (CT-4):
Notwithstanding any provisions of Section 17(1)(b) hereof to the contrary, the lands designated CT-4 on Schedule "A" attached hereto may be used for tour boat operations including a souvenir shop and accessory office facilities, and a tourist floating dwelling house.
- (#40-93)
- (#38-76) (e) RENTAL CABINS (CT-5):
Notwithstanding the provisions of Section 17(1) hereof to the contrary, the lands designated as CT-5 on Schedule "A" hereto shall be used for no purpose other than a rental cabin.
- (#18-88) (f) RIDEAU ACRES CAMPGROUND (CT-6H):
Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as CT-6 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Uses Permitted:
An accessory dwelling house, an accessory dwelling unit, a tent, a trailer park, a recreational facility and a Park Model Home.
- Park Model Homes are subject to the following:
- (a) the maximum number of Park Model Homes shall be 31;
- (b) no person shall reside in or otherwise use or occupy any Park Model Home from January 1 to march 31 inclusive of any year;
- (c) additions may be made to a Park Model Home provided no more than 48 square metres of gross floor area is added to any Park Model Home;
- (d) all Park Model Homes shall comply with Canadian Standards Association Standards Z241."
(By-Law No. 5-97-1997)
- (ii) Lot Frontage - 12 metres
- (iii) "Recreational Facility" means a building or structure or specified area planned for, used for or related to recreational, social or cultural activities whether indoors or outdoors and shall include playgrounds, parks, swimming pools, halls, tennis courts, shelters, and similar uses.

- (iv) Camp Lots:
 - (a) "Camp Lots" means a parcel of land within a trailer park designated for occupancy by a travel trailer.
 - (b) Maximum Number of Camp Lots - 289
 - (c) Minimum Camp Lot Area - 185 square metres per camp lot.
- (v) Parking Areas:
 - (a) 1 parking space for each camp lot, to be located on each camp lot.
 - (b) 1 parking space per 10 camp lots to be provided for visitor parking.
 - (c) Parking space requirements for recreational facilities shall be those identified for recreational establishments.
- (vi) Vehicular Driveways:

All driveways established for the purpose of accommodating vehicular traffic shall have a minimum width of 6.096 metres for two-way traffic and 3.048 metres for one way traffic.
- (vii) Minimum Elevation:

No building or structure shall be erected below a minimum elevation of 89.22 metres geodetic.
- (viii) Special Provisions:

No recreational facility or camp lot shall be located closer than 30 metres to any lot line which abuts a residential use or undeveloped land in a residential zone.

SECTION 17A**MIXED VILLAGE CENTRE ZONE (MVC)****(1) USES PERMITTED**

No person shall within any MVC Zone use any lot or erect, alter or use any row building except for one or a combination of the following uses:

- A day nursery;
- A dwelling unit;
- A dwelling house;
- A business office;
- A personal service shop;
- A professional office;
- A public use;
- A retail store.

(By-law No. 32-74; 2007-158)

(2) ZONE PROVISIONS

No person shall within any MVC Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - 180 square metres
- (b) LOT FRONTAGE (minimum):
 - (i) Corner Lot - 9.1 metres
 - (ii) Other Lot - 6.1 metres
- (c) FRONT YARD DEPTH:
 - (i) Minimum - 0 metres
 - (ii) Maximum - 3 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 3 metres,
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 0 metres,
where the building shares a common wall with any building on an adjacent lot.
- (f) INTERIOR SIDE YARD WIDTH (minimum): - 2 metres except
where the building shares a common wall with any building on an adjacent lot
- (g) REAR YARD DEPTH (minimum): - 12.5 metres
- (h) UNIT AREA (minimum): - 130 square metres
- (i) HEIGHT OF BUILDING
 - (i) Minimum - 8 metres
 - (ii) Maximum - 12 metres
- (j) NUMBER OF STOREYS;
 - (i) Minimum - 2
 - (ii) Maximum - 3

- (k) DWELLING UNITS PER LOT (maximum): - 2
- (l) ACCESSORY USES, ETC.:
In accordance with the provisions of Section 5 hereof except:
- (i) Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard.
 - (ii) There is no minimum height requirement for an accessory use, building or structure, except that a garage may not exceed 1 storey in height.
 - (iii) the maximum width of any driveway shall be 3.0 metres.
- (m) SPECIAL PROVISION:
There shall be a minimum of three and a maximum of eight attached row buildings in one continuous row.
- (n) GARAGE LOCATION:
- (i) Notwithstanding any other provision of this By-law hereof to the contrary, garages shall only be permitted to be located in the rear yard.
 - (ii) Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 6.0 metres to the rear wall of any dwelling.
 - (iii) Notwithstanding any other provision of this By-law hereof to the contrary, no garage shall be located closer than 0.5 metres to the rear lot line.
 - (iv) Notwithstanding any other provision of this By-law hereof to the contrary, garages shall be accessed from the rear lot line.
- (o) PARKING AREAS:
- (a) Within the MVC Zone, required parking may form a part of public and private streets or lanes.
 - (b) The required parking area may be provided on another lot not occupied by the building, structure or use of which the said parking is required, provided that such a parking area is not more than 250 metres from the lot requiring the parking area.
- (p) LANDSCAPED OPEN SPACE:
A 4.5 metre-wide landscaped open space area along the northern boundary of the MVC Zone shall be required.
- (q) SIGHT TRIANGLES:
That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands designated MVC on Schedule 'A' attached hereto, shall measure the sight triangle 3 metres from the point of intersection of the street lines.

- (r) LOCATION OF RETAIL AND SERVICE SHOPS:
Retail or service shop uses shall be located within the first storey of a row building.
- (s) GROSS FLOOR AREA OF RETAIL AND SERVICE SHOPS:
The total gross floor area of all retail and service shops shall not exceed 2,000 square metres.
- (t) GROSS FLOOR AREA OF NON-RESIDENTIAL USES:
The total gross floor area of all non-residential uses shall not exceed 3,300 square metres.

(3) SPECIAL MVC ZONES

- (a) SPECIAL REQUIREMENTS (MVC-1):
Notwithstanding any provisions of this By-law hereof to the contrary, the and designated MVC-1 on Schedule 'A' hereto shall be used for no purpose other than a library, dwelling unit, dwelling house, business office, professional office, or a public use in accordance with the following provisions:

- (i) Rear Yard Depth (minimum): 22.5 metres
- (ii) Gross Floor Area of Non-Residential uses:
The total gross floor area of business or professional office uses shall not exceed 500 square metres.
- (iii) Landscaped Open Space
A 4.5 metre-wide landscaped open space area along the southern boundary of the MVC-1 Zone shall be required.
- (iv) All other zone provisions shall be in accordance with Section 17A(2).

(By-Law No. 16-97-1997)

- (b) SPECIAL REQUIREMENTS (MVC-2):

1. Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 17A for the 'MVC' Zone shall apply to the 'MVC-2' zone except that:
 - (a) ADDITIONAL PERMITTED USE: bank or financial institution
 - (b) MAXIMUM FRONT YARD DEPTH: 23.5 metres
 - (c) MINIMUM REAR YARD DEPTH: 7.1 metres
 - (d) MINIMUM HEIGHT OF BUILDING: 5.2 metres
 - (e) MINIMUM NUMBER OF STOREYS: 1
 - (f) THERE SHALL BE NO MINIMUM NUMBER OF ROW BUILDINGS
 - (g) PARKING: Parking shall be required on the basis of 1 space per 18 square metres of gross floor area
 - (h) A minimum 3 metre wide planting strip shall be provided along the north and south lot line
 - (i) A drive through service facility accessory to a bank or financial institution use is permitted.

(By-Law No. 32-74; 2009-115)

SECTION 18

RESTRICTED INDUSTRIAL ZONE (M1)(1) USES PERMITTED

No person shall within any M1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following M1 uses, namely:

- (a) RESIDENTIAL USES:
an accessory dwelling house.
- (b) NON-RESIDENTIAL USES:
an assembly plant;
a factory outlet;
a manufacturing plant;
a merchandise service shop;
a parking lot;
a public use;
a transformer station;
a warehouse.

(2) ZONE PROVISIONS

No person shall within any M1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum):
 - (i) Accessory dwelling house - 2050 square metres
- (b) REQUIRED YARDS (minima):

	<u>Abutting Industrial Zone</u>	<u>Abutting Any Other Zone</u>
(i) Front	15 metres	24 metres
(ii) Exterior side	15 metres	24 metres
(iii) Interior side	3 metres	12 metres
(iv) Rear	7.5 metres	15 metres

provided that no interior side or rear yard is required along any portion of a lot line which abuts a railroad right-of-way.

- (c) LANDSCAPED OPEN SPACE (minimum): - 10%
- (d) HEIGHT OF BUILDING (maximum): - 12 metres
- (e) OPEN STORAGE:
No open storage of goods or materials shall be permitted.
- (f) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(#30-88) (3) SPECIAL M1 ZONES:

(#30-88) (a) THOMPSON (M1-1):

Notwithstanding any provisions to this By-law hereof to the contrary, the lands designated as M1-1 on Schedule "A" hereto shall be developed in accordance with the following provisions:

(i) Uses Permitted:

Uses which are or may become obnoxious or offensive by reason of emission of odour, smoke, dust, noise, gas, fumes, cinders, vibration, refuse matter or water carried waste or which are or may become explosive, are specifically excluded. Subject to this qualification, the following uses are permitted:

- an accessory dwelling unit
- a bakery
- a business office
- an equipment rental establishment
- a factory outlet
- a farm equipment sales establishment
- a garden centre
- an industrial mall
- a manufacturing plant
- a merchandise service shop
- a personal service shop
- a photographic establishment
- a printing establishment
- a public use
- a recreational vehicle sales establishment
- a showroom
- a veterinary establishment
- a warehouse

(ii) Number of Buildings per Lot:

(a) No more than one building shall be located on a lot unless the Corporation has approved plans showing all existing buildings, access, parking facilities, and other site features located on the lot and the proposed alterations and improvements of such features that will ensure that the additional building(s) will not detrimentally affect vehicular access, vehicular circulation, and will be properly integrated with other building(s) on the lot.

(b) Where additional building(s) are proposed, all buildings shall conform to the provisions of the By-law and the distance between buildings shall be equal to the average height of the buildings concerned, but in no case shall the distance between buildings be less than 7.5 metres.

(iii) Open Storage:

(a) No person shall use any lot or part thereof for outside storage, sales, rental or display unless an area which has been specifically designed and set aside for such purpose and is fully integrated with the main use of that lot has been approved by the Corporation pursuant to Section 40 of the Planning Act, R.S.O. 1983.

- (b) Open storage shall not exceed forty percent (40%) of the lot area.
 - (c) No open storage area shall be located within any required yard which abuts a residential use or residential zone boundary.
 - (d) No open storage shall be located within six (6) metres of a street line.
- (iv) Planting Strips:
- (a) As part of any required yard, three (3) metres adjacent to any lot line shall be used for a sight obscuring buffer in the form of a planting strip.
 - (b) Notwithstanding subparagraph (a) above, as part of any required yard, five (5) metres adjacent to any lot line shall be used for a sight obscuring buffer in the form of a planting strip where a lot or any portion thereof abuts Highway No. 15 or a Special Restricted Rural (A1-14) Zone.
 - (c) Notwithstanding subparagraphs (a) and (b) above, a planting strip is not required in an interior side yard which abuts an Industrial Zone.
- (v) Illumination:
- (a) No strings of lights shall be permitted.
 - (b) Illumination shall not cause direct or indirect glare on a street that may interfere with pedestrian or traffic safety nor cause direct or indirect glare on land or buildings in a residential zone or used for residential purposes.
 - (c) Illumination, except that required for the operation of a business or for security reasons, shall cease no later than 10:00 p.m. daily except in the case of a business remaining open later, in which case, illumination shall cease when the business closes to the public.
- (vi) Parking:
- (a) One row of visitor or executive parking, and an aisle providing ingress and egress thereto, shall be permitted in a front yard provided the row does not extend beyond the extremities of the front wall of the building or each building, if more than one, and provided that no parking or aisle shall be located closer than 6 metres from the front line.
 - (b) No parking shall be located within any required yard which abuts a residential use or a residential zone boundary.
 - (c) All parking areas, aisles, and driveways providing ingress and egress shall be paved with an asphaltic or concrete surface.

- (d) Buffer planting shall be used to conceal parking areas in the front yard; and, plantings and/or fence and planting combinations may be used in side and rear yards. Where appropriate such buffering may form part of the required planting strip.
- (e) All parking areas shall be provided on the lot occupied by the building(s), structure(s) or use(s) for which the said parking area is required.
- (f) Parking Requirements (minimum):

<u>Type of Use</u>	<u>Number of Parking Spaces</u>
Bakery	2.7 per 100 sq.m. g.f.a.
Equipment Rental Establishment	5.4 per 100 sq.m. g.f.a.
Factory Outlet	5.4 per 100 sq.m. g.f.a.
Farm Equipment Sales	2.7 per 100 sq.m. g.f.a.
Garden Centre	5.4 per 100 sq.m. g.f.a.
Industrial Mall	5.0 per 100 sq.m. g.f.a.
Manufacturing Plant	2.7 per 100 sq.m. g.f.a.
Photographic Establishment	4.0 per 100 sq.m. g.f.a.
Printing Establishment	4.0 per 100 sq.m. g.f.a.
Recreational Vehicle Sales	2.7 per 100 sq.m. g.f.a.
Showroom	5.4 per 100 sq.m. g.f.a.
Veterinary Establishment	8.5 per 100 sq.m. g.f.a.
Warehouse	2.7 per 100 sq.m. g.f.a.

- (vii) Special Provision:
For the purposes of the M1-1 Zone a "Manufacturing Plant" means an establishment primarily engaged in the processing, altering, finishing, refinishing or assembly or similar production of various articles, commodities or things.

SECTION 19**GENERAL INDUSTRIAL ZONE (M2)****(1) USES PERMITTED**

No person shall within any M2 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following M2 uses, namely:

- (a) **RESIDENTIAL USES:**
an accessory dwelling house.
- (b) **NON-RESIDENTIAL USES:**
a body shop;
a building supply yard;
a commercial garage;
a contractor's yard;
a factory outlet;
a feed or flour mill;
a fuel storage tank;
a municipal service garage, warehouse or storage yard;
a parking lot;
a public use;
a warehouse.

(2) ZONE PROVISIONS

No person shall within any M2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) **LOT AREA (minimum):**
(i) Accessory dwelling house - 2050 square metres
- (b) **REQUIRED YARDS (minima):**
- | | <u>Abutting Industrial
Zone</u> | <u>Abutting Any Other
Zone</u> |
|---------------------|-------------------------------------|------------------------------------|
| (i) Front | 15 metres | 24 metres |
| (ii) Exterior side | 15 metres | 24 metres |
| (iii) Interior side | 3 metres | 12 metres |
| (iv) Rear | 7.5 metres | 15 metres |

provided that no interior side or rear yard is required along any portion of a lot line which abuts a railroad right-of-way.

- (c) **LANDSCAPED OPEN SPACE (minimum):** - 10%
- (d) **HEIGHT OF BUILDING (maximum):** - 12 metres
- (e) **ACCESSORY USES, PARKING, ETC.:**
In accordance with the provisions of Section 5 hereof.

- (3) SPECIAL M2 ZONES
- (a) AIRFIELD (M2-1):
Notwithstanding any provisions of Section 19(1) hereof to the contrary, the lands designated M2-1 on Schedule "A" hereto may be used for an existing airfield.
- (#34-76) (b) POLE STORAGE (M2-2):
Notwithstanding any provisions of Section 19(1) hereof to the contrary, the lands designated M2-2 on Schedule "A" hereto may be used for no purpose other than a storage operation designed to accommodate utility poles, television antennas, cable reels and similar items associated with the construction of service and utility lines.
- (#4-82)(#36-82) (c) G.T.L. TERMINALS (M2-3):
Notwithstanding any provisions of this By-law to the contrary, the lands designated M2-3 on Schedule "B-4" hereto shall be used for no purpose other than a truck stop in accordance with the provisions of Schedule "B-4" hereto and the following definition:
- (i) "Truck Stop" means a facility for the relief and refreshment of truck drivers wherein food is available for immediate consumption on the premises and for the minor maintenance or repair of commercial motor vehicles. Such facility may include accessory uses such as a gasoline and/or diesel fuel pump island(s) and a business office.

SECTION 20**EXTRACTIVE INDUSTRIAL ZONE (MX)****(#11-75) (1) USES PERMITTED**

No person shall within any MX Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) RESIDENTIAL USES:
prohibited.
- (b) NON-RESIDENTIAL USES:
a gravel pit;
a stone quarry.

(2) ZONE PROVISIONS

No person shall within any MX Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) REQUIRED YARDS (minima):

	<u>Abutting Industrial Zone</u>	<u>Abutting Any Other Zone</u>
(i) Front	22 metres	30 metres
(ii) Exterior side	22 metres	30 metres
(iii) Interior side	15 metres	30 metres
(iv) Rear	15 metres	30 metres
- (b) SCREEN PLANTING:
No land in an MX Zone shall be used for any other purpose than for planting grass, shrubs, trees or similar uses within:
 - (i) 30 metres of any zone other than an Industrial Zone, or
 - (ii) 22 metres of any street line.
- (c) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(#11-75) (3) SPECIAL MX ZONES

- (#11-75) (a) PROCESSING OPERATIONS (MX-1):
Notwithstanding the provisions of Section 20(1)(b) hereof to the contrary, lands designated MX-1 on Schedule "A" attached hereto may be used for an aggregate screening operation, an asphalt plant, a concrete batching plant, a crushing plant or any combination of the foregoing uses.
- (#9-94) (b) SPECIAL REQUIREMENTS (MX-2):
Notwithstanding the provisions of Section 5(11) and Section 20(1)(b) hereof to the contrary, the lands designated as MX-2 on schedule "A" attached hereto shall be used in accordance with the following provisions:
 - (i) Access through an abutting zone shall be permitted.

- (ii) Permitted uses shall be one or more of the following:
 - a gravel pit;
 - a stone quarry;
 - a municipal service garage;
 - a warehouse;
 - a storage yard;
 - a public use.

SECTION 21**DISPOSAL INDUSTRIAL ZONE (MD)****(1) USES PERMITTED**

No person shall within any MD Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following MD uses, namely:

- (a) RESIDENTIAL USES:
prohibited.
- (b) NON-RESIDENTIAL USES:
a salvage yard;
a sanitary landfill site;
a sewage treatment facility;
a waste disposal area;
a water supply plant.

(2) ZONE PROVISIONS

No person shall within any MD Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) REQUIRED YARDS (minimum):

	<u>Abutting Industrial Zone</u>	<u>Abutting Any Other Zone</u>
(i) Front	22 metres	30 metres
(ii) Exterior side	22 metres	30 metres
(iii) Interior side	15 metres	30 metres
(iv) Rear	15 metres	30 metres
- (b) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(#40-81) (3) SPECIAL MD ZONES

- (a) WASTE DISPOSAL AREA (MD-1):
Notwithstanding any provisions of Section 21(1)(b) hereof to the contrary, the lands designated as MD-1 on Schedule "A" hereto, shall be used for no purpose other than a waste disposal area or an agricultural use with the approval of the Minister of Environment in accordance with Section 45 of the Environmental Protection Act.
 - (i) For the purpose of the MD-1 zone, "waste disposal area" shall mean land upon, into, or in which waste is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste; and "waste" shall include ashes, garbage, refuse, and domestic waste but shall not include human body waste, toilet waste, liquid or waterborne culinary and sink waste, laundry waste, chemical waste, commercial or industrial waste, or drainage from a plumbing facility.

- (#22-85) (b) RAVENSVIEW SEWAGE TREATMENT PLANT (MD-2):
Notwithstanding any provisions of Section 21(1)(b) and 21(2)(a) hereof to the contrary, the lands designated as MD-2 on Schedule "A" attached hereto shall be used for no purpose other than a sewage treatment facility, including a sludge transfer station but excluding incinerators for the incineration of industrial by-products in accordance with the following provisions:
- (i) Required Yards (minima):
 - (a) From Provincial Hwy. No. 2 122 metres
 - (b) From eastern boundary of the MD-2 Zone 46 metres
 - (c) From the western boundary of the MD-2 Zone 69 metres
- For the purpose of the MD-2 Zone, the western boundary shall be deemed to be the lot line which abuts Gates Boulevard and extends from Highway No. 2 to La Salle Boulevard, and all other lot lines shall be deemed to be side lot lines.
- (c) 2069 JOYCEVILLE ROAD (MD-3-H):
Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 21 for the 'MD' Zone shall apply to the 'MD-3' Zone except that:
- (i) USES PERMITTED:
 - Compost Finishing Facility
 - Accessory Interpretive / Educational Pavilion
 - (ii) DEFINITIONS:
 - For the purpose of the 'MD-3' Zone, the following definitions shall apply:

COMPOST FINISHING FACILITY means a waste disposal site which has received a Certificate of Approval under the Environmental Protection Act, or such equivalent as may exist from time to time under this or any successor legislation, to allow the site to be used for the purpose of receiving, handling and temporary storage of non-hazardous compost waste. Temporary storage of non-hazardous compost waste, including open storage of materials, equipment or vehicles for work accessory to the principal use, shall be permitted. Accessory uses such as office and scale and scale house are also permitted.
 - (iii) Notwithstanding the provisions of Section 5(14)(a), a minimum of 18 off-street parking spaces shall be provided.
 - (iv) The '-H' Symbol shall only be removed once the following conditions have been complied with:
 - (a) Certificate of Approval for the operation of a compost finishing facility has been issued by the Ministry of Environment;
 - (b) All applicable Municipal and Agency requirements have been complied with;
 - (c) All necessary Agreements, including the Site Plan Control Agreement, have been registered on title; and,
 - (d) City Council has passed a further amendment to the Zoning By-Law to remove the '-H' Symbol pursuant to the Planning Act."
(By-law No. 32-74; 2008-116)

SECTION 21A**BUSINESS PARK ZONE (BP)****(#53-89) (1) USES PERMITTED**

No person shall within any BP Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following BP uses.

No residential uses shall be permitted. Only those uses which are not likely to be obnoxious or dangerous by reason of fire, explosion, noise, smoke, and odour are permitted. Subject to this qualification, the following uses are permitted:

- (#52-94) an assembly plant;
- (#52-94) a bakery;
- (#52-94) a bank or financial institution;
- (#52-94) a business office;
- (#52-94) a catering service;
- (#52-94) a clinic;
- (#52-94) a commercial school;
- (#52-94) a data processing and related service;
- (#52-94) a day nursery;
- (#52-94) a dry cleaning and/or laundry service;
- (#52-94) a film and/or recording studio;
- (#52-94) a hotel or motor hotel;
- (#52-94) a laboratory;
- (#52-94) a manufacturing plant;
- (#52-94) a photographic establishment;
- (#52-94) a printing establishment;
- (#52-94) a public recreation facility;
- (#52-94) a public use;
- (#52-94) a research and development facility;
- (#52-94) a restaurant;
- (#52-94) a service shop, merchandise;
- (#52-94) a technical training facility;
- (#52-94) a veterinary establishment;
- (#52-94) a warehouse.

(By-Law No. 2006-41)

(#53-89) (2) ZONE PROVISIONS

No person shall within any BP Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): - nil
- (b) LOT FRONTAGE (minimum): - 30 metres
- (c) FRONT YARD DEPTH (minimum): - 8 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 8 metres

- (e) INTERIOR SIDE YARD WIDTH (minimum): - 6 metres
- (f) REAR YARD DEPTH (minimum): - 8 metres
- (g) LANDSCAPED OPEN SPACE (minimum): - 10%
- (#52-94) (h) LOT COVERAGE (maximum): - 60%
- (#52-94) (i) HEIGHT OF BUILDINGS:
A maximum of 12 metres or 2 storeys, whichever is the lesser. Office buildings and hotels shall not exceed a maximum of 25 metres or 6 storeys, whichever is the lesser.
- (#52-94) (j) NUMBER OF BUILDINGS PER LOT:
(i) No more than one building shall be located on a lot unless the Corporation has approved plans showing all existing buildings, access, parking facilities, and other site features located on the lot and the proposed alterations and improvements of such features that will insure that the additional building(s) will not detrimentally affect vehicular access, vehicular circulation, and will be properly integrated with other building(s) on the lot.
(ii) Where additional building(s) are proposed all buildings shall conform to the provisions of the By-law and the distance between buildings shall be equal to the average height of the buildings concerned, but in no case shall the distance between buildings be less than 6 metres.
- (#52-94) (k) PARKING AND LOADING REQUIREMENTS:
Parking and loading requirements shall be in accordance with Section 5(14) and Section 18(3)(vi)(f). All parking and loading areas shall be provided on the lot occupied by the building(s), structure(s) or use(s) for which such parking or loading areas are required. All parking and loading spaces and aisles shall be paved with an asphaltic, lockstone or concrete surface.
- (l) BUFFERING/SETBACK:
Where a lot abuts any zone other than a Business Park Zone, or abuts a portion of a street immediately across from which there is a Zone other than a Business Park Zone, then:
(#52-94) (i) a minimum of 8 metres of landscaped open space shall be required adjacent to any such zone or street;
(ii) no building shall be located within 15 metres of the abutting lot line or portion of the street; and
(iii) the requirements of Section 5(16) shall not apply.
- (m) ACCESSORY RETAIL:
An accessory retail store is permitted within the BP Zone provided that:
(i) it is located within the main building on the lot;

- (ii) the maximum gross floor area of the retail component of any business park use is not greater than 30% of the gross floor area of the building or portion of the building set aside for that use or is not greater than 185 square metres, whichever is less;
 - (iii) parking is provided for the retail store at the rate normally required by the Zoning By-law;
 - (iv) the maximum gross floor area of the retail component shall include any showroom area.
- (n) **ACCESSORY BUILDINGS:**
Accessory buildings and structures are not permitted within the BP Zone.
- (#53-89) (3) **SPECIAL BP ZONES**
- (#53-89) (a) **SPECIAL REQUIREMENTS (BP-1):**
Notwithstanding any provisions of this By-law hereof to the contrary, the lands designated as BP-1 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (#52-94) (i) **Landscaping:**
(a) A 15 metre landscaped open space area shall be established along the northerly boundary of the BP-1 Zone.
- (ii) **Building Height:**
Where a building on a lot adjacent to Highway 15 or an Open Space Zone is greater than 12 metres in height then the front, side and rear yard building setbacks, shall be increased from those normally required at the rate of 1 metre for each 3 metres or part thereof that the building exceeds 12 metres in height.
- (#52-94) (iii) **Parking:**
(a) Parking areas shall be prohibited in the yard that abuts the western limits of the BP-1 Zone.
- (#52-94) (b) **Parking Requirements (minimum):**
- | <u>Type of Use</u> | <u>Number of Parking Spaces</u> |
|--------------------------------------|---|
| Bank or Financial Institution | 5.8 per 100 sq.m of G.F.A. |
| Business Office | 3.5 per 100 sq.m of G.F.A. |
| Data Processing | 2.5 per 100 sq.m of G.F.A. |
| Laboratory, Research and Development | 2.2 per 100 sq.m of G.F.A. |
| Warehouse | 1.5 per 100 sq.m of G.F.A. |
| Clinic | 5.0 per 100 sq.m of G.F.A. |
| Recreational Establishment | 5.0 per 100 sq.m of G.F.A.,
or 1 stall per 7 fixed seats (every 0.5 metres of bench seating equals a fixed seat) whichever is greater. |
- (c) All parking areas shall be landscaped so as to block their view from abutting streets.

(#52-94)

- (iv) Open Storage:
Where a lot abuts the northern limits of the BP-1 Zone and where a lot or any portion thereof is not located within 130 metres of the westerly limit of the BP-1 Zone measured along the northern limits of the BP-1 Zone or where a lot has frontage on the second street from Highway 15 running north-south on lands Zoned BP-1, then open storage shall be permitted subject to the following criteria:
- (i) The open storage is accessory to the use of the main building.
 - (ii) The open storage shall not be located within any required: yard, setback, landscaped open space, buffer area, parking area or loading space area.
 - (iii) The open storage shall not form any part of any required landscaped open space.
 - (iv) The open storage shall not cover more than 15% of the lot area.
 - (v) Open storage shall be screened by a planting strip including a fence or wall not less than 1.8 metres in height and landscaping materials such as trees, shrubs or hedges on all sides, other than a side abutting a building.
 - (vi) Refuse or garbage shall be stored within metal containers in a fenced and landscaped area designed solely for that purpose.

SECTION 22**OPEN SPACE ZONE (OS)****(1) USES PERMITTED**

No person shall within any OS Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following OS uses, namely:

- (a) RESIDENTIAL USES:
an accessory dwelling house.
- (b) NON-RESIDENTIAL USES:
an agricultural use other than a building;
a golf course;
a public use.

(2) ZONE PROVISIONS

No person shall within any OS Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum):
 - (i) Accessory dwelling house - 2050 square metres
- (b) LOT FRONTAGE (minimum):
 - (i) Accessory dwelling house - 36.5 metres
- (c) FRONT YARD DEPTH (minimum): - 7.5 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 7.5 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 7.5 metres
- (f) REAR YARD DEPTH (minimum): - 7.5 metres
- (g) DWELLING UNIT AREA (minimum): - 80 square metres
- (h) LANDSCAPED OPEN SPACE (minimum): - 50%
- (i) LOT COVERAGE (maximum): - 10%
- (j) HEIGHT OF BUILDING (maximum): - 10.5 metres
- (k) DWELLING HOUSES PER LOT (maximum): - 1 only
- (l) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.

(#11-75) (3) SPECIAL OS ZONES

- (a) PRIVATE OPEN SPACE (OS-1):
Notwithstanding the provisions of Section 22(1)(b) hereof to the contrary, the lands designated OS-1 on Schedule "A" attached hereto shall be used for no purpose other than a private park.

- (#14-77) (b) RESTRICTED CONSERVATION USE (OS-2):
Notwithstanding any provisions of this By-law to the contrary, the lands designated as OS-2 on Schedule "A" hereto shall be used for no purpose other than a conservation use and no building or structure shall be permitted in conjunction with such use.
- (#15-79) (c) SPECIAL ELEVATION AND SETBACK REQUIREMENTS (OS-3):
- (#42-84) DELETED
- (#6-81) (d) GOLF COURSE OPEN SPACE (OS-4):
Notwithstanding Section 22(1)(b) hereof to the contrary, the lands designated as OS-4 on Schedule "A" hereto may be used for the establishment of a golf course and associated club house and pro shop facility provided that such associated club house and pro shop facility are located within the barn which existed on the subject lands on the date of the enactment of this clause. In the context of using the aforementioned barn for the purposes of a club house and pro shop facility, said barn may be renovated or expanded to contain a maximum gross floor area of 402 square metres provided that all other provisions of the OS-4 Zone are complied with.
- (#12-82) (e) SPECIAL ELEVATION (OS-5):
Notwithstanding any provisions of Section 22(2) hereof to the contrary, the lands designated OS-5 on Schedule "A" hereto shall be used for a public park in accordance with the following provision:
- (i) Minimum Elevation:
No building or structures shall be erected below a contour line of 76.9 metres (Canadian Geodetic Datum).
- (#71-87) (f) GLEN LAWRENCE GOLF COURSE (OS-6):
Notwithstanding the provisions of Section 22(1)(b) hereof to the contrary, the lands designated OS-6 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Uses Permitted:
A hotel or motel and the uses permitted in Section 22(1)(a) and Section 22(1)(b).
- (ii) Number of Rooms:
The maximum number of hotel or motel rooms shall be twenty-eight (28).
- (iii) Special Provision:
The location of a hotel or motel shall be restricted to an addition, expansion or alteration of the existing golf club house building.

- (#44-89) (g) SPECIAL REQUIREMENTS (OS-7):
Notwithstanding the provisions of Sections 22(2)(c), 22(2)(e), 22(2)(f), and 22(2)(i) hereof to the contrary, the lands designated as OS-7 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Front Yard Depth (minimum): - 6.0 metres
 - (ii) Interior Side Yard Width (minimum): - 3.0 metres
 - (iii) Rear Yard Depth (minimum): - 3.0 metres
 - (iv) Lot Coverage (maximum): - 25%
- (h) Not Used
- (#32-92) (i) SPECIAL REQUIREMENTS (OS-9):
Notwithstanding the provisions of Section 5 and Section 22(2) to the contrary, the lands designated as OS-9 on Schedule "A" attached hereto may be used for a public pathway or park.
- (#29-93) (j) SPECIAL REQUIREMENTS (OS-10):
Notwithstanding the provisions of Section 22(1)(a), Section 22(1)(b), Section 22(2)(d), Section 22(2)(e), Section 22(2)(f), and Section 22(2)(j) hereof to the contrary, the lands designated as OS-10 on Schedule "A" attached hereto shall be used for no other purpose than a single family dwelling or a home occupation in accordance with the following provisions:
- (i) No building, structure or use shall be located closer than 30 metres to the boundaries of Block 42, R.P. 1844.
 - (ii) Height of Building (minimum): - 9 metres
 - (iii) One dwelling house only shall be permitted within the OS-10 Zone.
- (#61-93) (k) SPECIAL REQUIREMENTS (OS-11):
Notwithstanding any provisions of Sections 22(1) and 22(2) hereof to the contrary, the lands designated OS-11 on Schedule "A" hereto shall be used for no purpose other than a public use in accordance with the following provisions:
- (i) Required Yards (minimum): - 1.2 metres
- (l) SPECIAL REQUIREMENTS (OS-12):
Notwithstanding the provisions of Section 22(1) and Section 22(2) hereof to the contrary, the lands designated as OS-12 on Schedule "A" attached hereto shall be used for no purpose other than a public park in accordance with the following:
- (i) No buildings shall be permitted; and
 - (ii) Required yards (minimum) - 0.0 metres
- (By-Law No. 16-96-1996)
- (m) SPECIAL REQUIREMENTS (OS-13):
Notwithstanding the provisions of Section 22(1) and Section 22(2) to the contrary, the lands designated as OS-13 on Schedule "A" attached hereto shall be used for no other use than a public use or the existing freestanding sign in accordance with the Sign By-Law of the City of Kingston.

SECTION 22A**FLOOD PLAIN ZONE (FP)****(#11-81) (1) USES PERMITTED**

No person shall within any FP Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following FP uses, namely:

- (a) **RESIDENTIAL USES:**
a use accessory to a main residential use located in an adjoining Zone such as an attached private garage, tool shed, patio, swimming pool, barbeque, or other similar accessory use.
- (b) **NON-RESIDENTIAL USES:**
an agricultural use excluding a building;
a conservation use excluding a building;
a forestry use excluding a building;
a marina facility;
a parking lot;
a public use excluding a building.

(2) ZONE PROVISIONS

No person shall within any FP Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) **REQUIRED YARDS (minimum):**
No building or structure shall be located within 1.2 metres of any lot line other than a shoreline.
- (b) **APPROVAL OF CONSERVATION AUTHORITY:**
No permitted building or structure shall be erected or altered within any FP Zone except with the written approval of the Cataraqui Region Conservation Authority.
- (c) **ACCESSORY USES, PARKING, ETC.:**
In accordance with the provisions of Section 5 hereof.

(#44-89) (3) SPECIAL FP ZONES

- (#44-89) (a) **SPECIAL REQUIREMENTS (FP-1):**
Notwithstanding the provisions of Section 5(1), 22A(1)(a), 22A(1)(b), and 22A(2)(a) hereof to the contrary, the lands designated as FP-1 on Schedule "A" hereto shall be used for no purpose other than one or more of the following uses: a conservation use excluding a building and a public use excluding a building in accordance with the following provisions:
 - (i) **Accessory Uses:**
No use accessory to a main residential use located in an adjoining zone shall be located within the FP-1 Zone.

- (ii) Location:
For the purposes of the FP-1 Zone, the zone boundary shall be defined as being the contour line of 76.6 metres geodetic (Canadian Geodetic Datum).
- (#44-92)
(#70-92) (b) SPECIAL REQUIREMENTS (FP-2):
Notwithstanding any provisions of Section 22A(1) to the contrary, the lands designated FP-2 on Schedule "A" hereto may be used for no purpose other than a conservation use excluding a building; or a public use excluding a building, in accordance with the following provision:
- (i) Location:
For the purposes of the FP-2 Zone, the zone boundary shall be defined as being the contour line of 98.16 metres geodetic.
- (#61-93) (c) SPECIAL REQUIREMENTS (FP-3):
Notwithstanding any provisions of Section 22A(1) hereof to the contrary, the lands designated FP-3 on Schedule "A" hereto shall be used for no purpose other than: a conservation use, excluding a building; or a public use, excluding a building.

SECTION 23**RESTRICTED RURAL ZONE (A1)****(1) USES PERMITTED**

No person shall within any A1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following A1 uses, namely:

- (a) **RESIDENTIAL USES:**
 - an accessory dwelling house;
 - a detached single family dwelling house.
- (b) **NON-RESIDENTIAL USES:**
 - a cemetery;
 - a farm, but not including a specialized farm as defined herein;
 - a farm produce outlet;
 - a home occupation;
 - a public use.

(2) ZONE PROVISIONS

No person shall within any A1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) **LOT AREA (minimum):**
 - (i) A detached single family dwelling house - 1 hectare
 - (ii) Non-residential uses - 2 hectares
(By-Law No. 2001-146 - 2001)
- (b) **LOT FRONTAGE (minimum):** - 90 metres
- (c) **FRONT YARD DEPTH (minimum):** - 10.5 metres
- (d) **EXTERIOR SIDE YARD WIDTH (minimum):** - 10.5 metres
- (e) **INTERIOR SIDE YARD WIDTH (minimum):** - 12 metres
- (f) **REAR YARD DEPTH (minimum):** - 15 metres
- (g) **DWELLING UNIT AREA (minimum):**
 - (i) Accessory dwelling house - 80 square metres
 - (ii) Single family dwelling house - 93 square metres
- (h) **LOT COVERAGE (maximum):** - 10%
- (i) **DWELLING HOUSES PER LOT (maximum):** - 1
main dwelling house, plus 1 accessory dwelling house for a person engaged full time in the agricultural operation.
- (j) **ENLARGING OF FARM:**
Notwithstanding any provisions of this By-law to the contrary, when a farmer enlarges his farm by acquiring another farm in the A1 Zone and the enlarged farm has located thereon more than one detached single family dwelling house,

then where the Committee of Adjustment permits the severance of a lot upon which such surplus dwelling house is located, the severed lot shall conform to the provisions of this By-law for RR Zones. Such dwelling house shall be deemed a permitted use for subsequent owners and purchasers thereof.

- (k) ACCESSORY USES, PARKING, ETC.:
In accordance with the provisions of Section 5 hereof.
- (l) MINIMUM DISTANCE SEPARATION REQUIREMENTS:
In accordance with the General Provisions of this By-Law.

(By-Law No. 2001-145 – 2001)

(#40-76) (3) SPECIAL A1 ZONES

- (a) REDUCED LOT AREA AND FRONTAGE (A1-1):
Notwithstanding the provisions of Section 23(2)(a) and Section 23(2)(b) hereof to the contrary, the lands designated A1-1 may be used for 1 detached single family dwelling house in accordance with all other applicable provisions of the A1 Zone.

- (#27-80) (b) BELL CANADA (A1-2):
Notwithstanding the provisions of Section 23(1)(a) and (b) and Section 23(2)(a), (b), and (c) to the contrary, the lands designated as A1-2 on Schedule "A" attached hereto shall be used for no other purpose than the establishment of a Bell Canada telecommunications equipment building in accordance with the following provisions:

- (i) Lot Area (minimum): - 1,200 square metres
- (ii) Lot Frontage (minimum): - 30 metres
- (iii) Front Yard Depth (minimum): - 13 metres

- (#41-80) (c) BELL CANADA (A1-3):
Notwithstanding the provisions of Section 23(2)(a) and Section 23(2)(b) hereof to the contrary, the lands designated as A1-3 on Schedule "A" hereto, shall be used for no purpose other than the establishment of a Bell Canada telecommunications equipment building in accordance with the following provisions:

- (i) Lot Area (minimum): - 1,300 square metres
- (ii) Lot Frontage (minimum): - 30 metres

- (#6-84) (d) ONTARIO HYDRO (A1-4):
Notwithstanding the provisions of Section 23(1)(a) and (b) and Section 23(2)(a) hereof to the contrary, the lands designated A1-4 on Schedule "A" attached hereto shall be used for no purpose other than the establishment of an Ontario Hydro transformer distribution station in accordance with the following provision:

- (i) Lot Area (minimum): - 0.8 hectares

- (#13-84) (e) SPECIAL REQUIREMENTS (A1-5):
Notwithstanding the provisions of Section 23(2) hereof to the contrary, the lands designated A1-5 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:
- (i) Lot Area (minimum): - 2 hectares
 - (ii) Lot Frontage (minimum): - 45 metres
 - (iii) Interior Side Yard Width (minimum): - 4.5 metres
 - (iv) Rear Yard Depth (minimum): - 7 metres
 - (v) Dwelling Houses Per Lot (maximum): - 1 only
- (#28-84) (f) SPECIAL REQUIREMENTS (A1-6):
Notwithstanding any provisions of this By-law to the contrary, the lands designated A1-6 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:
- (i) Lot Area (minimum): - 6 hectares
 - (ii) Dwelling Houses Per Lot (maximum): - 2
 - (iii) Rear Lot Line:
For the purpose of the A1-6 Zone, the lot line abutting Highway No. 15 and Highway No. 401 shall be deemed to be part of the rear lot line.
- (#15-85) (g) BRUCE AUTO SALES (A1-7):
Notwithstanding any provisions of Section 23(1) and Section 23(2) hereof to the contrary, the lands designated A1-7 on Schedule "A" attached hereto may be used for an automobile sales establishment and work shop for the repair or maintenance of vehicles, excluding a mobile home, a motor home or a travel trailer, subject to the following provisions:
- (i) Lot Area (minimum): - 0.8 hectares
 - (ii) Lot Frontage (minimum): - 40 metres
 - (iii) Front Yard Depth (minimum): - 80 metres
 - (iv) Interior Side Yard Width (minimum) - 12 metres,
except that the interior side yard width for an existing shed shall be 10 metres.
 - (v) Dwelling Houses:
No dwelling houses shall be permitted within the A1-7 zone.
 - (vi) Parking Area Location:
No parking space shall be located within 60 metres of the lot line abutting Highway No. 15 or within 30 metres of the eastern boundary of the A1-7 zone.
 - (vii) Vehicle Storage:
The number of vehicles for sale or repair shall not exceed 12.
 - (viii) Outside Storage:
There shall be no outside storage of automobile parts or inoperative vehicles.

- (ix) Work Shop Area:
The maximum gross floor area of the work shop building shall not exceed 106 square metres.
- (x) Signs:
Signs shall not be permitted provided that one legal sign not exceeding 0.8 square metres in size may be affixed to the exterior of the front wall of the work shop.

(#3-86) (h) SPECIAL REQUIREMENTS (A1-8):

Notwithstanding the provisions of Section 23(2)(a), Section 23(2)(b), and Section 23(2)(i) hereof to the contrary, the lands designated A1-8 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:

- (i) Lot Area (minimum): - 6 hectares
- (ii) Lot Frontage (minimum): - 55 metres
- (iii) Dwelling House Per Lot (maximum): - 1 only

(#7-86) (i) SPECIAL REQUIREMENTS (A1-9):

Notwithstanding the provisions of Section 5(11)(a), Section 23(2)(a), Section 23(2)(b), and Section 23(2)(i) hereof to the contrary, the lands designated as A1-9 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:

- (i) Lot Area (minimum): - 6 hectares
- (ii) Dwelling Houses Per Lot (maximum): - 1
single family dwelling house only, provided that it involves a relocation of the dwelling house which existed on the subject lands on the date of enactment of this clause.
- (iii) Side Lot Lines:
For the purposes of the A1-9 Zone, all lot lines which are not shoreline shall be deemed to be side lot lines.

(#22-86) (j) OOMEN BAKERY (A1-10):

Notwithstanding the provisions of Section 23(1)(b), Section 23(2)(a), Section 23(2)(e), and Section 23(2)(i) hereof to the contrary, the lands designated as A1-10 on Schedule "A" attached hereto may also be used for a bakeshop facility in accordance with the following provisions:

- (i) Lot Area (minimum): - 2 hectares
(By-Law No. 2006-26)
- (ii) Dwelling Houses Per Lot (maximum): - 1
single family dwelling house only
- (iii) Interior Side Yard Width (minimum):
 - (a) On the western boundary of the A1-10 zone, the minimum interior side yard width shall be 10 metres.

- (b) On the eastern boundary of the A1-10 zone, the minimum interior side yard width shall be 0 metres for an existing barn.
- (iv) Lot Frontage (minimum) - 85 metres
(By-Law No. 2006-26)
- (#24-86) (k) REDUCED LOT AREA (A1-11):
Notwithstanding the provisions of Section 23(2)(a) hereof to the contrary, the lands designated as A1-11 on Schedule "A" attached hereto shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 6 hectares
- (#35-86) (l) ONTARIO HYDRO (A1-12):
Notwithstanding the provisions of Sections 23(1)(a) and (b) and Sections 23(2)(a), (b) and (f) hereof to the contrary, the lands designated A1-12 on Schedule "A" attached hereto shall be used for no purpose other than the establishment of an Ontario Hydro transformer distribution station in accordance with the following provisions:
- (i) Lot Area (minimum): - 3300 square metres
(ii) Lot Frontage (minimum): - 74 metres
(iii) Rear Yard Depth (minimum): - 6 metres
- (#16-87) (m) SPECIAL REQUIREMENTS (A1-13):
Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), and 23(2)(a) hereof to the contrary, the lands designated as A1-13 on Schedule "A" hereto shall be used for no purpose other than one or more of the following uses: a single family dwelling house, a home occupation, and a public use, in accordance with the following provision:
- (i) Lot Area (minimum): - 2 hectares
- (#30-87) (n) SPECIAL REQUIREMENTS (A1-14):
Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), and 23(2)(a) hereof to the contrary, the lands designated as A1-14 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house in accordance with the following provision:
- (i) Lot Area (minimum): - 0.78 hectares
- (#58-87) (o) SPECIAL REQUIREMENTS (A1-15):
Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), 23(2)(a), and 23(2)(b) hereof to the contrary, the lands designated as A1-15 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house in accordance with the following provisions:
- (i) Lot Area (minimum): - 1 hectare

- (ii) Lot Frontage (minimum): - 67 metres
- (#59-87) (p) SPECIAL REQUIREMENTS (A1-16):
Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), and 23(2)(a) hereof to the contrary, the lands designated as A1-16 on Schedule "A" hereto shall be used for no purpose other than a single family house in accordance with the following provision:
- (i) Lot Area (minimum): - 0.6 hectares
- (#9-88) (q) SUDDS (A1-17):
Notwithstanding the provisions of Section 23(2)(a), and Section 23(2)(b) hereof to the contrary, the lands designated as A1-17 on Schedule "A" attached hereto may be used for a single family dwelling house in accordance with the following provisions:
- (i) Lot Area (minimum): - 3.27 hectares
(ii) Lot Frontage (minimum): - 74.56 metres
- (#19-88) (r) SPECIAL REQUIREMENTS (A1-18):
- (#5-90) DELETED
- (#51-88) (s) HOLMBERG (A1-19):
Notwithstanding the provisions of Section 23(2)(a) and Section 23(2)(b) hereof to the contrary, the lands designated as A1-19 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.9 hectares
(ii) Lot Frontage (minimum): - 87 metres
- (#68-88) (t) GREENLEES (A1-20):
Notwithstanding the provisions of Sections 23(2)(a) and 23(2)(e) hereof to the contrary, the lands designated as A1-20 on Schedule "A" hereto shall be developed in accordance with the following provisions:
- (i) Lot Area (minimum): - 1.8 hectares
(ii) Interior Side Yard (minimum): - 3 metres
- (#69-88) (u) GREENLEES (A1-21):
Notwithstanding the provisions of Sections 23(2)(a) hereof to the contrary, the lands designated as A1-21 on Schedule "A" attached hereto shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 0.8 hectares

- (#71-88) (v) **SPECIAL REQUIREMENTS (A1-22):**
Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), and 23(2)(a), and 23(2)(b) hereof to the contrary, the lands designated as A1-22 on Schedule "A" hereto shall be used for no purpose other than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.8 hectares
 - (ii) Lot Frontage (minimum): - 64 metres
- (#65-90) (w) **SPECIAL REQUIREMENTS (A1-23):**
Notwithstanding the provisions of Section 23(2)(a) hereof to the contrary, the lands designated as R1-23 on Schedule "A" attached hereto shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 0.8 hectares
- (#66-90) (x) **SPECIAL REQUIREMENTS (A1-24):**
Notwithstanding the provisions of Section 23(2)(a) hereof to the contrary, the lands designated as A1-24 on Schedule "A" attached hereto shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 0.8 hectares
- (#66-90) (y) **SPECIAL REQUIREMENTS (A1-25):**
Notwithstanding the provisions of Section 23(2)(a) and Section 23(2)(b) hereof to the contrary, the lands designated as A1-25 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:
- (i) Lot Area (minimum): - 2.0 hectares
 - (ii) Lot Frontage (minimum): - 78 metres
- (#76-90) (z) **SPECIAL REQUIREMENTS (A1-26):**
Notwithstanding the provisions of Section 23(1)(a), 23(1)(b), and 23(2)(a) hereof to the contrary, the lands designated as A1-26 on Schedule "A" hereto shall be used for no purpose other than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provision:
- (i) Lot Area (minimum): - 1.0 hectare
- (#26-91) (aa) **SPECIAL REQUIREMENTS (A1-27):**
Notwithstanding the provisions of Section 23(2)(a), hereof to the contrary, the lands designated as A1-27 on Schedule "A" attached hereto shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 9.0 hectares

- (#35-91) (bb) **SPECIAL REQUIREMENTS (A1-28-H):**
Notwithstanding the provisions of Section 23(1)(a), Section 23(1)(b), Section 23(2)(a), and Section 23(2)(b) hereof to the contrary, the lands designated as A1-28-H on Schedule "A" attached hereto may be used for a detached single family dwelling house, a home occupation, and a public use, in accordance with the following provisions:
- (i) Lot Area (minimum): - 1.2 hectares
 - (ii) Lot Frontage (minimum): - 80 metres
- (#35-91) (cc) **SPECIAL REQUIREMENTS (A1-29-H):**
Notwithstanding the provisions of Section 23(1)(a), Section 23(1)(b), Section 23(2)(a), and Section 23(2)(b) to the contrary, the lands designated as A1-29-H on Schedule "A" hereto may be used for a detached single family dwelling house, a home occupation, and a public use in accordance with the following provisions:
- (i) Lot Area (minimum): - 1.4 hectares
 - (ii) Lot Frontage (minimum): - 50 metres
- (#35-91) (dd) **SPECIAL REQUIREMENTS (A1-30):**
Notwithstanding the provisions of Section 23(1)(a), Section 23(1)(b), Section 23(2)(a), and Section 23(2)(b) hereof to the contrary, the lands designated as A1-30 on Schedule "A" attached hereto may be used for a detached single family dwelling house, a home occupation, and a public use in accordance with the following provisions:
- (i) Lot Area (minimum): - 3.0 hectares
 - (ii) Lot Frontage (minimum): - 55 metres
- (#42-91) (ee) **SPECIAL REQUIREMENTS (A1-31):**
Notwithstanding the provisions of Sections 23(1)(a) and (b) and Sections 23(2)(a), (b), (e) and (f) hereof to the contrary, the lands designated as A1-31 on Schedule "A" attached hereto shall be used for no other purpose than the establishment of a gas pressure regulation station in accordance with the following provisions:
- (i) Lot Area (minimum): - 920 square metres
 - (ii) Lot Frontage (minimum): - 20 metres
 - (iii) Interior Side Yard (minimum): - 5 metres
 - (iv) Rear Yard Depth (minimum): - 10 metres
- (#53-91) (ff) **SPECIAL REQUIREMENTS (A1-32):**
Notwithstanding the provisions of Sections 23(1)(a) and (b) and Sections 23(2)(a), (b), (e) and (f) hereof to the contrary, the lands designated as A1-32 on Schedule "A" attached hereto shall be used for no other purpose than the establishment of a hydro electric regulating station in accordance with the following provisions:

- (i) Lot Area (minimum): - 3700 square metres
 - (ii) Lot Frontage (minimum): - 60 metres
 - (iii) Interior Side Yard (minimum): - 9 metres
 - (iv) Rear Yard Depth (minimum): - 7 metres
- (#44-92) (gg) SPECIAL REQUIREMENTS (A1-33):
Notwithstanding any other provisions of this By-law to the contrary, the lands designated as A1-33 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:
- (i) Lot Area (minimum): - 5 hectares
 - (ii) Minimum Elevation:
No opening to any building or structure shall be constructed below the minimum elevation of 98.3 metres geodetic.
 - (iii) Lot Development Requirement:
Where a lot is divided into more than one zone, the lot lines not the zone boundaries, shall be used to calculate the lot area only, of the A1-33 zone.
 - (iv) Special Setback:
No building or structure shall be located within 15 metres of the Wetland edge which is defined as having an elevation of 97.5 metres geodetic.
- (#70-92)
- (#61-92) (hh) SPECIAL REQUIREMENTS (A1-34):
Notwithstanding the provisions of Section 23(1)(a), Section 23(1)(b), Section 23(2)(a) and Section 23(2)(b) hereof to the contrary, the lands designated as A1-34 on Schedule "A" attached hereto shall be used for no other purpose than a single detached dwelling or a home occupation in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.9 hectares
 - (ii) Lot Frontage (minimum): - 66 metres
- (#64-92) (ii) SPECIAL REQUIREMENTS (A1-35):
Notwithstanding the provisions of Section 23(2)(a) hereof to the contrary, the lands designated as A1-35 on Schedule "A" attached hereto shall be used in accordance with the following provision:
- (i) Lot Area (minimum): - 2.8 hectares
- (#1-93) (jj) SPECIAL REQUIREMENTS (A1-36):
Notwithstanding the provisions of Section 23(1)(a), Section 23(1)(b), Section 23(2)(a) and Section 23(2)(b) hereof to the contrary, the lands designated as A1-36 on Schedule "A" attached hereto shall be used for no other purpose than a single family dwelling or a home occupation in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.8 hectares
 - (ii) Lot Frontage (minimum): - 65 metres

- (#10-93) (kk) SPECIAL REQUIREMENTS (A1-37):
Notwithstanding the provisions of Section 23(2) hereof to the contrary, the lands designated as A1-37 on Schedule "A" attached hereto shall be used in accordance with the following provisions:
- (i) Lot Area (minimum): - 1 hectare
 - (ii) Lot Frontage (minimum): - 30 metres
- (#10-93) (ll) SPECIAL REQUIREMENTS (A1-38):
Notwithstanding the provisions of Section 23(2) hereof to the contrary, the lands designated as A1-38 on Schedule "A" attached hereto shall be used in accordance with the following provisions:
- (i) Lot Area (minimum): - 9 hectares
 - (ii) Lot Frontage (minimum): - 75 metres
- (#41-93) (mm) SPECIAL REQUIREMENTS (A1-39):
Notwithstanding the provisions of Section 23(2)(a) hereof to the contrary, the lands designated as A1-39 on Schedule "A" attached hereto shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 1.4 hectares
- (#56-93) (nn) SPECIAL REQUIREMENTS (A1-40):
Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), 23(2)(a) and 23(2)(b) hereof to the contrary, the lands designated as A1-40 on Schedule "A" attached hereto shall be used for no other purpose than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.4 hectares
 - (ii) Lot Frontage (minimum): - 55 metres
- (#67-94) (oo) SPECIAL REQUIREMENTS (A1-41):
Notwithstanding the provision of Section 23(2)(a) and 23(2)(b) hereof to the contrary, the lands designated as A1-41 on Schedule "A" attached hereto, shall be used for no other purpose than one or more of the following uses: a detached single family dwelling house, a home occupation or a public use in accordance with the following provision:
- (i) Lot Area (minimum): - 0.7 hectares
- (#7-95) (pp) SPECIAL REQUIREMENTS (A1-42):
Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), 23(2)(a), 23(2)(e) and 23(2)(f) hereof to the contrary, the lands designated as A1-42 on Schedule "A" attached hereto shall be used for no other purpose than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.5 hectares

- (ii) Interior Side Yard Width (minimum): - 4.5 metres
 - (iii) Rear Yard Depth (minimum): - 7.5 metres
- (qq) SPECIAL REQUIREMENT (A1-43)
Notwithstanding the provisions of Section 23(2)(a) and (b) hereof to the contrary, the lands designated as "A1-43" on Schedule "A" attached hereto, shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 1.5 hectares
 - (ii) Lot Frontage (minimum): - 75 metres
(By-law No. 8-96-1996)
- (rr) SPECIAL REQUIREMENT (A1-44):
Notwithstanding the provisions of Section 23(2)(b) hereof to the contrary, the lands designated as "A1-44" on Schedule "A" attached hereto, shall be developed in accordance with the following provision:
- (i) Lot Frontage (minimum) - 40 metres
(By-law No. 9-97-1997)
- (ss) SPECIAL REQUIREMENT (A1-45):
Notwithstanding the provisions of Section 23(2)(b) hereof to the contrary, the lands designated as "A1-45" on Schedule 'A' attached hereto, shall be developed in accordance with the following provision:
- (i) Lot Area (minimum) 5 hectares
(By-law No. 26-97-1997)
- (tt) SPECIAL REQUIREMENT (A1-46):
Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), 23(2)(a) and 23(2)(e) hereof to the contrary, the lands designated as "A1-46" on Schedule 'A' attached hereto, shall be used for no other purpose than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provisions:
- (i) Lot Area (minimum) 1 hectare
 - (ii) Interior Side Yard Width (minimum) 4.5 metres
(By-law No. 27-97-1997)
- (uu) SPECIAL REQUIREMENT (A1-47):
Notwithstanding the provisions of Section 23(1)(a), 23(1)(b), 23(2)(a) and 23(2)(b) hereof to the contrary, the lands designated as "A1-47" on Schedule 'A' attached hereto, shall be used for no other purpose than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provisions:

- | | | |
|------|------------------------|--------------------------------------|
| (i) | Lot Area (minimum) | 0.4 hectares |
| (ii) | Lot Frontage (minimum) | 60 metres
(By-law No. 25-97-1997) |

(vv) SPECIAL REQUIREMENT (A1-48):

Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), 23(2)(a) and 23(2)(b) and 23(2)(c) to the contrary, the lands designated as "A1-48" on Schedule 'A' hereto, shall be used for no other purpose other than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provisions:

- | | | |
|-------|----------------------------|--|
| (i) | Lot Area (minimum) | 0.8 hectares |
| (ii) | Lot Frontage (minimum) | 65 metres |
| (iii) | Front Yard Depth (minimum) | 114 metres
(By-law No. 46-97-1997; 98-196-1998) |

(ww) (A1-49) 2649 Highway #15 (Amending By-Law 2008-17)

Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), 23(2)(a) and 23(2)(e) hereof to the contrary, the lands zoned as "A1-49" on Schedule 'A' attached hereto, shall be used for no other purpose than one or more of the following uses: a single detached dwelling house, a semi-detached dwelling house, a home occupation, and a public use in accordance with the following provisions:

- | | | |
|-----|--------------------|--|
| (i) | Lot Area (minimum) | 2 hectares
(By-law No. 46-97-1997; 2008-17) |
|-----|--------------------|--|

(yy) SPECIAL REQUIREMENTS (A1-51)

Notwithstanding the provisions of Section 23(1)(a), Section 23(1)(b) and Section 23(2)(a) hereof to the contrary, the lands designated as A1-51 on Schedule 'A' attached hereto shall be used for no other purpose than one or more of the following uses: a single family house dwelling house, a home occupation, or a public use in accordance with the following provision:

- | | | |
|-----|--------------------|--|
| (i) | Lot Area (minimum) | 2.5 hectares
(By-law No. 2000-244-2000) |
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(zz) SPECIAL REQUIREMENTS (A1-52)

Notwithstanding the provision Section 23(2)(b) hereof to the contrary, the lands designated as A1-52 on Schedule 'A' attached hereto shall be used in accordance with the following provision:

- | | |
|-----|--|
| (i) | Where a lot abuts Middle Road the minimum lot frontage shall be 85 metres. |
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(By-law No. 2000-244-2000)

(aaa) SPECIAL REQUIREMENTS (A1-53)

Notwithstanding the provisions of Section 23(1) and Section 5(7)(f) to the contrary, the lands designated as A1-54 on Schedule 'A' hereto, shall be used for no other purpose than one or more of the following uses; a detached single family dwelling house, a public use or a home occupation including the use of the

existing garage for the storage of vehicles and material for a home occupation, in accordance with the following provisions:

- (i) Lot Area (minimum) 2.0 hectares
(By-Law No. 2001-13-2001)

(bbb) SPECIAL REQUIREMENTS (A1-54)

Notwithstanding the provisions of Section 23(2)(a) and Section 23(2)(b) hereof to the contrary, the lands designated A1-54 on Schedule 'A' attached hereto shall be developed in accordance with the following provisions:

- (i) Lot Area (minimum) 1 hectare
(ii) Lot Frontage 69.5 metres
(By-law No. 2001-46-2001)

(ccc) SPECIAL REQUIREMENTS (A1-55)

Notwithstanding the provisions of Section 23(2)(b) hereof to the contrary, the lands designated A1-55 on Schedule 'A' attached hereto shall be developed in accordance with the following provisions:

- (i) Lot Frontage 76.2 metres
(By-law No. 32-74; 2001-46)

(ddd) 'A1-56' 1844 Middle Road:

Notwithstanding the provisions of Section 23 hereof to the contrary, the lands designated 'A1-56' on Schedule 'A' hereto, shall be developed in accordance with the following provisions:

- (i) Lot Frontage (minimum) - 44 metres
(ii) Interior Side Yard (minimum) - 6 metres
(By-Law No. 32-74; 2006-26)

(eee) A1-57 2490 Isle of Man Road:

Notwithstanding the provisions of Section 23 hereof to the contrary, on the lands designated 'A1-57' on Schedule 'A' hereto, the following regulations shall apply:

(i) Special Front Yard Restriction:

Notwithstanding any provisions of this By-law to the contrary, no buildings or structures may be constructed on or in the ground within 80 metres of the front lot line, the lot line that abuts Isle of Man Road, while a Holding Symbol (-H) applies to the zone.

(ii) Special Holding Symbol Provision:

a. Notwithstanding the provisions of Section 6(6) to the contrary, development is permitted in accordance with the provisions of Section 23(1), Section 23(2) and Section 23(3)(ddd)(i)

b. (i). Notwithstanding the provisions of Section 5(24)(iii) to the contrary, the Holding Symbol shall only be removed upon written clearance provided by the Ministry of Culture of Ontario.

(By-Law No. 32-74; 2006-25)

(fff) A1-58 1559 Highway #15

Notwithstanding the regulations in Section 5(7) of Zoning By-Law No 32-74 to the contrary, the following regulations shall apply:

- (i) No more than one person, other than a resident of the dwelling shall be employed in the home occupation;
- (ii) There shall be no external display or advertising, other than a legal sign, to indicate to persons outside, that any part of the dwelling house, dwelling unit or lot is being used for a purpose other than residential;
- (iii) The maximum gross floor area to be utilized for the purpose of a home occupation shall not exceed 31 square metres;
- (iv) The home occupation shall be permitted to sell goods, wares and merchandise not produced on the premises;
- (v) A minimum of 2 parking spaces shall be dedicated to the home occupation use;
- (vi) A home occupation shall be permitted within a private garage attached to the dwelling unit;
- (vii) A nursery/Garden Centre/Greenhouse use as defined in By-Law No. 32-74 is PROHIBITED;
- (viii) The outdoor display of goods, wares or merchandise shall be permitted on the lands immediately abutting the main structure and shall not exceed 31 square metres; and,
- (ix) No permanent outdoor display of goods, wares or merchandise is permitted.

(By-law No. 32-74; 2007-74)

(ggg) A1-59 1539 Joyceville Road (Amending By-Law 2008-59)

Notwithstanding the provisions of Section 23 hereof to the contrary, the lands zoned as "A1-59" on Schedule 'A' attached hereto, the following regulations shall apply:

A1-59 1539 Joyceville Road (Amending By-Law 2008-59)

- (i) Special Holding Symbol Provision:
 - a) Notwithstanding the provisions of Section 5(24) to the contrary, the Holding symbol shall only be removed upon completion and Approval of the following:
 - A hydro-geological Study verifying adequate water quantity and quality; and
 - A Stage 1 Archaeological Assessment.

(By-law No. 32-74; 2008-59)

(hhh) Restricted Rural Zone: (Amending By-law No. 2008-67)

On the approximately 32 hectare parcel of land known as 2611 Isle of Man Road and zoned as 'A1-60-H' on Schedule A, Zoning Map No. 1 attached to and forming part of amending By-Law No. 2008-67:

That the use and removal of the '-H' Symbol on the rear portion of the lands shall be in accordance with the regulations of Section 5(24) of the Zoning By-Law and that prior to

the removal of the '-H' Symbol and any redevelopment of the lands the following provisions shall be complied with:

- a) That prior to the establishment of a non-farm permitted use on the subject property that the developer verify, to the satisfaction of the City of Kingston, the method for obtaining adequate quantity and quality of water for the use; and
- b) That prior to drilling a well for any permitted use the developer shall complete a hydro-geologic study verify, to the satisfaction of the City of Kingston, that there is adequate quantity and quality water supply for the proposed use; and
- c) That a Stage 1 and 2 Archaeological Assessment shall be submitted and approved by the Municipality and the Ministry of Culture.

(By-law No. 32-74; 2008-67)

NOTE: By-law No. 2008-67: APPEAL FILED TO OMB and WITHDRAWN - July 8, 2008

SECTION 24**GENERAL RURAL ZONE (A2)****(1) USES PERMITTED**

No person shall within any A2 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following A2 uses, namely:

- (a) RESIDENTIAL USES:
 - an accessory dwelling house;
 - a detached single family dwelling house.
- (b) NON-RESIDENTIAL USES:
 - a cemetery;
 - a farm;
 - a farm produce outlet;
 - a home occupation;
 - a public use;
 - a specialized farm.

(2) ZONE PROVISIONS

No person shall within any A2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum):
 - (i) A detached single family dwelling house - 1 hectare
 - (ii) Non-residential uses
 - (a) A specialized farm - 10 hectares
 - (b) Other uses - 2 hectares

(By-Law No. 2001-146)
- (b) LOT FRONTAGE (minimum): - 90 metres
- (c) FRONT YARD DEPTH (minimum): - 10.5 metres
- (d) EXTERIOR SIDE YARD WIDTH (minimum): - 10.5 metres
- (e) INTERIOR SIDE YARD WIDTH (minimum): - 12 metres
- (f) REAR YARD DEPTH (minimum): - 15 metres
- (g) DWELLING UNIT AREA (minima):
 - (i) Accessory Dwelling House - 80 square metres
 - (ii) Single Family Dwelling House - 93 square metres
- (h) LOT COVERAGE (maximum): - 10%
- (i) DWELLING HOUSE PER LOT: - 1
main dwelling house, plus 1 accessory dwelling house for a person engaged full time in the agricultural operation.

- (j) **ENLARGING OF FARM:**
Notwithstanding any provision of this By-law to the contrary, when a farmer enlarges his farm by acquiring another farm in an A2 Zone and the enlarged farm has located thereon more than one detached single family dwelling house, then, where the Committee of Adjustment permits the severance of a lot upon which such surplus dwelling house is located, the severed lot shall conform to the provisions of this By-law for RR Zones. Such dwelling house shall be deemed a permitted use for subsequent owners and purchasers thereof.
- (k) **DWELLING HOUSE LOCATION:**
No Residential building shall be erected within 300 metres of any feed lot area, any manure storage area or any building or structure on a specialized farm which is used to house animals or fowl unless such Residential building is located on the same lot therewith.
- (l) **SPECIALIZED FARM USE LOCATION:**
No building or structure on a specialized farm which is used to house animals or fowl, no feed lot area and no manure storage area shall be located within: (i) 300 metres of any Residential building on another lot; (ii) 90 metres of the centreline of any street; (iii) 60 metres of any lot line.
- (m) **ACCESSORY USES, PARKING, ETC.:**
In accordance with the provisions of Section 5 hereof.
- (n) **MINIMUM DISTANCE SEPARATION REQUIREMENTS:**
In accordance with the General Provisions of this By-Law.
(By-Law No. 2001-145 – 2001)

(#38-80) (3) SPECIAL A2 ZONES

- (a) **BELL CANADA (A2-1):**
Notwithstanding the provisions of Sections 24(2)(a), 24(2)(b), and 24(2)(c) hereof to the contrary, the lands designated as A2-1 on Schedule "A" hereto shall be used for no purpose other than the establishment of a Bell Canada telecommunications equipment building in accordance with the following provisions:
- | | |
|-----------------------------------|----------------|
| (i) Lot Area (minimum): | - 0.2 hectares |
| (ii) Lot Frontage (minimum): | - 45.5 metres |
| (iii) Front Yard Depth (minimum): | - 10.5 metres |

- (#4-81) (b) **MYLES (A2-2):**
Notwithstanding Section 5(1)(d)(iii), Section 5(14)(a), Section 5(14)(d), Section 5(14)(e)(vii), Section 24(1)(a), Section 24(1)(b), Section 24(2)(a) and Section 24(2)(i) hereof to the contrary, the lands designated as A2-2 on Schedule "A" hereto may be used for a private park and a commercial club (limited to party facilities) subject to the following provisions:
- | | |
|---|-----------------------------------|
| (i) Lot Area (minimum): | - 1.9 hectares |
| (ii) Dwelling Houses Per Lot (maximum): | - 1 accessory dwelling house only |

- (iii) Buildings Related to Commercial Club:
only 1 building related to the commercial club shall be permitted and the maximum gross floor area of such building shall not exceed 240 square metres.
 - (iv) Buildings Related to Private Park:
no new building shall be erected as an accessory use for the private park except that this shall not prevent the use of any existing building, located within the A2-2 Zone for such purposes.
 - (v) Building Separation (minimum): - 3.65 metres,
provided that nothing shall prevent the expansion of an existing building having less than the required minimum building separation provided that the existing building separation is not further reduced.
 - (vi) Parking Area Regulations:
 - (a) Parking Requirements (minimum):
parking spaces shall be provided, within the A2-2 Zone, at a rate of 1 space per 4 persons design capacity of the combined private park and commercial club facilities and at a rate of 1 space per dwelling unit.
 - (b) Parking Area Location:
no parking space shall be located closer than 19 metres to any boundary of the A2-2 Zone.
 - (c) Access:
access to the A2-2 Zone shall be limited to a maximum of 3 driveways.
- (#45-87) (c) SPECIAL REQUIREMENTS (A2-3):
Notwithstanding the provisions of Section 24(1)(a), 24(1)(b), and 24(2)(a) hereof to the contrary, the lands designated as A2-3 on Schedule "A" hereto shall be used for no purpose other than one or more of the following uses: a single family dwelling house, a home occupation, and a public use in accordance with the following provision:
- (i) Lot Area (minimum): - 2 hectares
- (#22-88) (d) WEBB (A2-4):
Notwithstanding the provisions of Section 24(2)(a), hereof to the contrary, the lands designated as A2-4 on Schedule "A" attached hereto shall be developed in accordance with the following provision:
- (i) Lot Area (minimum): - 1.2 hectares
- (#28-88) (e) MORAN (A2-5):
Notwithstanding the provisions of Section 24(1)(a), Section 24(1)(b) and Section 24(2)(a) hereof to the contrary, the lands designated as A2-5 on Schedule "A" attached hereto may be used for a detached single family dwelling house, a home occupation, and a public use in accordance with the following provision:
- (i) Lot Area (minimum): - 3.96 hectares

- (#8-89) (f) SPECIAL REQUIREMENTS (A2-6):
Notwithstanding the provisions of Sections 24(1)(a), 24(1)(b), and 24(2)(a) hereof to the contrary, the lands designated as A2-6 on Schedule "A" hereto may be used for a detached single family dwelling house, a farm, a farm produce outlet, a home occupation, and a public use in accordance with the following provision:
- (#57-92) (i) Lot Area (minimum): - 6 hectares
- (#8-89) (g) SPECIAL REQUIREMENTS (A2-7):
(#57-92) Notwithstanding the provisions of Sections 24(1)(a), 24(1)(b), and 24(2)(a) hereof to the contrary, the lands designated as A2-7 on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house or home occupation in accordance with the following provision:
- (#57-92) (i) Lot Area (minimum): - 1.6 hectares
- (#30-89) (h) SPECIAL REQUIREMENTS (A2-8):
Notwithstanding the provisions of Section 24(2)(a) hereof to the contrary, the lands designated as A2-8 on Schedule "A" hereto shall be used in accordance with the following provision:
- (i) Lot Area (minimum): - 6.0 hectares
- (#30-89) (i) SPECIAL REQUIREMENTS (A2-9):
Notwithstanding the provisions of Sections 24(1)(a), 24(1)(b), 24(2)(a), and 24(2)(e) hereof to the contrary, the lands designated as A2-9 on Schedule "A" hereto shall be used for no purpose other than a detached single family dwelling house and a home occupation in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.85 hectares
(ii) Interior Side Yard Width (minimum): - 4.5 metres
- (#35-89) (j) SPECIAL REQUIREMENTS (A2-10):
Notwithstanding the provisions of Section 5(18)(a) and Sections 24(1)(a), 24(1)(b), 24(2)(a), 24(2)(c), and 24(2)(e) hereof to the contrary, the lands designated as A2-10 on Schedule "A" hereto may be used for a detached single family dwelling house, a home occupation, and a public use in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.8 hectares
(ii) Front Yard Depth (minimum): - 10.0 metres
(iii) Interior Side Yard Width (minimum): - 10.2 metres
(iv) Setback (minimum): - 25.3 metres
- (#42-89) (k) SPECIAL REQUIREMENTS (A2-11):
Notwithstanding the provisions of Section 24(1)(a), 24(1)(b), 24(2)(a), and 24(2)(b) hereof to the contrary, the lands designated as A2-11 on Schedule "A" hereto shall be used for no other purpose than a detached single family dwelling house in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.93 hectares
(ii) Frontage (minimum): - 76 metres

- (#42-89) (l) SPECIAL REQUIREMENTS (A2-12):
Notwithstanding the provisions of Sections 24(2)(a) and 24(2)(b) hereof to the contrary, the lands designated as A2-12 on Schedule "A" hereto shall be used in accordance with the following provisions:
- (i) Lot Area (minimum): - 4.80 hectares
 - (ii) Frontage (minimum): - 76 metres
- (#24-90) (m) SPECIAL REQUIREMENTS (A2-13):
Notwithstanding the provisions of Sections 24(2)(a) and 24(2)(e) hereof to the contrary, the lands designated as A2-13 on Schedule "A" hereto shall be used in accordance with the following provisions:
- (i) Lot Area (minimum): - 2.4 hectares
 - (ii) Interior Side Yard Width (minimum): - 11.0 metres
- (#8-91) (n) SPECIAL REQUIREMENTS (A2-14):
Notwithstanding the provisions of Section 24(1)(a), Section 24(1)(b), and Section 24(2)(a) hereof to the contrary, the lands designated as A2-14 on Schedule "A" attached hereto may be used for a detached single family dwelling house and a home occupation, in accordance with the following provision:
- (i) Lot Area (minimum): - 0.68 hectares
- (#8-91) (o) SPECIAL REQUIREMENTS (A2-15):
Notwithstanding the provisions of Sections 24(1)(a), 24(1)(b), and 24(2)(a) hereof to the contrary, the lands designated as A2-15 on Schedule "A" hereto may be used for a detached single family dwelling house and a home occupation, in accordance with the following provision:
- (i) Lot Area (minimum): - 1.0 hectare
- (#69-91) (p) SPECIAL REQUIREMENTS (A2-16):
Notwithstanding the provisions of Section 24(2)(a) and Section 24(2)(b) hereof to the contrary, the lands designated as A2-16 on Schedule "A" attached hereto shall be used in accordance with the following provisions:
- (i) Lot Area (minimum): - 0.8 hectares
 - (ii) Lot Frontage (minimum): - 68 metres
- (#70-91) (q) SPECIAL REQUIREMENTS (A2-17):
Notwithstanding the provisions of Section 24(2)(a) hereof to the contrary, the lands designated as A2-17 on Schedule "A" attached hereto shall be used in accordance with the following provision:
- (i) Lot Area (minimum) - 5.0 hectares
- (#43-92) (r) SPECIAL REQUIREMENTS (A2-18):
Notwithstanding the provisions of Section 24(2)(a) hereof to the contrary, the lands designated as A2-17 on Schedule "A" attached hereto shall be used in accordance with the following provision:
- (i) Lot Area (minimum): - 1.5 hectares

- (#69-92) (s) SPECIAL REQUIREMENTS (A2-19):
Notwithstanding the provisions of Section 24(1)(a), Section 24(1)(b), and Section 24(2)(a) hereof to the contrary, the lands designated as A2-19 on Schedule "A" attached hereto may be used for a detached single family dwelling house, a home occupation, or a public use in accordance with the following provision:
- (i) Lot Area (minimum): - 0.8 hectares
- (#68-92) (t) SPECIAL REQUIREMENTS (A2-20):
Notwithstanding the provisions of Section 24(1)(a), Section 24(1)(b), and Section 24(2)(a) hereof to the contrary, the lands designated as A2-20 on Schedule "A" attached hereto may be used for a detached single family dwelling house, a home occupation, or a public use, in accordance with the following provision:
- (i) Lot Area (minimum): - 2.4 hectares
- (#55-93) (u) SPECIAL REQUIREMENTS (A2-21):
Notwithstanding the provisions of Section 24(1)(a), Section 24(1)(b), and Section 24(2)(a) hereof to the contrary, the lands designated as A2-21 on Schedule "A" attached hereto may be used for a detached single family dwelling house, a home occupation, or a public use in accordance with the following provision:
- (i) Lot Area (minimum): - 0.8 hectares
- (#37-95) (v) SPECIAL REQUIREMENT (A2-22):
Notwithstanding the provisions of Section 24(1) and Section 24(2)(a) hereof to the contrary, the lands designated as "A2-22" on Schedule "A" attached hereto, shall be used for no purpose other than one or more of the following uses: an accessory dwelling house; a detached single family dwelling house; a cemetery; a farm; a farm produce outlet; a home occupation; a public use; or a specialized farm, in accordance with the following provision:
- (i) Lot Area (minimum): - 4.0 hectares
- (w) SPECIAL REQUIREMENT (A2-23):
Notwithstanding the provisions of Section 24(1)(a) and (b) hereof to the contrary, the lands designated as "A2-23" on Schedule "A" attached hereto, shall be used for no purpose other than one or more of the following uses: a detached single family dwelling house; a home occupation or a public use, in accordance with the following provisions:
- (i) Lot Area (minimum) - 0.7 hectares
 - (ii) Lot Frontage (minimum) - 70 metres
- (By-law No. 29-96-1996)

- (x) SPECIAL REQUIREMENT (A2-24):
Notwithstanding the provisions of Section 24(1), Section 24(2)(a), Section 24(2)(e) and Section 24(2)(f) hereof to the contrary, the lands designated as "A2-21" on Schedule "A" attached hereto, shall be used for no other purpose than one or more of the following uses: a detached single family dwelling house, a home occupation or a public use, accordance with the following provisions:
- | | | |
|-------|------------------------------------|--------------|
| (i) | Lot Area (minimum) | 1.0 hectares |
| (ii) | Interior Side Yard Width (minimum) | 9 metres |
| (iii) | Rear Yard Depth | 9 metres |
- (By-law No. 8-97-1997)
- (y) SPECIAL REQUIREMENT (A2-25):
Notwithstanding the provisions of Section 24(1)(a), 24(1)(b), 24(2)(b) and Section 5(22) herein, the lands designated as "A2-25" on Schedule 'A' attached hereto shall be used for one or more of the following uses only: a single family dwelling house; a home occupation; and a public use in accordance with the following provisions:
- | | | |
|-------|------------------------|-------------|
| (i) | Lot Area (minimum) | 0.8 hectare |
| (ii) | Lot Frontage (minimum) | 70 metres |
| (iii) | Water Setback | |
- No building or structure, other than a marine Facility, shall be located less than 50 metres From the high water mark.
- (By-law No. 98-96-1998)
- (z) SPECIAL REQUIREMENTS (A2-26)
Notwithstanding the provisions of Section 24(1) and Section 5(7)(f) to the contrary, the lands designated as A2-26 on Schedule 'A' hereto, shall be used for no other purpose than one or more of the following uses; a detached single dwelling house, a public use or a home occupation including the use of the existing garage for the storage of vehicles and materials for a home occupation, in accordance with the following provisions:
- | | | |
|-----|--------------------|--------------|
| (i) | Lot Area (minimum) | 1.0 hectares |
|-----|--------------------|--------------|
- (By-law No. 2000-316-2000)
- (aa) SPECIAL REQUIREMENT (A2-27)
Notwithstanding the provisions of Section 24(2)(a) and (b) hereof to the contrary, the lands designated A2-27 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:
- | | | |
|------|------------------|----------------|
| (i) | Lot Area Minimum | - 1.0 hectare |
| (ii) | Lot Frontage | - 82.5 metres" |
- (By-Law No. 2001-196 – 2001)
- (bb) SPECIAL REQUIREMENT (A2-28)
Notwithstanding the provisions of Section 24(2)(a) hereof to the contrary, the lands designated as A2-28 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:
- | | | |
|-----|------------------|---------------|
| (i) | Lot Area Minimum | 1.34 hectares |
|-----|------------------|---------------|
- (By-Law No. 2002-20)

- (cc) SPECIAL REQUIREMENT (A2-29)
Notwithstanding the provisions of Section 24(2)(a) hereof to the contrary, the lands designated A2-29 on Schedule "A" attached hereto shall be developed in accordance with the following provisions:
- (i) Lot Area 1.529 hectares
(By-Law No. 2002-20)
- (dd) SPECIAL REQUIREMENT (A2-30)
Notwithstanding the provisions of Section 24(1), Section 24(2)(a) and (e) hereof to the contrary, the lands designated A2-30 on Schedule "A" attached hereto shall be used for no purpose other than one or more of the following uses:
A single family dwelling house, a home occupation, and a public use in accordance with the following provision:
- (i) Lot Area Minimum 1.0 hectare
 - (ii) Special Setback from Railway Right-of-Way
No part of the main dwelling house shall be located within 120 m of a railway right-of-way; this exclusion area is identified as Part 2 of Reference Plan 13R-16172
 - (iii) Interior Side Yard Width (minimum to south lot line) 2 metres
(By-Law No. 2002-112)
- (ee) SPECIAL REQUIREMENT (A2-31)
Notwithstanding the provisions of Section 24(1) hereof to the contrary, the lands designated as 'A2-31' on Schedule "A" attached hereto may also be used for a home occupation, including fireworks displays and wholesaling, located in an accessory structure in accordance with the following provisions in addition to any other requirements:
- (i) Maximum Permitted Floor Area for a home occupation – 55 square metres;
 - (ii) Where the home occupation includes the storage of fireworks the following minimum setbacks will apply:
 - (a) Setback from Road Allowance – 100 metres
 - (b) Setback from Pipeline Easement – 200 metres
 - (c) Setback from a Dwelling Unit – 90 metres
 - (d) Setback from the existing Dwelling on the abutting property to the west – 150 metres.
- (By-Law No. 2002-208)
- (ff) SPECIAL REQUIREMENT (A2-32)
Notwithstanding the provisions of Section 5(24) –'H' Holding Zone Provisions to the contrary, the Holding (-H) symbol shall not be removed until the following conditions have been satisfied:
- a. A hydrogeological study that satisfactorily demonstrates that an adequate supply of potable water is available for the existing and proposed development;
 - b. An environmental impact assessment that is prepared in accordance with the Official Plan and is satisfactory to the City of Kingston and the Cataraqui Region Conservation Authority is submitted to the City;
 - c. An archaeological study acceptable to the Ministry of Culture, Recreation and Citizenship is provided; and,
 - d. The owner has entered in to a Site Plan Control Agreement that satisfactorily implements these studies

No site alterations such as vegetation or tree removal or grading shall take place until the Holding symbol has been removed. Any alterations shall be restored to their pre-existing state before any required studies are conducted

(By-Law No. 2005-141)

SECTION 25**DEVELOPMENT ZONE (D)****(1) USES PERMITTED**

No person shall within any D Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following D uses, namely:

- (a) **RESIDENTIAL USES:**
an accessory dwelling house;
an existing detached single family dwelling house.
- (b) **NON-RESIDENTIAL USES:**
a farm, but not including a specialized farm as defined herein;
a farm produce outlet;
a home occupation;
a public use.

(2) ZONE PROVISIONS

No person shall within any D Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) **LOT AREA (minimum):** - 10 hectares
- (b) **LOT FRONTAGE (minimum):** - 90 metres
- (c) **FRONT YARD DEPTH (minimum):** - 10.5 metres
- (d) **EXTERIOR SIDE YARD WIDTH (minimum):** - 10.5 metres
- (e) **INTERIOR SIDE YARD WIDTH (minimum):** - 12 metres
- (f) **REAR YARD DEPTH (minimum):** - 15 metres
- (g) **DWELLING UNIT AREA (minimum):** - 80 square metres
- (h) **LOT COVERAGE (maximum):** - 10%
- (i) **DWELLING HOUSES PER LOT (maximum):** - 1 only
- (j) **ACCESSORY USES, PARKING, ETC.:**
In accordance with the provisions of Section 5 hereof.

(#89-91) (3) SPECIAL D ZONES

- (#89-91) (a) **SPECIAL REQUIREMENTS (D-1):**
Notwithstanding any provisions of this By-law to the contrary, the lands designated as D-1 on Schedule "A" hereto may be used for uses accessory to a detached single family dwelling house in accordance with the following provisions:

- (i) No accessory use shall be located closer than 1.2 metres to any lot line.
 - (ii) Notwithstanding any provisions of this By-law to the contrary, Lots 73, 81, 82, 83 and the south half of Lot 74, Registered Plan No. 95 (Eastview) shall be considered to be a single lot.
- (b) **SPECIAL REQUIREMENT (D-2), TRAINOR**
Notwithstanding the provisions of Section 25(1) and 25(2)(b) to the contrary, the lands designated as "D-2" on Schedule 'A' attached shall be used for no other purpose than one or more of the following uses: a farm, but not a specialized farm; a farm produce outlet; a personal recreation use of the owner; or a public use in accordance with the following provisions:
- (i) Lot Frontage (minimum) - 0 metres
(By-Law No. 99-202-1999)

SECTION 26**ADMINISTRATION**(1) **ZONING ADMINISTRATOR**

This By-law shall be administered by the Zoning Administrator.

(2) **BUILDING AND OTHER PERMITS**

Notwithstanding the provisions of the Corporation's Building By-law or any other By-law of the Corporation, no building permit or occupancy permit shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.

(3) **APPLICATION FOR BUILDING PERMITS**

In addition to all the requirements of the Corporation's Building By-law or any other By-law of the Corporation, every application for a building permit shall be accompanied by a plan in duplicate (one copy of which shall be retained by the Building Inspector) drawn to scale and showing the following:

- (a) The true dimensions of the lot to be built upon or otherwise used.
- (b) The proposed location, height and dimensions of any building, structure or use proposed for such lot.
- (c) The proposed locations and dimensions of yards, landscaped open space, off-street parking and off-street loading facilities required by this By-law.
- (d) The location of all existing buildings or structures on the lot shown on the plan.
- (e) A statement signed by the owner, disclosing the exact use proposed for each aforesaid building, structure or use and giving all information necessary to determine if such proposed or existing building, structure or use conforms to the requirements of this By-law.

(4) **INSPECTION**

The Zoning Administrator, Chief Building Official, Building Inspector or any other officer or employee of the Corporation, acting under the direction of Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his/her duties under this By-Law.

(By-Law No. 2006-32)

(5) **VIOLATIONS AND PENALTIES**

- (i) Any person convicted of, by a Court of competent jurisdiction, a breach of this By-law shall forfeit and pay at the discretion of the convicting Justice or Provincial Judge, a penalty not exceeding the sum of Twenty-Five Thousand (\$25,000.00) Dollars (exclusive of costs) for the first offence; and for a subsequent offence, a penalty not exceeding the sum of Ten Thousand (\$10,000.00) Dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.
- (ii) Any Corporation convicted of, by a Court of Competent jurisdiction, a breach of this By-law shall forfeit and pay at the discretion of the convicting Justice or Provincial Judge, a penalty not exceeding the sum of Fifty Thousand

(\$50,000.00) Dollars (exclusive of costs) for the first offence; and for a subsequent offence, a penalty not exceeding the sum of Twenty-Five Thousand (\$25,000.00) Dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.

(By-Law No. 32-74; 2005-211)

(6) REMEDIES

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of The Planning Act or The Municipal Act in that behalf.

(7) VALIDITY

If any section, clause or provision of this By-law, including anything contained in Schedule "A" attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

(8) CERTIFICATE OF OCCUPANCY

No seasonal dwelling house shall be altered to any other Residential use until a Certificate of occupancy has been issued by the Chief Building Official to the effect that the proposed use conforms to the provisions of this By-Law.

(By-Law No. 2006-32)

(9) EXISTING BY-LAWS

The following By-laws and all amendments thereto are hereby repealed:

- (a) By-law No. 5, 1947 - A By-law to regulate the use of land and the character, location and use of buildings and structures; and
- (b) The Zoning By-law of the Township of Pittsburgh, 1966.

SECTION 27

APPROVAL

This By-law shall become effective on the date hereof subject to receiving the approval of the Ontario Municipal Board.

THIS BY-LAW given its first and second readings this 30th day of October, A.D., 1974.

THIS BY-LAW read a third time and finally passed this 4th day of November, A.D., 1974.

Signed: E.C. Swayne
Reeve

Signed: R.M. Mullen
Chief Administrative Officer/Clerk

TABLE OF METRIC CONVERSIONS
 ZONING BY-LAW 32-74
 TOWNSHIP OF PITTSBURGH

(This table does not form part of this By-law but is provided for convenience)

<u>METRES</u>	<u>FEET</u>	<u>SQUARE METRES</u>	<u>SQUARE FEET</u>
0.5	1.64	3	32.29
0.6	1.97	9	96.87
1	3.28	14	150.68
1.5	4.92	18.5	199.12
2	6.56	37	398.23
2.25	7.38	58.5	629.64
2.5	8.20	75	807.23
3	9.84	80	861.04
3.5	11.48	88	947.14
4	13.12	93	1000.96
4.5	14.76	100	1076.30
6	19.68	120	1291.56
7.5	24.61	140	1506.82
8	26.25	160	1722.08
9	29.53	185	1991.16
10	32.81	205	2206.42
10.5	34.45	280	3013.64
10.67	35.01	550	5919.65
12	39.37	930	10009.59
13.5	44.29	1400	15068.20
15	49.21	2000	21526.00
15.3	50.20	2050	22064.15
18	59.05	2300	24754.90
22	72.18	2785	29974.96
23	75.46	4050	43590.15
24	78.74	7400	79646.20
30	98.42	9300	100095.90
30.5	100.06		
36.5	119.75		
38	124.67	<u>HECTARES</u>	<u>ACRES</u>
46	150.92	0.4	0.99
60	196.85	0.8	1.98
76	249.34	10.0	24.96
76.8	251.97		
78	255.90		
88	288.71		
90	295.27	<u>KILOGRAMS</u>	<u>POUNDS</u>
150	492.12		
300	984.24	23	50.71
		900	1984.26

Zoning By-Law No. 32-74

NOTE: For up-to-date map schedules please contact our Planning Dept at 613-546-4291 ext. 3154 ~ *“Thank you”*

Maps : Note: for the most recent consolidated map schedules; these are available from the following web site: <http://www.cityofkingston.ca/cityhall/bylaws/zoning/index.asp>

SCHEDULE "A"
Maps 1-5

SCHEDULE "B-1"

Repealed by By-law #18-88